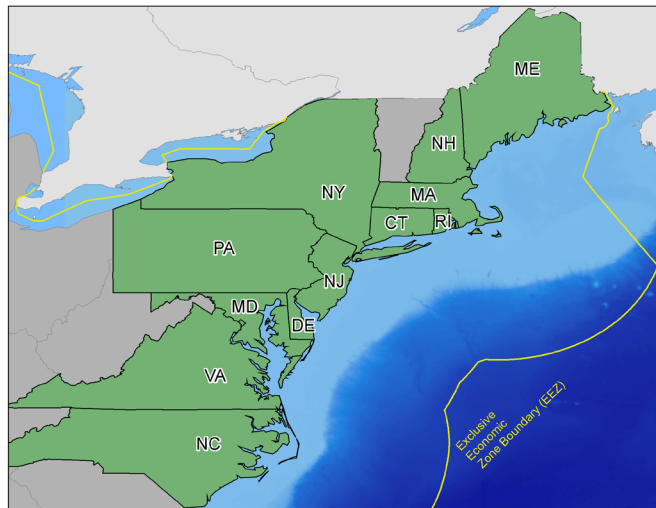


NORTHEAST REGION COORDINATING COUNCIL

Fall 2020 MEETING
November 9-10, 2020
Webinar



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(hyperlinked)

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2020 FALL NRCC MEETING AGENDA

via Google Meet

All times are approximate

Monday, November 9

9:00 a.m. – 9:15 a.m.

1. Welcome, Introductions, Announcements
(Moore, Sullivan)

9:15 a.m. – 10:45 a.m.

2. Aquaculture
Discussion leader: Madley/Sciallaci
 - Staff and reorganization of the Habitat and Ecosystem Services Division (HESD)
 - Plans for aquaculture opportunity areas
 - Implications of Gulf of Mexico litigation
 - Council/Commission involvement in site screening process

10:45 a.m. – 11:00 a.m. *Break*

11:00 a.m. – 12:00 p.m.

3. SAFE Reports
Discussion leader: Gilbert
 - GARFO hosts the SAFE Reports online. This has become problematic with website redesign and 508 compliance.

12:00 p.m. – 1:00 p.m. *Lunch*

1:00 p.m. – 1:30 p.m.

4. Ropeless Technology
Discussion leader: Anderson/Asaro
 - What is ropeless gear and how is it being used by the industry.

1:30 p.m. – 2:00 p.m.

5. Offshore Wind Updates
Discussion leader: Pentony/Hare

2:00 p.m. – 2:15 p.m. *Break*

2:15 p.m. – 2:30 p.m.

6. FDDI Update
Discussion leader: Gouveia/McCarthy

2:30 p.m. – 3:00 p.m.

7. Scenario Planning

Discussion leader: Moore

- Update on role of TNC
- Update on SAFMC interest
- Appointment of core team

3:00 p.m. – 3:30 p.m.

7. BSIA Framework

Discussion leader: Kelly/Simpkins

- Update on SSC point(s) of contact

3:30 p.m. *Adjourn Day 1*

Tuesday, November 10

9:00 p.m. – 2:00 p.m. (*Break as needed, lunch at noon*)

8. Stock Assessments

Discussion leader: Simpkins

- 2020 assessment process: Challenges, adaptations, future suggestions
- 2021 preparations: COVID data gaps and management track plans
- Future planning: Research track, communications, plan for more detailed process review.

2:00 p.m. – 2:30 p.m.

9. Gear Conflicts

Discussion leader: Nies/Reid

- Gear conflicts between fishermen

2:30 p.m. – 3:00 p.m.

10. Joint FMP Management

Discussion leader: Nies

- Convening committees of the whole

3:00 p.m. – 3:00 p.m.

11. Meeting wrap-up and Other Business

- Complete any unfinished discussions or unresolved new business
- Review action items and assignments
- Identify Spring 2021 meeting date (NEFSC chair)
- Adjourn meeting

3:30 p.m. *Meeting adjourns*

NRCC Spring Meeting 2020 Action Items

1. NMFS Point(s) of Contact to the Statistical and Scientific Committee, as part of Regional BSIA Framework
Lead: **NEFMC**
Appointees needed: NA
Next step(s): NEFMC will work on this topic, circulate back to working group, and then seek NRCC concurrence via correspondence or intersessional call.
Due date(s): August 2020 (intersessional call)
2. Scenario Planning Working Group
Lead: **GARFO, MAFMC**
Appointees needed: NA
Next step(s): Working group will compile scope of different options, including estimates for the requirements for those options (cost, staff, time, etc.)
Due date(s): August 2020 (intersessional call)
3. Update to Assessment Guidance Document.
Lead: **NEFSC**
Appointees needed: NA
Next step(s): NEFSC will update the Assessment Guidance document and provide to NEFMC to be posted on the NEFMC NRCC webpage.
Due date(s): ASAP
4. Discuss Council and Commission involvement in Federal Waters Aquaculture Siting Approval Process
Lead: **GARFO**
Appointees needed: NA
Next step(s): GARFO will invite Regional Aquaculture Coordinators (Kevin and Chris) to attend next NRCC meeting. **Note:** This item was originally scheduled for Spring 2020, but delayed for timing reasons.
Due date(s): Fall 2020 Meeting

NRCC Summer 2020 Intercession Meeting Action Items

July 30, 2020

Webinar

1. Appointing core team for Scenario Planning

Lead: **NRCC**

Appointees needed: Representatives from Councils, Commission, SSC, GARFO and NEFSC

Next step(s): Bump to fall

Due date(s): Will be discussed at November NRCC meeting

2. Explore Role/Involvement of TNC in Scenario Planning

Lead: **MAFMC**

Appointees needed: NA

Next step(s): Make sure that there are not legal impediments to partnering with or using funding from TNC

Due date(s): Provide update at Fall 2020 Meeting

3. Gauge South Atlantic Council's Interest in Participating in Scenario Planning

Lead: **MAFMC**

Appointees needed: NA

Next step(s): Update at fall meeting

Due date(s): Fall 2020 Meeting

4. SSC Point(s) of Contact

Lead: **GARFO and NEFSC**

Appointees needed: NA

Next step(s): Have NMFS points of contact attend SSC meetings, ad hoc, to test out the revised language of regional framework. Discuss again at Spring 2021 meeting

Due date(s): Ongoing

Fall 2020 NRCC Meeting (MAFMC Chair) – November 9-10, 2020

Location – Webinar

**EXECUTIVE ORDERS**

Executive Order on Promoting American Seafood Competitiveness and Economic Growth

ECONOMY & JOBS

Issued on: May 7, 2020



By the authority vested in me as President by the Constitution and the laws of the United States of America, and in order to strengthen the American economy; improve the competitiveness of American industry; ensure food security; provide environmentally safe and sustainable seafood; support American workers; ensure coordinated, predictable, and transparent Federal actions; and remove unnecessary regulatory burdens, it is hereby ordered as follows:

Section 1. Purpose. America needs a vibrant and competitive seafood industry to create and sustain American jobs, put safe and healthy food on American tables, and contribute to the American economy. Despite America's bountiful aquatic resources, by weight our Nation imports over 85 percent of the seafood consumed in the United States. At the same time, illegal, unreported, and unregulated fishing undermines the sustainability of American and global seafood stocks, negatively affects general ecosystem health, and unfairly competes with the products of law-abiding fishermen and seafood industries around the world. More effective permitting related to offshore aquaculture and additional streamlining of fishery regulations have the potential to revolutionize American seafood production, enhance rural prosperity, and improve the quality of American lives. By removing outdated and unnecessarily burdensome regulations; strengthening efforts to combat illegal, unreported, and unregulated fishing; improving the transparency and efficiency of environmental reviews; and renewing our focus on long-term strategic planning to facilitate aquaculture projects, we can protect our aquatic environments; revitalize our Nation's seafood industry; get more Americans back to work; and put healthy, safe food on our families' tables.

Sec. 2. Policy. It is the policy of the Federal Government to:

- (a) identify and remove unnecessary regulatory barriers restricting American fishermen and aquaculture producers;
- (b) combat illegal, unreported, and unregulated fishing;
- (c) provide good stewardship of public funds and stakeholder time and resources, and avoid duplicative, wasteful, or inconclusive permitting processes;
- (d) facilitate aquaculture projects through regulatory transparency and long-term strategic planning;
- (e) safeguard our communities and maintain a healthy aquatic environment;
- (f) further fair and reciprocal trade in seafood products; and
- (g) continue to hold imported seafood to the same food-safety requirements as domestically produced products.

Sec. 3. Definitions. For purposes of this order:

- (a) “Aquaculture” means the propagation, rearing, and harvesting of aquatic species in controlled or selected environments;
- (b) “Aquaculture facility” means any land, structure, or other appurtenance that is used for aquaculture;
- (c) “Aquaculture project” means a project to develop the physical assets designed to provide or support services to activities in the aquaculture sector, including projects for the development or construction of an aquaculture facility;
- (d) “Exclusive economic zone of the United States” means the zone established in Proclamation 5030 of March 10, 1983 (Exclusive Economic Zone of the United States of America);

(e) “Lead agency” has the meaning given that term in the regulations of the Council on Environmental Quality, contained in title 40, Code of Federal Regulations, that implement the procedural provisions of the National Environmental Policy Act (NEPA) (42 U.S.C. 4321 et seq.);

(f) “Maritime domain” means all areas and things of, on, under, relating to, adjacent to, or bordering on a sea, ocean, or other navigable waterway, including all maritime-related activities, infrastructure, people, cargo, and vessels and other conveyances;

(g) “Maritime domain awareness” means the effective understanding of anything associated with the global maritime domain that could affect the security, safety, economy, or environment of the United States; and

(h) “Project sponsor” means an entity, including any private, public, or public-private entity, that seeks an authorization for an aquaculture project.

Sec. 4. Removing Barriers to American Fishing. (a) The Secretary of Commerce shall request each Regional Fishery Management Council to submit, within 180 days of the date of this order, a prioritized list of recommended actions to reduce burdens on domestic fishing and to increase production within sustainable fisheries, including a proposal for initiating each recommended action within 1 year of the date of this order.

(i) Recommended actions may include changes to regulations, orders, guidance documents, or other similar agency actions.

(ii) Recommended actions shall be consistent with the requirements of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1801 et seq.); the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.); the Marine Mammal Protection Act (16 U.S.C. 1361 et seq.); and other applicable laws.

(iii) Consistent with section 302(f) of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1852(f)), and within existing appropriations, the Secretary of Commerce shall provide administrative and technical support to the Regional Fishery Management Councils to carry out this subsection.

(b) The Secretary of Commerce shall review and, as appropriate and to the extent permitted by law, update the Department of Commerce's contribution to the Unified Regulatory Agenda based on an evaluation of the lists received pursuant to subsection (a) of this section.

(c) the Assistant to the President for Economic Policy, the Assistant to the President for Domestic Policy, and the Chair of the Council on Environmental Quality a report evaluating the recommendations described in subsection (a) of this section and describing any actions taken to implement those recommendations. This report shall be updated annually for the following 2 years.

Sec. 5. Combating Illegal, Unreported, and Unregulated Fishing. (a) Within 90 days of the date of this order, the Secretary of Commerce, acting through the Administrator of the National Oceanic and Atmospheric Administration (NOAA), shall issue, as appropriate and consistent with applicable law, a notice of proposed rulemaking further implementing the United Nations Food and Agriculture Organization Agreement on Port State Measures to Prevent, Deter, and Eliminate Illegal, Unreported, and Unregulated Fishing, which entered into force on June 5, 2016 (the Port State Measures Agreement).

(b) The Secretary of State, the Secretary of Commerce, the Secretary of Homeland Security, and the heads of other appropriate executive departments and agencies (agencies) shall, to the extent permitted by law, encourage public-private partnerships and promote interagency, intergovernmental, and international cooperation in order to improve global maritime domain awareness, cooperation concerning at-sea transshipment activities, and the effectiveness of fisheries law enforcement.

(c) The Secretary of State, the Secretary of Commerce, the Secretary of Health and Human Services, and the Secretary of Homeland Security shall, consistent with applicable law and available appropriations, prioritize training and technical assistance in key geographic areas to promote sustainable fisheries management; to strengthen and enhance existing enforcement capabilities to combat illegal, unreported, and unregulated fishing; and to promote implementation of the Port State Measures Agreement.

Sec. 6. Removing Barriers to Aquaculture Permitting. (a) For aquaculture projects that require environmental review or authorization by two or more agencies in order to proceed with the permitting of an aquaculture facility, when the lead agency has determined that it will prepare an

environmental impact statement (EIS) under NEPA, the agencies shall undertake to complete all environmental reviews and authorization decisions within 2 years, measured from the date of the publication of a notice of intent to prepare an EIS to the date of issuance of the Record of Decision (ROD), and shall use the “One Federal Decision” process enhancements described in section 5(b) of Executive Order 13807 of August 15, 2017 (Establishing Discipline and Accountability in the Environmental Review and Permitting Process for Infrastructure Projects), and in subsections (a)(ii) and (iii) of this section. For such projects:

(i) NOAA is designated as the lead agency for aquaculture projects located outside of the waters of any State or Territory and within the exclusive economic zone of the United States and shall be responsible for navigating the project through the Federal environmental review and authorization process, including the identification of a primary point of contact at each cooperating and participating agency;

(ii) Consistent with the “One Federal Decision” process enhancements, all cooperating and participating agencies shall cooperate with the lead agency and shall respond to requests for information from the lead agency in a timely manner;

(iii) Consistent with the “One Federal Decision” process enhancements, the lead agency and all cooperating and participating agencies shall record all individual agency decisions in one ROD, unless the project sponsor requests that agencies issue separate NEPA documents, the NEPA obligations of a cooperating or participating agency have already been satisfied, or the lead agency determines that a single ROD would not best promote completion of the project’s environmental review and authorization process; and

(iv) The lead agency, in consultation with the project sponsor and all cooperating and participating agencies, shall prepare a permitting timetable for the project that includes the completion dates for all federally required environmental reviews and authorizations and for issuance of a ROD, and shall make the permitting timetable publicly available on its website.

(b) Within 90 days of the date of this order, the Secretary of the Army, acting through the Assistant Secretary of the Army for Civil Works, in consultation with the Secretary of the Interior, the Secretary of Agriculture, the Secretary of Commerce, the Secretary of Homeland Security, the Administrator of the Environmental Protection Agency, other appropriate Federal officials, and appropriate State officials, shall:

- (i) develop and propose for public comment, as appropriate and consistent with applicable law, a proposed United States Army Corps of Engineers nationwide permit authorizing finfish aquaculture activities in marine and coastal waters out to the limit of the territorial sea and in ocean waters beyond the territorial sea within the exclusive economic zone of the United States;
- (ii) assess whether to develop a United States Army Corps of Engineers nationwide permit authorizing finfish aquaculture activities in other waters of the United States;
- (iii) develop and propose for public comment, as appropriate and consistent with applicable law, a proposed United States Army Corps of Engineers nationwide permit authorizing seaweed aquaculture activities in marine and coastal waters out to the limit of the territorial sea and in ocean waters beyond the territorial sea within the exclusive economic zone of the United States;
- (iv) assess whether to develop a United States Army Corps of Engineers nationwide permit authorizing seaweed aquaculture activities for other waters of the United States;
- (v) develop and propose for public comment, as appropriate and consistent with applicable law, a proposed United States Army Corps of Engineers nationwide permit authorizing multi-species aquaculture activities in marine and coastal waters out to the limit of the territorial sea and in ocean waters beyond the territorial sea within the exclusive economic zone of the United States; and

Sec. 7. Aquaculture Opportunity Areas. (a) The Secretary of Commerce, in consultation with the Secretary of Defense, the Secretary of the Interior, the Secretary of Agriculture, the Secretary of Homeland Security, the Administrator of the Environmental Protection Agency, other appropriate Federal officials, and appropriate Regional Fishery Management Councils, and in coordination with appropriate State and tribal governments, shall:

(i) within 1 year of the date of this order, identify at least two geographic areas containing locations suitable for commercial aquaculture and, within 2 years of identifying each area, complete a programmatic EIS for each area to assess the impact of siting aquaculture facilities there; and

(ii) for each of the following 4 years, identify two additional geographic areas containing locations suitable for commercial aquaculture and, within 2 years of identifying each area, complete a

programmatic EIS for each area to assess the impact of siting aquaculture facilities there.

(b) A programmatic EIS completed pursuant to subsection (a) of this section may include the identification of suitable species for aquaculture in those particular locations, suitable gear for aquaculture in such locations, and suitable reporting requirements for owners and operators of aquaculture facilities in such locations.

(c) In identifying specific geographic areas under subsection (a) of this section, the Secretary of Commerce shall solicit and consider public comment and seek to minimize unnecessary resource use conflicts as appropriate, including conflicts with military readiness activities or operations; navigation; shipping lanes; commercial and recreational fishing; oil, gas, renewable energy, or other marine mineral exploration and development; essential fish habitats, under the Magnuson-Stevens Fishery Conservation and Management Act; and species protected under the Endangered Species Act of 1973 or the Marine Mammal Protection Act.

Sec. 8. Improving Regulatory Transparency for Aquaculture. (a) Within 240 days of the date of this order, the Secretary of Commerce, in consultation with other appropriate Federal and State officials, shall prepare and place prominently on the appropriate NOAA webpage a single guidance document that:

(i) describes the Federal regulatory requirements and relevant Federal and State agencies involved in aquaculture permitting and operations; and

(ii) identifies Federal grant programs applicable to aquaculture siting, research, development, and operations.

(b) The Secretary of Commerce, acting through the Administrator of NOAA, shall update this guidance as appropriate, but not less than once every 18 months.

Sec. 9. Updating National Aquaculture Development Plan. (a) Within 180 days of the date of this order, the Secretary of the Interior, the Secretary of Agriculture, and the Secretary of Commerce, in consultation with the Joint Subcommittee on Aquaculture, established pursuant to the National Aquaculture Act of 1980 (16 U.S.C. 2801 *et seq.*), shall assess whether to revise the National Aquaculture Development Plan, consistent with 16 U.S.C. 2803(a)(2) and (d), in order to strengthen our Nation's domestic aquaculture production and improve the efficiency and predictability of

aquaculture permitting, including permitting for aquaculture projects located outside of the waters of any State or Territory and within the exclusive economic zone of the United States.

(b) In making any revisions to the National Aquaculture Development Plan as a result of this assessment, the Secretary of the Interior, the Secretary of Agriculture, and the Secretary of Commerce shall, as appropriate:

(i) include the elements described at 16 U.S.C. 2803(b) and (c) and the appropriate determinations described at 16 U.S.C. 2803(d);

(ii) include programs to analyze, and formulate proposed resolutions of, the legal or regulatory constraints that may affect aquaculture, including any impediments to establishing security of tenure — that is, use rights with a specified duration tied to a particular location — for aquaculture operators, owners, and investors; and

(iii) consider whether to include a permitting framework, including a delineation of agency responsibilities for permitting and associated agency operations, consistent with section 6 of this order and with the “One Federal Decision” Framework Memorandum issued on March 20, 2018, by the Office of Management and Budget and the Council on Environmental Quality, pursuant to Executive Order 13807.

(c) The Secretary of the Interior, the Secretary of Agriculture, and the Secretary of Commerce, in consultation with the Subcommittee on Aquaculture, shall subsequently assess, not less than once every 3 years, whether to revise the National Aquaculture Development Plan, as appropriate and consistent with 16 U.S.C. 2803(d) and (e). If the Secretary of the Interior, the Secretary of Agriculture, and the Secretary of Commerce decide not to revise the National Aquaculture Development Plan, they shall within 15 days of such decision submit to the Assistant to the President for Economic Policy and the Assistant to the President for Domestic Policy a report explaining their reasoning.

Sec. 10. Promoting Aquatic Animal Health. (a) Within 30 days of the date of this order, the Secretary of Agriculture, in consultation with the Secretary of the Interior, the Secretary of Commerce, other appropriate Federal officials, and States, as appropriate, shall consider whether to terminate the 2008 National Aquatic Animal Health Plan and to replace it with a new National Aquatic Animal Health Plan.

(b) Any new National Aquatic Animal Health Plan shall be completed, consistent with applicable law, within 180 days of the date of this order.

(c) Any new National Aquatic Animal Health Plan shall include additional information about aquaculture, including aquaculture projects located outside of the waters of any State or Territory and within the exclusive economic zone of the United States, and shall incorporate risk-based management strategies as appropriate.

(d) If adopted, the Plan described in subsections (b) and (c) of this section shall subsequently be updated, as appropriate, but not less than once every 2 years, by the Secretary of Agriculture, in consultation with the Secretary of the Interior, the Secretary of Commerce, other appropriate Federal officials, and States, as appropriate.

Sec. 11. International Seafood Trade. (a) In furtherance of fair and reciprocal trade in seafood products, within 30 days of the date of this order, the Secretary of Commerce shall establish an Interagency Seafood Trade Task Force (Seafood Trade Task Force) to be co-chaired by the Secretary of Commerce and the United States Trade Representative (Co-Chairs), or their designees. The Secretary of Commerce shall, to the extent permitted by law and within existing appropriations, provide administrative support and funding for the Seafood Trade Task Force.

(b) In addition to the Co-Chairs, the Seafood Trade Task Force shall include the following members, or their designees:

- (i) the Secretary of State;
- (ii) the Secretary of the Interior;
- (iii) the Secretary of Agriculture;
- (iv) the Secretary of Homeland Security;
- (v) the Director of the Office of Management and Budget;
- (vi) the Assistant to the President for Economic Policy;

- (vii) the Assistant to the President for Domestic Policy;
- (viii) the Chairman of the Council of Economic Advisers;
- (ix) the Under Secretary of Commerce for International Trade;
- (x) the Commissioner of Food and Drugs;
- (xi) the Administrator of NOAA; and
- (xii) the heads of such other agencies and offices as the Co-Chairs may designate.

(c) Within 90 days of the date of this order, the Seafood Trade Task Force shall provide recommendations to the Office of the United States Trade Representative in the preparation of a comprehensive interagency seafood trade strategy that identifies opportunities to improve access to foreign markets through trade policy and negotiations, resolves technical barriers to United States seafood exports, and otherwise supports fair market access for United States seafood products.

(d) Within 90 days of the date on which the Seafood Trade Task Force provides the recommendations described in subsection (c) of this section, the Office of the United States Trade Representative, in consultation with the Trade Policy Staff Committee and the Seafood Trade Task Force, shall submit to the President, through the Assistant to the President for Economic Policy and the Assistant to the President for Domestic Policy, the comprehensive interagency seafood trade strategy described in subsection (c) of this section.

Sec. 12. General Provisions. (a) Nothing in this order shall be construed to impair or otherwise affect:

- (i) the authority granted by law to an executive department or agency, or the head thereof; or
- (ii) the functions of the Director of the Office of Management and Budget relating to budgetary, administrative, or legislative proposals.

(b) This order shall be implemented consistent with applicable law and subject to the availability of appropriations.

(c) This order is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or in equity by any party against the United States, its departments, agencies, or entities, its officers, employees, or agents, or any other person.

DONALD J. TRUMP

THE WHITE HOUSE,

May 7, 2020.

TABLE 1—SUMMARY OF DEEP-SET BUOY GEAR EXEMPTED FISHING PERMIT APPLICATIONS SUBMITTED FOR THE SEPTEMBER 2020 COUNCIL MEETING

(https://www.pcouncil.org/documents/2020/08/e-2-attachment-1-summary-of-dsbg-efp-applications-received-for-the-september-2020-council-meeting.pdf)

E.2 attachment No.	Applicant name	Number of vessels	Fishing method	Notes
2	Athens, Tim	1	DSLBG	
3	Dell, Kevin	1	DSBG	
4	Dillman, Todd	1	DSBG	
5	Eberhardt, James	1	DSBG	
6	Fischer, Paul	1	DSBG	
7	Ghio, Romolo	1	DSLBG	
8	Haworth, Nick, Haworth, David	3	NSBG	Not recommended.
9	Herman, Marc	1	DSLBG	
10	Lebeck, Mark	1	DSLBG, NSBG	NSBG portion not recommended.
11	Lorton, Arthur, Lorton, J. Anthon	1	DSLBG	
12	Medland, Robert, Castenada, James, Clayton, Terry	2	DSBG	
13	Pack, Troy, Fegerstedt, Ashley	1	DSBG	
14	Perez, Nathan, Carson, Thomas	1	NSBG	Same vessel as #15.
15	Perez, Nathan, Carson, Thomas	1	DSBG	Same vessel as #14.
16	Saraspe, Andres, Saraspe, Charles	2	DSBG	
17	Sidielnikov, Andrii	1	DSBG	
18	Tharp, Nicolas	1	DSBG	
19	Volaski, Andrew	1	DSLBG	
20	Wallace, Miles	1	DSBG, NSBG	NSBG portion not recommended.
21	Weiser, Steve	1	DSBG	

Fishing Method DSBG—standard deep-set buoy gear, DSLBG—linked deep-set buoy gear, NSBG—night set buoy gear. DSLBG vessels can also use standard deep-set buoy gear.

NMFS will consider all public comments submitted in response to this **Federal Register** notice prior to issuance of any EFP. Additionally, NMFS has analyzed the effects of issuing DSBG and DSLBG EFPs, and would analyze issuing additional NSBG EFPs in accordance with the National Environmental Policy Act and NOAA's Administrative Order 216-6, as well as for compliance with other applicable laws, including Section 7(a)(2) of the Endangered Species Act (16 U.S.C. 1531 *et seq.*), which requires the agency to consider whether the proposed action is likely to jeopardize the continued existence and recovery of any endangered or threatened species or result in the destruction or adverse modification of critical habitat.

Authority: 16 U.S.C. 1801 *et seq.*

Dated: October 16, 2020.

Jennifer M. Wallace,

Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service.

[FR Doc. 2020-23537 Filed 10-22-20; 8:45 am]

BILLING CODE 3510-22-P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[RTID 0648-XA406]

Aquaculture Opportunity Areas

AGENCY: National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

ACTION: Notice; request for information.

SUMMARY: On May 7, 2020, the White House issued an Executive Order (E.O.) on Promoting American Seafood Competitiveness and Economic Growth, which requires the Secretary of Commerce to identify geographic areas containing locations suitable for commercial aquaculture, and complete a National Environmental Policy Act (NEPA) Programmatic Environmental Impact Statement (PEIS) for each area to assess the impact of siting aquaculture facilities there. NOAA requests that interested parties provide relevant information on the identification of areas within Federal waters of the Gulf of Mexico and off Southern California, south of Point Conception, for the first two Aquaculture Opportunity Areas (AOA) and on what areas NOAA should consider nationally for future AOAs. Please respond to the questions listed in the **SUPPLEMENTARY INFORMATION** section, as appropriate. The public input provided in response to this request for

information (RFI) will inform NOAA as it works with Federal agencies, appropriate Regional Fishery Management Councils, and in coordination with appropriate State and tribal governments to identify AOAs.

DATES: Interested persons are invited to submit written comments on or before December 22, 2020.

Four webinar-based listening sessions are scheduled. Each will focus on a specific region or national comments, but comments on each topic will be accepted at all meetings:

1. November 5, 2020, 6 p.m. to 8 p.m. Eastern: National listening session.

2. November 12, 2020, 9 a.m. to 11 a.m. Pacific: Southern California listening session.

3. November 17, 2020, 1 p.m. to 3 p.m. Eastern: Gulf of Mexico listening session.

4. November 19, 2020, 1 p.m. to 3 p.m. Eastern: National listening session.

ADDRESSES: You may submit comments, identified by NOAA-NMFS-2020-0118, by the following method:

Electronic Submission: Submit all electronic public comments via the Federal e-Rulemaking Portal. Go to www.regulations.gov/

#/docketDetail;D=NOAA-NMFS-2020-0118, click the "Comment Now!" icon, complete the required fields, and enter or attach your comments.

Webinar links: Links and toll-free phone numbers for each webinar can be found at: <https://>

www.fisheries.noaa.gov/aquaculture-opportunity-areas.

Instructions: Comments sent by any other method, to any other address or individual, or received after the end of the comment period, may not be considered by NMFS. All comments received are a part of the public record and will generally be posted for public viewing on www.regulations.gov without change. All personal identifying information (e.g., name, address, etc.), confidential business information, or otherwise sensitive information submitted voluntarily by the sender will be publicly accessible. NMFS will accept anonymous comments (enter "N/A" in the required fields if you wish to remain anonymous).

Please note that the U.S. Government will not pay for response preparation, or for the use of any information contained in the response.

If you are unable to provide electronic comments, please contact: Kristy Beard, 301-427-8333 or nmfs.aquaculture.info@noaa.gov.

FOR FURTHER INFORMATION CONTACT:

Kristy Beard, 301-427-8333 or nmfs.aquaculture.info@noaa.gov.

SUPPLEMENTARY INFORMATION: On May 7, 2020, the President signed a new E.O. on Promoting American Seafood Competitiveness and Economic Growth (E.O. 13921). The E.O. calls for the expansion of sustainable U.S. seafood production. NOAA also has directives to promote sustainable aquaculture in the U.S. through the National Aquaculture Act of 1980 and the NOAA Marine Aquaculture Policy. NOAA has a variety of proven science-based tools and strategies that can support these directives and help communities thoughtfully consider how and where to sustainably develop offshore aquaculture that will complement wild-capture fisheries, working waterfronts, and our nation's seafood processing and distribution infrastructure.

Section 7 of the E.O. directs the Secretary of Commerce to identify AOAs in consultation with the Secretary of Defense, the Secretary of the Interior, the Secretary of Agriculture, the Secretary of Homeland Security, the Administrator of the Environmental Protection Agency, other appropriate Federal officials, and appropriate Regional Fishery Management Councils, and in coordination with appropriate State and tribal governments. This includes:

1. Within 1 year of the E.O., identify at least two geographic areas containing locations suitable for commercial aquaculture;
2. Within 2 years of identifying each area, complete a NEPA PEIS for each

area to assess the impact of siting aquaculture facilities there;

3. For each of the following 4 years, identify two additional geographic areas containing locations suitable for commercial aquaculture and complete a PEIS for each within 2 years.

These geographic areas will be referred to as AOAs once the PEIS is complete. Identifying AOAs is an opportunity to use the best available science on sustainable aquaculture management, and support the "triple bottom line" of environmental, economic, and social sustainability. This approach has been refined and utilized widely within states and by other countries with robust, sustainable aquaculture sectors. The 3-year process to identify and complete a PEIS for each AOA will result in the identification of a geographic area that, through scientific analysis and public engagement, is determined to be environmentally, socially, and economically suitable for aquaculture. The areas identified as AOAs will have characteristics that are expected to be able to support multiple aquaculture farm sites of varying types, but all portions of the AOA may not be appropriate for aquaculture or for all types of aquaculture. Through spatial modeling, NOAA expects to identify areas that may support approximately three to five aquaculture operations in each of the first two AOAs. The most suitable locations for aquaculture operations within an AOA would be considered through the PEIS, and locations for individual operations would be considered during the required permitting process and associated environmental consultations.

To identify the first two geographic areas containing locations suitable for commercial aquaculture within one year of the Executive Order, NOAA will focus on Federal waters of the Gulf of Mexico and Southern California, south of Point Conception, because there is existing spatial analysis data and current industry interest in developing sustainable aquaculture operations in these regions. NOAA will further narrow those areas using a combination of spatial mapping approaches, scientific review, and public input. NOAA's National Centers for Coastal Ocean Science will use the best available data to account for key environmental, economic, social, and cultural considerations to identify areas that may support sustainable aquaculture development. NOAA will then combine those results with input from other Federal agencies, Fishery Management Councils, Marine Fisheries Commissions, states and tribes, and the general public to identify the first two

geographic areas that will be considered in more depth through the PEIS. Public input on identification of geographic areas will be gathered through this RFI; additional opportunities for input will be provided during the PEIS process for each area.

NOAA may use the information received through this RFI in the NEPA PEIS process. The information could inform the development of potential NEPA alternatives, such as different locations, different aquaculture types in each location (e.g., finfish in one location, shellfish in another location), and different configurations of farm locations and aquaculture types. NOAA expects to publish a notice of intent (NOI) to prepare a PEIS for each of the first two AOAs in the Gulf of Mexico and Southern California after identifying at least two geographic areas containing locations suitable for commercial aquaculture. Public notices announcing the NOI and announcing the availability of a draft PEIS will provide future opportunities for public comment on the first two AOAs.

NOAA is also requesting public input on what areas should be considered nationally for future AOAs. NOAA will use the information received from this RFI to help determine where to focus efforts for future AOAs. NOAA expects to continue providing opportunities for public comment until all 10 AOAs have been identified over the next 5 years.

Aquaculture operations proposed within an AOA would have the same Federal and state permitting and authorization requirements as anywhere else and would be required to comply with all applicable Federal and state laws and regulations. Site-specific environmental surveys may be required for the permitting process. Additional NEPA analysis beyond the PEIS for the AOA(s) may be necessary as a part of permitting and authorization processes for individual operations. NOAA will work with the Federal agencies responsible for permitting offshore aquaculture (e.g., the U.S. Army Corps of Engineers and the Environmental Protection Agency) throughout the AOA identification process to identify information NOAA can include in the PEIS to help inform future permitting needs.

Additional information on AOAs, including frequently asked questions, is available on NOAA's website at: <https://www.fisheries.noaa.gov/insight/aquaculture-opportunity-areas>.

Questions To Inform the Identification of the First Two AOAs, in the Gulf of Mexico and Southern California, and Locations for Future AOAs, Nationally

Through this RFI, NOAA (we) seeks written public input on the identification of the first two AOAs. NOAA announced in August 2020 that the first two AOAs would be in Federal waters (*i.e.*, U.S. Exclusive Economic Zone) of the Gulf of Mexico and Southern California; the comments received through this RFI will help us identify specific locations within those regions which we will consider in more depth through the PEIS process. There will be additional opportunities for public comment during the PEIS process.

We also seek public input on what regions of the country should be considered as we go through the process to identify two more geographic areas per year, for a total of 10 by 2025.

When providing input, please specify:

- The question number(s) you are responding to;
- Whether your comments apply to the Gulf of Mexico, Southern California, or other U.S. regions/areas; and
- Whether your comments apply to specific type(s) of offshore aquaculture (finfish, macroalgae, shellfish, or a combination of species).

Input Requested To Inform the Identification of AOAs in Federal Waters of the Gulf of Mexico and Southern California

1. With input from industry and based on previous permit applications, we have identified the water depths and maximum distances from shore (see a. and b. below) that we expect to support aquaculture within Federal waters (*i.e.*, U.S. Exclusive Economic Zone) of the Gulf of Mexico and Southern California as starting points for the process of identifying AOAs. Are there types of offshore aquaculture that these areas may or may not support, or are there other water depths and maximum distances from shore that should be considered, and why?

- a. In the Gulf of Mexico, we are looking at areas that:
 - i. Are within the depth range of 50 to 150 meters.
 - ii. Do not have a specified maximum distance from shore.
- b. In Southern California, we are looking at areas that:
 - i. Are within the depth range of 10 to 150 meters.
 - ii. Are a maximum distance of 25 nautical miles from shore.

2. Are there specific locations or habitats within Federal waters of the

Gulf of Mexico or Southern California that should be considered for AOAs? Are there specific locations that should be avoided? Please be as specific as possible and include latitude and longitude or defining landmarks. Please indicate why such areas should be considered or avoided, for example, favorable biological parameters, water quality (*e.g.*, nutrients or other constituents that might make an area favorable), proximity to infrastructure (*e.g.*, ports, processing plants, hatcheries or nurseries that could supply fingerlings for grow-out), relationship to other planned initiatives, etc.

3. Are there specific locations within Federal waters of the Gulf of Mexico or Southern California where the presence of aquaculture gear may overlap with areas utilized by protected species (*e.g.*, large whales, sea turtles, dolphins, etc.)?

4. Are there specific locations within Federal waters of the Gulf of Mexico or Southern California that should be avoided because of concerns about harmful algal blooms (HABs) or impaired water quality? Please specify whether these concerns are related to: (a) Aquaculture activities being impacted by HABs and impaired water quality, or (b) aquaculture activities contributing to HABs and impaired water quality?

5. Is there ongoing environmental, economic, or social science research that would assist in the identification and implementation of AOAs in Federal waters of the Gulf of Mexico or Southern California? If so, please describe in as much detail as is available.

6. Is there information that may not be readily available or accessible online that would be useful for AOA planning processes in Federal waters of the Gulf of Mexico and Southern California? This includes spatial data or geographic information system (GIS) layers representing environmental and socioeconomic considerations, or a point of contact for these data, for the following categories:

- Biophysical/oceanographic (wave climate, currents, bathymetry)
- Natural resources (minerals, energy resources, fishes and aquatic organisms, protected species and habitats, coral reefs, biodiversity)
- Social and cultural resources
- Government boundaries
- Industry (fishing, energy production, transportation, communication cables)
- Military
- Navigation

Input Requested To Inform the Identification of Future AOAs, Nationally

7. What regions of the country should be considered for future AOAs?

- a. New England (Maine through Connecticut)
- b. Mid-Atlantic (New York through Virginia)
- c. South Atlantic (North Carolina through east coast Florida)
- d. U.S. Caribbean (Puerto Rico and U.S. Virgin Islands)
- e. Gulf of Mexico (west coast Florida through Texas)
- f. Alaska
- g. Washington through California
- h. Hawai'i, American Samoa, Guam, the Commonwealth of the Northern Mariana Islands, and U.S. Pacific Remote Island Areas

8. Are there specific locations within those regions identified in response to #7 that should be considered for future AOAs? Please be as specific as possible and include latitude and longitude or defining landmarks. Please indicate why these areas are of interest, including favorable biological parameters, water quality (*e.g.*, nutrients or other constituents that might make an area favorable), proximity to infrastructure (*e.g.*, ports, processing plants, hatcheries or nurseries that could supply fingerlings for grow-out), relationship to other planned initiatives, etc.

9. Within those regions identified in response to #7, what resource use conflicts should we consider as we identify future AOAs? Please describe specific considerations that might make an area unfavorable, including ongoing or planned activities or ocean uses.

10. Is there ongoing environmental, economic, or social science research that would assist in the identification and implementation of future AOAs? If so, please describe in as much detail as is available.

11. We are soliciting information on siting requirements for aquaculture operations to inform spatial analysis for future AOAs. For the region(s) identified in response to #7, please provide:

- a. Minimum and maximum depth needed to operate aquaculture farms.
- b. Minimum and maximum current conditions that could impact farm operation.
- c. Minimum and maximum wave climate that could impact farm operation.
- d. Proximity to shore.

12. If states express interest in developing offshore aquaculture, should we also consider state waters as areas for future AOAs?

(Authority: E.O. 13921)

Dated: October 19, 2020.

Danielle Blacklock,

Director, Office of Aquaculture, National Marine Fisheries Service, National Oceanic and Atmospheric Administration.

[FR Doc. 2020-23487 Filed 10-22-20; 8:45 am]

BILLING CODE 3510-22-P

DEPARTMENT OF COMMERCE

Patent and Trademark Office

Agency Information Collection Activities; Submission to the Office of Management and Budget (OMB) for Review and Approval; Comments Request; Substantive Submissions Made During Prosecution of the Trademark Application

AGENCY: United States Patent and Trademark Office, Department of Commerce.

ACTION: Notice of information collection; request for comment.

SUMMARY: The United States Patent and Trademark Office (USPTO), in accordance with the Paperwork Reduction Act of 1995, invites comments on the extension and revision of an existing information collection: 0651-0054 (Substantive Submissions Made During Prosecution of the Trademark Application). The purpose of this notice is to allow 60 days for public comment preceding submission of the information collection to OMB.

DATES: To ensure consideration, comments regarding this information collection must be received on or before December 22, 2020.

ADDRESSES: Interested persons are invited to submit written comments by any of the following methods. Do not submit Confidential Business Information or otherwise sensitive or protected information.

- *Email:* InformationCollection@uspto.gov. Include "0651-0054 comment" in the subject line of the message.

- *Federal Rulemaking Portal:* <http://www.regulations.gov>.

- *Mail:* Kimberly Hardy, Office of the Chief Administrative Officer, United States Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450.

FOR FURTHER INFORMATION CONTACT:

Requests for additional information should be directed to Catherine Cain,

Attorney Advisor, United States Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450; by telephone at 571-272-8946; or by email to catherine.cain@uspto.gov with "0651-0054 comment" in the subject line. Additional information about this information collection is also available at <http://www.reginfo.gov> under "Information Collection Review."

SUPPLEMENTARY INFORMATION:

I. Abstract

The United States Patent and Trademark Office (USPTO) administers the Trademark Act, 15 U.S.C. 1051 *et seq.*, which provides for the Federal registration of trademarks, service marks, collective trademarks and service marks, collective membership marks, and certification marks. Individuals and businesses that use or intend to use such marks in commerce may file an application to register their mark with the USPTO. Such individuals and businesses may also submit various communications to the USPTO during the prosecution of an application.

This information collection covers the various communications that may be submitted by the applicant, including providing additional information needed to process a request to delete a particular filing basis from an application or to divide an application identifying multiple goods and/or services into two or more separate applications. This information collection also covers requests for a 6-month extension of time to file a statement that the mark is in use in commerce or petitions to revive an application that abandoned for failure to submit a timely response to an office action or a timely statement of use or extension request. This information collection also covers circumstances in which an applicant may expressly abandon an application by filing a written request for withdrawal of the application.

The regulations implementing the Act are set forth in 37 CFR part 2. These regulations mandate that each register entry include the mark, the goods and/or services in connection with which the mark is used, ownership information, dates of use, and certain other information. The USPTO also provides similar information concerning pending applications. The register and pending application information may be accessed by an individual or by businesses to determine the availability

of a mark. By accessing the USPTO's information, parties may reduce the possibility of initiating use of a mark previously adopted by another. The Federal trademark registration process may thereby reduce the number of filings between both litigating parties and the courts.

II. Method of Collection

Items in this information collection must be submitted via online electronic submissions. In limited circumstances, applicants may be permitted to submit the information in paper form by mail, fax, or hand delivery.

III. Data

OMB Control Number: 0651-0054.

Forms: (PTO = Patent and Trademark Office)

- PTO Form 1553 (Trademark/Service Mark Allegation of Use (Statement of Use/Amendment to Allege Use))
- PTO Form 1581 (Request for Extension of Time to File a Statement of Use)
- PTO Form 2194 (Petition to Revive Abandoned Application—Failure to Respond Timely to Office Action)
- PTO Form 2195 (Petition to Revive Abandoned Application—Failure to File Timely Statement of Use or Extension Request)
- PTO Form 2200 (Request to Delete Section 1(b) Basis, Intent to Use)
- PTO Form 2202 (Request for Express Abandonment (Withdrawal) of Application)
- PTO Form 2301 (Petition to Director)

Type of Review: Revision of a currently approved information collection.

Affected Public: Private sector; individuals or households.

Estimated Number of Respondents: 333,582 respondents per year.

Estimated Number of Responses: 333,582 responses per year.

Estimated Time per Response: The USPTO estimates that it will take the public from approximately 27 minutes (0.5 hours) to 65 minutes (1.1 hours) to complete a response, depending on the complexity of the situation. This includes the time to gather the necessary information, prepare the appropriate documents, and submit the information to the USPTO.

Estimated Total Annual Respondent Burden Hours: 208,219 hours.

Estimated Total Annual Respondent (Hourly) Cost Burden: \$83,287,600.

¹ 2019 Report of the Economic Survey, published by the Committee on Economics of Legal Practice of the American Intellectual Property Law

Association (AIPLA); <https://www.aipla.org/detail/journal-issue/2019-report-of-the-economic-survey>.

The USPTO uses the mean rate for attorneys in private firms which is \$400 per hour.



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Michael P. Luisi, Chairman | P. Weston Townsend, Vice Chairman

Christopher M. Moore, Ph.D., Executive Director

MEMORANDUM

Date: November 4, 2020
To: Chris Moore, Executive Director
From: Kiley Dancy, Staff
Subject: East Coast Climate Change Scenario Planning Initiative

NRCC Working Group Recommendations Recap

In the Spring of 2020, the NRCC formed a Scenario Planning Working Group (SPWG) to further explore the feasibility, logistics, and costs of an East Coast climate change scenario planning initiative. SPWG membership included staff from the Mid-Atlantic, New England, and South Atlantic Councils, Greater Atlantic Regional Fisheries Office, Northeast Fisheries Science Center, Atlantic States Marine Fisheries Commission, and NMFS Headquarters.

The SPWG met several times to develop recommendations to the NRCC ahead of their intercessional meeting on July 30, 2020. The working group recommendations are attached.

In summary, the SPWG recommended:

- Moving forward with an East Coast climate change scenario planning initiative.
- Appointing a core team of NRCC membership technical staff; appoint chair or chairs; determine if additional participants are desired in core team and, if so, identify process for selection.
- Contracting a facilitator for full facilitation and process support.
- Accepting The Nature Conservancy's offer to partner.
- Creating and ad hoc committee of Council/Commission members, technical staff, and scientific and industry advisors (as needed); discuss and agree on governance structure for committee.
- Conducting scoping or outreach effort to increase potential public engagement.
- Use a "two workshop model" over an 18-36 month time frame, with the first workshop consisting of scenario building and the second focused on implications and management applications.

Last NRCC Discussion

The NRCC held an intercessional meeting on July 30, 2020 to review SPWG recommendations. In general, many NRCC members were supportive of the scenario planning process and noted that it could help with climate change related governance discussions. Some members were supportive of moving ahead right away, and others needed to discuss more fully with their membership organization as part of priority setting before committing resources to this initiative. It was noted that states are going to realize funding impacts from Covid-19, and some organizations were concerned about staff and time commitments in relation to ongoing or emerging priorities.

The NRCC ultimately agreed to postpone additional discussion until their Fall 2020 meeting, to allow NRCC member organizations to discuss scenario planning in fall priority setting discussions, and for additional discussions of available resources to support the process.

Update on Funding from the Nature Conservancy

Earlier this year, the Nature Conservancy (TNC) applied for a grant from the Gordon and Betty Moore Foundation to support East Coast scenario planning efforts in partnership with the Mid-Atlantic Council and other organizations that choose to participate. The grant was recently approved, and the Atlantic States Marine Fisheries Commission has indicated that they are willing to administer these funds. These funds could cover some of the costs of this initiative such as process facilitation, meeting facilities and/or technology contracts for remote meeting platforms, potentially public invitational travel, and other miscellaneous expenditures such as printing, outreach, or scoping surveys. It is expected that the Councils, Commission, and agency personnel would have their respective participation costs paid by their organization.

Recommendations for Identifying a Core Team

The SPWG report from July contains recommendations for formation of a core team, which would be the next step in the process following the identification of participating organizations. The **SPWG recommended appointing a small core team comprised of NRCC membership technical staff** (similar to the SPWG composition), appointing a chair or chairs, and determining if additional participants on the core team are desired. The core team would be responsible for the majority of technical work and logistics behind the scenario planning process, analogous to a Plan Development Team (PDT) or Fishery Management Action Team (FMAT).

Once the core team is formed, the next steps would be for this group to work with the NRCC to outline a plan and timeline for the scenario planning process, secure a facilitator (if the NRCC is supportive of hiring a facilitator), and identify the key project objectives and questions to be addressed.

The SPWG assumed at the NRCC would be the ultimate decision-making group for scenario planning. This could be modified to include a subset of the NRCC if not all organizations participate. Consideration could also be given to adding South Atlantic representation to the relevant NRCC discussions. Another consideration for the NRCC, at this or a future meeting, is whether to adopt the SPWG recommendation to form an ad hoc committee to serve as a body of managers that would “provide a conduit for public participation, discussion, advancement of topic and issue development (analogous to any fishery management action development with the Councils or Commission).” This could provide opportunities for public and manager engagement in the process outside of planned workshops. If an ad hoc committee is formed, the NRCC should consider which group (the ad hoc committee or the NRCC) should be the ultimate decision making body for this process, and work with the core team to clearly identify what the roles and responsibilities of each group should be within the process.

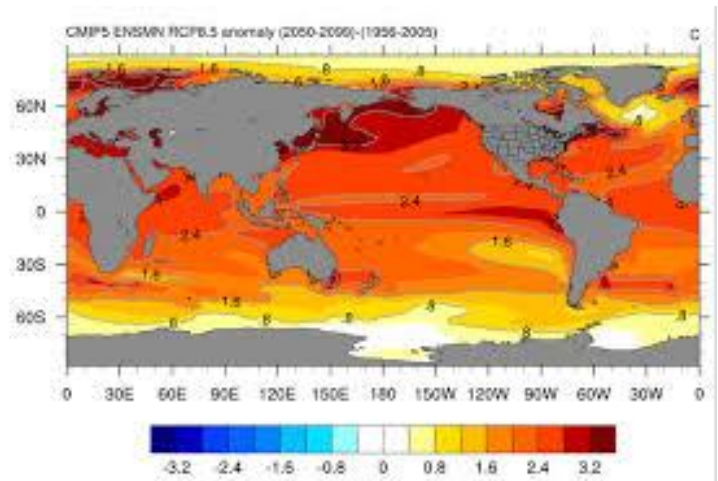
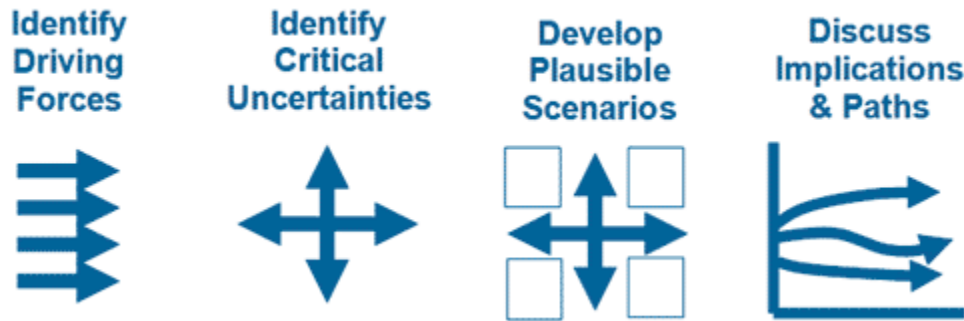
Possible Project Timeline

A general stepwise approach to a scenario planning process is outlined in the SPWG recommendation summary. A more detailed plan and timeline can be developed once it is clear which organizations are participating, and once the NRCC has formed the core team for the process. At this stage, a very tentative timeline could be considered as follows (note that this is an estimation by Mid-Atlantic Council staff and has not been discussed by the full SPWG):

- **Late 2020/Early 2021:** Core team formed, facilitator secured. Road map for scenario planning process designed by core team and participating organizations. Key questions and objectives identified by core team and NRCC.
- **Winter/Spring 2021:** Structured public input or "scoping" process to gather stakeholder input on driving forces in the fisheries and to introduce stakeholders to scenario planning.
- **Summer 2021:** Identification and description of major "driving forces" in the fisheries and preparation of materials and logistics for scenario building workshop.
- **Fall 2021:** Scenario building workshop.
- **Late 2021/Early 2022:** Refinement and ground-truthing of draft scenarios; preparation for second workshop.
- **Spring 2022:** Second workshop to identify implications and identify potential management response recommendations.
- **Fall 2022:** Reports and products from scenario planning process finalized and distributed.

Scenario Planning Working Group

Findings and Recommendations for the Northeast Region
Coordinating Council



July 30, 2020

Northeast Region Coordinating Council Intercessional Meeting

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Scenario Planning Working Group (SPWG) and Process

The SPWG is as follows:

- Toni Kerns, Atlantic States Marine Fisheries Commission
- Dr. Sean Lucey, Northeast Fisheries Science Center
- Deirdre Boelke, New England Fishery Management Council
- Dr. Wendy Morrison, NMFS Headquarters/Office of Sustainable Fisheries
- Myra Brouwer, South Atlantic Fishery Management Council
- Kiley Dancy, Mid-Atlantic Fishery Management Council
- Emily Keiley, Greater Atlantic Regional Fisheries Office
- Mike Ruccio, Greater Atlantic Regional Fisheries Office (Chair)
- Lauren Bonatakis, NOAA Knauss Marine Policy Fellowship Program

Yvonne deReynier, Pacific Regional Office, Diane Borggaard, Greater Atlantic Regional Office, and Kit Dahl, Pacific Fishery Management Council provided significant detail from their experiences with past or ongoing scenario planning efforts. Kiley Dancy provided the work and presentation she gave the Mid-Atlantic Council at its April meeting. The SPWG is indebted to them for their contributions to our research and for their suggestions of what has worked in their experiences. Jay Odell, The Nature Conservancy, joined the June 30, 2020, SPWG call to discuss potential collaboration and funding opportunities for scenario planning. Mr. Odell has been involved in several subsequent discussions about funding and potential scenario planning processes.

The SPWG approach was to develop independent options for conducting climate change scenario planning that could be assembled together in multiple configurations to address the typical five-step process involving orientation, exploration, synthesis, application, and monitoring. For each of the independent options, the SPWG sought to provide a thorough evaluation for the Northeast Region Coordinating Council (NRCC) to consider. The SPWG provides recommendations for decision points and provides some alternative options for the NRCC to contemplate. The SPWG also highlights additional considerations for the NRCC and/or areas for further discussion and clarification should scenario planning move forward.

To gain some insight about other scenario planning efforts, the SPWG compiled information on other efforts involving marine or aquatic environments. In addition, the SPWG included the New England Council's recent Atlantic herring management strategy evaluation within this information gathering exercise given many similarities in process to potential scenario planning. The information on these scenario planning and other efforts is show in Table 1, below. Evaluation of other scenario planning work provided a valuable context for thinking about scope, scale, process, and structure for a potential Atlantic coast climate change-related planning exercise. Some of the processes reviewed were very short and highly focused; others were much longer and broader in scope. However, within the differences some components were consistent across efforts. These consistencies were also useful for the SPWG during its discussions.

Table 1. Summary of Scenario Planning Efforts Evaluated by the Scenario Planning Working Group.

Area/Location	Project	Convener(s)	Approximate Project Timeline	Scenario drivers/basic scenario development	Number of Workshops	Additional development, scenario, adaptation work	Participants/type	Facilitated?	Number of Scenarios Developed	Other information
Tijuana National Estuarine Research Reserve, California	Climate change impacts on sea level rise and riverine flooding	NOAA and National Estuarine Research Reserve System Science Cooperative	2 years	Core team	2 day long, in-person	1-on-1 interviews	60	Yes	4	
Great Barrier Reef Catchment, Australia	Attempt to reverse water quality decline and realize benefits	Commonwealth Scientific and Industrial Research Organization	unknown	Core team	1	Project team interviewed experts, stakeholders	47 experts, 41 stakeholders	Yes	4	
Rhode Island Marine Fisheries	Resilient Rhode Island Fisheries	Grassroots decentralized effort	3 years	Core team	1	48 interviews	125 industry	Yes	4	2-10 hour seminars on identified topics (outreach/education prior to workshops)
Barents Sea, Norway	Impact of climate change on Barents Sea commercial fisheries	Euromarine, Norwegian Institute of Marine Research	Unknown	Core team	1 (3 days)	Perspectives developed during workshop	18 from industry, fisheries policy, NGOs, fisheries research	No	3	
Yukon Territory, Canada	Wildlife management goals in rapidly changing social-ecological system	University of Saskatchewan	1 year	Participants	3 (1-2-1 day format)		15 total, 6 to 9 per workshop session (all natural resource managers from the region)	No	4	
Apostle Islands, Wisconsin	Park preparation and impacts of climate change	National Park Service	3 months	Core team	1 day long		38 mostly from government agencies and academia	yes	4	
Gulf of Maine	Atlantic Salmon resiliency improvement during climate change	NOAA/NMFS	1 year	Core Team was 3 (NMFS HQ, NMFS GARFO, Facilitator); Participants	2 webinars, a 2-day workshop		22 Federal employees	yes	4	

Table continues below

Area/Location	Project	Convener(s)	Approximate Project Timeline	Scenario drivers/basic scenario development	Number of Workshops	Additional development, scenario, adaptation work	Participants/type	Facilitated?	Number of Scenarios Developed	Other information
Pacific Coast	Climate Change Scenario Planning for West Coast Fishing Communities in 2040	Pacific Fishery Management Council	Ongoing since October 2018	Climate and Communities Core Team (Ad hoc Council Committee)**	1 (so far)	21 factors identified that may shape fishing communities to 2040	80; mix of scientists, fishery experts, stakeholders, tribes	yes	4	The Nature Conservancy jointly sponsored 1st workshop; Additional meetings/development occurs through Council processes
Atlantic Coast	Impact of climate change on North Atlantic Right Whales	NOAA/NMFS	5 months	Core team was 4 (NMFS HQ, NMFS GARFO, NMSE SERO, Facilitator)	2 webinars, 2 multi-day workshops		32 Federal employees+ 4 core team	yes	4	
Atlantic Coast	Atlantic Herring Management Strategy Evaluation	New England Fishery Management Council	2 years	Two teams: Steering Cttee focused on big picture, process; Technical team focused on analysis and results	2		65+: Fishermen, recreational anglers, scientists, managers, NGOs	yes	N/A	Open process: Two specific MSE workshops; however, multiple Council-related meetings including PDT, AP, Committee, Council, and peer review

**The core team is an ad hoc Pacific Council committee with 10 members, plus Kit Dahl (Council staff) and Jonathan Star (facilitator). This includes 3 Council members, 5 members of ecosystem advisory groups (2 from ecosystem advisory subpanel and 3 from the ecosystem workgroup), and 2 science center staff:

Caren Braby, Oregon Department of Fish and Wildlife (Council member)
Yvonne deReynier, NOAA Fisheries West Coast Region (Ecosystem Workgroup)
Richard Lincoln (Council Member)
Tommy Moore, Northwest Indian Fish Commission (Ecosystem Workgroup)
Corey Niles, Washington Department of Fish and Wildlife (Ecosystem Workgroup)
Corey Ridings, The Ocean Conservancy (Ecosystem Advisory Subpanel)
Gway Rogers-Kirchner, The Nature Conservancy (Ecosystem Advisory Subpanel)
Jameal Samhoury, NOAA Fisheries (Northwest Fisheries Science Center)
Stephen Stohs, NOAA Fisheries, (Southwest Fisheries Science Center; HMS Management Team)
John Ugoretz, California Department of Fish and Wildlife (Council member)

Why conduct scenario planning?

Scenario planning is a tool that managers can use to test decisions or develop robust strategies in a context of uncontrollable and uncertain environmental, social, political, economic, or technical factors. In the case of the NRCC, conducting an east coast scenario planning exercise may provide an opportunity to evaluate challenging climate change related management issues in a changing ocean environment across multiple Council and Commission jurisdictions. Oteros-Rozas et al., (2015) found in a case study of 23 scenario planning efforts that the processes enhanced stakeholder engagement, provided diversity and equity in decision making, fostered creativity and social innovations from stakeholders.

Difficult governance decisions are necessary complex environmental factors influence things like productivity and stock distribution. Scenario planning can be a useful tool in not only exploring and describing multiple plausible futures, but also to advance discussion or inform potential governance structure when scenarios are realized. Scenario planning can consider broader forces in the world such as societal change, climate and environmental change, and changes in the policy and legal environment, and considers how these drivers that are outside of the organization's control may affect organizational priorities. Scenario planning forces participants to explore their underlying assumptions and perceptions about the range of possible future conditions. It reduces the tendency for managers to become overconfident in their expectations of future conditions, too focused on a limited view of the future, or paralyzed by uncertainty. Scenario planning provides a way to organize complex information about changing conditions and stimulates creative and innovative thinking about how to prepare for change.

It provides space for out of the box thinking, disconnected from the normal regulatory processes where participants can develop different future states and the tools and processes necessary to respond to those states. It has substantial utility in providing space to view problems from different perspectives and discuss novel solutions and reach compromises. Such an exercise could prove valuable for informing management and research needs, provide for proactive thinking and planning, and identify plausible future actions in a context that allows all groups involved to be well positioned to be collectively ahead of the curve instead of merely reacting to new and dynamic information as it occurs. Moreover, it provides an opportunity to explore not one but many plausible futures, further allowing managers to understand the limitations of current systems that may not be nimble enough to respond to change. Managers can use the resulting scenarios to prioritize near-term actions that are likely to be beneficial under a range of future conditions and by planning to avoid actions that may reduce flexibility or increase the difficulty of adapting to future conditions. It can also provide insights into data gaps and monitoring needs for changing conditions.

However, there is a cost to such work. Ideally, all the NRCC member organizations would have staff involved, should a broad east coast scenario planning process move forward. Conducting scenario planning will require time and commitment of resources that will compete directly with other ongoing or planned activities within NRCC member portfolios. There may be actual costs pending decisions on facilitation, meetings, and process but the greatest cost comes in the form of time and process investment. Moreover, it is not a panacea; issues that arise in scenario planning will still require managers to make difficult decisions, and potential actions that span multiple Atlantic fishery management jurisdictions. Scenario planning can help inform these decisions or potentially even outline the management and governance responses, depending how the process is conducted.

NRCC Decision Points

From this point forward in the document, the SPWG has identified decision points for the NRCC nested within specific sections/topics. For each decision point, additional information is provided within each section to identify, to the extent possible, critical components of the topic that should provide context to discuss pros and cons. Additional discussion is provided under each sub-heading.

Phase 1: Pre-planning

The National Park Service’s five-step process for scenario planning (National Park Service, 2013) may not fit precisely for the NRCC, given that the discussion is exploratory in nature and while the topic has been generally identified, the process details have not yet been decided. To accommodate this, the SPWG has developed a series of “pre-planning” decisions that the NRCC should consider. The pre-planning phase could be iterative pending the outcome of the NRCC’s July 30, 2020, intercessional meeting. The SPWG recognizes there are several potential outcomes from the intercessional that range from immediate initiation of a scenario planning exercise to deferring any decisions until a subsequent NRCC meeting and/or further consideration of scenario planning in each respective member’s annual planning and prioritization processes. The SPWG has attempted to present information in a manner that can accommodate any and all of these potential outcomes; however, readers are cautioned to bear in mind that the pre-work phase structure is necessarily very broad in description to accommodate these potential outcomes.

In the *Scenario Planning Handbook* (National Park Service, 2013), substantial emphasis is given to clearly establishing goals of scenario planning projects. Beyond this, the *Handbook* also stresses that scenario thinking can be put into practice in many ways, so the NRCC should bear in mind that scenario planning can be adapted and modified, as needed, to fit goals and needs. There is not ‘right’ approach in this regard.

Table 2. Potential NRCC Climate Change Scenario planning process based loosely on the steps described in NPS (2013)

	Goal	Steps	Outcomes/Products	Who/What
Phase 1: Pre-Planning	Decide on important structural, participation, and process components for project.	<ul style="list-style-type: none"> Investigation of scenario planning options by Scenario Planning SPWG (SPWG) SPWG provides decision matrix and recommendations to NRCC Determine basic structure of process (use of a core team, what organizations are involved, etc.) Outline next steps, including responsible group(s) 	<ul style="list-style-type: none"> Road map identifying how NRCC’s scenario planning exercise will be conducted including identification of participants, process, and other resources needed for effort 	<ul style="list-style-type: none"> Ideas presented by SPWG (July 2020) NRCC provides feedback on decision matrix and guidance on possible additional exploration

Table continues

Phase 2: Orientation	Set up project for success	<ul style="list-style-type: none"> Establish guidance team construct Establish ad hoc Committee (if used for process) <ul style="list-style-type: none"> Develop and execute facilitation contract Establish process, purpose, and scope of project <ul style="list-style-type: none"> Determine type of desired outcomes Specify focal issue (strategic challenge) to explore 	<ul style="list-style-type: none"> Decision on partnership with The Nature Conservancy <ul style="list-style-type: none"> Hire outside scenario planning expert/facilitator An understanding of the purpose, desired outcomes, focal issue, and scope of project <ul style="list-style-type: none"> Establishment of core team 	<ul style="list-style-type: none"> NRCC gives green light to move forward Guidance team with input from NRCC (others) and initiates project.
Phase 3: Scoping	Gain wide-perspectives of input on focal issue	<ul style="list-style-type: none"> Work with core team and facilitator to conduct structured outreach 	<ul style="list-style-type: none"> Synthesize public and stakeholder input for further use in process Introduce stakeholders to scenario planning and potential application in this context 	<ul style="list-style-type: none"> Core team, facilitator, interested stakeholders and public
Phase 4: Exploration	Identify and analyze drivers, variables, trends, and uncertainties	<ul style="list-style-type: none"> Identify drivers, variables, and uncertainties from interviews with experts, core team, public input results Identify potential impacts 	<ul style="list-style-type: none"> Tables, conceptual models, charts, graphics, or maps that capture drivers, variables, or uncertainties 	<ul style="list-style-type: none"> Core team, facilitator
Phase 5: Synthesize & Create Scenarios	Produce small number of scenarios using critical drivers and potential impacts identified in Phase 4	<ul style="list-style-type: none"> Determine critical uncertainties with large impact on focal issue Build scenario frameworks and choose scenarios Develop scenario narratives Review scenarios for plausibility 	<ul style="list-style-type: none"> 3-5 plausible, relevant, challenging and divergent scenarios using critical uncertainties to inform, inspire and test actions/strategies 	<ul style="list-style-type: none"> Core team works with input from NRCC, others. Possible workshop to create scenarios
Phase 6: Implementation or application	Answer "So what?" questions: What are the impacts of these plausible futures? What can we do about it?	<ul style="list-style-type: none"> Identify scenario implications Develop, test and prioritize management actions Use scenarios to inform management strategies 	<ul style="list-style-type: none"> List of actions, strategies, or areas for additional research based on discussions initiated by scenarios 	<ul style="list-style-type: none"> Core team works with input from NRCC, others. Workshop to understand management implications
Phase 7: Monitoring	Identify important indicators (trigger points) that can signal changes in the environment as future unfolds	<ul style="list-style-type: none"> Select indicators to monitor Monitor environment changes 	<ul style="list-style-type: none"> List of indicators and early warning signals for continued research and monitoring <ul style="list-style-type: none"> A monitoring strategy 	<ul style="list-style-type: none"> Core team works with input from NRCC, others

Pre-planning decision points

The SPWG assumed that the NRCC would be the ultimate decision-making group for scenario planning. The document has been structured around that assumption. However, as outlined in the potential pre-planning diagram above, it is possible that individual organizations may also be part of the overall scenario planning decision process. Furthermore, should some but not all of the NRCC elect to participate in a scenario planning exercise, these recommendations could be modified to be used by those groups that do elect to develop scenario planning.

In the pre-planning phase, the SPWG identified the following decision points and is providing the following recommendations for each.

Table 3. NRCC Scenario Planning Decision Matrix and Working Group Recommendations. The Cost row associated with each topic is the relative cost to participating groups.

Topic								SPWG Recommendation
Technical Development and Planning Oversight Structure	Options	1. Core Team	2. Core Team Plus	3. Ad Hoc Committee	4. Rely on Facilitator	5. Fold into existing Council and Commission Structures	6. Hybrid of several options	1. Core Team
	Description	Appoint a topic-specific Core Team comprised of NRCC member group technical staff and others, as desired by NRCC (similar to SPWG)	Individuals that would staff a PDT or FMAT-type structure and/or identify staff lead(s) to handle core team functions; add Council or Commission member(s) as Chair or co-chairs	Develop an ad hoc committee that is a mix of technical staff, Council/Commission members, SSC, Advisory Panel	No specific group constructed beyond points-of-contact to work with facilitator (necessitates using external facilitator)	Existing groups (e.g., Ecosystem or Ecosystem/Ocean Planning Committees with technical staff) could be used	Potentially reporting to someone or structure (i.e., Core Team reporting to Committees or NRCC?)	Appoint core team of NRCC membership technical staff; appoint chair or chairs; determine if additional participants are desired in core team and, if so, identify process for selection
	Cost	\$	\$	\$\$	\$\$\$	\$\$		
Facilitation	Options	1. Full facilitation and process support	2. Facilitated workshops plus limited additional planning assistance	3. Facilitated workshop only	4. No facilitation			1. Full facilitation and process support
	Description	Hire a professional facilitation with expertise in scenario planning to assist in all phases of the process, meeting logistics, surveys (if used), etc.	Hire a professional with expertise in scenario planning but structure contract to limit assistance to specific components of the process (e.g., help with specific orientation component and facilitate workshops)	Self-explanatory: Facilitator would only conduct workshop(s); remainder of work would be handled by core team	Self-explanatory: No facilitator would be involved in the process; work would be handled by core team and/or other identified groups			Involve a professional with expertise in both scenario planning and facilitation
	Cost	\$\$\$\$	\$\$\$	\$\$	\$			

Table continues below

Scenario Development Process and Public Participation	Options	1. Technical Staff Only	2. Technical Staff + Council/Commission/NMFS Appointees		3. Ad Hoc Committee	4. Full Council Committees + Commission Group	3. Ad Hoc Committee
	Description	Small appointed working group of existing technical staff. Could be as small as 5 or as large as desired	Expanded group that includes technical staff and additional appointees from all NRCC groups	Develop a formal ad hoc committee that is a mix of technical staff, Council/Commission members, Scientific and Industry Advisors	Fold into existing standing committees and groups (e.g., Ecosystem or Ecosystem and Ocean Planning Committee)		Create and ad hoc committee of Council/Commission members, technical staff, and scientific and industry advisors (as needed); discuss and agree on governance structure for committee. Conduct scoping or outreach effort to increase potential public engagement
	Cost	\$	\$	\$\$	\$\$		
Funding	Options	1. No specific funding identified	2. Outside contribution (e.g., TNC)	3. Identify specific funds or grants			2. Outside contribution
	Description	Existing Council and Commission grants that pay salary, travel, reimbursements would be used; NMFS staff would use existing appropriated Federal funds	Reliance on significant external funding source(s) to satisfy much of the contractual costs (e.g., meeting space, facilitation, potentially interviews, report writing)	NOAA Climate Initiative, MSA Funds RFP,			Accept TNC's offer to collaborate and make use of external grant money alongside use of existing Council/Commission/Agency resources, as needed
	Cost	\$\$\$	\$		TBD		
Timeline	Options	1. Single workshop: 12-24 months	2. Two workshops: 18-36 months	Sub-option A: Immediate initiation of project	Sub-option B: Additional pre-work; initiate after Fall NRCC discussion	Sub-option C: Initiate after Council and Commission fall priority setting discussions	2. Two workshops; 18-36 months
	Description	See <i>Scenario Planning Handbook</i> for details	See <i>Scenario Planning Handbook</i> for details	These are really at the NRCC's discretion and comfort with the potential project.			Scenario planning will occur alongside additional work, some with higher priority, using a two workshop, longer format, may better ensure a robust but manageable process occurs
	Cost	\$\$	\$\$\$				

Technical Development Process and Oversight

The SPWG recommends the NRCC adopt and appoint a core team to conduct the majority of the work and logistics behind a scenario planning process. This would be very analogous to using a plan development team (PDT) or a fishery management action team (FMAT) in planning and developing a fishery management action. Simply substitute “scenario planning” for “fishery management action”. The core team would develop documents, analyses, and conduct meeting logistics and planning.

In evaluating other scenario planning efforts and similar large-scale efforts such as the Atlantic herring management strategy evaluation process, the SPWG notes that use of a core team has been a consistent approach. This is with good reason. The majority of core teams have been a mix of technical subject matter experts, facilitators, and/or constituents with vested interests and specific knowledge of the issue being evaluated. As such, these individuals are well equipped to provide the mix of technical information, conduct planning, and develop information necessary to conduct a robust scenario planning process that resonates with stakeholders, the public, and policymakers. The core team will be involved with every phase and nearly every aspect of planning, development, synthesis, reporting, implementation, and monitoring.

The NRCC should discuss if the core team should be vetted through participating organizations or if the appointment process should occur through normal NRCC proceedings.

Additional important discussion components for the NRCC to consider for the core team are size and composition. In table 1, the size of core teams has varied from 3 in the Atlantic salmon process to an ad hoc committee of 12 in the Pacific Council’s comprehensive scenario planning process.

The SPWG preferred approach is a smaller core team with technical staff from each organization with or without participation of a professional facilitator (facilitation is discussed in the next section). This may still be seven individuals if appointees include the three Councils, Commission, Regional Offices, and Science Centers and a facilitator. This is very similar to the composition of the SPWG.

Finally, regardless of what core team structure is adopted, the NRCC or individual organizations should discuss governance, public participation, meeting notice and other practical logistical items. For example, it would be good to clarify if the core team reports to the NRCC, Councils/Commissions, standing committees, etc.

Facilitation

The SPWG recommends that a professional facilitator with experience in scenario planning be hired and participate in as much of the scenario planning process as is possible given available budget. The facilitator will interface frequently with the core team.

While capacity to lead scenario planning is being developed “in house”, the SPWG noted that such development is in early days for Agency and Council staff. Given the potential scope and scale for this project, a more comprehensive process and outcome is likely if a professional facilitator is involved with the planning and execution of the process, inclusive of workshops. The SPWG recognizes that this effort may delve into stakeholder values that may be emotionally charged. Facilitation helps ensure that each value is articulated, acknowledged, and used in deliberation or alternative comparisons. In addition, when the scenario planning process is poorly implemented it can have lasting negative impacts beyond the scope of the project. A trained facilitator can help ensure positive stakeholder engagement in the process.

Alternatively, if overall funding is constraining, the SPWG recommends that a facilitator be involved with workshop planning and execution. Any components of the process that a facilitator is not available, the SPWG assumes that responsibility would fall to whatever core team construct is used.

Process and Structure for Stakeholder Participation

The SPWG recommends that an ad hoc committee be formed by the NRCC membership to conduct the scenario planning process. This would be analogous to the ad hoc committee created for things like the Standard Bycatch Reporting Methodology (SBRM). SBRM was a cross-jurisdiction issue involving both the New England and Mid-Atlantic Councils. An ad hoc committee for scenario planning would provide a conduit for public participation, discussion, advancement of topic and issue development (analogous to any fishery management action development with the Councils or Commission). The ad hoc committee would interface with the core team and facilitator to give direction and feedback, including that obtained from public participation and comment.

The SPWG discussed that ‘process’ is a very wide description for the general overall approach on how engagement and development in scenario planning may occur. To be clear, the core team and/or a facilitator may provide substantial input or may unilaterally develop the process that occurs in phases 2-7 of table 2. A preliminary discussion of process options is presented for the NRCC to review and discuss as any preferences or other guidance would be informative moving forward.

Much like the discussion for core team, the NRCC or individual member organizations should discuss and identify what the committee membership should be. The SPWG discussed that existing ecosystem and ocean planning committee chairs may be a good fit along with technical staff, agency appointees, and potential inclusion of advisors or scientific/technical committee members. A chair or rotating chair along with co-chair(s) should be established if this model is selected.

For contrast, the process used for Atlantic salmon and North Atlantic right whale scenario planning was much smaller, and much less representative of the NRCC membership. The process for these scenarios was conducted entirely by Federal employees (regional office, headquarters, and science center staff). While there would be potential transparency issues, a smaller group or subset of member organizations could be used to conduct the scenario planning process. Consultation with a facilitator may be informative on optimal size of process-related meeting groups.

Regardless of what type of process is used, the SPWG discussed the importance of engagement with the public, and providing opportunities for participation. Participation could occur through the ad hoc committee process; one that the SPWG would envision may result in providing updates to the full Councils and Commission for further public discussion.

Important opportunities for public participation can also occur in scoping, exploration, and synthesis. There may be value in engaging stakeholders above and beyond the ad hoc committee process or in a more focused way than a general committee meeting format. The SPWG also recommends some type of scoping or outreach process to gather public input that would inform process, and the exploration and synthesis phases that feed into workshops. Again, a facilitator may have suggestions on process, inclusion, or ways to gather input. Research into the scenario planning process has found that high levels of public participation, while resource intensive, can improve results (Oteros-Rozas et al. 2015). For example, they found the quality of the scenarios and subsequent management advice were improved when the process included knowledge and information from a diversity of stakeholders. They also noted that stakeholder acceptance of the policy changes can be increased when stakeholders provide input into the scenarios and scenario planning process. Thus, the SPWG

recommends strong consideration of when and how stakeholders are involved in and contribute to any scenario planning project.

Funding

The SPWG recommends the NRCC accept The Nature Conservancy's (TNC) offer to partner in conducting scenario planning. TNC is in the process of securing a substantial grant to conduct scenario planning. It is clear that there are some potential complications in having an outside grant potentially provide funding for travel, per diem, and other expenditures normally covered by Council grants or appropriated budgets for Agency staff. Unless a third party can be involved to make use of this grant funding and such an approach is deemed acceptable by NOAA General Counsel, it is expected Council, Commission, and agency personnel would have their respective participation costs paid by their organization. The TNC grant could be used to pay for facilitation, meeting facilities or technology contracts for remote meeting platforms, potentially public invitational travel, and other miscellaneous expenditures such as printing, outreach, or scoping surveys.

Absent collaborating with TNC, no additional specific funding opportunities were identified by the SPWG. There is the potential for NOAA Climate Planning Initiative funding to materialize and there are non-specific climate-specific grant funding opportunities that arise from time to time. However, at the time of the SPWG evaluation, there were no specific avenues to pursue with these types of opportunities.

The only other viable funding would then be execution of scenario planning within existing Council and Commission funding along with existing agency funding.

Timeline

The SPWG recommend that the NRCC endorse a two-workshop model. The remaining components of timeline depend wholly on when the NRCC may choose to initiate phases 2 through 7 (table 2). The process could be initiated this summer. Alternatively, if the NRCC needs additional information, time to deliberate, or even a delay for each member organization to consider scenario planning in individual priority-setting processes, the start of the timeline could be delayed until spring 2021.

As for the duration of the project, the SPWG believes the core team and/or facilitator can provide a more robust estimate of such a timeline once the process has been initiated. It would be valuable if the NRCC has any particular guidance on timing. For example, if the desire is to complete the process within a year of initiating the project, etc.

The most common construction for scenario planning consists of one or two workshops in conjunction with the lead time (6-8 weeks) for establishing the project and issue exploration, a period of scenario research, refinement, and validation (6-8 weeks) followed by ongoing scenario deliverables, implementation, and monitoring. At a minimum, in a single workshop process, the *Scenario Planning Handbook* (National Park Service, 2013) outlines a 16-week process. This provides a general overview of a highly focused one workshop scenario planning effort. Evaluation of other scenario planning efforts (Table 1) ranged from 3 months to 3 years.

Literature cited

National Park Service, 2013. *Using Scenarios to Explore Climate Change: A Handbook for Practitioners*. National Park Service Climate Change Response Program. Fort Collins, Colorado.

Oteros-Rozas et al. 2015. Participatory scenario planning in place-based social-ecological research: insights and experience from 23 case studies. *Ecology and Society* 20(4): 32.

Recommendations for 2021 Management Track Stock Assessments to Address Data Gaps in 2020 Caused by COVID

NEFSC/GARFO Evaluation

- Identified data gaps that affect each stock, along with additional information like terminal year of the last assessment, current F and B status, recent trends and variability, etc.
- Considered impacts of incorporating 2020 data into analytical assessments
- Considered scientific value of updating assessments (i.e., confidence in results), management value/importance, and any scientific or other constraints

Data gaps and unbalanced data due to COVID impacts

- NEFSC Spring and Autumn bottom trawl surveys, which are integral to most index and analytic stock assessments, were not conducted in 2020
- Many state and university surveys, particularly those scheduled in Spring 2020, were also not conducted
- Observer data were collected at three very different levels (normal, none, low) across the year resulting in difficulty estimating discards for many species in 2020
- 2020 MRIP data are incomplete due to cessation of dockside sampling for part of the year, and this varies by state
- There was an influx of new dealer permits as harvesters applied for and received dealer permits; this will have an unknown impact on landings estimates
- Biological sampling data collection was inconsistent with variable levels of sampling
- Important to note that data gaps vary across data types, resulting in unbalanced data

Scientific implications for assessments

- Missing data will result in a high degree of uncertainty in 2020 terminal year estimates for most stock assessments and the inability to update index based assessments
- Further, the unbalanced nature of the data in 2020 can have strong effects on assessment models, as the model tries to fit the available data without being “counter balanced” by other, missing data (e.g., will fit the catch very closely without survey data)
- If 2020 data are included as the terminal year, those data would have a strong influence, amplifying the challenges with uncertainty and unbalanced data effects

Recommendation for 2021 management track assessments

Given the missing and unbalanced 2020 data, and scientific impacts on assessments, we recommend using 2019 as the terminal year for data for any management track assessments conducted in 2021

Stock by stock considerations

- Terminal year of data from prior assessment - presuming that 2019 will be the terminal year of data for 2021 management track assessments, we considered the value of updating the assessment based on how many years of data would be added to what was considered in the last assessment

- Stock trends, stability, status - general consideration of the importance of updating the assessment given stock status, trends, variability, etc.; basically qualitative evaluation of the risk of setting specs without updating the assessment
- Management needs - considered any urgent management needs that may require an updated assessment
- Generally speaking, we recommend updating the assessment if the update would add multiple years of new data.
- If the assessment would only add one year of data (true for all stocks on 2 year cycles, whose last assessment terminal year was 2018), then the value of updating was considered low - but, in some cases, we felt there may be value in updating even with just one year of data

Stock by stock recommendations (roughly in order of priority to conduct assessment)

Stock	Recommend 2021 assessment	Rationale
Mackerel	YES	Adding 3 years of data; delayed from last year
Summer flounder	YES	Adding 2 years of data
Golden tilefish	YES	Adding 3 years of data
All stocks below would be adding 1 year of data (or less)		
Cod - EGB (TRAC)	yes	TRAC reviewing new assessment/catch advice approaches in 2020 (cod = DLM tool, yellowtail = multiyear approach) - regardless of new data
Yellowtail - GB (TRAC)	yes	
Bluefish	yes	Both newly overfished and starting rebuilding plans with stopgap specs for 2020
White Hake	yes	
Scallops (area allocation model)	yes	Area management analyses to continue each fall (incl 2021)
Scallops (status determination model)	change*	*Propose skipping fall 2021 assessment and shifting to 2-year schedule for a spring assessment starting in 2022
Striped bass	maybe*	*ASMFC-led, need to consult
Cod - GOM	maybe	Poor status and economic impacts (limiting

Witch Flounder	maybe	catch of other stocks); adding a year of data unlikely to substantially alter management actions, but may be economic rationale
Cod - GB	maybe	Stable at low abundance (poor status), lower economic value; adding a year of data unlikely to substantially alter management actions
Yellowtail - SNE/MA	maybe	
Haddock- EGB (TRAC)	maybe	Haddock research track in 2021 - likely will already incorporate 2019 data, but may be some value in conducting follow-on management track assessments
Haddock-GB	maybe	
Haddock - GOM	maybe	
Pollock	maybe	Good status; not limiting other stocks
Scup	maybe	Good status; not limiting other stocks
Black sea bass	maybe	Good status; not limiting other stocks; research track in 2022
Yellowtail - CC/GOM	NO	VPA needs missing spring 2020 survey index for anchor
American plaice	NO	VPA needs missing spring 2020 survey index for anchor; research track in 2022
Skates	NO	Already updated with 2019 data

Capacity concerns/comments

- NEFSC would like to focus a significant portion of assessment staff time in 2021 on developing/testing approaches to: (a) incorporating 2020 landings data in projections for 2021 assessments, and (b) “bridging” the 2020 data gap in future 2022 assessments (for which we assume we’ll have 2021 data)
- In order to accommodate that additional work with existing, limited staff capacity, NEFSC recommends that half or less of the “maybe” assessments above be conducted in 2021, and only if those assessments have strong management rationales
- NEFSC also recommends encouraging Level 1 assessments where possible



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John F. Quinn, J.D., Ph.D., *Chairman* | Thomas A. Nies, *Executive Director*

October 30, 2020

Dr. Jonathan Hare
Science and Research Director
Northeast Fisheries Science Center
166 Water Street
Woods Hole, MA 02543

Dear Jon:

I am writing to raise issues with the current focus, timing, and frequency of the Atlantic sea scallop management track assessments. As described in the *Description of the New England and Mid-Atlantic Stock Assessment Process*, “Management track assessments are designed to provide routine, scheduled, updated advice to directly inform management actions.” I believe we should revise the current process for sea scallops so that it better meets manager’s needs.

Atlantic sea scallops are unique among stocks managed by our Council in that in recent years, the Council updates catch advice annually. This practice is likely to continue for the near future given the value and importance of this fishery, the annual availability of new survey information, and the rotational management system that is used. That is the reason we adopted an annual management track assessment for sea scallops. Unfortunately, I do not believe the Council was clear on what we thought that meant: an annual assessment that would support the development of catch advice. As a result, we are getting an annual management track assessment that is not particularly useful.

Sea scallops are also unique in that the stock assessment models used to determine stock status are not directly used as the basis for catch advice. Instead, the catch-at-size-assessment (CASA) model and the stochastic yield model (SYM) are used to develop reference points and determine stock status. To develop catch advice, the Council’s Scallop Plan Development Team (PDT) uses the scallop area management simulator (SAMS), a forward projection model that is initiated using the current year’s survey data. The Council uses SAMS outputs to set the OFL and ABC and evaluate spatial management scenarios and allocations for upcoming fishing years. While at one time the SAMS inputs were “conditioned” using the CASA model, that no longer occurs. In addition to annual catch advice, the SAMS also provides scientists and managers a clear signal of the health of the sea scallop population.

Of the three models used in scallop management, the Council relies most on SAMS to recommend appropriate catch advice; however, the focus of the management track updates is on CASA and SYM. We do not need an annual stock status determination for scallops – even stocks in a rebuilding program are only required to have their status determined every two years. In lieu of

devoting resources to annual updates of the CASA and SYM models, we need to identify a way to give SAMS the resources and attention it warrants, including a periodic review of its performance. One option would be to include reviews of the SAMS in the management track cycle, but with terms of reference that are tailored to this model. Another would be to review and update SAMS outside the NRCC assessment program.

Whatever model is reviewed, holding the scallop management track assessment in the fall presents substantial logistical challenges for completing annual specifications in a timely manner. A fall management track assessment interferes with development of specifications and can delay implementation of new allocations beyond the start of the scallop fishing year on April 1. Updating CASA and SYM can delay the PDT’s ability to review surveys and run SAMS in a timely manner. Holding management track assessments in June would still align with the Council’s specifications setting process and would cause fewer conflicts with the work of NEFSC stock assessment scientists.

In light of these issues, as a starting point for discussion I offer the following schedule of management and research track assessments for Atlantic sea scallops from 2021 - 2025. This schedule suggests one approach for addressing SAMS, but there may be other options. Please note that the PDT would still be using SAMS each year to develop catch advice that would be presented to the Scientific and Statistical Committee for review.

	NRCC Planned	NEFMC Proposed
2021	September - Management Track (CASA/SYM)	
2022	September - Management Track (CASA/SYM)	June - Management Track (SAMS)
2023	September - Management Track (CASA/SYMS)	
2024	March - Research Track (CASA/SYMS) September - Management Track (CASA/SYMS)	March - Research Track (CASA/SYMS/SAMS)
2025	September - Management Track (CASA/SYMS)	

In closing, I believe we can improve the assessment cycle for scallops while reducing the workload for NEFSC scientists and focusing on the projection model used to catch advice. We look forward to working with you on these issues.

Sincerely,



Thomas A. Nies
Executive Director

cc: Mr. Michael Pentony, GARFO
Dr. Chris Moore, MAFMC
Mr. Bob Beal, ASMFC

2020 SPRING NRCC MEETING SUMMARY

Webinar
May 14, 2020

Attendees

Atlantic States Marine Fisheries Commission (ASMFC)

Patrick Keliher, Chair

Bob Beal, Executive Director

Toni Kerns, Interstate Fishery Management Program Director

Patrick Campfield, Fisheries Science Program Director

Mid-Atlantic Fishery Management Council (MAFMC)

Mike Luisi, Chair

Dr. Chris Moore, Executive Director

Brandon Muffley, Staff

Dr. Paul Rago, Chair, Scientific and Statistical Committee (SSC)

New England Fishery Management Council (NEFMC)

Dr. John Quinn, Chair

Eric Reid, Vice-Chair

Tom Nies, Executive Director

Chris Kellogg, Deputy Director

Dr. Jason McNamee, Chair, SSC

NOAA Fisheries Northeast Fisheries Science Center (NEFSC)

Dr. Jon Hare, Science and Research Director

Dr. Michael Simpkins, Chief, Resource Evaluation and Assessment Division

Dr. Russell Brown, Chief, Population Dynamics Branch

NOAA Fisheries Greater Atlantic Regional Fisheries Office (GARFO)

Mike Pentony, Regional Administrator

Sarah Bland, Assistant Regional Administrator for Sustainable Fisheries

Liz Sullivan, Sustainable Fisheries Division (NRCC staff support)

Kyle Molton, Sustainable Fisheries Division (NRCC staff support)

Dave Gouveia, Assistant Regional Administrator for Analysis and Program Support

Guest Presenters

Mike Ruccio, GARFO

Moira Kelly, GARFO

Amanda McCarty, NEFSC Fishery Monitoring and Research Division Chief

Additional Attendees

Dr. Jamie Cournane, NEFMC Staff

Jonathon Peros, NEFMC Staff

José Montañez, MAFMC Staff

Holly McBride, NEFSC Staff

Public Attendees

None

Note: NRCC decisions and action items that resulted from this meeting are in bold for ease of reference.

1. Shared GARFO-NEFSC Catch Accounting and Monitoring System project (CAMS)

Mr. Dave Gouveia provided an update on CAMS, which will provide a single comprehensive source for all commercial catch (landings and discards) for quota monitoring, stock assessments, protected resources estimation, ecosystem modeling, and other needs of GARFO and NEFSC in a fully documented relational database with appropriate user views and tables. The presentation outlined the primary objectives; project implementation, milestones, and deadlines; and challenges and solutions to meeting deadlines.

Mr. Tom Nies asked about keeping data consistent, as well as having written decision rules. Mr. Gouveia noted that they are contracting a technical writer for the project to document the relational databases, binning rules, etc. GARFO and the NEFSC will work in close coordination to ensure data consistency for both office's responsibilities. The intent is to document how CAMS supports the NEFSC for stock assessment purposes and GARFO for its quota monitoring responsibilities, as well as the relationship between these two functions. One of the major components of CAMS will be to expand DMIS, the current process used to monitor commercial catch and discards for quota monitoring purposes, will be expanded to also support the stock assessment process, thus replacing the AA Tables currently used for stock assessments. Mr. Nies asked if DMIS had been documented and vetted like the AA Tables process had been. Mr. Gouveia noted that DMIS was documented and vetted through NEFSC, but the documentation was not finalized as work began on CAMS. CAMS will be documented and vetted although Mr. Nies pointed out that there are other uses beyond the GARFO and NEFSC and that the vetting process should be beyond the Center's documentation process. Mr. Gouveia also noted that while ACCSP is involved, these are mostly federal (i.e., GARFO and NEFSC) data, and so ACCSP involvement is somewhat limited to datasets that support state only landings data needed for stock assessments and our coordinated efforts on dealer data.

Dr. Chris Moore asked about a disconnect between bluefish landings generated from ACCSP data and the bluefish landings generated from GARFO/NEFSC data, and expressed a need for the landings discrepancy to be reconciled. Mr. Gouveia noted that because of the complexities of the respective data sets these types of discrepancies extend beyond bluefish. To help remedy this issue, he stated that through the CAMS development process they are also contracting a state data coordinator to work exclusively with ACCSP on state data coordination issues between ACCSP, NEFSC and GARFO. With respect to the specific bluefish issue, Dr. Jon Hare indicated that he would follow up with the appropriate biologist.

2. Fisheries Dependent Data Initiative

Mr. Dave Gouveia and Ms. Amanda McCarty provided updates on Fishery Dependent Data Initiative (FDDI).

Regulatory Team (GARFO-led):

- Focus on eVTR, to support policy, implementation, and outreach to support transition to eVTR. They are developing and better documenting eVTR API to assist developers, etc.
- One-stop reporting (OSR). The OSR project is intended to develop the technical specifications of an eVTR system that will enable fishing vessel operators to submit a single eVTR form which will satisfy the reporting requirements of all the affected fishing management authorities along the East Coast (SERO, SEFSC, HMS, GARFO, and states) as well as other invested programs (e.g., cooperative research, electronic monitoring). The OSR team will host a series of virtual meetings attended by subject matter experts. The first series of meetings will serve to capture the various program requirements of all affected vessel data collection programs. The second series of meetings will serve to identify the technical solutions required to support the comprehensive program requirements and that will serve as the basis for the OSR Technical Specifications. GARFO is continuing communications with other regions and project investigators relative to these meetings to minimize delays caused by COVID-19 pandemic and will continue collaborations with ACCSP, HMS, SERO, SEFSC to develop valid codes to be used by ACCSP's eTrips eVTR application by dual-permitted vessels (precursor to one-stop reporting).
- Support Maine DMR eVTR development to ensure seamless data, compatibility, etc.
- Outreach and education are critical, especially for party/charter fleet.
- Other projects include CAMS, CFDEERS.

Technical Team (Center-led):

- Major upgrade of Pre-Trip Notification System (PTNS) interface and tools rolled out late March. PTNS is now collecting pre-trip information not solely related to observer deployment. This transition will allow the system to better support FDDI. Upgraded to support the Atlantic herring notification requirements.
- Working on eVTR and PTNS integration.
- Modernizing documentation.
- Developing vision/road map that can be shared more broadly, with a 5 year horizon.
- Some delays due to COVID, but continue to roll out priority projects.

Dr. Moore asked about the timeline for “one-stop reporting”. Mr. Gouveia noted that the goal is to have the one-stop reporting initiative completed simultaneously with the omnibus framework action proposed by the Mid-Atlantic and New England Fishery Management Councils, which if approved, would require commercially permitted vessels in both New England and mid-Atlantic regions to submit electronic vessel trip reports (eVTR) rather than the traditional paper VTR submission. He noted industry’s desire for a one-stop functionality for eVTR applications during the rules development and explained the need to develop specifications for new or existing eVTR applications that can share regional specific information to appropriate offices responsible for collecting the respective fishery information (GARFO, SERO, HMS, ACCSP, etc.).

Additionally, Dr. Moore asked if the development of the one-stop reporting initiative is linked to the effective date of the rule whereby it might delay implementation of the omnibus eVTR action

if the specifications were not completed on time. Mr. Gouveia underscored the need to have a well thought out plan for how all the systems will work together and noted the anticipated timeline for the action. He said that although there should be enough time for the simultaneous implementation of both the new eVTR requirements and the one-stop reporting initiative, there is no direct link to their respective effective dates.

Dr. Moore also asked how development of the vision/road map would include the Councils, Commission, and stakeholders. Ms. McCarty confirmed that they are including all of these groups, as well as the Atlantic Coastal Cooperative Statistics Program (ACCSP). The 2015 vision document had general engagement plans, but she explained that they are moving towards deeper engagement moving forward to make sure all pieces of the plan are inclusive.

3. East Coast Scenario Planning Working Group

Mr. Mike Ruccio provided an update on the Scenario Planning working group, for which he is serving as chair. There are members from each of the relevant organizations, as well as Ms. Wendy Morrison from NMFS Headquarters. They have had numerous conversations with Diane Borggaard, from GARFO's Protected Resources Division, as well as staff from NOAA, Fish and Wildlife Service, and the Pacific Council. The goal of these conversations was to get a broad understanding of how scenario planning has been used, how it has been set up, and potential funding sources. Mr. Ruccio explained that he was not tasked with developing a scenario plan, but instead to look at capacity in the region to develop scenario planning as a potential tool.

Dr. Moore provided background that the MAFMC was the organization to bring up scenario planning at the Fall 2019 meeting, and a climate change scenario planning project is part of MAFMC's 2020 implementation plan. He raised that there might have been some disconnect in the intent of having a scenario planning working group. Mr. Pentony commented that, despite the presentation from Ms. Borggaard at the Fall 2019 meeting and the good discussion following that presentation, there were still outstanding questions, and a working group was needed to scope out things like budget, timeline, who should be involved, and the possibility of expert facilitators, so that the NRCC, as a larger group, can take that information into account before proceeding with scenario planning. Ideally, the working group could have reported on those things today, but has been delayed due to things like COVID. Mr. Beal agreed with Mr. Pentony.

Mr. Ruccio indicated that the plan was to come up with some options for the NRCC to consider, and the possibility of having an intersessional meeting was raised at which the working group could report out the scope of different options, and the estimates for the requirements of those options (**Action Item #2**). Mr. Nies asked that the working group keep the focus on climate change, and not try to broaden the scope to other topics for which scenario planning could be used.

4. Stock Assessments and Related Topics

2025 research track recommendations

Dr. Mike Simpkins provided a list of the 2025 research track recommendations, based on the work from the NRCC Assessment Working Group. He explained that there were two slots available (Spring and Fall 2025) and each slot could accommodate one research topic or two species/stocks. Prior to this meeting, the working group had created an initial list for NRCC consideration, which was winnowed down to a couple options for each of two slots, based on a number of evaluation factors, such as the importance and feasibility of expected scientific advances. The working group recommended that the NRCC select one research topic and 1-2 stocks. For the first slot (research topic), the working group recommended selecting between ecosystem and dynamic reference points, or ensemble modeling. For the second slot (1-2 stocks/species), the working group recommend selecting from the following options: Herring and lobster, herring and Jonah crab, or three stocks of winter flounders. For the 2026 priorities, Dr. Simpkins explained that whichever was not selected for 2025 would be included, in addition to longfin squid and monkfish, as initial placeholders for future discussion.

For the first slot, Mr. Nies asked for more explanation of how the ecosystem and dynamic reference points were linked, and Dr. Simpkins explained that the ecosystem can influence stock productivity and therefore ties in with dynamic reference points. Dr. Hare added that by changing the time frame, the reference points become more dynamic. Mr. Nies said that he was supportive of incorporating ecosystem information, like temperature, but as a manager, it was hard to know how dynamic we would want reference points to be, since the Magnuson-Stevens Act says that MSY is based on current conditions, and constantly changing reference points can be challenging to manage for. Mr. Nies expressed that he felt ensemble monitoring would be a better priority for 2025. Mr. Muffley said that the stock assessment working group had been split on which option should be a priority. While the National SSC meeting was supposed to focus on how to incorporate ecosystem information into assessments (but not necessarily dynamic reference points), that meeting has been postponed until next year; however, once held, that meeting might produce more information, which could help inform this research topic. Dr. Simpkins indicated that it would be best to have an answer at today's meeting, and Dr. Moore agreed with Mr. Nies that it would be more appropriate to put ensemble modeling on the priority list for 2025, and wait until the National SSC group had a chance to meet for further work on the ecosystem and dynamic reference points topic. The NRCC decided that ensemble modeling should be the 2025 research topic.

For the second slot, Mr. Beal expressed support for herring and lobster, rather than Jonah crab. He suggested that it would likely be important for the lobster fishery, given the many issues such as whales, climate and temperature changes, and potential ecosystem changes 5 years out. Mr. Nies expressed concern for the winter flounder stocks, two of which are overfished. He reminded the group that there had been lots of work on the Southern New England stock since the last benchmark in 2011 and several papers on how climate affects winter flounder recruitment, although with different conclusions. Mr. Nies asked if it was possible that some of the issues with winter flounder could be worked on through a Level 3 management track assessment, since we are currently using old benchmarks. Dr. Simpkins indicated that current guidelines only preclude a change in stock structure or a new model during a management track assessment, but could not answer definitively whether the winter flounder issues could be addressed without a research track assessment. Mr. Nies also expressed interest in including one of the winter flounders in 2025, rather than herring. Ms. Toni Kerns raised that the winter

flounder/climate papers would be addressed in the 2020 assessments. Dr. Russ Brown indicated that he was hesitant to select one winter flounder for the research track without including the other stocks. The NRCC agreed that herring and lobster would be selected for 2025.

For 2026 priorities, this decision meant that the three winter flounder stocks and Jonah crab would be added to the list with squid and monkfish. Dr. Simpkins noted that this was informational, and that other stocks could be added or removed, and could be addressed at the next meeting.

Management track peer review guidelines

Dr. Simpkins presented potential changes to the management track peer review guidelines. The first was clarifying the biological reference point (BRP) language, including updating BRPs using the same methods and calculating updated BRPs using new or modified methods. The second was addressing stock status changes, specifically that any Level 1 assessment with a stock status change automatically becomes a Level 2, and in such a situation, the Assessment Oversight Panel (AOP) is informed, but not necessarily reconvened.

Mr. Nies mentioned that there might be other issues beyond stock status changes that deserve peer review, and Dr. Brown pointed out that there have been times when the AOP selected a higher level because of multiple, smaller changes.

The NRCC agreed with the proposed changes. The NEFSC will update the Assessment Guidance document and provide it to NEFMC to be posted on the NRCC webpage as soon as possible (**Action Item #3**).

Mr. Nies also brought up that he had believed that new MRIP data would make an assessment automatically a Level 2 assessment, but that Georges Bank cod was a Level 1. Dr. Brown replied that the magnitude of GB cod recreational catch was small compared to commercial, and was not a significant impact on the assessment. Mr. Nies had thought it would be an automatic decision, and expressed concern regarding the upcoming winter flounder assessments. Dr. Brown stated that for those stocks, the recreational catch is more significant and would likely be Level 2 (or 3).

Assessment schedule changes

Dr. Simpkins proposed switching the mackerel assessments to odd years, to be consistent with Canada. The NRCC approved the change. Mr. Nies raised that while the scallop stock assessments were currently set for fall, a spring assessment might make more sense in the future.

Assessment reports and data portals

Dr. Simpkins gave an update on the assessment reports and data portal content. The NEFSC staff has had discussions with staff from the Councils and Commission, and has incorporated feedback received from those conversations. The updated template is planned for use in the June management track assessments, and then continue to adjust as feasible. A contractor was hired to work on 508 compliance.

Mr. Nies asked whether the data portal had transitioned to the new NOAA webpage. The data portal is currently available and Dr. Simpkins can provide a direct link to it.

Assessment communications

Dr. Simpkins provided an update on the stock assessment communication meeting that was held in February 2020. The outcomes of the meeting included the identification of high priority species that need coordinated communication efforts in 2020, better coordination of web information, better information sharing about assessment results and issues, and more targeted outreach materials on the assessment process. The next meeting is scheduled for November 2020.

Ms. Kerns raised that it is still not clear how the public can become engaged. While information may be on the website, you need to know what you are looking for. She provided as an example an AP member who wanted temperature data to be included in the winter flounder assessments. Mr. Nies mentioned the NRCC page on the NEFMC's website, which keeps track of assessment schedules, etc.

Break for lunch

5. Regional BSIA Framework Working Group

Ms. Moira Kelly presented on the Regional BSIA Framework Working Group. Following the finalization of NOAA Fisheries BSIA procedural directive in 2019 and, within three years, each region is supposed to develop a regional BSIA framework that describes how it applies the general NOAA Fisheries BSIA Framework. The framework should include a general timeline, identify roles for each partner, be publicly available, and describe necessary modifications from the general framework. The Working Group developed a draft table and narrative detailing each NRCC partner's role in the steps described in the Policy Directive. The table and narrative were circulated prior to the meeting and comments or suggested edits can be provided to Ms. Kelly. A final version of the table will be presented at a subsequent meeting.

As a point of discussion and as identified in the procedural directive, Ms. Kelly raised the issue of a NOAA Fisheries liaison to the SSC to provide guidance during the SSC's discussion to minimizing recommendations outside the bounds of BSIA. The working group suggested that the liaisons could support the SSC by, if possible, identifying potential NMFS concerns, with the ABCs as they are developed. Mr. Nies asserted that it needed to be someone from the agency, rather than the PDT. When questions are raised by the SSC, such as whether a survey tow was discounted, there is nobody in the room to say whether that was considered by the assessment biologist. Dr. Hare and Dr. Simpkins pointed out that it would be a challenge to have a single person who knew the details of each assessment, and a workload concern to try to have every assessment biologist join the SSC. Mr. Nies raised the issue of National Standard 2 determinations being made in an open and transparent manner, but Mr. Pentony countered this, asking why NS2 stands alone as the only National Standard needing the Agency to commit before the final decision is made. Dr. Hare pointed out that the discussion had split between two different concepts: A liaison to provide advice during an SSC meeting, versus someone who could weigh in on the approvability or consistency with a National Standard. Mr. Nies offered to

work on the description of the liaison offline and bring it back to the working group. Once the working group had agreed, it would be brought before the NRCC, either at an intersessional meeting or through correspondence (**Action Item #1**).

6. COVID-19 Response and Implications

Mr. Pentony and Dr. Hare reported on the current working conditions for both GARFO and NEFSC. The facilities are closed to the public, and staff are on mandatory telework, with some exceptions due to duties that require presence at the office, such as receiving paper VTRs. Most of the work on observer waivers has been done by Dr. Hare's staff, although the actual waiver is issued under the Regional Administrator's authority. There have been some delays at headquarters due to COVID. The emergency requests that have come through the Councils are mostly falling on GARFO's staff to complete. Mr. Nies asked if there were ways that Council staff could assist on the emergency requests, and Ms. Bland replied that help from Council staff would be appreciated. Mr. Pentony briefly mentioned the new Executive Order (EO) to reduce the burden on industry, which also made NOAA the lead agency for aquaculture, but noted that GARFO does not currently have the staff necessary to implement the EO, and is awaiting guidance.

Dr. Hare reported on the NEFSC surveys that had been canceled, and that their new schedule for the summer based on ship resources and being able to use NOAA vessels as much as possible. Dr. Hare noted the importance of the scallop surveys, as well as those for surfclam and shrimp.

Ms. Kerns said that there was a list of the state-level surveys that had been canceled and would send it out to NRCC members. Mr. Beal added that the funds from the CARES Act will be distributed through the ASMFC, and that information and contacts are on its website.

7. Offshore Wind Energy

Mr. Pentony reported on the ongoing wind projects. For Vineyard Wind, DOI pulled back the EIS and is continuing its review. There are some concerns regarding South Fork Wind, regarding the changes that BOEM made in the potential lease area, and the narrowly constrained alternatives; GARFO is working with BOEM on these issues. Skip Jack was kicked off earlier this month, and there were apparent disconnects regarding the schedule, and so GARFO is working with BOEM to update the timeline. Mr. Pentony reported that there is a possibility of developing an MOU with BOEM to create a stronger working relationship. Additionally, GARFO is working on a regional wind implementation team.

Dr. Hare provided some updates on RODA and ROSA, and an ICES working group, chaired by Andy Lipski, that includes multiple north Atlantic countries, including some from Europe. NEFSC is supporting GARFO in their regulatory reviews, and is working off of one year of funding, but hopefully will be able to continue this work.

Mr Muffley added that at the MAFMC's SSC meeting, there had been an agreement to form a wind team, with biological and socioeconomic leads.

8. Fixed Gear

Mr. Nies led a discussion regarding the issue of federal and state surveys encountering fixed gear. Mr. Nies explained that generally it has worked better to conduct outreach with industry, rather than trying to find regulatory solutions. Dr. Hare agreed that this is a growing issue. From the survey perspective, there are areas that cannot be surveyed using current methods. The West Coast uses recreational fishermen for some surveys, and while there are not resources to do that currently, NEFSC is open to ideas for how to improve the coverage. Mr. Muffley, who sits on the Northeast Area Monitoring and Assessment Program (NEAMAP) operations committee, which has been discussing this issue. Some states have reached out to fishermen to ask them to remove their gear during surveys, and Mr. Keliher confirmed this approach for the Maine/New Hampshire surveys. Mr. Nies suggested that NEFSC could work with the states to alert industry to the timing and location of surveys and Dr. Hare agreed that it was worth discussing with the states, even though surveys would be outside state waters. Mr. Nies brought up that there would still be issues with competition between different members of the industry, but that industry should be encouraged to work together to solve these gear disputes.

9. GARFO's Annual Implementation Plan

Mr. Pentony presented on the GARFO annual implementation plan, including the three strategic goals: Amplify the economic value of sustainable commercial and recreational fisheries; conserve and recover protected species while supporting responsible fishing and resource development; and improve organizational excellence and regulatory efficiency.

10. Other Business

Dr. Simpkins raised an outstanding issue from the assessment discussion. While the NRCC had selected a research topic and the stocks for 2025, they had not assigned those decisions to the spring or fall. It was decided that stocks (herring and lobster) would be addressed in the spring, and the research topic (ensemble modeling) would be looked at in the fall.

Next Meeting

The Fall 2020 NRCC meeting is scheduled for November 9-10, 2020. Depending on the conditions of COVID-19, it will likely be a webinar. MAFMC is chairing.

Note: Due to the abridged nature of the Spring 2020 meeting, the discussion of Council and Commission involvement in the federal waters aquaculture siting approval process was postponed until the Fall 2020 meeting (**Action Item #4**).

An intersessional call was subsequently scheduled for July 30, 2020.

**NRCC MEETING SUMMARY
2020 SUMMER INTERSESSIONAL**

Webinar
July 30, 2020

Attendees

Atlantic States Marine Fisheries Commission (ASMFC)

Patrick Keliher, Chair
Bob Beal, Executive Director
Toni Kerns, Interstate Fishery Management Program Director
Patrick Campfield, Fisheries Science Program Director

Mid-Atlantic Fishery Management Council (MAFMC)

Mike Luisi, Chair
G. Warren Elliott, Vice-Chair
Dr. Chris Moore, Executive Director
Brandon Muffley, Staff
Dr. Paul Rago, Chair, Scientific and Statistical Committee (SSC)

New England Fishery Management Council (NEFMC)

Dr. John Quinn, Chair
Eric Reid, Vice-Chair
Tom Nies, Executive Director
Chris Kellogg, Deputy Director

NOAA Fisheries Northeast Fisheries Science Center (NEFSC)

Dr. Jon Hare, Science and Research Director
Dr. Michael Simpkins, Chief, Resource Evaluation and Assessment Division
Dr. Russell Brown, Chief, Population Dynamics Branch

NOAA Fisheries Greater Atlantic Regional Fisheries Office (GARFO)

Mike Pentony, Regional Administrator
Sarah Bland, Assistant Regional Administrator for Sustainable Fisheries
Liz Sullivan, Sustainable Fisheries Division (NRCC staff support)
Laura Hansen, Sustainable Fisheries Division (NRCC staff support)
Dave Gouveia, Assistant Regional Administrator for Analysis and Program Support

Guest Presenters

Mike Ruccio, GARFO
Moiria Kelly, GARFO

Additional Attendees

Deirdre Boelke, NEFMC Staff
Emily Keiley, GARFO Staff
Janice Plane, NEFMC Staff
José Montañez, MAFMC Staff
Kiley Dancy, MAFMC Staff
Nicole MacDonald, NEFSC Staff

Public Attendees

None

Note: NRCC decisions and action items that resulted from this meeting are in bold for ease of reference.

1. NRCC Scenario Planning Working Group Presentation

Mr. Mike Ruccio presented the outcomes of the working group. Leading up to the intersessional, the working group conducted a review and evaluation of other scenario planning efforts world-wide, and had extensive conversations with staff in this region and staff involved with the Pacific Council's ongoing effort. They conducted additional research on the cost and time commitments, as well as what has worked and what has not. The working group had six key recommendations.

1. Appoint a core team, a small technical group, similar to a PDT or FMAT. The core team can provide planning, outreach, and programmatic support, and has a relatively low-to-moderate cost (primarily the cost of staff time).
2. Hire a professional facilitator with scenario planning experience. Facilitation helps ensure participants values are articulated and acknowledged and can offset the needed staff time. A professional facilitator has a moderate-to-high cost.
3. Establish ad hoc Scenario Planning Committee. This group is analogous to a Committee or Sub-group in a Council or Commission. They deal with scoping, exploration, and synthesize development with public access and participation. The NRCC should discuss the committee governance structure further, such as whether to pull in scientific or industry advisors.
4. Ensure robust public participation. Scoping and outreach that go beyond meetings and Council/committee process should be considered. If there is a professional facilitator (recommendation #2), the facilitator can help; otherwise it falls to staff. Public participation can have a moderate cost.
5. Accept The Nature Conservancy's offer to partner. TNC is securing grant money to conduct scenario planning sufficient to provide substantial assistance for an East Coast scenario planning process. It would be important to discuss possible concerns of such a partnership with NOAA General Counsel. Potentially, a third party such as ASFMC could assist with grant funding. The cost of this would be relatively low.
6. Pursue a two workshop model, over 18-36 months. The timing depends on when the process is initiated and scenario planning will compete with ongoing priority work. The scenario planning handbook has additional detail on workshops and timelines. The cost of these workshops is yet to be determined.

Mr. Ruccio also presented on the pros and cons of scenario planning. Scenario planning can address the daunting complexities and uncertainties of climate change impacts on management process; it enables managers and stakeholders to discuss broader ideas upfront; some scenarios may be more flexible than others; it can identify strategies unlikely to be successful; and it is less technical than a Management Strategy Evaluation process. However, it is time and resource intensive; it is a complex process, with many involved organizations; as a new process, and there is skepticism about the benefits; and organizations need to carefully consider the application of scenario planning and ensure that the output is useful in improving the current system.

Mr. Tom Nies questioned whether there is a clear problem or goal that scenario planning is trying to address or achieve. Dr. Chris Moore identified climate change and governance relative to marine fisheries on the east coast, although specific goals and objectives still need to be identified. Mr. Michael Pentony recalled that there had been general agreement at the Spring 2019 meeting in Charleston that we need to get a handle on issues of climate change and shifting stocks. Scenario planning was suggested as a tool to develop a framework for making decisions for governance, given climate change and shifting stocks. A key step for the core team and ad hoc committee would be to refine key objectives for the committee to focus on, and working with a facilitator could help define the goals.

There was significant discussion regarding the TNC's offer of grant funding, as well as the possible optics that TNC could be seen as controlling the outcome. If TNC provided funds for paying for facilitators, but agencies remain responsible for paying for the staff, that could help ensure that it was truly a council/agency process. Mr. Nies raised the issue that Councils are not allowed to accept gifts or funding from external sources, and that it would be necessary to ensure that legal counsel irons out any potential issues with accepting TNC funding. It was generally agreed that the Dr. Moore and Ms. Dancy would investigate the question of TNC's involvement with regard to funding, and they would include NOAA GC in their discussions (**Action Item #2**). Dr. Moore saw all participating organizations taking ownership of the final product. He was not concerned with TNC being involved, as long as their involvement was separate from participating with the working groups. Ms. Kiley Dancy added that TNC does not have an interest in a certain outcome, but would want to observe the process. Dr. Jon Hare added that we often work with other groups, and that it is important to use MOUs or cooperative research agreements, to set expectations.

Mr. Pentony urged that the NRCC support moving forward with the recommendations of the working group, stating that the report shows that it could be useful, and that it is an important first step to make a framework for how to start moving forward on climate change, and Dr. Hare agreed. Mr. Nies expressed concern regarding the resource commitment, and what Councils might not be able to do if moving forward on scenario planning. Mr. Michael Luisi agreed that it would be important to figure out Council priorities, but also agreed with Mr. Pentony that we need to be putting in the time now to deal with governance issues, so that we can be proactive, rather than reactive, for climate change. Mr. Pat Keliher and Mr. Bob Beal also raised the issue of state budgets and administrative burden, both of which have been affected by COVID-19, expressing concern for how many states would participate in such a process.

Dr. Moore expressed agreement with Mr. Pentony and Dr. Hare, and suggested the group go through the recommendations. Dr. Moore suggested that each group should put forward a member for the core team. However, Mr. Nies expressed the need to discuss with the New England Council before moving into forming a team. Mr. Beal expressed support for taking formal action to address the issue of shifting stocks, but repeated his concern regarding workload and that this was not currently in the Commission's list of priorities. It was agreed that this would be discussed further at the November 2020 NRCC Meeting (**Action Item #1**).

Mr. Pentony acknowledged the need for the Councils to support moving forward as a whole, that we need the support of the three Councils in both regions, and the Science Center. He suggested that an immediate task of exploring Recommendation #5 (TNC funding) could be done now, to make sure that we can legally partner with them, and report back so that the Councils and Commission could have that information. Dr. Moore added that they also need to discuss with

the South Atlantic Council, although he assumed they would be supportive. Dr. Moore will reach out to the South Atlantic Council and gauge their interest (**Action Item #3**).

2. Regional Best Scientific Information Available (BSIA) Framework Working Group

At the Spring 2020 NRCC meeting, Ms. Moira Kelly had presented on the regional framework. At the intersessional meeting, Ms. Kelly provided the group with an update on the BSIA Framework table, specifically that a clarification of the role of the SSC in Level 1 stock assessments. Originally, the table had indicated that there was no role, but the SSC does review outcomes focusing on technical aspects of the updated data.

The NRCC also discussed the issue of a point of contact from NOAA Fisheries for the Councils' SSCs. There were several options put forward for the SSC point(s) of contact:

1. GARFO and NEFSC will identify a point of contact for each SSC to address potential science and management concerns. This POC participates in SSC meetings (either remotely or in person) in an advisory capacity to provide feedback on potential SSC decisions and recommendations so that they are in accordance with existing scientific and management guidance; OR
2. GARFO and NEFSC will provide points of contact for each SSC meeting to address potential science and management concerns. The POCs participate in SSC meetings (either remotely or in person) in an advisory capacity to facilitate responses to technical questions from the SSC regarding scientific and management issues.

Mr. Nies questioned the difference between the two options, and expressed concern about whether the second option would mean that the SSC would never receive a response until after the meeting. Mr. Pentony explained that the goal should be to have a person at the SSC meeting who is knowledgeable about the FMP or stock, rather than having a single person who is expected to know about all of the stocks. Ms. Kelly also added that the first option sets very high expectations, that someone can answer questions at both a high level and a very detailed level. Dr. Hare added that while in the past, NEFSC had staff who filled this role, that there was not capacity to continue that, but that he could support the approach in the Option B (where there are multiple points of contact, depending on the topic).

Mr. Pentony also explained that while Option A was from the procedural directive, the directive did not provide additional resources. The hope is that we can be consistent with the policy, within the existing resources. Mr. Nies suggested an Option C, which combined the first sentence in Option B and the second sentence in Option A:

3. GARFO and NEFSC will provide points of contact for each SSC meeting to address potential science and management concerns. The POCs participate in SSC meetings (either remotely or in person) in an advisory capacity to provide feedback on potential SSC decisions and recommendations so that they are in accordance with existing scientific and management guidance.

Dr. Michael Simpkins added that there are still three years before the regional framework needs to be in place, and there are already NMFS staff attending SSC meetings in an ad hoc manner. Ms. Kelly agreed, stating that we can conduct a pilot, working under Option C, and then discuss again at the NRCC Spring 2021 meeting (**Action Item #4**), before making a final submission to Headquarters.

3. Atlantic Herring Outreach Strategy for Stock Assessment Results

Mr. Beal expressed concern for the how the outreach strategy for stock assessment results worked for the Atlantic herring review. NEFSC had an outreach webinar that provided information prior to the peer review, but this was not coordinated with the ASMFC.

Dr. Russell Brown explained that in the case of the herring assessment, they knew they had bad news. They initiated a process with GARFO, NEFMC, and ASMFC, to introduce results in a gradual way, rather than dropping the results into the public data portal. There was an outreach plan, which included a stakeholder webinar to inform participants in the management process itself, and to give an indication that results of assessment were not promising: recruitment estimates showed many bad year classes. However, they did not provide biomass estimates at that time. Dr. Brown also explained that there was some consideration of whether it should be discussed at the herring committee, but that Council staff had advised not to, to keep the committee focused on the other decisions at that time. Dr. Brown also explained that he considered this webinar an emergency communication. Normally, the NEFSC tries to engage through Council PDTs, and could do something similar for ASMFC meetings. Dr. Simpkins added that all of the groups within the NRCC are resource limited when it comes to communications, and that nobody wants to over-promise. Mr. Beal stated his desire in the future for coordinated messages to industry, with a single suite of talking points.

4. Other Business

This was Mr. Warren Elliott's last meeting, before his retirement. Everyone wished him "Good bye and good luck!"

Next Meeting

The Fall 2020 NRCC meeting is scheduled for November 9-10, 2020, as a webinar. MAFMC is chairing.