

South Atlantic Fishery Management Council

Allocation Review Trigger Policy



Updated December 2023

In a letter to the NOAA Assistant Administrator dated July 16, 2019, the South Atlantic Fishery Management Council (Council) responded to NOAA's Fisheries Allocation Review Policy (National Marine Fisheries Services (NMFS) Policy Directive 01-119) and the associated Procedural Directive on allocation review triggers (NMFS Procedural Directive 01-119-01). The Policy established the responsibility for the Regional Fishery Management Councils to set allocation review triggers and consider three types of trigger criteria: indicator, public interest, and time. Councils were directed to establish triggers for consideration of allocation reviews by August 2019. The Council's response has since been updated to reflect subsequent allocation reviews and other allocation related discussions that have occurred since 2019. The revised Council allocation review trigger policy is as follows:

The Council has reviewed species allocations on numerous occasions in the past. However, these reviews may not have been formally documented in a fishery management plan amendment if a decision was made not to modify sector allocations. This revised policy, along with the Council's allocation review guidelines, will ensure that all species currently having sector allocations will be reviewed on a regular basis and will formalize the allocation review process so the Council's consideration of allocations will be documented. The Council has reviewed their current sector allocations and has adopted two main types of criteria for triggering consideration of an allocation review: indicator and time.

A public interest-based criterion was not selected because the Council currently receives substantial and regular comment from the public through scoping and public hearing sessions, general public comment periods held at every Council meeting, the public comment form on the Council's website, and through other more informal channels. Thus, the Council decided that the existing Council process provides sufficient opportunity for public input on allocations.

The Council has chosen the following indicator-based criteria as triggers for an allocation review:

- 1) Either sector exceeds its annual catch limit (ACL) or closes prior to the end of its fishing year in three out of five of the most recent consecutive fishing years,
- 2) Either sector under harvests its ACL by at least 50% in three out of five of the most recent consecutive fishing years,

- 3) After a stock assessment or change to catch level recommendations is approved by the Scientific and Statistical Committee (SSC) and presented to the Council, and
- 4) After the Council reviews a species Fishery Performance Report (FPR), if a review of allocations is advised in the report.

For the first two indicator-based criteria, “three out of five of the most recent consecutive fishing years” refers to the immediately preceding five fishing years of landings data available. Landings information will not be utilized if still considered preliminary by NMFS, thus only comprehensive and final landings data will be used as part of the indicator based criteria.

The Council has chosen a time-based trigger to ensure allocation reviews are regularly considered. Each species will have its sector allocations reviewed at least every seven years. This seven year time based criterion is the upper limit for when an allocation review will occur and such a review may occur sooner for some species. The timing for when the next sector allocation review will be considered by the Council is provided on the Council’s website under the allocations webpage (<https://safmc.net/fishery-management/sector-allocations/>). Regardless of whether consideration of an allocation review is triggered by an indicator or time criterion, once it occurs, the next allocation review will automatically be scheduled seven years later. For species that are jointly managed with the Gulf of Mexico Fishery Management Council, the timing for consideration of allocation reviews will be coordinated with that council. In addition to allocation reviews that are scheduled based on the indicator or time-based review triggers selected above, the Council also foresees the need to maintain management flexibility and may initiate an allocation review at any time that it deems such a review appropriate, even if one of the outlined triggers has not been met.