



UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
NATIONAL MARINE FISHERIES SERVICE
GREATER ATLANTIC REGIONAL FISHERIES OFFICE
55 Great Republic Drive
Gloucester, MA 01930-2276

AUG 18 2015

Thomas A. Nies
Executive Director
New England Fishery Management Council
50 Water Street, Mill 2
Newburyport, MA 01950

Dear Tom:

At its June meeting, the Council requested that we use our administrative authority in-season to adjust the sector at-sea monitoring (ASM) program requirements for the 2015 fishing year with the goal of alleviating the financial burden to industry. While we do have authority to make administrative adjustments to the ASM program in-season, none of the options would be consistent with current regulatory requirements and statistical standards, and as a result, we are not taking administrative action to modify the ASM coverage rate for 2015. However, improving the ASM program by making it more efficient and cost effective is a high priority. Therefore, we are focusing our efforts on evaluating the current ASM program, and exploring any possible modifications, including concepts suggested in the June Council motions, through the Groundfish Plan Development Team (PDT) to inform a future Council action.

1. The Council requested that we adjust the 2015 ASM program for multispecies sectors through administrative action to improve the efficiency of the program and reduce the cost.

We carefully explored the Council's suggested changes, as well as other options and concepts that we considered to be within the scope of administrative changes we could make in-season. Amendment 16 and Framework Adjustment 48 require ASM coverage levels sufficient to achieve at least a 30-percent coefficient of variation (CV) for each stock and, to the extent practicable, monitor sector operations to reliably estimate overall sector catch. None of the possible options that we analyzed would reduce monitoring costs and still achieve the 30-percent CV and other statistical standards necessary to monitor sector catch. Therefore, we are not taking administrative action to adjust the ASM coverage rate for fishing year 2015.

In February 2015, we announced the 24-percent ASM coverage requirement for fishing year 2015 along with our supporting analyses. The rate was based on the level of coverage necessary to achieve the required 30-percent CV for each stock and to estimate 80 percent of discarded pounds at a 30-percent CV. As in previous years, we based the rate of coverage on the stock shown by the most recent data (2013) to have the highest variability in discards, which at the time was Southern New England/Mid-Atlantic yellowtail flounder. While the stock with the highest variability has changed from year to year, using this standard has ensured that coverage rates were sufficient to capture this level of variability.



The Council's recommended changes and their potential impacts require further consideration and development that is better suited for the Council process. Although the Council's suggestion is not possible for an in-season administrative change, the Council should further consider this concept. For example, the Council could further consider setting different ASM coverage rates for different areas based on the variability of the stocks in those areas. Other ways of prioritizing ASM coverage, such as stock condition, percent of catch limit harvested, or percent of catch comprised of discards, may also be considered. These types of approaches could have impacts (e.g., loss of sector-specific discard rates) that should be evaluated, and should be fully developed by the Groundfish PDT as a foundation for any changes the Council may consider.

2. The Council requested that we consider excluding extra-large mesh trips from the 24-percent ASM coverage rate through administrative action in FY 2015.

This request requires a substantive change to the fishery management plan that is beyond our administrative authority. Therefore, we cannot make this change during the 2015 fishing year. This request is similar to a provision in Framework Adjustment 48 that stipulated we specify a separate, lower, coverage rate for sector trips fishing with 10-inch mesh (or larger) gillnets on a monkfish day-at-sea in the Southern New England Broad Stock Area. This was a change to the overall design of the ASM program made through a framework adjustment because it was a departure from the initial design implemented by Amendment 16. Sectors cannot be granted exemptions from reporting requirements, including monitoring; thus, a Council action was necessary. For the same reasons, we have determined that the Council's request would require a Council action to further modify the ASM requirements for extra-large mesh gillnet trips. This motion should be evaluated by the PDT for consideration in a future Council action.

3. The Council requested that we evaluate the ASM program for its effectiveness in support of stock assessments, its total costs to the groundfish fishery (e.g., returns to owner vs. ASM costs), data precision and accuracy, and whether it is actually ensuring catch accountability.

Some of this evaluation has begun (e.g., analysis of ASM costs v. returns to owner). We agree that completing this analysis is a necessary step to investigate streamlining the ASM program to improve efficiency. Given the overlap of this request with the Groundfish PDT's tasks, we intend to support this request through Regional Office and Northeast Fisheries Science Center staff participation on the PDT.

Industry funding for ASM will be economically challenging. We are committed to working with the Council to explore ways to adjust the program so that it continues to provide catch accountability while minimizing costs, and will continue to examine administrative options for refining and improving the ASM program for 2016 and beyond. We will also work with industry to reduce costs where possible when transitioning to industry funding later this year and will continue these efforts beyond the transition. There are a variety of approaches sectors can

take to fairly distribute expenses during the 2015 fishing year, and we are encouraging them to consider those opportunities.

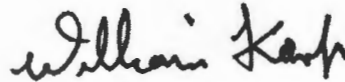
If you have further questions about our determination, please contact Michael Pentony, Assistant Regional Administrator for Sustainable Fisheries, at (978)-281-9283.

Sincerely,



John K. Bullard
Regional Administrator

and



Dr. William Karp
Science and Research Director

cc: Terry Stockwell, Chair, New England Fishery Management Council
Frank Blount, Chair, Groundfish Oversight Committee