

# OTHER BUSINESS

**Discuss Executive Orders (EOs)  
related to reducing regulations**

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**NEFMC Habitat Committee  
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# Background

## **EO 13771 – Reducing Regulation and Controlling Regulatory Costs (“2 for 1 Executive Order”)**

- Goal: Eliminate two existing regulations for each new significant regulation that imposes costs. Desire to control regulatory costs on society.
- The new regulation must be significant – most fisheries regulations are not. Routine MSA actions are exempt (i.e. specifications).
- The regulations removed do not have to be significant.
- Total cost must be less than zero.

## **EO 13777 – Establishes task force at each agency to ensure implementation of EO 13771**

- Evaluating existing regulations for repeal or modification, seek input from affected entities.



# Background

- CCC presentation in May 2017.
- NMFS still working on how to address these EOs.
- Two for one trade applied at the Agency level – within DOC.
- Several existing regulatory review processes in place:
  - MSA/Council process routinely reviews regulations.
  - Some statutory requirements for periodic reviews (catch share/LAPPs, SBRM rule, allocation policy, etc.).
  - Council sets work priorities annually
- Currently there is no streamlined way to remove regulations; full MSA/NEPA/APA process still required.  
*process not expected to be fast.*



# Initial discussion

1. Get ideas from the public on evaluating existing regulations.
2. Council will keep track of these ideas and may consider addressing them in future actions.
3. Are there any habitat-related regulations that could be eliminated, improved, or streamlined?
4. Other committees will discuss the same topic; input will be forwarded to the Council.



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# MC Habitat Regulations

## Part D – Atlantic Sea Scallop

- §648.61 EFH closed areas
- **Subpart F – NE Multispecies and Monkfish Fisheries**
  - §648.81 NE multispecies closed areas and measures to protect EFH
  - §648.97 Closed areas (monkfish)

## Post OHA<sub>2</sub>

- Habitat closed area regs removed from §648.61 and §648.81
- Other aspects of §648.81 rewritten
- Subpart P added, includes HMAs, DHRAs, and coral areas

# Links

- EO 13771: <https://www.gpo.gov/fdsys/pkg/FR-2017-02-03/pdf/2017-02451.pdf>
- EO 13777: <https://www.gpo.gov/fdsys/pkg/FR-2017-03-01/pdf/2017-04107.pdf>
- OHA2 regulations deemed March 2017:  
<http://www.nefmc.org/library/omnibus-habitat-amendment-2> |