

Work Plan in Response to the “Review of the New England Fishery Management Process” Report

DRAFT

Introduction

Over the past several months, NMFS has made progress responding to the priority areas identified in the management review report: (1) simplify governance; (2) simplify communications; (3) improve science collaboration; and (4) maximize collaboration. As part of our response to the report’s recommendations, the Northeast Regional Office (NERO), with input from the Northeast Fisheries Science Center (NEFSC) and New England Fishery Management Council (NEFMC), has developed the following action plan outlining several initiatives that are intended to simplify the management process, improve our communications with the public, and broaden collaboration with stakeholders. NERO has also formed internal, staff working groups to address issues in the report that fall outside the scope of the action plan, such as improving internal communications and collaboration between staff at the NEFSC and NEFMC. The final proposals of these working groups are intended to complement the initiatives taken by the action plan which will result in a more cohesive, streamlined process.

Simplify Governance

ISSUE 1. One of the report’s stated challenges and recommendations is that the functions of the NERO, NEFSC, NEFMC, stakeholders, and the roles of individual staff and other participants need to be expressed clearly, performed consistently and completely, and coordinated well. The NERO and the NEFSC have an existing operating agreement. In the past, NOAA Fisheries Service has worked with the NEFMC and the Mid-Atlantic Fishery Management Council (MAFMC) (Councils) to specify respective functions and roles of staff. As part of the Regulatory Streamlining Initiative in 2005, NOAA Fisheries Service endeavored to improve the regulatory process in several ways, including implementing operating agreements between the Councils and NOAA Fisheries Service. This process was never finalized.

ACTION: Develop and revise operating agreement.

- a) Working with the Councils, NEFSC, and the Office of General Counsel, Northeast (GCNE), develop an operating agreement outlining the responsibilities of NOAA Fisheries Service and Council staff for Magnuson-Stevens Act (MSA) development, review, and implementation. This process also includes updates and revisions to the policies and procedures related to operations of plan development teams (PDT).
- b) Convene a special conference call of the Northeast Region Coordinating Council (NRCC) in July to explore the formation of a working group tasked to memorialize functions and specific staff roles in the operating agreement between the NEFMC and MAFMCs, NERO,

NEFSC, and GCNE. As part of the updated operating agreement, develop a process that provides for joint development of actions and timelines between NERO and each Council such that there is a better understanding of roles and expectations and the ability to provide stakeholders a clear understanding of when to be involved in the process and the timeline for implementation.

- c) Jointly draft with the Councils a means for posting and updating timelines for Council actions so that the public is better informed and able to engage in the Council process (e.g., map the Council and regulatory implementation process in the form of a diagram with critical public input dates highlighted).
- d) Update the NERO-NEFSC operating agreement in light of the report recommendations.
- e) Conduct a joint meeting between NERO and NEFMC staff to discuss additional ways to improve the management process, consistent with the joint meeting recently held between NERO and MAFMC.

RESULT: Clarification of expectations and responsibilities.

- a) Improved understanding of roles among Councils, NERO, NEFSC and GCNE.
- b) The public is better informed and more aware of when to provide input to the management process.
- c) PDTs/Fishery Management Action Teams should have greater consistency and efficiency from team-to-team.

ISSUE 2. The fishery management process can be difficult, and in some cases regulations have become overly complicated and redundant. As the number of managed fisheries and regulations have grown, regulatory requirements have increased and, in some instances, may be duplicative or create unnecessary burdens.

ACTION: Targeted effort to simplify, clarify, and reduce redundancy in fishery management regulations with an emphasis on finding opportunities to eliminate unnecessary reporting/analysis/writing and decrease the workload for NEFMC and NOAA Fisheries Service staff.

- a) Using the next appropriate rule, conduct a pilot project aimed at simplifying the preamble to the rule through the use of a plain language approach.
- b) At the October NRCC meeting, discuss the continuation and expansion of the scope of the task force created to address areas where regulations are known to need clarity or simplification (e.g., ongoing review to evaluate redundancies in the replacement, upgrade and permit history program).
- c) Support NEFMC efforts to evaluate ways to provide greater regulatory flexibility, such as analyzing the removal or modification of time-in-area fishing closures.
- d) Continue to stress in the council process where accommodation of fishing opportunity will result in additional complexity; empower staff to broach the idea and to explore regulatory simplification in PDT and Committee meetings.

- e) As part of October NRCC meeting, explore ways to better focus the Councils on the complexity, administration, and enforceability of fishery management plans early in the development process.
- f) At a joint working meeting of NERO and the NEFMC, explore ways to streamline the fishery specification process (e.g., make documents more consistent, remove document redundancies or excess information, etc.) similar to an ongoing initiative with the MAFMC.

RESULT: Reduced regulatory complexities and a more streamlined management process.

- a) Collaborative process through the NRCC to simplify regulations.
- b) Greater awareness and attention to reducing regulatory complexities during the development of actions.
- c) More harmonized process among MSA, NEPA, ESA, and MMPA.
- d) Removal of duplicative or otherwise unnecessary processes will lead to a more streamlined document that will hopefully lead to a more expedited internal NOAA Fisheries Service review and implementation process.

Simplify Communications

ISSUE 1. Several of the report recommendations relate to how the NOAA Fisheries Service and NEFMC communicate with and provide customer service to the industry and the general public. NOAA Fisheries Service has made improving our communications and relations with industry a major priority in the past two years. We are committed to continuing the effort and are actively seeking ways to develop a more consistent and focused message. The best approach to the suite of related recommendations in the report is to consolidate our communications staff under one program and coordinate them under one communications plan. The region has been working towards this model. This better organized team would take on the communications related initiatives noted in the report.

ACTION: Develop a communications plan that addresses science, management, enforcement and the Councils.

- a) Establish a Communications Team in the NERO and realign an existing position within the NERO to supervise the core group. Provide a single point of contact for communication programs within Headquarters, the Office of Law Enforcement, the Councils and other regions.
- b) Review, update, and expand the NERO communications plan, informed by input from stakeholders and by information gleaned by NOAA Fisheries Service staff; such as, but not limited to, port agents, protected species fishery liaisons, permit office staff, IFQ/DAS leasing staff, and the Office of Law Enforcement's compliance assistance liaison. The regional plan will clarify the communication roles of the different entities, set priorities, improve collaboration, and provide a link to the Headquarters' and Councils' communications plans. The communications plan will be a public document developed with

public assistance. For example, we will work with stakeholders and the Councils to identify the best modes of communication for different types of information, make communications easier to understand, streamline constituent services, and establish a process for periodic updating and validation of the plan.

- c) When revising the communications plan, we will take advantage of the knowledge and proximity port agents have to industry and going forward will include communication skills as a requirement when hiring new agents.
- d) Reassign an existing position from the NEFSC to the NERO as a member of the Communications Team. Assign the NERO staff member currently working on education grants, ocean literacy, and general outreach and a contractor leading our industry outreach to the Team (science communications, including technical publications, would remain hosted in the NEFSC).
- e) Supplement the Communications Team with additional staff. NERO currently is processing a vacancy announcement that will add at least one, and potentially two, new positions to our Communications Team.

RESULT: Improved communications to better meet stakeholder needs.

- a) Updated communications plan informed by industry input.
- b) Dedicated communications team structured to improve outreach and collaboration to external constituents as well as being an important resource for internal programs with regular constituent contact (e.g., providing expertise for website development, helping to make communications easier to understand and disseminate, etc.).
- c) More consistent and focused message from NERO.

ISSUE 2. NOAA Fisheries Service and the Councils communicate a great deal of information to industry members and the general public, ranging from regulatory requirements to complex scientific issues. The most common types of communication tools are permit holder letters (delivered electronically and by mail), information posted on our web site, and daily staff interactions with industry members in a variety of ways. NOAA Fisheries Service is committed to improving the quality and methods for dissemination of information and will improve our external communication with industry and the general public.

ACTION: The Council and NOAA Fisheries Service should work with key industry representatives to understand how, when, and what information they want to receive.

- a) Seek input on communications whenever NERO and NEFSC staffs meet with industry members (e.g., presentations on the management process made by NERO staff at MREP and other forums). Further, staff interacts with industry members throughout the day in a wide variety of formal task-oriented and informal settings. For a one-month period during these interactions, staff will discuss communications needs and complaints with industry members. The NERO communications team will compile input from the staff and provide

recommendations for improvement. This input will be incorporated into the Communication Plan.

- b) Conduct an outreach survey of sector managers to evaluate the utility of various outreach tools and methods employed by NERO to disseminate information and receive feedback since the implementation of sector management.
- c) Working with the Councils, discuss the concept of having the Councils form a communications advisory panel, consisting of industry leaders that could provide information and feedback to the Councils and NOAA Fisheries Service regarding the best forms of communication and what is or is not working.
- d) Explore ways to reduce the volume of information that the industry receives (e.g., consolidate letters or eliminate multiple letters to the same individual when the owner has several vessels with the same permits).
- e) Convene a working group to develop ways to improve the NERO website; ensure its content, including data is current, relevant, and sufficiently explained, that navigation of the site is simplified, and make critical information more easily accessible. The working group should also investigate ways to explain how stakeholder input is used (e.g., public comments, vessel trip reports, etc.) and explore hiring an individual that specializes in managing webpage content (i.e., maintain the site's accuracy, ensuring it is up-to-date, etc.).
- f) Continue to hold customer support training on an annual or biennial basis, depending on need.
- g) NERO staff will continue to coordinate with Councils and NEFSC staff to improve the quality, clarity, and effectiveness of communications. PLACE HOLDER FOR ADDITIONAL IDEAS FROM THE COUNCILS AND NEFSC FOR ADDRESSING IMPROVEMENTS TO HOW INFORMATION IS DISSEMINATED TO THE INDUSTRY.

RESULT: NOAA Fisheries Service and NEFMC communications are better informed by industry needs.

- a) Provide industry with consolidated/targeted information in a user-friendly format.
- b) Improved website that can be easily navigated and is accurately maintained.

ISSUE 3. The report notes that many stakeholders feel that outreach and communication with the public is confusing and not user-friendly. NOAA Fisheries Service and the Councils will explore ways to improve our outreach materials through the use of plain language and by simplifying the format of our outreach materials.

ACTION: Make NOAA Fisheries Service and NEFMC outreach and communications easier to understand.

- a) Ensure that all external communications are written using a "plain language format."
- b) Convene a working group to develop standardized formats/best practices and consistent use and definition of terms for permit holder letters.

- c) Provide “plain language” training for all necessary staff, including Council staff, and ensure that training is available in the future as new employees are hired.
- d) As part of the performance plans of all supervisors, add a requirement to sustain the campaign for plain language in our external communications.

RESULT: Improved readability and understanding of NOAA Fisheries Service and Council communications.

- a) Improved communications with industry are anticipated to result in a better understanding of fishery management plan requirements and better regulatory compliance (e.g., MSA, NEPA, ESA, and MMPA).

ISSUE 4. Improving how NOAA Fisheries Service and the NEFMC provide support and customer service to the public is a theme throughout the report. Among the most basic and critical services mentioned are the daily phone calls between staff and industry members. Further, staff respond to numerous requests for data. For example, permit holders routinely request information on vessel history, and proponents of energy initiatives have growing data needs.

ACTION: Reduce the number of steps external stakeholders need to go through to find information or speak to someone.

- a) Revise and improve the internal phone directory system so that staff are better informed as to who the best individual is to help answer industry questions.
- b) Explore ways to modify the current phone system so that it is easier for callers to navigate, and install new tracking features that allow NERO to monitor the number of transferred calls, amount of time spent on hold, etc.
- c) When the public submits a data request, acknowledge that the request was received and provide an approximate timeframe for when that request will be fulfilled.
- d) NERO, in conjunction with the NEFSC and Councils, will develop tools, such as a webpage or pamphlet, to help direct the public to the appropriate point of contact for help responding to specific questions.
- e) PLACE HOLDER FOR ADDITIONAL IDEAS FROM THE COUNCILS AND NEFSC FOR IMPROVING PUBLIC ACCESS TO USEFUL INFORMATION AND HOW THE PUBLIC CAN HAVE QUESTIONS ANSWERED.

RESULT: Reduce the number of steps that stakeholders must go through to obtain information.

- a) Reduced number of phone calls transferred and for those calls that must be transferred, a more efficient method for connecting the caller with appropriate staff person to answer questions.
- b) Better communication with stakeholders regarding the status of their data requests.

Improve Science Collaboration

ISSUE 1. Improve and streamline data management and collection. The report states that data collection and management systems are not integrated and seem redundant, stakeholders are unsure of where to turn for data, and that there are inefficiencies in the delivery of data and analytical products. This may be true. Over the years, data collection programs and data management systems have been developed in the NERO and the NEFSC as needs arose, primarily in response to changing needs created by changing management systems from both Councils. In order to create a single, integrated system an intensive review and analysis of the current fishery-dependent databases and data management systems in both the NERO and NEFSC will be conducted. [Fishery-independent data systems such as the research vessel surveys will not be a part of this review.]

ACTION: Conduct a comprehensive analysis of all NMFS data systems to identify areas that will improve data gathering, data management, data analysis and data use.

To improve and streamline where possible data collection and management systems and ensure the highest quality data possible, we will:

Phase 1: Initiate a program to develop requirements for an overhaul, integration, and consolidation of fishery dependent reporting/collection systems and the underlying data management systems in the region. The first step in the process will be to develop a vision of what an integrated system, including current systems from the NERO and NEFSC, would look like. The process will require the participation of all management entities in the northeast and mid-Atlantic including the NEFMC, MAFMC, ASMFC and ACCSP. This phase will include:

- A complete inventory of all data systems and their metadata
- A description of the data flow from vessel to management council (this may be partially complete for the NE groundfish fishery based on discussions during Sector Data Workshops conducted in 2009-2010)
- A description of the data requirements of both councils (and ASMFC where appropriate)
- Design of the integrated regional reporting and data management system

NOAA Fisheries Service has requested a review of the northeast region's data collection and management systems by the National Environmental Satellite, Data, and Information Service (NESDIS), National Geophysical Data Center (NGDC). Dr. Ted Habermann, Information Services Division will begin a review of the systems on 26 September 2011. We have requested a report from Dr. Habermann by 30 November. Once the report is compiled, Phase 2, an assessment of the recommendations to modify the systems, will be conducted and performed dependent on available resources.

Electronic Vessel Trip Reports (eVTR) - To improve the timeliness and accuracy of vessel trip reports, a current bottleneck, speed up the processing of industry reported data, and reduce

the burden and simplify reporting requirements, the NEFSC and NERO have been working with the industry to transition from paper to electronic logbooks. Prior to implementation of electronic logbooks Federal permit holders were required to maintain and submit fishing logs for each fishing trip, regardless of target species using paper Vessel Trip Reports. Electronic Vessel Trip Reports eVTRs will speed processing of data, likely reduce errors, and relieve the industry of having to obtain, carry and fill-out paper logbooks.

STATUS: In June 2011, a yearlong pilot study was completed and eVTRs were made available on a voluntary basis to members of the groundfish industry.

ISSUE 2. Simplify the stock assessment process and eliminate redundancies. Since 2009, the Annual Catch Limit Working Group formed by the NRCC has been developing a revised stock assessment and review process to increase early participation by the Science and Statistical Committees (SSC) in the stock assessment process. The overall approach to the new process was approved by the NRCC in April 2011. The working group was tasked with developing a transition plan for implementation of the new process beginning in 2013. The transition plan includes: 1) a master schedule for operational assessments; 2) a recommendation on topics and/or assessments to be included in the preliminary research track; 3) a rollout and communications plan; and 4) identification of potentially necessary regulatory changes to fishery management plans to accommodate operational assessments.

ACTION: Implement the revised stock assessment and review process.

- a) Establish an Assessment Oversight Panel including SSC Chairs and a senior NEFSC assessment scientist to vet assessment plans each fall, prior to the initiation of work on new assessments.
- b) Conduct integrated peer reviews of all stock assessments with stock specific panels including the SSC member responsible for the stock.
- c) Update the format of stock assessment reports (SARs) to include all the information that the SSC needs for setting an allowable biological catch (ABC).
- d) Revise the NEFMC SSC's Standard Operating Procedures (SOP) so that:
 - The SSC would not be charged with any additional peer review of NEFSC stock assessments. This is written into the MAFMC SOPs regarding their SSC.
 - The SSC would limit its review of stock assessment reports (SAR) to answering this question: "Was the SAR peer review process followed/carried out properly and is the information that the SSC needs to make an ABC recommendation (e.g., status determination, biological reference points, descriptions of assessment uncertainty, projections) contained in the Stock Assessment Workshop/Stock Assessment Review Committee reports?"
- e) The Agency's guidelines for peer review standards and the use of best available scientific information is on track for publication in the *Federal Register* in September 2011.

RESULT:

- a) Revised and streamlined stock assessment update process.
- b) Use of Council SSC during integrated reviews to eliminate redundancies.

STATUS: The transition plan for the implementation of the new assessment review process is nearing completion and will be presented to the NRCC at its October 2011 meeting. However, in light of the need to update the stocks managed by the Northeast Multispecies Fishery Management Plan, the transition to operational assessments has been jump-started and the first meeting of the Assessment Oversight Panel will take place in early October 2011 and operational assessments for nine species/stocks in the fishery management plan will be completed in winter 2012.

ISSUE 3: Improve collaboration between NEFSC and research partners, and enhance the cooperative research and research set-aside (RSA) programs. The report stated *“Cooperative research is seen as an effective tool for fostering trust between NMFS and stakeholders. Many see the value of cooperative research as a method for improving science and fostering trust between stakeholders and NMFS”*. However, it also stated that we need to *“Increase transparency into decision-making around the RSA (Research Set Aside) program.”* In response to the recommendation, NEFSC staff will:

ACTION: Revise strategic planning document and improve Cooperative Research Program transparency.

- a) In 2009, a strategic review of the Northeast Cooperative Research Program (NCRP) was conducted and the highest priority themes identified in the review are being implemented, namely a Conservation Engineering (gear technology) Network and an expanded Study Fleet program. However, many things have changed in the ensuing period and an opportunity to gather additional constituent input is warranted.
- b) Ten strategic planning meetings were held from May to September to solicit additional stakeholder input to assist with updating the 2009-2014 cooperative research strategic plan. These meetings were held in Port Clyde and Portland, Maine; Portsmouth, New Hampshire; Gloucester, Danvers, and New Bedford, Massachusetts; Narragansett, Rhode Island; Port Jefferson, New York; Barnegat Light, New Jersey; and Hampton, Virginia. New research ideas and/or priorities identified during these meetings are being summarized and will be presented to the program’s Research Coordinating Committee in October for consideration.
- c) NEFSC also plans to update the program website to provide more information to stakeholders on funded projects and to increase the transparency in the funding process, especially for Research Set Aside projects. This update is scheduled to be complete by October 2011.
- d) Continue ‘roundtable’ discussions to ensure that redundant activities do not occur among the research entities within the region. NOAA Fisheries Service established an informal roundtable committee in December 2009 to review programs and ensure efficient use of

funds and expertise in the region. The committee initially included members of the NCRP, the Northeast Consortium, and the Rhode Island-based Commercial Fisheries Research Foundation. The Gulf of Maine Research Institute and the University of Massachusetts - School of Marine Science and Technology (SMAST) joined the roundtable in February 2011. Roundtable discussions continue to occur periodically to maintain consistency between program processes and policies, and to avoid funding overlapping projects.

- e) NCRP and DOC procurement staff continue to provide competition information and instructions on forms and applications. Procurement staff provides support for participants' use of online registration systems for both NCRP contracts and RSA grants. NCRP and RSA brochures and application flow-charts are being updated for distribution and posting on the re-designed website. Additional efforts are being made to clearly describe the competitive nature of the award programs, as well as the confidentiality and conflict-of-interest policies concerning DOC /NOAA acquisitions and decision-making.

RESULT: Stakeholder input into an updated strategic plan and more transparency in the NCRP funded projects and competition process.

ISSUE 4. Increase the amount of economic and social information prepared for fishery regulations.

ACTION: The NEFSC is committed to working with the Councils and NERO to improve the quality and amount of economic and social analyses conducted pre- and post-hoc for fishery regulations. We will embed economists and social scientists into the earliest discussions of fishery management actions.

- a) Participate on the Steering Committee for the National Scientific and Statistical Committee Workshop to be held in October 2011. The workshop focuses on improving the integration of social science in the council process.
- b) The NEFSC has initiated new data collection initiatives on the socioeconomic characteristics of northeast vessel crews and owners and on the fixed costs of vessel operations. These surveys will fill data gaps and strengthen our capacity to monitor and report on fishery performance. We are developing other fisheries performance measures including a Fisheries Economic Health Index and indices for community vulnerability, resilience and fishing dependency.
- c) In response to demand for information by stakeholders and decision makers on the social and economic performance of the groundfish fishery in the 2010 fishing year, the NEFSC prepared and released two interim reports and is completing a comprehensive annual report on fishery performance for publication in October.
- d) NOAA Fisheries Service is also developing a practical guide for conducting social impact assessments that will be used to increase the capacity of fishery management council staff and others to conduct these analyses for management actions.

ISSUE 5. Improve collection, processing and availability of observer and aging data.

ACTION: Scale up observer data and aging review and analysis to reduce data availability as a bottleneck in the science process.

- a) Observer data - Bottlenecks in timely availability of observer data for the scientific process are currently being addressed through upgrades and implementation of new data entry systems. The NEFSC continues to develop the “Toughbook” system, which is projected to reduce time for audited data by two-thirds—from the current 90 days to 30 days.
- b) Age Data - Bottlenecks in timely availability of aging data for the scientific process are currently being addressed through several avenues:
- c) A new Fisheries Science Computing System has just been deployed on the NMFS Northeast bottom trawl surveys. The system is designed to track numbers of age samples by species, stratum, and stock area to reduce potential oversampling.
- d) New partnerships are being developed with Maine and Massachusetts state marine fisheries agencies to coordinate aging of Atlantic halibut, cusk and winter flounder. Personnel have invested in inexpensive equipment upgrades to improve speed of age processing and are prioritizing plans for additional reference collections.

RESULT: Improved and timelier availability of observer and species age composition data to industry stakeholders and research staff.

Maximize Collaboration

The NEFMC is leading the effort to address concerns raised by the report specific to the Council process. Suggested improvements are focused on making Council meetings more collaborative and welcoming to stakeholder participation, examining measures other Councils have taken to improve communication and collaboration, and redesigning communications to better meet stakeholder’s needs.

In response to these issues, the Council is exploring multiple ways to have Council members and staff be more accessible to stakeholders and to better explain the Council process, thereby resulting in greater public participation. Recommendations under review include holding public listening sessions and social hours during Council meetings, convening working sessions as part of Committee meetings to provide stakeholders the opportunity to develop solutions to problems, increasing the use of plain language in Council communications, and improving the Council’s web site and information distribution lists.

Detailed recommendations and a white paper drafted by the Council as part of a shared vision to guide future fisheries management will be presented to the public at the September 2011 Council meeting.