



## NOAA FISHERIES SERVICE

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NOAA

## Northeast Regional Office Responds to Oil Spill in the Gulf of Mexico

As the nation's leading scientific resource for oil spills, NOAA was on the scene of the British Petroleum (BP) spill from the start, providing coordinated scientific weather and biological response services to federal, state and local organizations.

Staff from the Northeast Regional Office (NERO) did their part to help contain, assess and remediate the impact of the oil spill. Their work focused on everything from making sure that seafood taken from Gulf waters was safe for human consumption to efforts to evaluate and remediate impacts of the oil and the dispersant used to break up the oil on marine mammals, sea turtles, fish, shellfish and coastal habitats.

In May, the Northeast Region Seafood Inspection Office hosted training sessions to help inspectors who were dispatched to the Gulf to identify oil and dispersant contamination in fish via sensory tests (i.e., sniff and smell). Four staff from the region were dispatched to Pascagoula, Mississippi along with other members of the NOAA National Seafood Inspection Team to work with U.S. Food and Drug Administration personnel. They sampled and conducted sensory analysis on various fish and other species. The region's John Creedon led the NOAA team of inspectors on site in Pascagoula.



Credit: NOAA

A three-tiered inspection process was implemented to detect contamination in fish and other marine life including 1) a blind test where panelists conducted sniff/smell experiments on 8-10 samples of raw fish, crab, oysters and shrimp to see if they could detect the presence of oil or the dispersant; 2) smell and sniff tests on cooked fish samples; and 3) taste tests on cooked fish. Typically, around 70 samples of fish and other seafood were evaluated by the lab per day. Further analysis was also undertaken on sub-samples at NOAA's National Seafood Inspection Laboratory in Seattle, Washington. Here, chemical testing was conducted to determine pH levels and oil and dispersant contamination. Based on the findings of this combined analysis and other collaborative work with state agencies, decisions were made on what areas of the Gulf should be closed and subsequently reopened to fishing.

Several members of the region's Restoration Center were also dispatched to Biloxi, Mississippi to conduct aerial and boat shoreline assessments. These assessments involved estimating the percent coverage of oil in the water column, on vegetation and on sediment.

*(cont'd on page 7)*





## Funds Distributed to Support Northeast Groundfish Fishermen

NOAA Fisheries Service awarded an additional \$1.4 million to the Gulf of Maine Research Institute (GMRI) in 2010 so it can continue to assist the groundfish industry as it transitions to a new form of management known as sectors.

On May 1, 2010, the groundfish fishery began operating under a dual management system. Vessels had the option of fishing together under a quota in groups called sectors, or fishing under the existing system of restrictions on the number of days a vessel can fish, catch per trip, and area that can be fished. For the first time, all catch is being governed by quotas on total catch, including all landings and discards. The vessels that opted to join a sector represent about 98 percent of the historic groundfish catch. In October, 2009, NOAA awarded an initial \$1.7 million to GMRI to administer and support sector implementation, mostly through the distribution of small grants to sectors to help them offset start up costs. This year's funding will be used to provide more direct support for sector operations (e.g., to fund sector manager salary, office and equipment rental, etc.) and cover dockside monitoring expenses.

To date the agency has committed over \$47.2 million to the groundfish industry. These funds were distributed as direct grants to the industry, for training new sector managers, to cover dockside and at-sea catch monitoring and for cooperative research with the fishing industry to improve gear and fishing methods so that more of the available catch can be brought to shore.

NOAA also is considering expanding the number of regulatory exemptions available to sectors to provide them more flexibility to target healthy stocks such as a program

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## Improvements in Condition of Several Northeast Fish Stocks

The availability of additional scientific information for several fish stocks made it possible for NOAA to act quickly to allow fishermen access to more fish, without jeopardizing stock health. In recent months, the pollock limit was raised from 6 to 36 million pounds, the spiny dogfish limit was increased from 12 to 15 million pounds, the skate limit was revised upward from 67.5 to 90.5 million pounds and the red crab limit was increased from 3.56 to 3.91 million pounds.

### Pollock

Previous assessments indicated that pollock was overfished and subject to heavy fishing pressure, so catch levels were set very low in 2010 to further stock rebuilding. Because pollock are caught together with other groundfish species, the low catch levels, not only hindered fishermen's ability to target pollock but also other healthy groundfish species.

Since the last assessment, which was nearly two years ago, NOAA scientists have been able to collect much more detailed information such as additional age and growth data, and catch and survey information. Thus, a more sophisticated model could be employed to better assess the condition of this resource. Stock levels appear to be more than twice the needed biomass to support a sustainable fishery. As a result on July 16, NOAA was able to take inseason action to significantly increase catch limits for groundfish fishermen during the 2010 fishing year.

### Spiny Dogfish

Catch was increased by three million pounds this year based on improved dogfish stock condition. However, the disproportionate removal of mature female dogfish, particularly during 1997-2003, has affected the reproductive success of this stock. The effects of these low birth rates will be felt into the future when the relatively small number of animals born during that period reach breeding age--stock size is expected to decline around 2013, and continue to decline through 2019.

This was one factor that was considered in setting the 2010 spiny dogfish quota.

In addition, both the New England and the Mid-Atlantic Councils suggested that the 2010 commercial quota should be set at a level that could be maintained for several years. The projections indicated that a quota of 15 million pounds could be maintained for five years, despite the future stock decline, without causing the stock to be overfished.

On August 27, the 2010 Period 1 fishery for dogfish was closed as the quota had been reached. The fishery will reopen for the 2010 Period 2 fishery on November 1.

### Skates

In March, new scientific information indicated that the overall condition of the skate stock complex, which includes winter, barndoor, thorny, smooth, little, clear-nose and rosette skates, had improved. As a result, NOAA delayed implementation of the new skate management measures scheduled to go into effect on May 1, in order to use the best available science to define catch levels for the 2010 and 2011 fishing years.

Even with new information, NOAA still had to reduce the overall skate catch this year, but the cuts were much less severe than initially anticipated. NOAA was able to increase the trip limit for the skate wing fishery to 5,000 pounds from the 1,900 pounds originally recommended for the fishing year.

However, to prevent an overage from occurring in the skate wing fishery and the need for future catch reductions, the fishery was closed on September 3. This was done to comply with skate management plan revision (Amendment 3), which states that the fishery should be closed when 80 percent of the total allowable catch is obtained.

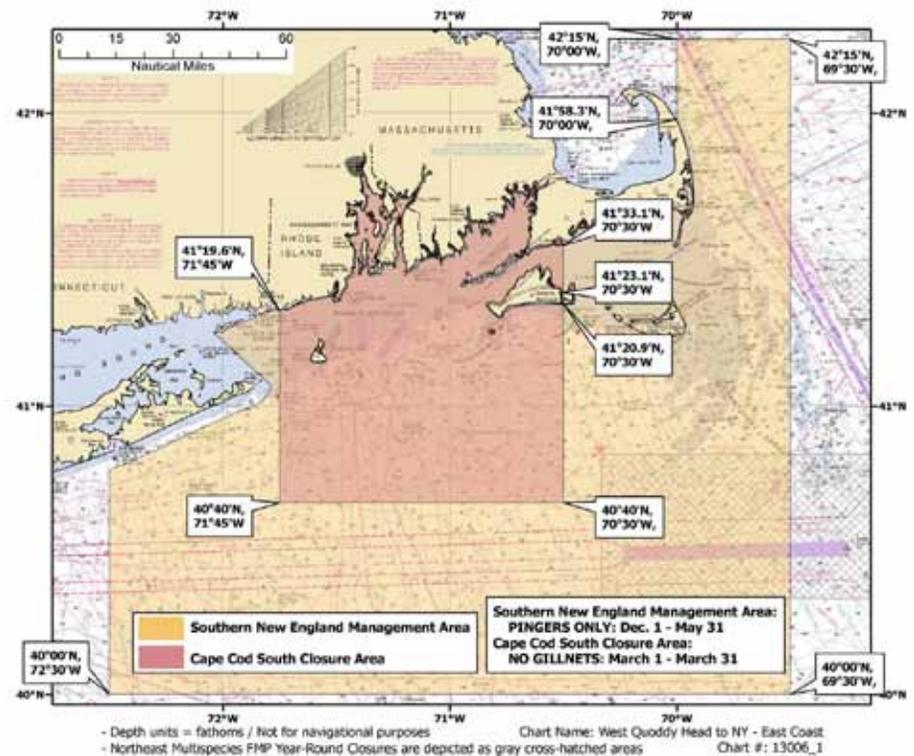
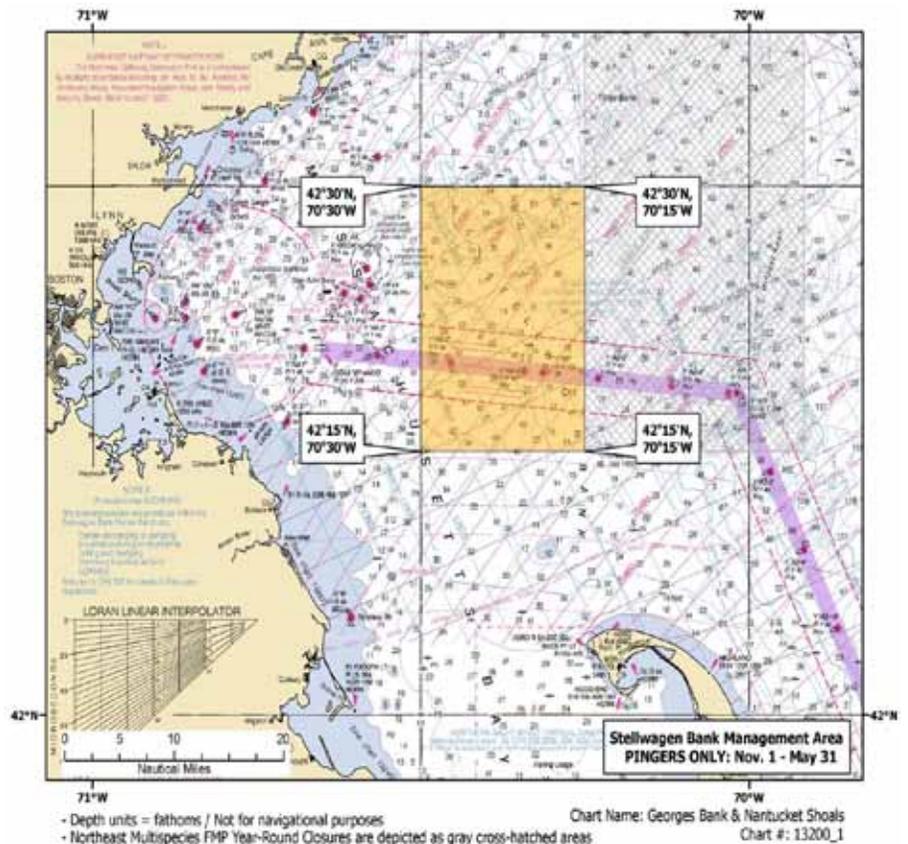
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# New Pinger Usage Requirements Now In Effect

The use of “pingers” is now required on gillnet gear in two new management areas in New England waters. The requirement, which went into effect on September 15, involves attaching electronic devices or pingers to fishing nets. Pingers emit a high frequency sound to alert harbor porpoise of the presence of the nets. The two management areas are the Stellwagen Bank Management Area (pingers required November 1-May 31) and the Southern New England Management Area (pingers required December 1-May 31).

The measures were originally supposed to be in place on March 22 along with a suite of other new measures to further reduce harbor porpoise injuries and deaths resulting from entanglements in gillnet fishing gear. However, NOAA delayed the pinger requirement in these two areas until September 15 to give fishermen more time to purchase pingers and undergo training in their use. For more information about pinger training and authorization, or other Harbor Porpoise Take Reduction Plan (HPTRP) requirements in New England, please contact the NOAA Fisheries Service Northeast Fisheries Liaison, John Higgins, at 207-677-2316.

Additional information on the HPTRP can be found at [www.nero.noaa.gov/hptrp](http://www.nero.noaa.gov/hptrp) or by calling 978-281-9328.





## NERO Grants Team Closes the Door on Fiscal Year 2010

The Northeast Region grants staff administers a diverse set of financial assistance programs under which federal grants and cooperative agreements are made available to states and other nonfederal interests including universities, fishery management councils, fishery management commissions, individuals and fishery development associations.

These programs support research and development projects consistent with federal program mandates and/or authorizing legislation (i.e., Interjurisdictional Fisheries Act, Saltonstall-Kennedy Act, etc.) relating primarily to the conservation, management, and utilization of fishery resources from the Northwest Atlantic. In the 2010 fiscal year, 88 award actions were processed amounting to \$31,327,596 in federal funding and representing nearly 52% of the overall Northeast Regional budget. These awards fund projects that range from Atlantic salmon research in Maine to blue crab fishery resource disaster relief in Virginia.

Northeast Region Grant Programs	# Award Actions	Federal Funding
Regional Fishery Management Councils	4	\$ 7,646,023
Atlantic Coastal Act	18	\$ 6,664,099
New England Fisheries Assistance	5	\$ 5,000,000
Hard Earmarks	6	\$ 4,818,375
Saltonstall Kennedy Program	14	\$ 2,421,602
Atlantic Salmon ESA	1	\$ 1,180,108
Interjurisdictional Fisheries Act	19	\$ 1,169,315
Atlantic Coastal Cooperative Statistics Program	8	\$ 1,083,057
Protected Resources Program	2	\$ 599,999
New England B-WET Program	9	\$ 543,023
Broad Agency Announcement	2	\$ 201,995
<b>Total</b>	<b>88</b>	<b>\$31,327,596</b>

## States Move Forward with Permit Bank Development

With a goal of preserving fishing opportunities for small boat fishermen in New England coastal communities, efforts are now underway to establish permit banks in several New England states.

In the past two months NOAA has awarded \$1 million each to the Rhode Island Department of Environmental Management (RIDEM) and the New Hampshire Fish and Game Department (NHFGD) to set up permit banks in Rhode Island and New Hampshire. The Maine Department of Marine Resources (MEDMR) recently accepted bids to purchase federal multispecies fishing permits from Maine fishermen. Another permit bank is also in the works for Massachusetts.

Permit banks are expected to provide owners of fishing vessels with limited or no groundfish fishing history an opportunity to

obtain additional fishing days or allocation at a reasonable cost.

RIDEM, in cooperation with the Rhode Island Economic Development Corporation, plans to convene a workshop with the state groundfish industry to determine how to administer the program in a way that best meets the needs of the Rhode Island groundfish industry.

On June 28, MEDMR released a Request for Proposals (RFP) to purchase federal fishing permits. MEDMR held a bidder's conference on July 7 to help potential bidders understand the process. A scoring formula and review board were also developed to help ensure only strong bids are selected. The bidding process closed on September 28.

The Maine RFP process is expected to take



Credit: Michael Chase, NOAA

several months. Once permits are acquired, the associated access privileges will be available for small-scale fishermen in rural Maine ports.

The distribution phase of the program will likely begin in Fishing Year 2011. To date, NOAA Fisheries has provided \$2.9 million to support the Maine program.

# WhaleSENSE: A Collaborative Program Promoting Responsible Whale Watching

Recognizing businesses that discourage the harassment of whales in the wild and promote good stewardship is one of the goals of WhaleSENSE, a voluntary education and recognition program that encourages whale-watch tour operators from Maine to Virginia to practice responsible viewing.

The program was developed last year by NOAA Fisheries Service - Northeast Region, NOAA's Stellwagen Bank National Marine Sanctuary and the Whale and Dolphin Conservation Society in partnership with several New England commercial whale watching companies.

The United States has the largest whale watching industry in the world, and whale watch vessels often play important roles in reporting and standing by injured, sick and entangled animals or those struck by ships until help arrives. All whales are protected under federal laws, including the Marine Mammal Protection Act, that safeguard them from being injured, killed, or harassed and having their natural behaviors interrupted.

"The public wants to view these animals in their natural habitat, and will find tour companies that value education and responsible whale watching very attractive," said Allison Rosner, a biologist with NOAA Fisheries Service's Office of Protected Resources and WhaleSENSE program coordinator for NOAA.

"WhaleSENSE highlights those companies operating in an environmentally responsible manner that are role models for the rest of the fleet," said Craig MacDonald, Superintendent of the Sanctuary.

According to a report from the International Fund for Animal Welfare, the whale watching industry contributed nearly \$1 billion to the nation's economy in 2008.

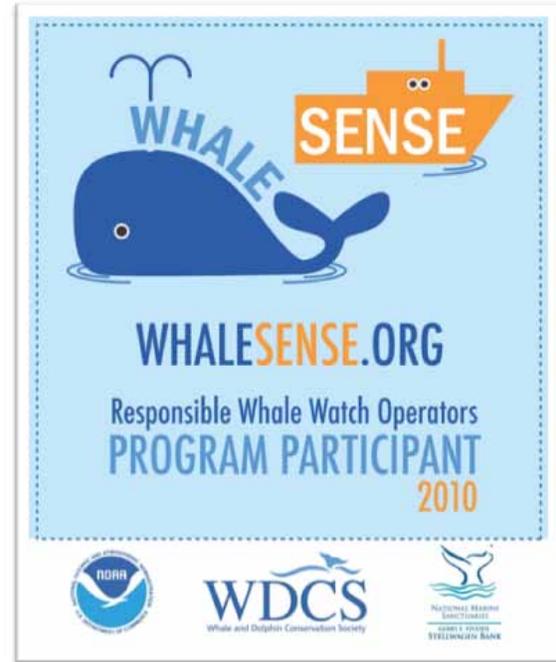
"With the threat of commercial whaling once again a reality, it is critically important to show the world that whale watching, not whaling, is the best future for us, and for the whales," said Regina Asmutis-Silvia, senior biologist for the Whale and Dolphin Conservation Society. Companies participating in WhaleSENSE agree to minimize negative impacts of whales by engaging in responsible viewing practices, by providing customers with a high standard of education, and by promoting ocean stewardship and conservation.

To become a WhaleSENSE participant, company vessel operators and the naturalists who narrate tours are required to attend annual training on safe operations and whale ecology. Through these workshops, companies learn more about passenger education, whale watching guidelines and regulations, and good marine stewardship practices.

Once a participant company has completed the program, it is granted full use of the WhaleSENSE logo and becomes listed on the website.

"Dolphin Fleet is proud to be a part of the WhaleSENSE program, so we can show our staff's commitment to educating the public, while safely navigating around the marine life we visit," said Steve Miliken of Dolphin Fleet Whale Watch on Provincetown, Massachusetts. "Participating in this program helps us stay better informed about whale watching guidelines and give our patrons the opportunity to understand the importance of protecting the whales we see."

"We're proud to be one of the first companies to sign on to the program," said Jack Hill of the Hyannis Whale Watcher on Cape Cod, Massachusetts. "We are committed to making these trips safe, not only for our passengers, but also for the whales."



Massachusetts-based Hyannis Whale Watcher Cruises, Dolphin Fleet, Captain John Boats, Provincetown Whale Watch, and Massachusetts Bay Lines were among the first companies to participate in WhaleSENSE. The Virginia Aquarium and Marine Science Center in Virginia Beach are also participants.

"We hope participation will grow as the whale-watching community recognizes the value of engaging in education, conservation and stewardship," said Rosner. "It's a win-win situation for the companies, for the public, and most of all, for the whales."

Look for the WhaleSENSE logo or visit the website [www.whalesense.org](http://www.whalesense.org) for program requirements. You can also contact NOAA WhaleSENSE Coordinator Allison Rosner at 978-282-8462.



## Restoring Virginia's Eastern Shore

NOAA Restoration Center is furthering its support of an ambitious Marine Ecosystem Restoration project in the Seaside Bays of Virginia's Eastern Shore. The project involving The Nature Conservancy (TNC), Virginia Institute of Marine Science (VIMS), Virginia Coastal Zone Management Program (VCZMP) and the Virginia Marine Resources Commission (VMRC) will restore 20 acres of intertidal oyster reef, plant an 100 acres of eelgrass and reintroduce bay scallops extirpated with the eelgrass in the 1930's.

Previous efforts funded by the VACZMP, TNC, The Norfolk Foundation, Virginia Aquatic Resources Trust Fund, NOAA and VMRC successfully restored over 27 acres of intertidal oyster reefs and 3,500 acres of eelgrass in this area.

To create the intertidal reef, a combination of shell from shucking houses, locally dredged fossil shell and fossil shell dredged from the James River were barged to inlets on the Eastern Shore. Shallow draft vessels of local watermen will be used to transport the shell which will then be planted in the intertidal beds. Monitoring of previously restored reefs has indicated excellent recruitment and growth in these areas.

Eelgrass was virtually extirpated from

Virginia's Seaside Bays by disease in the 1930's. Beginning in 2002 with experimental seeding funded by VCZMP, the restoration program incrementally increased the number of plots seeded ranging from 0.5 to 1 to 5 acres. These plots have expanded to over 3,500 acres often forming homogeneous beds. Forty-five additional one acre plots were planted in the Fall of 2009.

Mature eelgrass flowering shoots were collected in the Spring of 2010 by volunteers with the aid of a mechanical seed harvester developed for the program. The shoots are stored in aerated tanks until all of the seeds burst open and fall to the bottom. The seeds are then harvested and refrigerated in seawater until they are needed.

Between 5 and 8 million seeds were harvested this spring and will be planted this fall in 55 one acre plots with over 100,000 seeds per acre. In addition, monthly water quality runs are made through the restoration areas to document growing conditions.

Using wild scallops harvested in North Carolina, VIMS has begun the laborious task of quarantining these animals and inducing them to spawn. The second generation of the North Carolina scallops is being cultured in Virginia

to determine their growth rates and spawning cycles and determine the best deployment strategy. Initial growth rates in the land-based nursery were lower than anticipated. However, growth rates for juvenile scallops that were transferred to a field nursery near the inlet more than doubled.



Juvenile bays scallops being raised for reintroduction into Virginia's Seaside Bays. (Credit: W. Priest)



Oyster reef restoration in Seaside Bays of Virginia's Eastern Shore. (Credit: W. Priest)

## Groundfish Funds cont'd from page 2

to allow the seasonal use of six-inch mesh gillnets in the GOM Regulated Mesh Area (RMA) to target haddock.

Throughout implementation, NOAA has continued to focus on ongoing customer service. For instance, during the first few weeks of the fishing year, staff were on hand seven-days a week to answer fishermen's questions. A staff person has been assigned to support each sector. The agency is continuing to host regular conference calls

with sector managers to track progress and identify and address operational issues. Prior to and just after the new measures were enacted, NOAA conducted a series of 13 public meetings to explain the new management measures, solicit feedback and provide technical training new catch reporting software for the broader fishing community.

New web-based tools were also developed for fishermen to view their

individual catch information and track their days-at-sea trades and for sector managers to have timely access to sector vessel's data for catch monitoring and allocation tracking.

A summary of the outreach meetings held in June/July is now available on the NERO website under Sectors:

<http://www.nero.noaa.gov/sfd/sfdmultisector.html>

## Improved Stock Condition cont'd from page 2

As a result, until the end of the 2010 fishing year (April 30, 2011), federal permit holders are only allowed to retain an incidental catch of skate wings (500 pounds per trip). This action does not impact the bait fishery.

### Red Crab

On September 13, NOAA Fisheries Service through an inseason action increased the red crab catch levels for 2010. This action was based on a

recommendation by the New England Fishery Management Council's Scientific and Statistical Committee, which determined that the long-term average landings (1974-2008) of 3.91 million pounds were sustainable and comfortably below the actual maximum sustainable yield (MSY) level.

***MSY: is the largest average catch that can be continuously taken from a stock under existing environmental conditions. (For species with fluctuating recruitment, the maximum might be obtained by taking fewer fish in some years than in others.)***

## Gulf Oil Spill cont'd from page 1

Members of NERO's Protected Resources Division also helped to staff the Marine Mammal and Sea Turtle Unit in the Wildlife Branch. This entailed dispatching calls that came into the oil spill wildlife hotline and setting up logistics and contracts for biologists, veterinarians and others involved in marine mammal and sea turtle rescue and rehabilitation operations.

All and all it was a real team effort.

## First Year as EU Lead Inspection Agency Goes Smoothly

Despite the fact that seafood exporters now must pay a fee to have their fish and in some cases their processing facilities inspected before they can be shipped to the European Union (EU), most are happy to have NOAA on the job. Last year, the Food and Drug Administration (FDA) turned over all responsibility for inspecting fish and fish product exports to the EU to NOAA.

According to Northeast Region Seafood Inspection Team Chief, David Moisan, the reason for this is because NOAA has dedicated seafood inspec-

tion staff, which the FDA given its much broader mandate was not able to provide.

Since the transfer of authority, NOAA has seen a 10 percent increase in the number of inspections it is now conducting for seafood products going into the EU. NOAA is authorized to inspect fish, shellfish and fishery products under the 1946 Agricultural Marketing Act.

The EU requires that NOAA issue a health certificate to exporting companies that attests to the safety of fish and the fishery -- both wild and aquaculture.

### Types of Inspection

NOAA conducts two types of inspection: facilities and product inspections.

A facility inspection involves auditing sanitary conditions, systems and processes in a facility or on a fishing vessel. If the facility or vessel passes inspection it is designated as a participating establishment and is included in the FDA inventory of authorized exporters. Facilities must also agree

to undergo Hazard Analysis Critical Control Point (HACCP) audits a minimum of four times a year, which can last anywhere from 6 to 30 hours depending on the size of the facility. A product inspection, which is referred to as a lot or static inspection, is where a sample, usually three pounds, of the shipment of fish or fish product is examined on site and then brought to a NOAA facility to be more fully tested. Products are judged based on quality, condition, and safety. Products are subject to smell, taste and chemical analysis. Certain products may be eligible for stamping with official marks, such as the U.S. Grade A, Processed Under Federal Inspection (PUFI) and Lot Inspection.

A fish or fish product could be rejected for overseas shipment if it contains parasites, unsafe levels of contaminants (e.g., mercury), high levels of fill (i.e., crab meat), or is damaged or degraded in quality due to age.

In the Northeast Region, 60 percent of the product shipped to the EU is lobster followed by scallops, dogfish, monkfish, skate and squid.



James Tarantino samples fish testing safety and quality (Credit: NOAA)