

## **Framework for Determining that Fishery Management Decisions are Based on the Best Scientific Information Available**

Stock status determinations, fishing recommendations, and harvest specifications must be based on the best scientific information available (BSIA). The general framework outlined below describes a coordinated process by which BSIA is considered in each relevant management action, culminating in a final BSIA certification when NMFS approves council actions. There are differences in how each Region–Science Center–Council group follow this general framework, and there is a need for more clarity in how and when BSIA determinations are made and documented. Thus, each Region-Science Center-Council group should document how this framework is applied, including a general timeline and identification of roles for each partner. Text that is underlined denotes recommended changes that may be needed to improve clarity in the overall framework.

- 1) Draft stock assessment is prepared with the intention of providing technical information for one or more of the following aspects of fishery management:
  - a) Stock status relative to the overfishing status determination criteria (SDC);
  - b) Stock status relative to the overfished SDC;
  - c) Fishing recommendations (OFL and ABC) based on established harvest control rule;
  - d) Proposed revisions to SDC or harvest control rule.
- 2) Assessment is peer-reviewed according to a NS2 compliant process (e.g., SEDAR, SAW/SARC, STAR, WPSAR, or SSC) as described in the Federal Register (81 FR 54561; August 16, 2016).
  - a) Peer review evaluates entirety of the assessment and explicitly and separately considers whether the assessment provides a good scientific basis for the four aspects outlined in 1a-d.
  - b) At least one SSC member typically participates in a peer review to provide regional expertise, and in some cases, the SSC or other council committee conducts the peer review.
  - c) As appropriate, assessment authors revise and finalize the assessment based on peer review findings and recommendations.
- 3) NMFS Science Center documents that the assessment is complete, constitutes the BSIA, and is thus ready to be used for management considerations.<sup>1</sup>
- 4) NMFS and SSC steps:
  - a) NMFS makes a stock status determination based on peer-reviewed assessment<sup>2</sup> and within the decision memo certifies this decision is based on the BSIA.
    - i) NMFS may, but is not bound to, wait until after SSC deliberation on the assessment before making this determination.
    - ii) NMFS notifies the Council when a stock is subject to overfishing, overfished, or approaching an overfished condition.
  - b) The Council's SSC considers the final peer reviewed assessment and makes fishing recommendations (OFL and ABC) to their council after determining the information in the assessment meets the guidelines for BSIA. The SSC may also make recommendations regarding SDCs and aspects of stock status.

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<sup>1</sup> Current business practice is to record the assessment result in the NOAA Fisheries Species Information System when it reaches this stage of completion. This new step makes this transition more explicit

<sup>2</sup> Overfishing status determinations for some stocks are based on a comparison of catch to the OFL, and therefore are not directly based on the results of a stock assessment, although the OFL is typically based on a previous stock assessment.

- i) If an SSC disagrees with the findings or conclusions of a peer review, in whole or in part, the SSC must prepare a publicly available report outlining the areas of disagreement, and the rationale and information used by the SSC for making its determination. This report must be made publicly available.
  - ii) The SSC may wait until after NMFS has issued a change in status before making its ABC recommendation.
  - c) Coordination of NMFS status determinations and SSC harvest recommendations is dependent upon well-communicated assessment and peer review findings.
- 5) The Council develops harvest specifications, including annual catch limits (ACLs) that cannot exceed the ABC recommended by the SSC.
- 6) NMFS approves Council actions and certifies that actions are consistent with national standards and other provisions of the MSA (including NS2). This is therefore the final BSIA certification).
- a) If the Science Center has not already documented the suitability of the assessment results for management action at stage 3, then a memo from the Center to the Regional Office should occur at this final BSIA stage to document the finding.