

FISHERY MANAGEMENT PLAN AMENDMENT 23 –  
ANNUAL CATCH LIMITS AND ACCOUNTABILITY MEASURES

The Magnuson-Stevens Fishery Conservation and Management Reauthorization Act of 2006 (MSRA) established several new fishery management provisions pertaining to National Standard 1 (NS1) of the Magnuson-Stevens Fishery Conservation and Management Act (MSA), which states, “Conservation and management measures shall prevent overfishing while achieving, on a continuing basis, the optimum yield (OY) from each fishery for the United States fishing industry.” On January 16, 2009, the National Marine Fisheries Service (NMFS) published a final rule in the Federal Register to implement the new MSRA requirements and amend the guidelines for NS1.

The MSRA and amended NMFS guidelines introduce new fishery management concepts including overfishing levels (OFLs), annual catch limits (ACLs), annual catch targets (ACTs), and accountability measures (AMs) that are designed to better account for scientific and management uncertainty and to prevent overfishing. One important change in the final guidelines is that ACTs are no longer mandatory, rather they are included as an optional accountability tool intended for the management of fisheries without inseason monitoring and harvest controls. These important aspects of the MSRA are required to be implemented by 2011 for most species and by 2010 for those species designated as being subject to overfishing. There are no groundfish species currently subject to overfishing, so 2011 is the implementation goal.

Precautionary harvest control rules exist for the actively managed species in the fishery management plan (FMP), control rules which provide a solid foundation for the implementation of new fishery management provisions such as the OFL and the ACL, which are analogous to the current definition of acceptable biological catch (ABC) and OY, respectively in the FMP. However, a new definition and control rules for specifying an ABC which, under the new NS1 guidelines, factors scientific uncertainty into the specification, will likely take considerably more thought.

The Council decided in April to proceed with Amendment 23 to incorporate these new NS1 guidelines in the FMP. The Council decided to pursue frameworking these guidelines in the FMP under an ambitious amendment schedule so as to reach finality at the November, 2009 Council meeting in order to synchronize with the biennial specifications process which starts at that meeting. The Scientific and Statistical Committee (SSC) provided a conceptual framework in April for factoring scientific uncertainty in the ABC rule for stocks with a history of multiple assessments. They recommended quantifying assessment variability as a basis for evaluating the size of a scientific uncertainty buffer (i.e., the difference in yield between the OFL and the ABC) and the risk of overfishing the stock. Further Council guidance in June for advancing Amendment 23 included tasking the GMT and Council staff to document the performance of the inseason groundfish catch monitoring and adjustment mechanism to evaluate the efficacy of these accountability measures. The SSC and Council staff will also coordinate development of alternative ABC control rules to synchronize with the 2011-12 biennial specifications process. Development of ABC control rules and ACL considerations for target and overfished species will be prioritized, with unassessed species as the next priority. The Council asked for ABC control rules that are based on relatively simple and understandable metrics.

The Groundfish Subcommittee of the SSC met on September 1 and 2 to further develop the conceptual framework for an ABC control rule. Their recommendations will be brought forward at this meeting to the full SSC and the Council.

Council staff and the GMT are also evaluating the efficacy of current catch monitoring tools to decide if these are adequate AMs to prevent overfishing. This evaluation and the GMT recommendations will be forthcoming in a supplemental GMT report under this agenda item.

Finally, there may be consideration for classifying some FMP species as Ecosystem Component species. According to the new NS1 guidelines, Ecosystem Component species do not require specification of reference points (i.e., OFLs, ABCs, and ACLs) but should be monitored to the extent that any new pertinent scientific information becomes available (e.g., catch trends, vulnerability, etc.) to determine changes in their status or their vulnerability to the fishery. For this classification, such species should: 1) be a non-target species or stock; 2) not be determined to be subject to overfishing, approaching overfished, or overfished; 3) not be likely to become subject to overfishing or overfished, according to the best available information, in the absence of conservation and management measures; and 4) not generally be retained for sale or personal use. There are a number of dwarf rockfish species that are largely unexploited and appear to meet the criteria for an Ecosystem Component classification (Agenda Item E.5.a, Attachment 1).

The Council should consider the new NS1 guidelines and consider the comments of Council advisory bodies and the public before providing guidance for further development of Amendment 23. Further, the Council should discuss and give guidance on a realistic schedule for reaching a final decision on this amendment package.

### **Council Action:**

#### **Provide guidance on further development of Amendment 23.**

#### Reference Materials:

1. Agenda Item E.5.a, Attachment 1: Table of west coast groundfish species that are candidate “ecosystem component” species.

#### Agenda Order:

- a. Agenda Item Overview
- b. Reports and Comments of Management Entities and Advisory Bodies
- c. Public Comment
- d. **Council Action:** Provide guidance on further development of Amendment 23.

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