

Draft Minutes CCC Area-based Management Subcommittee August 17, 22, 2021

The CCC Area-based Management Subcommittee met virtually from 10:00 am -12:10 pm (AK time) on August 17 to discuss the draft regional spreadsheets of conservation areas in the EEZ.

Members Present: Eric Reid (Chair) David Witherell (NPFMC), Deirdre Boelke (NEFMC), Jessica Coakley (MAFMC), Miguel Rolon (CFMC), Kerry Griffin (PFMC), and Mark Fitchett (WPFMC) and Roger Pugliese (SAFMC). John Froeshke (GMFMC) was unable to make the meeting. Liajay Rivera and Graciela Moliner (CFMC) also attended. Additionally, NOAA Fisheries employees Heather Sagar, Tim Haverland, and Michelle Lennox, who have been put forward by NOAA Fisheries to be on the Engagement or Atlas teams, also participated in the meeting at our invitation.

Following Introductions, Heather provided an update on the national efforts and answered many questions from Subcommittee members. She noted that DOI is heading up the efforts, and there are several teams/groups that have been envisioned to get the work done across all of the different agencies. These teams/groups may include a Policy Group consisting of political appointees that would define conservation and be in overall charge of the work, an Engagement Group to conduct outreach and communication, a Measurement Group (aka Atlas Team) that will develop, prepare, and analyze the database, and a Metrics Group that will develop measures for progress and success. Heather noted that this is still in the conceptual stage, and only the Atlas Team has met to date. DOI is looking to have the Atlas Team provide a mock-up of the data fields developed by October if possible. Heather agreed to provide a verbal report to the Subcommittee at an upcoming meeting, but wouldn't be able to share the draft until it gets cleared by DOI. However, once the Subcommittee report and/or databased is done, we can share it with the interagency group by just sending it to Heather.

Heather also answered questions from Subcommittee members and provided the following clarifications:

- Any future changes to area-based management would be done under existing authorities, i.e., any proposed new revisions to existing areas would go through Council action.
- Each agency (including NOAA) currently has their own data base, and our efforts will help to double check existing NMFS data.
- The ATB report indicates that public comment will be taken. Heather noted that there is currently no way to take written comments, but that may change in the future.

Tim noted that the Atlas group discussed using the Protected Areas database 'GAP Status' codes (areas managed for biodiversity, multi-use, other category codes) for determining conservation level, so the Subcommittee might want to explore this for use in the regional spreadsheets.

Review draft working definition of conservation and conservation area: The Subcommittee discussed several alternative wordings for defining conservation and conservation areas, but could not come to an agreement on a draft working definition at this time. Kerry and others noted that the definition will be made by the interagency policy group anyway, and that NMFS will have their own definition. So long as we all agree on the general concepts, and how we apply a filter our data relative to the concepts, a final definition of conservation area is not required. The concepts that seemed agreeable to most were that: 1) it is an established geographically defined area, 2) it has planned management or regulation of environmentally adverse activities, 3) it provides for the maintenance of biological productivity and diversity, ecosystem function and services (including food production).

Review and Discussion of Progress on Regional Spreadsheets: Subcommittee members reported on their efforts to complete the regional area spreadsheets. All councils reported good progress, however some councils have very numerous and complex areas, so it is taking more time to complete the spreadsheet for these regions.

It was clarified that the Subcommittee spreadsheets would only include the area in federal waters. While a regulated area might extend into State waters, the size of the area would only be calculated for the EEZ portion. There is a column in the spreadsheet to check if the adjacent state waters also have the same regulations. Heather noted that it was not clear how the ATB efforts will incorporate State data. She further suggested that the Subcommittee focus on conservation areas established through the Council process.

The group discussed how these areas might shake out relative to determining what meets a conservation area. For example, could a whole region be considered as a conservation area if there are laws that protect a species throughout (e.g., Atlantic Salmon)? The group thought no, it would have to be a subset area. Heather further noted that protecting one species might not be critical, as the ATB report focuses on biodiversity and ecosystems, unless the prohibition also provides these benefits. Dave noted that the spreadsheet included an Area Category field (Ecosystem Protection, Fishery Management, etc.) as well as a Primary Focus field (Habitat Protection, Vulnerable Ecosystems, Vulnerable Species, etc.) that together could be used to sort out which areas meet a conservation area definition.

Other Items: There was quite a bit of discussion about how area-based management is just one tool at the Council's disposal to conserve and sustain fisheries and ecosystems under the MSA and other laws. All agreed we should provide a section on this in the report. Additionally, Heather also suggested that our report note that fish stocks and marine ecosystems are sustainable without area closures, and also discuss the importance fisheries and sustainable management to the economy, the jobs provided, how it addresses environmental justice issues and works to meet trust responsibilities. Lastly, the report should note that unlike other countries, fisheries are intensely regulated in the EEZ and sustainable in the US without relying simply on MPAs.

The Subcommittee noted the usefulness of the Progress Report to the Councils. Dave agreed to update it following this meeting.

The Subcommittee also discussed the need for GIS assistance to determine the size of individual areas. Most, but not all councils have expertise in-house or have assistance from the NMFS Regional Office to do the mapping and calculations. The first step would be to reach out to the Regional Offices for assistance.

Review of Tasks for Next Meeting: Dave will work with Jessica to prepare draft data reporting tables (# of areas by region, % of EEZ covered, etc.) for the October CCC meeting. The Subcommittee will discuss the tables and prepare to fill them out at the next meeting. It was noted that we will need to account for the overlap of areas in reporting total area.

The next meeting of the Subcommittee will be on September 15 from 2:00 – 4:30 pm Eastern Time. The primary focus of this meeting will be to review the completed regional spreadsheets and discuss the information to provide in a progress report to the CCC.

CCC Area-based Management Subcommittee September 15, 2021

The CCC Area-based Management Subcommittee met virtually from 10:00 am -12:30 pm (AK time) on September 15 to discuss the regional spreadsheets of conservation areas in the EEZ and the draft report.

Members Present: Eric Reid (Chair) David Witherell (NPFMC), Deirdre Boelke (NEFMC), Jessica Coakley (MAFMC), Miguel Rolon (CFMC), Kerry Griffin (PFMC), and Mark Fitchett (WPFMC) and Roger Pugliese (SAFMC), and John Froeshke (GMFMC). Additionally, NOAA Fisheries employees Heather Sagar, Tim Haverland, and Michelle Lennox, who have been put forward by NOAA Fisheries to be on the Engagement or Atlas teams, also participated in the meeting at our invitation.

Following Introductions, Heather and Michelle provided an update on the national efforts. Many of the subcommittee's haven't met. The Measurement subcommittee is scheduled to meet this week to begin to tackle the questions about what data fields to include in the Atlas database. As noted previously, the October deadline for the Atlas group was for an internal version mockup, and not a populated up-and-running tool. It was noted that Heather Coleman is working on shapefiles for the NMFS seafloor protection database, and could provide a briefing to the CCC Subcommittee in the future.

Committee members discussed different approaches to developing standardized graphics such as a basemap and legend, that can be consistent and comparable across the different regions, at least for a preliminary report to the SSC. GARFO staff may be able to assist. The Atlas group may end up going a different direction, but subcommittee members felt that was fine as we are reporting to the CCC, and we can provide our own interpretation of what counts as conservation areas.

Review and Discussion of Regional Spreadsheets and Subcommittee report: Subcommittee members reported on their regional area spreadsheets. All councils have completed a first draft, noting that some councils will be modifying their spreadsheets following the discussion and direction from this meeting. A few notable suggestions and highlights are captured below:

- Add 'biodiveristy' as a focus category for Ecosystem Protection.
- Collapse the different seasonal categories to just say 'spawning closure' and 'other life history characteristics.'
- Focus categories are limited, and species don't need to be listed.
- The Management area field in the spreadsheet can be eliminated as it doesn't apply to all regions.
- Seasonal closures could 'count' towards conservation if they occur at during critical time period (e.g., during spawning aggregations, when marine mammals are present, etc.); these should be included in the table this should be discussed in a methodology section. Seasonal closures to protect sessile benthic habitat may have less conservation value, however they could be included in the table of areas, but would not be included in the area calculations for trawl/benthic gear closures.
- Each area should be counted individually, but many areas will be partially or even fully overlapped when determining total area conserved by bottom trawl or bottom tending gears (e.g., PFMC deepwater trawl closure)
- Conservation actions that apply to the whole region (e.g., no retention of live rock) should be captured in the regional section text, but not in the tables
- The abbreviated tables developed by Jessica, are great for the CCC report, and multiple areas implemented by the same action can be included under a single row.
- Prohibitions on anchoring or grappling can be important to include in data tables as prohibited gear, and discussed in the regional text.

- Conservation of biodiversity is essentially the same thing as Ecosystem Protection category; we need to explain this in the text and emphasize biodiversity and other buzzwords from the 30x30 initiative.

Review of Tasks for Next Meeting: Jessica will continue to refine the draft data reporting tables (# of areas by region, % of EEZ covered, etc.) for the report based on the discussion; members should send her suggestions this week. The area protected from bottom trawling impacts has been a standard measure, so that should be reported; other combination gear prohibitions could similarly be reported. The Subcommittee will fill out the tables to the extent possible thereafter. It was noted that there is limited time available before the CCC meeting to complete the draft tables.

Subcommittee members discussed reporting to the CCC meeting, and concluded that a draft written report would not be completed in time for the CCC deadline. Rather, the plan would be for Eric to provide a Powerpoint presentation with information and preliminary data tables from the group, methodology, etc. In addition, the Subcommittee meeting summaries would be posted to the CCC briefing book. David will work with other members to prepare the draft ppt, and distribute it to the subcommittee members for review prior to posting on the CCC agenda. We would want to have this finalized by October 12 for posting.