

## NATIONAL STANDARDS 4, 8, 9 CONSIDERATIONS AND NATIONAL STANDARD 1 TECHNICAL GUIDANCE

Under this agenda item, the Pacific Fishery Management Council (Council) is scheduled to address an advanced notice of proposed rulemaking (ANPR) related to National Standards (NS) 4 (allocation), 8 (communities), and 9 (bycatch) of the Magnuson-Stevens Fishery Conservation and Management Act (MSA) (Agenda Item H.6, Attachment 1). For reference, NS Guidelines for NS 4, 8, and 9 are provided as Agenda Item H.6, Attachments 2, 3, and 4, respectively. The intent of the ANPR is to provide background on some of the specific issues under consideration, seek specific input, and provide a general opportunity for public comment. Also, under this agenda item the Council will address a draft technical guidance document related to NS 1 (Agenda Item H.6, Attachment 5).

National Marine Fisheries Service (NMFS) made a [presentation on the ANPR](#) under open comment at the June Council meeting. Recent fishery management challenges related to climate change and equity and environmental justice have led NMFS to seek comment on how NS 4, 8 and 9 guidelines might be changed to ensure they remain relevant and address these challenges. With respect to NS 9, the ANPR also mentions two other issues of concern: the practicability standard for minimizing bycatch and bycatch mortality and modifications that minimizes bycatch or bycatch mortality in a manner that is equitable across different fisheries and gear types; and waste reduction. The comment deadline is September 12, but NMFS has indicated that they will look forward to receiving a letter from the Council as soon as possible after the September meeting. If warranted, NMFS will begin drafting a proposed rule in the Fall of 2023.

NS 1 requires preventing overfishing while achieving, on a continuing basis, optimum yield, from managed U.S. fisheries. The prevention of overfishing requires evaluation of stock status, including a number of biological reference points and status determination criteria. The NS 1 Guidelines have been updated several times, but technical guidance for their implementation has not been updated since the late 1990s. Proposed changes would update technical guidance for biological reference points and stock status determinations.

### **Council Action:**

**Comment on the Advance Notice of Proposed Rulemaking and Revised National Standard 1 Technical Guidance, as Appropriate.**

### **Reference Materials:**

1. Agenda Item H.6, Attachment 1: ANPR for National Standard 4, 8, and 9 Guidelines.
2. Agenda Item H.6, Attachment 2: 50 CFR 600.325, National Standard 4—Allocations Guidelines.
3. Agenda Item H.6, Attachment 3: 50 CFR 600.345, National Standard 8—Communities Guidelines.
4. Agenda Item H.6, Attachment 4: 50 CFR 600.350, National Standard 9—Bycatch Guidelines.

5. Agenda Item H.6, Attachment 5: Technical Guidance for Estimating Status Determination Reference Points and their Proxies in Accordance with the National Standard 1 Guidelines **(Electronic Only)**.
6. If received, Public Comments are electronic only ([see e-portal](#)).

Agenda Order:

- H.6 National Standards 4, 8, 9 Considerations and National Standard 1  
Technical Guidance Jim Seger
- a. Reports and Comments of Management Entities and Advisory Bodies
  - b. Public Comment
  - c. Council Action: Comment on the Advance Notice of Proposed Rulemaking and Revised National Standard 1 Technical Guidance, as Appropriate

PFMC  
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