

Point Judith and Southern New England Offshore Trawl Sector

April 30, 2008

Paul Howard
Executive Director
New England Fisheries Management Council
50 Water St., Mill #2
Newburyport, MA 01950

Dear Captain Howard:

This shall serve as the **Point Judith and Southern New England Offshore Trawl Sector's** application for authorization under Amendment 16 to operate in fishing year 2010.

The intent of this proposal is to reflect the most recent sector policy modifications being considered by the Council. However, many Amendment 16 policy decisions essential to sector development and operations have not yet been finalized. Therefore, this Sector must reserve its right to modify its structure and operations to capture any or all future changes resulting from the Amendment 16 deliberations. The Sector intends to submit a more comprehensive and detailed Operations Plan to the Council and NMFS once Amendment 16 has been finalized.

Please note that sections marked "to be set forth in A16" are intended to be intrinsic to the Sector and that sections marked "to be set forth in the Operations Plan" are elements that may be changed through modifications to the Operations Plan.

1) Sector Identity: (to be set forth in A16)

a) Name: Point Judith and Southern New England Offshore Trawl Sector

b) Representative: Jackie Odell
Northeast Seafood Coalition
4 Parker St.
Gloucester, MA 01930
978-283-9992

c) Administration:

This Sector is established and will be operated in collaboration with the Northeast Seafood Coalition which will provide operational and administrative services and support to this and other sectors in order to achieve a high level of efficiency and effectiveness through economies of scale and inter-sector organization.

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2) Description of Sector:

a) The following characteristics of this Sector are estimated and/or anticipated for operations in fishing year 2010. (to be set forth in the Operations Plan)

1) Estimated number of vessels actively fishing in the Sector: up to approximately 60 vessels

(Note: The minimum number will be consistent with policy set forth in A16. The total number of permits enrolled in the Sector will be greater than the number of vessels actively fishing in the Sector.)

2) Anticipated size range of vessels actively fishing in the Sector: 55' – 95'

(Note: The size range of vessels whose permits are enrolled in the Sector may be smaller or larger than the size range of the vessels actively fishing in the Sector.)

3) Other potential non-multispecies stock interactions currently subject to DAS management: monkfish, skates, dogfish

b) The following characteristics of this Sector are estimated and/or anticipated for operations in fishing year 2010. (to be set forth in A16)

1) Anticipated primary hailing port(s): Point Judith, RI, Stonington, CT, New Bedford, MA

(note: Additional ports may be added in the operations plan based on final Sector roster)

2) Anticipated primary unloading port(s): Point Judith, RI, Stonington, CT, New Bedford, MA

(note: Additional ports may be added in the operations plan based on final Sector roster. In the course of any fishing year, additional unloading ports may be used infrequently as a result of emergencies, weather and other unforeseen circumstances.)

3) Primary Fishing gear: otter trawl

4) Potential secondary fishing gear as needed based on any future management changes and SAPs, and based on the final Sector roster: gillnet, bottom longline

5) Anticipated primary fishing area(s): Georges Bank, Southern New England

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6) Potential secondary fishing areas as needed based on any future management changes and SAPs, and based on the final Sector roster: Gulf of Maine

7) Estimated Sector quota share for each allocated Multispecies stock: 0 - 20%

(Note: the maximum quota share may exceed 20% subject to final approval of Amendment 16 policy to eliminate the 20% cap in Amendment 13.)

3) Sector Requests:

a) Stock Allocations (to be set forth in A16):

- All regulated groundfish stocks (except Atlantic halibut, ocean pout, northern windowpane flounder, southern windowpane flounder). To be allocated according to the allocation formula set forth in A16.

b) All universal exemptions set forth in A16.

c) Additional exemptions include but are not limited to (to be set forth in the Operations Plan):

- 120 day block-out for gillnet fishery
- 20 day spawning block

d) Annual Catch Entitlement (ACE) Trading:

- **Between Sectors:** Yes (as set forth in A16)
- **Within Sectors:** Yes (details to be set forth in the Operations Plan)

4) Sector Operations (to be set forth in the Operations Plan):

a) Monitoring: At a minimum, the Sector will apply a monitoring system to be set forth in its operations plan that is consistent with and satisfies the requirements for all sectors set forth in section 3.1.10 of Amendment 16. The goal is to achieve a comprehensive catch data collection and reporting system that is highly effective in supporting a sector/output control management system and associated scientific stock assessments.

b) Retention: The Sector will retain all legal-sized fish from stocks managed by the NE Multispecies FMP that are specifically allocated to the Sector.

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c) Compliance with Sector Allocation:

- When the ACE of any stock held by the Sector is fully utilized, all members of the Sector will cease fishing in the applicable stock areas. Members of the Sector may resume fishing if and when additional ACE for such stock is obtained by the Sector consistent with A16.
- The Sector will enforce allocations based on its internal monitoring and control system that will be reconciled with third-party monitoring entity information to ensure that the Sector ACE will not be exceeded for any stock.
- The Sector Manager will ensure that the Sector will comply with all A16 monitoring and reporting requirements including frequent reporting to NMFS.
- The Sector will enhance and increase the frequency of monitoring and reporting to NMFS as the ACE for each stock is approached in order to prevent overages. At a minimum, the Sector will report to NMFS whenever the Sector has utilized 80% of the ACE of any stock, when the Sector has utilized 90% of the ACE of any stock, and when the Sector has fully utilized the ACE of any stock.
- As a further measure to ensure that overages do not occur, the Sector intends to employ an internal mechanism to withhold a percentage of the ACE of each stock at the beginning of each fishing year which can be released to Sector members as the Sector's ACE is reached.
- The Sector will have authority to impose penalties on Sector members for non-compliance as defined by the Sector's operations plan and agreements.

d) Infractions:

- The Sector will establish and operate an internal infractions system including a specific penalty schedule to ensure compliance with this Sector's and Amendment 16 requirements, the details of which will be fully described in the Operations Plan.

5) Sector Benefits:

a) Community:

The port of Point Judith is one of our nation's oldest and longest operating commercial fishing ports and sustains a diverse but well defined community of families and small fishing and shoreside support businesses that is both heavily dependent on and defined by the groundfish fishery. The ports of Stonington and New Bedford share a similar history and community. The current regulatory and economic environment severely threatens the sustainability of these communities. The implementation and operation of this Sector will substantially improve the regulatory and economic environment for Sector participants and many other small businesses within the Point Judith, Stonington and New Bedford fishing

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communities, and will substantially enhance the long term sustainability of these fishing communities.

b) Efficiency:

The current input-control management system for groundfish utilizes units of effort to predict catch. The diversity and spatial and temporal dynamics of the Gulf of Maine, Georges Bank and Southern New England fish stocks and ecosystems, as well as the diversity of fishing operations throughout the region, have made it exceedingly difficult to predict with sufficient precision the catch of each of the 19 regulated groundfish stocks. Other input controls, such as trip limits, inherently impose inefficiencies on stock utilization.

Perhaps the most pronounced consequence is that the annual harvest of the fishery as a whole consistently falls far below the Optimum Yield (OY). A very large portion of the potential benefits to the nation, the region, fishing communities and individual fishermen are lost due to the inefficiency of this system in achieving OY for this fishery. The social and economic structure of fishing communities cannot be sustained under this system.

The operation of this Sector as part of a catch-based (output-control) management system will enable Sector participants to substantially improve the efficiency in achieving Optimum Yield for each stock. In particular, the ability to trade Annual Catch Entitlements (ACE) between Sectors and between individual Sector members will redistribute access to the resource to where it is needed resulting in much greater utilization of the Optimum Yield.

Sector operations also provide the opportunity for Sector members to collectively optimize the efficient and safe utilization of Sector allocations by managing which Sector members operate where, when and how (ie. more selective fishing). Further, the requested exemptions from stock-specific trip limits will substantially reduce wasteful discards (bycatch) and vastly improve the efficiency in the utilization of those stocks.

In the face of rapidly escalating fuel prices that cannot be offset by ex-vessel fish prices, the efficiencies gained through the operation of this Sector will be essential for the Sector participants and their fishing communities to survive.

Finally, an additional consequence of the inability of the current system to predict catch with sufficient precision is that the Total Allowable Catch (TAC) for some stocks has been exceeded in some years. Unfortunately, this result is not usually known until well after the fishing year has ended. This is highly inefficient from a resource management perspective. The Sector's comprehensive monitoring and operations plans will improve the efficiency of fishery management by enabling Sector managers to prevent ACE allocations from being exceeded during the fishing year.

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c) Stock Conservation:

The conservation of NE multispecies stocks will be substantially improved by the implementation and operation of this Sector. A comprehensive at-sea and dockside catch monitoring program, in concert with the internal monitoring and enforcement elements of the Sector operations plan outlined above, will achieve the new level of accountability needed to ensure that the Sector's ACE is not exceeded.

Improved at-sea monitoring and the elimination of wasteful trip limits will substantially reduce and better account for bycatch (discards) which will, in turn, prevent overfishing, support rebuilding, and improve the accuracy of stock assessments.

For the fishery as a whole, the operation of this Sector as part of a catch-based management system will provide for the effective use of hard TACs as an effective Accountability Measure to ensure that Annual Catch Limits are not exceeded, overfishing is prevented, and the objectives of each stock rebuilding plan are achieved. Further, fishery scientists and managers will be provided with more real-time, in-season catch data that will substantially improve stock assessments and in-season management responses.

Finally, Sectors provide its members, both individually and collectively, with a more direct stake in and control over the conservation of the resource. Therefore, the operation of this Sector provides its members with a much greater opportunity and incentive to provide effective stewardship over their fishery.

d) Habitat Conservation:

Implementation of this Sector may reduce habitat impacts. Because Sector members will operate under a specific allocation and are thus able to be more selective and efficient in where, when, how and how much they fish and increase catch rates (CPUE), it is possible that overall fishing time and associated habitat impacts will be reduced. The increased efficiency achieved by fishing during times and in areas of higher CPUE will require less fixed gear and less tow time for mobile gear Sectors.

Exemptions from seasonal and rolling closures will not affect where fishing occurs as much as it will affect when it occurs. The same Habitat Areas of Particular Concern that are closed to fishing will remain in effect as under the current system.

In practice, intensive fishing activity is sometimes concentrated in areas just outside of seasonal/rolling closures and so the operation of this Sector under the requested exemptions may provide for fishing activity to be more dispersed in time and space. This may reduce localized habitat impacts.

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e) Protected Species Conservation:

Because Sector members will operate under a specific allocation and are thus able to be more selective and efficient in where, when, how and how much they fish and increase their catch rates (CPUE), it may be possible for Sectors to both avoid and reduce interactions with protected species and achieve a higher level of protected species conservation than under the current management system.

Several factors associated with implementation of the Sector should contribute to a positive impact on marine mammal interactions. The increased efficiency of fishing during times and in areas of higher CPUE will require less fixed gear to achieve the desired catch. By removing the use of Days at Sea, day gillnet vessels no longer have to be concerned about not setting enough gear for fear of not catching enough fish to make the loss of the DAS worthwhile.

Respectfully submitted,

Jackie Odell

Jackie Odell,
Executive Director
Northeast Seafood Coalition