Objectives

- Scoping Document Review
- Approval for Public Hearings
Council Motion – February 2012

- Then Amendment #15 – PSP issue, essential fish habitat (EFH), cost recovery, and OQ BRP definitions
- Include excessive shares issue in a subsequent amendment
  - This allowed time for the data collection system to be developed and implemented to assess quota ownership and control
Data Collection Protocol

- Developed in 2013
- Implemented in 2016 fishing year
Amendment Purpose

- Council is required to develop measures to define what constitutes an excessive share in the ITQ program to be consistent with National Standard 4 (NS4)

- To review and possibly revise FMP goals and objectives (g/o)
Why was this action initiated

- Excessive shares action was identified as a priority in the Council’s 2017 Implementation Plan to ensure the FMP is consistent with NS Guidelines under the MSA
Why was this action initiated

- NS4 states that “… If it becomes necessary to allocate or assign fishing privileges among various United States fishermen, such allocation shall be (a) fair and equitable to all such fishermen; (b) reasonably calculated to promote conservation; and (c) carried out in such manner that no particular individual, corporation, or other entity acquires an excessive share of such privileges.”
Why was this action initiated

- Amendment 8 to SCOQ FMP implemented ITQ management program. Did not include specific cap or measures which limit the maximum amount of shares owned by a single entity

- NS4 not been addressed
Why was this action initiated

- The Council is undergoing a process to review/revise g/o for all managed fisheries
- Feedback from scoping meetings will provide starting point for the FMAT and Council’s discussion of revised g/o at the October Council meeting
Amendment Process Overview

1. Amendment Initiated
2. Scoping
3. Identification of priority issues and development of draft alternatives
4. Development of Draft Amendment & environmental analyses
5. Public Comment on Draft Amendment
6. Review of Public Comments
7. Selection of Preferred Management Measures
8. Submission to Secretary of Commerce
9. Publication of Proposed Rule
10. Public Comment on Proposed Rule
11. Publication of Final Rule
12. Implementation

Legend:
- Current phase of development
- Council
- NMFS
In addition to the Scoping Process

- The Council enlisted the services of the Fisheries Forum – to support the work on the g/o issue
  - Similar effort done for the comprehensive summer flounder amendment
Near-Term Timeline

- July 2017 – Scoping hearings & public comment period
- August 2017 – Council reviews scoping summary on excessive shares
- August/September 2017 – FMAT preps g/o comments & develops draft g/o for Council to review
- October 2017 – Council reviews g/o material
- Fall 2017 – FMAT starts developing alternatives for excessive shares
Purpose of scoping

- Early and open process for public input
- Informs development of reasonable range of alternatives for further analysis
- Written comment period & scoping hearings
- First and best opportunity for the public to raise issues
Scoping process

- 4 public scoping hearings
  - RI, DE, NJ, MD; July 10 – July 17

- Written comment period
  - Submit by email, web form, mail, or fax
  - To the Council

Submit written comments by 11:59 p.m. Friday, July 21, 2017
Amendment Issues

- The Council is required to develop measures which specifically define what constitutes an excessive share in the SCOQ ITQ program to be consistent with NS4

- To review and possibly revise g/o
Issue 1 – Excessive Shares
We are seeking public comments on:

- A specific percent (%) cap on the amount of ITQ shares an individual, corporation, or other entity could acquire

- Other approaches that could be used to provide a measurable definition of what constitutes an excessive share

- What else should the Council consider during the process of addressing the excessive shares issue for the SCOQ FMP?
Issue 2 - FMP Goal and Objectives

Current FMP Objectives:

- 4 objectives listed in the scoping guide document
Issue 2 - We are seeking public comments on:

- Are existing objectives appropriate for management?
- Are there any objectives that appear outdated?
- How could they be updated?
- Is the intent of objectives clear? Reworded or clarified?
- Should new goals and/or objectives be added?
- What else should the Council consider during the process of reviewing the objectives for the SCOQ FMP?
Next Steps

- Written comments and hearing summaries will be compiled for review by the Council
- FMAT develops alternatives
- Committee/Council review and consider range of alternatives for inclusion in the amendment
Questions and Comments?