



Mid-Atlantic Fishery Management Council

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Michael P. Luisi, Chairman | G. Warren Elliott, Vice Chairman
Christopher M. Moore, Ph.D., Executive Director

April 23, 2019

Mr. Jeffrey Dillen and Ms. Kristen Gustafson
NOAA Office of the General Counsel
Herbert C. Hoover Building
14th and Constitution Ave. NW
Washington, D.C. 20230

Mr. James Landon
Director, NOAA OLE
1315 East West Highway
Suite 3301
Silver Spring, MD 20910

Dear Jeffrey/Kristen and Jim:

The Mid-Atlantic Fishery Management Council (Council) conducted a Law Enforcement/For-Hire Workshop held on November 13-14, 2018 with attendees from the for-hire industry, U.S. Coast Guard (USCG), NOAA Office of Law Enforcement (NOAA OLE), the Atlantic States Marine Fisheries Commission (ASMFC), the Greater Atlantic Regional Fisheries Office, and Highly Migratory Species (HMS) Division. This workshop addressed several topics, including: (1) Operator versus angler (client) responsibilities for fisheries violations that occur on for-hire vessels, (2) issues related to the sale of golden tilefish and tuna by recreational vessels that do not possess USCG vessel safety requirements for commercial vessels; and (3) complexity of fishing regulations impacting enforceability. As a result, recommendations were presented to the Council's HMS, Law Enforcement, and Tilefish Committees at the April 2019 Council Meeting in Avalon, New Jersey for their consideration.

In reaction to the Law Enforcement – Tilefish – HMS Committee report, the Council passed a motion requesting NOAA General Counsel and the Office of Law Enforcement address the following:

Recommend the NOAA (General Counsel) and (NOAA) OLE provide written guidance describing the responsibility of for-hire operators on the enforcement of fishery regulations. Also, request if there is a difference in responsibilities for operators of inspected and uninspected vessels.

Please accept this letter as a formal request from the Mid-Atlantic Fishery Management Council that the NOAA General Counsel and NOAA OLE address these concerns as soon as possible.

Please do not hesitate to call me or Matt Seeley of my staff if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "C. Moore".

Christopher M. Moore, Ph.D.
Executive Director

cc: M. Luisi, W. Elliott, T. DiLernia, D. Hemilright, D. Stutt, S. Heins, J. Montañez, M. Seeley