

FIVE-YEAR REVIEW OF INTERSECTOR ALLOCATIONS

In considering the way forward on the review of intersector allocations it is useful to review the practices and factors to be considered in that process, as recommended in the relevant NMFS policy directive: 01-119-02, <http://www.nmfs.noaa.gov/op/pds/documents/01/119/01-119-02.pdf>. The following are the relevant topics covered in that directive.

Recommended Practices When Reviewing and Making Allocation Decisions

- a. Evaluate and Update Council and Fishery Management Plan (FMP) Objectives.
- b. Identify User Needs.
- c. Minimize Speculative Behavior.
- d. Plan for Future Conditions.

Factors to Consider When Reviewing and Making Allocation Decisions

“ . . . The list of factors is not all-inclusive, as there may be other appropriate factors to consider. . . .”

1. Ecological Factors

- a. What are expected ecological impacts on target species?
- b. What are the expected ecological impacts on other fisheries? What is the status of non-target species? What are the expected impacts on bycatch and bycatch mortality of both non-target species and protected species?
- c. What are the impacts on the marine ecosystem? What are the impacts on habitat? What are the impacts on the ecological community (e.g., relevant predator, prey, or competitive dynamics)?

2. Economic Factors

- a. Can economic efficiency be improved?
- b. What are the economic impacts of potential changes in allocation?

3. Social Factors

- a. Is an allocation fair and equitable?
- b. Are there disproportionate adverse effects on low income and/or minority groups?
- c. What is the importance of fishery resources to fishing communities?
 - i. What is the individual, local, and regional dependence and engagement in each sector?
 - ii. What is the community's vulnerability and adaptive capacity?
 - iii. Are there other social impacts?

4. Indicators of Performance and Change

- a. What are the trends in catch/landings?
- b. What is the status of fishery resources?
- c. Has the distribution of the species changed?
- d. What is the quality of information available for each sector or group?

Many of the factors listed for consideration have or are being addressed in recent Council related projects. For ecological factors, a number of the portions of Item 1 related to ecological impacts may be covered by results from the Atlantis model generated for Amendment 24. Portions related to habitat may be covered in the current EFH review process.

Some aspects of the economic factors are covered in Agenda Item F.6, Attachment 2, for example, in its identification of a possible systemic inefficiency created by the minimum 5 percent of the ACL allocated for the nontrawl fishery. Other information on the efficiency of each commercial sector might be available from the Economic Data Collection Program. The 01-119-02 policy guidance cover both reviewing and making allocation decisions. Based on this guidance, explanations provided during NMFS conference calls, and since the review does not entail a change in allocations, “economic impacts of potential changes in allocations” would not need to be considered as part of the review.

For social factors, whether the allocations are fair and equitable was considered when the initial allocations were made. This issue might be addressed by considering whether conditions have changed such that allocations that were previously determined to be fair and equitable no longer appear to be so. Similarly, questions of “disproportionate adverse effects on low income and/or minority groups” were addressed as part of the environmental justice determination required for every Secretarial rule making and the review might simply ask whether conditions have changed substantially enough to change that determination. The question of the importance of fishery resources to communities might be informed by work conducted for the California current integrated ecosystem assessment.

For indicators of performance and change, Agenda Item F.6, Attachment 2, covers trends in catch and landings and information on the status of the fishery resource might be drawn from recent stock assessments and biennial specifications. Information on the distribution of the stocks and the quality of information available for each sector or group might need to be compiled from the Northwest Fishery Science Center and the PacFIN and RccFIN data systems.

Moving Forward: The Council might request that Council and NMFS staff work together over the winter to compile as much of this readily available information as possible and necessary, within the constraints of other tasks, and report back in April on the degree to which they were able to address the relevant factors. At the same time, an assessment can be made of the additional resources required to move the review to completion. The Council could then consider further steps in April. At the end of the review process, the Council would decide whether to prioritize consideration of changes to intersector allocations.