



Potential Redevelopment of the Mid-Atlantic Council's Research Set-Aside (RSA) Program

Comparisons between previous and revised draft RSA programs

April 2022

Goals and Objectives

Previous RSA program:

As specified in Framework Adjustment 1 in 2002

Goal: The purpose of the RSA program is to support research and the collection of additional data that would otherwise be unavailable. The Mid-Atlantic Council wishes to encourage collaborative efforts between the public, research institutions, and government in broadening the scientific base upon which management decisions are made. Reserving a small portion of the annual harvest of a species to subsidize the research costs of vessel operations and scientific expertise is considered an important investment in the future of the nation's fisheries.

Objectives:

1. Facilitate the collection of data that the Council and public deem important for fishery management purposes.
2. Create a mechanism whereby the data collected can be reviewed and certified acceptable for use by NMFS scientists and those individuals involved in the fishery management process.

In 2011, the Council considered a revised RSA program goal and identified five core principles (https://www.mafmc.org/s/2011a_2011-02_RSA-Committee.pdf, see page 2). Not clear if ever approved and implemented.

Revised draft RSA program:

The goals and the associated objectives are in priority order. Language in **blue** are recommendations developed during RSA Workshop #4.

Goal 1: Produce quality, **appropriately** peer-reviewed research that maximizes benefits to the Council, **management partners, and the** public and enhances the Council's understanding of its managed resources (Research)

Objectives:

1. Support more applied management-focused research activities.
2. Higher priority on proposed RSA projects whose results would likely have **timely** application to species management.
3. Discourage commitments to longer-term monitoring projects.
4. Ensure all data collected (funding and research) through the RSA program is open access.

Goal 2: Ensure effective monitoring, accountability, and enforcement of RSA quota (Enforcement and Administration)

Objectives:

1. Apply enhanced, adaptive, and consistent enforcement standards and controls. [\[moved from #4\]](#)
2. Ensure compliance with the reporting and use of the RSA quota. [\[moved from #6\]](#)
3. Increase state-federal science, enforcement, and administration collaboration and cooperation. [\[moved from #5\]](#)
4. Minimize law enforcement and administrative (agency and researcher) burdens. [\[moved from #1\]](#)
5. Provide support for administrative and law enforcement activities. [\[moved from #3\]](#)
6. Improve **states'** ability to revoke RSA fishing privileges. [\[moved from #2\]](#)

Goal 3: Generate resources to fund research projects that align with the priorities of the Council (Funding)

Objectives:

1. Maximize revenues from RSA quota.
2. Provide equitable opportunity to fund research across all Council-managed species.
3. Increase scientific and industry partnerships.
4. Evaluate fairness in fishing community access to RSA quota.

Goal 4: Foster collaboration and trust between scientific and fishing communities and the general public

Objectives:

1. Ensure an open, accountable, and transparent process through all steps (funding and research) of the RSA program. [\[moved from #2\]](#)
2. Ensure all data collected (funding and research) through the RSA program is open access. [\[moved from #1\]](#)
3. Increase scientific and industry partnerships.
4. Evaluate fairness in fishing community access to RSA quota.

Program Elements

Green italicized text indicates RSC has considered but not made a recommendation; *Purple italicized text* indicates Committee recommendations for state consideration.

Program element/Area of concern	Old program	Revised draft program
<i>Administration and enforcement</i>		
Call-in/notification/reporting requirements	<ul style="list-style-type: none"> • Pre-trip notification to IVR system (implemented in 2014) • 1-hour pre-landing notification with pounds harvested, VTR serial number and port of landing (implemented in 2014) • Was to be “real time” notification to law enforcement of all planned RSA activities (unclear if happened) • Federal vessels landings through IVR, paper VTR, and dealer reports • Encouraged state vessels to submit electronically to ACCSP 	<ul style="list-style-type: none"> • Require a 24-hour pre-trip notification to declare what species, port of landing and anticipated time of landing • Implement standardized reporting for <u>all</u> participating vessels with use of an electronic platform (e.g., VMS, eVTR, eTRIPs for state vessels) • Require <i>a 6-hour</i> pre-landing requirement and provide RSA harvest and completed eVTR prior to entering port • Federal vessels landings through pre-landing notification (if recommended), electronic trip submission, dealer report
Shore-side monitoring of RSA quota	<ul style="list-style-type: none"> • Enforcement checks but dispersed and diffuse given nature of fishery and landing locations • EFP/state exemption permits to allow vessels harvesting RSA quota to land above trip/possession limits and/or during closed seasons 	<ul style="list-style-type: none"> • Require RSA harvest of specific species to occur on separate trips from non-RSA harvest of that same species (ie., no mixed trips for specific species, all landings for species applied as RSA) • Require all RSA quota to be offloaded at same port as specified in pre-trip notification • <i>Allow</i> all vessels to be equipped with AIS or VMS • <i>Recommend states consider limiting offloads to specific hours</i> • EFP/state exemption permits to allow for vessels harvesting RSA quota to land above trip/possession limit and/or closed season
Number of landing locations	<ul style="list-style-type: none"> • No limits on locations/ports or dealers to offload RSA harvest 	<ul style="list-style-type: none"> • <i>Recommend states decide if there would be limits on locations/ports or dealers to offload RSA harvest</i>
Number of vessels participating	<ul style="list-style-type: none"> • NMFS cap of 50 participating vessels per project • Both commercial and for-hire vessel participation 	<ul style="list-style-type: none"> • <i>Recommend states decide if there would be vessel participation caps (total/by sector) beyond NMFS project cap</i>

	<ul style="list-style-type: none"> Participation of both federal and state permitted vessels 	<ul style="list-style-type: none"> Both commercial and for-hire vessel participation (no private recreational) Participation of both federal and state permitted vessels (<i>Committee also supports states considering a possible phase-in of state vessel participation</i>) <i>Committee has not yet made a recommendation but is considering options to limit the number of RSA quota transfers between vessels</i>
Verification of for-hire harvest	<ul style="list-style-type: none"> Reporting and monitoring differed by state but no verification 	<ul style="list-style-type: none"> <i>No specific verification but Committee has not made any recommendations on this topic yet but has discussed different for-hire reporting requirements</i>
Administrative burden and costs relative to benefit	<ul style="list-style-type: none"> Funds raised through auction used to support a full-time technician to work at NYDEC office 	<ul style="list-style-type: none"> Allow states to opt-in/out of shore-side participation in RSA program (e.g., providing state exempted permits) Options under other categories – limit offload hours, vessel limits etc. <i>Committee has not made any recommendations but has discussed other options to provide admin/law support (e.g., the potential to use RSA funds to support activities, develop consistent guidance across states etc.)</i>

Program element/Area of concern	Old program	Revised draft program
Funding		
Species/FMP potential RSA allocation was available	<ul style="list-style-type: none"> All Council species/FMPs except for Surfclam and Ocean Quahog (only ITQ fisheries at the time) 	<ul style="list-style-type: none"> All Council species/FMPs
Portion of Acceptable Biological Catch (ABC) set aside	<ul style="list-style-type: none"> 0% - 3% of total allowable landings (TAL) portion of the ABC % set aside in any given year then converted into pounds 	<ul style="list-style-type: none"> Fixed percentage of ABC for each fishery (i.e., different percentages for each fishery)
Funding mechanisms	<ul style="list-style-type: none"> Compensation fishing (bilateral agreements between grant recipients/PI and vessels to share proceeds from harvesting RSA) or through third party auctions to bid off quota lots by species 	<ul style="list-style-type: none"> Ability to use both bilateral agreements and third party auctions
RSA quota allocation	<ul style="list-style-type: none"> RSA quota available for use was not allocated by sector 	<ul style="list-style-type: none"> Of the fixed percentage of RSA quota allocated, separate allocation of quota

		across sectors (e.g., x% of RSA quota allocated to commercial and x% to for-hire)
Lack of trust in third party quota process	<ul style="list-style-type: none"> Requirement to join and pay fee (\$2,000-\$250 per vessel) to third part in order to participate in auction Overhead fee to run and administer auction Some data elements collected through auction not available for scientific use Periodic program reviews conducted 	<ul style="list-style-type: none"> Conduct periodic review of funding mechanism(s) to determine approach supports or undermines project or program objectives <i>The Council and NMFS do not have the authority to run an auction. The Committee has considered identifying guidelines/best practices to be followed by third party conducting auction</i>
Less compensation fishing through greater use of the auction lead to greater disconnect and less collaboration between researcher and industry	<ul style="list-style-type: none"> Use of a third party auction became primary way to fund research and generated most revenue 	<ul style="list-style-type: none"> Where feasible, compensation harvest is coupled with research activity Use of compensation fishing and third party auction can be used to generate funds

Program element/Area of concern	Old program	Revised draft program
<i>Research</i>		
Principal investigator disinterest/lack of project proposals	<ul style="list-style-type: none"> Supported long-term projects (and costly compared to funds raised), limited the number of funded projects 	<ul style="list-style-type: none"> <i>Committee has not made a recommendation but draft objective #3 under Goal 1 would discourage commitments to longer-term monitoring projects</i>
Perceived conflicts of interest (COI)	<ul style="list-style-type: none"> Individuals participating in priority setting process could also apply/receive RSA funds Management review process Inequities and access to RSA auction COI dictated by federal grant regulation 	<ul style="list-style-type: none"> <i>Committee has not made any recommendations but is considering:</i> <ul style="list-style-type: none"> <i>Increase awareness and publication of Dept. of Commerce COI policies</i> <i>Develop internal COI policies for entities engaged in RSA prioritization process</i>
Quality research/peer review	<ul style="list-style-type: none"> Technical review on specific criteria by three subject matter experts, did include SSC members by end of old program Management review by RSC and recommendations to NMFS who has final decision PI submit interim and final reports – some review by SSC 	<ul style="list-style-type: none"> <i>Committee has not yet made recommendations but is considering:</i> <ul style="list-style-type: none"> <i>Pre and full proposals</i> <i>Comprehensive post-project review to determine value and utility</i> <i>Outreach and dissemination of results options</i> <i>Greater use of SSC and broader pool of experts for review</i>

Funding for species research	<ul style="list-style-type: none"> • Research to target species set aside, up to 25% of funds could be used for other species 	<ul style="list-style-type: none"> • Allow specific percentage of projected revenue from species quota sale to be used for research on any other managed species (e.g., MAFMC, NEFMC, ASMFC)
Data availability/open access	<ul style="list-style-type: none"> • Dictated by federal grant regulation – data sharing, COI, and review 	<ul style="list-style-type: none"> • <i>Committee has not made a recommendation but draft objective #4 under Goal 1 would ensure all data collected (funding and research) through the RSA program is open access, subject to confidentiality laws</i> • <i>Consideration for inclusion of a data sharing plan in proposal and conflict of interest statement</i>
Projects not used in science and management	<ul style="list-style-type: none"> • SSC identifies research needs through 5-yr research priorities document • RSC set top 10 research and management priorities • Solicitation to address these priorities 	<ul style="list-style-type: none"> • <i>Committee has not yet made recommendations but considering:</i> <ul style="list-style-type: none"> - <i>Changes to research priority development and greater SSC input</i> - <i>Proposal requirements that would need to include: addressing timely management issue, reduce uncertainty, include a data sharing plan etc.</i> - <i>Council outreach/communication with public regarding project results and utility</i>