

Allocation Working Group Terms of Reference

Purpose: Develop technical guidance for fisheries managers on the following topics related to fisheries allocations:

- Under what circumstances should allocation decisions be revisited?
- What issues should be considered when updating allocation decisions?
- What biological, sociological and economic data and analyses are required for these decisions? If data are not available, what other methods can be used?

Deliverables:

- The working group should provide their opinions and recommendations in a report by XXXXX 2014.

Background:

Allocation is defined as “a direct and deliberate distribution of the opportunity to participate in a fishery among identifiable, discrete user groups or individuals.” Because of the economic value, history, and tradition associated with access to fishery resources and the perceptions of fairness that arise with allocation decisions, allocation of fishery resources is one of the most challenging issues faced by fishery managers. Allocation can be across jurisdictions (international, state, regional, etc.), across sectors (commercial, recreational, tribal, research, etc.), and within sectors (individual fishermen, gear types, etc.).

Allocation decisions are generally made by the regional fishery management councils (Councils). At a national level, NOAA Fisheries issued a Catch Share Policy that clearly states that underlying harvest allocations should be revisited on a regular basis whether they are a part of a catch share program or not. Multiple reports and Technical memoranda have been prepared by NOAA Fisheries that provide guidance on making allocation decisions. The most recent report (Morrison and Scott 2014) summarizes laws, guidance, technical memorandums, court cases and case studies related to fisheries allocation decisions. In addition, NOAA Fisheries initiated a review of a wide range of allocation issues. As part of this review, NOAA Fisheries contracted with George Lapointe to conduct a series of interviews with stakeholders and fishery managers and produce a report based on his findings. The report summarized current perceptions on allocation decisions in fisheries management and concludes with a list of five actions that could be taken to improve the allocation process; including determining when allocation decisions should be reviewed and what issues should be considered when making allocation decisions. The recommendations from this working group will address these two recommendations.

Approach and Functions: After reviewing papers and reports on allocation of fishery resources (e.g. MONF3, Lapointe), NOAA Fisheries has identified three key topics relevant to fisheries allocation decisions. Under each of the three main topics, a series of trigger questions are provided for the consideration of the Working Group. ***The working groups should evaluate and provide recommendations on all three of the key topics. The working group should provide recommendations on both the technical and policy aspects of making allocation decisions.***

Key topics with trigger questions:

1. Under what circumstances should allocation decisions be revisited and/or updated?
 - a. What factors should be considered in determining a timeline (i.e. every 5-7 years) for reviewing allocations taking into account the availability of biological, social and economic indicators? Based on these factors, provide guidance on timeline for reviewing allocations.
 - b. What thresholds (economic, biological and social), if any, should be considered for determining when an allocation should be revisited and/or updated?
 - c. What performance criteria exist that could help Councils determine if a current allocation meets the goals and objectives of that fishery?
 - d. Should the trigger for looking at allocations come from a threshold of public interest (e.g. petition based)?
2. What issues should be considered when updating allocation decisions?
 - a. What guiding principles (such as minimizing scientific uncertainty, using trends rather than point data, etc.) should be used when making allocation decisions?
 - b. What factors (such as ecosystem impacts, cultural significance, fishery participation, and fishery dependence, etc.) should be considered when making an allocation decision?
3. What biological, sociological and economic data and analyses are required for these decisions?
 - a. What data and analyses are currently being used for allocation decisions?
 - b. What other data and analyses would you recommend to improve the quality of decisions?
 - c. When data is absent, what proxies can be applied? Can proxies be improved to provide more accurate estimates?

Organization and Reporting

A Working Group will discuss, evaluate, and provide recommendations on the topics identified above. The Working Group will make sure all topics identified under the “Approach and Functions” section above are addressed. If other topics or issues arise during the discussion, the Working Group should report on those issues as well. A workshop will most likely be organized to allow for group discussions around these questions. Webinars will be organized as needed prior to and after the workshop to introduce or conclude discussions on these topics, respectively. To the extent additional specific expertise is needed and not represented on the Working Group, the Working Group can engage appropriate technical experts.

- **Working Group Coordinator:** The coordinator will be responsible for preparing background materials, facilitating discussions on conference calls and compiling recommendations from the working group into a report.
- **Fisheries Allocation Working Group Members:** The working group should contain the following experts:
 - Fish ecologists, social scientists, fisheries economists, fisheries managers, legal advisor, and fishery participants.
 - Representatives from the Regional Fishery Management Councils, NMFS Science Centers, Regional Offices, and Headquarters Offices, as well as representation from outside of NMFS.

A list of Working Group members will be developed. Working group members will be responsible for reviewing background materials; participating in conference calls; attending any workshops; discussing, analyzing, and providing recommendations on the topics identified under the “Approach and Functions” section above; and providing edits and comments on the draft report.

Funding:

Funding for the working group TBD.

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