

Perspectives on the New England Fishery Management Council Process

Summary of Input from Stakeholders

Prepared by

Fisheries Leadership & Sustainability Forum

In support of

The New England Fishery Management Council's Program Review and
March 13-16, 2018 Program Review Meeting

Final Draft – April 5, 2018

Table of Contents

1. Introduction	3
1.1 Overview	3
1.2 Information inputs and organization.....	3
2. Context.....	6
2.1 NEFMC Program Review.....	6
2.2 Magnuson-Stevens Act.....	7
3. Council operations.....	9
3.1 Council process and perceptions of performance.....	9
3.1.1 <i>Overall perceptions of the Council process</i>	9
3.1.2 <i>Representation of interests</i>	11
3.1.3 <i>Rationale for decision-making</i>	13
3.1.4 <i>Performance and accountability</i>	17
3.1.5 <i>Other topics</i>	19
3.2 Council bodies	23
3.2.1 <i>Advisory Panels</i>	24
3.2.2 <i>Other Council bodies</i>	29
4. Stakeholder engagement.....	32
4.1 Strengths and challenges	32
4.1.1 <i>Disincentives and barriers to stakeholder participation</i>	33
4.1.2 <i>Other challenges to stakeholder participation</i>	34
4.2 Participating in the process and providing input.....	35
4.2.1 <i>Factors influencing stakeholder participation</i>	35
4.2.2 <i>Understanding the process and staying informed</i>	37
4.3 Ideas and opportunities for improvement	38
4.3.1 <i>Council communications</i>	39
4.3.2 <i>Council meetings</i>	42
4.3.3 <i>Other opportunities for engagement</i>	45
5. Science, data, and foundations	47
5.1 Quality and credibility of science	47
5.2 Other attributes of science.....	48
5.2.1 <i>Timeliness</i>	48
5.2.2 <i>New information and perspectives</i>	49
5.2.3 <i>Collaboration and building relationships</i>	50
Appendix: Survey Responses	51

1. Introduction

1.1 Overview

This summary was prepared by the Fisheries Leadership & Sustainability Forum (Fisheries Forum) to support the New England Fishery Management Council’s (Council) Program Review by synthesizing stakeholder input on strengths, weaknesses, and opportunities to improve the Council process. Stakeholder perspectives on the Council process are an important input into the Program Review. “Stakeholders” is used as an inclusive term that can refer to any member of the public who is involved, affected by, or interested in the Council process. The stakeholders who provided input into this effort included individuals involved in commercial, recreational, and for-hire fishing activities and related businesses; individuals affiliated with industry, community, environmental, and other organizations; state and federal employees, members of the academic and scientific communities, and a wide range of other interested members of the public.

The Fisheries Forum gathered the input presented in this summary through a series of facilitated port meetings, a survey, and one-on-one conversations with individuals who are active in the management process. This summary reflects the cumulative input gathered through these opportunities, and is limited to the input of those stakeholders who chose to participate and provide their ideas and perspectives. It is not intended as an evaluation of the Council process, and it does not purport to represent the broader perspectives of the Council’s large and diverse stakeholder base. In addition, this summary synthesizes a large volume of information and is not comprehensive of all details shared by contributors. Finally, this summary does not offer any recommendations or conclusions beyond those offered by contributors. The purpose of this summary is simply to synthesize and organize the wide range of ideas and perspectives that were shared, as a means to support discussion and reflection by the Review Panel, the Council, and the public.

The Fisheries Forum is a small, policy-neutral organization, based at Duke University’s Nicholas Institute for Environmental Policy Solutions, that provides the U.S. regional fishery management councils with convening, facilitation and other services to support the federal fisheries management process (www.fisheriesforum.org).

1.2 Information inputs and organization

The Fisheries Forum used three approaches to gather input and provide the public with opportunities for participation.

- **Port meetings:** The Fisheries Forum held 14 port meetings and one webinar in locations from Maine to New Jersey between November 2017 and January 2018. These two-hour meetings were open to all members of the public and advertised through Council communications including a press release, email announcements and mailings. Port

meetings included a total of approximately 90 participants, with participation ranging from zero to 15 participants per meeting.

- Survey: A survey was provided in online and paper format as another opportunity for public input. The survey was open between November 2, 2017 and January 19, 2018. 117 responses were provided, with a significant proportion of skipped questions. The survey was also advertised through Council communications (above).
- Conversations: 16 one-on-one conversations (approximately 30-60 minutes each) were held with stakeholders who are actively and consistently engaged in the Council process, including members and representatives of industry, community, and environmental organizations and members of the Council's advisory panels.

Port meetings and conversations were structured as informal and open-ended opportunities for participants to comment generally on strengths, weaknesses, and opportunities to improve the Council process, with a focus on stakeholder engagement. Each port meeting and conversation began with an introduction to the Council's Program Review and a description of the process for gathering input from stakeholders. Discussion topics included understanding and following the Council process, participating and providing input, the Council's acknowledgement and consideration of stakeholder input, understanding the rationale for Council decision-making, the Council's use of subsidiary bodies (advisory panels, committees, plan development teams, Scientific and Statistical Committee) and general elements of a good public decision-making process. Contributors also commented on the wider range of topics included in the Program Review Terms of Reference. The range of ideas and input shared in this summary reflect the broad focus of these conversations and the opportunity for participants to focus on the topics of greatest interest. The survey focused specifically on Council communications and engagement in the Council process, and included a sub-section for advisory panel members with questions regarding their experience with the advisory panel process.

Port meetings, conversations, and the survey were intended as complementary methods of gathering input and providing opportunities for participation. Some contributors who participated in port meetings and/or in conversations may also have completed the survey. Due to the substantial overlap of topics, the information gathered through all three methods is integrated into this summary. Responses to open-ended survey questions and comment fields are incorporated into the summary narrative, along with highlights from other types of survey questions. A summary of responses to questions with fixed option fields (e.g., "choose all that apply") is provided as an appendix.

All of the information gathered from port meetings, survey responses, and individual conversations is anonymous, and contributors are not identified. The ideas and input in this summary are attributed to "contributors" (and by extension "some," "others," etc.) and are not attributed to any specific individuals, organizations, or other entities. In some instances, specific input is associated with a general interest group or a geographic region. Given the self-selecting nature of participation in the survey and port meetings, and the broad focus of conversations, this summary does not attempt to quantify or assign weight to particular ideas or perspectives. The general use of the term "contributors" does not imply that all or a majority of contributors

shared a perspective or idea. Occasionally, particularly strong themes of discussion are noted, as are specific ideas and suggestions. Finally, the terms “Council” and “Council process” are used throughout this summary. While contributors often used these terms specifically with regard to the Council as a body, they also used these terms more generally with regard to the federal fisheries management process as a whole.

This summary is organized into four sections focusing on context, Council operations, stakeholder engagement, and science. There are many broad and crosscutting themes, such as challenges to stakeholder participation, that are captured in multiple sections of this summary. While this approach results in some redundancy, it is helpful for contextualizing the ideas and information shared.

Specific ideas and recommendations provided by contributors are included throughout. These suggestions are not presented or intended as formal recommendations, or as a response to the range of challenges identified in each section. Suggestions were also not reviewed or vetted for feasibility, and are stated as perspective and not fact. Broad suggestions are included in the narrative of this summary, and specific suggestions are noted with the following symbol. ❖

More information about the Program Review and the opportunities provided for public input, including the port meeting schedule, is available on the Council’s website (www.nefmc.org).

2. Context

2.1 NEFMC Program Review

Contributors shared mixed perspectives in response to the Council's decision to undertake the Program Review. Their input on the Program Review focused on the following themes and concerns.

- Value of reflection and review: Contributors expressed support for the concept of reflection, review, and improvement of the fisheries management process, and shared their hope that the Program Review will lead to a meaningful response by the Council. Some expressed that the Council process should be—though is not necessarily—open to improvement, restructuring, and reform on an ongoing basis. Contributors acknowledged the value of external review but also emphasized the importance of including stakeholder insights.
- Council framework: Contributors felt that their feedback on the Council process also reflects broader systemic challenges that cannot be fully addressed through a review focusing on Council operations. These challenges often related to the constraints and structure imposed by the Magnuson-Stevens Act and regional fishery management council process (Section 2.2) and the scientific foundations of Council decision-making (Section 5). Contributors also stated that they are primarily concerned with seeing more successful outcomes, including increased stock abundance, access, and benefits to stakeholders and communities. Some felt that the Program Review could lead to improvements, while others felt that meaningful improvements would require changes to the legal framework or scientific underpinnings of the Council process. Still others felt that the Magnuson-Stevens Act, the Council process, and/or the scientific foundations for decision making are inherently flawed and that the Program Review cannot lead to meaningful outcomes as a result.
- Participation and turnout: Participants in many port meeting locations commented that low turnout was indicative of declining engagement and frustration with the Council process, as well as declining participation in New England fisheries. Some of the specific reasons participants suggested for low port meeting attendance included stakeholders' loss of trust and faith in the Council process, and their perception that they lack a voice in the Council process and are unable to effect change. Some expressed appreciation for the Council providing stakeholders with the opportunity to provide input into the Program Review, although others felt that port meetings were not well advertised and that the Council may not in fact want to hear from its stakeholders.
- Council response: Contributors questioned how the Council will respond to the outcomes of this Program Review. Some expressed their hope that the Program Review will lead to a meaningful response and consideration of big-picture challenges, and not

just focus on minor procedural improvements. Others felt that the Program Review is not a good use of resources and were doubtful that the Council would be responsive to criticism and suggestions for improvement. For example, contributors suggested that the Council is likely to conclude that it's doing a great job, or deflect criticism by pointing to steps that are already being taken. Some perceived that a previous review conducted in 2010/2011 led to minimal changes, and suggested revisiting the outcomes of that report. Another perspective was that the only meaningful outcomes from a Program Review would be in terms of successful fishery management outcomes, namely increased abundance and access. Others felt that the Council's Program Review is too late to result in changes that can benefit stakeholders, and that the groundfish fishery in particular has already lost many of its participants to consolidation.

- Review process: Contributors questioned whether a program review supported by the Council could result in an objective assessment of the Council's strengths, weaknesses, and opportunities for improvement. Some felt that stakeholders should have been included as members of the Review Panel. Others were concerned about the transparency of the review process, and questioned whether the Program Review and this summary would capture specific concerns, criticisms, and frustrations.

2.2 Magnuson-Stevens Act

Contributors acknowledged that some of their frustrations with the Council process derive from the process and requirements established by the Magnuson-Stevens Act and National Standard Guidelines. In some cases, contributors' feedback pertains to the legal framework and regulatory process underlying the regional fishery management process in general. In other cases, feedback may reflect how the federal fisheries management process is adapted, implemented, and interpreted in the New England region. Feedback focusing on the Magnuson-Stevens Act addressed the following topics.

- Accountability: The 2006 reauthorization of the Magnuson-Stevens Act requires managers to set annual catch limits and accountability measures, and states that annual catch limits cannot exceed the allowable biological catch recommendations provided by the Councils' Scientific and Statistical Committees. Contributors recognized that National Standard 1 requirements constrain the Council's decisions and restructure the relationship between the Council and its Scientific and Statistical Committee. Some expressed frustration that these requirements dominate the Council process. Some also questioned whether it is feasible or realistic to rebuild and maintain all stocks at a high level of abundance and noted that overfished stocks may recover differently.
- Representation: The general composition of each regional fishery management council and the process for nominating and appointing council members is specified by the Magnuson-Stevens Act. Contributors sometimes stated that their interests are not adequately represented in the Council process due to the way Council structure is

specified. Contributors noted that the state of New York does not have a seat on the Council, and that in the appointment process, the governors of New England states are not required to nominate recreational and charter sector nominees (as is required for the Gulf of Mexico Fishery Management Council)¹ Some also felt that term limits should be reduced from the three consecutive three-year terms permitted under the Act.²

Another observation was that while the Council process empowers stakeholders to serve as decision-makers (Council members), it also creates inherent tension by requiring them to make decisions that intersect with their personal interests and those of their peers. In addition, contributors felt that the dynamics of the Council process are affected by the distribution of seats among New England states and the incentive for Council members to vote in their states' interests. Contributors also raised questions about conflict of interest and recusal policies.

- Complexity: Contributors recognized that the federal fisheries management process is complicated. Some observed that the process continues to increase in complexity over time in terms of the scientific inputs, concepts, terminology, volume of information and analysis, and other factors. The complexity of the process and changing regulations can make it difficult for stakeholders to track issues and engage in the process. Contributors noted that the National Marine Fisheries Service (NMFS, Agency) and Council operate in a challenging scientific and legal context, and that the formality and pace of the Council process reflects underlying procedural requirements, including requirements for record-keeping and public input.
- Other federal laws: Contributors commented on National Environmental Policy Act requirements associated with the Council process. Some suggested that requirements and associated documentation, including environmental impact statements, could be streamlined or simplified. Others expressed concern about this possibility. Some contributors suggested that there should be more uniform application of federal laws including the National Environmental Policy Act, Endangered Species Act, and Marine Mammal Protection Act across individual councils or to the regional fishery management council process in general.

¹ 16 U.S.C. 1852 § 302(b)(2)(D)(i)(I)

² 16 U.S.C. 1852 § 302(b)(3)

3. Council operations

3.1 Council process and perceptions of performance

Contributors shared their perceptions of the strengths, weaknesses, and opportunities to improve the Council process. They commented on general strengths of the regional fishery management council process, as well as the implementation of this process in the New England region. Many praised the foundational principles of the Council process including the scientific basis for decision-making and the public and participatory nature of the process. They also felt that the New England Fishery Management Council in particular provides substantial opportunities for public input throughout the different levels of the process, and also through the practice of accepting public input at relevant points throughout Council meetings. Contributors noted the transparency and availability of information and documents as another general strength. Some also commended the individuals involved in the Council process, recognizing their commitment to the process and the region's fishery resources.

Contributors focused much of their feedback on perceived weaknesses, frustrations, and opportunities for improvement. The feedback conveyed in this section was largely framed and reflective of how contributors perceived the overall performance of the Council process. For example, some feedback involved perceptions of what is and is not working well, observations of how the process currently works, constructive criticism, and ideas and opportunities for improvement. In other cases, feedback was provided primarily as criticism and an explanation for contributors' overall frustration and lack of confidence in the Council process.

There was sometimes though not always a connection between stakeholders' level of involvement in the Council process and their perceptions of its performance. Those who shared positive feedback tended to be highly engaged in the Council process as representatives or staff of organizations and as members of advisory panels. However, some contributors who are highly engaged were also very critical of the Council process. Contributors who were less engaged in the process tended to focus their feedback on factors that discourage participation in the process, but also recognized elements of the process that they felt work well.

3.1.1 Overall perceptions of the Council process

Contributors shared widely different perspectives on the overall Council process and the Council's relationships with stakeholders. Some felt that the Council process is working well and has improved over time, and that criticism may reflect a lack of understanding or engagement. For example, some contributors felt that the Council has grown to be more innovative, more open to input, and more inclusive of diverse stakeholder voices. They also felt access to information and materials has improved. Many pointed to the success of the scallop fishery as an example of the Council process's potential to work effectively and produce positive outcomes.

Many contributors felt strongly that the Council process is not working well, and that challenging aspects of the Council process have worsened over time. Some made strong statements that the Council process is fundamentally broken or flawed. This high-level feedback on the Council process focused on the following general themes, which are described in more detail later in this summary.

- Relationships: Contributors felt that relationships between the Council and NMFS and their stakeholders are increasingly strained. They described an atmosphere of mistrust, a lack of respect, and lack of faith that the Council process will lead to better outcomes. Some perceived that the Council's relationship with stakeholders has changed over time, and that the Council is no longer advocating for the interests and needs of fishermen and communities.
- Influences: Contributors felt that certain drivers, interest groups, and fisheries dominate the Council and the Council process, and that the process does not effectively balance the needs of different user groups as a result.
- Representation and participation: Contributors felt that stakeholders are unable to effectively represent their interests, have a voice in the process, and effect change.
- Outcomes: Contributors felt that the Council process is not leading to successful outcomes in terms of achieving biological objectives and considering social, economic, community, and ecological impacts and needs.
- Incentives: Contributors felt that the Council's management decisions can be counterproductive to achieving desired outcomes by creating undesirable incentives and inefficiency.
- Process: Contributors felt the Council process is highly bureaucratic and process-oriented, and reinforces the status quo. Specifically, they perceive the Council as being reluctant to make difficult decisions, consider changes, pursue progressive or creative solutions, and tackle problems head-on. Some also felt that the Council doesn't respect stakeholders' desire to engage in problem-solving and support better long-term outcomes.
- Strategy: Contributors felt that the Council lacks strategy and a clear articulation of goals, values, or vision. Some commented on the need to adopt a more holistic view of each fishery's needs, interactions between fisheries, and the broader context of fisheries relative to marine ecosystems and other ocean uses.
- Scientific foundations: Contributors described their lack of confidence in the scientific foundations for Council decision-making, particularly stock assessments; and frustration

regarding the constraints imposed by the accountability requirements of the Magnuson-Stevens Act.

3.1.2 Representation of interests

Contributors provided feedback on the representation of interests in the Council process, both in terms of direct representation by Council membership and through stakeholder participation in the process. Many expressed sentiments along the lines of “decisions are made by those who show up” and “what you get out depends on what you put in.” Some contributors saw this as a strength or simply the nature of the Council process, while others felt that the Council process favors the interests of those who have the time and means to participate.

Strengths

Some contributors felt that they are able to represent their interests effectively through the Council process. They recognized that the Council process provides access and reflects the interests and perspectives of those who are most engaged, organized, and committed to participating. Contributors often described this dynamic as the nature of the process rather than a flaw. They emphasized that the information and opportunity to engage exists for those who invest the effort to learn, stay informed, and participate. Contributors recognized that participation and representation is not a guarantee that their positions will be adopted.

Some also emphasized that organizational representation (for example by industry, community, or environmental organizations) is an effective and efficient strategy for stakeholders to work together to communicate their interests. They felt that these organizations can provide a platform for members and their leadership or representatives to consider and develop positions, support the two-way exchange of information, communicate a unified position, and advocate for their interests. Some observed that not all organizations feel heard, and some also acknowledged that strategies they find effective for communicating their own interests are not necessarily available or accessible to all stakeholders. Contributors noted that some organizations are able to leverage resources such as grant or community funding to support their representation in the process. Some contributors viewed this as a strength while others felt that access to funding sources creates an uneven playing field.

Challenges

Contributors discussed a wide range of challenges that pertain to representation, many of which relate to the perception among many stakeholders that their voices are not heard or represented in the process, and that Council decisions are predetermined. They explained that this leads stakeholders to feel there is no value to participating in the process.

Contributors often commented on representation in terms of Council composition. They shared different perspectives on whether Council representation—in practice as well as in concept—translates to the representation of stakeholders’ interests in the process. Some contributors felt that having a Council member who identifies with their particular state, community, industry, or interest group is a critical factor to representation in the process. Others noted that

a Council member's affiliation does not necessarily indicate support or representation of their "constituents" or the position they will take on issues. Contributors recognized that the Council decision-making process ultimately comes down to a vote. Some felt that the composition of the Council and the tendency of Council members with similar perspectives to vote as alliances makes it difficult or impossible to secure the support needed to advance an issue, or to perceive that there is room for compromise.

Contributors also expressed concern about the qualities and practices of individual Council members. For example, they cited concerns about personal integrity, self-interest and conflicts of interest, Council members' qualifications and experience, and the lack of turnover among Council seats. Contributors perceived that Council members vary in their level of preparation and their engagement in terms of listening, making motions, and providing rationale. They also felt that there is not a mechanism to provide accountability or review of Council members' fulfillment of their responsibilities.

Contributors expressed concerns related to the distribution of at-large Council seats among states. They also observed that Council seats are perceived as "belonging" to particular communities, sectors or interest groups. They felt this does not reflect adequate representation of stakeholder perspectives and can discourage compromise and collaboration. A specific suggestion was that individual Council seats could be represented by different spokesmen depending on the issue.

Some contributors felt that certain groups are disenfranchised or underrepresented by the Council process, through lack of representation or participation, or because their perspectives are not valued. Some commented that they personally do not feel represented, or described other groups that they felt face particular barriers to making their voices heard. Examples mentioned by contributors included specific categories of stakeholders (e.g. dayboats, owner-operators, independent fishermen, recreational and for-hire perspectives, members of port communities, crew), fisheries and gear types (e.g., groundfish hand gear and hook gear, small mesh fishery), and regions (e.g. New York state and southern New England, downeast Maine). Some contributors also felt that New England lacks representation in the management of species managed by (or managed jointly with) the Mid-Atlantic Fishery Management Council. Contributors also observed that while they or other stakeholders may not necessarily feel disenfranchised, they may still feel that their perspective is outweighed or outnumbered by other voices. Some questioned who should be considered a fishery stakeholder, and to what extent the Council should accommodate different interests, particularly non-fishing interests.

Contributors identified additional challenges related to representation, including the following.

- Lack of voting representation: Contributors often reiterated that in their view, representation and having a voice ultimately comes down to Council composition and having a Council member (whether an appointee or a state director) who they feel represents their state, geographic region, industry, or interests.

- Diversity of interests: Contributors emphasized that there is a wide diversity of interests within the New England region in terms of fishery participation, gear type, scale of operation, and other attributes. These differences also exist at smaller geographic scales, and within industries, fisheries, and communities. There are also non-fishing interests involved in the process. Given this diversity it can be fundamentally challenging to achieve representation of all perspectives.
- “Hidden” stakeholders: Contributors described a category of current and former stakeholders they view as hidden or invisible, primarily in connection to Groundfish Amendment 16 and implementation of the sector program. They described consolidation in the groundfish fishery and those individuals who have lost their access or ability to participate, for example because they no longer hold a federal permit or are unable to lease sufficient quota. Contributors described that it is difficult to remain in this fishery and felt that inactive fishermen should still have representation given their interest in seeing a more robust groundfish fishery in the future. Some felt that this category of hidden stakeholders also includes part time and diversified fishery participants. A related point was that it can be difficult to have an accurate picture of the stakeholders who have an interest or are currently active in a fishery, for example for the purpose of economic analysis.
- Dominance of interests: Contributors felt very strongly that certain interest groups are able to dominate and influence in the Council process. For example, some felt that specific industry organizations, environmental organizations, philanthropic foundations, state agency representatives, large-scale commercial interests, and the groundfish and scallop fisheries more generally, are able to have a strong voice in the process.
- Prioritization of issues: Some contributors felt that their interests are a low priority to the Council whether due to lack of representation, lack of interest, or the Council’s process for prioritizing time and resources. Examples mentioned included recreational interests, and specific fishery management plans such as monkfish, small mesh multispecies, and skates.
- Transparency: Some contributors felt that while the Council process is documented and provides public access to meetings, there are underlying agendas, incentives, and communications that shape the Council process which are not visible or apparent from an outside perspective.

3.1.3 Rationale for decision-making

Contributors commented on whether they feel the Council provides a clear rationale for decision-making. They described rationale (i.e., “why the Council does what it does”) generally and as something that is woven throughout the Council process. Contributors referred to rationale in terms of information that is documented in the course of Council discussion, decision-making, and planning, but also in terms of the underlying qualities and preferences

that shape how the Council weighs different information, impacts and points of view. Some contributors felt that the Council's rationale is clear, while others did not. Contributors' perceptions of the Council's rationale for decision-making, and whether they view this rationale as clear, balanced, and sufficient, may depend on their experiences and perspectives.

Drivers for decision-making

While contributors identified many factors that influence the Council process, particularly representation of interests, they also focused on particular drivers that they perceive as having a strong influence on the Council process.

- Aversion to change: Contributors felt that the Council process, and the Council itself, tend to reinforce the status quo. They felt that this is partly a reflection of the slow, deliberative, and participatory nature of the Council process. While these attributes of the Council process were sometimes cited as strengths, contributors also felt that the Council can be reluctant to confront challenges, think creatively and strategically, and make needed changes. Contributors who shared this perspective felt that the Council may avoid difficult decisions, question the science, ask for additional analysis, or take other steps to delay progress on an issue.
- National Standard 1: Contributors cited the prominence of National Standard 1 and the requirements of the reauthorized Magnuson-Stevens Act as shifting the balance of power in the Council process toward NMFS and the Council's Scientific and Statistical Committee. Some felt that the Council process is now constrained by science and biological objectives, and that the Council has lost autonomy as result. They felt that the dominance of National Standard 1 influences the Council's balance of objectives and the other National Standards. Some also felt that the Magnuson-Stevens Act provides opportunities for flexibility that are not fully being utilized. For example, a specific observation was that the Council is not utilizing the flexibility provided by the National Standard 1 Guidelines to manage groundfish as a complex.
- Litigation: Contributors felt that NMFS is very litigation-averse, and that Council decisions are influenced by the Agency's conservative interpretation of the law and desire to limit legal exposure. Contributors who identified litigation as a strong driver often felt that the threat of litigation is used most effectively by environmental interests. The described that environmental organizations often have the resources and capacity to file lawsuits and exert legal pressure, and that industry is not able to defend its interests in the same way. Some stated that litigation is a valuable way for all parties to seek judgment or clarify interpretation of Congressional intent. One suggestion was that the Council could have independent legal counsel to provide a different perspective from legal interpretations of the National Oceanic and Atmospheric Administration's General Counsel.

- Role of NMFS: Contributors felt that NMFS has excessive influence over the Council process. They felt that the Agency is not solution-oriented, and does not foster a sense of collaboration, trust, and respect. Contributors were critical of the Agency’s role in the Council process, in terms of direct participation by the Regional Administrator in the Council process, the handoff from Council decisions to the approval and rulemaking process, and the support provided by the Greater Atlantic Regional Fisheries Office and Northeast Fisheries Science Center. Another concern was that the Agency’s role in finalizing actions for approval by the Secretary of Commerce allows the Regional Administrator to exert influence over Council decision-making, for example by making statements to the Council regarding what will or will not be approved.
- Role of philanthropic foundations and environmental interests: Contributors felt that philanthropic foundations and environmental non-governmental organizations wield significant influence over the Council process. They felt that the motives and priorities of foundations and environmental organizations, and the funding they provide to some groups, significantly influences the direction of Council decision-making. Contributors felt that these influences were a strong driver for Groundfish Amendment 16 in particular, and directly impacted the composition of the groundfish fishery through the implementation of sector management.

Balancing objectives and considering guidance

Contributors felt that the Council does not adequately consider social, economic, and community impacts and balance the objectives mandated by the National Standards. In particular, contributors felt that the Council does not adequately consider National Standard 8. They focused on several themes related to considering impacts and balancing objectives.

- Analysis: Contributors felt that there is insufficient information, analysis, and consideration of the social and economic impacts of management decisions.
- Planning: Contributors commented that there is insufficient attention devoted to sustaining fisheries and communities over time, and to considering the businesses and infrastructure that support fishing activity. Specifically, some contributors felt that there should be more consideration and proactive planning to enable fishing fleets, infrastructure, communicates and local economies to modernize, adapt, improve resilience and efficiency, and weather the negative impacts of management decisions.
- Cumulative effects: Contributors, particularly in a number of port meeting locations, felt that their communities are nearing tipping points in terms of losing the fishery participation, continuity, and infrastructure that sustains fishing as an important economic, social, and cultural aspect of their communities.

Some contributors also felt that the Council does not always consider information, analysis (including National Environmental Policy Act analysis), and other guidance (including the

National Standards) adequately or consistently. Others did feel that the Council considers this information. Some expressed concern that the Council may not always base their decisions on the best available scientific information, and may be more influenced by other factors such as stakeholder input. Contributors identified specific examples where they felt that Council did not adequately consider scientific information and analysis, including the Council's work on habitat and corals, and the allocation of constraining stocks between fisheries.

Identifying and advancing issues

Some contributors commented on the dynamics and drivers that may influence how an issue is identified and advanced through the Council process. For example, contributors shared very different perspectives on the rationale for the Council's consideration of localized depletion in the midwater trawl herring fishery. Some contributors felt that the Council's consideration of this issue is driven by pressure from the public and environmental community and lacks scientific evidence, while others felt that precaution is a strong rationale for taking action.

Some contributors also observed that Council actions can be slow to advance, or may not advance at all. For example, contributors cited the Council's Omnibus Habitat Amendment 2 as a particularly slow-moving action, and the consideration of catch shares in the jointly managed monkfish fishery as an example of an action that failed to gain traction despite a significant investment of time and resources. One suggestion was to assess the reasons for slow progress, and recognize when there is an impasse, as was the case with monkfish.

Linking purpose with strategies and outcomes

Contributors perceived that there is not always a clear linkage between the purpose or intent of an action, the development of alternatives, the justification and rationale for decision-making, and the eventual outcome. For example, they felt that an action may evolve over time through the process of scoping and developing alternatives, and become disconnected from the Council's original goals and intent. Some contributors pointed specifically to the example of Groundfish Amendment 18, which focused on fleet diversity and accumulation limits in the groundfish fishery, as an example in which they felt an action evolved over time and ultimately did little to achieve the stated purpose and protect the participation of small boats.

Contributors also cited Groundfish Amendment 16, which implemented sector-based management of the groundfish fishery, as an example in which they felt that the Council created misleading expectations and that the Council and Agency's stated and underlying objectives were not transparent. Specifically, some contributors felt that the sector program as communicated as a way to provide flexibility, but that the true objective was consolidation of the groundfish fleet.

Some contributors felt that the evolution of an action may not be clear or transparent during the processes of scoping and developing alternatives. Contributors felt that this process can lack transparency in terms of how stakeholder comments are considered and what "makes the cut." Other contributors felt that this process is in fact transparent, and that the rationale and

evolution of Council actions can be traced by following issues closely, participating in the process, and reviewing materials and motions.

Some contributors commented specifically on the Council's use of a management strategy evaluation process for developing control rules in the herring fishery. They mentioned the benefits of this process in terms of stakeholder engagement and the opportunity to take a structured and collaborative approach to exploring objectives, preferences, and options.

Balancing considerations

Contributors felt that the Council tends to respond to short-term drivers, impacts, and considerations rather than adopting a proactive and forward-looking approach. They felt that the Council's short-term focus can compromise the performance of the Council's decisions, leading to poor biological outcomes and instability. Contributors commented on several aspects of balancing considerations.

- Learning from experience: Contributors felt that the Council lacks the opportunity or does not make the effort to learn from experience, and assess the performance of decisions, tools and policies such as the Council's allowable biological catch control rules.
- Weighing tradeoffs: Contributors felt that the Council prioritizes short-term economic considerations rather than considering longer-term tradeoffs.
- Accepting risk: Contributors felt that the Council tends to select risk-tolerant alternatives, does not adequately provide justification or consider consequences, and is willing to accept the risk of poor outcomes.

3.1.4 Performance and accountability

Contributors often stated that several aspects of the Council process lack accountability. They felt that while stakeholders are held to a high level of personal accountability, the Council and NMFS are not. Contributors raised the following points related to accountability. Many of these points intersect with topics covered elsewhere in this summary, but were mentioned specifically in the context of accountability.

- Performance and outcomes: Contributors felt the Council is not held accountable for the overall performance of its decisions, including impacts to stakeholders and communities; the achievement of stated goals; successful performance of management decisions, particularly increased access and abundance; ending overfishing and rebuilding stocks; and the alignment of decisions with the goals and rationale for decision-making. Another element of accountability involves learning from experience. Some felt strongly that the Council has not revisited or learned from the performance of past decisions, particularly with regard to ending overfishing and rebuilding stocks.

- Incentives: Contributors felt that Council decisions create undesirable incentives, inefficiencies, and costs to the fishing industry. They referred to bycatch avoidance, wasteful discards, leasing costs, monitoring costs, and generally the high costs and complexity of participation, particularly in the groundfish fishery, that can make fishing unprofitable or infeasible.
- Rationale: Contributors felt that the Council lacks accountability to stakeholders in terms of its rationale for implementing major changes to policies or management strategies. Specifically, some contributors felt that the Council assured stakeholders that the days-at-sea management system would be an effective management strategy for the groundfish fishery, and later undermined this rationale through the implementation of sector management
- Council membership: Contributors focused on accountability to stakeholders in terms of considering and listening to input, being informed and prepared, representing stakeholders, and more broadly on qualities such as willingness to make tough decisions.
- Staff and others: Contributors questioned the extent to which others (e.g. Council staff and NMFS staff, members of subsidiary bodies) are held accountable for the quality of their work and for the other challenges described in this summary.
- Timeliness: Contributors cited timeliness of information and decision-making as an element of accountability on the part of NMFS and the Council. For example, contributors explained that a lack of timeliness negatively impacts their ability to make informed business planning decisions related to fishing activity and groundfish quota leasing.
- Balancing objectives: Contributors felt that the Council is not held accountable for balancing objectives and the National Standards. There are clear performance metrics for biological sustainability, but not for other considerations such as community sustainability.
- Prioritization: Contributors felt that another element of accountability relates to using time and resources efficiently to accomplish priorities and consider the needs of all fisheries and fishery management plans.
- Science: Contributors felt that there is a lack of accountability with regard to stock assessments and expectations for rebuilding. They also referred to accountability in terms of incorporating new information and science into the decision-making process and documenting why information is or is not taken into account.

- Enforcement: Contributors cited the recent example of major fishery violations in the groundfish sector program and felt strongly that the enforcement of regulations and the design of enforceable management measures is a component to accountability.
- Rulemaking and implementation: Contributors mentioned accountability for follow-through in terms of the Council following the processes of Secretarial approval and the NMFS rulemaking process. One specific suggestion was for the Council to review comments that are provided on proposed rules.
- Monitoring: Contributors referred to accountability in terms of the costs, use and utility of information generated through the observer program.
- Big picture: Contributors also mentioned accountability in terms of managing fisheries in an ecosystem context, and in terms of managing public resources for the benefit of the nation.

Contributors shared different perspectives on why accountability is lacking, and where accountability ultimately rests. Their comments reflected that the concept of accountability is challenging in a process that involves many roles and responsibilities. For example, some felt that the Council should be accountable for their decisions and advice, while others focused on the accountability of NMFS in approving the Council's recommendations. Still others felt that accountability should be shared and the system lacks accountability overall. Some contributors focused their criticism at the level of accountability for Council and Agency leadership, while others focused more generally and felt that the Council and Agency lack accountability as public servants. In addition, some felt that influence of political administrations and elected officials can be a component to accountability exhibited by the Council and Agency.

Contributors also commented on the accountability of individual Council members, which is closely related to the matters of representation and Council composition. For example, one observation was that when stakeholders do not feel represented through Council composition, there is no individual who can be considered accountable for representing their interests. Another observation was that appointed Council members are not held accountable to stakeholders in the same way that an elected official would be accountable to constituents.

3.1.5 Other topics

Prioritization

While prioritization was not a strong focus of stakeholder feedback, some contributors shared feedback on the effectiveness of the Council's prioritization process. In general, contributors recognized the need to consider priorities relative to the Council's available resources, and the value of having a process and opportunities for input. Contributors shared different perspectives on the flexibility of priorities. Some noted that priorities can change over the course of a year and are not necessarily perceived as binding. Others commented on the

difficulty of responding to new problems that arise mid-year, when staff time and resources have already been allocated. Another perception was that lack of resources may be used to justify inaction on an issue that the Council does not want to prioritize.

Prioritization also relates to whether stakeholders feel their interests are acknowledged in the process. One perspective was that the Council does not take a strategic approach to prioritization by considering the costs of different priorities and the value of addressing issues proactively. For example, as part of the prioritization process the Council may choose not to allocate any resources toward management of certain fisheries such as monkfish, skates and small mesh multispecies.

Timeliness

Contributors emphasized that delayed decisions and unanticipated changes can make it difficult for stakeholders to plan ahead and make informed business decisions. Specific examples included the groundfish specifications process, and the implementation of recreational management measures. Contributors also expressed frustration with slow-moving actions that are difficult to track over time. Some mentioned the example of Omnibus Habitat Amendment 2, including the prolonged timeline for Council development as well as the delay in approval and implementation.

Contributors also commented on the timeliness and availability of materials, noting that in some cases documents are not distributed until the day before or even the day of meetings. Inadequate lead time can make it difficult for stakeholders to review information, consider their positions on issues, and provide well-informed feedback or engage in discussion (e.g., during advisory panel meetings). The timeliness of materials affects individuals, and also affects the ability of organizations and their representatives to communicate with their members and leadership. An additional observation is that the development and timing of materials can constrain discussion if stakeholders perceive or are told that additional changes may delay the progress of an action. Contributors recognized that heavy staff workloads can lead to late materials, but emphasized the need for adequate lead time. Some recommended at least two days of lead time, and others pointed to the Atlantic States Marine Fisheries Commission's practice of providing materials two weeks in advance.

Coordination

The topic of coordination with other management bodies was primarily discussed with regard to the Mid-Atlantic Fishery Management Council, and in the context of specific issues and fishery management plans. Contributors expressed concern that New England stakeholders may be impacted by—but not aware of—actions taken by other councils, primarily the Mid-Atlantic Fishery Management Council but also potentially the South Atlantic Fishery Management Council (which manages the Coastal Migratory Pelagics and Dolphin Wahoo Fishery Management Plans, among others). Recreational stakeholders cited the Mid-Atlantic Council's new for-hire electronic vessel trip reporting (e-VTR) requirement, emphasizing that many New England stakeholders are impacted by this action but were unaware and did not participate in

this process. Contributors did not necessarily view this as a responsibility of the New England Fishery Management Council, but felt there should be a better process for New England stakeholders to stay informed.

Contributors also commented on coordination involving the Monkfish Fishery Management Plan, noting that while the plan is jointly managed the fishery operates differently in the New England and Mid-Atlantic regions. They perceived a lack of communication between the two councils, a lack of respect for different perspectives, and an inability to move issues forward. Contributors also felt that New England does not have a voice in the management of the Mid-Atlantic Council's Summer Flounder, Scup, and Black Seabass Fishery Management Plan. In addition, some contributors felt that the process for coordinating between regions through the use of liaisons and committee membership is not well understood.

Staff support

Contributors shared positive and complimentary feedback on the level of support from Council staff. They commented that staff are extremely hard-working and professional, and recognized that Council staff have a heavy workload and play an important role by supporting advisory panels, committees, and plan development teams. Contributors also praised Council staff for communicating and presenting information effectively, developing good working relationships with industry, being available and responsive to questions and information requests, and being attentive to detail and process. Some commented on past experiences when they did not perceive staff as neutral, while others suggested that staff could have more leeway to share their ideas and opinions. Another perspective was that not all Council staff are high performing and are not held accountable for their performance. Some also commented that Council and NMFS staff lack on-the-water experience and applied knowledge of fishing operations, and that additional experience could help improve staffs' ability to communicate effectively with industry.

Structure of Fishery Management Plans

Contributors commented on the number and structure of fishery management plans. They recognized that the Council's current fishery management plan structure is one that has evolved over time, and that the current structure can be challenging given interactions between fisheries and the accountability requirements of the reauthorized Magnuson-Stevens Act. For example, some contributors commented on linkages between the Groundfish, Monkfish, Skate, and Dogfish Fishery Management Plans. Others noted that the structure of management plans is not conducive to supporting ecosystem-based fisheries management, and questioned whether it is necessary to manage some species as multiple stocks. Contributors also commented on the number of committee and other meetings associated with each fishery management plan, noting that it can be difficult for stakeholders with interests in multiple fisheries to participate in all meetings.

Best practices

Many contributors recognized the value of leveraging best practices and lessons learned from other regions, and felt that it would be valuable for the Council to explore the policies and procedures adopted by other regional fishery management councils. Contributors mentioned several examples of practices by other councils, though did not share details. These examples are cross-referenced in other sections of this summary.

- General: Practices for considering advisory panel input; processes for utilizing and transmitting information and recommendations between advisory panels, committees, and Councils.
- Mid-Atlantic Fishery Management Council: Use of webinars and media, social events, use of Fishery Performance Reports.
- Pacific Fishery Management Council: Involvement of Scientific and Statistical Committee members in the assessment process.
- North Pacific Fishery Management Council: Interaction with stakeholders during public comment.
- Atlantic States Marine Fisheries Commission: Document summaries and briefing material deadlines.

Another suggestion was to undertake a focused look at best practices from other countries, to consider strategies that have or have not been successful in fisheries similar to those managed by the Council.

Ecosystem context

Some contributors shared feedback related to the value of ecosystem-based fisheries management. Most did not comment specifically on the Council's work on ecosystem-based fisheries management, though some perceived that progress has been slow. Contributors addressed the need for broader consideration of the factors that influence the Council's managed fisheries, including other ocean uses (e.g., energy development), coastal development, impacts to habitat, interactions with other species, and other factors such as the designation of marine national monuments. A specific suggestion was to improve the utilization of ecosystem status reports prepared by NMFS to help provide ecosystem context for decisions.

Some contributors suggested taking a structured approach to considering the Council's managed fisheries in a broader context, for example by convening a committee to consider a long-term vision for New England fisheries relative to other ocean uses. Some felt that the Council process would benefit from clear policies on interactions with other ocean uses, and closer integration or collaboration with other ocean user groups and ocean planning processes. Some contributors also commented on specific research topics they felt were important to explore. These included predator-prey relationships, productivity bottlenecks, the relationship between habitat and productivity, and the habitat impacts of climate change and eutrophication. Contributors also noted specific issues of concern, including the Council's role

in oversight of migratory species such as striped bass, and impacts resulting from the expansion of the gray seal population.

3.2 Council bodies

The New England Fishery Management Council process involves many layers due to the region's use of supporting bodies that include standing advisory panels, plan development teams, and committees for most fishery management plans. The strengths, weaknesses, and opportunities for improvement within each of these bodies and the overall Council process is an important focus of the Program Review. This section of the summary includes specific ideas and suggestions provided by contributors.

Contributors commented on general qualities of the Council process related to the Council's use of subsidiary bodies, including openness and transparency, and the opportunity to participate and provide input at multiple steps in the process. In particular, contributors noted the Council's practice of allowing public comment on every Council motion, which is not the practice in every council region.

They also identified frustrations related to the complexity of the Council process and interactions among Council bodies, including the following.

- Communicating input: Contributors identified some concerns and possible disadvantages to the Council's layered process. Some felt that the expertise, information and input provided by stakeholders can be diluted, altered, or omitted as it is communicated from advisory panels, to committees, to the full Council. A similar concern was that the understanding of fishery context and issues diminishes from advisory panels, to committees, to the full Council. Yet another concern was whether scientific advice is communicated effectively through this structure. Some questioned whether the practices followed by other regional fishery management councils could help mitigate some of these challenges.
- Advancing ideas: Contributors perceived that there is sometimes a lack of traction on difficult issues, which in some cases may manifest as back-and-forth between committees and plan development teams.
- Industry insight: Contributors commented on the value of "cross-pollination" between stakeholders and Council bodies, particularly the opportunity for stakeholders to provide a technical industry perspective to inform plan development team and Scientific and Statistical Committee discussions. A related suggestion was to also leverage industry insight on particular issues, such as sector accountability.

3.2.1 Advisory Panels

Advisory Panel context

Contributors shared mixed perspectives on whether the advisory panel (AP) process and structure provide an effective mechanism for stakeholders to provide input and recommendations to Council committees. Some felt that APs are very effective and that committees consider their advice, while many felt that the recommendations of AP are ignored or not considered. Nearly all contributors, including those who shared positive feedback on APs, identified opportunities to strengthen and improve the AP process.

This summary reflects significant firsthand insight from current and former AP members, as well as members of the public who are not active in the AP process. Contributors included AP members with diverse backgrounds in terms of AP membership, their affiliation and perspective, and the extent of their experience with the AP and Council process. In addition, this summary reflects feedback from stakeholders involved in nearly all of the Council's currently active APs, with the Scallop, Groundfish, and Habitat APs generating the most feedback. This feedback was obtained through the online survey, which included questions about the AP process; and through one-on-one conversations. Additional feedback on APs was provided at port meetings, although the AP process was generally not a strong focus of these discussions.

While all APs are charged with the same task, they are individual bodies that may function very differently. In addition, stakeholders hold different perspectives on the role of APs and how they should contribute to the Council process. This context is informative for interpreting contributors' feedback and ideas for improving the AP process. These underlying differences can influence the functioning of individual APs, and stakeholders' perceptions of what does and does not work well about the AP process. Contributors noted the following differences between APs.

- Structure: Size and composition (the affiliations, perspectives, and regions represented).
- Process: Frequency of meetings, proximity to other meetings (committee, Council, plan development team).
- Fishery Management Plan context: Information inputs (e.g., frequency of stock assessments), stock status, fishery value, management strategies, and diversity of stakeholders (e.g. geography, scale, gear).
- Individual context: Attributes of individuals and leadership.

Contributors had different expectations and perspectives on how the AP process can best inform the management process. Much of the feedback on APs focused on representation, generating advice and communicating outcomes to committees, and how these factors lead AP members to feel that their advice is—or is not—a meaningful input into the process. Many contributors described the AP process and feeling heard in terms of outcomes, namely passing

motions and having these motions considered by committees, and ultimately influencing Council decision-making. However, a small number of contributors expressed concern about the extent to which APs can and should directly influence policy.

Strengths of the AP process

In general, contributors provided constructive criticism of the AP process despite having different perspectives on its effectiveness. Those who felt the process works well offered suggestion for improvement, and many of those who felt the process does not work well nevertheless recognized the value of APs for facilitating stakeholder involvement. Contributors described the primary value of the AP process in terms of providing input to help frame and inform Council decisions, and advancing their goals, priorities, and perspectives. Positive feedback on the APs also highlighted the following additional qualities.

- Supporting engagement: APs can empower stakeholders to provide feedback and be directly involved in the Council process.
- Diversifying perspectives: APs can facilitate participation by new stakeholders and voices, and broaden the range of perspectives involved in the Council process.
- Providing industry insight: APs can provide the Council with in-depth knowledge of fisheries and fishing operations.
- Building relationships: APs can provide members with an opportunity to learn and hear from different perspectives.
- Enhancing communication: APs can be a valuable tool for supporting outreach, communication, and information sharing.

Scallop Advisory Panel

Most stakeholders who commented on the Scallop AP felt that this AP process is very effective. They described effectiveness in terms of outcomes and feeling heard, and explained that the AP is able to advance its priorities by providing largely unified input that is considered and often adopted by the Scallop Committee and the Council. This example is included as an illustration and is not intended as a comparison to other APs or recommendation for best practices.

Contributors identified several reasons why the Scallop AP, and the scallop management process in general, is effective. They described a positive feedback loop in which attributes of the resource, the industry, the science, and the AP and broader Council process all contribute to successful management outcomes and an industry that feels highly engaged and invested in the management process.

- Status: The fishery is biologically sustainable and highly valuable.
- Participants: The fishery involves a single species and gear type (though participants noted that the two categories of permit holders involved in the scallop fishery may have different perspectives and preferences).

- Science: Scallops are a relatively data rich stock with high quality information inputs. The industry is able to invest substantial funds to supplement NMFS research, which fosters trust, a sense of shared ownership, and acceptance of the results.
- Process: Contributors noted the predictable and cyclical nature of the scallop management as helping to support a high-functioning process that continues to improve over time. They also felt that AP members are well informed and prepared to engage in meetings, that AP meetings are well integrated and synergistic with Scallop Plan Development Team and Committee meetings, and that the AP process overall succeeds in laying important groundwork for Council decision-making.

Challenges and opportunities for improvement

Contributors felt that some stakeholders and perspectives are more represented in the AP process and better positioned to participate. In some cases, this input may reflect fundamental disagreement on the ideal composition of APs. For example, some contributors felt that APs are overly dominated by industry perspectives, while others felt that environmental perspectives are overly represented. Contributors identified several specific challenges related to participation and representation of interests on APs.

- Barriers and opportunity costs: There can be significant expenses and opportunity costs (e.g., time away from work) to participating on APs or attending meetings as a member of the public. Contributors felt that these factors disproportionately impact and discourage participation by active fishermen and stakeholders who live far from meeting locations, and that AP membership is dominated by larger-scale interests and paid representatives and staff of organizations (industry, community, and environmental). Other specific examples of barriers to AP participation included consideration of former permit holders, and participation by New York residents on the Groundfish AP. Some contributors noted that it is not apparent how the Council attempts to balance representation in the AP selection process.
 - ❖ **Overcome opportunity costs.** Consider strategies for overcoming opportunity costs, such as compensation and/or holding AP meetings when fisheries are inactive.
- Engagement and participation: Contributors felt that APs can lack diversity of perspective due to low turnover and participation on APs by former Council members. Some also felt that it can be difficult to recruit new AP members due to lack of interest or willingness to participate. Some noted that regular participation and achieving a quorum has been a problem for some APs.
 - ❖ **Ensure active participation.** Consider instituting a process to ensure active participation and attendance (e.g. standards, expectations, review process).

- Voting and motions: Contributors shared very different perspectives on the value of structuring AP recommendations through motions and voting, and whether voting on motions impacts committees' consideration of AP input. One perspective is that voting can help clarify AP perspectives on issues and add weight to the AP's recommendations to committees. For example, contributors who commented on the effectiveness of the Scallop AP process often mentioned that strong or unanimous recommendations helped strengthen their advice. A different perspective is that voting can make it difficult for minority perspectives to feel heard and considered. For example, contributors who were critical of voting described frustration with similarly-minded AP members forming voting alliances, and with meetings that focus on establishing positions and "winning" rather than discussion. Some added that this atmosphere further discourages participation by stakeholders who feel underrepresented.
 - ❖ **Create new discussion opportunities.** Consider creating opportunities for APs to engage in discussion and share ideas prior to meetings to help develop recommendations and reach consensus.
 - ❖ **Restructure APs.** Consider restructuring APs to focus on providing feedback.

- Providing recommendations: Contributors shared very different perceptions of whether their feedback is acknowledged and considered by Council committees, which in turn influences whether the AP process is viewed as a meaningful input into the Council process. Some AP members felt that their input was influential while others stated their input is ignored, or felt that it depends on whether AP recommendations align with the views of the committee. Other challenges to communicating AP recommendations include short turnaround time between meetings, dilution of feedback and perspectives through verbal reports and filtering through the committee process. Many contributors stated that they would like to see their recommendations acknowledge more explicitly.
 - ❖ **Improve timeliness.** Consider strategies for communicating AP recommendations in a timely manner, for example by providing written reports before committee briefings, sharing AP recommendations and motions by email, and making AP recommendations available on the Council website.
 - ❖ **Relay AP recommendations.** Consider strategies for relaying AP recommendations effectively, including having APs report directly to the Council, providing rationale and minority opinions, and having a Council member attend AP meetings.
 - ❖ **Present AP motions.** Contributors suggested acknowledging and raising all AP motions for discussion at committee meetings, for example by showing motions on screen.

- Integration into the management process: Contributors felt that the effectiveness of APs and their recommendations can depend on the timeliness of meetings and recommendations, and how well they are integrated into the management process and meeting cycle. For example, a significant gap between AP and committee meetings can

result in a gap or disconnect in the conversation. Contributors also commented on setting baseline expectations for the AP process (for example, how frequently APs will convene) noting that clarifying expectations reinforces that AP feedback is considered valuable.

- ❖ **Align AP input.** Consider the timeliness of AP recommendations relative to committee and Council meetings to ensure that AP recommendations can add value and inform alternatives without causing delays.
- Industry insight and cross-discussion: Contributors felt that APs can be a valuable conduit for providing industry perspectives and expertise to technical bodies and to the assessment process, as a way provide context, groundtruth ideas, and strengthen relationships between industry and scientists. Many contributors mentioned the value of holding joint AP and plan development team meetings. Some APs such as the Habitat and Scallop APs meet with plan development teams regularly, while others such as the Groundfish AP do not. Members of some APs felt that joint meetings foster valuable cross-discussion, while others felt they are less productive, for example if plan development team members are less engaged. It was noted that Council staff provide some coordination with the AP process through their chairmanship of plan development teams.
 - ❖ **Develop a vehicle for industry input.** Consider developing Fishery Performance Reports as a vehicle for providing industry input and context.³
 - ❖ **Hold joint meetings.** Consider holding additional joint AP and plan development team meetings.
 - ❖ **Engage APs in technical meetings.** Consider other opportunities for AP members to interact with technical bodies and engage in the assessment process; for example, by having AP chairs attend meetings (with travel support). Contributors also suggested Informing AP members of technical meetings.
- Recreational Advisory Panel (RAP): Contributors involved in the recreational fishing community felt that the recommendations of the RAP are ignored. They felt that the RAP should report directly to the full Council, rather than to the Groundfish Committee, to ensure that their ideas, concerns, and priorities are adequately communicated and considered.

³ From the Mid-Atlantic Fishery Management Council website: “The Council's advisory panels develop Fishery Performance Reports (FPR) each year to provide the Council and SSC with an annual description of the factors that influenced fishing effort and catch within each of the Council’s fisheries. These reports are intended to summarize fishermen's "on-the-water" perspectives, including information about fishing effort, market trends, and environmental changes, and other factors that may not be fully accounted for in the stock assessment process.” (www.mafmc.org)

- ❖ **Change RAP structure.** Consider allowing the RAP to report directly to the Council.
- **AP meeting accessibility:** AP meetings can involve significant travel and opportunity costs, particularly for AP members and interested members of the public who live far from meeting locations. Some felt that AP members who must travel a long distance to meetings may face a tradeoff between staying for the duration of an AP meeting or incurring additional travel costs.
 - ❖ **Improve remote access.** Contributors suggested broadcasting all meetings by webinar, and allowing AP members to join and participate remotely.
 - ❖ **Prioritize travel support.** Consider prioritizing certain meetings for in-person travel (e.g. depending on timing or the importance of decisions), and providing sufficient travel support.
- **Meeting agenda and support:** Contributors commented on the importance of supporting productive and efficient meetings by aligning the frequency, timing, and duration of AP meetings with workload, the progress of issues through the Council process, and the availability of new data and scientific inputs. Some contributors felt that there are too many AP meetings, while others felt there should be more. Contributors also mentioned examples of covering too much in a single meeting, or not having enough content to justify a meeting. Some contributors also praised effective support for AP meetings by Council staff, in terms of logistics as well as supporting participation and engagement.

3.2.2 Other Council bodies

Plan Development Teams

Contributors felt that some plan development teams (PDTs) function more effectively than others depending factors such as composition and expertise, staffing, workload and efficiency, timing and continuity, and the level of guidance provided by committees. Some felt that PDTs are highly effective and provide valuable analysis. Others identified challenges, primarily with regard to composition and expertise. Some contributors did not perceive PDTs as neutral. They felt that PDTs may overstep into policy through their response to Council committees, and that Council staff (who serve as chairs) or other dominant voices may influence the direction of PDT discussions. Others commented on lack of turnover and varying levels of engagement by PDT members.

While PDT meetings are public, many contributors expressed frustration that there is little opportunity for comment or participation, noting that some PDT chairs are more open than others to allowing or requesting input. Others felt that the PDT process needs to remain focused on technical support, and that additional public input is not needed or should come with clear expectations. Contributors felt that PDTs lack industry knowledge, and that industry

could provide valuable technical expertise and ground truthing that would benefit the PDT process. They felt that industry input could improve the development of management options, and encourage efficiency such that PDTs are not spending time on options viewed as ineffective or unworkable from a fishing operations standpoint. Contributors also felt that industry input into the PDT process could help reduce the negative impacts of management options, improve industry buy-in, and strengthen acceptance of science.

- ❖ **Enlist outside expertise.** Consider supplementing PDTs with targeted outside expertise, including industry expertise, to support analysis of specific topics and issues.
- ❖ **Clarify guidance.** Contributors suggested providing PDTs with clear committee guidance.
- ❖ **Establish public input expectations.** Establish clear guidelines and expectations for public input.
- ❖ **Provide opportunities for industry input.** Consider providing opportunities for industry to provide technical expertise input into the PDT process, for example by holding more joint PDT-advisory panel meetings. Consider having advisory panel members as technical member of PDTs in certain cases.

Committees

Contributors shared mixed perspectives on Council committees. Some contributors felt that Council committees work well, and provide the opportunity for in-depth discussion by Council members with expertise in particular fisheries and issues. The committee process enables members to thoroughly consider decisions and implications, and is also an important opportunity for stakeholders to participate and provide input early in the development of an action. Committees were perceived as being accommodating of public input. Contributors felt that committees are effective when they are invested and feel ownership of the issues they're working on, and when committee chairs interface effectively with plan development teams and Council staff.

Other contributors felt that the quality and effectiveness of committees can vary depending on factors such as composition and turnover, staff support, chairmanship, the preparedness and level of understanding by committee members, and whether committees use their time efficiently. Some felt that committees are too large to function effectively. Some contributors also felt that there is a political component to committee membership and assignments, and that committee membership may not be well balanced. They expressed concern that committee members may have a personal interest in a fishery, or conversely, they may not be knowledgeable about a fishery and committee to which they are assigned. Committee chairs can also have a strong influence on the direction and effectiveness of the process.

Some contributors felt that committees may not demonstrate investment and ownership of challenging issues; for example, in terms of not providing sufficient direction to plan development teams or deferring issues for consideration by the full Council. Some contributors observed that the effectiveness of Council committees can depend on attributes of the fishery management plans and fisheries they support. For example, some contributors felt that the Groundfish Committee process is inherently more challenging given the diversity of the

groundfish fishery in terms of vessels, gear types, and target species; as well as the status of many groundfish stocks.

- ❖ Review committees for effectiveness across fishery management plans.
- ❖ Ensure balanced and diverse representation of interests.
- ❖ Post draft motions following committee meetings, so that the public can review motions prior to Council meetings.
- ❖ Consider supporting additional interaction between advisory panels and committees in order to provide additional technical expertise; holding more joint meetings, particularly for major actions; and adding a rotating advisory panel member to committees.

Scientific and Statistical Committee

Some contributors shared positive perceptions of the Scientific and Statistical Committee (SSC) related to their work, composition, and receptiveness to input. Others shared concerns regarding the balance of membership and expertise, their knowledge and preparedness for discussion, and the potential for some voices to dominate. Some contributors were critical of the strengthened role of SSCs in providing allowable biological catch recommendations. A specific frustration shared was that SSCs are limited to making recommendations based on outcomes of the Northeast Fisheries Science Center assessment and review process, when their role is to provide independent scientific advice. Contributors also shared concerns about the transparency and openness of the SSC (and NMFS) to new information, as well as to outside perspectives and expertise. Others expressed their concern that the SSC process has become more politicized.

Some felt that SSC meetings should provide more opportunity for public participation, and felt that the SSC process would benefit from more applied knowledge and interaction with industry and advisory panels, as was also suggested for plan development teams and committees. Some contributors also suggested that the SSC's expertise could be leveraged in other ways beyond providing catch recommendations.

- ❖ Consider opportunities for improving communication with advisory panel members and industry.
- ❖ Improve SSC engagement in the assessment process and discussions to improve continuity between the assessment and SSC processes.
- ❖ Examine the role of SSCs in other regions (e.g. west coast).
- ❖ Provide clear guidance on whether and how outside consultants should be accommodated.

4. Stakeholder engagement

Stakeholder engagement in the Council management process was a strong focus of feedback from the public. Contributors recognized that active stakeholder engagement is a function of factors that include procedural opportunities for public input, stakeholders' understanding of the Council process and specific issues, and their desire and ability to participate. Stakeholder engagement is also a function of whether individuals feel heard. Contributors described feeling heard primarily in terms of effectively influencing outcomes, but also with regard to feeling that their input is acknowledged, valued, and respected. Many perceived a strong relationship between the extent to which they participate in the process (for example, by learning about the process, staying informed, attending meetings and providing comments) and the effectiveness of their engagement. Many contributors felt that more frequent and in-depth participation supports effective engagement, or conversely, felt that barriers to participation make it difficult to engage at a level that can effect change.

This section of the summary contains detailed feedback on how, when, and why stakeholders stay informed and share input with the Council, the challenges many perceive, and specific opportunities for improvement. These ideas and perspectives were provided through port meetings, conversations, and in particular through the online survey, which focused on Council communications and stakeholder engagement. Contributors commented on their own experiences and preferences, and more broadly on challenges faced by stakeholders with whom they share interests (community, geography, fishery, etc.).

4.1 Strengths and challenges

Contributors held very different perspectives on whether the Council process adequately supports stakeholder engagement. Some contributors felt that the Council provides sufficient opportunities for engagement by those who are willing to invest the time to learn, stay informed, and participate. Contributors who felt this way tended to be highly engaged in the process as representatives of organizations or as advisory panel members. They felt that the opportunities and procedures for public participation are clear and transparent, that Council members and staff are accessible, and that information and documents are available. The New England Fishery Management Council process was viewed as being particularly accommodating toward public participation, particularly the practice of allowing public comment on every Council motion. Many acknowledged that the Council process is complex and time-consuming, and that ongoing exposure and participation is an important way to learn how things work. There is a learning curve involved in understanding the process, developing relationships and skills, and participating effectively.

Among those who felt that the Council adequately supports stakeholder engagement, there were different perspectives regarding the need for improvement. Some felt that there is individual accountability for stakeholders to learn and seek out information, and that the Council does not need to take additional steps to support participation. Others acknowledged

that there are other factors that influence whether stakeholders are able to participate effectively and be heard. Many contributors who felt the process works well also identified specific steps the Council could take to provide information and facilitate stakeholder participation.

Many contributors felt that there are significant obstacles to participation and that participation in the Council process is declining. This was a strong theme of discussion at port meetings, where attendees often commented on declining participation by members of their communities and specific groups of stakeholders, such as owner-operators and dayboat fishermen. Contributors often remarked on the relationship between participation and effectiveness, and felt that there is a complicated feedback loop. Contributors felt that the consequences include fewer and less diverse stakeholder voices, a lack of young and new participants, and the loss of institutional knowledge held by stakeholders who no longer participate in the process. Many also commented that declining participation reflects fewer individuals actively participating in the fishing industry.

Barriers to participation can take different forms. Some contributors felt that they (or others) are fundamentally unable to participate in a meaningful way and make their voices heard, and that it's no longer worth taking the time. Others focused more on logistical, procedural, or individual challenges to participation.

4.1.1 Disincentives and barriers to stakeholder participation

Many contributors felt that there are significant disincentives and barriers to engaging effectively in the Council process, in some cases describing the process as “flawed” or “broken.” Contributors identified these barriers as reasons for declining participation, or reasons why they no longer choose to participate or feel their input is effective. Some also perceived that these barriers cannot or will not be addressed through the Council’s Program Review. Many of these relate to themes that are explored in previous sections and also came up specifically in the context of stakeholder engagement.

- Outcomes: Contributors felt that participation in the Council process is not leading to progress or positive outcomes for fisheries, individuals, or communities. They pointed to challenges that include severe financial pressures, consolidation and loss of access to fisheries, particularly groundfish; and declining participation and loss of infrastructure in fishing communities.
- Representation: Contributors who stated that they did not feel represented in the Council process felt that they are unable to communicate or advance their concerns. Some commented that their state or interest group is not represented in the composition of the Council, or felt that their perspective is not valued. Some also felt that their perspective is not adequately communicated through the layers of the Council process. In addition, contributors who felt that they are not well represented in the Council process (whether through a state agency representative or appointee) observed that they lack a valuable conduit for important information.

- Drivers and influences: Contributors felt that the Council process lacks transparency and is heavily influenced by strong interests; for example, referring to NMFS, the Scientific and Statistical Committee, state directors, philanthropic foundations and environmental interests, segments of the fishing industry, and Council members acting in self-interest. Many shared the perception that outcomes are predetermined and shaped by hidden agendas and behind the scenes communication. One specific concern raised was that Council members and others may communicate during meetings (e.g., through text or email) in a manner that is not transparent to the public or on the record.
- Information and rationale: Contributors feel that the Council does not consider or respond appropriately to information inputs including stakeholder input, social and economic information, science, or information and facts more generally. Many felt that the Council does not adequately consider the social, economic, or environmental consequences of their decisions.
- Science: Contributors felt that the scientific foundations of the Council process are flawed. They focused on the quality and credibility of science, particularly stock assessments; the lag between data collection and use for management, and the lack of consideration of industry experience and input (Section 5).
- Value: Some questioned whether the Council truly values stakeholder input. For example, some felt that the Council does not reach out or is not accessible when input is not wanted.

4.1.2 Other challenges to stakeholder participation

Many contributors identified challenges to participation that are logistical, procedural, or individual in nature. These challenges were cited as personal obstacles to participating in the process, as well as reasons for declining participation and the difficulty of engaging new participants. The frustrations identified below provide much of the context for the opportunities and improvements described later in this section. These challenges were cited as opportunities for the Council to improve communication and facilitate engagement, though in some cases were also recognized as constraining the effectiveness of the Council's outreach efforts. As in the previous section, many of these challenges are addressed in previous sections of this summary and also came up specifically in the context of stakeholder engagement.

- Complexity: Contributors recognized that the Council process is complicated including the legal underpinnings and the decision-making and regulatory process; and that individual issues can be extremely complex, including the process for setting annual catch limits. The complexity of issues, actions and options, the volume of information and length of documents, and use of acronyms and jargon were all cited as challenges to informed participation. For example, it can be difficult for stakeholders to comment on actions or determine how they may be impacted by actions with many options that may

interact with one another, or when options are expressed in terms of concepts like risk tolerance. Another concern was that data confidentiality and the way information is aggregated for analysis can limit stakeholders' ability to understand the impacts of options and alternatives.

- Atmosphere and dynamics: Contributors sometimes described the Council process as formal, intimidating, and unwelcoming; and felt that the Council (individually or as a body) does not acknowledge or seem interested or receptive to input. In addition, some contributors felt that there can be personal consequences and costs to participating and providing feedback due to the influence and leverage held by other stakeholders.
- Commitment and costs: Participating in the Council process involves a significant time commitment and often involves travel expenses and opportunity costs (for example, missed work).
- Transparency and accessibility: Contributors felt that some influences and inputs into the Council process are not transparent, apparent, or accessible to stakeholders, even if they are informed and understand the process. In addition, the Council may not provide a clear rationale for decisions; for example, why options were or were not selected.
- Information gaps: Contributors felt that there are information gaps that can make it particularly difficult for some groups of stakeholders to stay informed. For example, contributors felt that New York stakeholders and recreational stakeholders lacked points of contact to help provide information.

Timing and timeliness: Contributors often expressed frustration with the timeliness of information and documents and the timing of meetings relative to one another (for example, back-to-back advisory panel and committee meetings), which can make it difficult to review materials and respond.

- Development of issues: Contributors noted the challenge of following issues over time and the potential to feel blindsided by unexpected outcomes, particularly for slow-moving actions. They pointed to specific examples including closures related to the Council's Omnibus Habitat Amendment, and the triggering of accountability measures.

4.2 Participating in the process and providing input

4.2.1 Factors influencing stakeholder participation

Contributors identified several factors that influence whether, and through what method, they choose to share input with the Council. Many contributors focused on strategic considerations, including the goal of providing input (e.g. record building, influencing a decision), the complexity of the input they want to provide, the audience they want to reach (e.g., individual

Council members, committee members, the full Council), and the point in the process at which input is most likely to be effective. Contributors also identified the following considerations.

- Issue and options: Contributors mentioned the importance of an issue (personally, or to their user group, community, or region) and the options under consideration (for example, the extent to which their view does or does not align with the Council's potential course of action) as strong influences.
- Location: Contributors cited convenience, ease, and accessibility as primary factors influencing stakeholders' decision to provide input. Contributors felt that meeting location, travel distance and costs, opportunity costs, accessibility, and personal factors (e.g., health concerns) can have a strong influence on whether stakeholders choose to attend meetings in person or participate remotely, and whether they choose to provide verbal or written comments.
- Time and timing: Many contributors felt that time and scheduling constraints impact their ability to attend a meeting or prepare a written comment. Some noted that the timing of meetings and materials can affect whether there is adequate time to respond.
- Comfort level: Contributors observed that some individuals are inherently more or less comfortable with different methods of participating and providing input. While some stated that they are comfortable with public speaking, engaging in discussion, and approaching Council members and staff, many are not. Public testimony was perceived as particularly intimidating. An observation was that advisory panel meetings are viewed as less intimidating, while committee and Council meetings may be more so.
- Sensitivity of the issue: Some contributors shared that they are cautious of providing input on sensitive topics in a public setting, and potentially having the information or the perspectives they share used against them.
- Tradeoffs and priorities: Stakeholders who participate or have interests in multiple fisheries may have to prioritize their participation, for example based on the economic importance of an issue or fishery.
- Acknowledgement: Contributors questioned whether public and written comments are effective, and some wondered specifically how the Council values or weights written and form letters. Contributors held different perspectives. Some felt that form letters or letters with multiple signatures are an effective way to engage the public or an organization's membership to communicate a shared perspective and should carry weight. Others felt that written comments do not—or should not—carry weight, and that some stakeholders' perspectives can be outnumbered in terms of number of comments.

Survey respondents provided additional feedback regarding how and when they choose to provide input to the Council.

- Respondents indicated that the methods they most frequently use to share input include email comments (63%), written comments (59%), and public hearings (52%).
- Respondents indicated that they are most likely to provide input to the Council when the following factors apply: they feel strongly about the action (80%), the Council is making a major decision (67%), or an action will impact a fishery they are involved in (67%).
- 53% of respondents indicated that they are satisfied with their current level of participation. 33% would like to be more engaged, and 3% indicated that they would like to participate less. 11% selected “other” and indicated that time is a constraint or that they don’t feel their input is meaningful.
- Respondents indicated that the following factors influence their level of participation: feeling that their input won’t make a difference (43%), feeling that participation in the process requires too much time (33%), and other reasons (31%, described above).

4.2.2 Understanding the process and staying informed

Survey respondents provided the following feedback related to understanding the Council process and staying informed. Detailed responses are provided as an appendix to this summary.

Understanding of federal laws

- 96% of respondents indicated that they understand the Magnuson-Stevens Act “well” or “somewhat.”
- The federal laws that respondents identified as the most well understood (indicated “understand well”) were the Magnuson-Stevens Act (62%), the Endangered Species Act (47%), and the Marine Mammal Protection Act (47%).
- The federal laws that respondents identified as the least well understood (indicated “don’t understand”) were the Data Quality Act (30%), the Administrative Procedures Act (22%), and the National Environmental Policy Act (17%).

Understanding of roles and responsibilities of groups involved in the Council process

- Respondents are most familiar (indicated “understand well”) with the responsibilities of Council members (73%), Council staff (69%), and NMFS staff (68%).
- Respondents are least familiar (indicated “don’t understand”) with plan development teams (18%), other Council committees such as the Executive Committee and Research Steering Committee (12%) and the Scientific and Statistical Committee (each 11%).

Learning about the Council process

- Respondents identified the following information and resources as most valuable for learning about the Council process: attendance at Council meetings (74%), colleagues and friends (69%), and conversations with Council members, Council staff, and others (66%).

Staying informed

- Respondents identified the following Council communication methods as most helpful (indicated “helpful”): Council website (57%), email lists (55%), and the communications provided by the Council’s Public Affairs Officer (49%).
- Respondents identified the following external resources and communications as most helpful (indicated “helpful”): Newsletters, emails and announcements from industry associations and public interest organizations (34%), trade publications (27%), and newspapers (online and in print) and news feeds and online news digests (23% each).
- Respondents indicated that they rely most on the following resources to understand and follow specific Council actions: committee and/or advisory panel meeting summaries (74%), fishery management plan pages on the Council website (69%), and press releases (58%).
- 45% of respondents indicated that Council documents relevant to their interests are easy to find. 35% indicated that they are not, and 19% indicated that they were unsure.
- Respondents identified the following Council documents and communications as most clear and understandable (indicated “easy to understand”): Council emails, press releases, and paper mailings (53%), Council website (35%), and committee and advisory panel meeting summaries (30%)

4.3 Ideas and opportunities for improvement

Many contributors noted existing strengths of the Council process. Contributors often appreciated the “town hall” style of New England Council meetings, and the many opportunities the process provides for participation in advisory panel, plan development team, committee, and Council meetings. Many also recognized that the Council does a good job of providing information, including meeting notices, membership, and general record-keeping in terms of documents and stakeholder comments. Contributors also spoke extremely highly of the work of the Council’s outreach coordinator. They felt that email correspondence, press releases, notices, and the three-meeting outlook are all helpful, and felt that this correspondence could even be expanded.

Contributors shared many ideas for enhancing and improving stakeholder engagement in the Council process. These suggestions share many themes, including “meeting people where they are” and making information accessible, helping stakeholders track the history and progression of issues, promoting opportunities for interaction and dialogue, reaching new and underrepresented stakeholders, and recognizing that stakeholders engage and consume information in different ways.

4.3.1 Council communications

General suggestions for information-sharing

Contributors shared some general suggestions for improving the accessibility and utility of Council communications. They emphasized that Council communications should be geared toward a general audience, and not assume in-depth knowledge of the Council process. Some also suggested that the Council could consider different levels of detail for different audiences. Contributors provided the following suggestions and opportunities to support effective stakeholder communication.

- ❖ **Keep it simple.** Contributors emphasized keeping communications simple, using layman’s terms, defining terms and acronyms, and avoiding jargon.
- ❖ **Make information digestible.** Contributors suggested providing syntheses, summaries, visuals, and bullet points (particularly for long documents) to make information digestible and enable stakeholders to learn and catch up. The Atlantic States Marine Fisheries Commission’s practice of providing document summaries was noted as an example of making information accessible.
- ❖ **Provide context and continuity.** Contributors suggested providing context in the form of summaries and footnotes, clearly explaining the implications of management actions, and helping stakeholders track the development of issues over time.
- ❖ **Emphasize critical information.** Contributors stressed the importance of clearly identifying critical information related to changes, deadlines (including public comment as well as rulemaking), action items, options, and potential impacts and consequences, so that stakeholders can provide informed comments and take necessary actions. In particular, contributors emphasized the importance of receiving timely permit holder letters (which are sent by the NMFS Greater Atlantic Regional Fisheries Office) that clearly identify action items. They mentioned specific examples of permit holder letters that they felt did not clearly identify potential changes or the need for follow-up actions, with dire consequences such as the loss of a permit. Another specific suggestion was to identify liaisons to help communicate regarding cross-jurisdictional issues.
- ❖ **Provide explanation and rationale.** Contributors emphasized the importance of explaining the “why” behind decisions.
- ❖ **Provide targeted information.** Contributors suggested helping stakeholders self-select (e.g., interested party email lists) and identify relevant information by interest or fishery. They also encouraged considering the most effective methods for reaching certain stakeholder demographics. For example, contributors suggested reaching recreational stakeholders through recreational fishing organizations and through popular recreational fishing publications.

- ❖ **Encourage early engagement.** Contributors felt that stakeholders tend to react to deadlines and at points when their input may be less influential. Some suggested taking steps to encourage early input into the Council process, for example by providing additional structure and deadlines.
- ❖ **Utilize a range of communication methods.** Contributors emphasized that stakeholders stay informed and consume information in very different ways. For example, some stated that they prefer correspondence by email and utilize social media. Others emphasized that not all stakeholders use email or computers, and that they prefer paper mailings, particularly for permit holder letters.
- ❖ **Target organizations, key points of contact, and organizations.** Contributors explained that while organizations, sectors, and key points of contact can be efficient methods for sharing information, it's important to also communicate with individuals to ensure information reaches everyone.

Information and education on key topics

Contributors shared many ideas for providing information about the Council process. These ideas were framed in different ways: as topics that contributors feel that they or others struggle to understand, as specific questions or requests for clarification, and as opportunities to synthesize complex information in a simple and accessible way. Contributors did not always offer specific suggestions for how to provide this information, but offered specific suggestions for improvements to the Council website (below) that overlap with these suggestions. Some suggested developing resources specifically for newcomers to the Council process. Contributors also noted that the increasing complexity of fisheries science and management creates a commensurate need for focused information and education in support of advanced concepts and terms. Finally, many contributors emphasized the need to define acronyms and terms.

Topics identified as opportunities for education and clarification include the following.

- ❖ **General Council process:** Magnuson-Stevens Act and other authorities (National Environmental Policy Act, Marine Mammal Protection Act, Endangered Species Act and fishery interactions with protected species); regulatory process and requirements, pathways for Council actions (e.g., frameworks and amendments), and Robert's Rules of Order.
- ❖ **Public participation:** Opportunities and process for stakeholder participation at key points in the management process, emphasizing the value of early participation (e.g. committee meetings).
- ❖ **Council membership:** State and federal components to the nomination and selection process, conflict of interest policies, and recusal policies.
- ❖ **Management history:** Summary of changes over time (e.g. major management actions, changes in stock status; also see specific suggestions below under Council website).
- ❖ **Roles and responsibilities:** Authority, responsibility, and composition of Council bodies (e.g. Council committees, plan development teams) and other management partners

and coordinating bodies (Northeast Regional Coordinating Council, Atlantic States Marine Fisheries Commission, Transboundary Resource Assessment Committee and Transboundary Management Guidance Committee).

- ❖ **Science and management:** Stock assessments, acceptable biological catch recommendations, annual catch limits and accountability measures, risk and uncertainty, probability, precision and accuracy.

Council website

Many contributors complimented and shared positive feedback on the Council’s website, and felt that information, documents, and correspondence are available and well organized. Many also felt that the Council could take steps to continue make the site more searchable and user-friendly. Opportunities for improvement included the following.

- ❖ **Improve linkages.** Contributors suggested improving linkages and connections among documents and information, as a way to make it easier for stakeholders to retrace steps, cross-reference documents, and follow the progression of issues. For example, one suggestion was to improve the organization of materials by issue and fishery management plan, in addition to organizing materials by meeting.
- ❖ **Enhance access to archived documents.** Contributors felt that it can be challenging to find archived documents, such as Council meeting materials, and suggested that the Council could improve the organization, accessibility, and searchability of older documents.
- ❖ **Provide context and summaries.** Contributors noted that summaries, introductions, and other contextual information is helpful for understanding and following issues. One specific suggestion was to provide a summary paragraph of new and historical Council actions.
- ❖ **Improve search function.** Contributors suggested improving the website search function, observing that it can be challenging to search for specific questions and information, and that keyword searches may return many results. Another suggestion was to index correspondence and comments for searchability.
- ❖ **Clarify membership.** Contributors noted that the membership of Council committees and advisory panels is not always easy to find or organized intuitively. One suggestion was to organized membership information under a single website tab, and link this directly to information about committee and advisory panels meetings.
- ❖ **Clearly highlight key information.** Contributors suggested clearly highlighting key information, and noted that it can be challenging for stakeholders to find information when they don’t know exactly what they’re looking for. Specific information of interest included comment deadlines and information about quota utilization.

- ❖ **Highlight current issues.** Contributors suggested prominently featuring current issues including ongoing actions, upcoming deadlines, public comment opportunities, hearings, and links to decision documents.

Social media

Contributors shared very mixed perspectives on the use of social media as a way for the Council to communicate with stakeholders. Overall, a majority of survey respondents expressed that social media would not be valuable; however, many contributors did feel that social media platforms including Facebook and Twitter could be useful communication tools. Among those who did not feel social media was valuable, many stated that they don't use social media or prefer email. Contributors also expressed concern that the complexity and sensitivity of Council issues may be challenging to handle in this format, and that interaction through social media accounts may be unproductive or challenging to monitor.

4.3.2 Council meetings

Public comment

Contributors provided extensive feedback on the public comment process, primarily focusing on elements of the public comment process that they found discouraging. While these comments were framed primarily as criticisms, and are presented as such, they can also point to opportunities for improvement. Although some contributors did not share any concerns about public comment, those who did consistently shared the following sentiments and frustrations. They emphasized that negative experience with public comment can be extremely discouraging and cause stakeholders not to return.

- Comfort level: Contributors felt that public speaking is intimidating to many stakeholders, and this alone can be a major disincentive to participation. Stakeholders may not be familiar with the process for providing comment (e.g., how and when the Council accepts comment, and time limits). In addition, contributors also noted that disrespectful comments and reactions by audience members can contribute to an intimidating environment.
- Acknowledgement: Contributors felt that public comment is often not respected or acknowledged, for example by Council members making eye contact or asking follow-up questions. The North Pacific Fishery Management Council was mentioned as an example of a council acknowledging and engaging stakeholders during public comment. Many also perceived that Council members are distracted, for example by computers, phones, and sidebar conversations, or that Council members may act disrespectfully through their body language and reactions.
- Limiting comment: Contributors expressed frustration with the Council's occasional practice of limiting public comment, for example to three comments for and against an

issue. They felt that if stakeholder make the effort to attend meetings and provide comment, they should have the opportunity to be heard.

- Fairness: Contributors felt that the public comment process does not always treat all stakeholders fairly or consistently, and perceived that some individuals and organizations are more likely to be selected to speak or allowed to speak for longer.

In addition to this feedback, which focused on public comment at full Council meetings, some contributors felt that public comment should be allowed at all meetings.

Meetings and accessibility

Contributors shared feedback on the accessibility of Council, committee, advisory panel, plan development team, and other meetings, focusing on the following considerations.

- Meeting location: Some contributors appreciated the Council's effort to hold meetings throughout the New England region and/or to hold meetings in central locations, and felt that meetings are generally accessible. Others noted the costs and time commitment required to attend meetings, and felt that some locations are overlooked. Some contributors also raised the counterpoint that when meetings are not centrally located, important meetings can end up being far away for some stakeholders. Additional suggestions included considering the timing of meetings relative to season openings, markets, and species availability; considering weekend meetings, and ensuring that scoping meetings and hearings are held in all coastal states and major ports.
- Timing of meetings: Contributors expressed concern about the timing of advisory panel, committee and Council meetings relative to one another. They emphasized the need to provide timely information related to meeting outcomes (e.g., draft motions) and provide sufficient opportunity for the public to review this information and provide informed comments before comment deadlines. Contributors also noted the potential for scheduling conflicts and general meeting overload.
- Remote access: Contributors encouraged the Council to enhance webinar access for all meetings (Council, advisory panel, plan development team, committee, and Scientific and Statistical Committee) as a way to overcome the challenges and costs of participating in person and to enable stakeholders to follow the details of discussions rather than just the summary. Most mentioned remote access in terms of listening to meeting broadcasts, though some suggested allowing interaction and comment via webinar. A few contributors questioned whether it would be feasible to allow remote participation by advisory panel or Council members. Some noted that while webinars could help support stakeholder participation, those who are unlikely to engage in person may also be unlikely to engage in conference calls or webinars. Another

observation was that meeting technology sometimes fails, and that Council staff should ensure they are familiar and able to troubleshoot.

- Timeliness of materials: Contributors emphasized the importance of timely access to materials, noting that short turnaround or lack of lead time can make it difficult to participate and provide informed comments.
- Availability of materials: Contributors also requested increased availability of all materials that are available to the Council, including plan development team and technical documents that are valuable for following the details of an issue and providing informed feedback. It was noted that some of these documents are in draft form, but could be identified as such.
- Use of acronyms: Contributors frequently expressed that the use of acronyms makes it challenging for stakeholders, and particularly newcomers, to follow Council discussions. Some suggested forgoing the use of acronyms altogether. Some also suggested providing a glossary of acronyms and terms.
- Use of presentations and audiovisuals: Contributors commented on presentations by Council staff and others, noting that presentations and visuals are valuable to the public. A specific suggestion was to provide separate screens for visuals and text. Another suggestion was to make it easier for remote participants to follow along with briefing materials; for example, providing references to page numbers.
- Within and between-meeting correspondence and materials: Contributors suggested additional Council communications during meetings, for example, pre-meeting press releases, or email updates each day to describe the issues up for discussion and how to comment, followed by a summary of what was discussed. Some suggested providing written meeting minutes. Another specific suggestion was to post draft motions following meetings, to address the matter of short turnaround (for example, between committee and Council meetings).
- Meeting agendas: One specific suggestion was to vary the order of agenda items, due to the perception that contentious items are frequently addressed at the end of the day. Another specific suggestion was to consider issue-based meetings of subsidiary bodies to address topics that span fishery management plans.
- Limiting communications: Another specific suggestion was to limit the use of electronic communication and devices (e.g. phones and laptops) during Council meetings or require these communications to be part of the public record.

4.3.3 Other opportunities for engagement

Contributors suggested other ideas for providing information and supporting stakeholder participation, in addition to the usual pathways supported through Council communications and existing opportunities for input. In many cases contributors felt that considering new opportunities for engagement could help the Council enhance participation by new voices and stakeholder groups who are more difficult to reach, less engaged in the process, or feel that they have fewer opportunities for engagement.

- Informal opportunities: Contributors emphasized the value of informal opportunities for engagement. Workshops, focused trainings, and small group or roundtable discussions can be valuable for supporting networking, learning, focused discussion, and hearing from other perspectives. Contributors emphasized that informal discussions can be valuable for addressing issues that are fishery or issue-based (rather than specific to a Council action), discussing Council happenings more generally, and sharing what people are seeing and experiencing on the water. Some also commented on the value of social events and activities as a way to build relationships. The Council's practice of holding hospitality events was noted (as was the Mid-Atlantic's) though contributors felt that these events may not be a comfortable setting for all stakeholders to engage.
- Use of liaisons: Contributors felt that the structured Council meeting process should not necessarily be the only way to communicate and provide input. Many suggested utilizing liaisons, intermediaries, or other types of representatives to communicate with stakeholders, in roles ranging from neutral relationship-building and communication, to formally representing stakeholder positions, providing feedback, or participating in the advisory process. Some felt that increasing the use of liaisons could help improve the representation of diverse perspectives and regional interests in the Council process. Contributors specifically mentioned the need for dedicated NMFS staff member or liaison to the recreational fishing community.
- On-the-water engagement: Contributors noted the value of Council members, Council and NMFS staff, and advisors gaining additional on-the-water experience to help build relationships and improve their understanding of fishing operations; for example, by visiting to fishing docks or going out on trips. One suggestion was that advisory panel members could help facilitate this interaction.
- Email engagement: Contributors felt that there could be additional opportunities to facilitate engagement and interaction through email, surveys, and the Council's website.
- Industry engagement in science: Contributors emphasized the value of industry expertise and engagement throughout the process. Section 3.2 includes specific suggestions for improving industry engagement through interactions with Council bodies. An additional suggestion was to develop a collaborative process to address stock assessment questions, build relationships, and improve understanding of science.

- Other partners: Contributors noted other management partners and organizations that can help facilitate information-sharing, including Seagrant and the National Estuarine Research Reserve Program.

5. Science, data, and foundations

The scientific foundations of Council decision making were another strong focus of stakeholder feedback. Most of this feedback described a lack of confidence in science, with the exception of positive feedback on the scallop fishery. Contributors often recognized that their frustrations with science and stock assessments are outside the Council's purview, and may derive from the mandates of the Magnuson-Stevens Act, or pertain to responsibilities of the Northeast Fisheries Science Center (NEFSC). Contributors also emphasized that science is foundational to the management process and the decisions that directly impact stakeholders. Some contributors questioned the role that the Council could play in facilitating or advocating for improvements to science and stock assessments, and the extent to which the Council and NMFS coordinate to prioritize and address information needs. These ideas were posed as questions as well as suggestions.

Contributors noted that their frustrations with science, particularly related to stock assessments and relationships between scientists and industry, strongly influence their perception of the Council process. This section focuses on the feedback that intersects most closely with the Council process and terms of reference for the Program Review.

5.1 Quality and credibility of science

Most contributors described low confidence in the quality and credibility of science, particularly stock assessments. Feedback on science in support of the scallop fishery was highly positive and primarily discussed in the context of industry collaboration. Much of this feedback in this section focused on groundfish, though this was not always explicitly stated.

- Alignment with observations: Contributors felt that there is a disconnect between stock assessment outputs and stakeholders' on-the-water experience. Contributors perceived that some stocks, such as cod and yellowtail flounder, are more abundant than stock assessments and catch limits suggest and felt that there is no way for the industry to demonstrate and communicate their experience and observations.
- Management influences: Contributors expressed frustration that stock assessments are heavily dependent on catch information that they feel reflects regulations and does not provide an accurate picture of stock abundance or size and age structure. They emphasized that regulations dictate fishing behavior, including where, when, and how people fish; as well as the species fishermen are targeting or avoiding. Contributors emphasized that avoidance of choke stocks, particularly cod and yellowtail flounder, is a primary driver of fishing activity and makes catch and effort a poor indication of abundance.
- Outcomes: Contributors felt that science is not leading to positive outcomes. They described a disconnect between science, management actions, and outcomes that

perpetuates mistrust. Many referred to the unpredictable “roller coaster” ups and downs of stocks, such as Georges Bank cod and witch flounder. They felt that stakeholders abide by the rules without seeing benefits in terms of rebuilt resources and increased access; and moreover, that industry is unfairly viewed as responsible for poor biological outcomes.

- Perception of bias: Contributors felt that stock assessments can be manipulated and “tweaked,” for example to suggest lower estimates of biomass or support smaller increases in catch than might be justified. Some also commented specifically on a recent unscheduled stock assessment update for Gulf of Maine cod, which they felt was carried out in a way that was not transparent and at the expense of other stock assessment priorities.
- Industry experience. Contributors felt that while stakeholders have a vested interest in supporting good science and positive biological outcomes, there is no clear pathway for the industry to contribute experience, participate in cooperative research or provide research platforms (e.g. to support surveys), or provide technical expertise and observations. Many felt that while they are eager to contribute their experience, there is little interest or support in collaboration from NMFS, and lack of respect for the industry’s motives and desire to improve the science. Another observation was that managers and scientists do sometimes discuss observations or questions raised by industry, but there is no follow-through to communicate how this feedback was used, which is a missed opportunity to demonstrate that stakeholders’ observations are valued.
- Reliability of catch information: Contributors felt that catch and discard information is not reliable. Information about catch and discards is an important stock assessment input. Some felt that misreporting or non-reporting of discards is a common practice that undermines the quality of stock assessment inputs and outputs (“garbage in, garbage out.”). They recognized that accountability is a function of individual behavior, as well as a matter of the Council’s willingness to tackle this issue. In addition, some contributors felt that assumed discard rates are overestimated.
- Recreational data. Contributors felt that recreational catch and effort information generated through the Marine Recreational Information Program is not adequate or accurate. They also felt that recreational data is not communicated, explained or understood well throughout the Council process.

5.2 Other attributes of science

5.2.1 Timeliness

Contributors shared additional feedback on the timeliness of information, which influences the timing and timeliness of Council decisions.

- Data lags and feedback loops: Contributors pointed to a significant delay involved in gathering, processing and analyzing information, responding to data requests, and providing information for management purposes. They perceived that management decisions are often made in response to outdated information that does not reflect current conditions. The consequences can include impacts to stocks, for example caused by fishing too hard on a stock in decline; and impacts to fishermen in terms of missed opportunity.
- Response to new information: Contributors noted that new information can have unexpected negative consequences for stakeholders who need to make business planning decisions. They identified examples of times when an information delay or response to new information resulted in a change, such as a reduction quota or trip limits, undermined their ability to make a well-informed decision (e.g., quota leasing).
- Recreational data: Contributors emphasized the need for better alignment between recreational catch estimates, the start of the fishing year, and the timeline for developing recreational regulations. Many expressed their frustration with the delay in implementing recreational regulations for 2017, and stated that setting regulations late in the season makes it difficult for party/charter businesses to plan, make decisions, and communicate with their clientele.

5.2.2 New information and perspectives

Many contributors shared perceptions that NMFS is unwilling to consider new information sources and perspectives to advance and strengthen the science used to support management decisions. These perceptions relate to the point above regarding the industry's interest in sharing experience. Contributors pointed to a general need to utilize new information, technology, and platforms, and prepare for emerging challenges including climate and ecosystem change.

- Outside perspectives: Contributors felt that NMFS does not value and is not willing to consider new ideas, information sources, and independent outside perspectives. Contributors described perceptions of institutional reluctance and bias, defensiveness and protectiveness by individuals, and a disrespectful attitude toward outside perspectives.
- Information inputs: Contributors also felt that NMFS is resistant to incorporating new information sources, leveraging existing sources more effectively, and using research resources efficiently. Contributors mentioned catch per unit effort and vessel trip reports as underutilized information sources. They also felt that required at-sea observers could generate more information than just discard estimates, especially given the high cost of observer coverage. In addition, contributors mentioned examples of university-led collaborative research projects that the industry felt provided valuable

insight but were not incorporated. Contributors felt that the reasons for not using these information inputs are not well explained.

5.2.3 Collaboration and building relationships

Contributors emphasized that acknowledging the validity of stakeholders' concerns regarding science and stock assessments would help improve relationships. They felt that positive, proactive steps to support relationship building and collaboration can demonstrate that stakeholder input is valued and can make an impact.

Some contributors described successful examples of organizations and individuals supporting cooperative efforts to address specific issues, such as electronic monitoring, or to support the management of specific fisheries, particularly scallops. Stakeholders involved in the scallop fishery noted that the Research Set-Aside program enables the industry to support research, which in turn facilitates a sense of shared ownership of the science and agreement regarding the status of the resource. The benefits of the Research Set-Aside program are reinforced by strong working relationships between the Scallop Advisory Panel, Scallop Plan Development Team, and Scallop Committee, which enable the industry to play a role in identifying and addressing specific information needs. Some contributors felt that recreational stakeholders do not have access to the same opportunities that commercial stakeholders have to participate in cooperative research, for example through the use of Exempted Fishing Permits.

Contributors also commented that there are opportunities to leverage external funding opportunities and partners, including other agencies, to support research. They pointed to the need for effective feedback loop between management needs and priorities, funding opportunities, and research projects, as well as the need to ensure that there is a mechanism to bring useful information back into the management process.

Appendix: Survey Responses

This appendix includes responses to questions with pre-set fields (e.g., choose one or choose all that apply). The number of responses per question varies. Question numbers correspond to the numbering of questions in the survey. A copy of the full survey is available on the NEFMC Program Review website. Responses are rounded and may not add up to 100%. The distribution of survey responses is not indicative of the composition or perspectives of port meeting participants.

1. What is your role in New England fisheries? Please check all that apply. (115 responses)

Role	Responses
Commercial fisherman (captain, crew, etc.)	30%
Commercial fishing business owner (vessel owner, permit holder, etc.)	29%
Commercial shoreside industry (processor, dealer, port infrastructure, etc.)	9%
Recreational fisherman (private angler, client on charter vessel)	36%
Party/charter captain or crew	13%
Recreational shoreside industry (tackle shop, marina, etc.)	4%
Industry organization (association, cooperative, community group, etc.)	18%
Environmental non-governmental organization	6%
Other non-governmental organization	4%
Media	3%
State employee	6%
Federal employee	4%
Academic institution	11%
Interested member of the public	13%
Other (please specify)	9%

Respondents who selected “other” indicated that they are managers, students, retired, or involved in other roles related to the fishing industry.

2. What is your primary role in New England fisheries? (106 responses)

Role	Responses
Commercial fisherman (captain, crew, etc.)	16%
Commercial fishing business owner (vessel owner, permit holder, etc.)	14%
Commercial shoreside industry (processor, dealer, port infrastructure, etc.)	4%
Recreational fisherman (private angler, client on charter vessel)	21%
Party/charter captain or crew	6%
Recreational shoreside industry (tackle shop, marina, etc.)	2%
Industry organization (association, cooperative, community group, etc.)	6%
Environmental non-governmental organization	5%
Other non-governmental organization	3%
Media	3%
State employee	5%
Federal employee	3%
Academic institution	6%
Interested member of the public	4%
Other (please specify)	4%

Respondents who indicated “other” described past or current involvement in the management process. One identified a category that was not provided (party/charter owner/operator).

3. In which fisheries (fishery management plans) do you participate or are you involved? Please check all that apply. (106 responses)

Fishery Management Plan	Responses
Groundfish	80%
Herring	29%
Scallops	23%
Small mesh multispecies	25%
Monkfish	29%
Skates	25%
Spiny dogfish	26%
Red crab	6%
Habitat	28%
Atlantic salmon	3%
Other (please specify)	26%

Respondents who selected “other” indicated their interest in other species including tuna, striped bass, black sea bass, flounder, tilefish, bluefish, blackfish (tautog), squid, whiting, scup, lobster, shrimp, mahi, and wahoo. Some indicated that they do not actively fish or that they lease their quota.

4. In which geographic regions do you work or have an interest? Please check all that apply. (111 responses)

Region	Responses
Downeast Maine (Washington and Hancock Counties)	19%
Midcoast Maine (Waldo to Sagadahoc Counties)	22%
Southern Maine (Cumberland and York Counties)	23%
New Hampshire	22%
Northern and central Massachusetts (Plymouth and north)	52%
Cape Cod and Islands – Massachusetts	50%
Southern Massachusetts	39%
Rhode Island	28%
Connecticut	19%
New York	19%
New Jersey	23%
Delaware, Maryland, Virginia and south	14%
Other (please specify)	9%

Respondents who selected “other” indicated that they have interests in regions outside those listed, specified geographic areas of interest such as Georges Bank and the Gulf of Maine, or noted that they are interested in the entire New England region.

5. What is your age? (110 responses)

Age range	Responses
Under 20 years	0%
20-29 years	5%
30-39 years	13%
40-49 years	16%
50-59 years	26%
60-69 years	28%
70 years or above	12%

6. For how many years have you been participating in the Council process? (108 responses)

Length of participation	Responses
Less than 1 year	17%
1-2 years	3%
3-5 years	6%
5-10 years	15%
10-20 years	17%
More than 20 years	44%

7. How would you rate your understanding of the following laws under which the Council works? (91 responses)

	Understand well	Understand somewhat	Don't understand	Unsure
Magnuson-Stevens Fishery Conservation and Management Act (MSFCMA)	62%	34%	3%	0%
National Environmental Policy Act (NEPA)	35%	43%	17%	6%
Administrative Procedures Act (APA)	22%	47%	22%	8%
Marine Mammal Protection Act (MMPA)	43%	52%	2%	2%
Endangered Species Act (ESA)	47%	49%	5%	0%
Data Quality Act (DQA)	11%	44%	30%	15%

8. The Council uses a set of established pathways for taking different kinds of actions. How would you rate your understanding of the following processes? (88 responses)

Process	Understand well	Understand somewhat	Don't understand	Unsure
Fishery plan amendments	57%	35%	7%	1%
Fishery plan framework adjustments	55%	31%	13%	1%
Fishery plan specifications	50%	34%	14%	2%
Emergency actions	49%	38%	13%	1%

9. How would you rate your understanding of the roles and responsibilities of groups involved in the Council process? (89 responses)

Process	Understand well	Understand somewhat	Don't understand	Unsure
Council members	73%	20%	7%	0%
Council staff	69%	22%	7%	2%
Oversight committees (for each fishery management plan)	60%	27%	11%	1%
Other Council committees (e.g., Executive Committee, Research Steering Committee)	52%	36%	12%	0%
Plan Development Teams	58%	22%	18%	1%
Advisory Panels	63%	28%	9%	0%
Scientific and Statistical Committee	65%	22%	11%	1%
National Marine Fisheries Service (NMFS, NOAA Fisheries)	68%	26%	6%	0%

11. What information and resources have helped you learn about the Council's process? Please check all that apply. (85 responses)

Information/resource	Responses
Council website	59%
Attending Council meetings	74%
Conversations with Council members, Council staff, and/or others	66%
Industry organizations/associations	62%
NOAA Fisheries website	51%
Colleagues and friends	69%
Marine Resources Education Program (MREP) workshops	21%
State Sea Grant programs	14%

13. The Council uses the following communication methods to share information. Please rate how helpful they are at keeping you informed. (78 responses)

Communication method	Helpful	Somewhat helpful	Not helpful	Not applicable (don't receive)
Council website	57%	33%	5%	5%
Email lists	55%	33%	4%	8%
Paper notices through the mail	19%	39%	16%	26%
Janice's email announcements and news roundups	49%	20%	1%	29%
Press releases	45%	37%	12%	7%
Three Meeting Outlook	11%	35%	11%	42%
Council contributions to	15%	43%	21%	21%

trade publications				
Direct communication with Council members and staff	47%	22%	12%	18%

16. In addition to the Council’s direct communications with stakeholders, the following external resource are used to share information about the Council process. Please rate how helpful they are at keeping you informed. (77 responses)

Communication method	Helpful	Somewhat helpful	Not helpful	Not applicable (don’t receive)
Newspapers (online and print)	23%	42%	22%	13%
Trade publications	27%	53%	6%	13%
News feeds and online news digests	23%	48%	15%	15%
Blogs	9%	24%	34%	33%
Social media (e.g. Facebook, Twitter)	5%	23%	35%	37%
Newsletters, emails and announcements from industry associations and public interest organizations	34%	55%	3%	8%

17. What resources do you use to help you understand and follow a specific Council action of interest? Please check all that apply. (77 responses)

Resource	Responses
Fishery Management Plan (FMP) pages on the Council website	69%
Committee and/or Advisory Panel meeting summaries	74%
Scoping/public hearing documents and discussion documents	53%
Council staff presentations	57%
Other briefing materials	32%
Press releases	58%
Newsletters, emails, and announcements from industry associations and public interest organizations	6%
Other (please specify)	18%

Respondents who selected “other” indicated resources that include the Federal Register, specific trade publications, NMFS publications, correspondence to the Council provided in briefing books, journal articles, sign-on letters from scientists, colleagues or word of mouth, and on the water radio dialogue. Others indicated that they use multiple resources, that it depends on the issue, or that they don’t follow issues.

18. Do you find that Council documents relevant to your interests are easy to find? (77 responses)

Yes	45%
No	35%
Unsure	19%

19. How clear and understandable are the following Council documents and communications? (77 responses)

Documents/communications	Easy to understand	Somewhat easy to understand	Difficult to understand	NA/I don't read these
Council website	35%	47%	10%	8%
Council emails, press releases and paper mailings	53%	34%	5%	8%
Council documents related to actions on Fishery Management Plans (FMPs), e.g. discussion documents, framework adjustments, amendments	24%	47%	28%	1%
Committee and Advisory Panel meeting summaries	30%	43%	20%	7%
Council documents that are not FMP specific	16%	32%	34%	18%

21. How do you typically share input with the Council? Please check all that apply. (71 responses)

Method	Responses
Written comments	59%
Email comments	63%
Public comment opportunities at Council meetings	45%
Public comment opportunities at Committee meetings	37%
Public comment opportunities at Plan Development Team meetings	20%
Public comment opportunities at Advisory Panel meetings	34%
Public hearings (held in person or via webinar)	52%
Scoping hearings	30%
Participation in workshops (regional, issue and/or topic-based workshops)	39%
Through an organization representative (industry group, association, NGO)	46%
Informal conversations with Council members and/or Council staff	49%
Informal conversations with Advisory Panel and/or Plan Development Team members	45%
Other (please specify)	14%

Respondents who selected “other” indicated that they provide input to NOAA Fisheries’ Greater Atlantic Regional Fisheries Office, through friends, don’t provide input, or are directly involved in the management process.

23. When are you most likely to provide input to the Council? Please check all that apply. (70 responses)

Opportunities for input	Responses
A Council or Committee meeting is held near me	53%
A Council or Committee meeting is held during a time when I'm available to attend	47%
The Council is making a major decision	67%
The action will impact the fishery I'm involved in	67%
I feel strongly about the action	80%
I want to add weight to my organization or association's comments	37%
I feel my organization or association is not adequately representing my perspective	24%
I have specific concerns that the Council is not yet aware of	41%
Other (please specify)	10%

Respondents who selected "other" indicated that they provide input at certain types of meetings (e.g., PDT), that they don't provide input, identified a specific issue they provided input on, or described attributes of an action that would prompt them to provide input (e.g., they feel the consequences are not well understood).

25. Which statement best describes your current level of participation in the Council process? (70 responses)

Level of involvement	Responses
I would like to be more engaged	33%
I am satisfied with my current level of participation	53%
I would like to participate less	3%
Other (please specify)	11%

Respondents who selected "other" indicated that they don't have time to participate, or that they don't feel their input is meaningful.

26. If you would like to participate more than you currently do, what factors limit your level of participation in the Council process? Please check all that apply. (51 responses)

Factors	Responses
I don't know when or how to participate	4%
My input won't make a difference	43%
Participating in the process requires too much time	33%
I can't travel to attend meetings	25%
I am not able to follow what the Council is working on	12%
Other (please specify)	31%

"Other" responses are integrated into Section 4 of the summary, which focuses on stakeholder engagement.

28. Are you currently, or have you been in the last 5 years, a member of one of the Council’s Advisory Panels? (73 responses)

Yes	27%
No	73%

29. Please rate how effectively you feel the Council uses its Advisory Panels (non-AP members) (46 responses)

Effectiveness	Responses
Very effectively	9%
Somewhat effectively	26%
Neutral	15%
Somewhat ineffectively	17%
Very ineffectively	15%
Unsure	17%

31. Please rate how effectively you feel the Council uses its Advisory Panels. (Current or former AP members). (19 responses)

Effectiveness	Responses
Very effectively	11%
Somewhat effectively	37%
Neutral	5%
Somewhat ineffectively	32%
Very ineffectively	16%
Unsure	0%

33. Please rate your agreement with the following statements. (Current/former AP) (19 responses)

Statement	Agree strongly	Agree somewhat	Neutral	Disagree somewhat	Disagree strongly
Sufficient information is provided to support my AP’s discussion	32%	37%	11%	11%	11%
The timing of AP meetings is effective for providing input	21%	53%	5%	21%	0%
The structure of AP meetings is conducive to discussion	37%	42%	11%	5%	5%
The outcomes of AP meetings are clearly communicated to the Council	16%	53%	5%	21%	5%
AP meetings are accessible to interested members of the public (in person or via webinar)	32%	32%	11%	11%	16%