



NOAA
FISHERIES

NOAA Fisheries Draft Guidance for Conducting 5/7 Year Reviews of Catch Share Programs

Updated Overview of Key Components
and Summary of Council Feedback

April 12, 2016

Guidance Document

The Office of Sustainable Fisheries at NOAA Fisheries Headquarters is finalizing a guidance document for 5/7 year reviews of catch share programs with input from the Council Coordination Committee (CCC)

This guidance identifies:

1. Key components of review process
2. A review document
3. Questions/issues to be addressed



Summary of Councils' Feedback

National Council Feedback

- Received from NEFMC, MAFMC, PFMC, NPFMC, GMFMC
- Guidance overly prescriptive and onerous
 - Should be tailored to individual programs- not determined at National Level
 - Should not be compared to NEPA analyses
 - Needs clarification of requirements in MSA vs recommendations for best practices
 - Analyses would require extensive time and resources (allocation, market control, etc.)
 - Analyses of historical participants is not practical (requires substantial effort for marginally informative results)

National Council Feedback

- Catch Share Programs vs LAPPs--Same Requirements?
- Consideration of Allocations
 - How does this relate to NOAA Fisheries and CCC allocation documents?
- Process and Timing
 - Review team should depend on program
 - Regional Administrator should be only NOAA Fisheries "approval"
 - MSA says "5 years after implementation" not "within 5 years of implementation"

Draft Guidance Overview

Timing of Reviews

Initial review: 5 years* after the program was established

Subsequent reviews: Coincide with Council or Secretarial review of the relevant FMP, but no less frequently than every 7 years.

**for programs implemented after January 12, 2007, 7 years for those implemented before*



Process

- Review Plan
 - Ideally outlined during development of Catch Share Program or soon thereafter
 - Council reviews draft plan before it is finalized, no later than one year prior to initiating review (when possible)
- Review Team
 - Council should consider representatives from the Council, Regional Office, Science Center, and Office of Law Enforcement
- Incorporate Existing Interim Reports
 - To the extent practicable, incorporate existing NMFS or Council annual reports to minimize workload

Process

1. Council review team responsible for compiling data, conducting analyses, and writing report
2. Review should include mechanism for public input, e.g. making drafts of report available to Council and advisory groups (e.g. SSC, Advisory Panels)
3. Council adopts finalized review for submission to NOAA
4. NOAA Fisheries reviews and approves final report

General Approach and Scope

- Determine if program meeting goals and objectives
- Describe and analyze changes that have taken place *since* the baseline time period (pre- implementation or implementation) or last review
- Incorporate by reference and summarize other relevant findings when possible
- Use standardized indicators when possible
- NOT a NEPA document

Analyses

Up to the Council to determine which issues require thorough analysis. For issues not analyzed in-depth, document reason.

- Goals and objectives
- Allocation
- Eligibility requirements
- Transferability
- ACL/quota performance
- Accumulation limits/caps
- Cost recovery
- Data collection
- Monitoring and enforcement
- Duration of program
- New entrants
- Auctions/royalties
- Fisheries, species, and gears

Allocation Policy

- NOAA Fisheries, in collaboration with the Council Coordination Committee, is finalizing an Allocation Policy that includes the need to identify appropriate review-triggers for all FMPs with explicit allocations
- If the 5-7 year review is identified as the trigger for a program, then the allocations should be reviewed
- If an alternative trigger is identified and the Council has determined that the trigger has not been met, an in-depth analysis of allocations is not necessary at that time/for the catch share program review

Guidance Development Timeline

Early May, 2016: updated draft reflecting Council input sent to CCC

May 25-26: overview/discussion of updated guidelines with CCC

June 2016: Discussion at all June Council meetings (as needed)

July 31, 2016: Comments/feedback from Councils to NOAA HQ.

NMFS finalizes the guidelines following this round of input.