New England Fishery Management Council
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Daniel Salerno, *Chair* | Cate O'Keefe, PhD, *Executive Director*

September 30, 2026

Mr. Eugenio Piñeiro-Soler
Assistant Administrator for NOAA Fisheries
U.S. Department of Commerce
National Oceanic and Atmospheric Administration
National Marine Fisheries Service
1315 East-West Highway
Silver Spring, MD 20910

Dear Mr. Piñeiro-Soler:

Please accept this letter as the New England Fishery Management Council's (Council) response to your July 2, 2026, letter related to Executive Order 14276 *Restoring American Seafood Competitiveness*. The Council appreciates your acknowledgement of the work plan we developed in response to the Executive Order in September 2025 and confirmed in April 2026. As you noted, the Council conducted extensive public outreach and facilitated stakeholder engagement opportunities to develop the work plan to meet the objectives of the Executive Order, which mirror the Council's long-standing mission, including reducing burdens on domestic fishing, increasing production, stabilizing markets, improving access, and enhancing economic profitability.

The Council thoughtfully considered your request to focus on NOAA identified priorities during our prioritization and action planning processes. As you know, the Council prioritizes annual work activities to support New England's fisheries, including statutory requirements to prevent overfishing and rebuild overfished stocks by setting Annual Catch Limits, identify and conserve essential fish habitat, and support the Scientific and Statistical Committee in application of Best Scientific Information Available. In addition to statutory requirements, the Council has several ongoing management actions and initiatives that are scheduled for completion in 2027, including measures to improve area management in the scallop fishery, revise bycatch measures in the herring fishery, modernize harvest control rules in the groundfish fishery, and complete NOAA-funded projects under the Inflation Reduction Act. The Council considered NOAA identified priorities under the Executive Order in the context of all possible work priorities, accounting for system capacity, including NOAA partner resources, as well as benefits to all fishing industry stakeholders in the region. Within this context, the Council provides the following responses to each item in your July 2, 2026, letter.

Implement Rotational Access for the Northern Edge Scallop Fishery

NOAA requested that the Council "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)." The Council recognizes the scallop fishery's interest in this topic, as well as concerns from other fishing stakeholders in the groundfish, herring, and lobster fisheries. The Council decided to defer any decisions related to Northern Edge access until the December 2026 meeting and consider options within the broader context of potential 2027 priority topics.

Implement Scallop Permit Stacking

NOAA requested that the Council "reconsider taking on this action and working with stakeholders to ensure proper guardrails" and noted that if the Council is unable to take this up, it may be considered through development of a Secretarial Amendment. The Council concluded that we currently lack the operational capacity to initiate a scallop permit stacking action in 2027. The Council acknowledged that NOAA may pursue a Secretarial Amendment independently.

Rescind Industry Funded Monitoring (IFM) Requirements

NOAA requested that the Council "initiate an action to consider rescinding IFM requirements from the Herring FMP." The Council considered this request in June 2026 in response to your May 1, 2026, letter and further discussed options to address the Herring IFM requirements in September. The Council approved an expansion to the scope of an ongoing amendment focused on revisions to bycatch management (e.g., river herring and shad species) to consider rescission of the IFM requirements. Additionally, the expanded scope will include consideration of revisions to Atlantic herring slippage measures, which the Council identified in our September 2025 response to the Executive Order, and possible revisions to the haddock bycatch cap measures in the Atlantic Herring FMP. Incorporating IFM rescission into the ongoing action maintains an efficient administrative pathway toward achieving our target April 2027 final action timeline for bycatch management revisions.

NOAA also offered to work with the Council "to minimize costs and look at alternatives that may relieve the industry of the burden of monitoring in the groundfish fishery." The Council expressed strong interest in collaborating with NOAA to identify options to minimize monitoring costs for the groundfish fishery. The Council recently completed a review of the groundfish monitoring program included in Amendment 23 to the Northeast Multispecies FMP and will consider potential revisions to monitoring measures when discussing 2027 work priorities in December. The Council welcomes NOAA's offer to work together on this important topic.

Deprioritize Advancing Requirements for Ropeless Gear

NOAA requested that the Council "consider deprioritizing the advancement of complex gear marking for ropeless gear to mitigate operational costs for trap fisheries." The Council decided to pause additional activity related to gear marking while acknowledging NOAA's Request for Information on this topic, as well as pending Federal legislation.

Evaluate Vessel Baseline Restrictions

NOAA recommended that the Council prepare "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." The Council identified this topic in our September 2025 response to the Executive Order, and as noted in your July 2, 2026, letter, conducted an evaluation of existing baseline restriction measures. In September, the Council received a final report on the *Evaluation of Vessel Baseline Restrictions* prepared by staff from the New England and Mid-Atlantic Councils in partnership with NOAA's Greater Atlantic Regional Fisheries Office. The Council will consider prioritizing joint action with the MAFMC at the December meeting.

Consider Reopening the Great South Channel Habitat Management Area (HMA) to Surfclams

NOAA requested 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." The Council independently recognized high stakeholder interest in this topic and prioritized an evaluation of the Great South Channel surfclam exemption program in 2026. In September, the Council received a report titled *Great South Channel Habitat Management Area Surfclam Exemption Program Review*. The evaluation assessed the effectiveness of surfclam exemption areas in the HMA from both habitat conservation and fishery perspectives, considering recent data and information. Based on the evaluation, the Council has the technical foundation to weigh potential HMA management activities during the December prioritization process.

Strategic EO 14276 Mandates for Council Consideration

Your July 2, 2026, letter also encouraged the Council to consider redesignating species/stocks that no longer require conservation and management as Ecosystem Component (EC) species and to collaborate with NMFS on the expanded and continued use of Exempted Fishing Permits (EFPs). Under the Inflation Reduction Act funding that the Council received in 2024, we have developed draft *Guidance for Considering an Ecosystem Component Designation for NEFMC Species*, which will be finalized this fall. Additionally, the Northeast Region Coordinating Council (NRCC) recently reviewed the *Draft Greater Atlantic Region 2026 Stock Prioritization* report, which considers risk and value factors for each managed stock to support management activities, including potential designation of EC species. The Council continues to support the use of EFPs to address important research questions and increase fishing opportunities. The Council has continually supported the use of fishery-dependent data in management and science products, including stock assessments. The Council will foster ongoing collaboration with regional and national NOAA partners, research organizations, and academic institutions to codevelop and conduct research with the fishing industry.

In summary, the Council plans to further discuss and determine priorities at our December 2026 meeting, including rotational access for the Northern Edge scallop fishery, revisions to Vessel Baseline Restrictions, and the Great South Channel HMA surfclam measures. The Council appreciates the opportunity to respond to NOAA's requests for Executive Order 14276. Please contact me if you have any questions.

Sincerely,

Cate O'Keefe
Executive Director

CC: Mr. Sam Rauch, Ms. Kelly Denit, Mr. Michael Pentony, Ms. Nicole Cabana, NOAA Fisheries
Mr. Daniel Salerno, NEFMC
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