



New England Fishery Management Council

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

MEMORANDUM

DATE: DRAFT
TO: Council
FROM: Paul J. Howard, Executive Director
SUBJECT: DRAFT Summary of April 5, 2011

The Executive Committee met on April 5, 2011 in Newbury, MA. Messrs. Pappalardo, Cunningham, Odlin and Stockwell as well as Ms. McGee and Ms. Kurkul participated in the meeting. Messrs. Howard, Kellogg and Ms. Roy from the Council staff attended the meeting as well as Ms. Steele, Ms. Fiorelli and Mr. Nies. The committee discussed the following agenda items.

1. Discuss timelines and management actions: Mr. Kellogg reported that the Herring Amendment 5 DEIS would be completed in September. The Council is scheduled to review public comments and make final decisions in January 2012 with implementation seven months later. Mr. Howard stated that the stock assessment for herring is being held in June 2012. Ms. Steele mentioned that the PDT report will be provided to the Council and two issues would be discussed at the Council meeting: 1) whether or not simply stating that all herring must be weighed was sufficient for NMFS to accept from the Council without a specific description of how buyers might weigh herring? 2) what criteria could the Council provide for exempting herring buyers from the requirement to weigh all fish?

Mr. Kellogg reviewed the timelines and implementation dates for other actions.

2. Discuss Catch Share workshop planning: Mr. Kellogg reviewed the March 25th Steering Committee summary including draft goals and objectives for the workshop. There will be an additional conference call prior to the April Council meeting to finalize the draft goals and objectives and a presentation will be made to the Council on the workshop. The Council will be asked to consider approving the goals and objectives at the April meeting. Mr. Odlin and Ms. McGee expressed concern with the makeup of the Steering Committee. Mr. Odlin suggested adding a sector manager and Ms. McGee suggested adding a general category scalloper to the Steering Committee membership.

The Committee also discussed the objectives of the workshop, funding issues and how the workshop would relate to the other workshop to review first-year sector performance. The Committee agreed to recommend that the Council should either cancel or indefinitely postpone the catch shares workshop until after the meeting to review first-year sector performance. (See agenda item #7 for the discussion of the sector performance review).

3. Approve 2012 Council meeting schedule: Ms. Roy reviewed the proposed Council meeting schedule dates for 2012 which were approved by the committee. The committee approved the dates and suggested the Council hold a Council meeting in Boston if the costs were acceptable. The Council will send a memo to the MAFMC and ASMFC making them aware of set meeting weeks which the NEFMC will hold for their yearly Council meetings.

4. Discuss Interior Department wind energy initiative: Ms. McGee suggested that the Council provide information on where EFH designations are for 2011. Mr. Kellogg advised that a staffer from BOEMRE will be attending the April Council meeting and Mr. Howard stated that the Council will coordinate any data provided BOEMRE with NMFS, NROC and NOS. He added that the Council should request to be put on BOEMRE's mailing list so that the Council is up to date on future task force meetings. Mr. Howard suggested asking BOEMRE for updates at each Council meeting. Ms. McGee suggested putting the most recent Council letter to BOEMRE with corresponding maps on the NEFMC website. Both Mr. Howard and Mr. Pappalardo noted that offshore wind farm development is proceeding rapidly and that it will be difficult to influence the process.

Ms. McGee suggested that completing Phase 1 of the Omnibus EFH amendment would allow the Council to use the new EFH and HAPC designations when commenting on offshore energy and other development projects in coastal and federal waters. She believed that the newer, more accurate designations developed since 2006 would be more credible and have more impact on the process than using the older designations as a basis for comments by the Council, NMFS and other organizations. She also noted that the proposed HAPC in the Great South Channel probably overlaps the Massachusetts Request for Information area south of Nantucket. The Committee discussed the extent to which newer designations might influence BOEMRE and others interested in rapid offshore energy development. The Committee asked the Regional Office and the staff to look into the advantages, disadvantages and any impediments to completing and submitting Phase 1 of the Habitat Amendment separately from Phase 2.

5. Discuss NROC-information sharing: As described in the discussion of the previous agenda item, Mr. Howard reported that the Council would work together with NMFS, NROC and NOS to develop an atlas of comprehensive data and maps for the New England region that planning groups could use as a reference for offshore energy siting and other marine spatial planning considerations.

6. Discuss peer review of habitat model: Mr. Kellogg reported that SSC member, Dr. Patrick Sullivan, who chaired the peer review of the Swept Area Seabed Impact (SASI) model, will present the peer review panel's report at the April Council meeting.

7. Discuss possibility of July Council meeting to review first year of sector operations: The Committee discussed the Groundfish Committee's recommendation for a July Council meeting to review first year of sector operations. The Executive Committee agreed with the need for the meeting as soon as possible; however, there was concern whether there would be enough time to receive and analyze information from sector reports and other data before a July meeting. The committee also agreed that it was important to identify successes and problems with sectors both to make needed adjustments (after Framework 47 is completed) and so the public can be informed about sector performance. The Committee decided it would be better for the Council to schedule a workshop instead of a regular Council meeting to review sector performance and that the general category ITQ program for scallop vessels be considered at the same time. The

postponement of the workshop until the fall would allow the Council benefit from more complete and comprehensive information about sector performance. The committee agreed that in the meantime there should be a discussion on the expected nine-month NMFS sector report at the June Council meeting with a Q&A session for Council members and attendees.

8. Discuss Groundfish Committee's recommendation to delay work on accumulation limits: Ms. Kurkul stated that it is possible that a number of people could hold an excessive number of shares or accumulation limits right now or in the near future and feels the Council should address the issue. The Groundfish Committee will recommend a delay in the development until a time uncertain. Mr. Odlin suggested the Groundfish Committee come up with a number of permits that a person, entity or permit bank can have and control. Mr. Nies suggested a serial sector review starting with the 9-month report in June followed by the sector annual report.

9. Discuss Cornell research inquiry: Ms. Fiorelli explained that a Ph.D. student at Cornell University, Ingrid Biedron, is seeking to initiate a project about attitudes concerning ecosystems based management. She suggested that the Chair make the Council aware that Ms. Biedron will be contacting members and staff directly and explain that it is their choice to participate or not.

10. Confirm SSC officers: Ms. Fiorelli reported that the SSC had nominated Dr. Chris Legault as Chair and Dr. Jake Kritzer as the Vice Chair. The Executive Committee approved the SSC nominations.

11. Approve ToRs for Skates and Whiting: Mr. Kellogg explained that the SSC will conduct a peer review of skate calibration methods at its April meeting. For whiting, the SSC will provide guidance on a method to determine ABC. Final ABC recommendations are expected in August.

12. Executive Session: The meeting was closed and the committee met to discuss personnel issues.