

**Sustainable Fisheries Committee Report**  
**January 30, 2023**  
**Dr. CJ Sweetman, Chair**

The Committee added a litigation update to the agenda, adopted the modified agenda (**Tab E, No. 1**), and approved the minutes (**Tab E, No. 2**) of the October 2022 meeting as written.

*Alternative Allocation Approaches (Tab E, No. 4)*

Dr. David Carter (Southeast Fisheries Science Center [SEFSC]) gave a presentation on alternative allocation approaches. Allocation approaches discussed included catch-based, equal distribution or lottery, auctions, inter-sector trading, multi-criteria, and negotiated allocations. Dr. Carter also noted that regardless of the allocation strategy considered, detailed data are necessary.

The Committee made a distinction between multi-criteria allocation alternatives and catch-based allocations that are analyzed using a multi-criteria evaluation. Committee members inquired about potential drawbacks of inter-sector trading and about the impacts of auction-based allocations on equity and environmental justice (EEJ). Dr. Carter noted the importance of hearing from individuals who specialize in dealing with or studying resource allocations.

*Scientific and Statistical Committee (SSC) Report on Allocation Approaches Presentation (Tab B, No. 8bi)*

Dr. Jim Nance (SSC Chair) summarized the SSC comments relative to a September 2022 SEFSC presentation on alternative allocation approaches. Dr. Nance noted that allocation decisions are inherently challenging and stated that the SSC role should be limited to the scientific aspects of allocations. He indicated that an understanding of reallocation objectives is important to evaluate whether the approach used would achieve stated objectives. The SSC may have more to contribute once allocation objectives are clearly specified. The Committee requested that the SSC fully evaluate the presentation on the use of bioeconomic modeling in allocation analysis scheduled during the March 2023 SSC meeting.

*Allocation Overview Discussion (Tab E, No. 6)*

Mr. Andy Strelcheck (Southeast Regional Office [SERO]) provided an overview on allocation policies and procedural directives. He summarized recommended practices and criteria to consider when reviewing and making allocation decisions and stated his intent to generate more Council discussion on allocation issues. Mr. Strelcheck noted that it is important that the Council place more emphasis on fully reviewing and discussing criteria and analyses presented while considering allocations. He recognized the uniqueness of each allocation decision and stressed the importance of clearly stated objectives when initiating reallocations.

The Committee inquired about progress made on the development of the South Atlantic Fishery Management Council's allocation decision tree. Ms. Kerry Marhefka (South Atlantic Liaison) indicated that the decision tree was used in a test run and that its use is planned in the short term. The Committee noted that the decision tree may lay out allocation issues in a more visual manner. Committee members noted that when considering allocation decisions, an emphasis on data availability is warranted. Staff noted that a presentation on the South Atlantic's allocation decision tree is tentatively planned for the May 2023 SSC meeting.

The Committee suggested that, given the multitude of analyses and criteria to consider when reviewing or making allocation decisions, a checklist or outline may be helpful. Staff indicated that a list similar to the one used during Council's discussions on Reef Fish Amendment 54 could be developed to support allocation discussions relative to Reef Fish Amendment 56. Committee members noted that, despite existing policies and procedures, some factors are difficult to value. For example, how to quantitatively evaluate EEJ considerations. Committee members suggested the use of quasi-quantitative scales for these considerations. For future allocation deliberations, the Committee emphasized the importance of deliberate discussions and review of the information and analyses included in the amendments. The Committee highlighted the importance of data availability in allocation decisions.

### *Litigation Update*

Ms. Mara Levy (NOAA General Counsel) summarized the court decision relative to the Reef Fish Amendment 53 litigation. Ms. Levy indicated that the court found that Reef Fish Amendment 53 and the associated rule are consistent with National Standards 2, 4, 9, and other requirements of the Magnuson-Stevens Fishery Conservation and Management Act, the Administrative Procedures Act, and the National Environmental Policy Act. Ms. Levy emphasized the importance of building the record when making management decisions.

### *SSC Recommendations on Acceptable Biological Catch (ABC) Control Rule (Tab B, No. 8bi)*

Dr. Nance reviewed the SEFSC's presentation on alternative approaches to the current Acceptable Biological Catch (ABC) Control Rule, used for determining the scientific uncertainty between the overfishing limit (OFL) and the ABC. The SSC has been discussing revisions to the ABC Control Rule since May 2021, and is considering alternatives using the Ralston et al. (2011) approach, the Restrepo et al. (1998) approach, and the Privitera-Johnson and Punt (2020) modification of the Ralston approach. The current ABC Control Rule has been in place since 2011; however, SSC members have regularly expressed a desire to revisit it. Of particular concern is the tendency of stock assessments to underestimate the uncertainty associated with projections of yield (OFL), resulting in unrealistically small buffers between the OFL and ABC when the P\* approach is applied. The approaches being considered by the SSC are intended to better account for the scientific uncertainty in the yield projections.

Dr. Nance discussed how the Ralston method estimates uncertainty and uses it to generate the probability density function of yield for Pacific stocks, which is then used to determine the OFL (center of the distribution) and ABC (at some point below the center of the distribution) using the P\* approach. The SEFSC is developing a version of this approach using data for Gulf stocks. The SSC has also set the ABC at 75% of the yield at the fishing mortality rate corresponding to the maximum sustainable yield proxy following some recent stock assessments, in keeping with the Restrepo approach. The SEFSC described the data needed to evaluate these methods for Gulf stocks, with particular detail on the Privitera-Johnson and Punt revisions to the Ralston approach, and added that Gulf assessments are more complex due to the number of data sources used. The SEFSC and SSC will continue working on these revisions in 2023. A Committee member noted the increasing complexity of the data and analyses used in stock assessments, often at the expense of throughput. The SEFSC replied that approaches such as the Ralston method implicitly consider more sources of uncertainty than current approaches, including the effect of different assessment methods used by different assessment panels, and would produce more realistic variance estimates. The initial time investment to do this is considerable, but once completed, would save time because the uncertainty associated with each subsequent stock assessment would not have to be re-estimated. The SEFSC added that frequent updates would not be necessary because so many assessments have already been conducted and the estimates of uncertainty would not change much with a new assessment; however, the Gulf-modified Ralston approach could be periodically revisited.

Mr. Chair, this concludes my report.