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June 16, 2026

Daniel Salerno, Council Chair
Cate O'Keefe, Executive Director
New England Fishery Management Council
50 Water Street, Mill 2
Newburyport, ME 01950

Submitted via email to comments@nefmc.org

RE: Ecosystem Component Species Analysis

Dear Mr. Salerno and Dr. O'Keefe:

Thank you for the opportunity to submit comments for consideration at the upcoming June 2026 meeting of the New England Fishery Management Council (NEFMC). For decades, Environmental Defense Fund (EDF) has worked collaboratively with fishery stakeholders and managers to develop science-based policy solutions consistent with federal law that promote sustainable fisheries and empower coastal communities. During the June meeting, the Council is expected to review and potentially adopt the draft framework for evaluating ecosystem component (EC) species. We are concerned that the proposed framework puts species that require conservation and management at risk of being under-monitored and overfished. As such, we offer the following comments to assist NEFMC in its evaluation of this draft framework. EDF submits these comments for consideration during that discussion.

1. Overfished stocks and stocks subject to overfishing require conservation and management

EDF is concerned about the continued inclusion of overfished species on the EC case study species/stock list. The National Standard Guidelines state that overfished stocks, as well as stocks subject to overfishing or likely to become overfished or subject to overfishing, require conservation and management.¹ Furthermore, the Magnuson-Stevens Fishery Conservation and Management Act (MSA) requires that fishery management plans (FMPs) include management measures that are "necessary and appropriate for the conservation and management of the fishery to prevent overfishing and rebuild overfished stocks[.]"² For stocks that are overfished and/or subject to overfishing, EDF urges that the evaluation framework include a hard stop after

¹ 50 C.F.R. § 600.305 (c)(1).

² 16 U.S.C. § 1853 (a)(1)(A).

the first three questions.³ This recommendation was also made by a member of the Climate and Ecosystem Steering Committee during its last review of this work.⁴ Designating stocks that are overfished or subject to overfishing as EC species may be difficult to reconcile with the MSA and National Standard Guidelines. Accordingly, EDF encourages the Council to prioritize its limited time and resources toward evaluating stocks that may be better suited for EC designation.

2. The Council needs to clarify the goal of this work and ensure ample opportunity for public engagement

As this work potentially transitions from the current case study approach to real management actions, EDF asks that the Council clarify its goal/intent of designating stocks as EC species, particularly if stocks are currently managed under FMPs. We recognize that, like all regional fishery management councils, the NEFMC is having to increasingly conduct its work under resource and capacity constraints. The mandates of the MSA, however, have not changed. To the extent that this work is responding to the need to balance management with available resources and capacity, EDF looks forward to working with the NEFMC to ensure that management actions “protect, restore, and promote the long-term health and stability”⁵ of New England fisheries consistent with federal law.

Lastly, this work represents potentially significant changes to how New England fisheries are currently managed. EDF understands that designating a stock as an EC species will require a management action, including the necessary opportunities for public comment. If the NEFMC intends to use the draft evaluation framework currently in development under IRA Initiative 3.3, then EDF urges the NEFMC to provide a formal public comment opportunity before the framework is adopted (beyond public comment at the upcoming June meeting). Such an opportunity should be provided to ensure that all affected stakeholders can provide feedback.

Thank you for considering these comments. We look forward to continuing to engage with you on this work.

Sincerely,

Allison Shields

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Matthew Seeley

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³ In the current draft framework, these questions are: (1) is the stock/species overfished or likely to become overfished? (2) is the stock/species subject to overfishing or likely to become subject to overfishing? (3) is the stock/species predominantly caught in federal waters?

⁴ <https://d23hovhsm26o6d.cloudfront.net/260327-CESC-mtg-summary-Final.pdf>

⁵ 16 USC 1853(a)(1)(A).