



Agenda Item G.3.b
Supplemental NMFS Report
June 2012

National Standard 1 Guidelines

Office of Sustainable Fisheries
NOAA-Fisheries

National Standard 1

Conservation and management measures shall prevent overfishing while achieving, on a continuing basis, the optimum yield from each fishery for the United States fishing industry.



History of Addressing Overfishing

- ❖ 1976 – Magnuson Fishery Conservation and Management Act.
 - Established MSY, OY, and the 1st 7 National Standards.
- ❖ 1989 – *NS1 guidelines*.
 - Recommended the use of measurable definitions of overfishing.
- ❖ 1996 – Sustainable Fisheries Act.
 - Required measurable criteria for determining overfished status.
- ❖ 1998 – *NS1 guidelines revised to address SFA requirements*.
- ❖ 2007 – MSA Reauthorization.
 - Annual catch limits (ACLs) and accountability measures (AMs).
- ❖ 2009 – *NS1 guidelines revised to address MSRA requirements*.

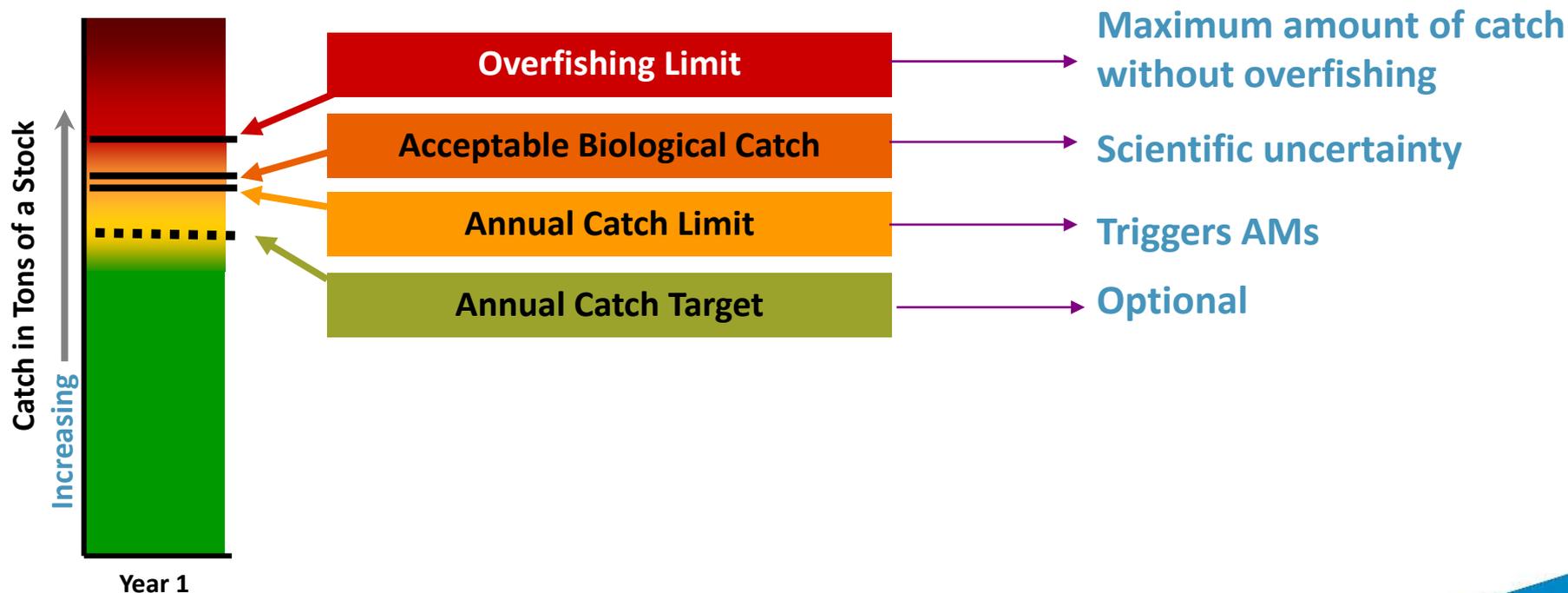
2009 NS1 Guideline Revisions

1. Implementing ACLs & AMs by 2010 and 2011.
2. Describing exceptions to the ACL & AM requirements.
3. Classifying which stocks are in need of conservation and management (i.e., “stocks in the fishery”).
4. Relationship among reference points (e.g., MSY, OY, etc.)
5. SSC’s role in setting ABC.
6. Describing the process of accounting for scientific and management uncertainty
7. Describing the timeframes for implementing rebuilding plans.



Definition Framework

$$\text{OFL} \geq \text{ABC} \geq \text{ACL}$$



ACL Implementation and Concerns

- ❖ Since 2007, NMFS and Councils have implemented ACLs and AMs for all FMPs.
- ❖ Time to look back and determine if there are things we can change to improve the guidelines.
- ❖ Understand there are concerns about the data requirements and flexibility of setting ACLs for some fisheries.
 - Stakeholder meetings and public meetings.
 - 3 Congressional hearing held in 2011.
 - Several Bills have been proposed to revise ACL, AM, and rebuilding provisions in MSA.
- ❖ May be possible to address some of these issues through regulatory or policy processes.



National Standard 1 ANPR

- ❖ Published an Advance Notice of Proposed Rulemaking (ANPR) on May 3, 2012.
 - 90 day comment period ends August 1, 2012.
- ❖ Provides an opportunity to engage the public and solicit comments on the various issues related to NS1.
- ❖ If revisions are made to the NS1 guidelines, it will be a long-term process.
- ❖ Focus on improving the guidelines, as opposed to adding requirements.
 - Thus, we do not anticipate that revisions will cause Councils to revise a significant number of FMPs.
- ❖ Other policy documents could address the issues too.



National Standard 1 ANPR Issues

1. Stocks in a fishery
2. Overfishing and multi-year impacts
3. ACLs and optimum yield
4. Mixed-stock fisheries and optimum yield
5. Scientific and management uncertainty
6. Data poor stocks
7. Acceptable biological catch control rules
8. Catch accounting
9. Accountability measures
10. ACL exceptions
11. Rebuilding progress

Summary

- ❖ We recognize that ACLs have been a significant change in many fisheries and a number of concerns have been raised by stakeholders and Congress.
- ❖ NMFS wants to be responsive to these concerns and believes that a public process of potentially revising the NS1 Guidelines is a good way to consider these issues.
- ❖ If revised, the revisions will focus on improving the clarity and flexibility of the guidelines.
- ❖ Technical guidance reports and policy directives are other alternatives we can consider, as opposed to NS1G revisions.

Potential Comments?

- ❖ Whether the guidelines should be revised at this time or continue to monitor implementation?
- ❖ Comments on specific issues (not limited to those listed), noting real experiences you've had in implementing ACLs and potential solutions.
- ❖ Are there issues that should be addressed, but through some other means such as Tech Memos or Policy Directives?

