

National Standards and NS1 Guidelines

New Council Member Training

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Office of Sustainable Fisheries

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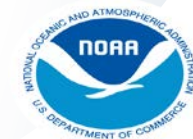


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Learning Objectives

- Describe guidance on which stocks are in need of conservation and management.
- Summarize the 10 National Standards.
- Describe the key principles of the National Standard 1 Guidelines.
- Locate additional resources.

Why is knowing the 10 National Standards important to you?



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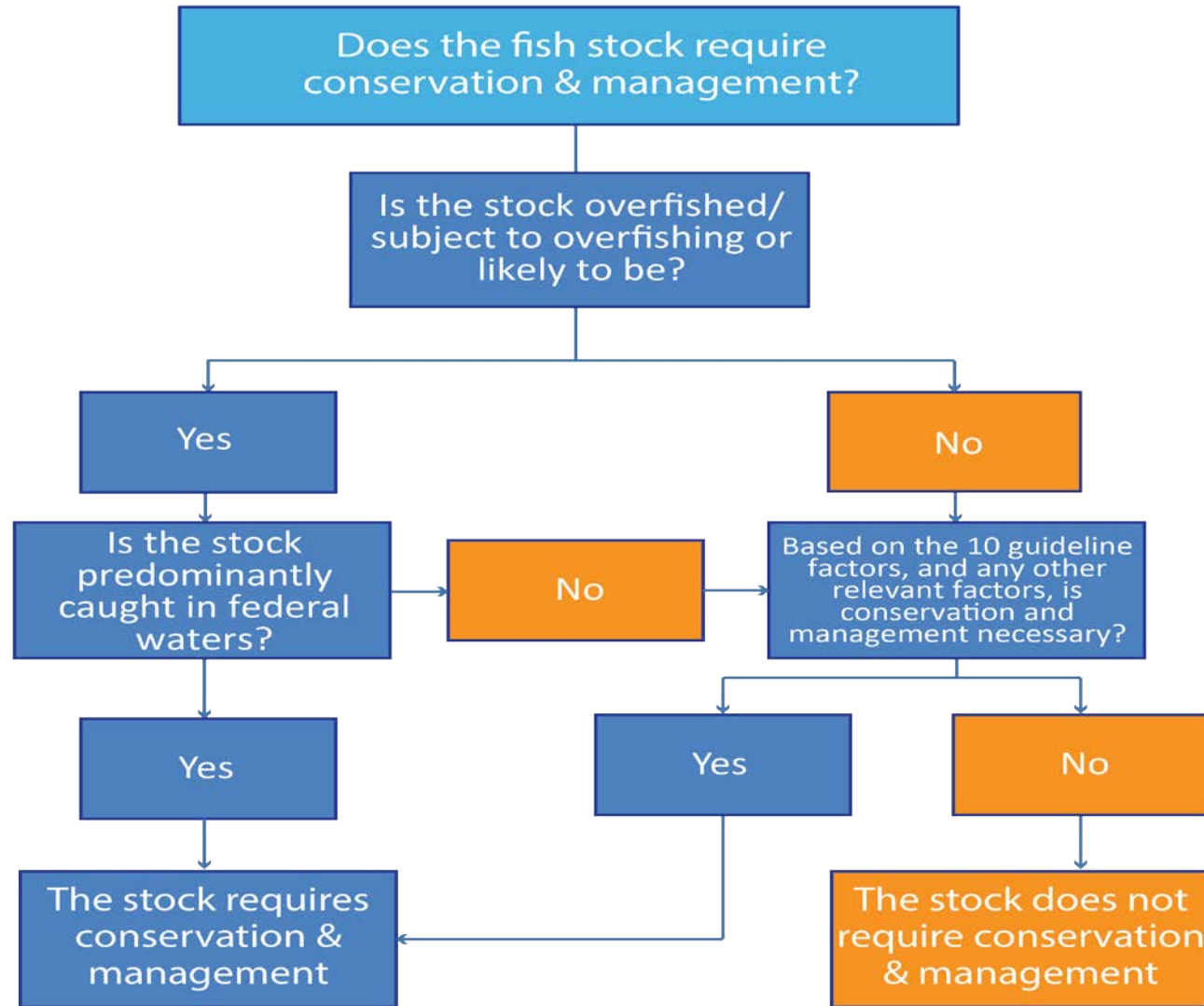
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Determining which stocks require federal management



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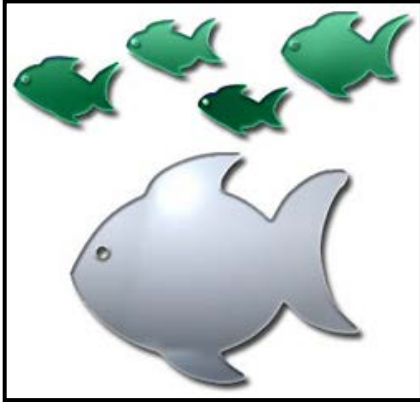
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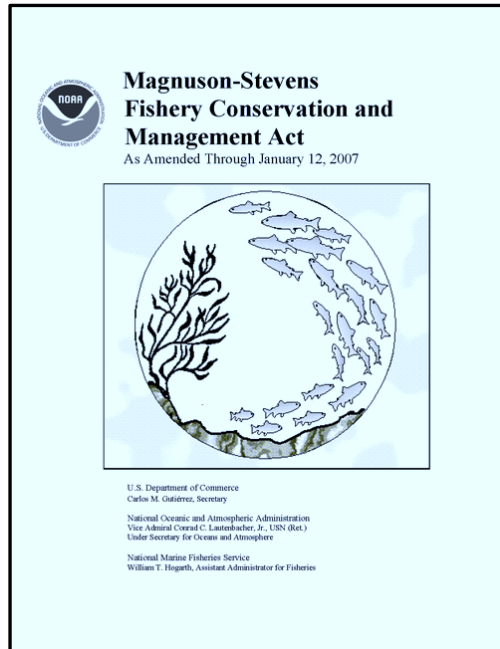
National Standards: 10 Policy Objectives



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10 National Standards

MSA Section 301(a)



Page 58-59

National Standard Guidelines (50 CFR 600)



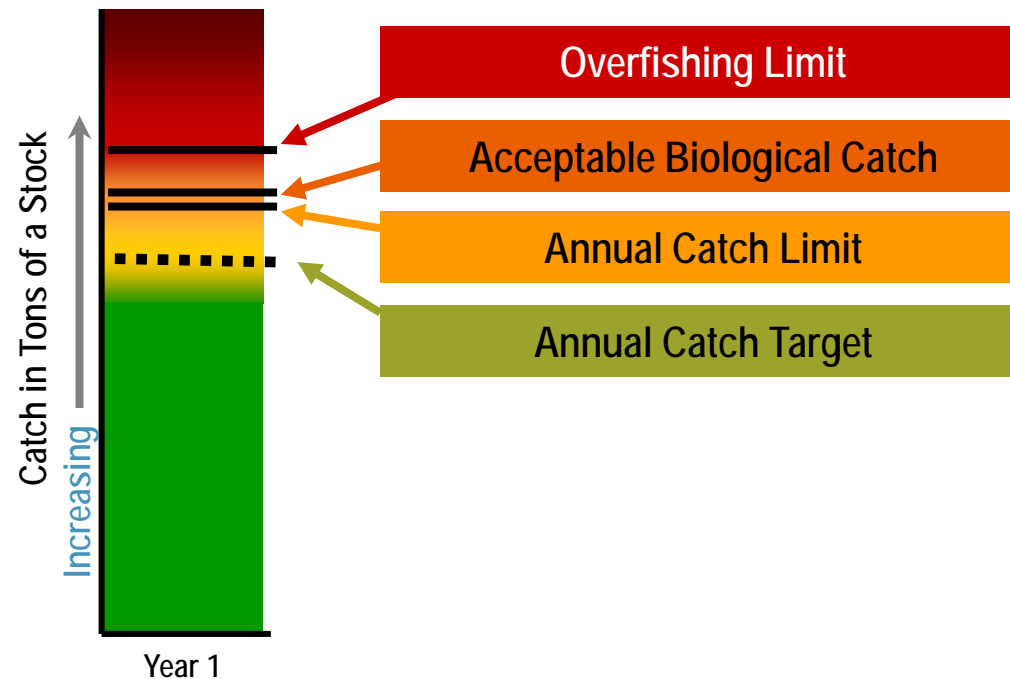
www.ecfr.gov

Case Law



National Standard 1 – Foundation of Management

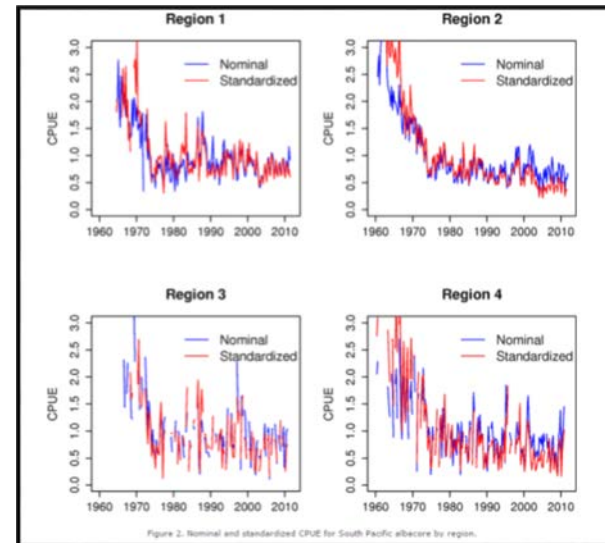
- Prevent Overfishing
- Achieve Optimum Yield (OY)



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National Standard 2

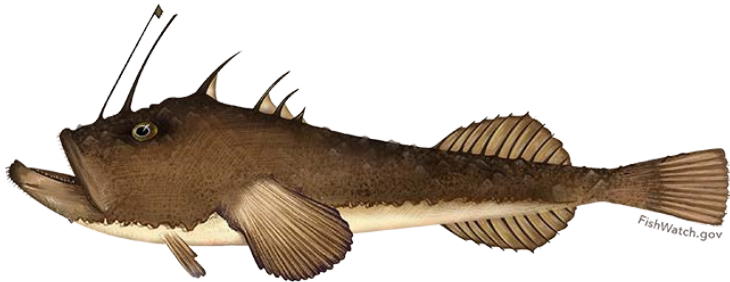
- Best scientific information available (BSIA)
- 7 criteria
- Peer review process
- Role of the Scientific and Statistical Committee (SSC)



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National Standard 3

- To the extent practicable, manage a stock as a unit throughout its range
- Coordinate across jurisdictions
- Identify management unit



National Standard 4

- Do not discriminate between residents of different states.
- Allocations must:
 - Be fair and equitable.
 - Promote conservation.
 - Prevent excessive shares of privileges.



National Standard 5

- Where practicable, consider efficiency in utilizing fishery resources.
- EXCEPT economic allocation may not be sole purpose.



Source: eZeePics Studio

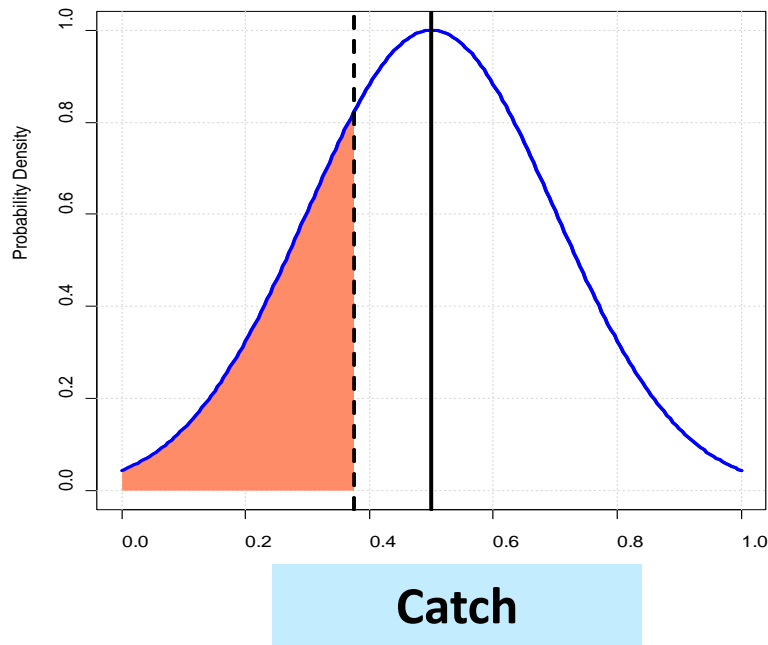


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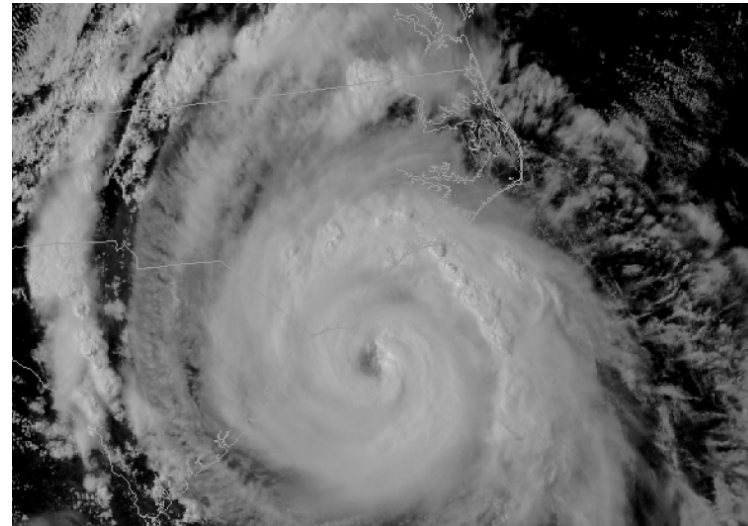
National Standard 6

- Take into account variations and contingencies.

Buffers to account for uncertainty



Flexible Management Regime



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National Standard 7

- Where practicable, minimize costs & avoid duplication.
- Evaluate costs and benefits of fishery regulation.



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National Standard 8

- Consider the importance of fishery resources to fishing communities to:
 - Provide for their sustained participation.
 - Minimize adverse economic impacts to the extent practicable.



National Standard 9

- To the extent practicable:
 - Minimize bycatch.
 - Minimize bycatch mortality.



National Standard 10

- To the extent practicable, promote safety at sea.
- Avoid risk.
- Consult with the USCG.



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Maximum Sustainable Yield (MSY) and Optimum Yield (OY)

- MSY – defined in NS1 guidelines.
 - Largest long-term average yield.
 - Under prevailing ecological conditions.
- OY – defined in MSA.
 - Provides the greatest benefit to the nation.
 - Based on MSY **as reduced by** economic, social, or ecological factors.
 - Provides for rebuilding.



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Status Determination Criteria (SDC)

- Overfishing:
 - $F > \text{maximum fishing mortality threshold (MFMT)}$
 - $\text{Catch} > \text{overfishing limit (OFL)}$
 - Multi-year approach can be used
- Overfished:
 - $B < \text{minimum stock size threshold (MSST)}$



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Ending Overfishing and Rebuilding Stocks

NMFS notifies Councils when a stock is subject to overfishing or is overfished.

Overfishing

- Ensure ABC is set appropriately.
- Reevaluate ACLs and AMs.

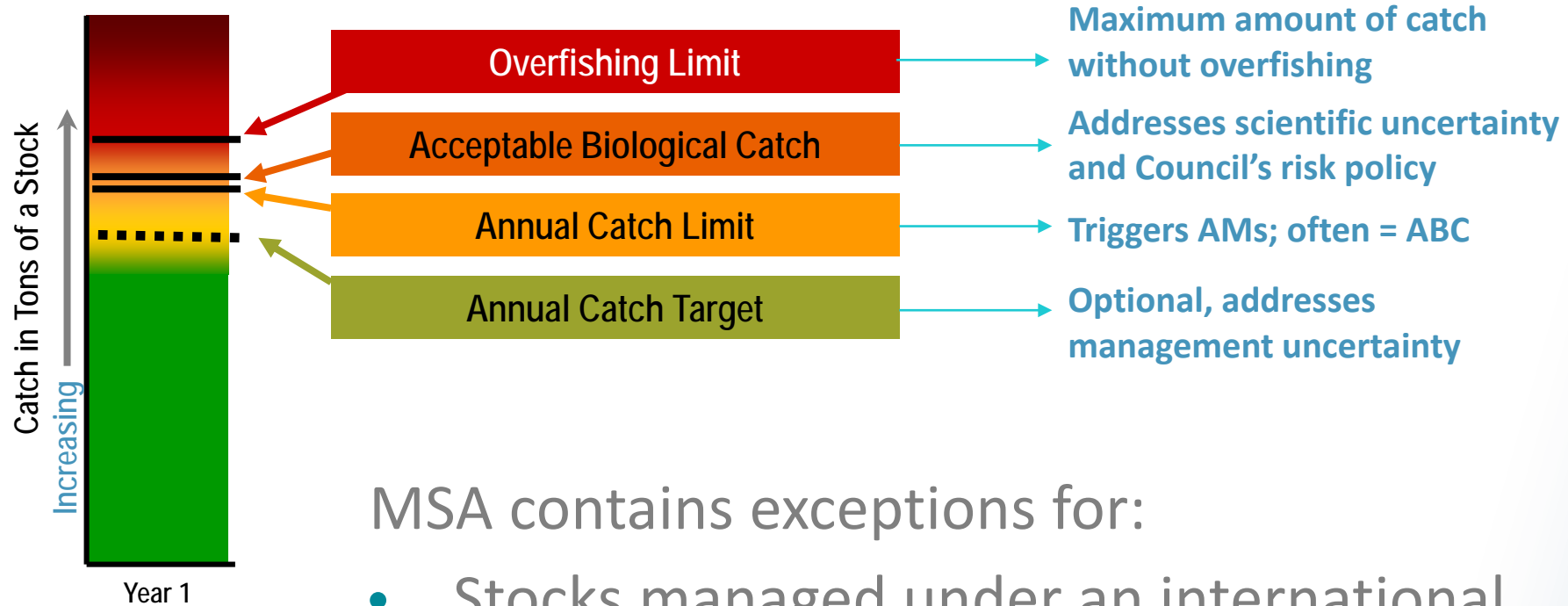
Overfished

- Implement a rebuilding plan within 2 years.
- Must rebuild in as short as time as possible.



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ACL Framework

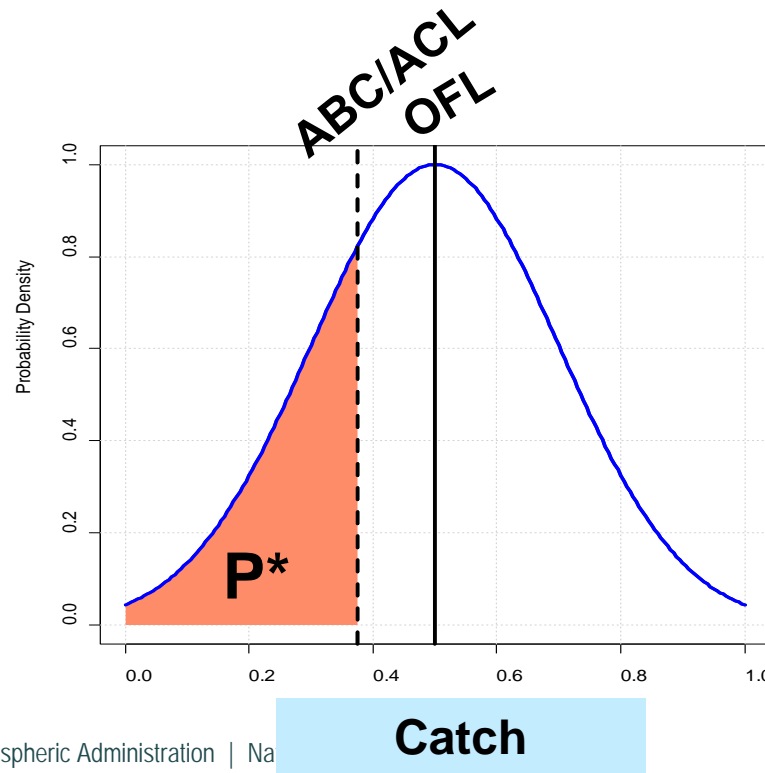


MSA contains exceptions for:

- Stocks managed under an international agreement.
- Stocks with annual life cycle, unless subject to overfishing.

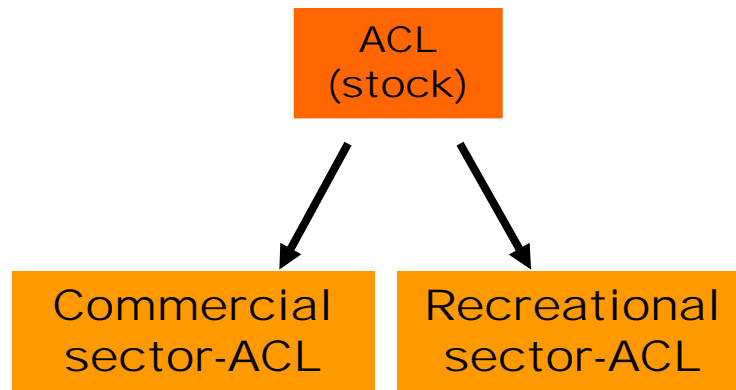
Setting Acceptable Biological Catch (ABC)

- Based on ABC Control Rule.
 - Accounts for scientific uncertainty in the OFL.
 - Council's risk policy.
- Can include phase-in and carry-over provisions.



Annual Catch Limits

- Set by the Council.
- Cannot exceed ABC.
- Can be divided into sector ACLs.



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Accountability Measures (AMs)

- Prevent ACLs from being exceeded.
- Correct or mitigate overages of the ACL if they occur.
- Two types:
 - Inseason AMs.
 - AMs for when the ACL is exceeded.

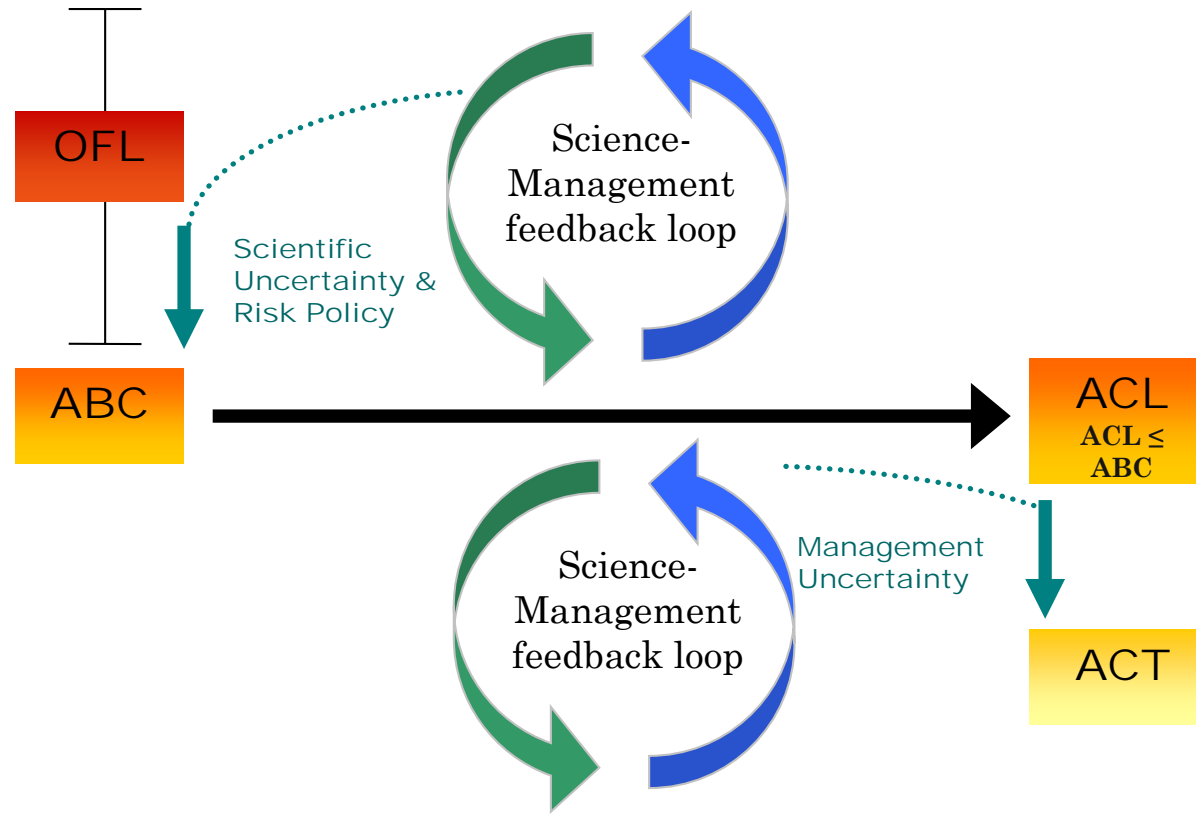


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Roles in Setting ACLs

Science Role

Council Role



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Case Law: NRDC vs. Daley

- Court held: The quota must have, at the very least, a 50% chance of attaining the target F.
- “Only in Superman Comics’ Bizarro World, where reality is turned upside down, could NMFS conclude that a measure that is at least four times as likely to fail as to succeed offers a ‘fairly high level of confidence.’”

NS1 Technical Guidance Workgroup

- Purpose: Develop technical guidance on NS1 guideline topics to support decision-making
- Divided into 3 subgroups
 - Subgroup 1: Reference points
 - Subgroup 2: Carry-over and Phase-in
 - Subgroup 3: Data limited stocks



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Summary

- National Standards establish competing policy objectives that must be balanced and addressed in fishery management actions.
- NS guidelines are tools.
- Technical guidance.
- Further questions – ask your Regional Office staff.



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Questions?



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ABC
ACL
ACT
AM
MFMT
MSST
MSY
OFL
OY
SDC

	Acronym	Definition
1.		The level of fishing mortality above which overfishing is occurring.
2.		Largest long-term average catch or yield that can be taken from a stock or stock complex under prevailing ecological, environmental conditions and fishery technological characteristics, and the distribution of catch among the fleets.
3.		The level of catch that serves as the basis for invoking accountability measures.
4.		The level of catch that is the management target of the fishery, and accounts for management uncertainty.
5.		The level of catch that accounts for scientific uncertainty and the Council's risk policy.
6.		The level of biomass below which the capacity of the stock to produce the maximum sustainable yield on a continuing basis has been jeopardized.
7.		Measurable and objective factors that are used to determine if overfishing has occurred, or if a stock is overfished.
8.		Management controls to prevent annual catch limits from being exceeded, and to correct or mitigate overages if they do occur.
9.		The level of catch above which overfishing is occurring.
10.		Amount of fish that will provide the greatest overall benefit to the Nation.

