



New England Fishery Management Council

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 E. F. "Terry" Stockwell III, *Chairman* | Thomas A. Nies, *Executive Director*

MEMORANDUM

DATE: January 21, 2015
TO: Council
FROM: Thomas A. Nies, Executive Director
SUBJECT: Summary of January 8, 2015 Executive Committee Meeting

The Executive Committee met on January 8, 2015 at the Mansfield Holiday, Mansfield, MA. Executive Committee members attending were Mr. Stockwell, Mr. Quinn, Mr. Grout, Dr. Pierce, and Mr. Kendall. Also attending were Mr. Nies, Dr. Karp, Mr. Bullard, Mr. Pentony and Mr. Kellogg. The committee discussed the agenda items below.

1. Executive Director's Report

Budget Overview – Mr. Nies reported that the Council had obligated all but about \$300,000 of funds from its five-year award period ending on December 31, 2014. He added that the Council still could add to its collaborative research project with any remaining funds and that some other Councils also had been interested in similar projects. Mr. Nies explained that the Councils still don't know what they will receive for an award for 2015.

Collaborative Research and Catch Advice RFP Updates - Mr. Kellogg reported that the review panel so far had recommended funding of four projects and identified four others that it possibly would recommend for funding depending additional information or changes identified by the panel. Under the terms of the contract the contractor could not release the names of the projects or principal investigators at this time. After discussing the funding available for four projects that the panel still had questions about, the Executive Committee decided to recommend that the Council should ask the contractor to solicit additional proposals and include projects that would protect or enhance cod spawning to the research topics already identified. Also, it decided to recommend that any funds not spent or obligated for 2014 Council operations be added to the collaborative research project.

Mr. Nies provided a summary of the Council's contract to develop catch advice for groundfish in response to a need identified by industry and which became a Council priority. The project was developed in consultation with the NEFSC and has four phases: 1) Evaluation of the Past Performance of Catch Advice; 2) Identify Alternative Approaches for Setting Catch Advice; 3) Application of Catch Advice Methods; and 4) Decision Rule Examples. The principal investigators are Dr. John Wiedenmann and Dr. Olaf Jensen from Rutgers University. Dr. Wiedenmann, a research professor in fisheries science, will begin working on the contract in January.

SOPP review - Mr. Nies reported that staff had prepared revised Standard Operating Policies and Procedures (SOPPs) for the Council to submit for approval and provided the committee with

a draft. Some additions were made to the SOPPs such as the inclusion of a whistle blower policy however, the Committee agreed with Mr. Nies some changes were not clearly apparent and a revised version would be provided for the Council's approval at the January meeting.

NMFS National Saltwater Recreational Fisheries Policy – Mr. Nies reported that the comment period on the draft policy closed December 31, 2014 and that the Council did not have a copy of the policy sufficiently in advance to formally respond by the end of the comment period. As a result, the Committee did not make any recommendations with respect to the draft policy. Mr. Nies added that to date, the only comments that he had received from other Councils were from the Pacific Council and they were included the briefing materials.

2. Management Action Timelines

Timelines - Mr. Kellogg briefly reviewed the timelines for ongoing actions and explained that there were no major changes. He explained that draft action plans were recently prepared for Herring Amendment 8, Herring Specifications for FY 2016-2018 and Monkfish Framework 9. Mr. Pentony commented that the Council staff, GARFO and the Northeast Fisheries Science Center still had to work out details for approving the action plans so that supervisors had an opportunity to approve staff commitments. In the meantime, the committee and GARFO agreed that the proposed timelines in the action plans could be used to inform the Council and the public.

Herring ABC / EBFM Committee – Mr. Nies explained that the priorities for ecosystems based fisheries management (EBFM), the development of control rules for the Atlantic herring fishery that account for herring's role as forage in the ecosystem and the whiting limited access amendment relied on overlapping staff resources and that the Executive Committee should recommend which priorities should be done first. Mr. Nies also explained that it would be difficult to complete the work on the herring harvest control rule by the June Council meeting because of the complexity of the issue and the need to develop it with input from the EBFM, Herring and the Scientific and Statistical Committees as well as the Herring and EBFM PDTs. The Executive Committee will recommend to the Council that work on the herring control rule should be done first, followed by continued development of EBFM and, the staff should begin work on the whiting limited access amendment only after the herring control rule issue is addressed.

3. Habitat Issues

OHA2 next steps – Mr. Nies reported that the public hearings for the Omnibus Habitat Amendment 2 (OHA2) were completed on the previous day and that about 500 people had participated either in person or online and that the Council had received many written comments. He also commented that he believed that the hearing held via a webinar was successful because of the level of public participation that included people who might not otherwise provide comments. The staff will finish summarizing the comments before the January Council meeting for consideration by the Habitat Committee. The Council still is expected to approve the amendment in April. Mr. Bullard and Dr. Pierce noted that their agencies had submitted comments on the draft amendment and DEIS.

Deep Sea Corals in the GOM – Mr. Nies reviewed earlier NMFS guidance on the process options for managing deep sea corals and mentioned the new information on corals in the Gulf of Maine from the paper that Dr. Auster sent the Council. The Committee decided to recommend

that possible protection deep sea corals in the GOM should be considered through a separate amendment after the Council finished the OHA2.

4. Coordination with ASMFC

Lobster management issues – Mr. Nies advised that ASMFC was informed joint work on the bycatch of cod in lobster traps would not begin until after FW 53 submission was complete, probably in late February or March. The Council sent a request to the NEFSC in November asking for information about lobster bycatch but that the Council had not yet received a formal response. Dr. Karp explained that a response had been prepared but estimates of discards based on data from the Northeast Fisheries Observer Program and the vessel trip reports are not reliable enough estimate cod bycatch in the Gulf of Maine, Georges Bank, or Southern New England lobster fisheries. He also explained that Gulf of Maine lobster fishery mostly takes place north and east of the concentrations of cod in the western Gulf of Maine.

Jonah crab – Mr. Stockwell explained that the Atlantic States Marine Fisheries Commission (ASMFC) was moving ahead with developing a draft FMP for Jonah crab. Mr. Nies provided some information on where and in what fisheries Jonah crab are caught and the Committee agreed that the Council should discuss options for managing Jonah crab at the January Council meeting.

5. Atlantic Herring FMP

Pending herring actions: Framework 4 – Mr. Nies reported that the implementation of this action would be delayed by the long time it took NMFS to review the Council's preliminary submission but that the documents would be resubmitted for final review and approval in January. He noted that staff had been working on the preparation of the Industry Funded Monitoring Amendment and were unable to assist with completion of Framework 4.

Operational assessment update - Mr. Nies reported that the Assessment Oversight Panel had concluded that the current assessment model for Atlantic herring should not be used as a basis for catch advice for the 2016 -2018 specifications and that the panel recommended alternative approaches to using the model. The Executive Committee took no action relative to this agenda item.

RSA issues – Dr. Pierce expressed strong concerns that RSA fishing could take place in cod protection areas and thought that the Council should consider taking action to prevent this from happening.

6. Other Business

2016 Council schedule - Mr. Nies explained that the best time for the September 2016 Council meeting would be during the week of September 21- 25 which would conflict with the NAFO meeting. Holding the meeting then could create a conflict for the Regional Administrator, one member of the NOAA general Counsel staff and one Council member. However, holding the Council meeting earlier was not possible because of conflicts with the TMGC and the need to schedule SSC meetings to provide ABC recommendations for scallops and other FMPs. Holding the meeting later allowed only a few weeks between the September meeting and the mail date for the November meeting. Postponing the November Council meeting until December makes it more difficult for the Council and staff to submit adjustments and specifications in time to be implemented at the start of the 2017 fishing year for most FMPs and fish stocks. No decision was

reached; GARFO agreed to examine the impacts of a December meeting and will get back to staff.

Closed Session for SSC Appointments

The Executive Committee reviewed applications for SSC membership and developed recommendations for the Council to consider at its January meeting.