

May 2, 2012

Mr. Daniel Morris, Acting Regional Administrator
NOAA Fisheries Service
Northeast Regional Office
55 Great Republic Drive
Gloucester, MA 01930

Dear Mr. Morris:

As you are aware, the last Harbor Porpoise Take Reduction Team (“TRT”) in-person meeting was convened in December 2007 with a follow-up teleconference in January 2008 to consider revisions and updates to the Harbor Porpoise Take Reduction Plan (“HPTRP”) in order to reduce mortality and serious injury of harbor porpoise in the Northeast and Mid-Atlantic gillnet fisheries to levels below PBR and approaching ZMRG. Among a suite of recommendations and conservation measures provided to the National Marine Fisheries Service (“NMFS”) were consequence closures, which include the recently announced trigger of the Coastal Gulf of Maine Consequence Closure Area.

In light of the serious economic hardships that the day gillnet fishery is already experiencing post the reductions in catch associated with the implementation of Amendment 16 and now the additional reductions in fishing year 2012 and beyond, this closure only presents an additional economic hardship which the gillnet fishery cannot endure. Additionally, there have been significant changes in fishing practices over the recent years which could influence the analysis that is presently based on observer data prior to 2010.

We understand that NMFS has planned to coordinate a meeting in fall 2012; however, ***we strongly urge NMFS to immediately convene a TRT in-person meeting by 30 June 2012.*** We support the April 25, 2012 New England Fishery Management Council (“Council”) motion, which carried (16/0/1), that the Council send a letter to request the reconvening of the TRT in person immediately and to further request that the TRT come up with a list of alternatives that will satisfy the PBR in lieu of the consequential closures.

As industry members of the TRT, we fully understand the implications of the consequence closures and the intent behind them. We, along with the vast majority of active fishermen, understand and take very seriously the Marine Mammal Protection Act and reducing marine mammal mortality and serious injury. However, we also understand—firsthand—the devastating impacts these closures will have on the already suffering gillnet fleet.

Therefore, we implore NMFS to convene a meeting to discuss items which include, but are not limited to: fully understanding and validating the data and analysis used by the Agency which prompted the

closure, review of current fishing practices, alternatives to the consequence closures, sector and/or vessel specific pinger compliance, enforcement action pertaining to compliance, the best available science for the harbor porpoise stock, implementing possible changes to the HPTRP under the sector system, and review the economic impacts and ramifications for affected vessels, shore-side businesses and ports.

We look forward to your immediate response and action.

Sincerely,

Erik Anderson,
NH Commercial Fishermen's Association

Greg DiDomenico,
Garden State Seafood Association

William McCann

Arthur Sawyer

Ernie Bowden, Jr.

Leonard Voss

Stephen Welch