



New England Fishery Management Council

50 WATER STREET | NEWBURYPORT, MASSACHUSETTS 01950 | PHONE 978 465 0492 | FAX 978 465 3116

Eric Reid, *Chair* | Thomas A. Nies, *Executive Director*

MEETING SUMMARY

Ecosystem-Based Fishery Management (EBFM) Committee

Via Conference Call
July 26, 2022

The EBFM Committee held a remote webinar meeting on July 26, 2022, beginning at 9:30 am. The meeting ended at approximately 11:40 pm.

This meeting focused on five issues:

- Receive a status report on public information workshop preparation
- Receive a draft final report from the Council's facilitator on outreach discussions with stakeholders
- Receive a progress report on hiring a contractor to develop a Prototype Management Strategy Evaluation (MSE) for EBFM based on the example Fishery Ecosystem Plan (eFEP) strategies.
- Receive an update on the Council's discussion with NOAA Fisheries leadership on the consistency of the eFEP catch management framework and National Standard 1
- Other business:CMOD

Presentations and background documents are available on the Council's EBFM [web page](#).

MEETING ATTENDANCE:

Committee: John Pappalardo (Chairman), Mr. Eric Reid, Mr. Peter Aarrestad, Dr. Michael Sissenwine, Mr. Mark Alexander, Mr. Michael Pierdinock, Mr. Alan Tracy, Mrs. Michelle Duval, Mrs. Melissa Smith, and Mr. Adam Nowalsky (MAFMC), and Dr. Jerome Hermsen (GARFO).

Plan Development Team (PDT): Andrew Applegate (NEFMC staff, PDT chair), Cynthia Ferrio (GARFO), Dr. Scott Large (NEFSC), and Dr. Naresh Pradhan (NEFMC staff).

Council and NOAA Fisheries staff: Janice Plante (NEFMC staff), Mitch McDonald (GCNE)

Public: Kelly Whitmore (MA DMF), George Lapoint, Jaclyn Higgins, and Drew Minkiewicz.

KEY OUTCOMES:

- The committee provided feedback on the public information workshop preparations. Committee members were also asked to comment on the draft final outreach report.
- The committee was provided with a rough timeline for hiring a contractor to develop and conduct a Prototype Management Strategy Evaluation
- The Committee discussed recent correspondence about dialogue on National Standard 1 concerns on the eFEP catch management strategy. The staff provided background information on the development of the ‘revolutionary’ EBFM strategy, which was encouraged and supported by NOAA Fisheries scientists and the Council’s Scientific and Statistical Committee. The Committee questioned whether NOAA Fisheries was still supportive of the Council’s EBFM development.
- Council staff expected to hear more about planning details and requested presentations for the Council Member Ongoing Development (CMOD) meeting in November, which will focus on the Councils’ EBFM development activities.

Motions:

No motions were offered.

Introduction

Mr. Pappalardo summarized the purpose of the meeting and the agenda. He introduced Mr. Tom Balf, Oceanvest, as the Council’s facilitator for EBFM public information workshops.

AGENDA ITEM 1– PUBLIC INFORMATION WORKSHOP PREPARATIONS; DRAFT FINAL REPORT: INITIAL OUTREACH DISCUSSIONS

Presentation

After Mr. Applegate gave some background on the public information workshop development phases, Mr. Balf briefed the Committee on preparations for public information workshops, to be scheduled this fall at six New England fishing ports. He has been recruiting knowledgeable people to be invited experts who would give presentations, answer questions, and discuss issues with stakeholders. The workshops would focus on four general topics: EBFM concepts and terminology, EBFM catch management, science in support of EBFM, and next steps. Many respondents to the outreach discussions suggested Hyannis, New Bedford, Gloucester, Pt. Judith, and Montauk. Alternative ports were Brick Township, NJ and Portland, ME. Mr. Balf described the workshop objectives and conversations he conducted to reach out to invited experts. Mr. Balf also indicated that planning and coordination would occur with respect to other management activities, such as the Climate Change Scenario Initiative led by the Mid-Atlantic Fishery Management Council.

Discussion

Mr. Aarrestad and Mr. Alexander suggested that the workshops should include time for a discussion about better data collection to support EBFM. They recognized that a discussion

about data collection could go off in tangents and should be carefully managed. They suggested that the discussion focus on data deficiencies and suggestions on how to collect better data to support more responsive EBFM management. Mr. Alexander commented that reading the National Standard 1 questions and responses in the meeting materials was sobering, and we need to temper expectations about EBFM. Concerns which he noted were data needed to manage biomass floors for stocks that would indicate overfishing, and the application of harvest incentives to discourage targeting easy-to-catch and high-value species in a stock complex. Mr. Tracy had some concerns about the substance of the workshops and recommended working through the outreach to anticipate workshop questions.

AGENDA ITEM 2 – PROTOTYPE MSE FOR GEORGES BANK EBFM PROGRESS REPORT

Presentation

Mr. Applegate reported that the Council had received applications to develop and conduct a prototype Management Strategy Evaluation (pMSE). He said that an evaluation team had met and developed questions. We are waiting for responses to those questions and would schedule interviews when the responses are received. He indicated that the Council would negotiate a statement of work and a timeline with the successful contractor. Mr. Applegate anticipated that technical and stakeholder meetings would begin in late August to early September, and extend through early next year. Mr. Applegate identified a trade-off between how much detailed development was needed and the timeline. A more detailed MSE that could help answer some National Standard 1 questions and incorporate harvest incentives would take longer than anticipated, beyond January 2023.

Discussion

Dr. Sissenwine asked how the timing would affect the development of EBFM, and what was at stake. He commented that the incorporation of dynamic reference points in the operation models would be essential. Mr. Applegate replied that there is no hard deadline for completing a prototype MSE, but preliminary results could be used for the deep-dive public information workshops that the Council hopes to hold in early 2023. The Committee favored being more complete and informative over timeliness.

AGENDA ITEM 3– COMMUNICATION WITH NOAA LEADERSHIP ABOUT THE LEGALITY OF STOCK COMPLEX CATCH MANAGEMENT

Presentation

Mr. Nies briefed the Committee about recent correspondence with NOAA Fisheries Leadership about National Standard 1 concerns about the eFEP catch management strategy. He explained the background and genesis of the Council’s EBFM development, starting with the three white papers from the Science and Statistical Committee, which included a ‘revolutionary’ approach to EBFM. He reminded the Committee that the Council provided written questions on the potential to manage stock complexes at the 2017 Council Coordinating Committee meeting. The Councils raised these concerns after the republication of National Standard 1 guidelines by NOAA Fisheries in 2016. He re-initiated discussion with NOAA Fisheries Leadership in late 2021, after the Council had completed the eFEP, with dialogue between teams. The Council team included

the Executive and Deputy Directors, Dr. Merrick from the Scientific and Statistical Committee, Dr. Bell from the EBFM PDT, and three Council members: Mr. Pappalardo, Dr. Sissenwine, and Mr. Aarrestad. The team drafted responses to the questions raised by NMFS and responded on June 10. NMFS suggested moving the discussion to GARFO, but the Council has concerns about this strategy and would seek resolution. Mr. Applegate reminded the Committee that much of the EBFM strategy in the eFEP was based on the Hydra Operating Model, which NMFS developed and had peer reviewed in 2015. He also reminded the Committee that NOAA Fisheries had encouraged the Councils to explore EBFM development in their own way, incorporated into the agency's EBFM Roadmap, published a few years ago.

Discussion

Although the NMFS responses were encouraging, further development based on the answers derived from the pMSE, Mr. Pappalardo expressed concern that the outcome of this correspondence and dialogue may not allow for the continued development of the Council's EBFM strategy, which would stop further development of the next realm of fishery management. He thought that the technical support we need for the strategy was elusive and maybe EBFM was not the priority for our partners that we thought it was. The Committee asked if NMFS has ownership or investment in developing EBFM.

Dr. Large said that the NEFSC's EBFM effort is a priority, and the Center continues to be invested in the Council's development, although significant resources have since been allocated to wind farm development and adapting to climate change. He pointed out that since the independent peer review of the Hydra model, the Center has modified and improved the operating model.

Dr. Sissenwine commented that the current worked example was developed with interaction and participation of Center scientists. Furthermore, NMFS money was allocated to the Councils to develop EBFM in support of the agency's Roadmap. He recommended that we press on with the National Standard 1 discussion, so that it can accommodate moving away from single-stock management with static reference points to a system that relies on multispecies assessment and incorporation of trophodynamics into reference points and management. This would also require the development of dynamic reference points, which we should pursue in the next phase of development through MSE.

The Committee shared Mr. Nies' concerns about shifting the discussion to GARFO, preferring that the discussions occur at the science and technology level at headquarters. We need more (not less) direct communication with the agency about their investment in the process and engagement about what needs to be done.

Mr. Nies responded that the agency expressed concerns about how biomass floors would be determined and used to manage fish stocks. There were also concerns about what would serve as rebuilding targets. Both of these issues could be somewhat informed by the MSE work, which Mr. Applegate confirmed were identified in the pMSE Request for Proposals. Mr. Nies thought whether biological reference points would be dynamic or fixed is a separate issue.

The Committee thought that the way forward is to continue these discussions about management of stock complexes organized along ecological/trophic factors, while pressing ahead with the MSE work.

AGENDA ITEM 4– OTHER BUSINESS: COUNCIL MEMBER ONGOING DEVELOPMENT (CMOD) MEETING

Presentation

Mr. Applegate reminded the Committee that the CMOD meeting will be held in mid-November. He expected to hear more soon about planning details and presentation requests. Mr. Applegate, Mr. Pappalardo, Alan Tracy, and Mike Pierdinock will attend the meeting.