

United States Senate

WASHINGTON, DC 20510

April 29, 2015

Ms. Eileen Sobeck
Assistant Administrator for Fisheries
NOAA National Marine Fisheries Service
1315 East-West Highway
Silver Spring, MD 20910

Dear Administrator Sobeck:

As Senators representing Northeast states with coastal economies reliant on healthy groundfish fisheries and with residents whose livelihoods depend on a viable and reasonably regulated fishing industry, we write to direct NOAA to interpret the law as intended by Congress with regard to at-sea monitoring (ASM) funding for groundfishermen in 2015.

The fiscal year 2015 Commerce, Justice, and Science (CJS) Appropriations spending bill, which became law with the passage of the Consolidated and Further Continuing Appropriations Act in December 2015, included language on ASM from the Senate report accompanying the bill. This language is intended to ensure the successful transition to catch shares in fisheries that have catch share programs approved by the Secretary of Commerce. Similar report language has been incorporated into the CJS spending bill for the past few fiscal years, and we have been pleased that it has historically achieved its aim of covering the costs of at-sea monitoring for Northeast groundfish fisheries. This has been particularly important for Northeast fisheries as our region makes the difficult transition to a catch share management program.

However, based on feedback that we have received from our constituents, we are concerned that NOAA has chosen an interpretation of this FY15 report language that is inconsistent with congressional intent, and consequently, that very high ASM costs will soon unreasonably burden already struggling members of the fishing industry in the Northeast.

In April 2014, the New England and Mid-Atlantic Fisheries Management Councils approved a Standardized Bycatch Reporting Methodology (SBRM) amendment that establishes standards of precision for bycatch estimation for all Northeast Region fisheries. Under the proposed SBRM amendment, NOAA contends in a recent letter to members of the industry that it would be required to expand coverage to a wider range of fleets. Further, the amendment would also require observer funds from specific budget lines to be prioritized to meet the requirements of the SBRM over additional observer needs. NOAA indicates that, as a result of these funding requirements, it does not expect to have sufficient funds to fully support observer requirements for the 2015 fishing year and anticipates that sectors will be forced to assume responsibility for ASM costs before the end of the calendar year.

In the wake of the 2012 Northeast Fishery Disaster, fishing communities in our states continue to experience tremendous financial strain. Suddenly declining stock assessments have led to drastic cuts in fishing quotas and fishermen's revenues. This unexpected crisis has left many of our

fishermen, particularly those with the smallest boats, with little room to pay additional per-trip fees for ASM. To remain in the fishery, many fishermen are being forced to draw on personal income or extended credit, shift costs to crew, shrink crew size, or postpone vessel maintenance. In this unstable economic environment, we simply cannot expect fishermen to endure additional fixed costs of \$650 to \$800 per trip with an observer aboard and maintain a safe and sustainable enterprise.

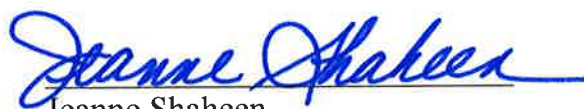
In order to ensure that the intent of the report language is being honored, we direct NOAA to prioritize the ASM requirements over the requirements of the SBRM amendment. A copy of the report language, which is very clear in its direction to NOAA, is enclosed for your review.

Thank you for your consideration of our request. We appreciate your continuing efforts to work creatively and cooperatively with Congress to avert the collapse of our fisheries and secure their healthy and stable future.

Sincerely,



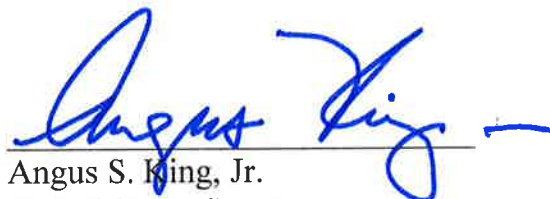
Susan M. Collins
United States Senator



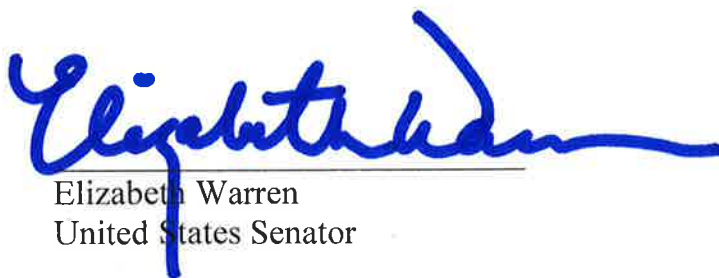
Jeanne Shaheen
United States Senator



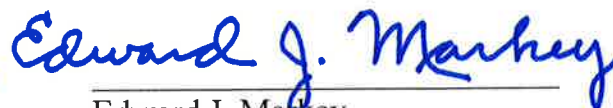
Kelly Ayotte
United States Senator



Angus S. King, Jr.
United States Senator



Elizabeth Warren
United States Senator



Edward J. Markey
United States Senator



Jack Reed
United States Senator



Sheldon Whitehouse
United States Senator