Standing and Special Mackerel Scientific and Statistical Committee Summary
Tampa, Florida
May 17, 2011

Acting Chair Sean Powers opened the meeting, and the summary minutes of the March 22, 2011 Mackerel SSC meeting were approved as written. It was noted that the portion of the minutes regarding Spanish mackerel ABC and cobia ABC were actually a summary of mackerel actions taken during Other Business by the Standing and Special Reef Fish SSC. Later in the meeting, the agenda was also approved as written.

Dr. Bortone welcomed the new SSC members. He discussed the conflict of interest forms that SSC members are required to fill out, and noted that SSC meetings are being pre-scheduled in advance to help make a quorum.

Reconsideration of ABCs for Gulf Group Spanish Mackerel and Cobia

Rick Leard reviewed information on Spanish mackerel and cobia that the SSC may not have had when it previously considered ABCs for Gulf Group Spanish Mackerel and Cobia. For Spanish mackerel, the SSC had used the 2003 assessment and selected an OFL based on the MSY midpoint of 7.1 million pounds, and selected an ABC at the lower end of the 80:20 confidence interval of 5.5 million pounds. Because Spanish mackerel have been allocated 57% commercial and 43% recreational, at 5.5 million pounds the recreational sector would have exceeded its allocation in 8 of the last 10 years. The nature of the fishery has drastically changed due to market conditions in the 1990s and the Florida gill net ban in 1995. Now the recreational fishery takes about 65% of the annual harvest. Dr. Leard suggested that the OY of 6.3 million pounds reported in the assessment was equilibrium OY although it did not say so in the assessment. In discussions with Dr. Mauricio Ortiz, he had been told that OY was 8.3 million pounds, but he believed that was an annual rather than equilibrium OY. However, he has been unable to find the document that refers to that level. According to the 2003 assessment, there was only a 3 percent chance of the stock being overfished and a 9 percent chance of overfishing. Unless the Council doesn't use allocations with ACLs, the recreational sector will most likely incur accountability measures. If a single ACL is used and set to ABC, that level has not been exceeded in the last ten years, and 90% of that level has only been exceeded in 2 of the last ten years. Dr. Leard noted that there will be a new benchmark assessment in 2012 that will likely produce a Tier 1 ABC, and that new ABC will take effect before any accountability measures can be implemented.

Bob Zales added that he knew of no fisherman who could conceive of there being any problem with Spanish mackerel if it were left alone. Since the net ban in Florida, it was unlikely that the commercial sector would catch its quota. Under the Spanish mackerel regulations, there are measures to slow down the fishery if it approaches its quota.

Doug Gregory pointed out that it has been ten years and 2 plus generations of Spanish mackerel since the last assessment. In that time there has been red tide and the oil spill, and consequently

we don't know the current status of the stock. This situation didn't lend itself to using the ABC control rule, so the SSC chose to use the probability function that was in the assessment.

Sean Powers and other SSC members felt that the issue as presented was an allocation issue, which was outside the purview of the SSC. Dr. Leard agreed, but pointed out an inconsistency in the SSC's decision to set ABC at the lower confidence interval of MSY. In the 2003 assessment an 80:20 confidence interval was used, but in the 2001 assessment a 75:25 confidence interval was used.

Doug Gregory suggested that, if the control rule were applied, because the assessment was so old that there was essentially no assessment. Therefore, a conservative approach would be to apply Tier 3b. However, because a new stock assessment was due in one year, the SSC saw no reason to disrupt the fishery and was attempting to not be disruptive. He asked if the current TAC would remain in effect if the SSC's March recommendation were retracted. Dr. Leard responded that the current TAC is 9.1 million pounds, which has been in effect since 2001, but that was adopted before the Magnuson-Stevens Reauthorization Act.

Sean Powers felt that there were three options: 1) Use the ABC from the 2003 stock assessment, 2) Use ABC Control Rule Tier 3b, or 3) take no action. Shepherd Grimes advised the SSC that if it changes its position it should articulate why it shifted its position.

Doug Gregory made a motion to withdraw its March recommendation for the setting of OFL and ABC based on a conclusion that there is not enough biological information to recommend a new ABC until a stock assessment for Spanish mackerel is completed in 2012.

It was noted that the 9.1 million pound TAC was based on the 2001 assessment, but there was a revised ABC in the 2003 assessment of 6.3 million pounds. However, after a search of Council and SSC minutes by Council staff, it was concluded that the 2003 assessment had never been reviewed or accepted by the SSC. Because of uncertainty as to what would result from a no action decision, Doug Gregory withdrew his motion.

Luiz Barbieri felt that the Spanish mackerel stock could tolerate more risk without any problems. He made a motion to set the OFL based on the Tier 3a control rule at the mean plus 2 standard deviations of recent landings. The years 2001 to 2009 were selected as the basis because the regulations have not changed since 2001. In addition, it was noted that the Spanish mackerel fishing year was April 1 to March 31. Therefore, the year was based on the fishing year rather than calendar year. John Froeschke recalculated the means and standard deviations based on both the calendar year (Table 1) and the fishing year (Table 2), and with and without inclusion of the most recent year of data.

Table 1. Spanish mackerel mean landings and Mean + 2 standard deviations for 2001-2008 and for 2001-2009, based on calendar year. Values are in pounds whole weight.

	Mean 2001 -2008	Mean + 2 sd. (2001 2008)	Mean (2001 -2009)	Mean + 2 sd. (2001 - 2009)
Calendar year	3,993,819	4,948,376	3,971,597	4,874,403

Table 2. Spanish mackerel mean landings and Mean + 2 standard deviations for 2000/01-2008/09 and for 2000/01-2009/10, based on fishing year. Values are in pounds whole weight.

	Mean (2000 - 2001 to 2008-2009	Mean + 2 sd. (2000 -2001 to 2008-2009	Mean (2000 -2001 to 2009-2010	Mean + 2 sd. (2000 -2001 to 2009-2010
Fishing year	4,089,667	5,509,667	3,953,900	**5,544,391**

Source:(commercial) Vondruska, 2010; ALS and CFDBS databases
Source: (recreational) SEFSC, September 2010 ACL data sets; MRFSS, HBS, TPWD

The SSC recommends that OFL for Spanish mackerel be set according to Tier 3a at mean plus two standard deviation for fishing years* 2000-2001 to 2009-2010 (equal to 5.54 mp whole weight).

***Fishing year =April 1-March 31.**

Motion passed 10 to 0.

The SSC then discussed where to set ABC. Because the OFL level has not been reached during the base period, the SSC felt that ABC could be placed closer to OFL than the default 1 standard deviation. A motion was made to set ABC equal to OFL. However, that option was not part of the Tier 3a control rule. Therefore, a substitute motion was made to set ABC at the highest level under Tier 3a, mean landings plus 1.5 standard deviations. It was noted that this is still a more conservative ABC than current management levels.

The SSC recommends that ABC for Spanish mackerel be equal to the mean of the landings plus 1.5 standard deviation for fishing years* 2000-2001 to 2009-2010 (equal to 5.15 mp whole weight).

***Fishing year =April 1-March 31.**

Substitute Motion passed 11 to 0.

In passing these motions, the SSC realized that it would likely cause the Council to take up the issue of allocation between recreational and commercial sectors. However, the SSC felt strongly that the ABC control rule should be followed and that increasing the quota on the assumption one sector would never achieve its share (i.e. commercial Spanish mackerel) was a dangerous

precedent to follow. Many SSC members felt that the stock was in good shape and hence the OFL and ABC recommendation were set as high as the ABC control rule allowed for this tier. The SSC believe that the new ANC stilled allowed for growth of the fishery and modest growth could be sustainable; however, the allocation issue would need to be addressed by the council to prevent any selector from overharvesting their share.

The SSC next reviewed the cobia OFL and ABC. For consistency, the SSC felt that similar recommendations should be made for cobia. However, the fishing years are calendar years. Also, cobia regulations have not changed since 2000. Therefore, 2000-2009 was selected as the basis for mean and standard deviation.

The SSC recommends that OFL for cobia be set according to Tier 3a at mean plus two standard deviation for years 2000-2009. (equal to 1.60 mp ww)

Motion passed 11 to 0.

The SSC recommends that ABC for cobia be set according to Tier 3a at mean plus 1.5 standard deviation for years 2000-2009. (equal to 1.49 mp ww)

Motion passed unanimously.

It was noted that, in the spreadsheet of annual landings tier 3 calculations for mackerels and cobia, the column under Tier 3b for setting ABC to 75% of OFL was miscalculated. Even though this column was not used, it should be corrected in the event of future use.

Standing SSC members present

Sean Powers, Vice-chair
Luiz Barbieri
Benjamin Blount
Doug Gregory
Kai Lorenzen
Greg Stunz
John Ward

Special Mackerel SSC

Jason Adriance
Ernst Peebles
Aaron Podey
G. Erick Porche, Jr.

Others Present

Bob Gill, Gulf Council
Steven Atran, Council staff
Rick Leard, Council staff
Charlotte Schiaffo, Council staff
Steve Bortone, Council staff
Karen Burns, Council staff
John Froeschke, Council staff
Ryan Rindone, Council staff
Shepherd Grimes, NOAA General Counsel
Nick Farmer, NMFS/SERO

Michael Larkin, NMFS
Rich Malinowski, NMFS/SERO
Brian Linton, NMFS/SEFSC
John Walters, NMFS/SEFSC
Claudia Friess, Ocean Conservancy
John Mareska, Special Reef Fish SSC
Bob Zales II