

**SEDAR Steering Committee
Conference Call Meeting
May 21, 2004
10:00 a.m. EDT**

(Transcript by FTS-DOC CONFERENCING, with SEDAR staff minor clarifications in **(bold)**).

W(**Nancy Thompson**) they have any objections to the recording? The focus for the call is to review the mackerel results in the context of the final review and the recommendations that came out of the final review, meaning the review panel relative to what happened at the SSC committee meeting this week for the South Atlantic Council. There were a series of motions that came out of the SSC committee, which point to some issues that they raised relative to what they saw as some discrepancies or gaps or problems in the utilization of data, or not utilization recommendations from the data workshop in the assessment, but that the review panel went ahead and came up with conclusions which, in some people's minds, I think were inconsistent with recommendations from the original data workshop.

So we need to resolve the mackerel issue relative to the review, and then there are also some motions that came out relative to the process. So from my perspective, my own personal and center perspective, again, this whole process provides science products that when they are applied for whatever regulatory scheme or management approach is applied, I can certify that those within the plan, whatever management approach is applied, I can certify it as being based on best available information.

It's pretty clear that there were some questions that were raised by the review panel and also by the SSC that brings that into question. So some of it is related to the SEDAR process, and again, I mean I don't think anybody has to be particular defensive about any of this. I mean, it's all part of the process and it's evolving. We need to look at these, I think, in a constructive kind of way relative to the process overall.

But I believe, does everybody now have a copy of the motions that were made at the SSC committee?

W Yes.

David (**Cupka**) This is David (**Cupka**) Kuffner. I do not have a copy of the motions, but I appreciate your comments. I guess I ... to have the steering committee to have this call or meeting to begin with because I'm battling concerns because the implication of this for the process is not myself ...itself, but what it means for the process. I think we all recognize it's an evolving process and there are things that are going to have to be addressed as we get more experience with it. I think that's what's happened in this case.

One of my main concerns is that we have some ground rules before we get too far along as to what's going to happen. For example, in this mackerel thing, if fund council comes out one way and one comes out another, I mean we need to kind of decide how that's going to be handled. My main concern is the implications for the process and it just happened to come out through the mackerel, through the mackerel review panel. So I hope we kind of focus on some of that as well, and I know that was part of the agenda too. Since I haven't seen the motions, I'm not sure what came out of the SSC. But to me, the bigger issue is the implications for the process itself more so than just mackerel to me.

Wayne (**Swingle**) Nancy, Wayne ... Could I make one comment just for information purposes?

Nancy (**Thompson**) Sure.

Wayne **(Swingle)** We did not schedule our SSC reviews of the mackerel SEDAR process until September 1, and we did that because we're trying to combine it with their review of mackerel amendment 15. So they may or may not have some comments at the time they review it. I just wondered if we need to expedite their review to some earlier date than September 1st.

(Jerry Scott) Jared Wayne, this is **(Jerry)** Jared. I think it's a real good point because it's not clear to me that the goal of SSC would have the same sort of comments or concerns that the Atlantic SSC would have. So right now, it's not clear to me what they ought to review, or what the follow on to this particular set of motions should be in advanced of the Gulf, considering the information set.

David **(Cupka)** That was part of my concern. If the Atlantic SSC looks at it and makes one set of comments and the Gulf looks at it and comes out with another, how do we, as the steering committee, see our steering committee, how do we agree that the situation like that is going to be resolved? We need to look at that.

Nancy **(Thompson)** Well, okay. John Carmichael, you're there, right?

John **(Carmichael)** Yes.

Nancy **(Thompson)** Could somebody get to David by e-mail - David do you have e-mail handy right where you are?

David **(Cupka)** I'm in Virginia. That's why I don't have them.

Nancy **(Thompson)** Okay. That's why you don't have them.

David **(Cupka)** I apologize for that.

Nancy **(Thompson)** That's okay. The mackerel motions that came out of the SSC committee, there are a series of ten motions. In the first

category, it says, "Mackerel Motions," and it includes questions that the SSC raised about data, largely data or decisions that were made in the assessment workshop that did not appear to be consistent with recommendations that came out of the data workshop. But at the very end of those mackerel motions, there are ten of them, the last one says that "The SSC recommends that the mackerel SEDAR assessment not be forwarded to the council. The assessment should go back to the assessment workshop stage and incorporate the recommendations provided above and then to the review workshop.

So I think that's what Wayne and Jerry were referring to, is that we have a conclusion from the SSC from the South Atlantic Council, but we're not going to get some kind of conclusion from the SSC apparently from the Gulf Council until September. So the question is, do we let this go and the process continue as it is and wait for the SSC conclusions or recommendations from the Gulf Council and then proceed from that?

But given that there are going to be options and that is, at this point, we know that the SSC from the South Atlantic Council has not accepted the SEDAR assessment, which means that they haven't accepted the review, ...then the Gulf Council is either going to accept it or reject it. Given that it accepts it, we probably have a series of options that we need to discuss as far as process is concerned, or given that they may reject it as well, then we have another series of options we need to consider, or should we consider things and doing things now, given that the SSC, from the South Atlantic Council has not accepted this?

W **(Bobbi Walker)** Can I ask a technical question?

Nancy **(Thompson)** Sure.

W **(Bobbi Walker)** I feel like at the Gulf Council level our SSC is no different than any other AP. When they wouldn't prohibit anything from

coming before the council, they would just make their recommendation, but they're an AP, just like our data review and our assessment review workshop panel, and our review workshop panel. They're all APs, and they make those recommendations to the council, and then the council decides how much of that recommendation, whether they accept it or reject it. Is that the way that it's done in the South Atlantic?

M (**Bob Mahood**) ..., yes that's how it is, but what our SSC has said is that this assessment is not based on the best science, and they are under the ...the final arbitrators of that. So what they have put in their recommendation is how to fix that, and that is to go back to the assessment stage and then the assessment review stage again.

Even if the Gulf SSC concurred or didn't concur, the South Atlantic Council couldn't do anything but follow the advice of its SSC. We're in the process, now, of trying to separate the science as much from management as we possibly can. That's what some of the recommendation on the national level from these reports have been.

Part of the problem, I think, and I'd like to go back a little bit to what we're missing in this, Nancy, is that we had called for this conference call well before we knew what our SSC was going to recommend. The reason for that - there are two main reasons in my mind, anyway. One is the scientists got involved in management and making their science decisions, which should not have happened. We don't need that to happen in the SEDAR process. Secondly, they didn't follow the terms of reference, or ...the assessment review and give the councils information, the science they needed to make their management decisions.

Those were the problems we saw. The reason we saw that as a problem is we're now embarking on probably one of the mothers of all assessments, and that's the red snapper in the Gulf. We felt these inconsistencies need to

be corrected in the SEDAR process before we get much further down the road. Now ultimately, our SSC did meet. I didn't know what the outcome was going to be. I don't think anybody did. We had our biological assessment group met first and then our SSC, and ultimately, they came up with these comments and recommendations and these motions. But I think the bigger picture is how do we assure that the SEDAR process fits with the science, ultimately.

W (**Bobbi Walker**) Can we ask John Carmichael if he felt like the review panel did not consider the science?

M (**Bob Mahood**) I'm not saying they didn't consider the science. I'm saying they muddled management implications in with their scientific decisions.

Bobbi (**Walker**) They all did that, or was it just one particular person?

M (**Bob Mahood**) It varied. I wasn't there, Bobbi, but if you read the minutes, I don't know if you have a copy of the minutes, the detailed minutes from the meeting, if you read through that, you'll see where you have scientists saying that they believe it should be this, but they understand the ...and implications, and with that, as management implications, they would go with this. So you have a scientific consensus for certain things, but then, you get away from that scientific consensus when you consider the ...implications, and that should not happen with the sciences.

Bobbi (**Walker**) Well, didn't we have three there - the two for CIE and did we have one there from the North East Science region that -- Truly, when I look at the review, I like to see that we have people there who are not involved with either council. In other words, as Mo says, "They don't have a god in the fight." I think if we look back at the opinions of those three people at least who didn't have a dog in the fight, is it clear that their opinions were based on sciences?

Nancy (**Thompson**) Yes. I agree with you, Bobbi. I think that's a lot of what we're talking about in terms of process, as well, Bob. First of all, I guess as far as the terms of reference are concerned, I mean I think what Bobbi's questioning too is, I mean can you give us some specific examples, perhaps where there is deviation from the terms of reference? I went through that pretty clearly myself and checked off that at least the terms of reference were met.

Maybe there was more discussion rather than less discussion, which went beyond the terms of reference, but my perception was, and I was not there, was that the terms of reference were met. But there may have been more discussion, like I said, above and beyond it.

There's also a question that's been raised about the process in terms of who attends and who participates in what panels as well. For example, I mean based on what I have, and again, I was not there, it looks to me as if there was someone on the review panel who was also on the (**SSC**) CCS for the South Atlantic, and I have some concerns about that as well. I think if we can keep the discussion to process and the SEDAR process, I mean I tend to agree with everybody - that's really where we need to go.

But at some point, we're going to have to probably make some conclusions about where we're going to take the assessment report and the review because the councils do have to make some decisions, obviously.

David (**Cupka**) I don't see a problem with a member of the SSC being on a review panel because I thought we all agreed to that to begin with, and I know the Gulf, when they discussed it, they wanted to have someone from their SSC be a part of that so that they could come back and discuss it and explain it to their SSC when they met, which is what our intention was. But you're right. There were some issues about who participated and should they be participating or should they recuse themselves.

Bobbi (**Walker**) David, do you think we ought to go down those lines, though, and present it to our councils that perhaps since the SSC is going to be reviewing was the assessment and the review panel comes back with, perhaps we shouldn't have any of our SSC members.

David (**Cupka**) I don't have a problem with doing it either way. All I'm saying is as these things come up and as we get experience with the process, we need to decide how we're going to deal with some of these issues and then we need to be consistent to ...councils and follow in that process so that nobody can say, "Well, this council did this, but this council didn't." This thing has to stand tests, very rigorous tests I believe. I was not concerned that we need the thought there. We need to get some of these things...as you all move into red snapper because the first thing that's going to happen is you're going to get a legal challenge on some of these things if you aren't careful.

M (**Roy Crabtree**) I agree with you. We need to focus on the process, and I think we have to be, with SSC recommendations, now because we all need to be conscious of that. We all know that councils are under attack in a lot of quarters, and one of the big recommendations in the Ocean Commission Report is to let SSCs have significantly more authority. So now, we have an SSE that's made some recommendations here. We have to take them seriously because I don't want to see us accused of ignoring SSCs.

So they are an advisory panel in a sense, but they're an advisory panel that's specifically required by the act on these things. I just think we have to be real careful as we proceed here and make sure we ...

Bobbi (**Walker**) Roy, let me ask you this. Have all councils always gone by exactly what their SSC recommended, because I don't think that's happened in the Gulf.

Roy (**Crabtree**) No, they haven't, Bobbi, and that's why the Ocean Commission's Report, I think, is making some changes for - making those recommendations for significant changes.

M (**Roy Crabtree**) The other thing that I see here is they're recommending that this work not be forwarded to the council, and go back to the assessment workshop and comport with a bunch of other recommendations. The way I interpret that is they could still come up after that process with the same advice, although I doubt that they would. So I see the SSC's advice here is not necessarily that you guys came up with the wrong answer, but you guys didn't follow the right process. Before the council considers this information, you ought to run it back through a tightened process, which is a little bit different than an SSC coming out -- in my mind, it's a little bit different than the SSC coming out and saying, "This is what F is, and we recommend that you reduce F," and the council decides, for other reasons, not to follow that advice.

Nancy (**Thompson**) Yes. I agree with you. I mean basically they've made recommendations and go back to the data workshop. For example, under natural morality, it says the data workshop recommended some values. Then the review workshop rejected this and that there was little argument other than a consistency argument that was made, i.e. to maintain consistency throughout. They asked that there be further justification on that kind of thing, or looking at a different range of - looking at the full range of say .1 to .25 for natural mortality estimates.

But getting back to this SSC issue, and David, part of the problem, and the only reason I bring this up relative to who should be on what committee is there was a person who was involved in the review and certainly had ample opportunity to disagree with lots of things, and all of these things that the SSC seems to have done, but as far as I could tell in the minority report, only questions the mixing issue and then

comes to the SSC and agrees with all of these other issues.

I'm not going to point fingers at people, and I mean I know it's an evolving process and people have the opportunity to think about, and it's just the way it is. It's just those kinds of things - I mean if those kinds of things are going to happen, people need -- I mean I have no problem with SSC members attending a review as long as there is some consistency in their perception as well and what they say relative to their attendance in an SSC meeting too. I mean this is what has made, in my view, this whole thing kind of really difficult to deal with.

David (**Cupka**) One of the big things that bothers me, though, if you read the minutes of a review panel, it looks to me like a lot of them are saying though, and this goes back to mixing rate. I mean a lot of them were saying, "Well, it looks like the mixing rate is somewhere in this range or something." Yet, when the final recommendation comes out, it seems like they said, "Well, unless we stick with what we did originally, then there's going to be all kinds of serious management implications." That's what worries me because they should not even be thinking management implications. They ought to be looking at strictly at the science and whether that's the best science it will have on the management implications.

Bobbi (**Walker**) But David, the review panel also said that they considered it, but that the data was inconclusive or preliminary. They suggested that they continue with the ...study, and I guess it all boils down to this - was the proper procedure followed in this SEDAR process?

David (**Cupka**) I don't know how you reconcile, though, on the one hand where people say this is the best ...and on the other hand, they come out with a recommendation that's different from that because they're concerned about the management implications.

M (**Roy Crabtree**) But David, what I read in the minutes was for a number of these issues, they said that, and it's not just the mixings on it. Another example is release mortality rate. The assessment assumes zero release mortality rate, which we know that's wrong too. But I read in the minutes is most of the discussion of that was that they were concerned about changing something unless they know exactly what to change it too, and there were concerns about maintaining the continuity and the assessments so that they could track the recovery of the stocks and not have to be concerned that they're looking at artifacts and changing methodologies. So I read some of the statements where they talk about some of the ramifications and making the change, but I read it as the ramifications where the concerns about shifting about the assess methodology and how making that change would confuse management and make it more difficult to trace the stock.

So I think we need to be careful when we read those minutes that we're not reading into more than it necessarily says. But I see about four things in this assessment where you could argue that what's being done is probably not right, but they're just not sure what to change it too. On each of those cases, what this group did and I'm not defending it where you can argue that they shouldn't have and it should have gone the other way, but they seemed to have put a lot of emphasis on maintaining the continuity and the assessment and not making a change until they're sure of what to change it to because they don't want to change it to something new and then come back three years from now and change it again, and then come back three years and change it even again. So that's what I came away from when I read the minutes, and I read them pretty carefully.

Bob (**Mahood**) But Roy, why would you maintain continuity if you know it's wrong? It makes no sense at all.

Roy (**Crabtree**) But if they don't know what right is, they don't know what to change it to.

Bob (**Mahood**) But you know what closer right is than just maintaining continuity which you know is wrong.

Roy (**Crabtree**) Bob, I'm not going to defend what they decided, and I can understand and make an argument to go the direction you're arguing, but it was a judgment call, and in this case, the review committee made the judgment call on the side of continuity. But I think you can make a reasonable argument either side of this issue. They just happened to come down that way and a lot of people don't agree with that. I understand and I respect that disagreement, but I think that's what they did.

M (**John Carmichael**) I'll throw out a couple of things, some of the things that have been discussed. One thing to consider if SSC members don't participate in reviews is you probably lose all your state people and all of your outside-of-the-agency experts who know anything about stock assessment. So that's something to keep in mind.

Most of the motions from the SSC and a lot of their discussion really focused on a lack of justification for many of the decisions and a lack of justification for deviating from what the data workshop recommended when it came around to doing the assessment workshop. They had a lot of discussions, and I guess the chair of the SSC really harped on this quite a few times that things were said, "Well, we'll do those in a future assessment and not in this one." The goal of SEDAR is supposed to be a new assessment. SEDAR is supposed to be the future assessment, not a reconsideration, or a stamping approval of an assessment that's already been created, and that's one thing the SSC chair really harped on quite a few times.

As far as discussions of management, there was to my feeling, too much discussion of the fact that the assessment as configured in the past had led to improvements in the stock and had worked for management and was thus a reasonable run. I pointed that out to the committee quite a few times, as you can see, in

the minutes. Then when it came down to the crucial decision of selecting a base run, several of the key justifications were dealing with consistency and the success of management, and I did make a strong statement to them that regardless of all of that, they needed to justify their decisions based on the best science.

If they had acknowledged that the mixing rate was not 100%, they needed to come up with something that worked in terms of best science, or make an argument as to why, in spite of that knowledge, they still felt the best science was to incorporate 100% mixing rate for the Gulf in that area in their base run. I think maybe they could have made justifications to that case, but the SSC did not feel like they made a strong enough justification based on science, and that's really what it all comes down to.

Jerry (Scott) John, this is Jerry. Let me just add a little thought to that, and one is of course, I'm sorry I stepped out for a second, but one is that the review panel rightfully shows and discusses the fact that the mixing that goes on isn't necessarily limited to the time and area that we traditionally call "the mixing zone" or "the mixing time." As a matter of fact, there are tag returns that show mixing outside of that area.

Now the forms of analysis that have been conducted thus far, don't take that into account, and they point out that because they don't take it into account, you could be going down the wrong road. That's one of the reasons for their argument that the so called status quo approach is more or less at present ...hypothesis and there's always been a tendency to not reject the ...until you have sufficiently strong information to accept the alternative. I think that's mainly the line of reasoning that they were following for the advice that they were giving.

M (John Carmichael) Then the judgment comes down to whether or not they made that strong enough based on the scientific merits of it, or whether they rely too heavily on the management implications and the desire to maintain consistency. What came out of the

South Atlantic SSC was their opinion was they relied too heavily on the desire to maintain consistency.

Bobbi (Walker) John, you were there. What do you think?

John (Carmichael) I think they made a lot of good arguments in their deliberations and things that Jerry has pointed out. They made their arguments. I never felt along the way that they made a strong enough argument in their writing toward those things, which was one of the reasons I brought that up at near the end of the meeting, to say you have to make a strong judgment in your writing because people are going to be reviewing that who weren't on the panel necessarily. I didn't feel that they made a strong enough justification for their decision in their writing.

Bobbi (Walker) Jerry, what do you think?

Jerry (Scott) I was there too and I tend to agree with that. I know they talked about ...talked about how the study that looked at the mixing rate didn't even take into account the fact that as of April 1, all of a sudden you assume that all of the fish in Monroe County are non-Atlantic group fish. They talked about that, but ...

Nancy (Thompson) Okay. I'm writing down some specific decisions that we're going to have to make relative to the process in general and relative to how we're going to proceed with mackerels specifically. So let's just run down, as I've written them down. The first one is relative to membership on the review panel and whether it's appropriate for someone from the SSC to be on the review panel or not.

M (Bob Mahood) Nancy, do you have a copy of our SEDAR guidelines of what we've approved in front of you?

Nancy (Thompson) No, I don't.

Bob (Mahood) Let me read this paragraph to everybody and the way it stands now before we

move into that ... “The review workshop panel is strictly independent. Those who participate as panelists at the data or assessment workshop of the assessment review, those with any direct involvement in developing an assessment presented to a particular workshop as part of the assessment under review, or those with any direct involvement in the decision process for the species of concern are not eligible to serve as a review workshop panelists.”

So basically three categories now, which if you were an SSC member and had not participated in a particular assessment, you would be able to serve on that panel. The other question that came up is relative to people with involvement in the decision process. We had an in-staff retreat ...staff on there. We need to determine also what we meant by that, any direct involvement in the decision process. We particularly thought it meant no council members or council staff, or ...regional office members. But we maybe need to clarify that part of it also.

M (**Roy Crabtree**) I think you do, Bob, because I mean that gets pretty fuzzy because in a sense, Southeast Fishery Science Centers are involved in the decision process because in the end, Nancy has to certify.

M (**Bob Mahood**) But she’s certifying the science, not the decision.

M (**Roy Crabtree**) It’s part of the management package, the decision memorandum and all of the attachments.

M (**Bob Mahood**) I thought my assessment was that Nancy was certifying that the best science was used in making that management decision.

M(**Roy Crabtree**) Okay. So all I’m saying is we need to be very clear about what we need.

M(**Bob Mahood**) I think we do.

Nancy (**Thompson**) Well, and that gets back to this process, but Bob, I think what we

addressed before as far as membership was concerned was related to the three SEDAR components, and now what we’re talking about is this added layer that’s required for the council and that is the SSC and whether it’s appropriate for someone to be on a review panel under this SEDAR component, and then be on the SSC.

I don’t have a problem with that, again. I mean we’ve discussed this, but the problem that we have here is that there was a person on the review panel, and then came to the SSC and there seems to be differences in that person’s opinion in terms of what happened at the review panel versus making a motion and suggesting that there was some problems relative to the review and having been involved in the review. I guess my only comment is that if people are going to be on review panels and SSC, you would expect that there would be some consistency in their view, and if they felt during the review and in their capacity on the review that there were problems that those things would be brought up then as opposed to having them bring them up in the SSC committee after the fact.

M(**Roy Crabtree**) Look, do we want to set a policy just right off the bat that regional office staff and council staff will not serve on the review panel because I’m happy to do that.

M(**Bob Mahood**) Because if you don’t do that, at least the perception is that that person is speaking for the region or for the council that’s serving. Whether that’s true or not, it’s not a good perception to have, I don’t think.

Roy (**Crabtree**) I can assure you in this case, it was absolutely not true and the regional office person who was there made his decisions on his own without any influence from me. I know it will always be questioned. So if we’re all in agreement then that’s just a matter of SEDAR policy that we’re not going to have council staff or regional office staff serve on these review panels.

M (**Wayne Swingle**) Roy, are you saying “panels” meaning all three panels, or are you saying just for the assessment review panels?

Roy (**Crabtree**) Review panels. I'm open for discussion for the other panels.

Nancy (**Thompson**) Okay.

M (**David Cupka**) Those are related issue...too and I don't know how it worked on this one, but maybe one of the things we want to consider as part of our guidelines is that if it's an assessment that involves two councils that we have an equal number of participants appointed by each council for that review panel. I don't know if that would happen on this time, but I can just pray down the road that that might become an issue if we don't at least decide on that.

W (**Nancy Thompson**) Okay. So where are we relative to the membership of the review panel? As far as the review panel then is concerned, I mean it's our opinion from the science center's view that this has to be the most independent group, independent and providing science advice to me. So we're not going to have any council staff or regional office staff on the review panel.

Bobbi (**Walker**) When you say, “regional office staff,” are you talking about people within the Southeast Fishery Science Center, that we're going to preclude them from participating?

Nancy (**Thompson**) No. We're separate and distinct, but we could not participate as well, but again --

Bobbi (**Walker**) No, I don't want that happen.

Nancy (**Thompson**) So it's okay for the center -- I mean the intention of the review panel is to have a group that is as independent as possible from what has proceeded in the assessment workshop and in the data workshop.

M Right. We don't want to preclude scientists. We want to preclude management.

Nancy (**Thompson**) Right. The way that we've provided people on the panels, for example, the review panel is that we have provided a scientist from the Southeast Center who generally is from a laboratory that, and has had no experience with a particular species or management plan and that's how we have provided those people.

I mean as long as people believe that that is independent, and I mean I believe that's an independent person from our --

Bobbi (**Walker**) And I believe that is an independent person too.

Nancy (**Thompson**) I mean Rick (**Hart**) Heart, for example, I think he was involved in this review for the mackerel, and Rick (**Hart**) Heart is basically a shrimp invertebrate ...guy from our Dallas laboratory who has had absolutely nothing to do with mackerel and probably never will have anything to do with mackerel. So that has been how we have included people.

For example, Steve Turner was involved in the review for red porgy for the South Atlantic Council, and he's never had anything to do with that and never will. I mean that's our approach and that's how we're going to approach putting people on these as well.

Now we've had people included from the Northeast Center traditionally, and there are some benefits from that, my personal view is as well. We've included sometimes people who do have expertise in the Northeast with a particular species because they do provide some new perspectives and insights.

M (**Bob Mahood**) Nancy, I had one question. I didn't recognize the name of the guy you were talking about from the center, but I noticed that Jerry did quite a bit of talking in the minutes that I read. What was his role then?

Jerry (**Scott**) I wasn't on the panel. I was there to provide information, and I offered opinion when it was asked for. I gladly would shut up if anybody ever wanted me to.

W (**Nancy Thompson**) Much the way that Mike (**Prager**) Craiger has provided that kind of input, for example, for red porgy when we did that one.

Jerry (**Scott**) If you notice, there is not case in there where I'm asked to vote on a particular thing. As a matter of fact, I made a report when it came to the report drafting phase that I would be happy to check the report for facts, but it's not my business to tell the panel how to make their reports. So that's where I draw the line, and that's where the staff here draws the line here too. I instruct them to check the report for facts. If there are inconsistencies in terms of the facts, let people know. Otherwise, it's up to the panel to do it.

M(**Bob Mahood**) I had not looked to who was on the panel. I just saw that Jerry was on the panel when I read the minutes.

Nancy (**Thompson**) No. Okay. So we're coming down now to the review panel, and that's fine, but again, my question relates to the SSC, and again, I have no problem with people being on both the review panel and the SSC. Again, I think what we need are rules. People need to understand that they have a role and their role needs to be consistent between those two panels.

M (**Bob Mahood**) Nancy, I don't see a problem there. One of the benefits in mackerel in the past at all has been that Bob Muller has served did help to do the assessment or the assessment review and he was our main man on our SSC that relayed that to the SSC. I think that's an important component. It could go either way. In this case, you're talking about the SSC person involved didn't agree with the assessment review, but I mean it could go the other way where they'd be a proponent of the assessment review if that was the case.

One of the problems we're going to have, I think John alluded to this is finding people to serve on these darn things.

Nancy (**Thompson**) No, and they're fun. It's just that I think we need to be explicit with people when we have these panel meetings that there is an expectation that there will be consistency between what that person says and their view and what they ...

M(**Bob Mahood**) Not necessarily. I mean we have a lot of independent scientists on our SSC and on the biological review group that looked at that information independently of what was reported to them relative to the SSC ...review. I mean I think that actually our chairman of our SSC, I think, works for you.

Nancy (**Thompson**) I understand that, and I agree with you. I'm just saying that people need to be aware that these things are going to be scrutinized. So if they have problems during the review, they need to bring them up. In this particular case, that did happen. There was a minority report that focused on some of these things that came out at the SSC, but they weren't that inclusive.

M Maybe this is too simplistic, but this sort of dual hat thing of an SSC member, wouldn't we really expect that the SSC person on the review panel goes into that may have particular issues that they feel strongly about and they interact and in the consensus process, they kind of start out on a minority side, but they just can't sell the rest of the group. An outcome comes. Then when they, further up the line, when they put on their SCC hat, the issue isn't, at that point, the particular item they were arguing about, but rather to say was is this a good process? Was a balanced process? Were all of the questions considered? Wouldn't they be endorsing the process that came out of the review panel and then recommending, or advising the council that this product came out is now something that you guys should be making management decisions on?

Wayne (**Swingle**) Wouldn't it be simpler just to prohibit the SSC member to serving in both capacities as a member of the review panel under SEDAR and then as the SSC group that reviews those actions?

M (**Roy Crabtree**) Yes, Wayne, but I guess a concern I got is, Bob brought it up earlier and I agree with him, the issue of staffing these things. As it is now, we're scrambling to get enough of the right scientists on these panels.

Nancy (**Thompson**) Well, I don't think it's really been that much of a -- John, correct if I'm wrong, John Carmichael, but I think we've done okay in terms of being able to find people to put on the review panel. In fact, in one case, we probably have way too many people on the review panel than fewer people. But maybe I'm wrong, and maybe I'm not hearing the complaints of people.

M (**John Carmichael**) Well, I haven't done okay as far as getting the representatives appointed by the South Atlantic side, especially on mackerel and throughout for mackerel, especially not through this current cycle we're in the midst of have I had a whole lot of luck getting people to show up to a number of those workshops. So I think the manpower is a serious problem, and I think right at the moment, it's been more of a serious problem on the Atlantic side than it is on the Gulf side, but I know that Wayne and Rick certainly struggled to get people to come to those review panels as well, but I think the manpower issue is a real concern.

Nancy (**Thompson**) Okay, and we are talking about the review panel.

M (**David Cupka**) What about numbers issue too? I know that's a lesser thing, but again, a lot of this is perception, and John, do you think that's something we should pursue, trying to assure that we have equal numbers of all of the parties?

John (**Carmichael**) That's sort of going down that path, and one of my first recommendations to the steering committee about the participation on the review panels. I don't remember if I didn't carry that through to the steering committee or not or just left it open. I think the steering committee, when we first looked at this, decided not to, rather explicitly or implicitly, just decided not to require that they be ...move it over.

David (**Cupka**) It was probably before the chairman got put on the steering committee. I wasn't privy to that.

John (**Carmichael**) That's probably correct, David, yes. David, I think if the science is, deal with the science, I don't think it's that much of a problem. If they start talking about management implications and you're talking about two different councils involved, then it could become a problem.

M When you start putting stake(**state**) people on these panels, how are you going to call someone from Florida?

Nancy (**Thompson**) Okay. So we have two things that we're discussing, I think here still. One is the SSC and review panel membership. It appears that because people are limited that we need to figure out a way to allow SSC members to participate in review panels. Okay?

Bobbi (**Walker**) What if we allow them to participate in the review, but they don't participate in the SSC meeting?

M Each...can make that call, right?

Nancy (**Thompson**) Yes. That's a good suggestion. What do people think about that? If an SSC member, then, participates in the review panel, then they need to excuse themselves ...

Bob (**Mahood**) Yes. Nancy, there seems to be a feeling that the RSSC (**our SSC**) member did something wrong. He brought up his

concerns at that meeting. Many of our concerns that came from our SCC didn't come from him. They came from other members. So it's not that he didn't bring these up at the review panel meeting, it's that he didn't think of bringing them up. They didn't come from him.

Nancy (**Thompson**) I know.

Bob (**Mahood**) So this contention that something has been done wrong I think is false. As far as we're concerned, you take this out of a realm of a joint council review. Most of our reviews are going to be just for the individual councils. I don't see any problem in the world of having an SCC member sit in on the review and then come to the SSC meeting.

Nancy (**Thompson**) Yes, I know, Bob. But again, it gets back to David's comment, which I think is a good one. I think we all agree that it's all about perception. I mean that's really what it's all about. I don't think anybody is questioning the motives or intentions or whatever this person did. I mean like I said, I mean you go away from a meeting and you think about it too. Then about three or four days later or a week later, you may think, "Oh, wow. If I had thought of this or I had thought of that." So no one is saying that that's not legitimate or valid. I think we all agree that those things are going to happen.

Again, it's like what David said. I think it's really all about perception, and your perception is one way and then when you look at it on paper, someone else is going to have a different perception.

M(**Bob Mahood**) But I think if we had to choose, we would certainly want our SSC member be on our SSC and not have them participate in the review. It doesn't make any sense to me, but we have to make a choice, that's -- We have a hard time getting good ...people on our SSC, and we're not going to sacrifice and ...their thoughts to put them on the panel.

M(**Jerry Scott**) Wasn't what Bobbi raised, though, the issue of for the particular issue of concern, which in this case is a single report, some idea of not in terms of guidelines within the council or within the SEDAR process, but not having an individual who serves both on the panel and as a member of the SSC be a part of the formal voting process if you have such a thing within the SSC because when you look at --

I mean a perception I can develop looking at what's typed here in terms of the motions from May 10th is that in this particular case, an individual who is serving both the roles, in essence, agreed to a consensus report, even though there was a minority opinion about some parts of that consensus report, agreed to a consensus report at one moment and then subsequently said it wasn't acceptable at the next stage.

M (**Bob Mahood**) This is our entire SSC. This wasn't one person.

Bobbi (**Walker**) I think that individual made the motion, though, didn't he, Bob?

M That's what it says on this piece of paper, Bob. It says, "This motion was made by," and seconded by someone else.

M So there was a lot of discussion.\

M ...motion to accept all of the points.

M (**Bob Mahood**) That happened at the subcommittee, at the biological assessment subcommittee. The first day, we only had three members there, and one of them was chairing the meeting.

Bobbi (**Walker**) How many people did you have? So there were only three of them, and he was one that apparently made the motion, and then when the full SSC met, how many members did you have present?

M(**Bob Mahood**) I think we had 12.

Nancy (**Thompson**) Okay. All right.

Nancy (**Thompson**) Okay. Well, let's get back to the key issue here, and if I have to take a vote, I guess I will, although, I'm not real keen on doing that because we'd have to do it probably by voice vote or something, but how do we want to deal with the SSC? We have options on the table. One is that we'll just allow SSC members to participate in the review panel and visa versa, knowing what the ground rules are and an expectation that there will be consistency in how that person deals in both of those panels.

We have the option of disallowing joint membership and that is in either direction. Either you're on the SSC and you're not on the review panel, or you are on the review panel, then you don't participate in the SSC for that particular issue. So where do we want to go with this?

M (**Bob Mahood**) Well number one, I'm not sure we could do that with our SSCs unless we changed our SOP.

Nancy (**Thompson**) Oh, really?

M (**Bob Mahood**) Oh, yes.

Nancy (**Thompson**) What is allowed relative to the standards?

M (**Bob Mahood**) We would have to put a special provision in our SOP that said that is you an SSC member and you serve on a review panel under SEDAR, you would not be able to vote at the SSC meeting.

Nancy (**Thompson**) Okay. So as it is now, the standard operating procedure would allow membership on both of those panels and to be active voting participants in both of those panels.

M (**Bob Mahood**) No. There's nothing in our SSC part of our SOPs that refers to the SEDAR panel.

M(**Wayne Swingle**) Nancy, one question. You're saying, though, that the SSC members could not attend as an observer, just as long as they weren't a voting member of the review panel. Is that correct?

Nancy (**Thompson**) Yes. In fact, I would encourage people to attend.

M(**Wayne Swingle**) And they could vote on other issues, just not ones related to particular assessments.

Nancy (**Thompson**) Yes, that's exactly right.

Roy (**Crabtree**) Bob, why do you feel like you have to change your SOPs? There's nothing in the SOP, as far as I know, that makes any reference to SEDAR.

Bob (**Mahood**) I mean how would you preclude an SSC member from voting, Roy, unless you said that in your SOP? I mean how would have a special condition? Do we have an attorney on the line here?

M(**Roy Crabtree**) No, but we could have one, but I would guess that we would just ask them to agree to that before we put them on the SEDAR panel, and I don't know that anybody would agree, "Okay, I'll excuse myself from voting at SSC," and then renege on that.

M(**Bob Mahood**) Like I said, I think in our case with our council if you couldn't serve on both, we would prefer that they be SSC members and not serve on a review panel. So I mean I would prefer just saying that SSC members can't serve on the review panel, I mean if that's what people want. I don't think it's necessary, but if there's enough votes that want to have that, then that would be cleaner than saying that you could serve on one or the other I think.

Nancy (**Thompson**) Well, how do other people feel about that. The truth is, my personal

opinion is, I don't think it really matters as long as people understand what their roles are. That's just me, and I guess I have a lot of faith in people.

M (Bob Mahood) One of the things too, Nancy, we wanted to discuss is there should probably be some oversight by the steering committee of who serves on these things. I mean we had a scientist on the SSC from the Gulf who has a financial interest in his research that might have been influenced by what he had to say.

So I mean you're never going to get away from this contention that I think Congress has that if you give the scientists the ability to only deal with the science that everything is going to work out great is not the case in everything. So you just can't deal with every instance like that. I think we're making it much more complicated than it needs to be, and ultimately weaken the process.

Nancy (Thompson) Yes.

Rick (Leard) Nancy, this is Rick. If we're going to not allow SSC representatives to serve on this and we're not going to allow regional office staff people to serve on this, I mean the regional office staff person, I got it at the last minute because we didn't have any but one person for my fin fish stock assessment panel. Like Bob, our SSC includes several people that are also on our fin fish stock assessment panel.

But if Andy had not been there, we wouldn't have had but three people who had had knowledge and experience to talk assessments. As it was, we only had four, I believe - no five, I'm sorry - and that's just not a very big group to have a peer review of a stock assessment, in my opinion.

Nancy (Thompson) I personally think that's plenty big enough, quite frankly. Five people is a good group. When they get much larger, they get a bit unwieldy. But let's get back to the SSC issue. I want everybody to have the opportunity to say what they think because we

need to come to some conclusion, and maybe we are making a bigger deal out of this and maybe it is just limited to this. I mean I honestly think that council should probably have some latitude in how (t)hey want to deal with it individually themselves.

M(Bob Mahood) I agree, Nancy, and based on what I'm hearing, I have the feeling that most people feel like we ought to leave it the way it is. You can serve on the SSC and the review panel and individual council, since they're appointing the people who are going to represent them, would have the ability just not to appoint SSC members if they so choose. But it's clear to me that some people don't see a problem here. I'm not sure that it's been a problem. So I guess my perspective right now would be let's just leave it alone. If an individual council chooses not to appoint SSC members to their panels, then that's their prerogative to do it, but I don't think we should put a hard and fast rule down.

W (Bobbi Walker) ...here. I really have to go now, but I support what you just said because I think that we're making too much of a deal out of this problem. If it repeats itself, then we should do something about it.

Nancy (Thompson) Okay. Does everybody agree with that?

M Yes.

Nancy (Thompson) Okay. That's good. I'm glad we aired that out.

Bobbi (Walker) Guys, this is Bobbi, and I'm fixing to have to go to a meeting, but I'm going to call back in on my cell as soon as I get in my car.

Nancy (Thompson) Okay.

W (Bobbi Walker) Yes, this is ... I have to go. If I can, I'll call back in the next half-hour or so.

Nancy (**Thompson**) Okay. The next issue then is, okay, we're going to just leave this as it is and the councils will use their judgment relative to how they want to deal with the SSC and the review panels.

Okay. Relative to the terms of reference, in terms of the process, again, there are some questions that are raised relative to the terms of reference and how the review panel in this particular case behaved relative to discussion and sticking with the terms of reference.

My view of the terms of reference is that you have them in front of you, and they're same, I think, that we've had for the last couple of years. I don't think they've changed and that someone sits there who is a ... and checks off the terms of reference as they are dealt with. So there has been some question raised relative to the discussion at this review panel, an expansion above and beyond the terms of reference, or deviation from the terms of reference or maybe not even meeting the terms of reference. How do we deal with that?

M(**David Cupka**) They aren't always the same. I mean in this particular case, we asked them to look at some difference mixing rates and all, but basically, they usually are pretty much the same. I'd suggest to John that maybe if we put a written reminder in there that they really don't need to consider management implications. I mean they know that, and John tries to keep them on track in regard to that, but maybe, we just need to put a reminder in there along with the terms of reference. Our job is strictly to look at the science and not to worry about management applications, but that's not strictly a term of reference.

Nancy (**Thompson**) No. You're absolutely right about that in terms of the context. The advice that needs to come out of the review panel is strictly to science and as it relates to the adequacy of the science and the information being best available, and then providing some advice relative to reference points that, again,

relate to being best available. That's my view of the terms of reference.

M(**Bob Mahood**) One of things, Nancy, that we were a little bit disappointed is we had asked for and in the past that always got a range of ABC. This year, all we got is a best point estimate. We've always had a range with a best point estimate. For some reason on the Atlantic stock that wasn't done this year. I'm not clear why.

Nancy (**Thompson**) Jerry was going to address that.

Jerry (**Scott**) I know the information was available within the assessment document itself for both the Atlantic and the Gulf stocks. The reason that the ... for the Atlantic, who happened to be the SSC person, chose the point and the group agreed I don't know because I wasn't directly involved in that. Certainly, it's a valid point. Historically, we've provided range information and estimated relative risks associated with each of those with reference to a particular biological reference point.

So I can't say for sure why the full range of information wasn't transferred from the assessment document to the panel report, but I think the panel was trying to be more specific with their point estimates, and I noted it may related to some perception about this idea about risk levels being a policy not a scientific decision, which I would agree. Whatever the acceptable level of risk is certain a policy decision, but it's also a scientific issue in terms of trying to characterize what that risk is. That's where there is a bit of a failure on the panel's part. They didn't pick up on that nuisance in terms of separating a science and more of a policy-related issue.

M(**Bob Mahood**) It probably would have been helpful in the past to know what level of risk associated that is when we make the decision.

M (**Jerry Scott**) Yes. That information exists in the assessment document.

at the generalized terms of reference and I've sent out the specific terms of reference for each coming workshop to the council that's involved and asked for comments.

Nancy (**Thompson**) Okay.

M (**Bob Mahood**) Nancy, one of the reasons we're looking at this, and I mentioned a little earlier, is we think the real test for the SEDAR process is going to be red snapper in the Gulf. If it can withstand the test it's obviously going to go through there, then we're going to have a good process. We just need to clean a lot of these things up and make sure that they're not open to challenge when the SEDAR is finished with red snapper.

Nancy (**Thompson**) Oh, absolutely, and I appreciate that, believe me. I think we all do, Bob. Yes, I think we all agree that that's really going to be the test. There's no question. Again, I agree with you, Bob. I think it's a matter of cleaning up the process. I mean my personal view is that these things come out because I mean it basically validates the process, in my view, in that it's an open process for one thing, which is what it's intended to be and transparent. I mean everybody has the notes and minutes and everything. I think that's a good thing.

But as far as the terms of reference though are concerned, I mean is there anything that anybody else has a concern about that we need to bring up or some change in the way we deal with these? Okay. All right.

M (**Wayne Swingle**) Nancy, could I bounce off John I guess in that area?

Nancy (**Thompson**) Sure.

Wayne (**Swingle**) We're fixing to shoot letters off to the people the council selected to be the SEDAR panel reps for the, I guess, review process and as I understood what John said is there was a problem with a lot of the members

M(**David Cupka**) I thought it was very interesting in the comments of the fellow from the Northeast saying that he couldn't believe that we were so much more risk adverse than they were up there in the Northeast with their estimates.

M ...recall the comment from the guy from ...that says he couldn't believe that we, in general, in the U.S. are so much more risk-prone than what they are in Europe. I don't know if I agree with that, but that's what he said.

M (**John Carmichael**) Right. You have to look at the next comment where he says, "Well, sure they set these high standards, but they don't really follow along with them," which was, I thought, the icing on the cake. I think it was clearly an oversight on not including the range and no one thought or looked enough to notice that. I think that's part of the problem. There wasn't a lot of eyes being devoted to looking at those documents after the workshop and a sizeable contingent left early Thursday morning and the meeting did sort of degenerate after that and left just a couple of people there doing it.

Nancy (**Thompson**) So we need to be explicit again relative to what our expectations are.

M (**John Carmichael**) Yes, very, very explicit and I'm sort of doing that for the terms of reference for the coming assessment workshop of the deep water snapper grouper in trying to be even more explicit in what is expected.

Nancy (**Thompson**) Okay. So we need to have the steering committee take a look at those terms of reference, I guess, before we actually have the panel. Then if anybody sees that they think there are some problems, we obviously need to get together and talk about them or deal with those.

M (**John Carmichael**) What I've done in the past, because the steering committee has looked

not staying the whole five days and helping do the report. Is that correct?

John (**Carmichael**) Yes. That's been a concern, and I think Bobbi took care of most of that at the Red Snapper Data Workshop, and made it pretty darn well clear that when people were appointed, they're expected to stay the whole time. ...reiteration of that to people and that's, along with the idea of not talking about science is one of the things that probably needs to go into sort of a "what's expected of you when serving on SEDAR" is something that says you need to be there for the whole time.

Wayne (**Swingle**) Okay. Well I'm fixing to shoot out an appointment letter for those people. If you'll shoot me some of your ideas, I'll incorporate some of those in there.

John (**Carmichael**) Yes, sure Wayne.

Roy (**Crabtree**) Wayne, and this is for the Red Snapper Review Panel?

Wayne (**Swingle**) That's correct.

Roy (**Crabtree**) Nancy, are you planning to appoint or suggest a couple of other (**NMFS**) NIPS people to serve on the Red Snapper Review Panel because right now, what the council put together, the only (**NMFS**) NIPS person on is Mike Sissanwine (**Sissenwine**).

Nancy (**Thompson**) I think we're having some discussion about that now, about who to include. I guess I'm not sure where you're going with this, Roy. Do you mean somebody from the center?

Roy (**Crabtree**) Well, I mean in the past, you've brought in some (**NMFS**) NIPS people from other regions to serve on these panels, but the Red Snapper Review Panel doesn't have any stock assessment people from other regions.

M(**Bobbi Walker**) But Roy, when the Gulf council made our recommendations on any of

these panels, we make that with the understanding that Nancy is going to put others on there including CIE people and people from the center or the Northeast. I think that's the way the council interprets it.

Roy (**Crabtree**) It sounds like we're going to send letters out to some people, and I'm trying to understand then is Nancy going to send out something to a couple of other people, or is she going to give a couple of names to Wayne and then Wayne will send the letters out? I'm just asking how we're going to send letters to the people whose way we'll pave to the meeting. Basically, that would not include the (**NMFS**) NIPS people and the CIE people.

Nancy (**Thompson**) Okay. What we do, Roy, is we have Larry (**Massey**) Maxy, who works with John Carmichael, to contact other centers. Generally the Northeast center responds positively about providing somebody, and I mean we do that typically for every review panel, and we will continue to do that. I think we're in the process of doing that. I can't remember if we have somebody from the Northeast. I think we may actually have somebody from the Northeast center already.

Roy (**Crabtree**) Okay. So you'll send the letter out to the (**NMFS**) NIPS people. Wayne, who's sending a letter to Mike Sissanwine(**Sissenwine**) - you, or is Nancy going to do that?

Wayne (**Swingle**) Your choice on that, Roy. We can let him know that the council recommended he be a member of the panel. I'd be glad to.

M Wayne, can you clarify for me are you talking about the stock assessment panel, or the stock assessment review panel?

Wayne (**Swingle**) Stock assessment review panel in October meeting. We've already appointed the assessment panel from our --

Nancy (**Thompson**) Yes. We're talking about the final review, and Mike Sissanwine (**Sissenwine**), as I understand it, has agreed to participate, but he will need to get a formal letter so that he can put it on his calendar. We will, the center, from my end, we will populate it, the review panel with people from our center and other centers the Northeast center.

Roy (**Crabtree**) Okay. So Wayne, you will send a letter to Mike Sissanwine (**Sissenwine**) and formally inviting him.

Wayne (**Swingle**) That's correct.

Roy (**Crabtree**) Okay.

Nancy (**Thompson**) Okay. So we're good with the terms of reference. Okay. As far as the steering committee's rule is relative to oversight in terms of this process, there were some concerns I think raised just in general in terms of the mechanics of the process and where the steering committee perhaps needs to have more oversight or less oversight, or am I just making that up? It could be.

M (**Vince O'Shea**) One of my thoughts was we sort of compared what happened here with what we have documented for the ASMFC peer review process, and I'm wondering, and as a result of that, we've come out with a list of a number of recommendation. My mackerel point is I think if you sort of tightened up the process a little bit or considered tightening up the process, I think that might answer the sort of oversight need or responsibility of the SEDAR guys' steering committee.

In other words, I see this group as one that should set sort of rules that then let the process work as opposed to have some sort of ongoing oversight process. If we set good enough rules and procedures then, we should manage the exceptions, but not routinely manage the process.

M (**David Cupka**) Except I only thought about ...since it is a new process. I mean we would

probably need to do a little oversight in order to work on the rules, but I think once we get experience, it won't be quite as necessary.

Nancy (**Thompson**) ..this relates to the SSC, for example, that met the South Atlantic SSC had these mackerel motions and they had some stock assessment motions, and then they actually had some SEDAR process recommendations, and I think that's what ...is getting at as well. So SEDAR process recommendations have to do with how to deal with the workshops in general, and the appropriateness of decisions that are made within those workshops and including who sits on these panels and things like that.

So I mean that's what Vince, I think, is talking about in terms of cleaning up the process and basically establishing more rules, I guess, within the process so that people have a clearer role of what they're supposed to provide and what their expectations are in each of these components.

M (**John Carmichael**) I have a suggestion here, if I could interject.

Nancy (**Thompson**) Sure.

M (**John Carmichael**) The way it's worked in the past is largely either I've tried to foresee problems, and I felt sometimes like the boy who's cried wolf, are we've allowed the councils to bring problems forward and we've dealt with them at the steering committee. Essentially, what I told the South Atlantic SSC, we asked the SSCs to identify things and bring their problems forward, and we try to address them. It's really more of a reactionary approach. It's not getting out in front of the problems so much and dealing with them.

I had an agenda item that I had added, and it got to Nancy, was the suggestion for an operations committee, and this came from discussions I had from one of the SEDAR founders in the midst of working on the deep water, which Mike (**Prager**) Craiger. He thought that it

would be helpful to have an operations committee that considered sort of the procedural issues and a lot of the things that I kind of handle on my own right now and let them come up with, say, the guidelines and dealing with definitions of things like an update assessment. The update assessment is on his mind very much - what does that mean?

So he thought it would be helpful to have a group and it should be me and ...from the major assessment shops, probably him and Jerry, are people they wish to designate and maybe someone from perhaps Florida because they have a pretty good group of assessment people who can be called on a lot, or maybe perhaps representatives from the SSC, whatever the pleasure of the steering committee were.

Well we thought this ops committee could come up with maybe, as I said, what's an update assessment, how should the workshops be conducted, basic guidelines for how much time there needs to be between each of the workshops to ensure that the work..., deciding or coming up with some alternatives for who actually puts pencil to paper and writes the reports - things of that nature. I think that's a really good suggestion and would allow a group of people to come up with these ideas and bring them to the steering committee for approval.

M(Bob Mahood) It sounds like ACCSP again.

M(John Carmichael) Yes, it does and none of the people who were suggesting --

M(David Cupka) That wasn't a bad approach.

M(John Carmichael) ...other committee, but I think we have to deal with it.

M That's worked pretty good. I'm not suggesting that's not a good approach.

W (Bobbi Walker) I don't object to it at all, but I still want us to focus on this as a council process and that a committee or even the SEDAR steering committee, which is just an

AP to the council, that you don't take away their right to look at what we've suggested and for them to approve it.

M(David Cupka) What John's suggesting is the operations committee would report to the SEDAR steering committee.

W (Bobbi Walker) And then we would report to the full council.

M (John Carmichael) Oh, absolutely. This would just be some guys that do some of the grunt work. The ones who are actually there, involved with many of the workshops and doing the hands on assessment work to point out what they see as the challenges, actually. They'd purely be making recommendations up to the steering committee.

M(David Cupka) This is what we did in ACCSB, Bobbi, was you aren't familiar with it on the Atlantic coast. We had a coordinator council that's kind of counterpart of the steering committee, but then we had an operations committee and these are the hands on people that would develop the process, then they'd be approved by the coordinating council, or in this case, their steering committee. It's works quite well, really.

Bobbi (Walker) I don't have a problem with that, but I just don't want to take the councils out of it either. I want them to be able to look at what they've recommended and concur with it.

M(John Carmichael) And they'd still be asked to point out problems themselves.

Bobbi (Walker) Exactly.

Nancy (Thompson) Well, is there any reason, John, why someone from the council staff could not be included in these committees? I guess my view is, to a certain extent, they could be ad hoc kinds of committees.

Bobbi (**Walker**) Nancy, I don't think that's necessary really. I think that's just adding another participant.

Nancy (**Thompson**) Okay. All right. That's fine, then. Forget it. All right. So are we going to go ahead then and John, you can put something together that describes what this operations committee does, and how they report to us and how the reports get back to the council?

John (**Carmichael**) Sure, yes.

Nancy (**Thompson**) Okay. So that deals with a lot of this process recommendations, I think, that came out of the ...meeting. There's a lot of static on the line.

Bobbi (**Walker**) It's probably me on this cell phone.

M Do you have a mute button there?

Bobbi (**Walker**) Let me see if I can find one.

M (**Bob Mahood**) Nancy, I had a question that came up in some of our sessions.

Bobbi (**Walker**) I'm challenged with that. I can't find the mute button.

M It was better for a second.

Bobbi (**Walker**) I'll get into a better area. I'm on a back road right now.

Nancy (**Thompson**) It is difficult to hear people.

Bobbi (**Walker**) All right. Let me hang up and wait until I get into a better area and I'll call back.

Nancy (**Thompson**) Thanks, Bobbi. Go ahead, Bob.

Bob (**Mahood**) Yes. From what we've seen ...and I guess the question is when you get these people from the center independent experts, do you get to choose who you get?

Nancy (**Thompson**) No. It's absolutely and totally anonymous, and we don't know who those people are. The pool of people who are available though meet certain criteria. Otherwise, they would not be included in the pools that are available for the whole CIE. Again, I mean we're not going to be able to control that. I don't think we should control that, and yes, there's going to be a range of personalities, obviously. Obviously, that makes a difference as well, and I think up to this point, we've had people who have chaired it in particular who have had very strong personalities and have kept things very much on track.

There could be a change in terms of who chairs it. I mean I think having two people who we have no clue who they're going to be, but have strong quantitative expertise and understand the assessments and what they mean is very important, but perhaps the question could be raised as to whether it's appropriate to have the CIE person chair it or not.

Now my opinion has been and my preference has been, quite frankly for me, personally, again, to have a CIE person chair it, because again, it's that level of independence that I think is unachievable using someone who is from another center, or even from a state, or from an SSC committee or something like that.

M Yes, I agree with that 100%, Nancy. I was thinking ahead to Red Snapper. The Red Snapper would be ... I don't think you want one of those Scandinavians - trying to get a Scotsman or one of those tough-minded people.

Nancy (**Thompson**) Yes. One of those U.K. types.

M All of the Scotsmen have been used up.

M(**Roy Crabtree**) I agree with you too, Nancy. I think it should be one of the CIE experts that chairs the meeting, and I think John Carmichael, if you see the chairman not

deviating from the process or going astray somewhere along the way, I think you need to call him on it and try to make sure that they're sticking with the process we've laid out. But I think if we get into start trying to choose who the chairman is going to be, I would just rather it be one of the CIE folks.

Nancy, do we get to evaluate their performance or provide feedback to the CIE on these guys?

Nancy (**Thompson**) Yes, and thus far, they provide individual reports to me, and I think everybody knows as well, and those reports, then, meet the contract that they, obviously have with the University of Miami, or in our particular case with Oregon State. I have never seen anything that has deviated from the terms of their contract. So it's kind of difficult to -- I mean they have a contract and if they deviate from the contract we can probably say something, that we have a concern. But otherwise, I'm not exactly sure how to get that kind of feedback to Miami.

M (**John Carmichael**) Yes. I don't think that we provide any formal - they do sometimes ask me for some feedback on what they think. I assure you, I think (**Henrik**) Onerick went out with a sore side from me poking him in the elbow and saying, "Reign these guys in. Get back on track." The CIE guys are often outstanding chairs. I don't think anyone could have chaired the (**goliath grouper**)...and hogfish any better than Michael Kinsley did. He was a master at handling that group, but you don't know. Some people just aren't as forceful in being a chair and you either live with it occasionally, or you come up with a different way of dealing with it.

But one thing that whoever is chair always complains about is they feel it's very difficult for them to be a reviewer and be a chair. So we do sort of give up some CIE review capabilities when we have a CIE chair, which is the one aspect of it that gives me some concern, I guess.

Nancy (**Thompson**) Yes, but I like that independent anonymity previous to the convening of the panel with that CIE person as chair.

M (**John Carmichael**) Yes. I love that part of it too. Maybe we could get three of them.

Nancy (**Thompson**) Well, that gets expensive. I mean there's a cost.

M (**John Carmichael**) Yes.

Nancy (**Thompson**) There's a cost.

M (**John Carmichael**) There's no easy answer

Nancy (**Thompson**) No.

M (**Roy Crabtree**) You said it right. It depends on personality, the person's personality.

Nancy (**Thompson**) As far as the red snapper is concerned, my guess is John that there's going to be a whole lot of us there, and we can help you because I know, for example during the panel meetings that I was at for red porgy, I know there was some exchange there and that was long before you were on the scene in your capacity. I think having additional people there, shall we say, was helpful in terms of keeping them on track. So we'll be there too. I mean I know I'm planning to be there.

M (**John Carmichael**) I'm sure you will. Don't let me miss it.

David (**Cupka**) To get back to those other issues though, what is the steering committee going to do in a situation where there are two councils involved and maybe one SSC agrees with the report and the other one doesn't? How are we going to deal with that? Are we going to send it back for another review, or are we going to leave it up to the regional office? We need to decide how we're going to handle that, and hopefully we would have done that before we got in the situation, but that may or may not be

the case. But before you get much further, we need to decide that.

Nancy (**Thompson**) No, you're absolutely right. That's the next agenda item. I mean there are certain specifics here relative to mackerel, but you're absolutely right, David. That, to me, is the key issue here. So we need to resolve that. What are we going to do?

Bobbi (**Walker**) If we sent it back, then somebody is going to have to give up an assessment though aren't they? It's already scheduled.

Nancy (**Thompson**) Oh, right. As far as the SEDAR schedule is concerned. You're right. Unless we come up with some expedited way of dealing with it if we think that's appropriate, but you're right.

M It has to be addressed, no matter what it costs. I mean you can't leave it hanging out there.

Nancy (**Thompson**) Okay. So right now, the SSC for the South Atlantic says, "No," and the Gulf Council will make some decision in September. So what are we going to do between now and September?

Bob (**Mahood**) The problem is Nancy is that the ...council can't take any action to join amendments. So there can't be any action unless the two councils agree. So it's kind of a moot point what happens with the Gulf Council's SSC.

W (**Bobbi Walker**) Bob, your council, the South Atlantic, has never taken action that did not fully support what your SSC recommended?

Bob (**Mahood**) Never. We're not allowed to by law.

M(**David Cupka**) That's where so many other councils have gotten in trouble.

W (**Bobbi Walker**) Well, but I thought that the SSCs address the science and the councils took

the science and economic and social impacts into consideration. I mean it's two different...

M(**Bob Mahood**) Yes, but if they don't certify as the best science, how can you act on it?

W (**Bobbi Walker**) Well what if Nancy certifies it as the best science?

Jerry (**Scott**) Let me identify one particular issue, and that is what the assessment committee was asked to do was to delve into this concept of mixing, and of course the situation we have with mackerels is that the councils have been relying on a particular methodology for provision of management advice and has accepted that methodology in range of assumptions as the best available for its management up until this particular time. How they move forward, of course, is another issue.

A lot of the recommendations that are made are relatively minor in terms of this, but there are a few that are made that are very much long-term sorts of research and development activities, and taking the full range of the recommendations and saying that they must all be addressed before going forward, probably implies in terms of people energy to do the work, my guess is no less than six to eight months, and that's it. We concentrate on just doing those particular things.

The biggest difficulty is in terms of developing alternative model structures, the element number seven that they're talking about here. Most all of those other things can be dealt with in terms of explanations I believe, or very minor recalculations. Some of the things they're talking about, ..., for instance, there is no new data with which to make any estimates. So either accept it or reject it. It's been accepted for the past 15 or 20 years. Why now it should be rejected, I have no idea. It's the same concept about what is the ... hypothesis and what is a sufficient increase in information to allow you to reject the known in favor of some alternative.

So that's a scientific debate that probably wasn't held very much as the SSC meeting, but probably could be. But my point is that the full range of recommendations under these mackerel motions would take people here on the order of six to eight months, and that's if I took them off doing the things that they're doing now, which does have impact on things like red snapper. It does have impact on the other issues coming up. How to proceed becomes a bit difficult from my perspective of conducting an assessment.

Alternatively, one could ask for contractors to work on developing on these alternative modeling formulations, but I doubt seriously that you get much in the way of acceptable process on that for probably the same period of time. It would probably be a little longer because you'd be bringing somebody new into the system that isn't familiar with the data ..., but that's a way to go too. Of course, that would involve some other costs in terms of dollars, not just people ...

Nancy (**Thompson**) What you're implying Jerry is that we really would have another year basically and redo an assessment. So I mean this gets back to the process question, which is what Dave is raising, which is they key is what do we do now? What are we going to do with this?

M(**Rick Leard**) This is one of the options to reject the review and then (**ask**) pass the assessment group to revisit the assessment, fully address the mixing rates, growth, natural mortality and ask them to provide one best model run with justification to another review workshop for approval prior to use in setting management. Then in the meantime, just maintain your (**TACs**) tax at status quo and keep your regulations in place as well and maybe that's what Greg just went through and said would require an awful lot of work, but I'm wondering if this is just basically send it back to him and say, "This is kind of what we asked you guys to do the first time. Take another shot

at it," and leave everything at status quo until that's done.

Jerry (**Scott**) Yes. That's a mechanism. This is Jerry, again, but many, if not most of the items that are listed in here are discussed in the assessment documentation and I don't know, obviously I wasn't there. I didn't present it. So that's probably a failure on my part, but the thing that concerns me most in terms of the recommendation is developing alternative model structures, including methods that take into account aging errors ...forward projecting whatever model chosen should be justified, which implies to me a whole lot more research than just putting together a model and sticking some data to it because you want to demonstrate that model application is robust to all sorts of range of potential errors.

Wayne (**Swingle**) ...just to comment. It seems to me if we do this, we basically have not progressed at all under the SEDAR process. This is our first experience in that, but we used to have a (**reef fish stock**) refish dock assessment panel about eight or ten people and they frequently, after reviewing the assessment by the center, ask that it go back and they make a lot of additional runs or look at other elements and then come out. It seems that basically that's what we're recommending at this point in time. I don't know how to get out of that loop, but I think that's where we were trying to go with the SEDAR process, and since our SSC hasn't met and they may have problems too, I really can't fault anyone. I mean I think both SSCs are going to make their opinions known to the respective councils.

M(**John Carmichael**) Wayne, that's sort of what the South Atlantic SSC in their suggestion seven under item three, the SEDAR process recommendations was if you're going to do a SEDAR and need to commit appropriate resources and time, people and money and necessary to do a complete assessment, SEDAR is not the appropriate setting for assessment updates or certifying existing assessment. So the gist that the chair came out and said a few

times is he didn't felt like the appropriate resources were developed, enough time was not allowed for mackerel to go through the level of assessment review and production that is necessary for it to be a real SEDAR assessment.

If you look at some of the others that are going on like red snapper and the deep water, to point out the two we're in the midst of, is it somewhere like eight months between the data workshops and the review workshops and a lot more time for getting the job done and a lot more people appoint to the panels on behalf of both the science centers and the states - everybody's involved in this.

M (Wayne Swingle) Well, on a priorities basis, though, really if the amendment, I mean the assessments were done over again, the reason we delayed our SSC because we didn't see it would result in any regulatory changes to our mackerel fishery after they reviewed the document. I don't know that that would be the case for the South Atlantic either if the new assessment was done.

Nancy (Thompson) Yes. We probably should have had a joint SSC meeting.

M That's a good idea.

M Yes, I agree with the direction we've been going. One recommendation to Jerry is if you have items that are mentioned there that are just not doable because either the data is not available or it requires further research to do it, I think you should point that out.

Jerry (Scott) Sure, and I'd probably also point out the things that have already been done and pointed out and the various pieces of documentation that just apparently wasn't made aware to the SSC by the people that participated in the review or others that might have taken an opportunity to read the document.

M Yes. I think you made a good point too, Jerry and maybe it was an oversight on our part also is that in the past, I'm going back to the past,

Joe Powers and Scott Nichols used to be very active in making these assessment presentations to the SSC and the council. Maybe that's something in the future when we have our SSC review these...our processes, we have a scientist that's involved in the assessment from the center participate in that and possibly a lot of these things that you just discussed could have been brought out at that ...

M (Jerry Scott) That's true, but remember what was being reviewed here was a review panel report from a panel...

M Right.

M (Jerry Scott) No one in the center is on that panel. So there's an independence problem. I agree. There are some kinks that need to be worked out.

David (Cupka) I think our stock assessment subcommittee realized ...at least. I didn't sit through all of the second day, but the first day, I had the impression like, for example, the ...data. They realize that there wasn't any additional data or any new data. I think what they were trying to do is just highlight the point that the data that we have, that we've been using is 20 years old, and while we may not have any new data now, they wanted to give some attention to that so that hopefully some new data could start being collected. I don't think they were saying we had to have new data. I think they were trying to highlight what they considered to be shortcomings and things that needed to be addressed through research, but not necessarily that that had to be available before moving in.

Nancy (Thompson) Well that's interesting, David because basically then what that tells me is as far as the mackerel motions are concerned that there are some issues that were raised that are probably research recommendations, but yet for ..., they would probably still conclude, for example, that the information that's available is not the best possible information because there needs to be more research but it clearly is the best available at this point.

exclude the data. They want those looked at as well.

David (**Cupka**) Yes, and I haven't seen the wording on those motions. That may impact, but that was just the impression I had that first day. They were talking about research needs, and I don't know how they broke them out, but they clearly recognize that you can't make data when there's none available, but they were concerned, for example, that the ...data was 20 years old and it would be nice if we could get some new data.

M David, what they made in their official wording was needing additional information on how the data was used, the implication of using the data and alternative assessment methods that would exclude the data. So they did acknowledge that you just can't solve ...in six months. That's... They did sort of lay out some other alternatives for dealing with that. It's basically that what they tried to do for most of these.

M But an easy way to respond to that particular one is just point out the sentences and the documentation that say how it was used and where it came from. In essence, that would satisfy that one.

Nancy (**Thompson**) Hello?

M Yes. It was and they were given all of the documents; to my knowledge, from what I could tell, they were given every document that had been created throughout the entire process.

M Yes. There are a whole lot of them.

M(**John Carmichael**) Yes. They had the whole four-inch stack.

Nancy (**Thompson**) So in this particular case, as an example then, if someone, for example, Jerry or someone like that had been there, he would have asked that question probably to their satisfaction.

M(**Bob Mahood**) Nancy, they also wanted alternative assessment methods that would

Nancy (**Thompson**) Exclude the ...data?

M(**Bob Mahood**) Correct.

M(**Jerry Scott**) And use what instead?

Nancy (**Thompson**) And use what instead? Yes.

M(**Bob Mahood**) I don't know. That's what they wanted looked at.

M(**Jerry Scott**) Oh. So that's why this takes quite a long time. It takes settling out what it is specifically that's being asked because it's not a lot of information. A lot of it is open for interpretation. I'd rather not have to go through a ...about 20 times, which is something that does happen.

David (**Cupka**) John - oh, I'm sorry.

Nancy (**Thompson**) Go ahead, David.

David (**Cupka**) I was going to say, John, didn't they also suggest or talked about recommending that when they met to go over that, that somebody from the assessment be present to address questions like that?

John (**Carmichael**) Yes. They discussed having someone from the SSC be present who participated in the assessment workshop when they discuss all of this stuff to get straight answers. One of the things they didn't mention, and I guess it comes out more in the recommendations about the process, was there were a number of decisions and discussions that they had to dig for to find out and they weren't in the report very well, such as the...because that was explained to them.

M It wasn't in the panel report?

John (**Carmichael**) Well, it's not clear in the report how that was used, and we shouldn't

have to go back through the minutes to see what was discussed.

M You mean it wasn't in the panel report?

John (**Carmichael**) Not to their satisfaction, yes.

Nancy (**Thompson**) Okay. Well, it sounds to me like we're moving towards the possibility of doing another mackerel SEDAR at some later point and trying to figure out where to put that in the existing schedule, which takes us, I think, at least through 2006 if not 2007. Maybe I'm wrong. Maybe I'm misinterpreting, but I'm trying to come to some resolution on this.

So if that's the case, I mean the Gulf council is going to go through their process. They've been in SSC. There could, perhaps, be additional recommendations that come out of that as well, which would be considered, but what does that do relative to providing advice at this point relative to the councils and what does this mean relative to the process for SEDAR?

M(**Bob Mahood**) One of the questions I had to get clarified and Wayne, maybe you can answer this. In this latest report to Congress that you got about a day to look at, it had Gulf King Mackerel listed as over fished. They're not over fished, are they?

Wayne (**Swingle**) That was our interpretation from this stock assessment. Of course, it was never ratified by our scientific and statistical committee, but that would have been the recommendation that came out of that, that since we had the one-day to look at it, we suggested that be changed.

M(**Bob Mahood**) I thought previous to this, it had been no longer over fished.

M Does the spring 2003 assessment say they weren't over fished?

M(**Wayne Swingle**) This is the 2003 assessment that's going forward now. We were given a draft copy that I presumed had been reviewed

by the center to see whether our council had any suggested changes. Rick and I did make some. Rick recommended that it not be considered as over fished and still occurring on the King Mackerel.

M(**Jerry Scott**) Yes. The assessment we went through just recently, of course that methodology now, apparently, is being challenged by the SSC in the Atlantic would have suggested that the most recent estimates of ...are not higher than the defined MFMT, which is up 30%. So no longer going over fishing - not yet recovered to the MSY, but no longer undergoing over fishing, and not considered over fished in the Gulf.

M I thought that decision had been made last year. It had some out last year.

M (**Roy Crabtree**) Jerry, if you were to evaluate it relative to the 30% transitional SPR, which I guess was the pre-SFA standard, where would it have been relative to that? Do you recall?

Jerry (**Scott**) The transitional SPR was used by us to define an over fished state and the statistic ...for over fishing. We didn't include any of that in our Sustainable Fisheries Act Amendment because we were told that needed to be a ...

Jerry (**Scott**) But in answer to Roy's question, the transitional SPR estimates aren't quite at 30%.

Roy (**Crabtree**) And that's the problem we have here because when the cut off date was for defining the reference points to be included in the status of stocks, I don't think the mackerel ...that established the new MFST had been approved, and that's how this got fowled up in terms of timing. We've had long discussions about this with headquarter staff and so far, it hasn't been changed.

Bobbi (**Walker**) Roy, let me ask you a question then. If it's stilled declared over fished, if the South Atlantic doesn't accept the current stock assessment and the Gulf does, and

we're still in an over fished mode, then we have that one year time limit, so I guess we'll just all sit back and let the secretary do an amendment?

Roy (**Crabtree**) No. There's no one year time limit here, Bobbi. It was declared over fished a decade ago and it's still in a rebuilding (**plan**) plant. So from a management perspective, whether it's still over fished, listed as over fished or not over fished doesn't really mean anything. It's an issue of book keeping for the status report, but there's no one year time requirement, and as best as I can tell, we're not likely undergoing over fishing and the stock's recovering and I don't see an urgency that you need to do anything at this point. I think we can resolve the problems we have in terms of SEDAR. I'm sure we'll have some discussion of this at the June joint council meeting, but there are no time lines and I think if we just let the status quo (**TACs**) tax and everything else remain until we get through this and resolve where we're going to go with this SEDAR.

M I agree with Roy. I think that we need to hear what the Gulf SSC has to say later this year and, Nancy, work it into our schedule the best we can.

Nancy (**Thompson**) Yes.

M(**Jerry Scott**) One point I'll just raise is that under the recommendations here, number six in particular, the SSC from the Atlantic feels that the best modeling formulation that can be accomplished is assuming 50% of the catch and the overlap vary during the mixing time is from the Atlantic rather than from the Gulf, then I'm less certain about statements about over fishing and over fished status because the tendency is for the Gulf stock under that model scenario.

M(**Roy Crabtree**) But in terms of where we are right now, those statements are based on the last assessment completed, and so whatever changes are contemplated here, those won't be factored into it until the SEDAR is completed and approved by both SSCs at that time.

Nancy (**Thompson**) That's right.

M That's a down the road concern.

M That's okay. I have to point it out.

M(**Roy Crabtree**) I understand that is could make differences in the status of the Gulf stock, depending on what changes are made, but if I understand it, depending on how you handle the ages and all, the differences can go many different directions.

M(**Jerry Scott**) That's true, but actually, the recommendation number three here on the Mackerel motions I think was deal with explicitly for the review panel, and there was quite an extension discussion about the appropriateness of the particular data for generating growth curves in this case, and it's not straightforward and applicable, and I think the recommendation is maybe a little misguided because of a lack of explanation a the meeting.

M(**Bob Mahood**) Nancy, if I could recommend something. We're going to have our SSC meeting in September also. Perhaps Jerry could come up and raise some of these issues, and maybe we can get some clarification.

M(**John Carmichael**) I would say we're told about the growth data and the way that the committee's interpreted the new versus the old and the challenges and I wasn't able to change their mind on that one bit. They stuck with it in spite of trying to point out I think all of the things that Jerry would have pointed out and had been pointing out and point them in the direction of the various documents that got into the growth curve stuff in depth. ...with the newer growth data.

M(**Jerry Scott**) I thought there was some pretty strong language in the review panel report that recommended against dumb application of the new growth data based on the aging information because of size by sampling concern.

Bobbi (**Walker**) Right. It was a small fish that they didn't have anything less than 24 inches in the new growth model.

M(**Jerry Scott**) Right. In essence, the implication is that fish age zero are 50% of those fish are reproducing, and that doesn't seem to make biological sense. Most ...in the meeting, but nonetheless, the recommendation is here.

M(**Bob Mahood**) Well at the very least, if we can't get Jerry up there, maybe you could address some of these in writing, Jerry.

Jerry (**Scott**) Yes. When in September, because that starts to get pretty conflicting with ICAT-related things?

M When is it?

M 20th.

M The week of September 20th.

Jerry (**Scott**) Can I do it from Madrid?

M It doesn't have to be you.

Jerry (**Scott**) But most of my crowd goes to Madrid.

M Okay.

Bobbi (**Walker**) Nancy, the worst case scenario is we would have to put King Mackerel back into the line up and then both councils would have to agree for it to be SEDAR 14.

Nancy (**Thompson**) Yes.

Bobbi (**Walker**) Which takes place in 2007.

Nancy (**Thompson**) Yes.

Bobbi (**Walker**) Okay, so that's worst case scenario.

Nancy (**Thompson**) Yes. But that's where we are.

M We can certainly look at the schedule, Bobbi, and alter it if we feel it's a higher priority.

M What do we do? We get to the joint council meeting in June and figure out where we're going to put it and how we're going to proceed?

Bobbi (**Walker**) Well, there's no reason to do it. Now, I'm wondering if the committee should have a joint meeting at this meeting because you have --

M Oh, yes. We have a lot of things to talk about.

M ... We still have --

Bobbi (**Walker**) Well the extensions of the moratoriums and things like that, but should this issue even be discussed?

M I think so.

M I don't see how you're going to ...it, but ...

Bobbi (**Walker**) Even though your SSC, though, has rejected it.

M The very least that fact has come up...be discussed.

M There are a lot of other issues in amendment 16, Bobbi, that we need to look at to discuss.

M (**Roy Crabtree**) Do we need three days of discussion, do you think, at this point? Don't we have two days at joint council Mackerel and then a third day of South Atlantic Mackerel? Do we really need that at this point?

M(**Bob Mahood**) Well, we're meeting with our advisory panel.

M (**Roy Crabtree**) Oh.

Bobbi (**Walker**) It's just two days of the joint meeting, Roy, the way I understand it between both at the council committee.

Roy (**Crabtree**) Do we need two days of joint council at this point?

Bobbi (**Walker**) I don't know. That's what I'm asking is.

M (**Bob Mahood**) It's on the schedule. I mean we have it in the federal register. Whatever you all -- if we finish early, you can go have a drink out on the pier.

Nancy (**Thompson**) Well, yes, but I mean if it's only one day's worth of stuff then I mean nobody wants to waste their time, obviously. I mean it doesn't matter to me. I'm just saying that, I mean, I think that's how I would feel if I were a council member.

Roy (**Crabtree**) ...demands and the travel demands we have on people are pretty heavy, and if we think we can do this in one day, then I would rather redo it, readjust and do one day on this and change our travel plans. I think right now, Bob, we have that meeting running all the way out to Saturday. If we think we can resolve this in one day, I'd rather not sit on the beach. I'd rather condense this down and get done.

M(**Bob Mahood**) We had Dark Mackerel meetings go until midnight before.

M I guess that could happen too.

M(**Bob Mahood**) Roy, if we get down early, we can move committee meetings up too.

M(**David Cupka**) We don't have anything that's time certain for hearings or anything ...

M(**Roy Crabtree**) Can we move the finish up, though, so that we get done on Friday?

M(**David Cupka**) Potentially.

M(**Bob Mahood**) I don't see why we couldn't. We don't have anything scheduled for Saturday that we couldn't change.

M(**David Cupka**) No public testimony or anything like that?

M(**Bob Mahood**) No.

M(**David Cupka**) Okay.

M That's good.

M(**Roy Crabtree**) ...the kids need to see my face every now and then.

Nancy (**Thompson**) Okay. So where are we? Are we done at this point?

Bobbi (**Walker**) I guess so.

M It's 11:00.

Nancy (**Thompson**) Okay. Now let me ask this, there's going to be an SSC meeting reconvened in September, and we will try very hard and have someone who is involved in the assessment from our end participate in the South Atlantic council's SSC. There's going to be SSC meeting for the Gulf council as well, right?

M(**Wayne Swingle**) September 1st.

Nancy September 1st, and I'm kind of ...

M Can you do it together?

Nancy (**Thompson**) Yes. Can you do it together is right?

M(**Wayne Swingle**) That's a good question. Where are you all meeting, Bob?

Bob (**Mahood**) We're meeting in South Carolina, but we have some issues they have to address.

M Oh, okay. So that's a joint meeting with the council, right?

Bob (**Mahood**) Yes.

Nancy (**Thompson**) Okay. So I'm assuming that the Gulf council...

Wayne (**Swingle**) Maybe we could invite the South Atlantic component to come sit with our council on September 1.

Nancy (**Thompson**) Yes.

M (**Bob Mahood**) Unfortunately, we're about \$100,000 in the hole right now, Wayne, and I don't think that's going to happen.

Bobbi (**Walker**) Nancy, you all might be able to save a lot of money through the ...process if we could get both of the SSCs together.

Nancy (**Thompson**) Yes. That's my thinking. It would be really good.

Bobbi (**Walker**) Get them both together and let them all vote on what they think is best available science.

Nancy (**Thompson**) Yes. Is it at all possible, Bob, Wayne, you think to do that at least for this issue?

Wayne (**Swingle**) We haven't picked a location for our meeting so we're kind of flexible in that regard, but I thought I just heard Bob say they couldn't send their group to meet with ours. I guess the issue would be whether our council could and send our SSC to meet somewhere in Georgia or the South Atlantic area.

Bob (**Mahood**) Our SSC has to meet with our council and that doesn't mean that they can't also meet with the other SSC, but it would...

Wayne (**Swingle**) It would probably be advantageous if that meeting was held before their meeting with your council.

Nancy (**Thompson**) Yes, like the day before or something. Well, I tell you what, Wayne and Bob, can you guys try to work something out?

M(**Bob Manood**) Yes.

Nancy (**Thompson**) If you can, that's great. If you can't, then I'll need something from the Gulf council Wayne because my guess, again, is that you'll have an expectation that someone will be there for that as well from us.

M ...I could be most helpful if Jerry or some of his troops could be there.

M (**Bob Mahood**) We have a lot of folks on our SSC that wouldn't contribute to a meeting like that. We're talking about ...type stuff, but we do have our biological subcommittee of the SSC that we could potentially stand to meet with.

John (**Carmichael**) The reality is, I think, given the SEDAR schedule and what's already going on is Mackerel is going to be reconsidered. It's not going to be reconsidered in the next six months. It's going to have to be down the line. There are things in place right now that councils can probably manage with as was earlier stated. Maybe the best thing is to let the Gulf SSC come up with what it's going to come up without the Atlantic people in the room so they can feel fully independent and if there are discrepancies, then we could have the Gulf Fin Fish panel and the South Atlantic bio assessment panel, the core groups of both that are assessment people, get together and try to come up with clear recommendations for what they'd like to see done in the assessment and come up with an idea how long it would take to do the things so that we know when is an appropriate time to schedule the next Mackerel assessment.

M Sounds good to me, John.

M(**Wayne Swingle**) We have about 20 people on our Fin Fish SAP so if we could pick a subset, I guess, that would be helpful.

M (**John Carmichael**) Yes. I think that would be great, maybe like ten people who really care about Mackerel.

Nancy (**Thompson**) So is that agreeable to everybody?

M (**Bob Mahood**) We'll work something out, Nancy.

Nancy (**Thompson**) Okay. Then whatever is worked out will be vetted to everybody so we have an opportunity to comment on it.

M Correct.

Nancy (**Thompson**) Okay.

Bobbi (**Walker**) Sounds good.

Nancy (**Thompson**) All right. Anything else? Okay. So John, we'll get together, you and I will get together and we'll talk about the motion, or not the motion, but what we've accomplished with this meeting and we need to obviously get that out as well. You've been very good about that doing that - better than I certainly would be. Anything else from anybody?

Bobbi (**Walker**) That's it.

Nancy (**Thompson**) All right. Well thank you very much, everybody.

Bobbi (**Walker**) Thanks, everybody.

M Bye.

Nancy (**Thompson**) Bye-bye.