

October 17, 2014

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Dear John and Dr. Karp,

In preparation for the Northeast Region Coordinating Council (NRCC) meeting, we wanted to convey our serious discontent over the lack of process and transparency surrounding the Gulf of Maine cod assessment conducted and delivered by the Northeast Fishery Science Center (NEFSC) in August.

At the upcoming NRCC meeting, we truly hope the NRCC will address the *lack of process* which occurred for this update. This includes but is not limited to the NEFSC unilateral decision to conduct an assessment with no prior knowledge by NRCC, GARFO, New England Council or the public; no prior dialog on the recent data utilized in the assessment, and no Terms of Reference (TORs). The action taken by the NEFSC runs contrary to the recent revisions and overall intent of National Standard 2.

- Strengthen the reliability and credibility of NMFS's scientific information;
- Emphasize the importance of transparency in the scientific review process;
- Improve public trust and benefit stakeholders through more effective policy decisions.

In Russell Brown's letter to Terry Stockwell on August 1, 2014, it was noted that the NEFSC conducted this assessment in response to requests made by the industry over the years who have asked for more timely information on stock conditions. Mr. Brown also noted during the Groundfish Committee meeting on August 4, 2014 that the NEFSC has been considering alternative stock assessment approaches to streamline the assessment process.

It is important to note that neither NSC nor the GFCPF has ever advocated for more "assessments" but rather for improved assessments. There is also a very big difference between collecting and reviewing fisheries data on a regular basis with the Council versus running assessments with no transparency, no process or any real deliberation over the data being utilized. We strongly support and encourage increasing the quality and density of both fishery

and non-fishery dependent data and we certainly support scientific updates as frequently as information indicates a potential change in stock status that was unanticipated. But sharing information on an ongoing basis does not elevate each intermediate evaluation to a level that should be assumed adequate to require instantaneous management response. It is common knowledge that the trawl survey produces noisy results on an annual basis and even inter-annually and that this information is only informative for trends over a longer period of time. Until such time as the NEFSC survey is sampling exponentially more than 1/3 of 1% of the northeast multispecies complex stock range it is, in our opinion, untenable to be managing the fishery based almost entirely upon relatively short timeline of survey results.

NSC and the GPPF have collaborated with other industry organizations over the years to hire consultants to participate, collaborate and work with NEFSC staff in the assessment process. We have engaged outside consultants - some world renown - that have expertise and knowledge of the modeling and assessment process that can offer real outside expertise. We do this to have more public trust in the process and, as outlined in National Standard 2 guidelines, ensure the best scientific information is being considered for conservation and management.

We have viewed our participation in the scientific assessments as our contribution to the process. Ultimately, this effort should result in an increased confidence in the outcomes by industry stakeholders. Contrary to what some may believe, the core value and purpose of retaining a consultant to participate in the stock assessments is for us to have someone who can help us understand the scientific realities, the distinction between differing viewpoints where and when they exist, and just as often, to explain the typically vast areas of scientific consensus. This helps everyone. We also truly believe this is the only genuine way for industry to participate in the scientific process due to the level of expertise required. The recent GOM cod trial assessment not only set aside the normal NRCC scheduling but it chose to update an assessment on the very stock NSC and GFCPF have been directly participating in through the work of Dr. Butterworth.

It is important to note that NSC and GFCPF have become increasingly alarmed by the degree of uncertainty that exists within the assessments and the degree of change that can occur from one assessment to the next with no accountability on the previous parameters reported. This occurs whether it is done every five years – or via the most recent “test” conducted for GOM cod by the NEFSC. When this volatility gets plugged into management and rebuilding plan requirements it creates chaos. This has and continues to be an extremely unstable environment to operate a fishing business. We have witnessed that the projections quite often have very little to do with catch and much more to do with environmental factors that have yet to be adequately addressed and accounted for in the assessments.

Regardless of whether the industry is meeting or underachieving a TAC, when the scientific parameters change through an updated assessment – stock status can quickly change from being rebuilt to a stock being overfished or overfishing occurring. When this is translated into the public realm it turns into an unhealthy and unconstructive debate concerning “the industry

hasn't taken the pain" or "the industry has been too involved in the management process". Unfortunately, the real issues rarely get resolved.

After the groundfish disaster was declared, NSC wrote a letter to the Council requesting that alternative approaches for setting catch advice be explored. The Groundfish Advisors also passed the following motion during their meeting held in September 2013:

The GAP supports and encourages the GF OSC to pursue, under council priorities, alternative methods for setting catch advice to achieve the following management objectives:

1. Protect fish stocks and commercial / recreational fishermen by stabilizing catch advice within historical catch ranges known to be safe both biologically and economically.
2. Use historical data from past assessments to determine the catch at which point the stock biomass that followed was stable and increasing.
3. Account for volatility in successive assessment results by developing management strategies that are **risk averse to either optimistic or pessimistic** assessments that indicate ACL increases or decreases that are outside these historical "safe" catch levels by slowing the increases or decreases to pre-set, incremental steps upward or downward.
4. **Pursue scientifically based methods that can meet these objectives within NS1 / MSA**

The Council has adopted - as a multi-year priority - this type of approach and is searching for consultants who may be able to assist in the development of alternative methods. We look forward to this work and truly hope this can offer some smoothing effects to the volatile system in which we are currently entrenched.

NSC and GFCPF have participated in good faith in all Council, NEFSC and GARFO related initiatives. We strive for good communication, transparency and true collaboration. We believe in fisheries management and appreciate the complexity associated with stock dynamics. However we see fishing businesses failing and communities crumbling every day under the present process – and clearly see the lack of transparency is at the highest levels. This recent "test" assessment of GOM cod has crumbled whatever fishing stakeholder trust and confidence that existed prior to this. Unfortunately, the current course of events has eroded our own confidence to a point where we no longer believe our participation can be effective unless some real efforts are put forth by GARFO and NEFSC. Workshops and strategic plans are not the answer. Common sense protocol and processes that are transparent, inclusive, respectful and balanced need to be reinforced and rigidly followed.

In summary, the NSC and GFCPF strongly urge the NRCC to emphasize that no "trial" assessments occur by the NEFSC outside of some well-established and vetted process in the future. Again, there is a substantial difference between presenting and informing managers with updated data and unilaterally initiating and completing a stock assessment, asking for and receiving an adhoc peer review causing statutory triggering of devastating management responses.

Thank you for your time and attention to this critical matter.

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Northeast Seafood Coalition

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Cc: Terry Stockwell, Chair, New England Fishery Management Council
Tom Nies, Executive Director, New England Fishery Management Council