



Ecosystem and Ocean Planning Committee and Advisory Panel Meeting

Meeting Summary

August 22, 2023

The Mid-Atlantic Fishery Management Council's (Council) Ecosystem and Ocean Planning (EOP) Committee and Advisory Panel (AP) met jointly on Tuesday, August 22nd from 9:00 a.m. to 11:00 a.m. This was a continuation of their joint meeting on July 7th and the Committee and AP finished providing input on the remaining draft risk elements, definitions, and indicators that may be included in an updated risk assessment. The EOP Committee and AP will meet on September 13-14 in Baltimore, MD to continue their review and develop recommendations for an updated risk assessment for Council review and consideration in the fall of 2023.

EOP Committee Attendees: M. Duval (Committee Chair), A. Nowalsky, S. Winslow (Committee Vice-Chair), E. Keiley, J. Grist (for P. Geer), T. Schlichter

EOP Advisory Panel Attendees: F. Hogan, C. LoBue, B. Brady, F. Akers, P. Simon, P. Lyons-Gromen, W. Goldsmith, M. Binsted, M. Lapp, J. Hancher

Other Attendees: S. Gaichas, G. DePiper, B. Muffley, G. DiDomenico, A. Bianchi

At the July 7th EOP meeting, the Committee and AP reviewed and provided feedback on all of the Ecological and Socio-Economic risk elements but were unable to review all of the Management risk elements. Due to the importance and interest in the remaining risk elements, the August 22nd meeting was held for the Committee and AP to complete the review of the nine remaining Management risk elements.

Below is a summary of the broader Committee and AP discussion and general recommendations for the remaining nine elements.

- **Other Ocean Uses** (existing element)
 - Supported retaining this risk element and there was general agreement for a revised definition – “Risk of not achieving OY due to fishery displacement or damage to resource/habitat from non-fishing ocean activities and/or area designations” – to ensure area-based measures (e.g., monuments, closed areas, sanctuaries) are captured.
 - Many of the potential indicators are offshore wind related (currently included in this risk element) and the group identified some potential new analyses or data sources to consider such as VMS, vessel effort/fishing footprint and displacement, and vessel revenue.

- It was noted that many of these will be baseline indicators and can evaluate change over time as there is more competition for ocean space and as data and methods become more refined in the future. Also want to ensure we don't double count risks and effects for the different spatial components considered in this risk element.
- **Offshore Wind (1) – Biological/Ecological and Offshore Wind (2) – Fishery Science/Access** (potentially new elements)
 - The group discussed if more appropriate and informative to keep two separate offshore wind risk elements or combine into one broader element and refine with indicators and available information.
 - In general, if there are different mitigation strategies to address risk, then may want to keep the elements separate. As long as the list of concerns are identified, indicators for the two different elements can likely be developed and evaluated later.
 - Some members indicated the impacts and risks associated with these two elements are different. The group agreed, for now, to keep these elements separate and to review the indicators at the September meeting and see how best to proceed.
 - The group also agree to the following slightly modified definitions:
 - Offshore Wind (1) – “Risk of not achieving OY due to biological impacts to stock productivity, distribution, and ecosystem structure and function”
 - Offshore Wind (2) – “Risk of not achieving OY due to fishery impacts due to access, stock availability, and scientific uncertainty”
- **Offshore Energy – Exclusive of Wind** (potentially new element)
 - The group did not make a final determination on keeping this as a separate risk element or consider other offshore energy risks as part of the “Other Ocean Uses” risk element above.
 - The group did agree to refining and updating the definition to the following – “Risks of all offshore energy exploration and/or production on offshore habitat”.
 - It was also noted there are existing Council documents on non-fishing activities impacts on habitat (found [here](#)) and these could help provide useful indicators for this risk element and the “Other Ocean Uses” risk element.
- **Aquaculture** (potentially new element)
 - The group agreed to retain this as a separate risk element for now instead of an indicator as part of “Other Ocean Uses”.
 - The risk element definition was updated to be more comprehensive and clarify the risks associated with aquaculture that the group identified. The revised definition now states – “Risks from escapement, contamination via chemicals or parasites, area closures, and economic losses to wild stock fisheries in the Mid Atlantic”.
 - Current aquaculture indicators from the State of the Ecosystem report are likely not sufficient to address these risks/concerns and we might not know the potential risks, particularly economic, since there are no aquaculture operations in federal waters for Council-managed species as of now. Will need to look into potential alternative indicators and may need to develop this element over time as aquaculture operations come on-line in the future.

- **Regulatory complexity and stability** (existing element)
 - While this is an existing risk element, the group generally felt the definition needed to be reworked and the existing and potential alternative indicators are insufficient.
 - There was general agreement that the risk element needs to include components of complexity, stability, and compliance. All are interconnected but all have different stock and fishery implications.
 - Also, there was general agreement that the definition for this element needs to consider risks to not achieving optimum yield versus ensuring compliance. The revised definition states – “Risk of not achieving OY due to regulatory complexity, frequent modifications, and lack of compliance.”
 - Appropriate indicators are likely lacking for each component of the definition, but the group supported continuing to work on and refine in the future.

- **Discards** (existing element)
 - The group was supportive of broadening the considerations under this risk element to not only consider minimizing discards to the extent practicable, but also discard/bycatch mortality and incidental catch. The group also supported focusing on the regulatory discards.
 - Given this, the updated definition for this risk element is – “Risk of not minimizing regulatory discards, bycatch mortality, and incidental catch to extent practicable”.

- **Allocation** (existing element)
 - Discussion was somewhat limited due to time constraints, but there was general agreement to keep this risk element as currently considered and defined in the risk assessment.
 - Some members supported limiting the scope of this element and not consider distribution shifts since those, including allocation, risks could be considered under the “Distribution Shift” risk element.

- **Essential Fish Habitat** (potentially new element)
 - Similarly, discussion was limited for this risk element but there was general agreement to retain this element and support for the following definition – “Risk of not identifying and/or protecting essential fish habitat and implications for Council-managed species”. The group also supported the potential indicators, including the overlap of offshore wind lease areas and EFH footprint.