



UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
NATIONAL MARINE FISHERIES SERVICE
GREATER ATLANTIC REGIONAL FISHERIES OFFICE
55 Great Republic Drive
Gloucester, MA 01930

June 9, 2020

Christopher M. Moore, Ph.D.
Executive Director
Mid-Atlantic Fishery Management Council
800 North State Street, Suite 201
Dover, DE 19901

Dear Chris:

Thank you for your May 1, 2020, letter regarding the pending final rule for recreational tilefish permitting and reporting. You raise several questions and suggestions for the implementation of these new management measures, which the Council approved as part of Amendment 6 to the Tilefish Fishery Management Plan. Many of these issues were raised during the April 28, 2020, webinar to demonstrate the permitting and reporting systems we have developed to support these new tilefish fishery requirements.

As you know, we have been working on the development of this action since the implementation of Tilefish Amendment 6 in December 2018. An implementation team, which includes members of your staff, was formed in March 2019. This team discussed many of the issues you raised in your recent letter, including the option to create a recreational tilefish-specific electronic vessel trip reporting (eVTR) application. The requirement to have private anglers obtain permits and provide catch and effort data is a novel approach. However, given the modest scope and scale of the recreational tilefish fishery, it is not feasible to fully resolve some of the issues you have raised because the relative costs outweigh the benefits. The costs include the collective staff time, prioritization over other work, development of new systems that would support only this program, and actual expenditures. We have had to balance these costs while ensuring an effective program consistent with Amendment 6's approved measures as development and implementation has occurred.

Some of your technical staff recommendations are already planned and underway; some will likely be applied later but will not be ready at implementation; and others we do not expect to undertake. We are continuously working to improve the Fish Online eVTR application. The following responds to specific points raised in your letter.

- Customizing the visible fields based on the selected trip type and gear category will be addressed in future enhancements. Some customization has already been completed for private recreational trips and more is planned.



- Fish Online will already designate “Hand Line/Rod & Reel” as a favorite gear type after a recreational tilefish angler selects it for the first time. After the gear is a favorite, it is selectable with a single tap in the application.
- The use of electric reels is so common in this fishery, a separate designation is not necessary.
- While the times a vessel sails and lands may seem extraneous, these are important data elements within our reporting architecture, including part of the unique trip identifier. As such, they are part of the existing system architecture that has been adapted for tilefish. These data elements cannot be easily changed nor can they be left incomplete as the submission of a null field will result in a system rejection of the report itself.
- A version of the Fish Online eVTR application for the Android operating system is a priority for us for use in all eVTR fisheries. Development is ongoing, and we are striving to have an application available for Android devices prior to implementation of recreational tilefish reporting.

Your letter requested helpdesk support 24 hours a day, 7 days a week, for several weeks prior to and following implementation. We expect a limited number of recreational vessels to request the new tilefish vessel permit, and these vessels will likely take only a few tilefish trips per year. Given this limited activity, we cannot justify the expense of providing this level of support. Our internal helpdesk is currently available 7:30 a.m. to 4:30 p.m. weekdays to address any questions or problems with Fish Online. Outside of those hours, a user can leave a voice message, and messages are checked each morning. Many recreational tilefish vessels may not even take a trip during this window. I appreciate the Council’s offer to provide funding for this expense. However, the implementation team determined it is not possible to use outside funding for such operations, either within the Regional Office or through a contractor.

As you mention, this action will require a broad outreach plan to effectively reach this new constituency and ensure awareness and compliance of these new measures. We have been working on such a plan that will take advantage of our port agents, the resources of the Highly Migratory Species permitting system, social media, and collaborations with recreational fishing groups and publications to amplify our messages for this novel program. Unfortunately, some early aspects of this plan have been hindered by recent state-imposed travel restrictions that have limited outreach opportunities at fishing shows and tackle shops. Once a final rule is published, and we have a firm start date for the new requirements, we expect to ramp up our outreach. I appreciate the Council’s willingness to collaborate on training workshops and outreach efforts, and my staff will be in touch with your staff to facilitate those efforts.

I understand the Council has recently contracted a third-party software developer to program a dedicated mobile application for recreational tilefish catch reporting. Please be aware that as we prioritize preparation of existing eVTR systems, our first priority is to support and promote the expansion of eVTR requirements to all commercial fisheries. We have limited resources available to assist the Council’s developer with this new application, including our ability to test and authorize the use of the new application. A dedicated mobile application could be useful for this new program, and we will work with the developer as resources allow.

I appreciate the Council's assistance with outreach efforts for this action. We will continue to work with your staff as we implement these measures. For additional information on this rule, please contact Douglas Potts at douglas.potts@noaa.gov. For technical questions about our eVTR systems, please contact David Gouveia at david.gouveia@noaa.gov.

Sincerely,

A handwritten signature in blue ink that reads "Michael Pentony". The signature is written in a cursive style with a large, sweeping flourish at the end.

Michael Pentony
Regional Administrator

cc: Mike Luisi, Council Chairman