GULF OF MEXICO FISHERY MANAGEMENT COUNCIL

283RD MEETING

FULL COUNCIL SESSION

Via Webinar

January 27-28, 2021

VOTING MEMBERS

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Susan Boggs.....Alabama
Leann Bosarge.....Mississippi
Dale Diaz.....Mississippi
Jonathan Dugas.....Louisiana
Phil Dyskow.....Florida
Tom Frazer.....Florida
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Robin Riechers.....Texas
John Sanchez.....Florida
Chris Schieble (designee for Patrick Banks).....Louisiana
Bob Shipp.....Alabama
Joe Spraggins.....Mississippi
Andy Strelcheck.....NMFS
Greg Stunz.....Texas
Ed Swindell.....Louisiana
Troy Williamson.....Texas

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TABLE OF MOTIONS

PAGE 92: Motion to strike the red drum abundance proposal from consideration in the 2021 plan. The motion carried on page 92.

PAGE 107: Motion to have the council contribute $94,000 from the 2021 budget to the funding of the SERO permit software. The motion carried on page 114.

PAGE 126: Motion to remove the commercial sector from Action 4, Alternatives 2 and 3. The motion failed on page 130.

PAGE 130: Motion to remove the minimum size limit option for king mackerel from Amendment 33. The motion carried on page 131.

PAGE 131: Motion in Action 4 to make Alternative 2, Option 2a and Alternative 3, Option 3a and Sub-Option i the preferred. The motion carried on page 137.

PAGE 138: Motion in Action 5 to make Alternative 2 the preferred. The motion carried on page 139.

PAGE 141: Motion in Action 2 to make Alternative 3 the preferred. The motion carried on page 145.

PAGE 145: Motion in Action 1 to make Alternative 2 the preferred. The motion carried on page 146.

PAGE 147: Motion to approve Reef Fish Amendment 48/Red Drum 5: Status Determination Criteria and Optimum Yield for Reef Fish and Red Drum and that it be forwarded to the Secretary of Commerce for review and implementation, giving staff editorial license to make the necessary changes in the document. The motion carried on page 149.

PAGE 152: Motion in Action 1 to make Alternative 2 the preferred alternative. The motion carried on page 153.

PAGE 153: Motion to approve the Framework Action: Modification of Gray Triggerfish Catch Limits and that it be forwarded to the Secretary of Commerce for review and implementation, and deem the codified text as necessary and appropriate, giving staff editorial license to make the necessary changes in the document. The Council Chair is given the authority to deem any changes to the codified text as necessary and appropriate. The motion carried on page 155.

PAGE 156: Motion to approve the Framework Action: Modification of the Gulf of Mexico Lane Snapper Catch Limits and Accountability Measures and that it be forwarded to the Secretary of Commerce for review and implementation, and deem the codified text as necessary and appropriate, giving staff editorial license to make the necessary changes in the document. The Council Chair is given the authority to deem any changes to the codified text as necessary and appropriate. The motion carried on page 158.

PAGE 159: Motion to request the SEFSC add two additional analysis runs to the research track red snapper assessment that would replace federal recreational survey data with state recreational survey data with and without GRSC data. The motion carried on page 160.

PAGE 161: Motion that any future increases to state-specific ACLs in 2021 or 2022 would be calibrated based on adding this language to existing Alternative 2 and the council agrees to review the state-specific ACL allocations by 2022 or sooner. The motion carried on page 182.

PAGE 183: Motion in Action 1 to add a new Alternative 4. Alternative 4 is to add a series of options that would incorporate an increase to the overfishing fishing limit (OFL) and acceptable biological catch (ABC) based on the results of the Interim Analysis as informed by the Great Red Snapper Count. If the results of the review by the SSC result in a minimum of 0 percent or 25 percent increase in ABC, the newly added quota would be incorporated into the state-specific ACLs using the calibrations indicated in Alternative 2 for the 2021 and 2022 recreational fishing seasons. Regardless of the results of the interim analysis, the state specific ACLs will be reviewed in 2022 or as soon as practicable. The motion carried on page 189.

PAGE 192: Motion in Action 1, Alternative 3, apply 23 percent reduction to the quota currently allocated to each of the states. Any future increases to state-specific ACLs in 2021 or 2022 would be calibrated based on Alternative 3. Alternative 3 is modify the state-specific red snapper private angling component ACLs by establishing a state management ACL that is 23 percent below the private angling component quota and applying the allocation percentages established in Amendment 50A of the Reef Fish FMP. The resulting state ACLs are as follows: Alabama 864,450; Florida 1,473,357; Louisiana 628,499; Mississippi 116,694; Texas 204,131. The motion carried on page 193.

PAGE 193: Motion to direct staff to initiate an amendment to

adjust the OFL and ABC based on the results of the interim analysis for red snapper (as informed by the GRSC) and SSC recommendations. The private recreational ACLs should include, but not be limited to, a range of alternatives that consider reallocation based on state specific biomass estimates derived, in part, from the GRSC and NOAA's socioeconomic data. Allocation for the commercial and CFH sectors will also be considered in this amendment. The motion carried on page 200.

PAGE 200: Motion to direct staff to initiate a framework action to adjust the OFL and ABC based on the results of the interim analysis for red snapper (as informed by the GRSC) and SSC recommendations. The motion carried on page 202.

PAGE 203: Motion in Action 1 to make Alternative 2 the preferred. The motion failed on page 205.

PAGE 205: Motion to add a new alternative (Alternative 5) to Action 1 in the Red Snapper Data Calibrations and Catch Limits Framework Action that would reduce each state's quota by 11.819 percent for the 2021 private recreational red snapper season. The motion carried on page 211.

PAGE 216: Motion to direct staff to work on a plan amendment to update rebuilding plan for greater amberjack and revise catch limits and sector allocations based on the MRIP-FES data. The motion carried on page 216.

PAGE 217: Motion to include an option which holds the commercial ACL in pounds at its current level. The motion carried on page 219.

PAGE 221: Motion to direct staff to begin a joint amendment with the South Atlantic Fisheries Management Council to update catch levels for yellowtail snapper based on the results of SEDAR 64. The motion carried on page 222.

PAGE 223: Motion to request a presentation on the process for arriving at yearly red grouper average weight via MRIP and include sample sizes per strata, PSEs, and other relevant data for each year. The motion carried on page 223.

PAGE 223: Motion in Action 1 to make Alternative 3 the preferred. The motion carried on page 224.

PAGE 224: Motion to include an option which holds the commercial ACL in pounds at its current level. The motion carried on page 226.

PAGE 227: Motion in Action 2 to make Alternative 3 the preferred. The motion carried on page 227.

PAGE 227: Motion to take Amendment 53: Red Grouper Allocations and Annual Catch Levels and Catch Targets to public hearing. The motion carried on page 229.

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The Full Council of the Gulf of Mexico Fishery Management Council convened via webinar on Wednesday afternoon, January 27, 2021, and was called to order by Chairman Tom Frazer.

CALL TO ORDER, ANNOUNCEMENTS, AND INTRODUCTIONS

CHAIRMAN TOM FRAZER: I am going to call to order the Full Council, and I will read the Chair's statement. Welcome to the 283rd meeting of the Gulf Council. My name is Tom Frazer, Chair of the council. The Gulf Council is one of eight regional councils established in 1976 by the Fishery Conservation and Management Act, known today as the Magnuson-Stevens Act. The council's purpose is to serve as a deliberative body to advise the Secretary of Commerce on fishery management measures in the federal waters of the Gulf of Mexico. These measures help ensure that fishery resources in the Gulf are sustained, while providing the best overall benefit to the nation.

The council has seventeen voting members, eleven of whom are appointed by the Secretary of Commerce and include individuals from a range of geographical areas in the Gulf of Mexico with experience in various aspects of fisheries.

The membership also includes the five state fishery managers from each Gulf state and the Regional Administrator from NOAA's Southeast Fisheries Service, as well as several non-voting members.

Public input is a vital part of the council's deliberative process, and comments, both oral and written, are accepted and considered by the council throughout the process. Anyone wishing to speak during public comment should call the toll-free phone number provided on our website and on the screen during the public comment period of the meeting.

A digital recording is used for the public record, and, therefore, for the purpose of voice identification, please unmute your line when your name is called and state your first and last name.

MS. BERNADINE ROY: Kevin Anson.

MR. KEVIN ANSON: Kevin Anson.

MS. ROY: Patrick Banks.

MR. PATRICK BANKS: Patrick Banks.

MS. ROY: Susan Boggs.

MS. SUSAN BOGGS: Susan Boggs.

MS. ROY: Leann Bosarge.

MS. LEANN BOSARGE: Leann Bosarge.

MS. ROY: Andy Strelcheck.

MR. ANDY STRELCHECK: Andy Strelcheck.

MS. ROY: Dale Diaz.

MR. DALE DIAZ: Dale Diaz.

MS. ROY: J.D. Dugas.

MR. J.D. DUGAS: J.D. Dugas.

MS. ROY: Phil Dyskow.

MR. PHIL DYSKOW: Phil Dyskow.

MS. ROY: Tom Frazer.

CHAIRMAN FRAZER: Tom Frazer.

MS. ROY: Martha Guyas.

MS. MARTHA GUYAS: Martha Guyas.

MS. ROY: Robin Riechers.

MR. ROBIN RIECHERS: Robin Riechers.

MS. ROY: John Sanchez.

MR. JOHN SANCHEZ: John Sanchez, Florida.

MS. ROY: Thank you. Bob Shipp.

DR. BOB SHIPP: Bob Shipp.

MS. ROY: Thank you. Joe Spraggins.

GENERAL JOE SPRAGGINS: Joe Spraggins.

MS. ROY: Thank you. Greg Stunz.

DR. GREG STUNZ: Greg Stunz.

MS. ROY: Thank you. Ed Swindell.

MR. ED SWINDELL: Ed Swindell.

MS. ROY: Thank you. Troy Williamson. Dave Donaldson.

MR. DAVE DONALDSON: Dave Donaldson.

MS. ROY: Thank you. Lieutenant Peterson.

LT. ADAM PETERSON: Adam Peterson.

MS. ROY: Thank you. Troy Williamson, again. Okay. Thank you.

CHAIRMAN FRAZER: Okay. Thank you, Bernie. Before we get settled into the particulars of the meeting, with the Adoption of the Agenda and the Approval of the Minutes, I am going to ask Mr. Diaz, Chair of the council's Law Enforcement Committee, to recognize Sergeant Dupre as the 2019 Law Enforcement Officer of the Year. Mr. Diaz.

PRESENTATION OF THE 2019 LAW ENFORCEMENT OFFICER OF THE YEAR AWARD

MR. DIAZ: Thank you, Mr. Chair. The council's Officer of the Year Award acknowledges service above and beyond duty requirements and recognizes distinguished service, professionalism, and dedication to enforcing federal fishing regulations in the Gulf of Mexico.

I am happy to announce that this year's recipient of the Gulf of Mexico Fishery Management Council's 2019 Law Enforcement Officer of the Year Award goes to Sergeant Scott Dupre of the Louisiana Department of Wildlife and Fisheries.

Sergeant Dupre has led and assisted with numerous federal fisheries cases throughout his career, and he has vast knowledge of state and federal fishing regulations, and he has made cases for shrimping violations, improper licenses and permits, and for possession of undersized or out-of-season fish.

In 2019, Officer Dupree made a case in federal waters that cited a captain for shrimping without a federal permit, not abiding by federal shrimp trawl tow time regulations, and for violating the

Endangered Species Act by being in possession of a sea turtle and two bottlenose dolphin skulls.

Sergeant Dupre is highly praised for his professionalism and for his interview and investigative skills, his good rapport with the public. His collaborative work with other agents make him easy to work with and successful in his career. Captain Jeff Boise of Louisiana's Law Enforcement Division said that Sergeant Dupre's work ethic is above-average, and his incredible drive to apprehend any violators separates him from his peers.

On behalf of the Gulf of Mexico Fishery Management Council, I would like to congratulate Sergeant Scott Dupre on this well-deserved accomplishment of being named as the Gulf of Mexico Fishery Management Council Officer of the Year. Dr. Simmons has a plaque that she would like to show, if Dr. Simmons could do that, and then, when she gets done, I would like to invite Officer Dupree, if he wishes to, to say a few words, and it's strictly up to him if he would like to do that. Dr. Simmons.

EXECUTIVE DIRECTOR CARRIE SIMMONS: Thank you, Mr. Diaz. Congratulations, Sergeant Dupre. Thank you so much for your service and the team at Louisiana Wildlife Department. On behalf of the Gulf Council, thank you very much. Congratulations.

MR. DIAZ: Officer Dupre, like I said, it's strictly up to you, but, if you would like to say a few words, we would love to hear from you. If not, you can just let us know.

SERGEANT SCOTT DUPRE: Thank you, guys, for the recognition. It's an honor and a privilege. I am pretty speechless right now, and I don't know what else to say, but it's a huge honor to be recognized as this Officer of the Year. I just can't thank you guys enough.

MR. DIAZ: Sergeant Dupree, we really appreciate your service and your work. Without law enforcement, nothing that we do really works, and so we recognize that, and we recognize that you are a leader in your field, and, when I saw that you made that case for tow times, I mean, that takes people that are able to get out there and not been seen while you're watching people, to spend all the time dedicated to document that, and I know you're a dedicated officer, and we appreciate it. Thank you very much.

SERGEANT DUPRE: Thank you, and I look forward to many more years of the hard work and dedication that it takes to continue

these cases.

CHAIRMAN FRAZER: All right. Thank you, Dale, and, again, congratulations, Sergeant Dupre, but I think we have a couple of other folks that might want to say a few words, and I would like to recognize Patrick Banks from Louisiana.

MR. BANKS: I appreciate it, Mr. Chairman. I just wanted to echo those comments. I appreciate Scott and everything he does and your brothers and sisters in enforcement do for us. We as biologists know that it takes a very good team effort, from our standpoint, to be teamed up with you guys to make wildlife and fisheries management happen, and I just greatly appreciate the hard work you guys put in, and so congratulations from all of us on the biological side of the agency.

ADOPTION OF AGENDA AND APPROVAL OF MINUTES

CHAIRMAN FRAZER: Thank you, Patrick, for taking the time to provide those words, and, again, Dale, I appreciate the time to recognize Sergeant Dupre for an award that was well earned, and so, again, thanks to everybody, and we will now move on to the core of our meeting here.

The first order of business would be the Adoption of the Agenda, and that would be Tab A, Number 3 in your briefing materials. Can I get a motion to adopt the agenda?

MR. BANKS: So moved, Mr. Chairman.

CHAIRMAN FRAZER: It's moved by Mr. Banks. Is there a second?

MR. RIECHERS: Second.

CHAIRMAN FRAZER: It's seconded by Mr. Riechers. Okay. So is there any -- It looks like there's no other additions or modifications to the agenda, and I am not seeing any. Is there any opposition then to approving the agenda as written? Seeing none, the agenda is approved.

The next order of business would be the Approval of the Minutes, and that would be Tab A, Number 4. Can I get a motion to approve those minutes?

MR. RIECHERS: So moved.

CHAIRMAN FRAZER: It's moved by Mr. Riechers. Is there a second?

MR. DIAZ: Second.

CHAIRMAN FRAZER: It's seconded by Mr. Diaz. Okay. Any other discussion about the minutes, any modifications or edits? Seeing none, is there any opposition to approving the minutes as written? Hearing no opposition, we will consider the minutes approved. Thank you, folks.

We will go into -- We have a couple of presentations, and the first presentation on the list is by Dr. Reinhardt, and it's an update on the Deepwater Horizon Open Ocean Fish Restoration, and so that would be Tab A, Number 7.

PRESENTATIONS
DEEPWATER HORIZON OPEN OCEAN FISH RESTORATION

DR. JAMES REINHARDT: Thank you very much. I do want to express my gratitude for having the opportunity to speak with you all again. I believe I was presenting at a council session about a year ago, or around a year ago, and some of my other colleagues I know have presented more recently at some of the sub-committees as well, trying to continue to communicate to you all about the Deepwater Horizon Restoration Projects.

I will just run over what I hope to provide to you today, and I'm just going to take twenty minutes, hopefully, and provide you with a presentation. First, I will provide just a little bit of background and context for the fish and water column invertebrate restoration, the stuff you guys are already familiar with and aware of, just as a reminder.

Then I will get into providing just high-level overviews of the restoration projects that are being conducted under the Open Ocean TIG for restoration of fish and water column invertebrates. I will be providing you just some key milestones as they're coming up, and I want to highlight the work that we've done to establish partnerships to implement these projects and the work we're doing to engage with stakeholders, to make sure we have successful projects.

The background, the injury, and I'm sure -- It's been ten years now, but it's still probably pretty clear in many people's memory the extent of the oil spill and the hundreds of species that were injured, including important commercial and recreational species like red snapper, bluefin tuna, spotted seatrout, among others that were injured from the spill.

The spill was on our shores and at the deepest parts of the ocean, impacting the entirety of the Gulf of Mexico ecosystem, and so the injury has been characterized from the impacts to the level of the individual organisms, including growth defects, impacts to heart and cardiac function, as well as mortality, and also documented at the community level, showing impacts to things like community composition and diversity on our reefs.

I am going to provide a little fact sheet link in the chat function there, and I know that not everybody can have that, but I will just provide that to you, and our friends at Sea Grant in the Gulf have done a tremendous job of putting materials together to educate folks on things like injury.

Now comes our chance at conducting restoration for the injury to the fish and water column invertebrates, and we have developed a programmatic restoration plan that attempts to address this broad range of injury by a number of mechanisms, a number of different approaches to restoration.

We are interested in conducting restoration in these sort of categories that I laid out here, wetlands and coastal and near-shore habitats, and a lot of this work is being conducted on our state shores. This is the work that's being done to develop and create marshes that will help provide restoration to fish. Then working in the deep, with the deepwater, focusing on community restoration at mesophotic and deep benthic depths.

Fish and water column invertebrate restoration, that's sort of the group, the restoration type, that I will be talking about today, but we also expect restoration to occur because of projects that are being conducted in Florida on nutrient reduction and improving water quality in our coastal embayments, as well as other restoration projects that are focused on doing restoration for SAVs, oysters, and in our federal waters.

There is a lot of information on the internet that explains in more detail what level of effort is being put in each one of these restoration types, the amount of funding, but, just to give you an order of magnitude, we anticipate that over $400 billion will be spent on doing wetland, coastal, and nearshore habitat restoration, and that restoration effort is being largely led by the state TIGs, in cooperation with the federal trustees as well, and up to -- Over $400 million will be spent, again, by state TIGs on improving and restoring water quality in our coastal areas.

Hopefully, all these different types of restorations, conducted

together, are going to provide the restoration that we require for that scale of injury to the fish and water column invertebrates.

As a reminder, the one sort of restoration type that I am talking about, the restoration for fish and water column invertebrates, is largely focused on reducing mortality, reducing direct sources of mortality, to fish in the water column, and part of that goal is to increase the health of our fisheries by making sure that we're reducing barriers and providing methods so that we can reduce overall impacts to fishery resources.

There is a total of $400 million being spent in this restoration type, and we have allocated close to -- Not quite $80 million with five restoration projects that have currently been funded by the Open Ocean TIG. I am going to talk in more detail about some of these projects, and I will just give you the overview right now.

The first project to talk about is the Reduction of Post-Release Mortality from Barotrauma Project. It's a fish descender project, or the barotrauma project, that we have engaged with the council and some of the sub-committees previously. The project, we have a project called the Communication Networks and Mapping Tools to Reduce Project, and so Phase 1 is sort of design the project. The ongoing Oceanic Fish Restoration Project works with the pelagic longline fishery, and it's a funded project to help restore bluefin tuna by working on depth optimization.

I will go to the next slide and get into a little bit more detail on the projects, and so the Fish Descender Device Project is a project that is intended to really work with anglers on providing education and materials, so that best handling practices can be more widely adopted within the reef fish fishery.

This project also intends to lower barriers, and not just educational barriers, but barriers to getting devices, by providing devices and promoting their use within the fishery. I will speak a little bit to timelines on this project, and we anticipate that, by September of this year, we will start being able to distribute devices in a constrained way, initially working with charter boats and headboats to get devices out into the fishery.

Another major component of this project is to monitor for the

changes in use of these devices within the fishery and make sure that the handling practices and best methods are being adopted within the fishery, and, lastly, we are interested in improving the release mortality estimates for reef fish, so that we can better assess whether or not our restoration project is having the intended impact on the fishery.

An update on the Fish Descender Device Project is we're real happy with the agreements that we have finalized recently with some of our partners, and this includes Florida Sea Grant and the Gulf States Marine Fisheries Commission, who are working with us to implement this project.

We have been conducting outreach to state fisheries managers and industry representatives and with the council and commission committees, in order to continue to figure out the best ways to implement this restoration project.

Recently, the commission put out an RFP for a couple of studies, and one is a study to help us understand attitudes and opinions about best release practices in the Gulf, and also an RFP that's going to help us get better post-release mortality estimates. We've received a number of proposals for those, and the commission is in the process of evaluating those proposals.

We are also getting really into the weeds on figuring out what the logistics are going to look like for providing and distributing descending devices, and we want to make sure that we are doing that in a way that allows us to put out the best and the most recent educational materials on release practices, to make sure that we have sufficient monitoring in place so that we can understand the impact that the device distribution and education is having within the fishery, to make sure that we understand what those benefits are as we roll out the project, and, of course, we have our -- We're making sure that those education materials are put together and that our outreach and communication plan, including things like branding and marketing for a project, is put together.

A little bit more about the monitoring aspects, and so I think, importantly, we have a multifaceted approach to monitoring for the effectiveness of our restoration project, and we are -- Like I mentioned, the commission is putting into -- It is reviewing proposals for a survey that's going to help us understand attitudes and opinions about fish descending devices, and also best handling practices, across the Gulf. This will expand on some research that has already been conducted on that matter, and it's going to help us understand what are our perceived

barriers to the implementation of this project.

We also intend to integrate with existing monitoring frameworks, and so, where possible, we're working with state -- We want to work with states on their recreational fisheries monitoring programs, so that we can ask appropriate questions that is going to allow us to evaluate changes in prevalence of the use of fish descending devices and handling practices, as well as thinking how we can integrate with and ask questions for charter logbooks, to understand the use and changes of use within the charter sector.

We have an interest in enhancing observer coverage on headboats, in order to get a more precise understanding of how these practices are being implemented, and also to help validate our other monitoring, and then, lastly, of course, the RFPs that have been put out by the commission are going to -- They are studies that are going to help us understand, in a more precise way, release mortality estimates.

This is on to the next project. The Better Bycatch Reduction Project is a voluntary restoration approach that wants to work with commercial fishermen, shrimp trawl fishermen, in the Gulf of Mexico to put new and innovative bycatch reduction devices in broader use within the fishery, and so, again, the project team is really focused on establishing strong partnerships, and, in this case, agreements with Florida Sea Grant are currently being finalized as our implementation partner for this project.

Following identification of BRD technology, there is a number of steps to validate the effectiveness of those BRDs within the Gulf of Mexico, and then the project -- We would like to maximize that use within the fishery and make sure that the use of those BRDs are being appropriately implemented throughout the shrimp trawl fishery.

Again, I'm happy to say that we're in the final steps of solidifying the partnership with Louisiana and Texas Sea Grant for this project, and additional stages are largely going to be focused on creating a strong communication strategy, and those discussions with Sea Grant have already started, and that engagement strategy includes establishing a stakeholder workgroup, so that there's a system and pathway for ongoing engagement with the shrimp trawl fishery.

We have a couple of phases that will include outreach to identify new BRDs, bycatch reduction devices, and to initiate testing with that, and that also accompanies some dockside

outreach that is going to not only help us learn about the BRDs, innovative BRDs, that are currently in use within the fishery, but to make sure that the BRDs that are in use are -- That we can have some dockside outreach specialists to make sure that those BRDs are in use or are being used effectively.

I will say there's a couple of COVID-related bumps in the road related to that outreach, and largely that's been stalled because of travel restrictions.

The third project that I will talk about is a project that is communication networks and mapping tools, and we call this the Hotspots Project. For this project, we have initiated a partnership with NFWF, National Fish and Wildlife Foundation, to implement this project. Now, this is a sort of Phase 1 project, where we are determining the feasibility of implementing a hotspot and communication map-type restoration project, where we think near-real-time maps will help fishermen avoid areas of high bycatch and hopefully direct them to areas of more productive fishing.

This Phase 1 project is largely just an evaluation of options, implementation options, and coordination with fishermen and stakeholders, including state and federal fisheries managers, to help us understand what's feasible. For this, NFWF is just finalizing a request for proposals for project and communication managers and liaisons to get this project off the ground, and so it hit the street in February.

I just want to highlight some of the key things that we really tried to focus on for the first year. A lot of it has been on the partnership development and making sure we have strong teams to help us implement these projects.

We are, again, for many of these projects, putting a substantial emphasis on public engagement, and that's one of the reasons I am grateful for the opportunity to present to you all and have the public venue, and so that's important for me.

We are making sure that we are sort of sequencing this implementation appropriately. Like I said, the Fish Descender Device Project, we're not trying to do everything all at once. We're going to make sure that, when we start initiating the distribution of devices, that we're doing it in a way that's actually manageable for the team, and we can learn from early experiences to create a better restoration project.

Lastly, I just want to remind everybody that this is really --

It's been ten years since the spill, but we are still largely at the beginning of restoration. Like I mentioned, there is over $320 million left to be allocated just out of the fish and water column invertebrate restoration type, and so, while we have these five projects approved for funding, we have initiated implementation, and we have a whole lot of work and planning ahead of us, and so I will just put a plug in that we will likely have some ongoing strategic planning over the next year, in order to help us understand best ways to direct resources from the fish and water column invertebrate restoration type moving forward.

I think the next slide is simply my closing slide, and this, of course, is the plug to please go ahead and go to our Gulf spill restoration website, and that not only provides the latest and greatest information on what the NRDA trustees are doing, but also you can really dig in there and find -- There is lots of resources to communicate about what's been going on in restoration planning, and so thank you, and I hope we have an opportunity to address questions, and I can, obviously, fill in information, where you need more, or provide a more general overview. Thank you.

CHAIRMAN FRAZER: Great. Thank you, Jamie. I really appreciate you taking the time out of your schedule to join us and provide that presentation. I think everybody really appreciates all the work that the trustees are doing, and all the stakeholders, and it's a long and complicated process, right, but hopefully we'll all benefit from the restoration efforts moving forward, but, most of all, again, you mentioned it's been ten years, and you're just at the beginning, and so I think people should really value and appreciate the persistence of you and your team to make sure that we get the best out of all of these restoration dollars. I know that there are a few questions, and I think John Sanchez has his hand up. We'll see if John is on.

MR. SANCHEZ: Yes. Thank you, Mr. Chairman. I had a quick question for you, James. I'm curious to see if you have, at some point -- If you don't have it with you, I understand, but, if you could provide it, either to me personally or in the future, but some landings results from the first open ocean project, kind of like poundage, and maybe dollar value, for some of these tunas and swordfish from that project.

DR. REINHARDT: John, thanks for asking that question. As you know, that project is starting its fifth year, and so we basically have four years' worth of data for that project now, and so we have recently done a number of analyses that allow us

to present that information, and I will -- That should be forthcoming in the next few months, that we'll be able to get that onto our website and make that more broadly available to the public on that.

The good news is that that information will be up on the website, probably in a few months, and we've got four years' worth of data, and two years was barely enough to do anything, but now we're at four years, and so I'm happy to report that that's coming soon.

MR. SANCHEZ: Thank you.

CHAIRMAN FRAZER: Okay. Thanks, John, for that question. Next up is Ms. Guyas.

MS. GUYAS: Thanks, Mr. Chair, and thanks for the presentation. I appreciate the update, and it looks like there's a lot of really exciting things coming up ahead. My question is about the post-release mortality descending device studies that are in the works here, and so I know that the DESCEND Act was signed into law just a couple of weeks ago, and I'm wondering how that might affect some of the studies that are being planned here, if that changes maybe some of the questions and how we approach, I guess, looking at the changes in use of descending devices and handling methods and that kind of stuff. I am just kind of wondering what your thoughts are on that.

DR. REINHARDT: Well, I'm happy to take your suggestions, if you have them, of specific ways to change it. I will say that we don't have -- I think the commission is expecting final proposals in the next few days, and so we'll -- We're going to have to review and see what PIs turn in for those proposals and what they think they're interested in monitoring.

I know that there's some language within the DESCEND Act that directs the National Academies to do additional work on post-release mortality, and my great hope is that we can remain coordinated through that process, just as we remain coordinated with other existing NOAA offices and programs that are interested in evaluating post-release mortality and/or the effectiveness of descending devices.

My promise is that we'll just do our darndest to be coordinated with other offices and programs that are investing money into post-release mortality work, and I think that we can ask PIs to make sure that that's the work that they conduct as part of our project, and that it's done in a framework that might be

adaptable and be used and can be synthesized with other research of the same nature, so that we can draw broader conclusions for that work. I think, for those studies, I think the -- Better understanding of post-release mortality rates is still a valuable thing for us to understand, and I don't know if I have answered your question.

MS. GUYAS: I think that helps. Thank you. I appreciate it.

CHAIRMAN FRAZER: Great. Thank you, Ms. Guyas. Next is Ms. Bosarge.

MS. BOSARGE: Jamie, thanks. That was an excellent presentation, and you really took a broad item, a broad pool of funds, a broad pool of different projects, and managed to really hone-in kind of on some specific projects that will probably, you know, have effects on the things that we manage here and our fishermen, and I appreciate that. I appreciate you actually getting into some details on that, and that's very helpful. Thank you. It was excellent.

You mentioned the bycatch reduction devices for shrimp vessels, and, of course, as an industry, we certainly would love to improve any place we can, and, if there is a better design, then, hey, we're all for it, and I'm excited that you all are doing a great job of trying to include the fishermen on the frontend, include the stakeholders and engage them in some discussions and working groups, and that's excellent.

We're hard to get along with, and so good luck on that, but, hey, I have faith in you, but, no, in all seriousness, we did receive a presentation on that and one other project that actually had to do with bar spacing on TEDs at the Shrimp AP meeting, and the part that kind of alarmed me and worried me a little bit was it was mentioned that some of the funding had been cut, or reduced, for certain portions of some of these projects for the shrimp fleet, and, unfortunately, it sounded like that funding cut was going to come in the form of reduced or eliminated testing on the actual commercial trawl vessels after the design has been fleshed out and you have a final product.

That is key. That is really where the rubber meets the road and where you're going to find out if this thing is really going to work or not, and not just testing on one boat here and one boat there, but it has to be geographically in different parts of the Gulf, because you encounter different things in different areas.

You may plug something up with jellyfish in one area, and you may be plugging something up with derelict tires and crab traps in a different area, and we need to see that. We need to see what happens in different areas, and so I would encourage you to -- If cuts have to be made, please don't make it on that final step that is really key to getting something that will work in the fishery, in day-to-day operations.

Then a general sentiment that came out of that AP meeting, and this is not aimed at you, but I hope that you will carry this back, this message back, up the chain, and so what you're trying to do is restore fish populations and marine mammal populations, right, and the fishermen are not the one that killed those fish and turtles and dolphins. The oil industry is the one that caused that damage, but it's on our backs to make sure that those populations, the fishermen's backs, to get restored back and undo the damage that somebody else did.

In a lot of ways, we feel like all this money is being spent to put additional regulations, in sometimes punishing ways, on the fishermen for something they didn't do and cause, and so I hope, at some point in the future, the council will get to receive a presentation on all the extra regulations and burdens that have been put on the oil industry to make sure that they don't damage the populations again.

Finally, my last comment would be I have always had a hard time trying to even figure out where shrimp falls in those categories that they created at the beginning, and I guess we're in the water column fish and invertebrate section somewhere maybe.

DR. REINHARDT: I was going to say that, yes, you're in that, and you're also in the coastal and nearshore habitats, because of the tight habitat association that penaeid shrimp have with those marshes.

MS. BOSARGE: Great, and so I am anxious to one day see the increases and restoration of actual shrimp populations and the money that's being spent there to restore those, rather than simply the money that's being spent to put additional regulations on the shrimp industry to restore other populations.

One idea, and one thing I have always pushed, with all of this BP money, and I have said for years now that the billions of dollars that we received to restore habitat and populations in the Gulf of Mexico, that is probably the only time we'll ever have that much money to try and address the dead zone in the Gulf of Mexico and make that useable and productive year-round

habitat again.

I understand that, yes, we have some money that is going to, I'm guessing, the coastal states to improve water quality and things like that, but that's dealing with what's coming out of the fire hose, and we need to go up there to where you turn the fire hose on, and we really need to mitigate what's going into the water and not study what's going into the water and the nutrient runoff, but mitigate it, stop it, reduce it, and so, I wonder, are there any efforts for that?

DR. REINHARDT: Well, you made three great points that I just want to address, and I think they're all a little bit connected, and so what I heard is, first of all, we understand that the fishermen are certainly not the cause of this problem, and it's not on them to bear any burden for no fault of their own, for BP's mistake in spilling all of this oil. I think that's the real importance of engagement and working with the fishing communities for better bycatch reduction.

We all know the amazing amount of work that the fishery has done over the last ten or twenty years to almost halve the amount of bycatch, fish bycatch at least, that the trawlers pull up. There has been amazing improvements, and, hopefully, with the Better BRD Project, we can reduce that even by 10 more percent, and we think that would be an amazing benefit.

Of course, you mentioned continuing to make sure that we are working with the fishery as we kind of go from the concept and the testing phase to actually being able to prove and test it in the field, and it doesn't work the same way out of Beaumont that it might out of Alabama, and so I agree with you that I think that's really important.

As I tried to kind of demonstrate with one of the slides early on, you know, we really have this multifaceted approach for doing restoration across the entire ecosystem for the injury that happened to fish, and so we have lots of money to do habitat restoration, and that's going on in Louisiana, for instance, and in Texas, and we have projects that are largely led by USDA on addressing water quality issues.

For example, the USDA has a program that is operated through the NRCS, where they are working with farmers, in a voluntary fashion, just like we work with fishermen in a voluntary fashion, and so those farmers will change their agriculture practices, because they have less runoff of nutrients from their farm that are impacting the coastal embayments in Florida, and

so we're asking for those farmers to help voluntarily make some behavior changes that are going to help improve water quality.

It's the same thing we ask for from tourists who frequent the beaches in the Panhandle of Florida, where we're asking people to do a better job of protecting BRD nesting habitat, and we're trying to put signage up there to help prevent that, or we're changing the lights on their coastal homes, so that sea turtles might be impacted less by those types of things, and so, again, we're trying to work largely -- We're a non-regulatory program, and so we're largely trying to work in a voluntary way, and we're trying to create the right incentives for folks to want to work with us, and so I really appreciate the opportunity to work with the fishermen, and I know they have a lot to offer in this area, and, obviously, we want to continue the dialogue to make that restoration partnership better.

CHAIRMAN FRAZER: Okay. We have two more questions from Mr. Sanchez and Mr. Anson, and, Jamie, I really appreciate you taking the time. We're going to try to keep on schedule, and so I'm going to ask these folks to try to keep their questions fairly pointed, if possible. John.

MR. SANCHEZ: It must be my hand-up situation thing again, and no questions. Thank you.

CHAIRMAN FRAZER: Okay. Kevin Anson.

MR. ANSON: Thank you, Tom, and thank you, Jamie, for the presentation. Just a follow-up on a comment that Leann had made, and it may not be a surprise to a lot of folks, but just, because she made the comment about this particular instance and the change in the ecosystem and the negative effects it had on the resource and then the way that the management is set up that it's on the backs of the fishermen to try to make up the difference, if you will, and I just wanted to, in a broader context, just wanted to lay it out there for the council, in consideration as we go forward with our science and everything, and our process, but the overall environment changes over the decades, and those are just, more than likely, from human impacts, cumulative human impacts, as well as climate change, which are indirect human impacts, and that we are looking -- We look at our time series of datasets, and some species, obviously, are longer than others, but, as we have stocks that have relatively long histories of catch, that the environment maybe changed enough to where we're trying to manage to some number that we may never be able to achieve, or that stock will never be able to achieve, or vice versa. It might be improved

for a particular species, and there might be some additional fish that are there that we're trying to reach to some other point in the past, and so thank you. That's all.

CHAIRMAN FRAZER: All right. Thanks, Kevin. Jamie, again, like everybody, I appreciate you taking the time out of your schedule to come and share that update with us here and your kind of focus on communicating and public engagement, and that's the key to our work here, and so just keeping the lines of communications open is good for everybody, and so I hope to have you back here in the future, and I will look forward to that. I think, with that, we'll let you off the hook, and maybe you can get some work done today, and we'll move on. Next on our schedule is an update on the SEFHIER program, and I think Peter Hood is on the line for that one.

UPDATE ON SOUTHEAST FOR-HIRE ELECTRONIC REPORTING (SEFHIER) PROGRAM

MR. PETER HOOD: I'm here. I am going to be giving this with Rich Malinowski. We'll be talking about the Southeast For-Hire Electronic Reporting Program, aka SEFHIER. I will be giving a quick overview, and then Rich will be talking about the outreach efforts, and I want to extend out a high-five, or whatever, to Emily and Carly, because they have certainly been instrumental in the outreach that's been going on.

New accounts setup, there will be some metrics associated with those, and then some of the issues that have popped up, or questions, and some resolution there. VMS type approvals, the for-hire intercept surveys, and then we'll put some faces to names, in terms of SEFHIER resources of folks who work over here.

If you have looked through this presentation, you will see the FAQs at the end, and those are really there for informational purposes. It's just in case you're kind of curious about what some of the more recent questions might have been and some of the answers we've developed, and certainly, if anybody has a specific question on any of those FAQs, we will try to answer those.

Then I just want to do a shoutout for Rich, who is joining me on this thing. Rich has been -- He was our lead on the development of the for-hire electronic reporting amendment, and he was the one who shepherded the rulemaking through the process, and then he's been right down there in the trenches and working to get this thing implemented, and so, particularly for nuts-and-bolts

questions, he will be able to answer those.

Just to remind you all that it's the electronic reporting program for charter vessels and non-headboat survey vessels, and then the affected charter/headboat permit holders are those with Gulf reef fish permits and coastal migratory pelagic permits and historical captain permits.

The Gulf requirement applies to all Gulf permit holders, regardless of where they fish or what they're targeting, and, basically, in other words, if you're down in the Keys, and you have a South Atlantic permit and a Gulf permit, since the Gulf permit requires a little bit more, you would need to follow the requirements for the Gulf permit, even if you're fishing over in the South Atlantic.

As you will recall, there is a Phase 1 and a Phase 2. Phase 1 is basically the logbook reporting and the trip declaration, and then Phase 2 is having the VMS onboard the vessel. In terms of electronic reporting, we, have two software programs that are out there, VESL and eTRIPS, and those are the ones that the fishermen need to select as they enter this program, and, at this point, I'm going to turn it over to Rich.

MR. RICH MALINOWSKI: Thanks, Peter, and thank you, council, for letting us present to you today, and so I'm going to give you a quick update, to keep you on schedule. With the VMS type approval, the VMS isn't effective yet, and we're looking at some time later in the year, potentially, towards the end of the year, and so, currently, we have nine VMS units that have been type approved for the for-hire program.

Seven of those units have forms associated with them, and so the fisherman, or permit holder, can submit, and it's an all-inclusive system, and they can submit their forms and their VMS tracks, currently, if they want to do that, off of one system. Two of the units are simply pingers, and so they don't have any forms associated with it.

One VMS unit that is a hybrid unit, and it's satellite and cellular, and it can be switched back and forth, is being tested currently, and that's the CLS Nemo unit, but one of the problems that we're having, and it's sort of an obstacle, in terms of getting this implemented, is there are no cellular-only units that have been submitted for approval to-date.

We did a pilot program two years ago, and we got a report for that, and we did seven cellular-based units, five of which would

still qualify for this program. Those five vendors, or manufacturers, haven't submitted their units, or applications, for approval yet, and some of the reasons for that, we think, are the vendors need to update the system to meet the technical specifications, and the vendors may not think that their cost to update the unit is justifiable, and is there enough vessels in the fleet to justify the development costs, and the third thing is that's restricting us is NMFS can't really make the vendors submit their applications. It's up to them to submit them.

When you're hearing that rumor that there is no cellular units, that is correct, and here's the reason why, and hopefully this will help you explain that to your constituents when they ask those questions. There is a table on our for-hire electronic reporting website page that has all the VMS units and has the contact information and which regions are compatible with it.

Around December, we were very busy doing a lot of outreach, as you can see. As Peter mentioned, Carly and Emily did a tremendous job for us, keeping the cats in the line there and keeping the meetings together and organizing them and such, and we really appreciated that, and so here's just a list of them that we had. You can see that, in the Gulf, we reached out to just about 300 people on these webinars.

Here's what we've got coming up for future webinars, and so we've been thinking -- Our staff and us have been discussing it, and so NMFS staff will be conducting weekly webinars for fishermen to call in and discuss any issues that they're having with reporting, and so this is going to be every Tuesday, and we figured we would do it for a month and see what kind of interest we have for those few weeks, and, if we need to continue it, we'll continue it, but this will be the time and opportunity for people with issues, that they can't get ahold of us during the day, and they're out fishing, and they get done at 5:00, and usually nobody is answering the phones after 5:30 or so, and they can call in and ask questions to us, and we'll definitely be there, and they can learn from other folks asking questions, too.

Here's a little update since the reporting requirements became effective on January 5, and so this is as of last week, January 19, and so the VESL system, and this is the Bluefin Data software app, they have 423 new accounts. Of those accounts, 204 are in the Gulf of Mexico, and you can see that the South Atlantic had 159, and there is sixty dual-permitted vessels that set up accounts with VESL.

eTRIPS, the other software vendor, has 467 new accounts, ninety of which are Gulf and 316 South Atlantic and sixty-one dual-permitted. Then VMS users, that are choosing to use their VMS units to do their logbooks and trip declarations at this time, there is fifteen of them, and I think that's went up recently though, and you see that there is fifty-seven declarations completed and forty logbooks.

You will see those numbers don't jibe, but some people are doing test trip declarations and test logbooks, and so it's new, and it's in the beginning, and we're all learning from it.

As of January 20, the total number of reports submitted, fishing logbook reports, 590 trips, with 236 trip declarations, and so that means the trip declarations are Gulf trips, because the South Atlantic permits aren't required to have a trip declaration, and so those ones are the Gulf, but, like I said, some were test submissions, and it's incredible the number of phone calls that we were getting in the beginning, but it's sort of calmed down, I think. Trevor is our customer service person now, and he says there's about fifteen to twenty calls per day coming in, but, since December, it's been probably about 500 calls by now.

Here is the issues that we ran across when we tried to roll this thing out, and were learning from it, and hopefully everybody is trying to be patient, and we sure are. We have to be, and so, in the beginning, the VESL accounts requests need to be manually verified in our permits systems, which caused a delay in establishing a permit holder's account.

When the fisherman goes to set up their account in VESL, there is no mechanism for VESL to communicate with our PIMS, our permits system, and so that was delayed, and we have to verify that request, make sure it's the right person, make sure it's some kind of personal identifiable information there, and it's the right permit, and it's the right vessel, and so that took some time, and, in the beginning, it held us back, and some people were waiting for up to a week to get their account. We've cleared that up, and we've got staff trained now, and we took a day or two, and we all dedicated to getting the list caught up, and so we're pretty much caught up with that now.

Another issue we had was the landing location, and the port list was not updating automatically, and there is a delay before the landing locations are showing up in the app, and so, after the permit holder submitted their landing location request, and we approve it, it goes into the system, but that system doesn't get

updated every minute, and it's not like a real-time system, and so there was a delay in that, and the resolution for that was to enter the location code, versus having a drop-down list, and so the permit holder gets a location code sent back to them, and that's the code they're going to be using, and so they can enter this now without having to go find it on the list, which it wasn't there yet.

The customer service line, it's a new phone line to us, and we were having troubles with it, especially with this COVID situation, and not a lot of people are allowed in the office, and so a lot of dropped calls, and there were a lot of voicemails malfunctioning, but now the staff all has work cellphones, and we're receiving calls from the query now, and so we should be all good to go with that.

Here's the headboat survey program, and I'm going to let Susan take this one over. No, I'm just kidding, Susan, because Susan Boggs had some issues with the trip reporting in the beginning.

The trip declaration wasn't working for a few hours, and VESL resolved it by modifying the headboat form to include the trip declaration, and it was repaired that afternoon, and so it was a quick fix. The fishermen were creating new accounts when they already had a headboat account, and so they didn't realize that they had a headboat account, and so they were creating new accounts, and so that's been resolved, and the forms are now updated, and this is no longer possible, and so that's fixed, but general VESL issues are captains -- This was brought up by -- I think it was Dylan Hubbard's group that raised this question, but captains want to fill in the report while they're returning to the dock, which is a good request.

The resolution was that we modify the time of the ability to report to one hour before the end of the trip, and so, if they're coming in, they can now report while they're in motion, up to an hour before, with VESL.

Another issue is auto-populating the return time, and that led to ten-minute trips. The resolution was we modified the return time to not auto-populate, and so it wouldn't take that automatically into there, and you would be able to report your trip.

I think this is the last of the rollout issues that we have, and so, in the eTRIPS program, the stat zones, which are the zones, which are ten-by-ten-mile, I think nautical mile, squares, and we identify where you're fishing by these stat zones, and some

of them were missing from the eTRIPS app, and so we're resolving that, and it's currently being resolved, and it's underway.

The fishermen were unsure how to use eTRIPS, and it was a difficult website to figure out where to go to set up your account and such, and so we asked them to make it a little bit more user-friendly, and they did that for us. The trip notification confusion, it says "track a trip", versus "trip declaration", and so there is different wording, and so we're making those changes to the trip notification, and we'll be adding those landing location types as a type-in, versus the drop-down box.

Quickly, I will just go over this, and so we've got the Gulf for-hire intercept survey coming up, which is going to involve all the Gulf states, and so Mike Larkin from our group is heading up the intercept survey and working with the Gulf states and MRIP to figure this out, and so there's going to be a total of twenty-two questions, and ten questions will be just about the site and the conditions and such, and then there will be twelve questions directly asked to the captains.

The agents who will be out there, they're going to be state folks, except in two cases, where it will be NOAA folks, and they will be doing shift assignments in particular sites, similar to the way it's set up now with MRIP.

We're going to interview the federally-permitted for-hire vessel captains that are not in the headboat survey program, and these agents will be completing a charter activity report, which is basically going to be like an account management system, and we'll be able to say, okay, for each vessel, here's the date that I talked to the captain, here's what we said, here was some issues and such, and so anybody can go into here and look, at any time, and say, okay, well, he had this problem last time, and is it resolved, is it now, does he still got to address it.

Here's the timeline for the intercept survey, and we're getting there, and the next couple of steps here, as you'll see towards the fourth dot there, we're going to be setting up the training for the port agents, and we haven't determined it yet, and we're going to be working with the states to see what works out best for them, but hopefully sometime in early April we'll be rolling this program out, and right now we're waiting on the Paperwork Reduction Act to get approved, and we'll be able to go after that.

Here's some quick things that fishermen need to do now. If

you're talking to them, you've got to make sure that their information on the permit is correct, and that's very important. Go to the website and look at the toolkits, if they didn't receive one in the mail, which it seemed like there was an issue with that.

They can attend the upcoming webinars, that Tuesday-evening webinar, and they can watch the informational videos, and we made informational videos, and the council did this, and they were out on the vessel making videos, and we also have all of our webinars recorded, and so they'll be able to watch them, if they want to review them. The other thing they need to do is make sure they submit their landing location requests for approval. Then the other thing is they've got to select a software to use and create a user account.

What to expect in the next few months, we're going to call it compliance assistance, and so we're all on a learning curve here, and we want to make sure that we're not being too strong about things yet, and so we're going to be assisting folks with compliance in the beginning here, and trying to make sure they know what they're doing and how to do it properly, and so that's the team that will be doing that.

We're going to have training webinars for the port agents and samplers coming up, and that's to be determined, and then we're working on data sharing agreements, and I know some of the state folks are hoping to look at the data soon, but those agreements are getting done, drafted, so we can get them out to the folks who do want to look at the data, but, right now, all of the data is not coming in in the right fashion, and so, even if you could look at it, it wouldn't be inclusive, and so there's no big hurry with that just yet, because we've got to get the VMS data in there and some other means in there.

Here's our resources, and there's a page to go here, and this is our toolkits, and you guys have seen this one before. Here's some of the folks that have been working on this, so you get a face with the name, and you can see Karla Gore, and she's pretty much the lead on the project. Jenny is our -- She's a full-time employee with us, and she was brought new to the team about six months ago. You know Peter, and Rick DeVictor is in the South Atlantic, and you know Jack McGovern.

These are newer people, and these are the ones we're hiring, and we're going to have a total of thirteen people, and I think we've hired ten contractors so far, and we're getting there. We're almost there, and so you will see the compliance staff

there, and we're going to have three that are just working on compliance and three or four that are going to be working on the vessel monitoring systems and that type of thing.

Then we have our QA/QC folks, and we're going to have four people over there, and we're working on that, and we have our customer service, which is a front-liner answering the phones and directing people where to go and who to talk to, and then, of course, we've got the intercept survey and Mike Larkin there, and so, hopefully -- When you talk on the phone, introduce yourself to these people, and let them know who you are, and we'll all try to do the best we can.

Just a reminder that here is the upcoming webinars, each Tuesday at 6:00, same bat channel, and so stay tuned. I think that's it, and so Peter mentioned that there's a frequently-asked questions at the end of this, in case you wanted to take a look at that and see the questions we're getting asked. Thank you, once again, for your time, and I appreciate it. Back to you, Mr. Chairman.

CHAIRMAN FRAZER: Thanks, Rich and Peter both, for the update. It's an important one, and I realize that we're quickly approaching our public testimony time, but, given the importance, I think, of the update, we have a couple of questions, and I would like to take the time to allow council members to ask those questions, and we have five folks in line. John Sanchez will be first.

MR. SANCHEZ: Thank you, Mr. Chair. I have a quick question. You mentioned there were some issues with the cellular data trackers and I just wanted to know if you could briefly, because of time, elaborate on what those issues might be, because the industry was looking forward to have cellular data trackers as an option, for cost effectiveness and such, and so I would definitely like to hear what the issues are. Thank you.

MR. MALINOWSKI: Sure, John. Basically, the biggest issue is none of the cellular vendors have submitted their units for approval, and we have our technical specs from our VMS group that they have to meet, which they can meet very easily, and it's not like it's difficult, and there is no hurdles to jump, but they just need to update their systems to meet the data elements. If there's going to be forms on them, they need to get the forms up there, but they can just submit them to be pingers, but they haven't chosen to do so, and we can't force them to do it, and so that's what we're waiting on.

We don't want to roll this out until there are cellular units available, but we're getting to that point that, in the next few months -- It takes about four or five months to test these units, or even sometimes up to six months, to test them, to make sure they're working, the IT security and such, and so, if we don't have any units submitted by May, I would say, it's going to be difficult to get them approved before the end of the year, when we're looking to roll this out. Does that answer your question?

MR. SANCHEZ: Yes, that does. Thank you. I'm sure the industry was listening in, and they will be letting the cellular folks know. Thank you.

MR. MALINOWSKI: Thanks, John.

CHAIRMAN FRAZER: Ms. Boggs.

MS. BOGGS: Thank you, Mr. Chair, and John asked one of my questions. One suggestion, Rich, is the weekly webinars you're talking about doing in February. Since most of the charter boat captains aren't thinking about fishing this time of year, and they don't really get geared up until March, I would certainly encourage you all to look at some meetings maybe at least the first part of March, when a lot of these captains are back on the water.

Then, just very quickly, I wanted to thank you, and Andrew with Bluefin, and you all were very helpful the first few days of the program, because we happened to fish both days, and everyone was very responsive, and, to the best of my knowledge, all of our issues have been resolved, and so thank you.

MR. MALINOWSKI: Thanks, Susan. We will definitely look at extending these webinars, but we figured let's see what it looks like in a month, but, yes, we can put it on our agenda to have them sometime in March too, and that's a good idea.

CHAIRMAN FRAZER: Next we have Dave Donaldson.

MR. DONALDSON: Thank you, Mr. Chairman. Thanks, Peter and Rich. As you know, Congress has allocated some funding for this, for at least for the next couple of years, and, in talking with some folks up in D.C., I have heard that there may be some cuts in that funding, and I am just wondering what you guys have heard, and, if that's true, what kind of impacts that's going to have on the program.

MR. MALINOWSKI: I would like to defer that to Andy, because he's the one that's usually finding out about that first. Andy, are you still on the line?

MR. STRELCHECK: Thanks, Rich. Dave, you're correct. With the congressional budget that we received this year, the program budget was reduced by $500,000, from $2.7 million to $2.2 million. We will be evaluating, obviously, what the implications are to the program, based on that reduction. Given that we're obviously in early implementation, we'll have to adjust, obviously, kind of how we're able to spend on contracting and disburse the funds to support the program.

We have pretty much been level-funded with our fisheries budget for the last several years, and so we don't have extra money laying around to kind of substitute for this, and we will be working on some internal funding competitions within the agency, to see if we can't get some temporary funds, but that's only going to be a band-aid to a longer-term issue that we need to solve with larger funding amounts.

MR. DONALDSON: Thanks, Andy. I appreciate that, and, unfortunately, it's concerning, because, without adequate funding, obviously, that jeopardizes us moving forward, but I appreciate the information.

CHAIRMAN FRAZER: Okay. Next is Kevin Anson.

MR. ANSON: Thank you, Mr. Chair. Rich and Peter, good presentation, and it's good to see that you were able to work out some of these issues with technology fairly quickly, and that's great to hear.

Rich, I am just taking this opportunity to follow-up on a request that we had made, back probably in September of last year, and we've got electronic reporting now for all of our boats that bring red snapper back to Alabama, and we would still like to continue that, but, obviously, we want to try to reduce the reporting burden, to the extent that we can, amongst charter boat captains, and so I'm just wondering if you can -- Is that process still ongoing, because, again, we have some captains that would be interested to know as to whether or not we would be able to work that out and be able to receive information they report via your platform, to comply with the reporting requirement. Thank you.

MR. MALINOWSKI: Sure, Kevin. Thanks for the question. There is a couple of different mechanisms that the states can use.

They can develop your Snapper Check to ask the same questions that we ask in our for-hire survey, and it would be on the same path, and we would approve that, because it would be submitted through us and go onto the ACCSP system, and so that's one method, which we haven't gone down that road yet.

The other method is, once we do get all your vessels reporting, if you so choose, you will be able to use that data to supplement for -- To overcome the Snapper Check, but you also have -- In Snapper Check, you record a few species, whereas we're recording everything they catch, and so I've got a feeling that it's going to take some IT work on your folks' staff to get up to snuff with what we're doing here, but, in the meantime, we'll get you access to the data, but, right now, it's just not quite ready. I would say, in the next few months, it should be ready, and we will get you guys set up with those agreements that Marie keeps asking about, but does that answer your question?

MR. ANSON: Yes, and that was more pertaining to the lawyer side of the issue, and that's to get the agreement signed, so that the mechanism is in place for us to actually have those discussions and to receive the data that you have collected, and we receive it, and that's all we're really asking for right now, and we don't want to send data to you, but we would just like to tease, or get that information, out that would meet our needs from you, and so we'll be looking out for the further information. Thank you.

MR. MALINOWSKI: I know Karla, my associate there, she was going to be working on that this week, trying to figure that out and what we need to do, in terms of those confidentiality agreements, and so we're working on it. Thank you.

CHAIRMAN FRAZER: Okay. We've got time for two more quick questions, one from Leann, and then we'll follow it up then with Andy Strelcheck. Ms. Bosarge.

MS. BOSARGE: Thank you, Mr. Chairman. If I remember, and it's been a while since we implemented that document, that program, but it seems like one of the sticking points was this whole idea of the tracking device, and I think the way we mitigated that was to say you could use VMS, if you already had one, because a lot of dually-permitted did, or you could use an archived GPS, which would track your -- It would ping every once in a while and track your GPS coordinates, but then that would later be uploaded, or transmitted, to NMFS at some later point in time, and it's not real time, but it achieves the same goal, and it

tracks where you're at, so you can get an idea of effort.

I guess that cellular portion that you were talking about, that you don't have any vendors that have stepped up to the plate yet, that's the archived GPS thing, and I am wondering what kind of Plan B are we coming up with, in case we need it, so that those fishermen aren't pigeon-holed into having to get a VMS and that we can stand good on our promise that you could use the archived GPS, and I know that there are some devices on the boats already that do collect archived GPS coordinates, and sometimes computer plotters have that function in them, and I think the hold-up, probably, from your vendors is that cellular piece, you know, because that technology is rapidly advancing, 3G to 4G to 5G.

I heard something about 10G the other day, and so that's the piece that I think is the issue, and so what back-up plan do we have, so that these fishermen could have an archived GPS functioning unit on the boat and transmit that to you in some fashion other than cellular, if they needed to, to get their program up and going?

MR. MALINOWSKI: Good question, Leann. Thank you. So we call that a stow-and-forward unit, and so you're stowing the tracking data that you're going to forward once you get into cellular range. We really haven't thought -- We've thought about it, but it's like, as we mentioned, if we don't have some approved, or received, in the next few months, we probably can't roll it out before the end of the year.

You're right that we would need to go back to the drawing table and figure out some other options, but you've got to remember that security and confidentiality issues of this is pretty high. Fishermen don't want you to know their hot spots or release this to the public, and so it's pretty critical, and that's where you can't just use a LORAN system or a Garmin GPS, because it's not really safe, in terms of confidentiality, and so there are -- We should be talking about this, and we're going to convene, probably, if we don't hear something within the next couple of weeks about any of these vendors.

We'll sit down and think about this and how can we do this, and get the lawyers and get the players that need to be involved, our Headquarters VMS group, and say what can we do, because we don't want to burden the public every time, and some people can't use satellite, because they park underneath a metal roof, and so, therefore, we do need options, and we're going to work on that, for sure. Thanks for bringing that up.

CHAIRMAN FRAZER: Okay. We have one more question from Andy Strelcheck.

MR. STRELCHECK: It's not a question, and so, first, to respond to Leann's comment, thank you for that, Leann. Our fallback option, at this point, is to delay Phase 2 implementation of the program, and your point is well taken, in that we can only delay that so much, and we did work with our Office of Law Enforcement and did rulemaking so that these types of VMS or cellular units can be certified to meet the security standards and data collection requirements, and so there is a process in place for type approval.

Now it's up to the vendors as to whether or not they feel like it's to their economic benefit for their business to be able to submit those units, and there's been a number of industry members who have reached out to me to ask me specific questions about this, and I certainly encourage them to talk to those vendors specifically, that there is interest among the industry to support this.

I think what we'll need to do is come back to you, no later than the April council meeting, and give you a status update at that point, to see if we've had any cellular units submitted for type approval between this meeting and the next meeting, to let you know the status of that and then what options would be available as alternatives, if we need to pursue alternatives.

I wanted to end by first thanking Peter and Rich for the presentation, and I think you heard Rich ask for patience, and I just wanted to emphasize that, and we've been very grateful for all of the phone calls and all of the information that's been coming our way to help us improve the program, and we knew that it wouldn't be a perfect rollout and that there were some things that we needed to fix and resolve. It is a complex program.

One of the things that you may or may not have picked up on is that about I will say a third of the total permit holders that participate in this program now have signed up for reporting, and that means two-thirds haven't, and there's a lot of reasons why two-thirds haven't, but we are going to be doing an extensive amount of outreach.

Some of the things that we would like to do is work more directly with the states and the way that you communicate with your fishermen and provide you some information about the program, so that we can get those fishermen in touch with our

customer service department, working with us to set up accounts as soon as possible. We don't want them to wait until spring break or day-one of red snapper season to set this up.

We want everyone to be as prepared and ready as possible, once they're ready to go fishing again, and so I just share that, that we'll be working on some broader outreach strategies, especially to reach out to that large contingent that hasn't signed up for accounts yet. Thank you.

CHAIRMAN FRAZER: Okay. Thanks, Andy, for wrapping that up, and, again, thanks to both Rich and Peter for the presentation, and it's a timely and much needed update, and I'm glad that people had an opportunity to get their questions in and get the answers that they're looking for, and it's clear that we will have additional questions and answers moving forward, but I think that everybody is prepared for that.

We're a little bit behind, but that's okay, and I'm going to ask Ms. Muehlstein if she will kind of walk us through the transition as we move into the public comment period. Emily.

MS. MUEHLSTEIN: Sure. Those of you council members, we have provided you with the call-in information that you need for public testimony, and you can see on your screen, on the far-right, that there should be information up, or it's not there anymore, but Bernie had sent you that information, which is different than the information that the general public is going to need to submit testimony.

Right now, I will focus on instructing those of you who would like to provide testimony to the council today. You can call in to submit your public testimony, and the phone number for doing that is (833)970-2435, and you will be given the conference ID, which is 5748129, and Bernie will put that up on the screen, so that you guys are able to do that and see that on your own. With that, we are going to hang up on this line, and we'll meet you over on the public testimony line, and, also, everybody can stay on Adobe Connect, because we will continuing to be running the session through the computer. If you don't wish to join the audio to speak for any reason, you can simply listen in on your computer. Thanks for your patience as we transition over.

CHAIRMAN FRAZER: All right, and so we'll give ten minutes for the changeover, and so it's 2:45 right now, and we will start promptly at 2:55.

(Whereupon, a brief recess was taken.)

CHAIRMAN FRAZER: Again, thank you for everybody's patience, and so good afternoon, everyone. Public input is a vital part of the council's deliberative process, and comments, both oral and written, are accepted and considered by the council throughout the process.

The Sustainable Fisheries Act requires that all statements include a brief description of the background and interest of the persons in the subject of the statement. All written information shall include a statement of the source and date of such information.

Oral or written communications provided to the council, its members, or its staff that relate to matters within the council's purview are public in nature. Please email any written comments to the staff at gulfcouncil@gulfcouncil.org, as all written comments will also be posted on the council's website for viewing by council members and the public, and it will be maintained by the council as part of the permanent record.

Knowingly and willfully submitting false information to the council is a violation of federal law. If you would like to provide testimony, please dial the toll-free-operator-assisted number at 1-(833)970-2435, as shown on the screen.

Please press *1 on your telephone now to be placed into the speaker queue. The operator will come on the line and let you know when it's your turn to speak. When your line is unmuted, please introduce yourself by stating your first and last name for the record and begin your testimony. Stay tuned after speaking for any questions the council may have for you. You will lose your place in the queue if you are not present when called. To re-enter the queue, you must press *1. If you get disconnected from the phone call, you will have to call back in and press *1 to re-enter to queue.

You will have three minutes to comment. There will be a countdown timer visible on the screen. We accept only one registration per person, and I will now go to the operator for our first speaker.

PUBLIC COMMENT

OPERATOR: Thank you, sir. We have your first one coming from Gary Jarvis. Your line is now live. Please go ahead.

MR. GARY JARVIS: Thank you, everyone, council members, Dr. Frazer, and staff. Most of you know who I am. I'm Captain Gary Jarvis, and I wear many hats around here. I happen to be the elected mayor of the luckiest fishing village in the world, and I'm partners with my sons in a five-family seafood restaurant, and I'm an IFQ shareholder, and my oldest son and I enjoy the private angling sector aboard his twenty-six-foot SeaHunter.

In many respects, I can speak not for, but in relation with all those shareholders basically represented by the Gulf Council, the private angling sector, the charter/for-hire, commercial, and the consumer, and so what I want to start with first, Dr. Frazer, is I want to thank you for the hard work you have put in to establish a -- To lead this council and to put them in a position to find an avenue for common currency for Amendment 50.

We have one of the largest dry stack storage facilities in the State of Florida here, and you've heard a chicken in every pot and a car in every garage. Well, around here, seeing as how we're surrounded by water on three sides, we virtually have a boat in every backyard, and so we have a huge recreational private angling sector, and so Amendment 50 is key.

We believe that state-by-state, the management is going to better benefit them, and, without the common currency, Amendment 50 will fail and never live up to the requirements of the MSA, and, more importantly, not just in this particular species of red snapper, but I can see the states, and I think all of them would probably want to move this way later on, but that is manage the other major species that are important to the recreational private anglers out to 200 miles in the EEZ, and so I really thank you, Dr. Frazer, for working on it, and I want to encourage the council members to continue on with the work towards common currency, and that will enable and be the vehicle for all the states to approve their management and their data collection systems that will actually benefit them and their anglers.

Of course, we have the largest charter/for-hire fishing fleet in one port in North America, and so it's real important, as we're talking about allocations in the upcoming days, and weeks and months, is that we establish sector allocations to preserve a level of historical access for our charter industry. Appropriate discussions of allocation split or changes just perfectly sets the table for this discussion.

We're fishing, the charter industry, in a LAPP, and we cannot grow, and we're a finite group, and the preservation of the

historical access levels in the other major reef species is actually equaling the preservation of our coastal community heritage, and, in Destin, it's extremely important.

The commercial fishers, and fish houses, also are a part of Americana, and here in Destin was, and is, the cornerstone of our heritage. Destin was established by commercial net fishermen from New England that moved here during the turn of the century, but, also, the last thing I want to speak on is the largest stakeholder group in the room, and they are important to us here in Destin, which is the tourist community, and that is the consumer.

As all these discussions of allocation needs and transfer of allocation or reappropriation to other stakeholders are taken into account, I just want to encourage this council to use caution and hold the consumer in high regard and treat the lifeblood of our economic community with respect and fairness. I want to thank you all for your time and efforts in trying to protect and enhance and manage our fisheries to abundance.

We would all be sad stewards and disappointed users of these resources with no fish, and so, again, Mr. Chairman and council members, I just want to thank you for all your efforts. I know it's a tough job, and we are just going to try to continue to participate and advocate for fairness, equality, and abundance. Thank you very much.

CHAIRMAN FRAZER: Thank you, Captain Jarvis. Let's see if we have any questions from the council. I am not seeing any, and so, again, thank you for your comments, and we will move on to our next speaker.

OPERATOR: The next speaker will be Mr. Bill Kelly. Your line is now live. Please go ahead.

MR. BILL KELLY: Mr. Chairman and council members, my name is Bill Kelly, and I'm the Executive Director of the Florida Keys Commercial Fishermen's Association, and I'm also authorized to speak on behalf of the king mackerel gillnet fishermen in the Gulf of Mexico southern subzone.

I would like to thank Mr. Sanchez for putting our request before you to examine an ITQ program in the gillnet fishery. After lengthy discussions on the topic with stakeholders, they feel that numerous factors impacting the fishery can be improved upon and corrected with the implementation of an ITQ, factors such as marketing, conflicts with other co-occurring fisheries, weather

conditions, variations in vessel size, and these are some personal matters.

In the next several weeks, our fishermen will meet to prepare a white paper on their preferreds for an ITQ structure, and I will also be reaching out to Dr. Jessica Stephen, the LAPP Branch Chief at NOAA's St. Pete office, and council staff for additional information and guidance.

We will then submit the white paper to staff, and hopefully the item can be placed on the April meeting agenda for additional discussion and what we would hope to be a framework amendment, with possible implementation for the 2022 season. I also am pleased to hear that the council is continuing to move forward with their discussions on allocation in the king mackerel fishery. Thank you.

CHAIRMAN FRAZER: Thank you, Bill. I am not seeing any hands up from the council members, and so, again, thank you for your comments, and we will move on to our next speaker.

OPERATOR: Your next speaker would be Mr. Brad Gentner. Your line is now live. Go ahead, please.

MR. BRAD GENTNER: I am a consulting economist, and I've been involved with the MRFSS and the MRIP for twenty-one years now, and I started working for the MRFSS shop, working for NMFS itself, back in 1999, and I ran their economic data collection programs until about 2007.

During that time, I have seen lots of changes in the survey, including several extensive peer reviews, and, while it's probably the best survey of its kind in the world, the survey simply isn't appropriate for in-season quota monitoring, particularly for offshore species with low intercept sample sizes.

In fact, the first peer review of the survey called it fatally flawed, mostly because of its uselessness for management of species with short seasons whose quotas need to be monitored in near real time.

Now MRIP is trying to address those issues, but still no one in this room can argue now that it is appropriate for in-season quota monitoring. On top of that, the newest changes are still being calibrated, and so what are managers of offshore demersal species, particularly long-lived, low-fecundity reef fishes, to do about this?

One response is use surveys designed for in-season quota monitoring, and that is exactly what the Gulf states have done under state management, monitoring their harvests with an appropriately-designed survey that has given them the confidence to manage red snapper better. They address all the things that the National Academy of Science review had requested, including better precision targeted to reef fish fishermen and more timely reporting.

Back in 2004, California, Oregon, and Washington did something very similar. They saw the same problem with MRFSS that we see currently in MRIP, and these states manage over a hundred species of rockfish, and, due to overharvesting in the past, they are facing very short seasons. In fact, Oregon and Washington had already switched to survey methods independent of NMFS and the MRFSS to manage their species in state waters, because they knew that MRFSS was not working.

Managing a species with an in-season quota -- The requirements in California, Oregon and Washington and the Pacific States Marine Fisheries Commission said they needed to change the program, and so the Pacific States asked the agency for the flexibility to make survey design changes, and NMFS rejected those, and so they fired NMFS, is what they did. They fired the MRIP.

They sent a letter to Dr. Hogarth asking the agency for the same funding they spent on the MRFFS, and they gave it to them. Was there any calibration of the historic time series? No. Is there currently any active calibration of the MRIP that is still inappropriate for use in these in-season fisheries? No. Are we still managing those species within the bounds of Magnuson? Indeed they are, and so what are we doing here? Why is NMFS deciding that their survey trumps the survey with a better design?

NMFS can make this whole thing go away simply by saying that the state surveys are the best available data for red snapper, or they can closely review those surveys for their quality, to be able to make that claim while they proceed with status quo harvest levels for the coming season.

Confounding this manufactured crisis is an ongoing MRIP recalibration, begging the question of why are we calibrating the state surveys to a moving target, and the Great Red Snapper Count is showing more biomass of red snapper than we have ever thought possible.

If NMFS will not undertake whatever actions it needs to make this happen, calling the state data the best available science, it's high time to fire the MRIP in the Gulf. Have Congress give the Gulf states the money and let the states run surveys that are more appropriate for management, and let's give up this fiction. Thank you.

CHAIRMAN FRAZER: Thank you, Mr. Gentner. I am not seeing any questions coming from the council, and so, again, thank you for those comments. Excuse me. Troy Williamson.

MR. WILLIAMSON: Thank you, Mr. Chair. Mr. Gentner, in your opinion, are the five Gulf states' catch surveys better designed for in-season monitoring than the MRIP program?

MR. GENTNER: Most certainly. They do it more quickly and at a higher precision.

MR. WILLIAMSON: You have mentioned that the west coast broke away from the MRIP program, and do you know what that cost them?

MR. GENTNER: I think -- I would have to go back and dig into that more closely, and I know the original request of the Pacific States was receiving about $1.75 million, because the states ran the survey, as many of the states do in the Gulf, the MRIP survey that is, and they asked for an additional half-million dollars to be able to bring all the estimation protocol and administration of their own surveys in-house, which, in my mind, is an incredible deal, and they've done an incredible job with --

UNIDENTIFIED: Does Gentner get his check from CCA weekly or monthly? Now his buddies are on the council.

CHAIRMAN FRAZER: Excuse me. If you are listening in and your phone is not on mute, would you please mute your line? Mr. Gentner, you can go ahead and finish up with the question.

MR. GENTNER: I was done. They receive about an additional half-million a year to be able to pull the estimation capacity and administrative capacity into the Pacific States.

MR. WILLIAMSON: One final question, Mr. Chair.

CHAIRMAN FRAZER: Go ahead, Troy.

MR. WILLIAMSON: Mr. Gentner, after the revision of the

Magnuson-Stevens Act, was the west coast states required to calibrate their management?

MR. GENTNER: To my knowledge, no. We would have to investigate that more closely with the Pacific States, but, in speaking with them recently, they have undergone no calibration exercises, and there was no calibration of the historic time series. There was a hard break in 2004 that said the new estimates are coming directly from the Pacific States Marine Fisheries Commission, and those new estimates have simply just been subbed into the time series. There has been no active calibration since. There was no calibration going backwards either.

MR. WILLIAMSON: Thank you, sir.

CHAIRMAN FRAZER: Brad, we've got a couple more questions. First up is Greg Stunz.

DR. STUNZ: Thanks, Mr. Gentner. That was a very interesting comment, and what I was wondering about -- I understand what you said about there was no calibration, but do you know how did they handle the time series, for assessment purposes, back in time, or did they just go forward from when they started using those state surveys?

MR. GENTNER: That's something you would have to investigate with the Pacific States. Sorry if I cut you off there, Greg.

DR. STUNZ: Oh no, go ahead. That's fine.

MR. GENTNER: They didn't do a sort of grand exercise to change the time series. In terms of a query, or in terms of additional record, if they do any sort of calibration for the historic time series for stock assessments, that would have to be a question for NMFS, the council, or the commission.

CHAIRMAN FRAZER: Okay. It looks like we also have a question from Andy Strelcheck.

MR. STRELCHECK: Thanks, Tom, and thanks, Brad, for your testimony. It's not so much a question, but I just want to reiterate a comment that I made during yesterday's meeting, and it directly relates to Brad's comments, and I guess there's several things.

One is this isn't an issue right now of whether the state surveys or MRIP produce better estimates. We're trying to reconcile the units of measure and how we're counting the fish

with how we're setting the quota levels and put them in a common currency, not only a common currency for the Gulf-wide abundance of red snapper, but also a common currency across states, since we have five different state surveys that are operating.

In terms of the best survey methods, I certainly think the agency would say we applaud the states' efforts, and we think that what they have done has certainly improved timeliness of data collection, but there is still more work to be done to evaluate the accuracy of not only those surveys, but also MRIP, and discern the differences between the two, and so I just wanted to share that with you, in case you weren't listening yesterday, and really the main reason why we need to calibrate.

MR. GENTNER: Am I allowed to address that, or is that comment to stand?

CHAIRMAN FRAZER: Go ahead, Brad. I will give you an opportunity.

MR. GENTNER: Sure. Thanks. I mean, I hear your point, but that's not what the Pacific States are doing. They found methods that worked better for them, and they decided that they didn't need federal oversight for that, and that can be done here, and that's my only point.

CHAIRMAN FRAZER: All right. Our next person in line for a question is General Spraggins.

GENERAL SPRAGGINS: No, sir. I lowered my hand, and Dr. Stunz answered mine.

CHAIRMAN FRAZER: Okay. We will move on to Ms. Bosarge.

MS. BOSARGE: Thanks. I think my question has been answered, and I was wondering if they were using -- So they're using the state survey data over there in the Pacific for monitoring, and they are putting the state survey data into the assessment as well, Brad, and is that what you said?

MR. GENTNER: Correct. That's the only source of data now, and there is no MRIP conducted on the west coast, period.

MS. BOSARGE: Okay. Thank you.

CHAIRMAN FRAZER: Okay. It doesn't look like we have any more questions. Mr. Gentner, thank you for your comments, and we will move on to our next speaker.

MR. GENTNER: Thank you.

OPERATOR: Thank you, sir. Your next speaker will be Mr. Richard Fischer. Your line is now live. Go ahead, please.

MR. RICHARD FISCHER: This is Richard Fischer, Executive Director of the Louisiana Charter Boat Association, and I appreciate you all giving me the opportunity to speak here this afternoon.

I wanted to speak as it pertains to the presentation that was just made on logbooks, and the part that really makes me a little bit -- More than a little bit nervous is the fact that there is no cellular units that have been applied for yet, and the -- Kind of the sense that I got from that conversation is that there's a very strong possibility that NOAA is going to move forward with this program before the cellular units are approved, and I think that would be a huge mistake, from a public relations standpoint, apart from the fact that it would really force a lot of our guys to spend a lot of money on units, after a tough year, that they don't really have that money to spare right now.

It's no secret that this is already an unpopular program, and if there's even the inkling that this program is going to be made mandatory with affixed devices and cellular units, that are much cheaper and much less cumbersome and less bulky, are not going to be approved for this system, that's not going to be news that my fleet here in Louisiana is going to want to hear, and so I would certainly implore NOAA Fisheries to please, by all means, do everything necessary to make sure that a cellular unit is available whenever these things become mandatory.

I would even make the argument that it's incumbent upon NOAA Fisheries to ensure this. This is not a public/private partnership situation, and this is a public entity, NOAA Fisheries, making a decision for the fleet that the promise and the commitment has been made for there to be cellular units, and so, if we reach a point where it's not in the best business decision for businesses to come on in with their cellular units, that's -- I really hope that NOAA Fisheries will take it upon themselves to solve that problem themselves and not put it on the fleet to just say, well, you have fewer options now, and the option you don't have many people would believe is the best option, and so I just wanted to put that out there. I hope that's something that you all give strong consideration to, and I appreciate everything you all do, and thank you so much for

your time this afternoon.

CHAIRMAN FRAZER: Thank you, Mr. Fischer, for your comments. I am not seeing any questions from the council, and so we will move on to our next speaker.

OPERATOR: Thank you, sir. Your next speaker will be Mr. Steve Thompson. Your line is now live, sir. Go ahead, please. Again, Mr. Steve Thompson, your line is now live. Go ahead, please. Dr. Frazer, there seems to be no response from Mr. Thompson's line. I will go ahead and proceed to our next speaker.

CHAIRMAN FRAZER: Yes, please.

OPERATOR: Mr. Kenneth Haddad, sir, your line is now live. Go ahead, please.

MR. KEN HADDAD: Thank you. This is Ken Haddad with the American Sportfishing Association. Mr. Chairman and council members, thanks for allowing me to speak. First, we support Amendments 48 and 53 as proposed out of committees.

For the red snapper framework, we really hope the council will come up with a solution that all the states can accept. We have a situation where a forced calibration to MRIP drastically impacts two states. We have the Great Snapper Count, which suggests that snapper populations have been significantly underestimated.

The fishery managers really should be concerned at the optics of this situation and work outside the box to find solutions. We thank the Chairman for working to think out of the box, but it seems that more thinking is needed, and we encourage you all to find a solution that works for everyone.

King mackerel, with the new FES data, we would be concerned about impacts to recreational fishing if a hard reallocation is made. When looking at the new data, it appears the recreational sector would have exceeded their quota two out of seven years, not including 2019 and 2020, and with an average landings of about 5.4 million pounds a year. This average, in my calculations, and I could be off, is roughly about a million pounds under the upcoming quota.

With that in mind, we need to keep in mind that the recreational fishery does not fish king mackerel like bottom reef fish. Timing of schools in an area, distance of schools from shore,

numbers of schools, significant amounts of catch and release, and leaving fish in the water for greater encounters enters the mix.

If allocation is the main thrust of making changes for king mackerel, we feel the new FES data has significantly changed the opportunities. If moving fish to the commercial sector is pursued, we suggest that some alternative approaches, such as intersector carryovers and annual loans, be discussed, while taking into account how the recreational sector fishes for king mackerel. Thank you, Mr. Chairman.

CHAIRMAN FRAZER: Thank you, Mr. Haddad. Let's see if we have any questions. Phil Dyskow.

MR. DYSKOW: Thank you, Mr. Chair. Ken, I'm going to put you on the spot a little, because you've got the background to answer this intelligently, and I don't. It looks like what we have, when we look specifically at red snapper, is a number of options, none of which are going to be acceptable to the council and to the states as a whole, and so, if we do nothing, and we decide to punt on this and push it out into the future, ultimately, it's going to be the lawyers and the politicians that decide what the forward direction is going to be. Using your years of experience in fishery management, what do you see as an acceptable solution that we could agree to at this meeting?

MR. HADDAD: You are putting me on the spot. I guess the way all of us may be looking at the current alternatives is that the worst-case scenario in each alternative is really a bad scenario, and so, when I think about it, and I know the question was asked in the council, or in the committee, as to, if you went with Alternative 1, what would happen, and I guess the legal ramifications come up quickly, and so, with that in mind, are there ways to get around this?

Can some states loan fish to Mississippi and Alabama for the short term? Can we start the season with a temporary allocation that is modified later on the season, as we get the better interim analysis done? Can there be an emergency rule done, based on the interim analysis and a different process take place?

I don't have an actual solution, and probably everyone that comes up will get shot down somehow, but if -- To me, if Alternative 1 is the last-resort alternative, it can go both ways. NOAA would be maybe put in a position of having to take

the worst-case scenario, and that would be my only concern, but I would rather see NOAA answer that kind of question. I hope that helps, Mr. Dyskow.

MR. DYSKOW: Well, I was hoping you had a clever answer that I lacked, but it sounds like we're all in the same boat, and so thank you.

CHAIRMAN FRAZER: Okay. I am not seeing any other hands. Thank you, Ken, for your comments. We will move on to our next speaker.

OPERATOR: Thank you, sir. Your next speaker will be Mr. Jim Zurbrick. Sir, your line is live. Go ahead, please.

MR. JIM ZURBRICK: Good afternoon, council members. Jim Zurbrick from Steinhatchee, Florida. I actually wrote this down, instead of getting up to that pulpit with a few notes, and so here we go.

With all the years that I've been involved with the council, other than the red snapper reallocation and recalibration grab of the past, this red grouper Amendment 53 is the most disturbing.

To issue any quota to a minimally-accountable sector is, in my opinion, unwarranted and violates best resource use, is harmful to the commercial sector, and hurts the non-fishing domestic seafood consumer. The stock is showing signs of recovery, mainly on the backs of the commercial sector. With an interim assessment coming, the council should wait for those results. It is my opinion that the stock is definitely showing some recovery, at least in the short term. How can the council, at this time, reward a recreational sector with an increase, when this sector has almost always overfished?

The uncertainty in the recreational sector catch is much higher than the commercial IFQ fishery, which is close to zero. This recreational sector should not be rewarded with more fish when the catch was exceeded during most of the years used for setting Amendment 53. How can you give credit to a fishery that overharvested, when the commercial sector had a hard TAC? Let's also not forget the recreational discard percentage that is much higher than commercials.

I would also ask that we have -- When this goes out to the public, we have got to have some kind of a face-to-face public hearing. This is a huge issue for the red grouper fishermen in

the Gulf of Mexico. Taking the huge cut they did, we're finally catching upwards of 80 percent of our quota. If you take 14 percent away from what we have now, and we're going backwards. It's kind of hard to believe that Congress passed the Young Fishermen's Development Act, only to train young fishermen and only to take away what it is they can catch.

Also, I disagree with the gentleman from Louisiana about the VMS. The VMS is the size of a GPS. You can have the smallest open fishing boats you've got, and there's not a space problem, and so we've got to move forward and move past that, and we've actually got to get to all the reporting on the charter side. Thank you.

CHAIRMAN FRAZER: Thank you, Captain Zurbrick. Let's see if we have any questions. I am not seeing any hands, and so, again, thank you for your comments, and we will move on to our next speaker.

OPERATOR: Thank you, sir. Your next speaker would be Mr. Steven Atran. Sir, your line is now live. Go ahead, please.

MR. STEVEN ATRAN: Hello, council members. My name is Steven Atran, and I am former staff on the council, and, when I was on staff, I was the lead staff person for the amendment Reef Fish 48 and Red Drum 5, the status determination criteria. I want to comment on that amendment today, and, specifically, on how it pertains to unassessed stocks.

I don't have a problem with the preferred alternatives as they apply to red drum or to assessed stocks, but unassessed stocks do not -- It is not possible to calculate an SPR, and, if you can't calculate an SPR, you have no way to measure the status of the stock when the status determination criteria is SPR-based.

There are alternatives to SPR-based criteria, and they would be based upon landings, average landings, over time. You were told on Monday that the average landings approach could produce a sustainable yield, but it would not be a maximum sustainable yield.

The fact is that's also true for SPR-based criteria, and, in reality, we can't calculate a true MSY for anything, no matter how good the data is, and so everything -- Every stock assessment we use uses a proxy, an approximation of SPR, or an approximation of MSY, and even an SPR-based proxy is just an approximation. It can produce a sustainable yield, but not necessarily a maximum sustainable, and so that's not really a

good excuse not to use the landings-based criteria.

You were also told that the SPR-based criteria for the unassessed stocks was only intended to be a placeholder and to be modified when better data becomes available. The National Standard Guidelines don't make any provision for a placeholder. Even the temporary criteria needs to be measurable, and these don't adhere to the National Standard Guidelines.

If you really don't want to use the landings-based alternatives, and those alternatives were in earlier versions of the amendment, there are a couple of other ways you could go. One would be to make a determination that these stocks are not in need of management and remove them from the FMP.

You actually did that back in 2012 as part of the Generic ACL and AM Amendment, when you removed about a dozen or so stocks from management. Of course, the stocks will continue to be caught, and they will be bycatch while fishermen are targeting other species.

The other way you could go, which really hasn't been considered at all, is to declare these stocks to be ecosystem component species, and then they could be managed to address ecosystem issues, such as species diversity or reducing bycatch mortality.

In 2012, the council briefly considered that approach, but rejected it, because the National Standard Guidelines, at that time, had a criteria that was so restrictive that the General Counsel advised that probably none of the stocks we were interested in would qualify for that designation, but the National Standard Guidelines were revised in 2016, and those criteria were removed, in order to provide more flexibility in the ecosystem component process. The guidelines now say that, because the designation of ecosystem component species may be done to accomplish several different goals, NMFS does not believe it is appropriate to prescribe specific guidance on the requirements for managing and monitoring the EC species.

The bottom line is you have three ways you can go that are compliant with the National Standard Guidelines. You can use some landings-based criteria that are measurable, even for unassessed stocks, or you could declare that these stocks are not in need of management and remove them, or you could declare that they are ecosystem component stocks, and you could continue to manage them to address ecosystem issues and objectives, but going with -- When we're using SPR and non-measurable criteria for these stocks, it's not in compliance with the Act, and it's

not in compliance with the guidelines, and it's just plain wrong.

In fact, it's beyond wrong, and it's unethical, when you have so many alternatives, and so my recommendation is that you not go forward with this amendment in its current format and that you address -- That you consider some of these alternative measures. That's all.

CHAIRMAN FRAZER: Thank you, Mr. Atran. Let's see if there are any questions. I am not seeing any, and so, again, thank you for those comments, and we will move on to our next speaker.

OPERATOR: Thank you, sir. Your next speaker would be Mr. Buddy Guindon. Sir, your line is now live. Go ahead please.

MR. BUDDY GUINDON: This is Buddy Guindon, commercial fisherman, Galveston, Texas. We are heading down the road of Amendment 53, which is Amendment 28 all over again. You are awarding a sector that discards between two-and-a-half million and seven million individual red grouper ever year.

You are unfairly penalizing commercial grouper fishermen, while rewarding private anglers for overfishing, and you're actually penalizing all fishermen, because the reallocation from the commercial sector to the recreational sector actually reduces the OFL, and so we all lose access, but commercial fishermen get hit twice. How far is that, and how legal is that?

I hope that you will do the right thing with the actions and focus on addressing the calibration problems first. There are a lot of smart people on the SSC and at National Marine Fisheries Service, and I am confident that they can figure out how to do this. Don't let reallocation distract you from doing this.

I also was listening when eight of our council members voted for something that was considered to be illegal by the staff attorney, and I don't know what kind of precedent that sets, when your attorney tells you that it's illegal and you move forward with it anyway, and maybe this is something that Congress needs to address, and maybe the individual responsibility of these council members should be in question here, as to why they would want to move forward with something illegal, and that's all I have. Thank you for your time.

CHAIRMAN FRAZER: Thank you, Mr. Guindon. I am not seeing any hands. Thank you again for your comments, and we will move to our next speaker.

OPERATOR: Thank you, sir. Your next speaker will be Mr. Dylan Hubbard. Sir, your line is now live. Go ahead, please.

MR. DYLAN HUBBARD: Thank you. First things first, I wanted to congratulate the Interim RA, Andy Strelcheck. I am hoping that you're able to keep that position full time, and it's always great working with you, Andy. Also, I wanted to thank the council for your work on the triggerfish and lane snapper documents. I wanted to speak in favor of the current preferreds in those documents and the committee motions, and I'm hoping those hold true at the Full Council and both documents are finalized as well.

For the triggerfish discussion in the next document, I would like to reiterate, once again, that we fully support keeping the status quo and not moving the opening date for these fish any earlier. Also, I want to thank you, Dr. Frazer, for all of your helpful and intelligent and thoughtful approach to this red snapper issue. It's been such a challenge, but your approach really helped spur the discussion and reach a conclusion, and we support the current preferred alternative in the red snapper document.

The mini-season for amberjack is big for many of us, recovering from an incredibly tough year, and we're hoping to have a full mini-season for amberjack, if the quota supports it, and the opportunity for as much as possible advance notice would be huge for our fleet.

The illegal charter issue continues to be a big problem in the Gulf of Mexico, and, recently, at a meeting with NOAA OLE, FWC, and the U.S. Coast Guard, we were told that the best way to kind of keep an eye on what NOAA is doing about illegal charters is to check the OLE report given at the council meeting. In the briefing book, that OLE report is available, and, in reading through the fines, there was three instances where boats were caught fishing with improper permits. All three instances, put together in total, the fine was only about $5,300.

Our federal permits are up to around $30,000, currently, and is there any way -- How should we go about trying to raise those fines and tie them to the current market value of our permits? At the minimum, in reality, I feel it should be double.

For the cobia draft amendment, I would like to support moving to the FWC bag limit and possession limits, with a minimum size limit of thirty-six inches. The SEFHIER program is off to a

good start, and I support that program, and I've been working really hard to work the bugs out, and I look forward to continuing to work together to make it as successful as possible.

I would also like to speak in favor of further development and exploration of that white paper called the CFA plan that we were unable to get to at this council meeting, and, on the red grouper document, I would encourage the council to consider the recent uptick in landings and the change in the overall sentiment of the fishery, and commercial fishermen spoke, and Mr. Zurbrick, who also commented to the uptick in red grouper, and I am hopeful that the upcoming interim analysis will reflect this positive change.

We've seen a big boom in recruitment, and this document is kind of a no-win scenario for everyone, and so, if there's any way we could wait and pick it up after the SSC reviews the IA, that would be awesome, and that's all I've got for today. Thank you, guys.

CHAIRMAN FRAZER: Okay. It looks like we've got a question from Mr. Strelcheck.

MR. STRELCHECK: Hi, Dylan. Thanks again for providing public testimony. I just wanted to follow-up on your comments about illegal charters, and you had asked during the Q&A last night, or provided the same input, and we will have someone from our Office of Law Enforcement reach out to you.

I was provided information this morning that indicates that there is three additional cases that have been referred from law enforcement to General Counsel, and those fines for illegal charters range anywhere from $7,500 to $24,000, and so they're significantly higher than the ones you mentioned, and then we do have other examples, but law enforcement is going to reach out and talk to you more specifically about what they're doing and steps that they're taking, and so I appreciate that input.

MR. HUBBARD: Mr. Chairman, would you mind if I responded?

CHAIRMAN FRAZER: Go ahead.

MR. HUBBARD: Thank you, Andy, and Manny Antonaras did reach out to me already, and we talked a little bit, via text message, and so I appreciate that, and I realize there is other things, and this is just one snapshot from one quarter, but I just really feel like -- I don't know if it's in the council process, or

where we need to go, and it's more of a question for everybody, as to how do we go about getting those fines raised, because, if the cost of a permit is $30,000, and the biggest fine that we have levied recently is $24,000, it incentivizes more illegal operations, if you can get caught and pay less than running illegally. Plus, you not only have to have the permit, but the SEFHIER program and the turtle gear, and you have to jump through a lot of hoops to operate legally, and so it just doesn't make sense to fine less than the permit cost.

CHAIRMAN FRAZER: Okay. It doesn't look like we have any more questions. Dylan, thank you for your comments, and we'll go ahead and move on to the next speaker.

OPERATOR: Thank you, sir. Your next speaker will be Mr. Tristan Armer. Sir, your line is now live. Go ahead, please.

MR. TRISTAN ARMER: Hello. My name is Tristan Armer, and I'm a recreational angler from Mississippi. Let me remind you all that, four years ago, the recreational Gulf red snapper fishery was in a crisis. The crisis was not a fishery crisis, as the health of the fish stock was not the issue, but it was a management crisis by the Gulf Council's inability to properly account for recreational effort and catch.

The Gulf Council's chosen tool, MRIP, has always been a failure for this. MRIP was never designed to be an in-season management tool, and MRIP's failures have gone much further. MRIP grossly failed to account for the true health and size of the red snapper fishery. The Great Snapper Count has proven this. The MRIP survey design is abysmal, and it did not get a lot of positive responses, whether by telephone or card in the mail.

In response to the crisis, Mississippi developed Tails 'n Scales, and Alabama developed Snapper Check, and this was done to solve the Gulf Council's crisis. Both applications are designed for in-season management of the fishery, and each has created a known universe of recreational anglers, and both applications have demonstrated significant compliance by the angling public.

MDMR checked the bottleneck passes of Mississippi last summer and found near 95 percent compliance with Tails 'n Scales. Tails 'n Scales has become the new gold standard for ascertaining in-season catch and effort data. Without legitimate debate, Alabama and Mississippi created world-class fishery management tools, but now the Gulf Council seeks to toss out these improvements.

Forcing Mississippi and Alabama to convert its data to match MRIP and not the other way around is unjustifiable. MRIP is not worthy of being the reserve currency. If it was, its use originally would not have created the crisis in the first instance, and no statute, rule, regulation, and nothing in National Standards 1 and 2 compels this Gulf Council to set MRIP as the sole reserve currency.

The Gulf Council did not put the calibration ratios it seems to use in Alternatives 2, 3, and 4 through the rulemaking process. The calibration ratios being used in your framework were not voted upon or accepted as the best science either. The Gulf Council's failure to weigh Tails n' Scales data quality over MRIP's is a gross mistake.

Yesterday, I heard at the meeting some representatives say that Alabama and Mississippi needed to feel their share of the pain for what they've done, and, with all due respect, that floors me, and what tells me this Gulf Council has lost sight of the forest for the trees is that the pain you think these anglers deserve comes only because Mississippi and Alabama made a better mousetrap to collect catch and effort data.

I ask you what reasonable and responsible body believes the states who elevated catch and effort reporting deserve pain for doing so. I think you need to go back and adjust these calibration ratios, weighting Tails 'n Scales and Snapper Check data heavier than MRIP. That's all I have to say today.

CHAIRMAN FRAZER: Thank you, Mr. Armer. I am not seeing any questions from the council members, and so, again, thank you for your comments, and we will move on to our next speaker.

OPERATOR: Thank you, sir. Your next speaker will be Mr. Matthew Pless. Sir, your line is now live. Go ahead, please.

MR. MATTHEW PLESS: My name is Matthew Pless. Hello, Mr. Chairman and the council. I have been a fisherman for twelve years, and a captain for about nine, and I recently finally was able to purchase my first commercial fishing grouper boat.

I agree with Jim that Amendment 53 should not be moved forward upon until accurate stock assessment results are looked at. There is a new study out, and I believe FWC -- I work very closely with the biologists here at our dock, and I know they have a new study coming out, and the information should be coming out, I believe, rather soon.

I have a fleet of seven boats here at our dock, and there is seven or eight at the marina just to the north of us, and about fifteen going up further than that, and I know a lot of those guys would love to speak today, but they're not able to, being that they're out there fishing, and it's -- I know it's hard to kind of realize that, and our field is very much weather related, and I know our fishing has been very good lately, and our numbers are up drastically from the last couple few years.

Everybody is taking advantage of that now, and I've spoken with a few on the satellite phone, and they're really sad that they couldn't speak on behalf of us, but I personally believe that our stock is well on the rise, and it looks very promising to the future. The weights of the fish are up, and the biomass itself, and the schools are up, and they're even moving closer back to shore, and, going forward, what I see an issue with is -- I'm also a recreational angler, and I go out with friends quite often on their personal watercrafts that dock directly behind their own houses.

For instance, the other day, we went out and got twelve red grouper, and they averaged about twelve pounds. Now, that's 144 pounds of fish that never get accounted for, and an average twenty-inch fish is four pounds, and that's almost a 300 percent increase of recreational people already taking more fish than they should, or at least the weights aren't being added up correctly, as far as what their actual yield is.

I mean, with the commercial guys, we update our pounds daily, and you guys know exactly what we catch, and I don't think there's accurate numbers, as far as the recreational side of things go, and to award them more of our catch I think is just the wrong decision, without real, accurate measurement.

I would love to have some other way that we could also try to align a better schedule, and I know you can't predict the weather, and you can predict an economic crisis, but a way that maybe more localized-based meetings or some other way that more fishermen can participate, because those guys are out there, and we're out there nine months a year, and I think they could gauge more of what the stock looks like than what you guys have passed across the boating ramps. That was my comments. Thank you very much. This was my first time speaking, and I look forward to joining many more meetings, guys. Thank you for your time.

CHAIRMAN FRAZER: Okay. Thank you, Mr. Pless. We appreciate the comments. Let's see if we have any hands from the council

members. I am not seeing any hands up, and so, again, thank you for your comments, and we'll move on to our next speaker.

MR. PLESS: Thank you, sir.

OPERATOR: Thank you, sir. Your next speaker will be Mr. Mark Tryon. Sir, your line is now live. Go ahead, please.

MR. MARK TRYON: My name is Mark Tryon, and I'm a commercial fisherman from Gulf Breeze, Florida, and I'm primarily involved in the red snapper fishery. This business that has come up recently with the red grouper reallocation, I mean, being a veteran of the red snapper reallocation wars, it reminds me of the great Yogi Berra, when he said that it's déjà vu all over again.

The bulk of these red grouper are caught off the Florida Gulf coast, and, contrary to claims by our fishery people in Florida that we have robust data, which we don't, and we have a basically an accountable fishery on the recreational side with red grouper, just like we do with red snapper.

We have estimated not real-time landings, based upon extrapolated data from random telephone surveys. In this day and age, this is not acceptable, and we can come up with a better way of -- Perhaps what the gentleman said from Mississippi and Alabama, and maybe that needs to be looked into, and I am not that familiar with their system, but all I know is ours is in need of an overhaul and improvement, and maybe some sort of smartphone technology is the answer.

In addition, I would suggest some sort of outside group auditing the accountability, or lack thereof, of the whole process of this data collection which is being used to make all of these decisions, and the term "common currency" comes up, and we're in desperate need of that, and we need a good common currency.

Regarding the red grouper, again, it's an improving fishery, and I think, based on historical data, we're nowhere near some of the historical landings, and so we need to be careful what we do here also, as far as managing the fishery. It's recovering, but let's be conservative.

I know, up here, it's just a bycatch, with me up in the Panhandle, and I only caught maybe fifty pounds of red grouper last year, and I never caught a lot up here over by Pensacola, but it's been something where maybe I could catch 500 to 1,000 pounds a year, during periods of good fishing, and that has,

obviously, not been the case, when I ran thirty-five trips and I caught fifty pounds last year.

The limits and the seasons, in my opinion, are already generous for the recreational sector on red grouper, especially compared to other species, and so I'm not really sure, at this point, whey they even need any more fish.

Regarding the red snapper increase, hopefully you folks can give us information for all sectors, so we can plan sooner rather than later, and, on the commercial side, we're kind of worried about, the longer you wait, that ends up being a fish dump for us late in the season, which can create problems with a glut of fish in the market, or perhaps not even being able to catch the entire quota. Thank you for letting me speak.

CHAIRMAN FRAZER: Thank you, Mark, for the comments. I am not seeing any hands at the moment, but, before we move on to our next speaker, I would like to remind folks that, if they're on the line and they would like to enter the queue to provide comment, that they need to press *1 on their phone. Okay. We will now move on to our next speaker.

OPERATOR: Thank you, sir. Your next speaker will be Mr. Casey Streeter. Sir, your line is now live. Go ahead, please.

MR. CASEY STREETER: Hi, guys. Sorry. I'm in my truck, and I hope you can hear me. I was just dropping fish off to a restaurant right now. I'm Casey Streeter, and I own four commercial bandit boats, and I own Island Seafood Market, and I have twelve commercial grouper boats and one longline boat that fish for us.

I want to speak out against Amendment 53, for a lot of reasons. I think, first off, a terrible idea to increase this to an unaccountable sector. I mean, you really just going to give a sector fish that's going to catch whatever they want, and so they're getting more, and they're just going to catch whatever they want, and it really only hurts our commercial guys. I mean, you see this disaster money come into our fishery this last year, because of the pandemic, and I see money going into this Young Fishermen's Act, and, I mean, nine of the boats that fish for me are first-generation, non-shareholding fishermen, and it only hurts them.

At my retail market, I see our American public come in, and they're actually the American public's fish, and it's really going to only increase the cost of the fish to them, because it

will go upstream, and, during this pandemic time, I really don't think people want to see their fish go up in price, and so I'm very against it. I think it's not well thought out, and hopefully it gets shot down, and that's it. Thank you.

CHAIRMAN FRAZER: Thank you, Casey, for the comments. I am not seeing any hands, and so we'll move on to our next speaker.

OPERATOR: Thank you, sir. Your next speaker will be Mr. Eric Brazer. Sir, your line is now live. Go ahead, please.

MR. ERIC BRAZER: Thank you very much. I'm Eric Brazer, Deputy Director of the Gulf of Mexico Reef Fish Shareholders' Alliance. First off, I want to welcome Acting Regional Administrator Strelcheck. Dr. Crabtree left some big shoes to fill, and we look forward to working with you, continuing to work with you, but in your new role.

Now on to the matters at hand. Let's tackle the easy ones first, and, as always, please see our comment letter for more information. First off, we really hope to see some movement on commercial ELBs as soon as possible. It's been a few months since we've heard anything, and so it would be great if we can get an update, and, if there's anything that we can do, or need to do, to jumpstart this process, let us know.

Also, with amberjack, we need to figure out what's going on with amberjack, and I don't know what the solution is, and we don't know at this point, but we've got to start somewhere, and so let's start that process this week.

Third, we're looking forward to actually seeing how the Great Red Snapper Count -- Those conclusions, and I know we're not the only one, and I really do appreciate the amount of work that went into this, and what's likely a huge task of synthesizing all these data, but commercial fishermen's business plans are in limbo right now, because we don't know what this means for 2021 quotas.

Fourth, IFQ carryover, and it's a big more complicated, and I know it seems like a lot of work at this point, but, if it helps out at least some of the commercial fishermen that need a little bit of help, after coming off of one of the worst years, or possibly the worst year, they have had on record, then I think you should at least initiate the framework process and see where it goes. I really don't see a downside to it at this point. Fifth, I know you didn't get to it this week, but I really hope that you will continue to explore sector separation for other

species.

In my remaining time, I'm going to tackle red grouper, and so it should come as no surprise that we can't support the preferred alternative that the committee chose. We've been talking about this for years, first with red snapper and now with red grouper, and I want to refer you to nearly every comment letter we have submitted since I started working in the Gulf in 2013, and I feel like a broken record up here, and you're probably tired of hearing me say this, but you're penalizing half of the fishery for not exceeding its quota, and you are rewarding the other half for exceeding theirs, although it's no fault of their own.

As Leann said, we would like to get some of that fish back, historically, especially now that we're starting to see some strong signs of recruitment and quota utilizations going up, and you will notice that red grouper was the only IFQ species with landings last year that saw an increase in quota utilization, and we hope that trend continues.

This is about a document that we feel has predetermined outcomes, and how else should we interpret the fact that every single one of the direct reallocation alternatives takes fish away from the commercial sector?

Finally, we feel that this is advancing a document too prematurely. If every council member understands the calibration process, and I mean truly understands it, the methodologies and the data discrepancies and the inputs and the sources of uncertainty -- If you understand that enough to tell a red grouper fisherman why his business needs to a take hit, then I will be the first to stand down, but, if you don't fully understand this, then I don't see how you can put the council's seal of endorsement on Alternative 3 at this time, and I apologize for going over. Thank you, Mr. Chair.

CHAIRMAN FRAZER: Thank you, Eric. Before I look for hands, I just want to let you know that I think we're going to provide that update that you were talking about with regard to the commercial ELBs at the upcoming AP meeting, and so look forward to that. I am not seeing any other hands, and so, again, thank you for your comments, Eric, and we'll go ahead and move to our next speaker.

MR. BRAZER: Thank you.

OPERATOR: Thank you, sir. Your next speaker would be Mr. Chris Horton. Sir, your line is now live. Go ahead, please.

MR. CHRIS HORTON: Thank you very much. Thank you, Mr. Chairman. My name is Chris Horton, and I'm the Senior Director of Fisheries Policy for the Congressional Sportsmen's Foundation, and I want to briefly comment on the state red snapper calibrations.

I understand that we're bound by the Magnuson-Stevens Act, and we absolutely support the principles of Magnuson to end overfishing and rebuild stocks and ensure we have healthy and abundant fisheries now and for future generations, but, however, the Gulf red snapper situation is yet again kind of the poster child for how sometimes a well-intended, and largely successful, piece of legislation written by folks in Washington, D.C. doesn't always work well on the ground in every case. There needs to be some degree of commonsense injected into the management process for fisheries that don't fit neatly in the box.

We have known for some time that MRIP data in the Gulf introduces some substantial uncertainty into the assessment models, and, in order to get better, and more timely, data, the states developed their own systems. For the States of Alabama and Mississippi, as expected, MRIP was really wrong, yet we are looking to penalize these two states for providing better data than MRIP, when it comes to measuring their catch.

If you take a step back, federal fisheries management is largely a theoretical exercise, based on a lot of assumptions, and that's just the nature of trying to guess how many fish are in the big pond known as the Gulf of Mexico. However, now we have the Great Red Snapper Count, which not only tells us that the modeling has been wrong, but the population estimate hasn't even been in the same ballpark.

Now we're forcing the states to calibrate back to a theoretical number that we know is wrong, and it simply doesn't make any sense. We need to improve the model to get the science right, and, granted, that's going to take more than a few months to sort out, but, until it is, we shouldn't punish Alabama and Mississippi simply because the federal system failed them the most.

I think there's a way to move forward with Alternative 1, and Kevin mentioned it yesterday. At least to me, it seems as though Congress intended for the opportunity for commonsense to prevail when they included National Standard 6 in the MSA. NS 6 says that conservation and management measures shall take into

account and allow for variations among, and contingencies in, fisheries, fishery resources, and catch. There are other parts of NS 6 that seem to apply to this situation as well.

The bottom line is that we've got it wrong, and we've got a great opportunity in the Red Snapper Count to really get it right. Fortunately, we got it wrong in a good way, because we've got a lot more fish, and so let's get it right, and let's not penalize a couple of states until we do. Thank you.

CHAIRMAN FRAZER: Thank you, Mr. Horton. I am not seeing any hands from the council, and so, again, I appreciate those comments, and we will move on to our next speaker. Wait, Chris. Sorry, but sometimes there's a little delay on my computer, but we've got a question from Dr. Shipp.

DR. SHIPP: Chris, what is the perception of the fishermen off of Alabama and Mississippi, knowing the results of the Great Red Snapper Count and then being cut in half? Most of them, are they aware of what the situation is, or are they just anticipating that, because of the Count, that suddenly everything is going to be great?

MR. HORTON: Both. The ones that are actually aware of what's going on, they think they're going to get more fish. A lot of them though, the ones that I know and fish with, I've had to make them aware that, hey, this is going on in the council, and they aren't really even aware that they may half of the opportunity, or even less, than they had in the last couple of years. There's just really not a lot of awareness there right now about what's about to happen.

CHAIRMAN FRAZER: Okay. Bob, any other questions?

DR. SHIPP: No. Thank you, Mr. Chairman.

CHAIRMAN FRAZER: All right. Chris, I'm not seeing any other hands, and so, again, thank you for your comments, and we'll go ahead and move on to our next speaker.

OPERATOR: Thank you, sir. Your next speaker is Catherine Bruger. Ma'am, your line is now live. Go ahead, please.

MS. CATHERINE BRUGER: Thank you, Chair Frazer and members of the council, for the opportunity to speak today. I would like to also welcome Mr. Strelcheck to your position, and I look forward to continuing to work with you.

I am Catherine Bruger, a St. Petersburg, Florida native and a second-generation fishery biologist. I am here today on behalf of Ocean Conservancy, as an advocate for fish policy, and to ensure the Gulf-wide legacy of continued fishing and robust fishing communities.

I would like to begin with Ocean Conservancy's continued support of state management for private anglers and red snapper fishing. This program has given us the opportunity to accelerate the pace of data collection, -- in each state, and incorporate additional data. These sound like great things, and, as scientists, we always wish we had both more and more timely data. Unfortunately, the conversion of this additional data is the critical flaw to Amendment 50, which has resulted in private angler ACL overages in both 2018 and 2019, which triggered overfishing in 2019, and is now threatening the success of state management altogether.

To speak to unfairness and inequity, charter captains' electronic logbook data will need to be calibrated and validated before it can be used for in-season management, a process they are being told upfront could take up to four years if the private angler component is held to an immediate application standard, which has been ongoing for three years now and still violates the MSA.

We support the motion to begin a new plan amendment that incorporates data from the Great Red Snapper Count into management advice, and we also support the inclusion of state data into the next research track SEDAR process.

We too are eager to see the results of the Great Red Snapper Count. However, due to timing, aligning the current framework with the assessment is no longer feasible. We have patiently supported the council's attempts to address these critical calibration issues. However, state commissions are likely already setting their seasons and will be done prior to the April meeting. We urge the council to take final action on the calibration rulemaking at this meeting to fix state management. A vote against accountability is a vote against state management.

Last, I would like to share a few thoughts on greater amberjack, which, as you heard today, is failing to rebuild biomass, remains overfished, is subject to ongoing overfishing, and has already been through numerous rebuilding plans. The current rebuilding plan assumes increases in rebuilding projections and suggests increasing quotas over time. However, this strategy

has not worked for amberjack.

We recommend that the council pursue a constant catch approach applied in tandem with interim stock assessments, which would maintain catch at base levels until the stock shows real signs of rebuilding progress. We see this approach as an opportunity to adaptively modify the ACLs, while providing stability and aiding a long-term recovery of the stock to guarantee access to the fishery in the future. Thank you.

CHAIRMAN FRAZER: Thank you, Ms. Bruger. I am not seeing any questions coming from the council. I will wait just a second, to make sure that I don't have a delay. Okay. Thank you again for those comments. We will go ahead and move on to our next speaker.

OPERATOR: Thank you, sir. Your next speaker will be Mr. Scott Hickman. Sir, your line is now live. Go ahead, please.

MR. SCOTT HICKMAN: Good afternoon, council, and thank you, Mr. Chairman. It's been long time, no talk to the council. Hopefully we'll be back in person sooner than later, and this is Captain Scott Hickman from Galveston, Texas. I'm a thirty-year charter/for-hire captain, IFQ shareholder, commercial fisherman, current Chairman of the Flower Garden Banks National Marine Sanctuary Council, and, on that note, the Flower Garden Banks Sanctuary Advisory Council would like to really thank all the hard work that staff and others and members of the council did on working on your part of our sanctuary expansion, and we got it to the finish line. We're really thrilled, and we're protecting lots of habitat and thirteen new additional banks, and we're protecting the Gulf and lots of fish. Thank you, all, for all that.

From the charter boat side, on cobia, I would like to do what Florida has done in the EEZ and go to a thirty-six-inch fork cobia, one per angler, and I would like to see two per boat. Cobia are in trouble, and it's my favorite fish, and I would like my kids to be able to catch cobia in the Gulf of Mexico one day.

The CFA white paper, I would like to see that plan moved forward and really be looked at, and we see how good Amendment 40 has worked in the charter boat fleet, and we would like to build upon that.

I'm a new member of the Papas Restaurant Corporation Management Team. The Papas Restaurants would like to make sure that

American red snapper, the increases that are coming from the Fish Count that I was part of, Dr. Stunz's Great American Red Snapper Count, that it be done carefully, that we would like to see those fish sooner than later, and it puts a lot of heartache on the commercial fishery, the markets, the restaurants, everybody, getting big shots of fish late in the year, but, also, don't overdo this increase.

We have got a really good rebuilding stock of fish in the Gulf. In a lot of areas, it's very, very robust, but we want to make sure that we don't get too big of an increase and jeopardize our rebuilding timelines that we've been under and the process of rebuilding this fishery, and that's about it. I really appreciate you all's time, and it's good to talk to everybody, and stay safe.

CHAIRMAN FRAZER: Thank you, Captain Hickman. Let's see if we've got any comments or questions coming from the council. It doesn't look like we do, and so, again, thank you for your comments, and we'll move on to our next speaker.

MR. HICKMAN: Thank you.

OPERATOR: Thank you, sir. Your next question will be Mr. Jim Green. Sir, your line is now live. Go ahead, please.

MR. JIM GREEN: Hello, council and staff. Jim Green, President of the Destin Charter Boat Association. I'm also President of the Charter Fishermen's Association. I will be speaking on behalf of the DCBA today.

First, Andy, congrats on being named the Interim RA, and I hope that becomes your permanent position soon. You've always had a level-headed approach on issues, which is a great balance for someone like me sometimes, but, in all seriousness, you're a valuable asset to our Gulf fisheries. Thank you.

The DCBA would like to thank the council and the agency for the SEFHIER program, and all the staff that is working on this program have been extremely helpful, and the outreach has been great, and it needs to continue. The issues that we were seeing are being resolved, as we learn the new system and its requirements, and we were happy to see this program partial implementation, and we're excited about the benefits to fishery management that we could see in the future because of SEFHIER.

Looking at the monitoring portion of the program, we feel it is important to do what is possible to entice companies to

participate in the cellular option. Lower-cost units were part of the buy-in on this plan, and, while I do not agree with Mr. Fischer's assessment of it being wildly unpopular, I will agree that the agency should make concessions to work towards their acceptance.

I am not sure how we do it logistically, but using the web-based app reporting requirements being implemented now, in conjunction with the position monitoring that the pilot project tested, could be a viable option to get the cellular units back in play, and so please think outside of the box.

When it comes to the CFA plan, the DCBA wholeheartedly supports fleshing out sector allocations for all four reef fish species. Our support comes from our experience in fisheries management and the fact we feel this should have been done when the moratorium of our permits happened.

This is to secure our historical access to the fishery, and we agree that a blend of time series is important to capture historical with current, and it is our sincere hope that this council will move forward with document creation and allow our industry to work with the council and agency to provide -- To bring a document to a place where our historical access is preserved.

Gray triggerfish and lane snapper, the DCBA supports the preferred alternatives selected in both documents, and please take final action, and thank you for your hard work.

Also, the DCBA does not support moving the opening date of gray triggerfish. The quota available, even with the increase, is not enough to fill the open season dates in the spring and the fall. We feel, when the stock rebounds enough, then we can look at moving season dates into months with less anglers, when less anglers are accessing the fishery. It's our feeling that those months are where extrapolation beat us up on quota, and it's not worth the possible loss in days when so few are available at this time.

Concerning amberjack in the near future, the DCBA urges the council and agency to maximize the remaining quota, and having the whole month of May would be very beneficial to our anglers. When it comes to cobia, the DCBA fully supports a push for federal regulations to mirror that of the FWC, one fish per person, two fish per vessel, and, while the FWC has a minimum size limit of thirty-three, we would like to see a thirty-six-inch fish.

This fishery has a good chance to rebound quickly if we have a few years under these regulations. As you know, this is a rapidly-growing specie, and this kind of reduction in harvest, especially in regions that have habitat that allows a faster and higher harvest rate, will greatly boost the stock's biomass. We do not believe that it would take long for a noticeable difference to be seen. Thank you so much.

CHAIRMAN FRAZER: Thank you, Captain Green, for your comments. I am not seeing any hands from the council. I will wait just a second. Okay. Not seeing any hands, again, thank you for your comments, and we'll go ahead and move to our next speaker.

MR. GREEN: Thank you, sir.

OPERATOR: Thank you, sir. Your next comment comes from Mr. Duane Smith. Sir, your line is now live. Go ahead.

MR. DUANE SMITH: Thank you much. Greeting, council members and members of the public. I am actually one of the Enforcement Section attorneys in the Southeast Region for NOAA, and so the only reason I'm taking up your valuable public testimony time is to respond to Mr. Hubbard and the questions that he raised, because I think they're broader than the individual case.

For those who are unaware, the Enforcement Section tries very hard to do our business transparently, and we send people like me to these meetings, and it seemed too good of an opportunity to pass up to not let you know what it is we do and how you can see what we do.

To Mr. Hubbard, and anyone else who is interested, the best place to find information about the enforcement section is on our website. If you just Google "NOAA Enforcement Section", or "NOAA General Counsel Enforcement Section", we have all of the cases that we've done are there, and our penalty policy is there, and it explains not only what our penalties are, but how we come to the conclusion of what to assess, and so that's great background.

All the cases that we do are reported there, and the penalty schedule, the summary settlement schedules, and everything is there for the public to see, and we like to be completely open and transparent about that. In addition, I'm available to answer any questions the council may have, or members of the public may have, about what it is we do and how we do it, and so I just wanted to put that plug out there, and then I will give

your time back to the public testimony. Thanks.

CHAIRMAN FRAZER: Thank you, Mr. Smith, for taking the time to provide some clarity there. Okay. I am not seeing any hands, and so we will go ahead and move to our next speaker, Captain Bob Zales.

OPERATOR: Thank you, sir. Captain Bob Zales, your line is now live. Go ahead, please.

MR. BOB ZALES, II: Okay. Bob Zales, II, representing the Southern Offshore Fishing Association, the grouper longliners and the National Association of Charter Boat Operators. First off, on amberjack, I sent some information during the recent SSC meeting, and we've got a serious problem with amberjack. I mean, this fishery has been undergoing overfishing and overfished now for, what, thirty years, and we're in our second or third rebuilding plan, and nothing seems to be happening to curtail the overfishing.

I have learned, from being involved with you all on this process, if you've got a fishery that is undergoing overfishing, you will never recover that fishery, and you've got to stop overfishing in order to get there, and so something is going to have to be done, regardless of how drastic, and I'm one of the people, like a lot of them on this line, that have pushed to keep amberjack open, but, at this point in time, if we don't do something soon, we're not going to have a fishery, period.

On the red grouper, Amendment 53, I am going to be sending some information to the rest of you all, and the current alternative that you all selected is a complete no-win loss for everybody alternative.

The commercial sector is going to lose quota. This past year, in 2020, the information I saw, I think they landed 2.3 or 2.4 million pounds, and this alternative takes them to a maximum of 2.6, and so, when you look at what was done in 2019, versus what was done in 2020, with the increase, and you're hearing from all the commercial guys that we've heard from the past couple of years about all the small fish that are in the fishery, and obviously they have entered the fishery, and they still are, and so I would predict, right now, if you do this, come next year, or whenever this plan goes into effect, in 2021 or 2022, you will see a closure in the commercial fishery.

The consumer will lose, and the small fishing families are going to lose, and pretty much everybody loses. On the recreational

side, when you increase their quota, because they are going to be considered undergoing overfishing their quota now, they are going to lose days of fishing or bag limits or something. With the recreational fishery, their discard mortality is much greater than the commercial side, and so the fishery itself will lose by doing this amendment, the way that you've got it done.

It benefits nobody, and I guess it complies with the perception of complying with the Magnuson Act, but that's the only benefit that you've got in this thing, because, when it comes to reality, the social and economic impacts is nothing but a negative situation.

Triggerfish, I agree with Jim Green. Cobia, I agree with Jim Green, and, on the red snapper, the Great Red Snapper Count, we've got to wait on the information coming out of the Science Center to see where that's going to go, and we're hoping that it's going to be the level that we're hearing it's going to be, and the other part, when you're talking about the charter boat electronic reporting, if you all will talk to Greg Stunz, the iSnapper program -- When we played with that iSnapper program, smart devices tracked us with GPS, no matter where we went.

If you've got a smartphone, and you are reporting, it will track you, and even though you don't know it at the time. When you get back into the beach, into cell range, it will log in where you were thirty miles offshore, and so you can talk to them about that, and that help with the electronic part of the thing, and so, unless anybody has got any questions, I'm done.

CHAIRMAN FRAZER: Thank you, Captain Zales. It looks like we've got a question from Mr. Dyskow.

MR. DYSKOW: Thank you for your testimony, Bob, and it's always a pleasure to hear from you. We have heard a lot of negative comments about the selected preferred on red grouper, and realizing that this is a challenge, and we're going to have address it again tomorrow, but nobody has told us what their opinion would be of an alternative preferred, and do you have any input on that?

MR. ZALES: During the SSC meeting, and I am going to be memory, but there was a presentation provided from one of the girls from the Center in Miami that, according to the computer model, the way that they played with weights versus fish, numbers of fish and so on and so forth, that the computer model suggested that the allocation should be around 31 percent recreational and 69 percent commercial.

When I first saw that, I'm thinking, okay, well, you know, this may be a compromise from the 24/76 or 26/74, whatever the original was, to the 60/40, which is in the current alternative, that this is kind of in between, and I am thinking, okay, and, well, if we're dealing with all these fishery management issues, and we're doing computer models of almost everything that's out there, and a computer model is saying, okay, this is what the allocation really should be, then maybe we should pay attention to that, if we're paying attention to the computer models on the rest of what we're doing, because it's kind of like --

I've been accused of doing this, and I do it all the time, but fishery management by the Fisheries Service I have called cafeteria-style management, where they pick and choose what they want to do, and amberjack is a classic example. If you go back to 2007 with red snapper, when it was declared undergoing overfishing, what did they do? They shut it down. Charters ended up with six days, private rec with two, and the commercial lost a lot, but, within a year, that fishery was no longer undergoing overfishing.

You have never done that with amberjack, and so I guess amberjack is not an important species, because, like I said, we're in our second or third ten-year rebuilding plan with jacks, and so, if you're going to deal with computer models, let's deal with them. If you're not, then let's do something else, but let's be standard on what we do. Let's don't do it one way with one fish and a different way with another fish.

MR. DYSKOW: Thank you, Bob.

CHAIRMAN FRAZER: Okay. It doesn't look like we have any more questions from the council members, and so thank you, Captain Zales, for your testimony, and we will move on to our next speaker.

OPERATOR: Thank you, sir. Your next speaker would be Mr. Ed Walker. Sir, your line is now live. Go ahead, please.

MR. ED WALKER: Thank you very much. I'm Ed Walker from Tarpon Springs, and I know most of you guys. A couple of things that I would like to comment on today. The first has been kind of an important one to me for a while, and that's the cobia vessel limit.

I think we kind of missed the boat the last go-round on this, and the opportunity is still there for somebody to go out and

put sixteen cobia on a boat, and I'm seen these pictures of this come up from time to time on social media, and it's really unnecessary, especially on a charter boat.

If you've got six people on there, and you catch two or three fifty-pound cobia, that's all you need. You don't need to put sixteen on the boat, and people are seeing declines in other places, and I think that's an easy way to go, to leave them at two fish per day. I think that will make everybody happy, and it will trim off the excessive meat pile option, and so I'm in favor of the federal cobia vessel limits.

As far as sector separation goes, I am currently opposed to sector separation, particularly for gag groupers, and maybe red grouper as well. We've kind of been down this road before, on a slightly different angle, with the IFQ for-hire idea that I was on the panel for two years, and it was one of the most vigorously debated issues that I've ever been involved with, but we all tried to make it work, and based on essentially no numbers, and it was just told to us by some of its proponents that it was going to work out really good for us, and we needed to go with it, and we're not really sure exactly how, but it's going to be good, and it's going to be good.

We debated about it for a long time, and we got really into the numbers, and we did a lot of work, and, at the very end, we got the numbers from NMFS, some actual hard numbers on what it would do to our seasons if we were to do that, and it was a disaster, and we were looking at a nine-day grouper season instead of six months, and a three-day triggerfish season, and all support went out the window that day, even among the most ardent supporters of that idea. When the hard numbers came out, nobody wanted anything to do with that.

This is a slightly different issue, but it's not entirely different, and so I remain opposed to this until, perhaps, we see some real numbers, and my analogy for it is that you don't go in and say I will buy this car without asking how much it costs.

If it works out reasonable, or even a little bit less, where we could have our own sector, I think that would be good, but, if it's going to cut my gag grouper season from six months to four days, or twenty days, or a month, I can't support that, and I don't think that's unreasonable. Grouper is a Florida issue, and I think trying to manage it Gulf-wide is just going to present problems.

That's my opinion, and I'm opposed to sector separation as it is now, and I could be -- If it was explored and demonstrated to me where it could be beneficial to the charter guys here in west Florida, I may support it, but, as it is now, I don't believe it will, and I think it will be really bad for west Florida charter guys, who are primarily the grouper guys. My time is up, and so I've got more input that I will put into a letter. Thank you.

CHAIRMAN FRAZER: Thank you, Ed, for those comments. I am making sure that we don't have any council hands up. I am not seeing any, and so, again, thank you for your time, and we will move on to our next speaker.

OPERATOR: Thank you, sir. Your next speaker will be Mr. Blakely Ellis. Sir, your line is now live. Go ahead, please.

MR. BLAKELY ELLIS: Thank you, Mr. Chairman. I appreciate the opportunity to speak to you all today. My name is Blakely Ellis, and I'm the Executive Director for CCA Alabama, the Coastal Conservation Association, and I am taking my time today to ask you all to please delay final action on the calibration of that data.

The results are going to be -- I mean, we all know what the results are going to be, and it's going to be not great for Mississippi and Alabama, and any final action that you all would take before having this next chunk of information from the Snapper Count to be included would be a mistake, and I really don't think it would be fair, and I think, if at all possible, just continue to delay that, so you can incorporate that into this final decision.

Our anglers in Alabama, I can speak for them, because I am one, and, by default, I'm kind of a clearinghouse for a lot of my friends and my friends' friends on fishing licenses and regulations, and I talk people through stuff and help them understand it, and we have worked really hard to get to the point that our anglers are comfortable with the reporting requirements with our Snapper Check program, and they're comfortable not feeling like, if they do give accurate numbers, they are going to end up getting penalized after the fact and getting those fish taken away, and so we've overcome that objection.

We've gotten over the hill on the states shutting the season down early, even though they had plans, but we keep telling them that's the way it's going to be, but, at the same time, if there's a hurricane, you get your days added back onto the end,

and so we're making progress with getting them up to speed, and they're buying into it.

Most recently, the state has added in the reef fish endorsement, and I believe it's $10.00 a person, but I probably had fifteen or twenty texts on Friday or Saturday or Sunday during snapper season of friends asking, hey, I got my fishing license, and do I have to get this reef fish endorsement, and I'm like, yes, it's important, and that's what allows us to have this data collection, and that's going to allow us to continue to move towards state management, which is going to, ideally, end up with us having better seasons and more enjoyable time on the water.

It's going to be a really tough thing to try to explain to people if this moves forward and our seasons end up getting cut in half, especially with the anticipation that, if anything, we might be on par, or level, but, in fact, we may be getting half of that, while a couple of our other neighbors are going to be gaining a small bit or keeping their same limit.

CHAIRMAN FRAZER: Okay. Thank you, Mr. Ellis, for those comments. I am not seeing any hands from the council members, and so we will move on to our next speaker.

OPERATOR: Thank you, sir. Your next speaker will be Congressman Garret Graves. Sir, your line is now live. Go ahead, please.

CONGRESSMAN GARRET GRAVES: Thank you. I just want to thank the council members, and I appreciate the opportunity to join you today. I want to talk primarily about red snapper and just to take a step back. If we go back and look at what was going on with red snapper management in the Gulf of Mexico just years ago, a few years ago, you recall this conflict among the rec to charter and the commercial and the states and the feds, and you had inconsistent seasons, and look at the progress that's been made over the last few years.

We have state management, and we have compatible state and federal-water seasons, and we have some of the best measurement, or management, of the fisheries that we have ever had in my home state of Louisiana, and we charged ourselves additional dollars to start the LA Creel program, and NOAA has, in recent years, gone through and certified the management practices of all five Gulf states, and we have now the best data collection, and we have the best management that we've had, and we've had better, I think, compatibility among the recreational, commercial, and

charter users.

The decision that was recently made, as was just discussed from the previous speaker, it doesn't affect my home state of Louisiana very much, and it really doesn't, but one thing that we've got to all keep in mind is the way that we got to where we are right now is by all five states working together, and I don't think we should abandon that. I think the five states need to continue working together, and the council.

If you look at the Modern Fish Act, legislation that I wrote and we had the President sign into law, it requires that -- Section 201, it requires that the type of data and analysis on recreational fishing, that it is some of the best data, that it's consistent with National Standards.

I think this really arbitrary decision that was recently made actually violates National Standards, and I think that it's not the right direction that we need to be moving in, and it completely ignores the Great Red Snapper Count that actually indicates that there is greater stock in the Gulf of Mexico, rather than less stock, as this recalibration indicates.

If we're going to be moving back into the MRIP system, or MRIP for data purposes, that is regressing, and that's going backwards, and I will say it again, that it's contrary to the laws that we passed and requirements that the council and NMFS are supposed to be following about using the best data. It indicates that the certification of the five states' data was wrong, and that's not the case. It's better data.

I understand the need for a common currency, and I support moving in that direction. Senator Shelby has been fantastic in helping us secure dollars recently, $5 million and then another $2 million for data collection and data common currency translations, and so I want to urge you all to pause, and I want to urge you all to be thoughtful about the volatility over the last several years and the great sport we're at right now, and, lastly, just the Great Red Snapper Count and how those numbers indicate that we need to be moving in a different direction than is currently before the council, and I guess that's it.

CHAIRMAN FRAZER: Okay. Thank you, Congressman Graves, for your comments. I am waiting here to make sure that we don't have any council hands up. It looks like we've got a question from Mr. Dugas from Louisiana.

MR. DUGAS: Yes. Thank you. Thank you, Congressman Graves. I

have a question for you. Back in September of 2020, there was a letter written to Secretary Ross from you and your colleagues urging us to prevent any action and to use the state harvest data. My question is have you gotten any kind of response to that letter?

CONGRESSMAN GRAVES: Thank you very much. I appreciate the question, and, yes, we did ask, with a number of other Gulf coast colleagues, that there not be any abrupt actions and that we wait and see what the outcome of the Great Red Snapper Count is.

I don't believe that we have seen a response, and I know that I haven't personally seen one, but I can check with Justin Davidson in our office and double-check to see if we did receive anything. I did have a conversation with Chris Oliver on the phone, from the Department of Commerce, talking through sort of their position and concerns, but I don't recall seeing anything in writing, and I will tell you what. I will double-check that in just a few minutes, and, if we did receive a response, I will make sure that we send it over to the council as soon as possible.

MR. DUGAS: Thank you.

CHAIRMAN FRAZER: It looks, Congressman, like we have a couple of questions, and so, if you're willing to stay on the line and field them, the next one would be from General Spraggins from Mississippi.

GENERAL SPRAGGINS: Congressman, thank you so much for taking the time to address this group, and I thank you so much for your efforts of what you've done and for what you've done for the fisheries in general for the Gulf of Mexico.

I know that our Congressman Palazzo supports your efforts, and I know that he is a big supporter of what you're trying to bring forth, and I thank you for stepping up and at least bringing the truth about what we need to do with this and how we need to look forward and not go back, and thank you, sir. I appreciate you very much.

CONGRESSMAN GRAVES: Absolutely. Thank you. I actually spoke to Congressman Palazzo just yesterday. Thank you.

CHAIRMAN FRAZER: Okay. Our next question comes from Dr. Stunz from Texas.

DR. STUNZ: Thank you, Congressman, for taking the time, and I appreciate -- I guess you recognize the magnitude of the decisions that we're going to be making, and so I appreciate everything that you have done for fisheries management in the Gulf and taking the time to listen in on us today.

I guess my question is related to Mr. Dugas and his comment about the letter that several of you wrote to Wilbur Ross this last fall, and I just wanted to get clarification that I think your office does support that we should make these state programs the best available science, and I was hoping that you might be able to comment on that.

CONGRESSMAN GRAVES: I'm not sure if it was just my phone or if it was others as well, but you broke up right at the end, and so I didn't hear exactly what the question was.

DR. STUNZ: Well, my question was clarity that your office is supporting that we make the determination that these state programs that have been implemented are the best available science for managing the red snapper fishery.

CONGRESSMAN GRAVES: Great. Thank you. Yes, that absolutely is our position. We commend the states, and, look, I will tell you that I personally took a stick to, and, of course, I'm just using an analogy here, to a couple of the states, and I wanted to ensure that we were using the best science. I don't want overfishing, and I want to ensure that our kids and grandkids have the opportunity to fish, and I do believe that the state data is more tailored, and I think it's more specific, and I think it's better data, and I think the federal law that I wrote and signed into law today requires that, as well as some of the organic text of the Magnuson Act.

Just to show my commitment to the conservation of the species, the President just signed into law a legislation that I wrote, bipartisan legislation that I wrote with Congressman Huffman of California, requiring descending devices, and we're now working -- Just to be used on reef fish, and we're now working to ensure that those devices are available. By some estimates, we believe that it could improve stocks by up to 20 percent, over 500,000 fish per year increase in red snapper alone, and so we're certainly committed to conservation.

I think that there are a lot of tools in our toolchest that we need to be using, and I just urge you all to please make informed decisions based on best science, and I think the states have it.

CHAIRMAN FRAZER: Okay. I am not seeing any more questions from the council. Congressman Graves, I really appreciate you taking the time out of your schedule to hop on the line and talk with us here this afternoon.

CONGRESSMAN GRAVES: You bet, and thank you for you all's service.

CHAIRMAN FRAZER: Thank you, sir. We will move on now to our next speaker.

OPERATOR: Thank you, sir. Your next speaker would be Mr. Ed Maccini. Sir, your line is now live. Go ahead.

MR. ED MACCINI: I'm Ed Maccini, and I'm President of SOFA. I represent the longline fishery on the west coast of Florida, and, first of all, I am definitely opposed to the preferred option in Amendment 53. I really don't understand how you can reward a group that constantly exceeds their quota while penalizing a group that works within the framework. That's number one.

Number two, as far as the landings for the red grouper, a couple of reasons. Number one, we're experiencing a changing of the guard, and a lot of veteran fishermen, top guys, have retired, and that's number one, or passed on, and so we have a lot of new faces coming into the fishery, and it's a learning curve, and I think they are catching on rather quickly, and there has definitely been an uptick in the landings, if you look at what we did in November and December, and I'm sure, once the January numbers come out, you will definitely see that there is an uptick.

The other thing is, as far as the landings being decreased, a couple of things. first of all, in 2013, we used 400,000 hooks for the year. In 2018, we used 1.6 million hooks, and the reason for the increase is because of the shark population has exploded, and then we're dealing with the porpoise issue as well, and so the landings did go down, but, like I said, they are definitely on the upswing, and I believe that it is going to continue.

We have new blood coming into the fishery, and now, if you go and take away fish, you're going to just deter those people being interested in making a career out of commercial fishing, and that's all I have to say. Thank you for your time.

CHAIRMAN FRAZER: Thank you, Mr. Maccini, for those comments. I will wait just a second to see if we have any questions from the council. I am not seeing any, and so I will remind folks, again, that the queue looks like it's empty, but I will give an opportunity to folks that might be hanging on the line. If you want to provide testimony, you can press *1 on your phone. It looks like we've got maybe one or two more folks willing to join, and so we'll go to our next speaker.

OPERATOR: Thank you, sir. Your next speaker will be Mr. Bobby Kelly. Sir, your line is now live. Go ahead, please.

MR. BOBBY KELLY: Good afternoon, council. I am just going to touch on a few things real fast, and I will be brief, and we've been doing boat work all day. The first thing I want to touch on is triggerfish, and we are -- We have worked really hard, for a long time, to try and get a March opener on the triggerfish and let those guys run throughout the spring, and, with the incoming quota increase that we expect, we hope that we get to fish in the fall. It's real important for us to have these fish on a fall basis, to allow the short, half-day trips for the customers to retain a fish.

A bug that I need to put in the council's ear is, in the coming actions, is the triggerfish commercial trip limit is sixteen fish, and something needs to happen and alter the bag limit to allow the commercial sector the opportunity to harvest their fish according to the TAC going up, and I believe it's about a 60 percent increase in the quota going up. This year, I believe the commercial sector -- We didn't actually catch all of the triggerfish with the sixteen-fish trip limit, and so, guys, if you would, just keep that in your minds moving forward for the commercial sector, that we do have a shot to maybe increase the trip limit to something relative that allows the harvest of fish.

Next, we need the amberjack -- I would ask the council to put out some information of whether we're going to have a May season or not, and I've already got guys calling and booking, and we believe -- I always tell them we do the best we can, but, if something happens and we don't get the amberjacks in May, which is fine, if that's what the resource dictates that it needs, you know, these guys are going to cancel, and so, if you would, get us out the information as quick as you can.

I am real excited to hear a lot of the feedback coming back with cobia, and I personally support a one per person or two fish per vessel bag limit on these fish. I mean, everybody will tell you

that the numbers are way down, and even my Texas guys, which everything is better in Texas, but even they're saying the cobia fishery is down, and so we need to do something for these fish, to make sure that they're there for the next generation, and it's just going to be one of those things.

I think that's going to be about it. I hear that Mr. Strelcheck has done a wonderful job in Roy's place, and so keep up the good work there, Andy. I appreciate it.

CHAIRMAN FRAZER: Thank you, Bobby, for the comments. I am looking around to see if there are any hands. I am not seeing, and so we'll go ahead. Again, thank you for your comments, and we will move to our next speaker.

OPERATOR: Thank you, sir. Your next speaker will be Mr. Tommy Elkins. Sir, your line is now live. Go ahead, please.

MR. TOMMY ELKINS: My name is Tommy Elkins, and I'm the Chairman of the Board of CCA Mississippi, and I just wanted to let you know that my phone and emails and social media have blown up, pretty much, with the announcement that you are considering going back to a system that was obviously broken. The states abandoned that system and built a better one, and now we're going to go back to the old system.

The Red Snapper Count came about after anglers and managers and everybody pretty much lost faith in the federal stock assessment, and it's showing that there is three-times the number of fish out there than what the stock assessment is, and, yet, you've got Alabama and Mississippi being asked to cut their catch by more than half, and so the anglers are very upset, and most of these are recreational anglers, but we also have quite a large number of charter/for-hire captains in our ranks, and no one that has called is happy about that reduction, and that's really all I have to say. Thank you.

CHAIRMAN FRAZER: Thank you, Mr. Elkins, for those comments. I am looking to see if we have any questions from the council. I am not seeing any, and so we will move on -- Hold. Tommy, if you would just hang on for a second, and it looks like we have a question from General Joe Spraggins.

GENERAL SPRAGGINS: Yes, sir, and I would just like to ask you a question, and thank you for coming on. What kind of -- If this goes in as the Option 2 that we're looking at now, and it cuts the Mississippi allocation down to 50,000, what kind of impact is that going to be on our charter boats and our fishermen in

the State of Mississippi?

MR. ELKINS: General, I'm sorry, and I can't give numbers on that, just mostly because I really wasn't prepared for it, but it can't be good. You know, we've got a lot of people that come down, and the thing to remember here also is that you're not just impacting the charter captains, but you're impacting the people from the hotels and the restaurants and at the shops where their wives go when they're out fishing, and that's the hugest thing that we've got going, is the economic impact that fishing brings to the Mississippi Gulf coast.

Again, it's just not the fishermen, and that's a big part of it, but that's not the biggest part of it. The biggest part of it is all that surrounding economic development that comes in around that while they're going out fishing and things, and so it's going to be a terrible hit. It's a hit after a couple of terrible years. In 2019, we had the spillway release, and then we had 2020, and gosh knows everybody knows what that was like, and I just don't know how much longer people can stand it. Thank you.

GENERAL SPRAGGINS: I guess what I'm asking there is a question, in a roundabout sense, and since we took the 2019 Bonnet Carre hit in Mississippi and took a drastic hit from that to our fishing and our estuaries, and then we took another hit, during that same time, with having the green-blue algae that devastated us, and then having COVID on top of this, and, just having this, what it would really do detrimental to the State of Mississippi and to our fishermen.

MR. ELKINS: It would be huge, is all I can say. I can't throw a number at it, especially comparing it to the last two devastating years, but it's three devastating years in a row if we go with this, and who can stand that?

GENERAL SPRAGGINS: Thank you, sir.

MR. ELKINS: Thank you.

CHAIRMAN FRAZER: Okay. It looks like we have a question also from Mr. Swindell from Louisiana.

MR. SWINDELL: Thank you, sir. What I really wanted to know is you've got a narrow piece of water between Louisiana and Mississippi, and I'm just wondering, and are you going into Louisiana waters, by any chance, and catching fish that you're taking back, and they're being counted in Mississippi? I was

just trying to get an idea of just how much real impact this is going to have on you, if we could work it out some other way. Thank you.

MR. ELKINS: Personally, when I do it, if I'm fishing Louisiana waters, I get on their system, and I haven't done it in Alabama in the last couple of years, but they have a system, and I would go on their system, and well as do Tails 'n Scales. I don't -- When I do go into Louisiana waters, I would count them that way, and that's just the way I think it's fair to do. The landing numbers I don't think are exaggerated by that, and I can't speak for how others may do it, but that's just the way that Tommy Elkins, recreational angler, does it.

MR. SWINDELL: I don't know that it helps me any either, but thank you, sir.

MR. ELKINS: Thank you.

CHAIRMAN FRAZER: General Spraggins, did you want to follow-up with another question?

GENERAL SPRAGGINS: Yes, sir. Mr. Elkins, if you come out of Mississippi and go into Louisiana waters, you have to come back to Mississippi to land the boat, and you have to have our Tails 'n Scales, and that's the way it operates. If you land the fish in Mississippi, it has to be under Mississippi's Tails 'n Scales, correct?

MR. ELKINS: Yes, sir. I'm sorry. The way I said it exactly didn't make sense, and so I fish out of Mississippi most of the time, and I do Tails 'n Scales then. Sometimes I go stay in Alabama. When I'm fishing out of Alabama, I do their program then, and, if I go out of Point a la Hache or somewhere in Louisiana, I would do theirs, and so I'm multitasking as we do this, and I apology to the council for that, but sometimes it can't be helped, and so I hope I cleared that up.

GENERAL SPRAGGINS: Okay. Thank you.

MR. ELKINS: Thank you.

CHAIRMAN FRAZER: Okay. I am going to wait just a second, to make sure that we don't have any more questions coming from the council. I am not seeing any, and so, again, thank you for your comments, Mr. Elkins, and we'll move on to our next speaker.

OPERATOR: Thank you, sir. Your next speaker will be Mr. Kyle

Johnson. Sir, your line is now live. Go ahead, please.

MR. KYLE JOHNSON: Hi, and thank you for having me. My name is Kyle Johnson, and I'm the Ship Island Chapter President for Coastal Conservation Association in Mississippi, and there's not much more that I can say, pertaining to what everyone else has stated about not being for reducing Mississippi and Alabama's snapper allocation, and I'm just going to go ahead and agree with everything that everybody said, because that's what I was going to say.

Pertaining to some of the questions that were just asked to Mr. Elkins, I think I can really further clarify that, because, even though I am a recreational angler, I am also a full-time charter captain, a state for-hire charter captain, and the percentage of anglers that are going to Louisiana waters, or even Alabama waters, me personally, I think are smaller than you would think.

We actually have a very good fishery, with our fish havens, and the Department of Marine Resources and General Spraggins have done a good job of creating this great resource for us, and, when you go out there, you go to these fisheries, and you're only fifteen miles past the islands, and, depending on where you launch, an island can only be seven miles from shore, and you've got bay boats out there. You've got twenty-foot bay boats, twenty-four-foot bay boats, and you've got guys that run out there and get their snapper and then come in and get their trout, and I don't think there's a lot of people that -- If they're going to go do some offshore fishing during the summer, the only reason they're going to go for snapper is because it's just going to be add-on thing.

Like, for me, for instance, I will leave out of here, and, if I'm going to go to Louisiana waters to catch snapper, then I'm going to the Horseshoe Lumps or something to catch tuna, or something, or out to the rigs, past there, and it's just maybe something to add on, and I don't think there's a lot of Mississippi anglers that want to go way out to get just snapper, knowing that they don't have to go that far to get their snapper, and so I just wanted to address that.

The economic impact I think is going to be huge, and I hear all the time from other sectors about how it's going to affect livelihoods, and, well, you know, sometimes I feel like it's not -- People think that, just because you're a recreational angler, that you're not affecting anyone's livelihood. Well, you're affecting the marinas' livelihood, the guys selling gas, the guys selling bait, the guys selling all kinds of stuff, and I

think those livelihoods are going to be affected.

It's going to be a massive economic impact here to cut it 50 percent. I mean, that's a big deal. There's guys who wait here just to go snapper fishing, you know, and that's just going to -- - I just would really -- I am pleading with you all to please consider holding off and researching the Great Snapper Recount and just holding off on it, instead of just cutting our season in half.

Like Tommy said, I've gotten a ton of phone calls, you know, and I've been doing damage control here and trying to explain everything to everybody, and, even when I'm explaining it, it's kind of hard to make sense, knowing that we have one of the best reporting systems in the Gulf, and we're being told we're going back to a system that is not as good, and I would like to commend General Spraggins and the DMR on their efforts in collecting this data.

Also, like it was stated before, they're doing a great job in checking these vessels. I mean, I get stopped all the time when I went to go snapper fishing, and they're doing a great job, the DMR and the Marine Patrol, at getting at these choke points where these anglers are going, that you have to go past to go through to these fish havens.

I mean, they're there. They're there, and they're waiting on you, and they want to know your Tails 'n Scales number, and they want to look at your fish, every time, and so I will just ask you to please hold off on this decision and maybe wait for the next round of data to look at, or something, and just please not take away half of this quota. Thank you.

CHAIRMAN FRAZER: Mr. Johnson, we've got a question from Patrick Banks.

MR. BANKS: Thank you, Mr. Johnson, for those comments, and I certainly can understand where you are, in terms of worrying about fish being taken away, and I can agree with that statement, but what I want to try to clarify for you, and I have heard this same statement multiple times over the course of the public testimony here today, and I've even heard it here in Louisiana from one of our own commissioners, and that is that -- With calibration, we're going back to a failed federal system and not continuing the state systems that are better.

I just want to try to clarify that that's not what we're doing. Calibration does not mean that we don't believe the state

systems are better or worse, and it's not a matter of whether one system is better or worse, but it's a matter of how they compare to each other. They have to be calibrated against each other.

Your Snapper Check and the Tails 'n Scales and LA Creel, those are all better systems for counting fish in the middle of a season, absolutely, and I completely agree with that, and we will continue those, but this is a matter of how the way we count fish matches up to the way fish were given to us under the old system, and so it's not an issue of whether it's better or worse, but it's a matter of trying to calibrate between the two, and so I'm just trying to -- Every time I hear those comments, I want to try to maybe make that clarification, just so that folks understand what the calibration means.

It's not that we're going back to a federal system, and it's not that we're abandoning state counting systems that, in my opinion, are clearly better for counting fish, but it's just trying to understand the comparison or how those two sets of data match up. Thank you.

CHAIRMAN FRAZER: Okay. Thank you, Mr. Banks, for providing that clarification and taking the opportunity to try to make sure that people understand the complexity that we're trying to deal with, and, again, I would agree with you 100 percent.

I don't think anybody on this council is saying that any of the state data collection programs are inferior to the MRIP program, and they're two different things, and we're trying our very best to make sure that they can talk to one another, so that we can get the most out of this resource for anglers and other stakeholders all across the Gulf of Mexico, and so, again, if people have questions, and they want to, again, try to understand the complexity of those issues, you can certainly feel free to reach out to the council members or write a note to the council, and we'll do our very best to try to get answers to you.

With that said, I am not seeing any more speakers, and I think that it's 5:30, and I think that we've had a full day today, and so, again, I want to thank everybody for their time, all of the people that were on the line for this public comment period, and it's important to us, and we do take all of these comments very seriously and into consideration as we think about how we're going to make our decisions, and so, with that said, you guys all have a good evening, and we will reconvene tomorrow at 9:00 a.m. in the morning.

(Whereupon, the meeting recessed on January 27, 2021.)

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January 28, 2021

THURSDAY MORNING SESSION

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The Full Council of the Gulf of Mexico Fishery Management Council reconvened via webinar on Thursday morning, January 28, 2021, and was called to order by Chairman Tom Frazer.

CHAIRMAN FRAZER: Good morning, everybody. It's the last day of the week for us, and so I'm sure that everybody is cheery about that. We're going to -- On the agenda, we're going to start off with the Committee Reports, except for we've had a request from Major Skena to give the Louisiana Law Enforcement Update first, because of a scheduling conflict, and so I think I would like to give Major Skena that opportunity to take care of his presentation, and then we'll roll into the committee reports. As soon as we can get Major Skena on the line, we will let him start.

LOUISIANA LAW ENFORCEMENT UPDATE

MAJOR SKENA: I am here. Good morning, everyone. Thank you for adjusting the schedule for me, and I certainly appreciate it, and it couldn't be avoided, and I'm glad that you guys were able to work that out for me.

I also wanted to thank everyone at the council for honoring Sergeant Scott Dupre yesterday. It was really cool for our agency to be recognized. When hard work doesn't go unnoticed, it's always a great thing, and Scott was extremely ecstatic about the honor, and just seeing him and how he felt about it was really good for the administrators, and we were really happy, and I just wanted to make sure that we conveyed that to you guys, that we certainly appreciate him being recognized, and our agency as well.

With that, I will get started. I shouldn't take too much of your time, and I will be able to answer -- Hopefully I can answer any questions, if you have any.

I was asked to provide an update of our JEA program for 2020, and that is the short presentation that you have in front of you. The first slide is basically how many hours that we made during the last JEA year, separated between commercial and recreational. The big difference between this year and last year is, obviously, the pandemic that went on, which you're familiar with, and, probably more importantly, or probably that has just as much effect, if not more, on the State of Louisiana was our extremely active hurricane season.

I think our agency was required to respond to five different storms, which severely impacted our JEA program and the amount of hours that we actually had to spend to patrol, but, all in all, with those two events, we still managed to put in a lot of hours and make a lot of contacts, as you can see from that slide.

The next slide is more toward the total contacts between recreational and commercial, and, once again, these numbers are lower than they were from last year, because of those two major events, but still fairly significant, considering that, pretty much March through September, we were engaged in either COVID patrol or responding to all of those hurricanes.

As a matter of fact, one of our coastal regions in southwest Louisiana, the Lake Charles area, was severely impacted, and a number of personnel were displaced, and the region office was damaged, and we had to vacate the premises for several weeks before we could get that place online.

We had to patrol a lot of closed areas, as it relates to the state's emergency operation plans at the Department of Wildlife and Fisheries is required to be the lead agency for Emergency Support 9, which is search and rescue, and you can imagine how much time that took us from our normal wildlife duties, but, all in all, I still think we made a significant impact on the recreational and commercial offshore fishing industry.

The next slide will show you the amount of hours that we spent on administrative issues related to the JEA program, whether it be attending court or report writing and things of that nature, and that number is, I believe, in parity where it normally is, with the amount of patrol hours that we usually go through.

The next two slides, there's a lot of information there. Slides 6 and 7 really get into the meat-and-potatoes of the JEA program, where it breaks down the actual number of vessels and contacts made for the commercial and recreational side, and this

slide is the commercial aspect, and I would -- I think the biggest thing that I would like to report in this area is that our commercial compliance is up compared to last year, especially in reef fish, which is where we wanted to make a little bit more of an impact.

Last year, we felt like our compliance in the reef fish area was lower than we expected, and we put a significant amount of effort there, and we have seen compliance come up in that area.

The next slide, Slide 7, is the same breakdown, but on the recreational side. The numbers here are pretty good, and we have about the same amount of compliance as we had last year, and we still believe there's a little bit of work to do inside the reef fish area, and, of course, we will continue to work on that, but, all in all, we believe that we are seeing fairly decent compliance in our offshore waters, and, of course, we're going to continue to make those patrols and document violations, to ensure that we get the compliance that we're looking for.

The last slide is just one case that I wanted to highlight from last year, and this case was called Operation Yellowtail, and the department, especially administratively, are extremely proud of this case. This was made prior to COVID and all of the storms in southwest Louisiana, and we're excited about this case, because it really highlights good old-fashioned game warden work.

This case started out as a complaint that was suggesting that IFQ violations were taking place, and it was from one of our agents who maintains a lot of informants in the area, and, for those of you that are not familiar with that type of work, it's very difficult to maintain informants and to work with them, and there are a lot of challenges associated with that type of work, and I will spare you the details.

As I said, once again, the agents involved in this had their work cut out for them. The initial complaint suggested that this gentleman who had purchased allocation was turning off his VMS and not reporting his trips and not reporting his landing locations, in order to catch as much snapper as possible.

We set up on it, and we were able to observe several trips, and we were close enough to actually count fish and see the over limit, and we were able to document a lot of the violations that were occurring.

It turns out that he had moved his registered VMS from one

vessel to another, and, through work with the U.S. Attorney's Office, they are going to pursue some different charges, as far as this subject removing his VMS, but we wound up charging him recreationally, because he was -- His allocation did not apply in this case, and so we put him fishing out of season and extremely over the limit.

For the trips that we were actually able to observe and the fish that we were actually able to photograph and put our hands on, five subjects were cited in connection with this case, and eighty-two snapper were seized.

As I said, we are extremely proud of this case, and this is one of those cases that certainly resonates within the community, the commercial and recreational community, and it's the type of investigation that tends to change behavior, and, for those reasons mentioned, next year, of course, these guys, these agents, that participated in this investigation, I will certainly nominate them for the Team of the Year Award. We're just very proud of that case, and it's unfortunate that that type of thing still goes on, but I guess, if it didn't, me and about two-hundred-and-something other agents in Louisiana would be without a job.

Anyway, I thank you for your time, and that is the end of the report that I had prepared to explain how our JEA program is going in Louisiana, and, if there are any questions, I will do my best to answer them.

CHAIRMAN FRAZER: Okay. Thank you, Major Skena, for the update. It was, as usual, very informative, and I think I speak on behalf of the whole council when we say that we appreciate the work that you and your team do on a day-to-day basis, and we're certainly proud of Officer Dupre as well for receiving the Law Enforcement Officer of the Year Award, and so congratulations, again, to him and your group.

Let me see if we've got any hands up, at this point, from folks on the council with any questions. I will wait just a second, to make sure. I am not seeing any hands this morning, Major Skena, and so we will let you get back to work, and I hope you have a productive day, and, again, thank you for the presentation.

MAJOR SKENA: Thank you very much for the kind words, sir, and thank you for all that you guys do. I hope that the rest of meeting goes well, and we look forward to working with you all in the future. Have a great day.

CHAIRMAN FRAZER: All right. You too. Okay. We are going to jump right into our committee reports, and we will start out with the Administrative and Budget Committee Report, and that would be Phil Dyskow. Phil, we'll get the report up, and, when you're ready, go ahead and take it away.

COMMITTEE REPORTS
ADMINISTRATIVE/BUDGET COMMITTEE REPORT

MR. DYSKOW: Thank you, Tom. Before I begin, I would like to request that we hold all questions until the end of the presentation, in an effort to conserve time. The one exception to that would be the motion that we have to vote on, and so we'll be happy to take all questions, but I would appreciate it if we hold them until the end of the report.

This is the Administrative/Budget Committee Report from January 25, 2021. The committee adopted the agenda as written and approved the minutes of the October 2020 meeting as written.

In Tab G, Number 4, staff presented the meeting history for the Reef Fish and Shrimp AP panels since the last appointment in 2018 and reminded the council the Standing and Special SSCs are up for reappointment this spring.

However, the committee decided to maintain the standard timeline for the appointment process. Thus, staff will readvertise for appointments of both the Shrimp and Reef Fish Advisory Panels, so that the council can review the applicants and make preliminary selections at the April 2021 meeting. After fishery violation background checks, final selections will be made during the June 2021 meeting.

In Tab G, Number 5, staff presented the funded and approved 2020 budget alongside the actual costs recognized through the end of the 2020 year. We were funded $3,964,336, and we anticipate that there will be approximately $848,000 in unexpended funds to carry forward at the end of 2020.

Most of the unspent funds were left in the travel category. This was due, in part, to the COVID-19 pandemic, which curtailed travel after early March and in part due to the allocation of 39 percent of the travel costs to the 2019 no-cost, as they were related to activities approved on that budget.

Savings in equipment and supplies were also realized, due to utilizing file compression and utilizing extended replacement

warranty options to increase the life of many network server components, as well as the decision to lease our new phone equipment, which decreased the frontend cost related to that update.

Contractual cost savings included activities like training, the council visioning exercise, and the office remodel that did not occur in 2020. Further unspent funds may still be recognized from the state liaison contracts, as the final activity reports for 2020 are received throughout the end of the month. The variance in meeting room costs was due to hosting most meetings virtually, and the communications savings was due to charging part of the virtual meeting costs out to 2015 through 2019 no-cost activity.

The committee chair inquired about the consideration of funding a portion of the shrimp electronic logbook, which is the ELB program, with unspent 2020 funds.

In response to the October 2020 committee request for information, staff presented an overview of the potential costs associated with funding a Gulf-wide fishery-independent offshore abundance study on red drum. The estimate was based on an extrapolation of cost details from a west central Florida based red drum spawning aggregations and abundance study, which was conducted from 2012 to 2014 by Barbieri et al. in 2018.

The annual cost of funding a similar study was estimated to be $632,350 for each section of the Gulf studied. The Gulf would either be separated into three or four regions, and the study would need to run at least three years to obtain useful data. As this would be a multiyear project, the total funding required would be $5.6 to $7.5 million.

Discussion about the potential project included questions of the feasibility of conducting partial studies, completing the study using limited methods, and the main purpose of conducting this type of study for management. **The committee recommends, and I so move, to strike the red drum abundance proposal from consideration in the 2021 plan.** Mr. Chairman.

CHAIRMAN FRAZER: Okay. Thank you, Mr. Dyskow. We have a committee motion on the board. Is there any further discussion of that motion? **Hearing none, or seeing no hands, is there any opposition to the motion? Hearing none, the motion carries.** Mr. Dyskow.

MR. DYSKOW: Thank you, Mr. Chair. In response to the October

2020 committee request for information, staff presented an overview of the potential costs associated with conducting or funding an independent stock assessment for gray triggerfish.

The last approved stock assessment ended in 2015 and indicated that gray triggerfish was not overfished or undergoing overfishing. However, the stock remains in a rebuilding plan. An interim analysis was conducted in 2020, and the council is scheduled to take final action to increase catch levels at this meeting. The estimated cost for conducting a stock assessment by an independent contractor was $175,000 to $205,000, based on a NOAA contracted standard-track stock assessment for sandbar sharks.

Some considerations are hiring a contractor would not relieve all of the workload from the Southeast Fisheries Science Center, and data providers would still need to obtain complete updated indices, landings, discards and biological information.

Further, outstanding research questions remain for gray triggerfish since the aborted SEDAR 62 assessment, including improved age and growth studies. Since this information would come from existing source data, any analysis, at present may not result in better-informed management advice.

One committee member suggested that staff compile a list of research priorities for gray triggerfish, with estimated costs, and gather SSC feedback. After the meeting, staff contacted a member of the SSC, who suggested an ageing validation study on gray triggerfish could be conducted in the eastern Gulf (Alabama and west Florida) for $250,000 to $275,000. Staff will continue to work on this request and bring a list of research priorities back to the committee at a later date.

At the end of the committee meeting, the chair requested staff provide a dollar figure that could be contributed to the shrimp ELB program for effort data collection from the unspent 2020 funds.

After the committee meeting, staff contacted Dr. Benny Gallaway regarding the pilot project he is conducting for the shrimp industry using P-Sea WindPlot. Based on the presentation presented by Dr. Gallaway in November of 2020, the pilot program expanded to one-third of the shrimp fleet, about 577 vessels that are actively fishing, would cost one million dollars. If the council would like to explore cost-sharing of an expanded pilot program for the Shrimp ELB, that could be discussed at a future date.

All of those vessels are anticipated to already have P-Sea WindPlot software, based on the discussions they have had with shrimpers. They will be providing the software update to those fishermen and helping to install that update, as needed. If the fishermen's hardware is too old, or not compatible with the P-Sea WindPlot software or the update, then the fishermen will need to get something newer that is compatible. The Shrimp AP and council are slated to receive information on the pilot program study in March and April, respectively. Staff can continue to work with Dr. Gallaway to refine these values and cost estimates moving forward.

Staff noted that approximately 40 percent of the anticipated funding was received for the 2021 year, to date. A detailed review of this subject was curtailed, in the interests of time. The final activities and budget will be provided for the council to approve once the final 2021 funding is known.

Mr. Strelcheck from the Southeast Regional Office requested financial assistance from the Gulf Council to support a modification of the permit software programs which cover the Gulf, South Atlantic, and Atlantic HMS. He noted that the SERO budget shortfall for this item is projected to be $475,000.

The 2021 projected council budget currently includes $94,000 in the contracted services line in support of this activity. Based on staff's analysis of the council's activities and anticipated 1 percent budget increase in 2021, the council could comfortably provide $94,000 to SERO at this time for these efforts.

Depending on when travel can resume, this could result in less funding for other contractual projects that were discussed, such as the gray triggerfish research and the shrimp ELB. A decision would need to be made at this council meeting, before the funds are distributed to the council by spring.

The Committee requested that staff bring to the Full Council session information on the following subjects: a budget estimate for a reduced gray triggerfish assessment; the dollar figure that could be contributed to the shrimp electronic logbook book effort program; and the dollar figure that could be contributed to the SERO permit software. We have attempted to fulfill each of those three requests by topic, as outlined in this report. Mr. Chairman, that concludes my report.

CHAIRMAN FRAZER: Okay. Thank you, Mr. Dyskow. So are there any questions from the council, based on the report or any other

business that is administrative or budget in nature? Ms. Bosarge.

MS. BOSARGE: Thank you, Mr. Chairman. I just wanted to kind of maybe elaborate on the figure that was in the presentation for shrimp. That one million, yes, that is a number for one of the years of the study, and remember this was a multiyear faceted program that Dr. Gallaway had laid out to run, and, right now, we're in the very --

Well, we're just finishing up the very first phase that was funded by industry, at I think $327,000, or somewhere in that neighborhood, between $325,000 and $350,000, and that phase was to get with the P-Sea WindPlot developer and actually modify the software, so that it would record the same information as our existing CELB program, that location data at ten-minute intervals, in a way that would be compatible with the existing software routines that NMFS uses to calculate shrimping effort.

Dr. Gallaway did that, and the industry has actually paid for that software, so that it will be free when the time comes for the shrimpers to download it onto their current P-Sea WindPlot software, as an upgrade to it, and it will be free to them, and then Dr. Gallaway actually took that and put it on two boats, just to test the efficacy of the software, to make sure it performed and functioned in the ten-minute intervals.

That's what has been done thus far, and that was four months' worth of work, and that's what industry paid for. Now, what was proposed by Dr. Gallaway next was an additional couple of years' worth of work, but, this year, the 2021 year, the year we're in right now, he actually took that and broke it out into two sections, and so that was what I was proposing that we evaluate for these carryover funds, and so that would not be the $4 million that was mentioned in the report.

That would be $327,000, and what he would do is now he will take that software and actually put it on about between twenty-five and fifty boats, and this is the actual offshore testing it during actual commercial shrimping operations, to work out any bugs that may be there between the different boats in Texas versus Florida versus wherever, as well as ensuring that -- As you well know, we have a large portion of our industry that is -- That is Vietnamese, or Asian, because there are some other than Vietnamese, but it's predominantly Vietnamese, and we want to make sure that we pull them into this study, just to make sure that their operations don't differ in some way that may cause a glitch somehow.

We have to make sure that the computers and the Windows versions that they're using on their computers, that everything jibes, which it should, but so that's what the additional $325,000 would be, is to actually get that software offshore, on about twenty-five to fifty vessels, and have that data come in and work through any kinks we have with the actual offshore operation, and then to focus on the actual transmission of that data to National Marine Fisheries. That would be an additional four months, and that figure is the $327,000, and so it's not the full million.

MR. DYSKOW: Thank you, Leann. That's been very helpful, because I was personally in the dark on exactly what the ask was for, and, staff, do we have the information that we need to work with Dr. Gallaway to refine the values, moving forward, to come up with a number? I guess I'm asking this question of Carrie.

CHAIRMAN FRAZER: Go ahead, Carrie.

EXECUTIVE DIRECTOR CARRIE SIMMONS: Thank you, Mr. Chair. Yes, I think we do. Yes, we need to continue working with him, and we need to work with the Science Center as well and staff on some of this. Thank you.

MR. DYSKOW: Once again, to clarify, Dr. Simmons, this is just an ongoing request, and we're looking for more information, and we haven't voted it up or down, and is that correct?

CHAIRMAN FRAZER: That's correct.

MR. DYSKOW: All right. Thank you.

CHAIRMAN FRAZER: Next on the list is Susan Boggs.

MS. BOGGS: Good morning. Thank you, Mr. Chair. I've got several questions. The first thing it looks like maybe we need to address is the funding to SERO if we want to fund that $94,000 for the permit software program.

The more overall general question that I have of anything that this council chooses to fund is what happens if we start a project and we can't finish it, or we supplement a project and we send that money, and I'm not picking on the shrimpers, Leann, but you were just talking about it, and so they need $327,000 to get to this point, or even SERO getting $94,000 to get to this point, and then what happens?

I mean, I understand money typically can be found, but I just want to make sure, whatever this council decides, is that we're spending our money effectively to get a means to an end that we can -- You know, whatever we fund is able to carry on, and I just was curious if anyone had any response to that. Thank you.

CHAIRMAN FRAZER: Susan, I think what I would like to do, if it's okay, and I think let's work through a couple of questions. We have three items, really, for consideration here, and so I'm hoping, as part of this particular discussion, to kind of work through the questions and then perhaps outline, or provide, a path forward after that, if that's okay with you.

MS. BOGGS: Yes. Thank you.

CHAIRMAN FRAZER: So we'll go to Kevin Anson next.

MR. ANSON: Thank you, Mr. Chair. Good morning. I just wanted confirmation, and I believe it will match up, but, in the reference to the ageing validation study that's in the report that staff received an estimate from an SSC member, that's the bomb radiocarbon dating method, or utilizing that as part of that study, and is that correct, or does that not include that?

CHAIRMAN FRAZER: I am going to ask Dr. Simmons to weigh-in on that.

EXECUTIVE DIRECTOR SIMMONS: Thank you, Mr. Chair. That is not necessarily that method, but that's just validation of ageing using the method most appropriate for gray triggerfish that this particular researcher was proposing. That may include that particular method or not.

MR. ANSON: Can I follow-up to that, Mr. Chair?

CHAIRMAN FRAZER: Go ahead, Kevin. Sure.

MR. ANSON: So I'm sure staff is fully aware, and we need to be aware going forward, but, to the extent that those methods will provide some sort of guarantee, or reasonableness, that they are effective for gray triggerfish, obviously, we need to spend the money on those methods that the SSC, or scientists in the field, feel most confident that that would be appropriate for ageing, and I know it's a no-brainer, but I just wanted to say that. Thank you.

CHAIRMAN FRAZER: Thank you, Mr. Anson. Next is Ms. Guyas.

MS. GUYAS: I guess, at this point, I just wanted to weigh-in on I guess some of these different priority ideas that we have here, and so I was at the last triggerfish assessment, and I know Susan was there, and this is the failed assessment that isn't really talked about in this report, but I think it's really important that we try to fill some of these data gaps, so that we can have a useful assessment for this stock.

I mean, I'm glad that we're able to do these interim analyses, and I think that's a huge help, but I think we need to have a better picture of what's going on in this fishery, and so I think that would be my number-one priority.

Certainly we're in a tough place with shrimp ELBs right now too, and so I'm certainly still interested in exploring that option as well, especially now that Leann has explained a little bit more about what the ask of the council would be here, and so I just wanted to weigh-in on that at this point. Thank you.

CHAIRMAN FRAZER: Thank you, Ms. Guyas. Mr. Riechers.

MR. RIECHERS: I will reiterate Martha's comments there, in some respects, and certainly the gray triggerfish and the costs associated with that, and, as Kevin said, really actually determining what is the most priority items to pull out of that suite of possible studies that we may want to do.

The other part is, on the shrimp ELBs, I hearken back to when basically the ELB program was -- I won't say taken away, but changed, and there were some sampling issues, and some other issues there, and I thought, when we had Benny present that before, or, Leann, when you presented it, I thought we were going to try to get a more detailed -- Maybe it's there, and we just haven't gotten it all, but that work with SERO and a more detailed budget.

I would really like to get that back to us to support that we've got to do that work, and, if it's an ELB-type approach again, that's fine by me, and it was working before, and it's shame -- It seems like it's a shame now that we went away from it, even though we thought we were making a technological leap.

The other part, and I'm going to go back to committee just a little bit and reflect on some of Martha's comments at that time, is, basically, the South Atlantic, apparently, did not choose to fund the Permits Office software, and I fully understand, being in an agency that's going through many of these same issues with permit systems and license systems, where

software has just become outdated, and you're now having to reinvest in new technology and update systems, and so I understand the cost there.

I do share some of the precedent and the concerns about coming to the council, and I realize it's a different time, because we have some rollover money, but I guess -- I see Andy on the screen behind me here, but I would ask, since this is funds that come through National Marine Fisheries Service, in some sort of grant format, to the councils, and, I mean, couldn't you have just not -- Reduced the grant coming forward, instead of coming now and asking? I mean, it seems to me there was a way to do this without making it council business, but it's just curiosity there.

CHAIRMAN FRAZER: Andy.

MR. STRELCHECK: Thanks, Chairman. Robin, I reached out to both the Executive Director of the South Atlantic Council and Gulf Council prior to the December meeting and discussed this extensively with them. In terms of our conversation with Carrie and John, they thought it would be a good thing to bring it forward to the Full Council for discussion, and so that's why we're talking about it with you.

The money that we're talking about, if you dedicated some funding to the permit system, is money that is directly provided in the Southeast Regional Office budget, but then is essentially -- I will use the term "earmarked" to go directly back to the councils, and so it's not coming from the line item in the congressional budget that is specific to the council, and it's actually fisheries-based funding that comes to the Fisheries Service, and then it gets transferred out.

There is precedent, and there is allocations that are decided and agreed upon through the CCC coordination process, and so that's why I think it's important to be transparent about this and have the conversation with the council, in order to discuss any decision that you would like to make with regard to supporting this or not. I guess, Robin, do you have any further comments, or did you want to add a couple other thoughts on this one?

MR. RIECHERS: No, and that -- I mean, you answered it. It is coming through your office, but it's already earmarked to go to councils, as opposed to some discretionary funds that you typically would decide how to use, at least from what your explanation was. Like I said, I may not have heard that right

in committee, and so, no, go ahead.

The only other thing that I might ask that you might share, when you give your other remarks here, is we're talking about $94,000, and what is the entire Southeast Fisheries Regional Office budget?

MR. STRELCHECK: Well, it's over $30 million, but a lot of that is going out to the councils and other grant programs, and so it's considerably less than that, and that includes not just fisheries, but Protected Resources, Habitat Conservation, and our operations budget.

The comment that I wanted to add is I apologize, and I may have misspoken. I noticed in the minutes that the projected shortfall was listed at $475,000. I believe I said that the Phase 2 costs, which is what we're talking about for this project, were estimated to range from $500,000 to $600,000, and, right now, we're projecting a shortfall of about $250,000 to $300,000, and so I would just ask that that be updated.

I also want to just point the council to information that I shared with Carrie Simmons and that was distributed to council members, which just provides more details with regard to the project, the benefits of the project, and really the specifics with regard to the software automation and what we're trying to accomplish, so that you have a better sense of what this funding would be going toward if you choose to support the funding.

CHAIRMAN FRAZER: Okay. Thanks, Andy. It looks like we have a couple of other hands still, and we'll go to Clay.

DR. CLAY PORCH: Thank you. So two points. First, I didn't really understand, and I don't remember from the conversation, this budget estimate for a reduced gray triggerfish assessment. Any way you cut it, there's not going to be any reduction on our side, as far as the data provision goes, and so, no matter what you do there, there will still be a slot for SEDAR that has to be dedicated to that.

It might give us at the Science Center some relief, in the sense that a lead analyst wouldn't be required, although they may still have to provide some supporting role, and so I just didn't understand exactly what that meant. However, I do support the idea of funding a research program to do the bomb radiocarbon dating for ageing for gray triggerfish.

Then the second point that I wanted to make has to do with the

various shrimp proposals that we've been talking about, and you will recall, with the CELB, the cellular electronic logbook, program we have, they stopped transmitting back in December, and so we have to collect all of that information from the old 3G units manually, until we can get a new system in place, which is one of the things that LGL is trying to evaluate with the P-Sea WindPlot procedure and allowing that to transmit.

In the meantime, we have the information being collected on those 3G units. The problem is we need to retrieve it, and, like the Regional Office, the Southeast Science Center received some significant budget cuts this year, and so we're in a little bit of a struggle to figure out how we're going to be able to hire some folks to go out and help us retrieve those, and so I think it would be really helpful if the council could at least consider -- When they consider this contract as Leann described for LGL, maybe adding a bit to facilitate the gathering of the information from the 3G units. Thank you.

CHAIRMAN FRAZER: Thank you, Dr. Porch. We're going to go back to Leann and then Dr. Simmons. Ms. Bosarge.

MS. BOSARGE: Thank you, Mr. Chairman. Dr. Porch, I think Benny spoke to that, in one of his presentations anyway, and said that they would be willing to talk to you about that and try and figure out exactly what that would entail and what that cost would look like, but they are more than willing to do that, especially since they will be going out to some of these boats anyway in that second phase, the next four-month phase that we were just talking about.

The only thing that I wanted to address in my comments was Susan's reservations about funding something that we couldn't fund all of, and I completely understand that, Susan, and so I will do my best to kind of explain my understanding of the program and where we're at.

It's sort of similar to what we talked about in that red drum presentation, where you have the Cadillac version and then you have other versions that you could move to, and so what we need, in order to get this project to a point where NMFS has the possibility, if they have the funding, that they have the possibility of actually logistically taking that program and trying to scale it up to the one-third of the fleet that currently has logbooks on it.

We have to do at least these next four months, and we've got to get it on those twenty-five to fifty boats, and we need to

include the Vietnamese fleet in this and make sure that, on the water, this thing functions for the fishermen like it's supposed to, as well as for NMFS like it's supposed to, and work out that transmission element of this, so that we have to do that, in order to get it to a point where NMFS could take it and run with it, hopefully.

Now, the rest of that money, that is more the Cadillac version, and it would be nice, and there are some things in there that probably need to be revisited, and so some of that is -- If you remember, Kevin even brought up some comments last time about the random sample that we have, that we've been using, for putting these devices on the boat.

It's been in place for a long time, and it's a static sample, and he wanted to go back and look at that sample and look at the ports and look at the active vessels and where they're landing and where they're ported out of and make sure that we really have that sample representative of where it needs to be at this point in time.

Part of money was for things like that. Would that be nice? Most certainly. It would be wonderful, and we would love to do that. Do we absolutely have to do that to continue getting the data that we've been getting? No, we don't.

Hopefully, at some point in the future, we will have funding to roll with the rest of those items that we wanted to address in the rest of the program, I mean the rest of Benny Gallaway's project, but it's not necessary that it has to happen in order to at least keep what we have right now functioning and data coming into NMFS the way they've been getting it, and so I hope that explains it for you, Susan.

CHAIRMAN FRAZER: Thank you, Ms. Bosarge. I have a quick question, before I go to Dr. Simmons. In the absence of getting this program up and running, what is the plan to collect effort data from the shrimp industry, and I guess I will direct that to Dr. Porch.

DR. PORCH: Thank you, Chair. As I said, right now, we still have all the old 3G units on the vessels, and we actually have additional 3G units that could replace any that are starting to malfunction. We have quite a few in storage, and so we can maintain that program for quite a few years. The problem is they just don't transmit anymore, because it's 3G, and they stopped supporting that in December.

That means we have to manually download the information on a thumb drive or something, and then we'll have the information that we can run through the algorithm to estimate effort, and so the program will continue with the existing software for the foreseeable future.

We would like to move to something that can transmit electronically, which would make this whole process cheaper and more seamless, and that's where something like what Leann and Benny Gallaway have been describing could come in, and it could be one of the options that the shrimp fishery could use to report the position information electronically.

I mean, there is several other options, as you all know, that are available through the SEFHIER program and other electronic -- - The commercial electronic logbook software vendors, and so there's many options out here, and P-Sea WindPlot seems to be one of the ones that is best for the shrimp fishery, and so, if they can get that software set up that it transmits information, then it could be a substitute for what we have been doing with the 3G units.

So, in direct answer to your question, our plan was to try and have a combination of contractors and permanent employee port samplers go to the vessels and collect information, or have the shrimp fishermen download the information themselves and mail it to us, or perhaps mail it to the Atlantic States Fisheries Commission, and we may be able to set up an electronic link, where they could upload it to a secure site, and that's all in the works and in negotiations.

There is a way to get the information, to continue getting effort information, and what we think right now is the most viable way for this year is to have folks mail in things to us, or we physically go and get the information, but, if we physically have to go to all the vessels, that's a time commitment, and, right now, we're not sure that we have the funds to actually hire additional contractors to go do it.

That's why I was saying that, if the council considers funding this sort of slimmed-down version of analyzing the P-Sea WindPlot software and getting that able to transmit, then, since people are going to be out on the vessels anyway, if we could add a little bit to allow them to collect that information and transmit it to us, and that would be extremely helpful. Then, the vessels that are not part of the study, we'll try and cover by other means.

CHAIRMAN FRAZER: Thank you, Dr. Porch. That was very helpful. Dr. Simmons.

EXECUTIVE DIRECTOR SIMMONS: Thank you, Mr. Chair. I think, back to Mr. Strelcheck's point and Dr. Porch, we can fix the report. Bernie, there is two sections, and he noted the SERO budget shortfall for this item is projected to be -- You said $250,000 to $300,000, and then I believe the bulleted item you were referring to should say a budget estimate for gray triggerfish research priority, and so we can fix that and redistribute.

I wanted to let the council know that we did have a meeting of the Council Coordinating Committee on Tuesday evening, and we were informed of our final 2021 funding, and, obviously, we will be bringing this back to you, but I wanted to let everyone know that we do know that final number now, and it's going to be $3,999,000, compared to 2020, which was $3,964,000, and so that's about a $35,000 increase more than 2021, and so that's not quite a 1 percent increase across all items, but I wanted to let you know that, and so thank you.

CHAIRMAN FRAZER: Okay. Thank you, Dr. Simmons. I think we have a couple of things here that we probably should try to resolve, and so we've got -- If we could pop down to the bottom of that committee report.

I guess, if we would like to resolve the SERO budget request, we should entertain a motion to do so, given that's the most time-sensitive one, I guess, but you could argue that they're all time sensitive in one way or another, and so is there an appetite to move forward on any of these bulleted items from the council? Ms. Bosarge.

MS. BOSARGE: Well, I mean, obviously, I'm in favor of moving forward with shrimp, but, honestly, I think all three of those are an excellent way to allocate our carryover funds. Yes, it would be nice to make a decision on shrimp today, but I don't expect that. I mean, I would assume that the rest of the council would probably want to see that stuff in writing, and I don't blame them one bit.

However, if we do move forward with SERO today, I mean, that's going to take money off our budget, and I just want to make sure, if we did move forward with the SERO permit request today, that it doesn't somehow affect what we have left to play with for gray trigger and for the shrimp ELB logbook effort, because I think both of those are extremely important.

CHAIRMAN FRAZER: Thank you, Leann. Just to clarify for the council, the SERO request is not coming from carry-forward, and it would come out of our 2021 budget, and so the other two items are eligible for those carry-forward dollars. I see Joe Spraggins.

GENERAL SPRAGGINS: Mr. Chairman, thank you. I would like to see the budget estimate for the gray triggerfish research priority go forward, and I think that is a small amount of money, and I think it's less than $300,000 to carry, if I'm correct, and is that right?

CHAIRMAN FRAZER: Dr. Simmons.

EXECUTIVE DIRECTOR SIMMONS: Thank you, Mr. Chair. General Spraggins, I really think we need to look into it in more detail and bring it back to you. That's what we're estimating right now. Thank you.

GENERAL SPRAGGINS: I would like to see that go forward, if possible, because it is something that we need to look at, and it's a small amount of money compared to -- You know, we do have some left over, I think eight-hundred-plus-grand, and it would just be a small -- Maybe a third of it or something to that effect, but that's just my thoughts, if we could get some support for that.

CHAIRMAN FRAZER: I think what we can do, General Spraggins, is work with staff to get a better idea of the actual cost of the triggerfish study, and we can bring that back at the next council meeting, and so we'll make that request, and then I'm going to ask a quick question for Dr. Simmons. When is the next time that the Shrimp AP meets?

EXECUTIVE DIRECTOR SIMMONS: Thank you, Mr. Chair. I believe we have a meeting scheduled for March 24, or around then, and is that correct, Bernie? That information will be going to the council in April. It's in March.

CHAIRMAN FRAZER: Then I have a follow-up question, I guess, for Ms. Bosarge. Are we in a position to benefit from the input from the Shrimp AP at that March meeting before we actually make this decision with regard to funding, in your opinion?

MS. BOSARGE: As far as timing, you're talking about?

CHAIRMAN FRAZER: Yes.

MS. BOSARGE: Yes, and, you know, at this point, Tom, I would love to see it be seamless, and we're just finishing that first four months, and roll right into the next four months, but that is fine, if you want to get some input from the Shrimp AP, and some of those members have actually been working with Dr. Gallaway, and so I'm sure they would have some valuable feedback on that. Then, at our April meeting, maybe we could make a final decision, and I think you would have most of those dollars in front of you at that point, all the information at your fingertips, and I think that would be great.

CHAIRMAN FRAZER: Okay. I am going to suggest, based on the comments thus far, that we get some additional information on the triggerfish ageing study, and we'll get some benefit and input from the Shrimp AP Committee, and we'll discuss these two items in more detail and hopefully come to a resolution at our April meeting, but still on the table, I guess, and it is time sensitive, is the SERO request to essentially help with the permit reporting software update, and so is there -- Again, I'm going to reach out to the council members and ask if anybody wants to make a motion in that regard.

MS. BOGGS: Tom, I will make the motion.

CHAIRMAN FRAZER: Okay.

MS. BOGGS: I'm sorry, and I didn't know if you were going to go down a hands list or if you were asking specifically for the --

CHAIRMAN FRAZER: Let's go ahead through the list, and I will come right back to you, but be prepared for that.

MS. BOGGS: Yes, sir.

CHAIRMAN FRAZER: Martha, I see your hand was up, and I apologize for skipping over you.

MS. GUYAS: No, that's okay, and I was trying to get to the same place you were just now with triggerfish and shrimp ELB, to get more information on those, and so, if that's the plan, I am onboard for that.

CHAIRMAN FRAZER: Thank you. Mr. Swindell.

MR. SWINDELL: Thank you, Mr. Chairman. I was just sitting here listening to all this conversation about what to do next with these leftover funds that would be the most efficient and best

use for the money that we have, and I'm just wondering, is there not any way that any of these funds could be spent to help us speed up the red snapper count assessment business that would help our real big issue here with this red snapper count and the funding for our issue there with Mississippi and Alabama, particularly, and is there any way that -- Does anybody have an idea of what can be done to increase the Red Snapper Count that these funds could be used for? Thank you.

CHAIRMAN FRAZER: I am going to just take the liberty, I guess, and speak on behalf of some of the folks that are involved here, and I don't -- I mean, I don't think there's anything that we could do to help speed up the production of the report, and that's in the hands of the investigators, and I think that they're working as hard as they can.

We have scheduled already and then allocated dollars for an independent review of that report, and there are meetings scheduled as well with the SSC and the Science Center to pursue the interim assessment and include the results, or findings, of the Great Red Snapper Count, if they're appropriate. Again, I think Clay would agree with this, and I don't think that we're going to be able to infuse any money that's going to speed this process up, but I do appreciate the interest in time, Mr. Swindell, in trying to do that. I am going to come back to Ms. Boggs. If you wanted to make a motion, I will entertain one.

MS. BOGGS: Okay. Well, first, what I would like to say is I'm completely onboard with, of course, the gray triggerfish and the shrimp ELBs. With the ELBs, we're coming into -- We're not coming into, but we're in the electronic age, and we have to keep up with the technology, as painful as that may be, and so, with that being said, I have actually been a part of the SERO permits software.

The company that's working with them to build the software has reached out to me, because I am a permit holder. In light of some of the devastation that we've had in the past year, with the hurricanes and such, and people worried about not getting their permits renewed in time, and having to make exceptions for those that are in limbo, and this would certainly help those types of efforts.

It's not coming out of the carry-forward funding, and staff is saying that they're comfortable to provide this funding. **With that, I would make a motion that the Gulf Council contribute the $94,000 to the SERO permit software program.** Thank you.

CHAIRMAN FRAZER: Thank you, Ms. Boggs. We'll get that motion up on the board, and, as we're doing that, I will ask if there's a second for that motion. I just wanted to make sure that, in the motion, it indicates that it's coming from the 2021 budget.

MR. ANSON: I will second for discussion.

CHAIRMAN FRAZER: Okay, and so it's seconded by Mr. Anson. Is there any further discussion? I see Mr. Dyskow's hand is up.

MR. DYSKOW: Thank you, Mr. Chair. I would like, and perhaps Carrie can do this, but a confirmation of what the other two councils, the Southeast and the Mid-Atlantic, have decided in regard to funding this. Have they agreed to provide funding, or have they declined to?

CHAIRMAN FRAZER: Dr. Simmons and then perhaps Mr. Strelcheck as well.

EXECUTIVE DIRECTOR SIMMONS: Thank you, Mr. Chair. I don't believe the South Atlantic Council has made a decision yet, and I believe they're going to discuss this again in March, but I will defer to Mr. Strelcheck. As far as the Mid-Atlantic Council, I don't know that they have been asked to contribute.

CHAIRMAN FRAZER: Andy.

MR. STRELCHECK: We have not reached out to the Mid-Atlantic Council to discuss funding this effort, and we did talk to the South Atlantic Council at their December meeting. They declined, at least at that point, to provide funding support, and they had a number of other budgetary initiatives that they wanted to focus on and support.

Like you guys, they discussed what they were going to use carryover funds for, and they just opted not to support the effort at that point. I don't know if this is on the March agenda or not, and I still have to follow-up with John Carmichael.

CHAIRMAN FRAZER: Thank you, Mr. Strelcheck. We've got three hands up, and we'll go to Leann and then Martha and then Kevin. Ms. Bosarge.

MS. BOSARGE: Andy, I'm trying to be proactive here, and so, if we do approve this, as you upgrade that software program, and I'm thinking back to the SEFHIER presentation that we had yesterday about not having any cellular vendors yet, and so

their effort data, unless they are using a VMS, there is not a mechanism really for them to transmit, unless they have the VMS.

Now, hopefully you will get some cellular providers, but it's the same kind of issues that we see on the shrimp side too, in a way, and so I say all of that to say, as you upgrade this permits website, on that website, fishermen have the ability to upload an attachment and submit it to NMFS, and that is one of the issues with submitting things electronically, via email and such to NMFS, is that what if it has -- What if it's contaminated, and has a virus, and so look into that, and, if there's any way to add extra capacity to that site, in case either the for-hire fleet or the shrimp fleet needs to submit their effort files electronically that way to NMFS, through a portal of some sort, then it maybe will have in there in place, so that that could happen. If you'll just entertain that notion and look into it, I would appreciate it.

CHAIRMAN FRAZER: Mr. Strelcheck.

MR. STRELCHECK: Thanks, Leann, and certainly I will talk to our permits team about that. Certainly I would love the opportunity to come back to the council at a later meeting as well and present to you on what we're doing with the permits system and the upgrades that we're making and give a demonstration of the improvements that we've made, and so we'll talk to Carrie and the Chair about that at a future date.

CHAIRMAN FRAZER: Thank you. Ms. Guyas and then Kevin Anson.

MS. GUYAS: Thank you. I guess, just to follow-up on Phil's question about the South Atlantic, my understanding from that meeting is that was a hard no from the South Atlantic, and it will not be back on their agenda, and I don't see why it would be.

I am not going to support moving forward with this. I think we've got some other priorities, and I certainly sympathize with I think -- I'm still not exactly sure how this shortfall came about, whether it was just unexpected costs or -- I am not going to support this. Thanks.

CHAIRMAN FRAZER: Mr. Anson.

MR. ANSON: Thank you, Mr. Chair. I seconded just to have some opportunity to ask a little more questions, at least for me, and I'm not a member of the Admin/Budget Committee. I certainly understand points of view on this, and Robin provided one, and

it's a precedent issue, and trying to figure out the mechanism for the agency to budget this type of thing, but this is an unforeseen thing, to some degree, and maintaining infrastructure is always a need, but it's hard to know when you need to make the break, and so trying to get that side of the house up-to-speed, or make it a little bit more user-friendly, is something that I'm sure that we would all like to see happen.

I'm also concerned, as Martha just said, about this and that we do have a lot of pressing needs ourselves, and managing our side of the house, so to speak, for things that we're responsible for, and so I thought I heard Carrie give a rundown on the actual budget, or at least a much clearer picture as to this coming year's budget, and it sounded like it would be less than the 1 percent, and so that, to me, would mean that that $94,000 doesn't represent necessarily an overage, or an excess, of money, and it would actually be less than that, and, Carrie, is that correct? Am I understanding that correctly?

CHAIRMAN FRAZER: Dr. Simmons.

EXECUTIVE DIRECTOR SIMMONS: Thank you, Mr. Chair. Mr. Anson, we did get our final funding number for 2021, and it is $35,000 more than we got last year, but not a 1 percent increase, not quite a 1 percent increase, across-the-board, like what was presented previous during the committee. Well, actually, we didn't get a chance to go through it, and so what was in the briefing book.

MR. ANSON: Mr. Chair, if I can follow-up to that?

CHAIRMAN FRAZER: Yes, Kevin. Go ahead.

MR. ANSON: So this would then eat into those extra funds that we are looking at for these other programs and needs, and so I'm having a hard time with it, with everything that we know, but, anyway, thank you.

CHAIRMAN FRAZER: I just want to clarify, again, that these dollars are coming out of the 2021 budget, and I don't think that they're eating into the carry-forward funds for those other projects, but I think Beth is also on the line here. Beth, did you want to say something?

MS. BETH HAGER: The $94,000 represents approximately 2 percent of our funding for the 2021 budget, if that's at all helpful for folks.

CHAIRMAN FRAZER: Okay. Thank you, Beth. I will give one more slot here to Andy, and then we'll vote this up or down.

MR. STRELCHECK: Thanks, Tom. I wanted to go back to Martha's comment about the shortfall, and so we are trying to, like you guys, take advantage of the pandemic and some of the savings that we're receiving from travel and other expenses and put it toward system improvements, not just for permits, but for our IFQ program and several other areas.

Last year, we executed close to ninety-six-and-a-half percent of our overall budget, and almost all of it was for our fisheries management budget, and, this year, when we received our congressional budget, unlike the council, which is receiving about a $35,000 increase, we are receiving, across our budget, including all of our protected resources programs and habitat, a $533,000 decrease.

I realize that our budget isn't comparable to yours, and it's considerably larger, but we aren't seeing increases in our budget right now, and so that's in part why I am coming to the council to ask for funding support, given some of the savings that you've been able to realize with regard to the pandemic and you will potentially continue to realize in 2021. I just want to thank the council for the consideration of this, regardless of how you vote on it, and so thank you very much.

CHAIRMAN FRAZER: Thank you, Mr. Strelcheck. We're going to vote this up or down, but it looks like -- Leann, I will give you the last shot at this.

MS. BOSARGE: Thank you, Mr. Chairman. I just thought we might want to clarify, in that motion -- So our discussion thus far is that we would contribute that $94,000, and, so long as SERO is able to find the rest of the money that they need, then they can take our $94,000 and implement that project, but, if they're not able to get the rest of the money they need for that permit software, then the $94,000 comes back. The way it's read, it just sounds like we're just going to send over $94,000 and it's done, and I just wanted to make sure -- If you think that's understood in the motion, then I think we're okay and good to go.

CHAIRMAN FRAZER: Well, if I can get a confirmation from Andy, it will be part of the record. Andy.

MR. STRELCHECK: Yes, that is certainly my understanding. From a mechanics standpoint, we would be transferring additional

funds to the council I would expect in either February or March, and we would withhold the $94,000, if you support this funding support, and, obviously, if we couldn't use it, then we would transfer that money to you in a third transfer at some later date.

CHAIRMAN FRAZER: Thank you, Mr. Strelcheck. I have heard a number of opinions on this motion, and so I'm going to ask Dr. Simmons to go through a roll call vote. Real quick, Kevin Anson, before we go to the vote.

MR. ANSON: Real quick, and I believe this was discussed at the Admin Committee, but, in follow-up to Andy's comment just now, I thought that there would be a relatively short timeline that they would be able to determine, or I would assume so, if they're not going to get any -- Bring this up at the South Atlantic Council, that they would be able to figure this out fairly quickly and that we would be able to get that money back to the council sooner than later and not like in November and have to spend it in November and December, and that's all I'm trying to do, is just to confirm that it's a relatively short window here that the agency would be able to determine that they can utilize those funds or not and then be able to return them back to the council if they did not.

CHAIRMAN FRAZER: Andy, real quick, and this will be --

MR. STRELCHECK: Thanks, Kevin, and I would have to confirm with our operations team that would do the contracting action, and I believe the contracting action has to be completed by April, and I don't know what time in April, and so we would have a decision around that time to transfer funds back, if we're unable to spend the money.

CHAIRMAN FRAZER: Thank you, Andy. We'll go ahead and move forward with a roll call vote. Dr. Simmons.

EXECUTIVE DIRECTOR SIMMONS: Thank you, Mr. Chair. Just keep in mind, again, that the council can carry forward any money in unspent funds in the five-year grant cycle, and so this would be the second year, 2021, of our five-year grant cycle. Okay. Mr. Strelcheck.

MR. STRELCHECK: Abstain.

EXECUTIVE DIRECTOR SIMMONS: Mr. Dugas.

MR. DUGAS: No.

EXECUTIVE DIRECTOR SIMMONS: Ms. Guyas.

MS. GUYAS: No.

EXECUTIVE DIRECTOR SIMMONS: Mr. Williamson.

MR. WILLIAMSON: No.

EXECUTIVE DIRECTOR SIMMONS: Mr. Sanchez.

MR. SANCHEZ: Yes.

EXECUTIVE DIRECTOR SIMMONS: Ms. Boggs.

MS. BOGGS: Yes.

EXECUTIVE DIRECTOR SIMMONS: Mr. Swindell.

MR. SWINDELL: No.

EXECUTIVE DIRECTOR SIMMONS: Ms. Bosarge.

MS. BOSARGE: Yes.

EXECUTIVE DIRECTOR SIMMONS: Dr. Shipp.

DR. SHIPP: No.

EXECUTIVE DIRECTOR SIMMONS: Mr. Dyskow.

MR. DYSKOW: As the committee chair, I abstain.

EXECUTIVE DIRECTOR SIMMONS: Mr. Diaz.

MR. DIAZ: Yes.

EXECUTIVE DIRECTOR SIMMONS: Mr. Anson.

MR. ANSON: Yes.

EXECUTIVE DIRECTOR SIMMONS: Mr. Riechers.

MR. RIECHERS: No.

EXECUTIVE DIRECTOR SIMMONS: Mr. Banks.

MR. BANKS: No.

EXECUTIVE DIRECTOR SIMMONS: Dr. Stunz.

DR. STUNZ: Yes.

EXECUTIVE DIRECTOR SIMMONS: General Spraggins.

GENERAL SPRAGGINS: I really don't know which way to go, but I will go yes, because just for the fact of it could be possibly to help out.

EXECUTIVE DIRECTOR SIMMONS: Do you want to vote?

CHAIRMAN FRAZER: Yes, I will. I mean, I recognize the varying opinions on this, and I also recognize the difficult spot that the Regional Office is in. My understanding is also that, if the Regional Office is able to secure funding from Headquarters, or some other venue, that they would do that, and they would also return the $94,000. I'm sure, at some point, we'll be in a sticky spot too, and I would prefer to build some partnerships here, and I so I will vote yes.

EXECUTIVE DIRECTOR SIMMONS: The motion carries eight to seven with two abstentions. Mr. Chair.

CHAIRMAN FRAZER: Okay. Is there any additional business that has to do with Admin or Budget? I am not hearing any, and we will move -- Actually, let's take a ten-minute break right now, and we'll come back at 10:30. Thank you.

(Whereupon, a brief recess was taken.)

CHAIRMAN FRAZER: Okay, and so we're starting to get folks back on the line, and I just want to make sure that -- The next committee report is Outreach and Education, and I'm just waiting to ensure that Phil is on the line.

MR. DYSKOW: I am on the line.

CHAIRMAN FRAZER: Okay. Thank you, Phil, and so I will let you take it away.

OUTREACH AND EDUCATION COMMITTEE REPORT

MR. DYSKOW: Thank you, Tom. This will be the Outreach and Education Committee Report from January 25, 2021. Once again, we're over an hour behind schedule, and so I would request that we hold questions until the end of this report. The committee

adopted the agenda and approved the minutes of the October 22, 2019 meeting as written.

Staff provided an overview of communications analytics for 2020. These analytics showed website use, email listserv, and blog engagement areas are all tracking with previous years. The Fish Rules mobile recreational app use has increased since previous years.

YouTube views are slower this year, because the council has taken less issues to public hearing than normal. Facebook engagement has decreased, as staff efforts have focused more on outreach for specific regulatory content and less on generic positive content.

Council newsletter readership continues on a downward trend, despite efforts to reinvigorate the platform. Staff suggested it makes more sense to focus efforts on creating individual blog articles that are more relevant and timelier than the quarterly newsletter. These articles would be published in the Gulf Currents blog, and a quarterly digest could be sent out to the council's listserv for those who still wish to receive content less frequently or on a quarterly basis.

The committee supported transitioning away from the newsletter and suggested that staff put its efforts towards social media. The committee said that short video clips are the future of communications, and they suggested that staff put efforts towards this as well.

Staff presented its 2021 Communications Improvement Plan developed by the council staff communications team using the council's communications analytics from recent years and guidance from the Outreach and Education Technical Committee from the October 2020 meeting.

The plan highlights planned improvements to the council blog, listserv, social media, Something's Fishy, website, and public comments. The plan also suggests new communication endeavors, including production of more video content and development of comprehensive communication SOPPs and procedures.

The committee suggested that analytics might be down in some cases because controversy regarding current management is not as great as it has been. Meaning, the council might be appeasing fishermen and managing the fisheries well, reducing negative interactions.

The committee supports staff efforts to take advantage of fishery management, academic, and industry experts to create videos, and anticipates that this will be a successful endeavor.

The committee noted that Facebook engagement has historically been negative, and they speculated that distribution of positive information could help mitigate that. The committee also supports the idea of pursuing approval through the Paperwork Reduction Act to broaden the types of questions asked by its Something's Fishy tool. Further, the committee also supports renaming the tool, so it doesn't mislead potential respondents to question whether the tool is only asking for negative fishery impacts or observations.

Finally, the committee supports the idea of creating a central repository for comments that is searchable. This would ensure that generic public comments that aren't specifically related to amendments don't get buried The committee stressed how important it is to continuously engage with the public and use analytics to guide constantly evolving outreach efforts.

Staff presented a new area of the council's website, where information on stock assessments, the Something's Fishy tool, infographics, and species hot sheets are shared. The committee stressed the importance of hosting the species-specific hot sheets.

The committee also emphasized that the recreational data collection infographics are incredibly useful in explaining what data each program is collecting. The committee also requested that staff improve the website by archiving Scientific and Statistical Committee meeting materials in the same manner that council meeting materials are archived.

Staff presented a summary of responses gathered from council, advisory panels, as well as the Scientific and Statistical Committee members regarding the effectiveness of the Outreach and Education Technical Committee and future projects that it should consider.

Overall, results indicated the committee was effectively improving awareness and understanding of council management goals, strategies, activities, and processes, improving public participation in the fishery management process, and improving communications between the public and council. Survey respondents suggested that council staff and the Outreach and Education Committee increase communication efforts to recreational anglers, find ways to reduce user conflicts amongst

sectors, increase communications about management issues, and the history and future of fisheries management.

The committee asked staff to continue to work towards contacting and educating the entire federal for-hire fleet on the new electronic reporting requirements for the Southeast For-Hire Electronic Reporting Program. It noted that many operators are not engaged, because they have not yet started fishing this year, and/or because they lease their permit from permit owners who aren't engaged.

The committee also suggested that staff find ways to communicate about the impact imports have on our fishery. It directed staff to resources provided by the Southern Shrimp Alliance and suggested that staff develop some ideas and present them to the committee at a future meeting.

Staff announced that the Gulf and South Atlantic Councils are working with the Fish Rules app developer to create Fish Rules Commercial. The interface for this app will populate regulations based on user permits. The app is in the final stages of development and almost ready for beta-testing. It is expected to be available after the first quarter of 2021.

Staff and the Outreach and Education Technical Committee Chairman reviewed the remaining items on the Technical Committee report, including for-hire electronic reporting outreach and the NRDA Fish Descend Project. Mr. Chair, this concludes my report.

CHAIRMAN FRAZER: Thank you, Mr. Dyskow. Is there any further discussion that needs to be brought up before the Outreach and Education Committee? Okay. I am not seeing -- Kevin, is that your hand up?

MR. ANSON: No.

CHAIRMAN FRAZER: Okay. Great. I'm just checking to make sure. Okay. So, not seeing any hands, that will -- We will go ahead and move on to the next committee report, and that will be Mr. Riechers with the Mackerel Committee.

MACKEREL COMMITTEE REPORT

MR. RIECHERS: Thank you, Mr. Chairman. Please bear with me. Much as Phil indicated, this is going to be a little bit of a longer report, and so I will try to work through it and help, hopefully, get us back on time a little bit.

The Mackerel Management Committee was held on January 25, 2021, and the committee adopted the agenda, Tab C, Number 1, as amended to include a discussion about the Gulf of Mexico king mackerel commercial Southern Gillnet Zone, and approved the minutes, Tab C, Number 2, of the October 2020 meeting as written.

Next, we moved into Tab C, Number 4, the Coastal Migratory Pelagic Landings Update. Mr. Peter Hood of the NMFS Southeast Regional Office reviewed the recent landings for the Gulf migratory groups of king mackerel, Spanish mackerel, and cobia, with a disclaimer noting the difficulty of capturing recreational data, due to sampling limitations during the COVID-19 pandemic.

At the time of data retrieval, preliminary landings for commercial Gulf king mackerel indicate that 48.4 percent of the ACL, which is annual catch limit, has been landed for the fishing year 2020/2021. Although some data remain outstanding, the ACLs for all Gulf coastal migratory pelagic species were not exceeded during the 2019/2020 fishing year.

We next moved to the agenda item, which was Tab C, Number 5, and it is the Draft Document on Coastal Migratory Pelagics Amendment 32. Council staff presented Chapters 1 and 2 for Draft CMP Amendment 32, which includes actions to modify catch limits, possession limits, size limits, and language to the CMP framework procedure.

The Gulf cobia stock is a single stock that includes both the Gulf Zone and the Florida East Coast Zone, which I will refer to from this point on as FLEC, on the east coast of Florida. The results from the SEDAR 28 update stock assessment indicated that the Gulf cobia stock is undergoing overfishing, but is not overfished.

Action 1 would modify the Gulf cobia stock, which is, i.e., the combined Gulf and FLEC Zones, catch limits and transition to monitoring the annual catch limit using the Marine Recreational Information Program Fishing Effort Survey. The committee did not modify the alternatives included in this action, but had questions regarding modifying catch limits as constant catch.

The option to calculate constant catch by averaging the 2021 through 2023 catch limits was discussed, but is not a viable option, because it would exceed the acceptable biological catch recommendation from the Scientific and Statistical Committee in the first year of the projections.

Action 2 would modify the apportionment between the Gulf and FLEC Zones to update each zone's annual catch limit based on the selected Gulf cobia stock ACL. Action 1, currently, the Gulf cobia stock ACL is divided as 64 percent Gulf Zone and 36 percent FLEC Zone. The Gulf Zone manages its ACL without sector allocations, while the FLEC Zone has sector allocations, 92 percent to the recreational and 8 percent to commercial). The alternatives included in this action recalculated the possible apportionment between the Gulf and FLEC Zones based on recent landings data and incorporate the transition to MRIP-FES.

The committee noted the small resulting change in percent apportionment reflected in the calculations. Alternatives 3 through 5 would modify the apportionment to the FLEC as 37, 38, and 41 percent, respectively.

Action 3 would update or establish annual catch targets, ACT, for the Gulf and the FLEC Zones, based on the apportionment selected in Action 2. CMP Amendment 18 established the Gulf Zone cobia annual catch target to equal 90 percent of the zone's annual catch limit, which was based on the council's ACL/ACT control rule.

The FLEC Zone only has an ACT established for the recreational sector, which is calculated as the ACL times one minus the proportional standard error of the FLEC Zone recreational landings, or 0.5, whichever is greater. The FLEC Zone recreational ACT currently equals 83 percent of the FLEC Zone ACL, reflecting a proportional standard error estimate of 17 percent, using MRIP's former Coastal Household Telephone Survey. This PSE estimate is expected to be higher using MRIP-FES data, reflecting less estimated precision in the latter data currency.

Alternative 2 would update the calculation of the Gulf Zone ACT and FLEC Zone recreational ACT to be calculated using the Gulf council's ACL/ACT Control Rule. Alternative 3 provides an option to establish an ACT for the FLEC Zone commercial sector.

Action 4 would modify the Gulf cobia possession limit and/or establish vessel/trip limits. The alternatives included in this action seek to reduce fishing mortality on Gulf cobia and constrain harvest to the ACL. Landings data from 2017 to 2019 report that the majority of both commercial and recreational trips for both zones harvested less than one cobia per person. Thus, the preliminary predicted reductions in harvest resulting from this action are low.

The committee discussed having similar bag limits and vessel limits to those enforced by the Florida Fish and Wildlife Conservation Commission, which would be expected to streamline enforcement and reduce the burden of compliance on fishermen. Given the incidental nature of the fishery, the committee suggested removing the commercial sector from consideration in this action, but did not modify the alternatives.

Action 5 would modify the Gulf cobia minimum size limit. The committee was reminded that Framework Amendment 7 increased the minimum size limit from a thirty-three-inch fork length to a thirty-six-inch for cobia landed in the Gulf Zone. The FLEC Zone retained the thirty-three-inch fork length size limit. This action took effect in March 2020. The reduction in fishing mortality associated with the increased minimum size limit is not being captured by the update stock assessment nor the available data, which is the 2017 to 2019 data, used for the analyses included in this action.

Alternative 2 would increase the minimum size limit in the FLEC Zone to be equal to the Gulf Zone. Alternatives 2 through 4 are expected to reduce fishing mortality, as anglers would be expected to release cobia that would otherwise be retained. Cobia that are released after capture are assumed to have a 5 percent discard mortality rate. Concern remains regarding the discards of undersized cobia, especially to those brought onboard by a gaff.

Alternatives 3 and 4 indirectly drive fishing efforts to target larger cobia, which are more likely to be female as length increases. Directly targeting larger cobia could result in a negative effect on the spawning stock biomass, by removing disproportionately more females from the spawning stock biomass.

The committee asked about the reasoning behind the FLEC Zone not increasing the minimum size limit at the same time the action was being taken for the Gulf Zone. Action in Framework Amendment 7 was taken as a precaution to reduce fishing mortality while the stock assessment was underway, although a similar action was not enacted in the FLEC Zone during this period.

Action 6 would modify the language outlining the responsibilities of the Gulf and South Atlantic Councils for the joint management of CMP species through the FMP's framework procedure. The framework procedure lists the regulatory changes that can be addressed via framework.

Alternative 2 would modify the language pertaining to the responsibilities of each council. The CMP framework procedure lists the South Atlantic Council as responsible for establishing vessel trip limits, closed seasons or areas, and gear restrictions for the east coast of Florida, including the Atlantic side of the Florida Keys, or the FLEC Zone.

Discussion included in previous CMP amendments implied that the South Atlantic Council had the authority to make management changes that would affect its portion of the Gulf cobia stock. However, the current CMP Framework Procedure language is not consistent with this statement, especially as it relates to the management of Gulf cobia in the FLEC Zone.

The changes to the language included in Alternative 2 would clarify that the South Atlantic Council does not make management changes that would affect the entire migratory group throughout its range, such as modifying catch limits, zone boundaries and apportionment. The committee discussed taking a deeper look at the CMP Framework Procedure and will continue discussions during Full Council. I will pause there for a moment, Mr. Chairman.

CHAIRMAN FRAZER: Thank you, Mr. Riechers. Is there an interest in carrying on this conversation at this point? John, is your question to this point, or is it for something later in the committee report?

MR. SANCHEZ: No, Mr. Chair, and it's regarding king mackerel, and in the interest of time, I am comfortable with Robin going through his presentation, and I can get into what I have at the tail-end.

CHAIRMAN FRAZER: Okay. Thank you, Mr. Sanchez.

MR. RIECHERS: Mr. Chair, then I will go ahead and move forward.

CHAIRMAN FRAZER: Go ahead, Robin.

MR. RIECHERS: Next on our agenda was a discussion regarding Gulf of Mexico King Mackerel, Tab C, Number 6. Council staff summarized the recent changes in the management of Gulf king mackerel, the results from the SEDAR 38 update stock assessment, which was done in 2020, and public comments received during previous council meetings related to sector allocations and minimum size limits.

The committee discussed moving forward with updating catch

limits based on the SSC's recommendations. In addition, the committee would like to move forward with looking into sector allocations for Gulf king mackerel, acknowledging that updating catch limits to incorporate MRIP-FES would result in a de facto increase to the commercial quota. Similarly, the committee would like to examine size-specific discard mortality of released undersized fish.

Although the transition to MRIP-FES results in a near doubling in the recreational landings, the committee asked why this increase was not as high as what is being reported for other species that have also been transitioned to the MRIP-FES data currency.

Council staff responded that calculations of recreational fishing effort is estimated to have increased as a result of using MRIP-FES, but this trend could be a result of king mackerel being managed closer to F/FMSY, and also may be related to periodic fluctuations in recruitment.

Next, the committee went on Other Business and it was regarding the Gulf of Mexico king mackerel commercial gillnet discussion, which we had added to the agenda under Other Business. Mr. Sanchez spoke on behalf of the Florida Keys Commercial Fisherman's Association, asking the Gulf Council to explore the opportunity to create an individual fishing quota for the Gulf king mackerel commercial Southern Gillnet Zone.

This request comes as a result of economic challenges from the latest fishing season. The Florida Keys Commercial Fishermen's Association expects this measure would address issues related to market price and timing related to overlap between fishing seasons for multiple species commercially targeted in the Florida Keys. The Florida Keys Commercial Fishermen's Association plans to write a white paper regarding this topic, and expects to share it with the council. The committee expressed interest in seeing the white paper. Mr. Chairman, that concludes my report.

CHAIRMAN FRAZER: Thank you, Mr. Riechers, and I guess we'll go straight into questions. John Sanchez.

MR. SANCHEZ: Thank you, Mr. Chair. Two points regarding the committee report. One, as we proceed with the development of Amendment 33, a quick question I want to ask the rest of the members, and it would seem to me that, if we looked at analysis regarding a potential change to the size limit in a future document, it would help with the expediency and efficiency in

developing Amendment 33.

The rationale that I would offer for that is that the twenty-four-inch size limit, 50 percent of the fish are mature, and that's pretty much our historical standard that we use in many fisheries, 50 percent above maturity, and it's been a long-standing practice in mackerel to have that, and the fishery is not undergoing overfishing, nor is it overfished, and I think, if it's working, let's not mess with it, and, again, in the interest of moving this document along into development, we can certainly tackle that issue, if there's an interest, in a separate document down the road.

That would be the first one. If you want to have discussion on that, I think that would be appropriate, and then I will get into the second comment regarding gillnet after we dispense with this one. Thank you.

CHAIRMAN FRAZER: Mr. Sanchez, I just want to clarify if you're making a motion or you're asking for some input from staff.

MR. SANCHEZ: I would ask for input from staff, and, if a motion is needed, then I would happily do so.

CHAIRMAN FRAZER: All right. I am going to ask either Mr. Rindone or Dr. Froeschke to weigh-in here. Ryan.

MR. RYAN RINDONE: Sure. I can weigh-in. As far as the length at which 50 percent of the sexes combined population of king mackerel is sexually mature, that's about -- That's just about twenty-three inches, and so it's just a hair underneath the twenty-four-inch fork length minimum size limit.

Mr. Sanchez is correct that it's standard practice, and the council has typically tried to have the minimum size limit for a stock be at or above whatever that length or age, as it equates to length, is at which 50 percent of the population is estimated to be sexually mature.

As far as splitting this out and doing -- Considering any change to the minimum size limit or doing away with the minimum size limit in a separate document, that's, of course, the council's pleasure, and so, Mr. Sanchez, if there is other input you want on my behalf, or other staff, please ask.

CHAIRMAN FRAZER: Okay. John, it looks like we have a couple of other hands. Maybe I will just hold tight for a minute and see if the hands are relative to your query a bit. Susan.

MS. BOGGS: Mine is not, and so, if you want to come back to me, that's absolutely fine.

CHAIRMAN FRAZER: Okay. Mr. Strelcheck.

MR. STRELCHECK: Thanks, Tom. A general comment, probably broadly to the council, but also to staff, regarding the cobia amendment, and so we have a lot of alternatives in that amendment that don't achieve very much in terms of harvest reductions, and I know we heard, during the committee discussion, the interest in aligning, potentially aligning, limits to what the FWC does for cobia, but I would be curious to hear from the council if there is interest in trying to reduce the number of alternatives, especially for those that aren't achieving much of a reduction, if the IPT has any thoughts and perspective on the alternatives that may be removed, just to simplify the amendment, if needed.

CHAIRMAN FRAZER: I think, Andy, we're going to try to deal with the mackerel issue first, okay, and then we'll come back and deal with any cobia-related questions, and so, to Mr. Sanchez's point, is there any interest from the council in dealing with the size, minimum size, issue, and, if so, are they interested in putting it, perhaps, in a separate document? Okay. I am not seeing a lot of --

MS. BOSARGE: My hand is up.

CHAIRMAN FRAZER: Ms. Bosarge. I'm sorry.

MS. BOSARGE: It's okay. So I was the one that brought that up during committee, about -- It was in Natasha's presentation, where the fishermen had -- I think commercial fishermen had entertained the idea of getting rid of the minimum size limit to reduce discards, and I am more than happy for that to be in a separate document at a later point in time.

I was kind of surprised by it, and I mentioned that, because it's not something that I had heard before, and it doesn't mean that it's not a good idea, and it needs to be looked at, but I don't think it's something that's pressing, and it doesn't have to be in this document.

CHAIRMAN FRAZER: Okay. Thank you, Ms. Bosarge. Mr. Swindell, is it to that point?

MR. SWINDELL: Just to the point, really, of looking at this

whole king mackerel assessment. As we've looked at it, all the information we have for the eight years, my calculations show that, over the entire eight-year period, that the commercial fishermen did not exceed the resulting yearly quota, except for a few times during that time, but, for the overall quota for the eight-year period, they did not exceed it, and the recreational only exceeded it by three-one-hundredths percent of the total quota that was allowed for the eight years. To me, the fishery is -- The size and everything is working well for the fishery. Thank you.

CHAIRMAN FRAZER: Okay. Thank you, Mr. Swindell. All right. Is there any more questions specific to the mackerel? I am not seeing any, and so, given Ms. Bosarge's comments, I think one of the things that we can do, and it's not an incredibly pressing issue for the time being, but we can kick it around a little bit here and think about how we might move forward with implementing a minimum size limit, and perhaps open it up for discussion during our next council meeting, in the Mackerel Committee. Let's go to cobia, and so I guess -- Susan, was your question related to cobia?

MS. BOGGS: Yes, and thank you, Mr. Chair. Tell me the timeline on cobia. If we were to do -- When do we have to have decisions made to have 2022 the effective year for those changes?

CHAIRMAN FRAZER: Dr. Simmons or Mr. Rindone. Susan, could you repeat the question, please?

MS. BOGGS: Yes, sir, and I was just curious what is the timeframe for the council to take action on cobia for it to be effective for the 2022 fishing year, and, obviously, we can't affect any change this year, and so I just wanted to see what the timeline is to get it in place for 2022.

MR. RINDONE: We're, obviously, early in this year, and we know that it takes about six months for -- It takes at least six months for a management change to move through the approval process with NMFS, following their protocols, and so, in terms of having something in place for the 2022 fishing season, the council should -- If that's the council's intent, it should certainly endeavor to take final action on CMP Amendment 32 before the end of the year, and with sooner being better, under the understanding that, after council staff transmits the document to NMFS for implementation, NMFS will have to go through their process, which may run into 2022 a little bit, but it could also provide the opportunity for that management change to take effect after the start of the 2022 fishing season,

hopefully without having allowed any further detrimental effect on the stock. Does that answer your question?

MS. BOGGS: Yes, it does. Thank you.

CHAIRMAN FRAZER: Okay. I see, Leann, you have your hand up.

MS. BOSARGE: Back to trying to streamline the document, the discussion on that, I did bring that up in committee, and, of course, the motion did fail in committee, but about removing commercial -- All the commercial language from that action, where we're talking about bag limits and vessel limits, as far as your bang for the buck.

You know, a lot of people wanted to see the analysis first. Well, the analysis is actually in the document, and I'm sure there is additional analysis that can be done, but the initial analysis shows that the maximum you could get would be maybe an 8 percent reduction in the Gulf Zone, and so, with commercial landings at 35,000 pounds, you're getting less than 3,000 pounds of reduction in harvest out of a fishery that is landing somewhere a million-and-a-half and three million pounds for the whole stock.

I just don't see where it's really worth the effort to continue to analyze something that, if implemented, would reduce harvest by maybe 2,000 or 3,000 pounds, and so that's my two-cents, and I think you could streamline the document by removing that from it, and I am willing to make that motion again. **If you can pull it up from committee, I will make that same motion again.** Thank you.

CHAIRMAN FRAZER: Okay. We'll get it up on the board here, Leann. Okay. This is the committee motion, and it was to modify the Gulf cobia possession limit and/or establish a trip limit, and that motion failed five to six in committee. Ms. Bosarge, did you want to reintroduce the motion?

MS. BOSARGE: Yes, sir. Thank you. This would remove commercial from that action, where we're discussing changing the bag limits and adding a vessel trip limit. This is a bycatch species for us, and so, when we do encounter it, we need to land what we encounter.

You can't continue to have a fish house that's going to buy that species and offload if there's no market, if it's coming in one fish at a time, not to mention commercial landings in this fishery have been hamstrung by the management, by the types of

regulations that we have put on them, and those regulations have led to a 90 percent decrease in commercial landings since we began managing them, 90 percent. I think we have reduced their harvest enough at this point. Let them have their thirty-something thousand pounds a year, and let's focus on the elephant in the room.

CHAIRMAN FRAZER: Real quick, I want to make sure that the motion -- We've had your rationale for the motion, and it's to remove the commercial sector from Action 4 in the document, and we did not get a second for that motion. I want to dispose of that before we move along. Is there a second to this motion?

MR. ANSON: I will second for further discussion.

CHAIRMAN FRAZER: Second by Mr. Anson.

MS. BOSARGE: Mr. Chairman, the other thing I was going to say is that there are other action items in this document that will reduce the commercial harvest already, and we're looking at changing size limits, minimum size limits, and that had an effect the last time we did it, and it will have an effect again, and so we do have items in here to address commercial harvest, and I don't think we need this one.

CHAIRMAN FRAZER: Okay. Thank you, Ms. Bosarge. We've got a number of hands. It looks like we've got John Sanchez.

MR. SANCHEZ: Mr. Chair, I would like for you to come back to me once we get back on mackerel.

CHAIRMAN FRAZER: Okay. Mr. Strelcheck.

MR. STRELCHECK: Thanks, Chairman. Just to be crystal clear with Leann's motion, Leann, you're not suggesting Alternative 1 in Action 4 to be modified, and you wouldn't be removing the commercial limit of two fish at this point, and so you're just suggesting that it be removed from the other alternatives in Action 4, correct?

MS. BOSARGE: Yes, sir. The no action alternative would have to stay the same.

CHAIRMAN FRAZER: Thank you. All right. Dr. Simmons.

EXECUTIVE DIRECTOR SIMMONS: Thank you, Mr. Chair. Not to this motion, but just to talk a little bit about workload and just to remind the council that we're going to get into some more of

this, I believe when we get to the Reef Fish Committee, but cobia is a priority, Amendment 32, and I'm not sure that you will see king mackerel in April, and so we'll be working with the Regional Office staff on that, but we do have quite a bit to do, and cobia is a priority for this committee. Thank you.

CHAIRMAN FRAZER: Thank you, Dr. Simmons. Is there any further discussion on this motion specifically? Ms. Guyas.

MS. GUYAS: It's not to this motion.

CHAIRMAN FRAZER: Okay. So we'll hold hands right now. Mr. Diaz.

MR. DIAZ: I just want to -- I'm a little confused. Earlier in the report, we said there was no allocation between commercial and recreational in the Gulf, and Leann referenced 30,000 pounds a minute ago, and I'm not sure what she was referring to when she said 30,000 pounds.

CHAIRMAN FRAZER: Ms. Bosarge, do you want to clarify?

MS. BOSARGE: That was our Gulf landings last year, and I think it's 35,000 pounds, or maybe 37,000, and it's thirty-something thousand pounds, is essentially what we're landing in the Gulf, commercially.

CHAIRMAN FRAZER: Right. Did you want to follow-up to that, Mr. Diaz?

MR. DIAZ: No, I'm good. Thank you, Mr. Chair.

CHAIRMAN FRAZER: Okay, and so it looks like we have a couple of other hands up, but they're not related to this motion, and so we will go ahead and vote this up or down, and I will start with the simplest. **Is there any opposition to this motion?**

MR. DIAZ: Yes.

MR. DYSKOW: Aye.

CHAIRMAN FRAZER: Okay. There is two opposed. Okay. Sorry, Dr. Simmons, but we're going to have to go through a roll call vote.

EXECUTIVE DIRECTOR SIMMONS: Okay. Thank you, Mr. Chair. Ms. Bosarge.

MS. BOSARGE: Yes.

EXECUTIVE DIRECTOR SIMMONS: Mr. Swindell.

MR. SWINDELL: No.

EXECUTIVE DIRECTOR SIMMONS: Mr. Strelcheck.

MR. STRELCHECK: Yes.

EXECUTIVE DIRECTOR SIMMONS: Dr. Stunz.

DR. STUNZ: No.

EXECUTIVE DIRECTOR SIMMONS: Mr. Dyskow.

MR. DYSKOW: No.

EXECUTIVE DIRECTOR SIMMONS: General Spraggins.

GENERAL SPRAGGINS: No.

EXECUTIVE DIRECTOR SIMMONS: Mr. Williamson.

MR. WILLIAMSON: No.

EXECUTIVE DIRECTOR SIMMONS: Mr. Dugas.

MR. DUGAS: No.

EXECUTIVE DIRECTOR SIMMONS: Dr. Shipp.

DR. SHIPP: No.

EXECUTIVE DIRECTOR SIMMONS: Mr. Anson.

MR. ANSON: Yes.

EXECUTIVE DIRECTOR SIMMONS: Ms. Guyas.

MS. GUYAS: No.

EXECUTIVE DIRECTOR SIMMONS: Mr. Diaz.

MR. DIAZ: No.

EXECUTIVE DIRECTOR SIMMONS: Mr. Sanchez.

MR. SANCHEZ: Yes.

EXECUTIVE DIRECTOR SIMMONS: Mr. Riechers.

MR. RIECHERS: No.

EXECUTIVE DIRECTOR SIMMONS: Ms. Boggs.

MS. BOGGS: No.

EXECUTIVE DIRECTOR SIMMONS: Mr. Banks.

MR. BANKS: Yes.

EXECUTIVE DIRECTOR SIMMONS: The motion failed five to eleven with one abstention.

CHAIRMAN FRAZER: Okay, and so we will move on with the discussion as it relates to mackerel. Mr. Sanchez.

MR. SANCHEZ: Thank you. **In the interest of clarity, for the path forward for staff, I am going to make a motion to remove the minimum size limit option appearing in the Amendment 33 scoping document from the development of Amendment 33. So, basically, remove the minimum size limit option from Amendment 33, going forward.**

CHAIRMAN FRAZER: Okay. Let's just take a second, and we'll let staff get that motion on the board.

MR. SANCHEZ: We'll make it simple. **To remove the minimum size limit option from Amendment 33.**

CHAIRMAN FRAZER: For king mackerel.

MR. SANCHEZ: Yes. Correct.

CHAIRMAN FRAZER: Okay. Is there a second to this motion?

MS. BOSARGE: I will second it.

CHAIRMAN FRAZER: It's seconded by Ms. Bosarge. Okay. John, do you want to have a little additional discussion explaining the motion?

MR. SANCHEZ: I think we've already done it, and, in the interest of moving forward, I think you all know my rationale already, and we can take this up in a future document. It seems

to be working, but thank you.

CHAIRMAN FRAZER: Okay. Ms. Guyas.

MS. GUYAS: It's not to this either. I wanted to go back to cobia.

CHAIRMAN FRAZER: Okay. We'll go back to cobia after this. Is there any further discussion on the motion on the board to remove the minimum size limit option for king mackerel from Amendment 33? **Seeing none, is there any opposition to this motion? Seeing none, the motion carries.** Ms. Guyas.

MS. GUYAS: I guess, to Andy's, I guess, request to, I guess, cut things out of this document and streamline it, I'm flipping through the actions and alternatives, and I know the South Atlantic hasn't seen this yet, and I don't -- There's not much in here that I see that I feel like is unreasonable to be analyzed, but I'm wondering -- Are we at a point where we could choose a couple of preferreds, and maybe that signals to the South Atlantic where we're going to go, and then we can cut alternatives after they see it? Is that appropriate at this time?

I mean, what I could do here is just offer a motion with a possession limit and trip limit, since we kind of are all talking about the same thing here with that one, and see where it goes, if that helps move things along and simplifies things. If it doesn't, and it's not time to do that, that's fine, but I'm just trying to find some way to help here.

CHAIRMAN FRAZER: Again, I think it would be appropriate to start nudging this along a bit, and so, if you want to make a motion or two, that's good.

MS. GUYAS: Okay. All right. **So I will make a motion, and I'm sorry that I did not send this to staff, and so bear with me, for Action 4. It's to select a preferred alternative and -- Let me see if I can pick everything from the menu that we need here. That would be Alternative 2 and Alternative 3, 3a, Sub-Option i, and let's just stop there.** I'm hoping here, if we do that, then this whole action can be consolidated and split the Gulf and the Florida East Coast and not have all these zillion sub-options here.

Let me repeat it. **In Action 4, that the preferred be Alternative 2, I guess Option 2a, and Alternative 3, Option 3(a) Sub-Option i.** What this does is --

CHAIRMAN FRAZER: Okay. We're going to get that on the board.

DR. SHIPP: I would second the motion.

CHAIRMAN FRAZER: Okay, and so we'll have a second while they're putting it up. So Martha is making the motion, and Dr. Shipp is going to second the motion, and let's staff get it up on the board before we have any further discussion.

MR. RINDONE: Bernie, it's Alternative 2, Option 2a, and Alternative 3, Option 3a, Sub-Option i. Is that correct, Ms. Guyas? You're only talking about the Gulf zone here?

MS. GUYAS: Yes, and I will let the South Atlantic do their thing. I don't want to choose the preferred for them before they've even seen this document. I would not like them to do that for us.

CHAIRMAN FRAZER: We have the motion in Action 4 to Alternative 2, Option 2a, and Alternative 3, Option 3a, and Sub-Option i the preferred. If you want to have a little more discussion, Martha, go ahead.

MS. GUYAS: Sure. What this does is this will set the limits similar to what we have for Florida state waters in the Gulf right now. This is what everybody has been asking us to do, and all the public testimony that we've heard about this is to move forward with this option. That's really my rationale here, and hopefully, if the South Atlantic goes the same way, we can consolidate this action and get rid of some of these options and sub-options and whatnot and just have one suite for the whole stock.

CHAIRMAN FRAZER: I think I appreciate and understand the rationale. Mr. Strelcheck.

MR. STRELCHECK: Thanks. I'm supportive of the motion. I know, during committee, it was mentioned that some additional analyses are needed, looking at landings data, at least historical landings data.

If those trends continue, it looks like some years might require seasonal closures and some might not, and so I would be interested in staff bringing back to us, at the next meeting, estimated reductions they think are need to achieve and prevent the ACL from being exceeded on an annual basis and include in that, obviously, the size limit change, which was just recently

taken into effect, so we have a better idea of the reductions that we're gaining from these management measures and if there's any implications for NOAA Fisheries having to close the fishery late in the year because the ACL was still projected to be met.

CHAIRMAN FRAZER: Okay. Thank you, Mr. Strelcheck. We've got a couple of other hands, and I will go to Mr. Banks and then Mr. Diaz.

MR. BANKS: Thank you, Mr. Chairman. I am going to speak against this motion, simply because of some of the things that were just said about we just changed the size limit, which went into effect just this past year, and we don't even have an idea of how that has impacted things, and it's just not fair to make these kinds of changes on the anglers without all of the information, and, all the while, another portion of the fishing community in the Florida East Coast Zone, or FLEC Zone, whatever you call it, is not even operating under the same size limits that we are.

We've already taken a step to press against our anglers and our commercial guys with a reduced size limit, and the other area where this stock occurs, in the FLEC Zone, has not taken the same measures, and these measures only went into effect last year, I think in March, and I think we just need to wait on this, until we see the impact of those measures, and try to get the South Atlantic to match our regulations, so that we can have some consistency here. Thank you.

CHAIRMAN FRAZER: Thank you, Mr. Banks. Mr. Diaz.

MR. DIAZ: Patrick makes a good point, and I'm trying to figure out how I'm going to vote on this, but we did hear a lot in public testimony. I mean, fishermen know that this fishery is in trouble. I do applaud Martha's efforts for trying to do anything new can to streamline this document, but where we're at now is we've got a document that's got six actions in it, and it takes two councils to act on it, and I think -- I don't really think we should pull a whole lot out of it until the South Atlantic sees it, but I do think, when we see this document again, we need to start taking some stuff out of it and try to get to the point where we could move this document in a reasonable timeframe. With six actions, there is no way in the world we would move this document before 2022. We would be lucky to finish it in 2022. Thank you.

CHAIRMAN FRAZER: Okay. Thank you, Mr. Diaz. Ms. Guyas.

MS. GUYAS: Just one more thing, just to follow-up, and I guess Andy had talked about the analysis that we hopefully will be getting with this document, and so, in my mind, I think it's important for us to do what we can to avoid early closures, to the extent that we can here.

This fishery has a lot of dynamics, where fish are being caught in different places of the Gulf and Atlantic at different times of the year, and so -- I don't know that we really fully understand the dynamics of what is happening here and all those movements and catches, and so I just feel like we need to do what we can to avoid putting ourselves in a situation where this fishery is closing early, because it's going to have -- It's going to impact some areas more than others, and it's just going to add additional complication to this, I think, and so it's a highly migratory stock, or I guess a coastal migratory stock, and so closures -- I think it's going to be tough, and so that's just my last thing on that. Thanks.

CHAIRMAN FRAZER: Thank you. Ms. Bosarge and then Mr. Riechers.

MS. BOSARGE: If I could get staff to pull up paper page 25 in the document, please.

CHAIRMAN FRAZER: Okay. We'll get that up.

MS. BOSARGE: Thank you. This actually shows the analysis for some of these alternatives and the percent reduction in harvest. You're going to have to maybe make it a little smaller, so you can see both of those tables at the same time, please. All right. There you go.

If you look, this has a disproportionate harmful impact on commercial, the smallest tiny fraction of this entire fishery, versus recreational, and this is what I was talking about, about commercial doesn't need to be in this action. Your landings are a million-and-a-half or two million pounds a year, and, by implementing this, you're going to reduce commercial harvest by either 8 percent or 31 percent, depending on if you want to look at the Gulf Zone or the FLEC Zone. The recreational harvest, none of those percentages down in that second table, Table 2.4.2, come up to that 8 percent or 31 percent.

You are disproportionately harming the part of this fishery who has already had their harvest reduced by 90 percent, and how you can consider that fair and equitable I do not know, and that's why I asked you and pleaded with you to please just take commercial out of this. You can reduce our harvest by

increasing that minimum size limit, plus, generally speaking, we are going to reduce the quotas.

It's a stock ACL in the Gulf, and so, when recreational closes, commercial will close too, but I can't vote for this, because we've left commercial in here. If you want to look at it on a state-by-state basis, it has the most harm to Louisiana recreationally, and none of the other percentages come close to what you're going to do to Louisiana, which I will grant you I guess that's where most of the harvest is, but it's just something to consider. If you take commercial out of these options at some point, then I might one day be able to vote in support of one of these alternatives.

CHAIRMAN FRAZER: Thank you, Ms. Bosarge. Mr. Riechers.

MR. RIECHERS: Patrick, I agree with some of your sentiments there, and I think I'm going to vote in favor of the motion though. What I heard Martha trying to do was just to go ahead and signal, if we are going to make a change to the South Atlantic, and I think, if I recall correctly from committee, they will see this document in March, and is that correct, Ryan? I think Martha was trying to signal to them -- We really don't have much room to work here, in terms of, once you start getting down to these low bag limits, you're almost down to one-fish bag limits and trip limits.

I mean, that's really the only measures you have, including other closures and minimum size limits and those sorts of things, but, as far as bag limits go, we're just down at a point now where we have very little room to work, and so, the way I heard Martha phrase hers was signal to them where we might be leaning, so that, as they look at it again, and we kind of force -- Hopefully they will take that cue and bring the FLEC Zone into the same kind of management measure.

It doesn't mean that we have to leave it at this preferred, if in fact they don't do that, and so this is just a draft document at this point, but I do agree with your sentiment, Patrick, that they need to pick up and do their part, as we kind of maybe assumed that they were going to do before, but did not do.

Now, there is that whole question of what they have the authority to do as well that popped up in this discussion under framework, and so I think we also have to bear in mind that framework actions may be more difficult, in this case.

CHAIRMAN FRAZER: Okay. Thank you, Mr. Riechers. I think we've

had a lot of discussion, and I think we have enough information to vote this up or down, and so, again, I think there is clearly some nays to go with those yeas, and so, Dr. Simmons, a roll call.

EXECUTIVE DIRECTOR SIMMONS: Thank you, Mr. Chair. General Spraggins.

GENERAL SPRAGGINS: No.

EXECUTIVE DIRECTOR SIMMONS: Mr. Anson.

MR. ANSON: No.

EXECUTIVE DIRECTOR SIMMONS: Mr. Sanchez.

MR. SANCHEZ: Yes.

EXECUTIVE DIRECTOR SIMMONS: Dr. Shipp.

DR. SHIPP: Yes.

EXECUTIVE DIRECTOR SIMMONS: Mr. Williamson.

MR. WILLIAMSON: Yes.

EXECUTIVE DIRECTOR SIMMONS: Mr. Diaz.

MR. DIAZ: Yes.

EXECUTIVE DIRECTOR SIMMONS: Ms. Bosarge.

MS. BOSARGE: No.

EXECUTIVE DIRECTOR SIMMONS: Mr. Dyskow.

MR. DYSKOW: Yes.

EXECUTIVE DIRECTOR SIMMONS: Mr. Strelcheck.

MR. STRELCHECK: Yes.

EXECUTIVE DIRECTOR SIMMONS: Mr. Dugas.

MR. DUGAS: No.

EXECUTIVE DIRECTOR SIMMONS: Mr. Swindell.

MR. SWINDELL: No.

EXECUTIVE DIRECTOR SIMMONS: Ms. Boggs.

MS. BOGGS: Yes.

EXECUTIVE DIRECTOR SIMMONS: Ms. Guyas.

MS. GUYAS: Yes.

EXECUTIVE DIRECTOR SIMMONS: Mr. Banks.

MR. BANKS: No.

EXECUTIVE DIRECTOR SIMMONS: Mr. Riechers.

MR. RIECHERS: Yes.

EXECUTIVE DIRECTOR SIMMONS: Dr. Stunz.

DR. STUNZ: Yes.

EXECUTIVE DIRECTOR SIMMONS: The motion carries ten to six with one abstention.

CHAIRMAN FRAZER: Okay, and so did you have any other motions in mind, Ms. Guyas?

MS. GUYAS: Not right now. I am trying to flip through here. Let's just go with that for now. I feel like that's the most complicated one.

CHAIRMAN FRAZER: Okay. Ms. Boggs.

MS. BOGGS: Thank you, Mr. Chair. I am not looking to make a motion, but I do want to try to discuss something real quick, and it has to do -- I am like Martha, and I'm trying to flip through my document, but, when we discussed the size limit, I agree with what Patrick is saying, that the South Atlantic should come up at least to the minimum size limit of the Gulf, but there's not an option for that, and I believe it's the action before this, but my pages are out of order, and do we need to add something?

Otherwise, we keep it the same and change the South Atlantic, or we increase sizes, and, at the very least, I agree that the South Atlantic needs to at least come up to our minimum size limit of thirty-six, but there's really not an option for that.

CHAIRMAN FRAZER: Ms. Boggs, we're going to pull this up in the document, and we'll get a quick look, and I will let staff --

MS. BOGGS: Yes, sir. I'm sorry that I wasn't more prepared, but this is a complicated document.

CHAIRMAN FRAZER: What we're looking at here, Ms. Boggs, is Alternative 2, and it says retain the current recreational and commercial minimum size limit of thirty-six inches fork length in the Gulf Zone and increase the recreational and commercial minimum size limit to thirty-six inches fork length in the FLEC Zone, and so it does look like it's in there.

MS. BOGGS: Okay, and so I suppose that Alternative 1, no action, would -- Okay. I misread it earlier. I apologize. Thank you.

CHAIRMAN FRAZER: Okay. We're going to take a couple more questions here, and then we're going to try to wrap this committee report up. Mr. Banks.

MR. BANKS: Thank you, Mr. Chairman. **I would like to make a motion.**

CHAIRMAN FRAZER: Okay.

MR. BANKS: In Action 5, to make Alternative 2 the preferred. If I get a second, I will explain the reasoning. Thank you.

CHAIRMAN FRAZER: All right. We'll put it up on the board, but, in the meantime, is there a second?

MS. GUYAS: Second.

CHAIRMAN FRAZER: Second by Ms. Guyas. While we're putting it up on the board, it's, in Action 2, to make Alternative 5 the preferred. Mr. Banks, if you want to elaborate.

MR. BANKS: Sure, and I understand what Martha is saying about we wouldn't like for the South Atlantic to tell us how to handle our business, and I agree with that, but, in this case, I think that Robin and Martha both made good points about this is just sort of a signal to the other council of the way we're leaning, and, with Alternative 2, the percent savings, or percent reduction, in the document indicates that it's like a 34 percent savings if they would just match our size limit, and so I think it makes sense for us to signal to them that we would like them

to move this way, and so I appreciate it.

CHAIRMAN FRAZER: Okay. Thank you, Patrick. Ms. Guyas.

MS. GUYAS: I think I'm going to support this. I do have -- Of course, I don't want the South Atlantic to tell us what we can do, and I assume they don't want us to do the same, but I think they're going to have to do something here, given the way that the numbers add up, and I am hesitant about us necessarily going up higher than thirty-six inches in the Gulf, and so I think Alternative 2 makes a lot of sense, and so I'm comfortable with this. Thank you.

CHAIRMAN FRAZER: Okay. Is there any other discussion? **Seeing none, is there any opposition to the motion? Hearing none and seeing no hands, the motion carries.** Okay. Is there any other business to come before -- Ms. Bosarge.

MS. BOSARGE: Just a question. Is it possible to change the formatting on the document for that Action 4, so that at least, if we want to choose a different bag limit, or a different vessel limit, for commercial than we do for recreational, that we have that option?

It's very rare that trip limits are the exact same for recreational as they are for commercial, and so I would think that we would at least want it where we have that option, and we may choose to keep them exactly the same, but, if you have sub-options for recreational and commercial, then you have that ability, versus the way it's written now, where it's in the alternative language and not the sub-option language, and so that's just a question for staff.

CHAIRMAN FRAZER: Thank you, Ms. Bosarge. I will let Mr. Rindone respond.

MR. RINDONE: If you guys wanted to address the recreational and commercial fleets separately, then you would just split Alternative 2 and Alternative 3 into two separate alternatives each, with Alternative 2 addressing recreational daily possession limit, and new Alternative 3 would be commercial daily possession, and new Alternative 4 would be recreational daily trip, and then Alternative 5 would be commercial daily trip, or something to that effect, depending on what your desires -- Or what your desire is for how you would want all of that to look.

MS. BOSARGE: That would be helpful for me, certainly, because,

the way it's written now, where commercial is included in everything, personally, I don't feel like I can support any alternative, but, if you bust them out, at least I could have meaningful conversation and try and do what I think would be the best on the recreational side, and actually be able to vote for something recreationally.

Right now, with them together, I can't. I have to vote no to all of it, and I think that we should have two separate alternatives, so that we can look at these two fleets, and these two components, that fish on this stock and see what impact each of these measures have, fleet-specific.

CHAIRMAN FRAZER: Okay, and so I think that direction is fairly clear to staff, and, unless there is any opposition from the council, I think staff has enough direction to do that and make those changes in the document, and so I'm just going to wait just a second. If anybody is opposed to that, just say so now. Otherwise, I will direct staff to move in that direction. Okay. Dr. Froeschke, did you want to -- I think it will be -- Okay. Before we leave this committee, we will entertain one more question or comment from John Sanchez and then Andy Strelcheck. John.

MR. SANCHEZ: Thank you for circling back, Mr. Chair. As I mentioned, I have two items under mackerel, and so we're leaving cobia, and that was just I heard staff loud and clear that we're going to be very busy, and the priority is cobia, at the next meeting.

With that, both Tom, Mr. Chair, and Robin, Mr. Chair, I would like to add -- If we could add, during Other Business in cobia, just five minutes or whatever, but a brief discussion to see how everybody responds to the white paper that Bill Kelly has assured me that everybody will be in receipt of in advance of the meeting. He's going to try to get it to everybody probably at the end of March, well in advance of the April meeting, and, by get it to everybody, probably get it to staff for dissemination to everybody, and then if we could just have a little talk on that during the tail-end of that cobia session in April. Thank you.

CHAIRMAN FRAZER: Thank you, Mr. Sanchez. We will anticipate a white paper from Mr. Kelly's group, and we will -- If we receive that, we will plan on putting it on the agenda as a brief discussion item. Mr. Strelcheck.

MR. STRELCHECK: Thanks, Chairman. In the same vein as the

Action 5 for cobia, which you wanted to share the council's viewpoint on recommendations for the South Atlantic Council, and I think it would be beneficial as well to select a preferred under Action 2, which is the apportionment between the two zones, given that the council will be meeting between now and your next meeting.

From reviewing the alternatives, Alternative 5, there is indications that there might be some bias, based on recently regulatory changes, and Alternative 1 is not feasible. Alternative 2 maintains the current apportionment, but it just uses FES. To me, I think it centers around a recommendation of either Alternatives 3 or 4 from this council, with regard to apportionment between the two zones.

CHAIRMAN FRAZER: Okay. Are you willing to make that motion, Andy, or are you looking for input from the council?

MR. STRELCHECK: Sure. **I will move to make, under Action 2, Alternative 3 the preferred alternative.**

CHAIRMAN FRAZER: Okay, and so we're going to put that motion on the board. As we're getting it up, is there a second to that motion?

MS. GUYAS: I will second for discussion.

CHAIRMAN FRAZER: It's seconded by Ms. Guyas for discussion. We'll get it on the board, Andy, and then we'll have just a little bit more discussion, but I think you fleshed it out a bit already. The motion on the board is, in Action -- Hold on. We're not quite there. The motion on the board is, in Action 2, to make Alternative 3 the preferred. We have a second by Ms. Guyas. Andy, did you want to elaborate any more, or do you feel like you've given enough?

MR. STRELCHECK: Alternative 3, just to elaborate a little bit more, is just with the time series that was used to develop the original apportionment, just updated with FES landings data.

CHAIRMAN FRAZER: Okay. Is there any further discussion of the motion? Seeing none, is there any opposition to the motion**?** Ms. Levy, before we get -- Okay. Let's hold off on the vote. Mara, I didn't see your hand, and then I also see Patrick's hand, and so we'll have a little bit more discussion. Ms. Levy.

MS. MARA LEVY: Thank you, and, I mean, just at some point, I think it would be helpful to have a little bit more discussion

about why it's appropriate to keep the same time series and not perhaps update it to include the more recent years, and I just think it would be helpful to have more discussion about that. If you want to think about that and have more discussion at future council meetings, that's fine too.

CHAIRMAN FRAZER: Thank you, Ms. Levy. Mr. Banks.

MR. BANKS: Thank you, Mr. Chairman. I just wanted to try to get some clarity, because I'm not reading in the document -- What I'm reading in the document doesn't help me as much as maybe I am just not getting it, but the clarity between Alternative 2 and Alternative 3, and can somebody help me understand what is the difference there?

CHAIRMAN FRAZER: Mr. Rindone.

MR. RINDONE: I think Dr. Mendez-Ferrer should pick this one up.

CHAIRMAN FRAZER: Natasha.

DR. NATASHA MENDEZ-FERRER: In Action 2, Alternative 2, we wouldn't be calculating -- We wouldn't be basing the apportionment based on calculating average landings, and so the way -- We would retain the apportionment as it is, the 64 percent and 36 percent, but then the ACL would be based on the stock ACL that was selected in Action 1, and so, if you go to Table 2.2.4, the reason why we don't have -- Why we didn't have in the previous table like numbers is because, like I said, we weren't calculating averages.

If you were to select, in Action 1, the ACL in Alternative 2, which were recommended from the SSC for 2021 to 2023, then we would use those numbers and then look at 64 percent of that ACL in 2021, and that would be that 1,497,600 -- I can't even say numbers in English right now, but they would be the numbers that we have on the Gulf Zone ACL.

Similarly, then we would recalculate it, and so we wouldn't be using average landings, and we would just be calculating the percentage based on the ACL that was selected in Action 1, and so that Alternative 2 is a little different, and it would be like saying I don't want to -- I just want to retain the current apportionment and then apply that the new catch limits. Does that answer your question?

MR. BANKS: Not fully. It's not because you didn't answer it, but it's just because I haven't been able to digest it enough,

but I appreciate the explanation.

CHAIRMAN FRAZER: Okay. Ms. Guyas.

MS. GUYAS: Just a question. I mean, I see, in the document, that the council has agreed on 1998 to 2012, and I assume this is when the councils did the mega-ACL accountability measure amendment several years ago, but I was just wondering if there was more information about why those specific years, other than the councils just thought that that was fair, if anybody has the history there.

CHAIRMAN FRAZER: I think we would have to go back and dig that up, Martha.

MS. GUYAS: Okay. That's fine.

CHAIRMAN FRAZER: Okay. So we have a motion on the board. The motion on the board is, in Action 2, to make Alternative 3 the preferred. **Is there any opposition to this motion?**

UNIDENTIFIED: Yes.

CHAIRMAN FRAZER: Okay. One opposed. The motion carried with one opposed.

UNIDENTIFIED: There's three opposed.

MR. BANKS: There is at least three opposed.

CHAIRMAN FRAZER: Okay. I'm sorry. Let's go ahead and have the roll call vote. Dr. Simmons.

EXECUTIVE DIRECTOR SIMMONS: Thank you, Mr. Chair. Dr. Stunz.

DR. STUNZ: Yes.

EXECUTIVE DIRECTOR SIMMONS: Mr. Diaz.

MR. DIAZ: Yes.

EXECUTIVE DIRECTOR SIMMONS: Mr. Riechers.

MR. RIECHERS: Yes.

EXECUTIVE DIRECTOR SIMMONS: Mr. Strelcheck.

MR. STRELCHECK: Yes.

EXECUTIVE DIRECTOR SIMMONS: Dr. Shipp.

DR. SHIPP: Yes.

EXECUTIVE DIRECTOR SIMMONS: Mr. Swindell.

MR. SWINDELL: No.

EXECUTIVE DIRECTOR SIMMONS: Mr. Banks.

MR. BANKS: No.

EXECUTIVE DIRECTOR SIMMONS: Mr. Dyskow.

MR. DYSKOW: Yes.

EXECUTIVE DIRECTOR SIMMONS: Mr. Williamson.

MR. WILLIAMSON: Yes.

EXECUTIVE DIRECTOR SIMMONS: Ms. Bosarge.

MS. BOSARGE: Abstain.

EXECUTIVE DIRECTOR SIMMONS: Ms. Guyas.

MS. GUYAS: Yes.

EXECUTIVE DIRECTOR SIMMONS: Ms. Boggs.

MS. BOGGS: Yes.

EXECUTIVE DIRECTOR SIMMONS: Mr. Anson.

MR. ANSON: Yes.

EXECUTIVE DIRECTOR SIMMONS: General Spraggins.

GENERAL SPRAGGINS: Yes.

EXECUTIVE DIRECTOR SIMMONS: Mr. Sanchez.

MR. SANCHEZ: Yes.

EXECUTIVE DIRECTOR SIMMONS: Mr. Dugas.

MR. DUGAS: No.

EXECUTIVE DIRECTOR SIMMONS: The motion carries twelve to three with two abstentions.

CHAIRMAN FRAZER: Okay. Is there any further discussion on this particular document? Seeing none, is there any further discussion -- Ms. Boggs.

MS. BOGGS: Well, based on what we just did, should we not pick a preferred in Action 1, because this is related to what Action 1 is.

CHAIRMAN FRAZER: Bernie, would you put Action 1 up on the board? Okay. Ms. Boggs, if you're interested in making a motion, now would be the time.

MS. BOGGS: I would like to make a motion to make, in Action 1, Alternative 2 the preferred.

CHAIRMAN FRAZER: Okay, and so we'll put that up on the board. Is there a second to this motion?

MR. RIECHERS: Second.

CHAIRMAN FRAZER: It's seconded by Mr. Riechers. Susan, do you want to -- We'll get it up, and then you can tell us a little bit more about your rationale.

MS. BOGGS: Thank you.

CHAIRMAN FRAZER: The motion on the board reads: In Action 1, to make Alternative 2 the preferred. Ms. Boggs.

MS. BOGGS: Well, my rationale for that is I would prefer to see the constant catch, but the SSC is not recommending that, because the stock is not currently overfishing, as it states on paper page 11, and so, with that, I would go with the SSC recommendation. Thank you.

CHAIRMAN FRAZER: All right. Is there any further discussion of the motion? Mr. Riechers.

MR. RIECHERS: Just to clarify that there is that constant catch scenario there, but it was basically you're giving up poundage, and giving up the impact associated with that poundage, from a value standpoint, because it takes a lower value, and so we didn't get the normal average type of scenario that we would look at, and so I think, Ms. Boggs, if the SSC were to go back

and revisit their discussion and come back with a constant catch level that is more of an average of the 2021 to 2023, it may be that you might want to think about that again, but I agree with you that, given the current scenario, Alternative 2 is the one that would provide the greatest benefits at this point, and so, like I said, I just wanted to clarify that there is that constant catch alternative there, but it is set at a lower level, because of the SSC's indication that they didn't want to look for that different average approach that we have used somewhat in the past.

CHAIRMAN FRAZER: Okay. Thank you, Robin, for that clarification. I am not seeing any other hands up at this point. **Is there any opposition to this motion? Seeing no opposition, the motion carries.**

I will take any last questions or comments as it relates to this committee, and I don't see any. We will take a break until 1:00, and we'll pick up with the Sustainable Fisheries Committee, and then we'll move into the Reef Fish Committee Report, and so I am not seeing any hands. I will see everybody at 1:00.

(Whereupon, the meeting recessed for lunch on January 28, 2021.)

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January 28, 2021

THURSDAY AFTERNOON SESSION

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The Full Council of the Gulf of Mexico Fishery Management Council reconvened via webinar on Thursday afternoon, January 28, 2021, and was called to order by Chairman Tom Frazer.

CHAIRMAN FRAZER: Okay. Dale, if you want to go ahead and start with the Sustainable Fisheries Committee, that would be great.

SUSTAINABLE FISHERIES COMMITTEE REPORT

MR. DIAZ: Thank you, Mr. Chairman. The Sustainable Fisheries Committee met on January 25, 2021, and the committee requested that an update on how red snapper dead discards were counted against recreational and commercial ACLs be added in Other Business. With that addition, the committee adopted the agenda and approved the minutes of the November/December 2020 meeting

as written.

Tab E, Number 4, Final Action Amendment Reef Fish 48/Red Drum 5: Status Determination Criteria and Optimum Yield for Reef Fish and Red Drum, the council received a public hearing draft of the amendment at its November/December 2020 meeting, but asked for further clarification regarding Action 1, which would define the maximum sustainable yield using the fishing mortality at the spawning potential ratio as an MSY proxy.

National Standard 1 Guidelines require status determination criteria for each managed stock. However, defining an MSY using a proxy is particularly difficult for data-limited stocks.

Council staff outlined the pros and cons of this approach for defining MSY and reviewed the historical decision process of the council's Scientific and Statistical Committee. The SSC had discussed using SPR as an MSY proxy for data-poor stocks at several meetings and determined the approach was scientifically sound. The SSC also noted that the MSY definition for data-poor stocks could later be updated, should a stock assessment or more data allow for a direct calculation of MSY.

The SSC had considered using historical landings data to calculate MSY. However, many data-poor stocks have not been updated/calibrated to the Marine Recreational Information Program's Fishing Effort Survey, and there are no stock assessments scheduled for these species to make these updates. Given these considerations, the SSC ultimately recommended the use of SPR proxies for defining MSY.

A technical guidance report to address reference points using a tiered approach from a Council Coordination Committee subgroup is in progress, but has not been made available at this date, and therefore could not be incorporated into the document.

Council staff also reviewed all the preferred alternatives for each action in the document. A committee member asked why goliath grouper was managed under the South Atlantic Fishery Management Council's jurisdiction. Council staff clarified that goliath grouper is considered to be a single stock throughout its range and that this document would define stock status determination criteria in the Gulf of Mexico to be consistent with what is defined in the South Atlantic.

After a review of the previously selected preferred alternatives, the committee unanimously approved the following motion. **The committee recommends, and I so move, to approve**

Reef Fish Amendment 48/Red Drum 5: Status Determination Criteria and Optimum Yield for Reef Fish and Red Drum and that it be forwarded to the Secretary of Commerce for review and implementation, giving staff editorial license to make the necessary changes in the document. Mr. Chair.

CHAIRMAN FRAZER: Thank you, Mr. Diaz. This is a final action item. We have a committee motion on the board. Is there any further discussion of the motion? I am not hearing any or seeing any hands, and so we will go ahead and take a roll call vote. Dr. Simmons.

EXECUTIVE DIRECTOR SIMMONS: Thank you, Mr. Chair. Mr. Banks.

MR. BANKS: Yes.

EXECUTIVE DIRECTOR SIMMONS: Mr. Diaz.

MR. DIAZ: Yes.

EXECUTIVE DIRECTOR SIMMONS: Mr. Dugas.

MR. DUGAS: Yes.

EXECUTIVE DIRECTOR SIMMONS: General Spraggins.

GENERAL SPRAGGINS: Yes.

EXECUTIVE DIRECTOR SIMMONS: Mr. Anson.

MR. ANSON: Yes.

EXECUTIVE DIRECTOR SIMMONS: Dr. Shipp.

DR. SHIPP: Yes.

EXECUTIVE DIRECTOR SIMMONS: Mr. Swindell.

MR. SWINDELL: Yes.

EXECUTIVE DIRECTOR SIMMONS: Ms. Boggs.

MS. BOGGS: Yes.

EXECUTIVE DIRECTOR SIMMONS: Ms. Bosarge.

MS. BOSARGE: Yes.

EXECUTIVE DIRECTOR SIMMONS: Dr. Stunz.

DR. STUNZ: Yes.

EXECUTIVE DIRECTOR SIMMONS: Mr. Dyskow.

MR. DYSKOW: Yes.

EXECUTIVE DIRECTOR SIMMONS: Mr. Sanchez.

MR. SANCHEZ: Yes.

EXECUTIVE DIRECTOR SIMMONS: Mr. Williamson.

MR. WILLIAMSON: Yes.

EXECUTIVE DIRECTOR SIMMONS: Ms. Guyas.

MS. GUYAS: Yes.

EXECUTIVE DIRECTOR SIMMONS: Mr. Strelcheck.

MR. STRELCHECK: Yes.

EXECUTIVE DIRECTOR SIMMONS: Mr. Riechers.

MR. RIECHERS: Yes.

EXECUTIVE DIRECTOR SIMMONS: Dr. Frazer.

CHAIRMAN FRAZER: Yes.

EXECUTIVE DIRECTOR SIMMONS: The motion carries unanimously.

CHAIRMAN FRAZER: Okay. Continue, Mr. Diaz.

MR. DIAZ: Tab E, Number 5, SSC Recommendations on Interim Analyses Species and Timing, staff summarized the factors considered in creating the draft interim analysis schedule, including Southeast Fisheries Science Center workload, data availability, and management needs.

Dr. Powers noted some concerns by the SSC, including the amount of time needed to process samples from some representative fishery-independent indices of abundance. He further clarified that the interim analysis process considers recent landings against a representative fishery-independent index of abundance to generate catch advice for subsequent years.

The committee generally agreed that the council should try to streamline the approval process for accepting and implementing the results of an interim analysis. To that end, Mr. Strelcheck, from the Southeast Regional Office, offered to investigate how this process operates in other regions and will present those findings at a future council meeting.

Lastly, a committee member thought that documents addressing the results of an interim analysis should focus only on the results of that analysis, to the extent possible, in an effort to expedite decision-making.

Tab E, Number 6, Review of Standardized Bycatch Reporting Methodology for the Gulf of Mexico and Joint Fishery Management Plans, Mr. Peter Hood, from the Southeast Regional Office, presented an introduction and requirements of a standardized bycatch reporting methodology, SBRM, which was stipulated by a National Marine Fisheries Service 2017 final rule and must be incorporated into each fishery management plan.

The SBRM would establish consistent procedures for bycatch data collection and reporting. The rule stipulates that the council should consider characteristics of bycatch occurring in the fishery, determine the feasibility of the data collection approaches, estimate bycatch data uncertainty, and identify how these data can be used to inform stock assessments.

Mr. Hood gave a progress timeline for document development to meet the rule implementation deadline of February 21, 2022. The committee inquired how state or other fishery agency information would be vetted and included in the development of the SBRM.

Mr. Hood indicated that a number of potentially relevant data streams, including those provided by state agencies, could be identified during the characterization portion of the SBRM development process and considered for inclusion. The committee stated that focused examination should be given to aspects of a fishery where uncertainty in bycatch estimates is particularly high when considering any additional regulations associated with the SBRM development.

Other Business, Update on Red Snapper Dead Discards Counted Against Recreational and Commercial ACLs, The committee inquired about the status of a request made during the October 2020 meeting relative to the inclusion of recreational and commercial discards when accounting for the annual catch limits. Specifically, in the eastern states. where federal surveys are

conducted, the committee inquired about how discards are tracked against the recreational and commercial ACLs and how these discards are considered during stock assessments.

Dr. Porch, of the Southeast Fisheries Science Center, indicated that, for the recreational sector, B1 fish, which are fish that were kept but not observed by the National Marine Fisheries Service samplers, are combined with landed, or A, fish in the assessment. Accordingly, the resulting ABC and ACL implicitly includes the A plus B1 category, and monitoring should be consistent with that.

He further noted that a category similar to B1 does not exist for the commercial sector, because the observer is onboard during the harvesting process. Dr. Porch also stated that he would double check with his staff and provide more information during Full Council.

Mr. Strelcheck confirmed that B1 fish, which are fish harvested but not observed, are used to monitor against the ACL. He then noted that B1 fish typically account for a very small amount of the landed catch. Mr. Strelcheck also noted that release mortality associated a proportion of B2 fish, or released fish, are taken off the top when determining the ACL, and they are not included in the ACL monitoring.

Subsequently, Dr. Porch confirmed that there is no equivalent to B1 fish in the commercial fishery. All harvested fish on observed trips are seen. Fish that are reported as discarded dead are included with the overall discards, because they were seen going over the side. Thus, for the commercial fishery, the ACL and monitoring consider only landings.

The committee asked whether the update on discards would be available by the next meeting. Dr. Simmons indicated that staff is planning to provide this information during the April 2021 council meeting. Mr. Chair, this concludes my report.

CHAIRMAN FRAZER: Thank you, Mr. Diaz. Is there any other business that needs to come before the Sustainable Fisheries Committee or bears on this report? Okay. I will wait just a second. I am not seeing any hands or hearing any voices, and so, again, thank you, Mr. Diaz, for the report, and we will move into the Reef Fish Committee Report. Ms. Guyas.

REEF FISH COMMITTEE REPORT

MS. GUYAS: All right. This is the report for Tab B. The

committee adopted the agenda. The minutes of the November/December 2020 meeting were approved as written.

Review of Reef Fish Landings and IFQ Program Landings, only commercial landings data were presented, because recreational landings data are not available for 2020. Landings for 2020 are considered preliminary and are cumulative by month. The committee noted that, despite the COVID-19 pandemic, the price-per-pound realized for IFQ species was similar to that observed in 2019. The 2020 data are not yet adjusted for inflation.

Carryover of red grouper and red snapper was discussed, with resistance expressed by the committee for carrying over red grouper, in light of the stressed condition of that stock. A committee member advocated for carrying over uncaught quota from 2020 to 2021 to shareholder accounts for red snapper. NOAA General Counsel advised the committee to not lose sight of the ongoing calibration work for the recreational sector and that the calibration work may confound this issue.

A committee member thought that supporting the commercial red snapper fishermen by allowing the carryover of uncaught 2020 quota to specific IFQ accounts in 2021 would go a long way to support those fishermen. Another committee member countered that many fisheries have foregone allocation every year, and yet the council has not taken similar action to the same effect.

Final Action: Framework Action: Modification of Gray Triggerfish Catch Limits, at its November 2020 meeting, the council moved to split a framework action on vermilion snapper and gray triggerfish catch levels and gray triggerfish recreational fixed closed seasons into multiple documents. Council staff brought a new draft framework action to modify gray triggerfish catch levels before the committee for final action, and council staff reviewed public comments on the document.

The committee recommends, and I so move, in Action 1, to make Alternative 2 the preferred alternative. Alternative 2 is modify the ABC, ACLs, and ACTs for gray triggerfish based on the results of the 2020 interim analysis, the recommendations of the council's SSC, and Reef Fish Advisory Panel. Apply the ACL/ACT control rule to determine the buffer between the ACL and ACT for the recreational and commercial sectors, respectively. Mr. Chair.

CHAIRMAN FRAZER: Thank you, Ms. Guyas. We have a committee motion on the board. Is there any further discussion of the motion? **Seeing none, is there any opposition to the motion?**

Seeing none, the motion carries. Go ahead, Ms. Guyas.

MS. GUYAS: A committee member asked why there was such a large buffer between the overfishing limit and acceptable biological catch and inquired when the ABC could be reviewed again. Council staff explained that the last completed stock assessment provided high and low-recruitment scenarios to generate catch advice for the rebuilding plan established in Amendment 46 to the Reef Fish Fishery Management Plan. The resultant catch recommendations considered lower recruitment, and set the ABC at the fishing mortality rate required to rebuild the stock by 2025.

Council staff explained that the next interim analysis for gray triggerfish is tentatively scheduled for 2023, based on the SSC's recommendations. However, the Southeast Fisheries Science Center indicated that analysis could be moved up to 2022.

The committee recommends, and I so move, to approve the Framework Action: Modification of Gray Triggerfish Catch Limits and that it be forwarded to the Secretary of Commerce for review and implementation and deem the codified text as necessary and appropriate, giving staff editorial license to make the necessary changes in the document. The Council Chair is given the authority to deem any changes to the codified text as necessary and appropriate. Mr. Chair.

CHAIRMAN FRAZER: Thank you, Ms. Guyas. We have a final action item. We will put the motion up on the board, but we have a hand up from Mr. Banks.

MR. BANKS: Thank you, Mr. Chairman. Not that I necessarily have an issue with the document, but what I have an issue with is picking a preferred at the same meeting in which we go final on something. It just doesn't seem to me that we give the public enough opportunity to understand where we're going and be able to chew on it to get the feedback we need before we take a final action.

I am going to oppose this motion, not necessarily because I oppose the document, but simply because I oppose this process of not allowing the public to have ample time to understand the way the council is going before we take final action. Thank you.

CHAIRMAN FRAZER: Mr. Banks, I just want to make sure that we're all on the same page here. So, I mean, technically, the document -- There was an opportunity and public comment period yesterday, which is essentially a kind of public hearing

document, right, and so they did have that opportunity, and I guess the concern is whether or not they had ample opportunity, from your perspective.

MR. BANKS: That is correct, Mr. Chairman. I realize they did have yesterday as their opportunity, but one day of an opportunity to review it and chew on something before we make something final seems to not be really in the spirit of what we're trying to do.

I think this is a deliberative process, and the council is -- I am not so sure that picking a preferred and then trying to let the public chew on which way we're going and then going final the very next day is really enough opportunity. Thank you.

CHAIRMAN FRAZER: Thank you, Mr. Banks, for your comments. Is there any further discussion on the motion? Okay. It is a final action item, and so we will take a roll call vote. Dr. Simmons.

EXECUTIVE DIRECTOR SIMMONS: Thank you, Mr. Chair. Mr. Dyskow.

MR. DYSKOW: Yes.

EXECUTIVE DIRECTOR SIMMONS: Mr. Dugas.

MR. DUGAS: Yes.

EXECUTIVE DIRECTOR SIMMONS: Mr. Sanchez.

MR. SANCHEZ: Yes.

EXECUTIVE DIRECTOR SIMMONS: Ms. Guyas.

MS. GUYAS: Yes.

EXECUTIVE DIRECTOR SIMMONS: Dr. Shipp.

DR. SHIPP: Yes.

EXECUTIVE DIRECTOR SIMMONS: Mr. Banks.

MR. BANKS: No.

EXECUTIVE DIRECTOR SIMMONS: Mr. Williamson.

MR. WILLIAMSON: Yes.

EXECUTIVE DIRECTOR SIMMONS: General Spraggins.

GENERAL SPRAGGINS: I agree with Patrick. I do believe that it's a good document, but I agree with him about the amount of time, and so I'm going to vote no.

EXECUTIVE DIRECTOR SIMMONS: Ms. Bosarge.

MS. BOSARGE: Yes.

EXECUTIVE DIRECTOR SIMMONS: Mr. Anson.

MR. ANSON: Yes.

EXECUTIVE DIRECTOR SIMMONS: Mr. Riechers.

MR. RIECHERS: Yes.

EXECUTIVE DIRECTOR SIMMONS: Mr. Diaz.

MR. DIAZ: Yes.

EXECUTIVE DIRECTOR SIMMONS: Mr. Swindell.

MR. SWINDELL: I have to agree that I don't think that we have given the public enough opportunity to really review and make good comments. Thank you. My vote is no.

EXECUTIVE DIRECTOR SIMMONS: Thank you. Mr. Strelcheck.

MR. STRELCHECK: Yes.

EXECUTIVE DIRECTOR SIMMONS: Dr. Stunz.

DR. STUNZ: Yes.

EXECUTIVE DIRECTOR SIMMONS: Ms. Boggs.

MS. BOGGS: Yes.

EXECUTIVE DIRECTOR SIMMONS: Dr. Frazer.

CHAIRMAN FRAZER: Yes.

EXECUTIVE DIRECTOR SIMMONS: The motion carries fourteen to three.

CHAIRMAN FRAZER: Okay. Ms. Guyas.

MS. GUYAS: All right. Final Action: Framework Action: Modification of the Gulf of Mexico Lane Snapper Catch Limits and Accountability Measures, at its November/December 2020 meeting, the committee selected preferred alternatives for the Framework Action to Modify Gulf of Mexico Lane Snapper Catch Limits and Accountability Measures.

Council staff reviewed these preferred alternatives and the public comments received on this action since the previous meeting. One Committee member reminded the committee that the preferred alternative in Action 1 would nearly double the catch limits for lane snapper, which is considered a data-poor species. They noted, that while the stock appears healthy, there is a possibility the council would need to revisit the lane snapper catch limits, should future harvests indicate a stock decline.

The committee also discussed that, while a portion of this increase is associated with the increase in stock size, the majority of the increase results from the use of MRIP-FES recreational data in the update assessment.

The committee recommends, and I so move, to approve the Framework Action: Modification of the Gulf of Mexico Lane Snapper Catch Limits and Accountability Measures and that it be forwarded to the Secretary of Commerce for review and implementation and deem the codified text as necessary and appropriate, giving staff editorial license to make the necessary changes in the document. The Council Chair is given the authority to deem any changes to the codified text as necessary and appropriate. Mr. Chair.

CHAIRMAN FRAZER: Thank you, Ms. Guyas. Again, we have a final action. This is a final action item. Excuse me. Is there any further discussion of this motion? Seeing none, or hearing none, we'll go ahead and take a roll call vote. Dr. Simmons.

EXECUTIVE DIRECTOR SIMMONS: Thank you, Mr. Chair. Mr. Diaz.

MR. DIAZ: Yes.

EXECUTIVE DIRECTOR SIMMONS: Mr. Dugas.

MR. DUGAS: Yes.

EXECUTIVE DIRECTOR SIMMONS: Dr. Shipp.

DR. SHIPP: Yes.

EXECUTIVE DIRECTOR SIMMONS: Mr. Anson.

MR. ANSON: Yes.

EXECUTIVE DIRECTOR SIMMONS: Mr. Dyskow.

MR. DYSKOW: Yes.

EXECUTIVE DIRECTOR SIMMONS: Mr. Banks.

MR. BANKS: Yes.

EXECUTIVE DIRECTOR SIMMONS: General Spraggins.

GENERAL SPRAGGINS: Yes.

EXECUTIVE DIRECTOR SIMMONS: Ms. Bosarge.

MS. BOSARGE: Yes.

EXECUTIVE DIRECTOR SIMMONS: Mr. Williamson.

MR. WILLIAMSON: Yes.

EXECUTIVE DIRECTOR SIMMONS: Mr. Swindell.

MR. SWINDELL: In keeping with the same issue of not giving the public time to address this properly, I say no. Thank you.

EXECUTIVE DIRECTOR SIMMONS: Ms. Guyas.

MS. GUYAS: Yes.

EXECUTIVE DIRECTOR SIMMONS: Mr. Riechers.

MR. RIECHERS: Yes.

EXECUTIVE DIRECTOR SIMMONS: Ms. Boggs.

MS. BOGGS: Yes.

EXECUTIVE DIRECTOR SIMMONS: Mr. Strelcheck.

MR. STRELCHECK: Yes.

EXECUTIVE DIRECTOR SIMMONS: Mr. Sanchez.

MR. SANCHEZ: Yes.

EXECUTIVE DIRECTOR SIMMONS: Dr. Stunz.

DR. STUNZ: Yes.

EXECUTIVE DIRECTOR SIMMONS: Dr. Frazer.

CHAIRMAN FRAZER: Yes.

EXECUTIVE DIRECTOR SIMMONS: The motion carried sixteen to one. Mr. Chair.

CHAIRMAN FRAZER: Thank you, Dr. Simmons. Ms. Guyas, back to you.

MS. GUYAS: Final Action: Framework Action: Gulf of Mexico Red Snapper Recreational Data Calibration and Recreational Catch Limits, Dr. Joe Powers reviewed the summary results of the Great Red Snapper Count presented to the SSC at its January 2021 webinar meeting.

The GRSC is a comprehensive and multifaceted study over a large geographic area. However, many questions about the analyses have not yet been answered, as the final project report is still outstanding. The summary estimate of the coefficient of variation about the total estimate of absolute abundance of 11 percent was queried, and the SSC would like more information about how the CVs by strata were determined.

The SSC recommended an expedited review of the GRSC results by an independent panel, including independent reviewers and this review will take place from March 30 through April 2, 2021. This review will determine the appropriateness of the GRSC as an estimate of absolute red snapper abundance, and the SSC will determine whether to use the GRSC in a survey-informed catch analysis for providing management advice.

The SSC had noted that the effort to use GRSC data in an interim analysis would be quite different from a typical interim analysis, and, as such, ought not be labeled the same. Dr. Powers noted that the final project report is needed for a thorough review of the GRSC and anticipated many of the SSC's questions being answered therein.

The committee questioned the timing of the independent review of the GRSC and the immediate completion of the GRSC-informed catch

analysis using the same for management advice. Dr. Greg Stunz clarified that the priority for the GRSC team was to ensure the accuracy of the science of the GRSC, with accommodations for generating management advice coming second to that effort.

Dr. Clay Porch clarified that the designation of best scientific information available necessitates that the information be available, and, without the full report, that designation is not yet possible. The Southeast Fisheries Science Center is working with the GRSC team on the data available to date and is working to fill any gaps using other survey data as appropriate. The SEFSC intends to have the GRSC-informed catch analysis available for SSC review at the tail-end of the review of the GRSC at the end of March 2021.

The committee discussed using the Gulf state-generated recreational catch and effort data for the private angling component in the GRSC-informed catch analysis, with runs both including and not including the GRSC abundance data.

A committee member thought the state-generated data were more accurate than those data generated by the Marine Recreational Information Program, or MRIP, and would result in a more accurate estimate of the condition of the red snapper stock than using only MRIP-calibrated catch and effort data.

Dr. Porch clarified that a research track assessment would be best equipped to consider the state-generated data and that the proposed GRSC-informed catch analysis being prepared for the SSC to review at the end of March 2021 is not designed for this sort of effort. Further, considering these data in the GRSC-informed catch analysis by the end of March 2021 will not be possible, due to time constraints.

The committee questioned the continued use of the MRIP-generated catch and effort data for generating management advice, noting the greater precision being achieved by the state surveys. State surveys are used to inform recreational catch and effort in Washington, Oregon, and California. However, MRIP does not operate in those states.

The committee recommends, and I so move, to request the Southeast Fisheries Science Center add two additional analysis runs to the research track red snapper assessment that would replace federal recreational survey data with state recreational survey data with and without GRSC data. Mr. Chair.

CHAIRMAN FRAZER: Thank you, Ms. Guyas. We have a committee

motion on the board. Is there any further discussion of the motion? **Seeing no hands, or hearing nothing, is there any opposition to the motion? Hearing none, the motion carries.** Ms. Guyas.

MS. GUYAS: Public comment on the draft framework action was reviewed. Staff then reviewed the action and alternatives in the document. Dr. Frazer offered modifications to Alternatives 2 and 3 that would consider quota adjustments expected from the completion of the GRSC-informed catch analysis on red snapper, using data from the GRSC.

Dr. Frazer presented a table showing the proportion of red snapper occurring off each Gulf state, according to the estimate of absolute abundance from the GRSC. Noting the current state-specific allocations and the calibration ratios generated by the NOAA Office of Science and Technology, Dr. Frazer showed, using the proportion of the total biomass, in numbers of fish, occurring off each state as a guide, how the state-specific catch limits might be modified based on an increase in the ABC.

The proposed modifications would conclude at the end of the 2022 fishing season, with the expectation that the catch limits would be revisited by the council before that point. Dr. Frazer also presented socioeconomic considerations for modifications to the state-specific sector allocations for inclusion in a future plan amendment.

The committee noted the work that went into determining the current state-specific allocations for the private angling component in Amendment 50A to the Reef Fish FMP. NOAA General Counsel asked whether there would be any adjustment, in the event that the GRSC-informed catch analysis for red snapper did not result in an increase in the ABC of 25 percent.

Dr. Frazer clarified that, depending on which alternative is selected as preferred, that alternative would take effect regardless of any increase to the ABC from the GRSC-informed catch analysis. SERO and NOAA General Counsel both clarified that the language for the motion should state that the modification would remain in place until changed, rather than reverting back to the currently incompatible status quo of Alternative 1.

Some Committee members expressed support for using the GRSC as a tool for examining the state-specific allocations and for modifying the ABC in the GRSC-informed catch analysis. Acknowledgement of the uncertainty around the estimate of

absolute abundance was made known, and that the committee could not know by how much the ABC might change as a result of the results of the Great-Red-Snapper-Count-informed catch analysis.

SERO noted that some adjustment to the state catch limits would need to occur, regardless of whether Alternative 2 or 3 is selected as preferred. Committee members acknowledged an effort to not purposefully inflict disproportionate catch limit reductions to any one state, while also working towards becoming compliant with the Magnuson-Stevens Fishery Conservation and Management Act.

For the proposal for modifying Alternative 2, if no increase in ABC results from the GRSC-informed catch analysis, then, under this motion, Alternative 2 would be in effect until modified by the council.

The committee recommends, and I so move, in Action 1, to add a series of options under Alternative 2 that would incorporate an increase to the overfishing fishing limit and acceptable biological catch based on the results of the interim analysis, as informed by the Great Red Snapper Count. If the results of the review by the SSC result in a minimum of zero or a 25 percent increase in ABC, the state-specific ACLs would be calibrated based on Alternative 2 for the 2021 and 2022 recreational fishing seasons. Regardless of the results of the interim analysis, the state specific ACLs will be reviewed in 2022, or as soon as practicable. Example: Option a is apply the ratio calibration in Alternative 2, if the ABC is increased. Option b is apply the ratio conversion in Alternative 2, if the ABC is increased by 25 percent or more. Also, see the appendix for revised alternatives. I don't know how you want to handle that, Mr. Chair.

CHAIRMAN FRAZER: Okay, and so we will go ahead and -- We have the -- I lost my computer for a second. Let me log back in. Okay, and so there's a couple of things that we can do. We can go ahead to the appendix real quick.

Again, I think the intent of the motion, and the discussion in committee, was to provide an opportunity to, if there's a quota adjustment, enact this motion, or this approach, proactively, and, after some discussion, based on what transpired in the committee and in talking with the legal counsel, it might be more appropriate, actually, to streamline this document and eliminate Option b. That would capture the intent still to apply the calibration ratios, and, if there's a quota adjustment, apply those same calibration ratios moving forward.

I actually would make a motion, I guess, a substitute motion at this time, that would remove Option 2b, or remove Option b, from Alternative 2.

MS. GUYAS: So a point of order. Wouldn't we need to pass that first motion first? Right now, we don't have an Option 2b in Alternative 2.

CHAIRMAN FRAZER: We're going to actually copy this whole motion, Martha, in.

MS. GUYAS: Okay.

CHAIRMAN FRAZER: Sorry. I just was trying to streamline it. Let's get that up on the board, so everybody is clear on what we're trying to do. Then what we would do is remove Option a and b. We have a substitute motion now on the board, and I will read it into the record here.

In Action 1, under Alternative 2 -- We're getting there. It's not quite there yet. In Action 1, under Alternative 2, that would incorporate an increase -- I think this is where we're headed.

In Action 1, under Alternative 2, incorporate an increase to the overfishing fishing limit (OFL) and acceptable biological catch (ABC) based on the results of the interim analysis, as informed by the Great Red Snapper Count. If the results of the review by the SSC result in an increase of the ABC, the state-specific ACLs would be calibrated based on Alternative 2 for the 2021 and 2022 recreational fishing seasons. Regardless of the results of the interim analysis, the state specific ACLs will be reviewed in 2022, or as soon as practicable.

Again, the intent here is to -- We have really two options in this framework action. One is to apply the calibration ratios, and that's what Alternative 2 is all about, and we would like to, if we go with this motion, carry the application of those calibration ratios forward to the 2022 season, if there is a quota adjustment, and so, if I can get a second to that motion, we can talk a little more. I see some hands are up, but we'll wait to see if we can get a second.

MR. STRELCHECK: Tom, I will second it.

CHAIRMAN FRAZER: It's seconded by Andy Strelcheck. Kevin, your hand is up?

MR. ANSON: Just it isn't what I had my hand up for, and I will ask that question, but I guess, relative to this, I'm still trying to digest what's on the screen here, and so how does -- Will be calibrated based on Alternative 2 for the 2021 and 2022 recreational fishing seasons. Regardless of the results of the interim analysis, state-specific ACLs will be reviewed in 2022. Okay. So is it an attempt to try to more cleanly describe what was previous written for this alternative, Dr. Frazer, or is there some other --

CHAIRMAN FRAZER: That's the intent, Kevin. The intent really is just to clean this up and simplify it, because it's a framework action and I didn't want to deviate radically from where we were before. I mean, I think, again, the original Alternative 2, the goal was to apply the calibration ratios to each of the states' estimates, and, because we know that, moving forward -- There is a subsequent motion down in the report that would -- We're going to have to start an amendment if we want to adjust these allocations in any way, and that amendment very likely would take some time to complete.

This is an attempt to be compliant, so the states can actually establish their fishing seasons, recognizing where they sit with current situation, or current existing conditions, and, moving forward, if there's a quota adjustment, then there's a path, or a plan, moving forward, so we can act on that very quickly as well. I will let you respond to that.

MR. ANSON: Thank you. Thank you for the clarification, and so, to my original reason that I had my hand up, this -- I mean, just procedurally, a point of order question, and this still doesn't -- We will still incorporate this, and, if this is voted up, this will now be included in the preferred motion for this alternative later on? I mean, is this all one and the same, or how does this change the previous vote in committee for Alternative 2 being preferred? I mean, I guess it will be addressed, or we can update it at that point in time, but that was my question.

CHAIRMAN FRAZER: Yes, we can deal with that later, and this is just to get the motion and kind of clean it up, right, and to make sure that everybody is on the same page and that, as we move forward, that we weren't going to necessarily cause unnecessary problems moving forward, and so I think -- Mara, I see your hand is up, and so if you want to jump in here.

MS. LEVY: Thank you. Just the thing I wanted to ask is, since

we're doing a substitute motion to clean up the language in the committee report, and, when we were talking about this in committee, we talked about we're using the limitation of the 2021 and 2022 fishing seasons, right, and so it just stands until you change it, because, if for some reason we're delayed, what's happening in 2023 would be unclear, and so I was just asking whether we wanted to reflect that here.

CHAIRMAN FRAZER: Yes, we can certainly do that, and I would take that, I guess, as a friendly amendment, and so, in the middle of the substitute motion, where it reads "if the results of the review of the SSC result in an increase of the ABC, the state-specific ACLs would be calibrated based on Alternative 2 moving forward", or just a hard stop. Put a period after that, and then go to the next sentence.

Again, the point is to make sure that we have a path forward, right, and people understand where we're going, so there's not a lot of uncertainty, moving forward, with how states would initiate or implement their seasons. I guess I have modified it slightly, and so, Andy, you seconded that motion, right?

MR. STRELCHECK: Yes, and I'm fine with the revision.

CHAIRMAN FRAZER: Okay. Let's go to Robin.

MR. RIECHERS: In this context, this appears to me now that we're not adding options then, as in the previous substitute motion, or the previous committee motion, and this appears to be clarifying language that would go at the bottom of the -- Or between Alternative -- If you scroll to page 14 in the document, it would go in between Alternative 2 and 3 as clarifying language to Alternative 2, and is that what we're basically saying?

CHAIRMAN FRAZER: Well, I mean, we could do that, for sure, but I guess what I would like to do is, after -- If approve this motion, essentially, if you look at that appendix, we would just adopt this substitute motion, and then I would opt to eliminate the wording, or strike the other one.

MR. RIECHERS: So let's go ahead and look then at the appendix then. So what is now underneath the box, you are basically striking all of the language in yellow now and placing this new language there?

CHAIRMAN FRAZER: I mean, we could certainly do that. The reason for the language in the appendix that you're looking at -

- So I was trying to make it consistent with the language in Alternative 3, so there was some parallel construction. Ryan, if you wanted to weigh-in here, real quick.

MR. RINDONE: Sure. So the way that I understand what is being presented here is that, for the highlighted language underneath the table in Alternative 2, it would say something -- Instead of having the language that's there, the two options, it would say something to the effect of apply the ratio calibration in Alternative 2 for any subsequent increase in the state-specific ACLs for the private angling component for red snapper, which would be language commensurate with that which now appears under Alternative 3, which aims to do the same general thing.

MR. RIECHERS: Okay. Thank you.

CHAIRMAN FRAZER: Okay. Kevin.

MR. ANSON: I tried to look at how at least this fishing season then would shape up with this substitute motion, if it were to pass, and are we saying then that we're basically going to continue with status quo with what has transpired, as far as the state ACLs, as we've operated under the pilot EFP, as well as what happened under Amendment 50 last year, or are we automatically out of the box going to be applying these ratios to that and then waiting to see what the results are and then adding whatever the ABC increase is to those ACL state currency equivalents are based on this table that's in Alternative 2 on the screen right now?

CHAIRMAN FRAZER: The latter part of that is correct, right, and so the intent here is to fulfill our obligation of the council and make sure that we are in compliance with the Magnuson Act, but also give each of the states some certainty, at least minimum certainty, in what they can work with, and, if we are fortunate enough to be able to get a quota adjustment and act on that in the 2021 season, then we can adjust the quotas, applying the same calibration ratios to the state-collected data. Andy.

MR. STRELCHECK: Thanks, Tom. Kevin, good question, because I was thinking the same thing. I am viewing this as clarifying language. I guess, mechanically, I am struggling to understand how this is really fundamentally different than how this might work in terms of us proceeding with two amendments, right, and so you take action on this amendment, potentially at this meeting, and this is now the calibration that is in effect.

You get the results of the Great Red Snapper Count, and you're

going to get another amendment before you, and you would, at that point, apply the same calibration ratio, or a different calibration ratio.

Even if you say this is kind of how you're going to proceed in this amendment, it doesn't obligate the council to then keep with that alternative and approach in a follow-on amendment, and so that's where I am struggling, and I see this more as kind of laying the groundwork for intent of how you want to proceed, but it's not binding to any sort of subsequent action or follow-on.

CHAIRMAN FRAZER: So, again, to that point, Andy, I mean, it's a framework and not an amendment, right, and so we certainly -- The intent, obviously, is to provide some certainty and some stability, moving down the road, and we have a schedule to try to incorporate the Great Red Snapper Count into an interim analysis, and we expect to see that in April, but we may or may not, and so I just wanted to make sure that we are in a defensible position moving forward, with a plan, so the states can start their seasons and take advantage of a quota adjustment, if in fact it becomes available.

Like you said, this is just a framework action, and, if we get new information in April, we can certainly do something different, and there is nothing that precludes us from a council to do that, but this just gives us a path forward and, again, some certainty, in the event that we don't have a quota adjustment or information in our April meeting. Dr. Stunz.

DR. STUNZ: Thanks, Tom. I think you might have just answered my question in your last couple of sentences there, but I just needed to get a little bit of clarity. If, for some reason, there is not an adjustment upwards, what happens? Do we have to go back to the drawing board? I'm just not clear. I mean, we're all presuming that might happen, but what if it doesn't? What's the default?

CHAIRMAN FRAZER: Sure. The default is that we will apply the calibration ratios to the existing CHTS allocations that were in the original Amendment 50, and the reason that I tried to share the data in the spreadsheet the other day was to indicate that it's a defensible path forward, in the sense that the proportion of the fish off of each of the states' coast is more in line with the state-collected data, right, that would be generated during 2021, and it's more in line, in fact, than it is in Alternative 3, and that's why we opted for the preferred. Ms. Bosarge.

MS. BOSARGE: Thank you, Mr. Chairman. My question, I think, is I guess for staff, or maybe for Andy. If we don't address how the increase in quota will be doled out, let's say, or divvied up, in this document, then that means we are punting it to the document that we were trying to have be very streamlined to implement the quota increase, and my question is so we'll get that, hopefully -- Best-case scenario, we would get the information on the possible quota increase at our April meeting.

Maybe staff would have a document outline ready for us, but, at that point, you're going to have to have an action item to actually implement the new OFL and ABC and ACLs, right, or OFLs and ABCs, and then you're going to have to have an action item that says how are you going to dole out the private angling component ACL among the states, and so you're going to end up with two actions in that document if you don't address it here in this one.

Will that prevent us from doing that document as a framework, where we could see it and pick preferreds and vote it up in one meeting and go final with it, to get the recreational sector allocation they need to add on to their 2021 season?

CHAIRMAN FRAZER: So, I mean, real quick, or, I guess, Andy, go ahead.

MR. STRELCHECK: I guess I will look to Mara, but we commonly modify annual catch limits and a variety of actions the council works on, and you don't always come in and review the allocations that underly those annual catch limits, and we just specify it based on the allocations that are already on the books, and so I see that as the path that we would take for the Great Red Snapper Count, unless, of course, this body wants to revisit the discussion of allocation in that particular action, and, at that point, we could, obviously extend the timeframe for implementation of that action.

CHAIRMAN FRAZER: Thank you, Andy. Ms. Guyas.

MS. GUYAS: I guess I have a number of questions about timing, and I'm going to come back to most of them later, but, to me, I think this motion -- I think I agree with Andy that this is really just a clarification about we would be applying the calibration with the, I guess, presumed quota increase.

My question is so let's pretend, in April, we have the interim analysis in front of us, and can we, at that meeting, request an emergency rule to increase the quota? I feel like we've done

this before, I'm thinking, I don't know, however many years ago it was that we had a meeting in July in New Orleans, and we got a stock assessment midway through the year, and we had an emergency meeting to request an emergency rule so that we could have an opening in the fall, I believe, and so is that a possibility that's on the table for us?

Because, if it is, I feel like we need to do what we need to do to tee ourselves up to be able to do that. That way, we're in a good place, and we hopefully can get all these things moving on the same track, and hopefully that makes people a little bit more comfortable. I don't know if that's a question for Andy or Mara.

CHAIRMAN FRAZER: I will let either one of them handle it. Andy, I will give you the first shot.

MR. STRELCHECK: Thanks. I am channeling my attorney skills here, and so Mara, I'm sure, will jump in, but I think that a lot would depend on what the justification is for the emergency, and I think there is potentially a path for us to do a quick action, through the council possibly having a special meeting between April and June, depending on, obviously, how much staff could get done, and still be able to implement this in time for probably the end of summer or early fall timeframe, without having to do an emergency rulemaking. Mara, do you have further thoughts on an emergency rule?

MS. LEVY: I think we would have to think about the justification, but I also agree that we could put together a document fairly quickly that just has a one action adjust the catch levels based on the new catch advice, keeping the same allocations, right, because we're not changing the -- Keeping whatever is decided in this document about how you address calibrations, and, moving forward, you could have a shell of that potentially ready for whatever comes out of the SSC meeting, or you could hold a special meeting, but I think I would have to think a little bit more about the emergency rule piece of it.

CHAIRMAN FRAZER: Okay. Phil.

MR. DYSKOW: Thank you, Mr. Chair. I thought I understood this pretty well when we started, and it's now obvious to me that I do not, and it sounds like we have been discussing options for the April meeting to finalize all of this, and is that correct?

CHAIRMAN FRAZER: No. The intent, really, is to -- I think,

given where we are, right, that we are pressed for time, in order to have a plan in place that will allow the states to set their seasons in a way that we're confident, under the worst-case scenario, that we don't get a quota adjustment, that we will be able to manage this fishery in a sustainable way that's compliant with Magnuson.

If, in fact, we are able to get a quota adjustment, then we will be able to act on that, possibly in April, but, as has been brought up in an earlier discussion, it's possible that that will not go incredibly smoothly and may require, depending on what path you take, additional public comment, and, if people are wanting to change allocations, that's a much more complicated document.

The goal here really is to say that we have two alternatives that are plausible moving forward, and one is to simply move forward with the calibration ratios as they exist, and the other one is to apply the buffer, and I think what we've done, or what I have tried to do, is demonstrate that, in all cases, if you're aiming for equitability, and recognize that it's not optimal, but the most equitable path is to Alternative 2, whether you base that on the number of fish off the state's coast or whether you base it solely on the economic value of the fishery or if you do it in a way that weights both of them equally.

Again, what I am trying to do is fulfill our obligation as a council, make sure that what we do and start is in the spirit of being compliant with Magnuson and allows us a plan, moving forward, in the event that we're not able to come to a decision in April, either we can't come to a decision because we don't have information that will allow us to have a quota increase, or implement a quota increase, or if we are concerned about allocation among the states.

Again, that's the intent here. This is -- Largely, we can -- Actually, if you wanted to, we can withdraw this substitute motion and just use what's in the appendix as clarifying language, if people would be willing to do that. Does that help, Phil?

MR. DYSKOW: Well, it clarifies -- The explanation is very clear, and I appreciate that. The outcome of this process is not clear, because, if we go forward at this meeting without a very important piece of information, and in fact that piece of information is delayed, for implementing a plan, which may be compliant, whatever that means, but it's devastating to at least two states in the Gulf, then I don't think it's a good decision.

If we took no action at this meeting and just kicked the can down the road, what's the worst that could happen? The worst that could happen is we have more information at our April meeting and can make a better-informed decision. Thank you.

CHAIRMAN FRAZER: To that point, I would say, in an ideal world, that may be the case, but, if states are starting to fish in May, right, and depending on the number of days they fish, if we are able to take final action on a document in April, and, based on what I just heard about the triggerfish, we would have to go out again for public comment, potentially, and the timeframe for implementing a framework action is several months, in the absence of implementing an emergency rule, which there was a lot of ifs and possibles coming from the legal side there.

We could potentially not have a quota adjustment, and states could be fishing essentially under the current plan and be overfishing, and so we will have not done our job as a council. That's my opinion.

MR. DYSKOW: I'm appreciative of that, Tom, but I haven't heard any of the five states pressuring us to come up with a decision at this meeting because it will affect their season. It sounds like the pressure is coming from NMFS, and so do we really need to do this at this meeting?

CHAIRMAN FRAZER: Well, this is up to the council at this point, and so what we're simply working on is alternatives right now, and I think we can come back, down the road, and further down the document. What I am trying to do is get at least, at this juncture, an Alternative 2, a clarified Alternative 2, so we can move forward.

MR. DYSKOW: Thank you.

CHAIRMAN FRAZER: Dr. Stunz.

DR. STUNZ: Mr. Chair, Phil kind of asked the question about -- Or proposed that are there any states, which I don't know, that are going to be starting their season outside of what would be normal, like say the June timeframe, and I think that's -- I don't think that is happening, and I don't know, and that would be a question, but then how -- Depending on what happens, if we delay or not, how fast can the states act on something to get those implemented?

I guess what I am not hearing, and maybe I'm just not hearing

it, is that there's this desire to act on this immediately by the states. In other words, I'm getting the impression that, once this all settles, it could be implemented pretty quickly, and I don't know that, but that might be an important factor to know, is, if this is really getting down to the wire, is it pretty quick for the states to implement something?

CHAIRMAN FRAZER: I would like to hear some input from the states, right, and so it's not so much the states' ability to implement something in the short term, but it's actually our ability to let the states know what they might do.

Let's say, for example, we have a good feel, in April, that this is where we might like to go with a quota adjustment, and we expect it to come, for example, and then we go, okay, that's great, and let's go ahead then and move forward with this framework action, right, and it's going to have to be a framework action, because, if we change allocation, it's going to be a plan amendment, and we'll never get it squared away in time.

That would mean -- Currently, it's taking several months, and so -- To get that going, and it's a bit of a leap, and so you don't know how long to set your season, because you don't know what's coming out of the Great Red Snapper Count and the interim analysis. We don't know if it's a 25 percent increase in the quota. If it's something like that, there's a high likelihood that some of the states would exceed their quota, and, if it's double, maybe not, but, again, as Dr. Porch indicated, it's a little early.

It's premature to know what the magnitude of the adjustment might be, and so I am just trying to do what, in my opinion -- I realize that I am not speaking for the other sixteen council members, and I am just trying to do what I think is the responsible thing to do as a council. Martha.

MS. GUYAS: I'm glad that we're having this kind of discussion, and I realize it's not necessarily germane to the motion, but, since we've kind of all gone there. The NMFS side of the house I think just said, if we have a special meeting for the Great Red Snapper Count interim analysis, sometime between April and June, we could expect that that, not through an emergency rule, and just through I guess a framework, that would be implemented probably the end of summer or early fall.

So I guess another question. If we moved this framework today, when could we expect that to be on the books, so that states are

clear what they're working with for 2021, at least until we have the Great Red Snapper Count stuff, and then, similarly, what if we took action in April? When could we expect this framework to hit the books? What is the difference? Then I can also address your question, Tom, also, if you want.

CHAIRMAN FRAZER: First, let's look at Andy and get some timing.

MR. STRELCHECK: If Peter is on as well, certainly comment if you think I'm incorrect, and so, if we took final action at this meeting, I think we're looking at probably late May or early June to get this rule implemented and in effect, and so it would influence the start of the summer fishing season and into the summer, before the Great Red Snapper Count results are incorporated and any adjustments are made.

If we take action in April, you're looking at that kind of late-summer timeframe, or early fall, potentially a month or two sooner than when the Great Red Snapper Count adjustment would occur.

MS. GUYAS: Okay, and so potentially we have those two things to think about, I guess. Sorry.

CHAIRMAN FRAZER: No. Go ahead, Martha.

MS. GUYAS: I guess, if we move this today, then this would be teed-up and ready to go whenever we have Great Red Snapper Count information together. If we move this in April, then potentially the Great Red Snapper Count quota increase and the quota changes here kind of come out, hopefully, right around the same time, and everybody knows all at once what's happening with their quota for the year, albeit it is after when states would normally have held their seasons. Okay.

So I guess let me just offer some perspective, I think, where FWC is, in terms of what are we going to do for 2021, right, given that we have all of these unknowns, and, obviously, that would depend on what happens at this meeting and what happens at the April meeting and, I guess, if we have some bonus meeting, what happens at that, but I think, at this point, normally what we would like to do with our commission is discuss what our season is going to be at our February meeting.

Unfortunately, I don't think we're going to be able to set a season in February, which I think there's going to be some fishermen that are not going to be happy about that, but I think what we can do is, given what we will know and not know at that

time, present them with an outlook of where we think we may go, and we -- In our state, we do have the ability to set our season in a pretty rapid way.

We don't have to do rulemaking, and we can basically just -- As long as we announce it, we have the framework set up to do that, and so, potentially, if we end up -- If we get a signal, I guess, from what the council decides at the April meeting, and/or May meeting, we can react to that, but I think we were hoping to have a season during the summer, but I guess, if there's still a lot of questions, that might be -- We might need to change our plan a little bit, and I don't know if it would be a delay, but we may need to hold back quota, depending on how this transpires, and then have some sort of fall opening, and I don't know, but I think that's how we're going to have to approach this, is just -- Until some of these things are settled, and we know exactly what quota we're working with, we'll just have to have a goal, I guess, for the time being. I don't know if that's helpful, but that's at least -- Based on where we are right at this minute, I think that's how we're going to have to approach this, but, as we get more answers, I think the path will become clearer.

CHAIRMAN FRAZER: Okay. That's helpful, for me anyway, for thinking about this right now. John.

MR. SANCHEZ: I appreciate the effort put into this substitute, to try to get a path forward. I know it's a difficult decision, but it appears, in my mind, to address something that we haven't really addressed, which is the calibration issue, and we all, I guess, are mindful of that's the elephant in the room that needs to be addressed, and, also in my mind, I don't view promises to deal with it in the future as making us compliant with our requirement to be consistent with Magnuson.

I'm in support of this, and I think it needs to be done, and I'm hoping like hell that, on the backside of it, that we do everything that's possible to get the Great Red Snapper Count, and hope like hell that the Great Red Snapper Count results come on the backside in a timely manner, so these things line up and every state can have the best season possible, but, all of that aside, we still have to address this calibration issue, and just moving down the road isn't getting us there, and so, at some point, we're going to have to bite the bullet.

I kind of think we're here, given that we're now hearing about, if we don't do it now, and we do it in April, it starts to get real close to the season, and so I think here we are, and, as

unpleasant as this may be, it doesn't change us having to do it, and we've got to do it, and so I'm in support of it. Thank you.

CHAIRMAN FRAZER: Thank you, Mr. Sanchez. Dr. Shipp.

DR. SHIPP: Thank you, Mr. Chairman. I would just kind of like to remind the council members that we're in a really good situation, in one sense, because, anything we do, the fate of the stock is not going to be at the edge of a precipice, and it's not like we have to take emergency action to save a floundering stock, and so we need to take advantage of that and realize that what we're discussing are procedural issues and not really the health of the stock, and that's all I have.

CHAIRMAN FRAZER: Thank you, Dr. Shipp. Ms. Bosarge.

MS. BOSARGE: Thank you, Chairman. A couple of questions. So I hear some discussion about letting all of this come out at the same time and letting this calibration document and the Great Red Snapper Count hopefully increase come out at the same time, which means that states would open their seasons, and most of them open in late May, and not June, but late May, and I think Texas might be open now, and don't you all fish some now, Robin, and not federal waters, but state waters, I think.

MR. RIECHERS: Yes, ma'am. We do.

MS. BOSARGE: Thank you, Robin. So they're going to be essentially fishing on the hopes that they get more quota to cover what they're spending, and they're spending money before they get it, and I say that because I think, for some states, once you implement the calibration, to get them back to the quota that they would have right now if we chose no action in this document, those quotas, the Great Red Snapper Count would have to give them a 50 percent increase in quota.

It looks like we won't have that implemented to change the quota, if we let it all roll out at the same time, until, Andy said, late summer or early fall, and, well, that is August or September, and so, if you open in late May, and you've got late June, late July, and late August, and that's ninety days of fishing.

That money will already have been spent, that quota, those fish. The whole shebang will have already been caught, and so, if the Great Red Snapper Count does not come out and give certain states a doubling of quota, after the calibration goes into effect and everything else, then we have overfished again.

Add to that the fact that I think, if you don't go ahead and take action on this document, with the things that Tom is proposing, where you spell out not only calibration, but spell out how you're going to divvy up any increase in quota, then, once you actually get the increase in quota, I don't think you can implement it in time.

I think you're going to end up with a couple of actions in that document, and we're going to go back to bickering on the same things in this document that we bickered about before, and I have already heard the states say that they are not going to pick preferreds and take final action in the same meeting, but that's what you would have to do to implement that quota increase at that point. That's what we're going to have to do if you want that quota as far as possible.

So do the states have an obligation -- When we handed them management of -- When the council handed them management of red snapper for the private sector, did that come with a responsibility to manage to the standards of Magnuson, which requires that you prevent overfishing? Do the states have to manage to that requirement or no, for red snapper for private anglers?

CHAIRMAN FRAZER: Leann, I guess, in my view, the OFLs and the ABCs are still set by the SSC and the agency, and, as a consequence, the state has been delegated, or given the authority, to manage their fisheries, as long as they do not exceed those quotas, and so we do in fact have an obligation to manage in that way.

MS. BOSARGE: So, if we don't change their quotas in this document, then it's the council that was responsible and not the states, even though the states may vote to not send this to be implemented today, and it's going to be the council's fault and not the states that may vote to not send it, so that their quotas don't get decreased?

CHAIRMAN FRAZER: I mean, my perspective, again, is that the -- It's the council's obligation and responsibility to inform the states of what the quotas will be. In the absence of informing them, they do not have something to manage to. They, arguably, aren't, in my view, and I would seek legal counsel here, are not obligated to manage to anything, and they won't know, but I also see, in Amendment 50, that Amendment 50 says we should apply the calibration ratios.

We have calibration ratios identified that are deemed the best information available, right, and so we have all the pieces. We have an ABC, and we have accepted calibration ratios, right, and we have a framework action that will allow us to manage the fishery within those constraints moving forward.

If we get to April, in the absence of an amendment, all we will be able to do is to get new catch advice, right, and new ABC, and we'll then have to adjust the quotas for the states, but we will not have -- The only two mechanisms that we will have in place are the two mechanisms that are in this document now, and so -- I mean, to Mr. Sanchez's point, I mean -- Actually, at some point, we just have to make a decision. Are we going to implement the calibration ratios that are on the books, that are deemed the best information available, or are we going to just do an across-the-board cut of 23 percent, in order to remain compliant?

All I'm trying to do is to point that out to people. We simply, at this point, have two options, and, because of the timeframe involved in the management process, we may or may not be able to implement a quota adjustment in 2021, but we need to have a path forward that would allow us to do that and carry it into 2022, because, in the meantime, we will be working on a plan amendment that's going to be much more contentious and drawn out, because it is going to affect an allocation change, and, based on past history, that will not happen very quickly, and so I'm trying to insert some stability and certainty into each of the states' management plans. Kevin Anson.

MR. ANSON: Thank you, Mr. Chair, and I said it the committee, but I will say it again, and I appreciate the time that you have taken to try to find that sweet spot and check all the boxes that you feel like need to be checked for this situation, and so I have a couple of comments.

One is to follow-up on Leann's question relative to whose fault is it, and do the states have to follow the ACLs, have to follow Magnuson, and I would say the answer to that is no. That's partly why we got state management, is that we were dealing with a situation that the states felt like access to the resource, specifically for private recreational fishermen, was not adequate, and so we had our battles and our arguments and discussion for several years, and we ended up with state management.

Part of why everybody signed off to that was that, compared to the alternative, or what we had been fishing under, based on

NOAA's Gulf-wide ACL, and sector separation, the states compromised and settled, and we ended up with the pounds that we got, and the pounds that were given were based on either MRIP data or state data. In Alabama's case, it was state data.

Again, that was what we used, and we used our habitat-based assessment as the basis for calculating how many pounds the private recreational fishermen would have, using the number of pounds that we estimated to be off of Alabama at the time and the management target of 0.1 that NOAA has identified is appropriate for red snapper.

We added up all of the pounds that commercial landed in Alabama and all the pounds that the federal for-hire landed in Alabama and subtracted that total from the habitat-based assessment total, and whatever was left over is what we put in our EFP, and so that, to us, to our anglers, made sense, and so it happened to work out that it gave us more days.

That's what we got from that arrangement, in 50, and everyone got flexibility, to some degree, or to lot degree, depending on how you look at it, and all the states got flexibility for their fishermen, and they got what they felt like was adequate access to the resource.

The Great Red Snapper Count underscores and puts in perspective the picture of the stock as it relates to each state, and it just highlights, and confirms, I guess is another word that you could say, that Alabama's population is fairly robust. Again, if you look at it per coastal mile, it's nearly two-times as high per number of fish as it is for the next highest state, and so we got into state management because, in the end, it was a better system for us.

To answer the other question that came up regarding timing for state seasons and setting seasons and such, ideally, for Alabama's anglers, and I'm sure it applies to all the states' anglers, the more in the future that you can tell when the season will open, the better for everyone.

It's better for folks booking hotel rooms and condos and what have you, making plans for vacation, taking time off, whatever, but we've already been here, down this road, under NOAA management, where we had to wait until the middle of April for actions to be made, for NOAA to say, well, here's when the season can start, based on how many pounds are available, and so we can do it again, and we will plan, at this point in time, to develop contingencies, because fisheries management is a lot of

ups and down in that, but we will plan for what we have available at the time.

If it's in April that we don't know, because we're waiting on the Great Red Snapper Count information to be included in the interim analysis, we will use that information in April, and we will go with it from there, based on what happens between now and then, but, again, to answer the question about any penalties and who is responsible, I guess, for finger-pointing, is the council voted in 50, and NOAA approved it, and that's what we're trying to maintain, is access to the resource which we feel is more appropriate, and, again, the data points to that, that it's appropriate, and so that's how we plan to address it. Thank you.

CHAIRMAN FRAZER: Just to be clear, Kevin, the council delegated the authority to the states, or the federal government did, but the federal government still sets the OFL and establishes the ABC, and the states have to manage their fishery, their allocation, with the confines, or the constraints, of that catch advice, and so, in that sense, I just want to make sure that we're all on the same page that we are responsible for managing these fisheries consistent with Magnuson in a sustainable way. Is that correct?

MR. ANSON: I would agree with you, and I will just make a response. My response to that is, and don't read into this too much, but my response to that is that we have to manage sustainably as long as we are participating in an FMP, and so there is an out for Alabama, and I'm not saying that that's seriously being considered, but, again, you go with the best information that you have is available, and how you look at the risk-reward situation is how you decide things and how you go forward. Thank you.

CHAIRMAN FRAZER: Sure. Just, again, these are difficult conversations, and I'm just going to air some things out, because I think it's important. We're using the best scientific information available to us, right, at this point, and we know that, when you look at the number of fish off of the Alabama coast, and I am not going to pick on Alabama just because they're Alabama, but I'm just working through an exercise here.

They have less than 10 percent of the fish, by numbers, off of their coast, and what you're asking for, right, is, in the absence of entertaining one of these alternatives, Alternative 2 or Alternative 3 and go with status quo, is that you're asking for approximately 26 percent, right, of the fish that are

available to all of the anglers in the Gulf of Mexico.

What I am striving for is an equitable solution, and I realize that, if Alabama has fewer days on the water, that it will have an economic impact, but it also -- There is a disproportionately large number of anglers outside of Alabama that will be negatively impacted, and, when you look at National Standard 1 and what you're doing in the best interests of the nation, without purposely trying to hinder any individual state, I think that you have to consider those folks as well and what the impacts would be to millions of anglers in Louisiana and Florida and Texas.

MR. ANSON: Can I respond?

CHAIRMAN FRAZER: Sure.

MR. ANSON: Well, I agree. I agree with you 100 percent, and that is not -- You know, if there's anything that someone should take away from how we perceive the fishery should be managed, you can just take what we've done for the last three or four years, or, actually, five or six or seven years, and we have spent resources, and, at least initially, we got a little bit of help off the ground from NOAA, at least in the first couple of years, for our mandatory reporting program, but, concurrent with that, we have been using monies to fund our habitat-based assessment, and so we've got nearly ten years, continuous years, of fishery-independent data that is of the same quality and resolution that went into the Great Red Snapper Count.

Again, our whole premise for asking for the fish that we ask for in Amendment 50 was based on that habitat-based number of fish that was off of Alabama. We took off what the commercial fishery lands in Alabama, what the federal for-hire fishery lands in Alabama, and we have subtracted those pounds off of that number, because, again, we're all trying to manage to a sustainable level within our big pond, and so we took a slice of that, and we tried to look at our fish in our backyard in that pond.

We will still strive to do that, and we're not asking for any more fish, and, again, I applaud your efforts to try to come up with initial topics of discussion or ways to slice-and-dice the access, and we would be more than willing and happy to talk about that, and our intent is not to get more fish than, quote, unquote, we can't support, because then our fishery goes down. I mean, that's -- I mean, it's intuitive that you don't want to harvest more fish than what the population can take.

Our point of view, or our angst, has always been that the -- What we get from the assessment and the science side of the house, relative to what we see on the water, doesn't shake out, and we just feel like we were left holding the bag, to some degree, before 50, and we will be really holding the bag with going forward with this, unless there is wholesale changes in what the OFL and ABC comes back, and, again, you know, we're not trying to say that we'll still maintain 26 percent of that share, when 26 percent shows that that's nearly all of the red snapper off of Alabama, because you will find out, real quick, in a year or two of fishing, that that won't support that level of fishing.

That's all we're trying to do, and that's the whole point that we've been trying to make, is that we're trying to do this sustainably, and we have data behind our decisions, and we've been trying to work in the system that we have available to us, so that we don't rock the boat so much and it affects our neighbors, because we deal with the same issues. People may talk a little differently, have a different accent, or look at things generally differently, but we're all still trying to do the same thing, at the end of the day. Thank you.

CHAIRMAN FRAZER: I agree, and so I don't want to belabor this, and this is going to be a long discussion, and we're still just trying to get Alternative 2 at this point, but clearly the conversation that we just had, you and I, Kevin, suggests that, unless there is wholesale changes that come as a consequence of this interim analysis, Alabama is going to be in a hard spot, right, and there is -- You're starting to talk about how we might have to adjust allocations at that point, and those are not simply straightforward decisions that are going to allow us simply to move forward, and so that's what I am trying to do.

I know those discussions are coming, and they're going to be hard, and they're going to take place over the next couple of years, and that's why we have a plan amendment at the same time, and so I'm going to move on. J.D.

MR. DUGAS: Thank you, Mr. Chairman. As far as the substitute motion, I don't see a problem just adding it to the document at this point, but, moving on from that, I'm going to put Kevin on the spot, and maybe Mara or Andy, and I would like to go back to Tuesday and revisit National Standard 6.

Kevin briefly talked about it, and there wasn't much discussion on it, and I don't nearly have the knowledge to explain National

Standard 6 to the council, but I hear concerns from members about being in violation of the MSA, and I thought that, bringing this up, maybe Kevin could explain a little bit more, and maybe we have some opportunity here, and that's it.

CHAIRMAN FRAZER: Okay. Thanks, J.D. Let's go to Andy, real quick.

MR. STRELCHECK: I certainly appreciate the discussion, and I think we've strayed quite a ways from the substitute motion, and we've gotten into arguments about whether or not we should proceed with the preferred alternative at this point, and so I would recommend, Tom, that we vote up this substitute motion at this point, and then we can start debate, once again, about preferred alternatives, because I think what we're focused on is really whether we're going to vote to calibrate or not during this meeting.

With that said, Tom, I just sent you and Carrie a proposed revision that I think simplifies this and gets to your intent, and so I wanted to see if we could bring that up, or I can read it, at least, from my computer right now. Let me just read what I sent.

Just to simplify what is stated, I wrote the substitute motion could read: Any future increases to state-specific ACLs in 2021 or 2022 would be calibrated based on Alternative 2, and the council agrees to review the state-specific ACL allocations by 2022 or sooner.

To me, that just simplifies it, and it's straightforward, and I think everyone understands the intent at that point, and this is intended to address any future increases, and it puts a timeframe around that.

CHAIRMAN FRAZER: Okay. We'll get it up on the board, Andy, and I agree that that simplifies it and captures the intent, and we will -- Since I was the originator of the substitute, and you seconded it, I think we'll just replace the substitute motion with this language, and we'll get a couple more comments, but then we're going to vote it up or down.

The substitute motion now reads: Any future increases to state-specific ACLs in 2021 or 2022 would be calibrated based on Alternative 2, and the council agrees to review the state-specific ACL allocations by 2022 or sooner. Let's go back and let's see who is on the list.

We have a couple of people, and I was going to ask a quick question of all of them, because I would just like to vote on this, but, Phil, do you have a question that is specific to the substitute motion?

MR. DYSKOW: I do, but I will defer until the vote.

CHAIRMAN FRAZER: Okay. Martha, same question.

MS. GUYAS: It's not to this motion, and so you can come back to me.

CHAIRMAN FRAZER: John Sanchez.

MR. SANCHEZ: Not to the motion.

CHAIRMAN FRAZER: General Spraggins.

GENERAL SPRAGGINS: It's not the motion either. Thank you.

CHAIRMAN FRAZER: Okay, and so I think we've had all the discussion that we need about this substitute motion. Is there any opposition to the motion?

MS. LEVY: Tom, can I just clarify one thing?

CHAIRMAN FRAZER: Sure.

MS. LEVY: The substitute motion is basically to add this language to Alternative 2, right?

CHAIRMAN FRAZER: Correct. Yes.

MS. LEVY: Okay. Thanks.

CHAIRMAN FRAZER: To existing Alternative 2. Patrick.

MR. BANKS: I was going to ask the same question that Mara did, and so I was just trying to understand.

CHAIRMAN FRAZER: Okay. Got you. I think we're good to go at this point. **Is there any opposition to this substitute motion?**

MR. DYSKOW: Yes.

CHAIRMAN FRAZER: Okay. **One opposed, and so the motion carries with one opposed.** Let's see where we're at, Martha.

MS. GUYAS: I think we're about partway through page 5.

CHAIRMAN FRAZER: Okay. You can continue on. Thank you.

MS. GUYAS: Okay. The committee asked whether final action could be taken at this meeting, including the proposed modifications. NOAA General Counsel advised that, if the council did not change the alternatives currently in the document, and acknowledging that council and SERO staff would still have to complete the National Environmental Policy Act analyses for those alternatives, that the council could take final action.

Dr. Frazer then detailed a proposal for Alternative 3 that would apply the 23 percent buffer for all states, but would modify the catch limits based on the ratio calibrations in Alternative 2, in the event the Great-Red-Snapper-Count informed catch analysis resulted in an increase in the ABC of either greater than zero or 25 percent.

The ratio calibrations would be applied to any increase in the ABC directed to the states and would only apply to the increase above the status quo. If no increase in ABC results from the GRSC-informed catch analysis, then, under this motion, Alternative 3 would be in effect until modified by the council.

SERO expressed concern about whether the motion was tantamount to reallocation, which would require a plan amendment. To provide clarity for this hybrid approach, the aforementioned proposal for Alternative 3 would manifest in a newly proposed Alternative 4.

The committee recommends, and I so move, in Action 1, to add a new Alternative 4. Alternative 4 reads: To add a series of options that would incorporate an increase to the overfishing fishing limit and acceptable biological catch based on the results of the interim analysis, as informed by the Great Red Snapper Count. If the results of the review by the SSC result in a minimum of zero percent or 25 percent increase in ABC, the newly added quota would be incorporated into the state-specific ACLs using the calibrations indicated in Alternative 2 for the 2021 and 2022 recreational fishing seasons. Regardless of the results of the interim analysis, the state-specific ACLs will be reviewed in 2022, or as soon as practicable. Example: Option a: Apply the ratio calibration in Alternative 2 to any additional quota if the ABC is increased. Option b: Apply the ratio calibration in Alternative 2 to any additional quota if the ABC is increased by 25 percent or more. Mr. Chair.

CHAIRMAN FRAZER: Okay. We have a committee motion on the board. Is there any additional discussion on the motion? Okay. I have hands up. Mara.

MS. LEVY: Thank you. It comes after, I guess, you vote on this motion in the committee report, but just to note that, if you do add this alternative, we have -- It's brand new, and there is no discussion and no analysis, and I don't think you could go final on this document today if you want to look at going down this hybrid approach. Thank you.

CHAIRMAN FRAZER: I appreciate that, and, again, the intent here is to streamline things and provide a path forward that is going to provide some certainty, and so, with that comment, or advice from legal counsel, I would move to -- Well, I guess we could vote this down. Let's go ahead and vote on this, and I am going to suggest to all folks that we just vote it down, and so I will listen to other discussion. Okay. I see -- Mara, did you want to talk some more, or is your hand down?

MS. LEVY: My hand is down. Thank you.

CHAIRMAN FRAZER: Andy.

MR. STRELCHECK: My hand is down.

CHAIRMAN FRAZER: Mr. Dyskow.

MR. DYSKOW: Thanks, Tom. I will defer, for the time being.

CHAIRMAN FRAZER: Okay. Thank you. Ms. Guyas.

MS. GUYAS: I am just going to take my hand down for now. Thanks.

CHAIRMAN FRAZER: Mr. Sanchez.

MR. SANCHEZ: I will stand down for now.

CHAIRMAN FRAZER: General Spraggins.

GENERAL SPRAGGINS: Thank you, Mr. Chairman. Real quick, if you're saying that we want to vote this down because we don't want to change these options, we just changed it for Option 2, and so that means that we can't go final anyway with Option 2.

CHAIRMAN FRAZER: No, I disagree. Alternative 2 is just

clarifying, and it says that we would carry that forward in 2021 and 2022.

GENERAL SPRAGGINS: It's changing something. It's still changing, and I'm confused. That is what has got me confused here. You know, we changed one motion, and we say we can do it, because we changed something, and, the next one, we say we can't do it if we change it, and, I mean, my personal opinion is, if we were able to change 2, why can't we change 3?

CHAIRMAN FRAZER: I am just suggesting here, in this motion, because it borders on -- There is some questions of whether or not it's tantamount to a reallocation and whether it would slow this document down, and I am suggesting that, if our intent is to move things forward in a streamlined, most effective and efficient manner, that it doesn't have a place in this document. The other -- I think the way that Alternative 2 was -- We were seeking some clarification there, and that doesn't preclude us from doing that. Mr. Dugas.

MR. DUGAS: Thank you, Mr. Chair. I am just wondering, on my previous question, if we can get some clarification on NS 6 from Kevin.

CHAIRMAN FRAZER: Okay. Let's have a quick -- Kevin, do you want to talk about that answer to J.D.'s question?

MR. ANSON: I will be brief. Yes, and thank you, Mr. Chair. I brought it up the other day, and, again, we're trying to thread the needle, and I will bring that up again, Tom. I am just wondering -- You know, this is all in context to the information with the Great Red Snapper Count and the implications that it holds relative to the science that we're using to make our decisions to this date and, quite frankly, decisions going forward.

In National Standard 6, the title of that is variations and contingencies, and, in Section (b) of that, it just says that, under Conservation and Management, each fishery exhibits unique uncertainties. The phrase "conservation and management" implies the wise use of fishery resources through a management regime that includes some protection against these uncertainties. The particular regime chosen must be flexible enough to allow timely response to resource, industry, and other national and regional needs. Continual data acquisition and analysis will help the development of management measures to compensate for variations and to reduce the need for substantial buffers. Flexibility in the management regime and the regulatory process will aid in

responding to contingencies.

Then it just says one more thing down here, and it's just one sentence. For Variations, in fishery management terms, variations arise from biological, social, and economic occurrences, as well as from fishing practices. Biological uncertainties and lack of knowledge can hamper attempts to estimate stock size and strength, stock location in time and space, environmental/habitat changes, and ecological interactions.

I just look at that -- You know, if someone wants to -- You know, we deal with a lot of contingencies on the negative side of things as we're managing fisheries, and, oftentimes, we'll make decisions and put into the regulatory process using information that's incomplete or may not necessarily have gone through science, but yet we go forward with an action to restrict harvest, or restrict access, without going through the full process of review.

Here, we have the opposite. We have very good data, or at least it shows very good data, on the condition of the stock relative to what our known science says, and that's all for the delay and such, and Congressman Graves brought it up a little bit yesterday in his testimony, in that he offered a word of caution to the council, and he certainly wanted enough time to really digest the Great Red Snapper Count and to incorporate to its fullest -- So that everyone is comfortable, but yet use that information to help frame any future discussions on how to manage this fishery, and so thank you.

MR. DUGAS: Thank you, Mr. Chair, and thank you, Kevin. I am wondering where does NMFS stand on this? Andy, do you have any input on NS 6 against the MSA or how it stands against it? Is there a layer of protection somewhere maybe? I just want to get your opinion on it.

MR. STRELCHECK: Well, J.D., I don't feel like I am fully prepared to respond specifically to what was just discussed. What I can say is that this issue of calibration has been before the council now for a number of meetings. We also have known for quite some time, and have indicated to the states as such, that calibration was needed in order to set quotas and comparable units to what the states are monitoring, and so this is not unforeseen.

Certainly I want stability, and I want the same goals that Kevin and all the states have laid out, in terms of state management,

and we want it to be successful, but we also don't know, right now, exactly what the Great Red Snapper Count is going to mean and what it's going to look like and what the magnitude of any increases coming from that is and when those will be implemented, and, until such time as that's known, we're obligated to ensure that catch limits aren't exceeded and that we prevent overfishing, based on what's currently in place for management.

That is where my direction would be to the council, is that we need to proceed to take final action at this meeting to address the calibrations and that the Great Red Snapper Count and the adjustments that come from that would soon follow, based on when that information becomes available.

CHAIRMAN FRAZER: Thank you, Mr. Strelcheck. I am going to try to move through this report a little bit, and so I'm going to ask for this vote in the opposite way that I normally would. **That is to say is there anybody in favor of this motion?**

GENERAL SPRAGGINS: Yes.

MR. SWINDELL: Yes.

MR. WILLIAMSON: Yes.

MR. DYSKOW: Yes.

UNIDENTIFIED: Yes.

UNIDENTIFIED: Roll call.

CHAIRMAN FRAZER: Okay. We will do a roll call vote. Dr. Simmons.

MS. BOSARGE: Is this the one we want to vote down, Mr. Chairman? Can you clarify that?

CHAIRMAN FRAZER: Yes, it is. The motion on the board is -- If you vote no for this motion, we are voting essentially to remove it from the document.

EXECUTIVE DIRECTOR SIMMONS: Not add it to the document. That's correct, Mr. Chair.

CHAIRMAN FRAZER: Not add it to the document.

EXECUTIVE DIRECTOR SIMMONS: Yes would be to add this to the

document, and no would be not to add it to the document. It is not currently in the framework action.

CHAIRMAN FRAZER: That is correct.

EXECUTIVE DIRECTOR SIMMONS: Thanks. Mr. Williamson.

MR. WILLIAMSON: Yes.

EXECUTIVE DIRECTOR SIMMONS: Mr. Swindell.

MR. SWINDELL: Yes.

EXECUTIVE DIRECTOR SIMMONS: Dr. Stunz.

DR. STUNZ: Yes.

EXECUTIVE DIRECTOR SIMMONS: Mr. Strelcheck.

MR. STRELCHECK: No.

EXECUTIVE DIRECTOR SIMMONS: General Spraggins.

GENERAL SPRAGGINS: Yes.

EXECUTIVE DIRECTOR SIMMONS: Dr. Shipp.

DR. SHIPP: Yes.

EXECUTIVE DIRECTOR SIMMONS: Mr. Sanchez.

MR. SANCHEZ: No.

EXECUTIVE DIRECTOR SIMMONS: Mr. Riechers.

MR. RIECHERS: No.

EXECUTIVE DIRECTOR SIMMONS: Ms. Guyas.

MS. GUYAS: No.

EXECUTIVE DIRECTOR SIMMONS: Mr. Dyskow.

MR. DYSKOW: Yes.

EXECUTIVE DIRECTOR SIMMONS: Mr. Dugas.

MR. DUGAS: Yes.

EXECUTIVE DIRECTOR SIMMONS: Mr. Diaz.

MR. DIAZ: Yes.

EXECUTIVE DIRECTOR SIMMONS: Ms. Bosarge.

MS. BOSARGE: No.

EXECUTIVE DIRECTOR SIMMONS: Ms. Boggs.

MS. BOGGS: Yes.

EXECUTIVE DIRECTOR SIMMONS: Mr. Anson.

MR. ANSON: Yes.

EXECUTIVE DIRECTOR SIMMONS: Mr. Banks.

MR. BANKS: No.

EXECUTIVE DIRECTOR SIMMONS: Ten in favor, six opposed, one abstention. The motion carries, Mr. Chair.

CHAIRMAN FRAZER: Okay. Thank you. The alternative will stay in the document. Let's take a ten-minute break, and then we'll pick up. It's 3:05, and we will come back at 3:15.

(Whereupon, a brief recess was taken.)

CHAIRMAN FRAZER: Martha, I think, as soon as we get everybody here, or at least close to everybody, and I do not want to work through this document without everybody having had an opportunity to listen. John, is your hand up at the beginning?

MR. SANCHEZ: Yes, sir.

CHAIRMAN FRAZER: Okay. While we're waiting for Martha, go ahead. What's up?

MR. SANCHEZ: Basically, I just wanted to tell everyone that it's not lost on me that -- As we work through these difficult document, and these decisions that we're making today, I want to remind everyone that it doesn't affect -- It affects more than just the private recreational sector. We all operate under the same ABC and OFL, and these decisions that affect not only the private rec, but the commercial sector and the charter/for-hire, have real-world consequences.

Just this week, during this meeting, we tried to carry over a paltry amount of 70,000 pounds of commercial unused quota, and it was voted down, and I get it. Given the predicament we're in, and operating with tremendous overages, it probably wasn't the time to do it, but I just want to make note that that wasn't lost on me and that perhaps doing something to benefit a group that underran their quota was not possible because we're addressing these tremendous ongoing overages, and it's affecting other people, and I just wanted to say I hope that we can do these hard decisions and do the right thing to be doing, so that we can get on with the business of the council and be fair to all the sectors involved. Thank you.

CHAIRMAN FRAZER: Thank you, Mr. Sanchez. Ms. Guyas, if you want to pick up where we left off in the report, that would be great. Phil, did you have your hand up? I didn't mean to exclude you.

MR. DYSKOW: Thank you, Tom. I did.

CHAIRMAN FRAZER: Okay. Go ahead.

MR. DYSKOW: I am sensitive to what John said, and I'm glad that he brought that up, but my point is this. One of the reasons that we're struggling with this is we're trying to expedite a decision, and there is two critical elements that aren't being addressed.

One would be calibration and whether or not we should proceed with establishing state recreational catch data as the best available science, and that's one. The other is we're operating without a key understanding, or any understanding, of what the results of the Great Red Snapper Count are going to mean to the recreational allocation.

One of the reasons a lot of people are having difficulty going forward with this is there is two elements that need to be addressed before we can do this, and, if we're not going to be able to address this, in my opinion, we can't go forward. Thank you.

CHAIRMAN FRAZER: Thank you, Mr. Dyskow. Okay. So we will go ahead and at least go forward with this committee report. Martha. Sorry. One more. Greg has his hand up. Sorry, Greg.

DR. STUNZ: Thank you, Mr. Chairman, and I will be brief, but, before we get too far away from it, I was intrigued by this

discussion of National Standard 6, and, Andy, I certainly agree with not putting you on the spot here, and you need to look at it, but I think we -- I'm happy to make the motion, if necessary, but I think we need to have our counselor look at that, because, not only in this situation, but in other situations, that may be an avenue that we can pursue to alleviate some of these problems that we seem to be always having with just sort of logistical constraints of documents and that sort of thing.

I would like to get some clarity about what does that really mean to this particular situation, but also, just in general, for us to be able to utilize that as a tool to better and more timely manage our fisheries in a responsive manner, rather than just getting bogged down in these documents meeting after meeting and that sort of thing. Tom, I am happy to make that a motion, or I don't know if that could be captured in the record, and I will look to your guidance on how to proceed.

CHAIRMAN FRAZER: I don't think we need a formal motion. I think we'll go ahead and plan for it, and we'll make it an agenda item for our next council meeting, and we'll work with legal counsel, or the appropriate individuals, to see what our options might be with regard to National Standard 6, moving forward. Okay. Andy.

MR. STRELCHECK: Just in response to Greg, I've certainly thought a lot about the timing and how much that obviously affects decisions by this body, some of which is, obviously, in our control and how much we move forward with an action, versus kick the can down the road.

I know, with some other councils, they have an annual specifications process, and they have certain timing for when they get stock assessment information or catch limit advice, and then that's when they plug it into their council process and make decisions, but certainly that's something that I think we should look at and talk to the Science Center and talk to the council staff and come back to the council about, to avoid some of these kind of timing considerations that are fouling up some of the decisions.

CHAIRMAN FRAZER: Okay. Thanks, Andy, for that input as well. Let's go ahead and work through this committee report. Martha.

MS. GUYAS: All right. Thank you, Mr. Chair. We're sort of near the top of page 6, if anybody is trying to follow along. Okay. Dr. Frazer then proposed modifying Alternative 3 to state

that a 23 percent reduction would be applied to any increase in the catch limits across all states.

NOAA General Counsel added that the council will need to address more than just the private angling component when faced with any increase in the ABC resulting from the Great-Red-Snapper-Count-informed catch analysis. NOAA General Counsel added that the previously proposed hybrid approach in the new Alternative 4 hasn't been viewed yet by the public, hasn't been analyzed, and, therefore, would preclude the document from going final on Thursday.

The committee recommends, and I so move, in Action 1, Alternative 3, apply 23 percent reduction to any quota increase across each of the states. Alternative 3 reads: Modify the state-specific red snapper private angling component ACLs by establishing a state management ACL that is 23 percent below the private angling component and applying the allocation percentages established in Amendment 50A of the Reef Fish FMP. Then the resulting state ACLs are shown in the table in the report. I won't read those. Mr. Chair.

CHAIRMAN FRAZER: Thank you. I guess I will -- We have a committee motion on the board, and I think we all know where this is going at this point, and so I will ask if there's any discussion. I am not seeing any, and so -- Go ahead, Andy.

MR. STRELCHECK: Do we want to standardize the language that goes in this motion to be similar to what we did for Alternative 2, except we're acknowledging that it would be increased on the 22 percent increase, or change?

CHAIRMAN FRAZER: Yes, and that's the intent, Andy, and I think you're right, and so if you would -- I mean, clearly, we can make that adjustment, and so let's go back and grab it. Grab that whole substitute, Bernie, starting from "any future increases". It's just clarification, and I think people understand what we're trying to do here.

In Action 1, Alternative 3, apply a 23 percent reduction to any quota increase, and we're going to have to massage this yet again. **The motion here is, in Alternative 3, right, apply -- In Action 1, Alternative 3, apply a 23 percent reduction to the quota currently allocated to each of the states. Any future increases to state-specific ACLs in 2021 or 2022 would be calibrated based on --**

MR. STRELCHECK: You can just say based on Alternative 3.

CHAIRMAN FRAZER: Yes. Alternative 3. Then a hard stop. John Sanchez.

MR. SANCHEZ: It must be me forgetting to take my hand down.

CHAIRMAN FRAZER: Okay. All right. So is there any further discussion on the motion? **Seeing none, is there any opposition to this motion? Seeing none, the motion carries.** Ms. Guyas.

MS. GUYAS: Dr. Frazer then proposed initiating a plan amendment to modify the catch limits for red snapper based on the Great-Red-Snapper-Count-informed catch analysis. The plan amendment should also consider, amongst other alternatives, options for reallocation of the private angling component ACLs between the Gulf states, considering biomass estimates from the Great Red Snapper Count, and also NOAA socioeconomic data.

The committee acknowledged the need for such a plan amendment, but also recognized the considerable body of work that went into the state-specific allocations under Amendment 50A to the Reef Fish FMP. Dr. Stunz clarified that the GRSC was tasked with providing a count of the number of red snapper in the Gulf, but not the biomass in weight. The SEFSC would be expected to apply the abundance in numbers to a weight estimation procedure to generate a biomass estimate in weight.

The committee recommends, and I so move, to direct staff to initiate an amendment to adjust the OFL and ABC based on the results of the interim analysis for red snapper, as informed by the Great Red Snapper Count, and SSC recommendations. The private recreational ACLs should include, but not be limited to, a range of alternatives that consider reallocation based on state specific biomass estimates derived, in part, from the Great Red Snapper Count and NOAA's socioeconomic data. Allocation for the commercial and CFH sectors will also be considered in this amendment. Mr. Chair.

CHAIRMAN FRAZER: Thank you, Ms. Guyas. We have a committee motion on the board. Is there any further discussion on the motion? Kevin Anson.

MR. ANSON: Thank you, Mr. Chair. I mean, if you have other motions for this section of reef fish, do you want to offer them before we go into the next section of the document, or wait until the end of the report?

CHAIRMAN FRAZER: I am not quite -- Are you asking if we plan to

entertain new motions?

MR. ANSON: Yes, for this framework action, for this part of the reef fish report. Do you want to wait until the very end, or do you want to do it right before we go into greater amberjack?

CHAIRMAN FRAZER: I would prefer to do any motions that would pertain to red snapper in this section of the document.

MR. ANSON: Okay. Thank you.

CHAIRMAN FRAZER: Okay. Patrick.

MR. BANKS: Thank you, Mr. Chairman. I just have a question. The last part of this motion has me a little concerned. Are we just simply talking about increasing also, or changing also, the commercial and charter/for-hire sectors' quota, or are we talking about reallocating among sectors with that statement?

CHAIRMAN FRAZER: No. I mean, again, I think that, given where we are with this document, or the intent here -- I mean, allocation is a very complex issue, right, and I think it's going to take a long time to do this plan amendment, and so the original intent of the motion was to include all of that, but, Patrick, if you think, for example, that that complicates things, feel free to voice your opinion.

MR. BANKS: Thank you, Mr. Chairman. I do have some concerns that that will so complicate it that, if this interim analysis adds more fish to the OFL, and then we're able to increase the ACL for all the sectors, then we won't be able to implement that in a quick fashion, because we've got this complicated plan amendment that goes through reallocation amongst sectors and things like that. I am not exactly sure how to solve the problem, other than to make a substitute motion to remove that last part. I'm sorry. To remove the last two sentences.

CHAIRMAN FRAZER: So let me read the motion. So you only want the first sentence?

MR. BANKS: What I am trying to do, and I don't know if my motion is capturing it, but what I'm trying to do is simply take the revised OFL and ABC and apply those to what we have today, and I am not trying to reallocate among states, and I'm not trying to reallocate among sectors, none of that stuff.

CHAIRMAN FRAZER: Sure. Okay. I mean, so that essentially -- You understand, and I'm not trying to say this in a

condescending way at all, right, and so, if there's an increase in the OFL and the ABC, then there will be a quota adjustment to both the commercial and the for-hire sectors, right, and that will just go straight across the board without any consideration to how you actually might do that.

MR. BANKS: Right, and so that would be applied as per the percentage breakdown between commercial and recreational as it is today, as I appreciate it.

CHAIRMAN FRAZER: That's correct.

MR. BANKS: Then, within the recreational, that part of the recreational would then be broken down as per Amendment 40, as I appreciate it, and then the private rec will be further broken down among the states, as per Amendment 50, as I appreciate it.

CHAIRMAN FRAZER: Yes.

MR. BANKS: I think that's all we're trying to do here with a quick framework amendment, once we get that revised interim analysis. I don't think what we're trying to do, or at least not wanting to do immediately, is to rehash sector allocations or state-by-state allocations, percentages, I mean.

CHAIRMAN FRAZER: I think we're early enough in the process that, if you want to make that a substitute motion, then --

MR. BANKS: Yes, sir, I would. **I would, please.**

CHAIRMAN FRAZER: Okay. Patrick, that's how you want it to read?

MR. BANKS: Yes.

CHAIRMAN FRAZER: Okay. Is there a second?

MR. BANKS: I would like some input, maybe from staff or Carrie or somebody, based on what I just described, of does my motion cover that?

CHAIRMAN FRAZER: Sure. Let's see if we can get a second to the motion.

GENERAL SPRAGGINS: I will second it.

CHAIRMAN FRAZER: Seconded by General Spraggins. Dr. Simmons.

EXECUTIVE DIRECTOR SIMMONS: Thank you, Mr. Chair. I was going to ask the council, after this motion, if you wanted to consider adding an action to the framework that we were just discussing that would look at trying to streamline changing the catch levels based on the results of the interim analysis, as informed by the Great Red Snapper Count, to the framework action itself. Then I believe the intent, during committee, of the motion above was to have a larger effort that would look at everything in a full plan amendment, and so that would be a question or a suggestion for the council to consider. Thank you.

CHAIRMAN FRAZER: Dr. Stunz.

DR. STUNZ: This is to the substitute motion, the first one, and, Patrick, I clearly see what you're trying to do here, and like we don't want to complicate a short data need, and I'm not real clear if this is even just a framework action to do what you're trying to do, Patrick, but I feel pretty strongly that, with all the changes happening, and all the new data coming available and that sort of thing, we do need to move down the road for all of these things to be reconsidered, as it is in the original motion.

I would be in favor of this if we followed it back up with a motion to -- Yes, let's take care of this sort of interim, short-term data situation that we have, which I think is where you're going, Patrick, and, if not, correct me. Then still have this other one to really begin to look hard at much more difficult allocation decisions, because, if we don't start that soon -- That is, obviously, going to be a very complicated thing, but I also don't want it to bog down Patrick's concerns, and so I'm just trying to figure out a way for us to get both here out of these motions.

CHAIRMAN FRAZER: I see -- We will circle back to those comments, Greg, but I just want to make sure that I get some input from both Martha and Robin. Ms. Guyas.

MS. GUYAS: I guess, similar to Greg, I think -- Patrick, if I understand what you're trying to do here, I think, really, your substitute would be directing staff to initiate a framework to adjust the OFL and ABC based on the interim analysis. I also agree with Greg that we do need a longer-term amendment to grapple with some of these allocation issues, and I think it's going to take a long time.

It probably will end up being informed by the full assessment that is done, that comes in a couple years from now, and it's

going to be a long process, and I think this is what Tom has been saying all along, that we're going to have to deal with calibrations at some point in the short term, but we also may need to be looking at reallocating across the states and across the sectors, depending on what data streams are used, and we're going to have to reckon with this question.

As far as Carrie's question of whether we put the -- I guess have like a framework that covers recreational calibration and then this quota increase, once again, I would advocate for this quota increase -- Let's just do it by an emergency rule. If we need to also have a framework to go along with that, for a longer-term increase, then that's fine, and I guess Carrie's, I guess, question raises another question for me, and that is, as far as this calibration question goes, I guess calibration versus buffer, what if we don't go final in April? What consequences do we have there?

The next part of the Reef Fish report, I think that I'm about to read, I think there was a discussion in committee about how, if we don't move this forward, then that may hold up quota increases from the Great Red Snapper Count, and so I think it would be helpful for us to understand consequences of if we have to push -- If we keep delaying this -- I guess that's a question for Andy or Mara.

CHAIRMAN FRAZER: Andy, do you want to tackle that?

MR. STRELCHECK: Sorry. I was distracted by another thing I was working on. What was the specific question?

MS. GUYAS: I guess what if we don't go final with calibration versus buffer framework that we're discussing right now in April, for any reason? There was a discussion in committee that that potentially could hold up quota increases in other changes to red snapper management, and I just would, I guess, like to have a clear discussion about what are the consequences of further delaying past April.

MR. STRELCHECK: Certainly Mara can weigh-in. I mean, I don't see a path forward where we would increase any quotas, catch levels, without calibration occurring first, and so that's first and foremost, and I think that needs to be priority of the council.

The other aspect, which I've talked about quite a bit, is running the risk of overfishing at this point, and, essentially, continuing to allow harvest based on one unit of measure that is

not consistent with how the quota should be set in and not knowing, obviously, the results of the Great Red Snapper Count.

Obviously, if you get to April and May, you should have a lot more certainly about what the Great Red Snapper Count will entail and the path forward there, but there could be, obviously, some things that affect, obviously, the timing of that as well.

MS. GUYAS: Okay. Thanks. So I guess, just to circle back, my preferred approach here -- If we're going to do this substitute, again, I would say this needs to be a framework, and I think we would need another motion to initiate the longer-term document with allocations, and I would keep this framework separate from the quota increase.

I guess, also, if we are concerned about not getting public input and taking final action at the same meeting, I would hate to slow down this quota increase in this whole thing and not have any of this apply in 2021, potentially, because of that, and so thanks.

CHAIRMAN FRAZER: Sure. Martha, I will let Robin talk, but then I will circle back. Go ahead, Robin. Your hand has been up for a bit.

MR. RIECHERS: Okay. Thank you, Tom. Patrick, I shared some of your concerns in committee about rehashing Amendment 50 when we've only really lived under it for one year, and the premise for three, given the EFPs, and I will let Tom weigh-in on this, but it seems to me that these are truly different motions, and so I'm not certain that -- At least given the talk that we had in committee regarding what Motion 1 was attempting to do, versus what you're attempting to do in the substitute, and it's kind of along the same lines of discussion that Martha just hit on, and so I will let the Chair weigh-in on how he may choose to deal with that, but I appreciate you recognizing the need that we either need to put it in the current document, and be ready to put it in the current document, or have a different framework moving forward, so that it would move as fast as possible, and I appreciate the motion from that perspective, certainly.

CHAIRMAN FRAZER: Thank you, Robin. I agree, and I think they're two different motions, and I think both Dr. Simmons and Ms. Guyas kind of hit it on the head. I think the substitute motion really is to make sure that there's a framework in place that will allow us to move forward in a timely manner, and I think that we need that.

That is, in my mind, separate from the motion above, which is intended to really do the heavy lift, and I do think that we need to start that, because it's going to be a very long, complex process, and so my suggestion, Patrick, might be to -- If you're willing, but it is to kind of withdraw this as a substitute motion, and we can vote the other one up or down, and then -- I guess try it again, as a new motion, to initiate a framework action. I will let you respond, Patrick, if you wish.

MR. BANKS: I had raised my hand so that I could respond. Yes, I'm fine with that. After we dispense with the main motion -- **I will go ahead and withdraw my substitute.** After we dispense with the main motion, I hope that the Chair will recognize me to enter the new motion. Thank you.

CHAIRMAN FRAZER: Okay. You bet. Mr. Anson and then Ms. Levy.

MR. ANSON: Real brief, I agree with Martha's comments and Robin's comments and Patrick's attempts here to separate the two issues, and I think, for timing at least, for looking at any reallocation decisions, it does take a long time, but having the Great Red Snapper Count available opens up a few more options, I think, to encompass a little bit more data and have some confidence in that, and so it would be nice to start working along identifying what those metrics would be and start that conversation as soon as possible, and then we would have the research track assessment done and completed in the next couple, two or three, years, and maybe the timing of that would be a good time to have that document already in place. Thank you.

CHAIRMAN FRAZER: Thank you, Kevin, for those comments. Ms. Levy.

MS. LEVY: Thank you. Just briefly, I just wanted to touch on the conversation related to picking preferreds and taking final action at the same meeting. Just to note that, I mean, you do have a framework procedure that was put in place, through an FMP amendment, that is intended to try to streamline things, and this also ties back into the National Standard 6 discussion, because that National Standard is all about having a management regime that responds to changes more quickly and building in things for contingencies, and that's part of what the framework does, is you have said these are the type of things we're going to consider and use framework actions, and this is the process we're going to follow, and it requires discussion at at least one meeting.

I just think that maybe it would be helpful to think about that a little bit, that you've set up this process, and there is nothing stopping you from taking more than one meeting to do this stuff, but, in terms of it being somehow inappropriate to have a document with the alternatives fleshed out and picking a preferred and taking final action, I mean, I think it's totally within your discretion to do it, as long as there is enough notice to the public as to the types of things you're going to be considering. Thank you.

CHAIRMAN FRAZER: Thank you, Mara, for that insight. So I think what we'll do is we have a motion on the board, and the substitute motion has been withdrawn for the time being, and so is there any opposition to the motion on the board, and I will read it again, so everybody knows and is clear which one we're voting on.

The motion is to direct staff to initiate an amendment to adjust the OFL and ABC based on the results of the interim analysis for red snapper, as informed by the Great Red Snapper Count and SSC recommendations. The private recreational ACL should include, but not be limited to, a range of alternatives that consider reallocation based on state-specific biomass, the estimates derived in part from the Great Red Snapper Count, and NOAA's socioeconomic data. Allocation for the commercial and charter/for-hire sectors will also be considered in this amendment. **Is there any opposition to this motion? Seeing none, the motion carries.** I recognize Mr. Banks.

MR. BANKS: Thank you, Mr. Chairman. **I will resubmit the last substitute motion as a full motion, please, but I need to add the word "framework", I'm assuming, in front of "amendment".**

CHAIRMAN FRAZER: Instead of. **We have a motion on the board to direct staff to initiate framework action to adjust the OFL and ABC based on the results of the interim analysis for red snapper, as informed by the Great Red Snapper Count and the SSC recommendations.** Is there a second for this motion?

GENERAL SPRAGGINS: I will second it for discussion.

CHAIRMAN FRAZER: It's seconded by General Spraggins. I think we've had a fair amount of discussion, and I think this is a necessary step, in order to keep us moving along, and it puts us in the best possible position to expedite any changes that we want to make, and so I can't imagine that there will be much discussion, but I see Martha has her hand up.

MS. GUYAS: Just one more quick thing. I'm going to support the motion, but, once again, I'm going to say we need to look at an emergency rule here, and I don't think it's unprecedented. The South Atlantic has done this, and we've kind of talked about how, already, states kind of need to know what's going on.

I also would just bring up, because remember this is an increase for everyone, and we've heard, in the past, from IFQ holders how it's really hard for them when we dump a bunch of quota on them in November or December, or late in the year, and so, if there's a way we can find to get this through as an emergency rule, if we need to have a companion framework for past the six months, for 2022, I'm down with that, but I'm just putting the idea out there again. Thank you.

CHAIRMAN FRAZER: Thank you, Martha. Ms. Levy.

MS. LEVY: How does this interact with the first sentence of the motion that you just passed? Does it replace that, because the first sentence of the motion you just passed talked about initiating a plan amendment that included this as well as the allocations, but I guess I'm assuming that this happens, and then the first motion is sort of void?

CHAIRMAN FRAZER: I guess I'm not clear, and so I think, Mara, the intent here is -- I mean, essentially, you're going to get catch advice that's likely coming out of the interim analysis, and this is just the framework that allows you implement the catch advice in fairly short order.

MS. LEVY: Right, but I'm just saying that the first sentence of the prior motion was the exact same sentence, right, except that it said to initiate a plan amendment to adjust the OFL and ABC, and I can't see it any more, because it's not on the board.

CHAIRMAN FRAZER: Hold on. We'll scroll up a bit, or down. Okay. Keep going. So the difference between the two, Mara, in my view, is this one actually considers reallocation, and the motion that Patrick just made essentially is only dealing with the catch advice, with the implementation of that catch advice, without consideration of reallocation. That's why one is a framework and one is an amendment.

MS. BOSARGE: Mr. Chairman, if I may.

CHAIRMAN FRAZER: Go ahead, Ms. Bosarge.

MS. BOSARGE: I think the issue might be that we accidentally

voted to pass that motion that created the amendment that had both the Great Red Snapper Count increase, hopeful increase, in quota and allocation all in one. We were supposed to vote it down, and we didn't speak up, right?

If we wanted a document that didn't intermingle allocation and the Great Red Snapper Count quota increase, we needed to vote the motion right there down, and so we didn't. We voted to go ahead and do an amendment that had both in it, and, if that's the case, we could withdraw the motion on the board, and I will make a motion to reconsider, and we can vote it down and then move on.

CHAIRMAN FRAZER: No, Leann, I don't think that's necessary. The motion that you see in front of you right now, that's running in parallel to all of this other work, right? We recognize that we need to create a plan amendment that's ultimately going to consider any potential increases in quota, because we're going to consider reallocation within the sector and more broadly than that, among the sectors, potentially. That is a multiyear type of an effort, but it's starting to be informed by the new science that we have on the table.

The motion that Patrick has put in place is simply a framework action that is enabling us to implement the catch advice that will come -- That hopefully we will get in April, and that allows us to move as expeditiously as possible with any quota adjustment for the recreational, private rec, fishery. That is why they're different.

So, Bernie, if you can scroll down to the motion, the most recent motion, and so, again, the motion here on the table is to direct staff to initiate a framework action to adjust the OFL and ABC based on the results of the interim analysis for red snapper, as informed by the Great Red Snapper Count and SSC recommendations. **Is there any opposition to this motion? Seeing none, the motion carries.** Okay, Ms. Guyas.

MS. GUYAS: The committee then considered selecting a preferred alternative from those presented in the draft framework action. The committee asked about the consequences of selecting Alternative 1 as preferred, given that it is not compliant with the Magnuson-Stevens Act. NOAA General Counsel noted that it would make the approval of any future increases in catch limits difficult for NMFS, since the Reef Fish FMP would not comply with the Magnuson-Stevens Act. As such, neither NOAA General Counsel nor SERO advised the selection of Alternative 1 as preferred.

The committee recommends, and I so move, in Action 1, to make Alternative 2 the preferred. I will just note here that the Alternative 2 that was passed in this motion was the version that was modified by the committee on Tuesday, which we have now, I think, changed.

CHAIRMAN FRAZER: To that point, we can go back, if it's okay, quickly, to the motion that was passed in regard to Alternative 2 and with the language that Andy provided. That's it. So, essentially, the motion was modified to incorporate Alternative 2 in its existing form, as modified to add this sentence: Any future increases to state-specific ACL in 2021 or 2022 would be calibrated based on adding this language to existing Alternative 2.

The motion then on the board now, and this is just for reference, is, in Action 1, to make Alternative 2 the preferred. Is there any further discussion of this motion? Seeing none, is there any opposition to the motion?

UNIDENTIFIED: Yes.

UNIDENTIFIED: Yes.

UNIDENTIFIED: Yes.

UNIDENTIFIED: Yes.

UNIDENTIFIED: Yes.

CHAIRMAN FRAZER: I hear five opposed. Are there any more?

UNIDENTIFIED: Yes.

CHAIRMAN FRAZER: Okay. We'll do a roll call vote. Dr. Simmons.

EXECUTIVE DIRECTOR SIMMONS: Thank you, Mr. Chair. Mr. Sanchez.

MR. SANCHEZ: Yes.

EXECUTIVE DIRECTOR SIMMONS: Dr. Stunz.

DR. STUNZ: No.

EXECUTIVE DIRECTOR SIMMONS: Ms. Boggs.

MS. BOGGS: No.

EXECUTIVE DIRECTOR SIMMONS: Mr. Banks.

MR. BANKS: Yes.

EXECUTIVE DIRECTOR SIMMONS: Mr. Diaz.

MR. DIAZ: No.

EXECUTIVE DIRECTOR SIMMONS: Dr. Shipp.

DR. SHIPP: No.

EXECUTIVE DIRECTOR SIMMONS: Mr. Strelcheck.

MR. STRELCHECK: Yes.

EXECUTIVE DIRECTOR SIMMONS: General Spraggins.

GENERAL SPRAGGINS: Real quick, on the question, if I vote yes, am I voting for it? If I vote no, I'm voting against this being -- Option 2 being a preferred, and is that correct?

CHAIRMAN FRAZER: If you vote yes, you're voting for Alternative 2 to be the preferred.

GENERAL SPRAGGINS: All right. Then no.

EXECUTIVE DIRECTOR SIMMONS: Mr. Riechers.

MR. RIECHERS: No.

EXECUTIVE DIRECTOR SIMMONS: Ms. Guyas.

MS. GUYAS: Yes.

EXECUTIVE DIRECTOR SIMMONS: Mr. Dyskow.

MR. DYSKOW: No.

EXECUTIVE DIRECTOR SIMMONS: Mr. Swindell.

MR. SWINDELL: Yes.

EXECUTIVE DIRECTOR SIMMONS: Mr. Dugas.

MR. DUGAS: No.

EXECUTIVE DIRECTOR SIMMONS: Mr. Williamson.

MR. WILLIAMSON: No.

EXECUTIVE DIRECTOR SIMMONS: Mr. Anson.

MR. ANSON: No.

EXECUTIVE DIRECTOR SIMMONS: Ms. Bosarge.

MS. BOSARGE: Yes.

CHAIRMAN FRAZER: The motion fails ten to six. All right. Ms. Guyas.

MS. GUYAS: Okay. I think that takes us to amberjack.

MR. ANSON: Mr. Chair.

CHAIRMAN FRAZER: Yes. Kevin.

MR. ANSON: I had asked about timing for a motion in red snapper, and you said it would be good to do it now, before we moved on.

CHAIRMAN FRAZER: Yes, that would be great.

MR. ANSON: I sent a motion to staff. It will be familiar to everyone here on the phone call. **It was the motion that I offered originally in Reef Fish.** It's slightly changed, to update -- To get the pounds to match more closely to the difference that was mentioned in other alternatives, is all.

Again, I'm just trying to come up with a way to somehow minimize the pain, and so I have not added anything else relative to maybe feathering in some sort of adjustment with the OFL and ABC recommendation with the Great Red Snapper Count, and this is just straight as it is right now, and so I know there were issues that people had relative to meeting requirements in the MSA or making sure that we didn't go overfishing, but I just wanted to see if I can insert this into the document.

CHAIRMAN FRAZER: Okay. Is there a second to this motion?

GENERAL SPRAGGINS: I will second it for discussion.

CHAIRMAN FRAZER: It's seconded by General Spraggins. Okay. The discussion will start. J.D.

MR. DUGAS: Thank you, Mr. Chair. I'm going to say to Kevin that I understand what we are faced with across all five states, and I appreciate your work on this, and I'm okay putting it in the document, but, at the end of the day, I'm not okay moving fish from Louisiana to another state, and I just wanted to make that clear. Thank you.

CHAIRMAN FRAZER: Mr. Strelcheck.

MR. STRELCHECK: Thanks, Mr. Chairman. I am going to speak against the motion, but for a different reason. As I discussed in committee, we took a very hard look at what was required to ensure the catch limit would not be exceeded if we took an across-the-board reduction, and that estimate was 23 percent. If we could have looked at a lesser reduction, then we would have considered that, but this reduction, as proposed, would not constrain catch levels to the annual catch limit, based on the calibration factors that we have seen between the state surveys and MRIP.

CHAIRMAN FRAZER: General Spraggins.

GENERAL SPRAGGINS: Mr. Chairman, thank you very much. I understand what Andy is thinking, but my question is, if you look at Option 2, it gives a number, and I think that's what Kevin was trying to bring out. Option 2 gives you a number, and, if you look at that number, it gives a number of pounds, and, if you divide that by 23 percent, or whatever the Option 3 was, it goes a lot more pounds than that, and so I am not understanding, and I'm not trying to disagree with NOAA or anyone else on this, but I'm just trying to -- To me, it would be a whole lot easier, if I was -- If something ever got passed, for me, if I was one of the states that would be looking at it, it would be less to have the 11.8 than it would be the 20, for sure, and I don't think that either one of these will ever make it, and that's not the point that I am getting at, but I do think that this is fairer, across-the-board, than it is for the 20.3, or twenty-three-point-whatever the number was, and I can't remember right now, but, anyway, I think it was looking at it and trying to find a way to say that this makes it match up to Option 2 more if it wasn't cut across-the-board, and that's just my thoughts. Thank you.

CHAIRMAN FRAZER: Okay. Thank you, General Spraggins. Ms. Levy.

MS. LEVY: Thank you. I think, to the extent any folks are

interested in adding this to the document, it would be helpful to discuss how this would meet the purpose and need expressed in the document, and it goes sort of to Andy's comments. I mean, it would -- Supporting adding it, how it's going to meet the purpose and need, by reducing the likelihood of exceeding the angling component ACL and preventing overfishing.

CHAIRMAN FRAZER: Thank you, Ms. Levy. Mr. Banks.

MR. BANKS: The General brings up a good point, and so, in Alternative 2, which are the NOAA calibrations, that brings -- In state currency, there is about 3.7 million pounds, from 4.26 million pounds, and so, if you implement those calibrations, that cuts, overall, catch that we're allowed down from, again, 4.2 million pounds to 3.7 million pounds, in state currency, and I do see what the General is saying, and Kevin's also brings it down, in state currency, to 3.76 million pounds, and so the two seem to match up, in terms of bringing the overall catch down, in state currency, and so that's why I don't understand why it wouldn't be the same thing.

CHAIRMAN FRAZER: Patrick, until we actually have an assessment that is taking advantage of the state sampling programs, we're required to use the calibration ratios and to convert them to CHTS units, or currency, and so that's the reason. Go ahead, Mr. Strelcheck.

MR. STRELCHECK: I wish we could have the math in front of you, but I will try to explain it briefly. If all the states have the same calibration factor, then what's proposed would be correct. The problem is that not all the states have the same calibration factor, and so, when you take Alabama's new catch limit, as proposed here, and multiply it up, I will just say by 50 percent, or doubling it, essentially, you are allowing, essentially, more harvest under this alternative than the 23 percent reduction, and, when you total all that up and convert it back to what would be the MRIP-based ACL, you're going to allow more harvest than the 23 percent reduction that's needed to constrain it to the catch limit.

CHAIRMAN FRAZER: Andy, you said that much better than I could have, and so thank you for that. I see Martha's -- Kevin Anson, your hand is up.

MR. ANSON: Thank you, Mr. Chair. I just offered this as kind of a continuation of my discussion during the Reef Fish Committee, when you look at my comments and my thoughts on National Standard 6, and, again, I'm just trying to get some

more flexibility, based on the information at hand and trying to get a point where, again, we can try to ease the pain within a flexible management process is all, and so that's what I was attempting to do and why I offered this alternative.

CHAIRMAN FRAZER: Okay. Ms. Guyas.

MS. GUYAS: I was going to say the same thing as Andy. It's because we don't have a state currency, and we have five, which is why we are where we are in the first place.

CHAIRMAN FRAZER: Okay. Patrick.

MR. BANKS: In Alternative 2, the calibrations tell us that the states should not catch more than 3.7 million pounds, total, if you added those up. They're saying that that is what we should be catching as our ACL, as opposed to the 4.269 million pounds, because of the calibration ratio, and so, if you're telling us, as a Gulf-wide harvest, we can only catch 3.7 million pounds total, then I just don't understand why this doesn't work.

I am not saying that I would vote for this as the preferred, because, like J.D., I'm not in favor of losing fish in Louisiana. Our anglers don't deserve that, but I still don't understand why the 23 percent -- 23 percent, I believe, there's some kind of -- I believe there is some kind of the flaw in the math if the total catch under Alternative 2 that you're saying is acceptable is about 3.7 million pounds, yet the total catch under this alternative of 3.7 million pounds you're telling me is not acceptable, and that's not making sense to me.

CHAIRMAN FRAZER: Let me give you a quick try again, and I will try to expand on what Andy said in a different way, and what Martha said, also. I mean, on face value, if all the states had the same calibration ratios, it would work, but it's like going to a different country, and so let's say Alabama, Florida, Louisiana, Mississippi, and Texas all decided they wanted to take their dollars, and they all went to different countries. One went to Canada and one went to South Africa and one went to Australia and whatever.

The value of the dollar is different in each of those countries, and so there's not a uniform conversion that makes that math work easily, and so therein lies the problem, Patrick, and so does that make sense to you?

MR. BANKS: Well, let me ask you this. So, based on Alternative 2, just like you explained, we all have different currencies,

and, if we instituted Alternative 2, those would be our new catch levels. Okay? So we catch those fish, and we add them up, and they add up about the same as what Kevin is showing as the total in his. At the end of the day, the same number of fish are caught in both alternatives.

I'm saying they got to it in a different fashion, and I completely understand that, because of the difference in currencies, but, at the end of the day, the overall Gulf ACL has been put into state currency in both of them and has not exceeded what you say is equal to the federal currency, the 4.26, and so, again, I guess I just need to sit down with Andy and see their math, but I just am not understanding how even with the currency change, we're going to catch 3.7 million pounds, and so is Kevin's alternative.

CHAIRMAN FRAZER: Mara, do you have -- I'm sorry, Patrick, but I think Mara is trying to break in here.

MS. LEVY: I think it might be helpful to look at Table 2.1.2 in the document at some point, which shows the 23 percent buffer, because the thing that's missing from Kevin's table is the conversion back to MRIP for each state.

When you do the 23 percent, you're putting it in what we're calling a state ACL, because that's what the states are going to be monitoring to, but, when you turn it back into MRIP, you show how it's equal to the current total private angling ACL, in federal units, and that column is not in Kevin's table, and so you don't get the piece of the puzzle just by looking at that.

CHAIRMAN FRAZER: That's exactly right. Martha.

MS. GUYAS: I think I'm good. I was just trying to further help explain that that's not the kind of column that you can add up, because you're adding grapes and apples and pineapples and whatever, but I think you've made that point now.

CHAIRMAN FRAZER: Ms. Bosarge.

MS. BOSARGE: Thank you. Yes, I think I get it. Once you apply the conversion ratio to the Alabama currency there, you pretty much double the pounds that they would have landed, because, once you convert that, it pretty much doubles, and then you're way over what you saw in Alternative 2, and so, essentially, this motion -- If this was added to the document, and this motion was picked as preferred and went final, this would allow overfishing, and so I can't support this motion.

CHAIRMAN FRAZER: Okay. We are going to go ahead and vote this up or down. We have the motion on the board, and I am assuming this is going to require another roll call vote. Dr. Simmons.

EXECUTIVE DIRECTOR SIMMONS: Thank you, Mr. Chair. Mr. Dyskow.

MR. DYSKOW: No.

EXECUTIVE DIRECTOR SIMMONS: General Spraggins.

GENERAL SPRAGGINS: Yes.

EXECUTIVE DIRECTOR SIMMONS: Mr. Strelcheck.

MR. STRELCHECK: No.

EXECUTIVE DIRECTOR SIMMONS: Mr. Banks.

MR. BANKS: Yes.

EXECUTIVE DIRECTOR SIMMONS: Mr. Riechers.

MR. RIECHERS: Yes.

EXECUTIVE DIRECTOR SIMMONS: Ms. Guyas.

MS. GUYAS: No.

EXECUTIVE DIRECTOR SIMMONS: Mr. Sanchez.

MR. SANCHEZ: No.

EXECUTIVE DIRECTOR SIMMONS: Mr. Anson.

MR. ANSON: Yes.

EXECUTIVE DIRECTOR SIMMONS: Ms. Bosarge.

MS. BOSARGE: No.

EXECUTIVE DIRECTOR SIMMONS: Mr. Swindell.

MR. SWINDELL: Yes.

EXECUTIVE DIRECTOR SIMMONS: Mr. Diaz.

MR. DIAZ: Yes.

EXECUTIVE DIRECTOR SIMMONS: Dr. Shipp.

DR. SHIPP: Yes.

EXECUTIVE DIRECTOR SIMMONS: Ms. Boggs.

MS. BOGGS: Yes.

EXECUTIVE DIRECTOR SIMMONS: Dr. Stunz.

DR. STUNZ: Yes.

EXECUTIVE DIRECTOR SIMMONS: Mr. Dugas.

MR. DUGAS: Yes.

EXECUTIVE DIRECTOR SIMMONS: Mr. Williamson.

MR. WILLIAMSON: Yes.

EXECUTIVE DIRECTOR SIMMONS: The motion carries eleven to five.

CHAIRMAN FRAZER: Okay. **The motion carries eleven to five.** Are there any other motions related to the red snapper framework action? Okay. Seeing none, Martha, do you want to pick up with the committee report and the greater amberjack section?

MR. STRELCHECK: Tom.

CHAIRMAN FRAZER: Sorry. I don't see hands right now, and so it looks like Andy and then Leann.

MR. STRELCHECK: I feel the need to comment, and I appreciate, obviously, that we're in a tough spot, and no one likes the alternatives before them, but keep in mind this has consequences on staff having to now develop an alternative and stick it in an amendment that is not something that feasibly we could approve as an agency, and so I just wanted to indicate that right out of the gate, that this is not a practical alternative, and I thought I made that clear, and it's disappointing to have the council voting up an alternative that ultimately we wouldn't be able to approve as an agency.

CHAIRMAN FRAZER: Ms. Bosarge.

MS. BOSARGE: I just would like somebody to summarize the path forward and what documents we expect to see and when those

documents are going to be implemented. I need to understand exactly what we've just done at this meeting, because we said, in November/December, that we really needed to take final action on this document then, to get it implemented for June, and so I don't see how we take final action in April and people start fishing in late May on this quota and how we have made sure that we have prevented overfishing, but I would at least like to know how far away we're going to be.

CHAIRMAN FRAZER: Leann, I will take a stab at it, and I will let the SERO guys follow up. Essentially, we have a framework action that we have developed now with five alternatives in it, and we will bring that framework action back to the council meeting in April, potentially informed by the interim analysis, and we may get some new catch advice.

At the same time, we will have another framework action that would allow us to implement that catch advice, should we choose to do to so, and we will need to pick a preferred in this framework action with the five alternatives in the April meeting, and, again, we'll get public input on that preferred at that meeting, and, if we take final action, it will take several months to -- Based on past history with routing framework actions through the agency, you may not see that until mid-summer, or later, and so the optimists amongst us might say we could get it in late June or early July, but, in the absence of a quota increase, and a failure on the part of the states to constrain their seasons, it's quite possible that you could undergo overfishing, and so it's a gamble. Martha, if you want to go ahead and -- Patrick Banks and then General Spraggins.

MR. BANKS: I will try to give a little example of how we'll accomplish this in Louisiana. In April, assuming we vote calibration final and we know the interim analysis, which will add fish to the bag, or fish to the ACL, and so we will know those things at that time. Now, I understand where Andy is coming from, that they won't be able to promulgate their rule and finalize their rule in time, but we, as managers, will still know the numbers.

We will know the numbers based on calibration, and then we will know the numbers that are based on, hopefully, the addition from the interim analysis. We can start our season and make that season-opening decision with that knowledge in hand, and that's the great thing about state management and flexibility of state management, is, as things change, and fish get added to us, or taken away, or calibration gets thrown in there, we can adjust what we're doing very rapidly.

To say that we can't manage with these things happening in April is certainly not true for Louisiana, because we can go in front of our commission in the first part of May, and we can set that season to open when we normally would, knowing that the very least we would have would be the worst-case scenario in these calibration options, and we can start our season knowing that, and, once we get to that level, if we need to shut down the season until we get the revised ACLs and things like that, then that may be what we have to do, but we can certainly do it in a flexible and responsible manner that, at least in Louisiana, will not result in overfishing. Thank you.

CHAIRMAN FRAZER: Okay. Thank you, Patrick. General Spraggins.

GENERAL SPRAGGINS: Mr. Chairman, thank you, and I would just like to echo what Patrick is saying. I can tell you, as the Executive Director of the Department of Marine Resources in the State of Mississippi, I am not deliberately going to try to do anything to overfish a stock, and I can promise you that, and I think that you can find that in every one of the state directors that are here in the five states, and we are responsible for what we do. We don't want to see our depletion any more than you want to see it, or anyone else.

We are here, and we are here for a reason, and I think that's why that we were given the authority to do this to start with by Commerce, and I can promise you that I will echo what Patrick said. We will go into our meeting, and I will brief the commission, and I will tell them where we're at, but I can promise you that I am going to look at the numbers, and I'm not going to try to fish to 151,000 pounds, just because I think it's there, until I know I have it.

Unless I know I have it, I'm not going to try to fish to it, and we will work with that, and we will work with it to make sure that we don't overfish, and I feel like that's the same for every state director, and I would appreciate you all giving us the ability to do that and show you and prove it to you.

CHAIRMAN FRAZER: Thank you, General Spraggins. Dr. Simmons.

EXECUTIVE DIRECTOR SIMMONS: Thank you, Mr. Chair. It's going to take a lot of effort for our staff to get these two framework actions turned around. Keep in mind we have a huge SSC meeting and work with the Science Center and Dr. Stunz's team to get ready for this meeting at the end of March and the beginning of April and then try to get this framework action together for the

council.

That being said, I would just ask for understanding and flexibility for some of the other ongoing requests that we know the council has, as far as agenda time and other things. We will also try to prioritize cobia and greater amberjack, because of the overfishing and, for amberjack, the overfished status. Thank you.

CHAIRMAN FRAZER: Dr. Stunz.

DR. STUNZ: As far as the comment about overfishing, I just wanted to reiterate that, with the new data coming out, we're talking about here fifteen million pounds that we're fishing when, in reality, there's probably more like 700 to 800 million pounds, with a conservative estimate, that's really out there, and so, in terms of if we just step back for a minute from all these allocations and calibrations and all these discussions that we're talking about, we're not in a situation where we're going to overfish this fishery, unless something just really crazy or drastic happens, and I don't hear any of that coming out of the states, that it will kind of be status quo. It's more that we get this solved on paper than really what's happening out there on the water.

CHAIRMAN FRAZER: Thank you, Dr. Stunz. Ms. Bosarge.

MS. BOSARGE: Thanks for those comments, Patrick and Mr. Spraggins. That makes me feel a little bit better, knowing that I guess you all will be nimble enough to implement it even though it's not written on paper yet.

I guess maybe I got a different picture of this whole scenario when we were looking at the possibility of overfishing occurring if we allowed those 67,000 pounds of commercial quota to be carried over into 2021, and a lot of the feedback was, well, we don't know what is happening with all of these calibrations, and we may have overfishing occurring, or too much catch, and so we couldn't carry anything forward for those poor guys that are feeling some pain, because there might be overfishing.

When we took no action on this today, I had some hesitations, but it sounds like maybe it will all jibe, and it will happen in time, and I would like to, in that case, that everything comes together in April, I would also like to revisit that carryover of the 67,000 pounds for the commercial guys.

There is a lot of pain there, and we've talked about all the

pain that this document would cause to recreational fishermen, and there is some real pain that that 67,000 pounds is going to cause to commercial fishermen, and so I hope we will revisit that once we know that we're not going to overfish, because we have these calibrations in place.

CHAIRMAN FRAZER: Thank you, Leann. We are going to move forward now, certainly, with the greater amberjack stock assessment part of the report.

MS. GUYAS: All right. Review of SEDAR 70, Gulf of Mexico Greater Amberjack Stock Assessment, Dr. Powers reviewed the SEDAR 70 stock assessment of Gulf greater amberjack, which has a terminal data year of 2018. The majority of harvest of greater amberjack is by the recreational sector, specifically by the charter/for-hire and private vessel fleets. Discards are also primarily from the recreational fleets.

The stock has been overfished since about 1985, and spawning stock biomass has been below SSB MSY since 1980. The stock has been undergoing overfishing on and off since 1980, and SSB does not appear to have yet been affected by previous management actions to reduce fishing mortality and rebuild the stock.

The SSC found that SEDAR 70 represents the best scientific information available. However, the SSC stated that it is unclear what effect the historical recreational landings are having on the model results. Additionally, a recent study indicating that a large proportion of the stock is associated with offshore oil rigs was not incorporated in the assessment. The SSC recommended that this study be considered in a future assessment.

Projections begin in 2022, with the OFL defined as the fishing mortality at the MSY proxy of 30 percent of the spawning potential ratio and the ABC at F rebuild to rebuild the stock by 2027. The SSC recommended that the OFLs and ABCs for 2022 through 2024 be, in millions of pounds, whole weight -- There they are, and I'm not going to read all those.

A committee member asked what was driving the biomass down in the early years from when the model begins. Dr. Powers clarified that the estimates of early catches reflect a trend in harvest leading to the biomass levels for when most of the harvest data in the model are available. He added that the SSC acknowledged the uncertainty in the data in this time period and the effect that this has on estimates of stock productivity.

Council staff reviewed the results of the Something's Fishy tool. Overall, the results indicated a generally positive sentiment about greater amberjack abundance, but some fishermen also expressed a negative sentiment regarding management measures.

A committee member inquired why sector-specific sentiment results indicated higher positive responses from the private vessel fleet. Council staff indicated that those positive comments were associated mostly with fish abundance. Another committee member noted a regional variance in sentiment was also present in the results, where fishermen in Louisiana expressed an overall positive sentiment.

A committee member asked if it were possible to spatially identify the areas where overfishing was occurring. The Southeast Fisheries Science Center noted that SEDAR 70 is a Gulf-wide assessment that examines fishing mortality throughout the Gulf, but that regional fishing mortality differences may be able to be identified. SERO added that addressing fishing mortality spatially may not be possible, due to data deficiencies.

Committee members suggested two documents, one to modify the rebuilding plan and catch limits and another to modify the sector allocations. Staff noted that changes to the sector allocations, which are 73 percent recreational and 27 percent commercial, are likely to modify the projections, meaning that the catch limits would need to be modified again once the sector allocations were modified.

NOAA General Counsel commented that, when using catch limits established using the MRIP-FES data currency, not reallocating between the sectors would be a de facto reallocation to the commercial sector, since the additional catch and effort estimated by MRIP-FES is attributable to the recreational sector.

The committee recommends, and I so move, to direct staff to work on a plan amendment to update rebuilding plan for greater amberjack and revise catch limits and sector allocations based on the MRIP-FES data. Mr. Chair.

CHAIRMAN FRAZER: Okay. Thank you, Ms. Guyas. We have a committee motion on the board. Is there any further discussion of the motion? **Seeing none, is there any opposition to the motion? Seeing none, the motion carries.** Ms. Bosarge.

MS. BOSARGE: It wasn't in opposition to the motion. Are we done with this motion?

CHAIRMAN FRAZER: Yes, we are.

MS. BOSARGE: Thank you. All right. So I would like, when we bring back these allocations, sector allocations -- The quotas are going to be reduced, and I know that, when we look at these OFLs and ABCs, and, you know, here again, there was a larger stock of AJs out there than we thought, and no fault of their own, but one sector was allowed to fish on that larger stock for a lot of years, when the commercial sector wasn't.

I would like to see an allocation alternative that at least holds the commercial quota steady. In other words, whatever our ACL is for commercial right now, it remains that, and see an allocation based on that.

CHAIRMAN FRAZER: Leann, I think that's going to, actually, at this point, require a motion. Are you prepared to make that motion?

MS. BOSARGE: Yes, that was a motion.

CHAIRMAN FRAZER: Okay, and so let's put a motion on the board, please.

MS. BOSARGE: The motion would be to include an option which holds the commercial ACL at its current level.

CHAIRMAN FRAZER: Okay. For clarification, Leann, did you want the commercial ACL held constant in pounds or percentage of the allocation?

MS. BOSARGE: In pounds.

CHAIRMAN FRAZER: In pounds. Okay. We have a motion on the board to at least put some specificity into the amendment, and I'm sure the amendment will involve quite a bit, but is there a second to this motion?

MS. BOGGS: I will second it.

CHAIRMAN FRAZER: Second by Ms. Boggs. It looks like there's a number of hands up for discussion. J.D.

MR. DUGAS: Thank you, Mr. Chair. I had something else to bring

up, and it's not regarding to Leann's motion, and so I will wait.

CHAIRMAN FRAZER: General Spraggins.

GENERAL SPRAGGINS: Yes, sir, Mr. Chairman. Thank you. I'm about as confused as I can be out here today, and just one quick question. This is in reference to greater amberjack only, and is that correct, for Leann's motion?

CHAIRMAN FRAZER: That's correct.

GENERAL SPRAGGINS: Thank you.

CHAIRMAN FRAZER: Okay. I am looking for hands. Martha.

MS. GUYAS: Thanks, and so my question is for Leann. Leann, would you want to just start out at the current level? I'm assuming that, as quotas increase, since it looks like we have an increasing yield stream, that you would want the pounds to go up for commercial, or are you saying hold it steady for the foreseeable future?

MS. BOSARGE: No, not for the foreseeable future. In other words, the ACL that the commercial sector had last year, what kind of allocation would that end up being, if we at least were allowed to catch that same number of pounds again, Martha, right, because that's kind of been the discussion before, the hypothetical discussion that we had back in the day, before we actually started getting into all these numbers, was that, well, the recreational sector has been catching more fish the past however many years, but it's okay, because, when you plug it into the stock assessment, it's going to raise everything, and the commercial still will have a different allocation, but they'll have the same number of pounds, right?

That hasn't turned out that way thus far, and so, in order to see what that allocation would look like, to at least, for right now, keep us at the same number of pounds, what would that allocation even look like? Run those numbers and at least present it to us, so we can see what that would be.

MS. GUYAS: Okay, and so you would use the current pounds to inform a potential new, I guess, percentage. Is that right, for commercial?

MS. BOSARGE: Yes, the commercial ACL from last year. That's right.

MS. GUYAS: Okay. Good deal. Okay. Thank you.

CHAIRMAN FRAZER: Mr. Diaz and then Mr. Anson.

MR. DIAZ: Thank you, Mr. Chair. I support what Leann is trying to do in concept, and I basically feel the same way. I don't think we're trying to go into this to reallocate this particular stock, and I would like to see both sectors about where they were had FES not occurred, but I am just wondering if there wouldn't be a better way to do it, to just use the same years to figure up the allocation of what is the current allocation, the years that the current allocation uses, if it would be a better way to do it. Thank you.

CHAIRMAN FRAZER: Mr. Anson.

MR. ANSON: Thank you, Mr. Chair. I will support this motion, and I will support Leann, because we need to see what the data looks like, for one, but the FES data -- You had talked about it during red grouper, and it's been talked about for other species, particularly red snapper, and so there might be some issues there that cause for increases let's say in red snapper in states like Alabama that might also be an issue for other species, because it's really about the effort.

I think the catch information is pretty consistent, or standardized, as we went through the different entities who conducted the survey and the changes in the survey, and those were fairly standard, but certainly that effort component of determining catch could cause some things to look strange, and so it would be good to see the data, and it would be good to look at what impacts that data might have on the sector allocation, and so I will be in support of it. Thank you.

CHAIRMAN FRAZER: Thank you, Mr. Anson. **We have a motion on the board, and the motion is to include an option which holds the commercial ACL in pounds at its current level. Is there any opposition to the motion? Hearing none, the motion carries.** Mr. Dugas.

MR. DUGAS: Thank you, Mr. Chair. I just wanted to bring up a point about amberjack discards, with some of the guys that I interact with in the rec sector, and we -- Most of the discards that are seeing happen during snapper season, and so I just think it's a prime example of state management, and I would like to lean towards amberjack going that way. We would reduce some of the discards if we could fish amberjack starting in June with

the red snapper. Thank you.

CHAIRMAN FRAZER: Thank you, Mr. Dugas. We're going to try to keep in time as best we can, and so I will take one more question from Andy Strelcheck.

MR. STRELCHECK: Thanks, Tom. Just a comment. We have, obviously, a tremendous amount on our plate, and amberjack is undergoing overfishing, and Magnuson requires overfishing to end immediately, and, obviously, that's not physically possible, because it has to run through the council process, but certainly I think it would be helpful to get some guidance and advice from staff going forward, in terms of contents of this amendment and what we can in the short term with regard to ending overfishing as well as, obviously, dealing with the rebuilding plan and any other management changes that would be required in the longer term, and so I would just throw that out there, that this might be something where we want to have a couple of separate actions going forward.

CHAIRMAN FRAZER: Okay. Thank you, Andy. We're going to continue to move forward with this committee report. Martha.

MS. GUYAS: All right. Thanks, Mr. Chair. White Paper, Sector Separation for Four Reef Fish Species, this agenda item was not reviewed, due to time constraints.

Review of SEDAR 64, Southeastern U.S. Yellowtail Snapper, Dr. Powers reviewed the results of the SEDAR 64 stock assessment on southeastern U.S. yellowtail snapper, which used a terminal data year of 2017. Combined landings in the Gulf and South Atlantic were made up of a more even mix of commercial and recreational harvest, with most discards coming from the recreational fleets.

Generally, SSB has been increasing over the last twenty years, and SSB in 2017 was above SSB MSY. Southeastern U.S. yellowtail snapper is not overfished or undergoing overfishing as of 2017. The SSCs requested projections based on average landings from 2017 through 2019, the most recent years for which landings data were available.

The Gulf and South Atlantic SSCs used a P* of 37.5 percent for determining the ABC and recommended the councils adjust the ACLs and ACTs based on projections at 75 percent of F SPR 30 percent, which is the MSY proxy for the stock. The SSCs recommended the following values for the stock OFL and ABC for 2021 through 2025. I am not going to read those. They are in the Reef Fish Committee report.

Due to time constraints, the committee was unable to consider directing staff to initiate a joint document to implement the new catch levels for yellowtail snapper.

Council staff reviewed the results of the Something's Fishy Tool for yellowtail snapper. Most of the responses were received from the southeastern Gulf. Generally, sentiment was more positive in the northern Gulf, while sentiment was relatively more varied in proximity to the Florida Keys. Generally, comments were quite varied in sentiment, but some emergent themes suggested that larger fish were observed in the northern Gulf, that yellowtail snapper distribution appears to be expanding northward, and several anglers reported catching larger fish in deeper water.

The committee asked how the results of the Something's Fishy Tool were being used during the stock assessment process. Council staff indicated that the report is given to the stock assessment analysts before conducting the assessment to allow researchers to investigate any anomalies by referencing fishermen observations. Additionally, the yellowtail snapper version of the tool was promoted through partnering with the Florida Fish and Wildlife Conservation Commission, which bolstered responses and created more data with which to derive more precise examinations.

Council staff indicated that continued standardization of data collection methodologies will allow for additional analyses in the future. The committee recommended restructuring the report presentation by first presenting overall emergent themes gathered from all comments before reviewing results to aid in interpreting the tool's findings. Mr. Chair, I guess, if you will allow me, I would like to offer a motion relative to yellowtail before we leave this item.

CHAIRMAN FRAZER: Go ahead.

MS. GUYAS: I sent this to staff earlier, but I will go ahead and read it. **That motion is to direct staff to begin a joint amendment with the South Atlantic Fishery Management Council to update catch levels for yellowtail snapper based on the results of SEDAR 64.**

CHAIRMAN FRAZER: We will get that motion on the board.

DR. SHIPP: I will second it.

CHAIRMAN FRAZER: It's seconded by Dr. Shipp. Okay. My understanding, Martha, is that the South Atlantic has already begun some work on the document, right?

MS. GUYAS: They have at least passed a motion to start a document with us. I don't know that they've actually seen one yet, but this is one where we're going to have to work together, and so look forward to that. The good news is it's all the same fishermen, because they all live in the Keys, and so that's a positive here.

CHAIRMAN FRAZER: Okay. Gotcha. Is there any further discussion on the motion? **Seeing none, is there any opposition to the motion? Seeing none, the motion carries.** Go ahead, Martha.

MS. GUYAS: All right. Public Hearing Draft Amendment 53, Red Grouper Allocations and Annual Catch Levels and Catch Target, staff reviewed the actions and alternatives in Amendment 53 to the Reef Fish FMP and discussed potential next steps. Staff also noted that the Reef Fish Advisory Panel reviewed the document in October 2020 and will be getting an update on the document at its February 2021 meeting.

Dr. Powers reviewed the SSC's discussion at its January 2020 meeting and noted that they were tasked with discussing the discrepancies in recreational landings between the stock assessment and the ACL monitoring dataset. The main discrepancy is that SEDAR 61 from 2020 used recreational landings in numbers of fish, and the weights are estimated within the stock assessment model. The model also assumes uncertainty in the recreational landings, as well as in the commercial landings, which means that predicted landings are not identical to input landings.

A committee member commented that she listened to the Southeast Fisheries Science Center presentation and resulting SSC discussion. She stated that she sees a need for additional discussion of the average weights used and how it is calculated from MRIP in comparison with the length-weight procedure in the stock assessment model to convert inputs in numbers to model outputs in weight.

NOAA OST responded that a previously-shared presentation on this methodology could be given again and that the issue is that they are using data from MRIP's Access Point Angler Intercept Survey for converting lengths to weights. SERO noted that the Southeast Fisheries Science calculates a different average

weight than is used by the MRIP. Another committee member asked if the input is in numbers of fish for other species and not just red grouper. The Southeast Fisheries Science Center responded that the input is typically in numbers of fish.

The committee recommends, and I so move, to request a presentation on the process for arriving at yearly red grouper average weight via MRIP and include sample sizes per strata, PSEs, and other relevant data for each year.

CHAIRMAN FRAZER: Thank you, Ms. Guyas. We have a committee motion on the board. We'll get it up and make sure that everybody reads it. Okay, and so the motion is to request a presentation on the process for arriving at yearly red grouper average weight via MRIP and include samples sizes per strata, PSEs, and other relevant data for each year. Is there any further discussion of the motion? **Seeing none, is there any opposition to the motion? Seeing none, the motion carries.** Ms. Guyas.

MS. GUYAS: SERO asked about timing of Amendment 53. Staff responded that public hearings via webinar could be completed prior to the April 2021 council meeting and that the council could likely take final action on the amendment then. SERO added that, if the council took final action on the amendment as late as the June 2021 council meeting, the proposed management measures could still be in effect prior to 2022.

Staff also noted that the interim analysis for red grouper is expected to be presented to the SSC in May 2021, but the results of this analysis would not be considered in the current amendment. A committee member asked if the sector allocations in Action 1, Alternative 3 would be the closest to those in Alternative 1, which uses the MRIP-FES data. Dr. Freeman responded that Alternative 3 uses the same time series as Alternative 1, in terms of determining the sector allocations.

The committee recommends, and I so move, in Action 1, to make Alternative 3 the preferred. Alternative 3 reads: Revise the sector allocations of the total ACL between the recreational and commercial sectors as the average landings using Fishing Effort Survey adjusted MRIP data during the years 1986 through 2005, based on the Southeast Fisheries Science Center ACL monitoring datasets. The allocations for red grouper are 59.3 percent commercial and 40.7 percent recreational. Revise the OFL and ABC as recommended by the SSC based on SEDAR 61. Set the stock ACL equal to the stock ABC. Mr. Chair.

CHAIRMAN FRAZER: Again, thank you, Ms. Guyas. We have a committee motion on the board. Is there any further discussion of the motion? **Seeing none, is there any opposition to the motion? Seeing none or hearing none, the motion carries.** Ms. Guyas.

MS. GUYAS: The Committee discussed that, in Action 2 --

CHAIRMAN FRAZER: Martha, I'm sorry. I had a little delay. Leann, did you have your hand up?

MS. BOSARGE: Yes. **I would like to make that same motion again for red grouper that I made for amberjack, if you could just scroll back up to that amberjack section and maybe copy-and-paste it.** Here again, I will be trying to achieve the same thing, just to maintain the commercial ACL, in pounds, at the level that it has been at, which is what we had been talking about before all this started, that we would hold steady, and it would be fine, and it is not ending up that way, and I would like to see -- Just at least see that in this document, see that analysis, and see what that looks like. Just change -- You don't have to change anything, because we didn't put a species in there. Okay.

CHAIRMAN FRAZER: Okay, and so we have a motion on the board. Is there a second to the motion?

MR. ANSON: I will second for discussion.

CHAIRMAN FRAZER: It's seconded by Mr. Anson. Any further discussion? I am just going to speak on behalf of the staff. I appreciate wholeheartedly, Leann, what you are attempting to do here, and I just want to remind folks that we talked about workload before, and this is a public hearing document, and it will be quite a bit of work to put this in, and I just want everybody to be aware of that. That's not saying yes or no to it, but just be cognizant of people's time and the amount of work that we're putting on people's shoulders, and so, Mr. Strelcheck.

MR. STRELCHECK: Thanks, Tom. Just so that I'm clear, Leann, so you're asking to include an option that includes the -- It holds the commercial ACL constant, or at the current level, but essentially produces a catch limit recommendation and a new allocation from the assessment model, and so we would need the Science Center to come up with an estimate of the new allocation based on the commercial ACL being around 3.1 million pounds, correct?

MS. BOSARGE: Yes, sir, that's correct, and they may have already run some of those projections, and I'm not sure.

CHAIRMAN FRAZER: Staff is indicating that they have not run those projections, Leann. Ms. Levy.

MS. LEVY: I'm okay. I was just going to ask the same thing, that just make sure that this is going to require new projections if you add this in here.

CHAIRMAN FRAZER: Yes. Dr. Simmons.

EXECUTIVE DIRECTOR SIMMONS: Thank you, Mr. Chair. This wouldn't be an option, right? This is a public hearing draft, and so this would be a new alternative, and I am asking -- Maybe Dr. Freeman can weigh-in, that you would want to consider this in a public hearing draft, and is that correct, Ms. Bosarge?

CHAIRMAN FRAZER: Leann.

MS. BOSARGE: The next time that we see this document, yes, I would hope that it would be in there. That's correct. I don't know when the next time we're slated to see it is, but that's what I was hoping for. I see Mr. John Walter's name up there, and isn't he one of our Science Center personnel? Maybe he could help with it.

CHAIRMAN FRAZER: Dr. Walter.

DR. JOHN WALTER: Thank you. Good afternoon, everyone. The Science Center has run a set of projections that are almost exactly that, and I think it's 3.18 million pounds for the commercial sector, which is almost keeping that constant, and then looking at the resulting ACL for recreational, and so it's not a particularly difficult lift for us to do something like that, I think, at least from the Science Center perspective. Thanks.

CHAIRMAN FRAZER: Thank you, John. Dr. Froeschke.

DR. JOHN FROESCHKE: I guess my question is would we use the current value and establish a percentage? Given that we expect a yield stream for that, then you would change that commercial ACL based on the yield stream, and maintaining the percentage as calculated, from what the motion says, or would you hold the commercial ACL constant in perpetuity and then change the allocations on an annual basis as the stock rebuilds, or

increases?

CHAIRMAN FRAZER: Ms. Bosarge.

MS. BOSARGE: No, John, we're not talking about changing allocations every year. No, no, no.

DR. FROESCHKE: So we would have to take out the percentage.

CHAIRMAN FRAZER: Okay. Ms. Guyas.

MS. GUYAS: I appreciate what you're trying to do here, Leann, and I supported it with AJ. I guess the struggle I am having here with red grouper, and I'm looking at the table for Action 1, is, I mean, the thing is that both sectors probably need to take a cut here, or at least that's the way the document is structured, and now I realize that you have -- It looks like recreational is getting an increase, because we're looking and comparing MRIP, old MRIP, I guess CHTS, to FES, but, if you look at FES in the current currency, versus what basically all the other options are, other than Alternative 1, they're facing a pretty steep cut as it is, and commercial also is facing a cut, and so I don't know. It's kind of late in the game for this, and, given that, I don't think I'm going to support adding this to the document.

CHAIRMAN FRAZER: Thank you, Ms. Guyas. I am not seeing any other hands at this point, and so we'll go ahead and vote on this motion. Is there any -- I guess there is opposition. We'll try it by nays. **All those opposed.**

MS. GUYAS: Nay.

CHAIRMAN FRAZER: One. Are there any others opposed? Okay. **The motion passes with one in opposition.** Okay.

EXECUTIVE DIRECTOR SIMMONS: Mr. Chair, this will slow us down quite a bit. We'll have to do a lot of work. This won't go back until the SSC probably until May.

CHAIRMAN FRAZER: I understand.

EXECUTIVE DIRECTOR SIMMONS: Then to the council in June.

CHAIRMAN FRAZER: Okay. All right. Ms. Guyas.

MS. GUYAS: All right. The committee discussed that, in Action 2, the commercial buffer in Alternative 3 accounts for multiuse

allocation, while still utilizing the ACL/ACT control rule for the recreational sector.

The committee recommends, and I so move, in Action 2, to make Alternative 3 the preferred. Alternative 3 reads: Maintain the current buffer between the ACL and ACT for the commercial sector and apply the ACL/ACT control rule to revise the buffer between the ACL and ACT for the recreational sector. The commercial buffer is 5 percent, and the recreational buffer is 9 percent.

CHAIRMAN FRAZER: Okay. We have a committee motion on the board. Is there any further discussion of the motion? **Seeing or hearing none, is there any opposition to the motion? Hearing none, the motion carries.** Ms. Guyas.

MS. GUYAS: A committee member inquired if public hearings would be held virtually or in-person. She noted that this document deals with reallocation, an important issue, and that public testimony has been limited during virtual meetings. Council staff noted that, while a hybrid council meeting is planned for April 2021, that any in-person meetings will be further explored after the January 2021 meeting. She added that staff would plan on holding two virtual public hearing webinars and could also consider a mail-out.

The committee member indicated her support for a mail-out, while another committee member expressed concern for that approach. Council staff acknowledged the potential for bias if a mail-out was sent to commercial permit holders. She suggested asking the Gulf States to help contact private anglers via email and that the Fish Rules recreational regulations mobile application could push a notification to private anglers.

The committee recommends, and I so move, to take Amendment 53: Red Grouper Allocations and Annual Catch Levels and Catch Targets to public hearing. Mr. Chair.

CHAIRMAN FRAZER: Okay. We have a committee motion on the board. Is there any further discussion of the motion? Dr. Simmons.

EXECUTIVE DIRECTOR SIMMONS: Based on the motion, I think the one before last, that passed, I think you probably would want to see the document again before we take it to public hearing, and is that correct?

CHAIRMAN FRAZER: There will be a change to the document, and so I'm assuming that that would be the case, that folks on the

council would like to see it again. Martha.

MS. GUYAS: I guess is there a way that we could take it out to public hearing with this new alternative added in there and then bring it back to June? I mean, the thing is -- I guess what we discussed at committee was, if we get past June, basically, we're probably out of time to get this implemented in time for 2022, and so we're backed up another whole year, but maybe I have that -- Maybe there is some wiggle room in the timeline there, and so maybe Andy wants to weigh-in on that.

CHAIRMAN FRAZER: Mr. Strelcheck.

MR. STRELCHECK: I can't speak to, obviously, timing and council staff workload, in terms of incorporating this, and I guess my estimation, based on understanding the alternative and what we currently have in the document, is this is going to fall within the range of the existing alternatives, and so it's just a matter of then incorporating in the time that it requires to incorporate that. Ideally, I think it would be better to take action in April, but that's a workload consideration that Carrie and others have to weigh-in on.

CHAIRMAN FRAZER: Okay. Ms. Levy.

MS. LEVY: Just with respect to the timing, we do have the IFQ program, and just recall that there is a provision in the regulations that allows the agency to withhold IFQ, if there's going to be an anticipated reduction, and, as long as we get that implemented before the timeline, before the time we're supposed to, and I think it's June of the next year, then we could do that.

When I look at what it means to anticipate a quota reduction, it would be, for me, if the council took final action on something like this, and so, if you were to get this done, and you took final action, and the agency wasn't able to get a final rule done and implemented before 2022, we could potentially do that quota withholding, in anticipation of this.

CHAIRMAN FRAZER: Thank you, Ms. Levy. All right. I am not seeing any more hands. Dr. Froeschke, go ahead.

DR. FROESCHKE: Real quick, just how I'm thinking that we would work through this process is we have a commercial ACL, and we would need to work backwards to calculate the total OFL and then figure out the recreational ACL as the difference, and we're going to need to do that before we can figure out the effects

and all that, and so it likely would require a new recommendation on OFL and ABC, if it's different from the range that we already have. I think we will need to do all of that before we can update Chapter 4 and the relevant discussion in the document.

CHAIRMAN FRAZER: Okay. Thank you, John. There's a lot going on here, folks. Mara.

MS. LEVY: I think that was just from before. Thanks.

CHAIRMAN FRAZER: Okay. I just want to, again, temper the expectations here, and we can -- If we vote this motion up, then realize that there's going to be some work to do, and it may or may not lend itself to going immediately to a public hearing, but this motion doesn't necessarily preclude that, and so let's go ahead and vote it up or down. **Let me ask if anybody is opposed to the motion. Seeing no opposition to the motion, the motion carries.** Ms. Guyas.

MS. GUYAS: Remaining Items from SSC Summary Report, this agenda item was not reviewed due to time constraints. Other Business, no other business was discussed by the committee. Mr. Chair, this concludes my report.

CHAIRMAN FRAZER: All right. Thank you, Ms. Guyas. Was there any other business to come before the Reef Fish Committee? I am not seeing any. Ms. Guyas. Sorry. I didn't realize that you had another item.

MS. GUYAS: That's okay. I just wanted to, I guess, flag the DESCEND Act. That went into law, I guess, just a couple of weeks ago, and I think there are some directives that apply to this council relative to reef fish, and so I was just going to request that, at a future meeting, we get some sort of presentation or have a discussion on that, and I'm not sure if -- I think, from what I understand, the council might need to take some action here, and I think there's a timeline associated with it, and so I just wanted to flag that for everybody. If we need a motion to bring that to a future meeting, I'm happy to make it, but, if direction to staff is okay, then that works, too. Thanks.

CHAIRMAN FRAZER: I think the direction to staff is clear, and I will work with them to make sure that we can find an appropriate time to put it on the agenda. General Spraggins.

GENERAL SPRAGGINS: I would just like to thank Martha. Martha,

thank you so much for all your hard work. I tell you what. You've got to have one of the toughest jobs in this whole committee group, and I thank you for staying with us and working as hard as you do.

CHAIRMAN FRAZER: I echo those comments, Martha. You do an amazing job, and it's a very, very difficult committee to run, and you do an excellent job. I think everybody would say that, and so thank you. Okay. So we will go ahead, and we have a couple of liaison reports. Sorry. Andy, I didn't see your hand.

MR. STRELCHECK: No worries. Thanks, Tom. I appreciate you raising that, Martha, with regard to the DESCEND Act. We are having some conversations internally within NOAA Fisheries right now, and there's some requirements for us to work with the National Academy of Sciences within the first sixty days, and we're going to be evaluating the DESCEND Act, to determine if rulemaking is needed, and we'll come back to the council soon to discuss that.

We think that there is rulemaking needed to make clarification around definitions of descending devices, and potentially venting tools, and then the other kind of aspect of the DESCEND Act is that it would go into effect one year after it's been signed, and it would be in effect for four more years thereafter.

CHAIRMAN FRAZER: Okay. Thanks, Andy, for adding that information, and so there will certainly be some coordinating between the council staff and your office as we think about how we're going to put this on the agenda and how much time we're going to allocate to it, given all that's on our plate.

We will now go to a couple of the supporting agencies reports, and we'll see who might have something in the queue. I will first ask if Mr. Conklin, if he's on, if he wants to provide anything from the South Atlantic Council. I'm not sure that I see Chris on at the moment, and so we will look forward to chatting with folks from the South Atlantic Council at the next meeting.

SUPPORTING AGENCIES UPDATES
SOUTH ATLANTIC COUNCIL LIAISON

MR. CHRIS CONKLIN: I'm here. Sorry.

CHAIRMAN FRAZER: No worries. It's good to hear from you. Go

ahead, Chris.

MR. CONKLIN: I don't have much to report, really. At our last meeting, we approved Dolphin Wahoo Amendment 10 to go out to scoping, and it's going to revise some catch levels for dolphin and wahoo and modify the allocations between the sectors, which is what you guys have been talking about here for the past couple of hours, and modify some accountability measures on how to pay back if a sector overfishes or whatnot.

Mahi is still a point of contention, and we're looking to have another amendment probably coming down the pipe for dolphin wahoo regarding getting rid of a loophole in the pelagic longline gear type for general permit holders, and so we'll be paying attention to that.

Anyway, the only thing really else is we had some stock assessments come back, and red porgy came back as overfished and still undergoing overfishing, and so we were just able to finally lax up some rules on red porgy and get them opened up during some times when they weren't, and now we're going to have to pull the reins on that and take some pretty drastic measures to try and get that fish -- I think it's been overfished and undergoing overfishing for like twenty-five years or something, and so evidently what we're doing is not working, and so there is something else going on, obviously.

The king mackerel stock assessment came back, and you guys have seen that, and it's looking pretty good, and our greater amberjack came back contrary to yours, and you guys just talked about yellowtail snapper, and so, as far as that amendment goes that you all were asking about, we have not seen anything yet, but we will at our next meeting, which comes up March 1, and it's going be hosted on the wonderful, beautiful internet, and so that's about it. We've just been chugging along here, and so I really enjoyed being with you all this week, and, if there are any questions, I've got an open-door policy. Thank you.

CHAIRMAN FRAZER: All right. Thanks, Chris. We really appreciate it. We've got a hand from General Spraggins.

GENERAL SPRAGGINS: I'm sorry. I thought it came down. I'm sorry.

CHAIRMAN FRAZER: Okay. We're all good. Chris, thanks for that report, and we'll catch up with you soon, and hopefully one day it won't be on the internet.

MR. CONKLIN: For sure. We need to have another joint meeting.

CHAIRMAN FRAZER: That would be awesome. Next up would be Lieutenant Scarpa with the NOAA Office of Law Enforcement, if the Office of Law Enforcement has anything to add.

NOAA OFFICE OF LAW ENFORCEMENT

LT. SCARPA: Yes, I'm here. An update on our submitted report, looking at the report statistics, the Southeast was pretty busy during Quarter 4. Officers and special agents conducted multiagency and multiday operations and daily patrols on land, sea, and air in the Gulf of Mexico states across all of our enforcement priorities.

They conducted both civil and criminal investigations and self-generated investigations and referred investigations from our JEA program, the Coast Guard observer program, the VMS program, and the public, and they conducted federal fisheries training for state partners and the observer program.

Looking at pages 4, 5, and 6 and investigations, OLE created a total of 240 incidents, and, of those, 121 were in the Gulf of Mexico across all law, regulations, and programs. Out of those 121, sixty-seven were related to the Magnuson Act. Just to clarify what I mean by incidents, they are grouped by type, incident, investigation incident, complaint incident, and patrol incident, and so all of the incidents listed in that report encompass all three of those and not just incidents related to violations.

On page 7, it's a summary of the incidents from other agencies, and Florida continues to refer the most, followed by Coast Guard, and then Texas.

Moving on to operations and patrols, the most significant of those, the most notable, is OLE participated in a TPWD-led operation off the Texas coast, and we documented four red snapper violations for harvesting red snapper during the area closure, the federal area closure, in the EEZ off of Texas, and that included some sea turtle state handling and equipment violations. Of note during that -- What we're seeing is our most significant violations for red snapper off of Texas are possession of red snapper in the EEZ during those federal closures, and most of those are occurring on recreational vessels and shrimp boats that are keeping the fish when they get caught in the nets.

Moving on, in Mobile, Alabama, EO participated in an IUU seafood fraud taskforce with Mississippi. A state citation was issued for that. Our 2021 lobster mini-season in the Keys, that was cancelled, due to COVID-19. Our patrol operation in the lower Keys, an additional one down in the Keys, was also cancelled due to COVID.

I would like to give a shoutout to the Lone Star State for stepping up their patrols in federal waters to include the Flower Garden Banks National Marine Sanctuary and having our agents and officers onboard their new patrol vessel, as well as increasing the number of federal patrols to us, and so good job to Texas there.

Also, some special recognition to Louisiana's Department of Wildlife and Fisheries. They conducted a 272 nautical-mile day patrol to the Flower Garden Banks on their forty-foot Metal Shark, and so that was a long day for them, but I appreciate them getting out there on an open boat, and, fortunately, there were no violations, but it was a good patrol for such a long way to go.

Lastly, a supervisory enforcement officer, and that would be me, got onboard a U.S. Coast Guard A-60 helicopter, and we patrolled out to the North Florida MPA off of Jacksonville, about sixty miles off the coast, and I know that's out in the South Atlantic, but the flight did include water on the west coast, due to some intel the Coast Guard had, and so we flew out there, and we actually made a couple of cases on two vessels that were illegally fishing for red snapper species in the MPA, and I followed-up the investigation.

Moving on to other OLE items, we have a new compliance liaison position, Matt Wailea, and Matt was formerly our investigative support technician, and, as our liaison, he will help bridge that gap between industry and fishery management and law enforcement, and so his goal will be to help industry understand and be compliant with federal regulations, and so he's doing a good job and has hit the ground running, and so I appreciate Matt being here.

One other notable thing that -- After our conversation at the charter fishing meeting in St. Pete the other week, SED is going to be elevating their illegal charter to a higher priority, and it's in the preliminary stages of convening a charter/SEFHIER working group, and we're going to include OLE, the states, and Coast Guard in that working group, and so we're just getting started on that.

We'll be working directly with the Coast Guard and the states to develop intelligence and coordinate operations and patrols and share information on any illegal charters that are happening out there.

Lastly, our staffing plan, just an update on where we're at with that, and we've had a lot of changes, due to retirements and promotions and transfers, and we've added some new billets, and so, our current billets in the Gulf of Mexico and the Florida Keys, we have a new Assistant Director, and that's Manny Antonaras. He starts that role on February 1. Our Acting Deputy Special Agent will be Jeffrey Raye, and he comes to us from the Northeast Region, and so he'll be acting in that role virtually.

We have a supervisory enforcement officer, assistant special agent, eight special agents, and five officers in the Gulf of Mexico area, including the Keys. We do have some vacant billets in Corpus Christi, Texas and Galveston, Texas that are vacant for the special agents, and, for our EOs, we have vacancies in Key Largo, Fort Myers; St. Petersburg; Harlingen, Texas; and League City.

We have a few EOs in the hiring process, one that's left the training center, and he will graduate in March, and he's going to be stationed in Houston, Texas. He's going to be our IUU officer out there. We've got one in the process for Key West and another one in the process for Niceville, Florida, and another one transferring in from Alaska, and he'll be going to Corpus Christi, Texas in April. That's all I had, if anyone has any questions.

CHAIRMAN FRAZER: Thank you, Lieutenant Scarpa, for the update. Are there any questions for NOAA Law Enforcement? I see, Joe, your hand is up, and I just want to make sure it's not one of those stuck hands, this late in the afternoon.

GENERAL SPRAGGINS: It must be.

CHAIRMAN FRAZER: All right. Well, again, thank you, Lieutenant Scarpa, for the presentation, and, again, we certainly respect all of the efforts of the law enforcement group out there, and thank you for all the work that you do.

LT. SCARPA: Okay. Great. Thanks.

CHAIRMAN FRAZER: We're going to move forward, and I will see if

Dave Donaldson has anything to add from the Gulf States Marine Fisheries Commission.

GULF STATES MARINE FISHERIES COMMISSION

MR. DONALDSON: Thank you, Mr. Chairman. I've got a couple of brief items, and I won't keep everybody, since it's been a long day. First, like the April council meeting, we were hoping to do a hybrid meeting for our March commission meeting. Unfortunately, we did a poll, and the majority of people were still uncomfortable meeting in person, and so we're going strictly virtual.

It's going to be similar to like we did in the October meeting, and our committees and sub-committees will prior to the actual meeting week, and then our TCC will meet on March 17, and then our commission business meeting will meet on the 17th, and possibly the 18th, depending on the agenda, and so we're hopeful that, in October, we will be able to actually meet face-to-face, but we'll keep you posted there.

The other issue is the CARES Act, and I'm pleased to report that all of our state plans, Texas, Mississippi, Louisiana, and Alabama, have been submitted, and Louisiana, Mississippi, and Alabama have been approved, and we're waiting on final approval with Texas, and we expect that any day now.

We have actually started to pay out some money to recipients, and we've gone through several rounds with Louisiana, and we are working the kinks out of that system, and then we're hopeful that Mississippi and Alabama -- That we'll be sending out payments in the near future for those fishermen and folks that have been affected by COVID. Then, once Texas gets their plan approved, we will plan on paying that out as well, and so that's just kind of a quick update, and I will answer any questions.

CHAIRMAN FRAZER: Thanks, Dave. It's great to hear about the CARES Act approvals and the fact that you're starting to pay out some money to folks who probably really, really need it, and so good news there. Does anybody have any questions for Dave? I am not seeing any, Dave. You're off the hook.

MR. DONALDSON: All right.

CHAIRMAN FRAZER: Our last liaison report would be from the Coast Guard, if Lieutenant Peterson is available.

LT. PETERSON: Yes, I'm here.

CHAIRMAN FRAZER: All right. The floor is yours.

U.S. COAST GUARD

LT. PETERSON: Thank you. I just wanted to say thank you. It's my first time being part of the council, and it's been eye-opening to see all the work behind the scenes that goes into making sure the fish stocks are healthy, and so thank you for that.

Fiscal year 2021 will be the first year that we have five fast-response cutters in the Gulf of Mexico. These are one of the most effective assets the Coast Guard has, and so we're looking forward to seeing the data that we're able to collect and analyze starting this year.

In Fiscal Year 2020, the Coast Guard was able to achieve a nearly 70 percent interdiction rate for Mexican lanchas fishing off the coast of Texas, and so this means that, where an asset was in position to affect an interdiction, 70 percent of the time we were able to actually interdict the lancha and seize the gear and catch.

Also, in Fiscal Year 2020, the observed compliance rate among the various fishing fleets was lowest among commercial reef vessels, which is different than other years, but we suspect that this is the result of not conducting a lot of inspections on those boardings, or boardings of those vessels, and we believe that the new vessels that we do have in the AOR will be better able to target those fleets and provide better data for Fiscal Year 2021.

Then we also just want to remind everyone that now is the time to create a plan for the 2021 hurricane season. As the 2020 hurricane season demonstrated, hurricanes are unpredictable, and they leave a path of destruction not only on the land, but on the water as well, and so a way for fishermen to plan for the hurricane season is to identify multiple safe havens, preferably one that is west of their homeport and one that is east as well, so that they have a plan in place to keep them and their vessel safe. Thank you for your time, and that concludes the Coast Guard update, pending any questions.

CHAIRMAN FRAZER: Thank you, Lieutenant Peterson, and it's always good advice to make sure that you plan appropriately for hurricane season around the Gulf of Mexico, and so are there any questions for Lieutenant Peterson? Okay. I am not seeing any

questions. Lieutenant, thank you for your time and the update. It's much appreciated. Is there any other business to come before the council? I am not seeing any.

I realize that it's been an extremely long week, and a very -- A lot of important discussion, and it's been difficult at times, but I certainly want to say thank you to everybody for being collegial and very respectful as part of the discussion and the dialogue. That means a lot to me, and I think it reflects positively on the council, and so thank you again for the way that you handle your business, and I look forward to seeing you guys in April. Take care. Thank you.

(Whereupon, the meeting adjourned on January 28, 2021.)

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