



# Gulf of Mexico Fishery Management Council

*Managing Fishery Resources in the U.S. Federal Waters of the Gulf of Mexico*

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Ms. Jenni Wallace  
Office Directors, Acting Office of Sustainable Fisheries  
National Marine Fisheries Service  
1315 East-West Highway  
13th Floor  
Silver Spring, MD, 20910

Dear Ms. Wallace:

The Gulf of Mexico (Gulf) Fishery Management Council (Council) was notified on May 28, 2020, of a request for comment on the National Marine Fisheries Service (NMFS) draft *Procedural Guidance for Changing Assessed Stock Status from Known to Unknown* (hereafter, "the draft"). The Council was unable to comment on this draft during its June 2020 Council meeting; however, the Council's Scientific and Statistical Committee (SSC) and Council Staff have reviewed the draft and offer the following comments.

This draft aims to provide guidance to NMFS, and clarification of process to the Council, of the circumstances for when and how a species' stock status (i.e., "overfished" or "overfishing") may be changed from known to unknown for a prescribed set of scenarios. These prescriptions are based largely on the stock assessment results available for a stock, and secondly, on how the species is managed. Six scenarios are presented in the draft. The Council presently manages 66 species, of which 27 have been assessed in some capacity. As of March 31, 2020 (most recent data available), only greater amberjack is considered overfished, and both greater amberjack and gray triggerfish are undergoing overfishing.

It is the Council's understanding from the draft that, however unlikely based on a species' life history, some probability exists that a species could be affected under Scenario A. This scenario refers to changes to the management units in a fishery management plan. Of the species presently managed by the Council with consideration of life history and the current regulatory environment, the Council thinks that golden tilefish, blueline tilefish, goldface tilefish, scamp, and yellowmouth grouper have the highest probability of being affected by Scenario A.

Scenario B in the draft referenced pertains to the general age of a stock assessment, inferring that an assessment greater than 10 years old may no longer be appropriate for providing management advice. Other considerations can be made by species, given that species' life history and other relevant factors. Of the species managed by the Council with assessments, the average age of the completed assessments based on when the stock assessment report was published is 4.9 years (min = 0, max = 10). However, the average age of the completed and reviewed assessments based on the terminal year of data used in the assessment is 7.0 years (min = 3, max = 12). The Council thinks that spiny lobster, the Gulf migratory group of cobia, the Gulf migratory group of Spanish mackerel, southeastern U.S. yellowtail snapper, yellowedge grouper, golden tilefish, and southeastern U.S. black grouper have the highest probability of being affected by Scenario B.

Scenario C is broken up into three components (C1, C2, and C3), and generally addresses situations when the stock assessment does not provide adequate information for supporting a stock status determination. Unfortunately, the Council manages at least one species with some probability of being affected by each of these components. Scenario C1, in which the new assessment is rejected and the continuity model with updated data is used for stock status determinations, may have some applicability to greater amberjack. Greater amberjack has been difficult to assess and the model relies heavily on fishery-dependent indices. However, the utility of these indices may have been degraded in recent years because of numerous management changes (i.e., changes in commercial trip limits, minimum size, recreational seasons and the fishing year) that may further complicate developing future stock assessment models for greater amberjack. Scenario C2, in which the new assessment and continuity model are rejected with management relying on the previously accepted model, is applicable to gray triggerfish. The SEDAR 62 assessment of Gulf gray triggerfish was aborted before the assessment was completed due to irreconcilable data errors. Scenario C3, in which the new assessment is rejected for reasons that also cast doubt on the reliability of the previous model to inform stock status determinations, would apply to southeastern U.S. black grouper. The SEDAR 48 assessment of southeastern U.S. black grouper was aborted during the data workshop phase due to pervasive concerns over historical misidentification issues with gag, for which landings are much greater than black grouper, thereby casting doubt on those landings data for black grouper.

Scenario D addresses different stock status determination criteria recommended in the stock assessment than the stock status determination criteria currently codified through the fishery management plan. Though not a common occurrence, a stock assessment could converge on a more robust and scientifically defensible metric for stock status determination than what is identified in the fishery management plan, especially if the latter is a proxy (e.g., maximum sustainable yield (MSY) proxy) and not a true estimated value of MSY. In this circumstance, the draft recommends using the accepted stock status determination criteria in the interim, with NMFS informing the Council of the need to revise the stock status determination criteria in the FMP as soon as possible. Since it is the Council's prerogative to define these criteria (i.e., maximum fishing mortality threshold, minimum stock size threshold, and optimum yield), the draft's guidance suggests a pivot from the status quo. This change in process will ultimately place the responsibility for all stock status determination criteria resulting from Scenario D on NMFS. Further, Scenario D limits the Council's ability to establish stock status determination criteria that are considerate of factors often not included in stock assessments, including social and economic variables.

We hope that you will consider the examples we have provided for each of the scenarios laid out in the draft and the potential implications for these stocks in the Gulf of Mexico before you finalize this procedural guidance document. Thank you for the opportunity to review the Draft *Procedural Guidance for Changing Assessed Stock Status from Known to Unknown*. Feel free to contact the Council office if you have any questions.

Sincerely,



Dr. Thomas K. Frazer  
Council Chair

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Cc: Gulf Council / Council Staff / Regina Spallone / Peter Hood / Jack McGovern, Ph.D. / Andy Strelcheck / John Carmichael / Brian Chevront, Ph.D. / Chip Collier, Ph.D. / Clay Porch, Ph.D. / Mara Levy / Sam Rauch / Stephanie Hunt