



New England Fishery Management Council

50 WATER STREET | NEWBURYPORT, MASSACHUSETTS 01950 | PHONE 978 465 0492 | FAX 978 465 3116
 E. F. "Terry" Stockwell III, *Chairman* | Thomas A. Nies, *Executive Director*

MEMORANDUM

DATE: April 17, 2014
TO: Council
FROM: Thomas A. Nies, Executive Director
SUBJECT: Summary of April 16, 2014 Executive Committee Meeting

The Executive Committee met on Wednesday, April 16, 2014 at the Sheraton Colonial, Wakefield, MA. Messrs. Stockwell, Quinn, Grout, Pierce, Kendall attended the meeting as did Messrs. Nies, Bullard, Darcy, Dr. Karp and Ms. Roy. The committee discussed the following agenda items.

Executive Director Report

Budget overview - Mr. Nies reported that at the recent CCC meeting in February, the Councils were given their total for the year. The NEFMC will receive \$3.9 M, which is higher than last year but lower than some earlier years. Congress still needs to approve the spending plan.

Management Action Timelines

Mr. Nies reviewed timelines for Council FMP related actions. Some updates include: 1) Scallop Framework 25 has been submitted and the agency has requested some modifications; 2) the LAGC IFQ program report is planned to be delivered to the Council in June; 3) Scallop Framework 26 will be starting soon; 4) Groundfish Framework 51 has been submitted and the final rule should be published shortly; 5) the alternatives for Groundfish Framework 52 should be selected at the April Council with the final vote in June; 6) the Council plans to approve the DEIS and preferred alternatives at the September Council meeting for Groundfish Amendment 18; 7) the Council is planning approximately seven habitat public hearings to discuss habitat/groundfish alternatives; 8) the Council submitted a revised draft Skate specifications document and the Agency is currently developing the proposed rule.

Mr. Stockwell stated that the MAFMC has concerns related to the impacts of OHA2 alternatives on the surf clam fishery and they are requesting that NEFMC add an additional Habitat Committee member from the MAFMC. If the NEFMC chooses to add an additional MAFMC member to the committee, the NEFMC may suggest the MAFMC add an additional NEFMC member to their Demersal Committee. Mr. Stockwell suggested that Jessica Coakley from the MAFMC present the OHA2 information to her Council at the MAFMC June Council meeting.

Collaborative Research - Mr. Nies reported that the Council has approximately \$1M to spend on collaborative research and three groups responded to an RFP to manage a collaborative research program primarily focusing on groundfish. The respondents will be interviewed over the next week.

The Research Steering Committee (RSC) held a meeting to identify research questions that the Council would fund. The RSC is meeting again in April to refine the research questions and come up with advice on how to evaluate proposals. The RSC will report to the Council at its April meeting. The Committee discussed several of the ideas that were suggested at an earlier RSC meeting.

Timing of Recreational Fishing Measures – Mr. Grout stated that there has been a fair amount of non-compliance by recreational fishermen due to mid-season changes in regulations. This is because the states have no system to notify private anglers of in-season changes. The original intent was to have recreational measure changes completed by the beginning of the year. Mr. Grout suggested that if a plan cannot be set up so that when the 2013 fishing data is in, the Council can work on regulation changes for the 2015 fishing year, then letters should be sent out to individual license holders. This committee will suggest this issue be forwarded to the Groundfish Committee for further discussion.

Advisory Panel Policy Discussion – The Executive Committee discussed and recommended a change in the current AP policy to address any disruptive behavior at AP meetings

PDT Webinar Policy –Current Council policy states that “public comments and questions will not be taken during a PDT conference call”. During a recent PDT meeting that was also broadcast as a webinar, a member of the public was sending emails to staff. A concern was raised that someone sending emails had a greater ability to influence the PDT discussion than someone in the room. Mr. Nies felt that this was an isolated incident and recommended leaving the policy as is, since staff may control how they handle input at PDT webinars. Mr. Nies will remind staff that telephone calls will not be taken during PDT webinars.

At-Sea Monitoring Issues – Mr. Nies discussed the March 10 letter received from GARFO about adjusting the schedule for the Omnibus Industry-Funded Monitoring Amendment. GARFO suggested: 1) making the Observer Committee a joint NEFMC/MAFMC Council body; 2) convening a joint ad-hoc AP using members of existing APs and/or members of the public and 3) for NMFS staff to host evening public information sessions in conjunction with the fall Council meeting. He stated that the Council hasn't yet identified a clear role on what we want the Observer committee to do.

The Committee discussed reasons for a joint committee such as possible efficiency and broader input and the disadvantages that result from different types of fisheries in the two regions. This issue will be discussed at the April Council meeting, and also at the NRCC meeting.

SSC Issues

SSC Membership – The Committee discussed a suggestion to appoint a fisherman to the SSC. The SSC discussed the issue at its recent meeting and the report will be provided at the April

Council meeting. The Committee discussed the idea and considered several alternatives for providing input to the SSC on current fishery conditions. Mr. Stockwell suggested the Council consider producing a fishery performance report for the SSC. Mr. Nies will review the idea of the report in way as to not overburden staff.

NOAA Proposed Stock Assessment Prioritization – Mr. Nies reviewed a proposed standardized approach as to how assessments are handled. Dr. Karp believes that this process could lead to relief for the NEFSC staff. Mr. Bullard stated that the NRCC process is a better model, however, Dr. Karp states that the NRCC model demands more of the NEFSC. Mr. Nies stated that the SSC will be commenting on this issue at the April Council meeting. This issue will also be discussed at the NRCC meeting and the upcoming CCC meeting.

Other Business

Emergency Action Request – Mr. Nies addressed a letter received from the Center for Sustainable Fisheries requesting an emergency action request to conduct an experiment for GB yellowtail flounder. The Council could consider whether they want to request an Emergency Action. Mr. Darcy stated that the Agency never issues EFPs that allow a quota to be exceeded. Mr. Quinn agreed to bring the Committee’s concerns to the Center prior to the Council meeting.

Electronic Monitoring Workshop – Mr. Nies reported that several Council members will attend the workshop scheduled for May 7-8 at the Sheraton Harborside, Portsmouth to discuss work in all New England fisheries. The agenda is not yet finalized.

Recent Court Decisions – Mr. Nies stated that there is concern over a recent court decision on carryover provisions in the groundfish FMPMP. General Counsel will address this decision at the April Council meeting.

TMGC - Mr. Stockwell stated that it is too late for the intercessional TMGC meeting but they will meet for two full days in Boston this fall.

MSA Reauthorization – Mr. Nies reported that he received a draft copy of the Senate reauthorization bill from a Senate staffer for review and comment. He will forward the document to Council members for possible discussion at the June Council meeting.

GARFO/NEFMC/NEFSC Operating Agreement– The Committee reviewed an updated draft operating agreement that delineates the roles and responsibilities of the Council, GARFO, NEFSC, and NOAA OLE. Recently, a “Tiger Team” was created from NEFMC/NEFSC/GARFO staff to work on the process for completing management actions. The recommendations of this group were incorporated into the draft agreement. The Executive Director will manage comments on the Operating Agreement via email with the Executive Committee, with the goal of signing the Agreement at the April 29-30 NRCC meeting.

Closed Session - The Executive Committee held a closed session to discuss the Executive Director’s performance review, which is planned for the June meeting.