

FISHERY MANAGEMENT PLAN AMENDMENT 16 – ANNUAL CATCH LIMITS AND ACCOUNTABILITY MEASURES

The reauthorization of the Magnuson-Stevens Act (MSA) in 2007 established new requirements to end and prevent overfishing through the use of annual catch limits (ACLs) and accountability measures (AMs). The reauthorization also contained new requirements for the Scientific and Statistical Committee (SSC) to recommend acceptable biological catch (ABC) levels to the Council that account for scientific uncertainty. Federal fishery management plans (FMPs) must establish mechanisms for ACLs and AMs by 2010 for stocks subject to overfishing and by 2011 for all others, with the exception of stocks managed under an international agreement or stocks with a life cycle of approximately one year. On January 16, 2009, National Marine Fisheries Service published amended guidelines for National Standard 1 (NS1Gs) to provide guidance on how to comply with new provisions of the MSA (Agenda Item C.1.a, Attachment 1).

At its September 2009 meeting, the Council identified several issues to be considered in the amendment process including: stock classification, status determination criteria, ABC/ACL reference point framework, AMs, and *de minimis* fishery provisions. Since that time, the ad hoc salmon amendment committee (SAC) has met several times to develop alternatives for these issues and draft a report for Council consideration (Agenda Item C.1.b, SAC Report).

The SAC Report contains proposed alternatives for consideration by the Council. The alternatives are organized around five topics:

- 1) Classifying stocks in the FMP as in the fishery, out of the fishery, or ecosystem component (EC) stocks.
- 2) Applying the MSA international exception to specifying acceptable biological catch (ABC), annual catch limits (ACLs), and accountability measures (AMs) for stocks managed under the Pacific Salmon Treaty (PST).
- 3) Establishing objective and measurable status determination criteria (SDC) for all relevant stocks in the FMP.
- 4) Establishing a framework for application of OFL/ABC/ACL reference points.
- 5) Determining appropriate accountability measures necessary to prevent ACLs from being exceeded, and to mitigate any overages that may occur.
- 6) Establishing *de minimis* fishing provisions for stocks that don't have existing mechanisms absent an emergency rule when a conservation alert is triggered.

The SAC report will form the basis for an Environmental Assessment (EA) analyzing the alternatives and providing a record for the FMP amendment process. At this stage the report is not a complete draft EA, but should provide enough description and analysis to allow a substantive discussion of issues. Alternatives for stock classification, status determination criteria, and *de minimis* fisheries are sufficiently complete for the Council to consider guidance on the range of alternatives, and if appropriate, to identify preliminary preferred alternatives. The SAC has not completed an assessment of the alternatives for the OFL/ABC/ACL framework and associated AMs, and therefore has not determined if the alternatives are viable (i.e., meet the terms of the NS1Gs and are feasible to implement). These alternatives will require additional development and analysis before they will be ready for public review. However, the SAC has recommended some tentative alternatives, which should be discussed.

At this stage no alternatives have been definitively eliminated from further study, and additional alternatives for all the issues may be developed. However, the SAC has tentatively eliminated consideration of stock complexes (and associated indicator stocks) under the OFL/ABC/ACL framework. If the alternatives being considered are not feasible to implement or have other shortcomings, complex level management alternatives could be reconsidered.

The Council was tentatively scheduled to adopt alternatives for public review at the June 2010 meeting and take final action at the September 2010 meeting. However, because the SAC has not completed description and analysis of alternatives for all issues, the Council will need to consider revising the schedule for the amendment process. One option would be to delay adopting alternatives for public review until September 2010, and take final action in November 2010. Final action in November would allow the Council to implement the amendment during the preseason planning process, and should provide adequate time to complete the administrative process prior to the beginning of the next salmon regulation cycle on May 1, 2011.

Council Task:

1. **Provide guidance on development and selection of alternatives.**
2. **Consider schedule changes to adopting alternatives for public review and taking final action.**

Reference Materials:

1. Agenda Item C.1.a, Attachment 1: National Standard 1 Guidelines.
2. Agenda Item C.1.b, SAC Report: Progress Report on Alternatives for Pacific Coast Salmon Plan Amendment 16: Classifying Stocks, Revising Status Determination Criteria, Establishing Annual Catch Limits and Accountability Measures, and Establishing *De Minimis* Fishing Provisions.

Agenda Order:

- a. Agenda Item Overview
- b. Reports and Comments of Advisory Bodies and Management Entities
- c. Public Comment
- d. **Council Action:** Adopt Preliminary Alternative for Public Review

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05/26/10