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Background Paper on ACLs and AMS under the NEFMC



Chris Kellogg, NEFMC Staff
NEFMC Meeting
June 22, 2009

Topics

- How are other Councils dealing with ACLs & AMs ?
- How are we dealing with them?

Questions for us

- Should we structure them consistently ?
- In light of the discussion should we be handling ACLs/AMs differently?

OFL ≥ABC ≥ACL

1. New England (NEFMC)
2. Caribbean (CFMC)
3. North Pacific (NPFMC)
4. South Atlantic (SAFMC)
5. Gulf of Mexico (GMFMC)

Based on information reported at the Council
Coordinating Committee meeting in May 2009

OFL \geq (ABC = ACL) \geq ACT

1. New England
2. South Atlantic
3. Gulf of Mexico

Still to be determined

1. **Mid-Atlantic (MAFMC)**
2. **Pacific (PFMC)**
3. **Western Pacific (WPFMC)**

ACLs - Recreational

- Almost all Councils anticipate implementing ACLs for rec fisheries.
- The MAFMC is not sure until it makes more progress on its omnibus ACL/AM amendment.

AMS - Fishery Closures

All other Councils anticipated that they would or might use closures when the ACL is reached to prevent the ABC from being exceeded in at least some fisheries.

(This is only possible where reporting & monitoring is sufficient & there are many fisheries where this is not the case).

NEFMC - ABC/ACL Relationships

$$\text{OFL} \geq \text{ABC} \geq \text{ACL}$$

Operationally $\text{OFL} > \text{ABC} > \text{ACL}$

1. Multispecies
2. Herring

NEFMC - ABC/ACL Relationships

$$\text{OFL} \geq (\text{ABC} = \text{ACL}) \geq \text{ACT}$$

Operationally $\text{OFL} > (\text{ABC} = \text{ACL}) > \text{ACT}$

1. Skates
2. Monkfish
3. Sea Scallops

NEFMC - ABC/ACL Relationships

Still to be determined

- 1. Red Crab**
- 2. Small Mesh Multispecies**
- 3. Atlantic Salmon**

ACLs - Non-target species

- **Incidental catch of species are included in overall ACLs for FMP managing the fishery.**
- **Example - Multispecies has a specific ACL for species with significant catches in other fisheries (yellowtail flounder in the scallop fishery)**

Types of AMS – NEFMC

- **Paybacks of ACL overages - all FMPs**
- **ACTs (Skates, Scallops, Monkfish)**
- **Proactive AMS other than ACTs (Herring, Groundfish)**
- **Recreational AMS (Groundfish)**

Recreational ACLs / AMS

Multispecies only

- **ACLs - only for species where rec catch $\geq 5\%$ of total catch & total ACLs fully harvested**
(GB & GM cod, GB&GM haddock)
- **Possible adjustments to seasons, minimum size or bag limits with different implementation options**

Measures associated with exceeding ACTs

1. **Sea Scallops – Area closures, days-at-sea paybacks, IFQ paybacks**
2. **Skates – Possession limit reduced to incidental catch limit, ACT would be adjusted through Council action**
3. **Monkfish – Possession limit reductions, automatic adjustment to ACT**

Comments

- 1. Where the $ABC = ACL > ACT$, a conservative buffer is needed because, given scientific uncertainty, exceeding ABC/ACL may result in overfishing.**
- 2. The most important consideration is are is to adjust buffers to the types of measures and monitoring capabilities.**

Conclusions / Recommendations

1. The Council may want to consider a consistent approach to setting ACLs to avoid confusion.
2. OFL > ABC > ACL may provide greater assurance that ABC would not be exceeded. (Because AMs would be triggered at a catch level less than the ABC).

Conclusions / Recommendations (continued)

3. The Council may want to consider including an option in each amendment that would require that if ABC is exceeded in an FMP using input controls, then in the very next year, output controls (a hard TAC) would be implemented.

END