

## Ecosystem and Ocean Planning Committee Meeting

Friday May 19, 2017

Meeting Summary

**Committee members in attendance:** Patricia Bennett, Peter deFur, Warren Elliott, Howard King, Roger Mann, Laurie Nolan, Adam Nowalsky, Rob O'Reilly, Ward Slacum, Sara Winslow

**Others in attendance:** Julia Beaty (Council staff), Noah Chesin (Wildlife Conservation Society), Joseph Gordon (Pew Charitable Trusts), Pam Lyons Gromen (Wild Oceans), Jeff Kaelin (Lunds Fisheries), Meghan Lapp (Seafreeze, Ltd.), Purcie Bennet-Nickerson (Pew Charitable Trusts), Zack Greenberg (Pew Charitable Trusts), Kate Wilke (The Nature Conservancy)

### Meeting Summary

The Council's Ecosystem and Ocean Planning Committee met via webinar to discuss the proposed rule for the Unmanaged Forage Omnibus Amendment (82 *Federal Register* 1882, April 24, 2017). The proposed rule states the National Marine Fisheries Service (NMFS) is considering disapproval of inclusion of frigate mackerel and bullet mackerel in the amendment due to their large size and high trophic level, as well as their weak "link" to the Council's existing fishery management plans.

When the Council took final action on the Unmanaged Forage Omnibus Amendment in August 2016, they ultimately voted in favor of including frigate and bullet mackerel in the amendment; however, there was much debate over these two species. As one Committee member noted, a Council vote to exclude them from the amendment failed 7 in favor to 13 against. As stated in the amendment document,<sup>1</sup> the Council's rationale for including these two species is based on their importance as prey for large tunas and billfish in the Mid-Atlantic and the potential for negative impacts to those predators if commercial fishing effort for frigate and bullet mackerel were to increase in the future. Some Committee members argued that, based on this same rationale, the Council should respond to the proposed rule to state that frigate and bullet mackerel should be retained in the amendment. However, several other Committee members did not agree with this recommendation and reiterated concerns raised during development of the amendment. They stated that there is not strong justification for including frigate and bullet mackerel in the amendment, mostly because they largely do not meet the SSC's definition of a forage species, but also because evidence in support of clear ecological relationships with Council-managed species is lacking. Due to this disagreement, **the Committee did not recommend submitting a comment letter on the proposed rule for the Forage Amendment.** One Committee member argued that the amendment document already outlines the Council's rationale for including frigate and bullet mackerel and further comment is not needed.

Most Committee members agreed that frigate and bullet mackerel are an important part of the Mid-Atlantic marine ecosystem due to their role as prey for large tunas and billfish. Some

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<sup>1</sup> Available at: [http://www.mafmc.org/s/Forage\\_omnibus\\_final\\_March2017.pdf](http://www.mafmc.org/s/Forage_omnibus_final_March2017.pdf)

Committee members said **the Council may want to address these species through a separate management action in the future; however, the respective roles of the Council and NMFS are unclear. Further guidance is needed on how the Council could address these species,** especially given that their greatest ecosystem importance is as prey for species managed by the NMFS Atlantic Highly Migratory Species office, not by the Council.

Under the proposed rule, the Council may add other species to the Forage Amendment through framework actions. In light of NMFS' potential disapproval of inclusion of frigate and bullet mackerel in the amendment, some Committee members were concerned about the potential for similar challenges if the Council recommends adding other species to the amendment in the future. The Committee agreed that **clear guidance from NMFS on which species can and cannot be added to the Forage Amendment is lacking.** For example, it is not clear how many of the nine criteria in the SSC's definition must be met for a species to be considered "forage". **The Committee recommended further discussions with NMFS, perhaps in face-to-face meetings or a workshop, to gain clarification on their recommendations for future framework actions and specific criteria required to add other species to the Forage Amendment.**