

MID-ATLANTIC FISHERY MANAGEMENT COUNCIL

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Daniel T. Furlong
Executive Director

MEMORANDUM

DATE: May 28, 2009
TO: RSA Committee and all Mid-Atlantic Council Members
FROM: Clay Heaton, Research Set-Aside Program Staff Support
SUBJECT: Materials for **RSA Meeting on Monday, June 8, 2009** in New York City

Meeting Time: noon - 5:00 pm (06/08/2009)

Meeting Room: Chelsea

Location: Radisson Martinique on Broadway, 49 West 32nd Street , New York NY 10001
Reservations: 1-800-395-7046 - or Tel: 212-736-3800

Noon - 3:00 pm: CLOSED NMFS' SESSION to Review and Comment on 2010 RSA Proposals

- Proposals and their associated budget information are considered confidential information at this stage of the review process. Please do not distribute.

3:00 pm - 5:00 pm: Public Session

- Receive presentation on NMFS' draft Cooperative Research Strategic plan (Laura Singer)
- Review Mid-Atlantic RSA program performance and discuss potential improvements.
- Develop comments as appropriate for Council consideration.

Reference materials for the RSA Meeting are behind this sheet (#1) in the June 2009 briefing book (TAB 1), and are listed below.

#2) Strategic Planning for Cooperative Research: Present Opportunities and Future Directions - PowerPoint presentation - Laura Taylor Singer of the Gulf of Maine Research Institute (May 2009)

#3) RSA Program Issues - Discussion Document for 6/8/2009 Meeting (05/21/2009)

#4) Chart of Mid-Atlantic RSA vessel participation over time (05/21/2009)

#5) Mid-Atlantic RSA Quota Awards by species: 2004 - 2009. Table (05/21/2009)

#6) NFI letter listing ideas for RSA program (Dr. Eleanor Bochenek & Greg DiDomenico 02-09-2009)

#7) Newsday article on RSA program on Long Island, NY (Jennifer Smith 05-12-2009)

Note: The Chelsea meeting room is available until 6:00 pm, if additional time is needed.

Science, Service, Stewardship



Strategic Planning for Cooperative Research Present Opportunities and Future Directions

Laura Taylor Singer
Chief Convening Officer
Gulf of Maine Research Institute



**Gulf of Maine
Research Institute**

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FISHERIES
SERVICE**

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Objectives of NOAA's Northeast Cooperative Research Program

- Foster coordination, cooperation, communication, and mutual respect among scientists, managers, and industry.
- Improve the data upon which fishery management decisions are made.



Goal of Strategic Planning Project

To define a clear set of *strategic cooperative research priorities* and inform the evolution of NOAA Fisheries' Northeast cooperative research programs from 2010-2014.



Northeast Cooperative Research Strategic Planning Process





- Frequent dialogue
- Responsiveness to management
- Collaboration with NMFS scientists and technical people
- Networks among institutions

Lessons Learned



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(More Lessons Learned)



- Sharing products and equipment
- Peer review of results
- Project data collection
- Annual meeting

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General Principles

- *Focus limited cooperative research funds on critical management needs in the short-term.*
- *Cooperative approach in the northeast has proven successful and should be fostered.*



Broad Recommendations for Cooperative Research in the Northeast

1. Seek funding from other parts of NOAA to support core needs (NEAMAP and Inshore Surveys)
2. Support continued funding of broad cooperative research programs (e.g., Northeast Consortium, Southern New England Cooperative Research Initiative, etc.) that partner with NECRP and provide a source for cooperative research with industry that may have longer-term benefits for fisheries management.
3. Leverage cooperative research infrastructure and expertise by encouraging use within other parts of NMFS



General Recommendation for NOAA's Northeast Cooperative Research Program

Restructure NOAA's Cooperative Research Program to improve performance, efficiency, and adaptability.



Restructure Northeast Cooperative Research Program

1. Formalize and permanently establish the Northeast Region Cooperative Research Coordinating Committee (CRCC)
2. Enhance internal administrative capacity
3. Revise acquisition methods and structure:
 - utilize alternative acquisition processes
 - establish multi year cooperative agreements
 - create networked organizations
4. Consider broader programmatic regulatory permitting and NEPA/Protected Resources review processes.
5. Develop and implement a coherent outreach and education strategy



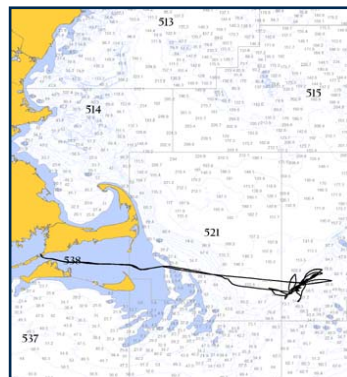
Theme I: Fishery-Dependent Monitoring and Critical Data Gaps

Support development and implementation of innovative monitoring tools and pilot programs to address critical data gaps as the industry moves to new management regimes.



Fishery-dependent Monitoring

- 1. transfer technology of new fishery-dependent monitoring and reporting tools (extension of Study Fleet program)**
- 2. conduct studies and analyze new information on discards**





Surveys and Data Gaps



1. formalize industry independent information network of survey programs
2. fund pilot surveys to address critical data gaps
3. collect species-specific biological samples

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Theme II: Conservation Engineering Network

Develop a comprehensive conservation engineering program within NEFSC/CRPP to achieve regional coordination and technology transfer with industry.





Conservation Engineering Network

1. design collaborative networks in the region
2. establish conservation engineering node at NEFSC
3. create industry panel
4. purchase gear and provide extension services
5. leverage Sea Grant program



Species-specific Cooperative Research Priorities





Mid-Atlantic Cooperative Research Species-Specific Priorities

Summer Flounder

- Need significant increase in biological sampling (length, age, sex, maturity) for summer flounder catch (kept and discards) across fisheries at fine scales of resolution. Critical sex ratio stock productivity questions need to be addressed.

Black Sea Bass and Scup

- Develop fishery independent surveys for scup and black sea bass (unvented trap surveys).
- Conduct tagging studies for scup, black sea bass and bluefish.

Loligo Squid

- Conduct gear research to reduce discards of butterfish and other non-targets in the *Loligo* squid fishery.

Butterfish

- Further research on improving the precision discard estimates for butterfish from all sources.

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Mid-Atlantic Cooperative Research General Priorities

Sea Turtle Bycatch in Mid-Atlantic Trawl Fisheries

- Develop turtle exclusion devices for trawl gear in the Mid-Atlantic.
- Explore opportunities to leverage work on sea turtle bycatch funded under other programs (NMFS BREP, Scallop RSA).

Mid-Atlantic trawl fishery – baseline economic survey of infrastructure investments

- Initiate survey to start developing industry cost estimates for fleet impacts of trawl gear modifications to address bycatch reduction.

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RSA Program Issues - Discussion Document for 6/8/2009 Meeting

Draft of: 5/21/2009 (#5)

Issues

- There exists a perception that the RSA program creates an inequitable situation among the fishing community, particularly in New York. Though anyone can become involved in the Mid-Atlantic RSA program, there are complaints and allegations, anecdotally from those who are not involved, over illegal activities occurring during landings of RSA quota.
 - The administrative and enforcement burden of the Mid-Atlantic RSA program has increased substantially as more vessels have requested the ability to participate in harvesting the RSA (compensation) quota. The greatest increase has occurred in the state of New York, so correspondingly, the greatest additional workload has fallen on NY Division of Marine Resources staff.
 - NMFS has also experienced a similar increase in administrative burden resulting from many more vessels participating in RSA compensation fishing, which requires the issuance of exempted fishing permits and enforcement of the permit requirements.
 - Concerns relative to the enforceability of the program have escalated particularly in the past two years, largely because:
 - 1) The large number of recreational and commercial vessels participating in compensation fishing activities.
 - 2) The large number of docks and marinas from which vessels operate and the number of locations that need to be monitored is very high.
 - 3) Both commercial and recreational vessels that purchase RSA quota under the NFI auction have a financial incentive to not report all landings so as to preserve their RSA quota. There have been vocal claims primarily from New York residents that vessels are not reporting all the fish they land.
 - 4) Since charter/party vessels do not sell the fish they land to dealers, their reports are the sole record of their RSA landings. There are no dealer reports that can be used as a cross-check.
- Enforcement officials at both the state and federal level have commented that they have inadequate resources to meet the increased need.

There has been a growing awareness in the New York fishing community that RSA quota can function like an IFQ. One of the major benefits of managing fisheries with individual quotas is that they usually allow effort restrictions to be removed, so fishing seasons can be extended throughout the entire year. Given that the recreational season for summer flounder in New York is relatively short, having RSA quota that allows captains to take passengers out and then keep the legal-size fish they catch when the season is closed has enormous value. It is a great boon to the businesses that can take advantage of it. The businesses that don't have RSA quota

appear to feel they are at a significant competitive disadvantage relative to those who do. In their eyes, the partial availability of RSA quota makes the management system seem unfair.

The Council, NMFS, and the coastal states may wish to consider the increased use of IFQ management for summer flounder and other species in the future, particularly as technological advances reduce the costs of expanding the number of vessels or individuals such a system could accommodate. However the current infrastructure is under significant stress as officials struggle to deal with a rapid increase in requests for permits, and respond to the complaints of individuals who feel left out or disadvantaged.

Options Most Easily Implemented

Measures that may reduce the administrative burden and improve enforceability of RSA Programs

- 1) Limit the number of vessels that may participate in compensation fishing.
 - This could occur through a limit on compensation fishing permits, restrictions on transferability of quota, or changes to the NFI auction such as increasing minimum lot sizes.
- 2) Improved accountability measures, such as:
 - Limit the ports that RSA harvests can be landed at
 - Require the use of a 'Weigh Master' to verify pounds landed (commercial vessels)
 - Require that RSA landings occur within a specific window in time.
 - Vessels must offload entire catch at a single location
- 3) Place Greater Responsibility on Research Partners
 - Consider modifying the grant language to make research projects (and their parent organizations) responsible for their compensation fishing activities.

Example Scenario: Limit of Two Compensation Vessels Per Approved Project

Project leaders are responsible for the compensation fishing activities that harvest their RSA quota. In order to facilitate the administration and enforcement of compensation fishing activities, each project will be limited to no more that two vessels authorized to harvest their RSA quota at any one point in time.

(So if there are 5 approved projects next year, then there will never be more that 10 vessels that have to be monitored simultaneously, coast wide.)

Options with Major Limitations

- Pre-landing call-in (due to limited cell phone coverage any distance from shore)
- Requiring VMS to aid in enforcement & reporting (due to small vessels inability to carry VMS units)
- Require observers on compensation trips (very expensive)

Options that May Entail Program Restructuring

Allow Individual States to Acquire and Administer RSA Quota

- It was suggested that the State of NY might wish to purchase RSA quota and then use it to increase their state commercial and recreational harvests. This would enable longer seasons and larger quotas and bag limits.

RSA Auction Performed Under a Contract - Proceeds Deposited in Magnuson Cooperative Research Fund - A Portion of the Funds Are Used to Defray State & Federal Costs of Program Administration and Enforcement.

- The RSA program could be restructured such that the auction which distributes RSA quota is conducted under a contract. Auction rules would be specified within the contract.

- The proceeds of that auction will be deposited in the new cooperative research fund that was provided for by the latest reauthorization of the Magnuson Stevens Act. The funds will be utilized for the following purposes:

- To pay for the auction itself.
- To fund research projects directly with dollars rather than special harvest privileges. This will free researchers from the burden of converting RSA quota to dollars, and avoid many of the timing problems that have plagued the RSA program due to the need to have final rules for specification packages published before RSA program activities can begin.
- To defray the administrative and enforcement costs of the RSA program itself. Cost recovery funds will be shared proportionally with individual states that incur RSA-related enforcement and administrative expenses. (A simple formula might be that if 50% of RSA landings occur in a particular state, then the following year that state would receive 50% of the cost sharing portion of the RSA funds.)

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Entities that would be Responsible for Implementing the Proposes Actions

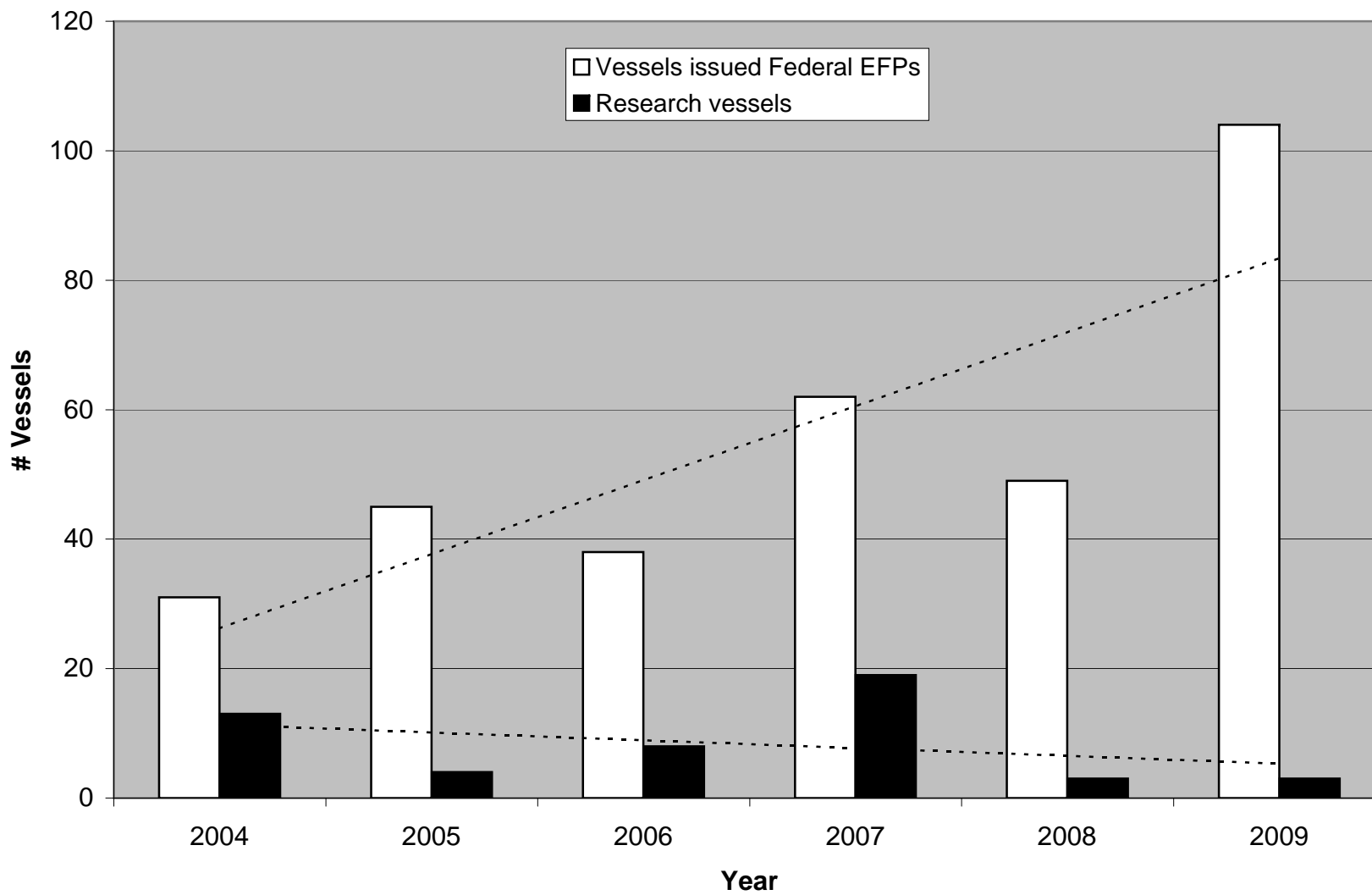
Mid-Atlantic RSA Program

Options for resolving RSA quota monitoring and enforcement

Agency or entity primarily responsible to implement proposed action

Proposed action	States' Marine Fisheries Agencies	Council	NMFS	NFI Auction
Minimum lot size to sell at auction				X
limit number of vessels in compensation fishing	X	?	?	X
preland call-in	X		X	
limit port for RSA landing	X			
limit dealers for RSA purchasing	X			
require "weigh-master"/more dockside monitoring	X			
require times for RSA landings	X			
offload entire catch at single landing	X			
RSA auction contract with funds deposited into Fisheries Conservation and Management Fund			X	

Mid-Atlantic RSA Vessel Participation



Mid-Atlantic RSA Program Quota Awards

Prepared by: Ryan Silva & Paul Perra

Date: May 21, 2009

Year	S. Flounder	Loligo Squid	Scup	Black S. Bass	Bluefish
2004	174,744	281,244	160,000	134,792	104,808
2005	353,908	539,375	303,675	109,500	363,677
2006	354,762	281,089	184,690	178,391	363,677
2007	389,490	973,157	360,000	131,858	363,677
2008	233,192	50,000	214,000	85,790	50,000
2009	553,500	276,827	220,200	69,000	97,750

Mid-Atlantic RSA Program Vessel Participation

Year	Research Vessels Permitted	Compensation Vessels (EFPs)
2004	13	31
2005	4	45
2006	8	38
2007	19	62
2008	3	49
2009	3	104



NFI - SCIENTIFIC MONITORING COMMITTEE

**National Fisheries Institute
7918 Jones Branch Road
McLean, Virginia 22102**

**Dr. E. Bochenek
Greg DiDomenico
NFI-Scientific Monitoring
1636 Delaware Avenue
Cape May, New Jersey**

Dear Mr. Spitsbergen:

On behalf of the National Fisheries Institute – Scientific Monitoring Committee we are providing you with a number of ideas to meet the needs of the Research Set-Aside Program. The following suggestions have been compiled from our staff, members of the fishing industry and are a product of the ongoing Programmatic Review of the RSA Program.

It is our opinion that the implementation of some or all of these suggestions would address ongoing deficiencies in the RSA Program and allow for adequate monies to be raised to meet the science needs identified by the MAFMC.

- 1.** NFI-SMC would be willing to contract with NMFS/MAFMC to conduct an auction to sell the entire RSA quota for that year to fishermen. Funds would be kept in an NFI-SMC account and distributed to projects per NMFS instructions or turned over to NMFS for distribution if the latter is more efficient. Contract wording between NMFS and NFI-SMC would detail the specifics of this arrangement. This arrangement should allow for RSA funds to be raised one year prior to the grant award.
- 2.** The auction would be open to NFI-SMC members and nonmembers. To participate in the auction, fishermen would pay a \$100 registration fee made payable to NFI-SMC.
- 3.** Successful bidders would have to sign a contract with NMFS that they will pay for all of their bids by the end of that year. NMFS could develop a penalty protocol for bidders that do not pay. Loligo squid does not have to be paid for unless a closure occurs as written in our current contract.
- 4.** NFI-SMC would provide NMFS with all the information needed to obtain federal EFPs and then distribute the EFPs to the vessels. State EFPs would be the responsibility of each vessel. NFI-SMC would be willing to provide NYDEC with assistance with the permitting process and monitoring of their RSA landings.

- 5.** NFI-SMC would assist vessels with issues and problems with calling in to the IVR system.
- 6.** NFI-SMC would assist vessels with transfers of fish to other vessels in the case of extreme situations.
- 7.** All fish would be harvested in one year and paid for by the end of that year.
- 8.** Any person involved in bidding for RSA through the RSA Auction would have to pay a portion of their bid at the close of the auction. (Percentage of payment to be determined)
- 9.** RSA quota would be segregated by species and be separated by recreational and commercial percentages that have been determined by the Fishery Management Plans. Those amounts would be made available to each user group in a separate auction.
- 10.** Develop a system of increased reporting and weighing of RSA catch to deter the possibility of misuse of RSA quota.

We thank you in advance for considering these additional measures to be implemented in the RSA Program.

Sincerely,

Dr. Eleanor Bochenek
NFI-SMC

Greg DiDomenico
NFI-SMC



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For-hire boats buy into federal summer flounder auction

BY JENNIFER SMITH | jennifer.smith@newsday.com
10:33 PM EDT, May 12, 2009

Under a federally run program, 21 [Long Island](#) party and charter boat captains will be able to fish for summer flounder even when that popular fishery is closed to regular anglers.

The boat operators are taking advantage of a special federal auction that sells off a small percentage of the coastal summer flounder quota - with the proceeds going to pay for fisheries research.

The auction usually has been the province of commercial fishermen. But Tuesday, state environmental officials announced that for-hire boats who bought into the "Research Set-Aside" program would be able to catch summer flounder all year - even during the midseason closure that will shut down the already truncated 2009 season from June 16 to July 3.

The decision comes as [New York's](#) recreational anglers - including those who run charter and party boats - face the strictest regulations yet on summer flounder, also known as fluke.

Striper Fishing Trips

4 hour Striper trips \$125 The bite is getting real hot
www.delawariverbass.com

Maryland Angler's Network

Maryland Charter Fishing Boats Got Fish? Get Hooked!
www.MdAngler.net

Marathon Charter Fishing

Satisfaction Guaranteed "No Fish No Pay"
www.MainAttraction.org

Ads by Google

"It's a way to remain viable," Paul Risi, one of 17 captains from Captree Boat Basin who pooled their money to buy an additional 20,000 pound-allotment of fluke. "We always depended on the longer season," he said. "You pay your bills in June, July and August."

This year marks the first time that "there's been a noticeable participation" from the recreational side, said Department of Environmental Conservation spokesman Yancey Roy.

The program was set up in the late 1990s to help pay for fisheries research beyond that already done by the National Marine Fisheries Service. Up to 3 percent of the total coastwide catch for a species can be auctioned off, with the proceeds going to projects vetted by the [National Oceanic and Atmospheric Administration](#), which regulates fisheries.

Those who wish to bid must pay a fee to the National Fisheries Institute, a commercial fishing industry group that distributes the allocations.

The interest by New York for-hire boats in the program is a result of increasingly restrictive regulations on when anglers can catch fluke, and the size and number of fish they may keep.

The DEC decided to allow the 21 party and charter boats to fish during the midseason closure after NMFS agreed that fluke caught as part of that program would not count against New York's annual quota.

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Related topic galleries: [New York](#), [Fishing](#), [National Oceanic and Atmospheric Administration](#), [Seafood and Fishing Industry](#), [Long Island](#), [Auction Service](#), [Aquaculture](#)

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