

Summary of Comments Received on the  
National Marine Fisheries Service  
Proposal to Develop Guidance on  
Annual Catch Limits and Accountability Measures

July 2007



National Oceanic and Atmospheric Administration

National Marine Fisheries Service

Office of Sustainable Fisheries

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Silver Spring, MD 20910



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## Abbreviations and Acronyms

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ABC	acceptable biological catch
ACL	annual catch limit
AM	accountability measure
APA	Administrative Procedure Act
B	biomass
B <sub>MSY</sub>	long-term average biomass that would be achieved if fishing at a constant fishing mortality rate equal to F <sub>MSY</sub> .
CFMC	Caribbean Fishery Management Council
CFR	Code of Federal Regulations
DEIS	draft environmental impact statement
EA	environmental assessment
EAM	ecosystem approaches to management
EBM	ecosystem-based management
EEZ	exclusive economic zone
EIS	environmental impact statement
F	fishing mortality
FMP	fishery management plan
FMC	fishery management council
F <sub>MSY</sub>	fishing mortality rate that produces the maximum sustainable yield.
FR	Federal Register
GAP	Groundfish Advisory Panel
GMFMC	Gulf of Mexico Fishery Management Council
GSI	genetic stock identification
HMS	highly migratory species
MAFMC	Mid-Atlantic Fishery Management Council
MFMT	maximum fishing mortality threshold
MRFSS	Marine Recreational Fishery Statistics Survey
MSA	Magnuson-Stevens Fishery Conservation and Management Act
MSRA	Magnuson-Stevens Fishery Conservation and Management Reauthorization Act of 2006
MSY	maximum sustainable yield
NEPA	National Environmental Policy Act
NEFMC	New England Fishery Management Council
NOAA	National Oceanic and Atmospheric Administration
NMFS	National Marine Fisheries Service
NOI	notice of intent
NPFMC	North Pacific Fishery Management Council
NS 1	National Standard 1
OFL	overfishing level

OY ..... optimum yield  
PFMC ..... Pacific Fishery Management Council  
RFMO ..... regional fishery management organization  
SAFE ..... stock assessment and fishery evaluation  
SAFMC ..... South Atlantic Fishery Management Council  
SSC ..... Scientific and Statistical Committee  
TAC ..... total allowable catch  
VMS ..... vessel monitoring system  
WPFMC ..... Western Pacific Fishery Management Council

# 1.0 Background

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## 1.1 New Statutory Requirements

The Magnuson-Stevens Fishery Conservation and Management Reauthorization Act of 2006 (MSRA) was signed by President Bush on January 12, 2007. Section 104(a)(10) of the MSRA revised section 303(a) of the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act) to require that Fishery Management Plans (FMPs) “establish a mechanism for specifying annual catch limits (ACLs) in the plan (including a multiyear plan), implementing regulations and annual specifications, at such a level that overfishing does not occur in the fishery, including measures to ensure accountability (AMs).”

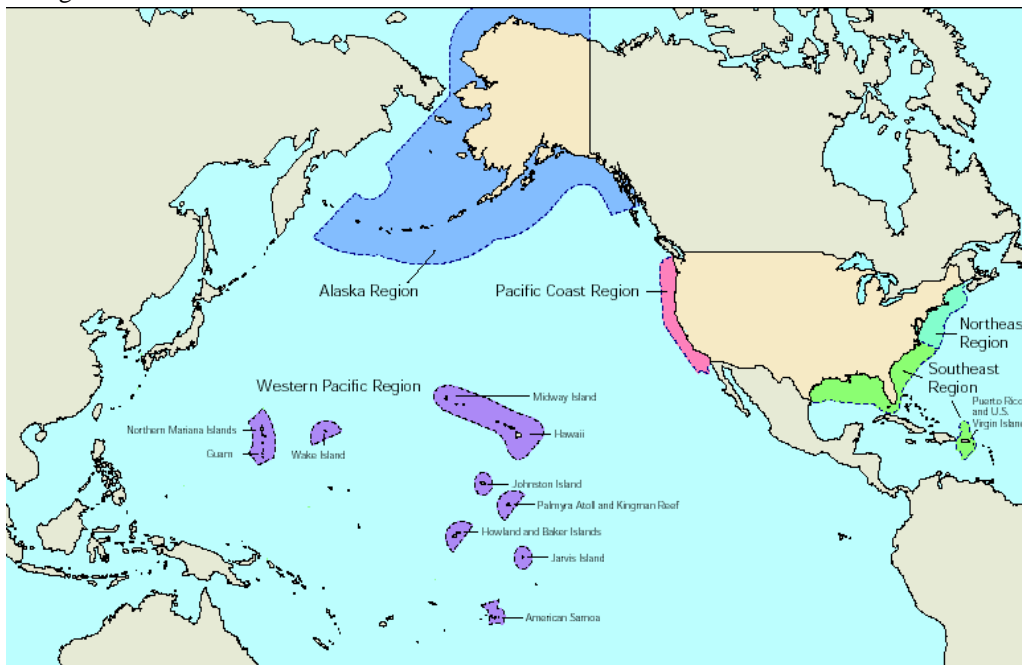
As described in section 104(b) of the MSRA, the ACL and AM requirements take effect in fishing year 2010, for stocks determined by the Secretary of Commerce (Secretary) to be subject to overfishing and in fishing year 2011 for all other stocks. Therefore, for stocks subject to overfishing in 2009 a system of ACLs and AMs must be implemented in 2010 such that overfishing does not occur. In 2011, ACLs and AMs must be established to prevent overfishing of all other stocks in Federal fishery management plans. Species that have a life cycle of approximately one year (e.g., possibly shrimp or squid species) are exempt from the requirements unless the Secretary determines the stock is subject to overfishing. In addition, the ACL and AM requirements would not apply if “otherwise provided for under international agreement.” NMFS may develop guidance for some or all of these requirements and exemptions.

The MSRA also requires under section 103(c)(3) that a Regional Fishery Management Council (Council) “develop ACLs for each of its managed fisheries that may not exceed the fishing level recommendations of its scientific and statistical committees (SSCs) or peer review process.” It requires under section 103(b)(1) that “Each scientific and statistical committee shall provide its Council ongoing scientific advice for fishery management decisions, including recommendations for *acceptable biological catch* (emphasis added), preventing overfishing, maximum sustainable yield, and achieving rebuilding targets...”

## 1.2 Federal Fisheries Management

These new statutory requirements are applicable to stocks managed by Federal FMPs in the U.S. exclusive economic zone (EEZ). Many of these fish stocks also occur in tribal, state, territorial, or international waters requiring that the Councils and the National Marine Fisheries Service (NMFS) manage such stocks in cooperation with their associated management partners.

Figure 1: U.S. EEZ



There are 46 Federal FMPs that manage 530 stocks and stock complexes, the status of which are identified annually in the NMFS Status of U.S. Fisheries Report to Congress. The FMPs and stocks are listed by Council in the Quarterly Update of the NMFS Status of U.S. Fisheries which can be found at:

<http://www.nmfs.noaa.gov/sfa/statusoffisheries/SOSmain.htm>.

## 1.3 Preparation of Guidance on ACL and AMs Considered

On February 14, 2007, NMFS published a notice of intent (NOI) in the Federal Register (72 FR 7016) announcing that it would explore the possibility of conducting an environmental impact statement (EIS) or environmental assessment (EA) on the preparation of guidance on ACLs and AMs. The NOI explained that such guidance may be added to the National Standard (NS) 1 guidelines at 50 CFR 600.310. National Standard 1 of the Magnuson-Stevens Act provides that “Conservation and management measures shall prevent overfishing while achieving, on a continuing basis, the optimum yield from each fishery for the United States fishing industry.”

The purpose of any revisions to the NS 1 guidelines to include guidance on ACLs and AMs would be to better ensure that the main objective of the MSRA requirements for ACLs and AMs are met – to end and prevent overfishing. As of April 2007, 47 stocks and stock complexes were subject to overfishing. The MSRA sets a clear expectation that overfishing will be ended in 2010 through implementation of ACLs and AMs. National guidance on the ACL and AM provisions would help create consistency in the interpretation and application of the requirements throughout the Nation’s fisheries.

#### **1.4 Soliciting Public Comments**

NMFS solicited public comments to identify issues to consider addressing in potential guidance and to assist it in determining the appropriate level of NEPA analysis in revising NS 1 guidelines. The public comment period began February 14, 2007, and ended April 17, 2007. Nine public meetings were held around the country to provide opportunities for comment. One meeting took place in Silver Spring, MD, and eight others were held in association with a meeting of each Regional Fishery Management Council during March and April 2007. At the scoping meetings, a short presentation and handout were given to introduce NMFS’s initial ideas about ACLs and AMs (see Appendix E and F) and verbal comments were received.

The scoping meetings were announced in the Federal Register in three separate notices (see Table 1). Many of the Councils’ meeting notices also announced the scoping meetings within their meeting agendas. In addition, scoping meetings were publicized via press releases and announcements in NMFS’s email based newsletter FishNews. Comments were received through April 17, 2007, and are summarized in Table 2. Copies of scoping materials presented at the meetings are located in the Appendices (see page ii).

**Table 1: Federal Register Notices Announcing Public Meetings at Which to Make Comments on Proposed Guidance for ACL, AMs, and other NS 1 Issues**

FR Notice Citation	FR Notice Publication Date	Meeting Date	Meeting Location / Fishery Management Council (FMC)	Additional Notice
72 FR 7016	February 14, 2007	March 9, 2007	NMFS headquarters Silver Spring, MD	Notice of Intent
72 FR 8971	February 28, 2007	March 6, 2007	South Atlantic FMC Jekyll Island, GA	Announced extension of scoping period through April 17, 2007.
		March 14, 2007	Western Pacific FMC Honolulu, HI	
		March 20, 2007	Caribbean FMC Ponce, Puerto Rico	
		March 29, 2007*	Gulf of Mexico FMC Destin, FL	
72 FR 12770	March 19, 2007	March 28, 2007	North Pacific FMC Anchorage, AK	Announced a date change for the scoping meeting at the Gulf of Mexico FMC from March 29, 2007, to March 27, 2007.
		April 3, 2007	Pacific FMC Seattle, WA	
		April 10, 2007	New England FMC Mystic, CT	
		April 17, 2007	Mid-Atlantic FMC Ocean City, MD	

\* Later changed to March 27, 2007 in 72 FR 12770.

## 2.0 Summary of Comments

### 2.1 Sources of Comments

Comments submitted came from a variety of sources including: oral testimony at scoping meetings; written letters received via mail, fax, or provided at scoping meetings; and emails.

Public scoping meetings: NMFS held nine public scoping meetings from March 6, 2007, through April 17, 2007. See Table 1 for a list of all the scoping meetings.

E-mail and FAX comments: E-mail comments were received via [annual.catch.limitDEIS@noaa.gov](mailto:annual.catch.limitDEIS@noaa.gov) and FAX comments were sent to the NMFS Domestic Fisheries Division of the Office of Sustainable Fisheries at 301-713-1193.

Written comments: Written comments were sent to: Mark Millikin, NMFS, NOAA, 1315 East-West Highway, Silver Spring, Maryland 20910.



## 2.2 Summary of Comments Received

During the scoping period, NMFS received comments from 2,690 individuals and organizations on a variety of topics directly related to ACLs and AMs, as well as comments on other fisheries science and management topics. There were 34 comments from commercial fishers and processors, 44 comments from Councils, 12 from recreational fishers, 13 from recreational charter fishers, 12 from government agencies and representatives, 33 from the environmental community, 63 from the general public, and 2,479 form e-mails. Comments from 37 of the 2,690 were not included in the summary table because they addressed subjects not related to the proposed action. Comments were provided by the Pacific Fishery Management Council and the North Pacific Fishery Management Council. Additionally, some individuals and sub-groups of a Council's family (e.g. Council members, staff, technical committees, etc.) also submitted their own comments. Some individuals and organizations made comments on more than one topic and each comment was included in the appropriate topic group.

Table 2 contains a detailed summary of all the comments paraphrased and grouped by topic. In the table, commenters are first listed by affiliation, where applicable, and using a system of abbreviations, identified next to their paraphrased comments. Every effort was made to categorize comments correctly and consistently, but please refer to actual comment letters and e-mails for the specific comments. Appendices G1 to G6 contain actual comment letters and e-mails, and in the case of multiples of the same comment (termed form e-mail in the table), one representative example.

In addition to the comments in Table 2, most commenters stated that they were supportive of ending and preventing overfishing. Many also included statements supporting protection of marine habitat and reduction of bycatch. These general statements were not itemized in the Table 2; however, they have been interpreted as representing broad support for the proposed action by the full range of constituents, stakeholders, and general public.

Comments were received on the following science and management topics:

- Notice of Intent (NOI)
- Alternatives in the NOI
- Level of NEPA analysis
- General Comments on the Guidance
- Terminology and Communication
- Best Available Science
- Socio-Economic Issues
- Characteristics of ACLs
- Counting Total Fishing Mortality in
- Accountability Measures (AMs)
  - AMs: Who is accountable?
  - AMs: Sector Accountability
  - AMs: Types
  - AMs: Overages, Paybacks, and Underages
  - AMs: Inseason
- End overfishing / Rebuilding
- ACLs and AMs for Rebuilding Stocks
- Stock Complexes

#### ACL and OFL

- Performance standards
  - Performance evaluation
  - Probability of Success
  - Overfishing Level (OFL)
  - Buffer between an ACL and OFL
  - Precautionary Approach
  - Data Tiers
  - Data-Poor Stocks
  - Data Needs for Setting & Monitoring
- #### ACLs and OFLs
- Optimum Yield (OY)
  - Bycatch & Discards
  - Roles in Setting ACLs and AMs
  - SSC Operations
  - SSC Member Criteria
  - Council Peer Review Processes
- Mixed Stock Exception
  - Allocating ACLs and AMs
  - Management Approaches to Use with ACLs
  - Enforcement
  - Recreational Fisheries Data and Management
  - Ecosystem Approach Management (EAM)
  - Species with an Annual Life Cycle
  - International Stocks - HMS
  - State-Federal Management
  - Salmon Concerns
  - Funding Needs
  - Safety Concerns
  - Regional Fishery Management Councils
  - Miscellaneous
  - Current Management Practices
    - Current Buffers
    - Current AMs
    - Current EAM

**Table 2: Summary of Comments Received During the Scoping Period**

Table Key: Abbreviations of Organizations and Individuals Whose Comments are Included in Table 2

**Naming Convention:**

1) Only an organization’s acronym/abbreviation is used if one set of comments were provided on behalf of the organization. Names of the representatives who submitted comments are listed in the key but are not included in the abbreviation. 2) An organizations’ acronym plus one or more individuals’ initials are used when more than one set of comments were provided from an organization (e.g., on behalf of regional chapters) or to indicate the individual’s affiliation with the organization (e.g., a member of a Fishery Management Council). 3) When possible, the key identifies whether comments were provided by the national or regional chapter of an organization. If this could not be determined, then included is the Fishery Management Council scoping meeting at which their comments were provided.

**General Public**

Form E-mail – FE (2479)  
 Thresa Aguayo – TA Sharon Engel – SE Mark Muhich – MM  
 Shan Albert– SAI Peter Flournoy – PF Vivian Newman – VN  
 Billie Bates – BB Bobbi Flowers – BF B. Sachue – BS  
 George Frances Alderson – Nicholas Gordon – NG Robert Sauer – RS  
 GFA George Harbin – GH Michelle Scharer – MS  
 Steven Atran – SA Ethan Hoag – EH Sally Shippee – SS  
 Vincent Blaignan – VBI Kathy Holland – KH Veda Stram – VS  
 Vicki Bonk – VB David Keith – DK Snezhina Stratieva – SSi  
 Robert Brown – RB Sharon Kirk – SK Pamela Timmins – PT  
 Charles Caillouet – CC John Koegler – JK Donna Tucker – DT  
 Lydia Cumming – LC Ed Lambert – EL Bob Trumble – BT  
 Mike DeLoye – MD Kim Lines – KL Dan Weber – DW  
 Richard Dimatteo – RD Bridget T. Lynch – BTL Karen Wible – KW  
 Dr. John Dziak – JD Drew Martin – DM  
 George Ellison – GE David Murray – DMu

**Government**

Representative Barney Frank – RBF  
 Representative John Tierney – RJT  
 Massachusetts Division of Marine Fisheries – David Pierce – MDMF  
 NOAA Sea Grant, Puerto Rico- Edgardo Ojeda – SG-EO  
 NOAA Sea Grant, Florida – Doug Gregory – SG-DG  
 North Carolina Marine Fisheries Commission – Mac Currin – NCMFC  
 North Carolina Department of Environment and Natural Resources, Division of Marine Fisheries – Louis Daniel – NCDENR  
 Puerto Rico Department of Natural Resources – Grisel Rodriquez – PRDNR-GR

**Recreational Fisher – Charter**

Ken Anderson – KA  
 Bill Archer – BA  
 Mike Eller – ME  
 Leah Jenkin – LJ  
 Erik Krahn – EK  
 Pat McCreary – PM

**Commercial Fishers and Processors**

Vito Calomo – VC  
 Paavo Carroll – PC  
 Harriet Didrikson – HD  
 Doug Fricke – DF  
 Bob Hawtin – BH  
 Tim Myers – TM  
 Mary Beth Toomley – MBT  
 Bill Tucker – BT  
 Donald Waters – DW  
 Wayne Werwer – WW  
 American Albacore Fishing Association – Jack Webster – AAFA  
 Associated Fisheries of Maine – Maggie Raymod – AFM  
 Atlantic Seafood – Tom Swim – AS  
 At-Sea Processor’s Association – Paul MacGregror – ASPA  
 East Coast Fisheries – Jim O’Malley – ECF  
 Fisheries Survival Fund – Dave Frulla, Shaun Gehan, Drew Minkiewicz -- FSF  
 Fisheries Survival Fund (New England) – Dave Frulla – FSF-DF  
 Fisheries Survival Fund (Silver Spring, MD) – Shaun Gehan – FSF-SG  
 Fisheries Survival Fund (Mid-Atlantic and Silver Spring) – Drew Minkiewicz – FSF-DM  
 Garden State Seafood Association – Greg DiDomenico – GSSA  
 North Carolina Fisheries Association (Mid-Atlantic) – Sean McKeon – NCFA  
 Northeast Seafood Coalition – Jackie Odell – NSC-JO  
 Northeast Seafood Coalition – Glenn Delaney – NSC-GD  
 Pacific Marine Conservation Council – Matt Van Ess – PMCC  
 Southern Shrimp Alliance, Inc – Michelle Yoppe – SSA  
 United National Fishermen’s Association – James Fletcher – UNFA  
 West Coast Seafood Processors – Rod Moore – WCSF  
 Western Fishboat Owners Association – Wayne Heikkila – WFOA

**Recreational Fisher**

James Panzer – JP  
 Mike Zaleski – MZ  
 Mark Zimmerman – MZi  
 Coastal Conservation Association (Atlantic) – Richen M. Brame – CCA-RMB  
 Coastal Conservation Association (South Atlantic) – Dick Brame – CCA-DB  
 Coastal Conservation Association (Gulf of Mexico) – Russell Nelson – CCA-RN

<p>Rex Murphy – RM  Mike Thierry – MT  Bob Zales – BZ  Mississippi Charter Boat Captains Association – Thomas Becker – MCBCA  National Association of Charterboat Operators – Bob Zales – NACO  Panama City Boatmen Association – Bob Zales – PCBA</p>	<p>Coastside Fishing Club – Dan Wolford – CFC  Fishing Rights Alliance – Dennis O’Hearn – FRA  Orange Beach Fishing Associaton – Bobbi Walker – OBFA  Recreational Fishing Alliance – John Donofrio – RFA  Texas Black Bass Unlimited – Ed Parten – TBBU</p>
<p><b><u>Environmental Community</u></b>  Citizens League for Environmental Action Now – Geoffrey Castro - CLEAN  Conservation Law Foundation – Roger Fleming – CLF  Environment Maryland – Jennifer Bevan Dangel – EM  Environmental Defense – Pam Baker – ED  Gulf Restoration Network – Marianne Cufone – GRN  Marine Fish Conservation Network (National) – Lee Crockett – MFCN-LC  Marine Fish Conservation Network (South Atlantic) – Caroline Keicher – MFCN-CK  Marine Fish Conservation Network (Mid-Atlantic) – Brooks Mountcastle – MFCN-BM  Marine Fish Conservation Network (CA) – Julie Sherman – MFCN-JS  Marine Fish Conservation Network (FL) – Tom Wheatley – MFCN-TW  National Coalition for Marine Conservation – Ken Hinman – NCMC  Natural Resources Defense Council – Sarah Chasis / Roberta Elias / Lisa Suatoni – NRDC  National Environmental Trust’s Conserve our Ocean Legacy Campaign (National) – Matt Rand – NET-MR  National Environmental Trust’s Conserve our Ocean Legacy Campaign (Pacific) – Erin Anderson – NET-EA  National Environmental Trust (FL) – Martha Collins – NET-MC  National Environmental Trust (TX) – Pam Blacklede – NET-PB  National Environmental Trust (Mid-Atlantic / South Atlantic) – Joe Gordon – NET-JG  National Environmental Trust (Mid-Atlantic) – Tara Losoff – NET-TL  Oceana (National) – Beth Lowell – O-BL  Oceana (National) – Erik Bilsky – O-EB  Oceana (Northeast) – Gib Brogen – O-GB  Oceana (Pacific) – Ben Enticknap – O-BE  Oceana (South Atlantic) – Joe Murphy – O-JM  Ocean Conservancy (National) – Coby Dolan – OC-CD  Ocean Conservancy (Gulf of Mexico) – Chris Dorsett – OC-CDOR  Ocean Conservancy (Pacific) – Meghan Jeans – OC-MJ  Ocean Conservancy (New England) – John Williamson – OC-JW  Pew Institute for Ocean Science – Elizabeth Babcock / Ellen Pikitch / Christine Santora - PIOS  Sierra Club (Cape and the Islands Group, Massachusetts) – Billie Bates – SC-BB  Sierra Club National Marine Wildlife and Habitat Committee (Mid-Atlantic) – David Keifer – SC-DK  U.S. Public Interest Research Group (National) – Mike Gravitz – USPIRG-MG  U.S. Public Interest Research Group (West Pacific) – Chris Claire – USPIRG-CC  U.S. Public Interest Research Group (Washington) – Bill LaBorde – USPIRG-BL</p>	<p><b><u>Regional Fishery Mangement Councils</u></b>  Caribbean Fishery Management Council – Virdin Brown (member) – CFMC-VB  Caribbean Fishery Management Council – Marcos Hanke (member) – CFMC-MH  Caribbean Fishery Management Council – Monica Lester (member) – CFMC-ML  Mid-Atlantic Fishery Management Council – Dan Furlong (staff) – MAFMC-DF  Mid-Atlantic Fishery Management Council – Pat Augustine (member) – MAFMC-PA  Mid-Atlantic Fishery Management Council – Jeffery Deems (member) – MAFMC-JD  Mid-Atlantic Fishery Management Council – Peter Jenson (member) – MAFMC-PJ  Mid-Atlantic Fishery Management Council – Gene Kray (member) – MAFMC-GK  Mid-Atlantic Fishery Management Council – Vince O’Shea (member) – MAFMC-VOS  Mid-Atlantic Fishery Management Council – Jimmy Ruhle (member) – MAFMC-JR  Mid-Atlantic Fishery Management Council – Rich Seagraves (staff) – MAFMC-RichS  Mid-Atlantic Fishery Management Council – Ronal Smith (member) – MAFMC-RS  New England Fishery Management Council – Paul Howard (member) – NEFMC-PH  New England Fishery Management Council – David Pierce (member) – NEFMC-DPierce  New England Fishery Management Council – David Preble (member) – NEFMC-DP  New England Fishery Management Council – Sally McGee (member) – NEFMC-SM  New England Fishery Management Council – Phil Ruhle (member) – NEFMC-PR  North Pacific Fishery Management Council – Chris Oliver – NPFMC  North Pacific Fishery Management Council – Gerry Merrigan (member) – NPFMC-GM  North Pacific Fishery Management Council – Terry Quinn (SSC*) – NPFMC-TQ  North Pacific Fishery Management Council – Ann Hollowed (SSC*) –NPFMC-AH  North Pacific Fishery Management Council – Bill Tweit (member)– NPFMC-BT  North Pacific Fishery Management Council – Dave Benson (member) – NPFMC-DB  North Pacific Fishery Management Council – Farron Wallace (SSC*) – NPFMC-FW  North Pacific Fishery Management Council – Bill Clark (SSC*) – NPFMC-BC  North Pacific Fishery Management Council – Gordon Kruse (SSC*) – NPFMC-GK  Pacific Fishery Management Council – Donald McIsaac – PFMC  Pacific Fishery Management Council – Mark V. Cedergreen (member) – PFMC-MVC  Pacific Fishery Management Council – Michelle Culver (member) – PFMC-MC  Pacific Fishery Management Council – Kathey Fosmark (member) – PFMC-KF  Pacific Fishery Management Council – Rod Moore (member) – PFMC-RM  Pacific Fishery Management Council – Tim Roth (member) – PFMC-TR  Pacific Fishery Management Council – David Sones (member) – PFMC-DS  Pacific Fishery Management Council – Maria Vojkovich (member) – PFMC-MV  Pacific Fishery Management Council – Groundfish Advisory Subpanel – PFMC-GAP  Pacific Fishery Management Council – Highly Migratory Species Advisory Subpanel – PFMC-HMS-AS  South Atlantic Fishery Management Council – Gregg Waugh (staff) – SAFMC-GW</p>

Western Pacific Fishery Management Council – Dorothy Harris (member) – WPFMC-DH  
 Western Pacific Fishery Management Council – Marcia Hamilton (staff) – WPFMC-MH  
 Western Pacific Fishery Management Council – Craig Severance (SSC\*) – WPFMC-CS  
 \*SSC = Science and Statistical Committee

Topic	Comments / Questions	General Public	Environmental Community	Commercial Fishers	Recreational Fishers	Council	Government
Notice of Intent (NOI)	Like the direction and scope of the Agency's NOI published 2-14-07.	BF DK DM FE-2479 GE JH KH KW MD MM RS SE VS	OC-CD OC-CDOR OC-MJ CLEAN NET-EA NET-MC NET-MR NET-PB USPIRG-BL USPIRG-CC USPIRG-MG		MZi		
	Do not like the direction and scope of the Agency's NOI published 2-14-07.				FRA	CFMC-ML	MDMF
	Explore all reasonable alternatives in the DEIS.			AFM GSSA WCSF			
	Create different alternatives for consideration.				MT	MAFMC-PJ	
	Prefer a new alternative that gives examples instead of guidance of performance standards that ACLs must meet and develop ACL/AM examples that provide specifics on one or more mechanisms for implementing ACLs/AMs. Providing examples instead of guidance will give the Councils freedom in devising strategies.		SC-DK				
	Issue guidance on a national set of fisheries management metrics for "good practices."		OC-CD				
	Should revise all the national standard guidance instead of a piecemeal approach.						MDMF
	Address other NS1 revisions at this time.			AFM GSSA WCSF			
Alternatives in the NOI	Prefer Alternative 1 – no action.			FSF NCFA	RFA		SG-DG
	Alternative 1 is not practical because without		SC-DK				

Topic	Comments / Questions	General Public	Environmental Community	Commercial Fishers	Recreational Fishers	Council	Government
	guidance, the Councils could submit virtually anything and the FMP approval process would be more of a political process than ever.						
	Prefer Alternative 2 – performance standards.				CFC	NPFMC PFMC	
	Identify specific performance standards.			AFM GSSA WCSF			
	Do not identify specific performance standards.						MDMF SG-DG
	Do not prefer Alternative 2 because measures of success are virtually impossible in the near term, even with data rich species.		SC-DK				
	Prefer Alternative 3 – performance standards and guidelines.		CLF EM MFCN-LC NRDC OC-CD USPIRG-MG	PMCC			
	Do not prefer Alternative 3 because there would be problems with measuring success and no room for innovation by the Councils.		SC-DK				
	Performance standards and guidelines (Alternative 3) should reflect the availability of data to measure success or failure.			AFM GSSA WCSF			
Level of NEPA analysis	Do an EIS.		EM MFCN-CK MFCN-JS NET-EA NET-JG NET-MR NET-PB OC-CD OC-CDOR OC-MJ SC-DK USPIRG-BL USPIRG-MG	NSC-GD NSC-JO SSA		PFMC-MC	
	Do not do an EIS. Do an EA.			FSF-SG			
General Comments on	Provide strong, clear language to end overfishing; do not leave a lot of room for interpretation.	CC DK DMu DT	CLF MFCN-JS MFCN-LC MFCN-TW	GSSA PMCC			

Topic	Comments / Questions	General Public	Environmental Community	Commercial Fishers	Recreational Fishers	Council	Government
the Guidance		DW FE-2479 GFA GH KH KL KW MD MM RB RS SAI SE SS SSt TA VB VBI VN VS	NRDC O-BL O-EB OC-CD OC-CDOR OC-MJ USPIRG-BL USPIRG-MG				
	The guidelines should be true “guidance” and should allow for flexibility.					MAFMC-PJ MAFMC-RS	MDMF
	Guidelines do not have the force and effect of law.			AFM FSF-SG GSSA WCSF			
	Concerns about a one-size-fits-all approach.		MFCN-TW	AFM FSF GSSA NCFCA WCSF		NPFMC-BT PFMC-MC	
	At what level of management will the guidelines apply – FMP or stock or single species?			AFM GSSA WCSF			
	Guidelines should include criteria for two or more Councils to establish consistent ACLs without disadvantaging their respective fisheries.				CFC	PFMC	
	Guidelines should recognize that Councils do not have to amend their FMPs if already complying with the revised NS1 guidelines.			AFM GSSA WCSF			
	Do not mandate hard TACs.			FSF NCFCA		NEFMC- DPierce	
	Ensure harvest does not exceed the target.		OC-CD	AFM			

Topic	Comments / Questions	General Public	Environmental Community	Commercial Fishers	Recreational Fishers	Council	Government
				GSSA WCSF NSC-JO			
	ACL mechanisms must be established in 2010 but the Act does NOT require ACLs be implemented in 2010.						
	Does the 2010/2011 timeframe related to ACL establishment apply to Councils developing ACLs that “may not exceed the fishing level recommendations of the SSC or the peer review process...” prior to 2010/2011?					MAFMC MAFMC- RichS	
	ACL mechanisms must be established in 2010 according to the Act, but Councils should implement catch limits now. NMFS should provide guidance to Councils prior to the revised NS1 guidance alerting them that they should implement catch limits.		OC-CD				
	ACLs and AMs should be developed through a transparent, public process, allowing for public comment.	BT	CLF NET-MR NRDC			PFMC-DS	
	How will new fisheries be affected by ACLs and AMs?					WPFMC-DH	
	Fishermen are worried about modifying their behaviors to the new guidelines.			NSC-GD			
	Fishermen are concerned that the ending overfishing and rebuilding requirements will be so restrictive that too many fishermen will go out of business.			HD VC			
Terminology and Communication	Make sure there aren't any conflicts with terms currently used.	BT	SC-DK			CFMC-ML PFMC-MC	
	OFL, ACL, OY should have the same relationship in every Region.		MFCN-BM				
	Prefer “fishery” over “stock”; do not want ACL set at species level.			FSF NCEA			MDMF
	Clarify if references to the “charter” sector include all “for hire” fisheries (i.e., head and/or party boat).					MAFMC-DF	



Topic	Comments / Questions	General Public	Environmental Community	Commercial Fishers	Recreational Fishers	Council	Government
	The current description of ACLs and OFLs are too complicated and hard to understand. They should be better described.				MT	NEFMC-DP	
	The calculation of overfishing metrics (OY, ACLs, MSY, ABC) should be reported in a way that the public can comprehend.		O-BL				RBF RJT
	Agency should be open and transparent with stakeholders and general public.	BT VN					
Best Available Science	Base guidance on scientific advice and best scientific information available.		CLF GRN MFCN-LC MFCN-TW NET-MR NRDC OC-CDOR USPIRG-BL USPIRG-MG	PMCC	MZi		
	What is “best available science”? Using data that is not adequate or representative for management simply because it exists is not acceptable.						MDMF NCDENR NCMFC
	If you don’t have good data on catch, but you know that catch exists, you should give some estimate of catch versus saying that catch equals zero.	BT					
	The scientific information used for ACLs should be gathered and analyzed from a wide range of sources and methodologies and should be transparent.		USPIRG-MG				RBF RJT
	NMFS should reject any plans, amendments, and regulations that do not conform to the scientific advice.		OC-CDOR				
Socio-Economic Issues	Analyze the economic and social impacts of ACL measures.		O-EB		BZ KA ME	MAFMC-JD	MDMF RBF RJT
Characteristics of ACLs	ACLs should be numeric limits (set in weight or whole numbers of fish).		CLF MFCN-CK MFCN-LC	NSC-JO PMCC			

Topic	Comments / Questions	General Public	Environmental Community	Commercial Fishers	Recreational Fishers	Council	Government
			MFCN-TW NRDC OC-CD OC-CDOR OC-JW OC-MJ SC-DK USPIRG-BL				
	Allow non-numeric measures as ACLs.				CCA-RN		
	Do not allow non-numeric measures as ACLs.		MFCN-JS MFCN-TW				
	Consider use of relative limits instead of actual numerical limits.	SA					
	In fisheries that are predominately recreational, should be able to set ACLs based on fishing mortality rate.				CCA-RMB RFA		
	ACLs are limits, not targets.		O-BE O-EB OC-CD OC-CDOR OC-MJ				
	ACLs should be targets, not limits.				CCA-RMB		
	Should ACLs be the same as OFL?					NEFMC- DPierce	
	Keep it simple. Stick to managing at OY and MSY. ACL = OY and OFL = MSY.						SG-DG
	ACLs should not conflict with existing catch limit reference points, e.g., ABCs reference points should be allowed to be used.			ASPA		NPFMC NPFMC-GM	
	Set ACLs for all fish stocks / species caught, killed, and discarded.		CLF MFCN-JS MFCN-LC MFCN-TW NET-EA O-BE OC-CDOR OC-JW OC-MJ SC-DK	PMCC			
	ACLs are not appropriate for monitored species or incidental catch.				CFC	PFMC	

Topic	Comments / Questions	General Public	Environmental Community	Commercial Fishers	Recreational Fishers	Council	Government
	Do ACLs have to be specified for every species group?					SAFMC-GW	
	ACL should set for each stock based on life history.		CLF MFCN-LC	PMCC			
	NMFS should hold a scientific workshop on how to set ACLs.		NET-EA NET-MC				
Counting Total Fishing Mortality in ACL and OFL	Total fishing mortality should be counted (i.e., all landings – legal and illegal, discards, and bycatch from all sectors) in the OFL and ACL.	BT DK DM FE-2479 GH KH MM RS SA SAI VN	CLF ED MFCN-CK MFCN-JS MFCN-LC MFCN-TW NET-MR O-BL OC-CD OC-CDOR OC-JW OC-MJ O-EB O-GB O-JM PIOS SC-DK USPIRG-MG	AFM GSSA PMCC WCSF	LJ ME		
	Do not require total mortality to be counted; should be a Council decision on a case-by-case basis.			FSF NCFA			
	Require numerical breakout values for each source of mortality.		OC-CD OC-CDOR OC-MJ				
	Consider the kind of mortality, not just the source (e.g., age structure).		OC-CD OC-CDOR OC-JW OC-MJ				
	Consider non-fishing causes of mortality (e.g. hydropower, water quality, pollution, etc.) and consult with other agencies to get the data.		GRN				
	Do not consider non-fishing causes of mortality.			AFM GSSA WCSF			
	If non-fishing impacts are considered, caution must be used.						RBF RJT
	All FMPs should include measures that		O-BL				

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	require at minimum, annual public reporting of all mortality.						
	Limit fishing mortality to acceptable and scientifically supportable limits.		O-BL O-EB				
Performance Standards	Set clear and measurable objectives for the ACLs.		OC-CDOR OC-JW				
	Establish national performance standards by which fisheries management will be reviewed by the Secretary.		CLF NRDC OC-CD USPIRG-MG				
	Don't set specific performance standards because they won't work for all stocks.				CFC	PFMC	
	Overages of ACLs should be rare.		O-EB				
	Overfishing should never occur.		CLF MFCN-CK NRDC USPIRG-MG				
	Do not have a one-size-fits-all approach for the frequency and amount of overfishing that occurs before new ACLs and AMs are required.					NPFMC-DB	
	Limits on overfishing (frequency & amount) should be determined by biological relevance of overfishing to each stock.			NSC-JO			
	Limits on overfishing (frequency & amount) – this should be decided by the councils not NMFS.			FSF NCFM			
	Is overfishing in one year enough to be considered overfishing?					MAFMC-PJ	
	In terms of the frequency of overfishing, regulatory stability should be taken into consideration. For example, for a fishery that has been stable for several years, it would not be appropriate to adjust regulations immediately if a small overage occurs.					MAFMC-DF	
	Provide calculations for performance standards of ACL sub-values and how they interact with each other.		OC-CD				

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Performance Evaluation	NMFS should establish a system of regular scientific review of the efficacy of management measures employed in each region to set ACLs and AMs and ensure they work as intended.		CLF MFCN-BM MFCN-LC NET-MR O-BE	PMCC			
	If a management approach or tool proves ineffective, then it should be modified.		NRDC				
	NMFS should examine how successful past “probability predictions” have been.						MDMF
	Account for retrospective errors in past stock assessments.						MDMF
	Performance review standards regarding management response cycle need to be addressed.					MAFMC-DF	
	NMFS should direct the Councils to prepare reports on each of their FMPs and their process for setting annual harvest limits to determine if the performance of the previous fishing seasons is considered in setting future fishing limits.				RFA		
	NMFS should evaluate management systems currently in place to see what has worked and what has not worked in preventing overfishing.		NRDC				
Probability of Success	A 50% probability of success is all that is legally required and NMFS should stick to this standard.			FSF NCFCA			
	50% probability of success might be adequate as over the long term mortality would average to Fmsy.					NPFMC-TQ	
	Do not require a high probability because of the inaccuracy of management and uncertainty involved in calculating F.						MDMF
	Probability of success – should be higher than 50-50 (75% - 100%)	BF DM FE-2479 GE KH MD	CLF GRN MFCN-LC NET-MR NET-PB NRDC	PMCC	CCA-RMB MZi		MDMF

Topic	Comments / Questions	General Public	Environmental Community	Commercial Fishers	Recreational Fishers	Council	Government
		MM PT	O-EB O-GB OC-CD OC-CDOR OC-JW PIOS USPIRG-MG				
	Probability of success – should be stricter for data poor stocks.		CLF		CCA-RMB		
	Require a higher probability for achieving F corresponding to ACL, provided you do not establish an OFL and then reduce it to an ACL.						MDMF
	Must include a full analysis and discussion of the probability that the limits will achieve management goals.		O-BL				
	Should not set absolute probabilities for ACLs; should use probabilities strictly as tool it determining the appropriate level of precaution.				RFA		
Overfishing Level (OFL)	OFL should be in the same units as ACLs (i.e., pounds or number of fish).		MFCN-JS NRDC				
	Do not create requirement for an OFL; introduction of a new term is confusing and unnecessary since there is already MFMT.			FSF NCSA		MAFMC-JD	MDMF
	Set the overfishing threshold above Bmsy.		NCMC				
	Overfishing definitions should be changed to account for OFL.		MFCN-CK NRDC SC-DK				
	Overfishing definitions should not have to be revised; Councils should not have to specify a new OFL.			AFM GSSA WCSF	CCA-RMB		
	NMFS should strengthen the guidance of the definition of overfishing to avoid inconsistency among regions and to reduce political pressure on the SSC/stock assessment process.		O-BL				
Buffer Between	Set target/ACL below OFL so that overfishing does not occur.		CLF EM	AFM GSSA	CCA-RMB	CFMC-VB	NPFMC-GK

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an ACL and OFL			GRN MFCN-CK MFCN-JS MFCN-LC MFCN-TW NET-EA NET-MR NET-PB NRDC O-BE OC-CD OC-CDOR OC-JW OC-MJ	PMCC WCSF			
	Set a buffer to account for uncertainty in the data.	DK DM FE-2479 GFA KH LC MM RD RS SA SAI TA VN	CLEAN CLF MFCN-LC NET-MR NET-TL NRDC O-EB OC-CD USPIRG-MG	PMCC	MZi		
	Buffers are not supported; the Act does not require a buffer; NMFS cannot mandate them; a proposed buffer is illegal; leave it up to the Councils.			AFM FSF GSSA NCFA NSC-JO WCSF	CFC RFA	MAFMC-JR PFMC-GAP	MDMF
	The buffer should be based on a system of explicit control rules.		NRDC				
	Increase the buffer if stock is overfished.				CCA-RMB	MAFMC-VOS	
	The size of buffer should be related to past success or failure of management approach.		OC-JW				
	In evaluating uncertainty and buffer size, consider the biological consequences (biological relevance) of exceeding the OFL.			NSC-JO			
	Buffer size should vary based on data and ecological factors (e.g., data poor stocks need an increased buffer).	BB BT VN	CLF MFCN-BM MFCN-LC	PMCC	CCA-RMB MZi		

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			MFCN-JS NMC NET-JG NET-MR NRDC OC-CD OC-CDOR OC-JW OC-MJ PIOS SC-BB SC-DK USPIRG-CC USPIRG-MG				
	Set ACL below OY if the fishery is data poor, long-lived species, and if catch data varies greatly from year-to-year.		USPIRG-BL				
	NMFS should use control rules that reduce the target fishing mortality rate when stock sizes are low and allow higher fishing mortality rates when stock sizes are higher.		PIOS				
	It will be difficult to set buffers and ACLs for data-poor stocks.		OC-MJ				
	Buffers should be considered only on a species-by-species basis.				CFC	PFMC-GAP	
	To estimate buffer size, use a probabilistic framework that incorporates uncertainty in setting target and limit reference points / based on Prager et al (2003) paper.		NRDC				
	What criteria are most important when establishing the marginal difference between ACL and OFL?					MAFMC-DF	
Precautionary Approach	Use precautionary approach.	BB DK DM FE-2479 GE GFA GH KH KL KW MD	CLEAN CLF MFCN-LC MFCN-TW NMC NET-EA NET-MC NET-MR NRDC O-BE O-BL	PMCC	MZi		



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		MM NG PT RB RS SAI SE SS TA VB	O-EB OC-CD OC-CDOR OC-JW PIOS SC-BB USPIRG-BL USPIRG-MG				
	Do not use a precautionary approach.						MDMF
	Do not be over-precautionary.			PC	FRA		MDMF
	Precautionary approach is not a requirement of the law; it should not be referenced in the guidelines.			AFM GSSA WCSF			MDMF
	Precaution is already used in specifying status determination criteria and setting control rules, extra precaution is not needed.			NSC-JO			
	Precaution should be discretionary to the Council.			NSC-GD			
	Must include a risk assessment of the proposed limits.		O-BL OC-JW				
	Be extremely risk averse and set risk intervals.		OC-CDOR OC-MJ				
	Use Restrepo (1998) paper to inform the guidelines & in setting ACLs.		CLF MFCN-LC NET-EA NET-MR NRDC OC-CD OC-CDOR OC-JW OC-MJ	PMCC			
	Set ACL at minimal to zero for target and non-target fisheries with no catch history, no information, new fisheries, or with significant new fishing effort until adequate information is available to assess the status of the stock.		CLF MFCN-LC NRDC OC-CD OC-CDOR	PMCC	CCA-RMB		
Data Tiers	Create different data tiers for classifying stocks and set ACL rules accordingly for each.		CLF MFCN-LC NRDC	AFM GSSA PMCC WCSF			

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	What criteria will be used to establish classifications for “data-poor” to “data-rich” stocks?						MDMF
Data-Poor Stocks	What will be the basis for setting ACLs for data poor stocks (e.g., without stock assessments)?			AS		WPFMC-CS	
	For data poor fisheries, ACLs should/may be set lower than historical catches until data improves.		NRDC PIOS				
	For data-poor stocks, it is impractical to set ACLs where control rules are biologically-based.				CFC	PFGC	
	Proxies and complexes could be used for stocks with no information and interim measures put in place until more information is available.			NSC-JO			
	For stocks with unknown status, should have an ACL that is capped at the current harvest level.				CCA-RMB		
	For rare species, such as some West coast groundfish, uncertainty in estimating catch will be a major issue is establishing ACLs.					NPFMC-FW	
	Do not set ACLs for stocks with unknown status. Good science is necessary before targets can be established.						MDMF
	For data-poor stocks, do not lower catch levels.						MDMF
	There is no good basis for setting ACLs for data poor stocks.						SG-EO
	For stocks with unknown status, even more precaution is warranted than that advised in NMFS Technical Guidance.		NRDC				
	Can look at previous years and set ACL or can look at running averages for data-poor stocks.					SAFMC-GW	
Data Needs for Setting & Monitoring	Need good data to set and monitor ACLs and OFLs: accurate, precise, and real-time data for inseason management; increased	BB JK	CLEAN CLF EM GRN	FSF-SG NSC-GD NSC-JO PMCC	BZ ME MZi PM	CFMC-MH NPFMC NPFMC-AH	NCDENR NCMFC PRDNR-GR RBF

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ACLs and OFLs	observers, VMS, stock status determinations, etc.		MFCN-CK MFCN-LC NET-MR NRDC O-BE O-BL OC-CD OC-CDOR OC-JW O-EB O-GB PIOS SC-BB USPIRG-MG				RJT
	Setting ACLs for species without regular stock assessment outputs would be highly problematic.				CFC	PFMC	
	If observer data is not available to produce bycatch and directed fishery discards, then use stock assessments, fish tickets, logbooks, research, programs, etc.		CLF MFCN-LC NRDC	PMCC			
	100% observer coverage and monitoring is needed for all trawl vessels.		O-BE				
	Want increased electronic data reporting for all sectors.		CLEAN USPIRG-MG		MZi		
	Fishermen should be required to report catch levels in an accurate and timely fashion.		CLEAN USPIRG-MG		MZi TBBU		
	Fishermen feel that there is a disincentive for reporting catch if it will result in the closure of a fishery.					CFMC-MH CFMC-ML	
	NMFS currently does not have monitoring or analytical capabilities to hold sectors in the NE groundfish fishery accountable			NSC-JO			MDMF
	The agency does not have adequate resources to monitor all the species (e.g., lack of survey vessels).					SAFMC-GW	
	NMFS should create a national plan to improve data quality, quantity, and timeliness, as well as for data-poor stocks.		O-BL OC-CD OC-CDOR OC-MJ O-GB				

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	Performance standards for improving data quality and timeliness should be developed		OC-CD				
Optimum Yield (OY)	Provide guidance on how to set OY for consistent application – particularly to account for ecological factors and precautionary approach.	BS	CLF MFCN-LC NMC NRDC O-BL O-EB	PMCC			
	Explain how ACLs and OY relate.		O-BL	NSC-GD	RFA	NEFMC-DP	
	ACL should be set at OY; ACL is an annual expression of OY.			AFM FSF GSSA NCFA NSC-JO WCSF		SAFMC-GW	
	ACL may equal OY but should not exceed OY.		CLF MFCN-BM MFCN-LC NRDC O-BE	PMCC	CCA-RMB		
	ACL should be set below OY. Could OY be higher than ACL?		O-EB USPIRG-MG			MAFMC-DF	
	It is not permissible to say that an ACL must be below the OY.			FSF-DM			
	ACLs and OFL runs counter to OY			FSF NCFA			
	Neither the ACL nor OY should be set equal to MSY, if MSY is equal to OFL.		CLF MFCN-LC	PMCC			
	Whenever possible, OY should be set for an individual species on an annual basis.		NRDC				
	Multi-year OYs should be allowed as it would provide the most flexibility to managers and harvesters.				CFC	PFMC-GAP	
	ACLs and AMs should not replace critical requirements like OY but they should achieve OY on a continuing basis.		OC-CD				
	Achieving OY should still be our chief objective.			ECF			
Bycatch & Discards	Improve management and monitoring to reduce incentives that lead to bycatch and discards; encourage efforts to minimize		O-BL OC-CDOR	AAFA BH BT			

Topic	Comments / Questions	General Public	Environmental Community	Commercial Fishers	Recreational Fishers	Council	Government
	bycatch.						
	NMFS should issue strong guidance to Councils to factor bycatch into all assessment and management actions.		ED O-BL	BT			
	Need top-down management approach with standards that fishers are going to be judged against.			BT			
	Provide specific guidance on competing interests of directed and bycatch sectors – how to achieve MSA ‘fairness and equity.’			SSA			
	Discard data are only estimates and not real measurements.				ME		
Roles in Setting ACLs and AMS	SSC should have the predominant role in setting ACLs.	BB	SC-BB		CCA-RMB		
	SSCs should not determine the ACL or AMs, that is a management function and the Councils should make the management decisions. SSCs should only define the OFL.			FSF NCFA NSC-JO			MDMF
	If the SSCs establish numeric catch limits, this will be a major deviation from Council practice and will require the SSC to make policy decisions.				CFC	PFMC	
	ACLs should be set by Councils, not NMFS.						MDMF
	NMFS and the Councils should retain flexibility and ultimate authority to implement recommendations of the SSCs.				CFC	PFMC-GAP	RBF RJT
	Councils should develop ACLs that fall below the recommendations of the SSC and the peer review process or the lower of the two recommendations if the two processes do not reach consensus.		NRDC				
	Councils should have flexibility in setting ACLs as long as overfishing is prevented.			FSF-DF			
	SSCs should remain technical committees and avoid policy matters.		GRN OC-JW		CFC	PFMC-GAP	

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	Is the SSC supposed to establish catch limits strictly on the basis of biological considerations? Or is the SSC also supposed to consider ecosystem and socioeconomic issues in setting the catch limits? If also the latter, this becomes a policy decision.				CFC	PFMC	
SSC Operations	Provide specific guidance on role of the SSC, reform of SSC, peer review, and/or how they should function to set ACLs to ensure national consistency.	BT JK	CLF MFCN-LC NET-MR NRDC OC-CD OC-CDOR OC-MJ O-GB	PMCC	CFC	PFMC	
	ACLs should not exceed SSC recommendations.	BF DK DM FE-2479 GE GH KH MD MM RS	CLF MFCN-BM MFCN-JS MFCN-LC NET-EA NET-MC NET-MR NRDC OC-CD OC-MJ SC-DK	FSF-DM PMCC			
	MAFMC interpretation of MSRA Section 302(h)(6): The Council believes that the phrase "...develop ACLs that <b>may</b> not exceed the fishing level recommendations of the SSC or peer review process..." means that there may be occasions when recommendations can be exceeded.					MAFMC-DF	
	Clarify SSCs responsibilities for "providing" reports on stock and habitat status, bycatch, and socioeconomic impacts, etc. In some councils, the SSC reviews technical team reports but does not produce them.				CFC	PFMC	
	SSC should provide transparent discussion of all factors in setting ACLs and OYs; report on the quality and quantity of data that decisions are based upon.		O-EB	NSC-JO			NCDENR NCMFC

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	SSCs should play a role in determining measures of probability.		NET-MR				
	SSCs should present a range of ACLs reflecting varying levels of optimism for rebuilding projections, and economic and social impacts for Council consideration.						RBF RJT
	SSCs should annually review and evaluate the efficacy of the AMs selected by the council.		CLF MFCN-LC NET-MR	PMCC			
	SSC decisions and appointments need to be tracked by NMFS to ensure competence and independence.		CLEAN		TBBU		
	SSC should be paid.		NET-EA NET-JG NET-MR				
SSC Member Criteria	Scientists who have no financial interest in the fisheries should set the ACL. SSCs should be independent/unbiased bodies of regional councils; tie to recusal requirements.	BS	CLF MFCN-CK MFCN-JS MFCN-LC MFCN-TW NET-EA NET-JG NET-MC NET-MR NRDC OC-CDOR OC-MJ SC-DK USPIRG-BL USPIRG-MG	PMCC	MZi TBBU		RBF RJT
	Conflict of interest rules should apply to everyone, even those working for or receiving funding from conservation organizations.			FSF-SG			RBF RJT
	SSC appointees should have scientific expertise in fisheries science or marine ecology.	BB	CLF MFCN-JS MFCN-LC MFCN-TW NET-EA NET-MR NRDC OC-CD OC-CDOR OC-JW OC-MJ	PMCC			

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			SC-BB SC-DK USPIRG-BL USPIRG-MG				
	SSC appointees should have scientific expertise in fisheries economics or social science.		NRDC SC-DK				RBF RJT
	SSCs should not include members who gather raw data or decide how recommendations will be implemented.						RBF RJT
	SSC membership should include scientists other than just Federal and state.				RFA		
Council Peer Review Processes	Guidance should include minimum qualifications for peer reviewers (e.g., advance academic training, published in peer review literature, independent).		MFCN-TW NRDC OC-CDOR USPIRG-BL				
	Peer review group: a significant portion of reviewers should come from outside the Region and must not have a direct financial interest (Per US Commission on Ocean Policy Recommendation 19-4).		NRDC				
	Establish a scientifically reviewed mechanism for setting ACLs and AMs.		NET-EA NET-PB				
	Peer review of recommended ACLs and AMs should be independent of the Council process. Peer review should occur within 2 years of setting the first ACL and AMs, and periodically thereafter.		CLF				
	Peer review is essential and should be transparent (e.g., and include minority reports).						RBF RJT
	Follow recommendations in the “The Center for Independent Experts: The National External Peer Review Program of NOAA’s NMFS” (Fisheries 31:590-600).						MDMF
	Commend emphasis on peer reviewed science, but want a mechanism to apply precautionary catch restrictions while the peer review		PIOS				



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	process is ongoing (i.e., does not want the peer review process to slow down rebuilding)						
Accountability Measures (AMs)	AMs must be used, and must be clear, effective, equitable, and consistent.		CLEAN CLF NET-JG NET-MR NET-PB NRDC O-BL OC-CD OC-CDOR OC-JW USPIRG-MG		CCA-RMB MZi TBBU		
	Require Councils take action if the target is exceeded.			AFM GSSA WCSF			
	There seems to be a major push to deal with overfishing, but not enough to deal with accountability.					NEFMC-PR	
	Target TACs have been failures if they are not accompanied with accountability measures.					NEFMC-SM	
	If AM is not working, should change regulatory scheme or increase the size of the buffer.				CCA-RMB		
	Accountability measures should be used with an ACL that is a harvest amount rather than a fishing mortality rate.			NSC-GD			
AMs: Who is accountable?	Hold fishery managers accountable if overfishing occurs.	BB	CLF MFCN-CK MFCN-JS MFCN-LC MFCN-TW SC-BB SC-DK USPIRG-BL USPIRG-CC USPIRG-MG	PMCC			
	Councils should be held accountable for poorly managed fisheries, i.e., NMFS should take control and/or the Councils should lose funding.		USPIRG-MG				
	AMs should be proposed by Councils, not					SAFMC-GW	MDMF

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	NMFS. SAFE reports would help.						
	There should be a roll call of Council votes to provide for accountability of fish managers.		SC-DK				
	Hold fishermen accountable if overfishing occurs.		USPIRG-BL				
AMs: Sector Accountability	Each sector should have AMs to be held accountable and ensure fairness. Sectors that have not exceeded the sector-ACL should not be penalized because of overages of other sector-ACLs.		GRN OC-CD OC-CDOR OC-MJ USPIRG-MG	AFM FSF-DM GSSA NSC-JO WCSF WW	CCA-RMB MT		
	Do not establish AMs for a sector.						MDMF
	If “responsibility” can be determined for an overage, allow for allocation of AMs to the sectors responsible.						RBF RJT
	Fisheries managers must manage the recreational sector in numbers of fish before and any corrective action taken.				RFA		
	If an OFL and an ACL are established for a stock, and the OFL is not regularly exceeded, are AM measures required for each sector?					MAFMC-DF	
AMs: Types	The guidelines should identify a range and/or “tiered” approach of AMs for both inseason and post-season measures.		CLF MFCN-LC NET-MR OC-CD OC-MJ USPIRG-BL	PMCC		MAFMC-DF	
	Do not establish specific requirements for AMs.			AFM GSSA WCSF			
	One type of AM could be “compliance with regulations.”				CCA-RN		
	Require a reduction in the MFMT whenever a stock is estimated to fall below its Bmsy target spawning stock size.		CLF MFCN-LC	PMCC			
	Community based or cooperative based accountability systems could use as a type of AM.		USPIRG-MG				
	Stock assessments must not be considered an accountability measure or as a substitute for a						RBF RJT

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	payback (e.g., if ACL is lowered based on a stock assessment, the lower ACL should not be a substitute for an overage payback).						
AMs: Overages, Paybacks, and Underages	Underages and overages should be calculated based on ACLs and not OFLs.		USPIRG-MG				
	If overage occurs then deduct the amount the next year, even if the ACL was set as part of a multi-year specification.		CLF NRDC O-BL OC-CD OC-CDOR OC-JW O-EB PIOS SC-DK USPIRG-MG		CFC	PFMC	
	Make no references to paybacks in the guidelines; paybacks cannot be required.			AFM FSF GSSA NCFE WCSF			
	It is not mandatory to deduct overages from the next year's fishing level and it could be spread over a period of years; consider a range of options to address ACL overages.				CFC	PFMC-GAP	RBF RJT
	Accounting time period for overages should not extend across multiple years.		NRDC				
	Overages – more stringent measures should be taken to prevent overages if ACLs are exceeded two years in a row.		PIOS				
	Limited overages of the ACL may not require deductions if overages are shown to be anomalies rather than chronic overages; should be rarely used.		CLF MFCN-LC	PMCC			
	Paybacks – should not be 1 to 1; should also reflect biological / ecological productivity lost.		O-EB OC-CD	NSC-JO			
	It is not required that AMs be on a 1 to 1 basis, if stock is satisfactorily rebuilding, for example.						RBF RJT

Topic	Comments / Questions	General Public	Environmental Community	Commercial Fishers	Recreational Fishers	Council	Government
	Underages – Allow payback of underages the next year.			AFM GSSA WCSF	CFC	PFMC	NCDENR NCMFC
	Underages – if not overfished or overfishing, credits could be given to sectors according to SSC recommendations.		CLEAN USPIRG-MG				
	Underages – if not overfished or overfishing, wait until the next stock assessment and revise the ACL upward rather than crediting underages the following year.		USPIRG-MG				
	Underages – Do not allow payback of underages to sectors if stock is overfished or overfishing or in data poor situations.		USPIRG-MG				
	For data rich stocks, calculate overages and underages based on a single season set of numbers. For data poor stocks and fisheries, calculate overages and underages by using a rolling average of catch values.		USPIRG-MG				
AMs: Inseason	Inseason management preferred (e.g., close a fishery when the ACL is projected to be reached early, or implement effort control measures).	DK DM FE-2479 GH KH KW MM RS SAI TA	CLF NET-MR OC-JW O-EB PIOS SC-DK USPIRG-MG	NSC-GD	CCA-RMB		MDMF
	All corrective actions should be done as soon as possible (inseason or following year).		CLF MFCN-LC OC-CD USPIRG-MG	PMCC			
	Recommendations for inseason management should be confined to situations where adequate data is available; this should not be a requirement.			AFM GSSA WCSF			
	Consider how to provide adequate and timely notice to fishery participants when the ACL has been reached inseason.				CFC	PFMC	
	Inseason adjustments but not inseason closures are preferred for recreational fisheries.				CCA-RMB		

Topic	Comments / Questions	General Public	Environmental Community	Commercial Fishers	Recreational Fishers	Council	Government
	Inseason management is not possible for recreational fisheries.				RFA		
	Consider how use of inseason management recommendations may be challenging in the APA context or because of limitations of NEPA or Frameworking (e.g., barrier to timely actions).			NSC-JO NSC-GD		NPFMC-BT	
End Overfishing / Rebuilding	Do not delay measures to end overfishing. Fortify rules to end overfishing ASAP.	BB EH	CLEAN CLF MFCN-CK O-BE O-BL SC-BB		CCA-RMB MZi		
	Overfishing guidelines should allow for continued rebuilding without restrictive requirements to end overfishing immediately.				BA BZ MCBCA MT NACO OBFA PCBA		
	Do not allow overfishing during rebuilding.		USPIRG-BL				
	Rebuild stocks quickly, i.e., do not eliminate or modify the 10-year rebuilding requirement.		CLEAN CLF MFCN-JS MFCN-LC MFCN-TW NET-MR SC-DK USPIRG-BL USPIRG-CC	PMCC	MZi TBBU		
	Clarify how the 10-year rebuilding requirement could be extended; all extensions must have time limits; Summer flounder extension allows the Secretary to grant extensions for other rebuilding stocks as well, using the 6 conditions and maximum 3-year extension in that provision.						RBF RJT
	Rigid timetables for achieving targets should not be required in all instances, particularly for internationally managed stocks.						MDMF
	Rebuilding targets should be based on a historic level when the stock was abundant	BB	SC-BB				

Topic	Comments / Questions	General Public	Environmental Community	Commercial Fishers	Recreational Fishers	Council	Government
	and occurred throughout their historic range.						
	Smooth out rebuilding schedule.		NET-JG				
ACLs and AMs for Rebuilding Stocks	ACLs and AMs should contribute to rebuilding.		OC-CD OC-CDOR OC-MJ				
	Will ACLs affect any current rebuilding plans?					MAFMC-PA	
	If a stock is rebuilding quicker than scheduled and an ACL overage occurs, AMs addressing the overage might not be necessary because the stock is still meeting rebuilding goals.						RBF RJT
	If a stock is rebuilding quicker than scheduled, you could allow fishing at higher levels.						RBF RJT
	As overfishing gets worse, set the ACL lower.	BT					
	For rebuilding stocks, set ACL = F rebuild, which is less than OFL.						MDMF
	Quotas should be cut by 50% this year and 10% each year thereafter until they can rebuild.	BS					
Stock Complexes	Do not use stock complexes or set ACLs for them because it is risky. If necessary, use only as an interim measure.		CLF MFCN-JS MFCN-LC MFCN-TW NET-MR NRDC OC-CD OC-CDOR OC-JW OC-MJ SC-DK	PMCC			
	ACLs should be allowed for stock complexes, assemblages, and similar groupings.			AFM FSF GSSA NCFA WCSF	CFC	NPFMC-AH PFMC	MDMF
	Using an “indicator stock” is a poor substitute for individual stock ACLs.		NRDC				
	If using stock complexes, make sure all stocks in the complex share characteristics with the indicator species.	BT					

Topic	Comments / Questions	General Public	Environmental Community	Commercial Fishers	Recreational Fishers	Council	Government
	For stock complex management, management (ACL) should be based on the stock with lowest productivity (i.e., weak stock management).		CLF GRN MFCN-LC NRDC OC-CD PIOS	PMCC	CCA-RMB		
	To protect weaker stocks, it may be necessary to develop new mechanisms to protect the weaker stock (e.g., time/area closures, gear selectivity, bycatch quotas for weaker stocks, high level of observer coverage).		NRDC PIOS				
	For setting ACLs for complexes, etc., do not set ACLs based on the weakest stock.						MDMF
	Allow authority to shift ACL targets among individual stocks within a stock complex, as long as the complex is not overfished, and provided the total fishing remains below the overall ACL.						RBF RJT
	Develop ecological reference points that can be used in making multi-species assessments.		NCMC				
	Multispecies / complex management is difficult					WPFMC-MH	
Mixed Stock Exception	Mixed stock exceptions should not be allowed.		CLF MFCN-CK MFCN-JS MFCN-LC NET-MR NRDC OC-CD OC-CDOR OC-JW OC-MJ SC-DK	PMCC			
	Mixed stock exception should be allowed so other fisheries can achieve their OY.						MDMF
	Define “fishery” and “fisheries” so that they comport with mixed-stock exceptions, as described in current guidelines.						MDMF
Allocating ACLs and AMs	Allow councils to allocate ACLs/AMs for either sectors or the entire fishery.	BB	SC-BB		CCA-RMB	CFMC-VB	

Topic	Comments / Questions	General Public	Environmental Community	Commercial Fishers	Recreational Fishers	Council	Government
	ACLs should be managed sector-by-sector rather than industry wide.		ED	WW			
	Allocating ACLs among sectors may create complicated procedures.	BT	NET-MR				SG-EO
	Allow management and allocation of ACLs by spatial-temporal dimensions of fish sub-populations and fishing impacts.		CLF MFCN-LC NET-MR NRDC OC-CD OC-JW USPIRG-MG	PMCC			
	Each sector, recreational and commercial, should be responsible for their harvest and discard mortality that can be fully verified. A sector's overage should not carry over to the other sector or impact their allowed harvest.				BA BZ MT NACO PCBA		
	If a sector exceeds its sector ACL or causes the overall OFL for a stock to be exceeded, will only that sector receive a corrective AM action?					MAFMC-DF	
	A given sector would like a voice in how its ACLs is set.				EK		
	Councils should allocate catch to directed fisheries and bycatch in other fisheries.		O-BL				
	Have a separate MFMT for recreational and commercial fisheries; and still use OFL for commercial fisheries.				CCA-RMB		
Management Approaches to Use with ACLs	NMFS should not specify any specific management tools for use by the Councils.			FSF NCFA			
	NMFS must have and should exert its authority for inseason management, as necessary, to prevent overfishing.	GFA	CLF MFCN-LC NRDC O-BE	PMCC			
	If a management approach is already working to end and prevent overfishing, using ACLs may not be appropriate (e.g., lobster size limits).	BT				CFMC-VB	
	ACLs should be established according to how				BA		



Topic	Comments / Questions	General Public	Environmental Community	Commercial Fishers	Recreational Fishers	Council	Government
	each fishery has been historically prosecuted and managed.				BZ NACO PCBA		
	Concern that the some management approaches will not be able to support ACLs (e.g., days at sea NE groundfish); abandon approaches that have frequently failed.			NSC-GD	CCA-RMB		
	Input or effort controls are not reliable and effective		O-EB USPIRG-MG	NSC-JO			
	Allow continued use of input or effort controls.			AFM GSSA WCSF			
	Guidelines should allow councils to manage with an emphasis on fishing mortality targets – not biomass targets, which are based on data-poor science or indexes.						MDMF
	Do not limit the amount of fish, limit how they are caught.			TM			
	Support limiting the number of commercial licenses.			BH			
	Support of no-take zones to allow stocks to replenish.			BH			
	Management should preserve a minimal spawning biomass throughout the geographic range of a stock.			PMCC			
	How do we deal with localized depletion (temporal spatial variation)?		NET-JG			WPFC-CS	
	ACL and/or buffers should be set through annual specifications.		NRDC		CFC	PFMC-GAP	
	Worried that benchmarks used to establish ACLs will be based on historical high abundance.			NSC-GD			
Enforcement	Lack of enforcement of local and federal regulations pertaining to fisheries management and coastal habitat degradation are the major obstacle in the overfishing reduction problem.	MS					
	NMFS should continue to promote upgrades in VMS technology for enforcement and safety.						RBF RJT

Topic	Comments / Questions	General Public	Environmental Community	Commercial Fishers	Recreational Fishers	Council	Government
	Consider species identification issues: ACLs should not be set for stocks where fishermen, processors, and enforcement officers cannot identify the species.				CFC	PFMC	MDMF
Recreational Fisheries Data and Management	Recreational fisheries data needs to improve and monitored adequately and inseason catch monitoring needs to improve.	BTL EL	PIOS USPIRG-MG		BZ CCA-DB CFC FRA ME MZ RFA	CFMC-VB MAFMC-GK PFMC	
	MRFSS cannot be used to establish ACLs. MRFSS data is unreliable.				BA CCA-DB FRA KA MCBCA NACO OBFA PCBA		
	User groups in the Caribbean (divers, commercial, recreational) would like to be part of data collection and feedback system used for setting ACLs.	BT			EK		
	Better controls are needed on recreational mortality – use systems like for terrestrial game hunting (e.g., lotteries, reporting, quotas, real-time reporting methods).		ED	DW UNFA	PM RM		
	Establishing ACLs for recreational fisheries will be difficult, especially for those without assessment information and lack adequate data.				MT	CFMC-VB	
	Recreational fishers should not have annual limits and/or AMs.				JP RFA		
	Recreational fishers should have annual limits and/or AMs.	BT					
	Recreational bag limits are the only way to manage recreational ACLs.				BA BZ KA MCBCA NACO OBFA		

Topic	Comments / Questions	General Public	Environmental Community	Commercial Fishers	Recreational Fishers	Council	Government
					PCBA		
	Recreational fisheries should be required to have logbooks/submit catches.		USPIRG-MG		KA		
	There should be a hard TAC and keep recreational catch below a target F and well below Fmsy. This is a much better way to manage a recreational fishery than with catch because of extreme uncertainties in MRFSS.				CCA-DB		
	Establish and implement a regionally based recreational fishing registry.	BTL EL					
	Support recreational license program and want the money collected used for fisheries management only.			BH			
	Recreational fishermen should be licensed at a state or Federal level.	BB	SC-BB USPIRG-MG				
Ecosystem Approach Management (EAM)	Use this opportunity to start promoting and using EAM/EBM; consider the stock's role in the ecosystem and predator-prey interactions.	BB DK DM FE-2479 GFA GH JD KH MM RS SA SAI	CLF MFCN-CK MFCN-JS MFCN-LC MFCN-TW NCMC NET-MR NET-TL NRDC O-BE O-BL O-EB OC-CD OC-JW PIOS SC-BB SC-DK	PMCC	CCA-RMB MZi	MAFMC-PA	MDMF
	Account for environmental changes that influence fish (including forage fish) availability (e.g., sea temperature) in setting catch limits.		CLF NCMC NRDC USPIRG-MG				
	Forage fish: establish criteria for setting ACLs and OY for forage fish; define goals beyond population size (e.g., age structure, diversity, spatial distribution, overfishing thresholds); and consider ecological risks.		CLF MFCN-BM NCMC NRDC PIOS USPIRG-MG		CCA-RMB		

Topic	Comments / Questions	General Public	Environmental Community	Commercial Fishers	Recreational Fishers	Council	Government
	Set OY far below MSY for species critical in the ecosystem.		MFCN-JS				
	Develop a mechanism for allocating key prey species to predators before allocating prey species to fisheries.		NCMC				
	Recommend both qualitative and quantitative ways to account for ecological factors.		NCMC				
	Protect all stocks from overfishing.		MFCN-TW				
	Proposed guidelines will make EAM difficult.						MDMF
	Include a wider range of stakeholders in the Council process as EAM is incorporated.	BB	SC-BB				
Species with an Annual Life Cycle	Need clear guidelines on 1-year life cycle exception; specify applicable exclusions.			AFM GSSA NSC-GD SSA WCSF			
	Provide guidance for determining stock status for one-year life cycle species and alternative proxies for ACLs and AMs if such measures are required for them.			SSA			
	For species w/ annual life cycles, MSY is meaningless and it should not need to be specified.					SAFMC-GW	
	Management of species with 1-year life cycles does not fit well with conventional understanding of “overfished”, “overfishing”, MSY, OY, and ACLs.			SSA			
	AMs are not possible and don’t make sense for species with 1-year life cycles. Monitoring data for shrimp precludes inseason management and paybacks don’t make sense.			SSA			
	Overfishing of a bycatch species in harvesting a species with 1-year life cycle would not be a basis for establishing an ACL on the target stock in order to control the bycatch amounts.			SSA			
	Convene a special workgroup of scientists and managers to create guidelines for species with 1-year life cycles.			SSA			

Topic	Comments / Questions	General Public	Environmental Community	Commercial Fishers	Recreational Fishers	Council	Government
International Stocks - HMS	Create a legal interpretation of the international exception language in the Act. Guidelines should include criteria and procedures for determining when the terms of international agreements and resolutions are sufficient to substitute for the requirements to develop ACLs and AMs.			AAFA DF	CFC	PFMC PFMC-HMS-AS PFMC-KF	
	Work through regional fishery management organizations (RFMOs) to implement ACLs.	PF		NSC-GD WFOA		PFMC-MC	
	The Council cannot unilaterally create an ACL on a fraction of catch for each nation.				CFC	PFMC PFMC-RM	
	Will ACLs and AMs apply only to the U.S. portion of harvest of a shared stock?					PFMC-RM	
	ACL/AM should only apply to domestic fishing in the EEZ and only to Council jurisdiction.			AFM GSSA WCSF			
	ACLs only for U.S. fishers will be impractical or ineffective at ending or preventing overfishing for international / shared stocks, especially if most of the catch occurs outside of the U.S.			AAFA AFM GSSA NSC-GD WCSF WFOA			
	For most of the West coast HMS stocks, the majority of the fishing mortality is from international fisheries.				CFC	PFMC	
	Congress intended no ACLs or AMs for international stocks.	PF		WFOA			
	Guidelines should clarify whether biological reference points, upon which OFLs are based, should be established unilaterally and solely under FMPs dealing with HMS stocks, or adopted domestically pursuant to their identification and agreement upon at the international level.				CFC	PFMC	
	Data - Shared stocks / HMS stocks often have data time lags, data collected by 2 or more RFMOs, and wide swings in catch data. Many HMS species are caught in non-U.S. fisheries where there is little or no documentation of			WFOA	CFC	PFMC PFMC-KF	

Topic	Comments / Questions	General Public	Environmental Community	Commercial Fishers	Recreational Fishers	Council	Government
	catch.						
	When foreign catch information is available, it will be difficult to determine whether catches should be assigned to a certain stock or, in terms of population dynamics, to separate stocks that should be managed in smaller units related to ACLs.				CFC	PFMC	
State-Federal Management	For stocks where states are lead managers, address how ACLs should be set and monitored (e.g., Pacific Coastal Pelagics, salmon, crab).					MAFMC-PA NPFMC PFMC-MC WPFMC-CS	
	Will ACLs apply only to Council managed species?					PFMC-TR	
	Under ACLs, what will the Federal reaction be when state and Federal actions do not agree?					MAFMC-VOS	
	States' interests and concerns have been given little weight in the fisheries management decision-making process and the proposed NS1 revisions will lead to the same situation.						MDMF
Salmon Concerns	Salmon are managed under different criteria than MSY (i.e., escapement), so there will need to be alternative ACL-setting guidance for salmon or exempt them from ACLs.				CFC	PFMC PFMC-MC	
	Salmon of hatchery origin, stocks listed under the ESA, or stocks with low impacts in Council fisheries should be exempt from any new ACL and AM provisions because under the Salmon FMP, these are three exceptions to the overfishing provisions of the MSA.				CFC	PFMC	
	Salmon life cycles do not lend themselves to AM paybacks.				CFC	PFMC	
	Many Salmon FMP stocks are also managed under the international Pacific Salmon Treaty. Are they exempt from ACLs and AMs?				CFC	PFMC	
	Due to large fluctuations of salmon year-classes, allowable catches greatly vary each year. This situation is similar to management of species with annual life-cycles. Therefore,				CFC	PFMC	

Topic	Comments / Questions	General Public	Environmental Community	Commercial Fishers	Recreational Fishers	Council	Government
	AMs should focus on reasons why ACLs may have been exceeded rather than requiring corrective actions the next year.						
	Spawning escapement is a more direct measure of management success than using monitoring of catch.				CFC	PFMC	
	Salmon identification issues require ACLs be set at the stock complex level by species (e.g., Chinook, coho, pink).				CFC	PFMC	
	Systematic genetic stock identification (GSI) monitoring program could provide ability to monitor catch at a finer scale.				CFC	PFMC	
	Will ACLs apply to salmon that are influenced by in-river catch?					PFMC-TR	
Funding Needs	Increased funding needed to support ACL management – data, analyses, and management needs.		OC-CDOR OC-MJ	NSC-GD NSC-JO		NEFMC-DPierce NEFMC-PH PFMC-MVC	MDMF RBF RJT
	Even with additional funding, it is unlikely that catch accounting can be created for all stocks.				CFC	PFMC	
Safety Concerns	ACL measures should be implemented in a manner that maximizes safety within the commercial fishing industry.						RBF RJT
	Be aware that setting ACLs for the first time in open access fisheries may result in a race to fish – NMFS needs to address this.	BT					
Regional Fishery Management Councils	Council members need training in social and economic impacts of fishery management measures.						RBF RJT
	The PFMC GAP recommends that advisory panels receive stipends, as authorized under MSRA.				CFC	PFMC-GAP	
Miscellaneous	Manage for future generations.	DK FE-2479 GH KH	MFCN-JS MFCN-LC MFCN-TW				

Topic	Comments / Questions	General Public	Environmental Community	Commercial Fishers	Recreational Fishers	Council	Government
		MM NG RB RS SAI SE SK SS VB VS					
	Concern about ACLs potentially shutting down fisheries of economic importance to the Gulf Coast, Florida, and the U.S.				FRA		
	NS1 guidelines should maintain the MSA definition of bycatch as fish that are discarded and not retained for sale or consumption.					WPFMC-MH	
	RFMC should be required to implement guidelines requiring assessment of growth overfishing.	CC					
	Politicians should not advocate for higher quotas that scientifically set.	BS					
	A catch-based management system should be developed in New England to address new MSRA requirements.			NSC-JO			
	Will ACLs along with minimum size limits cause harvest of too many of the fastest growing females?			UNFA			
	Permit fees should increase for commercial fishers.	BB	SC-BB				
	National Standard 1 should take precedence over all other National Standards.	BB	SC-BB				
Current Management Practices	ACLs are new legal requirements. (Councils should not assume that they may already be in compliance.)		CLF MFCN-LC	PMCC			
	The South Atlantic Council has been specifying annual catch limits since 1985.					SAFMC-GW	
	The PFMC feels that ACLs and AMs are accomplished with the current OY system, as applied over the years by the Council. (AM				CFC	PFMC-GAP PFMC-RM	



Topic	Comments / Questions	General Public	Environmental Community	Commercial Fishers	Recreational Fishers	Council	Government
	examples: 40-10 rule, seasons, trip limits, bag limits, rockfish conservation areas, etc.).						
	PFMC prevents overfishing of salmon by setting seasons for over 40 stocks using total allowable ocean harvest determinations for each stock. Quotas are not guaranteed harvests but are rather the maximum allowable measures.				CFC	PFMC	
	The PFMC believes that they meet ACL requirements for Pacific groundfish by: addressing all sources of fishing related mortality, using precautionary reductions to ABC; using precautionary management measures such as depth based closed areas, bycatch caps, precautionary trip limits.				CFC	PFMC PFMC-GAP	
	The PFMC believes that they meet ACL requirements for actively managed coastal pelagic species (Pacific sardine and Pacific mackerel) using species specific MSY harvest control rules. The actual harvest guideline or quota is set at or below the recommended ACL.				CFC	PFMC	
	The PFMC believes that they meet ACL requirements for monitored coastal pelagic species (northern anchovy & jack mackerel) because landings are relatively low and ACLs is determined by a default MSY harvest control rule that sets ACL for the entire stock equal to 25% of the best estimate of the MSY catch level.				CFC	PFMC	
	The PFMC believes that they meet ACL requirements for monitored coastal pelagic species (market squid) because they use a fishing mortality threshold level of egg escape as a proxy for MSY.				CFC	PFMC	
	North Pacific Council uses complexes. Concern about overfishing in data poor stocks within a complex.					NPFMC-BC	

Topic	Comments / Questions	General Public	Environmental Community	Commercial Fishers	Recreational Fishers	Council	Government
	Amendment 16 (to the Northeast Multispecies Plan) should be delayed from current plan to submit in Sept. 2008 and timing geared toward implementation to meet MSA deadlines for ending overfishing.			NSC-JO			
Current Buffers	Buffers are already built into the PFMC's HMS plan now.			DF			
	The state of Alaska manages sea cucumber harvest using the lower 90% bound on the confidence interval.					NPFMC-GK	
Current AMs	For PFMC's salmon stocks, inseason management relies on updating information on the fisheries daily. This enables the Council/states/NMFS to make inseason adjustments or closures if allowable harvest is approached or reached.				CFC	PFMC	
	For Pacific West Coast HMS species, the PFMC may adopt or modify harvest guidelines, quotas on other management measures annually based on information provided in the SAFE report.				CFC	PFMC	
	The PFMC believes that for Pacific coast groundfish they have adequate AMs, especially regarding inseason actions such as fishery closures and inseason adjustments. The Council already takes more precautionary action in the following year if overfishing does occur.				CFC	PFMC	
	The PFMC believes that they have adequate AMs for actively managed coastal pelagic species because they monitor landings throughout the fishing season and directed harvest is prohibited if landings are expected to meet or exceed harvest specifications. At the same time that a target fishery is closed, incidental landings of that same species are limited in other fisheries.				CFC	PFMC	

Topic	Comments / Questions	General Public	Environmental Community	Commercial Fishers	Recreational Fishers	Council	Government
	The PFMC believes that they have adequate AMs for market squid because in the event that egg escapement is determined to be below the 30% threshold for 2 successive years, the Council would consider moving market squid from monitored to active management status.				CFC	PFMC	
	Existing ITQ programs (e.g., Surfclam and Ocean Quahog FMP) should inherently satisfy the requirements for accountability measures.					MAFMC-DF	
	Do the current management systems for recreationally prosecuted species under the MAFMC's FMPs meet the AMs contemplated under MSRA?					MAFMC-DF	
Current EAM	In the mackerel and herring fisheries, predator-prey relationships are considered.			MBT			

## 2.3 Literature Cited by Commenters

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## 3.0 Next Steps

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The comments received reflect the diversity of U.S. fisheries and the need for flexibility in any guidelines developed. NMFS is considering these comments and the scope of issues to address in guidance on ACLs and AMs, as well as the appropriate level of NEPA analysis. Because other NS 1 issues were identified in the public comments, NMFS is also considering the potential for broader revision of NS 1, and potentially NS 2 and NS 3, separate from ACL-specific guidance.

## 4.0 Contacts

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