



Mid-Atlantic Fishery Management Council
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MEMORANDUM

Date: July 17, 2015
To: Chris Moore, Executive Director
From: Kiley Dancy and Jessica Coakley, Staff
Subject: Summer Flounder ABC Recommendations for 2016-2018

For summer flounder, the staff acceptable biological catch (ABC) recommendation for 2016 in the memo dated July 9, 2015 would result in a 45% reduction from the current (2015) catch levels. This recommendation was based on the information from the most recent stock assessment and ABC derivation method previously applied by the SSC, which assumes a Level 3 assessment and applies the Council's risk policy. Specifically, this ABC calculation approach uses a probability of overfishing of 25.8%, a coefficient of variation (CV) for the overfishing limit (OFL) distribution of 60%, and an iterative approach that assumes the ABC is taken in each year.

However, staff recognize that the fisheries for summer flounder would not be able to effectively absorb such a large reduction in ABC in one year. A reduction of this magnitude has severe economic implications for commercial and recreational fishing businesses, the seafood industry and markets, and fishing communities they support.

Given the potential for these substantial negative impacts, staff recommend implementing an approach to phase in the full reduction to meet the Council's preferred probability of overfishing (as noted in the Council's risk policy) over 3 years. This approach is consistent with the phase in approach for ABC as described in the National Standard 1,3,7 Proposed Rule (Dated January 20, 2015),¹ as well as approaches successfully applied elsewhere in the world. Essentially, the approach reduces the scientific uncertainty buffer between the OFL and ABC in years 1 and 2 (2016 and 2017) in order to address these economic and social concerns. The National Standard Proposed Rule suggests that these phase in approaches are considered as both reasonable and feasible at the national level.

Council leadership has indicated support for a "phase-in" approach to setting catch limit reductions for summer flounder, and staff has communicated with NOAA Fisheries Greater Atlantic Region (GARFO) staff and General Counsel to confirm whether this would be consistent with the current regulations in sections §648.20 and §648.21 (Council ABC Control Rules and Risk Policy). GARFO has indicated that it is within the current regulations for the Council and SSC to use a phase-in approach to setting summer flounder ABCs, provided that the resulting ABC recommended by the

¹ http://www.nmfs.noaa.gov/sfa/laws_policies/national_standards/documents/ns1_proposed_rule.pdf.

SSC and adopted by the Council does not exceed the OFL and that the probability of overfishing never exceeds 50 percent.

Staff propose that based on the 2016 calculations for the buffer from OFL to ABC, the buffer would be expanded by 1/3 of the total buffer each year (starting in 2016) such that by year 3 (2018) 100% of the buffer for scientific uncertainty has been addressed. This approach would fully implement the Council's tolerance for overfishing (as indicated by the risk policy); but rather than applying it fully in year 1 it would be phased in over 3 years. The ABC would be less than the OFL, and the probability of overfishing would be less than 50 percent, in all three years.

Specifically, this approach would work as follows:

Based on the assessment update and assuming the 2015 ABC is taken, the projected OFL for 2016 is 18.06 million lb (8,194 mt). The resulting ABC, assuming the use of a 30% CV (an approximate doubling of the 16% CV resulting from the stock assessment) and a P^* of 0.258, would be 14.93 million lb (6,770 mt). This ABC represents 83% of the OFL, meaning that there would be a 17% buffer in place between the OFL and the ABC to account for scientific uncertainty.

Staff recommend that instead of applying the full 17% buffer from the OFL to ABC to address scientific uncertainty in 2016, a 6% buffer be applied in 2016, 12% in 2017, and 17% in 2018. A 6% buffer from the OFL to ABC in 2016 would result in an ABC of 16.98 million lb (7,702 mt). This represents a 25% reduction in the ABC from 2015 (22.77 million lb or 10,329 mt).

Because the assumptions about the level of catch in a given year affect the biomass projections for the following year, this approach would require re-running/iterating the projections with the assumption that this ABC of 16.98 million lb (7,702 mt) was taken in 2016 in order to derive OFLs for 2017 and 2018.

Using the projected OFL for 2017, the ABC would be calculated for 2017 based on a 12% scientific uncertainty buffer. The projections would then be re-run with the assumption that the 2017 calculated ABC has been taken to derive the 2018 OFL. The full scientific uncertainty buffer of 17% would be implemented in 2018 when deriving the ABC.