

MEETING REPORT
COUNCIL COORDINATION COMMITTEE (CCC)
September 23-24, 2020
Teleconference

The CCC met via teleconference, and a rapporteur was tasked with taking notes on the meeting to generate this Meeting Report. The items below track the final agenda (Attachment 1). Approved motions are included near the end of the report.

DAY 1 – September 23, 2020

National Oceanic and Atmospheric Administration (NOAA) Fisheries Update and FY20/21

Priorities

Chris Oliver (National Marine Fisheries Service [NMFS] Assistant Administrator for Fisheries) described big picture ideas and NMFS priorities moving forward. He noted the adverse impacts to fishing industries due to the Coronavirus Disease 2019 (COVID-19), but also recognized the Coronavirus Aid, Relief, and Economic Security (CARES) Act funds being distributed, the recent Executive Order (EO) on United States (US) seafood competitiveness, and the creation of the Seafood Trade Task Force. Oliver realized the impacts to NMFS' science mission from cancelled surveys and was hopeful that NOAA ships would be operational in 2021. Using the best available science remains a NMFS priority despite the absence in a large amount of survey data from 2020. Oliver explained that prioritizing alternative data collection methods, including electronic monitoring, artificial intelligence, unmanned vehicles, and omics and genomics, and cooperative research with the fishing industry will help fill the data gaps. There are additional hopes to increase access to foreign markets through trade policy via the Seafood Trade Task Force by implementing trade-friendly import regulations, promoting a US seafood campaign, and advocating for consumer purchases of US seafood.

1. Marine Fisheries Advisory Committee (MAFAC) Report on Establishing a National Seafood Council – Dr. Paul Doremus (NMFS Deputy Assistant Administrator for Operations) presented in place of Jennifer Lukens on recommendations by MAFAC related to industry circumstances during the COVID-19 pandemic, including ways to relieve financial burdens in the fishing industry, endorsing the EO on promoting US seafood competitiveness, and providing a forum for stakeholder contributions for the EO. MAFAC also provided reports on findings and recommendations to establish a National Seafood Council to increase consumer confidence and consumption of US seafood.

MAFAC recommended to reestablish the National Seafood Council as industry-led with a clear mission centered on promoting US seafood to increase per capita consumption and increase return on investment to the industry. The new council would complement existing marketing efforts and the current species specific marketing boards to help amplify US seafood brand recognition and create a positive association between seafood and consumer welfare. MAFAC also noted that the council should be federally funded with \$10 to \$25 million on an annual basis and that it be limited to 17 members cutting across all segments and regions of the industry to create functional diversity. The MAFAC report is available online, and all associated recommendations have been transmitted to NOAA leadership. NMFS is currently working on responses including

endorsement of the general concept of a National Seafood Council, and feedback from the Councils is welcomed regarding the development of these responses.

Eric Reid (Vice Chair, New England Fishery Management Council [NEFMC]) asked about the Councils' role within the National Seafood Council. Doremus replied that he had no clean answer with such a wide range of stakeholders to consider, but that the regional perspective that Councils provide will be beneficial to the oversight process. Marcos Hanke (Chair, Caribbean Fishery Management Council [CFMC]) also asked about how the Caribbean region would be engaged by this new council, and Doremus noted that the region would be a broadly managed jurisdiction as part of the National Seafood Council's holistic intent.

Dr. Chris Moore (Executive Director, Mid-Atlantic Fishery Management Council [MAFMC]) asked about what it meant that the National Seafood Council would be industry-led and how a US seafood brand could be created without certification. Doremus stated that the National Seafood Council would be a group of industry participants with an oversight board made by NOAA, and he also noted that "brand" was used in a broad way such that the new council would not be seen as a certification authority. Dr. Thomas Frazer (Chair, Gulf of Mexico Fishery Management Council [GFMC]) inquired if there is an initial list of stakeholders put forth by MAFAC. Doremus responded that the MAFAC report only gives examples of industry segments, and that the intention is for the new council to be a holistic campaign balanced by region and species.

Ed Watamura (Vice Chair, Western Pacific Fishery Management Council [WPFMC]) stated that labeling should be a part of the discussion. For example, fish sold in Hawaii with local names should indicate they were locally harvested, and it should be illegal to foreign-caught fish to be marketed this way. Doremus said that this would be among the items that the National Seafood Council would consider. Archie Soliai (Chair, WPFMC) also commented that the Western Pacific region should have some membership consideration, as it did not have a member on MAFAC for many years despite having the largest pelagic fishery in the US.

2. National Standard 1 Working Groups – Kelly Denit (NMFS Division Chief of the Domestic Fisheries Division) presented on the status of National Standard 1 (NS1) Working Groups, which were also discussed at the May CCC meeting. There are three working groups, one each for reference points, carry-over and phase-in, and data poor approaches. The reference point group is still working on material for estimations of F_{MSY} , B_{MSY} , and associated proxies, which should be available for Council review in early 2021. The carry-over and phase-in working group completed their final technical memo, shared it with the Councils in July, and incorporated comments from the Councils and their Scientific and Statistical Committees (SSCs). There is also a paper by Holland and Liggiman looking at Management Strategy Evaluation carry-over policies that Denit offered to the Councils. The data poor approaches group is continuing work focused on looking at flexibility in NS1 for data poor fisheries, and while the work has shifted from science to policy, discussions on the draft are ongoing.

Tom Nies (Executive Director, NEFMC) asked whether the reference point group would address creating reference points for empirical approaches where F_{MSY} and B_{MSY} cannot be estimated, and Denit confirmed, stating that these would be explored as proxies. Nies also inquired as to why the data poor approaches group is taking so long. Denit noted there have been some issues in navigating different priorities during the pandemic. Nies and John Carmichael (Executive Director, South Atlantic Fishery Management Council [SAFMC]) commented that comments from the Councils' SSCs should go first through the Councils. Carmichael and Dr. Carrie Simmons (Executive Director, GFMC) also requested sufficient time for the SSC to review the material and generate comments.

Kitty Simonds (Executive Director, WPFMC) and John Gourley (Vice Chair, WPFMC) echoed the comments on the data poor working group, suggesting that it needs to be prioritized going forward. Simonds noted that an option being considered is the closure of federal waters in American Samoa for bottomfish, so the WPFMC needs to be able to review other ways to deal with data limited stocks. Gourley also noted issues with overfishing designations in the Pacific Islands due to the use of poor data and asked what issues have been delaying progress. Denit responded that there have been issues in how to define "data poor", identifying stocks as data poor, the use of different terms like "annual" and "catch" in the Magnuson-Stevens Fishery Conservation and Management Act (MSA) and NS1, and making sure the guidance is consistent with requirements of the law, among other issues. Denit stated nothing precludes the Councils from developing their own approaches and ideas consistent with NS1 guidelines. Gourley asked if the Councils could use the flexibility allowed by 50 CFR 600.310(h)(2) to utilize alternative management methods instead of waiting for NMFS to produce guidance, and Denit stated that the Council can work with their SSCs and NOAA General Counsel (GC) to develop proposals, potential alternatives, and options.

Denit also presented on the guidance for changing status from "known to unknown" for which the Councils previously provided comments. The Councils had generally supported the guidance with a few questions for clarification. Comments outside the scope of the guidance were not incorporated into the guidance. Language for Scenario B (i.e., aging assessments) was changed such that the 10 year time frame would not be an imposed limit. For Scenario D, where an assessment has status determination criteria different from current fishery management plan (FMP), the onus is on the Councils to update FMPs to be consistent. For best scientific information available (BSIA), this guidance will work in conjunction with the BSIA framework that the Councils previously approved. In circumstances where data are rejected, the guidance was clarified that there are no bounds as to why data can be rejected since that is up to the assessment scientists and peer reviewers.

Nies did not understand if past actions would inform the guidance being developed, and Denit clarified that, while the guidance is built on past experience, instances where decisions have already been made are not being revisited in the guidance. Nies also asked if a new draft of the guidance would be provided to the Councils, and Denit replied that she was hoping to get feedback from the Councils today and move forward.

After discussion on this agenda item concluded, Gourley provided a brief presentation related to NS1 Technical Guidance through 50 CFR 600.310(h)(2) emphasizing flexibility in determining management strategies in compliance NS1 guidelines. He stated that Councils may propose alternative approaches to satisfy requirements of the MSA other than those set forth in the guidelines, noting that in regions like the Western Pacific, data are not typically available for setting and managing through a maximum sustainable yield (MSY) based reference point. Gourley suggested that the Councils could help NMFS get through the policy stage of the data poor technical guidance, as there are several examples of alternative approaches that the WPFMC have brainstormed for implementation (e.g., average length and trip limit approaches). Gourley also encouraged NMFS to release the guidance on data limited stocks for Council and SSC review, and requested the NMFS Office of Sustainable Fisheries to form a working group including the Councils to determine alternative approaches pursuant to 50 CFR 600.310(h)(2). Several CCC members voiced their support. Watamura commented that he fished with several people in American Samoa for just a few hours and caught a massive amount of fish, suggesting that the determination that the bottomfish are overfishing is questionable.

- Action Items and/or Follow-Up Identified:
 - a. The CCC passed a motion requesting NMFS to circulate draft reports of the NS1 Technical Working Groups to the Councils (detailed wording included near the end of this report).
 - b. The CCC passed a motion requesting NMFS Office of Sustainable Fisheries to form a working group to determine alternative approaches to manage data limited stocks (detailed wording included near the end of this report).

Recent Issues with Council Operations and Agency Operational, Science, and Regulatory Issues

1. NMFS Overview of COVID-19 Related Issues
 - a. Report on NMFS Reintegration Plans, Status of CARES Act Funding – Doremus presented on NMFS operating status during COVID-19, noting that NMFS has been following protocols through “phase changes”. Things like mandatory telework (Phase Zero), for example, disallowed certain operations such as surveys and field research. There are 47 NMFS sites that are being managed with these phase changes, and 45 of 47 are in Phase One, with sites in Hawaii and Miami being likely to join them soon. A system of review is in place during Phase One that focuses on mission essential functions that require access to facilities or vessels, and ~150 return to workplace activities have been approved. NMFS is still in the process of taking stock of impacts, including impacts to employees from relying on virtual work to an increased extent. The fundamental impression is that employees have gone above and beyond to keep things running, and some units have done better than before despite the disruption and overlay of activities.

Denit briefly reported on the distribution of CARES Act funding, which interstate commissions are issuing as fast as possible. There have been eleven state spend plans approved so far, with several more currently under review that are likely to be approved in next few weeks; however, there are also several states with no draft spend plans yet.

Moore asked why all the spend plans have not been received, and Denit noted that some states are working through public processes with stakeholders while others are awaiting approval from their governor. Frazer asked if any of the spend plans have had money distributed, and Denit said she would need to double-check because several application periods are closing soon. Chuck Tracy (Executive Director, Pacific Fishery Management Council [PFMC]) mentioned that he believed there was a September deadline for spend plans, but Denit clarified that the deadline is September 2021 for the funds to be expended. Tracy also asked if there are other upcoming potential funding sources since the HEROS Act has not been passed, and Denit replied that she was not sure. Soliai asked about a time limit to submit the spend plans, and Denit noted that there was soft date of the past August but no other deadline.

- b. Observer Waivers – Sam Rauch (NMFS Deputy Assistant Administrator for Regulatory Programs) presented on issues in the observer program since the onset of the COVID-19 pandemic. Fishing industry operations and travel have been impacted. However, observers have been on vessels in much of the country throughout the pandemic and there have been no incidents related to COVID-19. Regional waivers are in place and NMFS Regional Administrators can issue waivers on a case by case basis.

Michael Ruccio (Acting Division Chief, NMFS Domestic Fisheries Division) presented on the current observer waiver process. An extension to the original emergency rule was published on September 21st provides the ability to waive requirements for observers through March 26, 2021, including training and program requirements. Observers may be waived on a regionally decided basis due to travel restrictions or issues associated with the pandemic. Waivers will be considered if observer providers cannot meet safety protocols imposed by a state or if the vessel company has specific requirements to which they are adhering. There has been no example of transmission of the virus to vessel crews from observers. An additional mechanism to require observer waivers may be required after the emergency rule expires, and NMFS will remain in communication with observer providers to understand logistical challenges and adhere to fleet coverage requirements.

Soliai stated that he appreciated the extension to the emergency rule because the Hawaii shallow-set longline fleet requires 100% observer coverage, which has been logistically difficult in the Pacific Islands. Soliai hopes for a more sustainable solution in the future.

- c. Update on Marine Recreational Information Program (MRIP) Status of Data and Monitoring Outlook for 2021, Report on Funding for Basic Surveys – Dr. Francisco Werner (NMFS Director of Scientific Programs and Chief Science Advisor) presented on the status of MRIP and other field surveys amid the effects of the COVID-19 pandemic, which has impacted recreational data collection in all regions. Werner noted that while the pandemic has had little impact on mail and telephone surveys used to estimate effort, shoreside and at-sea sampling to estimate catch were more heavily affected. The Access Point Angler Intercept Survey (APAIS) was suspended in 17 states between March and August, and while all states have resumed shoreside sampling since then, at-sea sampling is still suspended. Werner presented on the status of several other sampling programs

including large pelagics surveys, at-sea program, southeast region headboat surveys, state creel surveys, fishing effort surveys, and for-hire surveys.

Werner noted that there are impacts to 2020 effort estimates due to APAIS interruptions. Catch estimates for 2020 have significant data gaps and have not been published due to associated uncertainties. There are several options to estimate catches with limited data, including large domain estimation, data imputation, and small area estimation, however all estimates will need to be revisited after normal sampling resumes. There is also ongoing work on alternative estimation programs to address 2020 data gaps including conferring with statistical consultants and using 2019 data. Next steps include evaluating options for imputation (i.e., filling gaps with proxy data) and application of the estimation methods for 2020 data. For 2021, some impacts will likely continue despite states developing effective sampling safety protocol, but it will also be more normal than 2020.

For ship-based surveys on NOAA or charter vessels used to generate data for stock assessments, days at sea decreased notably in 2020 with over 50 surveys cancelled. Making up for some of the data gaps could be costly, and challenges will continue into 2021. Next steps include conducting an inventory for a full cost analysis to have a complete survey year and developing a survey strategy to identify data gaps and prioritize data collection. One notable success was the deployment of unmanned systems (i.e., sail drones) in the Bering Sea to collect data. Though the intensity and resolution of the data collection was not the same as white ship surveys, the drones were otherwise successful in providing information to use for assessments. In 2021, there will likely be some reduced days at sea on NOAA ships, but NMFS is working on safety protocols and adjustments for the cadence the ships can take (e.g., going out for 45 days then spending 16 at shore). NMFS will also look at the success of unmanned systems and evaluate the impacts of the collected data on stock assessments in the next year.

Nies asked what will happen to the funds that did not get spent on the cancelled surveys, and Werner said NMFS will try to forward fund. Some funds that were not spent on surveys in 2020 will not be fully available but will be used for surveys in the upcoming year where possible. Reid asked how the decline in commercial catch due to market failure (rather than reduced abundance) will be accounted for, and also commented that this inability to conduct surveys may be a helpful exercise when the New England region begins to lose historical areas to wind farms in the near future. Werner replied that catch per unit effort (CPUE) data can still be used in stock assessments despite the catch being lower, and novel methods can be explored to make up for the lack of surveys. Werner also agreed that wind farms will be an interesting challenge in terms of not being able to sample areas previously sampled, but NMFS is working on ways to get that information.

Moore asked when the MRIP catch estimates for 2020 should be expected, and Werner said he was not sure but hopefully at the beginning of 2021. Carmichael stated that he hopes it will be made clear what catch data estimation method was selected and why. Carmichael then asked why there will not be at least partial catch estimates published despite sampling being underway in some parts of the country. Werner replied that the error bars associated with these estimates are large, and publishing data with such large

error is beyond what NMFS feels comfortable doing; NMFS will provide the data and selected method when available.

Simmons asked if the Southeast Headboat survey is still suspended, and Werner confirmed. Simmons then asked if there is a regional/national approach for stocks with in-season monitoring or accountability measures harvested recreationally that are mostly informed by the APAIS. Werner replied that this issue is being worked on currently. Frazer asked if uncertainty around catch estimates when they are available in 2021 may be so high that they cannot be used, and Werner said that he would need to follow-up on that possibility since he is not aware of what the estimates and uncertainty level will be.

Hanke asked if there is any potential for utilizing the sail drones in the Caribbean region, but Werner said that sail drones are challenging to use for reef fish aggregations due to the fish's proximity to the seafloor; there are no current plans for NMFS to deploy the drones for that purpose. Similarly, Tracy asked if there are plans for sail drones to be used on the West Coast, if savings from cancelled surveys in 2020 will go to expanding the drone fleet, and if sail drones will be used to augment white ship surveys during their expanded shore cadence. Werner replied that there was a plan to use the sail drones on the West Coast for a survey after survey in the Bering Sea, however the drones were not able to be deployed because of supply chain issues. The drone project will likely occur in 2021. Regarding the elongated shore cadence, NMFS is working on the potential use of sail drones to fill this gap or using two ships such that their shore cadence is staggered. NMFS also wants to collaborate with the fishing industry to do some of the sampling.

Bill Tweit (Vice Chair, NPFMC) noted that the loss of surveys in the Bering Sea will increase uncertainties for already low crab population estimates, and that there are already management ramifications for the lack of surveys due to the pandemic. Tweit also asked if there is a time frame for decisions regarding survey platforms in the coming year. Werner responded that large surveys scheduled for January are already being prepared for, including staging. The elongated shore cadence will be something new, but the associated surveys will still be conducted. There should be a full survey year in 2021.

Simonds echoed comments from other Councils about use of sail drones in their respective regions. She noted the cancellation the habitat survey in the Mariana Archipelago and the uncertainty surrounding the habitat survey scheduled for next year in American Samoa. The WPFMC wants to see the surveys done as soon as possible to inform assessments and welcomes the use of sail drones. Watamura noted that the use of self-reporting via smartphone applications needs to be further supported considering the pandemic and would appreciate additional support from NMFS on the effort. The WPFMC has developed an application called "Catch It, Log It" to gather information directly from the fishers. Werner replied that MAFAC has a committee looking at smartphone usage, and that it is a useful tool but one that needs to be utilized properly.

- Action Items and/or Follow-Up Identified:
 - a. NMFS will follow-up with the CCC about when MRIP catch estimates for 2020 are expected to be released and what estimation method was used to generate them.

Rule on Council Member Financial Disclosure and Recusal

Adam Issenberg (NOAA GC) presented on the final rule on Council member financial disclosure and recusal, which was published on September 11th and becomes effective October 14th. The rule deals with three issues: clarifying how NMFS and designated officials apply the “close causal link” language in the statutory provision, how to attribute financial interests, and implementing a requirement for regional procedures. The final rule is largely unchanged from the proposed rule with one exception, which is that, in response to comments, the approach to attributing direct ownership was changed. Before, if someone owned more than 50% of an interest in another entity, they were attributed 100% of that entity; if they owned less than 50%, then they would be attributed a proportional share. This was changed to a straight proportional approach. The next steps for NMFS are to begin development of the regional procedures and revise the policy directive that governs implementation of the recusal provisions. Presentations will be given to Councils by the regional GC, who will also address application of the rule.

David Witherell (Executive Director, North Pacific Fishery Management Council [NPFMC]) asked if the Councils would be able to see the revised policy directive, and Issenberg said that he would circulate this as well as the regional procedures. Several CCC members and Oliver thanked Issenberg for taking comments into account for and finishing the final rule.

Soliai noted that final rule did not take comments into account regarding changing the attribution proportion for Council members that are employees of an entity, and the WPFMC may explore options to address this outside of the MSA. Oliver stated that he did not mean to overlook the fact that not all concerns were addressed, and said he is willing to have further discussions on the matter. Issenberg also replied that he understands that not all comments were addressed but that the final rule speaks for itself now. Simonds also asked when regional GC would be ready to work with the Councils on regional procedures, and Issenberg said that they should be ready to present by December. Simonds noted that a response to their comment for the final rule states that an affected individual cannot vote on a decision that would have a significant and predictable effect on their employer, and Soliai has already recused himself at several Council meetings. She asked if there is an avenue for an individual to take if they disagree with the final rule. Issenberg responded that there is an appeal procedure to NOAA GC that would take a fresh look at the specific recusal determination (not the rule as a whole).

- Action Items and/or Follow-Up Identified:
 - a. NOAA GC will circulate the revised policy directive and regional procedures to each of the Councils.

Council on Environmental Quality (CEQ) Final National Environmental Policy Act (NEPA) Regulation

Steve Leathery (NMFS National NEPA Coordinator) led the report on the new CEQ NEPA regulation that became effective on September 14th. Katie Renshaw (NOAA GC NEPA Coordinator) presented on the implementation of the new regulations. Interim guidance has been issued to address immediate questions on MSA actions, and additional guidance on the implementation of key provisions, such as duplicative procedures and functional equivalence, is being prepared. Conflicts with time and page limits can be addressed with agency procedures or with a specific request for a waiver by a senior agency official. NOAA internal policies and

procedures are being evaluated for consistency with new regulations, and proposed revisions will be drafted. CEQ will publish proposed revisions within a year.

Leathery presented on what NMFS is doing in response to the new regulations. In the short-term, NMFS will develop interim NMFS guidance for MSA actions and request interim waivers relative to page and time limits; there are difficulties associated with the integration of MSA and NEPA requirements. On the long-term, NMFS is attempting to establish a process to develop a proposed rule within one year to address required changes to the MSA NEPA process by developing an internal working group. Leathery asked the CCC how they would like to engage with this working group. Due to potential issues associated with the Federal Advisory Committee Act (FACA) post rulemaking, the CCC could form a subgroup outside of their meeting schedule or hold a workshop to help form a NMFS-specific regulation for MSA that is legally defensible. Rulemaking will be initiated after the CCC workshop/subgroup meeting.

Nies asked if functional equivalency will be part of these efforts, and Leathery confirmed saying that, while MSA is not functionally equivalent to NEPA, the process has been developed to utilize NEPA during the MSA process in a legally defensible way. Simmons asked for Leathery to clarify if the purpose of the workshop would be to get CEQ involved, and Leathery stated it is to engage with the Councils and collaborate about how to proceed prior to rulemaking. Tracy suggested that the Councils could be included in the NMFS working groups instead of keeping them separate, but Leathery replied that this could be challenging due to an aggressive timeline. Rauch added that this working group is different than others (e.g., those for NS1) because it a part of a regulatory rulemaking process but will be held early. Witherell asked if the interim guidance can be shared with the Councils, and Renshaw confirmed. Witherell also asked whether interim waivers should be requested for all documents or individually, and Leathery said additional guidance will come soon but that Councils should keep doing things the way they have done them in the past. Simonds echoed previous comments and are pleased to be a part of the working group to collaborate. Several members of the CCC noted that they were pleased that functional equivalency is included in this effort and supported the formation of a subcommittee.

- Action Items and/or Follow-Up Identified:
 - a. The CCC passed a motion creating a subcommittee to develop recommendations on the new NEPA regulations (detailed wording included near the end of this report).
 - b. NOAA GC will share interim guidance on the CEQ NEPA regulations with the Councils.

Legislative Outlook

David Whaley (Council consultant) presented on legislative topics relevant to the Councils, including the upcoming election, continuing resolution for funding, the CARES Act, MSA Reauthorization, and aquaculture. The federal funding cycle ends of September 30, but a continuing resolution passed by the House will fund the government for a few more months. After funding through the CARES Act, there is unlikely to be more fisheries funding associated with COVID-19. Regarding MSA Reauthorization, there was one bill in the House and Senate by Congressman Young over a year ago but there has been no action since then. Congressman Huffman has been holding listening sessions in all the Council regions, with the New England

session being scheduled for September 28. While the Senate did hold an aquaculture hearing, there is only one associated bill in the House.

Marc Gorelnik (Vice Chair, PFMC) asked about draft legislation in the House Natural Resources committee on the topic of protecting 30% of the ocean and land by 2030 by prohibiting destructive extraction. Whaley stated that he has not seen the draft language for the legislation, so it is probably not far along in its process. Simonds noted that Congressman Ed Case invited the WPFMC to send him its thoughts on MSA Reauthorization. Rauch replied that Councils should consult with NOAA GC before doing so, as some things not appropriate for the Council to comment on regarding the legislation. Whaley commended the Councils for their working group paper outlining issues associated with MSA Reauthorization.

- Action Items and/or Follow-Up Identified: N/A.

Public Comment

Doug Covin (Charter Boat Captain) commented that there has been letter drafted and signed by many groups suggesting that imbalance in the ecosystem is causing excessive shark depredation. The southeastern US in particular has had problems with shark depredation, with large numbers of many different pelagic species being eaten. Covin has personally had 20 sailfish get depredated in the last week and local chart boat captains estimate that 60% of sailfish get eaten. Covin indicated the need to increase US shark consumption, as the overabundance of sharks is the cause of the high rates of depredation and they are a sustainable resource. Schools of bull and sandbar sharks have begun to circle boats without bait in the water. Covin requested that the CCC follow-up on the issue of shark depredation in the southeastern US.

Patrick Price (Charter Boat Captain) followed-up on the points that Covin made, agreeing that there are concerns about booming shark populations. Price also noted the letter signed by many groups that supports emergency actions being taken to correct issues with depredation. Price personally lost eight sailfish in the past winter, plus many others post-release. Another fisher estimates that 30% of sailfish caught are eaten by sharks. Tagging individuals for the Billfish Foundation may exhaust the fish such that they are eaten soon after release, and bottomfish also are depredated soon after being caught. Price read a quote from Captain David Willey, who stated that sharks have aggressive learned behavior and reported depredation rates of over 70% especially when bottomfishing. While cobia is not currently targeted, when they are caught, they get eaten almost instantaneously on the hook. Price worried that years of conservation efforts may be impacted due to mismanagement of the apex predator and said there is no good data on fish stocks in the South Atlantic without considering the impact of sharks.

Greg DiDomenico (Lund's Fisheries & Viking Village Fisheries) commented that during the observer program webinar last month, there was a discussion about observers being deemed "mission essential". DiDomenico asked what being "mission essential" means and if it is a federal designation.

Day 2 – September 24, 2020

Aquaculture and the Executive Order on Promoting American Seafood Competitiveness and Economic Growth

1. Seafood Trade Task Force – Drew Lawler (NOAA Deputy Assistant Secretary for International Fisheries) presented background on the Seafood Trade Task Force initiated by the White House. The Task Force is export-oriented, focusing on reducing non-tariff export barriers, improving access to foreign markets, and making associated recommendations to the President. However, some recommendations received have been focused on parity and trade tariffs. All recommendations received by the Task Force went through a consensus process, which may have resulted in the initial recommendations being “watered down”. The final recommendations were not able to be shared during the CCC meeting but will be available after they are forwarded to the National Economic Council for dissemination. Lawler noted that recommendations on parity and trade tariffs will be considered separately from the other Task Force recommendations.

Reid inquired if fees associated with ocean containers have been considered, and Lawler asked Reid could send him an email better detailing the issue because there is nothing in the EO that prevents the addition of items. Reid offered that the MAFMC should send the email, and Moore agreed to do so. Soliai stated that the WPFMC is looking to reduce burdens to fishing from spatial closures enforced through the Antiquities Act, and that stipulations need to be made to cooperate with US fishing interests since the US is not responsible for much illegal, unreported, and unregulated (IUU) fishing. He also noted that there are issues with “tailpipe tuna” being imported and taking the place of US products. Simonds stated that the fishers cannot export if they cannot fish. Lawler asked the WPFMC to also send him an email explaining issues associated with “tailpipe tuna”. Simonds followed up saying that Japan and the European Union do not allow “tailpipe tuna” into their countries, and that the WPFMC has previously tried to work with the US Food and Drug Administration on this issue but made little progress. “Tailpipe tuna” is tuna treated with carbon monoxide so that the fish keeps its color despite aging.

2. Other EO Issues, Aquaculture Opportunity Areas – Doremus provided context for the EO’s aquaculture components and the EO as a whole. Sections 6 through 10 of the EO are part of a four-part plan to improve competitiveness of the US fishing industry. Section 4 focuses on regulatory reform to maximize commercial fishing (see agenda item on “EO Section 4 Prioritized List of Recommended Actions”), and Section 5 focuses on IUU fishing aligning with direction from the Maritime Security and Fisheries Enforcement (SAFE) Act. The Maritime SAFE Act working group recently met, and its work plan is available online. Lawler previously discussed Section 11 (see agenda item on “legislative outlook”), which has a focus centered on improving competitive opportunity for the US seafood sector in a holistic and urgent manner.

Blacklock presented on aquaculture aspects of the EO, focusing on aquaculture permitting. Section 6 (removing barriers to aquaculture permitting) involves determining if nationwide permitting by the US Army Corps of Engineers (USACE) for finfish and seaweed could be implemented like their shellfish permits. NOAA would be the lead agency for NEPA if the project requires environmental review by two or more agencies,

requires an environmental impact statement (EIS), and is in federal waters. Section 8 (improving regulatory transparency for aquaculture) involves preparing a document that explains regulatory requirements for aquaculture. Section 9 (updating National Aquaculture Development Plan) involves inquiring whether the National Aquaculture Development Plan, originally from 1983, needs to be updated. The Joint Subcommittee on Aquaculture has put together a Regulatory Efficiency Plan and investigated research assets for a Research Coordination Plan that will be released for public comment soon. Recently, an Economic Development Plan for aquaculture was initiated, and these three plans together will create a good foundation for the overall National Aquaculture Development Plan. Section 10 (promoting aquatic animal health) involves the US Department of Agriculture (USDA) updating the National Aquatic Animal Health Plan.

Blacklock also presented on Section 7 of the EO (Aquaculture Opportunity Areas; AOAs), which asks NOAA to identify two geographic areas containing locations suitable for aquaculture within a year before completing a programmatic EIS for each area within two years; this process repeats every year for the next four years. AOAs will be identified scientifically, with the National Centers for Coastal Ocean Science (NCCOS) performing spatial analyses to create heat maps of appropriateness, and with stakeholder input. An AOA is a space appropriate for aquaculture environmentally, socially, and economically. Permitting will still be required for AOAs, but the federal government will have three years of completed analyses to make the process more efficient. The first two areas being investigated for AOAs are Southern California and the Gulf of Mexico due to their readily available spatial data and industry interest. Implementation teams for AOAs have already convened, NCCOS has begun their siting analyses, and early stakeholder outreach has been initiated. There will soon be a formal public input process through a Federal Register notice to request information on additional areas to consider. NMFS will also reach out to the Councils for input. NCCOS' draft Aquaculture Opportunity Atlas will be available this winter and, paired with public input, will help identify appropriate AOAs and feed into the programmatic EIS process.

Nies asked if Councils can participate on AOA implementation teams and when the public notice for the request for information will be published. Blacklock said she would have to follow-up with the CCC on their participation, the public notice would be released in the next couple of weeks, and it would last for 60 days. Nies also inquired about how AOAs would be enforced and what if entities want to establish operations outside of the designated areas. Blacklock responded that operations are welcome to go outside of AOAs but there will be incentive to use them with the federal government doing much of the required analyses beforehand.

Moore asked about the differences between a geographic area and an AOA, and Tracy agreed that the terminology needs to be more explicit. Blacklock said that geographic areas are the initial areas that will be identified but are not AOAs until the programmatic EISs are completed. She noted that large areas off the coast will not be taken, and AOAs are meant to be small areas that will not interfere with other activities. Simmons asked if programmatic EISs will have a review process to assess current AOAs before identifying new ones, and Blacklock noted that NMFS is still developing what EIS process will be.

Miguel Rolón (Executive Director, CFMC) inquired if NMFS representatives would come to the next CFMC meeting to discuss AOAs, and if the Caribbean will be considered for AOAs. Blacklock said that representatives would be happy to present and that the Caribbean could be considered.

Tracy asked where the databases will be housed, noting his concerns with the how the data and time series would be used, and stated that the Councils would be interested in engaging with NCCOS in this process. Blacklock said that data are still actively being mined and constantly improved. Both Tracy and Gorelnik stated that it is not clear what the role of the Councils will be in this process, and that updates on when, where, and how Council can engage would be helpful. Blacklock responded that the Councils are NMFS' largest constituency, their input is important to shape the process, and that the formal engagement process will begin this fall with informal engagements happening until May.

Gourley noted that the WPFMC has been working on a programmatic EIS for several years and wondered if it would coincide with AOA efforts. Blacklock said that it is not clear how the work will align, especially with regards to timing, but recommended that the WPFMC should continue with their efforts.

3. Aquaculture Regulatory/Statutory Issues – Rauch gave a brief overview of NMFS' position on aquaculture authority. NMFS has held a view that, while the USACE and Environmental Protection Agency (EPA) have regulatory authority for permitting in federal waters, NMFS has authority to regulate aquaculture in federal waters under the MSA through the Councils because aquaculture is a form of fishing. However, the Gulf Aquaculture Plan was challenged and lost cases in the District and Fifth Circuit courts.

Issenberg reviewed the court cases. The Fifth Circuit Court issued an opinion that NOAA does not have statutory authority to issue regulations for aquaculture under the MSA and that the Councils do not have the ability to adopt FMPs to address aquaculture. The position was based on the word “harvesting” being synonymous with “catching” and “taking” and not being inclusive of aquaculture. One of three judges dissented, believing that Congress gave NMFS expansive authority and that fishing methods had not been distinguished. The next step in this process is for the Department of Justice (DOJ) to determine whether further review is needed. After this step and depending on the appeal decision, NMFS will need to decide how to respond. The decision does not mean that aquaculture is prohibited in the Gulf of Mexico and that it may proceed under applicable law. Issenberg note that the MSA is not NOAA's only authority regarding aquaculture, which also include the National Aquaculture Act of 1980, the Fishery Lobby and Coordination Act, and the National Aquaculture Act. Rauch noted that the Gulf Aquaculture Plan has been set aside for the time being, and, if the Fifth Circuit Court decision is made final, NMFS and the Councils still have some non-regulatory authority over aquaculture as Issenberg indicated.

Dr. John Quinn (Chair, NEFMC) asked if there is a deadline for the DOJ to decide on an appeal and if the standard of review changes when reviewing an appellate court decision.

Issenberg stated that there is a 90 day deadline for petitioning for Supreme Court review, and a decision by then is likely. The standard of review would be the same.

4. EO Section 4 Prioritized List of Recommended Actions – Denit led discussion on Section 4 of the EO (recommended actions to reduce burdens on fisheries). A template to receive suggestions from the Councils was sent out in July and is due by early November. Each of the Councils briefly described their preparation of recommendations for actions to alleviate restrictions on the fisheries in their respective regions.

For the PFMC, Tracy said that the Council met last week and had discussion to prepare their response to the EO, looking at items in their FMPs and normal regulatory authority. Several items to initiate prior to May 2021 were identified. The PFMC casted a wide net and asked their advisory bodies for suggestions. They ended up with three buckets of items: (1) items under this EO, (2) items under NMFS but not regulatory (e.g., creel survey funding), and (3) items under other statutes or agencies (e.g., regulations under the US Fish and Wildlife Service (USFWS) that omit squids and sea urchins from the definition of “fish products”); this recommendation will probably go to USFWS and the Seafood Trade Task Force. There was another comment on AOAs ensuring that essential fish habitat consultations would be completed prior to decisions being made.

For the NEFMC, Nies stated that the Council goes through a process every year to set priorities, and that a response to the EO was rolled into that process. The NEFMC works with advisory panels and suggestions from the public, and will make final determination at Council meeting towards end of October.

For the MAFMC, Mike Luisi (Chair, MAFMC) said that the Council started with preliminary discussion in the spring, then staff worked with the Council’s advisors and the public to narrow down a list of possible actions for the EO. The MAFMC worked actions through its Executive Committee earlier this week to refine the list. A lot of focus was placed on commercial activity, but the Executive Committee added recreational issues as well. A report will be presented at the next Council meeting in two weeks to provide final guidance to staff on what the Council wants to see moving forward.

For the SAFMC, Carmichael noted that the EO was discussed through the two previous Council meetings. A list was refined last week, and final language is being worked on to transfer to the template provided by NMFS. Several buckets of items were identified including (1) increasing scientific resources within the region (e.g., more independent surveys and stock assessment and fishery evaluation reports), (2) shark depredation issues, (3) recreational topics (e.g., improved MRIP estimates, a working group on rare species), (4) support on regional climate change efforts, (5) addressing delays in disaster relief, and (6) commercial items (e.g., closed areas, electronic logbooks, individual transferable quotas, snapper permits).

For the GFMC, Simmons stated that the discussion was initiated at their June Council meeting where initial feedback was received. The Council was able to come up with a path forward via guided public comments, which asked about the individual’s

association, burdensome regulations, and other changes that could alleviate barriers. There were 93 public comments received. The next step is to discuss initial suggestions at their next Council meeting and finalize the suggestions at their October Council meeting.

For the CFMC, Hanke noted that they have been collecting input from the Council's advisory bodies, and issues will be addressed at their next Council meeting. He stated that the Council will follow up after its meeting to generate the recommendations.

For the NPFMC, Witherell stated that the Council will decide on their prioritized list of recommendations at its October meeting, and that he would follow-up with some questions during the discussion period of this agenda item.

For the WPFMC, Simonds noted that the Council has had meetings with its advisors and the public over past several months, and the Council voted last week on its recommendations. Some examples of recommendations are efforts associated with spatial closures, consultations, and international negotiations, which have been large burdens to fisheries in the region. Simonds was worried that the EO may not have traction if the current president is not re-elected, but that the EO has given the Council the opportunity to discuss what works and what has not worked. The WPFMC casted a wide net. The region's tuna fisheries are healthy, but the bottomfish fisheries have issues with data collection. Simonds continued that regulations from the White House and NMFS have impeded fishing in the region because more than 50% of EEZ waters are closed, with longlining prohibited in 75%. Delayed consultations resulted in the shallow-set longline fishery missing several seasons and losing US markets, especially for swordfish, and markets on the east coast are now getting swordfish elsewhere. Simonds stated that the reasonable and prudent measures implemented for the shallow-set longline fishery are not reasonable, and three recent fishing seasons have been missed because of delayed consultations and administrative processing. Simonds noted that the US bigeye tuna quota has failed to increase due to failed WCPFC negotiations despite Japan and China have much larger ones, and that the US needs to negotiate measures that support the US in these regional fishery management organizations. The letter from WPFMC will ask NMFS leadership to meet with the Council to lift these burdens from the region.

Nies asked what will happen to recommendations on broad issues that may not apply to the NMFS unified regulatory agenda. Denit said that NMFS is still considering how to handle these items, as the EO language is specific for actions under NMFS purview. Luisi inquired if the recommendation lists should be prioritized, and Denit suggested some level of prioritization (e.g., "high", "medium", "low"). Carmichael asked what the next steps for the process are and how recommendations will be prioritized. Denit said that it is not clear how prioritization will occur. The next step will be getting the input compiled and seeing what the recommendations are before holding additional consultations with each of the Councils and NMFS Regional Administrators.

Witherell asked if Councils should be sending recommendations associated with recreational fisheries and actions to increase value and competitiveness of US fisheries, and Denit confirmed. Witherell then inquired what would happen to the unified

regulatory agenda if there is a change in the administration, and Denit stated that it would carry forward regardless. Witherell also asked about how Councils are supposed to initiate actions that are not under the Councils' authority, and Denit replied that the Councils can describe the needed actions and how they suggest that they be implemented.

Moore asked how NMFS is handling recommendations for highly migratory species (HMS). Denit replied that NMFS is soliciting input from its HMS Advisory Panel to include in the overall recommendations. Moore asked if the CCC could see the input, and Denit confirmed that they can stay in touch to ensure there is not overlap.

Frazer asked if Luisi could give some examples of reducing burdens for recreational fisheries. Luisi mentioned a recreational reform initiative, which is a creative way of working through MSA to find stability, add flexibility, improve access to resources given constraints of recreational harvest limits. Another example is a request to evaluate NS1 guidelines relative to the Modernizing Recreational Fisheries Management Act so that Councils can implement alternative recreational approaches.

Simonds noted that the WPFMC will put its recommendations on the CCC website. Watamura reiterated support for Simonds' previous remarks. He went on to state that the draft legislation prohibiting extractive impacts to 30% of the ecosystem by 2030 would be too much on top of the existing spatial closures in the Western Pacific region.

Rauch added at the end of the discussion that he looks forward to seeing the Councils' responses to the EO. There will be actions that fit under the EO that go on the unified agenda, and others that fit the "wide net" request that Oliver put out that might not be in the regulatory category. NMFS will figure out how to look at recommendations, address them, engage in discussion. Rauch was especially interested in hearing from the Councils about what their current opportunities and challenges are.

- Action Items and/or Follow-Up Identified:
 - a. The MAFMC will send an email to Lawler detailing issues with high ocean container fees used to ship fishery products internationally.
 - b. The WPFMC will send an email to Lawler detailing issues with "tailpipe tuna" being imported from foreign fisheries and taking the place of US fishery products.
 - c. The CCC passed a motion requesting NMFS to evaluate NOAA FishWatch criteria to serve as an equivalent to third-party certification deeming US fishery products as sustainable and to report back on the utility of FishWatch at the next CCC meeting (detailed wording included near the end of this report).
 - d. The CCC passed a motion recommending the Legislative Committee revise the consensus statement on aquaculture and provide a draft at the next CCC meeting.
 - e. The CCC passed a motion recommending that NMFS coordinate with regional Councils to release the programmatic EIS that assesses the impacts of siting aquaculture facilities for public comment considering Council meeting schedules.
 - f. The CCC passed a motion recommending that NMFS provide the data used to identify AOAs (detailed wording included near the end of this report).

- g. The CCC passed a motion recommended that NOAA include the Councils on the AOA implementation teams.
- h. The CCC passed a motion requesting NMFS to continue briefing the CCC and Councils on the review and implementation planning of recommendations provided by the Councils regarding all aspects of Executive Order 13921 (detailed wording included near the end of this report).
- i. NMFS will keep in contact with the MAFMC regarding recommendations from the HMS Advisory Panel for the EO.

CCC Committees

1. Electronic Monitoring – Tracy presented on the CCC’s electronic monitoring committee, which was reestablished in May 2019 to address national-level issues such as the procedural directive on data retention and developing a program for observer funds to pay for electronic monitoring. The report for the procedural directive on data retention was completed in November 2019 and interest for the funding program has waned in the Pacific region, so the committee has not met since then. There are no national-level issues that have arisen to have the committee meet again.

Much of the CCC agreed that there is no reason for the electronic monitoring committee to meet prior to the next CCC meeting. Tweit suggested that there may be a need for the three western Councils to meet regarding their increasing usage of electronic monitoring, especially if there continue to be difficulties associated with observer retention. Gourley noted that the WPFMC is concerned about the procedural directive on data storage if it becomes prohibitively expensive. Simonds added that NMFS is in the process of installing additional cameras on Hawaii longline vessels and developing a spend plan to pay for data transmittal, but there is still a significant amount of cost to the industry.

2. Communications – Sylvia Spalding (Council staff, WPFMC) presented on recent discussions of the CCC’s communications committee, noting the Councils have reported that COVID-19 has impacted many of their communication and outreach activities. Councils have had to find innovative ways to hold meetings and engage with stakeholders, including the use of social media and other electronic approaches. The communications committee last met in May 2018 but could meet again soon to discuss outreach to the new Congress, community, and regarding data collection. Spalding reported on changes each of the Councils have made in response to COVID-19, which included holding webinars for public and Council meetings, converting newsletters to a digital format, updating Council websites with information on COVID-19 impacts and participating in virtual meetings, producing informational videos in lieu of outreach meetings, soliciting public comments on the impacts of COVID-19, employing additional press releases and targeted emails, broadcasting Council meetings via YouTube, dedicating newsletters to the impacts of the pandemic, and holding a virtual Fishers Forum and international workshop (i.e., in the WPFMC).
- Action Items and/or Follow-Up Identified:
 - a. The NPFMC, PFMC, and WPFMC will consider meeting to discuss increased usage of electronic monitoring.

Public Comment

John Cooper (Charter Boat Captain) commented on the shark imbalance in South Florida marine ecosystems. Cooper stated that the last fishing over the past 10 years has been extremely unsafe, which has made spearfishing charters less viable. For rod and reel fishing, the regulations are working well to protect fish stocks, but the odds of landing a whole fish may be less than 30% and many released fish become likely prey due to fatigue. Shark bites have increased in recent years, and Cooper was personally bitten by a shark in 2009. Cooper advocated that the CCC develop emergency actions related to shark depredation and attacks.

Clay Tam (Pacific Islands Fisheries Group [PIFG]) commented that many of the issues raised in response to the EO are exactly right. The biggest hurdles in the Western Pacific region are the lack of data and large-scale legacy monuments that prevent fishing. Additionally, the overall quota for the US is small relative to the rest of the world. PIFG is subcontracted to do bottomfish surveys in Hawaii, and the project has provided a conduit between scientists and fishers. Tam noted it is rewarding to see fisheries stakeholders get involved in management in this way in addition to fisher participation in workshops as well as P* and SEEM reviews. Tam suggested the fishers are willing to participate because fishing is deeply rooted in the tradition of the Pacific Islands. However, shortcomings to fisher participation include timely compensation. For the bottomfish surveys, fishers may not see compensation for their efforts for up to six weeks due to government management of funds, and the government's attitude seems to be "take it or leave it". There are not many projects going on with NMFS, and PIFG can no longer compete as a small non-profit business when contracts are awarded repeatedly to the same large companies. Tam suggested that this competition adds another layer of overhead that increases costs and decreases their ability to do research.

Eric Kingma (Hawaii Longline Association [HLA]) commented that HLA represents approximately 140 active vessels out of Honolulu Harbor, which supports a major US fishery that has revenues of \$100 million annually. Kingma offered his appreciation to the administration and to Chris Oliver for efforts associated with the EO on promoting US seafood competitiveness. Kingma stated that the EO brought a refreshing change in focus to boosting the nation's fisheries and alleviating challenges that they face, including associated regulatory burdens and the impacts of foreign fisheries. Kingma offered support for Council recommendations provided to the administration in response to the EO. The Hawaii longline fisheries have fishing trips that last three months and span up to 1,500 nautical miles to fish in the same areas foreign nations that have little regulation or oversight. Kingma also commented that the Endangered Species Act (ESA) has been applied to Hawaii longline fisheries to the fullest extent possible, whereas foreign competition is not beholden to the ESA. He suggested that more work needs to be done in the international arena, and that NMFS could be serving the nation's fisheries a great deal more than it is currently. Kingma used the HLA's recent work with the USDA as an example for NMFS to follow, as the USDA worked with HLA to implement many beneficial programs for their fishermen.

Wrap-Up and Other Business

1. CCC Outcomes and Recommendations – Approved motions are included near the end of this report.

2. Discussion of Next Chair and Meeting Dates for 2021, Frequency and Schedule of Future CCC Calls – Tracy stated that the date for the next CCC meeting is May 18-20, 2021, it will assumedly be in-person, and NMFS will be asked to host. The Fall CCC meeting will be held on October 19-21, 2021 on the West Coast.

Regarding the schedule of regular monthly calls between NMFS and the CCC, Gorelnik suggested that the calls should continue and received no objections. The calls have typically been on the last Tuesday of every month and will continue to occur at that time. Oliver noted that adjustments will be made in December to account for the holidays.

MOTIONS APPROVED AT THE SEPTEMBER 23-24, 2020 CCC
MEETING
TELECONFERENCE

Regarding the NS1 Technical Guidance:

MOTION #1: The CCC requests NMFS circulate draft reports of the NS1 Technical Working Groups through the Councils, who will consult with their SSCs. The review should provide sufficient time for the Councils to consult with their SSCs and develop a response through the full Council.

Approved without Objection.

MOTION #2: The CCC requests NMFS Office of Sustainable Fisheries to form a working group comprised of NMFS and Regional Fishery Management Council staff in determining alternative approaches, including but not limited to fishing mortality rate-based, length-based, or trip limit, etc., in managing data limited stocks pursuant to 50 CFR 600.310(h)(2) stemming from the Technical Guidance memorandum by NMFS subgroup 3.

Regarding NEPA:

The Regional Councils are important partners with NMFS in meeting NEPA requirements of the actions taken by the Councils and implemented by NMFS. As such, the Councils feel it is important that they understand and have meaningful contributions to discussions regarding developing guidance for implementation of the new NEPA rule. Therefore:

MOTION #3: The CCC creates a subcommittee to develop recommendations to the NMFS internal working group on developing guidance on implementing the new NEPA regulations as they relate to implementing the Magnuson-Stevens Act, including functional equivalency. Each Council may nominate one CCC member or staff designee to sit on the subcommittee.

Approved without Objection.

Regarding the potential National Seafood Council:

MOTION #4: The CCC requests that NMFS evaluate NOAA FishWatch criteria for the purpose of serving as an equivalent to third-party certification deeming US fishery products as sustainable. The CCC further requests NMFS report back on the utility of FishWatch for this purpose and any possible alternatives by the May 2021 CCC meeting.

Approved without Objection.

Regarding Aquaculture E.O., due to the recent court ruling on the Gulf Aquaculture FMP:

MOTION #5: The CCC recommends that the Legislative Committee revise the consensus statement on Aquaculture and provide a draft for review at the May 2021 meeting.

Approved without Objection.

MOTION #6: To allow ample time for review, the CCC recommends that NMFS coordinate, as appropriate, with regional management councils to release the Aquaculture programmatic environmental impact statement that assesses the impacts of siting aquaculture facilities for public comment while considering Council meeting schedules.

Approved without Objection.

MOTION #7: The CCC recommends that prior to identification of Aquaculture Opportunity Areas (AOA), NMFS provide the spatially referenced data including coordinates, bathymetry, habitat type, oil and gas locations, renewable energy, and other applicable data sources that were used to identify the AOA. The information provided should encompass the same variables, resolution, and geographic scope used to identify the applicable AOA.

Approved without Objection.

MOTION #8: The CCC recommends that NOAA include RFMC participation on the AOA implementation teams.

Approved without Objection.

Regarding Executive Order 13921:

MOTION #9: The CCC requests NMFS continue to brief the CCC and Regional Fishery Management Councils on the review and implementation planning of recommendations provided by the Councils regarding all aspects of Executive Order 13921 (e.g., changes to regulations, orders, guidance documents, or other similar agency actions).

Approved without Objection.

ATTACHMENT 1. CCC AGENDA

FINAL AGENDA

COUNCIL COORDINATION COMMITTEE MEETING

Teleconference

September 23-24, 2020

Wednesday, September 23, 2020

<u>Time</u>	<u>Discussion Item</u>	<u>Presenter(s)</u>
1:30 – 1:35	Overview of WebEx Functions	Nicholas Pieper
1:35 – 1:45	Opening of Meeting	Archie Soliai
	Welcome and Introduction	Archie Soliai/Chris Oliver
	Approval of Agenda and Minutes	Archie Soliai
1:40 – 2:00	NOAA Fisheries Update and FY20/21 Priorities	Chis Oliver
	<ul style="list-style-type: none">• MAFAC Report on Establishing a National Seafood Council• National Standard 1 Working Groups	Jennifer Lukens/Paul Doremus Kelly Denit
2:00 – 3:20	Recent Issues with Council Operations and Agency Operational, Science, and Regulatory Issues	
	<ul style="list-style-type: none">• NMFS Overview of COVID-19 Related Issues<ul style="list-style-type: none">○ Report on NMFS Reintegration Plans, Status of CARES Act Funding○ Observer Waivers○ Update on MRIP Status of Data and Monitoring Outlook for 2021, Report on Funding for Basic Surveys	Paul Doremus/Kelly Denit Sam Rauch/Michael Ruccio Cisco Werner
3:20 – 3:35	Break	
3:35 – 4:15	Rule on Council Member Financial Disclosure and Recusal	Adam Issenberg
4:15 – 5:00	CEQ Final NEPA Regulation	Steve Leathery/Katie Renshaw
5:00 – 5:20	Legislative Outlook	David Whaley
5:20 – 5:30	Public Comment	
5:30	Adjourn for the Day	

COUNCIL COORDINATION COMMITTEE MEETING

Thursday, September 24, 2020

<u>Time</u>	<u>Discussion Item</u>	<u>Presenter(s)</u>
1:30 – 1:35	Overview of WebEx Functions	Nicholas Pieper
1:35 – 3:45	Aquaculture and the Executive Order on promoting American Seafood Competitiveness and Economic Growth <ul style="list-style-type: none">• Seafood Trade Task Force• Other EO Issues, Aquaculture Opportunity Areas• Aquaculture Regulatory/Statutory Issues• EO Section 4 Prioritized List of Recommended Actions	Drew Lawler Paul Doremus/Danielle Blacklock Sam Rauch/Adam Issenberg Kelly Denit
3:45 – 4:00	Break	
4:00 – 4:50	CCC Committees <ul style="list-style-type: none">• Electronic Monitoring• Communications	Chuck Tracy Sylvia Spalding
4:30 – 4:45	Public Comment	
4:45 – 5:00	CCC Convenes for Recommendations	
5:00 – 5:30	Wrap-Up and Other Business <ul style="list-style-type: none">• CCC Outcomes and Recommendations• Discussion of Next Chair and Meeting Dates for 2021, Frequency and Schedule of Future CCC Calls	Marc Gorelnik
5:30	Adjourn Meeting	