

SCIENTIFIC AND STATISTICAL COMMITTEE REPORT ON
IMPLEMENTATION OF MAGNUSON-STEVENSON REAUTHORIZATION ACT (MSRA)

The Scientific and Statistical Committee (SSC) reviewed the proposed rule and received a presentation from Ms. Jennifer Ise in joint session with other advisory bodies. The presentation and ensuing discussion clarified several issues and highlighted other areas where more clarification is needed. The SSC has the following comments regarding the proposed rule.

The rule should more explicitly state that the SSC is a technical advisory panel and does not make policy decisions. Policy decisions are made by the Council. The rule should clarify the role of the SSC in determining acceptable biological catches (ABCs), and the procedures it should follow in recommending ABCs to the Council. It is the SSC's understanding that the SSC will determine, through the assessment process, the over fishing limit and the level of scientific uncertainty. The SSC will then apply an ABC control rule, which has been specified by the Council, to determine the ABC. This ABC will then be recommended to the Council. The Council, rather than the SSC, will determine the adjustment to fishing levels to account for uncertainty. This process will continue the important Council procedure of separating policy from science. This process should be made more explicit in the proposed rule.

The development of ABC control rules will require a collaborative process between the Council and SSC. The role of the SSC should be limited to characterizing the levels and types of uncertainty involved in stock assessments.

The proposed rule should specify in more detail what is meant by "scientific uncertainty." This should include the types of uncertainty that should be considered. It would also be helpful for the rule to classify types of uncertainty. This would facilitate the development and implementation of control rules. Different control rules could then be used for different types and levels of scientific uncertainty. The SSC notes if a single or simple control rule is followed, stock assessments that use more data and account for more types of uncertainty may be penalized since they will typically show greater uncertainty than simpler models. It is also noted that under the rule, the SSC will be in the role of choosing a preferred model or scenario when more than one is put forward in a stock assessment. This is another type of uncertainty that will need to be resolved, that may fall outside of the ABC control rule.

The term "ecosystem components" as used in the proposed rule can be misleading since its actual use in the rule is limited to species that are included in a fishery management plan, rather than a full set of ecosystem components. The SSC suggests that a more definitive term be used in the proposed rule. The SSC also notes that the inclusion of these other species in determining fishing levels is optional under the proposed rule.

Salmon will not fit easily into the general definitions and procedures in the proposed rule. However, there is flexibility in the rule that allows the Council to propose alternative approaches (see P. 32545 – *Flexibility in application of NSI guidelines*). Some of our most successful salmon management is based on exploitation rate control rules. The SSC would like confirmation that exploitation rate targets can serve as annual catch limits.

The proposed rule states that the SSC shall provide reports on stock status and health, bycatch, habitat status, social and economic impacts of management measures, and sustainability of fishing practices. The proposed rule should clarify this since the SSC's traditional role has been to review materials for the Council.

PFMC
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