



# 7

## New England Fishery Management Council

50 WATER STREET | NEWBURYPORT, MASSACHUSETTS 01950 | PHONE 978 465 0492 | FAX 978 465 3116  
 John Pappalardo, *Chairman* | Paul J. Howard, *Executive Director*

## MEMORANDUM

**DATE:** June 14, 2011  
**TO:** Council  
**FROM:** Paul J. Howard, Executive Director  
**SUBJECT:** DRAFT Summary of June 8, 2011

The Executive Committee met on June 8, 2011 in Newburyport, MA. Messrs. Pappalardo, Cunningham, Odlin and Stockwell and Ms. McGee participated in the meeting. Messrs. Howard, Kellogg, Ms. Fiorelli and Ms. Roy from the Council staff attended the meeting as well as Ms. Steele and Ms. Hawkins. Ms. Kurkul was not available for the meeting. The committee discussed the following agenda items.

*1. Discuss timelines and management actions:* Mr. Kellogg reviewed the timelines and schedule of completion and implementation dates. Mr. Kellogg mentioned that a work plan for an amendment to address a groundfish accumulation caps would be created after the Groundfish Accumulations Workshop on June 9 dependent on the June Council meeting discussion. The SSC will recommend an ABC in August for Whiting and Council will consider approving a range of measures in September. The Habitat Omnibus timeline has been revised to have groundfish closed areas included. Skate Framework 1 was implemented on May 17 and the SSC and Council will approve ABC and ACL specifications for 2012-2013 in June.

Mr. Stockwell asked about status of river herring measures. Ms. Steele explained that the Council will receive a draft DEIS with proposed measures for river herring as planned in Sep. She also reported that NMFS is changing VMS reporting requirements and the changes will complicate but not necessarily delay the preparation of the EIS. Mr. Howard will ask for more information from the Regional Administrator about anticipated changes in VMS requirements. Ms. Steele mentioned that the document must be submitted by June 2012 in order to complete work on the subsequent spec package on time. *See enclosure (1).*

*2. Review of NE Mgmt Process Report:* The Exec Committee held a conference call with Preston Pate and members of Touchtone for approx 70 minutes to answer prepared Executive Committee questions. Mr. Pate stated that they have had extensive conversations with NMFS and NEFSC and that both are ready to assist Council. Mr. Stockwell asked several questions about a 'more welcoming environment', 'unity among Council members' and 'collaborative working sessions'. Mr. Pate stated that many fishermen feel intimidated by the Council meeting environment. On an ad hoc basis, a facilitator could be used where there might be anticipated debate on critical issues. In terms of the recommendation that the Council should begin creating a regional vision, the perception is that the Council doesn't have a unified position of where they want to go.

Mr. Odin spoke about a sense of shared accountability. Mr. Pate stated that it is clear that NMFS is the final decision maker.

Mr. Howard asked for a numerical analysis to prioritize the comments but none was done. Mr. Pate stated that careful judgment was used in summarizing comments and that totally outrageous comments were not reported. Mr. Howard asked if more people asked if we should redesign Council meetings because the report stated that some liked the town hall atmosphere of Council meetings. Mr. Pate answered that several comments were made about the formality of the meetings and that the current process inhibited people from speaking. Mr. Howard stated that 'FMP reporting requirements' probably should be changed to read 'FMP development requirements' which Mr. Pate agreed with. Mr. Howard asked how incorrect statements will be reconciled. Mr. Pate responded that there would not be any change the report's findings, but that the Council needs to make statements about findings they find unfounded.

Mr. Pappalardo raised concerns for the 'recommendations for stakeholders'. He stated that there is not a clear agreement on what is best science. There is debate about who has final authority and fitting it into our timeline and stated that the relationship between the SSC and NEFSC must be strengthened. Mr. Pate stated that tension was obvious between the two parties which will be addressed in Phase 2 of the report. Mr. Pappalardo commented on the separation between NEPA and the MSA process and asked if the Council is better off focusing all their work through MSA. With regards to the observer program, Mr. Pappalardo stated that the current system is cost prohibitive and that questions have been raised about the quality of the data and asked if there was a commitment from NMFS to take these concerns more seriously.

Mr. Howard suggested focusing on the recommendations (pages 14-15 of report) and making any recommendations concerning these to the Council at its June meeting. The Executive Committee will recommend that the Council take the lead on 4 specific recommendations and work together with NEFSC and NERO on 7 other recommendations. *See enclosure (2).*

It was agreed that the Council handbook may need to be revised to address the recommendations that come from Council that should become policy. And that a press release will be sent after Council discussions at the June Council meeting outlining the Council's response to the review.

*3. Discuss Catch Shares Workshop planning:* Mr. Howard requested further guidance for holding our catch share workshop. Mr. Stockwell suggested holding the Sector workshop prior to holding the Catch Share workshop and to have further discussions about the workshop at the November priority setting Council meeting. The Committee agreed that planning for the workshop should be put on hold pending 2012 priorities which will be approved in Nov. *See enclosure (3).*

*4. Discuss guidance paper on Council responses to press:* Ms. Fiorelli reviewed the 'Draft Approval Process and Content Guidelines for Written Communications' and explained that all press releases are drafted based on the Council's majority vote. The Committee made some editorial suggestions that decided the draft should be submitted to the Council at the June meeting for approval. *See enclosure (4).*

*5. Discuss BOEMRE priority studies:* Mr. Howard stated that he was contacted by BOEMRE representative, Brian Hooker, about staff participation on a research priorities committee. The committee agreed that it would be useful to have staff involved on such a committee. Ms. McGee stated that BOEMRE has two new maps available showing changes to the areas under proposed in the RI and MA Requests for Interest and that BOEMRE should be sharing this information

and explaining the maps to the Council. Staff will continue to seek management updates from BOEMRE by asking BOEMRE to provide updates at each Council meeting.

*6. Discuss timing of Management Action Priorities usually held in November:* Mr. Pappalardo suggested that it might help the Council to consider priorities in September when new members first join the Council. Mr. Kellogg commented that Council staff members had reported that the public had commented at committee meetings that priorities seemed to be determined with little public input. They had suggested that an option might be to distribute the draft priorities at the September Council meeting and provide an opportunity for public and Council input before for voting on them in November. The draft priorities would be based on actions required to adjust FMPs in a timely manner, Council motions about priorities made since the previous year's decisions and the previous year's Council discussion of priorities. The committee will recommend to the Council that we use the two Council meeting process this fall for 2012 priority setting.

*7. Discuss Council membership on and/or consultation with NROC:* Ms. McGee stated that Councils may not be given voting membership on NROC. The Committee noted that NOAA General Counsel has advised that Fishery Management Councils are not governmental organizations and therefore may not be members of Regional Ocean Councils under FACA even though Native American tribes are allowed to be members. NEFMC as well as the other 7 Councils have sent several letters to the National Ocean Council requesting RFMCs be appointed full voting members of the regional planning bodies. The Council will send out a press release stating how delighted that they are that they have been invited to the June 21 National Marine Spatial Planning Workshop in Washington, DC and will be sending representation.

*8. Discuss Sector Review Workshop:* Mr. Odlin suggested Council use the workshop to focus on whether the Council's goals and objectives for Amendment 16 have been met and recommended that a fourth day be added to the September meeting to discuss groundfish sectors. After much discussion, the committee instead agreed that the Sector Workshop should be held in October for two days (½ day; full day; ½ day) and that it should include all Council members, SSC members, Groundfish Advisory Panel members, Groundfish PDT members and appropriate representation from all sectors.

**NEFMC TIMELINES**  
**REVISED JUNE 6, 2011**

**1. Scallops**

- a. Framework 23 - to minimize impacts on sea turtles by requiring the use of turtle excluder dredge, review/revise YT AM in A15, and possible adjustments to the LAGC NGOM program
- b. Scope and potentially initiate Amendment 16 after completion of FW23 – consider individual fishing quotas (IFQs) for the limited access scallop fishery

**2. Multispecies (Groundfish)**

- a. Framework 47 (formerly FW 46) - Specs (OFLs/ABCs/ACLs) for 20 stocks 2012-2014, address outstanding AMs for ocean pout, windowpane flounder, and halibut, consider eliminating GB access areas YT flounder 10% cap, consider allocating 100% of scallop fishery estimated YT flounder catch to scallop fishery. Address dockside monitoring in FW 46 or 47.
- b. Framework 46 (formerly FW 47) - address haddock catch cap in the herring fishery for 2011
- c. Amendment 17 - Amendment to address state permit bank issues.
- d. Amendment to consider fleet diversity and accumulation caps
- e. “Lessons learned” review/workshop of the first year of sector operations with Sector representatives - – **timeline TBD.**

**3. Herring**

- a. Amendment 5 – monitoring, impacts of regulations on mackerel, river herring bycatch reduction, and criteria for access to closed areas.

**4. Small Mesh Multispecies (Whiting, Red Hake, Offshore Hake)**

- a. Amendment 19 to implement ACLs and AMs in the small mesh multispecies fishery

**5. Habitat**

- a. Omnibus Habitat Amendment – from present forward
- b. Omnibus Habitat Amendment – including original dates

**6. Monkfish**

- a. Complete Framework 7 – specs for 2011-2013.
- b. Prepare Monkfish Amend 6 for catch shares (sectors and IFQs)

**7. Skates**

- a. Framework 1 – change wing possession limit to extend directed fishery in 2011
- b. Specifications for 2012-2013

**8. Red Crab**

- a. Amendment 3 - ACLs, AMs, Specifications for 2011– 2012

ENCLOSURE ( / )

**TIMELINE # 1**

**COUNCIL ACTION: Scallop Framework 23 –minimize impacts on sea turtles by requiring the use of turtle excluder dredge, review/revise YT AM in A15, and possible adjustments to the LAGC NGOM program**

TARGET COMPLETION DATE: OCT 2011  
 TARGET IMPLEMENTATION DATE: MAR 2012

MILESTONES	DATES	COMPLETED / PROJECTED
1. Staff begins work on framework	JAN 2011	✓
<b>2. Council initiates framework</b>	<b>JAN 2011</b>	✓
<b>3. Council approves framework</b>	<b>SEP 2011</b>	
4. Staff submits framework to NMFS	OCT 2011	
5. Implementation	MAR 2012	

**COUNCIL ACTION: Scallop Amendment 16 - Amendment to consider individual fishing quotas for the limited access scallop fishery. Council discussed scoping this issue first and then reassessing if the action should be fully developed based on input from scoping.**

TARGET COMPLETION DATE: 2012/2013  
 TARGET IMPLEMENTATION DATE: 2013/2014

MILESTONES	PLANNED	COMPLETED / PROJECTED
1. Staff begins work after FW23 complete	OCT 2011	
<b>2. Council initiates scoping process</b>	<b>NOV 2011</b>	
3. If support, Council develops action	2012	
4. Potential implementation	2013?	

COUNCIL ACTION: **Scallop Amendment 15**

TARGET COMPLETION DATE: August 1, 2010

TARGET IMPLEMENTATION DATE: March 1, 2011

MILESTONES	ORIGINAL TIMELINE	COMPLETED / PROJECTED
<b>1. Council approves Amendment alternatives for analysis in DSEIS</b>	<b>FEB/APR 2009</b>	✓
2. Scallop PDT prepares Draft Amendment /DSEIS	FEB – JUN 2009	✓
<b>3. Council approves Draft Amendment/DSEIS and selects preferred alternatives</b>	<b>SEP 2009</b>	✓
4. Staff submits DEIS	OCT-NOV 2009	<b>JUL 2010</b>
5. Public hearings	FEB 2010	<b>AUG 2010</b>
<b>6. Council approves final Amendment measures</b>	<b>JUN 2010</b>	<b>SEP 2010</b>
7. Staff submits final Amendment to NMFS	AUG 1, 2010	JAN 2011
8. Implementation	MAR 2011	JUL 2011

COUNCIL ACTION: **Scallop Framework 22** – 2011-2012 scallop specifications & measures to comply with turtle biological opinion

TARGET COMPLETION DATE: DEC 2010

TARGET IMPLEMENTATION DATE: MAY 2011

MILESTONES	DATES	COMPLETED / PROJECTED
6. Staff begins work on framework	JUN 2010	✓
7. Council initiates framework	<b>JUN 2010</b>	✓
<b>8. Council approves framework</b>	<b>NOV 2010</b>	✓
9. Staff submits framework to NMFS	DEC 2010	MAR 2011
10. Implementation	MAY 2011	JUL 2011

**TIMELINE # 2**

**Groundfish**

COUNCIL ACTION: **Groundfish Framework 45** – Pollock status determination criteria, ABC for pollock, modifying GB yellowtail flounder rebuilding strategy, measures to protect spawning cod in the inshore Gulf of Maine, additional sectors, changing General Category scallop vessel restrictions in the Great South Channel; etc.

TARGET COMPLETION DATE: Dec 2011

TARGET IMPLEMENTATION DATE: May 2011

MILESTONES	PLANNED	COMPLETED / PROJECTED
1. Staff begins work on specifications/framework	APR 2010	✓
2. Council initiates framework adjustment	JUN 2010	✓
3. Council approves specifications/ framework	NOV 2010	✓
4. Staff submits specifications package to NMFS	DEC 2010	JAN 2011
5. Implementation	MAY 2011	✓

COUNCIL ACTION: **Groundfish Framework 47** – Specs (OFLs/ABCs/ACLs) for 20 stocks 2012-2014, address outstanding AMs for ocean pout, windowpane flounder, and halibut, consider eliminating GB access areas YT flounder 10% cap, consider allocating 100% of scallop fishery estimated YT flounder catch to scallop fishery.

TARGET COMPLETION DATE: OCT/NOV 2011

TARGET IMPLEMENTATION DATE: MAY/JUN 2012

MILESTONES	PLANNED	COMPLETED / PROJECTED
1. Staff begins work on specifications/framework	DEC 2010	✓
2. Council initiates framework adjustment	JUN 2011	
3. Council approves specifications/ framework	SEP 2011	
4. Staff submits specifications package to NMFS	OCT/NOV 2011	
5. Implementation	MAY/JUN 2012	

COUNCIL ACTION: **Groundfish Framework 46** – address haddock catch cap in the herring fishery for 2011

TARGET COMPLETION DATE: MAY 2011

TARGET IMPLEMENTATION DATE: NOV 2011

MILESTONES	PLANNED	COMPLETED / PROJECTED
1. Staff begins work on specifications/framework	DEC 2010	✓
2. Council initiates framework adjustment	JAN 2011	✓
3. Council approves specifications/ framework	APR 2011	✓
4. Staff submits specifications package to NMFS	MAY 2011	✓
5. Implementation	NOV 2011	SEP 2011

COUNCIL ACTION: **Groundfish Amendment 17** - Amendment to address state permit bank issues. (NMFS Lead)

TARGET COMPLETION DATE:

TARGET IMPLEMENTATION DATE:

MILESTONES	PLANNED	COMPLETED / PROJECTED
1. Council initiates framework adjustment	APR 2011	
2. Council approves specifications/ framework	JUN 2011	
3. Implementation		

COUNCIL ACTION: **Groundfish Amendment 18** – Amendment to consider fleet diversity and accumulation caps

TARGET COMPLETION DATE:

TARGET IMPLEMENTATION DATE:

MILESTONES	PLANNED	COMPLETED / PROJECTED
1. Staff completes draft Fleet Diversity, Allocation, and Excessive Shares whitepaper	SEP 2010	✓
2. Accumulation Limits Workshop	JUN 2011	
3.		
4.		

COUNCIL ACTION: **Groundfish** - Conduct a “lessons learned” review/workshop of the first year of sector operations with Sector representatives.

TARGET COMPLETION DATE: TBD

TARGET IMPLEMENTATION DATE: NA



UPDATED: 6 JUN 2011

PROJECT TITLE: **Herring Amendment 4**

OBJECTIVE: **Address MSRA requirements including ACL/AM provisions**

MILESTONES	PLANNED	COMPLETED/ PROJECTED
1. Committee, Advisory Panel, and PDT review stock assessment results and begin to draft options for ACLs	AUG -SEP 2009	✓
2. <b>Council addresses any outstanding issues re. Amendment 4 (ACLs/AMs)</b>	<b>SEPT 2009</b>	✓
3. Committee, Advisory Panel, and PDT work on options for ACLs;	OCT-NOV 2009	✓
4. <b>Council finalizes Amendment 4 (with ACLs/AMs)</b>	<b>JAN 2010</b>	✓
5. Staff submits Amendment 4	FEB 2009	APR 2010
6. Implementation	AUG 2010	APR 2011

PROJECT TITLE: **Herring Amendment 5**

OBJECTIVE: **Include all other elements originally in Amendment 4 but which could not be included because of time constraints**

- Catch monitoring program for the herring fishery
- Measures to address river herring bycatch
- Measures to establish criteria for access to groundfish closed areas by midwater trawl vessels
- Measures to address interactions with the Atlantic mackerel fishery and bycatch concerns

MILESTONES	PLANNED	COMPLETED / PROJECTED
1. Herring Committee, PDT, and Advisory Panel continue development of alternatives for Amendment 5	JAN – MAY 2010	✓
2. <b>Council approves Amendment 5 alternatives for analysis in DSEIS</b>	<b>JUN 2010</b>	<b>JAN 2011</b>
3. <b>Council approves Draft Amendment 5/DSEIS and public hearing document and selects preferred alternatives</b>	<b>SEP 2010</b>	<b>SEP 2011</b>
4. Herring Amendment 5 Public Hearings	OCT/NOV 2010	NOV 2011
5. <b>Council reviews public and advisor comments and O/S recommendations; approves final Amendment 5 measures</b>	<b>JAN 2011</b>	<b>JAN 2012</b>
6. Staff submits Amendment 5	FEB 2011	MAR 2012
7. Amendment 5 Implementation	JUL/AUG 2011	OCT 2012

**TIMELINE # 4**

**COUNCIL ACTION: Whiting (Small Mesh Multispecies) Amendment 19**

**OBJECTIVE: ACLs, AMs, Specifications for 2011, 2012 and 2013 (NO LIMITED ACCESS & NO DEIS)**

**STAFF PROJECT MANAGER: Andrew Applegate**

MILESTONES	PLANNED	COMPLETED / PROJECTED
1. Council receives results of whiting assessment	JAN 2011	✓
2. PDT develops ABC/ACL methods	FEB/MAR 2011	✓
3. SSC recommends ABC method	APR 2011	✓
4. SSC approves ABC	AUG 2011	AUG 2011
5. AP and Oversight Committee develop AM options and ACL allocations	JAN/MAY 2011	AUG - SEP 2011
6. Council approves management alternatives for analysis	JUN 2011	SEP 2011
7. PDT prepares Draft Amendment	MAY/AUG 2011	OCT 2011
8. Council approves Draft Amendment and selects preferred alternatives	SEP 2011	NOV 2011
9. Public hearings	NOV 2011	DEC 2011
10. Council approves final amendment measures	NOV 2011	JAN 2012
11. Staff submits final amendment to NMFS	DEC 2011	MAR 2012
12. Implementation	JULY 2012	OCT 2012

**TIMELINE # 5b – Considering groundfish areas**

PROJECT MANAGER: Michelle Bachman

PROJECT TITLE: **Omnibus Habitat Amendment 2, Phases I & II** Designate EFH for all managed species, HAPCs as necessary, and minimize the adverse effects of fishing on EFH to the extent practicable in a consistent manner across all FMPs, including consideration of groundfish closures

MILESTONES	PLANNED (based on APR 2011 timeline)	COMPLETED/RE VISED
1. Peer Review of Habitat Models	FEB 2011	✓
2. Committee develops alternatives to minimize, to the extent practicable, adverse effects of fishing on EFH (including coral alts)	MAY-JUN 2011	Through AUG 2011
3. PDT analyzes fishing impacts minimization alternatives (including coral alts)	MAY-JUN 2011	MAY-SEP 2011
4. Advisory Panel reviews fishing impacts minimization alternatives (including coral alts)	MAY-JUN 2011	JUL 2011
5. Committee finalizes fishing impacts minimization alternatives for Council consideration (including coral alts)	AUG 2011	SEP 2011
<b>6. Council approves range of fishing impacts minimization alternatives for analysis (including coral alts)</b>	<b>SEP 2011</b>	<b>SEP 2011</b>
7. Groundfish Ctte/PDT develops alternatives for groundfish areas	N/A	
8. Groundfish Advisory panel review of groundfish area alternatives	N/A	
<b>9. Council approves range of groundfish area alternatives for analysis</b>	N/A	<b>APR 2012</b>
10. Habitat and Groundfish committees develop packages of habitat/groundfish alternatives for analysis	N/A	
11. Analysis of combined groundfish and habitat area alternatives (groundfish and habitat PDTs)	N/A	
<b>12. Council approves packaged habitat/groundfish alternatives for analysis</b>	N/A	<b>JUN 2012</b>
<b>13. Council approves fishing impacts minimization alternatives, Omnibus 2 DEIS; public hearing document; select preferred alternatives</b>	N/A	<b>SEP 2012</b>
14. Staff submits Omnibus 2 DEIS (combining EFH designation and impacts minimization alternatives, groundfish area alternatives)	N/A	
15. NMFS publishes NOA, starts 45-day DSEIS comment period	N/A	
16. Public hearings	N/A	NOV 2012
<b>17. Council approves Omnibus Amendment 2 &amp; DEIS</b>	N/A	<b>JAN 2013</b>
18. Staff submits Omnibus 2 Amendment 2	N/A	FEB 2013
19. Implementation	N/A	SEP 2013

**TIMELINE # 6**

**COUNCIL ACTION: Monkfish Framework Adjustment 7**

**OBJECTIVE:** PROJECTED biomass reference points and a Northern Management Area Annual Catch Target (ACT), as well as days-at-sea and trip limits for the 2011-2013 fishing years

**STAFF PROJECT MANAGER:** Phil Haring  
**TARGET COMPLETION DATE:** FEB 2011  
**TARGET IMPLEMENTATION DATE:** MAY 1, 2011

MILESTONES	PLANNED	COMPLETED / PROJECTED
1. Staff begins work on framework	SEP 2010	✓
2. Council initiates framework	SEP 2010	✓
3. Second framework meeting	NOV 2010	✓
4. Council approves framework	JAN 2011	✓
5. Staff submits final documents	FEB 2011	JAN – MAY 2011
6. Implementation	MAY 2011	AUG 2011

**COUNCIL ACTION: Monkfish Amendment 6 for catch shares (sectors and IFQs)**

**OBJECTIVE:** Consider catch shares (sectors and IFQs) for inclusion in the Monkfish FMP

**STAFF PROJECT MANAGER:** Phil Haring  
**TARGET COMPLETION DATE:**  
**TARGET IMPLEMENTATION DATE:**

MILESTONES	PLANNED	COMPLETED / PROJECTED
1. Staff begins work on framework	SEP 2010	✓
2. Scoping	NOV 2010 – FEB 2011	✓
3. Council considers scoping comments	APR 2011	✓
4. Council approves goals & objectives	SEP 2011	
5.		
6.		

**TIMELINE # 7**

PROJECT TITLE: **Skate Framework 1** – Modify trip limit for skate wings to maximize season for directed wing fishery in FY 2011

PROJECT MANAGER: Andrew Applegate

TARGET COMPLETION DATE: FEB 2011

TARGET IMPLEMENTATION DATE: JUN 2011

MILESTONES	DATES	COMPLETED / PROJECTED
1. Council initiates framework	NOV 2010	✓
2. Council approves framework measures for submission	JAN 2011	✓
3. Staff submits framework documents for review by NMFS	FEB 2011	FEB - APR 2011
4. Implementation	JUN 2011	MAY 2011

PROJECT TITLE: **Skate Specifications** –Specifications for 2012 – 2013

PROJECT MANAGER: Andrew Applegate

TARGET COMPLETION DATE: OCT 2011

TARGET IMPLEMENTATION DATE: MAY 2012

MILESTONES	PLANNED	COMPLETED / PROJECTED
1. PDT analyzes and develops skate survey index calibration methods and options	FEB/MAR 2011	✓
2. SSC approves calibration method to apply to ABC	APR 2011	✓
3. PDT updates survey and fishery data, including 2010 calibrated survey, discard mortality, and 2010 discards to estimate 2012-2013 ACL specifications	APR/MAY 2011	✓
4. SSC approves ABC and ACL specifications	JUN 2011	
5. Council approves range of specifications (TALs, possession limits, etc.) for specifications package or initiates framework adjustment	JUN 2011	
6. PDT prepares specifications package	JUL/AUG 2011	
7. Council approves ACL specifications package or framework adjustment	SEP 2011	
8. Staff submits final specifications or framework adjustment to NMFS	OCT 2011	
9. Implementation	MAY 2012	

**TIMELINE # 8**

**COUNCIL ACTION: Red Crab Amendment 3 - ACLs, AMs, Specifications for 2011– 2012**

STAFF PROJECT MANAGER: Chris Kellogg

TARGET COMPLETION DATE: October 2010

TARGET IMPLEMENTATION DATE: March 1, 2011

An EIS is not anticipated for this amendment since it will implement ACLs and AMs based on an ABC that already will have been established in the 2009 and 2010 specifications.

MILESTONES	PLANNED	COMPLETED / PROJECTED
<b>1. SSC recommends ABC/ABC control rule</b>	<b>SEP 2009</b>	✓
2. PDT begins work on amendment	OCT 2009	✓
<b>3. Council approves alternatives for analysis</b>	<b>NOV 2009</b>	JUN 2010
4. SSC recommends PROJECTED interim ABC		JUN 2010
5. Preparation of Draft Amendment	DEC–JAN 2010	FEB–JUN 2010
<b>6. Council approves ABC including discards</b>		JUN 2010
7. Public hearings	MAR 2010	AUG 2010
<b>8. Council approves final amendment measures</b>	<b>APR 2010</b>	<b>SEP 2010</b>
9. Staff submits final amendment to NMFS	JUN 2010	FEB–MAY 2011
10. Implementation	AUG/SEP 2011	OCT 2011

**Simplifying NMFS outreach and communications.** Despite the use of new methods and channels for outreach and communications, stakeholders feel information from NMFS is confusing and ineffective. Many noted that the volume and language in permit holder notices is not user-friendly. Some complained that important information is buried in the details and gets easily overlooked. Some attributed the complex wording of notices, permit holder letters, etc. to the influence of NOAA legal advice and the need to make sure nothing in such communications, or omitted from them, could make NMFS vulnerable to lawsuit or complicate enforcement.

**Geography and history compound challenges.** Many saw New England as having factors that added complexities that other Regions do not have to face. The two most common factors were geography (more states than other regions, each with its own constituents, politicians, priorities, and representatives) and history (New England has the oldest fishing port, and fishing is deeply embedded in the culture).

## Recommendations for Stakeholders

The following are themed recommendations supported by the above analysis of the interview data. These recommendations are targeted at creating positive change, recognizing that there will be budgetary and other resource limitations that must be considered.

### Starting within 60 days:

**Improve Science Collaboration:** Improve collaboration between NEFSC and research partners, and enhance the cooperative research and Research Set-Aside (RSA) programs.

- Host a series of facilitated meetings between NMFS and external research organizations to identify actions to improve collaboration with NEFSC and transparency into the RSA process.
- Develop an action plan for improving collaboration that will be implemented by NEFSC leadership and reported to participants in a follow-up meeting.

**Simplify Governance:** Leaders from NERO, NEFSC, NOAA Legal, and the Council should clarify expectations of each group and refresh roles and responsibilities. Explore ways to eliminate unnecessarily redundant programs, activities, and resources among NERO, NEFSC, and the Council at key hand-off points.

- Between NERO and NEFSC: Consolidate data management activities between NERO and NEFSC, and oversee an effort to integrate and simplify IT systems. Improve communications and outreach efforts being done by NERO and NEFSC to help NMFS show up as a unified front.
- Joint • NEFSC and the Council: Eliminate redundant reviews and activities occurring between the SAW/SARC and the SSC. Clarify roles and responsibilities between NEFSC and the SSC. Establish a more collaborative working relationship to eliminate multiple back-and-forths.

- Joint  The Council and NMFS: Develop and implement a collaborative process for Council/PDT and NMFS/SFD/GC to create, review, and approve rules. Apply this across all PDTs. Define clear time- reduction initiatives to manage expectations for internal NMFS reviews.

**Maximize Collaboration:** Redesign key engagements to be more collaborative.

- NEFMC  Examine measures other Councils have taken to improve communication and collaboration with stakeholders.
- NEFMC  Redesign the Council meetings to be more collaborative and welcoming to stakeholder participation. Change the layout of room; engage facilitators to keep the meeting focused, on topic, and to minimize individuals dominating the conversation; and provide coffee and refreshments.

**Simplify Communications:** Redesign communications to meet stakeholders' needs.

- Joint  The Council and NMFS should work with key industry representatives to understand how, when, and what information they want to receive. Provide them with options (e.g., email, letters, etc.), and formats.
  - Make NMFS outreach and communications easier to understand.
- Joint  Reduce the number of steps external stakeholders need to go through to find information or speak to someone.

**Starting within 120 days:**

- Joint  Scale up the collection and use of socioeconomic data in the FMPs in order to make socioeconomic analysis a more visible and meaningful part of the management process.
- Joint  Conduct a comprehensive analysis of all NMFS data systems to identify areas that will improve data gathering, data management, data analysis and data use.
- Joint  Conduct a comprehensive analysis of the FMP reporting requirements to find opportunities to eliminate unnecessary reporting/analysis/writing (e.g., Does an EIS need to be created for each FMP?) and decrease the reporting workload on Council and NERO staff.
- NEFMC  Begin the creation of a regional vision and strategic plan to define a new model for collaborating with all stakeholders and to set a future direction for the fishery.
- Joint  Consider resources to scale up observer program and aging analysis to eliminate that as a bottleneck in the science process.
  - Streamline NOAA communications review protocols to improve the response time to stakeholder request and inquiries.
- NEFMC  Design a cost-effective performance management system to track the progress of decisions and capture lessons learned and best practices.





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50 WATER STREET | NEWBURYPORT, MASSACHUSETTS 01950 | PHONE 978 465 0492 | FAX 978 465 3116

John Pappalardo, *Chairman* | Paul J. Howard, *Executive Director*

**To:** Paul J. Howard, Executive Director; Chris Kellogg, Deputy Director  
**From:** George D. Lapointe  
**Date:** May 17, 2011  
**Subject:** **Guidance needed regarding Catch Share Workshop**

At the April Council meeting, the following motion was passed regarding the catch share workshop.

**"Postpone the Catch Share workshop until after the Sector workshop and address the timing of the Catch Share workshop during the 2012 priority setting discussion"**

I am concerned that the effect of this motion will be to postpone the workshop for a significant amount of time, as compared with the November or December timeframe that some Council members believe will be the effect. I think the following factors are important to consider with respect to the timing of the catch shares workshop.

**TIMING OF WORKSHOP**

The 2012 priority setting discussion will occur in November 2011. If the timing is addressed in November 2011, it will not allow the Steering Committee to commit to speakers, nor for potential speakers to commit to a specific date or dates for the workshop.

**SECURING A MEETING LOCATION**

Council staff will be unable to secure a meeting venue if the timing of the workshop is decided in November 2011. It is my understanding that the commitment of meeting space / location is done many months in advance of a workshop being held. Therefore, to postpone a decision on date and location means that we'll have no firm commitment from a meeting location until a decision is made on when the workshop will be held.

**WORKSHOP FUNDING**

Postponing the catch share workshop and the decision on future timing may jeopardize the funding needed to hold the workshop. This concern is based on my understanding that funding will be available this year but future funding is uncertain and likely to be reduced.

When we recruited industry members for the Catch Share Workshop Steering Committee, they were asked to participate for a set period of time and meetings leading up to the October date originally planned for the workshop. It may be unrealistic to expect all of them to stick with this task if it has an uncertain and lengthening time commitment.

ENCLOSURE ( 3 )

I am seeking your guidance on how to proceed. Options for consideration include:

- Bring this information back to the Council at the June meeting to seek additional guidance on how to proceed.
- Proceed with November / December timeframe but reconfigure the workshop to be staff led with topics and agenda developed by the Steering Committee
- Abandon the workshop, have staff give updates on pertinent catch share issues at Council meetings
- Wait until November; resume active planning of workshop based on Council's 2012 priorities and available funding.

Please let me know if you have any questions.



New England Fishery Management Council

50 WATER STREET | NEWBURYPORT, MASSACHUSETTS 01950 | PHONE 978 465 0492 | FAX 978 465 3116  
John Pappalardo, *Chairman* | Paul J. Howard, *Executive Director*

## DRAFT

### **New England Fishery Management Council Approval Process and Content Guidelines for Written Communications 6/21/2011**

#### **I. Identification of Issues**

In April 2011, the Council directed its staff to develop a document that: 1.) Clarifies issues that are generally acceptable to discuss in Council press releases and other major forms of mass communications distributed to the media; 2.) Discusses who approves text before communications are distributed; and 3.) Provides suggestions about how the Council as an organization might present its views to the public via the media, pending further Council discussion.

#### **II. Background**

The Public Affairs Officer routinely communicates with the media via press releases, letters to the editor, and through the Council's newsletters, and other written materials as well as phone calls and emails. At the direction of the NEFMC's Executive Committee, the staff has more aggressively responded to negative press articles and editorials that have mischaracterized the Council's intent or actions on a range of issues.

Largely because of the ongoing frustration expressed by many in the fishing industry about NEFMC and NOAA programs, several Council members have questioned the appropriateness of the subject matter and verbiage used in some recent Council communications to the press. Based on the discussion at the April 2011 Council meeting, members requested an outline of the process used to determine who speaks on behalf of the Council and who approves the final text in its communications.

#### **III. Approval Process**

There is a long-standing process in which the Public Affairs Officer (PAO) works with the appropriate technical staff member to ensure that Council-related issues are accurately described in any external mass communications that target the media and public. These take the form of press releases, letters to the editor, opinion pieces, and Council newsletters, as well as web content, occasional articles, fliers and brochures. The PAO is responsible for the tone, quality and relevance of the materials, while the Executive or Deputy Director provide final approval. During Council meetings, the Chairman and Vice Chairman often provide feedback and approval of press releases.

The Executive Committee has recently become part of this process, reviewing and revising press releases or letters to the editor as necessary. When referring to the "Council leadership" as the source of written comments to the press, permission is sought from each Executive Committee member and that group of individuals gives final approval to such communications.

ENCLOSURE ( 4 )

### **III. Current Practice**

NEFMC communications are intended to promote a better understanding of the Council's charge to conserve and manage fisheries, educate the public about the process it employs to achieve that end and encourage stakeholder participation and buy-in to Council decisions. The staff follows a number of broad guidelines in crafting its communications to the public.

1. Communications are based on and support approved Council actions and positions.
2. Because the Council uses majority votes to make its decisions, communications are generally written to reflect the rationale used by the prevailing side and provided in Council documents, public testimony and Council member comments.
3. All forms of Council communications should be fact or policy-based. Speculation about the outcomes of Council votes should always be avoided. Staff can still be helpful to the media by presenting the major issues, both pro and con, associated with any Council action and the reasons an action is moving through the Council process.
4. Council members are often asked to speak to the media on behalf of the Council. This is generally a responsibility that is assumed by the Chairman, but can and does include others – for example, Oversight Committee Chairs or Council members who also are local fishermen or state directors and are recognized as sources of information to local media reps. The Public Affairs Officer and staff also serve in this capacity.
5. Individual Council members are free to express themselves to the media as they see fit, but they should be clear about speaking for themselves or their own institutions and not the Council.
6. When press releases are necessary, but concern issues that are highly controversial, or address interim reports or other actions that are otherwise not final, particular care must be taken to ensure these types of communications are fair, balanced and clearly acknowledge all sides of an issue. Examples of these would include issues that relate to safety, as well as economic, social and community impacts.
7. Council communications should not include verbiage that expresses personal opinions unless they are consistent with approved Council positions. If included, they should be appropriately attributed to a voting Council member, such as the Chair, Vice Chair, Oversight Committee Chair or Executive Director.
8. Opinion pieces written by members on behalf of the Council and by staff on behalf of the Council should also be consistent with Council positions. Communications of this nature may concern a range of issues, correct the record or more fully describe Council actions, as well as address other fishery matters. Opinion pieces written independently should clarify that the writer is speaking on behalf of him or herself, and not for the full Council.

9. As a matter of course and in keeping with most professional guidelines, press releases should be written for general consumption, although they should include enough information to make them useful to stakeholders and interested members of the public. They should be objective and contain facts that are relevant to the subject matter.
10. The Council should keep in mind that the issuance of a press release, letter to the editor or opinion piece does not guarantee publication. In New England, Council press releases are more likely to be picked up by local fishing community or trade publications than by larger print media outlets that cover issues with greater news impact. Of course, groundbreaking decisions or very high profile issues are an exception to this, as well as timely, relevant letters to the editor that are of regional interest.
11. The Council should be aware that websites, RSS feeds (Really Simple Syndication) --- a family of web feed formats used to publish frequently updated works such as blog entries, news headlines, audio, and video in a standardized format --- and social media will be of greater importance for external outreach as print media outlets continue to consolidate or diminish.

People obtain information, education, news, etc., by electronic media and print media. Social media are distinct traditional media, such as [newspapers](#), [television](#), and [film](#). They are relatively inexpensive and accessible to enable anyone (even private individuals) to publish or access information, compared to industrial media, which generally require significant resources to publish information.