



Executive Order on Promoting American Seafood Competitiveness and Economic Growth

August 2020 Council Meeting

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E.O. 13921

Signed by the President on May 7 to
“to strengthen the American economy; improve
the competitiveness of American industry; ensure
food security; provide environmentally safe and
sustainable seafood; support American workers;
ensure coordinated, predictable, and transparent
Federal actions; and remove unnecessary
regulatory burdens.”

Sec. 4.

Removing Barriers to American Fishing.

- Section 4 asks the regional councils to identify actions that could “reduce burdens on domestic fishing and increase production within sustainable fisheries”
- Recommended actions may include changes to regulations, orders, guidance documents, or other similar agency actions
- Must be consistent with MSA and other laws

Guidance from NOAA Fisheries

- Council lists of recommendations are due to NOAA Fisheries by November 2, 2020
- Each recommendation must include:
 - A proposal for initiating each action by May 7, 2021
 - Explanation of how the action reduces burdens on domestic fishing and/or increases production
 - A priority number
- No min/max number of recommendations
- See guidance and template documents behind Tab 12

E.O. 13921 Recommended Action Template – Provided by NOAA Fisheries on 7/16/20

Council(s)	Priority Number	Action type (e.g. Changes to Regulations, Orders, Guidance Documents, Other Similar Agency Actions)	Relevant CFR Citation under Title 50 (if applicable)	Description of recommended action(s)	Rationale of how the recommended action(s) reduces burdens on domestic fishing and increases production within sustainable fisheries	Proposal for initiating each recommended action(s) within 1 year of the date of this order (i.e., by May 7, 2021)
Example - XFMC	1	Regulation	50 CFR 622	This regulation would modify provisions for Fish A vessels transiting through cold weather closed areas with Fish A on board in federal waters. The proposed action would allow trawl doors in the rack (cradle), nets in the rigging and tied down, and trawl net on the deck during transit. Currently, Fish A vessels transiting cold weather closed areas with Fish A on board are required to stow a trawl net with a mesh size of less than 4 inches below deck. Fishermen have requested a change to these transit provisions as vessel design changes have limited access to below deck storage, the need to disassemble the trawl gear prior to stowing nets below deck in rough conditions is a safety at sea concern, and some fishermen have avoided transiting the closed areas entirely.	Because of safety at sea concerns caused by shoals in state waters off State B, federally permitted Fish A vessels from states north of State B that operate off of State B during cold weather closures, but have been unable to store fishing gear according to the current transit regulations, have been forced to land their catch in State B rather than at their homeport. The proposed changes would make it easier for these vessels to comply with the gear stowage requirements and, as a result, more easily return to their homeport with Fish A on board. Also, the proposed changes were recommended by the Council's Law Enforcement Advisory Panel, who indicated these changes would make it easier for enforcement officers to see if Fish A fishermen are complying with the transit provisions. As such, the burden on law enforcement officers would also be effectively reduced.	Rulemaking requested by Gulf Council at their June meeting. Proposed rule anticipated to publish by October 2020.
Example - XFMC	2	Guidance Document	n/a	Revise guidance document to increase process efficiencies.	Removing unnecessary time lags in the process may reduce start up cost for the producers as well as may allow facilities to more easily start production.	Plan to engage in discussion with NMFS on possible revision to timing and text at January 2021 Council meeting.

Possible Approaches

- The Council's list could include priorities that would already be included in the 2021 Implementation Plan
- Could address areas within the Council's purview that would not otherwise be addressed through 2021 priorities
- Could include non-Council regulations/policies/guidelines that would be addressed by other agencies

Today's Objective

- Review task and possible approaches
- Review public input
- Provide staff direction on high priority issues and possible actions for development

Timeline

- **August** – Initial Council discussion, review public input, provide initial direction to staff
- **September** – Executive Committee Webinar to provide input on draft list of recommendations
- **October** – full Council review and approval of recommendations
- **November 2** – Submission

Public Input

- 23 submissions from 21 respondents
- Wide range of issues identified
- Compiled comments are posted as a supplemental document under Tab 12
- Recommendations summarized on the following slides are loosely binned by category

Public Input – Market Issues

- Loligo and *Illex* squid fishery regulatory issue (USFWS inspection and user fee system)
- Encourage/maintain American fish processing capacity
- Promote consumption of American seafood
- Impose tariffs on imported seafood
- Promote aquaculture

Public Input – Commercial Issues

- Eliminate vessel length and horsepower limitations
- Adjust fishing regulations gradually to lessen economic impact (avoid severe quota reductions)
- Reduce regulatory discards
 - Eliminate minimum size
 - Mandatory retention of all catch
- Do not restrict fisheries early in the season to save quota for later in the year

Public Input – Recreational Issues

- Use a harvest control rule that bases allocation on management measures instead of pound-based quotas
- Continue development of the Rec Reform Initiative
- Manage recreational fisheries for numbers, not pounds, of fish

Public Input – Reporting & Monitoring

- Standardize reporting forms
- Allow continued use of paper reporting forms
- Provide support for observer costs to alleviate financial burden on commercial fishermen
- Expand recreational electronic reporting to improve/validate MRIP data

Public Input – Science & Data

- Utilize collaborative research to improve accuracy of stock assessment data
- Use Catch Per Unit (CPU) effort to better understand landings in relation to effort
- Consider role of localized depletions; use tagging studies to better understand migration
- Conduct a sea turtle stock assessment

Public Input – Miscellaneous

- Restructure RFMCs for more fair representation of sectors
- Consider the impact of cormorants
- Allow federal commercial fishing for red drum and striped bass
- Clean the Hudson River
- Provide funding for dredges to maintain access to ports and inlets
- Reverse the Saltonstall/Kennedy Act

Additional Issues for Consideration

- Offshore wind
- Development of unique trip ID
- Eliminate duplicative reporting
- Paperwork Reduction Act issues

Additional Issues – Highly Migratory Species

- Integration of VTR and HMS reporting systems
- Mandatory reporting of catch and harvest (including discards) of all species by HMS permit holders w/ commercial sale endorsement
- USCG Safety Sticker requirement for HMS permit holders w/ commercial sale endorsement or tilefish open access permits
- Integration of the NOAA HMS database and USCG safety inspection databases

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QUESTIONS AND DISCUSSION