

**Summary of Public Comment
November 20, 2020**

Reef Fish Amendment 48 and Red Drum Amendment 5: Status
Determination Criteria and Optimum Yield for Reef Fish and Red Drum

**Webinar Public Hearing
November 17, 2020**

Council/Staff

Kevin Anson
Paul Mickle
Troy Williamson
Chris Schieble
Carrie Simmons
John Froeschke
Emily Muehlstein

14 members of the public attended.

Steven Atran – Former Council Staff Member; Tampa, FL

He served as the lead staff member responsible for developing the document and cannot support the document as it is currently written. There are a number of unassessed stocks in the document for which spawning potential ratio and fishing mortality cannot currently be calculated. The alternatives in the amendment currently rely on some aspect of fishing mortality or spawning potential ratio. While this works for assessed stocks, there is no way to do that for the unassessed stocks. So, for the unassessed stocks it is difficult to make a determination of overfished status. Overfishing status would continue to be monitored relative to the established overfishing limit for these stocks.

He stated that there are alternatives to relying on spawning potential ratio and fishing mortality rates. For example, you could use an average catch during a 5-year period when there was no upward or downward trend in catches. And while he pointed out that new recreational catch calibrations complicate the issue, he suggested that the problem could be resolved. Another approach is to measure the status based on the average length versus the length that would correspond with spawning potential ratio.

Finally, he stated that while there are a number of alternative approaches to spawning potential ratio, none of them are currently being considered in this amendment. National Standard 1 is being violated since there is no measurable criteria being used for the unassessed stocks. National Standard 2 is being violated because guidance from the CCC Data Poor Working group would suggest that the approach we're using is not the best scientific information available.

If you remove the 19 stocks that are unassessed in the document, he supports moving forward with the current preferred alternatives for the remaining species. He also suggests that the Council remove the 19 unassessed stocks from this document and address them in a different amendment.

Summary of Written Public Comment

7 comments were received.

- The changes made in this document could have significant impacts on anglers' access to fish and could dramatically alter the rebuilding progress that has been made with key reef fish stocks.
- Use the utmost of precaution when setting Maximum Sustainable Yield (MSY) proxies, Minimum Stock Size Thresholds (MSST), Maximum Fishing Mortality Thresholds (MFMT), and Optimum Yield (OY) for the Gulf's most ecologically and economically reef fish resources, as there is a strong likelihood that missteps in management on these supremely important criteria may negatively alter the fishery for generations.
- Actions in this amendment are comparable to the actions in Amendment 44, which focused on MSSTs for specific Gulf reef fish, including red snapper. Fundamentally, the changes realized by way of Amendment 44 weakened sustainable management of important, vulnerable, and economically valuable fish in the Gulf of Mexico, and ultimately will likely hurt both fish and fishermen in the region. The alternatives selected in Amendment 44 by the Council as preferred shunned the precautionary principle and significantly undermine the considerable rebuilding success that had been realized for critically important stocks.
- Lowering the SPR proxy typically increases the expected yield over the long term, i.e. equilibrium. However, stocks never follow an equilibrium yield. When recruitment is less than expected, conservative Status Determination Criteria can result in higher and more stable catch. Furthermore, there is the chance that less yield will be lost over the long term if a more precautionary approach to setting Status Determination Criteria is used. When recruitment is lower than expected, or fishing was harder than estimated, conservative reference points leads to both higher yield and biomass. This strategy is especially appropriate for stocks where there is a significant amount of management uncertainty.
- In the past, the Council has only assigned status determination criteria (SDC) and biological reference points to assessed stocks. Amendment Reef Fish 48/Red Drum 5 is unique in that it attempts to assign SDC and biological reference points to a large number of unassessed stocks, something the Council has not attempted since 1999. Because F and SPR can only be calculated in a stock assessment, this type of definition cannot be used for unassessed, or data-poor, stocks. In the absence of an assessment, F and SPR are unknown, and the formula used to assign SDC is unmeasurable. Consequently, SDC based on the formula used in this document are in violation of the National Standard 1 guidelines which state that SDC must be "measurable and objective."

Action 1: Maximum Sustainable Yield

- Strong recommendation that the Council heeds the advice of its Scientific and Statistical Committee with respect to red snapper MSY proxies – the SSC has recommended that the MSY proxy for red snapper be set at the yield corresponding to F30%SPR. However, it recognizes that F26%SPR is very close to the recommended level, the SSC has concluded that there is insufficient biological evidence for a better MSY proxy than what is currently used by the Council
- On the issue of groupers and other snapper stocks, we recommend that the Council follows the guidance in the Hartford et al paper from 2017, currently in press, that urges a 40%SPR for groupers and 30%SPR for other snappers. This guidance provides the greatest probability of achieving MSY on a long-term basis for these various stocks.

Action 2: Maximum Fishing Mortality Threshold

- Create a new more conservative Alternative 5 that reads as follows: MSST = $(1-M) * BMSY$ (or proxy) or $0.85 * BMSY$ (or proxy), whichever provides a larger buffer between MSST and BMSY (or proxy). This alternative accounts for natural fluctuations by including the natural mortality (M) term, providing a modest additional buffer between MSY and MSST for most reef fish stocks, while allowing exceptions for high natural mortality where 0.85 may be too restrictive.

Action 3: Minimum Stock Size Threshold

- Amendment 48 notes that MSST needs to be set far enough away from MSY to allow for natural fluctuations in stock biomass, but not so far as to run the risk of recruitment collapse. A precautionary approach would be to set MSST as close to MSY as possible while taking into account natural fluctuations in stock biomass. This gives managers the ability to react quickly with respect to putting rebuilding plans in action. This also has the benefit of generating more consistent and predictable ACLs season after season.

Action 4: Optimum Yield

- Given the interaction between all of the SDC components, including OY, careful analysis is needed to determine how these actions will impact catch levels for a given set of SDC options relative to the status quo and especially with respect to stocks that are currently in a rebuilding plan such as red snapper and greater amberjack. Council should request that the SSC examines these actions and consider the development of a decision tool to determine how anglers will be impacted, particularly for rebuilding stocks.