

# Report of the NMFS National Standard 1 Guidelines Working Group



## Recommendations from the Working Group

# Overall WG Recommendations

- Should make selected revisions in order to clarify, simplify & amplify guidelines
- Major overhaul not required; will not require substantial lengthening of guidelines
- Most substantive changes recommended are to:
  - strengthen requirements for quickly ending overfishing, while increasing the flexibility of rebuilding periods. However, increased flexibility for rebuilding time horizons cannot be used to justify continued overfishing
- Grandfather Clause: option for retaining previously-approved rebuilding plans

# Determine Issues

1. Stocks, Fisheries and Species Assemblages
2. Fishing Mortality Thresholds
3. Stock Size Thresholds
4. Rebuilding Time Horizons
5. Rebuilding Targets
6. Revision of Rebuilding Plans
7. OY Control Rules
8. Terminology
9. Technical Issues
10. International Fisheries

# #1 Stocks, Fisheries and Species Assemblages

- **Problem:** 2/3 of the 900+ stocks are of “unknown” status
- **Recommended Solution:** Identify “core”stocks (key target species, historically-important target species, important by-catch species and highly vulnerable species, etc.) and group other stocks into “assemblages” related by geography, fisheries, life history.
- Manage core stocks based on stock-specific Status Determination Criteria (SDCs)
- Manage assemblages based on either overall SDCs, or SDCs for one or more core stocks included as a representative indicator for the assemblage.

## #2 Fishing Mortality Thresholds

- *Problem:* Overfishing still persists
- *Recommended Solution:* No change to the definition of MFMT, but stricter requirements for maintaining or reducing  $F$  below the MFMT (i.e., end overfishing as soon as possible). The level of fishing is under our control more so than the rate of stock rebuilding.

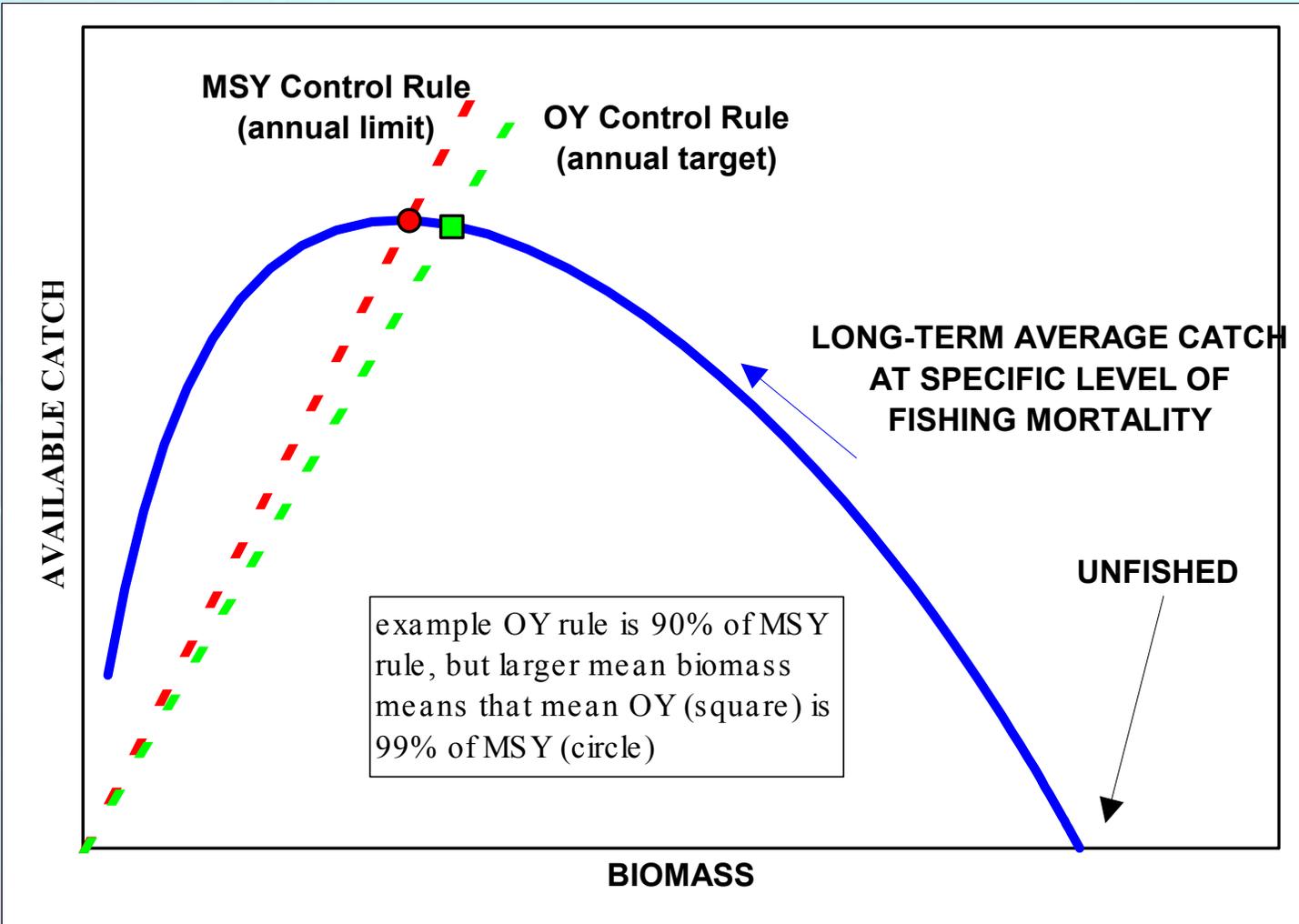
# #3 Stock Size Thresholds

- **Problem:** Contentious, complex
- **Recommended Solution:** Simplify default MSST value to  $\frac{1}{2} B_{MSY}$
- Use lower or higher values if justified based on the likely range of natural fluctuations in the size of a stock or assemblage that has not been subjected to overfishing.
- Exception for data-rich, intensively managed fisheries with conservative OY control rules
- Exception for extremely data poor fisheries

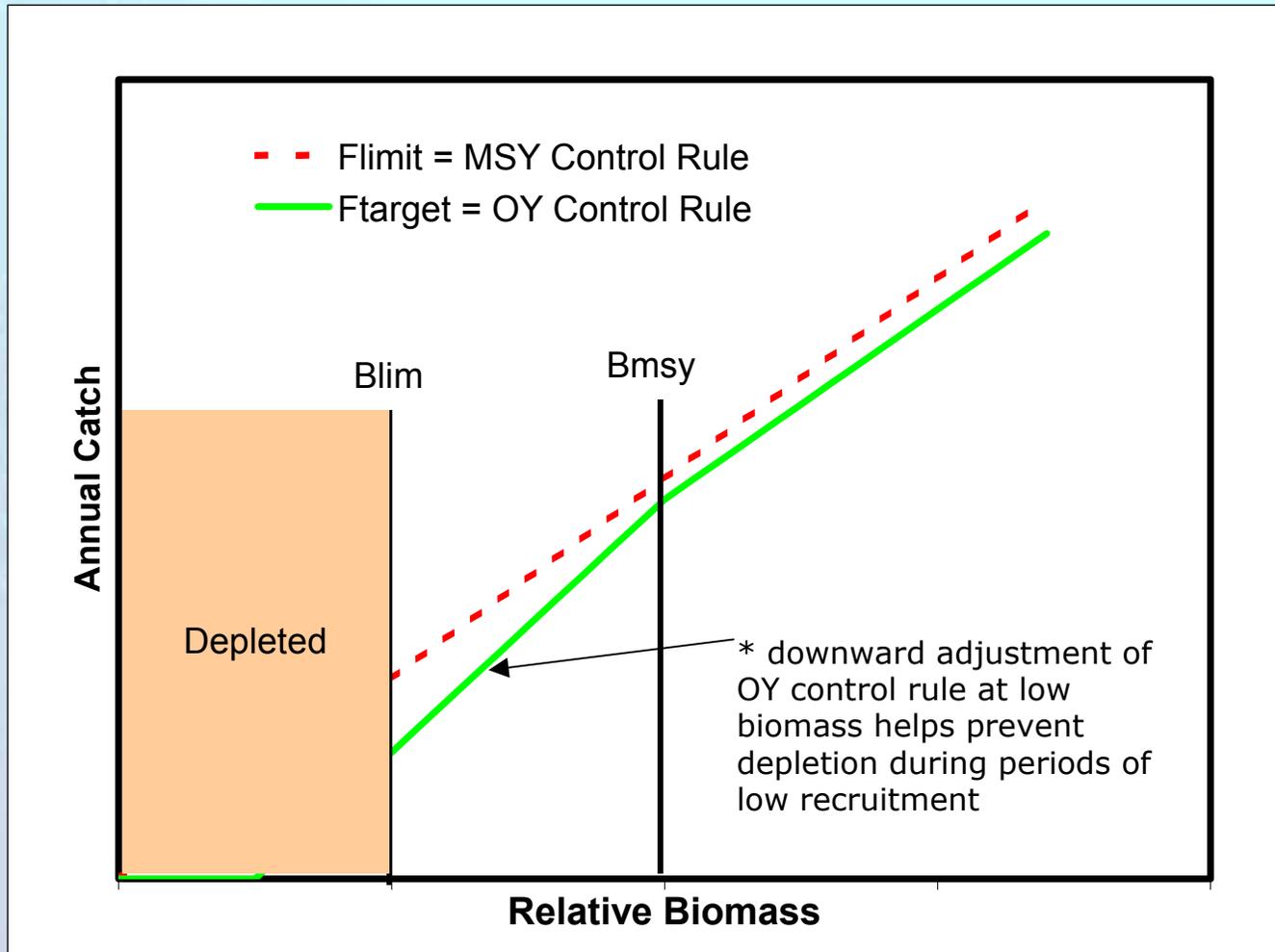
# #7 OY Control Rules

- **Problem:** Few FMPs have specified OY control rules
- **Recommended Solution:** The requirement to develop target control rules, in addition to limit control rules, should be strengthened
  - Change “may” to “must”
  - Targets should be achieved on average
  - OY control rules must satisfy certain specific conditions (e.g., must be below the MSY control rule over their entire range)

# CONTROL RULES



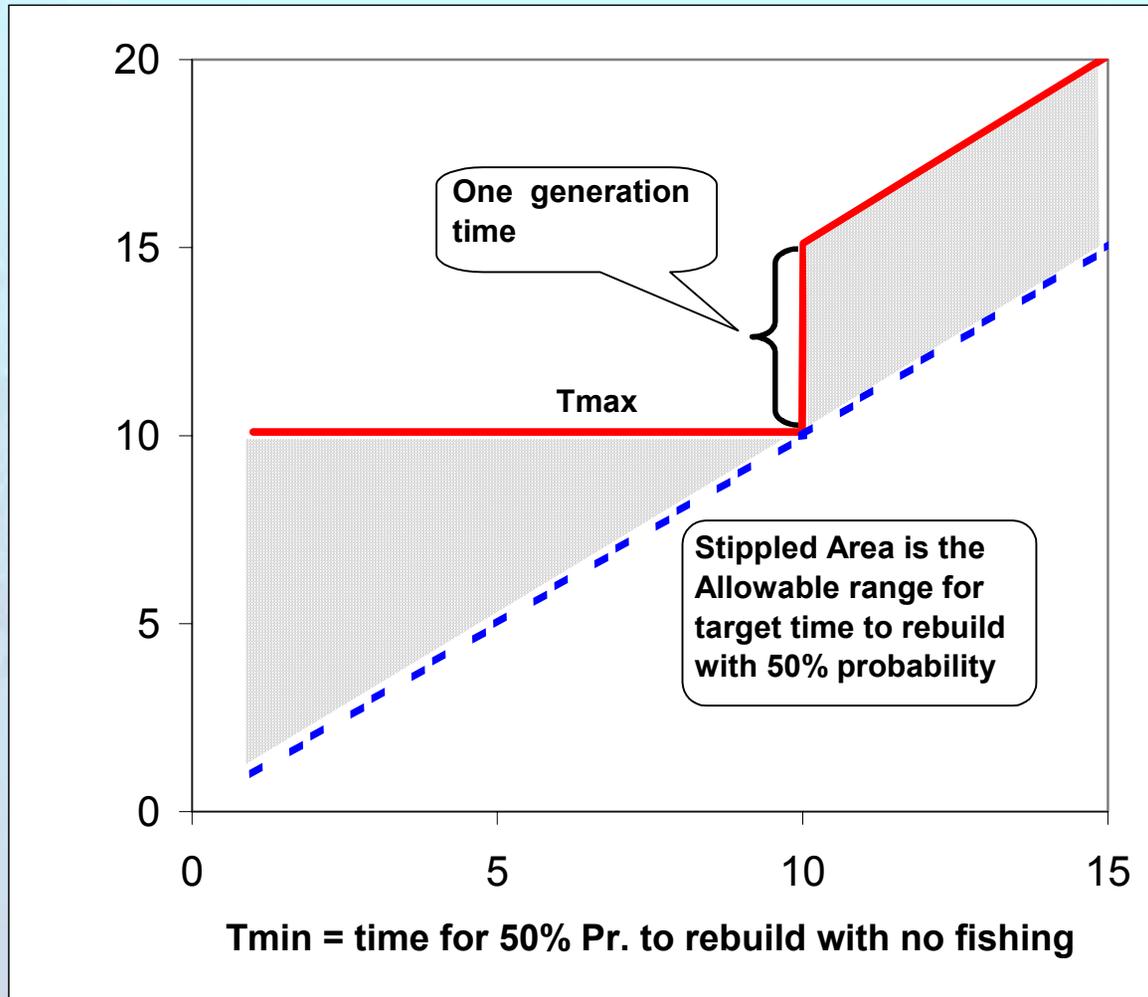
# CONTROL RULES



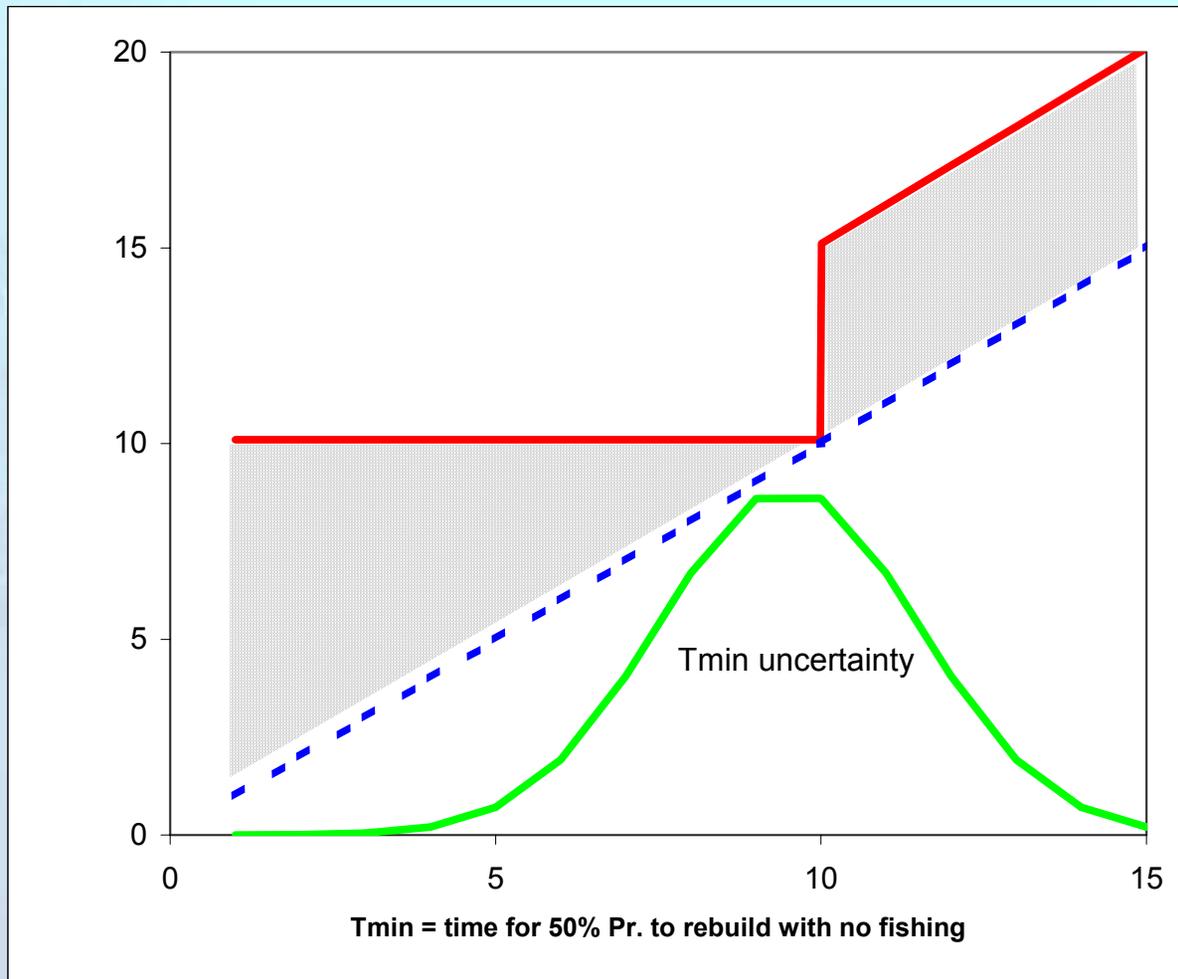
# #4 Rebuilding Time Horizons

- **Problem:** Discontinuity; inadequate recognition of biological constraints on scientific determination
- **Recommended Solution:** If  $T_{\min} + \text{one generation time}$  exceed 10 years,  $T_{\max} = T_{\min} + \text{one generation time}$ ; otherwise  $T_{\max} = 10$  years.
  - $T_{\min}$ : minimum rebuilding time (50% probability)
  - $T_{\max}$ : maximum permissible rebuilding time
  - Avoids current discontinuity
  - Consistent with MSA
  - Least change to existing definition & justification

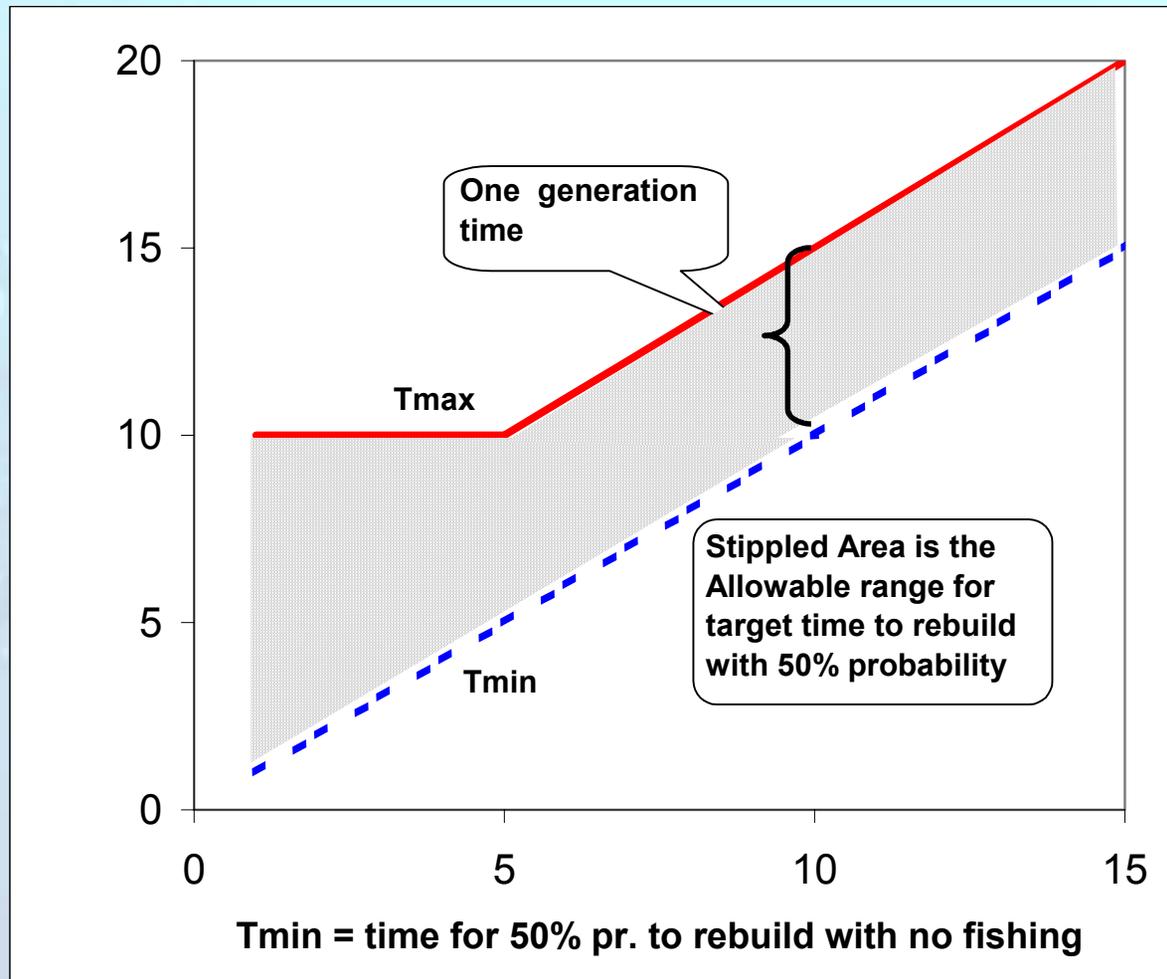
# REBUILDING - current



# REBUILDING - problem



# REBUILDING - proposed



# #5 Rebuilding Targets

- **Problem:**  $B_{MSY}$  target sometimes cannot be calculated
- **Recommended Solution:** When it is not possible to estimate MSST or  $B_{MSY}$ , it may be permissible to use fishing mortality proxies in certain situations
- Rebuilding fishing mortality below the MFMT that will result in a very low probability that the stock will decline further
- May be permissible to declare the stock to be rebuilt if fishing mortality has been below the MFMT for at least two generation times, but this is just following the OY control guidance

# #6 Revision of Rebuilding Plans

- **Problem:** Rebuilding occurs much faster or slower than initially predicted; new assessments result in major changes to estimates of relevant assessment outputs such as the rebuilding target
- **Recommended Solution:** Fishing mortality targets should be achieved on average
- Rebuilding plans should not be adjusted in response to each minor stock assessment update
- If rebuilding plans are to be adjusted, then it is possible in some circumstances to modify either the rebuilding fishing mortalities, or the time horizon, but not both\*\*
- Rebuilding must continue until the biomass target ( $B_{MSY}$ ) is met

# #6a Revision of Rebuilding Plans

- Rebuilding is faster than expected
  - stay the course and get rebuilt sooner
- Rebuilding is slower than expected
  - Initial  $T_{\text{target}} < T_{\text{max}}$ , so buffer to absorb some slowing
  - If F has been at or below rebuilding F
    - update plan with lower F and/or later  $T_{\text{target}}$
    - Lower F would better adhere to rebuilding ASAP
- New Assessment shows easier rebuilding
  - update plan with higher F and/or earlier  $T_{\text{target}}$ , but weigh any change against chance of opposite change in future
- New assessment shows harder rebuilding
  - If F has been at or below rebuilding F
    - update plan with lower F and/or later  $T_{\text{target}}$

# #8 Terminology

- **Problem 1:** “Thresholds” versus “Limits”
- “Limit” should be used to denote a reference level that should be avoided with high probability.
- **Recommended Solution:** Minimum stock size threshold (MSST) should be replaced with the term, biomass limit,  $B_{lim}$ )
- Maximum fishing mortality threshold (MFMT) should be replaced with the term, fishing mortality limit,  $F_{lim}$ ).

## #8 Terminology cont.

- *Problem 2:* “Overfished” versus “Depleted”
- If a stock has become depleted for reasons other than overfishing, it places an unfair onus on the fishing industry to refer to such a stock as “overfished”
- Stocks that have been substantially reduced in size need to have fishing mortality reduced or to be rebuilt regardless of the cause of depletion
- *Recommended Solution:* Use “depleted” in preference to “overfished” in almost all instances

## #9 Technical Issues

- *Problem:* Many technical details where further guidance could help
- *Recommended Solution:* Recommend formation of a permanent WG to address and produce recommendations on individual concerns as they arise.
- This group might have a somewhat fluid membership and would meet perhaps 1-3 times per year.

# #10 International Fisheries

- **Problem:** More clarification needed re HMS and straddling stocks
- **Recommended Solution:** Amend NS1 guidelines as they pertain to international HMS and straddling stocks in which the U.S. has an interest
  - Rely on international organizations to determine the stock status when these exist
  - If there is not a process for developing a rebuilding plan, use the MSA process or promote an international arrangement
  - Develop domestic regulations to implement international agreements

# Next Step

- Develop Proposed Rule on the Basis of the Working Group Recommendations - along with any other Relevant Considerations such as Legal Advice - & Solicit Public Input

