



Mid-Atlantic Fishery Management Council

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Michael P. Luisi, Chairman | G. Warren Elliott, Vice Chairman
Christopher M. Moore, Ph.D., Executive Director

June 23, 2020

Mr. Michael Pentony
Regional Administrator
National Marine Fisheries Service
Greater Atlantic Region
55 Great Republic Drive
Gloucester, MA 01930

Dr. Jon Hare
Science and Research Director
Northeast Fisheries Science Center
166 Water Street
Woods Hole, MA 02543

Dear Mr. Pentony and Dr. Hare:

The Mid-Atlantic Fishery Management Council (Council) would like to express its deep concern about the plan to place observers on vessels in the Greater Atlantic Region beginning on July 1, 2020. The most recent data indicate that COVID-19 is continuing to spread rapidly in the United States. According to the Centers for Disease Control, on June 19 and 20, there were 32,218 and 32,411 new cases reported, respectively.¹ These represent the two highest one-day increases since April 25. The Council believes that deploying observers on fishing vessels at this time poses an unnecessary risk to the health and safety of fishermen and observers. We strongly recommend that you continue to extend the observer coverage waiver until the number of active COVID-19 cases in the region has been substantially reduced and the number of new cases is steadily declining. This recommendation aligns with the Council's own developing position regarding in-person meetings, which prioritizes health and safety above all other concerns.

It is our understanding that NOAA, like the Council, continues to operate under a maximum telework policy. Also, we believe that NOAA staff such as Northeast Fisheries Science Center employees are currently prohibited from participating in on-board cooperative research. During our June Council Meeting, which was conducted entirely by webinar, we discussed plans for how and when to resume in-person meetings. The Council was generally in agreement that at this time the public health risks outweigh the benefits of face-to-face meetings and that we should continue to utilize virtual meetings for the near term. Considering these steps that have been taken to minimize health risks for fishery scientists and managers, why should the same consideration not be extended to the fishing industry?

Although some states are beginning to slowly reopen, social distancing protocols are still almost universally recommended or required. However, the close living quarters on most fishing vessels would make social distancing virtually impossible. Recognizing that the virus could spread rapidly within these environments, many fishing crews have been self-quarantining before fishing trips. Unless observers are subject to mandatory 14-day quarantine periods between assignments, we are concerned that they could unknowingly become vectors for transmission of the virus between fishing vessels.

¹ Data source: Centers for Disease Control and Prevention, <https://www.cdc.gov/coronavirus/2019-ncov/cases-updates/cases-in-us.html>

In evaluating the costs and benefits of redeploying observers, we encourage you to consider not only the health risks to individuals onboard the fishing vessels but also the potential lost wages/revenues if a vessel cannot operate due to an infection caused by an observer. Given the known risks of the ongoing pandemic, is NOAA planning to assume liability for the health costs and other legal or financial ramifications resulting from an infection transmitted by an observer? This is an issue of concern for the fishing industry and should be addressed before observers are redeployed.

The Council recognizes and appreciates that observers provide valuable data that support the effective management of U.S. fisheries. While losing additional observer data will be challenging from a science and management perspective, there are existing methods to compensate for missing data that can likely help bridge any data gaps. However, there is no way to compensate for a lost life.

In closing, the Council does not believe that the observer program can be safely operated at this time and urges you to reconsider your plans to lift the observer waiver. The Council and NOAA Fisheries share a responsibility to promote the safety of human life at sea, and we hope that you will reconsider your position on this issue. Thank you for your consideration of these comments.

Sincerely,

A handwritten signature in black ink, appearing to read "Michael P. Luisi". The signature is fluid and cursive, with a large initial "M" and "L".

Michael P. Luisi
Chairman, Mid-Atlantic Fishery Management Council

cc: Mid-Atlantic Council Members
Dr. Chris Moore
Mr. Sam Rauch