

MEETING REPORT COUNCIL COORDINATION COMMITTEE

May 17-19, 2022
Annapolis, Maryland

The Council Coordination Committee (CCC) met May 17-19, 2022, in Annapolis, Maryland. The following is a summary of presentations, discussions, and outcomes from the meeting. Briefing materials and presentations are available at <http://www.fisherycouncils.org/ccc-meetings/may-2022>.

DAY 1 – TUESDAY, MAY 17, 2022

Mid-Atlantic Highlight and Updates

The meeting began with an opening presentation by Mr. Mike Luisi, Chair of the Mid-Atlantic Fishery Management Council (MAFMC) and current Chair of the CCC. Mr. Luisi provided an overview of MAFMC-managed fisheries and highlighted several recent Council actions and initiatives.

NMFS Updates and FY 2022/2023 priorities

Ms. Janet Coit, Assistant Administrator for NOAA Fisheries, provided an overview of NMFS priorities for the upcoming year, which include climate change, seafood promotion and marketing, and equity and environmental justice, among others. She noted that fisheries are an important part of our economy, providing food security, jobs, recreation, and other benefits. Ms. Coit gave a brief overview of the recently released “Status of the Stocks” and “Fisheries of the United States” reports, highlighting that 90 percent of U.S. stocks are not subject to overfishing and 80 percent are not overfished. Ms. Coit commended the regional fishery management councils (RFMCs or Councils) for their hard work on tackling challenging issues. She emphasized the importance of continued collaboration and partnership between NMFS and the Councils.

Ms. Kelly Denit, Director of NOAA Office of Sustainable Fisheries, provided an overview of NMFS activities and gave updates on several topics as requested by the Council Executive Directors.

Applying Information Law to Electronic Monitoring Data & Supporting Guidance in U.S.

Fisheries: Ms. Denit gave an overview of key feedback on the draft directive for electronic monitoring and applying information law to electronic monitoring data and supporting guidance in U.S. Fisheries Final Procedural Directive. She stated there were a number of comments regarding concerns with personally identifiable information (PII), when a particular piece of information collected during EM becomes a Federal record. She stated this directive does not apply to scientific research and pilot projects. Ms. Denit provided a table of the three laws and when and how the laws apply. She stated that EM data are considered confidential, including for a contractor or another party that NOAA is using to process the files. Ms. Denit summarized when data become a federal record and anticipated requirements for access and use of the EM information. Any of the records that are obtained from EM can be used by the agency to

determine if there is a violation of any of the statues. Non-disclosure agreements would need to be signed in order to have any access to these data. Mr. Bill Tweit (Vice-Chair, North Pacific Fishery Management Council (NPFMC)) asked if the agency was planning to conduct a review of this procedure directive after a couple of years to evaluate costs to the fishery and buy-in of the program. Ms. Denit responded that the agency would be at the ready to make changes should they be needed to the program.

National Standard 1 Workgroups Update: Ms. Denit provided updates on the National Standard 1 Workgroup subgroups. Subgroup 1 is continuing to work on development of technical guidelines for estimation of MSY or its proxy. Subgroup 3 is expected to finish its work on data-limited ACLs this fall. Mr. Tom Nies (Executive Director, New England Fishery Management Council (NEFMC)) expressed concerns regarding the length of time that this procedural directive is taking, particularly as it relates to changing climate conditions and ongoing litigation in his region.

Best Scientific Information Available Regional Frameworks: NMFS Procedure 01-101-10 requires the development of regional frameworks for determination of the best scientific information available (BSIA) by May 7, 2022. Ms. Denit reported that four regional frameworks have been completed and two are currently under review. The CCC requested information about where the completed regional frameworks are (or will be) posted on the NMFS website.

E.O. 13921 – SEAFOOD Competitiveness and Marketing Strategies: Ms. Denit provided a brief overview of how the RFMC’s comments and priorities provided in May 2020 were processed and provided to supporting federal agencies and federal agencies outside the NMFS purview. Ms. Denit stated Dr. Paul Doremus will provide information about how the Council’s recommendations have been rolled into the draft National Seafood Strategy that will be discussed later in the agenda.

Regional Recusal Determination Procedure Handbooks: NMFS finalized updated Policy and Procedural Directives on Financial Disclosures and Recusal Determination in November 2021. Handbooks are being developed by NOAA GC with draft expected for Council review by November 2023. John Carmichael (Executive Director, South Atlantic Fishery Management Council (SAFMC)) requested that the regions work closely, early on to develop these handbooks instead of waiting to the end, which was what had occurred with the Southeast Regional Framework for BSIA.

Budget Updates

Dr. Paul Doremus, NMFS Deputy Assistant Administrator for Operations, briefed the CCC on the FY 2022 enacted budget and the administration’s FY 2023 budget proposal. The total NMFS budget (ORF) for FY 2022 is \$1.02 billion. The budget includes marginal support for two administration priorities, climate research and offshore wind, but did not include funds for Environmental Justice and Equity (EEJ) or Restoration and Resilience. The Council/Commissions PPA total is \$42.9 million, an increase of 3.3% from the FY 2021 enacted amount. The FY 2022 spend plan amount should be announced soon. It is unlikely the Councils will see an increase in the funding provided under other PPAs.

The FY 2023 request (ORF) is \$1.106 billion. It includes significant increases requested for the three priorities of climate research, economic development/offshore wind, and EEJ, as well as a significant investment for consolidation of the Northwest Fisheries Science Center. The proposed Council/Commission PPA is \$44.3 million, an increase of 3.2% from the FY 2022 enacted amount. CCC members noted that the proposed Council/Commission PPA does not include any amounts for new program activities in support of the administration's three priority areas. In response to a question, Dr. Doremus replied that the agency was not planning to provide additional funds to the Councils for these activities.

Dr. Doremus noted that the agency had not yet completed its planning for implementation of the American Fisheries Advisory Committee Act, which modifies administration of the Saltonstall-Kennedy program.

NMFS Science Updates

Dr. Jon Hare, NMFS Acting Director of Scientific Programs and Chief Science Advisor, provided an update on recent science activities. The presentation focused on three main issues: climate change, offshore wind, and adapting the survey and data collection enterprise.

Dr. Hare highlighted several recent initiatives and accomplishments related to climate change.

- NMFS recently released a five-year progress report on implementation of the Climate Science Strategy (2015). This report describes specific activities NMFS has undertaken, including efforts to track change, assess vulnerability, understand and project climate impacts, build capacity to use climate information, and identify climate-ready management strategies.
- Launched on April 19, the new Distribution Mapping and Analysis Portal (DisMAP) consolidates trawl survey data from around the country and allows a user to interact with the data to look at changes in species distributions.
- Researchers at the Southwest Fisheries Science Center have developed an approach for predicting marine heat waves and they are now producing global forecasts that can provide up to a year's advanced notice of marine heat waves.
- NMFS is currently seeking public comments on Draft 2022-2024 Climate Science Regional Action Plans (RAPs). The plans identify actions that each region intends to take over the next 3 years to address regional climate-science needs and the objectives of the NOAA Fisheries Climate Science Strategy. The deadline for comments on the RAPs has been extended until **July 29, 2022**. On Day 3 of the meeting, Ms. Carrie Simmons (Executive Director, Gulf of Mexico Fishery Management Council (GFMC)) requested a further extension until the end of August for the Southeast RAP to allow for review by the Council at their August meeting. Dr. Hare said he would look into it and follow up.

In addition, Dr. Hare noted that offshore wind energy development intersects with nearly everything that NMFS and the Councils are engaged in. Planning for the future is critical. NMFS recently released a draft Federal Survey Mitigation Strategy that identifies essential components of mitigating the impacts of offshore wind energy development on the surveys, as well as actions to accomplish the goals and objectives of mitigation. The goal is to address mitigation early in the process and not wait until areas have already been leased and construction and operation plans have been approved.

Dr. Hare acknowledged that NMFS fisheries surveys have faced significant challenges recently, including cancelled surveys and reduced days at sea. Specific challenges include increasing fuel prices, COVID issues, and staffing shortages. Declining days at sea by fishery independent surveys provided an illustration of the challenges to maintaining capabilities and the need to actually restore capabilities of some important science products. There was discussion from the CCC on how NMFS intends to address ongoing, basic science needs with the growing future demands for scientific products. The CCC is concerned with declining scientific capabilities as funding fails to keep pace with increasing expenses and new initiatives increase demands on the NMFS science enterprise. It was noted that under MSA provisions, reduced scientific information and analyses results in greater uncertainty that translates into lower catch levels. Put another way, the fisheries managed by the Councils ultimately pay the cost for scientific deficiencies. Dr. Hare provided an overview of ongoing and planned efforts to sustain core strengths while building additional capacity through modernization and implementation of new technologies and through better survey planning, prioritization, and management of survey resources. He also noted the agency is pursuing 3 approaches for meeting management's science demands: 1) making best use of available resources; 2) continuing to articulate the need for and benefits of new resources; and 3) building partnerships built on shared interests to expand scientific capabilities.

Legislative Outlook

The CCC recognized the passing of Congressman Don Young (1933-2022) and his contributions to sustainable fisheries. As one of the authors of the Magnuson-Steven Fishery Conservation and Management Act, Congressman Young was a lifelong supporter of the U.S. fishing industry and the Regional Fishery Management Councils.

Mr. Dave Whaley, a contractor to the Councils and ad hoc member of the Legislative Work Group, provided an update on current legislative activities and an estimate of the remaining days of legislative session for the 117th Congress. He noted that elections will be held this fall for all members of the U.S. House of Representatives, and roughly one-third of U.S. Senators. It is possible that control of the House and/or Senate could flip. If this occurs, it will affect control of committees, which may lead to changes in committee priorities.

Due to the passing of Congressman Young, Congressman Huffman (D-California) - Chair of the Water, Oceans, and Wildlife Subcommittee - announced that he would suspend work on MSA reauthorization until a new Alaska representative is seated in the House of Representatives. This will not happen before mid-September. With the approach of the elections in the fall and this pause, MSA reauthorization efforts may not make significant progress this year. While two bills to reauthorize the Act have been introduced in the House, no reauthorization bill has been filed in the Senate.

While the MSA reauthorization has slowed, other bills dealing with fisheries management and ocean governance are still moving. In particular, the "America Creating Opportunities for Manufacturing, Pre-Eminence in Technology, and Economic Strength Act of 2022" or the "America COMPETES Act of 2022" contains a number of fishery, ocean, coral reef, and marine mammal provisions and is currently in a House/Senate conference. The outcome of the conference and whether these provisions will remain in the final conference report are not known at this time.

Outcomes/Action Items:

1. The CCC approved revisions to the Forage Fish Consensus in the CCC's MSA Reauthorization Working Paper, as recommended by the Legislative Work Group.

DAY 2 – Wednesday, May 18, 2022

Climate Change and Fisheries

Council Initiatives

The CCC received several presentations on recent and ongoing climate change initiatives.

Ms. Kiley Dancy (Council Staff, MAFMC) provided an update on the East Coast Scenario Planning Initiative. This project is being conducted by East Coast fishery management organizations and is exploring governance and management issues related to climate change and fishery stock distributions. Ms. Dancy provided an overview of the work completed so far, much of which has focused on gathering input from stakeholders which will inform an upcoming scenario creation workshop to be held in June 2022. Several CCC members were impressed by the turnout in the scoping and exploration webinars and felt it was clear that stakeholders are invested in this process. The expected outcomes from the initiative will include policy recommendations related to governance and management, a list of data gaps and monitoring needs, and near- and long-term priorities.

Mr. Merrick Burden (Executive Director, Pacific Fishery Management Council (PFMC)) presented on the Pacific Council's Scenario Planning Initiative and shared several lessons learned. This project was an outgrowth of the PFMC's Climate and Communities initiative. The resulting work product was the creation of four high-level scenarios describing the future of west coast fisheries under climate change. Mr. Burden noted that more work is needed to translate the outcomes of their scenario planning process into something that is "actionable" by the PFMC, as the scenarios were broad and relatively theoretical.

Mr. Bill Tweit (Vice-Chair, NPFMC) presented on the North Pacific Council's Climate Change Taskforce (CCTF). The CCTF was formed to evaluate the vulnerability of key species and fisheries to climate change in the North Pacific and strengthen resilience in regional fisheries management. As a first step, the CCTF is currently preparing a Climate Readiness Synthesis, which will provide a snapshot of the NPFMC management program's current climate readiness.

NMFS Climate Initiatives

Ms. Kelly Denit (Director of NOAA Office of Sustainable Fisheries) presented a NMFS proposal to develop a Council Governance Policy which would address when and how the Secretary will review and assign authority over Federally managed domestic stocks found across more than one jurisdiction (under MSA Section 304(f)). This initiative is intended to bring transparency to how this authority can be used. The Councils were encouraged to provide input on the scope of this initiative by July 2022 with NMFS targeting completion of a draft policy by spring 2023.

Several CCC members noted that the proposed timeline would not allow adequate time for the Councils or stakeholders to provide input on the scope of the policy. The CCC noted that, as a general rule, NMFS should take Council meeting schedules into account when soliciting Council input. CCC members expressed serious concerns about how this policy would incorporate the work that is already being done by the Councils, NMFS, and the ASMFC through scenario

planning and related initiatives. Specifically, the proposed timeline would not allow for the outcomes of the East Coast Climate Change Scenario Planning Initiative to be meaningfully incorporated into NMFS' Council Governance Policy. It was also noted that the lack of clear baselines for some data-poor species will make it difficult to identify or measure climate-related species shifts. At the end of this discussion, the CCC voted unanimously to recommend that NMFS postpone further development of the Council Governance Policy until after completion of the East Coast Climate Change Scenario Planning Initiative, planned for spring 2023.

Outcomes/Action Items:

1. The CCC approved a motion recommending that NOAA Fisheries postpone further development of the Council Governance Policy until after completion of the East Coast Climate Change Scenario Planning Initiative.

Area-Based Management/America the Beautiful

Area-Based Management Subcommittee Report

Mr. Eric Reid, Chair of the Area-based Management Subcommittee, provided a summary of the group's work to date, including a proposed definition of "conservation area" and a summary of the draft report that evaluates all conservation areas in the U.S. EEZ that can be used for the American Conservation and Stewardship Atlas (Atlas). The Subcommittee defined conservation area (with respect to fisheries) as: 1) an established, geographically defined area, with 2) planned management or regulation of environmentally adverse fishing activities, that 3) provides for the maintenance of biological productivity and biodiversity, ecosystem function and services (including providing recreational opportunities and healthy, sustainable seafood to a diverse range of consumers). There are 615 areas in the U.S. EEZ that meet this definition, including 491 areas classified as ecosystem conservation areas established to conserve habitat, biodiversity, special ecosystems, or vulnerable species. Over 54% of the EEZ is covered by these ecosystem conservation areas. The subcommittee intends to finalize the report once GIS information is fully available to create maps of the different areas for the Fall CCC Meeting.

CCC members appreciated the work of the Subcommittee and encouraged the group to complete a peer reviewed journal article. CCC members recommended that the MAFMC issue a news release on the report and its findings. Additionally, one CCC member requested that the Subcommittee include a discussion of the endurance of areas established by the Councils in the final report. In response to a question from Mr. Sam Rauch on how the group's definition of conservation area could be broadened to include areas on land, Mr. Reid noted that the word 'fishing' could be deleted from part 2 and the parenthetical phrase could be deleted from part 3. The CCC expressed special appreciation to Jessica Coakley for her extraordinary efforts to assemble the report.

NMFS Update on Area-Based Management

Mr. Sam Rauch (NMFS Deputy Assistant Administrator for Regulatory Programs) provided an update on NOAA activities relative to the 30 by 30 initiative. He noted that under the President's Executive Order 14008, the purpose of 30 by 30 initiative (i.e., conserve 30% of the land and sea by 2030) is to use this tool to address the disappearance of nature, climate change, and inequality. Mr. Rauch noted the thousands of written and oral comments on the Atlas. The agencies are still working through these comments, and the Atlas beta version is scheduled for completion in December. The Atlas group may also include a definition or elements of

conservation area and may provide examples of the types of conservation areas that would be included.

Mr. Rauch also alerted the CCC that NOAA is establishing a Marine and Coastal Area-based Management Federal Advisory Committee. An announcement for nominations is forthcoming. Mr. Rauch thought the CCC Subcommittee report will be influential to the work of this FAC. In response to a question on the inclusion of Council members on this committee, Mr. Rauch noted that there is a need for a diversity of viewpoints including perspectives from Councils and the fishing industry, and others.

Outcomes/Action Items:

1. The CCC recommended that the MAFMC issue a press release on the report and its findings.
2. The CCC approved a motion requesting that NOAA Fisheries provide special funding, as soon as possible, to contract GIS work needed to consolidate and complete the work of the Area-Based Management Subcommittee. Bill Tweit noted his rationale for the motion and detailed that the request was for \$50K to the NPFMC or PFMC to contract with Pacific States Marine Fisheries Commission.
3. The CCC approved a motion requesting that NOAA convene a meeting with CEQ and the CCC Subcommittee representatives to discuss the draft report in time to be used in development and deliberation of the definition of ‘conservation’. The subcommittee representatives at this meeting will be Eric Reid, David Witherell, and Mike Luisi.

Recreational Fisheries

NMFS Updates

Mr. Russ Dunn (NMFS Policy Advisor for Recreational Fisheries) presented an overview of the 2022 National Saltwater Recreational Fisheries Summit, highlighting discussion points and next steps. The summit report is expected to be available June 30, 2022. CCC members expressed appreciation to NMFS and the summit organizers for providing an opportunity for anglers from across the nation to meet and share their concerns and experiences. Summit presentations were informative, and the breakout groups proved to be a successful approach for gathering input from the many attendees. Russ Dunn also presented on efforts to engage the recreational community in habitat plans through conservation and restoration activities.

Council Presentations

Ms. Julia Beaty (Council Staff, MAFMC) presented on the MAFMC Recreational Harvest Control Rule framework action, which is being developed with the Atlantic States Marine Fisheries Commission. The CCC discussed tradeoffs of regulatory stability and the potential magnitude of change in recreational measures that could occur if a stock classification changed. The extent of regulatory change varies across the several options in the framework, and in some cases could be substantial. However, it was noted that annual changes can be significant under the current approach, and this framework is being prepared to improve stability by avoiding ‘chasing’ the recreational harvest limit from year to year. Mr. Bill Tweit (Vice-Chair, NPFMC) also presented an overview of the NPFMC Halibut Allocation review.

Management Strategy Evaluations

Mr. Brandon Muffley (Council Staff, MAFMC) gave a presentation titled “The use of MSE in the council process: lessons learned and future direction.” This talk included several topics that covered: a general overview of MSE, outcomes from SCS workshop 6, Mid-Atlantic experiences, regional examples, and NOAA perspectives and direction.

Mr. Tom Nies (Executive Director, NEFMC) summarized the use of MSE in the New England region and focused particularly on the Atlantic Herring ABC control rule that was established via a MSE process. He stressed the large time commitment involved in producing the MSE. After four years and use of two dedicated science center staff the MSE effort led to the development of the control rule. The New England region had several lessons learned from this experience that he summarized in his presentation. He summarized how a MSE is being developed for an EBFM approach, and how they intend to use it to compare EBFM vs single species management strategies.

Mr. David Witherell (Executive Director, NPFMC) summarized the history of MSE in the North Pacific, beginning with an early history of MSEs being developed by the science community but with very little awareness of these efforts by the Council and stakeholders, and other examples where difficulties arose in building the model which led to a lengthy multi-year process.

Dr. Jon Hare (NMFS Acting Director of Scientific Programs and Chief Science Advisor) summarized NOAA’s involvement with MSEs. He described two types of MSEs that include 1) those requested by Councils and 2) research based MSEs to start conversations. He described challenges with developing MSEs that ranged from resource constraints to planning difficulties and more. This was followed with a series of suggestions for strengthening collaborations among Councils, regional offices, and science centers.

The session concluded with the suggestion that each of the Councils be prepared to discuss MSEs at the October 2022 meeting.

National Seafood Strategy

Dr. Paul Doremus (NMFS Deputy Assistant Administrator for Operations) presented NMFS’ Draft National Seafood Strategy. The overall purpose of the strategy is to support resilience and competitiveness via four goals – optimize wild capture production, increase aquaculture (production, regulation, and global leadership), facilitate fair and reciprocal trade, and address infrastructure issues. Each goal has several supporting objectives. The draft strategy was informed by initial input from several industry roundtables and the Marine Fisheries Advisory Committee (MAFAC). Initial insights from industry roundtables highlighted the importance of making fisheries a more prominent part of, and better integrated into the vision for, the blue economy.

Other themes from the industry roundtables included climate change; climate and general science needs; the need for NOAA Fisheries to better understand supply chain and business operations (with weaknesses exposed by Covid); needs of rural and tribal communities; disappearance of working waterfronts; recreational/subsistence fishing, the need for marketing of U.S. sustainability; fishing labor shortages; and trade barriers. CCC members provided initial

feedback and recommendations on the draft strategy. Dr. Doremus invited additional input as the draft strategy is being developed. Comments can be sent to Sarah.Shoffler@noaa.gov.

Ms. Kitty Simonds (Executive Director, Western Pacific Fishery Management Council (WPFMC)) highlighted several issues related to third-party certifications and ratings. Third party certifications (e.g., Marine Stewardship Council (MSC)) impact marketing, consumer choice, and supply chains while being costly and redundant for most U.S. catch. Ratings are often based on outdated or incorrect information. Acknowledging that NMFS is prohibited from adopting, using, or promoting any third-party certification scheme, Ms. Simonds encouraged NMFS to highlight the efficacy of the Magnuson-Stevens Act and Council-managed fisheries. Ms. Simonds suggested that this could be incorporated into the seafood strategy, such as through development of a labeling alternative for U.S.-managed seafood. Ms. Simonds also expressed concern that U.S. fisheries are threatened by misinformation spread by third-party organizations, such as the Minderoo Foundation, and encouraged NMFS to consider ways to address these mischaracterizations of U.S. fisheries.

A number of other issues were raised during the discussion following the presentations. Dr. Chris Moore (Executive Director, MAFMC) noted that recently-proposed changes to the MSC standards could threaten the spiny dogfish fishery's certification which could have major impacts on the fishery's export markets in Europe. Mr. Tom Nies (Executive Director, NEFMC) raised concern about petitions to list winter and thorny skates under CITES and asked whether NMFS ever weighs in on such petitions. Mr. Rauch responded that the agency works closely with the U.S. Fish and Wildlife Service to develop positions on potential CITES listings but that he was not at liberty to say what the U.S. position will ultimately be.

DAY 3 – Thursday, May 19, 2022

Equity and Environmental Justice

Mr. Archie Soliai (Chair, WPFMC) provided a presentation on equity and environmental justice (EEJ) planning and activities recently undertaken by the Western Pacific Council. He listed some major issues that affect generational equity in the Western Pacific region. The WPFMC recently held an EEJ strategy workshop that brought together indigenous council members, advisory panel members, NOAA regional staff and leaders working on environmental justice issues. Workshop participants discussed how EEJ integrates with WP Council work and how to best use organizational tools for change. Soliai shared the graphic outputs from the workshop's live scribe that detailed the dialogue high points alongside imagery. CCC members commented that the Councils provide voice for communities within federal processes. They also said that the workshop scribe imagery is innovative and makes the workshop dialogue accessible. The next steps are to develop a draft strategy to incorporate EEJ values in decision making. The WPRMC looks forward to working with NOAA to develop and implement the strategies.

Ms. Maria Carnevale (Council Staff, WPFMC) provided a report on progress of the CCC Environmental Justice Working Group. The group met 8 times to develop a workshop plan and a draft report for CCC review. The report provides an overview of federal directives and policies relative to EEJ and discusses the linkages of EEJ features to objectives and requirements of the MSA. The report highlights the diversity of needs and initiatives across different regions, and it describes relevant efforts, activities and perspectives of each council. Numerous approaches and ideas were presented and discussed, and challenges were identified. The workgroup also

identified potential next steps to continue a sustained dialog and coordination with NMFS, continue to synthesize information and identifying a subset of related EEJ actions, and establish a formal workgroup. CCC members commented on how the report advances EEJ and how nicely the CCC report and NMFS EEJ efforts dovetail.

Mr. Sam Rauch provided an update on NMFS environmental justice initiatives. The agency has developed a draft equity and environmental justice strategy which is currently out for public comment. The report includes definitions for the terms *Equity* and *Environmental Justice*, which are very similar to the CCC working group definitions. This is a national strategy for NOAA and is broader than MSA issues (e.g., ESA issues). The strategy identifies several barriers to equity and environmental justice and provides a framework to incorporate EEJ into NOAA Fisheries' daily activities. NOAA intends to finalize the EEJ strategy in November, with development of regional implementation plans in the spring of 2023. A series of outreach webinars to receive public comment have been scheduled.

Following the presentations, members discussed engagement strategies, how to move the research needs identified in the CCC EEJ report forward, WP underserved and disadvantaged fisheries, how to identify underserved communities, Council representation, and the importance of National Standard 8 and funding territorial science. One member commented that EEJ is a through line for much of the CCC topics and dialogue over the last three days. The CCC views workgroups as a good way for staff to share information. They also allow Councils to each participate and contribute to the discussions relative to their interest and impacts on their region. An EEJ workshop would help to coordinate efforts and resources among the Councils and NOAA, promote and identify management approaches that support EEJ, and data collection and research aimed at advancing EEJ for U.S. fisheries management. The EEJ workshop could include Regional Fishery Management Council staff, leadership, and NOAA Fisheries staff. Ideally, this workshop would occur before the next CCC meeting (October) and prior to NOAA finalizing their EEJ strategy. Lastly, a peer reviewed publication will provide a snapshot in time as to the current situation with respect to EEJ, and discuss possible future approaches.

Outcomes/Action Items:

1. The CCC approved a motion to establish an EEJ workgroup to share information about different approaches to meet EEJ objectives, taking into account the draft EEJ strategy. The Workgroup should consider developing a terms of reference, holding an EEJ workshop, and publishing a peer reviewed journal article on their work.

Integration of ESA Section 7 with MSA

Ms. Kitty Simonds (Executive Director, WPFMC) presented an overview of the CCC's discussion to date to improve the ESA Policy Directive to integrate ESA Section 7 with MSA. The CCC reviewed the implementation status at the May 2021 meeting and recommended strengthening the relationship between NMFS and Councils on ESA consultations for fisheries by updating the policy directive to improve the process and timing for Council involvement. During the January 2022 CCC call, the Councils highlighted issues such as persistent delays in completing BiOps; lack of coordination with fishery management action timelines as well as with development of RPMs; Policy Directive not followed and Councils not provided the opportunity to develop RPMs or RPAs when consultation was triggered external to the Council process; Council staff not being included in working groups resulting from BiOp RPMs; FOIA

and FACA impeding Council involvement; coordination issues when NMFS develops RPMs external to the Council; and a general need to coordinate on deadlines. Successful examples stem from early coordination through the Council process.

Potential changes to the policy directive to address issues raised by the CCC include: adding language to encourage and incentivize early coordination with the Councils for RPMs in addition to RPAs; adding language for Council-NMFS to agree on coordinated schedule for Council involvement, input, development of RPMs/RPAs, and draft BiOp sharing; NOAA GC to facilitate sharing of draft BiOp with Council staff to facilitate early NMFS-Council coordination; and adding an overarching policy statement that NMFS will work in close coordination with the Councils through the MSA Council process. These potential changes point to the need to address fishery impacts to ESA-listed through the Council process. Simonds conveyed the CCC's interest to work with NMFS to refine these improvements to integrating ESA and MSA processes.

Mr. Sam Rauch presented on NMFS' initial review of the CCC comments on the Policy Directive. Rauch concurred with Simonds' characterization that the Policy Directive recognizes the Council's critical role in ESA consultations, and noted that it also allowed for variations in the coordination approach for each Council. Initial internal discussions indicate that there are clear regional and case-by-case variations, but with the Policy Directive's existing focus on early and frequent coordination, NMFS found that a major update was not needed at this time. One issue that NMFS has identified with the Policy Directive is that it has not worked as well for consultations that were initiated through external triggers. NMFS is struggling with how to handle situations in which consultations occur outside of the Council action process, specifically in terms of how to involve Councils in those situations and when NMFS may be on an accelerated timeline. Rauch reviewed existing policies that address frontloading and coordination, including the Operational Guideline, Regional Operating Agreements, ESA-MSA Integration Agreements, and NEPA Guidance. NMFS would like to continue working on these issues with the Council, and plans to work with each Region/Council pair to share best practices.

Outcomes/Action Items:

1. The CCC approved a motion to form a working group to consider potential changes to the ESA Policy Directive addressing issues identified by the CCC through the May 2021 and January 2022 meetings.

International Issues

Ms. Alexa Cole (Director of NMFS Office of International Affairs, Trade, and Commerce) provided a briefing on U.S. involvement in international fisheries issues. The office was recently renamed to incorporate a newly-established Trade and Commerce Division. This change aligns trade monitoring functions of NOAA Fisheries under one office and is intended to strengthen the office's ability to prioritize and manage resources to address seafood competitiveness, support the U.S. seafood industry, advance trade policy priorities, and combat IUU fishing.

Ms. Cole gave an overview of U.S. involvement in regional fishery management organizations (RFMOs). She noted that the Councils play a significant role in certain RFMOs, either through advisory councils or as commissioners. The Western Central Atlantic Fishery Commission (WECAFC) is a newly developed organization which will be focusing on fisheries in the wider

Caribbean area. NMFS staff are planning to attend at least one meeting of each Southeast Council this summer to discuss WECAFC working groups and management efforts. The CCC was asked to assist with distributing a forthcoming federal register notice soliciting nominations for U.S. Commissioners to fill non-federal and non-Council seats on certain RFMOs. This is part of an effort to engage a diverse pool of candidates representing a range of stakeholder perspectives.

The fourth session of the UN Intergovernmental Conference on Marine Biodiversity of Areas Beyond National Jurisdiction (BBNJ) was held in March 2022. There were four main thematic areas: (1) marine genetic resources, (2) area-based management tools, (3) environmental impact assessments, and (4) capacity-building and the transfer of marine technology. One area of continued negotiations relates to the use of area-based management tools on the high seas. Some delegations have supported a centralized global process, while the U.S. and a number of other delegations support a two-fold process that delegates final decision-making authority to RFMOs and other global and regional management bodies. The State Department will conduct outreach and hold stakeholder webinars and discussions before the fifth session of negotiations is held later this year.

NMFS is continuing to work on implementation of the Marine Mammal Protection Act (MMPA) import provisions, which prohibit importation of fish and fish products from nations with unsustainable levels of marine mammal bycatch. The deadline for nations to apply for Comparability Findings was November 30, 2021. The results of Comparability Finding application reviews will publish by November 30, 2022. All seafood entering the U.S. after January 1, 2023 must have a Comparability Finding for its harvesting fishery or there will be import prohibitions on fish and fish products from that fishery.

Finally, Ms. Cole gave an overview of the findings of the 2021 Biennial Report to Congress on Improving International Fisheries Management, which is issued every two years under the High Seas Driftnet Fishing Moratorium Protection Act.

Mr. Archie Soliai (Chair, WPFMC) asked about what progress the U.S. is making with respect to strengthening U.S. negotiations, particularly in the Pacific. Ms. Cole responded that it continues to be a priority but that the pandemic has been a setback. Mr. Soleil noted that the continuing decline in the number of fishing vessels in American Samoa is not sustainable for the cannery that supports the American Samoa economy.

Outcomes/Action Items:

1. NMFS requested Council assistance with publicizing an upcoming federal register notice soliciting nominations for U.S. Commissioners to fill non-federal and non-Council seats on certain RFMOs.

Committee and Working Group Updates

Council Member Ongoing Development (CMOD): Mr. Tom Nies (Executive Director, NEFMC) provided an overview of the upcoming CMOD meeting scheduled for November 15-16th, 2022 in Denver, Colorado. The Councils are requested identify participants by Friday, July 1, 2022. The meeting is scheduled for 50 participants across the nation. Each RMC should identify 3

Council members and 1 staff member to attend. Participants may be asked to provide presentations or regional overviews.

Scientific Coordination Subcommittee: Mr. David Witherell (Executive Director, NPFMC) provided an update on the plan for the upcoming Scientific Coordination Subcommittee. The North Pacific Fishery Management Council will host this meeting August 15-17, 2022, in Sitka Alaska, in the Harrigan Centennial Hall. The meeting is focused upon various aspects of addressing Ecosystem-Based Fishery Management (EBFM), including ecosystem indicators, multi-species modeling and addressing distributional shifts in managed stocks. The three primary themes of this meeting are: 1. How to incorporate ecosystem indicators into the stock assessment process. 2. Developing information to support management of interacting species in consideration of EBFM. 3. How to assess and develop fishing level recommendations for species exhibiting distributional changes. Each Council will send 2 official SSC delegates plus a staff member (or 3 SSC members).

Habitat: Jessica Coakley (Council Staff, MAFMC) provided an overview presentation of the Habitat Working Group. She discussed the past and present accomplishments of the working group. Presently, the working group is taking a “deeper dive” into regional habitat work through a series of presentations on habitat and EFH efforts from each of the Councils. The group is scheduled to hear presentations on fish and habitat climate vulnerability and would like to focus on the incorporation of climate resilience in Council EFH designations. The CCC voiced support of this shared area of common interest. The CCC also supported the working group meeting in-person in 2023 as they last met in-person in 2019.

Communications: Mary Sabo (Council Staff, MAFMC) provided an update on efforts by the Council Communications Group to develop a cross-Council calendar tool, as requested by the CCC during the October 2021 meeting. The group is aiming to have this project completed in time for review by the CCC during its October 2022 meeting. Mr. Witherell asked if it would be helpful for the communications group to have an in-person meeting. Mr. Nies recommended that the group first draft a proposal, including proposed meeting topics and objectives, for review and approval by the CCC. The CCC agreed that NMFS communications staff should also be included in a future in-person meeting.

Outcomes/Action Items:

1. The CCC endorsed the Habitat Work Group’s proposal to meet in person in 2023 or 2024 with a focus on incorporating climate and climate resilience in our EFH designations.
2. The Council Communications Group will consider developing a proposal for an in-person meeting for future review by the CCC.

Council Coordination Committee Meeting May 17-19, 2022

The Annapolis Waterfront Hotel
80 Compromise Street, Annapolis, MD 21401

AGENDA

Tuesday, May 17, 2022	
1:00 – 1:30	Opening of Meeting Welcome and Introduction (Mike Luisi/Janet Coit) Approval of Agenda Mid-Atlantic Fisheries Highlight (Mike Luisi)
1:30 – 2:45	NOAA Fisheries Update and FY 22/23 Priorities (Janet Coit/Kelly Denit) Electronic Monitoring Information Law Procedural Directive Update on National Standard 1 (NS1) Technical Guidance Workgroups Follow up on Council EO 13921 Recommendations BSIA Regional Framework Update Status of Regional Recusal Determination Handbooks and Webpages Other
2:45 – 3:00	Break
3:00 – 3:30	Budget and Council Funding Update (Paul Doremus)
3:30 – 4:30	NOAA Fisheries Science Updates (Jon Hare) Next Generation Data Acquisition Plan Other
4:30 – 5:00	Legislative Outlook Legislative Update (Dave Whaley) Legislative Work Group Report (Tom Nies)
5:00 – 5:15	Public Comment
5:15	Adjourn for the day

Wednesday, May 18, 2022	
9:00 – 10:45	Climate Change and Fisheries East Coast Scenario Planning Initiative – Update (Kiley Dancy) Pacific Council Scenario Planning – Lessons Learned (Merrick Burden) North Pacific Council Climate Change Taskforce – Update (Bill Tweit) NOAA Fisheries Climate Change Initiatives (Kelly Denit)
10:45 – 11:00	Break
11:00 – 12:00	America the Beautiful/Area-Based Management CCC Area Based Management Subcommittee Update (Eric Reid) – Draft report and maps of existing fishery conservation areas NOAA Fisheries Update (Samuel Rauch)
12:00 – 1:30	Lunch on your own

1:30 – 2:30	Recreational Fisheries Management Report from 2022 National Saltwater Recreational Fisheries Summit (Russel Dunn) Brief presentations on recreational-related Council actions and projects of interest <ul style="list-style-type: none"> - MAFMC Recreational Reform Initiative (Julia Beaty) - North Pacific Council halibut allocation update (Bill Tweit)
2:30 – 3:30	Management Strategy Evaluations Use of MSEs by the Councils and NOAA Fisheries (Brandon Muffley, Jon Hare) Discussion: How were the outcomes of MSEs used in management? What lessons were learned, from a process or fisheries management perspective?
3:30 – 3:45	Break
3:45 – 4:45	National Seafood Strategy (Paul Doremus) Update on NOAA Fisheries National Seafood Strategy Other Issues (Kitty Simonds) Responding to misinformation or mischaracterizations of U.S. fisheries by third-party certification programs or other organizations
4:45 – 5:00	Public Comment
5:00	Adjourn for the Day

Thursday, May 19, 2022

9:00 – 10:00	Environmental Justice CCC Environmental Justice Work Group Report (Jose Montanez/Maria Carnevale) Update on NOAA Fisheries environmental justice initiatives (Samuel Rauch)
10:00 – 10:30	International Affairs (Alexa Cole) Report on NOAA Fisheries involvement in international fisheries issues
10:30 – 10:45	Break
10:45 – 11:15	Integration of ESA Section 7 with MSA (Sam Rauch) Follow up from January meeting regarding implementation of Policy Directive 01-117 and opportunities to improve coordination between Councils and NOAA Fisheries
11:15 – 11:45	CCC Committees/Work Group Reports Council Member Ongoing Development Work Group (Tom Nies) Scientific Coordination Subcommittee (David Witherell) Habitat Work Group (Jessica Coakley) Communications Work Group (Mary Sabo)
11:45 – 12:00	Public Comment
12:00 – 1:00	Wrap up and Other Business CCC Outcomes and Recommendations Future Meeting Planning
1:00	Adjourn Meeting

May 2022 CCC Meeting Motions

Legislative Work Group

The CCC approves the updated Forage Fish consensus statement prepared by the Legislative Work Group.

Reid/Tweit

Motion carries by consent

Climate Change

Move to recommend that NOAA Fisheries postpone further development of the Council Governance Policy until after completion of the East Coast Climate Change Scenario Planning Initiative.

Moore/Nies

Motion carries unanimously with no abstentions

America the Beautiful/Area-Based Management

I move that the CCC request that NOAA Fisheries provide special funding, as soon as possible, to contract GIS work needed to consolidate and complete the work of the ABM/ATB Subcommittee.

Tweit/Gorelnik

Motion carries by unanimous consent

I move that NOAA convene a meeting with CEQ and the CCC Subcommittee representatives (Eric Reid, David Witherell, Mike Luisi) to discuss the draft report in time to be used in development and deliberation of the definition of 'conservation'.

Reid/Hanke

Motion carries by unanimous consent

Environmental Justice

I move the CCC establish an EEJ workgroup to share information about different approaches to meet EEJ objectives, taking into account the draft EEJ strategy. The Workgroup should consider developing a terms of reference, holding an EEJ workshop, and publishing a peer reviewed journal article on their work.

Simonds/Nies

Motion carries by consent

ESA/MSA Coordination

Move to form a working group to consider potential changes to the ESA Policy Directive addressing issues identified by the CCC through the May 2021 and January 2022 meetings.

Simonds/Nies

Motion carries by unanimous consent