

# Summary of Risk Policies

Presentation to the Risk Policy Working Group

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# Literature Review

- Search results indicated that not much evaluation work is available on the effectiveness of risk policies.
- Expanded the search to include international articles
- More literature focused on how to include risk factors in fisheries decision making and balance tradeoffs.

# Document Review and Meetings

- Reviewed relevant policies and regulatory documents for the regional fishery management councils
- Held meetings with the following staff:
  - North Pacific FMC - Diana Stram and David Witherell
  - South Atlantic FMC – Judd Curtis
  - Gulf of Mexico FMC – Ryan Rindone
  - Mid-Atlantic FMC - Brandon Muffley
  - Pacific FMC - John DeVore and Marlene Bellman
  - Western Pacific Regional FMC - Joshua DeMello and Matthew Seeley
  - Caribbean FMC – Graciela García-Moliner\*



# Background

- Sustainable Fisheries Act (1996) prompted some councils to adopt control rules in the late 90s.
- Magnuson-Stevens Reauthorization Act (2006) required ACLs, AMs, and other measures + NOAA revised National Standard 1.
- As a result, all councils implemented new or revised ABC control rules and risk policies in 2010-2011.
- Most councils have since updated their policies and several are in the process of revision.

# Context

- Risk policy is not formally defined in statute
  - Although NS1 implies a definition
- Some councils define risk policy similarly...
- Other councils consider their ABC or Harvest control rules as their risk policy
- Some councils have a more general risk policy
- Other councils have both control rules and a risk policy

**ONE SIZE DOES NOT FIT ALL!**



# ABC Control Rule – NS 1 (OY)

For stocks and stock complexes required to have an ABC, each Council must establish an ABC control rule that accounts for scientific uncertainty in the [overfishing limit] OFL and for the Council's risk policy, and that is based on a comprehensive analysis that shows how the control rule prevents overfishing. The Council's risk policy could be based on an acceptable probability (at least 50 percent) that catch equal to the stock's ABC will not result in overfishing, but other appropriate methods can be used. When determining the risk policy, Councils could consider the economic, social, and ecological trade-offs between being more or less risk averse. The Council's choice of a risk policy cannot result in an ABC that exceeds the OFL. The process of establishing an ABC control rule may involve science advisors or the peer review process established under Magnuson-Stevens Act section 302(g)(1)(E).

# Pacific FMC\*

- What: Groundfish FMP
  - Sigma-P\* - Determine the ABC buffer, using assessment categories 1-3 w/ time-varying sigma values for categories 1-2
  - Harvest Control Rules – Determine ACLs, if warranted
- When: 2015 (HCRs) and 2019 (sigma values)
- MSE: No
- SSC flexibility: Yes, only to reduce it
- Evaluated: Yes, in 2015 and 2018

\* For councils that do not have omnibus policies, one representative FMP was detailed and others were summarized.



# North Pacific FMC\*

- What: OFL Control Rule (Tier System)
  - Control rule – Risk tables (levels 1- 4) + Tiers 1-6 (assessment uncertainty)
  - Management policies – including a Harvest Specification Policies – ABC and TAC setting policy
- When: 1998
- MSE: No
- SSC flexibility: Yes, only to reduce it
- Evaluated: Ongoing, started in 2022 by the Joint Groundfish Plan Team and SSC

\*BSAI and GOA Groundfish were used as example FMPs.



# Western Pacific Regional FMC

- What: Tiered ABC Control Rule
  - Control rule – Tiers 1-5 + P\* (for Tiers 1-3 only)
  - ABC reduced to ACL using SEEM factors
  - Omnibus Amendment for the Western Pacific Region
- When: 2011
- MSE: No
- SSC flexibility: Yes, only to reduce it
- Evaluated: Not yet...

# South Atlantic FMC

- What: Comprehensive ABC Control Rule Amendment
  - Control rule – Category 1-4 + risk tolerance policy (P\*)
  - Applies to three FMPs: Dolphin-Wahoo, Golden crab, and Snapper Grouper
- When: In progress – Secretarial review (2023)
- MSE: No
- SSC flexibility: Yes, in either direction
- Evaluated: Yes, starting in 2016



# Mid-Atlantic FMC

- What: Omnibus ABC and Risk Policy Framework Adjustment
  - Control rule – 4 tiers and SSC evaluates 9 criterion
  - Risk policy – Specifies the acceptable level of risk ( $P^*$ )
- When: Revised in 2020
- MSE: Yes
- SSC flexibility: risk policy - No, control rule – Yes, in either direction
- Evaluated: Yes, starting in 2016 and resumed in 2019

# Gulf of Mexico FMC

- What: ABC Control Rule and ACL/ACT Control Rules
  - Generic ACL/AM Amendment – Red drum, reef fish, shrimp, coral and coral reefs FMP; Coastal migratory pelagics FMP; and Spiny lobster FMP
  - Control rule – Tiers 1-3 (assessment) + P\*
- When: 2012 (*currently being revised*)
- MSE: No
- SSC flexibility: Yes, in either direction
- Evaluated: Yes, in 2017 and restarted in 2022 with new Amendment in process



# Caribbean FMC

- What: ABC Control Rule
  - Control rule – Tiers 1-4 and three-step process
  - Three Island-based FMPs: Puerto Rico, St. Thomas/St. John and St. Croix, and USVI
- When: 2022
- MSE: No
- SSC flexibility: Yes, in either direction
- Evaluated: Yes, by ABC Control Rule Work Group starting in 2016



# Questions

