

Executive Order 14276

NOAA Input for Council Prioritization and Action Planning

New England Fishery Management Council

September 16, 2026

Plymouth, MA



New England Fishery
Management Council

Executive Order 14276 – Reminder

- **April 17, 2025:**
- (i) “The Secretary of Commerce shall **request** that **each Regional Fishery Management Council**, within 180 days of the date of this order, provide the Secretary of Commerce with **updates to their recommendations submitted pursuant to Executive Order 13921**, to **reduce burdens on domestic fishing and to increase production**.
- Building upon the earlier goals, identified actions should **stabilize markets, improve access, enhance economic profitability, and prevent closures**. The Regional Fishery Management Councils will **commit to a work plan** and a **schedule for implementation** to ensure these actions are prioritized.”



Council Process for EO 14276 Response

- Request for input from Plan Development Teams (PDTs) and Advisory Panel (AP) members on potential actions that address one or more of the EO's stated goals
- Public comment submitted directly to the Council and to NOAA Fisheries
- Executive Committee reviewed all public comments and provided recommendations to the Council
- Council considered Executive Committee recommendations for priority topics and workplan; response submitted to NOAA on Sept. 30, 2025
- NOAA reopened the public comment period for December 1 – 15, 2025
- NOAA shared the additional public comments with Councils in January, and Council confirmed workplan in a letter submitted on April 23, 2026
 - Council did not recommend changes to work plan



NOAA Letter to Council – May 1, 2026

- Request that the **Council revisit the Herring IFM program under EO 14276**
- Rationale for request:
 - Remove unused provisions that are not achieving intended goals
 - Accurate estimates of catch (retained and discarded)
 - Accurate estimates for incidental species with catch caps (haddock and river herring/shad)
 - Affordable monitoring for the herring fishery
 - Since implementation, insufficient IFM coverage to support evaluation
 - January 2020 - since approval never implemented at intended coverage (50% of trips)
 - November 2022 – program suspended due to lack of resources for implementation
 - Unlikely that NMFS will have resources necessary to support the program
 - Herring IFM regulations are subject of litigation
 - Removing the Herring IFM requirements is an important step to end litigation



Council Feedback – June 2026

- Council consideration of **rescinding the Herring IFM Program**:
 - Herring IFM Program is distinct from other NEFMC IFM programs (e.g., scallop/groundfish)
 - Other IFM programs are meeting intended objectives and should not be rescinded
 - Related issues of herring monitoring coverage levels and catch cap management measures
 - Inability to effectively monitor the Georges Bank haddock and river herring/shad catch caps
 - Related issues of herring monitoring coverage and accountability for slippage events
 - Inability to monitor vessel's compliance with move-on rules if slippage occurs
- Council recommended further discussion in December considering several options:
 - Action to rescind the Herring IFM Program in 2027 Council priorities
 - Include rescinding the Herring IFM Program in a combined action with RHS measures
 - Include removal of slippage move-on provisions and Georges Bank haddock bycatch caps



NOAA Letter to Council – July 2, 2026

- *“After considering input from councils, the fishing industry, and the public, the agency has prioritized a number of actions for each council region, many of which re-enforce council priorities. Identifying and implementing these actions are critical steps in our efforts to fulfill the President's vision of making the United States the world's dominant seafood leader.” ~ [Letters to FMCs: Priorities for EO14276](#)*
- NEFMC Letter:
 - Acknowledge and commend the Council for integrating several priority actions into current plans
 - Request that the **“Council focus on the following priorities during upcoming prioritization and action planning processes”**



For Today – Council Discussion, Response, Initial Decisions

- Request to respond to NOAA letter following September meeting – September 30, 2026
 - Council tasking to ED/staff to submit response based on today's discussion
- Executive Committee Memo – September 4, 2026
 - Recommendations from Ex Com will serve as the basis for Council motion(s)
 - Amendments are allowed with Council debate and public comment
- Presentation of NOAA recommendations and 2027 Draft Council Priorities
 - Walk through each NOAA recommended priority and have discussion for each item
 - Hold on motions until after 2027 Council Priorities presentation/discussion (next agenda item)
 - Integrated approach for all 2027 proposed priorities
- Overarching considerations
 - Council defined work activities and tradeoffs associated with NOAA requests
 - System capacity and need to prioritize and sequence activities to best meet Council objectives



NOAA-EO1 – Northern Edge

- **Implement Rotational Access for the Northern Edge Scallop Fishery:**
 - *“High-yield scallop beds remain closed, limiting domestic production. **Please advance a Fishery Management Plan (FMP) Amendment to consider establishing a controlled, rotational limited-access scallop fishery within the Northern Edge Habitat Area of Particular Concern (HAPC).** This will drastically improve access to traditional fishing grounds, increase domestic production, and stabilize seafood markets while maintaining protective measures for vital nursery habitats. I also support your efforts to develop a strategic plan for the scallop fishery.”*
- **Ex Com recommendation:**
 - **Defer decision to December 2026**
 - **Rationale:** Deferring the decision allows the Council to evaluate this request in the broader context of all potential 2027 priority topics during the annual priority-setting process in December.



Council Discussion – Northern Edge

- Holistic Habitat Management Review
 - Consider HAPC and EFH management measures broadly to identify possible revisions
 - Initiate work in 2027 with report delivery to inform 2028+ priority activities
- Habitat action
 - Focus on HAPC designation and regulatory questions (e.g., ecological importance, sensitivity, development stresses, rarity)
 - Initiate action in 2027 with expectation for follow-on scallop action to define accessibility
- Scallop action
 - Pick up where previous work stopped, reconsider purpose/need and scope
 - Initiate action in 2027 with existing analyses and alternatives
- Do not include in 2027 priorities
 - Possible Secretarial Action
 - Council consider at a later time



NOAA-EO2 – Scallop Permit Stacking

- **Implement Scallop Permit Stacking:**

- *“The Council has not expressed interest in taking any immediate action on scallop permit stacking, this has the potential for important benefits to the industry. However, I note there are risks also associated – foreign ownership, job reductions, and erosion of our critical working waterfronts – if the action is not carefully developed. **Therefore, I ask the Council to reconsider taking on this action and working with stakeholders to ensure proper guardrails.** If the Council is unable to take this up, I will consider developing a Secretarial amendment.”*

- **Ex Com recommendation:**

- **Acknowledge capacity limitations for 2027 and note NOAA’s option for Secretarial Action**
- **Rationale:** Communicate formally to NOAA that the Council currently lacks the operational capacity to initiate a scallop permit stacking action in 2027, while explicitly noting that NOAA may pursue a Secretarial Amendment independently if it chooses to do so.



Council Discussion – Scallop Permit Stacking

- Council has considered this topic multiple times in the past
 - [2022 Scoping for Limited Access Scallop Leasing Program](#)
 - Council has previously decided not to implement and not to take action
- NOAA Letter comments on risks
 - Foreign ownership, job reductions, and erosion of our critical working waterfronts
 - Action needs to be developed carefully and with stakeholders to ensure proper guardrails
- Secretarial Action
 - NOAA Scoping process would coordinate with Council scallop-related meetings and outreach
 - Council consultation process
 - Will require Council staff effort – workload contingent on scope and timing
- Request for Council decision
 - 2027 Priority
 - Possible Secretarial Action



NOAA-EO3 – Rescind Herring IFM Program

- **Rescind Industry Funded Monitoring (IFM) Requirements:**
 - *“The current at-sea monitoring costs are actively eroding fleet profitability. **As I recently requested in a letter dated May 1, 2026, pertaining to the Herring IFM, I request that the Council initiate an action to consider rescinding IFM requirements from the Herring FMP.** In addition to herring, we want to work with you to minimize costs and look at alternatives that may relieve the industry of the burden of monitoring in the groundfish fishery. Relieving this financial burden is paramount to preserving the economic viability of the New England fleet.”*
- **Ex Com recommendation:**
 - **Recommend a September Council vote to add Herring IFM rescission to the ongoing Herring action to revise management measures for river herring/shad**
 - **Rationale:** Incorporating Herring IFM rescission into the existing river herring/shad action during the September meeting maintains an efficient administrative pathway toward achieving the target April 2027 final action timeline.



Council Discussion – Herring IFM Rescission

- Council recommendation from June 2026
 - Defer to December discussion – did not send this response since follow-up letter sent on 7/2
 - Reconsider in context of split herring actions (specs in Sept; RHS in April)
- Expand scope of ongoing RHS action
 - Add rescinding IFM program, removal of haddock bycatch cap and slippage move-on measures
 - Related topics, deregulatory measures, ineffective IFM program affects catch cap measures
- Request for Council decision in September
 - Align timing with ongoing RHS action
 - Minimize alternatives for each additional measure (similar to Management Flex Amendment):
 - Alternative 1 – No Action
 - Alternative 2 – Action to rescind
 - Final RHS and other measures action in April 2027



NOAA-EO4 – Deprioritize Ropeless Gear

- **Deprioritize Advancing Requirements for Ropeless Gear:**
 - ***“I request the Council consider deprioritizing the advancement of complex gear marking for ropeless gear. NMFS will continue to promote the innovation and adoption of gear technologies and will ensure to coordinate with the Council when ready for management consideration. Trap fishers face high operational costs from these technologies, and halting or making their implementation optional will remove requirements to mitigate potential adverse operational costs.”***
- **Ex Com recommendation:**
 - **Pause additional activity while acknowledging NOAA’s Request for Information (RFI) and pending federal legislation**
 - **Rationale:** Pausing further Council action aligns with NOAA’s request to deprioritize gear marking requirements while allowing staff to monitor external developments, including NOAA's ongoing RFI process and relevant federal legislative initiatives.



Council Discussion – Deprioritize Ropeless Gear

- Council decision from September 2025
 - Postpone final action until additional information is available, including NOAA RFI
- [NOAA Request for Information \(RFI\) – July 16, 2026](#)
 - Fishery participants and others with specialized knowledge on ropeless gear
 - Inform potential future use, development, and management – comment deadline Oct 14, 2026
- [NOAA EO14276 Priorities – September 2, 2026](#)
 - NOAA will not mandate the use of ropeless gear
 - Ensure that tools and models used by TRT are independently reviewed
 - Future ALWTRP based on BSIA rather than worst-case scenario modeling
- [H.R. 9436 – Northeast Lobstermen Protection Act](#)
 - Extends deadline from 2028 to 2035 to issue new regulations for right whale protections
 - Passed House of Representatives on September 1, 2026



NOAA-EO5 – Vessel Baseline Restrictions

- **Evaluate Vessel Baseline Restrictions:**

- *“Existing horsepower and length restrictions inhibit fishermen from upgrading to safer, more efficient, and modern vessels. I understand both the NEFMC and Mid-Atlantic Fishery Management Council (MAFMC) have already initiated evaluations of these vessel baseline restrictions. **I recommend a joint framework action with the MAFMC to consider permanently removing or adjusting the 10 percent length and 20 percent horsepower baseline upgrade restrictions currently tied to limited access permits** as I believe modernizing fleet capacity could help improve global competitiveness.”*

- **Ex Com recommendation:**

- **Receive the Vessel Baseline Evaluation report in September and consider prioritization of joint action with MAFMC in December**
- **Rationale:** The Council should review the completed evaluation report during the September meeting to understand the scope and impact before formally considering the initiation and prioritization of a joint framework with MAFMC in December.



Council Discussion – Vessel Baseline Restrictions

- Report delivered today
 - 2026 Council priority complete
- Mid-Atlantic Council will receive report in October
 - May consider “initiating action”
 - NEFMC to consider in context of full 2027 priority list in December
- Potential process
 - Establish a Fishery Management Action Team (FMAT) with appropriate expertise
 - Request that MAFMC lead the joint action
 - In-depth discussion at February Council meeting to consider objectives and scope



NOAA-EO6 – Great South Channel HMA Surfclam Exemption

- **Consider Reopening the Great South Channel Habitat Management Area (HMA) to Surfclams:**
 - *“Blanket closures based on cod spawning data have displaced the clam dredge fleet, causing economic losses and potential localized depletion in surrounding state waters. **I request that the Council consider drafting a framework amendment creating adaptive, data-driven exemptions allowing surfclam dredging in the Great South Channel HMA based on updated cod spawning data.** This action could restore access to highly productive, sustainable clam harvest areas.”*
- **Ex Com recommendation:**
 - **Receive the Great South Channel HMA Evaluation report in September and consider prioritization of activities in December**
 - **Rationale:** Reviewing the evaluation report at the September meeting will provide the necessary technical foundation for the Council to weigh potential HMA management activities during the December prioritization process.



Council Discussion – GSC HMA Surfclam Exemption

- Report delivered today
 - 2026 Council priority complete
- Holistic Habitat Management Review
 - Consider HMA management measures broadly to identify possible revisions
 - GSC evaluation complete and could be combined to inform 2028+ priority activities
- EFP Opportunities
 - Ongoing compensation fishing under existing EFP – consider expanding access to all clam permits
 - New research topics on clam density, economic value of fishery in specific GSC areas
- Habitat action
 - Apply results from 2026 evaluation to revise existing exemption area measures
- Do not include in 2027 priorities
 - Council consider at a later time



NOAA Letter to Council – Additional Requests

- Systematically assess current FMPs and consider removing species that no longer require conservation and management
 - **Consider redesignation as Ecosystem Component (EC) species**
- Collaborate with NMFS for agile management tools to test gear innovations, enhance value-added quality, and safely increase domestic production
 - **Expand and continue use of Exempted Fishing Permits (EFPs)**
- NMFS evaluating internal actions to support recommended initiatives
 - **Secretarial Action for Herring IFM relief, should Council processes face administrative delays**
 - Prioritizing data modernization
 - Aligning agency resources with USDA to better support seafood promotion



For Today – Council Discussion, Response, Initial Decisions

- Request to respond to NOAA letter following September meeting – September 30, 2026
 - **Council tasking to ED/staff to submit response based on today's discussion**
- Reminder of overarching considerations
 - Council defined work activities and tradeoffs associated with NOAA requests
 - System capacity and need to prioritize and sequence activities to best meet Council objectives
- Presentation of NOAA recommendations and 2027 Draft Council Priorities



2027 Council Priorities Initial Discussion

Cate O'Keefe

New England Fishery Management Council

September 16, 2026

Plymouth, MA



New England Fishery
Management Council

Priorities Status – 2026 Priorities

- Completed Tasks:
 - Several 2026 “single year” items are completed or anticipated to be done by December
 - Some 2026 items “split” across new actions with revised timelines (Scallop, Herring, Groundfish)
- Multiyear Tasks:
 - Most tasks on track with estimated timing
 - Minimized priority changes in 2026
- Ongoing Tasks:
 - List continues to grow and tasks are increasing
 - EO14276, IRA, split actions for “clean” specifications



Priorities Process – 2027 Priorities

- Proposed process to set priorities for 2027 (new list)
 - Executive Director and staff identified “required” items
- Inclusion of EO 14276 Council and NOAA items and IRA initiatives
 - EO 14276 includes new, ongoing, and multi-year items
 - IRA items must be completed by December 2027 to align with grant end date
- **Not soliciting for additional 2027 topics – new ideas to be included for 2028 and beyond**
 - Executive Director announcement at June Council meeting
 - Executive Committee recommendation at Sept 1st meeting



Executive Committee Recommendations for Committees

- Committee discussions on 2027 Priority Proposal:
 - Some Committees are not meeting (Monkfish, Skate)
 - Input from spring Listening Sessions; not soliciting additional feedback before December
 - Some Committees have already provided feedback (Herring, Habitat)
 - No additional planned meetings; not soliciting additional feedback before December
 - Some Committees have not fully considered (Scallop, Groundfish, Whiting)
 - Seeking input to prioritize existing items; not soliciting new 2027 items



Executive Director Recommendations

- Capacity Considerations:
 - **Overall system – Council, Committees, APs, PDTs, Council staff, NOAA partners**
 - Council staff time estimates are a best guess and not the only limiting factor – see above
 - Total 2027 staff months available = 125
 - Proposed 2027 priorities range = 180 to 280
 - New tools can be applied:
 - Regional Stock Prioritization
 - Management Flexibility Amendment
 - Risk Policy
- Council Process:
 - Tradeoffs between staff recommendations and AP/CTE/Council review, discussion, motions
 - Optimized range of alternatives to meet objectives and NEPA requirements
 - Alignment with Goals and Objectives from Council's Holistic Strategic Plan



Council Input for Today

- Feedback on 2026 Priority Status:
 - Questions and comments
- Discussion on 2027 Priority Proposal:
 - Questions and comments
 - Consideration of EO14276 topics in context of full 2027 items
- Motion(s) related to Executive Committee recommendations
 - Council response to NOAA EO14276 priorities
- Reminder of overarching considerations
 - Council defined work activities and tradeoffs associated with NOAA requests
 - System capacity and need to prioritize and sequence activities to best meet Council objectives



Executive Committee Recommendations – EO14276

- [Executive Committee Memo – September 4, 2026](#)
 - Consensus recommendations for September Council response to NOAA
- MOTION
 - ***That the Council approve the Executive Committee recommendations for Executive Order 14276 including amendments if any made today.***
- Process to amend:
 - MOTION to AMEND the Council's response to NOAA on Executive Order 14276 by:
 - Adding:
 - Deleting:
 - Revising:



2027 Priorities Table Overview

- **Ref #**
 - Reference number for each listed task
- **Plan/Topic**
 - Overarching FMP or topic for range of proposed priorities
- **Category**
 - Description of type of task listed
- **Type**
 - Type of Council activity (e.g., action, contract, staff task, support, etc.)
- **Priority/Task**
 - Description of priorities under consideration
- **Estimated Timing**
 - Estimate of when task may be completed, including single and multiyear tasks
- **Coordination**
 - Indicates overlapping efforts between FMPs and other activities
- **Staff Months**
 - Estimate of total staff months required to complete tasks

