

GROUND FISH MANAGEMENT TEAM REPORT ON MAGNUSON-STEVENSON ACT REAUTHORIZATION

We have spoken to this issue in other statements ([Agenda Item H.1.c, Supplemental GMT Report, September 2013](#) and [Agenda Item B.4.c, Supplemental GMT Report, April 2013](#)). We support what we wrote in these earlier reports, but here we only re-emphasize a few points.

First, rebuilding is where we have seen important problems with the connection between the law, science, and analysis. We do not think changing the “short as possible” language to “short as practicable” would necessarily resolve these problems. The ideal fix would involve directly relating the law to the policy objectives that rebuilding is meant to achieve and better addressing the range of trade-offs that Congress wishes to allow the Councils to make (i.e. with flexibility in addressing the balance between yield in the short-term vs. yield in the long-term, ecological considerations, etc.). The uncertainty in rebuilding means that trade-offs cannot be weighed precisely and different attitudes toward risk will always leave rebuilding to policy judgment. Yet much of the problem we have seen arises in part from the science and the guidelines not directly linking to these trade-offs (e.g. how does the Guideline’s mean generation time approach provide an acceptable resolution of the trade-offs involved with rebuilding?). There are new studies available that may help craft such an amendment to the rebuilding law.¹ We expect Congress will be looking to these sources in its deliberations.

Rebuilding isn’t the only area we’ve seen differences between the science and interpretations of what the MSA allows. Most of these relate to overfishing and annual catch limits. Some on the team would recommend further attention to concepts like the mixed stock exception and “pretty good yield” and the matter of managing transboundary stocks. These issues frequently arise in our discussions and cause us problems with analysis.² Some of these issues might be addressed using the policy flexibility that the Councils have now. Others might take changes to law or serious consideration of the National Standard 1 Guidelines.

Lastly, as to item #12 in [Agenda Item I.2.a, Supplemental REVISED Attachment 2](#), we reiterate our comment that if the Council wants to recommend differentiating stocks that are at low abundance because of overfishing from those that are more driven by environmental factors, then we would choose a different word than “depleted” to describe the latter. Depleted implies that a stock was fished/exploited and so suggests the same thing as “overfished.” There are other words or phrases that could make this differentiation better. Yet as we pointed out before, the harvest policies for a stock at low abundance would not necessarily depend on how the stock got there. The groundfish harvest policies are rates that factor in the best estimate of current abundance and stock productivity. Some stocks, like sardine, may have environmental conditions more explicitly built into the harvest control rule.

¹ E.g., National Research Council. 2013. *Evaluating the Effectiveness of Fish Stock Rebuilding Plans in the United States*. The National Academies Press, Washington, D.C., 292 p.

² E.g., see discussion of “risk” in [Agenda Item H.4.b, GMT Report](#).