#6a

National Standard 1 Technical Guidance

Tom Nies

September 28, 2021

New England Fishery Management Council

Three NS1 Sub-Groups

- Subgroup 1: Reference points (Draft in progress)
- Subgroup 2: Carry-over and Phase-in (Complete)
- Subgroup 3: Data-Limited ACLs (Draft complete)

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Overview

- Title of draft: "Managing with ACLs for data-limited stocks in federal fishery management plans - Review and recommendations for implementing 50 CFR 600.310(h)(2) flexibilities for data limited stocks"
- This is a DRAFT document. Changes anticipated after this discussion.
- Goal today: Approve comment letter; comments due 10/2/2021.

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Background

- Challenges exist for data-limited fisheries
- Advances in data-limited assessment methods
- Extension of flexibilities in 50 CFR 600.310(h)(2) to data-limited stocks (2016)

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Overview of Draft Tech Memo

- Legal context of MSA and NS1 Guidelines
  - Statutory Requirements
  - NMFS guidance: Standard approach; flexibilities
- Data-limited Assessment Methods
  - Methods that support Standard ACLs
  - Recommendations and Considerations
  - Other methods that support MSA compliance
- Management: Guidance on use of (h)(2) flexibilities for data-limited stocks
  - Qualification: When flexibilities may be available
  - Potential alternative: ACL expressed in terms of rate
  - Stocks that qualify for (h)(2) but lack data for Rate-based ACL

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Legal context

Statutory Requirements

- FMP mechanism to specify “annual catch limit”
- That prevents overfishing
- Include Accountability Measures (AMs)

NS1 Guidelines

- Standard Approach to ACLs; expressed as amounts of fish (weight or number)
- (h)(2) Flexibilities (50 CFR 600.310(h)(2))
    - Council may recommend alternative approach
    - Must comply with MSA
    - Must be in FMP

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Data-Limited Assessment Methods: Progress

Advances in stock assessment methods for data-limited stocks are giving us new tools that:

-more effectively use the data that are available

-increase understanding of uncertainties

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Alternative Approaches: NS 1 Guidelines (h)(2)

- "limited circumstances that may not fit the standard approaches to specification of reference points"
- "include, among other things, …stocks for which *data are not available* either to set reference points… or to manage to reference points" (pursuant to standard approach)
- "Councils may propose alternative approaches for satisfying requirements of the Magnuson-Stevens Act"

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Qualification to apply (h)(2) for data-limited stocks

For stocks that lack data needed to specify, or manage with, ACL expressed as amount of fish

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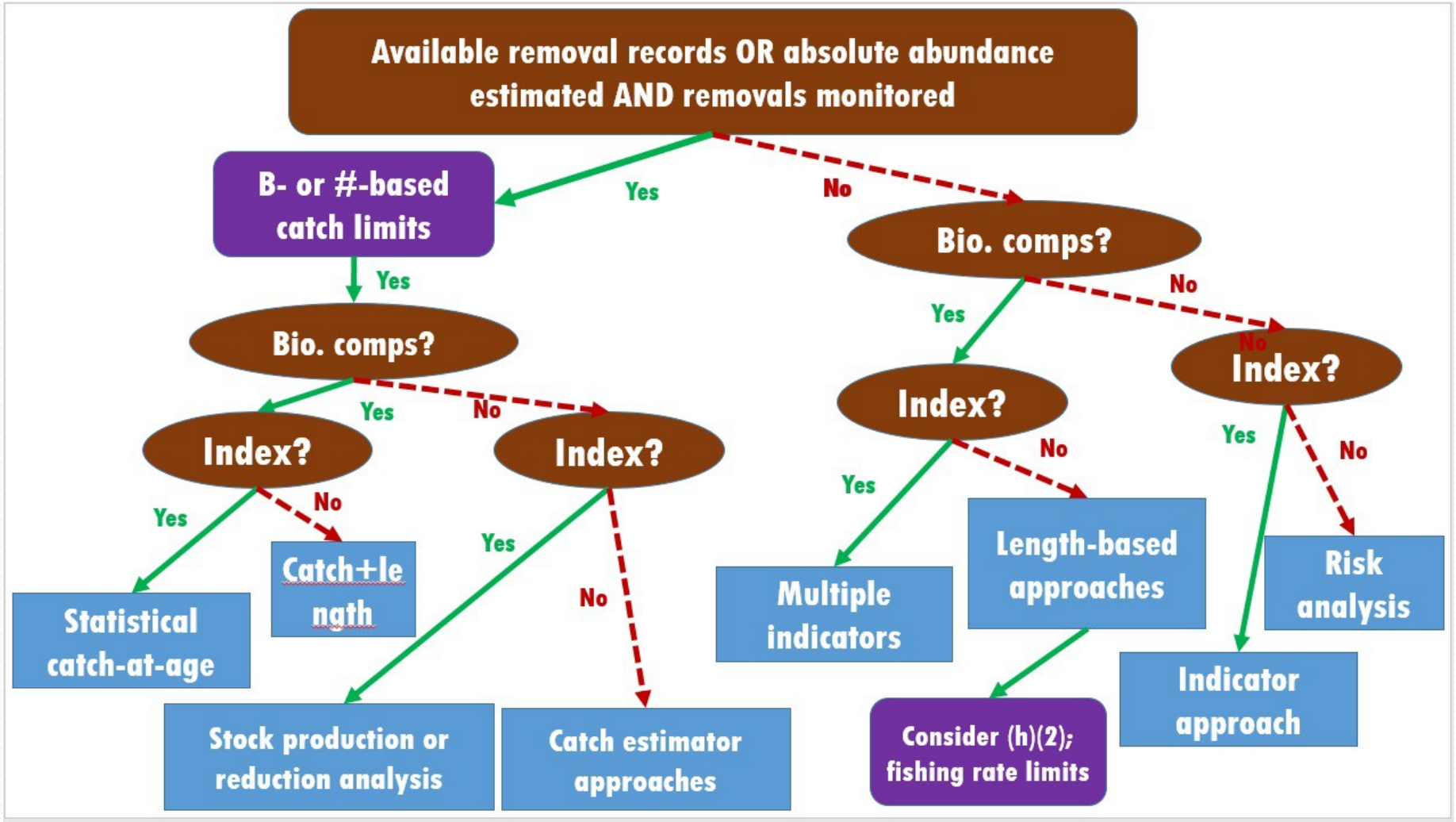
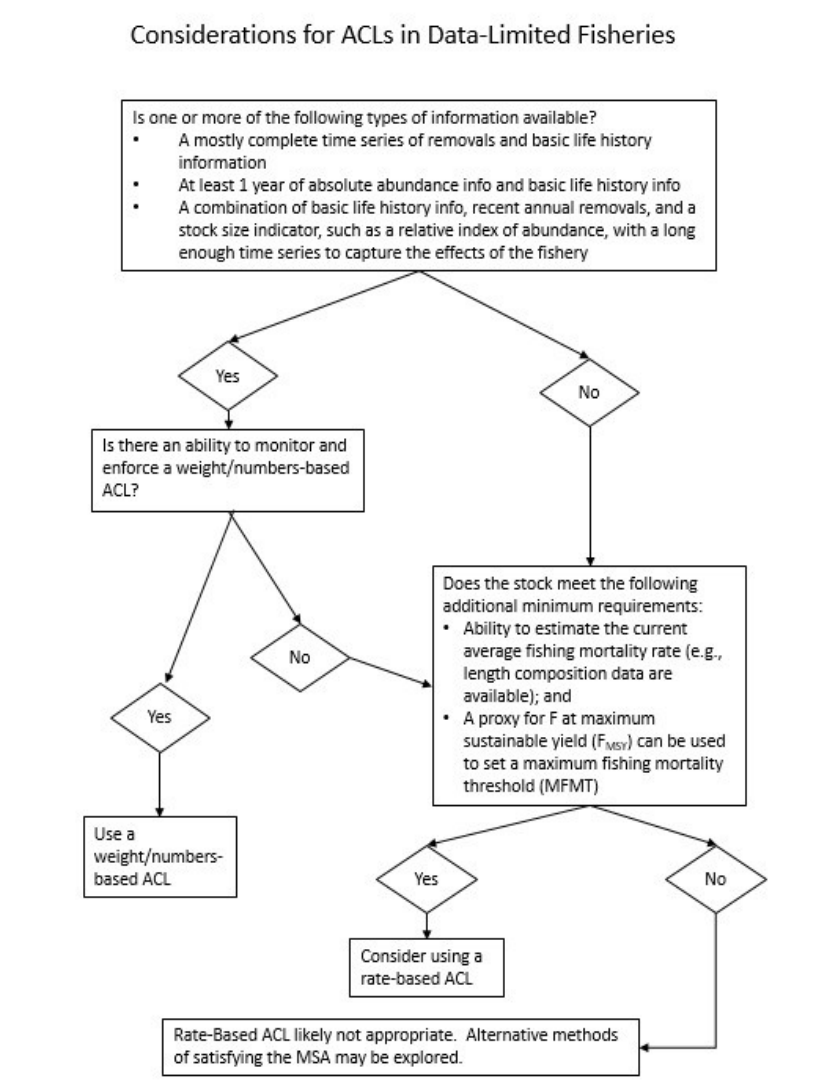
Data-Limited Assessment Methods



Overview



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Potential Alternative: ACL expressed as rate

- Stock Assessment provides F and MFMT
- ABC and ACL can be derived using buffers just as under the standard approach for ACLs, but expressed in terms of F rather than weight or number

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Managing with Indicators: Example

If there are length data, consider whether SSC can correlate indicators to these rates, and management controls can be designed to maintain stock within indicator range.

Hypothetically, this could look like:

- Mean length indicator of 9.4 inches corresponding to F_{OFL} (obtained via length-based assessment)
- Mean length indicator of 10 inches corresponding to F_{ABC} (selected by SSC)
- Mean length indicator of 10.2 inches corresponding to F_{ACL} (selected by Council)

- Management options: size limits, time/area closures, gear modifications

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Monitoring and Accountability Measures

- FMP must describe how monitoring would ensure compliance with MSA
- Potential Options: annually run the data-limited model to compare F to F_{ACL}; or monitor the indicator (e.g., lengths)
- Must include accountability measures

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Stocks that Qualify for (h)(2) but lack rate data

- Must comply with MSA using best scientific information available
- Consider whether a data-collection program to support movement towards rate-based ACL would be appropriate
- Goal: progress towards use of Standard ACL approach

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Council Concerns

- Data<>Information: focus should be on whether data provides useful information, not on whether it is collected
- Flow charts should be clarified
- Not a policy directive, should focus on technical issues

Questions?