

MID-ATLANTIC COUNCIL

2013 Schedule of Events

April

- 2 Tilefish Monitoring Committee Webinar
- 4-5 Mid-Atlantic Regional Ocean Planning Workshop, Arlington, VA
- 7-8 Northeast Fish & Wildlife Conference, Saratoga Springs, NY
- 9-11 Mid-Atlantic Fishery Management Council Meeting, Raleigh, NC
- 9-11 Black Sea Bass Data Workshop, Woods Hole, MA
- 12 NJ Sea Grant Regional Ocean Governance Symposium, Newark, NJ
- 16-19 Interstate Shellfish Seminar, Rehoboth, DE
- 17 Mackerel, Squid, Butterfish AP Fishery Performance Report Meeting, Baltimore, MD
- 18 Deep Sea Coral Workshop, Baltimore, MD
- 22 Workshop-Sustaining National Climate Assessments of Coasts & Oceans, Wash., DC
- 22-24 Sustainable Ocean Summit, Washington, DC
- 28 FMAT Data Collection Meeting Webinar
- 29 Omnibus Recreational AMs Public Hearing, Warwick, RI
- 30 Omnibus Recreational AMs Public Hearing, Riverhead, NY
- 30 SSC Pre-Meeting (ABC recommendations for MSB & SCOQ) Webinar

May

- 1 Omnibus Recreational AMs Public Hearing, Manahawkin, NJ
- 2 Omnibus Recreational AMs Public Hearing, Ocean City, MD
- 1-2 NRCC Meeting, Providence, RI
- 3 SCOQ Advisory Panel Meeting, Philadelphia, PA
- 3 Omnibus Recreational AMs Public Hearing, Virginia Beach, VA
- 5-6 CCC Meeting, Washington, DC
- 7-9 Managing Our Nations Fisheries III, Washington, DC
- 10 CCC Meeting (continued), Washington, DC
- 10 SCOQ FMAT Data Collection Meeting, Providence, RI
- 13-14 Butterfish Workshop, New Brunswick, NJ
- 15-16 SSC Meeting - ABC recommendations for SMB & SCOQ, Baltimore, MD
- 20 ACCSP Meeting, Alexandria, VA
- 20-23 Atlantic States Marine Fisheries Commission Meeting, Alexandria, VA
- 22 Mackerel, Squid, Butterfish Fishermen's Meeting, Narragansett, RI
- 23 Mackerel, Squid, Butterfish Monitoring Committee Meeting, Gloucester, MA
- 29-30 Monkfish Committee, Providence, RI

June

- 3-6 US Conference on Sustainable Oceans, Cascais, Portugal
- 3-7 Fluke SDWG Data Meeting, Woods Hole, MA
- 4-6 Capitol Hill Ocean Week, Washington, DC
- 5 Mackerel, Squid, Butterfish Fishermen's Meeting, Cape May, NJ
- 5-7 Bottlenose Dolphin Take Reduction Team Meeting, Wilmington, NC
- 11-13 Mid-Atlantic Fishery Management Council Meeting, Eatontown, NJ
- 17-21 Fluke SDWG Modeling Meeting, Woods Hole, MA

July

- 23-26 Summer Flounder SAW/SARC, NEFSC, Woods Hole, MA

MID-ATLANTIC COUNCIL

2013 Planned Council Meeting Topics

February 12-14, 2013 -- Hampton, VA

- Ecosystem and Ocean Planning Committee review of alternatives for Amendment 16
- Amendment 16 to Atlantic Mackerel, Squid, Butterfish (deep sea corals) Scoping Hearing
- Black Sea Bass Specifications for 2013 and 2014
- Special Management Zone recommendations for Delaware reefs
- Discuss approach to alternative development for Amendment 15 to Atlantic Mackerel, Squid, Butterfish FMP
- Marine Recreational Information Program Update

April 9-11, 2013 -- Raleigh, NC

- Tilefish Specifications for 2014
- Standardized Bycatch Reporting Methodology Omnibus Amendment draft EA approval
- Omnibus Recreational Amendment alternatives for public hearing document
- Squid Workshop update from January 15-17, 2013
- Forage Fish Workshop

June 11-13, 2013 -- Eatontown, NJ

- Butterfish Specifications for 2014 and other Atlantic Mackerel, Squid, Butterfish management measures
- *Illex* Control Date approval
- Surfclam and Ocean Quahog Specifications for 2014, 2015, and 2016
- Surfclam and Ocean Quahog data collection protocol review
- Research Set-Aside award recommendations for 2014
- Omnibus Recreational Amendment submission approval
- Draft Strategic Plan document public hearing approval
- Standardized Bycatch Reporting Methodology alternatives approval

August 13-15, 2013 -- Wilmington, DE

- Swearing in of new and reappointed Council members
- Election of Officers
- Research Set-Aside 2015 Research and Information Priorities List
- Final Draft Strategic Plan document approval

October 8-10, 2013 -- Philadelphia, PA

- Spiny Dogfish Specifications for 2014
- Summer Flounder, Scup, Black Sea Bass Commercial Specifications for 2014 (and beyond)
- Bluefish Specifications for 2014
- Amendment 16 to Mackerel, Squid, Butterfish FMP (Deep Sea Corals) alternatives for public hearing document

December 10-12, 2013 --Annapolis, MD

- Summer Flounder, Scup, Black Sea Bass Recreational Specifications for 2014 (and beyond)
- Amendment 16 to Mackerel, Squid, Butterfish FMP (Deep Sea Corals) submission approval
- SSCs 5-year Research Priority Recommendations

Mid-Atlantic Fishery Management Council
Status of FMPs, Amendments and Frameworks
(As of May 30, 2013)

FMP/Amendment	Date Approved by Council	Lapse	Date submitted to NMFS/NERO	Lapse	FR Notice of Plan Availability	Lapse	Proposed Rule Publication Date	Lapse	Plan Approval/Disapproval Letter	Lapse	Final Rule Publication Date
Squid, Mackerel, Butterfish Framework 5	04/12/12	5	04/17/12	X	N/A	157	09/21/12	X	N/A	74	12/04/12
Squid, Mackerel, Butterfish Framework 6	04/12/12	5	04/17/12	X	N/A	72	06/28/12	X	N/A	60	08/27/12
Squid, Mackerel, Butterfish Framework 7	10/17/12	6	10/23/12	X	N/A	51	12/13/12	X	N/A	51	03/05/13
Squid, Mackerel, Butterfish Framework 8	12/12/12										
Squid, Mackerel, Butterfish Amendment 14	06/14/12	257	02/26/13								
Squid, Mackerel, Butterfish Amendment 15											
Surfclam and Ocean Quahog Amendment 15											
Spiny Dogfish Amendment 3	10/17/12										

"Lapse" is the amount of time in days from Council approval to column-heading action.

*Status of Open Amendment/Framework Actions
(as of May 30, 2013)*

<u>FMP</u>	<u>AMD\FW</u>	<u>Issues Addressed</u>
Squid / Mackerel / Butterfish	Amendment 14	<i>Alosine</i> incidental catch
	Amendment 15	Consider adding river herrings (blueback and alewife) and shads (American and hickory) as Council-managed species.
	Amendment 16	Deep Sea Corals
	Framework 8	Trimester 2 butterfish cap closure Quota transfer between landings at end of year
Summer Flounder/ Scup/Black Sea Bass	Amendment 17	Spatial/regional management of black sea bass recreational fishery
	Amendment 18	Scup Allocation
Dogfish	Amendment 3	Authorize RSA program Consider alternatives to seasonal quotas Limited Access Quota Rollover EFH Definitions
Surfclam/ Ocean Quahog	Amendment 15	Cost Recovery EFH updates Ocean Quahog overfishing definition
	Amendment 16	Excessive shares and ownership disclosure
Omnibus		Recreational Accountability Measures

Mid-Atlantic Fishery Management Council Specifications

(As of May 30, 2013)

Fishery Management Plans	2012				2013				2014			
	Council Approved	Specs Package Submitted	NMFS Proposed Rule	NMFS Final Rule	Council Approved	Specs Package Submitted	NMFS Proposed Rule	NMFS Final Rule	Council Approved	Specs Package Submitted	NMFS Proposed Rule	NMFS Final Rule
Summer Flounder, Scup, Black Sea Bass · Commercial · Recreational	08/17/11 12/14/11	10/02/11 03/18/12	12/30/11 04/30/12	04/23/12 05/23/12	08/15/12 12/13/12	10/04/12 03/14/13	11/16/12 ^b 04/29/13 ^e	12/31/12 ^d				
Squid, Mackerel, Butterfish	06/15/11	08/09/11	10/26/11	03/21/12	06/12/12	07/31/12	11/19/12 ^c	01/16/13				
Dogfish	10/12/11	01/27/12	03/19/12	05/22/12	10/17/12	02/08/13	03/12/13	05/03/13				
Bluefish	08/17/11	12/02/11	02/15/12	04/27/12	08/15/12	12/02/12	02/20/13	05/07/13				
Surfclam, Ocean Quahog	12/27/10 ^a											

^a Final rule applies for surfclam and ocean quahog fishing years 2011, 2012, and 2013.

^b Proposed rule applies for summer flounder and scup fishing years 2103 and 2014 and black sea bass fishing year 2013.

^c Proposed rule applies for mackerel fishing years 2013-2015 and butterfish fishing year 2013 (longfin and Illex squids were set in 2012 for fishing years 2012-2014).

^d Final rule applies for summer flounder and scup fishing years 2013 and 2014 and black sea bass fishing year 2013.

^e Proposed rule applies to 2013 and 2014 black sea bass catch limits and 2013 recreational measures.

MAFMC 2014 Council Meetings

- February 11-13, 2014: Doubletree by Hilton New Bern - Riverfront
100 Middle St.
New Bern, NC 28560
252-638-3585
- April 8-10, 2014: Montauk Yacht Club
32 Star Island Road
Montauk, NY 11954
631-668-3100
- June 10-12, 2014: Radisson Hotel of Freehold
50 Gibson Place
Freehold, NJ 07728
732-780-3400
- August 12-14, 2014: W
515 15th Street NW
Washington, DC 20004
202-661-2400
- October 7-9, 2014: Courtyard Marriott Downtown Philadelphia
21 N. Juniper St.
Philadelphia, PA 19107
215-496-3200
- December 9-11, 2014: Royal Sonesta
550 Light St.
Baltimore, MD 21202
410-234-0550



Mid-Atlantic Fishery Management Council
 800 North State Street, Suite 201, Dover, DE 19901-3910
 Phone: 302-674-2331 | Toll Free: 877-446-2362 | FAX: 302-674-5399 | www.mafmc.org
 Richard B. Robins, Jr., Chairman | Lee G. Anderson, Vice Chairman
 Christopher M. Moore, Ph.D., Executive Director

MEMORANDUM

Date: May 28, 2013
To: Council
From: Kiley Dancy
Subject: Deep Sea Corals Memorandum of Understanding

In April 2012, the Council initiated the development of a Memorandum of Understanding (MOU) between the three Atlantic coast Fishery Management Councils to coordinate management approaches and clarify areas of jurisdiction for deep sea corals. The timeline of MOU development to date is as follows:

April 2012	Mid-Atlantic Council moves to initiate MOU
August 2012	Mid-Atlantic Council approves draft MOU
August 2012	New England Council Habitat Committee approves draft MOU, subject to review by the South Atlantic Council and NOAA General Counsel (Northeast Section)
September 2012	New England Council approves draft MOU, subject to approval by NOAA General Counsel (Northeast Section)
March 2013	South Atlantic Council approves draft MOU, as revised based on guidance from NOAA General Counsel (Southeast Section)
June 2013	Mid-Atlantic Council approves final MOU
June 2013	New England Council approves final MOU

In March, the South Atlantic Council approved a version of the MOU that had been revised to reflect input from their Coral Advisory Panel as well as edits provided by General Counsel (Southeast Section). These edits and additions are mostly technical in nature, or they clarify the way that the South Atlantic Council manages corals. This revised version of the MOU is attached, with edits shown.

If the Mid-Atlantic Council approves this version of the MOU at the June Council meeting, the document will then be considered by the New England Council at their meeting the following week. If both Councils approve this version, the MOU will be considered final and ready to sign. If additional substantial changes are requested by either Council, a revised document will need to be reviewed and approved by the other Councils before the MOU is finalized.

Memorandum of Understanding
Regarding the Management of Deep Sea Corals

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Between
New England Fishery Management Council
Mid-Atlantic Fishery Management Council
South Atlantic Fishery Management Council

A. Purpose

The purposes of this Memorandum of Understanding (MOU) are: 1) to establish a framework for coordination and cooperation toward the protection of deep sea coral ecosystems; and 2) to clarify and explain each Council's role and geographic areas of authority and responsibility with regard to deep sea coral management.

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B. Background

Deep sea corals are typically found at depths greater than 50 meters on the continental shelf and slopes, in offshore canyons, and near seamounts. Many of these species form complex three-dimensional structures that provide important habitat for many species of fish and invertebrates, enhancing local biodiversity. Because these corals are fragile and slow-growing, they are particularly vulnerable to disturbance from certain types of fishing gear. While the extent of deep sea coral habitat degradation has not been quantified in most areas, bottom tending fishing gear has been known to cause significant disturbance in many locations, and is considered to be the major threat to deep sea corals in areas where such fishing occurs.

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Deep sea corals are present within the jurisdictional boundaries of the three Parties to this agreement: the New England Fishery Management Council (NEFMC), the Mid-Atlantic Fishery Management Council (MAFMC), and the South Atlantic Fishery Management Council (SAFMC) (collectively, the Councils). Each of these Councils has previously taken or is currently taking actions to mitigate the impacts of fishing gear to enhance deep sea coral protections. Because such management actions may affect fisheries operating in more than one Council jurisdiction, the Councils recognize the need for communication and broad-scale coordination regarding measures to protect deep sea coral ecosystems.

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C. Authority and strategies for deep sea coral protections

The Magnuson-Stevens Fishery Conservation and Management Act (MSA)¹ is the main source of authority under which the Regional Fishery Management Councils may take action to protect deep sea corals from fishery impacts. The SAFMC currently has management and conservation measures in place for deep sea coral ecosystem; the NEFMC and the MAFMC will each continue development of management measures to protect corals within their regions while

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¹ The MSA is found at 16 U.S.C. § 1801, et seq.

preserving current and future fishing opportunities. These management measures may differ between the Councils, and may include some combination of the following:

- Designation of coral protection zones based on the discretionary authority described in Section 303(b)(2)(B) of the MSA. These zones could include but are not limited to:
 - Large precautionary areas based on a freeze-the-footprint approach²
 - Enhanced protections in areas known to or expected to contain high concentrations of corals
- Designation of deep sea corals as a component of Essential Fish Habitat or as Habitat Areas of Particular Concern
- Minimizing bycatch of deep sea coral species
- Special access programs to provide for continued fishing in or near coral areas for specific fisheries or gear types
- Exploratory fishing programs to allow for future development of new fisheries in a way that protects corals
- Management as habitat pursuant to a Federal Fishery Management Plan (e.g., SAFMC).

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D. Council boundaries and geographic areas of responsibility

Each Council will be responsible for the mitigation of fishery impacts to deep sea corals within each Council's geographic area of authority, as defined in 50 C.F.R. §§ 600.105(a) and (b). The NEFMC-MAFMC boundary begins at the point of intersection of Connecticut, Rhode Island, and New York (41°18'16.249" N. lat. and 71°54'28.477" W. long.), and proceeds south, 37°22'32.75" East to the point of intersection with the outward boundary of the EEZ as specified in the MSA. The SAFMC-MAFMC boundary begins at the seaward boundary of Virginia and North Carolina (36°33'01.0" N. lat.), and proceeds due east to the point of intersection with the outward boundary of the EEZ as specified in the MSA. The MAFMC area of authority contains major canyons from Block Canyon to Norfolk Canyon, while the NEFMC will develop measures for Alvin Canyon and areas north within its area of authority.

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The South Atlantic Council manages coral ecosystems pursuant to the Coral, Coral Reef and Live/Hardbottom Habitat of the South Atlantic Region Fishery Management Plan. Coral Habitat Areas of Particular Concern established under this plan are also designated Essential Fish Habitat - Habitat Areas of Particular Concern, further acknowledging the importance and complexity of benthic habitats encompassing the deepwater coral ecosystem.

E. Council coordination on deep sea corals issues

1. The Councils will seek continuity between coral-related management measures in all three Council regions, especially where there are fisheries that overlap between regions. This may include:
 - Consideration of similar management alternatives in fishery management plans for adjacent regions.
 - Consideration of fishery overlap and engagement of stakeholders outside of the management region in the development of management measures.

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² Approach would not restrict current fishing effort but would establish larger areas where management measures be applied to prevent expansion of effort into areas that are not currently fished.

2. The Councils will also share data and information to improve current and future decision making:

- o Encourage data collection to support coral management.
- o Share coral data, fishing effort data, and GIS resources related to development of management measures.

3. The Councils will contribute to coordinated management efforts in the following ways:

- o The NEFMC and MAFMC will share technical work information and data, including NEFMC Habitat Plan Development Team (PDT) work products related to Mid-Atlantic canyon and slope areas.
- o MAFMC staff and/or the MAFMC liaison to the NEFMC will attend NEFMC Habitat PDT and Oversight Committee meetings relevant to corals, and NEFMC staff and/or the NEFMC liaison to the MAFMC will attend relevant MAFMC meetings.
- o The SAFMC will advise the NEFMC and the MAFMC on coral and deepwater ecosystem issues based on past experiences and lessons learned.

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F. No agency

Each Party signing this MOU is acting as an independent contractor. No Party to this MOU is intended to have any authority or control over any other Party, nor shall any Party have the power to bind any other Party. Each Party will be responsible for bearing the costs incurred in performing any activity contemplated within this MOU.

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G. Funding

Cooperative activities under this MOU shall be subject to the availability of funds and personnel. This MOU shall not be used to obligate or commit funds.

H. Effective date and signature

The terms of this MOU are agreed to and are effective from the date of the last signature below. This MOU may be terminated at any time by any Party for any reason by written notice to the non-terminating Parties. By:

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For and on behalf of NEFMC:

Signature: _____ Date _____

For and on behalf of MAFMC:

Signature: _____ Date _____

For and on behalf of SAFMC:

Signature: _____ Date _____

Spring 2013 Northeast Region Coordinating Council (NRCC) Meeting Summary
May 1-2, 2013
Hotel Providence, Providence RI

Attendees, by group affiliation:

Atlantic States Marine Fisheries Commission (ASMFC):

Bob Beal, Executive Director
Toni Kerns, Interstate Fisheries Management Program Director

Mid-Atlantic Fishery Management Council (MAFMC):

Dr. Chris Moore, Executive Director
Rick Robins, Chairman
Dr. Lee Anderson, Vice-chairman
Dr. John Boreman, Scientific and Statistical Committee (SSC) Chairman

New England Fishery Management Council (NEFMC):

Tom Nies, Executive Director
Chris Kellogg, Deputy Director
Rip Cunningham, Chairman
Terry Stockwell, Vice-chairman

NOAA Fisheries Northeast Fisheries Science Center (NEFSC)

Dr. Bill Karp, Science and Research Director
Dr. Russ Brown, Deputy Science and Research Director
Dr. Susan Gardner, Senior Advisor
Dr. Jim Weinberg, Stock Assessment Workshop (SAW) Chairman
Dr. Paul Rago, Chief, Population Dynamics Branch

NOAA Fisheries Northeast Regional Office (NERO)

John Bullard, Regional Administrator
George Darcy, Assistant Regional Administrator for Sustainable Fisheries
Kim Damon-Randall, Protected Resources Division
Gene Martin, General Counsel Northeast (*Day 2 attendee*)
Mike Ruccio, Sustainable Fisheries Division (*NRCC staff support*)
Brett Alger, Sustainable Fisheries Division (*NRCC staff support*)

Teleconference Participants:

Mary Colligan, NERO Assistant Regional Administrator for Protected Resources
Dan Morris, NERO Deputy Regional Administrator

I. NRCC Process

The group discussed whether future NRCC meetings should be announced, open to the public, and meeting materials made available. The group also briefly discussed the NRCC coordination and decision-making processes, membership, and agenda formation.

Periodically, members of the public have inquired about attending NRCC meetings and/or obtaining meeting agendas and related materials. While not technically closed to the public, past NRCC meetings have not been widely announced and the meeting-related materials have generally not been provided to the public. Past public participation has been sporadic and usually only for specific agenda items.

It was noted that the primary purpose of the NRCC is to coordinate actions and resource allocation for the member groups. The group is informal, operates on a consensus basis, and has no formal standing within Federal law. The group acknowledged that in performing coordinating functions, the NRCC makes decisions with respect to priorities and projects. As a result, opening meetings would provide increased transparency into how such decisions are reached. It was stated that lack of publicly available information creates an air of public distrust that is counterproductive to the larger public processes of the Councils, Commission, and NMFS. During the discussion, some expressed concerns that public participation might curtail frank and honest discussion, or would result in attempts to influence decisions. It was noted that meetings could be closed if the need arose to discuss litigation, personnel actions, or other confidential information.

It was agreed that a public participation guidance document will be developed by NERO (Action Item 1). The document will provide draft guidance on announcing meetings, distribution of documents, public participation and comment, executive sessions, and meeting location criteria and requirements. The document will be provided to the NRCC and General Counsel Northeast (GCNE) for additional discussion and input before finalization for the fall 2013 meeting.

Some commented that it may be useful, particularly if the public attends future meetings, to clearly establish who the decisionmakers on the NRCC are. Others stated that the NRCC does not vote, and because decisions are made by consensus, the number of participants by group is not of substantial consequence. Some concerns were raised that some agenda items may be group-specific (e.g., a single Council and NERO issue). The group discussed that some of these issues may seem group-specific, but they may have impact on resources available to other NRCC participating groups. It was generally agreed that the respective Executive Directors of the Councils and Commission should serve as the point-of-contact for consolidating and submitting agenda items.

The group also discussed participation of SSC chairs in NRCC meeting and reviewed the previous rationale to integrate SSCs into the NRCC during the buildup to implementing annual catch limits based on SSC advice. Some questioned if there is a continuing need for SSC participation at the NRCC. Some stated there continues to be value, as the SSCs are well aware of research needs and are well attuned to priorities and specification-related critical timing. Others were not as supportive of continued participation, stating the SSC's are committees of the Councils. While not fully resolved during meeting discussions, subsequent conversations indicated that Council Executive Directors will determine whether SSC, Council Committee, or technical staff are necessary to participate in specific future NRCC discussions.

II. Fishery-Dependent Data Collection

Dan Morris and Russ Brown gave an overview of a two-component process to better coordinate and improve fishery dependent data collections in the Northeast Region. "Process A," as envisioned, is designed to improve upon the current data collections. Process A would have a standing working group whose primary function is to review the existing data collection process. The internal working group would be to review Council-contemplated data collections to provide feedback on how implementable the proposed actions would be.

"Process B" is designed to develop the next generation of data collections. The first phase of this process would be to assess the current data requirements. After NMFS staff have completed the first phase of describing data requirements, additional groups, including the NRCC, would convene to contemplate next steps. After this phase of external and stakeholder input, external expertise would be brought in during design of the next generation reporting and data collection system.

The discussion highlighted that the current systems use a variety of technologies and, transmittal methods (paper and electronic), and are not well integrated. Each successive action has often created special requirements of the existing hard-wired systems. These requirements often are beyond the scope of the specific systems initial design and, as such, often make it difficult or impossible to use the existing system to evaluate effectiveness. (Example: No code accurately capture use of Rhule trawl gear; nearly three times as many are reported by observers in comparison to VTR data).

Both the Council Coordination Committee Electronic Monitoring (EM) subcommittee and NE Council working group were briefly discussed. In particular, the need to coordinate efforts between all the groups exploring similar issues was raised. It was suggested that NERO and the Mid-Atlantic Council participate in the NE Council EM working group.

Some concerns were raised that management should not be impeded if it is not possible to develop and implement the perfect reporting system. Some concerns were raised about enforcement of existing reporting requirements.

III. Electronic Monitoring (EM)

It was clarified that the exploration and development of EM is not limited to just cameras on boats. The broader umbrella of EM may include electronic capture and/or transmission of fishery dependent data. EM development is a major initiative being lead by NERO, largely because implementation will occur through Council regulatory actions; however, the NEFSC will be very heavily involved. The group spoke briefly about managing EM expectations. Many groups are already interested in developing EM technologies in the region and it will be important to capture this interest constructively within the larger development efforts. Discussion highlighted the need to ensure that end users are engaged in the development process.

EM camera systems may not be less expensive than onboard observers, largely dependent on how the systems are implemented. One alternative would use EM validation in full-retention

fisheries, modeled after fisheries in British Columbia. Another option would be to use a “trust but verify” EM process for non-full retention fisheries.

Additional discussion occurred on electronic transmission of collected data, such as the existing eVTR program. NEFSC representatives stressed the need to ensure that the underlying structure to receive such data must be developed in concert with EM. For example, eVTRs could be implemented on a large scale. However, it was described as being analogous to putting a superstructure on an adobe hut—the necessary database and systems are currently inadequate to capitalize on the potential time savings EM could provide. It was also stressed that the Atlantic Coastal Cooperative Statistics Program (ACCSP) should be engaged in this process sooner rather than later.

IV. SAW/SARC Membership and Public Engagement

Stock Assessment Workshop (SAW) The NRCC discussed SAW membership. Generally, SAW working groups do all the analysis and modeling to respond to an assessment’s terms of reference. As such, they are typically comprised of individuals with technical skills or particular knowledge of the fishery or data involved in the assessment. Concerns were raised about participation of individuals that may not possess the appropriate skillsets or, if they do, may not be objective, i.e., lawyers or scientists on retainer for specific groups advocating for or trying to influence specific assessment results. It was noted that some outside scientists have participated in past SAWs and have made very valuable and appropriate contributions. The group also acknowledged that non-technical input can be very valuable. For example, particular on-the-grounds knowledge of a fishery participant may be timely and applicable when trying to answer specific questions that arise during the working group. However, the group acknowledged that one or more advocates within a working group can compromise the intended process and, potentially, the results.

The issue of SAW participation has been discussed before at the NRCC. In 2009, a draft guidance document was developed by the NEFSC for NRCC review. The group revisited this document during the spring meeting discussion. The group generally shared concerns about ensuring an objective, open process for stock assessment preparation. The discussion highlighted that it is difficult to establish guidelines or policies that do not constrain robust discussion, restrict access to the process, or exclude individuals that may provide substantial, valuable contributions to the process. The ASMFC staff indicated that similar issues have arisen in the Commission’s assessment process and that guidelines were developed in response. Some stated that clear conflict of interest guidance is needed. Some suggested that working group members should be appointed and, in turn, serve as the conduit for introducing data, modeling approaches, or even comments during SAW meetings.

The NRCC adopted Action Item 2 as a result of the discussion. This action item tasks the member groups to provide personnel to a NEFSC-led working group that will develop alternatives for membership and meeting structure guidance. The working group will also review the ASMFC-drafted guidelines to see if components of the approach can be adapted for the SAW process. The group will also work with General Counsel to consider conflict of interest standards for working group participants.

Stock Assessment Review Committee (SARC) Staff from the NEFSC provided the NRCC a draft policy guidance document outlining several options, including a NEFSC-preferred alternative, for taking public comment and input during SARCs. The discussion on SARC participation highlighted many of the same issues raised in the earlier SAW discussion. That is, striking a balance between maintaining an opportunity for input and clarifications while ensuring that the process is not overwhelmed by public comment. Some NRCC members stated that there needs to be clarification of what role(s) NEFSC personnel play in the SARC process, as their participation was not clear in the draft guidance document. From a perception standpoint, it was suggested that perhaps only the peer-review panel and chair should be seated at the table, with NEFSC staff present only if presenting or providing responses to panel questions. It was also questioned why the final report writing occurred in a closed session, as this creates a public perception issue. Suggestions to improve the potential webinar/webcast of SARC proceedings were made to the NEFSC.

The NRCC adopted Action Item 3 tasking the NEFSC to further develop the draft policy document to more fully consider the points raised by the NRCC. The NEFSC indicated it would revise the preferred alternative and potentially add sub-options for NRCC consideration at the fall 2013 meeting.

V. Stock Assessment Related Topics

Operational and Research Track Assessment Process The operational/research track process, developed for the NRCC by several working groups from 2009 to 2011, has not been collectively implemented. There remain significant challenges to fully implementing the operational/research process and, at the same time, the status quo is not where people want to be with respect to assessment process. There would be transition costs to implementing the operational/research process or committing resources to develop some other process.

NEFSC staff described many of the assessment-related challenges, which are generally, increased demands on the Center and complexity of assessments. It was stated that there is already no reserve capacity within Center resources, and this will only become more challenging given anticipated future budgetary constraints. During this component of the discussion, the group remarked that the total capacity/throughput for the NEFSC needs to be better understood. This would allow a resource budgeting exercise to be potentially better informed and assist in prioritization of tasks and resources.

Many points were made by various individuals during the discussion:

- A post mortem of the pilot operational assessments could be undertaken to try to pare down the process and the report development involved.
- Follow-up work on research recommendations needs to be better distributed through the NEFSC (not just PopDy) and better coordinated among the various state, academic, and Federal research partners.
- Timing of data delivery continues to be a major limiting factor in assessment timing.
- The research track was designed to work offline to solve problems then an assessment would be conducted based on the result of the research track's work. It was stated this

may be naïve as external pressure would likely occur to conduct an assessment of some sort as soon as developed research products become available.

- Previous efforts to examine specific stock metrics for annual catch limit (ACL) adjustments, aka “signposts,” were not well received because of difficulties in translating the information to management advice and ACLs.
- It may be possible to use the current SARC process to satisfy research track needs; however, additional consideration is necessary to determine if this is feasible and satisfies the research track needs.
- The type of assessments, their relative process “costs,” and pros and cons needs to be better described.

The NRCC adopted Action Item 4 in response to the assessment process-related discussion. This action item is designed to analyze many of the points raised during the discussion. A report on the action item findings will be prepared by the NEFSC for the fall meeting.

SAW/SARC Schedule The NEFSC provided two options for the 2014 and beyond SAW/SARC schedule. A document explaining the rationale and tradeoffs between the two options was also provided. The NEFMC also provided a document outlining options for the New England managed species assessment schedules.

The NEFSC noted that it was proposing to conduct both the sea scallop survey methods review and benchmark assessment concurrently with an extended SARC. The terms of reference will be structured to address this.

MAFMC representatives inquired about Atlantic mackerel and bluefish, noting that assessments for these stocks is important. Specific discussion focused on mackerel. There are signals that the stock distribution may have shifted and there are about the age of the information being used for management advice. The group discussed there may be approaches for an update that would be helpful for mackerel.

Substantial discussion involving NE multispecies occurred. The NEFMC had proposed splitting assessments between 2014 and 2015 to potentially free NEFSC resources to address research or other assessment-related needs. The NEFSC would prefer to conduct all the needed updates in 2014 for efficiency. The terminal year data used and timing of assessment results were discussed. NEFMC stressed that, at a minimum, results, are needed with sufficient time for the SSC to meet prior to the September Council meeting. The group adopted Action Item 7. This action item, which is focused on New England groundfish, is designed to examine the report requirements and deliverable timing of assessments. The evaluation will also consider the terminal year data used in assessments, presumably providing information on the potential tradeoffs of using the most recent data or making use of older information.

The group agreed to remove ocean quahogs and monkfish from the list of assessment updates for 2014. The group also agreed to remove mackerel and black sea bass from the list of stocks scheduled for SARC benchmark assessments fall 2014. The group agreed to add several stocks (skates, mackerel, butterflyfish, tilefish, squids) to the list of updates in 2014. Tilefish and

butterfish will have just had benchmark assessments reviewed in late 2013, so the need for 2014 updates should be discussed further.

The group briefly discussed the next steps for cod stock structure work. As a result, Action Item 8 was adopted. This action item is designed to develop a plan for proceeding from the workshop held last year.

Black sea bass data workshop The NRCC discussed the results of a recent workshop to determine whether an assessment update, operational, or benchmark assessment should be conducted for black sea bass. The workshop determined that there is little to advance understanding of the black sea bass stock without additional research, so only updated catch information will be available for 2014 catch limit considerations. The NRCC recognized there is substantial external pressure to revisit the black sea bass stock assessment to potentially provide the Mid-Atlantic SSC additional information that might reduce uncertainty and elevate the stock from a level 4 to a level 3 assessment. The group discussed the importance of evaluating the research needs for the stock and formulating a plan to address as many needs as possible to support a future comprehensive assessment.

The group adopted Action Item 6 as a result of the discussion. This action item is designed to coordinate research priorities and develop an overall research plan, including a schedule, to be provided by the NRCC mid-term (ca. August).

General Discussion The NEFSC noted that much of the age structure analyses performed to support assessment work is done by contracted staff. It is currently unclear how future budgets may impact these contracts and, as a result, the aging work.

The group spent some time discussing ways to prioritize requests to the NEFSC as well as documenting the status of previous requests. Generally, the NEFSC indicated that it regularly must weigh the timing and relative costs of completing requests. To date, the approach to fulfilling requests has been very ad hoc. The group discussed again the need to better understand the capacity of the Center. Some of this discussion used a hypothetical example of determining capacity units and allocating a budget of those units across the NRCC member organizations.

The group also discussed the value of having coordination between the SAW chairman and both Council's Executive Directors to help streamline the assessment schedule discussions at the NRCC. The various schedule proposals could be broadly discussed prior to the NRCC, and then the schedule finalized through full NRCC discussion.

VI. Miscellaneous Items

Vessel Baseline Amendment NERO provided a brief update on the development status of this Agency-developed action. The current timeline anticipates Council votes on preferred alternatives in early 2014. During this update, it was suggested that Agency-developed amendments be more inclusive of public process. Some concerns about the transparency of the development process for this and other past Agency actions were raised. Though no action item

was adopted, NERO personnel committed to ensuring a transparent, participatory process for the baseline amendment development.

Monkfish Catch History Data Request The group reviewed a request from the NEFMC Monkfish Committee for NMFS to provide permit holder catch histories in advance of potential Individual Fishing Quota (IFQ) development in the monkfish fishery. NMFS had responded in writing that, if the Council indicates this is a top priority, then the analysis would take upwards of 6 months and could compromise the ability to respond quickly to other data and analytical requests. Some discussion on whether this data request was ripe, given the stage of development occurred. Concerns were raised that the NMFS response was vague with respect to what the downstream effects might be, i.e., it was unclear what could not be provided or completed in a timely fashion if the Agency was doing the catch history analysis. It was highlighted that if individual permit holders requested the information they would eventually get the information. Some general discussion about priority setting and available resources occurred.

Governance and Council Coordination The group discussed how to achieve better communications and coordination between the two Councils. Recent issues with the creation of sub-ACLs and input on emergency actions for monkfish and surfclams have illustrated a heightened need for coordination. Specific discussion of sub-ACLs that may impact the squid fishery were discussed at length. The discussion raised novel questions about sub-ACL creation and the potential for allocation between different fishery components. It was noted that interest in catch from state waters where the Councils and NMFS have no Magnuson-Stevens Act authority has also raised coordination issues. The group adopted Action Item 5. This item will start with a coordinating call between Council Executive Directors and will continue by seeking to address many of the issues raised during the NRCC discussion.

Offshore Energy and Fisheries Rick Robins gave a brief informative presentation on the process of offshore wind energy development in the United Kingdom. Rick provided an overview of several of the analyses conducted to assess offshore development impact in the U.K. The group asked questions and discussed presentation before turning to potential issues here in the U.S. The group agreed that coordination with the Bureau of Ocean Energy Management (BOEM), the Councils, and the Northeast Regional Ocean Council (NROC) mapping projects will be essential as more lease sites are identified off the Atlantic coast.

Council Actions and Document Review by NMFS A brief discussion was held with minimal discussion because many of the issues were to be further discussed in the SRA tiger team presentation following the conclusion of the NRCC. The Councils stated they want to better understand the process used for NMFS review. They cited highly variable review times, conflicting advice and processes from one action to the next, and the lack of target standards that complicate Council and public understanding of when actions will happen.

NERO provided a handout of the applicable laws, review, clearances, and process. NERO representatives explained the timing variability is the result of multiple issues: Some actions are relatively straightforward, others are more complex; documents may arrive in various states of completion and formal reviews cannot begin until things are complete and in final draft form; some actions are up against time certain requirements (fishing years, Congressional or Court

ordered mandates) while others are not; review requests compete for resources at the Center and other NERO divisions; and substantive components of the review are out of NERO and NMFS hands (e.g., Department of Commerce and Office of Management and Budget reviews). These factors significantly complicate the review process.

The group discussed the need to have a more clearly defined objective in the timeline. It was stated that the complications in the process are exacerbated by compressed timelines for review. The group deferred additional discussion until after to the Tiger Team presentation. *Note: The SRA tiger team materials and summary are available separately through SRA (contact Matt_Willse@sra.com).*

Northern Edge Scallop Access The scallop industry has previously inquired whether access to the northern edge of Closed Area II could be provided by NMFS more quickly than the New England Council's Framework 26 being developed in parallel to the Habitat Omnibus Amendment. The Agency made a brief statement that it was premature to consider access at this time, and further development of the Omnibus Amendment was necessary. This item was on the agenda as the scallop fishery is important to both Councils.

VII. Shad and River Herring Coordination

The group had some informational discussion about these two species, including the Agency's remedy for litigation on Herring Amendment 4, potential management through either fishery management plan or stocks in the fishery, and/or catch caps in other plans, and Endangered Species Act listing determination analyses. These issues remain complex and controversial. No specific actions resulted from the discussion; however, it was clear that continued coordination on consideration of multiple actions by both Councils and the Commission is essential.

-End of summary-

NRCC Spring Meeting 2013 Action Items
May 1 and 2, 2013—Hotel Providence, Providence, RI

Color code key: ASMFC MAFMC NEFMC NEFSC NERO NRCC

1. NRCC Public Participation: Draft NRCC public participation guidance
 - Meeting announcements
 - Documents
 - Public comment and participation guidelines
 - Executive session
 - Locations and DatesResponsible parties: NERO, General Counsel
Due Date: Mid-term with a potential conference call, implement by Fall 2013

2. SAW Participation Working Group:
 - Develop alternatives of membership and structural options
 - Review the ASMFC model
 - Pursue development of conflict of interest standards with GC inputResponsible parties: NEFSC (lead), MAFMC, NEFMC, and ASMFC
Due Date: Membership by June 1, 2013, recommendations due August 1, 2013

3. SARC Public Comment Draft Policy
 - Revise preferred alternative based on Spring 2013 meeting discussionResponsible parties: NEFSC
Due Date: June 1, 2013

4. Review Operational and Research Track Assessments
 - Review recent operational assessments, and look for streamlining processes
 - Develop time and cost analysis (capacity) of benchmark vs. operational/research or updates
 - Distinguish characteristics of update assessments in comparison to operational assessments
 - Examine if the current SAW/SARC process is sufficient to meet the research track requirements
 - Examine how the research priorities are properly linked and developed to Councils and Center and assessment research recommendations
 - Examine the interaction between single species assessments and ecosystem based assessmentsResponsible parties: NEFSC, MAFMC, and NEFMC
Due Date: Mid-term update, final report at Fall 2013

5. Governance of Fishery Stocks: 1) Discuss sub-ACL allocations of fishery stocks that are distributed across Council boundaries. 2) Examine the process of setting sub-ACLs and AMs for FMPs managed by one Council, yet impact FMPs in multiple Councils.
Responsible parties: NEFMC and MAFMC Executive Directors
Due Date: Report at Fall 2013 Meeting

6. Black Sea Bass: Coordination call on interim research priorities and overall research plan
Responsible parties: NEFSC (lead), MAFMC, ASMFC
Due Date: Mid-term update

7. 2014 Stock Assessment Deliverables and Timing:
 - streamlining report and delivery process
 - examine the use of recent/latent data from previous fishing years
 - need to deliver for the SSCs use prior to Sept. Council meetingResponsible parties: NEFSC, NEFMC, MAFMC, ASMFC, and NERO
Due Date: Membership by June 1, 2013, mid-term update

8. Review cod stock structure: Report on next steps on cod stock structure based on a revisit of the cod stock structure workshop recommendations
Responsible parties: NEFMC
Due Date: June 1, 2013

Upcoming Meeting Dates

Fall 2013 (NEFMC), October 16 and 17

Spring 2014 (ASMFC), dates T.B.D.

REPORTS ON MANAGING OUR NATION'S FISHERIES 3 CONFERENCE AND THE COUNCIL COORDINATION COMMITTEE MEETING

The Pacific Fishery Management Council (Council) hosted both the Managing Our Nation's Fishery 3 (MONF3) conference and the Council Coordination Committee (CCC) in Washington D.C. in May, 2013. The MONF3 meeting was held May 7-9 and the CCC meeting was held May 6 and 9-10. The Council's news release provides a brief summary of the MONF3 conference (Agenda Item C.1.a, Attachment 1). Hosting both of the meetings in a sequential manner allowed the CCC meeting to address the issues considered and resulting from the MONF3 conference and was also more efficient from a travel and hotel contract perspective. The meeting was held in Washington D.C. to facilitate targeting legislative staff that would likely be involved with potential reauthorization of the Magnuson-Stevens Act (MSA), a primary sub-theme of the conference.

The purpose of the MONF3 conference was to elevate the discussion of sustainability of U.S. marine fishery management toward improving contemporary practices. The conference examined three theme areas, each with focused session on policy, science, and process issues, as follows:

1. Improving Fishery Management Essentials
 - a. Annual Catch Limit (ACL) Science and Implementation Issues, including Managing Data-Limited Stocks
 - b. Rebuilding Program Requirements and Timelines
 - c. International Fisheries Management: Leveling the Playing Field
2. Advancing Ecosystem-based Decision-making
 - a. Assessing Ecosystem Effects and Adapting to Climate Change
 - b. Forage Species Management
 - c. Integrating Habitat Considerations
3. Providing for Fishing Community Stability
 - a. Recreational and Subsistence Fishery Connections
 - b. Integrating Community Protection, Jobs Emphasis, and Seafood Quality Assurance
 - c. Assessment of Social and Economic Tradeoffs

A detailed conference agenda is included as Attachment 2, and all materials from the conference are available at: <http://www.cvent.com/events/managing-our-nation-s-fisheries-3/custom-17-94ddf325198f4501996ccc62aa396aa2.aspx>. The 128 findings that emerged from MONF3 national conference (Attachment 3) regarding advancing sustainable fishery management practices may be considered for changes to current policy or regulatory approaches developed at Regional Fishery Management Councils (RFMC) or implemented by the National Marine Fisheries Service (NMFS), or legislative changes via reauthorization of the MSA, as appropriate. Formal proceedings for the conference are being drafted and should be available by late summer.

The CCC consists of the chairs, vice chairs, and executive directors of each of the eight Regional Councils, and is authorized under the MSA in order to discuss issues of relevance to all Councils, including issues related to the implementation of the MSA. As the CCC met the afternoon of the

morning the 128 findings were presented, they deferred substantial discussion of conference findings until later this year, to provide time for staff categorization and initial analysis. This also provides time for individual Councils to consider the findings in a less immediate atmosphere, for possible input to the CCC in a special webinar meeting expected to be scheduled in late summer, 2013. The Council's Legislative Committee is scheduled to consider the legislative implications of the MONF3 conference and provide a report under agenda item C.3; advisory body reports, public testimony and Council discussion of detailed MSA reauthorization matters should primarily occur under than agenda item.

The CCC discussed a number of issues in addition to the findings of the MONF3 conference, as detailed in the CCC Decision Summary Document (Agenda Item C.1.a, Attachment 4). The agenda and briefing materials for the CCC meeting are available electronically at: <http://www.pcouncil.org/council-operations/council-meetings/ccc-may-2013/>

Council Action:

1. **Discuss MONF3 findings and provide guidance on further consideration of findings.**
2. **Provide guidance on further consideration of matters from the annual CCC meeting, beyond those associated with the MONF3 conference.**

Reference Materials:

1. Agenda Item C.1.a, Attachment 1: MONF3 Press Release.
2. Agenda Item C.1.a, Attachment 2: Detailed Agenda from the Managing Our Nation's Fisheries 3 Conference.
3. Agenda Item C.1.a, Attachment 3: Summary of Findings from the Managing Our Nation's Fisheries 3 Conference.
4. Agenda Item C.1.a, Attachment 4: Draft Decision Summary Document, 2013 Annual Council Coordination Committee Meeting, May 6, 9-10, 2013, Washington, District of Columbia.

Agenda Order:

- a. Agenda Item Overview
 - b. Reports and Comments of Advisory Bodies and Management Entities
 - c. Public Comment
 - d. **Council Action:** Provide Guidance on Issues Associated with Outcomes of the Conference and Meeting
- Chuck Tracy

PFMC
05/30/13

DRAFT Decisions Summary Document
2013 Annual Council Coordination Committee Meeting
May 6, 9-10, 2013
Washington, District of Columbia

Decision summary statements listed below for this Council Coordination Committee (CCC) meeting are listed under the agenda topic title as listed in the final agenda, shown at: http://www.pcouncil.org/wp-content/uploads/A3_CCC_AGENDA_May2013CCC_BB.pdf

D. CCC Meeting Protocols

The CCC adopted modified terms of reference {This link needs to be updated with the new TOR} incorporating recommendations from the National Marine Fisheries Service (NMFS) regarding closed session language, a new statement regarding the functional relationship between the CCC and the individual Councils regarding recommendations to NMFS, and other minor revisions.

E. Budget Issues

The CCC received an update on 2013 funding and 2014 budget issues from NMFS, including a possible spending plan for FY 2013 containing an approximate 10 percent reduction compared with FY 2012 funding and slight increase from FY 2012 in the President's proposed budget for FY 2014. However, a formal spending plan has not been released for Congressional consideration and the CCC reached no decisions in reaction to the information presented.

F. Consideration of Managing Our Nations Fisheries 3 (MONF 3) Conference Results

The CCC discussed potential processes for moving ahead with the 128 conference findings, noting that the findings could not be categorized as consensus, majority, or minority findings. The CCC tasked the Pacific Council staff with assigning the findings into categories of (1) changes of a statutory nature, particularly associated with reauthorization of the Magnuson-Stevens Act (MSA), (2) changes of a regulatory nature, including (a) revision of National Standard Guidelines and (b) revisions to other regulations, and (3) changes that require a policy change without regulatory or statutory changes. The CCC established a CCC MSA Subcommittee, comprised of one representative to be designated from each Council, to develop recommendations on MONF3 findings for consideration by the full CCC, with an expectation that this consideration occur in late summer 2013 via special webinar CCC meeting. Regional Councils will make an effort to provide additional input to the CCC MSA Subcommittee as allowed by their schedules and the progress of the legislative process.

G. ESA Transparency

The CCC discussed and provided input on the Marine Fisheries Advisory Committee Endangered Species Act Working Group (Workgroup) Report options, which were designed to increase confidence in the science and process used for Section 7 consultations under the Endangered Species Act on Magnuson-Stevens Act fishery management actions. The CCC

recommended the Workgroup continue developing and refining the options for the final report, which is scheduled for October 2013, for CCC discussion at the 2014 interim meeting.

H. Electronic Monitoring

Terms of reference for the CCC's Electronic Monitoring Workgroup were adopted (Agenda Item H, Supplemental Attachment 3), noting that Councils not represented on the workgroup can be added to the workgroup by notifying Kitty Simonds. The group will be convened by Kitty Simonds to meet over the summer, provide NMFS with comment on NMFS' Policy on Electronic Technologies and Fishery-Dependent Data Collection, and provide input on any scientific and technical guidance being developed by NMFS. The Workgroup may also provide comment on the national EM workshop being developed by Lowman and Associates, as well as other items covered in the Workgroup's terms of reference. It was agreed that the work group comments could go forward without returning to the CCC for endorsement.

I. Allocation Review Process

The CCC accepted the NMFS offers to (1) compile a listing of existing allocation decisions, including dates for those decisions so as to provide an indication fresh or stale status, and (2) provide recommendations from the Office of Science and Technology on specifications of a possible National SSC task to identify performance standards for possible allocation review processes and analysis of proposed allocation revisions; these work products are expected to be completed in time for consideration at the 2014 CCC interim meeting. The CCC would also consider ideas related to reallocation processes that were developed as findings during the MONF3 conference, and Council-specific proposals to move forward with an allocation review process. An update of progress on these matters is expected at the proposed CCC interim webinar meeting in late summer 2013.

J. Office of the Inspector General Report (OIGR) Action Plan

After hearing the OIGR subcommittee report on the NOAA action plan in response to the OIG phase 1 Report on Magnuson-Stevens Act (MSA) Rulemaking, the CCC divided the OIGR Subcommittee into two separate subcommittees: one with a membership of primarily of RFMC members, focusing on OIGR recommendations 1-3 dealing with financial disclosures; and a second with a membership primarily of Executive Directors, focusing on OIGR recommendations 3-6 dealing with operational guidelines, regional operating agreements, and records handling. Each subcommittee was directed to work with NMFS in developing timelines and work products, particularly for matters currently scheduled in the NOAA action plan for completion before February 1, 2014. If possible, the late-summer CCC webinar interim meeting will consider any urgent recommendations.

K. New NEPA Process

The CCC reviewed the draft revised NEPA Policy Directive that is a result of discussions between the CCC NEPA consultation subcommittee (the Executive Directors of the North Pacific, South Atlantic, and Mid-Atlantic Councils) and NMFS (see Agenda Item K, Supplemental Attachment 5). The CCC approved the proposed edits with one minor change.¹ The draft revised NEPA Policy Directive will be subject to review by NOAA GC before final

¹ In the first sentence under section II, Applicability, strike "In compliance with MSA section 304(i),".

approval and promulgation. If additional changes are mandated by GC review, NMFS will consult with the CCC NEPA consultation subcommittee before issuing a revised Policy Directive. In approving the changes, the CCC made clear that they do not believe the Policy Directive fully addresses the requirements in MSA section 304(i).

L. Next Meetings

The CCC tasked the Pacific Council with convening a special interim CCC meeting via webinar for the primary purpose of dealing with MONF3 findings, expected in late summer but to be timed to coincide with expectations of the House MSA legislation drafting, if possible. The CCC also set the 2014 annual CCC meeting to be during the week of May 12, 2014 in Virginia Beach, Virginia. No date or venue was selected for the 2014 interim CCC meeting typically held in January or February of each year.

**Fishery Management Plan / Fishery Performance Evaluation White Paper
for consideration by the New England Fishery Management Council**

The *Review of the New England Fishery Management Process* (Touchstone or Pate report April 2011) recommended consideration of the following ideas with respect to fishery management plan (FMP) performance evaluation:

- Design a cost-effective performance management system to track the progress of decisions and capture lessons learned and best practices
- Defining clear, objective criteria for determining the success of management decisions
 - little or no performance management evaluation or feedback mechanisms to track past decisions
 - without performance evaluation, decisions are changed before results of past actions occur

Although the Touchstone report recommends tracking the progress of decisions, this white paper focuses on FMPs and the associated fishery because FMPs and fisheries are what the Council is known for.

Following up on these recommendations and comments, Council staff discussed what elements to use in establishing a performance evaluation system for NEMFC FMPs. The list developed by staff includes the following attributes:

- Cost effectiveness
- Timeliness
- Consistent use of indicators across FMPs
- Cooperation with NERO, NEFSC
- Use existing data sources
- Present in easily accessible format

There has been work done on fishery or catch share performance measures, though it is my understanding that performance measures have not been incorporated in US FMP evaluation to date. NMFS social scientists have compiled a list of performance variables that could be used for FMP tracking (Appendix 1, adapted from Clay, et al. 2010). NMFS plans to advance a nationwide set of fishery performance measures, as compared to FMP performance measures, beginning in 2012. This will begin with catch share fisheries using readily available data and will be expanded to include other fisheries and data in the future; different parts of the evaluation will be lead by different components of NMFS. In addition, MRAG Americas has developed a proposal for catch share system performance evaluation (MRAG Americas 2011).

VARIABLES TO MEASURE

Potential performance evaluation variables that could be used in all FMPs are listed below. The list balances the number of variables tracked with the time that is needed to compile

and present the information recognizing the need for cost effectiveness and minimizing workload impacts.

1. Biological

- a. Fishing mortality rate / target fishing mortality rate
- b. Biomass / Biomass target

2. Economic

- a. Catch as a percentage of ACL
- b. Discards
 - i. Target species – use rate from NMFS NERO for ACL calculation
 - ii. Protected Resources – no estimate by FMP
- c. Revenue from fishery
- d. Revenue per active permit holder
- e. Percentage of gross revenue taken by top 20% of permit
- f. Net revenue per permit (if available, only available for few fisheries)
- g. Number of active vessels
- h. Number of inactive vessels
- i. Average age of active vessels

3. Fleet Diversity

- a. Number of vessels in fishery
 - i. Under 30 feet
 - ii. 30-50 feet
 - iii. 50-75 feet
 - iv. Over 75 feet
- b. Landings revenue by port
- c. Landing in weight by port
- d. Number of ports in which FMP species are landed
- e. Number of days fished by port

4. Safety

- a. Fishing Vessel Casualty Rate
 - i. Per 100,000 hours fished (groundfish, scallop) – time intensive
 - ii. Per 1,000 days fished ?
 - iii. Working with USCG on best indicator

5. Governance

- a. Ratio of actual vs. planned time for amendment or framework
- b. Time needed to incorporate new assessment data into FMP
- c. Time needed to respond to new conditions, e.g. changes in the fishery or requests from stakeholders
- d. Number of advisory panel meetings

- e. Public input metric to gauge how stakeholders feel their input is being heard and used.
 - i. Use web based survey tool, e.g. Survey Monkey, and note cards to allow people to comment in an anonymous, non-intimidating way.
 - ii. Questions to be developed

Although broader than evaluation by FMP is to consider a survey of stakeholders about how the Council is doing overall through surveys and post cards. Other information on council performance could include:

- i. Web broadcast use
- ii. Web site use
- iii. Meeting attendance
- iv. Number of speakers at meetings

BASELINE YEARS

Baseline years for these variables would need to be chosen to allow performance measurement. Using the previous five years information, when available, is recommended and is consistent with the socioeconomic information from reports by NEFSC Social Scientists.

PRESENTATION IN ACCESSIBLE FORMAT

Presentation of FMP performance indicator data will be on the NEFMC webpage, with a separate heading for FMP performance, and a pull down page for each FMP. This format will become more useful in time as it will allow people to look at trends in the variables in a fishery and among fisheries.

REVIEW OF FMP OBJECTIVES

An issue to consider regarding FMP performance evaluation is whether to re-examine FMP goals and objectives to ensure that they are specific and achievable, and whether there are management measures that address the FMP objectives.

The Touchstone Report states "many expressed frustration that the success or failures of past decisions are rarely evaluated, and that little or no performance management or feedback mechanisms exist to track and review the performance of past decisions. As a result, many feel NMFS and the Council may not apply lessons from past success or failures. There is also concern that without a performance management process, decisions are changed before anything meaningful has a chance to happen".

An examination of NEFMC FMP goals and objectives (Appendix 2) illustrates a wide array of goals and objectives and it is not easy to link FMP management measures with specific objectives. From the stakeholder perspectives, a FMP objective implies that the management

system is taking action to address that objective, creating an expectation of management follow through or a disappointment if the objective is not addressed.

To address this situation, the Council could consider examining the goals and objectives of FMPs consider the following actions:

1. Objectives with associated management measures
 - a. Examine each objective to make sure that it is specific and measurable
 - b. Identify management actions that address specific objectives
 - c. Prioritize objectives in terms of importance or hierarchy

2. Objectives without associated management measures
 - a. Eliminate objectives without specific management measures from the FMP
 - b. Change objectives to guiding principles that do not imply management action or raise stakeholder expectations. This would retain the sentiment of the statement but in an action neutral way.

3. Objectives that are in conflict with another objective
 - a. Example – One objective to promote efficiency and another objective to promote fleet diversity, small vessels, and geographic diversity in the fleet.
 - b. Delete one of the conflicting objectives or specify how the management system will address both objectives.

LITERATURE CITED

Clay, P.M, P. Pinto da Silva, and A. Kitts. 2010. Defining social and economic performance measures for catch share systems in the northeast U.S. presented at IIFET 2010 Montpelier Proceedings.

MRAG Americas. 2011. <http://www.mragamericas.com/2011/01/developing-a-methodology-and-indicators-for-evaluating-catch-share-programs/>

(SEAL GOES HERE)

In Gratitude and Appreciation
the
Mid-Atlantic Fishery Management Council
recognizes
Paul Wallace
for
sixteen years of dedicated service
as the Council's Transcriber
May 31, 2013

Richard B. Robins, Jr.
Chairman

Christopher M. Moore, Ph.D.
Executive Director

MID-ATLANTIC FISHERY MANAGEMENT COUNCIL

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David R. Keifer
Executive Director

May 2, 1997

Mr. Neal Salloway
5 Cardigan Road
W.Peabody, MA 01960

Dear Mr. Salloway:

As per your telephone conversation this date with Carol Stevenson of my staff, this letter serves to confirm that we would like you to provide a court stenographer, Paul Wallace, to attend and provide transcriptions of our meetings to be held on May 13-15, 1997 at the Meadowlands Hilton in Secaucus, NJ. I have enclosed an agenda for this meeting for your information. We would like coverage beginning at approximately 10:00 am on May 13th, and ending at approximately noon on May 15th.

As Carol mentioned, our parent agency, the National Marine Fisheries Services, is holding a public meeting on Monday evening, May 12th, from 7:00 - 10:00 pm, for which they have indicated they would like a court reporter present also. We have asked them to call and contract with you directly for Monday evening.

I understand that there will be an appearance charge of \$125/day, plus transcription charges of \$3/pg. As far as travel, hotel & meal costs, we will arrange for Paul's airfare using our Government Travel Agency, SATO Travel. They will mail Paul the ticket and bill us directly. We all also reserve a room for Paul for 3 nights at the Hilton at our government contracted rate of \$100/night. We will reimburse Paul for his hotel & meal costs (\$42/day), transportation to & from airport, and parking.

We would like to have the completed transcripts by 6 June.

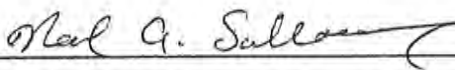
If these terms are acceptable to you, please sign the bottom of this letter, and return a copy to me.

We look forward to working with you.

Sincerely,



David R. Keifer
Executive Director



Accepted by Neal Salloway, Court Stenographer

Enclosure
DRK/CHS

