

CCC Area-based Management Subcommittee

Meeting Minutes

June 17, 2021

July 22, 2021

August 17, 2021

September 15, 2021

Draft Minutes
CCC Area-based Management Subcommittee
June 17, 2021

The CCC Area-based Management Subcommittee met virtually from 10-11:40 am (AK time) on June 17 to review the subcommittee terms of reference and begin planning to fulfill its mission.

Members Present: Eric Reid (Chair) David Witherell (NPFMC), Deirdre Boelke (NEFMC), Jessica Coakley (MAFMC), John Froeshke (GMFMC), Miguel Rolon (CFMC), Kerry Griffin (PFMC), and Mark Fritchett (WPFMC). Roger Pugliese (SAFMC) had a conflict and was unable to attend.

Following introductions, it was noted that this group was highly qualified to successfully complete the assigned tasks, and is composed of people with many years of experience in developing and evaluating area-based measures for fisheries.

Review of Terms of Reference: The subcommittee reviewed the TOR from the proposal approved by the CCC at the May meeting. Discussions with NMFS leadership indicated that they were looking to the Councils to assist in the development of the Atlas, including the attributes of each area and the types of areas that might provide different levels of conservation. Heather Segar and Tim Haverland are the NMFS leads for putting together the Atlas database. The subcommittee agreed that it would be good to have them join us at our next meeting when we discuss attributes (fields) that will be included in the subcommittee's database. NMFS Leadership encouraged the subcommittee to get the baseline database completed as quickly as possible.

Discussion of Specific Tasks and Timelines:

Areas to be considered – The group spent a considerable amount of time discussing what areas would be included in the subcommittee database. Members noted that there are lots of different types of area closures in the EEZ, including year-round, seasonal, and trigger closure areas established through the MSA process, other closure areas established by legislation (e.g., national marine sanctuaries, monuments) and areas established by other agencies (e.g., PSP clam closure areas by EPA), or in the EEZ by NFMS for HMS (e.g., tuna closures). The subcommittee decided that all EEZ closure areas, including those implemented under other federal authorities (e.g., monuments, sanctuaries, etc.) be included in the database. The subcommittee decided it would be prudent to be fully inclusive, at least at first, so we have a better understanding of the full suite of conservation areas established in the EEZ. State water areas would be excluded, but state water closures that mirror federal regulations established in the adjacent federal waters would be noted as an attribute in the database entry for that federal area.

Database – The subcommittee agreed to develop the database using an Excel file. Areas would be sorted by region and further categorized based on the type of closure. Dave agreed to discuss this with Heather and Tim and see if we can come together on what are to appropriate attributes of each area (e.g., name of area, size, objectives, regulations, etc.) to report in the data field. Deirdre will send along her ideas for categories and attributes after seeing how the CFMC areas were categorized. Based on all of this information, Dave will prepare a draft Excel template for further discussion at the next meeting.

Evaluation Criteria – The subcommittee put off this discussion until after we have the draft baseline database of areas pulled together.

Shapefiles and GIS mapping – Some councils and regions have the shapefiles of their areas. NMFS could assist with this at some point, as we will want to show maps in our final report and journal article.

Issues for Discussion in the Report – During the review of the tasks, subcommittee members noted some issues that could be incorporated and addressed in the report. These are listed below.

- The key questions for future engagement from the agency’s ATB presentation: What baseline conservation actions are currently effective? What criteria should we use to identify and select areas for additional conservation and restoration? Are there areas—new areas or enhancements of existing areas—that meet these criteria? How should we support and collaborate with stakeholders?
- Differences across ecoregions (and councils). The benefits of static closure areas (including OECMs) may be different across tropic coral areas, pelagic zones, and temperate zones.
- Seasonal closure areas that can be adaptive, flexible, and responsive in the face of climate change and unexpected situations.
- Importance of evaluating conservation benefits of areas and monitoring of areas to ensure they are working to meet the goals of the area.
- The importance of State waters to the conservation of marine ecosystems, including for juvenile life stages of many species that also occupy the EEZ.

Coordination and other issues: The subcommittee decided to hold monthly meetings before the CCC meeting to complete the tasks assigned for the October CCC meeting. David will send out a doodle poll, possibly focusing on the second week of each month. The meeting times would be the same (2-4:30 EST) to allow everyone to attend. Jessica agreed to set up a Google Drive to allow file sharing within the group. We can also share literature later on when we get to preparing the journal article.

Draft Minutes
CCC Area-based Management Subcommittee
July 22, 2021

The CCC Area-based Management Subcommittee met virtually from 12:30-2:30 am (AK time) on July 22 to discuss the data attributes to include in the comprehensive spreadsheet of conservation areas in the EEZ.

Members Present: Eric Reid (Chair) David Witherell (NPFMC), Deirdre Boelke (NEFMC), Jessica Coakley (MAFMC), John Froeshke (GMFMC), Miguel Rolon (CFMC), Kerry Griffin (PFMC), and Mark Fritchett (WPFMC) and Roger Pugliese (SAFMC). Additionally, NOAA Fisheries employees Heather Sagar, Tim Haverland, and Michelle Lennox, who have been put forward by NOAA Fisheries to be on the Atlas team, also participated in the meeting at our invitation.

Following Introductions, Deirdre reviewed a few issues and suggestions that were raised during the 30x30 presentation that Sam Rauch made to the NEFMC. For example, suggestions included linking the conservation actions to the eight principles from the America the Beautiful report, listing what activities are permitted on the spreadsheet, consideration of restoration efforts, the rationale behind the 30% area protection, the NOAA Fisheries plan for incorporating stakeholder input, and the criteria used for determining what is a conservation area. Heather explained that similar presentations are planned for all 8 Councils and NOAA Fisheries is planning round tables with the public later this fall to gather individual comments from stakeholders (likely 2 meetings).

Useful information for the Administration's 30x30 Effort:

Heather reviewed the status of the administration's efforts to date. She noted that while the Atlas development group had not yet been appointed, she, Tim, and Michelle were people that NOAA Fisheries was putting forward for this effort, along with Dr. Letise LaFeir who will take the lead for the agency. Heather noted that this information was not public, and only being shared with the agency partners on this subcommittee at this time.

The first task for the interagency group, led by CEQ, will be to start with a definition of "conserve." She felt that ocean and land will be treated similarly in the report, so any definition should be applicable to both aquatic and terrestrial areas. Heather requested that the Subcommittee provide its opinion on a definition. Additionally, she suggested that the spreadsheet of EEZ areas 1) link back to the 8 principles, 2) note what is special about specific areas, 3) note what attributes are useful for mitigating or preparing for climate change, 4) focus on Council actions. She noted that the Atlas will be a very big database, requiring enormous staff effort so it would be helpful if the Subcommittee database included the same information as will be need for the Atlas.

The Subcommittee discussed Heather's recommendations. First, the Subcommittee agreed to develop a "draft working definition" of conservation – more specifically area-based conservation – as a starting point of where we are now. This could change as we pull together our database, but can provide the NOAA Fisheries delegation with ideas and concepts they can use. Heather requested that rationale for the Subcommittee's working definition be spelled out. Subcommittee members discussed the challenges of trying to create a single definition of conservation area that would apply to both aquatic and terrestrial areas. The subcommittee agreed to share working definitions in a document that will be added to the google drive.

Discussion of Attributes and Categories of Areas for Spreadsheet:

Dave reviewed the draft spreadsheet, touching on the attributes and OECM criteria that were included. He noted several improvements that could still be made, including the order of the columns and the addition of an ID number for each area. The Subcommittee discussed the spreadsheet and suggested that two additional columns be added: area measurement in square kilometers, and what ATB criteria are applicable to each area. Dave agreed to send out a revised spreadsheet with these attributes following the meeting. Tim noted that the activity prohibitions attribute might need to be further split in the future to allow reporting on various summary statistics, as in what % of EEZ is closed to bottom trawling. Another suggestion was to note if any area measure was seasonal or year-round. The Subcommittee agreed with these suggestions, but decided to discuss what types of splits or summary reports to prepare at a later meeting. Since the final table will be an interagency effort that will take time to develop and approve, the Subcommittee voiced concern about spending too much time developing the “perfect” table. It is likely that modifications will be made in the future, and our effort may not produce the final value for percent conserved.

Heather noted that Canada is evaluating their areas using their own criteria to evaluation Other Effective Area-Based Conservation Measures (OEABCMs), which seeks to conserve similarly across all nations and promote efforts internationally. She agreed to circulate the 2017 paper to the group: <https://www.dfo-mpo.gc.ca/oceans/publications/oecm-amcepz/index-eng.html>

Discussion of Report Table of Contents and Report Format:

Dave provided a draft annotated Table of Contents for the Subcommittee’s report, and Jessica provided a link to the MAFMC HAPC report as a way to format the document. Kerry noted that we will want to split out bottom trawling from pelagic trawling in the summary tables, and that we will need GIS assistance to prepare maps for the different types of management areas. Roger noted that this information might be online already through existing services. Tim and Michelle may also be able to assist or advise the Councils on mapping, or we could contact the regional office for GIS assistance. Overall, Subcommittee members liked the HAPC report format for presenting our results, including regional summaries. However, it was noted that this will be a large undertaking, so we should proceed with caution. Our first order of business is to get the draft database spreadsheet finished for the October CCC meeting, and then we will work on the report for the May meeting.

Other issues and Review of Tasks for Next Meeting:

The Subcommittee emphasized that eventually we will need GIS assistance to generate maps for the report.

There is interest among the Councils in the activities of this Subcommittee, and a question was raised as to whether we could distribute any of our materials at this time. Eric noted that the Subcommittee was a CCC body, and should only report to the CCC. After some discussion, the members agreed that it would be helpful to provide the Councils with a short Progress Report that could be made publicly available. David offered to draft this for review at the next Subcommittee meeting.

The next meeting of the Subcommittee will be on August 17 from 2:00 – 4:30 pm Eastern Time. The primary focus of this meeting will be to review the draft spreadsheet and discuss and resolve any questions, issues, or challenges in filling out the spreadsheet. Several members offered to share their contact information with others on the group so smaller groups could work collaboratively on filling out the draft spreadsheet prior to the next meeting.

Draft Minutes
CCC Area-based Management Subcommittee
August 17, 22, 2021

The CCC Area-based Management Subcommittee met virtually from 10:00 am -12:10 pm (AK time) on August 17 to discuss the draft regional spreadsheets of conservation areas in the EEZ.

Members Present: Eric Reid (Chair) David Witherell (NPFMC), Deirdre Boelke (NEFMC), Jessica Coakley (MAFMC), Miguel Rolon (CFMC), Kerry Griffin (PFMC), and Mark Frichett (WPFMC) and Roger Pugliese (SAFMC). John Froeshke (GMFMC) was unable to make the meeting. Liajay Rivera and Graciela Moliner (CFMC) also attended. Additionally, NOAA Fisheries employees Heather Sagar, Tim Haverland, and Michelle Lennox, who have been put forward by NOAA Fisheries to be on the Engagement or Atlas teams, also participated in the meeting at our invitation.

Following Introductions, Heather provided an update on the national efforts and answered many questions from Subcommittee members. She noted that DOI is heading up the efforts, and there are several teams/groups that have been envisioned to get the work done across all of the different agencies. These teams/groups may include a Policy Group consisting of political appointees that would define conservation and be in overall charge of the work, an Engagement Group to conduct outreach and communication, a Measurement Group (aka Atlas Team) that will develop, prepare, and analyze the database, and a Metrics Group that will develop measures for progress and success. Heather noted that this is still in the conceptual stage, and only the Atlas Team has met to date. DOI is looking to have the Atlas Team provide a mock-up of the data fields developed by October if possible. Heather agreed to provide a verbal report to the Subcommittee at an upcoming meeting, but wouldn't be able to share the draft until it gets cleared by DOI. However, once the Subcommittee report and/or database is done, we can share it with the interagency group by just sending it to Heather.

Heather also answered questions from Subcommittee members and provided the following clarifications:

- Any future changes to area-based management would be done under existing authorities, i.e., any proposed new revisions to existing areas would go through Council action.
- Each agency (including NOAA) currently has their own database, and our efforts will help to double check existing NMFS data.
- The ATB report indicates that public comment will be taken. Heather noted that there is currently no way to take written comments right now, but that may change in the future.

Tim noted that the Atlas group discussed using the Protected Areas database 'GAP Status' codes (areas managed for biodiversity, multi-use, other category codes) for determining conservation level, so the Subcommittee might want to explore this for use in the regional spreadsheets.

Review draft working definition of conservation and conservation area: The Subcommittee discussed several alternative wordings for defining conservation and conservation areas, but could not come to an agreement on a draft working definition at this time. Kerry and others noted that the definition will be made by the interagency policy group anyway, and that NMFS will have their own definition. So long as we all agree on the general concepts, and how we apply a filter our data relative to the concepts, a final definition of conservation area is not required. The concepts that seemed agreeable to most were that: 1) it is an established geographically defined area, 2) it has planned management or regulation of environmentally adverse activities, 3) it provides for the maintenance of biological productivity and diversity, ecosystem function and services (including food production).

Review and Discussion of Progress on Regional Spreadsheets: Subcommittee members reported on their efforts to complete the regional area spreadsheets. All councils reported good progress, however some councils have very numerous and complex areas, so it is taking more time to complete the spreadsheet for these regions.

It was clarified that the Subcommittee spreadsheets would only include the area in federal waters. While a regulated area might extend into State waters, the size of the area would only be calculated for the EEZ portion. There is a column in the spreadsheet to check if the adjacent state waters also have the same regulations. Heather noted that it was not clear how the ATB efforts will incorporate State data. She further suggested that the Subcommittee focus on conservation areas established through the Council process.

The group discussed how these areas might shake out relative to determining what meets a conservation area. For example, could a whole region be considered as a conservation area if there are laws that protect a species throughout (e.g., Atlantic Salmon)? The group thought no, it would have to be a subset area. Heather further noted that protecting one species might not be critical, as the ATB report focuses on biodiversity and ecosystems, unless the prohibition also provides these benefits. Dave noted that the spreadsheet included an Area Category field (Ecosystem Protection, Fishery Management, etc.) as well as a Primary Focus field (Habitat Protection, Vulnerable Ecosystems, Vulnerable Species, etc.) that together could be used to sort out which areas meet a conservation area definition.

Other Items: There was quite a bit of discussion about how area-based management is just one tool at the Council's disposal to conserve and sustain fisheries and ecosystems under the MSA and other laws. All agreed we should provide a section on this in the report. Additionally, Heather also suggested that our report note that fish stocks and marine ecosystems are sustainable without area closures, and also discuss the importance of fisheries and sustainable management to the economy, the jobs provided, how it addresses environmental justice issues and works to meet treaty trust responsibilities. Lastly, the report should note that unlike other countries, fisheries are intensely regulated in the EEZ and sustainable in the US without relying simply on MPAs.

The Subcommittee noted the usefulness of the Progress Report to the Councils. Dave agreed to update it following this meeting.

The Subcommittee also discussed the need for GIS assistance to determine the size of individual areas. Most, but not all councils have expertise in-house or have assistance from the NMFS Regional Office to do the mapping and calculations. The first step would be to reach out to the Regional Offices for assistance.

Review of Tasks for Next Meeting: Dave will work with Jessica to prepare draft data reporting tables (# of areas by region, % of EEZ covered, etc.) for the October CCC meeting. The Subcommittee will discuss the tables and prepare to fill them out at the next meeting. It was noted that we will need to account for the overlap of areas in reporting total area.

The next meeting of the Subcommittee will be on September 15 from 2:00 – 4:30 pm Eastern Time. The primary focus of this meeting will be to review the completed regional spreadsheets and discuss the information to provide in a progress report to the CCC.

Draft Minutes
CCC Area-based Management Subcommittee
September 15, 2021

The CCC Area-based Management Subcommittee met virtually from 10:00 am -12:30 pm (AK time) on September 15 to discuss the regional spreadsheets of conservation areas in the EEZ and the draft report.

Members Present: Eric Reid (Chair) David Witherell (NPFMC), Deirdre Boelke (NEFMC), Jessica Coakley (MAFMC), Miguel Rolon (CFMC), Kerry Griffin (PFMC), and Mark Fitchett (WPFMC) and Roger Pugliese (SAFMC), and John Froeschke (GMFMC). Additionally, NOAA Fisheries employees Heather Sagar, Tim Haverland, and Michelle Lennox, who have been put forward by NOAA Fisheries to be on the Engagement or Atlas teams, also participated in the meeting at our invitation.

Following Introductions, Heather and Michelle provided an update on the national efforts. Many of the subcommittee's haven't met. The Measurement subcommittee is scheduled to meet this week to begin to tackle the questions about what data fields to include in the Atlas database. As noted previously, the October deadline for the Atlas group was for an internal version mockup, and not a populated up-and-running tool. It was noted that Heather Coleman is working on shapefiles for the NMFS seafloor protection database, and could provide a briefing to the CCC ABM Subcommittee in the future.

Subcommittee members discussed different approaches to developing standardized maps such as a ESRI basemap and legend, that can be consistent and comparable across the different regions, at least for a preliminary report to the CCC. GARFO staff may be able to assist with this development. The Atlas group may end up going a different direction, but Subcommittee members felt that was fine as we are reporting to the CCC, and we can provide our own interpretation of what counts as conservation areas for the Atlas group and NOAA fisheries to take up.

Review and Discussion of DRAFT Regional Spreadsheets and Subcommittee Summary Report:

Subcommittee members reported on their regional area spreadsheets. All councils have completed a first draft, noting that most councils will be modifying their spreadsheets following the discussion and direction from this meeting. A few notable suggestions and highlights are captured below:

- Develop a methodology section
- Revise the paragraph on ATB principles to reflect that 1,2,7,8 are applied to all actions as they align with MSA/Council process. 4,5,6 apply to some areas.
- Add 'biodiversity' as a focus category for Ecosystem Protection
- Collapse the different seasonal categories to just say 'spawning closure' and 'other life history characteristics.
- Focus categories are limited, and species don't need to be listed.
- The Management area field in the larger documentation spreadsheets for each region can be eliminated as it doesn't apply to all regions.
- Seasonal closures could 'count' towards conservation if they occur at during critical time period (e.g., during spawning aggregations, when marine mammals are present, etc.); these should be included in the table this should be discussed in a methodology section. Seasonal closures to protect sessile benthic habitat may have less conservation value, however they could be included in the table of areas, but would not be included in the area calculations for trawl/benthic gear closures.
- Each area should be counted individually for # of areas, but many areas will be partially or even fully overlapped when determining total area conserved by bottom trawl or bottom tending gears (e.g., PFMC deepwater trawl closure); address in methods section.

- Conservation actions that apply to the whole region (e.g., no retention of live rock) should be captured in the regional section text (Appendix A), but not in the tables
- The abbreviated tables developed by Jessica, are great for the CCC report, and multiple areas implemented by the same action can be included under a single row.
- Prohibitions on anchoring or grappling can be important to include in data tables as prohibited gear, and discussed in the regional text.
- Conservation of biodiversity is essentially the same thing as Ecosystem Protection category; we need to explain this in the text and emphasize biodiversity and other buzzwords from the 30x30 initiative.

Review of Tasks for Next Meeting: Jessica will continue to refine the draft data reporting tables (# of areas by region, % of EEZ covered, etc.) for the report based on the discussion by Sept. 24; members should send her suggestions this week. The area protected from bottom trawling impacts has been a standard measure, so that should be reported; other combination gear prohibitions could similarly be reported. The Subcommittee will fill out the tables to the extent possible thereafter. It was noted that there is limited time available before the CCC meeting to complete the draft tables; what is completed will be presented as very preliminary.

Subcommittee members discussed reporting to the CCC meeting, and concluded that a draft written report would not be completed in time for the CCC deadline. Rather, the plan would be for Eric to provide a Powerpoint presentation with information and preliminary data tables from the group, methodology, etc. In addition, the Subcommittee meeting summaries would be posted to the CCC briefing book. David will work with other members to prepare the draft ppt, and distribute it to the subcommittee members for review prior to posting on the CCC agenda. We would want to have this finalized by October 12 for posting.