

Sustainable Fisheries Committee Report
January 28, 2019
Mr. Dale Diaz, Chair

The Committee adopted the agenda and approved the minutes.

Presentation: Update on Deepwater Horizon Open Ocean Restoration Planning

Mr. Fraga presented information on the Saltonstall-Kennedy (S-K) Grant Program. Committee members requested information on how studies are funded, if the proportion of funds generated in a specific region were used for studies in that region, and how much discretion the chair of the selection committee has in determining which studies are funded. Staff noted that there is a link to the studies that were funded in the past.

Draft: Replacement of Historical Captain Permits with Standard Federal For-Hire Permit

Staff presented a revised document considering the replacement of reef fish and CMP historical captain permits with standard federal for-hire permits. Staff noted that, as directed by the Council, only historical captain permits issued prior to the October 2018 meeting would be eligible for replacement with standard permits. Outstanding letters of eligibility will be invalid as of the implementation date of this action. A newly issued standard for-hire permit would have the same permit passenger capacity as the permit it would replace. Dr. Crabtree noted that, for historical captains who do not own a vessel and are unable to acquire one, the mandatory replacement of their historical captain permits with standard for-hire permits could cause a hardship. Staff indicated that this action is scheduled for final action in April 2019.

Discussion and Selection of Allocation Review Triggers

Staff gave a presentation on the fisheries allocation review policy and the procedural directive on triggers for initiating allocation reviews. Staff described the steps included in the adaptive management process recommended by the policy and reviewed Gulf allocations subject to the policy. Staff discussed a draft letter outlining potential review triggers for Gulf allocations. Allocation review triggers suggested include time-based triggers and public interest-based triggers that would utilize the Council's public comment process. Committee members discussed the use of indicator-based criteria. Staff indicated that the use of public interest-based triggers would include the consideration of relevant social, economic, and ecological indicators as an intermediate step before determining whether an allocation review is triggered. Committee members indicated that the draft letter should include a detailed discussion of indicator-based criteria. Committee members also requested that a table providing the time intervals for the time-based criteria be added to the letter. Staff will revise the draft letter to reflect the comments made by the Committee.

Public Hearing Draft Generic Amendment – Carryover of Unharvested Quota (Tab E, No. 8)

Staff answered questions about the nuances of each of the options in Alternative 2, noting that the Committee could select more than one option as preferred. The Committee identified which species would be affected by which option in Table 2.1.2, with staff noting that commercial IFQ components of the eligible species were excluded by the Council at a previous meeting. Staff clarified that if Option 2e was not selected as preferred, and a species managed under apportionment with the South Atlantic Fishery Management Council (SAFMC; yellowtail snapper, mutton snapper, or black grouper) was managed in the Gulf with sector allocations in the future, the SAFMC would need to agree to any carryover for those species. This would remove the automation of the carryover process for these species, but would also keep these species eligible for a carryover if they are managed with sector allocations in the future.

Without opposition, the Committee recommends, and I so move, in Action 1, to make Options 2b and 2c in Alternative 2 the preferred options.

Alternative 2: Establish a carryover provision for managed reef fish and CMP stocks. Carryover provisions apply to stocks and stock complexes with sector allocations. Unused portions of the sector ACLs for species managed under a catch share program are excluded from carryover provisions. Carryover provisions would not apply to the unused portion of the ACL for managed reef fish or CMP stocks/stock complexes:

Option 2b: which are currently overfished.

Option 2c: which did not have their fishing year closed as a result of the ACL or quota being met or projected to be met.

Many species managed by the Council have narrow buffers between the acceptable biological catch (ABC) and the overfishing limit (OFL), and no buffer between the annual catch limit (ACL) and the ABC. If, in a carryover year, the carryover increases the ABC equal to the OFL, and then the OFL is exceeded, overfishing will be assumed to have occurred. Fixing the amount by which the buffer between the ABC and OFL can be reduced prevents overfishing on an annual basis when the ABC is affected by a carryover.

The Committee recommends, and I so move, in Action 2, to make Option 2b in Alternative 2 the preferred option.

Alternative 2: Adjust the amount of the ACL to be carried over into the following fishing year by limiting how much the difference between the ABC and the OFL can be reduced.

Option 2b: The difference between the ABC and the OFL can be reduced by 50%

Staff summarized the alternatives in Action 3. Alternative 2 allows the carryover provision to be automated through the closed framework procedure, reducing the amount of time needed to apply the uncaught harvest from the previous fishing year over to the following fishing year. Alternative 3 allows the ABC to be specified in an abbreviated framework procedure, as opposed to through the traditional open framework procedure along with an ACL modification, following an ABC recommendation from the Scientific and Statistical Committee. Alternative 4

amounts to administrative efficiency gains across multiple fishery management plans, making their language, format, and in- and post-season accountability measures consistent.

The Committee recommends, and I so move, in Action 3, to make Alternative 2 the preferred Alternative.

Alternative 2: Modify the closed framework procedures for the Reef Fish and CMP FMPs to allow the Regional Administrator (RA) to adjust the ABC, ACL, annual catch target (ACT), and quota for a stock or stock component to account for carryover of the unused portion of the ACL (as derived from the ABC set by the ABC control rule).

The Committee recommends, and I so move, in Action 3, to make Alternatives 3 and 4 the preferred Alternatives.

Alternative 3: Modify the abbreviated framework procedures for the Reef Fish, CMP, Coral and Coral Reefs, and Spiny Lobster FMPs to allow specification of an ABC recommended by the SSC based on results of a new stock assessment and using the ABC control rule.

Alternative 4: Revise the framework procedures for the Reef Fish, CMP, Coral and Coral Reefs, and Spiny Lobster FMPs to have consistent terminology and format, and to include changes to the standard framework procedure for the Coral and Coral Reefs and Spiny Lobster FMPs regarding accountability measures.

Staff will conduct public hearings via webinar prior to the April 2019 Council meeting.

Mr. Chair, this concludes my report.