

United States Senate

August 18, 2020

Dr. Neil Jacobs
Acting Administrator
National Oceanic and Atmospheric Administration
1401 Constitution Avenue, NW
Washington, DC 20230

Dear Acting Administrator Jacobs,

We write regarding steps that the National Oceanic and Atmospheric Administration (NOAA) has taken during the COVID-19 pandemic to manage fisheries stocks in the Northeast. We appreciate the challenges your agency faces in balancing the safety of NOAA employees, observers, fishermen, and broader communities with regulatory requirements for monitoring, observations, and surveys. However, we question the lack of consistency between the current operational plan for monitoring and observation and that for ecosystem surveys

The dangers posed to the health of both fishing boat crews and observers led NOAA to temporarily waive at-sea monitor and observer coverage in the Northeast.¹ The size of fishing vessels and the nature of the work makes social distancing a challenge, and the cross-jurisdictional nature of the Northeast fishery—with both observers and fishermen often traveling and working across state lines—provides an additional element of risk and complication. NOAA has provided guidance on how fishermen can seek additional waivers for coverage, but directed that at-sea observers and monitors redeploy starting on August 14, 2020.²

Concurrently, NOAA announced on August 4, 2020 that it would cancel four fisheries and ecosystem surveys, following a determination that “effectively minimizing risk and meeting core survey objectives” would be impossible as a result of the pandemic.³ These surveys—the Summer Ecosystem Monitoring Survey, the Northern Shrimp Survey, Autumn Bottom Trawl

¹ Greater Atlantic Regional Fisheries Office, *Temporary Waivers on Northeast Observers, Monitors Through August 13, Resuming Coverage August 14*, U.S. National Oceanic and Atmospheric Administration (Jul. 30, 2020), <https://www.fisheries.noaa.gov/bulletin/temporary-waivers-northeast-observers-monitors-through-august-13-resuming-coverage>.

² Chris Oliver, *NOAA Fisheries Identifies National-Level Observer Waiver Criteria; Will Begin Redeployment in Northeast*, U.S. National Oceanic and Atmospheric Administration (Jul. 30, 2020), <https://www.fisheries.noaa.gov/leadership-message/noaa-fisheries-identifies-national-level-observer-waiver-criteria-will-begin>.

³ Office of Communications, *NOAA Fisheries Cancels Four Fisheries and Ecosystem Surveys for 2020*, U. S. National Oceanic and Atmospheric Administration (Aug. 4, 2020), <https://www.fisheries.noaa.gov/agency-statement/noaa-fisheries-cancels-four-fisheries-and-ecosystem-surveys-2020>.

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Survey, and the Summer/Fall Plankton Survey—provide research data critical to our understanding of ecosystem health and for fishery stock assessments.

We appreciate the unprecedented nature of this challenge, but ask that you address this question: How can it be safe to redeploy NOAA-contracted observers on fishing vessels, but not safe to have NOAA employees conducting surveys?

Thank you for your continued efforts to work with us and all relevant stakeholders to find a science-based solution that protects public health, the environment, and the long-term wellbeing of the fishing sector.

Sincerely,



Edward J. Markey
United States Senator



Elizabeth Warren
United States Senator