

DECISION DOCUMENT

Omnibus Management Flexibility Amendment

Northeast Multispecies, Atlantic Sea Scallop, Monkfish, Atlantic Herring, Northeast Skate Complex, Small-Mesh Multispecies, and Red Crab Fishery Management Plans

This document was developed to help the Council
select final alternatives for the Omnibus Management Flexibility Amendment.

For September 23, 2025

Version - Council

Anticipated Council Action:

Prior to selecting final preferred alternatives, Council staff will present the measures under consideration in the Omnibus Management Flexibility Amendment. Council staff will also answer questions, as needed, about the draft amendment.

It has been preliminarily determined that this action qualifies for a categorical exclusion from the need for further National Environmental Policy Act (NEPA) review, as it is primarily administrative in nature.

The following are anticipated Council motions:

1. Motion to select the preferred alternative for Action 1 – Specifications Frequency
2. Motion to select the preferred alternative for Action 2 – Specifications Setting Process
3. Motion to select the preferred alternative for Action 3 – In-Season Adjustment Authority
4. Motion to select the preferred alternative for Action 4 – Annual Review/Report
5. Motion to select as preferred: Action 5 – List of Framework Adjustment Items
6. Motion to submit the Omnibus Management Flexibility Amendment to NOAA Fisheries, as amended today.

Action 1 – Specification Frequency

Section 4.1 – Action 1 – Specification Frequency <i>Choose one alternative.</i>		Council Staff Recommendation
Alternative 1 (Sec. 4.1.1)	No Action Continue the FMP-by-FMP approach to determining specifications frequency.	
Alternative 2 (Sec. 4.1.2)	Specification Frequency Allows the Council to recommend specifications for one to up to five years across all its FMPs, consistent with the best available science.	X
Considerations/Additional Information		
- Alternative 2 allows for greater flexibility in planning stock assessments / data updates and subsequent management actions and a more consistent approach across the Council's fishery management plans (FMPs). It would allow the Council to spread its specifications-related actions throughout the year, rather than making final recommendations on most specifications-related actions between September and December. - Regulation changes would be made to the Northeast Multispecies, Atlantic Sea Scallop, Monkfish, Atlantic Herring, Northeast Skate Complex, Small-Mesh Multispecies, and Red Crab FMPs. - No changes would be made to the regulations in the Spiny Dogfish FMP. In addition, the Spiny Dogfish FMP regulations already allow for specifications for up to five years. - Council staff recommends Alternative 2, which increases management flexibility and consistency across FMPs. See memo on Council Staff recommendations. - See Table A1 in the Appendix of the draft amendment document for an overview of specifications.		

Action 2 – Specification Setting Process

Section 4.2 – Action 2 – Specification Setting Process <i>Choose one alternative.</i>		Council Staff Recommendation
Alternative 1 (Sec. 4.2.1)	No Action Continue to not have a specific specification setting process defined for the Northeast Multispecies and Monkfish FMPs. Specifications actions would continue to be developed by framework adjustment or amendment for these FMPs.	
Alternative 2 (Sec. 4.2.2)	Specification Setting Process Adds a specification setting process for the Council's two remaining FMPs without one in place: Northeast Multispecies and Monkfish FMPs. Enables the Council to set fishery specifications under a specification process and not require development of a framework adjustment action. Adds status determination criteria to the list of measures for the Northeast Skate Complex FMP that could be adjusted through the specifications setting process or by framework adjustment.	X
Considerations/Additional Information		
• Framework Adjustments to FMPs generally involve minor plan modifications and require review by the Council at a minimum of two meetings (of which one may be a committee meeting). Specifications actions are used to set harvest or catch limits for a specific period of time and are reviewed by the Council at a minimum of one Council meeting. • Alternative 2 allows the Council to set fishery specifications under a specification process for Multispecies and Monkfish FMPs and expands the list of items for the Northeast Skate Complex FMP, consistent with the Council's other FMPs. • Regulation changes would be made to the Northeast Multispecies, Monkfish, and Northeast Skate Complex FMPs. • Council staff recommends Alternative 2, which increases management flexibility and consistency across FMPs. See memo on Council Staff recommendations. • See Table A2 in the Appendix of the draft amendment document for an overview of timelines for recent actions with specifications.		

Action 3 – In-Season Adjustment Authority

Section 4.3 – Action 3 – In-Season Adjustment Authority <i>Choose one alternative. Under Alternative 2, choose one option.</i>		Council Staff Recommendation
Alternative 1 (Sec. 4.3.1)	No Action Continue to allow in-season adjustment authority only for the Atlantic Herring FMP.	
Alternative 2 (Sec. 4.3.2)	In-Season Adjustment Authority Add the provision for in-season adjustment authority, consistent with the process in the Atlantic Herring FMP, across all the Council's FMPs. This process would require the NOAA Fisheries Regional Administrator (RA) to consult with the Council to allow changes during the fishing year. These would be adjusted by NMFS to achieve conservation and management objectives, after consulting with the Council, during the fishing year in accordance with the Administrative Procedure Act (APA). Any adjustments must be consistent with the respective FMPs objectives and other FMP provisions. The Council may select Option A or Option B: Option A - Allowance for adjustments to ACLs/sub-ACLs and other specifications. Option B - Allowance for adjustments to specifications and measures identified under specifications actions by FMP.	X Option B
Considerations/Additional Information		
- Under Alternative 2, any in-season action taken by the RA under this authority will require analysis as appropriate under the MSA and NEPA, and in accordance with the APA. - Alternative 2 would allow managers the flexibility to respond in a timely manner to updated scientific and fishery information across all its FMPs. - Alternative 2 Option A would only allow for adjustments to specifications while Alternative 2 Option B would allow for adjustments to specifications and management measures as identified in each FMP's specification setting process. - Regulation changes would be made to the Northeast Multispecies, Atlantic Sea Scallop, Monkfish, Atlantic Herring (if Option B is selected), Northeast Skate Complex, Small-Mesh Multispecies, and Red Crab FMPs. - No changes would be made to the regulations in the Spiny Dogfish FMP. - Council staff recommends Alternative 2, which increases management flexibility and consistency across FMP and Option B, which provides the most flexibility of the two options. See memo on Council Staff recommendations.		

Action 4 – Annual Review/Report

Section 4.4 – Action 4 – Annual Review/Report <i>Choose one alternative.</i>		Council Staff Recommendation
Alternative 1 (Sec. 4.4.1)	No Action Monkfish, Northeast Skate Complex, and Small-Mesh Multispecies FMPs require preparation of an annual PDT review and in the case of Small-Mesh Multispecies also a report.	
Alternative 2 (Sec. 4.4.2)	Annual Review/Report The requirement would be removed to prepare an annual review in the Monkfish, Northeast Skate Complex, and Small-Mesh Multispecies FMPs and in the case of Small-Mesh Multispecies a report.	X
Considerations/Additional Information		
- Under Alternative 2, the Council would have the flexibility to choose the timing and content of annual reviews/reports for all of the Council's FMPs. - Alternative 2 would not prevent the Council from prioritizing the preparation of an annual review or monitoring or performance report for any of the Council's FMPs through its priority setting process. - Under Alternative 2, the Council would continue to prepare appropriate analyses to comply with federal statutes (e.g. MSA and NEPA) during the development of actions for these FMPs. - Regulation changes would be made to the Monkfish, Northeast Skate Complex, and Small-Mesh Multispecies FMPs. - Council staff recommends Alternative 2, which increases management flexibility and consistency across FMPs. See memo on Council Staff recommendations.		

Action 5 – List of Framework Adjustment Items

Section 4.5 – Action 5 – List of Framework Adjustment Items
Any Council preferred actions will be added to the list of framework adjustment items for the Northeast Multispecies, Atlantic Sea Scallop, Monkfish, Atlantic Herring, Northeast Skate Complex, Small-Mesh Multispecies, and Red Crab FMPs.
Considerations/Additional Information
- Regulation changes would be made to the Northeast Multispecies, Atlantic Sea Scallop, Monkfish, Atlantic Herring, Northeast Skate Complex, Small-Mesh Multispecies, and Red Crab FMPs. - No changes would be made to the regulations in the Spiny Dogfish FMP. - Council staff recommends adding all Actions 1-4 to the list of framework adjustment items. See memo on Council Staff recommendations.