

# **SOUTH ATLANTIC FISHERY MANAGEMENT COUNCIL**

## **SCIENTIFIC AND STATISTICAL COMMITTEE**



**SSC Meeting Report  
October 23 - 25, 2012  
Crowne Plaza  
North Charleston, SC**

**VERSION 1**

## **PURPOSE**

Topics to address during this meeting:

- SEDAR 32 and 36 planning
- Review assessments of yellowtail snapper, red porgy, and vermillion snapper and provide fishing level recommendations
- Consider shrimp assessment possibilities
- Consider wreckfish analyses
- Review FMP Amendments including: CEBA 3, Shrimp 9, Snapper-Grouper 27 and 28, and Coastal Migratory Pelagics 19 and 20.
- Review Regulatory Amendments 13, 15, and 17.
- Recommend a P-rebuild for black sea bass
- Review draft Snapper-Grouper SAFE report
- Update on ORCS workshop
- Discuss stock prioritization
- Review a new approach to evaluate management uncertainty

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## **Documents:**

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Attachment 2. SEDAR project schedule  
Attachment 3. SEDAR 32 TORs  
Attachment 4. SEDAR 36 TORS and Schedule  
Attachment 5. Black Sea Bass Update TORs  
Attachment 6. Gulf Pink Shrimp Assessment  
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Attachment 9. Red Porgy Assessment Update  
Attachment 10. Wreckfish SCAA  
\*Attachment 11. Wreckfish Analysis  
Attachment 12. CMP Amendment 19 Draft  
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Attachment 19. MRIP Calibration Workgroup Report  
\*Attachment 20. Post-Stratification Update  
Attachment 21. Calibration Example  
Attachment 22. RA15 Alternatives  
Attachment 23. Amendment 27 Summary  
Attachment 24. Amendment 28 Alternatives  
Attachment 25. DRAFT Snapper Grouper SAFE Report  
Attachment 26. ORCS WORKSHOP REPORT  
Attachment 27. Report  
Attachment 28. SAFMC Follow-up, September 2012  
Attachment 29. SAFMC FMP Timeline, September 2012

**\* Indicates documents not available for the first Briefing Book.**

**Note that Document 29 is provided to the SSC in Excel Spreadsheet format and as a pdf.**

## **SAFMC PUBLIC COMMENT PROCESS**

### **Written comment:**

Written comment on SSC agenda topics is to be distributed to the Committee through the Council office, similar to all other Council briefing materials. Written comment to be considered by the SSC shall be provided to the Council office no later than one week prior to an SSC meeting. For this meeting, the deadline for submission of written comment is 12:00 pm Tuesday, October 16.

SAFMC  
4055 Faber Place Drive  
Suite 201  
North Charleston, SC 29405

### **Verbal comment:**

Two opportunities for comment on agenda items will be provided during SSC meetings. The first will be at the beginning of the meeting, and the second near the conclusion, when the SSC reviews its recommendations. Those wishing to comment should indicate such in the manner requested by the Chair, which may be through a show of hands or a written list if the number of interested parties is extensive, who will then recognize individuals to come forward and provide comment. All comments are part of the record of the meeting.

## **1. INTRODUCTION**

### **1.1. Documents**

Agenda

Attachment 1. Minutes of the August 2012 meeting

### **1.2. Action**

Introductions

Review and Approve Agenda

*The SSC meeting was called to order at 8:30 am, as scheduled. The agenda was adopted without change and the minutes of the August 2012 meeting were adopted without further comment or changes. Member introductions were made. The Chair reviewed the agenda and outlined the general format and conduct of the meeting.*

## **2. PUBLIC COMMENT**

The public will be provided two opportunities to comment on SSC agenda items during this meeting. The first at the start of the meeting, and the final will be provided at the end during the review of recommendations. Those wishing to make comment should indicate their desire to do so to the Committee Chair.

*Accordingly, at this point in the meeting the Chair opened the floor for the first opportunity for public comment. Public comments were provided by Mr. Russell Hudson (Directed Sustainable Fisheries).*

## **3. SEDAR ACTIVITIES**

### **3.1. Documents**

Attachment 2. SEDAR project schedule

Attachment 3. SEDAR 32 TORs

Attachment 4. SEDAR 36 TORS and Schedule

Attachment 5. Black Sea Bass Update TORs

### **3.2. Overview**

The SEDAR Steering Committee modified the 2013 assessment plan and developed preliminary projects for 2014.

The Council made appointments for SEDAR 32, South Atlantic blueline tilefish and gray triggerfish, at its September meeting. The Committee is asked to recommend an SSC member to Chair the review workshop. Assessment TORs are provided for review and comment.

SEDAR 36 will be a standard assessment of snowy grouper with a prolonged project schedule to allow the analysts ample time to bring the existing model up to current standards. A workshop will be incorporated in this standard assessment process. SSC representatives are desired to serve on the assessment panel.

A black sea bass update will be developed in early 2013 for presentation to the SSC in April 2013.

Table 1. SEDAR Assessment Projects for the South Atlantic, 2013-2017.

Year	Stocks	Status
2013	1.Gray triggerfish B 2. Blueline Tile B 3. Snowy STD 4.Black Sea Bass U	Final
2014	1. Red Snapper B 2.Red porgy B 3. Gag U 4. GAJ U	Preliminary
2015	1. gray snapper B 2. Dolphin B 3. Wahoo B 4. Tilefish U 5. Red grouper U Vermilion U? Red Porgy U?	Tentative
2016	white grunt B Speckled Hind B Warsaw grouper B wreckfish B Red Snapper U Snowy U Blueline U	Tentative
2017	Red Porgy U + Black Sea Bass U (rebuild target 2016) Gag U	Tentative

### 3.3. Action

- Review and Comment on the current SEDAR assessment plan

*The SSC reviewed the current SEDAR schedule and assessment plan. No concerns were expressed and the Committee accepted the schedule and assessment plan as presented.*

- Identify a Review Panel Chair for SEDAR 32

*Dr. Steve Cadrin volunteered to serve as Chair and Dr. Jim Berkson volunteered to serve as Reviewer for SEDAR 32.*

- Approve SEDAR 32 TORS
- Approve SEDAR 36 TORS and Schedule
- Identify SSC participants for SEDAR 36
- Approve black sea bass TORS

*TORs and schedule for SEDARs 32 and 36 as well as for the black sea bass update were approved without modification. However, in regard to Data Workshop TORs the Committee discussed the fact that stock boundaries can be a catch 22. Sometimes they have to be considered for the next assessment, sometimes they can be adjusted within an assessment. The Committee suggested that shared management responsibilities between the Mid Atlantic and the South Atlantic Councils should be considered when Data Workshop panels discuss stock structure for stocks that straddle council boundaries.*

## **4. SHRIMP ASSESSMENT APPROACHES**

### **4.1. Documents**

Attachment 6. Gulf Pink Shrimp Assessment

### **4.2. Overview**

Rick Hart of the SEFSC briefed the Committee on efforts to develop a stock synthesis based assessment of Gulf of Mexico shrimp.

### **4.3. Presentation**

Shrimp Assessment Approaches: Rick Hart, SEFSC

### **4.4. Action**

- Review and comment

## **SSC RECOMMENDATION:**

*Dr. Rick Hart of the SEFSC gave a presentation on the SS3 model that has been developed for penaeid shrimp stock in the Gulf of Mexico. His presentation focused specifically on the pink shrimp stock. One of the reasons the SS3 model was selected was the ability to include environmental data. Some questions raised by the SSC included the use of continuous growth curve (von Bertalanffy) for an organism that exhibits saltatory development, the difference in size selectivity curves between the*



*commercial fishery and the fishery independent survey (i.e., dome shaped vs. asymptotic), and the lack of inclusion of environmental data in the model. Given much of the debate surrounding the absence of a strong spawner recruit relationship for penaeid shrimps and the presence of strong environmental effects, it was surprising that that type of data were not currently included in the model. The fact that penaeids are annual stocks further complicates the model as months are used as “shrimp” years.*

*The SSC recommended proceeding with an exploratory phase to assess the applicability of the assessment for the South Atlantic. Currently these models have not been through a SEDAR process to determine the scientific merits of the approach. The SSC was not sure how this would fit into the SEDAR schedule, and suggested possibly putting the question to the SEDAR Steering Committee for their consideration. The SSC asked if it was not possible to fit into the SEDAR schedule, and the SSC had to provide the evaluation, would it be possible to have the Science Center provide a desk review?*

*One of the major concerns associated with the use of this model in the South Atlantic is the spottiness of the effort data from the commercial fishery. Unlike the Gulf of Mexico that has a very comprehensive assessment of their fishery, the South Atlantic has proven to be less dependable on a fine scale.*

*Assessing South Atlantic shrimp poses an interesting challenge to the current SEDAR approach as these stocks are annual and would need to be assessed on that basis. It is possible that these species would need to be processed differently, maybe just passing through the review once the methodology has been determined.*

*The Committee requests that the SEDAR Steering Committee discuss this issue and provide the SSC feedback on how it intends to incorporate shrimp assessments into the SEDAR process.*

## **5. P-REBUILD FOR BLACK SEA BASS**

### **5.1. Documents**

Attachment 7. SEDAR 25 Black Sea Bass Assessment

### **5.2. Overview**

The original rebuilding plan for black sea bass was based on a 50% probability of success. The SSC briefly discussed P-rebuild when the SEDAR 25 assessment was reviewed in November 2011 but a revised P-rebuild was not provided at that time. In Snapper-Grouper Amendment 18A, approved by the Council in December 2011, the Council specified that the rebuilding plan should have a 66% chance of success. Because the 66% chance of success was based on assessment evaluations of the *status quo* rebuilding program (fixed harvest of 847,000 pounds) (Table 3.20 in Attachment 7. SEDAR 25 Black Sea Bass Assessment), the Council requested that the SSC review the previous assessment and provide a P-rebuild recommendation.

### 5.3. Action

- Recommend a P-Star and P-rebuild for the SEDAR 25 assessment

### **SSC RECOMMENDATION:**

*To determine P-rebuild, the SSC used the ABC control rule to determine the buffer adjustment factor. The updated information projected forward uncertainty for several parameters in the model beyond recruitment. This resulted in a reclassification of the Uncertainty Characterization Dimension which decreased from tier 3 (5%) to tier 2 (2.5%). The following tiers (and associated percentages) were chosen for each ABC control rule dimension:*

<i>Assessment Information:</i>	<i>Tier 1 (0%)</i>
<i>Uncertainty Characterization:</i>	<i>Tier 2 (2.5%)</i>
<i>Stock Status:</i>	<i>Tier 3 (5%)</i>
<i>Productivity and Susceptibility:</i>	<i>Tier 2 (5%)</i>

*Buffer adjustment factor (total of four categories above) = 12.5%*

*P\* = 37.5% (50% baseline – buffer adjustment factor)*

*P-rebuild = 62.5% (100% baseline – P\*)*

*Science center staff will calculate a new rebuilding scenario under this revised value with associated harvest values.*

## **6. VERMILION SNAPPER ASSESSMENT UPDATE**

### 6.1. Documents

Attachment 8. Vermilion Snapper Assessment Update

### 6.2. Presentation

Assessment Results: Kyle Shertzer, SEFSC

### 6.3. Overview

The SSC is asked to review an update assessment for vermilion snapper. The original benchmark was prepared in 2003 through SEDAR2 and last updated in 2007. Vermilion snapper were last determined to be neither overfished nor experiencing overfishing.

### 6.4. Action

- Provide Fishing Level Recommendations for vermilion snapper consistent with the ABC control rule.
- Provide guidance and advice on assessment uncertainties
- Comment on potential discarding issues
- Provide recommendations on the next assessment (type and timing)

### SSC RECOMMENDATIONS:

*The SSC found this update to be as good, if not better than the last benchmark assessment (SEDAR 17). The Committee considered it to represent the best scientific information available and recommended its use for setting ABC for vermilion snapper in the South Atlantic.*

*Results suggest that spawning stock has generally declined throughout the full assessment period (1946-2011). The terminal (2011) estimate of spawning stock is the lowest value of the time series, slightly below  $SSB_{MSY}$  ( $SSB_{2011}/SSB_{MSY}=0.98$ ), but still above MSST ( $SSB_{2011}/MSST=1.26$ ), using the Council's definition of MSST as  $(1-M)*SSB_{MSY}$ . The estimated fishing rate has exceeded the MFMT (represented by  $F_{MSY}$ ) only rarely, and never since 1992. The terminal estimate is below  $F_{MSY}$  ( $F_{2009-2011}/F_{MSY}=0.67$ ). Thus, this assessment indicates that the stock is not overfished, nor is it experiencing overfishing.*

*The SSC thought uncertainty was well addressed in this assessment. In SEDAR-17 uncertainty was examined in part through the use of multiple models and sensitivity runs, and for the base catch-age model, by bootstrapping recruitment residuals and refitting the spawner-recruit curve many times. However, SEDAR-17 reviewers noted that this bootstrapping method captured uncertainty only partially. Indeed, more recent SEDAR assessments have applied the more thorough method of a mixed Monte Carlo and bootstrap (MCB) approach. Because of reviewers comments, and because of the increased emphasis on accounting for uncertainty in SEDAR assessments, this update applied the more complete MCB approach.*

*The Committee also noted that given the outcome of the assessment, there doesn't seem to be any red flags in regard to discards in this fishery.*

*Since this assessment falls under Tier 1 of our ABC control rule, ABC was obtained according to a P-star value. A summary of results from applying the ABC control rule is presented below:*

<i>Assessment Information:</i>	<i>Tier 1 (0%)</i>
<i>Uncertainty Characterization:</i>	<i>Tier 2 (2.5%)</i>
<i>Stock Status:</i>	<i>Tier 2 (2.5%)</i>
<i>Productivity and Susceptibility:</i>	<i>Tier 2 (5%)</i>
<hr/>	
<i>Total score:</i>	<i>10%</i>
<i>P-star value:</i>	<i>40%</i>

*The SSC recommends using the estimated MSY value (i.e., not an MSY proxy) for OFL (OFL= 1.563 mp), then 5-year projections at a P-star = 40% for the ABC (see Table 19 below).*

## Appendix C Projections with $P^*=0.4$ .

Table 19. Acceptable biological catch (ABC) in units of 1000 lb whole weight, based on the annual probability of overfishing  $P^* = 0.4$ .  $F$  = fishing mortality rate (per yr),  $SSB$  = mid-year spawning stock (1E12 eggs),  $Pr(SSB < MSST)$  = proportion of replicates overfished (i.e.,  $SSB$  below the base-run point estimate of  $MSST$ ),  $R$  = recruits (1000 age-1 fish),  $D$  = discard mortalities (1000 lb whole weight), and  $L$  = landings (1000 lb whole weight).  $ABC$  (1000 lb whole weight) includes landings and discard mortalities. Annual ABCs are a single quantity among the 10,000 replicate projections; other values presented are medians.

Year	F	$P^*$	SSB	$Pr(SSB < MSST)$	R	D(1000 lb)	L(1000 lb)	ABC(1000 lb)
2012	0.544	0.355	6.12	0.25	2926	53	1321	—
2013	0.574	0.4	6.12	0.29	2890	56	1372	1429
2014	0.543	0.4	6.09	0.31	2836	55	1312	1367
2015	0.524	0.4	6.17	0.32	2800	53	1289	1343
2016	0.506	0.4	6.28	0.33	2740	51	1269	1322

The SSC would prefer to see the next vermilion snapper update by 2015 (although an update no later than 2016 would also be acceptable).

## 7. RED PORGY ASSESSMENT UPDATE

### 7.1. Documents

Attachment 9. Red Porgy Assessment Update

### 7.2. Presentation

Assessment Results: Lew Coggins, SEFSC

### 7.3. Overview

The SSC is asked to review an update of red porgy. The original benchmark was prepared through SEDAR1 in 2003 and updated in 2006. The stock is under a rebuilding plan.

### 7.4. Action

- Provide Fishing Level Recommendations for red porgy consistent with the ABC control rule.
- Provide guidance and advice on assessment uncertainties
- Comment on potential discarding issues
- Provide recommendations on the next assessment (type and timing)

## SSC RECOMMENDATIONS:

The SSC found this update to be well done and providing exactly what was asked for. Results suggest that spawning stock biomass has increased modestly since the benchmark assessment. The 1998 estimate of  $SSB$  is about 19% of  $SSB_{MSY}$ , and the 2012 estimate is about 47% of  $SSB_{MSY}$ . These estimates correspond to about 25% and 61% of  $MSST$ , using the Council's definition of  $MSST$  as  $(1-M)*SSB_{MSY}$  and assuming a natural mortality rate of  $M = 0.225$ . The  $F_{2009-2011}/F_{MSY}$  estimate is about 64% and results suggest the stock has generally been exploited below the  $MFMT$  (represented by

$F_{MSY}$ ) since the late 1990's. Thus, this assessment indicates that the stock is overfished, but is no longer undergoing overfishing.

The SSC expressed some concern about the relatively low value of steepness ( $h=0.41$ ) estimated by this update. There was also some discussion about the values of  $h$  estimated by previous red porgy assessments including the 2002 peer reviewed benchmark (SEDAR 1) and the 2006 update. However, the Committee recognized that constraints associated with the nature of update assessments make it difficult to properly evaluate

As this stock is currently under a rebuilding plan, projections were used to evaluate the potential for stock recovery. Several management scenarios were evaluated: (1) no fishing mortality ( $F = 0$ ), (2) current fishing mortality (fishing mortality rate fixed at the geometric mean of the fishing mortalities estimated during 2009-2011), and (3) multiple constant fishing mortality rates based on  $F_{MSY}$ ,  $85\%F_{MSY}$ ,  $75\%F_{MSY}$ , and  $65\%F_{MSY}$ . Under no management scenarios, including  $F = 0$ , is the red porgy population projected to have a 50% or greater chance of  $SSB > SSB_{MSY}$  during the current rebuilding time period ending in 2018. Additionally, it is only theoretically possible to achieve  $F = 0$  owing to discard mortality that will inevitably occur by fisheries targeting other stocks. Among all scenarios considered, the red porgy stock exhibits a range of 2% to 18% probability of rebuilding by 2018 and a range of 12% to 89% probability of rebuilding by 2026.

The SSC discussed the management implications of the scenarios described above and explored the possibility of utilizing a provision of the NMFS National Standard 1 (NS1) of the Magnuson-Stevens Fishery Conservation and Management Act that states: "If the stock or stock complex has not rebuilt by  $T_{MAX}$ , then the fishing mortality rate should be maintained at  $F_{REBUILD}$  or 75% of the MFMT, whichever is less."

The SSC observed that the value of  $F$  at  $75\% F_{MSY}$  estimated by the update (0.13) is very close to the level of  $F$  associated with red porgy discard mortality. Therefore, using the NS1 provision described above (i.e., set  $F = F_{REBUILD}$  or 75% of the MFMT, whichever is less) would result in a bycatch-only fishery (i.e., no directed harvest). The SSC recommends that the ABC for red porgy in the South Atlantic be set as the yield at  $75\% F_{MSY}$  until the issues with the assessment can be addressed in the next benchmark assessment.

## **8. WRECKFISH ANALYSIS**

### **8.1. Documents**

Attachment 10. Wreckfish SCAA  
Attachment 11. Wreckfish Analysis

### **8.2. Presentation**

Wreckfish SCAA: Doug Butterworth

## Wreckfish Analysis: TBD

### 8.3. Overview

Council was informed at its September 2012 meeting that additional analyses may be forthcoming for the wreckfish population. The SSC was asked to review any information that may be submitted. Two documents and presentations were reviewed. Dr. Alec MacCall presented “*A Data-Poor Assessment of the US Wreckfish Fishery*”, and Dr. Doug Butterworth presented “*An Application of Statistical Catch-at-Age Assessment Methodology to Assess US South Atlantic Wreckfish*”.

### 8.4. Action

- Review and comment
- Consider ABC implications

### **SSC RECOMMENDATION:**

*Discussion followed the presentations. The MacCall wreckfish analysis assumed that a substantial proportion (perhaps nearly all) of the local recruitment is assumed to be produced by other upstream segments of the metapopulation and developed an SRA model based on recruitment that is independent of local stock size. It was pointed out that, because of the long-lived pelagic phase of wreckfish (to 60 cm total length), recruitment may not be from an “independent distant source” as presented, and could be from local spawning, as surface waters of the North Atlantic make a complete circuit in less than a year. However, even if recruitment is local, that does not mean that recruitment is not independent of local stock size.*

*It was also pointed out that historical aging of wreckfish from the southeast U.S. has not been validated and ages are probably underestimated. Age validation work is in progress at SCDNR.*

*The SSC is grateful for this additional exploration of stock assessment methods for wreckfish, and suggested a follow-up workshop be pursued to explore these methods further and potentially re-evaluate the SSC catch recommendation for wreckfish. The SSC is not prepared to make a revision of the current ABC based on the current information at this point.*

*Regarding the submission of these documents to the SSC, the SSC recommends use of a SEDAR-like framework, using Dr. Butterworth and Dr. McCall as the analysts and either fold the submissions into a SEDAR review or send it out for a CIE desk review.*

*The Committee requests that the Council, working cooperatively with the SEDAR Steering Committee provide the SSC with further guidance on how to proceed addressing this issue.*

## 9. COASTAL MIGRATORY PELAGIC AMENDMENT 19

### 9.1. Documents

Attachment 12. CMP Amendment 19 Draft

### 9.2. Presentation

SEP Report: John Whitehead

### 9.3. Overview

Staff Contact: Kari MacLauchlin

Joint Mackerel Amendment 19 will address issues associated with bag limit sales of king mackerel, Spanish mackerel, and cobia, including a potential new commercial permit requirement for cobia (commercial permits for king and Spanish mackerel currently exist). The primary concerns with bag limit sales are counting recreational sales toward the commercial quota, bag limit sales after a commercial closure, and the impact of recreationally caught fish on the market. Bag limit sales are prohibited for all other federally managed fisheries in the South Atlantic, but mackerel and cobia bag limit sales are common practice (and sources of income) for for-hire crew in some areas.

The amendment also considers actions to eliminate, or make non-transferable, latent king mackerel commercial permits; require compliance with federal regulations in state waters for vessels with federal permits; and modifications to income requirements for king mackerel and Spanish mackerel commercial permits.

### 9.4. Schedule

NOI .....	
Scoping Complete.....	August 2012
Council reviews options & makes recommendations.....	September 2012
SSC review .....	October 2012
AP review .....	April 2013
Council review & approve for Public Hearing.....	December 2012
Public Hearings .....	January 2013
SSC Final review .....	April 2013
Final Review & Submission.....	June 2013
Regulations implemented.....	2014

### 9.5. Action

- Review and comment on needs for effects analysis, specifically the economic analysis of prohibition on bag limit sales.

**SSC RECOMMENDATIONS:**

*Action 1: The SSC recommends that the Council continue allowing bag limit sales of recreationally-caught fish. From a social-economic perspective it is better to utilize other methods to mitigate negative effects of bag limit recreational sales on the commercial sector.*

*Action 2: Same recommendation as above.*

*Action 3: The SSC does not recommend eliminating latent permits, even if there is a biological need (i.e., stock is overfished and/or overfishing is occurring).*

*Note: Please refer to the Socio-Economic Panel report (attached) for more detailed recommendations regarding this amendment.*

**10. COASTAL MIGRATORY PELAGIC AMENDMENT 20****10.1. Documents**

Attachment 13. CMP Amendment 20 Draft

**10.2. Overview**

Staff Contact: Kari MacLauchlin

Joint Mackerel Amendment 20 will address issues associated with the boundaries and allocations. For Gulf group king mackerel, the amendment includes actions to change zone and sub-zone allocations, fishing seasons and commercial trip limits. There is also an action to establish transit provision for Florida Keys fishermen working on both Gulf and South Atlantic stocks. The amendment also includes consideration of a commercial quota for North Carolina king mackerel and Spanish mackerel; and an action to modify the framework procedure to allow the Councils to make changes to ABCs, ABC/ACL control rules, and AMs through frameworks.

**10.3. Schedule:**

NOI .....	
Scoping Complete.....	August 2012
Council reviews options & makes recommendations.....	September 2012
SSC review .....	October 2012
AP review .....	April 2013
Council review & approve for Public Hearing.....	December 2012
Public Hearings.....	January 2013
SSC Final review .....	April 2013
Final Review & Submission.....	June 2013
Regulations implemented.....	2014

**10.4. Action**

Review and comment on needs for effects analysis.



**SSC RECOMMENDATIONS:**

*The SSC noted the fact that CMP Amendment 20 is still in an early process of development—it might be better for the Committee to provide comments and a more detailed review after the AP has had the opportunity to provide input. At this point the Committee had no concerns, comments or specific suggestions regarding this amendment.*

**11. CEBA 3****11.1. Documents**

Attachment 14. CEBA

**11.2. Overview**

Staff Contact: Gregg Waugh / Anna Martin

In CE-BA 3, the Council is addressing improvements in data collection methods to better verify dealer reports to help ensure annual catch limit overages do not occur in South Atlantic fisheries. CE-BA 3 would modify commercial and charter/headboat vessel reporting requirements and bycatch requirements to enhance data collection throughout the South Atlantic. CE-BA 3 was approved for public scoping during the December 2011 Council meeting, and public hearings during the June 2012 Council meeting. In June 2012 the Council took the measures out of CE-BA 3 that consider expanding Coral Habitat Areas of Particular Concern (HAPCs) and establishing MPAs across the mid-shelf for speckled hind and Warsaw grouper. The Council is scheduled to take final action on the data actions in CE-BA 3 during the December 2012 meeting.

**11.3. CEBA-3 Schedule**

NOI .....	May 23, 2012
Scoping Complete.....	January/February 2012
Council reviews options & makes recommendations.....	March/June 2012
SSC review .....	April 2012
APs review .....	April/May 2012
Council review & approve for Public Hearing.....	June 2012
Public Hearings.....	August 2012
SSC Final review .....	October 2012
Final Review & Submission.....	December 2012
Regulations implemented.....	2013

**11.4. SEP Report****11.5. Action**

- Review and comment on Actions

**SSC RECOMMENDATIONS:**

*The SSC understands the principles and actions associated with CEBA 3. The Committee has no concerns, comments, or additional suggestions regarding this amendment.*

**12. SNAPPER-GROUPER REGULATORY AMENDMENT 17****12.1. Documents**

Attachment 15. MPA evaluation & SH-WG regulatory effects

**12.2. Overview**

Staff Contact: Gregg Waugh & Roger Pugliese

This action addresses deepwater stocks.

**12.3. Schedule:**

NOI .....	May 23, 2012
Scoping Complete.....	February 2012
Council reviews options & makes recommendations...	March - December 2012
SSC review .....	October 2012
APs review .....	
Council review & approve for Public Hearing.....	
Public Hearings.....	
SSC Final review .....	
Final Review & Submission.....	
Regulations implemented.....	

**12.4. Presentations**

Re-orientation of existing MPAs: Nick Farmer, SERO  
 Evaluation of the impact of existing regulations on landings and  
 discard of speckled hind and Warsaw grouper : Nick Farmer, SERO

**12.5. Action**

- Review and comment on presentations and analyses.

**SSC RECOMMENDATION:**

*The SSC expressed concerns regarding potential problems associated with the use of headboat data as a proxy for private recreational catch data. Several Committee members noted that CPUE is likely to be higher on headboats than in the private recreational sector. The Committee suggests that staff explore the use of a scalar to correct catch rates downward.*

*The SSC noted that there needs to be better focus on the primary objective of implementing MPA-based protection for speckled hind and Warsaw grouper: is the*

*main goal to protect spawning or to reduce fishing mortality due to discards? It seems that some of areas currently being evaluated for MPA-based protection are areas historically identified as spawning areas (many already protected).*

*The SSC also discussed potential problems that might arise from reconfiguring or reorienting exiting MPA's:*

- 1. What would be the 'cost' to other species (i.e., beyond speckled hind and Warsaw grouper) already protected by the existing MPA's? Some of these MPA's were put in place to protect other species and we need to take that into account when adjusting their existing placement or orientation.*
- 2. Deep areas as poorly studied and therefore poorly understood. We need to think about the potential negative impact resulting from re-sizing or reorienting MPA's in these deep areas.*
- 3. Need to evaluate the consequences of potential displacement and redistribution of fishing effort. The European Commission is undertaking a major initiative to mitigate bycatch and discards, and the International Council for the Exploration of the Sea (ICES) organized a recent theme session on **'Bycatch and discards: from improved knowledge to mitigation programmes'** (September 20, 2012, Bergen, Norway). Several contributions evaluated the effectiveness of time/area closures for mitigating bycatch of overfished stocks, and results showed that most time/area closures were ineffective for reducing bycatch and had unintended negative effects because of displacement of fishing effort. Contributions to the theme session are being published in a special issue of the ICES Journal of Marine Science. The theme session report is attached and contributed reports are online at <http://www.ices.dk/products/CMdocs/CM-2012/C/C-2012.pdf>*

*The SSC suggests that technical staff explore the possibility of basing ABC's on that portion of the stock not within MPAs. This might help mitigate the redistribution of effort when an MPA is implemented.*

## **13. SNAPPER-GROUPER REGULATORY AMENDMENT 13**

### **13.1. Documents**

Attachment 16. RA13 Document  
 Attachment 17. MRIP Calibration Values  
 Attachment 18. MRIP Calibration Workshop Report  
 Attachment 19. MRIP Calibration Workgroup Report  
 Attachment 20. Post-Stratification Update  
 Attachment 21. Calibration Example

### **13.2. Presentations**

MRIP Calibration approach and results: SERO TBD  
 SEP Report: John Whitehead

### 13.3. Overview

Staff Contact: Brian Chevront

This amendment updates allocations and ACLs for unassessed snapper grouper species based on updated MRIP numbers. The data for the updates are not yet available and hope to be ready in time for the SSC meeting. SERO will be presenting the methodology used for determining the updated values.

### 13.4. Schedule:

NOI .....	None
Scoping Complete.....	None
Council reviews options & makes recommendations.....	September 2012
SSC review .....	October 2012
APs review .....	November 2012
Council review & approve for Public Hearing.....	None
Public Hearings.....	December 2012
SSC Final review .....	None
Final Review & Submission.....	December 2012
Regulations implemented.....	2013

### 13.5. Action

- Review and comment on the methodology used to update the allocation and ACL values. Identify issues that may result from changing these values.

### **SSC RECOMMENDATION:**

*The SEP and the SSC support the re-estimation of ABCs based on the most current landings information.*

*The SSC noted that there doesn't seem to be major differences in the landings trends estimated by MRFSS and MRIP. Therefore, the methodology used to reassign the ABCs is appropriate and doesn't require any major changes.*

*Note: Please refer to the Socio-Economic Panel report (attached) for more detailed recommendations regarding this amendment.*

## **14. SNAPPER-GROUPER REGULATORY AMENDMENT 15**

### 14.1. Documents

Attachment 22. RA15 Alternatives

### 14.2. Overview

Staff Contact: Myra Brouwer

This amendment adjusts the yellowtail ABC, ACLs, and ACT based on the latest stock assessment, modifies the fishing year and establishes a spawning season closure for yellowtail snapper; and modifies the Accountability Measure for gag grouper that prohibits harvest and possession of shallow-water groupers (red grouper, black grouper, scamp, yellowmouth grouper, yellowfin grouper, red hind, rock hind, graysby and coney) when the gag ACL is met or projected to be met.

The SEFSC projected that commercial harvest of yellowtail snapper would meet the commercial ACL and issued a notice to close the fishery on September 11, 2012. Subsequently, a notification was issued that the fishery could remain open for additional time due to a miscalculation in the projections. Prior to this year, a closure of the yellowtail fishery had never occurred. Moreover, a stock assessment for that species was recently completed that indicated that the ACL could possibly increase. The Council wanted to move quickly to adjust the ACL for the commercial sector and thus minimize socio-economic impacts. The Council therefore requested that NMFS take action to adjust the commercial ACL for yellowtail via Emergency Rule. The latter would expire 180 days from its effective date, however. Regulatory Amendment 15 would make the ABC, ACLs and ACT adjustments permanent until modified. The actions to modify the fishing year and establish a spawning season closure address recommendations from stakeholders.

The Comprehensive ACL Amendment established individual ACLs for black grouper and scamp and Amendment 24 did so for red grouper. In addition, the aggregate red grouper-black grouper-gag aggregate ACL was removed in Amendment 24. However, Amendment 16 had established an Accountability Measure to close the rest of the shallow-water groupers once the gag ACL was met or projected to be met in order to curb bycatch of gag. This regulation is still in effect and there is concern of significant socio-economic impacts, particularly from the closure of red grouper and black grouper. Since these species (and scamp) now have their own ACLs, the Council is proposing removing (or modifying) the AM that closes all shallow-water grouper when the gag ACL is met.

#### 14.3. Schedule:

NOI .....	none
Scoping Complete.....	none
Council reviews options & makes recommendations.....	December 2012
SSC review .....	October 2012
APs review .....	November 2012
Council review & approve for Public Hearing.....	December 2012
Public Hearings.....	December 2012
SSC Final review .....	
Final Review & Submission.....	December 2012
Regulations implemented.....	Spring 2013

#### 14.4. Action

- Review and comment on preliminary analyses for each action

#### **SSC RECOMMENDATION:**

*The SSC discussed the proposed modification in yellowtail snapper fishing year and noted that changing the fishing year makes assessment work much more complicated (i.e., added uncertainties). The ACL has been increased, which likely solves the problem of having early closures and negates the need for an adjustment of the fishing year.*

*The Committee recommends that the Council wait and don't take action on changing the fishing year for yellowtail snapper until the effect of the new ACL can be further evaluated.*

*The SSC also noted that several lines of evidence indicate that red grouper can be targeted without overly impacting gag. Therefore, the SSC has no concerns with the Council moving forward with the grouper actions proposed in this amendment.*

### **15. SNAPPER-GROUPER AMENDMENT 27**

#### 15.1. Documents

Attachment 23. Amendment 27 Summary

#### 15.2. Overview

Staff Contact: Myra Brouwer

This amendment would address management jurisdiction for yellowtail snapper, mutton snapper, and Nassau grouper. Both the South Atlantic and Gulf Councils manage these species in their respective jurisdictions. However, in 2010, the Gulf Council expressed a desire to transfer management responsibility to the South Atlantic Council for these three species throughout their range in the southeast U.S. Actions in this amendment would transfer management authority and address permitting and management issues for yellowtail and mutton snapper. Also, because sector allocations for yellowtail snapper and mutton snapper were specified only for the South Atlantic using Boyles' Law and South Atlantic landings, the allocations would have to be re-calculated to include landings from the Gulf of Mexico to allow the South Atlantic Council to establish sector allocations that extend into the Gulf of Mexico.

The amendment would also include an action to modify the snapper grouper framework process. The intent is to add language to the framework to accomplish adjustments to the ABC, ACLs, and ACTs in a more timely manner.

Finally, the amendment includes an action to address issues with the harvest of blue runner in the mackerel gillnet fishery. The Council was recently made aware that blue runner are incidentally caught by fishermen targeting Spanish mackerel off northeast Florida. Fishermen have been selling their catch of blue runner to federally-permitted dealers. However, blue runner are included in the Snapper Grouper Fishery Management unit and a snapper grouper unlimited permit or a 225 permit are required to harvest and sell them. Hence, mackerel fishermen have been harvesting and selling blue runner without possessing the required permit. According to public input, the sale of blue runner can make up to 30% of a fisherman's income. The Council is considering actions in this amendment that would continue to allow mackerel fishermen to harvest and sell blue runner.

### 15.3. Schedule:

NOI .....	not yet known whether this amendment will be an EIS
Scoping Complete.....	n/a
Council reviews options & makes recommendations.....	December 2012
SSC review .....	October 2012
APs review .....	November 2012
Council review & approve for Public Hearing.....	December 2012
Public Hearings.....	January 2013
SSC Final review .....	???
Final Review & Submission.....	March 2013
Regulations implemented.....	Summer/Fall2013

### 15.4. Action

- Review and comment on preliminary analyses for each action

### **SSC RECOMMENDATION:**

*In reviewing this issue the SSC noted that the ACL for blue runner seems rather high compared to the magnitude of landings in gillnets. The SSC would like to have an opportunity to review this amendment again in April after additional analysis and the AP has had the opportunity to provide input.*

## **16. SNAPPER-GROUPER AMENDMENT 28**

### 16.1. Documents

Attachment 24. Amendment 28 Alternatives

### 16.2. Overview

Staff Contact: Myra Brouwer

This amendment would establish regulations to allow harvest of red snapper in the South Atlantic.

Red snapper harvest in 2012 was allowed for two consecutive weekends (Fri-Sun) in for the recreational sector and during a 7-day mini-season for the commercial sector. NMFS took action via an Emergency Rule to implement these measures, so no provisions for allowing harvest in 2013 (and beyond) are currently in place. The document contains alternatives to calculate the red snapper ACL and establish a process for continuing to allow limited harvest of red snapper in the future.

#### 16.3. Schedule:

NOI .....	none required for regulatory amendments
Scoping Complete.....	none required for regulatory amendments
Council reviews options & makes recommendations.....	December 2012
SSC review .....	October 2012
APs review .....	November 2012
Council review & approve for Public Hearing.....	December 2012
Public Hearings.....	December 2012
SSC Final review .....	??
Final Review & Submission.....	December 2012
Regulations implemented.....	Spring 2013

#### 16.4. Action

- Review and comment on preliminary analyses for each action

#### **SSC RECOMMENDATION:**

*The SSC didn't really understand why in sub-alternative 2a the current ABC is being averaged with the 2 previous years' total removals. Overall, the Committee suggests the Council choose the simplest alternative (easiest to explain to industry) that would allow harvest without negatively impacting the rebuilding plan.*

### **17. OTHER AMENDMENTS AND ACTIONS**

#### 17.1. Documents

#### 17.2. Overview

Numerous amendments are in development for consideration by the Council in 2013. The SSC will be provided greater detail at the next meeting in April. At this meeting the Committee will be briefed on the actions, their timing, and be provided an opportunity to provide feedback on alternatives and analyses that could be considered by the Committee at a later meeting.

#### 17.3. Snapper-Grouper Amendment 26

##### 17.3.1. Topic



This amendment would address adjustments to ABCs for unassessed species based on SSC recommendations from application of the ORCS methodology. The amendment would also address any adjustments to sector allocations.

#### 17.3.2. Timing

To be determined in June 2013.

### 17.4. Snapper-Grouper RA 14

#### 17.4.1. Topic

The amendment would address management measures for several snapper grouper species. Proposed actions include:

- Amberjack – fishing year & reduce trip limit
- Mutton snapper – additional protection during spawning season
- Gray triggerfish – change size limit measurement from Total Length (TL) to Fork Length (FL)
- Black sea bass fishing year (recreational and commercial) and adjustments based on update assessment and new P\* analyses
- Vermilion snapper – modify commercial trip limit and recreational bag limit; adjust start of 2nd commercial season; modify recreational closed season
- Hogfish – increase the minimum size limit
- Red porgy – modify recreational bag limit and commercial head count
- Modify aggregate grouper bag limit

#### 17.4.2. Timing

Options will be presented to the Council at the March 2013 meeting. Approve for public hearings at June 2013 meeting, public hearings in August 2013 and final Council approval September 2013.

### 17.5. Snapper-Grouper Amendment 22

#### 17.5.1. Topic

At the September 2012 meeting, the Council directed staff to begin development of an amendment to implement a recreational tag program for red snapper and deepwater snapper grouper species (golden tilefish, snowy grouper and wreckfish).

#### 17.5.2. Timing

Options will be presented to the Council in June 2013 or September 2013

### 17.5.3. SEP Report

***Please refer to the attached SEP report for comments and recommendations associated with this amendment.***

### 17.6. Mackerel Framework

#### 17.6.1. Topic

This amendment includes actions to change the minimum size limit for Atlantic Group king mackerel; adjust the commercial trip limit in the Florida East Coast Sub-zone for Atlantic Group king mackerel; create an exemption to the size limit for Atlantic Group Spanish mackerel gillnets in August and September; and allow a portion of a third net in the Atlantic Group Spanish mackerel gillnet fishery.

#### 17.6.2. Timing

The Council will review actions and alternatives in March 2013; approve for public hearings in June 2013; and submit for final approval in September or December 2013.

#### 17.6.3. SEP Report

***Please refer to the attached SEP report for comments and recommendations associated with this amendment.***

## **18. SAFE REPORT**

### 18.1. Documents

Attachment 25. DRAFT Snapper Grouper SAFE Report

### 18.2. Overview

Staff Contact: Mike Errigo

The Committee is offered for review a draft Snapper-Grouper SAFE report including data through 2011.

### 18.3. Action

- Review and comment on content and approach.
- Provide additional information as appropriate, especially pertaining to developing issues or ongoing research.

## **SSC RECOMMENDATIONS:**

*The SSC greatly appreciates the fact that Council staff took the initiative to put together a SAFE report for South Atlantic Snapper Grouper. The Committee noted that*

*the report is thorough, informative, and very helpful. However, the group would like to take this opportunity to offer a few suggestions for improvement:*

- Information on the distribution of the fisheries operating on the main stocks or stock complexes.*
- A notation indicating the ABC control rule tier used to generate ABC recommendations for each of the stocks.*
- A breakdown of catch and ACLs by sector.*
- The total number of otoliths collected by species.*

## **19. SSC ORCS WORKSHOP**

### **19.1. Documents**

Attachment 26. ORCS WORKSHOP REPORT

### **19.2. Overview**

Staff Contact: John Carmichael

The SSC held a workshop in August 2012 to apply the ORCS approach to SAFMC stocks. Considerable progress was made but the Committee was unable to proceed fully through the process. A second workshop will be held in conjunction with the April 2013 SSC meeting. The progress report from August 2012 is provided for review and comment.

### **19.3. Action**

- Review and comment on the ORCS progress report
- Provide guidance for the April ORCS workshop

## **SSC RECOMMENDATION:**

*The Committee recommends holding the 2<sup>nd</sup> part of the ORCS workshop on April 9<sup>th</sup> 2013, the day before the April SSC meeting. Industry would like to continue being involved in this process and the SSC agrees with this point.*

*The SSC also noted that after it completes application of the ORCS method for stocks that are suitable for that approach it also needs to reconsider those stocks that were removed from the ORCS approach given the lack of a reliable catch series. The SSC will discuss the need to create a new ABC control rule tier for these stocks.*

## **20. STOCK PRIORITIZATION**

### **20.1. Documents**

None

## 20.2. Overview

Staff Contact: John Carmichael

During discussion of the Research and Monitoring Plan in April 2012 the Committee requested adding a discussion of stock prioritization approaches to the agenda for this meeting. Committee recommendations can be considered during development of the 2013 research plan.

## 20.3. Action

- Provide guidance on stock prioritization

### **SSC RECOMMENDATION:**

*The SSC discussed a number of ideas and approaches to help the Council and the SEDAR Steering Committee with stock assessment prioritization. One of the ideas discussed was to develop a tiered system within SEDAR where lower tier assessments would be conducted by non-SEFSC scientists (e.g., university researchers, graduate students, state agencies, etc.). In other words, Science Center scientists would have more time and resources to focus on high priority stocks while lower tier stocks would still have the opportunity to be assessed through non-SEFSC analysts.*

*Note: please see item 23.2 below for more discussion on this topic.*

*Some Committee members noted that Dr. Rick Methot (NMFS, Office of Science and Technology) is writing a paper that specifically discusses stock prioritization and that the Mid-Atlantic Council is also working on this topic.*

*The SSC will continue gathering information on this topic and provide more detailed guidance to the Council when we have a more concrete list of recommendations.*

## **21. MANAGEMENT UNCERTAINTY EVALUATION**

### 21.1. Documents

Attachment 27. Report

### 21.2. Presentation

Management Uncertainty Evaluation: Katelin Shugart-Schmidt

### 21.3. Overview

A student of SSC member Jim Berkson recently completed a project exploring methods to evaluate management uncertainty. Findings are presented for SSC information and discussion

#### 21.4. Action

- Review and comment on management uncertainty evaluations.

## 22. COUNCIL WORKPLAN UPDATE

### 22.1. Documents

Attachment 28. SAFMC Follow-up, September 2012

Attachment 29. SAFMC FMP Timeline, September 2012

### 22.2. Overview

The Committee is provided several documents that detail Council work plans and priorities.

22.2.1. Coastal Migratory Pelagic - Kari MacLauchlin

22.2.2. Corals - Anna Martin

22.2.3. Fishery Ecosystem Plan - Roger Pugliese

22.2.4. Snapper Grouper - Myra Brouwer

22.2.5. Spiny Lobster

22.2.6. Golden Crab - Brian Cheuvront

## 23. OTHER BUSINESS

### 23.1. Additional SEP Items Report: John Whitehead

*SEP input was incorporated in several of the SSC actions and recommendations described above. The full SEP report is attached for reference.*

### 23.2. Outside Assessments

*Given the fact that 2 non-SEDAR (i.e., outside) assessments were presented to the SSC at this meeting (see item 8. **Wreckfish Analyses** above) the Committee thought it would be a good idea to discuss criteria for how to treat these types of assessments.*

*In general, the Committee felt that 'outside' assessments should be handled through a SEDAR-like process, i.e., outside analysts would contact SEDAR staff for coordination with data providers, SSC members, etc. in order to begin an assessment for a particular species. Subsequently, the assessment would be formally reviewed by a legitimate process (CIE, SSC, etc.). Several SSC members wanted to emphasize the importance of a data workshop for every assessment. A "closet" assessment is problematic because there is no participation from the beginning and, therefore, no discussion of the appropriateness of the data, applicability of the model, etc.*

*The Committee discussed the need for developing criteria for document submittal and presentations. It was emphasized that analysts and/or groups involved in these types of assessments should be made aware of the need to share their data and models/software beyond the initial assessment process (i.e., availability/willingness to participate in follow-up work should be a criterion). However, the system needs to be flexible enough to accommodate outside people willing to accept the administrative and analytical burden associated with this process. Also, the process should be broad enough to accommodate all types of analyses, not just stock assessments.*

*An SSC subcommittee was appointed to draft a list of criteria and develop a short report on what would be required for the SSC to accept review of outside assessments/analyses.*

*Subcommittee composition: Steve Cadrin (Chair), John Boreman, Scott Crosson, Doug Vaughan, Anne Lange, Churchill Grimes, and Jim Berkson.*

*The subcommittee will focus on two main issues: (1) standards and (2) process for handling non-traditional assessments.*

*Some items to be considered by this subcommittee include:*

- Establishment of a panel composed of Council staff and SSC members to screen review requests and help coordinate with SEDAR.*
- A mechanism for non-panel members to participate/comment. Perhaps discussion by entire group of interested parties, but panel has ultimate say on review.*
- What if analysis is so complicated it can't be reviewed after the fact? In some cases SSC needs to have insight/involvement in what decisions are made throughout the process. May want to lay out criteria for an assessment where SSC must be involved from the beginning.*
- Criteria should be instructive to the people proposing an analysis for review, so they are able to take the necessary steps to prepare the analysis for SSC review in advance.*
- Need to include all parties who have a stake and wish to be involved in some capacity. Do not want for anyone to feel shut out of this process.*
- Discuss use of ACCSP data standards, which are readily available to everyone and allow replicability of analysis and results.*

*In terms of timing, the goal is to submit this process to the Council for approval at their March meeting, if possible.*

## **24. REPORT AND RECOMMENDATIONS REVIEW, PUBLIC COMMENT**

The public is provided an additional opportunity to comment on SSC recommendations and agenda items.

The Committee is provided an opportunity to review its report and final recommendations.

The Final SSC report should be provided to the Council by November 9 for inclusion in the Council's Briefing Book to be finalized November 13 at 9 a.m.

## **25. NEXT MEETINGS**

### **25.1. 2013 SAFMC SSC MEETINGS**

April 9-11, 2013: Charleston  
April 9: Continuation of ORCS Workshop  
October 22-24, 2013: Charleston

### **25.2. SAFMC Meetings**

2013 Council Meetings  
March 4-8, 2013: St. Simons Island, GA  
June 10-14, 2013: Stuart, FL  
September 16-20, 2013: Charleston, SC  
December 2-6, 2013: Wilmington, NC

## **26. ADJOURN**

*Meeting adjourned*

Meeting Report  
Socio-Economic Panel of the Scientific and Statistical Committee  
October 22, 2012  
Charleston, SC

The Socio-Economic Panel (SEP) convened to review and provide recommendations on three amendments in addition to allocation and Boyles Law. The SEP provided input and suggestions on the actions and effects analysis in Snapper-Grouper Amendment 22 and Coastal Migratory Pelagics Amendment 19, which are both in early stages of development. The SEP reviewed Snapper-Grouper Regulatory Amendment 13. Lastly the Panel commented on sector allocation methods and the use of Boyles Law in allocation decisions.

Recommendations and comments from the SEP:

**1. Snapper-Grouper Amendment 22- Recreational tag program for red snapper and deepwater species**

Since fishery resources in Federal waters are owned by the people of the United States, a lottery open to all citizens of the United States appears to be fair. The SEP recommends that lottery winners be able to transfer (i.e., trade, sell) tags. This should facilitate the movement of tags to higher-value uses, especially if an official trading platform were established to provide information on past trades and help buyers and sellers connect.

It should be clearly and prominently stated in the lottery rules and instructions that lottery winners would need to own a recreational fishing permit appropriate for the fishing destination at the time of application for the tag. This should help deter “speculative” purchases by pointing out that there is a cost to receiving a tag, namely the cost of a fishing permit.

The SEP recommends that tag recipients be selected with replacement across years. That is, if a fisher receives a tag in a given year, the recipient should be allowed to participate in the lottery in the next year. Within a given year, in the case where the number of tags is less than the number of lottery participants, the SEP recommends that recipients be selected without replacement; this prevents the outcome of one lottery participant receiving multiple tags when other participants receive none.

In the case where the number of tags is equal to or more than the number of lottery participants, then each participant should receive the same number of tags, with any remaining tags being allocated to participants via a lottery without replacement.

The lottery and tag transfer market should be electronic, if possible. If tags themselves could be distributed and redeemed electronically, this might help lower administration costs and transactions costs for buyers and sellers.

Concerning the question of when management should switch from a tag lottery regulatory scheme to some alternative, perhaps less restrictive, scheme as a fishery recovers, the council



might wish to consider switching schemes when the alternative would not have a significantly different biological impact on the fishery than the original lottery/tag scheme.

In addition, the Council might wish to consider waiting to switch regulatory schemes until the stock recovers sufficiently for a full MRIP wave of sampling information to be available each season.

Further, the SEP notes that data from the tag market could be used to generate economic value estimates for future management decisions (e.g., allocation between sectors).

## **2. Snapper-Grouper Regulatory Amendment 13- Adjustments in ABCs/ACLs/ACTs based on new MRIP Estimates and updated commercial landings**

The SEP feels that the SAFMC should update allocations and ACLs for unassessed snapper grouper species based on updated MRIP numbers for two reasons. First, the MRIP estimates represent the best available science. Second, if the MRFSS numbers are not updated, the data series will be inconsistent since it is using numbers based on two different methods of estimating catch (MRFSS and MRIP).

## **3. CMP Amendment 19**

The Panel recommends against the elimination of bag limit sales for king and Spanish mackerel. These bag limit sales allow additional economic value since the commercial value is added to the recreational value. An elimination of the bag limit sales might lead to illicit sale of landed fish as well as the loss of important data on these landings. There is little justification for prohibiting the sale of landed fish. The panel recognizes that there may be cause for compensation to the commercial sector if there is damage caused by these bag limit sales in the form of reduced available catches or downward price pressure. There are many potential remedies to this damage involving transfers in sector apportionment of allowable catches or monetary transfers. The SEP recommends these in favor of eliminating sales.

The Panel recommends against an elimination of bag limit sales for Cobia. The justification for this recommendation is the same as that for king and Spanish mackerel.

The SEP does not recommend eliminating latent mackerel permits. Without SEDAR-documented evidence of a biological decline in the stock of king mackerel, recent low catches in the commercial sector (as low as a third of the commercial ACL) do not justify the economic loss that would be incurred by fishermen who lose their limited-access permits. If the stock is biologically troubled, it should be addressed through biological measures (i.e., adjusting the ABC). Removing latent permits in any fishery may provoke unintended consequences for management including lessening trust in Council actions and providing an incentive to fish simply to keep permits active.

#### **4. Review of Boyle's Law and Allocations**

In the broadest terms, the SEP has significant concerns about the use of arbitrary rules to determine allocation between sectors. It would prefer to see transferability between sectors, in which one sector could purchase parts of the other's allocations. If that is not an option, the SEP would suggest considering the following options: (1) adjusting the starting year of the historic time series to better reflect more recent history (e.g., a floating window of 20-25 years) and tying the start year to a reasonable biological window for each species (e.g., low multiple of generation time); (2) adjusting allocation between each sector on a regular basis based on changes in the relative economic value of each species over time; (3) developing a predictive model to forecast an appropriate allocation between species (SEP recognizes that data and expertise issues make this option unlikely); (4) ensure that allocations for each sector do not exceed the total ACL for the species; (5) conduct a pilot study in line with the methodology outlined in NOAA technical memo # 115 "Allocation of Fisheries Harvests under the Magnuson-Stevens Fishery Conservation and Management Act: Principles and Practices."

##### SEP Members

John Whitehead, Chair

Scott Crosson

Chris Dumas

Sherry Larkin

Jason Murray

Tracy Yandle

Kurt Schnier (not present)