

Nation's Fishery Management Councils Recommend Ways to Support American Seafood, Improve Coordination with National Marine Fisheries Service

HONOLULU (25 September 2020) Leaders of the nation's eight Regional Fishery Management Councils concluded their second biannual meeting in 2020 yesterday by videoconference. The Council Coordination Committee (CCC) meeting provides the Councils and heads of the NOAA National Marine Fisheries Service (NMFS, also known as NOAA Fisheries) an opportunity to discuss issues relevant to all of the Councils. Under the Magnuson-Stevens Fishery Conservation and Management Act (MSA), each Council is authorized to develop, monitor and amend fishery management plans for federally managed fisheries in its region. Once approved by the Secretary of Commerce, these plans are implemented by NMFS. The two-day meeting was open to the public and hosted by the Western Pacific Council. Among its recommendations, the CCC addressed President Trump's Executive Order (EO) 13921 on Promoting American Seafood Competitiveness and Economic Growth, new National Environmental Protection Act (NEPA) measures issued by the White House Council on Environmental Quality (CEQ), and NMFS coordination on a proposed National Seafood Council and on overfishing technical guidance.

EO 13921 aims to strengthen the American economy, improve the competitiveness of American industry, ensure food security, provide environmentally safe and sustainable seafood, support American workers, remove unnecessary regulatory burdens and ensure coordinated, predictable and transparent Federal actions. At its May 2020 meeting, the CCC released a preliminary joint statement, and, subsequently, each Council provided its own regional recommendations or status in the process of identifying potential changes to regulations, orders, guidance documents and other similar agency actions. The May 2020 CCC letter highlighted the consequences of marine national monuments on the Nation's fisheries and can be found at www.fisherycouncils.org/ccc-correspondence. Yesterday, the CCC requested that NMFS continue to brief the CCC and the individual Councils on the review and implementation of their recommendations.

EO 13921 also includes actions for more effective permitting related to offshore aquaculture and long-term strategic planning to facilitate aquaculture projects. Taking this into account, the CCC yesterday recommended that its consensus statement on aquaculture be revised and considered for review at the next CCC meeting planned for May 2021.

The CCC also recommended that NMFS coordinate with the Councils to release the aquaculture programmatic environmental impact statement (EIS) for public comment. The EIS assesses the impacts of siting aquaculture facilities. The CCC further recommended that NMFS, prior to identification of Aquaculture Opportunity Areas (AOA), provide the spatially referenced data used to identify the AOAs and that the Councils be included on the AOA implementation teams.

Another initiative to support and increase the value of sustainably managed U.S. fisheries is an industry-led National Seafood Council that the NMFS Marine Fisheries Advisory Committee recently recommended. In regard to this proposal, the CCC requested that NMFS evaluate the NOAA FishWatch criteria for the purpose of serving as an equivalent to third-party certification deeming U.S. fishery products as sustainable. The CCC requested that NMFS report on the utility of FishWatch for this purpose and any possible alternatives by the May 2021 CCC meeting. Information on NOAA FishWatch can be found at www.fishwatch.gov.

Several other recommendations by the CCC focused on improving coordination between the Councils and NMFS.

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The CCC moved to create a CCC subcommittee to make recommendations to NMFS in developing guidance on the new NEPA rule announced by CEQ on July 15, 2020. Such guidance could include determining and implementing the functional equivalency provision of the new rule, which would address current duplication in MSA and NEPA requirements. Signed into law in 1970, NEPA requires Federal agencies to consider the environmental effects of proposed major Federal actions significantly affecting the quality of the human environment.

The CCC requested that NMFS circulate draft reports of its National Standard 1 Technical Working Groups through the Councils with sufficient time for the Councils to consult with their Scientific and Statistical Committees and develop a response through their full Councils. The MSA contains 10 National Standards. Standard 1 says conservation and management measures must prevent overfishing while achieving, on a continuing basis, optimum yield from each fishery for the U.S. fishing industry. The issues addressed by the Working Groups were estimating fish population reference points, quota carry-over and phased-in catch limits, and alternative management approaches due to data limitations.

The CCC also requested that the NMFS Office of Sustainable Fisheries form a working group comprised of NMFS and Council staff members to determine alternative approaches to the use of annual catch limits (ACLs) to manage data limited stocks. The 2006 reauthorization of the MSA mandated that overfishing be addressed through enforceable ACLs that cannot exceed scientific recommendations. Alternative approaches identified in the CCC recommendation include those that are based on fishing mortality rates, fish lengths and fishing trip limits, among others.

For more information on the CCC meeting, go to <http://www.fisherycouncils.org/ccc-meetings/september-2020-ccc-meeting>.

Regional Fishery Management Council Participants

- ♣ New England Council: Chair Dr. John Quinn, Vice Chair Eric Reid, Executive Director Tom Nies.
- ♣ Mid-Atlantic Council: Chair Mike Luisi, Vice Chair Wes Townsend, Executive Director Chris Moore.
- ♣ South Atlantic Council: Chair Mel Bell, Vice Chair Steve Poland, Executive Director John Carmichael.
- ♣ Gulf Council: Chair Dr. Thomas Frazer, Vice Chair Dale Diaz, Executive Director Carrie Simmons.
- ♣ Caribbean Council: Chair Marcos Hanke, Vice Chair Tony Blanchard, Executive Director Miguel A. Rolón.
- ♣ Pacific Council: Chair Marc Gorelnik, Vice Chair Brad Pettinger, Executive Director Chuck Tracy.
- ♣ North Pacific Council: Chair Simon Kinneen, Vice Chair Bill Tweit, Executive Director David Witherell.
- ♣ Western Pacific Council: Chair Archie Soliai, Vice Chair (CNMI) John Gourley, Vice Chair (Hawai'i) Ed Watamura, Vice Chair (American Samoa) Howard Dunham, Executive Director Kitty M. Simonds

NOAA Fisheries Participants

- ♣ Chris Oliver, NOAA Assistant Administration for Fisheries
- ♣ Samuel D. Rauch III, NMFS Deputy Assistant Administrator for Regulatory Programs
- ♣ Francisco Werner, NMFS Scientific Programs Director and Chief Science Advisor
- ♣ Paul Doremus, Deputy Assistant Administrator for Operations
- ♣ Kelly Denit, Director, NOAA Office of Sustainable Fisheries
- ♣ Stephanie Hunt, Branch Chief for Policy and Guidance, Office of Sustainable Fisheries
- ♣ Adam Issenberg, Section Chief, General Counsel Fisheries and Protected Species

