

UPDATE ON EXECUTIVE ORDER 13921

On May 7, 2020, Executive Order (EO) 13921, Promoting American Seafood Competitiveness and Economic Growth, was published in the *Federal Register* (Agenda Item H.2, Attachment 1). Section 4 of this EO required that each Council submit a prioritized list of recommended actions to reduce burdens on domestic fishing and to increase production within sustainable fisheries.

At its September 2020 meeting, the Council authorized a letter in response to this requirement (Agenda Item H.2, Attachment 2). That response letter covered the following:

- Priorities for Department of Commerce Regulatory Action
 - Mothership (MS) Sector Utilization
 - Non-trawl Area Management
- Priorities for the U.S. Fish and Wildlife Service Regulatory Action
 - Reclassification of Squid and Sea Urchins
- Funding and Coordination Needs
 - Electronic Monitoring Program – request for authorization of Pacific States Marine Fisheries Commission (PSFMC) video review or subsidy for cost difference between PSFMC and third party provider review
 - Groundfish Trawl Surveys – request for full funding
 - Salmon Fishery Creel Surveys and Biological Sampling – request for interagency coordination by Nation Marine Fisheries Service (NMFS) and funding support
- Aquaculture Policy – Concerns regarding nationwide permit Corp of Engineers permit and aquaculture opportunity areas
 - Request for initiation of Section 305(b)(2) essential fish habitat (EFH) consultations
 - Request that information related to aquaculture action impacts be provided to the Council
 - Notification to the Secretary of Commerce that the proposed Federal aquaculture actions may impact EFH
 - Request that public comment periods be scheduled in a manner that allows inclusion of the comment opportunity on Council agendas
 - Analysis of historic fishing regulations to take into account the full scope of potential future fishing activities
 - Request that the process provide adequate time for good communication and coordination between Federal, state and tribal entities

Of these items, two are directly within the Council purview to move forward (MS sector utilization and non-trawl area management).

- To address the MS sector utilization issue, at the March 2021 Council meeting a purpose and need statement on the whiting fishery was adopted along with a range of alternatives, which include the whiting season start date (for all whiting sectors), mothership processor obligation, mothership processor cap, and mothership processor and catcher-processor

permit transfers. Selection of preliminary preferred alternatives is scheduled for the September 2021 Council meeting and final preferred alternative for the November 2021 Council meeting.

- Non-trawl area management has been prioritized for action but not yet scheduled on the Council's Year-at-a-Glance meeting planners.

The Council has also been engaged in dialog on aquaculture planning. At its March meeting, representatives from the National Oceanic and Atmospheric Administration presented information on Aquaculture Opportunity Areas, and representatives from the Bureau of Ocean Energy Management presented information on planning for offshore wind development. The Council expressed concerns about how data is being used, about ensuring accurate fisheries-related information, and discussed ways to engage with agency partners and address marine planning issues. The Council Executive Director and staff will continue regular communication with relevant agencies and other organizations and will ensure that Council advisory bodies are provided updated information regarding marine planning issues.

Under this agenda item, NMFS is expected to report on the status of other issues covered in the Council letter.

Council Action:

Review Progress, Including the Review of Aquaculture Opportunity Areas, Provide Guidance as Appropriate.

Reference Materials:

1. Agenda Item H.2, Attachment 1: E.O. Federal Register Notice; Executive Order 13921 of May 7, 2020: Promoting American Seafood Competitiveness and Economic Growth.
2. Agenda Item H.2, Attachment 2: Letter to Chris Oliver with Council's response to EO 13921.
3. If received, Public Comments are electronic only ([see e-portal](#)).

Agenda Order:

H.2	Update on Executive Order 13921	Jim Seger
a.	Reports and Comments of Management Entities and Advisory Bodies	
b.	Public Comment	

c. **Council Action:** Review Progress on Initiating the Prioritized List of Recommended Actions to Reduce Burdens on Domestic Fishing and Increase Production, Including the Review of Aquaculture Opportunity Areas, Provide Guidance as Appropriate