

National Policy and Rule-Making Updates

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Silver Spring, MD

Recently Completed:

- Fisheries Allocation Policy
- Final Rule implementing the 2010 Shark Conservation Act
- EBFM Policy

Still in Development:

- Draft EBFM Roadmap
- National Standard 1 Guidelines Final Rule
- Proposed Rule implementing the 2012 Billfish Conservation Act
- Standardize Bycatch Reporting Methodology Final Rule

Fisheries Allocation Policy



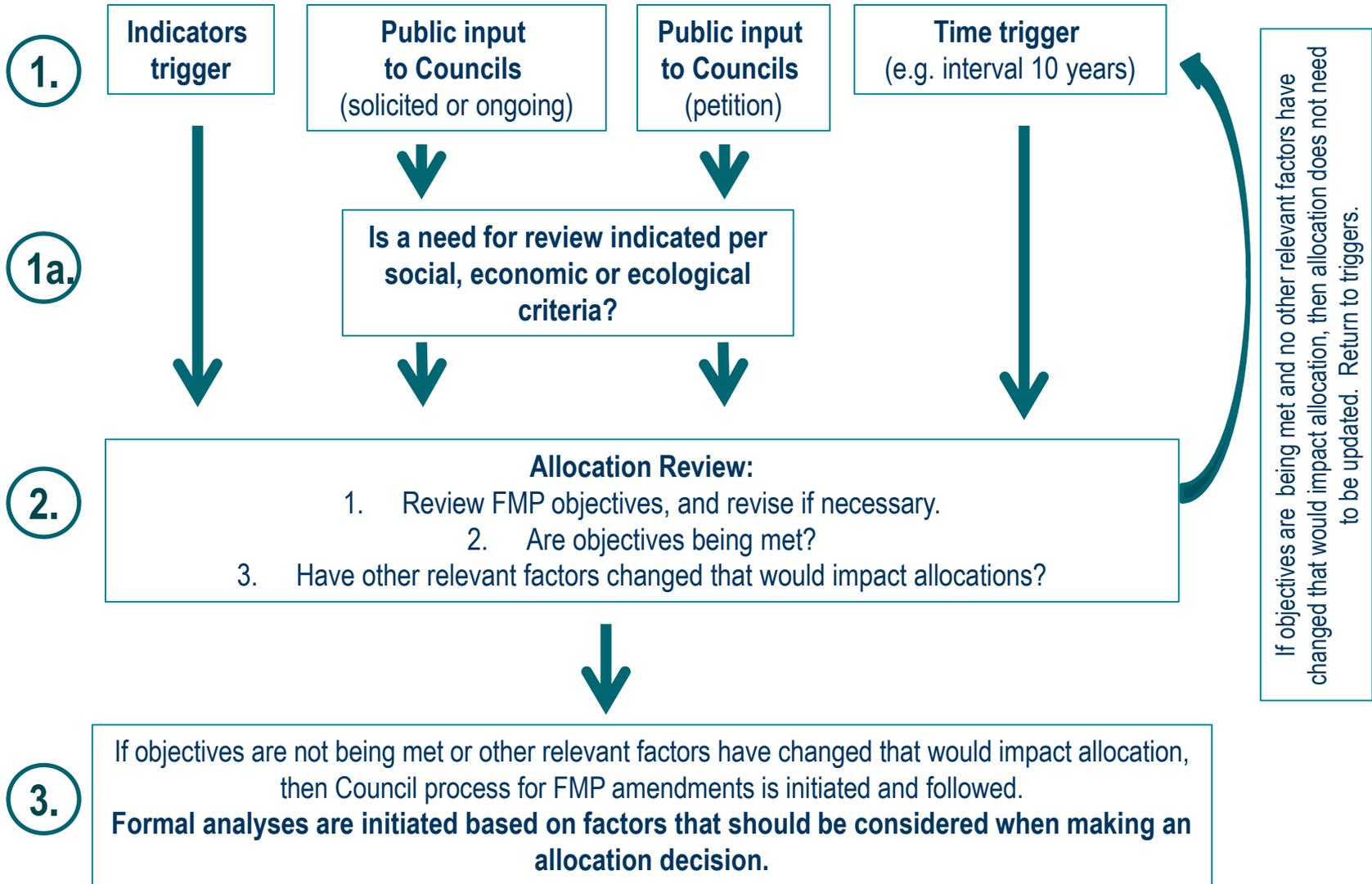
- Published July 27, 2016
- Creates a transparent process for assessing when an allocation may need to be reviewed and what should be considered
- Call for identification of trigger(s) for an allocation review within 3 years (for fisheries with an allocation)
- Triggers can be: public interest-based, time-based, or indicator based.

<http://www.fisheries.noaa.gov/sfa/management/allocation/index.html>

Steps in Adaptive Management of Allocations

CCC Procedure Directive
01-119-01

NMFS Procedure Directive
01-119-02



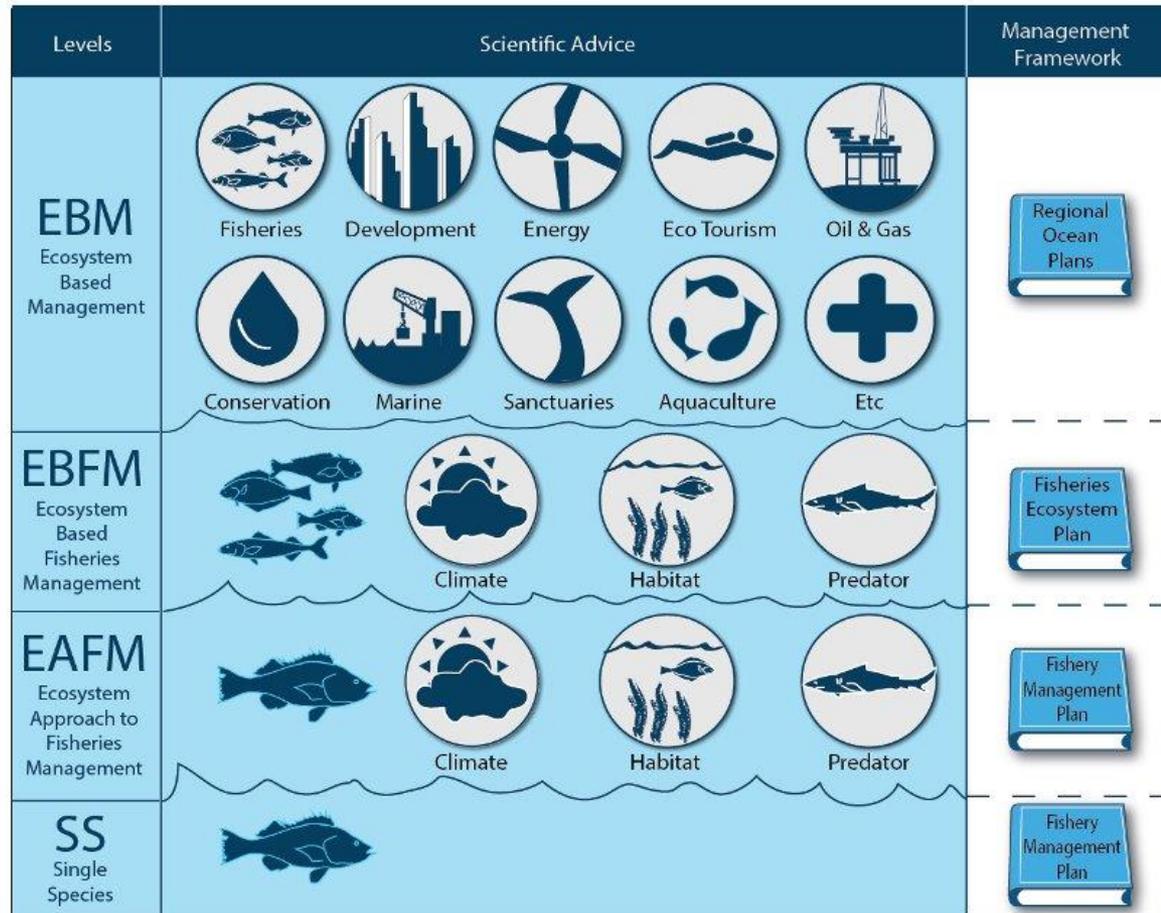
Final Rule for 2010 Shark Conservation Act

- Published final rule in June 29, 2016
- Implements domestic provisions of the SCA to prohibit the removal of shark fins at sea
- Was the last of three rule-makings related to the 2010 SCA
- Final rule does not contain any discussion of possible pre-emption of state shark fin laws.
- http://www.nmfs.noaa.gov/sfa/laws_policies/sca/

EBFM Final Policy

- Published May 20, 2016
- Provides a definition for EBFM
- Includes a policy statement asserting NMFS's support for the use of EBFM to improve decision-making
- Outlines six principles to further advance the agency and Council EBFM efforts
- Acknowledges existing and ongoing work by NMFS and the Councils

EBFM as part of a continuum



Draft EBFM Roadmap

- Open for public comment through October 15, 2016
- Guides implementation of the EBFM policy over the next five years
- Outlines actions to further the policy's 6 guiding principles
- <https://www.st.nmfs.noaa.gov/ecosystems/ebfm/creating-an-ebfm-management-policy>

National Standard 1 Guidelines Final Rule

- Published a proposed rule in January 2015 and received over 100,000 comments
- Addresses:
 - (A) prevent overfishing, and (B) achieve optimum yield.
 - OY is balancing economic and conservation goals in a way that yields the “greatest benefit to the nation.”
- Does not establish any new requirements to revise FMPs
- Final rule is under review at OMB

Proposed Rule Implementing the 2012 Billfish Conservation Act

- Prohibition on importing billfish into the United States went into effect upon enactment of the Billfish Conservation Act in 2012
- This proposed rule is meant to codify that law
- Proposed rule to implement the Billfish Conservation Act of 2012 is with OMB

Standardized Bycatch Reporting Methodology

Final Rule

- Published a proposed rule February 25, 2016
- Implements the standardized bycatch reporting methodology requirements per Section 303(a)(11) of the Magnuson Stevens Act.
- Working to review comments and finalize the rule
- http://www.fisheries.noaa.gov/sfa/fisheries_eco/bycatch/index.html