SOUTH ATLANTIC FISHERY MANAGMENT COUNCIL

SCIENTIFIC AND STATISTICAL COMMITTEE

SSC Meeting Overview

November 8-10, 2011

Hampton Inn West Ashley
678 Citadel Haven Drive
Charleston, SC 29414

VERSION
November 26, 2011

PURPOSE

This meeting is convened to:

- Review the SEDAR 25 stock assessments of black sea bass and tilefish
- Review findings of the National SSC Workshop
- Review ABC control rule developments including the ORCS report
- Review wreckfish DC-AC analysis
- Review snapper grouper FMP amendments 18A and B, 20A, and 24; golden crab amendment 6 and spiny lobster amendment 11.

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1. Introduction

1.1. Documents

Agenda
Minutes, April 2011 and July 2011.

1.2. Action

Introductions

Review and Approve Agenda

Changed the order of the wreckfish analysis and Snapper Grouper Amendment 20A.

Approve Minutes

Approved the April meeting minutes.

2. SEDAR 25 Assessment Review

2.1. Documents

Attachment 1. Black sea bass assessment report
Attachment 2. Tilefish assessment report

2.2. Overview

SEDAR 25 developed assessments of black sea bass and tilefish. The SSC is asked to evaluate these assessments and develop fishing level recommendations for the Council.

Attachments 1 and 2 are provided as folders containing the data and assessment workshop portions of the overall stock assessment report for each stock. The review workshop report will be distributed when it is provided by the RW chair. Complete documentation, including these reports as well as working papers and reference documents, may be accessed through the SEDAR website: http://www.sefsc.noaa.gov/sedar/Sedar_Workshops.jsp?WorkshopNum=25

Black Sea Bass is under a rebuilding plan scheduled to return the stock to SSBmsy by 2016. ABC is currently recommended as the yield associated with the Council's chosen rebuilding strategy, which is a fixed harvest rate approach. The ten year rebuilding plan is based on a 50% probability of success by 2016. The last assessment (update, 2005) determined that black sea bass were overfished and experiencing overfishing.

Golden tilefish is managed to prevent overfishing. The last assessment (SEDAR 4, 2004) determined that tilefish were experiencing overfishing but not overfished. The SSC reviewed tilefish in April 2010 and recommended ABC=311,000 pounds and a P* of 37.5.

2.3. Presentations

Black sea bass assessment: Kyle Shertzer, SEFSC
Tilefish assessment: Erik Williams, SEFSC

2.4. Action

- Consider whether the assessments represent Best Scientific Information Available. SSC recommendations are taken into consideration by the agency when determining "BSIA".

SSC RECOMMENDATION:

Black Sea Bass: ***Satisfied with data used in assessment. Satisfied the assessment team sufficiently explored the uncertainties in the data. Endorse the use of this assessment as representing BSIA.***

Golden Tilefish: ***Satisfied with data used in assessment. Satisfied the assessment team sufficiently explored the uncertainties in the data. Endorse the use of this assessment as representing BSIA***.

- Apply the ABC control rule and recommend ABC and OFL.

SSC RECOMMENDATION:

Black Sea Bass: ***Endorse the ABC based on projections of the rebuilding strategy, using a 50% probability of rebuilding by 2016. Endorse basing the OFL on projections of yield while fishing at Fmsy. Only support ABC and OFL recommendations for 2012 and 2013, with the expectation that there will be some sort of update of the available information.***

Golden Tilefish: ***Recommend OFL = yield at Fmsy. Assessment is a valid basis for P^* approach. Assessment Info = Tier 1, Uncertainty Characterization = Medium (Tier 3), Stock Status = Tier 1, Productivity and Susceptibility = High Risk (Tier 3). $P^* = 0.35$***

- Provide Fishing Level Recommendations for assessed stocks; include discussion of uncertainties and their consequences.

SSC RECOMMENDATION:

Black Sea Bass: ***SSC accepts the base run and the recommendations of the Review Panel. The SSC recommends using rebuilding projections that reflect the actual 2011 catch, since the values is an influential uncertainty in the ABC. If the actual catch is not available for inclusion in the projections, the SSC supports the use of the 150% of 2011 landings run, based on the current estimates of 2011 landings and the projected overages. In addition, the SSC recommends that future stock structure research be based on microchemistry tagging studies instead of genetics (to better capture ecological factors determining black seabass stock structure).***

Fishing Level Recommendations Table: Black Sea Bass

Criteria	Recommended Values from SEDAR 25	
	Definition	Value
M (Instantaneous natural mortality; per year)	Average of Lorenzen M (if used)	0.38
$F_{current}$ (per year)	Geometric mean of the apical fishing mortality rates in 2009 – 2010 ($F_{2009-2010}$)	0.747
F_{MSY} (per year)	F_{MSY}	0.698
B_{MSY} (metric tons)	Biomass at MSY	5399
SSB_{2010} (1E10 eggs)	Spawning stock biomass in 2010	173
SSB_{MSY} (1E10 eggs)	SSB_{MSY}	248
MSST (1E10 eggs)	(1-M)*SSB_{MSY}	154
MFMT (per year)	F_{MSY}	0.698
MSY (1000 pounds)	Yield at MSY	1767
OY (1000 pounds)	Yield at F_{OY}	OY (65% F_{MSY})= 1720 OY (75% F_{MSY})= 1746 OY (85% F_{MSY})= 1760
F_{OY} (per year)	F_{OY} = 65%,75%, 85% F_{MSY}	65% F_{MSY}= 0.454 75% F_{MSY}= 0.524 85% F_{MSY}= 0.593
Biomass Status	SSB_{2010}/MSST	1.13
SSB_{2010}/SSB_{msy}		0.70
Exploitation Status	$F_{2009-2010}/F_{MSY}$	1.07

<u>Golden Tilefish</u>: ***SSC accepts the base run and the recommendations of the Review Panel. The SSC recommends using the values from the Review report. The projections of yield for the P* level were not available; however, Dr. Williams reported they would be provided to the Council. There was concern with using an input steepness (i.e., steepness was not internally estimated by the model), but the uncertainty in that value is taken into consideration during the MCB analysis. If this is a species that has a dominant year class (or several) every 10-20 years, the Council may want to take caution in nursing that year class through. By harvesting the dominant class too strongly, it could affect the next dominant year class and depress biomass for long periods of time. However, the SSC could think of no plausible ecological explanation for one or two years of extremely high recruitment, and cautioned that this might be an artifact of the model. Should be wary of actual recruitment, biomass, and F patterns, but final determination of stock status seems reasonable. Support the use of in situ survey, e.g., using optical or acoustic methods for adult tilefish.***

Recommend stock structure research that yields information relevant on ecological time scales, e.g., otlith microchemistry tagging studies instead of genetics.

Fishing Level Recommendations Table: Tilefish

Criteria	Recommended Values from SEDAR 25	
	Definition	Value
M (Instantaneous natural mortality; per year)	Average of Lorenzen M	0.10
$F_{current}$ (per year)	Geometric mean of the apical fishing mortality rates in 2008 - 2010	0.070
F_{MSY} (per year)	F_{MSY}	0.185
B_{MSY} (metric tons)	Biomass at MSY	2918
SSB_{2010} (metric tons)	Spawning stock biomass (female gonad wt, mt) in 2010	54.8
SSB_{MSY} (metric tons)	SSB_{MSY}	25.3
MSST (metric tons)	(1-M)*SSB_{MSY}	22.6
MFMT (per year)	F_{MSY}	0.185
MSY (1000 pounds)	Yield at MSY	638
OY (1000 pounds)	Yield at F_{OY}	OY (65% F_{MSY})= 610 OY (75% F_{MSY})= 625 OY (85% F_{MSY})= 634
F_{OY} (per year)	F_{OY} = 65%,75%, 85% F_{MSY}	65% F_{MSY}= 0.120 75% F_{MSY}= 0.139 85% F_{MSY}= 0.157
Biomass Status	SSB_{2010}/MSST	2.43
Exploitation Status	$F_{current}/F_{MSY}$	0.36

3. National SSC Workshop Report

3.1. Documents

None

3.2. Overview

The Fourth Annual National SSC Workshop, hosted by the Mid-Atlantic Fishery Management Council, was held October 4-6 in Williamsburg VA. Primary discussion topics included social and economic sciences concerns and application and ecosystem considerations.

3.3. Action

None required.

4. ABC Control Rule Development

4.1. Documents

Attachment 3. ORCS Report
Attachment 4. ABC Control Rule

4.2. Overview

The Committee is asked to review the recently published Technical Memorandum from the "ORCS" group. This group formed following the Second National SSC Workshop to develop methods of determining appropriate ABC recommendations when catch data are the only information available. The recommended ABC control rule, last modified in April 2011, is provided for reference

4.3. ACTIONS

- Review the ORCS report and consider whether the ABC control rule should be modified.

SSC RECOMMENDATION:
The SSC recommends using the ORCS approach to provide added guidance in handling tier 4 species. The SSC requests time at their next meeting to start tailoring the ORCS approach for use with South Atlantic stocks.

5. Snapper Grouper Amendment 18A

5.1. Documents

Attachment 5. SG FMP Amendment 18A Hearing Summary
Attachment 6. SG FMP Amendment 18A Draft

5.2. Overview

Staff Contact: Brian Cheuvront

The need for action in Amendment 18A is to reduce overcapacity and reduce the rate of harvest in the black sea bass pot component of the snapper grouper fishery. Recent amendments to the Snapper Grouper FMP have imposed more restrictive harvest

limitations on snapper grouper fishermen. In an effort to identify other species to target, a greater number of fishermen have targeted black sea bass. Increased effort in the black sea bass pot component of the snapper grouper fishery has intensified the "race to fish" that already exists, which has resulted in a shortened season for the commercial sector; The recreational sector's season has also been shortened. Furthermore, the commercial quota for black sea bass was met in 2009, 2010, and 2011 before fishermen had a chance to fish during the portion of the year (November-February) that has historically been most productive. The South Atlantic Council is concerned an increase effort on these species will deteriorate profits.

5.3. Snapper Grouper 18A Schedule

NOI	January 2009
Scoping Complete	January/February 2009
Council review options & make recommendations	September 2011
APs review	November 2010
SSC first review	April 2011
SSC provide ABC recommendations	NA
Council review & approve for Public Hearing	September 2011
Public Hearings	November 2011
SSC Final review	November 2011
Final Review & Submission	December 2011
Regulations implemented	By June 1, 2012

5.4. Presentations

Overview and Issues: Brian Cheuvront
SEP Recommendations: John Whitehead

5.5. ACTIONS

- The black sea bass fishing year has been getting shorter and shorter as the stock seems to be rebuilding. The Council would like to consider modifying its rebuilding strategy to allow more fish to be caught and still meet the 2016 rebuilding schedule. Given the results of the stock assessment and the rebuilding strategies outlined in Action 1a, which strategies seem realistic? What caveats would you put on the different strategies?
    - Status quo - fixed landings
    - Alternative - fixed exploitation rate (Frebuild)
    - Alternative - Modified, fixed landings followed by fixed exploitation

SSC RECOMMENDATION:

The SSC cautions against a constant catch rebuilding strategy. Based on the information presented, the SSC recommends sub-alternative 3b. Because of the uncertainty in both the projections and the implementation of the rebuilding plan, the SSC only endorses the ABCs from table S-1 out to 2013.

The SSC is comfortable recommending any of the rebuilding strategies provided the 2016 rebuilding target is met.

- Please comment on the appropriateness of using ACL=ABC=OY for black sea bass as proposed in Action 1b.

SSC RECOMMENDATION:

If the Council sets an ACT below the ACL, then setting the ACL=ABC would be appropriate. The concern is that in recent years, the landings have not been constrained by the ACL. The consideration of management uncertainty up to this point has failed to keep the landings below the ACL. The SSC supports a mechanism to not exceed the ABC (ACL or ACT). If an overage of 150% is considered as being likely to happen, then the ACT should be set at 67% of the ACL to prevent that overage. As the ACT is approached, a set of mechanisms should be triggered to slow the increase of landings and keep them below the ACL. The SSC cautions that overages can have biological consequences beyond the rebuilding plan, such as reductions in recruitment that could change the intrinsic rebuilding rate of black seabass.

An additional note: ABC and OY are calculated differently and as such cannot be set equal to one another. OY is an equilbrium calculation, expected to indicate a stock's tendency on average and over the long term, whereas ABC is a short term parameter that takes into account current stock condition and overall management strategies.

- The Council is proposing to limit participation and reduce the overcapitalization problem in the black sea bass fishery by implementing an endorsement program. See section 4.2 of the document for a discussion of the issues. Based on the information provided, please comment on the appropriateness of preferred sub-alternative 2f. Please comment on action 2, new alternative 3 giving what you might see as the pros or cons of such an alternative.

SSC RECOMMENDATION:

The SSC concurs with the comments and recommendations of the Socio-economic Panel (SEP; Attachment 1) and suggests that this approach would not extend the season because it concentrates the fishery to the "highliners", who need to maintain high catches to survive economically. However, 3500lbs does not constitute a "highliner". Also, programs similar to this in the past have not worked and there is no evidence it will work here. In terms of alternative 3, there are concerns about how to deal with people who move from one state to another. There is concern about alternative 3 that there will be logistic and socio-economic issues with the implementation of this alternative. Another concern is that those people that do not meet the criteria of 2f but do meet it the criteria of 3 are less vested in the fishery by the standard of the

Actions and are hence more likely to sell that endorsement to someone, potentially out of state.
Concentrating the fishery into the hand of fewer fishermen also increases their exposure to changes in the ACL due to biological or management actions, as the harvest would be caught by fishermen who are most dependent on the species. Many fishermen in the region have stated that they prefer to keep a large portfolio of stocks for potential harvest due to wide seasonal fluctuations in the southeast.

- Action 5 limits the number of pots an individual fisherman may use. Please comment on the use of this management measure as an effective way to limit harvest or to minimize endangered species interactions.

SSC RECOMMENDATION:
The regulation being suggested that requires all traps to be brought in after every trip may take care of the issue of how many traps a fisherman can have at any time. Other than reducing right whale interactions, there is no biological reason for implementing this regulation, especially in light of the regulation requiring all traps being brought in after each trip. In the context of the other regulations being considered, this one may not help the Council reach its intended goal of extending the length of the fishing season. Requiring fishermen to bring traps back after a trip may be very difficult to enforce. One point of clarification the SSC requested was what defines a trip?

- Please comment on the accountability measures in Action 7, particularly dropping the three year running average in favor of simply using projections to close the season by sector. Are the payback provisions adequate?

SSC RECOMMENDATION:
One concern the SSC has is that the biological gains and losses from overages and paybacks are not currently known. As such, overages could impact the rebuilding timeline of the stock if recruitment is compromised.

- As the stock recovers and presumably the season gets extended, there is concern that there may be fishing during the spawning season. Action 8 proposes potential spawning season closures. If the SSC thinks a spawning season closure is appropriate, what would be the most appropriate closure for black sea bass in the South Atlantic region?

SSC RECOMMENDATION:
Since these fish are not known to aggregate during spawning, reaching the goal of reducing the fishing effort can be done with a closure at any time during the year. There is no data available suggesting a spawning season

closure would be biologically beneficial to the stock. There seems to be 3 goals the Council would like to achieve (i.e., protecting spawning fish, preventing right whale interactions, and reducing exploitation), each of which requires a very different approach. It may not be possible to achieve all 3 with one closure, unless that closure is fairly long.

- Please comment on the pros or cons of trip and size limits as proposed in Actions 9 and 10.

SSC RECOMMENDATION:

The SSC concurs with the comments and recommendations of the SEP (Attachment 1) and does not endorse trip limits. Fishermen may simply increase number of trips to compensate, which will have negative economic effects and may not accomplish the goal of extending the season. The SEP does support increasing the size limit because larger fish are more valuable. Due to the extent of rebuilding and availability of BSB, however, increasing the size limit may not extend the season. Also, larger fish may have higher discard mortality, and increasing the minimum size may increase discards and the size of discarded fish. Trip limits, most likely, will have the least economic impact of the alternatives being considered; assuming the price of gas and the market price of black sea bass remains stable. Increasing minimum size will increase fishing pressure on males since the species is protogynous, with potential negative consequences for reproduction if a socially mediated breeding system exists as in many protogynous species. Increasing the size limit also increases discards because the current mesh size only lets out fish less than 10". If an increase in minimum size is made, the mesh size would also need to increase.

- Review Amendment and provide guidance on any other issues the SSC wishes to discuss not specifically mentioned here.

SSC RECOMMENDATION:

Refer to the SSC advice for SEDAR 25 regarding in-season closure of the black sea bass fishery. The potential effect of overages on the rebuilding plan suggests that closing the fishery in-season may be a necessary action. It is possible to have projections run that include overages and paybacks to see how a 1:1 payback works, and if it helps the Council reach its management goals.

6. Snapper-Grouper Amendment 18B

6.1. Documents

Attachment 7. SG FMP Amendment 18B

6.2. Overview

Staff Contact: Myra Brouwer

Recent amendments to the Snapper Grouper FMP have imposed more restrictive harvest limitations on snapper grouper fishermen resulting in greater numbers of fishermen targeting golden tilefish. This increase in effort is intensifying the "race to fish" that already exists, which has resulted in a shortened season. The fishing season for golden tilefish in recent years has already been shortened to such a degree that South Carolina longline fishermen--who are typically unable to fish until April or May due to weather conditions-- and hook and line fishermen from Florida--who typically do not fish until the fall--are increasingly unable to participate in the fishery. The Council is concerned a continued increase effort will deteriorate profits even further and result in more unsafe fishing conditions. The main purpose of Amendment 18B is to limit participation in the fishery through an endorsement program. The amendment also includes actions to modify the fishing year, allocate commercial quota between gear groups (longline and hook and line), specify trip limits, update MSA parameters based on new assessment (including ABC, ACL and OY), specify ACTs and revise AMs.

6.3. Snapper-Grouper 18B Schedule

NOI	January 2009
Scoping Complete	January/February 2009
Council review options & make recommendations	September/December 2011
APs review	October 2011
Council review & approve for Public Hearing	December 2011
Public Hearings	January/February 2012
SSC Final review	November 2011
Final Review & Submission	March 2012
Regulations implemented	2012

6.4. Presentations

Overview and Issues: Myra Brouwer
SEP Recommendations: John Whitehead

6.5. ACTIONS

Provide a recommendation for each action, as appropriate. If no recommendation is provided, state why the issue is not addressed (i.e., it is an administrative action and the SSC has no input).

The SSC may provide input on any other items pertaining to the amendment.

The Snapper Grouper Committee reviewed Amendment 18B at the September 2011 Council meeting in Charleston. However, the Committee only discussed actions 1-3 and the Council approved their recommendations for changes. Thus, actions 1-3 below reflect the changes that were made in September. The remainder of the Actions include recommendations from the IPT and staff that the Council has not yet discussed or approved

Action 1. Limit Participation in the Golden Tilefish Fishery

Alternative 1 (No Action). Do not limit effort in the golden tilefish fishery through an endorsement program.

Alternative 2. Limit golden tilefish effort through a golden tilefish gear endorsement program: Only snapper grouper permit holders with a golden tilefish longline endorsement or a golden tilefish hook and line endorsement associated with their snapper grouper permit will be allowed to possess golden tilefish.
Subalternative 2a. Individuals that meet the qualifying criteria for both hook and line and longline endorsements may receive both endorsements.

Subalternative 2b. Individuals that meet the qualifying criteria for both hook and line and longline endorsements only receive one endorsement, chosen by the individual that qualifies.

Subalternative 2c (Preferred). Individuals that meet the qualifying criteria only receive a longline endorsement.

SSC RECOMMENDATION:
The SSC commented that limiting access may be favorable because the fishery has been closing earlier each year. The SSC cautions that by concentrating catch to specialists (i.e., fishermen that only target a specific species or species complex), these fishermen will be more susceptible to biological and regulatory fluctuations. The SSC recommends the Council consider the fact that fishermen are generally in favor of limiting entry in their own fishery due to increases in personal revenue and spreading the catch among fewer participants. Additionally, this approach may not achieve the management goal of balancing regional differences in season.

Action 2.Establish Initial Eligibility Requirements for a Golden Tilefish Hook and Line Endorsement

Action 1 (No Action) (Preferred). Do not establish initial eligibility requirements for a golden tilefish hook and line endorsement

Alternative 2. Establish initial eligibility requirements for a golden tilefish hook and line endorsement based on the following criteria:

Subalternative 2a. To receive a golden tilefish hook and line endorsement, the permit must have a harvest level of 1,000 pounds gutted weight (gw) (with hook and line gear) when the individual's best three of five years from 2001-2005 are aggregated. (Sub-alternative devised by the GT LAP WG.)

Subalternative 2g. To receive a golden tilefish hook and line endorsement, the permit must have a harvest level of 1,000 pounds gw (with hook and line gear) when the best 3 of 5 yrs 2001-05 are aggregated and at least 1 lb was landed in 2007 or 2008.

Subalternative 2i. To receive a golden tilefish hook and line endorsement, the permit must have a harvest level of 500 pounds gw (with hook and line gear) when the best 3 of 5 yrs 2001-05 are aggregated and at least 1 lb was landed in 2007 or 2008.

Subalternative 2l. To receive a golden tilefish hook and line endorsement, the permit must have a harvest level of 500 pounds gw (with hook and line gear) when the best 3 of 5 yrs from 2005-2009 are aggregated.

Subalternative 2m. To receive a golden tilefish hook and line endorsement, the permit must have a harvest level of 1,000 pounds gw (with hook and line gear) when the best 3 of 5 yrs from 2005-2009 are aggregated.

SSC RECOMMENDATION:

The SSC recommends the Council consider collecting some quantitative data before making any decisions on these endorsements. The Council may also want to consider the costs of these programs.

Action 3. Establish Initial Eligibility Requirements for a Golden Tilefish Longline Endorsement

Action 1 (No Action). Do not establish initial eligibility requirements for a golden tilefish longline endorsement

Alternative 2. Establish initial eligibility requirements for a golden tilefish longline endorsement based on the following criteria:

Subalternative 2a (Preferred). To receive a golden tilefish longline endorsement, the individual must have a total of 2,000 pounds gw golden tilefish caught (with longline gear) between 2006 and 2008. (Sub-alternative devised by the GT LAP WG)

Subalternative 2b. To receive a golden tilefish longline endorsement, the individual must have a total of 5,000 pounds gw golden tilefish caught (with longline gear) between 2006 and 2008.

Subalternative 2c. To receive a golden tilefish longline endorsement, the individual must have an average of 5,000 pounds gw golden tilefish caught (with longline gear) between 2006 and 2008.

Subalternative 2d. To receive a golden tilefish longline endorsement, the individual must have an average of 5,000 pounds gw golden tilefish caught (with longline gear) between 2007 and 2009.

Subalternative 2e. To receive a golden tilefish longline endorsement, the individual must have an average of 10,000 pounds gw golden tilefish caught (with longline gear) between 2007 and 2009.

New alternative added in September 2011: Look at time series from 2007-2010 as the qualifying period and include subalternatives for the level of landings of 10K, 20K and 30K pounds.

SSC RECOMMENDATION:

The SSC needs to be more familiar with the Council's management goals in order to evaluate whether these methods are appropriate or not (the statement applies to all previous Actions as well). The SSC recommends the Council consider developing a decision tree to specify consistent methodology for making these decisions (applies to all previous Actions).

Action 4. Establish an Appeals Process

Alternative 1 (No Action). Do not establish an appeals process for fishermen who believe they were omitted from the endorsement program based on eligibility criteria.

Alternative 2 (Preferred). Establish an appeals process. (This process would be developed by NMFS and would be consistent with similar processes in the region.)

Staff Recommendation:

Alternative 2: *A period of 90 days will be set aside to accept appeals to the black sea bass endorsement program starting on the effective date of the final rule .The (RA) will review, evaluate, and render final decisions on appeals. Hardship arguments will not be considered. The RA will determine the outcome of appeals based on NMFS' logbooks. If NMFS' logbooks are not available, the RA may use state landings records. Appellants must submit NMFS' logbooks or state landings records to support their appeal.*

Alternative 3: *A period of 90 days will be set aside to accept appeals to the black sea bass endorsement program starting on the effective date of the final rule. The (RA) will review, evaluate, and render final decisions on appeals. Hardship arguments will not be considered. A special board composed of state directors/designees will review, evaluate, and make individual recommendations to RA on appeals. Hardship arguments will not be considered. The special board and the RA will determine the outcome of appeals based on NMFS' logbooks. If*

NMFS' logbooks are not available, the RA may use state landings records. Appellants must submit NMFS' logbooks or state landings records to support their appeal.

SSC RECOMMENDATION:
The SSC provided no comments on this action.

Staff Recommendation for re-wording of alternatives under Action 5:

Action 5. Allocate the Commercial Golden Tilefish Annual Catch Limit (ACL) Among Gear Groups

Alternative 1 (No Action). *Do no allocate the commercial golden tilefish ACL among gear groups (currently commercial ACL = 282,819 pounds gw).*

Alternative 2. *Allocate the golden tilefish commercial ACL as follows: 75% to the longline sector and 25% to the hook and line sector (currently would be 212,114 pounds gw to longlines and 70,705 pounds gw to hook and line).*

Alternative 3. *Allocate the golden tilefish commercial ACL as follows: 85% to the longline sector and 15% to hook and line sector (currently would be 240,396 pounds gw to longlines and 42,423 pounds gw to hook and line).*

Alternative 4 (Preferred). *Allocate the golden tilefish commercial ACL as follows: 90% to the longline sector and 10% to hook and line sector (currently would be 254,537 pounds gw to longlines and 28,282 pounds gw to hook and line).*

SSC RECOMMENDATION:
The SSC recommends the Council consider developing a decision tree to specify methodology for making sector allocation decisions. Council should consider how they might want to adjust these allocations over time.

Action 6.Allow for Transferability of Golden Tilefish Endorsements

Alternative 1 (No Action). Longline and hook and line golden tilefish endorsements *cannot* be transferred.

Alternative 2 (Preferred). Longline golden tilefish endorsements can be transferred between any two individuals or entities that hold valid unlimited Federal commercial snapper grouper permits and fish with longline gear.
Subalternative 2a (Preferred). Transferability allowed upon program implementation.
Subalternative 2b. Transferability not allowed during the first 2 years of the program.

Subalternative 2c. Transferability not allowed during the first 3 years of the program.
Subalternative 2d. Transferability not allowed during the first 5 years of the program.

Alternative 3 (Preferred). Hook and line golden tilefish endorsements can be transferred between any two individuals or entities that hold valid unlimited Federal commercial snapper grouper permits and fish with hook and line gear.
Subalternative 3a (Preferred). Transferability allowed upon program implementation.
Subalternative 3b. Transferability not allowed during the first 2 years of the program.
Subalternative 3c. Transferability not allowed during the first 3 years of the program.
Subalternative 3d. Transferability not allowed during the first 5 years of the program.

Alternative 4. Hook and line and longline golden tilefish endorsements can be transferred between any two individuals or entities that hold valid unlimited Federal commercial snapper grouper permits, regardless of the gear endorsement category.
Subalternative 4a. Transferability allowed upon program implementation.
Subalternative 4b. Transferability not allowed during the first 2 years of the program.
Subalternative 4c. Transferability not allowed during the first 3 years of the program.
Subalternative 4d. Transferability not allowed during the first 5 years of the program.

SSC RECOMMENDATION:
The SSC recognizes that the transferability of endorsements would increase the economic efficiency of the amendment.

Action 7. Adjust Golden Tilefish Fishing Year

Preferred Alternative 1 (No Action). Retain existing January 1 start date for the golden tilefish fishing year.

Alternative 2. Change the start of the golden tilefish fishing year from January 1 to September 1.

Alternative 3. Change the start of the golden tilefish fishing year from January 1 to August 1.

Alternative 4. Change the start of the golden tilefish fishing year from January 1 to May 1.

SSC RECOMMENDATION:

With regard to the market for tilefish and keeping the fishery open during a time when other snapper grouper species are unavailable, the retention of the January 1 start date is preferable. However, the current year impacts the ability of people to fish in the northern portion of the South Atlantic. Allocating catch to the northern areas during different parts of the year, when other species are readily available, could reduce the overall value of the fishery.

Action 8. Establish Golden Tilefish Fishing Limits

Alternative 1 (No Action). Retain the 300 pound gutted weight trip limit when 75% of the ~~quota~~ ACL is taken.

Alternative 2 (Preferred). Remove the 300 pound gutted weight trip limit when 75% of the ~~quota~~ ACL is taken.

Alternative 3. Prohibit longline fishing after 75% of the ~~quota~~ ACL is taken.

SSC RECOMMENDATION:

SSC recommends looking at the Amendment holistically to integrate all available tools. Different catch level reference points (OFL, ABC, ACL, and ACT) should be considered part of an integrated, interdependent system. For example, setting ACL=ABC could work if you have a properly set ACT that triggers management actions before overages occur. Not setting an ACT (with management triggers properly set up) calls for ABC < ACL. The management, monitoring system, and data collection also need to be better integrated. The Council should consider re-examining their current ACTs to ensure they are properly accounting for management uncertainty, using real-time data to monitor landings and adjust regulations. Electronic reporting has been used successfully to track individual quotas within catch-share programs. . The SSC recommends an evaluation of the golden tilefish quota monitoring system to identify potential problems and prevent overages.

Action 9.Establish Trip Limits for Fishermen Who Do Not Receive a Golden Tilefish Hook-and-Line Endorsement

Alternative 1 (No Action). Do not establish trip limits for the golden tilefish hook and line fishery for commercial fishermen who do not receive an endorsement in the commercial golden tilefish hook and line fishery.

Alternative 2 (Preferred). Establish trip limits of 300 pounds gw for the golden tilefish hook and line fishery for commercial fishermen who do not receive an endorsement in the commercial golden tilefish hook and line fishery. Vessels with longline endorsements are not eligible to fish for this trip limit.

Alternative 3. Establish trip limits of 400 pounds gw for the golden tilefish hook and line fishery for commercial fishermen who do not receive an endorsement in the commercial golden tilefish hook and line fishery. Vessels with longline endorsements are not eligible to fish for this trip limit.

Alternative 4. Establish trip limits of 500 pounds gw for the golden tilefish hook and line fishery for commercial fishermen who do not receive an endorsement in the commercial golden tilefish hook and line fishery. Vessels with longline endorsements are not eligible to fish for this trip limit.

NEW Alternative 5 (Preferred). Establish trip limits of 100 pounds gw for the golden tilefish hook and line fishery for commercial fishermen who do not receive an endorsement in the commercial golden tilefish hook and line fishery. Vessels with longline endorsements are not eligible to fish for this trip limit. ***NOTE: This alternative added in June 2011
(Note: Catches under the trip limits would count towards the hook and line gear group quota established under Action 2.)

SSC Recommendation:

The SSC recommends the inclusion of the management goal of each action to properly evaluate the efficacy of the action. The Council should consider that 100% discard mortality exists for golden tilefish when reviewing new, restrictive regulations that could increase discards in this fishery.

Action 10. Establish Trip Limits for Fishermen Who Receive a Golden Tilefish Hook-and-Line Endorsement

Alternative 1 (No Action). Do not establish trip limits for fishermen who receive hook and line endorsements in the golden tilefish fishery.

Alternative 2. Establish trip limits of 300 pounds gutted weight for fishermen who receive hook and line endorsement in the golden tilefish fishery.

Alternative 3. Establish trip limits of 400 pounds gutted weight for fishermen who receive hook and line endorsement in the golden tilefish fishery.

Alternative 4. Establish trip limits of 500 pounds gutted weight for fishermen who receive hook and line endorsement in the golden tilefish fishery.

Staff recommendation:

Alternative 1 (No Action). Retain the existing 300-pound gutted weight trip limit when 75% of the commercial ACL is taken.
Alternative 2. Remove the 300 pound gutted weight trip limit when 75% of the commercial ACL is taken.
Alternative 3. Establish a trip limit of 100 pounds gutted weight for the hook and line sector (under the current preferred for Action 5, this would allow for 282 trips)
Alternative 4. Establish a trip limit of 200 pounds gutted weight for the hook and line sector (under the current preferred for Action 5, this would allow for 141 trips)
Alternative 5. Establish a trip limit of 300 pounds gutted weight for the hook and line sector (under the current preferred for Action 5, this would allow for 94 trips)
Alternative 6. Establish a trip limit of 400 pounds gutted weight for the hook and line sector (under the current preferred for Action 5, this would allow for 70 trips)
Alternative 7. Establish a trip limit of 500 pounds gutted weight for the hook and line sector (under the current preferred for Action 5, this would allow for 56 trips)

SSC Recommendation:

The SSC cautions that the price of fuel and the market price for the fish may not remain constant, thus causing a trip limit to become unprofitable. Also, fishermen may increase the number of trips to catch what they need.

*****NOTE: The Council has not yet approved inclusion of Actions 11-15 into the amendment*****

Action 11. Update MSA parameters

Maximum Sustainable Yield (MSY), Minimum Stock Size Threshold (MSST) Maximum Fishing Mortality Threshold (MFMT), Overfishing Limit (OFL) and Acceptable Biological Catch (ABC) for Golden Tilefish

Current parameters for golden tilefish are shown in ***Table 1*** *below.*

Table 1. *Current and proposed parameters for golden tilefish.*

Criteria	*South Atlantic - Current*		*South Atlantic - Proposed*	
	Definition	*Value*	*Definition*	*Value*
MSST	$SSB_{MSY}(0.75)$	*1,454,063 lbs whole weight*	$SSB_{MSY}(0.75)$	*SEDAR 25*
MFMT	F_{MSY}	*0.043*	F_{MSY}	*SEDAR 25*
MSY	*Yield at* F_{MSY}	*336,425 lbs*	*Yield at* F_{MSY}	*SEDAR 25*

		whole weight		
F_{MSY}	F_{MSY}	*0.043*	F_{MSY}	*SEDAR 25*
OY	*Yield at* F_{OY}	*326,554 lbs whole weight*	*Yield at* F_{OY}	*SEDAR 25*
F_{OY}	$75\%F_{MSY}$	*0.03225*	F_{OY} *= 65%, 75%, 85%* F_{MSY}	*SEDAR 25*
M	*n/a*	*0.08*	*M*	*SEDAR 25*

Amendment 18B will update the current values with those obtained from the ongoing stock assessment (SEDAR 25).

Overfishing Level (OFL) for Golden Tilefish

The OFL, if provided by a SSC, is an annual amount of catch that corresponds to the estimate of MFMT applied to a stock or complex's abundance; MSY is the long-term average of such catches.

The SSC provided the following OFL at their April 2010 meeting: "OFL: 336,400 lbs. ABC: 311,000 lbs. OFL is MSY from SEDAR 4 (2004) and ABC is from May 5, 2009 golden tilefish memo from the Southeast Fisheries Science Center."

Acceptable Biological Catch (ABC) for Golden Tilefish

The SSC's ABC Control Rule is being adopted in the Comprehensive ACL Amendment. Once the new stock assessment is completed, the SSC will presumably apply the control rule to determine the ABC for golden tilefish. Golden tilefish would fall under Level 1 of the Control Rule.

Once the ABC is specified, the Council should consider specification of an ACL. Based on alternatives for other snapper grouper species in the Comprehensive ACL Amendment, the Council may consider the following options for revising ACLs and OY, ACTs (commercial and recreational) and AMs (commercial and recreational).

SSC RECOMMENDATION:

The SSC recommends using the management values and advice for golden tilefish derived from SEDAR 25.

Criteria	Recommended Values from SEDAR 25	
	Definition	Value
M (Instantaneous natural mortality; per year)	Average of Lorenzen M	0.10
$F_{current}$ (per year)	Geometric mean of the apical fishing mortality rates in 2008 - 2010	0.070
F_{MSY} (per year)	F_{MSY}	0.185
B_{MSY} (metric tons)	Biomass at MSY	2918
SSB_{2010} (metric tons)	Spawning stock biomass (female gonad wt, mt) in 2010	54.8
SSB_{MSY} (metric tons)	SSB_{MSY}	25.3
MSST (metric tons)	(1-M)*SSB_{MSY}	22.6
MFMT (per year)	F_{MSY}	0.185
MSY (1000 pounds)	Yield at MSY	638
OY (1000 pounds)	Yield at F_{OY}	OY (65% F_{MSY})= 610 OY (75% F_{MSY})= 625 OY (85% F_{MSY})= 634
F_{OY} (per year)	F_{OY} = 65%,75%, 85% F_{MSY}	65% F_{MSY}= 0.120 75% F_{MSY}= 0.139 85% F_{MSY}= 0.157
Biomass Status	SSB_{2010}/MSST	2.43
Exploitation Status	$F_{current}/F_{MSY}$	0.36

Action 12. Revise Annual Catch Limit (ACL) and Optimum Yield (OY) for Golden Tilefish

Alternative 1 (No Action). *Do not specify an ACL for golden tilefish.*
Alternative 2. *ACL = OY = ABC.*
Alternative 3. *ACL = OY = 90% of the ABC.*
Alternative 4. *ACL = OY = 80% of the ABC.*

SSC RECOMMENDATION:

Given the amount of management uncertainty, the SSC recommends setting an ACL < ABC, with the buffer between ABC and ACL being proportional to the amount of management uncertainty in the fishery. The SSC warns that the Council should be cautious about assuming that future fishing behavior will track historic fishing behavior.

Regarding Alternative 2, the Council should understand that OY is a long-term objective that is not directly comparable to short-term objectives, such as OFL, ABC, and ACL. The Council needs to clarify if AMs are triggered when exceeding the ACL or the ABC. National guidelines specify AMs should be triggered when the ACL is exceeded. By setting ACL=ABC the trigger that

activates measures that are meant to prevent the catch from exceeding the limit and the limit itself are being set at the same value. There must be a trigger set below the actual limit if the limit is not to be exceeded. Alternatively, ACL can be set equal to ABC if the ACT is used as the trigger and overages are prevented.

Action 13. Specify a Commercial Sector ACT

Alternative 1 (No Action). *Do not specify a commercial sector ACTs for golden tilefish*

Alternative 2. *The commercial sector ACT equals 90% of the commercial sector ACL.*

Alternative 3. *The commercial sector ACT equals 80% of the commercial sector ACL.*

SSC RECOMMENDATION:

See previous SSC comments in Snapper Grouper Amendment 18A.

Action 14. Specify a Recreational Sector ACT

Alternative 1 (No Action). *Do not specify a recreational sector*

Alternative 2. *The recreational sector ACT equals 85% of the recreational sector ACL*

Alternative 3. *The recreational sector ACT equals 75% of the recreational sector ACL*

Alternative 4. *The recreational sector ACT equals sector ACL*(1-PSE) or ACL * 0.5, whichever is greater*

SSC RECOMMENDATION:

See previous SSC comments in Snapper Grouper Amendment 18A.

Action 15. Revise Accountability Measures (AMs) for Golden Tilefish

Alternative 1 (No Action). *Retain current commercial and recreational AMs for golden tilefish:*

- *Commercial AM: prohibit harvest, possession, and retention when the quota is projected to be met. All purchase and sale is prohibited when the quota is projected to be met.*
- *Recreational AM: If the ACL is exceeded, the Regional Administrator shall publish a notice to reduce the length of the following fishing season by the amount necessary to ensure landings do not exceed the sector ACL for the following fishing season. Compare the recreational ACL with projected recreational landings over a range of years. For 2010, use only 2010 landings. For 2011, use the average landings of 2010 and 2011. For 2012 and beyond, use the most recent three-year running average.*

Alternative 2. *Adopt new commercial AMs*

Alternative 3. *Adopt new recreational AMs*

Commercial and recreational AMs are being proposed in the Comprehensive ACL Amendment for other snapper grouper species as follows:

Alternative 2. *Specify the AM trigger.*
Subalternative 2a. *Do not specify an AM trigger.*
Subalternative 2b. *If the annual landings exceed the ACL in a given year.*
Subalternative 2c. *If the mean landings for the past three years exceed the ACL* [1, 2]

Subalternative 2d. *If the modified mean landings exceed the ACL. The modified mean is the average of the most recent 5 years of available landings data with highest and lowest landings estimates removed* [1,2]
Subalternative 2e. *If the lower bound of the 90% confidence interval estimate of the MRFSS landings' population mean plus headboat landings is greater than the ACL.*
Notes:
[1] *Start the clock over. In any year the ACL is reduced or increased, the sequence of future ACLs will begin again starting with a single year of landings compared to the ACL for that year, followed by a 2-year average of landings compared to the 2-year average annual catch limits in the next year, followed by a 3-year average of landings compared to the 3-year average of ACLs for the third year, and so on.*
[2] *For 2011, use only 2011 landings. For 2012, use the mean landings of 2011 and 2012. For 2013 and beyond, use the most recent three-year running mean.*

Alternative 3. *Specify the in-season AM.*
Subalternative 3a. *Do not specify an in-season AM.*
Subalternative 3b. *The Regional Administrator shall publish a notice to close the recreational sector when the ACL is projected to be met.*

Alternative 4. *Specify the post-season AM.*
Subalternative 4a. *Do not specify a post-season AM.*
Subalternative 4b. *For post-season accountability measures, compare ACL with landings over a range of years. For 2011, use only 2011 landings. For 2012, use the mean landings of 2011 and 2012. For 2013 and beyond, use the most recent three-year running mean.1*
Subalternative 4c. *Monitor following year. If the ACL is exceeded, the following year's landings would be monitored for persistence in increased landings. The Regional Administrator would take action as necessary.*
Subalternative 4d. *Monitor following year and shorten season as necessary. If the ACL is exceeded, the following year's landings would be monitored in-season for persistence in increased landings. The Regional Administrator will publish a notice to reduce the length of the fishing season as necessary.*
Subalternative 4e. *Monitor following year and reduce bag limit as necessary. If the ACL is exceeded, the following year's landings would be monitored for persistence in increased landings. The Regional Administrator will publish a notice to reduce the bag limit as necessary.*

Subalternative 4f. *Shorten following season. If the ACL is exceeded, the Regional Administrator shall publish a notice to reduce the length of the following fishing year by the amount necessary to ensure landings do not exceed the ACL for the following fishing season.*
Subalternative 4g. *Payback. If the ACL is exceeded, the Regional Administrator shall publish a notice to reduce the ACL in the following season by the amount of the overage.*

SSC RECOMMENDATION:
The Council needs to clarify what is meant by "quota".
Also, the SSC recommends that the Council look at the different catch level reference points (OFL, ABC, ACL, and ACT) as part of an integrated system, so that we can get a better handle on how these management tools interact. For example, setting ACL=ABC could work if you have a properly set ACT that triggers management actions before overages occur. Not setting an ACT (with management triggers properly set up) calls for ABC < ACL.

Comments on the AP Recommendations: With regard to the ACL, there is no guarantee the ACL will go up. The ABC will be set based on the numbers generated in for the SEDAR 25 report and the P* analysis. The ACL should be adjusted based on estimates of F.

7. Wreckfish Analysis

7.1. Documents

Attachment 8. Wreckfish Analysis

7.2. Overview

Staff of the Southeast Regional office prepared a DC-AC analysis of the wreckfish population that is offered for SSC consideration. Additional documentation includes the prior wreckfish stock assessment and a recent life history study.

The SSC discussed wreckfish ABC recommendations in April and August 2010. In April 2010 the SSC recommended that ABC was unknown and the Council should specify an ACL of 200,000 pounds or less. Council rejected this advice, and asked that the SSC specify an ABC as required in the MSRA. The following is an excerpt from the August 2010 SSC report:

For wreckfish, the SSC reviewed and revised recommendations provided at the April 2010 meeting (ABC is unknown and ACL should not exceed 200K lbs, SSC Summary from April meeting). The fishery has been reduced to <3 harvesters and landings have declined substantially from the peak in 1990. The ITQ system is already suppressing effort and F, making wreckfish a special case. It is a difficult fishery to prosecute, therefore, marginal operators and those with low quota have dropped out. the Council is reviewing the ITQ and may make drastic

changes; SAFMC will need OFL and ABC to make adjustments to ITQ. The last assessment is from 2001.

The discussions included some brief management considerations of lowering the ACL, which would require existing fishermen to buy out rest of the quota holders to make any money; however, SSC focused on science, not the management consequences.

The SSC initially considered whether 250,000 lbs (obtained using the average landings approach) represents a sustainable catch level. The committee agreed this is not the maximum sustainable, but a sustainable level. However, an initial question is whether the acceptable catch recommendations should be based on historical average catch or the 2001 stock assessment. Catches are currently much reduced from historical highs, and 2001 assessment indicated depletion at higher historical levels of effort. The catch reductions appear to have come mainly from gear restrictions, spawning season closure and ITQ implementation and historical catch levels have been influenced by regulation. We have a 2001 assessment, but how applicable is it to current catch? If we use a depleted-catch based approach are the historical catches a "small" historical catch? Perhaps, but probably not. Stock showed depletion in 1980s and behaves more like "moderate" as historical catch scenario. Should use the catch-only scenario, even though a 2001 assessment exists.

Currently, a measure of OFL does not exist based on the most recent assessment. There is an average of 1.964 million lbs for MSY, so 2 million lbs might be appropriate; 4 million lbs is excessive based on historical data and concerns at the time (1990) when catches were that high. Since stock size cannot be projected, an estimate of OFL from 2001 assessment could not be produced. A DB-SRA or DCAC estimate could be calculated, but recent landings are confidential, therefore the SSC was not be able to perform the calculations to produce these estimates at this time. However, the 2001 stock assessment is based on the historical data and without current or recent data, DCAC would use the same data as the assessment--so why not use the assessment? The SSC agreed it was dated and did not apply to current landings and conditions.

Depending on what years were included (it is valid to exclude the extremely high years), the range of average annual landings is 0.835 million to 2.5 million lbs. MSY can be expressed as range, but not sure how an ABC range would work, as the Council would have to select some level of ABC.

The SSC does not support the June 2010 Council motions setting OFL and ABC for wreckfish.

Justification: In the absence of a current assessment, using a catch-only scenario at moderate historical catch, it is possible that increasing catch will result in overfishing. The SSC reached consensus that catch-only analysis is appropriate

because it is inappropriate to use an old assessment applied to new catch data for catches coming from potentially different fishing conditions than at the time of the assessment. Although an estimate of Fmsy exists, it cannot be applied to current stock biomass. However, we do have moderate historical catch based on what the 2001 assessment reported, so that increase in catch could cause overfishing. A recent estimate of F is close to Fmsy, so increasing F could lead to overfishing if there were increases in catch. We don't know the biomass or Bmsy but fishing at Fmsy at a stock < Bmsy is acceptable for a stock that is not overfished and this will allow rebuilding.

Recommendations from the SSC include:

- *For average catch, start the time series at 1997 and carry through recent years, resulting in an average of 250,000 lbs.*
- *Set ABC at 250,000 lbs. Due to confidentially of data, we can't get more precise than setting at 250,000 lbs. This caps fishery where it is (consistent with the 'Moderate' level of historical catch in Methot's table for catch-only scenarios).*
- *Conduct DCAC or DBSRA analysis in the next year to compare with the current catch-only recommendation.*

7.3. Presentations

Analytical presentation: Andy Strelcheck, SERO

7.4. ACTIONS

- Review analysis of wreckfish

SSC RECOMMENDATION:

Initially the SSC struggled with whether or not the analysis should be peer reviewed during the meeting. Although the analysis was not conducted under the SEDAR process, the presenter indicated that it was reviewed by the Science Center and comments were provided and addressed. However, there was no written review and no record of SEFSC comments was provided to the SSC. SSC members indicated a formal process was needed in the future to allow for proper peer review. The SSC recommended that a subgroup of the SSC be formed when depletion based assessments are brought before the SSC for review. The subgroup would be responsible for a thorough peer review and determine if additional runs should be made before the SSC as a whole reviews the analysis.

With regard to the present wreckfish analysis, a subgroup was formed during the meeting to go over the analysis with Dr. Strelcheck and determine the appropriateness of the current runs as well as evaluate the need for additional runs. As a result, the subgroup produced a report which included three additional runs (Attachment 2). The recommendations of the subgroup were discussed by the full SSC.

Discussions from the subgroup brought a few issues to light: (1) when possible, the SSC should be involved early in the analysis process; (2) species that have confidential data can cause issues with the review as not all SSC members have access to confidential data; (3) wreckfish could be assessed either with a DB-SRA or surplus production model approach, both of which represent higher tier assessment approaches; (4) because of the global distribution of this species it may be beneficial to consider moving wreckfish to an international assessment arena.

The recommendation of the subgroup was to adopt the DCAC approach, and use an average of two runs to produce the ABC (Attachment 2).

- Consider if ABC modifications are needed.

SSC RECOMMENDATION:
Based on the recommendation of the subgroup, the SSC recommended the use of the DCAC approach and the use of the average pounds resulting from runs 19 and 21. The resulting ABC was 235,000 pounds whole weight.

8. Snapper-Grouper Amendment 20A

8.1. Documents

Attachment 9. SG FMP Amendment 20A Hearing Summary
Attachment 10. SG FMP Amendment 20A

8.2. Overview

Staff Contact: Kari MacLauchlin

Amendment 20A consists of regulatory actions that focus on modifications to the wreckfish individual transferable quota (ITQ) program. The purpose of this amendment is to adjust the distribution of wreckfish shares in order to remove inactive effort from the commercial sector and allow the commercial sector's ACL to be harvested and thereby achieve Optimum Yield (OY) in the fishery. Management actions proposed in this Amendment will: 1) define revert inactive wreckfish shares; 2) redistribute reverted shares among remaining shareholders; 3) define a cap on the number of shares one entity may own; and 4) establish an appeals process.

In June 2011, the Council decided to split Amendment 20 into two amendments. Amendment 20B will include actions to modify wreckfish ITQ program to bring into compliance with Reauthorized MSA requirements for LAPPs (such as cost recovery) and implement provisions for program maintenance (such as a use or lose policy).

8.3. Snapper-Grouper 20A Schedule

NOI ..... January 2009
Scoping Complete..... January 2009

Council review options & make recommendations.....September 2011
APs review .....October 2011
Council review & approve for Public Hearing..... September 2011
Public Hearings.....November 2011
SSC Final review .....November 2011
Final Review & Submission..... December 2011
Regulations Implemented..... April 16, 2012

8.4. Presentations

Overview and Issues: Kari MacLauchlin
SEP Recommendations: John Whitehead

8.5. ACTIONS

- Review Amendment and provide guidance.

Action 1. Define and revert inactive shares

Alternative 1: No Action. Do not define or revert inactive shares for redistribution.

Alternative 2: Define inactive shares as shares belonging to any ITQ shareholder who has not reported wreckfish landings in 2009-10 and/or 2010-11, and revert for redistribution.

Alternative 3 (Preferred): Define inactive shares as shares belonging to any ITQ shareholder who has not reported wreckfish landings in 2006-07 through 2010-11, and revert
for redistribution.

SSC Recommendation:

The SSC concurs with the comments and recommendations of the SEP (Attachment 1) and strongly opposes reverting inactive shares. If shares are going to be reverted, then the SEP report suggests auctioning off the shares and giving the money back to the original shareholders.

Action 2. Redistribute reverted shares to remaining shareholders

Alternative 1: No Action. Do not redistribute reverted shares.

Alternative 2: Redistribute reverted shares to remaining shareholders based on 50% equal allocation + 50% landings history.
Option a: landings history in fishing years 2009-10 through 2010-11.
Option b: landings history in fishing years 2006-07 through 2010-11.

Alternative 3 (Preferred): Redistribute reverted shares to remaining shareholders based landings history.

Option a: landings history in fishing years 2009-10 through 2010-11
Option b (Preferred): landings history in fishing years 2006-07 through 2010-11.

Alternative 4: Redistribute reverted shares based on proportion of remaining shares held by each remaining shareholder after inactive shares are reverted.

SSC Recommendation:

The SSC concurs with the comments and recommendations of the SEP (Attachment 1) and indicated that the suite of alternatives have very little to do with economic efficiency.

Action 3. Establish a share cap

Alternative 1: No Action. Do not establish share cap.

Alternative 2: Establish share cap as 15% of the total shares.

Alternative 3: Establish share cap as 25% of the total shares.

Alternative 4 (Preferred): Establish share cap as 49% of the total shares.

Alternative 5: Establish share cap as 65% of the total shares.

Alternative 6: Establish share cap as the percentage of total shares held by largest shareholder after redistribution.

SSC Recommendation:

The SSC concurs with the SEP comments and recommendations (Attachment 1) and does not support the establishment of a share cap. This does not mirror what is happening in the Golden Crab fishery. However, the Golden Crab program is new and deals only with initial allocation of shares. The wreckfish program is already established and deals with redistributing reverted shares.

Action 4. Establish an appeals process

Alternative 1: No Action. Do not specify provisions for an appeals process associated with the ITQ program.

Alternative 2 (Preferred): A percentage of the wreckfish shares for fishing year 2012/2013 will be set-aside to resolve appeals for a period of 90-days starting on the effective date of the final rule. The Regional Administrator (RA) will review, evaluate, and render final decisions on appeals. Hardship arguments will not be considered. The RA will determine the outcome of appeals based on NMFS' logbooks. If NMFS' logbooks are not available, the RA may use state landings records. Appellants must submit NMFS' logbooks or state landings records to

support their appeal. After the appeals process has been terminated, any amount remaining from the set-aside will be distributed back to remaining ITQ shareholders according to the redistribution method selected under Action 2.

Sub-alternative 2a: Three percent of wreckfish shares will be set aside for appeals.

Sub-alternative 2b (Preferred): Five percent of wreckfish shares will be set aside for appeals.

Sub-alternative 2c: Ten percent of wreckfish shares will be set aside for appeals.

Alternative 3: A percentage of the wreckfish shares for fishing year 2012/2013 will be set-aside to resolve appeals for a period of 90-days starting on the effective date of the final rule. The Regional Administrator (RA) will review, evaluate, and render final decisions on appeals. Hardship arguments will not be considered. A special board composed of state directors/designees will review, evaluate, and make individual recommendations to RA on appeals. The special board and the RA will determine the outcome of appeals based on NMFS' logbooks. If NMFS' logbooks are not available, the RA may use state landings records. Appellants must submit NMFS' logbooks or state landings records to support their appeal. After the appeals process has been terminated, any amount remaining from the set-aside will be distributed back to remaining ITQ shareholders according to the redistribution method selected under Action 2.

Sub-alternative 3a: Three percent of wreckfish shares will be set aside for appeals.

Sub-alternative 3b: Five percent of wreckfish shares will be set aside for appeals.

Sub-alternative 3c: Ten percent of wreckfish shares will be set aside for appeals.

SSC RECOMMENDATION:

Neither the SSC nor SEP provided any comments on this action item.

Additional Comments Provided Relative to Amendment 20A

Dr. Sedberry provided a list of citations missing from the references:

Ball et al. 2010
Ball et al. 2000
Sedberry et al. 1994
Sedberry et al. 1996
Sedberry et al. 2001
It is possible others exist as well

Comment on PDF page 64, re: management elsewhere. The longline fishery was closed in Bermuda in 1994 and the entire fishery closed in Brazil during 2002.

9. Snapper-Grouper Amendment 24

9.1. Documents

Attachment 11. SG Amendment 24 Hearing Summary
Attachment 12. SG Amendment 24 Draft

9.2. Overview

Staff Contact: Myra Brouwer

SEDAR 19, using data through 2008, determined that the red grouper stock in the South Atlantic is undergoing overfishing and is overfished. The Council and NOAA Fisheries must implement a rebuilding plan by June 2012. Amendment 24 contains actions to implement a rebuilding plan. The SSC is asked to provide recommendations for all actions in Amendment 24. Several highlighted items follow.

Revised Allocations (Action 5):

Sector allocations were recalculated for snapper grouper species in the Comprehensive ACL Amendment and Amendment 24 expressing catch history using average, as opposed to total landings. This reflects the original intent of the Council, as presented in "Boyles' Law" (see below). Consequently, the sector allocations (and hence the ACLs and ACTs) changed. However, sector allocations only changed by 1% from 45/55 commercial/rec to 44/56 commercial rec. Analyses have been updated to reflect this change.

Allocation Modifications (Alternative 5):

Some Council members have expressed concerns over the applicability of Boyle's Law to specify sector allocations. This formula uses 50% of the average historical landings from 1986 to 2008 plus 50% of the average recent landings from 2006 to 2008. Some Council members maintain that using only 3 years of average landings to calculate 50% of the allocation is not appropriate given the limitations of the MRFSS data. They would like to see an approach be incorporated that adjusts the landings estimates to account for years with very high or very low estimates. The SSC should provide guidance on appropriate modifications to Boyle's Law that the Council could consider in the future.

ACL and OY (Action 6):

Alternatives include language that states: "ACLs will not increase in a subsequent year if present year projected catch has exceeded the total ACL." Based on proposed commercial ACL (284,680 lbs), and 2010 red grouper commercial catch (327,258 lbs), there would be a commercial closure before the end of 2012 after Amendment 24 is implemented in June.

ACT Formula (Action 8):

The Council is proposing to set a recreational ACT for red grouper using the formula ACT = ACL*(1-PSE) or ACL*0.5, whichever is greater. This is the same formula that

was used to set ACTs for the recreational sector in the Comprehensive ACL Amendment. During the September 2011 meeting, the Council verified their intent to use the PSE values from the red grouper assessment and use the 5-year average rounded to a whole percentage (25%). The SSC has not offered comments on this formula previously. Does the SSC have any concerns?

9.3. Snapper Grouper 24 Schedule

Scoping Complete	Jan 2011
Council reviews options & makes recommendations	March 2011
AP's review	Nov 2010, April 2011, October 2011
SSC first review	April 2011
SSC provide ABC recommendations	April 2010
Council review & approve for Public Hearing	June 2011
Public Hearings	August 2011, November 2011
Final Review & Submission	December 2011
SSC Final review	Nov 2011
Regulations implemented	by June 9, 2012

9.4. Presentations

Overview and Issues: Myra Brouwer

9.5. ACTIONS

The SSC is asked to comment on the Actions and Preferred Alternatives for Amendment 24, and to comment on the allocation formula and possibility for unintended consequences from outlier values.

Action 1. Re-define Maximum Sustainable Yield (MSY)

Alternative 1 (No Action). Do not change the current definition of MSY for red grouper. Currently, MSY equals the yield produced by F_{MSY}. F30%SPR is used as the F_{MSY} proxy. F30%SPR=0.1781.

Alternative 2 (Preferred). MSY equals the yield produced by F_{MSY} or the FMSY proxy. MSY and F_{MSY} are recommended by the most recent SEDAR/SSC.

F_{MSY} =0.2212; MSY = 1,110,0~~0~~03 lbs whole weight

SSC RECOMMENDATION:
The SSC provided no comment.

Action 2. Re-define Minimum Stock Size Threshold (MSST)

Alternative 1(No Action). Do not change the current definition of MSST for red grouper. MSST equals SSB_{MSY} ((1-M) or 0.5, whichever is greater).
MSST = 4,914,0531 lbs ww

Alternative 2. MSST equals 50% of SSB_{MSY}
MSST = 2,857,162 lbs ww

Alternative 3(Preferred). MSST equals 75% of SSB_{MSY}
MSST = 4,285,742 lbs ww

Alternative 4. MSST equals 85% of SSB_{MSY}
MSST = 4,857,175 lbs ww

Alternative 5. MSST at which rebuilding to the MSY level would be expected to occur within 10 years at the MFMT level.

SSC RECOMMENDATION:
The SSC provided no comments.

Action 3. Establish a Rebuilding Schedule

Alternative 1 (No Action). Do not implement a rebuilding plan for red grouper. There currently is not a rebuilding plan for red grouper. Snapper Grouper Amendment 4 (regulations effective January 1992) implemented a 15-year rebuilding plan beginning in 1991, which expired in 2006.

Alternative 2. Define a rebuilding schedule as the shortest possible period to rebuild in the absence of fishing mortality (TMIN). This would equal 3 years with the rebuilding time period ending in 2013. 2011 is Year 1.

Alternative 3. Define a rebuilding schedule intermediate between the shortest possible and maximum recommended period to rebuild. This would equal 7 years with the rebuilding time period ending in 2017. 2011 is Year 1.

Alternative 4. Define a rebuilding schedule of 8 years with the rebuilding time period ending in 2018. 2011 is Year 1.

Alternative 5 (Preferred). Define a rebuilding schedule as the maximum period allowed to rebuild (TMAX). This would equal 10 years with the rebuilding time period ending in 2020. 2011 is Year 1.

SSC RECOMMENDATION:
The SSC provided no comments.

Action 4. Establish a Rebuilding Strategy and Acceptable Biological Catch (ABC)

Alternative 1 (No Action). Do not specify a rebuilding strategy for red grouper.

Alternative 2. Define a rebuilding strategy for red grouper that sets ABC equal to the yield at $F_{REBUILD}$. $F_{REBUILD}$ is a fishing mortality rate that would have a 70% probability of rebuilding success to SSB_{MSY} in TMAX (ten years for red grouper). Under this strategy, the fishery would have at least a 50% chance of rebuilding to SSB_{MSY} by 2017 and 70% chance of rebuilding to SSB_{MSY} by 2020.

- The Overfishing Limit is the yield at FMSY.
- The Acceptable Biological Catch recommendation from the Scientific and Statistical Committee is the projected yield stream with a 70% probability of rebuilding success.
- The Acceptable Biological Catch values with dead discards would be 665,000 lbs whole weight (2011), 737,000 lbs whole weight (2012), 806,000 lbs whole weight (2013), and 866,000 lbs whole weight (2014).
- The Acceptable Biological Catch values without dead discards would be 622,000 lbs whole weight (2011), 693,000 lbs whole weight (2012), 762,000 lbs whole weight (2013), and 822,000 lbs whole weight (2014).

Alternative 3 (Preferred). Define a rebuilding strategy for red grouper that sets ABC equal to the yield at $75\%F_{MSY}$. Under this strategy, the fishery would have at least a 50% chance of rebuilding to SSBMSY by 2016 and 81% chance of rebuilding to SSB_{MSY} by 2020.

- The Overfishing Limit is the yield at FMSY.
- The Acceptable Biological Catch recommendation from the Scientific and Statistical Committee is the projected yield stream with a 70% probability of rebuilding success.
- The Acceptable Biological Catch values without dead discards would be 573,000 lbs whole weight (2011), 647,000 lbs whole weight (2012), 718,000 lbs whole weight (2013), and 780,000 lbs whole weight (2014).

Alternative 4. Define a rebuilding strategy for red grouper that sets ABC equal to the yield at $65\%F_{MSY}$. Under this strategy, the fishery would have at least a 50% chance of rebuilding to SSB_{MSY} by 2016 and 92% chance of rebuilding to SSB_{MSY} by 2020.

- The Overfishing Limit is the yield at F_{MSY}.
- The Acceptable Biological Catch recommendation from the Scientific and Statistical Committee is the projected yield stream with a 70% probability of rebuilding success.
- The Acceptable Biological Catch values with dead discards would be 535,000 lbs whole weight (2011), 610,000 lbs whole weight (2012), 683,000 lbs whole weight (2013), and 749,000 (2014).

- The Acceptable Biological Catch values without dead discards would be 501,000 lbs whole weight (2011), 575,000 lbs whole weight (2012), and 648,000 lbs whole weight (2013), and 713,000 lbs whole weight (2014).

Alternative 5. Define a rebuilding strategy for red grouper that sets ABC equal to the yield at $F_{REBUILD}$. $F_{REBUILD}$ is a fishing mortality rate that would have a 70% probability of rebuilding success to SSB_{MSY} in 7 years. Under this strategy, the fishery would have at least a 48% chance of rebuilding to SSB_{MSY} by 2015 and 70% chance of rebuilding to SSB_{MSY} by 2017.

- The Overfishing Limit is the yield at F_{MSY}.
- The Acceptable Biological Catch recommendation from the Scientific and Statistical Committee is the projected yield stream with a 70% probability of rebuilding success.
- The Acceptable Biological Catch values with dead discards would be 583,000 lbs whole weight (2011), 657,000 lbs whole weight (2012), 730,000 lbs whole weight (2013), and 794,000 lbs whole weight (2014).
- The Acceptable Biological Catch values without dead discards would be 545,000 lbs whole weight (2011), 619,000 lbs whole weight (2012), 691,000 lbs whole weight (2013), and 755,000 lbs whole weight (2014).

SSC RECOMMENDATION:

The SSC provided no comments.

Action 5. Specify Sector Allocations

Alternative 1 (No Action). Do not establish a sector allocation of the red grouper annual catch limit (ACL).

Alternative 2 (Preferred). Specify allocations for the commercial and recreational sectors based on criteria outlined in one of the following options:

Subalternative 2a. Commercial = 52% and recreational = 48% (Established by using average landings from 1986-2008).

Subalternative 2b. Commercial = 54% and recreational = 46% (Established by using average landings from 1986-1998).

Subalternative 2c. Commercial = 49% and recreational = 51% (Established by using average landings from 1999-2008).

Subalternative 2d. Commercial = 41% and recreational = 59% (Established by using average landings from 2006-2008).

Subalternative 2e (Preferred). Commercial = 44% and recreational = 56% (Established by using 50% of average landings from 1986-2008 + 50% of average landings from 2006-2008).

SSC RECOMMENDATION:

Members of the SEP requested that Boyle's Law be put on the agenda for their next meeting for review.

Action 6. Specify Annual Catch Limits (ACL) and Optimum Yield (OY)

Alternative 1 (No Action). Do not specify an individual ACL for red grouper. An individual ACL is currently not in place for red grouper. Retain aggregate recreational and commercial ACLs for black grouper, red grouper, and gag. The commercial sector ACL for gag, black grouper, and red grouper is 662,403 lbs gw (781,636 lbs ww) and 648,663 lbs gw (765,422 lbs ww) for the recreational sector. The total group ACL is 1,311,066 lbs gw (1,547,058 lbs ww). These values are equivalent to the expected catch resulting from the implementation of management measures for red grouper in Amendment 16 and specified in Amendment 17B.

Alternative 2 (Preferred). ACL = OY = ABC. Specify commercial and recreational ACLs for red grouper for 2012, 2013, and 2014 and beyond. The ACL for 2014 would remain in effect until modified. ACLs in 2013 and 2014 will not increase automatically in a subsequent year if present year projected catch has exceeded the total ACL.

Alternative 3. ACL = OY = 90% of the ABC. Specify commercial and recreational ACLs for red grouper for 2012, 2013, and 2014 and beyond. The ACL for 2014 would remain in effect until modified. ACLs in 2013 and 2014 will not increase automatically in a subsequent year if present year projected catch has exceeded the total ACL.

Alternative 4. ACL = OY = 80% of the ABC. Specify commercial and recreational ACLs for red grouper for 2012, 2013, and 2014 and beyond. The ACL for 2014 would remain in effect until modified. ACLs in 2013 and 2014 will not increase automatically in a subsequent year if present year projected catch has exceeded the total ACL.

Alternative 5 (Preferred). Eliminate the commercial sector aggregate ACL of 662,403 lbs gw for black grouper, gag, and red grouper. Eliminate the in-season AM that specifies a prohibition on possession of all shallow water groupers once the commercial aggregate ACL is projected to be met.

Alternative 6 (Preferred). Eliminate the recreational sector aggregate ACL of 648,663 lbs gw for black grouper, gag, and red grouper. Eliminate the in-season AM that specifies a prohibition on possession of black grouper, gag, and red

grouper once the ACL is projected to be met if any one of the three species is listed as overfished. Eliminate the post-season AM that specifies a reduction in a subsequent year's ACL by the amount of an overage if landings exceed the aggregate ACL. Eliminate the regulation that states that the recreational landings are evaluated relative to the ACL as follows: For 2010, only 2010 recreational landings will be compared to the ACL; in 2011, the average of 2010 and 2011 recreational landings will be compared to the ACL; and in 2012 and subsequent fishing years, the most recent 3-year running average recreational landings will be compared to the ACL.

SSC Comment Requested: Action 6, ACL and OY, alternatives include language that states: "ACLs will not increase in a subsequent year if present year projected catch has exceeded the total ACL."

1. If there is an overage of the sector ACLs, is taking off the overage from the sector ACL the following year sufficient to meet the rebuilding goals? If not, does the SSC recommend other alternatives to maintain rebuilding progress.
2. Is it necessary to withhold increases to the total ACL in one year if the total landings exceed the total ACL in the prior year, as the Council is proposing?

SSC RECOMMENDATION:

ACL and ABC cannot equal OY since OY is a separate value that is calculated very differently from ABC. The SSC cautions that having ACL=ABC does not consider management uncertainty and will lead to overages. There should be a trigger set (ACT) at a level comparable to the management uncertainty that helps prevent overages from occurring.

Action 7. Specify a Commercial Annual Catch Target (ACT)

Alternative 1 (No Action) (Preferred). Do not specify a commercial ACT for red grouper. Currently, there is no commercial ACT for red grouper (The proposed commercial ACL would equal 284,680 pounds whole weight in 2012 but would increase in 2013 and 2014 as long as the total ACL is not exceeded).

Alternative 2. The commercial ACT equals 90% of the commercial ACL (The proposed commercial ACT would equal 256,212 pounds whole weight in 2012 but would increase in 2013 and 2014 as long as the total ACL is not exceeded).

Alternative 3. The commercial ACT equals 80% of the commercial ACL (The proposed commercial ACT would equal 227,744 pounds whole weight in 2012 but would increase in 2013 and 2014 as long as the total ACL is not exceeded).

Note: The ACT values would not increase if the total ACL was exceeded as discussed in **Action 6**.

SSC RECOMMENDATION:

See previous comments in black sea bass and golden tilefish amendments.

Action 8. Specify a Recreational Annual Catch Target (ACT)

Alternative 1 (No Action). Do not specify a recreational ACT for red grouper. Currently, there is no recreational ACT for red grouper (The proposed recreational ACL would equal 362,320 pounds ww in 2012 but would increase in 2013 and 2014 as long as the total ACL is not exceeded).

Alternative 2. The recreational ACT equals 85% of the recreational ACL (The proposed recreational ACT would equal 307,972 pounds ww in 2012 but would increase in 2013 and 2014 as long as the total ACL is not exceeded).

Alternative 3. The recreational ACT equals 75% of the recreational ACL (The proposed recreational ACT would equal 271,740 pounds ww in 2012 but would increase in 2013 and 2014 as long as the total ACL is not exceeded).

Alternative 4 (Preferred). The recreational ACT equals the recreational ACL*(1-PSE) or ACL*0.5, whichever is greater (The proposed recreational ACT would equal 271,740 pounds ww in 2012 but would increase in 2013 and 2014 as long as the total ACL is not exceeded).

Note: The ACT values would not increase if the total ACL was exceeded as discussed in **Action 6**.

SSC RECOMMENDATION:

The SSC provided the following words of caution: all PSEs will go up with the release of the MRIP numbers. The Council may want to be a bit more risk averse, especially if the double-jeopardy clause is approved. The SSC recommends attaching some level of management action to the ACT that helps slow landings and prevent overages.

Action 9. Specify Commercial Accountability Measures (AMs)

Alternative 1 (No Action). Do not specify new commercial AMs for red grouper. There currently are commercial AMs for a black grouper, gag, and red grouper complex.

Alternative 2 (Preferred). If the commercial ACL is met or is projected to be met, all subsequent purchase and sale of red grouper is prohibited and harvest and/or possession is limited to the bag limit.

Alternative 3 (Preferred). If the commercial ACL is exceeded, the Regional Administrator shall publish a notice to reduce the commercial ACL in the following season by the amount of the overage.

SSC RECOMMENDATION:
See earlier discussions in black sea bass and golden tilefish amendments.

Action 10. Specify Recreational Accountability Measures (AMs)

Alternative 1 (No Action). Do not specify new recreational AMs for red grouper. There currently are recreational AMs for a black grouper, gag, and red grouper complex.

Alternative 2. Specify the recreational AM trigger.

Subalternative 2a. Do not specify a recreational AM trigger.
Subalternative 2b (Preferred). If the current year recreational landings exceed the recreational ACL in a given year.
Subalternative 2c. If the mean recreational landings for the past three years exceed the recreational ACL.
Subalternative 2d. If the modified mean recreational landings exceeds the recreational ACL. The modified mean is the most recent 5 years of available recreational landings data with highest and lowest landings estimates from consideration removed.
Subalternative 2e. If the lower bound of the 90% confidence interval estimate of the MRFSS landings' population mean plus headboat landings is greater than the recreational ACL.

Alternative 3. Specify the recreational in-season AM.

Subalternative 3a. Do not specify a recreational in-season AM.
Subalternative 3b (Preferred). The Regional Administrator shall publish a notice to close the recreational sector when the recreational ACL is projected to be met.

Alternative 4. Specify the recreational post-season AM.

Subalternative 4a. Do not specify a recreational post-season AM.
Subalternative 4b. For recreational post-season accountability measures, compare the recreational ACL with recreational landings over a range of years. For 2011, use only 2011 landings. For 2012, use the mean landings of 2011 and 2012. For 2013 and beyond, use the most recent three-year running mean.
Subalternative 4c. Monitor following year. If the recreational ACL is exceeded, the following year's landings would be monitored for persistence in increased landings. The Regional Administrator would take action as necessary.
Subalternative 4d. Monitor following year and shorten season as necessary. If the recreational ACL is exceeded, the following year's landings would be monitored in-season for persistence in increased landings. The Regional Administrator will publish a notice to reduce the length of the recreational fishing season as necessary.

Subalternative 4e. Monitor following year and reduce bag limit as necessary. If the recreational ACL is exceeded, the following year's landings would be monitored for persistence in increased landings. The Regional Administrator will publish a notice to reduce the recreational bag limit as necessary.
Subalternative 4f. Shorten following season. If the recreational ACL is exceeded, the Regional Administrator shall publish a notice to reduce the length of the following recreational fishing year by the amount necessary to ensure landings do not exceed the recreational ACL for the following fishing season.
Subalternative 4g (Preferred). Payback. If the recreational ACL is exceeded, the Regional Administrator shall publish a notice to reduce the recreational ACL in the following season by the amount of the overage.

SSC RECOMMENDATION:
See earlier comments in black sea bass and golden tilefish amendments.

- Provide guidance on appropriate modifications to Boyle's Law that the Council could consider in the future. (Allocation formula)

SSC RECOMMENDATION:
The SSC has not reviewed Boyles Law and as such could not provide comments. The SEP has requested the opportunity to review the approach at their next meeting.

10. Golden Crab Amendment 6

10.1. Documents

Attachment 13. Golden Crab Amendment 6

10.2. Overview

Staff Contact: Brian Cheuvront

The Golden Crab FMP relies on a system of traditional fishery management plus controlled access. Traditional fisheries management includes measures to provide biological protection to the resource (escape gaps in traps and no retention of female crabs); gear regulation (define allowable gear, degradable panel, tending requirements, gear identification, and maximum trap size by zone); provide for law enforcement (depth limitations and prohibit possession of whole fish or fillets of snapper grouper species); determine the number of participants (vessel and dealer/processor permits); collect the necessary data (vessel/fishermen and dealer/processor reporting); and a framework procedure to adjust the management program (framework adjustments and adjustments to activities authorized by the Secretary of Commerce). Use of these traditional management techniques in other fishery management plans has not solved all fisheries management problems. At best, the fishery resource, in this case golden crab, is biologically protected. Ignored or even exacerbated are underlying social and

economic problems resulting from gear conflicts, high regulatory costs, and low marketing incentives. To solve these social and economic problems, managers have increasingly turned to various forms of controlled access or effort limitation. The Council chose to limit the number of vessels in the golden crab fishery. Combining the more traditional fisheries management measures with controlled access best allowed the Council to solve problems in the golden crab fishery.

10.3. Golden Crab Amendment 6 Schedule

NOI	January 2011
Scoping Complete	January/February 2011
Council review options & make recommendations	September 2011
APs review	July 2011
Council review & approve for Public Hearing	December 2011
Public Hearings	January/February 2012
SSC Final review	November 2011
Final Review & Submission	June 2012
Regulations implemented	December 2012

10.4. Presentations

Overview and Issues: Brian Cheuvront
SEP Recommendations: John Whitehead

10.5. ACTIONS

- Action 5 defines alternatives being considered for quota share caps. Currently, the highest value is 49% as the Council is reluctant to allow a single shareholder to have the majority of shares. Is this a well-founded concern? If the alternative of 49% is chosen one current fishery participant has over 49% of the historical landings and therefore would not be able to realize shares commensurate with past fisheries participation.

SSC RECOMMENDATION:

The SSC concurs with the comments and recommendations of the SEP (Attachment 1). The SEP indicated that while there are concerns for high share caps, the golden crab fishery does not exhibit any of these concerns. There is no economic reason for having a share cap as long as the majority share holder does not control the majority of the vote.

- In Action 6 the Council is proposing a "Use it or lose it" provision. Do these alternatives capture a reasonable range? Are there other scenarios the Council ought to consider?

SSC RECOMMENDATION:

The SSC concurs with the SEP findings (Attachment 1) and does not support reverting unused shares because it undermines the sense of stewardship

promoted by a catch shares program. There are many reasons a share holder may choose not to fish for a given period of time (i.e., illness, market, etc.). Biologically, lower harvest can benefit the stock.

- Action 9 is being considered because initially three fishing zones were set up. The southern zone was set up to protect some smaller participants who are no longer active in the fishery. The southern zone is smaller and closer to shore than the other zones and could not withstand the pressure if all the fishermen decided to fish there. The AP has asked for consideration of eliminating restrictions regarding the zones where they can fish.

SSC RECOMMENDATION:
The SSC concurs with the SEP (Attachment 1) and did not see any rationale for separate zones. Additionally, the SEP indicated support for the stacking of permits, provided fishermen can avoid increases in line entanglement with protected species.

- Currently, fishermen may only fish in the one zone where they are currently permitted. In Action 10, they are requesting to be able to obtain multiple zone permits for a single vessel and fish them on a single trip.

SSC RECOMMENDATION:
See above recommendation.

- The golden crab fishery has currently has very few participants. The Council, along with advice from the AP, is trying to devise ways to allow new participants into the fishery in the future. Action 12 describes some methods being considered. Are there other methods the Council ought to consider?

SSC RECOMMENDATION:
The SSC concurs with the SEP (Attachment 1) and does not support set-asides because they undermine the value of the existing shares. Allowing new participants in can be done by trading/selling of shares. This will also allow current share holders to choose appropriate people to sell shares to.

- Review Amendment and provide guidance on any other issues the SSC wishes to discuss not specifically mentioned here.

SSC RECOMMENDATION:
Additional comments and discussion points follow:

Discussion from socio-economic members indicated there is no economic justification for keeping the boat length limit.

Action 11: There is concern over localized depletion of the stock and VMS could really help improve the quality of the data being used in the stock assessment for golden crab.

Action 13: Perhaps a set poundage overage would be preferable to a percentage. Since the entire ABC (i.e., ACL=ABC) is allocated, there may be a biological concern for allowing overages. Also, by allowing the catch to go over the ABC, the proposed regulations could be increasing the likelihood of overfishing to occur. The SSC recommends reducing the ACL below the ABC by the percentage they are allowing the ACL to be exceeded by. Without a sufficient buffer between the ABC and ACL the SSC does not support allowing overages. However, in catch share programs, it is very unlikely the fishery will have an overage. Given the fact that the golden crab fishery is managed by a catch share program, the SSC is willing to accept alternative 1, with ABC=ACL.

11.Spiny Lobster Amendment 11

11.1. Documents

Attachment 14. Spiny Lobster Amendment 11

11.2. Overview

Staff Contact: Kari MacLauchlin

There are two actions in Spiny Lobster Amendment 11: designation of closed areas and trap line marking requirements. Both of these actions were in Amendment 10, as part of requirements from the 2009 Biological Opinion (BiOp) released by NMFS Protected Resources Division. The BiOp focused on the impact of the spiny lobster commercial trap fishery on turtles, smalltooth sawfish and *Acropora* coral.

The Gulf and South Atlantic Councils expected Protected Resources staff to work with stakeholders to develop alternatives for closed areas, but there was minimal involvement and stakeholders expressed their concern during hearings and public comment sessions. Issues included inaccurate data (e.g., proposed closed areas on land) and insufficient engagement of fishermen and the Florida Keys Sanctuary Advisory Council. For the trap line marking requirements, fishermen expressed concern about the costs to replace trap line. Overall, stakeholders were most concerned with uncertainty of the biological benefits for *Acropora* coral through the actions. Because of this, at the Joint meeting in June, the Councils decided to take no action in Amendment 10 and begin develop of Amendment 11 to address these BiOp requirements.

In July 2011, Protected Resources staff met with stakeholders in Marathon, FL, to develop new alternatives for closed areas. The first day was mostly Sanctuary staff and a few industry people, a discussion about best criteria to determine areas to protect. Second day there were about the same people along with more industry folks. Andy

provided maps with new areas marked as key *Acropora* areas, and fishermen marked on maps to indicate if this was a good, spot or to recommend other areas with high *Acropora* density. The maps with the new proposed areas were returned to participants for further review August 31.

For the trap line marking requirement, the alternatives include only to use white rope or rope with a white tracer; or to mark rope with white at least every 15 feet. The purpose of this BiOp requirement is to improve monitoring of fishery interactions with *Acropora*, i.e., if a rope is found on coral, the white color would allow the rope to be identifed as from the lobster trap fishery or from another source. This is similar to a program used in the Northeast to identify sources of rope in whale entanglements.

11.3. Spiny Lobster 11 Schedule

NOI ..... January 2009
Scoping Complete..... January 2009
Council review options & make recommendations..... December 2011
APs review ..... TBD
Council review & approve for Public Hearing..... December 2011
Public Hearings..... January 2012
SSC Final review ..... November 2011
Final Review & Submission..... March 2012
Regulations implemented..... June 2012

11.4. Presentations

Overview and Issues: Kari MacLauchlin

11.5. ACTIONS

- Review Amendment and provide guidance.

Spiny Lobster Am11

Action 1: Limit Spiny Lobster Fishing in Certain Areas in the EEZ off Florida to Protect Threatened Staghorn (*Acropora cervicornis*) and Elkhorn Corals (*Acropora palmata*)

Alternative 1: No Action – do not limit spiny lobster fishing in certain areas in the exclusive economic zone (EEZ) off Florida to address Endangered Species Act concerns for threatened staghorn and elkhorn corals (*Acropora* spp.)

Alternative 2: Close all known hardbottom in the EEZ off Florida in water depths less than 30 meters (90 feet).

Option a. In the closed areas, spiny lobster trapping would be prohibited.

Option b. In the closed areas, all spiny lobster fishing would be prohibited.

Alternative 3: Create new closed areas in the EEZ off Florida consisting of identified Acropora spp. colonies with straight-line boundaries.

Option a. In the closed areas, spiny lobster trapping would be prohibited.

Option b. In the closed areas, all spiny lobster fishing would be prohibited.

Alternative 4: Create new closed areas in the EEZ off Florida consisting of identified Acropora spp. colonies with a 500 ft. buffer surrounding each colony.

Option a. In the closed areas, spiny lobster trapping would be prohibited.

Option b. In the closed areas, all spiny lobster fishing would be prohibited.

SSC RECOMMENDATION:

The SSC provided no comments on this action.

Action 2: Require Gear Markings for Spiny Lobster Trap Lines in the EEZ off Florida

Alternative 1: No Action – do not require markings for spiny lobster trap lines.

Alternative 2: Require all spiny lobster trap lines in the EEZ off Florida to have a white marking along its entire length, such as an all white line or a white tracer throughout the line. The marking must be visible at all times when traps are in use. All gear must comply with marking requirements no later than August 6, 2017.

Alternative 3: Require all spiny lobster trap lines in the EEZ off Florida to have a permanently affixed white marking at least 4-inch wide spaced at least every 15 ft along the trap line, or at the midpoint if the line is less than 15 ft. The marking must be visible at all times when traps are in use. All gear must comply with marking requirements no later than August 6, 2017.

SSC RECOMMENDATION:

The SSC noted it would be very difficult to associate a particular rope to a particular fishery for monitoring/enforcement. As lobster rope is heavier than other ropes and is identifiable in that way, perhaps requiring all lobster rope to meet the specifications of the rope currently used by the majority of the fishery would be a more sound approach.

12.Information and Updates

Attachment 15 Regional Operating Agreement September 2011

12.1. FMP REPORTS

Staff contact: Gregg Waugh

12.1.1. Coastal Migratory Pelagic Update

12.1.2. Snapper Grouper Amendments Update

12.1.3. Golden Crab

12.1.4. CEBA

12.2. SEDAR

The SEDAR Steering Committee met October 13 in Charleston SC, with setting the assessment schedule for 2013 their primary task. The updated project list is attached.

The Council is required to evaluate red snapper in 2013, but it is considered highly unlikely that the new fishery independent data series will provide an adequate time series to support an alternative assessment approach at that time. This is partially based on findings of a recent Technical Memorandum that evaluated the power of new survey data (Attachment 17). It has also been noted that only 2 years of FI survey data collected under the full program and with consistent methodology will be available in 2013.

Therefore, rather than pursue a full assessment in 2013, the SEFSC will provide a report to the SSC in April 2012 proposing a method for evaluating the moratorium effectiveness and the population's response to the existing regulations. This will be followed by a red snapper evaluation in April 2013. SSC guidance will be sought on the approach to help ensure the subsequent evaluation will be informative for providing fishing level recommendations to the Council.

The Committee is made aware of, and asked to provide general comment on, assessments scheduled for 2014. The 2014 schedule will be discussed at the next SSC meeting.

Proposed long-term assessment priorities

2013	2014
Gray trigger Benchmark Blueline Tilefish Benchmark Snowy grouper STD Gag grouper STD	Red Snapper Benchmark ~~Gray Trigger Benchmark~~ White Grunt Benchmark Black Grouper Update (FL FWC?)

Red Grouper U/S Red Snapper eval to SSC April 2013.	Scamp Benchmark

12.2.1. Documents

Attachment 16. SEDAR Assessment List
Attachment 17. Reef Fish Sampling Power Analysis

12.2.2. Action

- Provide recommendations for red grouper assessment type in 2013.

SSC RECOMMENDATION:
There is a spatial consideration that may need to be integrated into the model for red grouper, suggesting a standard assessment be considered. Additionally, it may be possible to incorporate the SEFIS data.

- Provide general comment on planned 2014 assessments, with emphasis on data availability and preparation issues.

SSC RECOMMENDATION:
The SSC has no comments about the 2014 schedule.

12.3. Upcoming Meetings

SAFMC APs

SEDAR

SEDAR 28, Coastal Migratory Pelagics, Gulf and South Atlantic, Cobia and Spanish Mackerel.
DW: February 6-10, 2012
AW: May 7 - 11, 2012
RW: August 6 - 10, 2012

Others

SAFMC Meetings

A. December 5-9, 2011 – North Carolina
   Holiday Inn Brownstone Hotel
   1707 Hillsborough Street
   Raleigh, NC 27605
   Phone: 1-800-331-7919 or 919-828-0811/Fax: 919-834-0904
B. March 5-9, 2012 – Georgia
C. June 11-15, 2012 – Florida
D. September 10-14, 2012 – South Carolina

E. December 3-7, 2012 – North Carolina

12.4. Informational Materials

Attachment 18. Assessment of 4 SE stocks

13. Other Business

Recommend sending a letter to John Hoenig thanking him for his service.

Recommend suggesting that John Hoenig be reappointed to the SSC at the earliest possible convenience. Staff indicated that the SSC will be asked to provide recommendations for additional SSC members in April 2012, and the Council will make the next round of SSC appointments in June 2012.

The SSC discussed establishing criteria for remanding ABCs back to the SSC, as has been done in other regions. The Mid-Atlantic policy for remanding ABCs was presented by Dr. Boreman for discussion. The SSC did not have a consensus on the need for such a policy with many uncomfortable going this way without the Council initiating the process.

14. Report and Recommendations Review

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

Recommendations on SEDAR 25, black sea bass, are desired by the end of the meeting to accommodate public hearings beginning November 14.

The Final SSC report is desired by 9 am November 21 for inclusion in the Briefing Book for the December meeting.

15. Next SSC Meeting

1. April 3-5, 2012, Savannah, GA
Expected Topics:

- Review Draft CEBA 3
- Final Review: Snapper Grouper Amendment 20B/EA
- Review SAFMC Research and Monitoring Plan
- Review ABC's and 2011 landings
- Recommendations on 2013 SEDAR assessments

2. October 23 - 25, Charleston SC

Expected Topics

- Review SEDAR 28, Spanish Mackerel & Cobia Benchmark Assessments
- Review updates of Vermilion Snapper & Red Porgy

- Final Review, CEBA-3/EA