



THE SOUTH ATLANTIC FISHERY MANAGEMENT COUNCIL

## **Draft Allocation Review Guidelines September 2023**



# The Council's Recent Allocation Review Related Efforts



- Over the past several years the Council has:
  - Developed an allocation review trigger policy,
    - Indicator and time-based criteria for triggering an allocation review.
  - Developed an allocation decision tool,
  - Updated FMP goals and objectives, and
  - Provided research recommendations that could help with allocation analyses.
- What is being proposed now:
  - Updates to the allocation review trigger policy,
  - Draft allocation review guidelines to:
    - Document and package many of the Council's allocation related efforts.
    - Document the Council's allocation review process.
  - An allocation webpage for the Council's website.
    - Will house all of the Council's recent allocation related measures and information.



# Why is this being discussed?

- Allocation review guidelines are a way of formally documenting the Council's approach to allocations and respond to various federal policy directives and reports on allocations.
  - Policy directives from NOAA Fisheries on allocations.
  - Government Accountability Office (GAO) report on its review of allocations in the South Atlantic and Gulf of Mexico.
- On the GAO website, it is noted that *"the South Atlantic council has not specified how the council will document its allocation reviews that are conducted outside of Fishery Management Plan amendments, including the basis for its allocation decisions, whether Fishery Management Plan objectives are being met, and what factors were considered in the reviews."*
- The Council has undertaken several allocation related efforts over the past several years. It is beneficial to make sure that documentation is up to date and readily available to interested constituents.

# Proposed timeline for action

- Council actions requested at the September 2023 meeting:
  1. Approve updates to the allocation review trigger policy,
  2. Provide feedback on allocation review guidelines, and
  3. Review allocation webpage.
- Council actions requested at the December 2023 meeting:
  1. Approve the revised allocation review guidelines.

# Updates to the Allocation Review Trigger Policy



- The allocation review trigger policy was developed at the June 2019 Council meeting in response to the NOAA Fisheries Allocation Review Policy Directive.
- Some information in the policy is now outdated. The following edits are proposed:
  1. Revised wording to reflect general updates to the original policy
    - (see Attachment 4c for tracked changes version)
  2. Added “change to catch level recommendations” to the indicator-based criteria.
  3. Clarified that a fishery performance report would trigger an allocation review if a change to allocations is advised in the report (i.e. the AP recommends it).
  4. Removed the table that lists the schedules of allocation reviews.
    - The table is outdated and needs to be updated.
    - It will be housed on the Council’s allocation webpage.



# Questions on the Allocation Review Trigger Policy



1. Does the Council approve the proposed edits to the indicator-based criteria?
  - Notably the addition of a change to catch level recommendations and clarifying when a Fishery Performance Report would trigger an allocation review.
2. Does the Council approve the other general updates to the policy?
  - Revised wording throughout the document.
  - Removing the table of scheduled allocation reviews and housing it on the Council's allocation webpage.
3. Does the Council want to keep the time-based criteria at seven years or is a different time period desirable?
4. Are there any other edits that the Council would like to make to the policy?



# Draft Allocation Review Guidelines

- Compiles the Council's allocation review efforts:
  - Allocation review trigger policy,
  - Allocation review process, and
  - Allocation decision tree and tool.
- Serves as a way to document the Council process for allocation reviews:
  1. When there is a stock assessment and change to catch level recommendations.
  2. When there is not a stock assessment and change to catch level recommendations.
- Clarifies the timing for allocation reviews if triggered by the time-based criteria.



# **Allocation review when there is a stock assessment or change to catch level recommendations**

1. FMP amendment is initiated and the Council will apply the allocation decision tool towards the beginning amendment process.
2. As amendment is developed, the Council is provided additional information on the anticipated effects of different allocation scenarios.
3. Council's allocation decisions and the rationale for those decisions are captured in the FMP amendment.
4. Once finalized and approved by the Council, the FMP amendment will document:
  - The allocation related analyses and information considered,
  - The Council's preferred alternative for an allocation decision, and
  - Rationale which will include how the decision is consistent with the FMP Goals and Objectives.
5. The FMP amendment document will be made available on the Council's website.



# Allocation review when there is a not stock assessment or change to catch level recommendations



1. The Council will be provided the following information to determine if a more in-depth allocation analysis is warranted:
  - FMP Goals and Objectives,
  - Current allocations and rationale for setting these allocations,
  - Landings and ACL usage by sector for the most recent 5-years of available data, and
  - The most recent Fishery Performance Report, if available.
2. If more information is needed, then Council will direct staff to provide it at a subsequent meeting.
  - Apply allocation decision tool or other information that would be useful.

# Allocation review when there is a not stock assessment or change to catch level recommendations



3. If the existing allocations are sufficient, this decision will be captured in the Committee Report and meeting minutes. Also captured in an allocation review report that includes:
  - Summary decision and rationale,
  - How FMP Goals and Objectives are being met, and
  - Information provided for the Council's consideration.
4. Allocation review report will be made available on the Council's website.
5. If allocations need to be revised, then the FMP amendment process will be initiated.

# Timing of the next allocation review



- The Council has indicated that allocation reviews should occur at least once every seven years.
- “The clock” for scheduling the next review is proposed as follows:
  - If a FMP amendment is involved in the allocation review, then the next review will be scheduled to begin approximately seven years from the effective date of the related final rule.
  - If existing allocations are determined to be sufficient, the next review will be scheduled to begin seven years from when the determination is made by the Council.

# Questions on the Allocation Review Process, Documentation, or Timing



1. Does the Council have suggested revisions to the allocation review process?
  - When there is a change to catch level recommendations.
  - Where there is not a change to catch level recommendations.
  
2. Does the Council have suggested revisions to timing of allocation reviews?
  - If FMP amendment is involved, “the clock” starts on the effective date of the final rule implementing management changes.
  - If no FMP amendment, “the clock” starts when the Council deems that the existing allocations are sufficient.