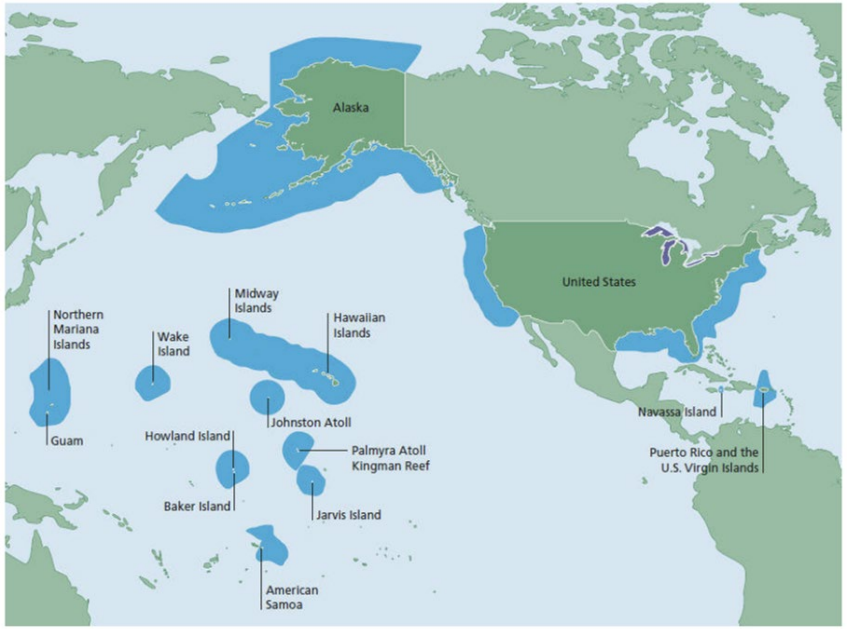
Roger Pugliese, South Atlantic Council | March 2023 | Jekyll Island, GA

Fishery Management Council Perspectives on America the Beautiful (ATB)

The Fishery Management Councils

- Eight regional Councils created in 1976 through Magnuson-Stevens Fishery Conservation and Management Act (MSA) to manage nations marine fisheries resources
- Councils are more than simply 'advisory bodies' to NOAA Fisheries
- Under MSA, Councils apply a process and utilize the guidance of the ten national standards that adhere closely to the eight ATB key principles
- Experts in natural resource management and conservation in the highly dynamic, ocean ecosystem



The CCC and the Area-Based Management Subcommittee

- Council Coordination Committee (CCC) consists of chairs, vice chairs, and executive directors from each regional fishery management council
- Meets twice annually to discuss issues relevant to all Councils w/ NOAA Fisheries
- Formed Area-based Management Subcommittee in 2021 to support CCC response to America the Beautiful/30x30
- Subcommittee comprised of staff reps. from all 8 Councils, w/ assistance from NOAA Fisheries

U.S. Regional Fishery Management Councils

Composition of the CCC Area-Based Management Subcommittee

Sub Committee Chair: Eric Reed, NEFMC

- Staff from all 8 Councils:
  - Michelle Bachman (New England)
  - Jessica Coakley (Mid-Atlantic)
  - Mark Fitchett (Western Pacific)
  - John Froeschke (Gulf)
  - Kerry Griffin (Pacific)
  - Roger Pugliese (South Atlantic)
  - Miguel Rolon & Liajay Rivera (Caribbean)
  - Dave Witherell (North Pacific)
- With assistance from NOAA Fisheries:
  - Heather Sagar
  - Tim Haverland
  - Michelle Lennox

NOAA FISHERIES

National Standards under the Magnuson Stevens Act

1. Prevent overfishing

2. Best Scientific Information Available

3. Manage as a unit

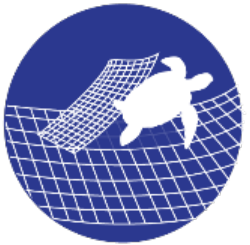
4. Do not discriminate

5. Consider efficiency

6. Variations and Contingencies

7. Minimize costs

8. Fishing communities



9. Minimize bycatch

10. Safety at sea

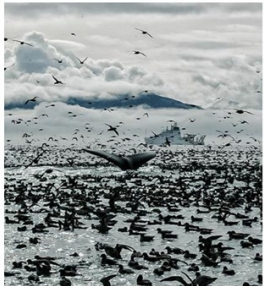
America the Beautiful Principles and the MSA

1. Pursue a Collaborative and Inclusive Approach to Conservation	Magnuson-Stevens Fishery Conservation and Management Act
2. Conserve America's Lands and Waters for the Benefit of All People	
3. Support Locally Led and Locally Designed Conservation Efforts	
4. Honor Tribal Sovereignty and Support the Priorities of Tribal Nations	

8 America the Beautiful Principles

5. Pursue Conservation and Restoration Approaches that Create Jobs and Support Healthy Communities	
6. Honor Private Property Rights and Support the Voluntary Stewardship Efforts of Private Landowners and Fishers	
7. Use Science as a Guide	
8. Build on Existing Tools and Strategies with an Emphasis on Flexibility and Adaptive Approaches	

Identification of Conservation Areas (Report)

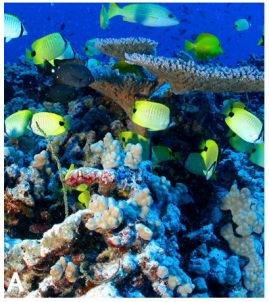


Draft Definition (as developed by Subcommittee):

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).



Identification of Conservation Areas (Criteria)

- Subcommittee developed criteria for identifying a conservation area per Executive Order 14008 through 4 steps
- Incorporated characteristics of “other effective area-based conservation measures” (OECMs) as defined by the International Union for Conservation of Nature (IUCN)
- Included steps specific to ATB Report Principles
- If an area meets all 4 steps, then it qualifies as a conservation area

Identification of Conservation Areas (Criteria)

- **Step 1:** Does the area meet the working definition of conservation area?
- **Step 2:** Governance Type/Management Entity?
- **Step 3:** Objective of the Area? (3 Categories Identified)

- **Step 4:** Does the area meet some, ideally most of the ATB Principles?

2. Identification of Conservation Areas (Evaluation)

- **The Subcommittee also developed an evaluation process for candidate conservation areas. Two separate tools.**
  1. **Worksheet** – to document how each area qualifies as a conservation area
  2. **Checklist** – to evaluate and monitor the effectiveness of a conservation area metrics include: enforceability, climate change resiliency, stakeholder participation, research/biological monitoring, and public access.
     - If a specific element is determined not to be effective, actionable strategies should be included to improve effectiveness.

Evaluation: Worksheet and Effectiveness Checklist

Table 3. ATB Conservation Area Worksheet (template).

General Information	
Area name	
Implementation Action (Year)	
Regulations (with link of geographic area defined, if available)	
Size	
Number of areas (if applicable)	
Step 1 – Conservation Area Definition	
Criteria for Step 1	**Detailed explanation**
1a. Established, geographically defined area?	
1b. Planned management or regulation?	
1c. Provides for the maintenance of biological productivity and biodiversity, ecosystem function and services?	
Step 2 – Defining Governance	
Criteria for Step 2	**Detailed explanation**
2a. What is the governance type (federal government, shared or collaborative governance, private governance, or indigenous and local communities)?	
2b. Are the boundaries clear and well understood?	
2c. Who is the lead Agency?	
2d. Are there multiple entities involved in management of the area? If so, which ones?	
2e. Is enforcement of the area adequate?	
Step 3 – Category/Objective	
Criteria for Step 3	**Detailed explanation**

Table 4. Effectiveness checklist for ATB conservation areas.

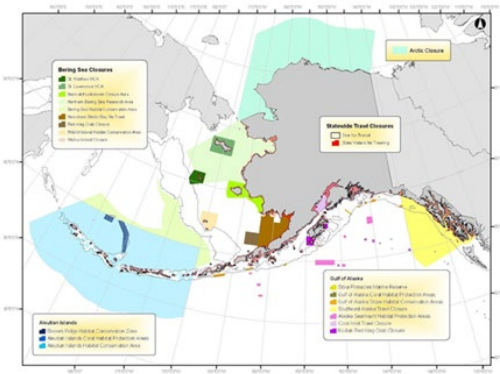
ATB Area Name	
ATB Area ID	
Number of areas (if applicable)	

Elements of Effectiveness	**Description of Effectiveness Elements**	**Yes/No/ Uncertain**	**Rationale**	**If "no" for effectiveness, specific action that could be taken to improve conservation benefits**
1. What [fishery] measures support conservation objectives?	Is fishing completely prohibited throughout the area? If not, which fishing gears are prohibited? If some fishing activity is allowed are there any limitations? Are there limits on recreational fishing?			
2. Other activities	Are other activities with potentially negative impacts on conservation prohibited within the area (e.g., mining, dumping, anchoring, oil and gas extraction, offshore energy activity, etc.)? If some are allowed within the area, are they limited? Are any activities anticipated to occur in the area in the near future (i.e. next 5 years) that are important to flag?			
3. Enforceability	Is the overall enforcement of the area effective? What are the enforcement approaches and specific [fishery] monitoring tools used for enforcement, who is responsible for enforcement, are there enforcement partnerships?			
4. Climate Change Resiliency	Can the conservation area adapt; is it resilient to climate change? Is the governance process nimble enough to adapt to uncertainty in an era of climate change? Can the area be modified relatively easily to incorporate new science?			
5. Stakeholder participation / Collaboration	Is there general support for the conservation area by regulated participants, other stakeholders, tribal or local communities, and regulators? Was the area developed in a collaborative way, is there overall support that the conservation area is effective and meeting objectives?			
6. Research/biological monitoring/restoration	Are there any biological monitoring programs in place now or when the area was adopted? Are any research programs planned to evaluate the conservation area in the short-term or long-term? Are there specific restoration efforts taking place or planned for the area?			
7. Public access	Are there opportunities for the public to access the conservation area for recreational opportunities? Are there specific programs in place to promote equitable access to the outdoors?			
8. Other elements of effectiveness	Are there other details about this conservation area that make it more, or less effective in terms of meeting conservation objectives? Are there aspects about the management program in this area that are important to note that are not captured in the topics above?			

Synthesis of Conservation Areas (Tables and Maps)

Region	Ecosystem Conservation	Year-round Fishery Management	Seasonal Fishery Closures or Other	Total # (all areas)
New England	16	3	18	37
Mid Atlantic	5	19	6	30
South Atlantic	166	3	3	172
Caribbean	7	0	0	7
Gulf of Mexico	21	4	10	35
Pacific	76	15	9	100
North Pacific	193	19	2	214
Western Pacific	7	12	1	20
Total	**491**	**75**	**49**	**615**

*Ecosystem Conservation Areas are designed to conserve habitat, biodiversity or special ecosystems, or vulnerable species. Year-round Fishery Management areas are designed to address spatially driven fishery management challenges. Seasonal Fishery Management/Other include areas that seasonally address spatially driven fishery management challenges, or other area-based conservation measures that may not fit in the other 2 categories.



Appendices (Summary Tables)

Mid Atlantic Region Conservation Areas. Size is for individual areas and does not account for any overlaps, nor does it remove areas that may extend into or overlap with the New England Region.

ID	Type	Focus	Area Names (# subareas)	Size (nm^2)	CFR	Prohibitions/Restrictions	ATB Principles Applied
MA1	Ecosystem Conservation	vulnerable ecosystem (deep-sea corals)	Frank R. Lautenberg Deep-Sea Coral Protection Area	33,321	50 CFR 648.372	Bottom-tending commercial fishing gear.	1,2,5,7,8
MA2	Ecosystem Conservation	habitat	Tilefish Gear Restricted Areas (4)	133	50 CFR 648.297	Bottom-tending mobile fishing gear.	1,2,5,7,8
MA3	Year-round Fishery Mgmt.	habitat	Mackerel, Squid, and Butterfish Bottom Trawling Restricted Areas (2)	124	50 CFR 648.23	No permitted mackerel, squid, or butterfish vessel may fish with bottom trawl gear.	1,2,5,7,8
MA4	Year-round Fishery Mgmt.	habitat	Delaware (4) and New Jersey Special Management Zone Areas for Recreational Fishermen (13)**	23	50 CFR 648.148	No person may fish in the Delaware Special Management Zones except by handline, rod and reel, or spear fishing (including the taking of fish by hand)	1,2,5,7,8
MA5	Seasonal Fishery Mgmt./Other	bycatch	Scup Gear Restricted Areas (2)	3,561	50 CFR 648.124	Prohibits vessels fishing for squid, black sea bass, or silver hake (also known as whiting) from using mesh smaller than the 5.0-inch (12.7-cm) minimum scup mesh size in the areas during certain times of year.	1,5,7,8
MA6	Seasonal Fishery Mgmt./Other	other	Atlantic Surfclam and Ocean Quahog Closed Areas (4)	28,902***	50 CFR 648.76	Clam dredging gear prohibited; public health closures implemented under RA Authority	5,7,8

*Ecosystem Conservation Areas are year-round to conserve habitat, biodiversity or special ecosystems, or vulnerable species. Year-round Fishery Management areas are designed to address spatially driven fishery management challenges. Seasonal Fishery Management/Other include areas that seasonally address spatially driven fishery management challenges, or other area-based conservation measures that may not fit in the other 2 categories. **

South Atlantic Region Conservation Areas. Size is for individual areas and does not account for any overlaps.

ID	Type*	Focus	Area Names (# subareas)	Size (nm2)	CFR	Prohibitions/Restrictions	ATB Principle Applied
SA1	Ecosystem Conservation	Deepwater Coral Habitat	Stetson Miami Terrace CHAPC	15,287.70	50/chapter-VI/part-622/subpart-K/section-622.224	Bottom longline, trawl, dredge, pot, or trap, anchor or grapple and chain, fishing for or possession of coral.	1,2, 5, 7, 8
SA2	Ecosystem Conservation	Deepwater Coral Habitat	Cape Lookout CHAPC	80.05	50/chapter-VI/part-622/subpart-K/section-622.224	Bottom longline, trawl, dredge, pot, or trap, anchor or grapple and chain, fishing for or possession of coral.	1,2, 5, 7, 8
SA3	Ecosystem Conservation	Deepwater Coral Habitat	Cape Fear CHAPC	34.12	50/chapter-VI/part-622/subpart-K/section-622.224	Bottom longline, trawl, dredge, pot, or trap, anchor or grapple and chain, fishing for or possession of coral	1,2, 5, 7, 8
SA4	Ecosystem Conservation	Deepwater Coral Habitat	Blake Ridge Diapir	1.98	50/chapter-VI/part-622/subpart-K/section-622.224	Bottom longline, trawl, dredge, pot, or trap, anchor or grapple and chain, fishing for or possession of coral	1,2, 5, 7, 8
SA5	Ecosystem Conservation	Deepwater Coral Habitat	Pourtales Terrace	359.59	50/chapter-VI/part-622/subpart-K/section-622.224	Bottom longline, trawl, dredge, pot, or trap, anchor or grapple and chain, fishing for or possession of coral	1,2, 5, 7, 8
SA6	Ecosystem Conservation	Deepwater Coral Habitat	Oculina Bank HAPC	481.64	50/chapter-VI/part-622/subpart-K/section-622.224	Bottom longline, trawl, dredge, pot, or trap, anchor or grapple and chain, fishing for or possession of coral	1,2, 3, 5, 7, 8
SA7	Ecosystem Conservation	Vulnerable species - Snapper Grouper	Snowy Grouper Wreck MPA	126.67	50/chapter-VI/part-622/subpart-I#622.183	No fishing or possession of any snapper grouper species.	1,2, 3, 5, 7, 8

Next Steps with our Products

- Finalize regional maps, area calculations, GIS database working with contractor
- Finalize report and appendices (early 2023)
- Continue to coordinate with NOAA Fisheries on Atlas database
- Prepare journal article on use of area-based management in US fisheries management and conservation

In Summary

- Fisheries management contributes to effective, durable conservation by improving biodiversity and ecosystem health
- The CCC ABM Subcommittee identified ~617 conservation areas that contribute across the conservation continuum
- Council/NOAA Fisheries approach to management is:
  - Adaptive management designed to meet challenges such as mitigating impacts from, and ensuring resilience to, climate change
  - An inclusive, stakeholder driven process for identifying management solutions
  - Grounded in best available science and some of the world's most stringent sustainability and conservation standards

Questions?

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Draft Report (revised and finalized version for CCC May 2023):
An Evaluation of Conservation Areas in the U.S. EEZ; Appendix B