GULF OF MEXICO FISHERY MANAGEMENT COUNCIL

302ND MEETING

FULL COUNCIL SESSION

Hilton Bayfront St. Petersburg, Florida and Virtual

NOVEMBER 4-7, 2024

VOTING MEMBERS

J.D. Dugas.....Louisiana
Kevin Anson (designee for Scott Bannon).....Alabama
Kesley Banks.....Texas
Billy Broussard.....Louisiana
Troy Frady.....Alabama
Tom Frazer.....Florida
Dakus Geeslin (designee for Robin Riechers).....Texas
Michael McDermott.....Mississippi
Jason Osborne.....Mississippi
Anthony Overton.....Alabama
John Sanchez.....Florida
Chris Schieble (designee for Ryan Montegut).....Louisiana
Joe Spraggins.....Mississippi
Andy Strelcheck.....NMFS
C.J. Sweetman.....Florida
Ed Walker.....Florida
Troy Williamson.....Texas

NON-VOTING MEMBERS

Dave Donaldson.....GSMFC
LT Jason Morton.....USCG

STAFF

Zeenatul Basher.....Coral and Habitat Biologist
Max Birdsong.....Social Scientist
Assane Diagne.....Economist
Matt Freeman.....Economist
John Froeschke.....Deputy Director
Lisa Hollensead.....Fishery Biologist
Sarah Gardiner.....Fishery Biologist
Heather Graf.....Accounting & Human Resources Assistant
Mara Levy.....NOAA General Counsel
Emily Muehlstein.....Public Information Officer
Ryan Rindone.....Lead Fishery Biologist/SEDAR Liaison
Bernadine Roy.....Office Manager
Carrie Simmons.....Executive Director
Camilla Shireman.....Administrative & Communications Assistant

Verena Wang.....Fishery Biologist

OTHER PARTICIPANTS

Greg Abrams.....FL
Jesse Baughman.....
Leann Bosarge.....MS
Eric Brazer.....Reef Fish Shareholders Alliance
Catherine Bruger.....Ocean Conservancy
Jason Delacruz.....FL
Timothy Dillingham.....FL
Richard Fischer.....LA
Buddy Guindon.....TX
Ken Haddad.....FL
Frank Helies.....NOAA
Sean Heverin.....
Scott Hickman.....TX
Bob Hilliard.....FL
Rachal Hisler.....TX
Dylan Hubbard.....FL
Trenton Knepp.....FL
Brian Lewis.....FL
Lissa Lyncker.....BOEM
Lawrence Marino.....LA
Jack McGovern.....NOAA
Dennis O'Hern.....FL
Kelia Paul.....FL
Laura Picariello.....Sea Grant
Clay Porch.....SEFSC
Charlie Renier.....FL
Mike Rubino.....NOAA
Clarence Seymour.....MS
Mark Tryon.....FL
Bill Tucker.....FL
Matt Walia.....NOAA OLE
John Walter.....SEFSC
Garrett Williams.....FL
Bob Zales.....FL

- - -

TABLE OF CONTENTS

Table of Motions..... 4

Review and Adoption of Proposed Council Committee Assignments November 2024 through August 2025..... 6

Gulf States Marine Fisheries Commission Update..... 6

U.S. Coast Guard Update..... 8

NOAA Office of Law Enforcement Update..... 10

Presentation on Exempted Fishing Permit..... 17

Call to Order, Announcements, and Introductions..... 18

Adoption of Agenda and Approval of Minutes..... 20

Presentation of the 2023 Law Enforcement Team of the Year Award 20

Dr. Jack McGovern Retirement..... 22

Presentations..... 23
- Update on National Seafood Strategy..... 23
- Update from Bureau of Ocean Energy Management on Wind Energy Development in the Gulf of Mexico..... 31

Public Comment..... 38

Florida Law Enforcement Efforts..... 93

South Atlantic Council Liaison..... 99

Committee Reports..... 103
- Habitat Protection and Restoration Committee Report..... 103
- Sustainable Fisheries Committee Report..... 104
- Shrimp Committee Report..... 111
- Data Collection Committee Report..... 120
- Council Recommendation on Exempted Fishing Report..... 124
- Reef Fish Committee Report..... 125

Discussion of Council Planning and Primary Activities..... 169

Adjournment 172

- - -

TABLE OF MOTIONS

PAGE 6: Motion to adopt the proposed council committee assignments as presented. The motion carried on page 6.

PAGE 113: Motion to convene the Shrimp Advisory Panel to review, discuss, and provide commentary to the council regarding the revisions to the Draft Shrimp Framework Action: Modification of the Vessel Position Data Collection Program for the Gulf of Mexico Shrimp Fishery in advance of the Gulf Council's January 2025 meeting. The motion carried on page 115.

PAGE 116: Motion to adopt the language in Action 1, Alternative 1 per the IPT's recommendation. The motion carried on page 117.

PAGE 117: Motion to approve the revised language in Action 1, Alternative 3 with the recognition that funding is currently unavailable. The motion carried on page 117.

PAGE 118: Motion to approve the following language in Action 1, Alternative 2. Alternative 2: Implement a vessel monitoring system (VMS) requirement for the Gulf of Mexico (Gulf) shrimp fishery that provides, at a minimum, archived position data compatible with the SEFSC's shrimp effort algorithm to a NMFS server. If selected by the Science and Research Director (SRD), the owner or operator of a vessel with a Gulf shrimp moratorium permit (SPGM) would be required to install a type-approved VMS unit (50 C.F.R. § 600.1501). The motion carried on page 118.

PAGE 124: Motion to recommend NMFS approve The Better Bycatch Reduction Devices Exempted Fishing Permit. The motion carried on page 125.

PAGE 131: Motion to move Alternative 4 to the Considered but Rejected Appendix. The motion carried on page 133.

PAGE 135: Motion to direct the IPT to develop new recreational accountability measures for deepwater grouper. Measures could consider, but are not limited to: 1)triggering the AM based on exceedance of both the Rec ACL and Total ACL; 2)accounting for the percent standard error of landing estimates when determining whether AMs are or are not triggered; and 3)evaluating multiyear approaches for when AMs are triggered. The motion carried on page 136.

PAGE 141: Motion in Action 2 to add a new alternative allocation that is based on proportionally reducing landings using the most recent five-year average. The motion carried on page 142.

PAGE 142: Motion in Action 2 to propose adding the following alternative using the landings in Table 1.1.2.: Use the years 2001 through 2004 (same years used to set IFQs) to set recreational allocation. The motion carried on page 145.

PAGE 145: Motion in Action 2 to propose adding the following alternative using the landings in Table 1.1.2.: Use all the years (2000-2023) to set the recreational allocation. Using more years reduces the variability in the uncertain numbers being used. The motion carried on page 147.

PAGE 149: Motion to direct staff to begin work on a framework action to consider options to revise catch limits for the other shallow-water grouper complex for 2026 to allow time for completion and implementation of Reef Fish Amendment 58A. Catch limits would be informed by the percent reduction necessary to achieve harvest reductions consistent with the results of the recent scamp and yellowmouth grouper stock assessment. The motion carried on page 155.

PAGE 144: Motion to request the council's SSC provide a comparison of MSY proxy of 30 percent SPR and 40 percent SPR and associated catch level projections for scamp grouper. In addition to catch level projections, the comparison should highlight the consequences for management of using either MSY proxy. The motion carried on page 146.

PAGE 156: Motion to convene the Ad Hoc Red Snapper/Grouper-Tilefish Individual Fishing Quota (IFQ) Advisory Panel. The motion carried on page 157.

PAGE 164: Motion in Action 1 to make Alternative 2 the preferred. The motion carried on page 166.

PAGE 167: Motion to request an update on the Great Amberjack Count for the January 2025 meeting, including the projected timeline for completion. The motion carried on page 168.

PAGE 168: Motion to direct staff to begin work on a flowchart to explore decision points for state and/or regional management of greater amberjack, including a comparison with and without sector separation. The motion carried on page 168.

- - -

The Full Council of the Gulf of Mexico Fishery Management Council convened at The Hilton Bayfront in St. Petersburg, Florida on Monday morning, November 4, 2024, and was called to order by Chairman J.D. Dugas.

REVIEW AND ADOPTION OF PROPOSED COUNCIL COMMITTEE ASSIGNMENTS NOVEMBER 2024 THROUGH AUGUST 2025

CHAIRMAN J.D. DUGAS: Okay, everyone. We're going to get started. Welcome to St. Pete, Florida. We're going to move right into full session, and we're going to review and adopt the proposed council committee assignments for November 2024 through August 2025. Is there any discussions, questions, or concerns about the committees? Mr. Anson.

MR. KEVIN ANSON: It's just a minor editorial comment related to Law Enforcement. You can add "Bannon" in front of "Anson", just so it's consistent with the rest of the committees. Thank you.

CHAIRMAN DUGAS: Okay. Thank you, sir. All right. I'm looking for a motion to adopt.

MR. CHRIS SCHIEBLE: Motion to adopt, Mr. Chair.

CHAIRMAN DUGAS: Motion by Mr. Schieble and a second by Mr. Broussard, and we are going to move to Habitat Protection and Restoration. Mr. McDermott.

(Whereupon, the meeting recessed on November 4, 2024.)

\- - -

November 5, 2024

TUESDAY AFTERNOON SESSION

\- - -

The Full Council of the Gulf of Mexico Fishery Management Council reconvened at The Hilton Bayfront in St. Petersburg, Florida on Tuesday afternoon, November 5, 2024, and was called to order by Chairman J.D. Dugas.

CHAIRMAN DUGAS: We are going to skip around now and go to some supporting agencies updates. Mr. Donaldson will give us a Gulf States Marine Fisheries Commission update.

GULF STATES MARINE FISHERIES COMMISSION UPDATE

MR. DAVE DONALDSON: Thank you, Mr. Chairman. Bernie, can you pull up my presentation? I appreciate the opportunity to update you guys on some of the work we're doing. I want to just talk about some of the Inflation Reduction Act funding that we're doing through the commission.

As I've mentioned in the past, there's several components to it, improving state and commission data management systems, centralizing the state recreational fisheries data at the commission, and convening three workshops, two that have already been conducted validating recreational fishing effort estimates, improving recreational release catch, and then both of those have been conducted, and then the third, that's scheduled for early next year, is developing recreational data standards and warehouse for GulfFIN.

As I mentioned, those two workshops were completed for effort and discards. We recently, or early last month, we published an RFP soliciting proposals. Pre-proposals are due next Friday, and then the full proposals are due on January 15th of next year.

A review team will rank and score the various proposals, and then the final decision will be made by Mr. Strelcheck and Dr. Porch, and then we're working with NOAA Fisheries to obtain approximately $7 million to support these selected projects. Then, as I mentioned, the GulfFIN data standards workshop is scheduled for February of 2025.

The first two we've talked about, but there's a new priority of implementing the Alabama and Mississippi creel survey transition plan. We're rebudgeting some of those funds to support this work, and it's utilizing the LA Creel methodology and implementing it in Alabama and Mississippi. We're hoping to begin that early next year, and we’re working on developing a transition plan for that.

The other activity is for-hire at-sea observer expansion. We currently have programs in Florida, Alabama, and Mississippi, and we're utilizing about a million dollars of new money to support expansion into Louisiana and Texas. We're looking -- We're targeting to interact with seventy-five offshore trips per year per state.

We're in the process of hiring four independent contractors to be trained as field agents, and we'll work in both Louisiana and Mississippi, or, excuse me, Louisiana and Texas, and we’ll be

utilizing the same methodologies that we're using in the eastern Gulf and targeting 2025 and 2026 to actually do the field sampling.

I believe this is my last slide. Our annual meeting, commission meeting, was held last month in Gulf Shores, Alabama, and I noticed that this is the 302nd council meeting. We're not quite that high, but we did celebrate our 75th Annual Meeting, and I calculated I've been to almost half of those, and so it kind of makes me feel old, but, with that, I'll answer any questions.

CHAIRMAN DUGAS: Okay. Do we have any questions for Mr. Donaldson? Okay. Seeing none, we're going to move on to the next report, the U.S. Coast Guard and Lieutenant Morton.

U.S. COAST GUARD UPDATE

LT. JACKSON MORTON: Thank you, Mr. Chair. Okay. Since I'm still fairly new, I would just like to reintroduce myself. I'm Lieutenant Jackson Morton. I'm the Living Marine Resources Officer at Coast Guard District 8. We're located in New Orleans.

Jumping into some of our metrics here, we ended off the Fiscal Year 2024 at the end of September. For our Exclusive Economic Zone enforcement, we saw fifty-seven total interdictions of IUU fishing vessels in U.S. waters, and that equated to 12,376. A continuing trend from last year was it was slightly down from 2022 in 2021.

One of the big things we're seeing out in the water is recidivism continues to be one of the biggest issues, meaning these IUU fishermen, once we catch them once, the chances are we'll probably catch them again. To combat this, once Coast Guard takes custody of the vessels, we're usually destroying the vessel and the gear, kind of a deterrent for these fishermen to come back.

As always, we work within the bounds of our bilateral agreement with Mexico, and we're always in meetings with them, and then also working with our state partners, mainly Texas.

For our domestic fisheries enforcement, we ended up the year with 621 total boardings. That equated to significant violations of nine, significant violations being violations of the Endangered Species Act and Marine Mammal Protection Act, as well as violations for species that have high regional or national interest.

The most common violations we saw were turtle excluder devices,

net violations, bycatch reduction things like that, and then we did see, just recently, a slight uptick in seasonal violations for recreational red snapper in federal waters, as the different states are closing and opening seasons. We're continuing to try to build partnerships with our NOAA OLE as well as state law enforcement agencies.

Here I'll plug our Coast Guard's Gulf Regional Fisheries Center. It is where all Coast Guard boarding officers go to get their specialized training for doing the LMR mission in the Gulf of Mexico. We just had a class, last month, with I think it was six of our Louisiana Department of Wildlife and Fisheries officers, and I believe there are a few from Texas in this month's class, but it's not only open to them. Our fisheries managers, council members, you're all welcome to sit in and see what we do there in the Coast Guard Fisheries Training Center that is located in New Orleans East.

For marine protected resources, no update from last council. We ended up the year with four total, and those are mainly turtle entanglements, and there was also the big cold snap in January in Texas, where we helped out. As always, continuing our outreach in the local communities through boardings and such.

Then I wanted to discuss a little bit about some safety of life at sea. Even being in the Coast Guard, sometimes I have to sit back and remind myself that safety and fishing are always connected, even though sometimes we may not think of them that way, and we had an unfortunate incident in the AOR recently that I would like to highlight, where commercial fisherman was working over the side of their vessel, and not wearing a personal flotation device, a life jacket.

They ended up falling into the water. Even though the crew reacted appropriately, and threw out the ring life buoy, the PIW was unable to reach that ring life buoy, or life ring. Coast Guard and state agencies responded. Air and surface assets unfortunately were unable to locate the person in the water, and the search was suspended.

It's just something to remind ourselves that there's a lot of things that we cannot control out there, especially operating offshore in the ocean, and so it's important that, the things that we do control, we make sure we're taking the proper safety precautions, and I believe that's my last slide. I'll take any questions at this time. Thank you.

CHAIRMAN DUGAS: Thank you, Lieutenant Morton. Do we have any questions? Okay. Seeing none, we're going to move on to the NOAA Office of Law Enforcement presentation. Mr. Walia.

NOAA OFFICE OF LAW ENFORCEMENT UPDATE

MR. MATT WALIA: Yes, sir. Thank you, Mr. Chair. Matt Walia, NOAA Office of Law Enforcement. We're giving our normal enforcement update here. This is on general for the past quarter, and we're always back a little bit with our reports, and so I'm going to highlight some efforts from July through September, and then what we're currently doing.

All of this is in our council report, and you get the crash course. Let's see if it stays up there, and so this is the snapshot from our council report that's in the briefing book, pulling out stuff that's happening in the Gulf of Mexico, versus the whole Southeast Division.

Here, specific to the Gulf of Mexico, you'll see we have 245 open incidents, and the breakdown of kind of where that lies, and so nine of those we referred over to our General Counsel, or DOJ, and some of the highlights are illegal charter or sanctuary-related. The sanctuary-related are more of boats going in, ATBAs in the sanctuary. We had mini-season efforts going on, you know, fishing when you're not supposed to in the SPAs, and those illegal charters are a moratorium here in the Gulf.

The summary settlements, on the low end, are from $100 up to $2,000, on the high end this round. The higher ends were IFQ program violations, or folks in the sanctuary that were fishing when they weren't supposed to, and, as usual, our lower end is retention during closure, folks without a descending device, having the right turtle mitigation gear, undersized fish, and those are some of the most common recreational fishery violations we continue to see across-the-board.

We have been able to highlight, I did want to note, that 279 patrols have been conducted, and that's throughout the whole Southeast region, and so we are getting a lot of boots on the ground, out on the water as well, and you'll see, overall, 35 percent no violation or compliance assistance, and so that's us coming across folks on the boat, commercial, rec, charter, and they're good to go, or whether we're inspecting boats, that there are no violations, and so we're seeing good compliance in a lot of

areas.

A couple of the highlights that are in our section to point out are kind of three main areas. One is sanctuary. Like I said, this report overlapped with the mini-season, and so we had a lot of effort for the mini-season in there. I have a slide that shows some more detail here in a moment.

One of the things I did want to highlight is there was great cooperation with U.S. Coast Guard. Station Key West recently, in September, one of their patrols came across a commercial shrimper off the Marquesas. They contacted us, and we worked with them, and we were able to figure out the shrimper didn't have any permits. They were expired. They had about 45,000 pounds of shrimp onboard.

The Coast Guard terminated their trip. We made sure they got back into Port Alabama, where we met them at the dock, and got them to come back with their product as well, and so that was a good example of cooperation there.

Outreach and awareness continues to be a priority that we do as well. The picture of the turtles, we have some folks down in Texas working with U.S. Fish and Wildlife for Kemp's Ridley Outreach with the public, letting them know where nesting sites are, how to be safe on the beach, or, on Padre Island, to be safe with that.

The other picture is an example of we recently held an IFQ workshop, with some SERO staff, as well for new participants. That was actually myself and one of our local officers. We kind of gave the ins and outs of what to do, how to land, and, if there's contingencies, who to contact, and so that was successful. I believe there's some plans to continue those in the future as well.

In training patrols, domestic and international, we put a lot of effort into that as well, and I want to highlight that we do have a lot of folks. It's not here in the Gulf, but we are putting a lot of effort to the Bahamas, doing training over there. We send people to enforcement academies over in Thailand. A lot of countries that we have port state measures agreements with, we're teaching them how to inspect seafood, how to track it over, and how to make cases off of that.

One of the things I did want to highlight is the training here locally in Florida. We've done a lot of work with FWC officers of how to conduct illegal charter patrols, to the point that they

went and then did some of their own patrol ops that they led, that we assisted them, and so there's been some good effort across-the-board for illegal charters with that.

The picture of the blimp of El Gordo down in Texas, that was also an illegal charter op that we worked with CBP in Texas, where we floated up, and we were able to get some lanchas interdicted as well on there that came across.

So with our partnership and referrals, these are across-the-board in the Gulf. Overall, we have 105 referrals. You can see who we refer to in the Gulf. They're listed down by numbers there with FWC, Coast Guard, Louisiana, and Texas, and so that's an integral part of how we get our job done, and what we do is the states have their priorities.

Florida, in particular, signed their new agreement this past July, and so they're set for the current year. They're set at about $1.7 million they have allocated towards them to help fund for federal regulations. You know, that's everything from TEDs to IUU, sanctuary-related, MMPA, and IFQ as well, and so we give them their priorities. They help assist with that.

That joint patrols I just highlighted is a perfect example of that. When their officers make a case, we'll take a look at it, make sure they have it buttoned up our way, and then we can move it forward as far as referrals, and that's where they get reflected here. You'll see, in the map, distributed across regionally, where we're seeing those referrals

I'm just going to give a quick recap. I'm not going to read all this, because we talked last time about the mini-season and kind of our current efforts, but now we have numbers back, since the last council meeting, and so this is where we were, and it was all hands on deck. We had six boat crews spread throughout the Keys.

We did have high compliance, 74 percent compliance, and so we worked with all the partners across-the-board, and so just to give you an idea of some of the highlights from that.

As far as recent operations we have done throughout this quarter, the sanctuary continues to be a focus. We did multiple ops down there, by ourselves and with FWC as well, of folks fishing in the SPAs and patrolling, and so we're working hard on that.

A big one that we did recently was in Texas. It is kind of anything

and everything that Texas was hit up with, Texas Parks and Wildlife. We went from Port Arthur down to Brownsville, and we made over 200 boardings, I think it was, tons of cases. You can see that it was everything from HMS, Magnuson, TEDs, and lanchas got involved, and so it was really good cooperation, working with their boardings and our folks up and down, and putting a presence on the water, and so I wanted to highlight that as well.

Kind of two more targets that we had were the shrimp TEDs in Louisiana, and what we do is we work with NOAA's gear management team. They're based out of Pascagoula. They go around and do a lot of compliance assistance with the fishermen on how to get a TED on properly. They'll also train our officers, and our partners, on how to correctly measure TEDs and what to do on boardings.

We did a joint effort on the training, and then we went out and did patrols as well on the water and got to interact with fishermen and get high compliance, and so that was a good example of cooperation with that, and, on the illegal charter front, I just want to highlight that we've done recent multiple ops, here over the summer and this past quarter, up in the Panhandle, and here on the west coast, and we've gone out -- We're going for reef fish, CMP, and some HMS charters have been identified. We've been getting out to Madison-Swanson.

I want to give the guys tomorrow that are getting the award congrats, and so a little early, and they’re not here, but the OPB crew for FWC that’s coming, and they’ve been integral in getting out on the water out there. Our folks have been doing ride-alongs with them, and we try to highlight that.

We recently released a web story showing kind of our season recap of 2024. We had over $130,000 in penalties issued related to illegal charters, and thank you to the council. I know you helped amplify that as well, getting our story out, and so we appreciate the efforts on that, but, when we're able to show results, that's what we're trying to show the public, of kind of the fruition of taking our cases through the civil process of where we are with that, and so that's been pretty successful.

This was just a reminder. Everyone's been dealing with stuff with the hurricanes. There's been a lot of reporting options, and so if you are, as far as dealers, reportings, IFQ holders, these are just reminders of what county, if you're affected in here. You know, we have it color-coded by code for November, versus December.

Report electronically if you're able to. If you're not, hopefully, you've already been in touch with the IFQ office. Give us a call.

What I did want to highlight is there's been some folks, when the storms hit, of having issues getting to their approved landing location. If that's the case, you do need to still go to an approved landing location. There are alternates spread around. If, for some reason your location is impacted, you want to get a new one on there. There's usually a waiting list. We review them quarterly, but contact us. We can fast-track these through, especially in these conditions and storms. We can fast-track those approved, and so I just wanted to make sure stakeholders are aware of that as well, to let us know.

I believe that's it. The next slide has our reporting number. As always, if there's any info, it can be anonymous, twenty-four-seven. We rely on the public, and stakeholders, to get stuff across, and so, you know, please be in touch with us. I'll take any questions there are. Thank you, Mr. Chair.

CHAIRMAN DUGAS: Okay. Thank you, Mr. Walia. Any questions? Mr. Walker.

MR. WALKER: Not a question so much as a thank you for the for-hire charter guys on the west coast of Florida that have been asking and, you know, wondering what's going on and suspecting you guys had something in the works that you couldn't really talk about.

I saw that you got numerous guys in my area, actually, including one notorious guy that swore they'd never make him get a permit, and he gets arrested for short fish all the time, and you got him for a $20,000 violation. It was a long time coming. I appreciate you all's efforts, and FWC as well.

MR. WALIA: I appreciate it, Captain. I know sometimes we get asked about it. We may not always be able to comment on it, but we are putting a lot of efforts in it. We have ops, and ongoing cases, and so, when we can make it public, we're doing the best we can to do that.

CHAIRMAN DUGAS: Mr. Geeslin.

MR. GEESLIN: Thank you, Mr. Chair, and I appreciate the presentation, and also the accompanying report. My question is related to sanctuary protection. If you were here yesterday, you

more than likely heard the proposal from the Flower Garden National Marine Sanctuary for an option for the council to take up a fisheries management plan related to wahoo out on the Flower Banks.

I'm looking at that table on page 9. It doesn't look like there is any incidents out in the Flower Banks during this past time period. Just kind of hypothetically, if a fisheries management plan resulted in some harvest regulations, size or bag limits of wahoo, it's certainly dependent upon you, and others, to enforce those regulations, and would you anticipate additional resources needed for that? If so, what would that look like? What are your resources available there in your Galveston District to enforce that?

MR. WALIA: Sure. I appreciate the question. At this particular time, there were no -- We have had a few incidents out in the Flower Gardens, and the way we track on here is where our officers work it out of the location as well, and so sometimes Louisiana could represent, if we have a Louisiana force working with the Coast Guard out there. We're particularly seeing folks that are anchoring up in the sanctuary there, commercial or recreational.

That's been some cases we've seen, and, as far as wahoo, yes, it's hard to get out there. I mean, we rely -- Texas has their offshore vessel, and we don't have an offshore vessel that can get out there, and so we do ride-alongs with them, and we rely on them to get offshore and patrol it.

If you put something in, like a wahoo management within that area, we would need folks out in the water at that time to make a boarding and figure out if they're in that closed area, because, once they leave the sanctuary, if we don't have a way to prove where they're fishing, when they fish -- You know, if it's a commercial boat, or someone with a VMS, we could go back and potentially track that, but that's difficulty for sure, is proving when that violation occurred. We don't know until we have that boarding at the time, and so that would be our difficulty enforcing any sort of new regulations, as far as wahoo to a particular area.

MR. GEESLIN: I appreciate you sharing that, and you maybe articulated that in your presentation, but you would be dependent upon that cooperative enforcement with the state enforcement agency as well, right, and we do have that Murchison available for those long-range patrols.

MR. WALIA: Yes, and it depends where the money is allocated. Like

I said, I gave some examples for Florida, right, but Texas does have money allocated from JEA for sanctuary enforcement, and so you would need that, and plus we work with Coast Guard. They do flyovers as well over the sanctuaries, but it's a joint effort, a force multiplier to try to protect it as best we can.

MR. GEESLIN: Thank you.

CHAIRMAN DUGAS: Okay. We have one more from Mr. Osborne.

MR JASON OSBORNE: I just want to thank you guys for everything that you do. We appreciate it, and, also, I just want to point out, there are no dots near Mississippi, and so the other states need to learn how to educate their folks, and we're happy to help.

MR. WALIA: So I will point out that it can misconstrued that way. When you see the numbers low, it's a matter of where our resources are, and the work with our partners, and so an absence, or a zero, just means possibly we didn't have dedicated patrols, or we didn't find anything at that time. It doesn't mean there's no absence of violation. I've just got to make that clear for everyone across-the-board.

CHAIRMAN DUGAS: Okay. We have one more. Lieutenant Morton.

LT. MORTON: Thank you, Mr. Chair. I just wanted to piggyback on what was said earlier about the Flower Garden Banks. Just the nature of them being that far out makes it difficult to get assets out there, and, you know, it would spread thin throughout the AOR, but it is possible to get out there, and we would be able to, kind of like Mr. Walia was saying.

The problem is, if you're fishing in closed areas, you have to kind of be out there, have them on radar, be able to put them in the Flower Garden Banks when they're fishing there. It doesn't mean that regulations wouldn't be as effective, but it would just be difficult to enforce it, due to the nature of where the marine sanctuary is, but we do have aircraft, as well as surface assets, to get out there.

CHAIRMAN DUGAS: Okay. No more questions. Thank you, Mr. Walia.

MR. WALIA: Thank you.

CHAIRMAN DUGAS: Okay. Council members, bear with us. We're bouncing around the agenda. We're going to move on to the

Presentation on Exempting Fishing Permit from Texas Sea Grant, and Mr. Frank Helies is going to present that. If you're looking at the agenda, it is Wednesday at 12:00. It is Tab A, Number 9.

PRESENTATION ON EXEMPTED FISHING PERMIT

MR. FRANK HELIES: Thank you, Mr. Chair. Sea Grant plans on being here tomorrow for the presentation, and so they'll be able to answer any questions you guys may have that I may miss in the presentation.

The Regional Office received a request from Texas Sea Grant to obtain an EFP. They would like it valid through December 31, 2028. They're currently authorized to work on this better BRDs for the Gulf shrimp fleet project through December 31, 2024, under a previously-authorized EFP.

The project is a collaborative effort amongst Louisiana Sea Grant, Texas Sea Grant, the NOAA Restoration Center, and NOAA Fisheries to restore finfish populations injured by the Deepwater Horizon oil spill through the development and certification of new bycatch production devices. The EFP would authorize the team to utilize voluntary commercial vessels, to outfit them with experimental BRDs.

These BRDs would be tested on normal commercial fishing trips. Some of the BRDs that they are exploring are large mesh sections, two different types of flapless TEDs, the Chauvin TED and the Drury TED, some composite panel variations, and large TED openings.

As I stated earlier, we previously authorized this work, and it's been ongoing for a number of years now. They got funds through Deepwater Horizon restoration, and they are making good progress, and they hope to ultimately certify some new BRDs that will provide better results than the currently-certified BRDs, primarily the fisheye, which is used by the majority of the fleet. Questions? Matt will be here tomorrow, and so he can further give you further details, if needed.

CHAIRMAN DUGAS: Do we have any questions for Mr. Helies? Seeing none, okay, and we're going to adjourn for the day, and we'll see everyone at 8:30 in the morning.

(Whereupon, the meeting recessed on November 5, 2024.)

- - -

November 6, 2024

WEDNESDAY MORNING SESSION

- - -

The Full Council of the Gulf of Mexico Fishery Management Council reconvened at The Hilton Bayfront in St. Petersburg, Florida on Wednesday morning, November 6, 2024, and was called to order by Chairman J.D. Dugas.

CALL TO ORDER, ANNOUNCEMENTS, AND INTRODUCTIONS

CHAIRMAN DUGAS: Okay. We're going to get started. Welcome to the 302nd meeting of the Gulf Council. My name is Jonathan Dugas, Chair of the Council. If you have a cell phone or similar device, we ask that you place it on silent or vibrating mode during the meeting. Also, for all to be able to hear the proceedings, we ask that you have any private conversations outside.

Please be advised that alcoholic beverages are not permitted in the meeting room. The Gulf Council is one of eight regional councils established in 1976 by the Fishery Conservation and Management Act, known today as the Magnuson-Stevenson Act. The council's purpose is to serve as a deliberative body to advise the Secretary of Commerce on fishery management measures in 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. Membership also includes the five state fisheries 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. We will welcome public comment from in-person and virtual attendees. Anyone joining us virtually that wishes to speak during public comment should register for comment online.

Virtual participants that are registered to comment should ensure

that they are registered for the webinar under the same name they used to register to speak. In-person attendees wishing to speak during public comment should sign-in at the registration kiosk located in the back of the meeting room. We accept only one registration per person.

Public comment may end before the published agenda time if all registered in-person and virtual participants have completed their comment. A digital recording is used for the public record, and, therefore, for the purpose of voice identification, I would ask that meeting participants seated at the table identify him or herself, starting on my left.

EXECUTIVE DIRECTOR CARRIE SIMMONS: Carrie Simmons, council staff.

MR. BILLY BROUSSARD: Billy Broussard, Louisiana.

MR. SCHIEBLE: Chris Schieble, Louisiana.

DR. TOM FRAZER: Tom Frazer, Florida.

DR. C.J. SWEETMAN: C.J. Sweetman, Florida Fish and Wildlife Conservation Commission.

MR. ED WALKER: Ed Walker, Florida.

MR. JOHN SANCHEZ: John Sanchez, Florida.

MR. TIM GRINER: Tim Griner, South Atlantic Council.

LT. JACKSON MORTON: Lieutenant Jackson Morton, United States Coast Guard.

MS. MARA LEVY: Mara Levy, NOAA Office of General Counsel.

MR. FRANK HELIES: Frank Helies, NOAA Fisheries, Southeast Regional Office.

MR. ANDY STRELCHECK: Andy Strelcheck, NOAA Fisheries.

DR. CLAY PORCH: Clay Porch, NOAA Fisheries, Southeast Fisheries Science Center.

MR. DAVE DONALDSON: Dave Donaldson, Gulf States Marine Fisheries Commission.

DR. ANTHONY OVERTON: Anthony Overton, Alabama.

MR. ANSON: Kevin Anson, Alabama.

MR. TROY FRADY: Troy Frady, Alabama.

MR. MICHAEL MCDERMOTT: Michael McDermott, Mississippi.

GENERAL JOE SPRAGGINS: Joe Spraggins, Mississippi.

MR. JASON OSBORNE: Jason Osborne, Mississippi.

MR. TROY WILLIAMSON: Troy Williamson, Texas.

MR. DAKUS GEESLIN: Dakus Geeslin, Texas.

DR. KESLEY BANKS: Kesley Banks, Texas.

ADOPTION OF AGENDA AND APPROVAL OF MINUTES

CHAIRMAN DUGAS: Okay. Thank you. We're going to move right into the Adoption of the Agenda. Is there any changes, or discussion, to the agenda? Can I get a motion to approve the agenda?

DR. FRAZER: So moved.

CHAIRMAN DUGAS: I have a motion by Dr. Frazer, and a second by Mr. Broussard. Is there any opposition? Seeing none, it carries. Okay. Approval of the Minutes, and are there any changes or discussion of the minutes? Seeing none, can I get a motion to approve the minutes? Motion by General Spraggins. Mr. Broussard seconds. Any opposition? None. Okay.

Moving on, we're going to move on to the presentation of the 2023 Law Enforcement Team of the Year Award, and I will hand it over to Dr. Sweetman from Florida.

PRESENTATION OF THE 2023 LAW ENFORCEMENT TEAM OF THE YEAR AWARD

DR. SWEETMAN: Thank you, Mr. Chair. Before I get started here, I would like to call up our FWC Law Enforcement Team of the Year Award to receive that, if you all wouldn't mind coming up here with me.

I am truly honored to present this 2023 Law Enforcement Team of the Year Award to the Florida Fish and Wildlife Conservation Commission Northwest Offshore Patrol Vessel Team.

This exceptional team here, comprising of Lieutenant Scott Smith, Senior Officers Matt Cushing and Pete Rockwell, Officer

Specialists Tom Nelson, Matt Land, Greg Matechik, and Officer Tristan Hartzog, embodies dedication and honor to a team. Operating multiple vessels, the Northwest OPV team plays a crucial role in federal fisheries patrols, tackling multiday missions at seas, conducting radiological detection patrols, and providing essential support for extended search and rescue operations.

Their work spans extended deployments for public safety, disaster response, community outreach, and boating safety, demonstrating their versatility and commitment to safeguarding both people and wildlife.

In 2023, this team spent over 10,000 hours on water patrol, including 500 hours dedicated specifically to their joint enforcement agreement work. They issued 383 citations in seventy-one federal cases, all while fulfilling their regular duties for FWC, such as hunting enforcement and out-of-state response missions.

On behalf of the Gulf of Mexico Fishery Management Council, I offer my heartfelt congratulations and deep gratitude to this entire team and each team member. Your tireless efforts, professionalism, and unwavering commitment to protecting our natural resources and our fishing community make a profound difference. Thank you very much for your incredible service. You all are legitimately heroes to all of us here in the State of Florida, as well as the Gulf of Mexico.

More recently, you all have been dealing with hurricane responses, and just thank you so much for protecting our people and for protecting our fisheries. As I said, I believe you guys are all heroes, and thank you so much for your work. Real briefly, I just want to turn it over to Captain Scott Pearce, if he wants to have any words here.

CAPTAIN SCOTT PEARCE: Along with that, I just want to say that Dr. Sweetman is one of my heroes as well. I mean, along with the dedication and commitment these officers have to this program, and some of these officers have been in this program the majority of their career, and some of them will retire from this program, and so it takes a lot of commitment, a lot of hours of work, but there's another team.

There are members of another team here that I would just like to take one minute to acknowledge, and that's the family support group for these officers, and I would like the wives, fiancés, and children in the back to please stand up. I just want to take a second to acknowledge their commitment to supporting them. There

are a lot of missed opportunities with this job in general, when you add OPV and the hours they spend, the travel they put in, and, you know, you miss a lot of things.

You miss holidays, and you reschedule birthdays, and, without that family support group, they couldn't do their job, and so, again, thank you all for having us here. Thank you for the award, and I'm going to step out and let them get their photo taken.

CHAIRMAN DUGAS: Okay. We're going to move on to another agenda item that is not on the agenda, and I'm going to let Dr. Simmons take it away.

DR. JACK MCGOVERN RETIREMENT

EXECUTIVE DIRECTOR SIMMONS: Thank you, Mr. Chair. So I would like to take a moment to honor and celebrate the outstanding career of a truly exceptional colleague and friend, and that's Dr. Jack McGovern, and so just a little bit about Jack.

He began his career at the Florida Department of Natural Resources, where he worked in the Fisheries Independent Monitoring Group at the Fort Walton Beach Laboratory. His journey continued with the South Carolina Department of Natural Resources, where he spent a decade overseeing the Marine Resources Monitoring, Assessment, and Prediction Program. We commonly know that as MARMAP.

Jack's extensive fieldwork and research kept him at sea many days, and so he sought a balance that would allow him to have more time at home with his family, which landed him at the National Marine Fisheries Service position.

Jack has been an integral part of the National Marine Fisheries Service for over two decades, joining NMFS as a data analyst and then serving as the South Atlantic Branch Chief before earning his role as Assistant Regional Administrator for Fisheries. In his capacity as Assistant Regional Administrator, Jack has overseen the day-to-day operations of the Southeast Regional Office's Sustainable Fisheries Division with remarkable proficiency.

He has expertly coordinated with three fishery management councils, that are very different, on many occasions and many things. He has managed, and helped to manage, the commercial catch share programs, helped to manage the largest recreational fishery in the world in the Southeast. Jack's leadership has not only ensured the sustainability of our fisheries, but has also fostered collaboration and innovation between the council and NOAA Fisheries, the councils and NOAA Fisheries.

Jack is also a person of remarkable humility and kindness. He's one of the nicest people you will ever meet, always going out of his way to help others. His ability to connect with colleagues and stakeholders alike has left an indelible mark on all of us who have had the privilege to work alongside of him. Since it is my birthday today, I will just say I have worked closely with Jack for seventeen years, of those twenty-one years he's been working at the Regional Office.

So on a more personal note, his dedication to his family and his dogs is very evident, and it is this love that inspires his decision to retire at the end of the month, allowing him to spend more time and cherished moments with those he holds dear, and so please join me in congratulating Dr. Jack McGovern on a remarkable career and best wishes for a joyful and fulfilling retirement. We have a small token.

DR. JACK MCGOVERN: Thank you, everybody. I really appreciate it. Thank you. You guys are great. Thanks.

MR. STRELCHECK: So I couldn't have said it any better than Carrie just did. I have tears in my eyes, because we don't want this guy to retire. I've worked with him pretty much my whole career at NOAA Fisheries, and, as Carrie pointed out, it's just his humility. He's so humble.

I think what shows his true spirit is, after the hurricanes recently, he was the first person to jump into action, organizing people, being at their houses, tearing out drywall, tearing out floors, and so we are proud to call you a friend, proud to call you a coworker. We're going to miss you, Jack, but I know you're not too far from us, and we look forward to socializing with you and being around you for years to come. Enjoy the time with your family and your retirement.

PRESENTATIONS
UPDATE ON NATIONAL SEAFOOD STRATEGY

CHAIRMAN DUGAS: Okay. We're going to move down the agenda. The next item on the agenda is a presentation, an update, on the National Seafood Strategy, Tab A, Number 7. Dr. Rubino.

DR. MICHAEL RUBINO: I am online, if you can hear me.

CHAIRMAN DUGAS: Yes, sir. We can hear you.

DR. RUBINO: All right. Well, thank you very much for the

opportunity to give you a quick update on the implementation plan part of the National Seafood Strategy. My name is Michael Rubino. I'm the Senior Advisor for Seafood Strategy at the Fisheries Service. I sit in the Assistant Administrator's office in Silver Spring.

Just to remind all of us how we got to this point, I think you're as well aware as I am of all these shocks to the commercial seafood industry in the U.S., from climate change to market disruptions to living in a global marketplace to import competition, new technologies like offshore wind, a variety of systemic issues in the seafood industry, in terms of needing to recapitalize boats and infrastructure, relying on often immigrant labor and guest workers.

All of this has come together and created a real business financial crisis in parts of the U.S. commercial seafood industry, and, in your region, it's particularly acute in the shrimp industry.

So, in part because we have the name “Fish” or “Fisheries” in the title of our agency, we are the go-to agency in the federal government for these issues. We've done a terrific job, collectively, over the past twenty or thirty years, of putting all of our species under management plans, and rebuilding plans, but in the face of these exogenous shocks, we started hearing that, you know, all of that work is terrific, but it's not enough if we're going to sustain a commercial industry and the communities that depend upon that.

A couple of years ago, we embarked on a classic strategic planning exercise, and a group of us spent a lot of time with industry, on fishing boats and processing plants and supermarkets, at council meetings and others, asking leading questions about, okay, going forward, how should we, as an agency, work with you, the U.S. commercial seafood production industry, to build a more resilient industry going forward, and here's what we heard.

First and foremost, we heard that the vital science and survey work that we do to inform councils on management decisions continues to be a critical core industry service that the agency provides. That said, we also heard, loud and clear, that the industry would like to see more attention, and more work done, on the industry services part of what we do, and I'll get to that in more detail in a couple of slides.

In addition, they'd like to see opportunities for where we can increase seafood production, both on the wild capture and aquaculture side. How do we put more U.S. seafood on U.S. plates?

How do we level the playing field on fair trade? How do we bring sort of a whole-of-government approach to strengthening the seafood sector and the communities that depend upon them?

So, with that, the recommendations from over 150 different organizations, or I should say 150 different comments, thirty or forty organizations, and we had formal and informal listening sessions, all of which led to the strategy issued in August of 2023.

We grouped the strategy around four goals of wild capture, aquaculture, markets, both domestic markets and global markets, and then a catch-all of strengthening the entire seafood sector, and so financial services, workforce training, and, as I mentioned, bringing a whole-of-government approach to seafood.

I mean, the Fisheries Service has, what, a billion-dollar budget? USDA has a $200 billion budget, and so how do we leverage more of those resources to support the seafood sector? That's what Goal 4 is about, and, again, this is part of just one policy, and strategy, amongst many within the agency, and so think of it as being nested within the overall strategy and five-year priorities of the agency. We have separate strategies for recreational fishing, or endangered species issues, and so on, and this strategy focuses on the commercial part of seafood.

This past year, with all of the input that we got, we worked internally with a team of people drawn from across the agency, and from our leadership council, to put together an implementation plan, and, as I said earlier, we already do a lot on the science and management side, and so this strategy focuses on the other things that we do in support of management and in support of the commercial seafood industry, and so here's a focus on industry services and on socioeconomic work.

We're doing all of this within existing resources, although the strategy does hint at some aspirational activities, and so most of these activities have been ongoing for some time. What we're doing here is shining a spotlight on them, and many of those programs, and activities, are in the process of sort of refreshing, thinking about how they work more effectively, how they leverage partnerships, and work across agencies, and work with a variety of partners.

So most of the activities that you'll see in the next few slides are being implemented by our existing regional offices, science centers, and headquarters programs, and, as I mentioned, we're trying out a few pilot, or regional, initiatives, focused on a

particular species, region, port, or sector, to work with a variety of partners, federal partners and industry partners and state partners, to see if we can make a difference within a short amount of time on specific activities.

The next four slides really are about the activities, and they're grouped by the four goals, and so the first is wild capture. We've got fisheries science and fisheries management, and so, again, not the day-to-day science and survey work, or the day-to-day work that all of you do through the councils, but the longer-term research and development work, the scenario modeling that we're currently doing, with some IRA money, looking at the effect of climate change on what's going to happen with species in federal waters.

Then our economists and social scientists will come after that, and work alongside the biologists, and say, okay, if there are these changes in species, location, abundance, and so on, how does that change fishing behavior, and how does that work its way up through the market chain, and so looking at costs, infrastructure needs, labor needs, demand models for certain species. It's a real opportunity for our economists and social scientists to shine over the next several years, to look at where we're going with some of our key species.

We've got these regional action plans that are being implemented around the country in response to climate change. We've also got a variety of research and development work that helps to inform council decisions on gear type, for example, bycatch, underutilized species, and so on.

We have a small aquaculture program within the agency, housed at the Fisheries Service, but also with the National Sea Grant Program and the science side of the National Ocean Service, and so there's a suite of activities in those programs aimed at both regulatory efficiency.

Everything in the U.S. is complicated, in terms of regulations. They're all there for a good reason, but how do we be more efficient working with other agencies, the Corps of Engineers, EPA, state agencies, to have a more efficient, timely, science-based regulatory process?

One example of doing that, which you may be familiar with in the Gulf of Mexico, is something called an Aquaculture Opportunity Area, of doing the siting, planning, environmental impact statement work up front, so that an individual permit applicant has less of a burden when they go through the permit process, and

we're doing that not just in the Gulf of Mexico, but also in Southern California, in federal waters, and currently in state waters in Alaska.

In addition, our labs, and through the Sea Grant Program, provide a variety of science to support industry, for example an oyster genetics program, based at the Northeast Science Center in conjunction with the USDA, and a similar program is getting underway in the Gulf and on the Pacific Coast, sort of breeding high-health oysters that will be more resilient to climate change.

Broadly, in terms of the federal government, a lot of these activities are described in the forthcoming National Aquaculture Development Plan, which you can Google and look up.

The third category is markets, and so both domestic markets and international. On the domestic side, one of our key challenges is how do we tell the story of sustainability? How do we tell the story of all the good work that's been done on sustainability during the past twenty or thirty years? How do we distinguish U.S. product in the marketplace, and that's an ongoing struggle with consumers.

I mean, we have a small communications office, spread around the agency. You may have noticed, this past week, that there was a story about shrimp in the Gulf and South Atlantic, again talking about the work that we do on harvest sustainability and shrimp, and so we would like to do more of that, but we would also like to work with you, and other communications approaches, on telling that story, because that's important in the marketplace.

We also support domestic markets through Saltonstall-Kennedy grants. About half of those grants, in recent years, have gone to market development. In addition, we've got a couple of services within the agency, the Seafood Inspection Program in particular, which works with USDA on purchases of seafood for poverty alleviation and school lunch programs, food assistance and school lunch programs.

If you've been watching those purchases over the past few years, they've gone from about 2 percent of USDA's food purchases to almost 16 percent in this past year, and so it's not just catfish, salmon, and pollock anymore, but a variety of other species including shrimp, whiting, Pacific rockfish, and some groundfish species on the east coast are now all part of USDA's purchase programs.

Our Seafood Inspection Program does all the hand-holding between

the industry and USDA on that, and so the specifications, product form, inspecting the products. That's a real service that we as an agency are providing, providing funds to the U.S. commercial industry that's been really critical in recent years, in the face of some of these other market challenges.

We also do a variety of market and socioeconomic impact analyses. We recently completed an Alaska snapshot report looking at the crisis in Alaska with the seafood industry, in terms of what's going on and why that's happening. We plan to do similar kinds of work for shrimp in the Gulf. That's a little bit about the market and economic analysis.

On the trade side, there's both the import and the export side. On the import side, it's really trying to stop illegal imports, and the Seafood Import Monitoring Program is going through a refresh at the moment. We work closely with law enforcement agencies, military agencies, the Department of Treasury and others on enforcement. We work through the regional fishery management organizations globally on improving practices in other countries, but that remains an area that needs a lot of attention. As our former director of law enforcement said, those activities are run on the thread of a shoestring.

The other side of markets is exports. About half of U.S. wild-caught seafood is exported, either to markets in other countries or to be processed in other countries, some of which is re-imported into the U.S., and so tariff, trade, export certification requirements all become important, and our Office of International Affairs, Trade, and Commerce works closely with the trade agencies, both on the export and the import questions, and so access to markets on exports. On the imports side, it's things like tariffs, the recent tariffs that were imposed on a variety of imported shrimp from various countries. Some of the technical work behind that comes from our International Affairs Office.

The last category is the strengthening the entire U.S. seafood sector. I mentioned the Seafood Inspection Program. We also have an in-house bank called the Fishery Finance Program, and our Financial Services Division, which makes loans to the fishing industry. That program has a new director, is hiring new people, and is going through a refresh. I think you'll see some more outreach from that program, innovative ways of providing loans and working with other loan providers in the fishing sector.

We also have seafood safety labs in Pascagoula, Mississippi, as well as at our Northwest Science Center, who do a variety of seafood safety work.

Workforce training is largely done through Sea Grant, both the Young Fisherman's Development Program as well as an equivalent program on the aquaculture side, and then this large sort of catch-all category of how do we leverage other federal agencies.

This past summer, the Secretary of Commerce had sort of an extraordinary meeting with the Alaska congressional delegation and senior officials from USDA's Agricultural Marketing Service, Rural Development, some of the International Trade Agencies of Commerce, and just to talk about the crisis in Alaska. Out of that came sort of a strengthening of working relationships between NOAA and USDA and the trade agencies on these seafood questions that I think will pay dividends going into the future and will also be focused on some of the issues in the Gulf.

As I said, in addition, there's some of these cross-program, cross-partnership, activities. I've mentioned the Alaska one. You've heard from John Walter, from the Science Center, about the Shrimp Futures Project, I believe at earlier council meetings. That project is underway.

There's some parallel efforts with the Gulf Commission, as well as the Texas-Louisiana Sea Grant programs, looking at what's going on in the shrimp industry and how this collection of federal agencies, working with other partners, can make a difference in the shrimp sector.

The same thing is just beginning with tuna and swordfish, highly migratory species, and both the west coast and the east coast tuna and swordfish have been rebuilt, but there's been a lot of negative information, in consumer markets, about both tuna and swordfish in recent years, and how do we -- How can we, as an agency, contribute to rebuilding those markets, and so some preliminary work going on there, both in the Atlantic, the Pacific, and the Western Pacific.

We're also working, just with one particular small port in Oregon, to build a seafood hub with the Department of Transportation, USDA, and other agencies, and the Port of Orford, to revitalize that fishing port, and we contributing economic and market analysis to that effort, and so those are some examples of pilot activities under this umbrella of the seafood strategy.

I'm down to the end here, with just a focus on the Gulf. I don't think I need to go through this. I think all of you are well familiar with the challenges facing the seafood industry in the Gulf, with the shrimp industry in particular. As I said, you've heard, from the Shrimp Futures team at the Southeast Science Center

and the Southeast Regional Office, about some of the work that we're doing.

These were just some slides of key issues identified by Texas Sea Grant. There was also another meeting that Dave Donaldson and the commission, as well as the Sea Grant programs, hosted earlier this year with representatives from NOAA and USDA to talk about, again, what particular agency capabilities do we have going forward to help make a difference here, and we don't have short-term silver bullets.

We can't stop shrimp. We can't just say that all imported shrimp is bad. We can work, in our lanes, with our capabilities, to work with the shrimp industry to see if we can build a more resilient industry going forward. Let me stop there. If there's any time left, I'm happy to answer some questions.

CHAIRMAN DUGAS: Okay. Do we have any questions for Dr. Rubino? I am not seeing any, Dr. Rubino, but I would like to make a comment. A couple of weeks ago, you and I were in Arlington, regarding the same presentation, and you mentioned this was a three to four to five-year plan, and I want to reiterate our conversation. My opinion is that's too long, and I'm going to speak for the shrimp fleet in Louisiana specifically. We may have one or two years left, and it's over, and so I just wanted to put that out there, but thank you for the presentation.

DR. RUBINO: Well, I heard that in-person, from the chair of the Texas Shrimp Association here in Washington D.C. a couple of weeks ago as well, and so I think all of us hear you. We're trying to find ways to work with you and help.

CHAIRMAN DUGAS: We have one question for you from Dr. Walter.

DR. JOHN WALTER: Thank you, Dr. Rubino, and this is not really a question for you, but I think it's more of a comment to the council, and I think one of the questions I think is going to come up is, if the fishery only has a short amount of time left, why would we still be embarking upon this, and I think that’s a key question we’re asking here, and why we’re embarking on Shrimp Futures, both to address what needs to happen in the short-term, to maintain the shrimp fishery, but, also, we need to look at the long-term, and say what does the long-term look like, and what is the long-term vision here.

Presumably, we are going to maintain the shrimp fishery. I think that this council certainly would want to do that. You are tasked with maintaining optimum yield for the nation, of which the shrimp

fishery is providing substantial net benefits to the nation, both for seafood sustainability as well as for its cultural and economic importance, and I think that's where we, at Shrimp Futures, are trying to engage with this council, to help adopt a vision that's going to be crafted by working with the fishermen, and participants, and people, who have stake in that, and then working with the council to help draft that vision and adopt it for something that we want to see.

There's going to need to be short-term actions, but there's also going to need to be long-term actions to achieve whatever that vision is going to be. Whether we're confident that we can get there, I think it's still something that we continue to try to do, because that's what we're tasked to do here. Thanks, and we will probably be wanting to take some of the Shrimp Future's work to your AP, at one of the next meetings, to get more feedback, and so we hope we can get on the agenda, there at the AP, and engage with your AP members. Thanks.

CHAIRMAN DUGAS: I'm not seeing any more questions. Thank you for the presentation, Dr. Rubino. We're going to move on to the next agenda item.

DR. RUBINO: Thank you very much.

CHAIRMAN DUGAS: Update from the Bureau of Ocean Energy Management on Wind Energy Development in the Gulf of Mexico, and Ms. Lyncker is online.

UPDATE FROM THE BUREAU OF OCEAN ENERGY MANAGEMENT (BOEM) ON WIND ENERGY DEVELOPMENT IN THE GULF OF MEXICO

MS. LISSA LYNCKER: Good morning, everybody. My name is Lissa Lyncker. I'm the Chief of Staff for the Gulf of Mexico Regional Office with BOEM. We always appreciate these opportunities to give you all an update, and so I look forward to sharing the latest and taking any questions.

We don't have too much new since we last met in August, and so I'm going to briefly cover our mission, and ensuring that we understand how renewable energy fits into that, and even green hydrogen production. I will review our authority, you know, just to show the broad range of our authority, and then I want to, you know, just touch on hydrogen again. We don't have any proposed projects at this time, but just to show, you know, where that fits into our process.

Then I'm also going to review, again, just quickly, our unsolicited

lease request process, what that looks like, what happens, and then the status of the one unsolicited lease request that we did have come in and some next steps for wind in the Gulf.

Looking at BOEM's mission, we have four mission areas. Historically, in the Gulf of Mexico, we've had oil and gas. In the last few years, we've had wind energy development. We also have marine mineral extraction, and then, in 2021, BOEM received the authority for carbon sequestration, and we are currently developing the draft rule for that.

We have four mission areas in the Gulf of Mexico, and I want to acknowledge that the territories are included in our jurisdiction as well, and so it's a broad range in our continental shelf that we cover. In looking at our renewable energy authority, our main enacting authority is the Outer Continental Shelf Lands Act, OCSLA, and that gives us the authority for offshore mineral extraction and energy development.

In 2005, the Energy Policy Act amended OCSLA to include sources other than oil and gas, which gave us the authority for renewable energy, and "renewable energy" is a broad term, which includes wind, but it also includes other forms of renewable, such as hydrogen, and I even mentioned this, and we're starting to have meetings and requests to review potential projects for offshore nuclear, and we are working with the Nuclear Regulatory Commission on that, but just to show the full range of options for renewable energy.

BOEM created our first renewable regulations in 2009, and then, just this year, we published our modernization rule that went into effect in July. We took what we learned from industry, we took what we learned from best practices in the east coast, that happened over the last decade or so, and we updated our regulations.

What does our competitive leasing process look like? This looks familiar to you all, and you all have seen this, and so, starting from the left, this is where we have our initiating -- Where we initiate our engagement and outreach, and we start our area identification process.

For Gulf 1, we are actually at -- It says we are here, publish lease notices. I probably should have shifted that right a little bit. We're actually at the pre-survey meetings and plan stage, and so I'll talk about where RWE is for that, but, as far as looking at the next set of steps for a subsequent sale, we are really early. We don't have new draft areas yet, and we don't

have new areas identified for leasing, and so I would say, for the next set of sales, we're back here, where it says "where we are", and we'll move through from left to right.

MS. BERNADINE ROY: She seems to have dropped off the webinar. She lost connection.

CHAIRMAN DUGAS: Stand by for a minute, please.

MS. ROY: She's showing as offline.

CHAIRMAN DUGAS: Okay. We're going to break for lunch and reconvene at 1:45.

(Whereupon, the meeting recessed for lunch on November 6, 2024.)

- - -

November 6, 2024

WEDNESDAY AFTERNOON SESSION

- - -

The Full Council of the Gulf of Mexico Fishery Management Council reconvened at The Hilton Bayfront in St. Petersburg, Florida on Wednesday afternoon, November 6, 2024, and was called to order by Chairman J.D. Dugas.

CHAIRMAN DUGAS: Okay. We're going to get started here in another minute. Ms. Lyncker?

MS. LYNCKER: Yes, sir. Good afternoon.

CHAIRMAN DUGAS: Okay. We can hear you. You can resume.

MS. LYNCKER: Okay. Thank you, and I apologize for that. I will jump right back in. Okay, and so what I was mentioning is where we were in our leasing process, and I'll touch on that a little bit later as well, and so, again, we are at the early stages of considering any type of hydrogen production, and this is the right time to start thinking out about the potential impacts, and any potential studies, because we are a good five to ten years out, and it's just the right time to begin thinking.

We are still collaborating with the Department of Energy, and I have been in contact, and in meetings, with the UK and Denmark, to understand how they -- Their framework, their regulatory

framework, and their -- The way they approach environmental analyses, and so we are working to pull those best practices together, and that -- We can share those in the future as well.

Just to touch base on this again, the overview of the non-competitive lease award process, as you saw earlier, we have that process laid out, from area ID all the way to construction and operation for our competitive leasing process, but we also have, within our authority and regulations, the opportunity for companies to come in and say they want an area that's designated outside, or hasn't been brought into that competitive process yet, and that's our non-competitive lease process.

They come in with the request, and we have to make sure they're technically and financially qualified, before we consider their proposal. Once we -- Once they're qualified, we will put that request for competitive interest out for public comment, as you all have become familiar with. We had that public comment period for our Hecate proposal earlier in the summer.

If there is no competitive interest, we would move forward with a determination of no competitive interest. If it was outside of our current NEPA analysis for the Gulf, or if the proposal is outside of what's covered in our NEPA, we would conduct the NEPA, and we would move through the process, just similar to what we do in the competitive, but just for that one lease.

There would be consultations, and there would be opportunity for additional input. If there is competitive interest, then BOEM -- It triggers BOEM to kick back to our competitive lease award process, where we then would start with identifying wind energy areas, finalizing those, and moving through a proposed sale notice to a potential final sale notice.

Again, looking at the NEPA considerations for a proposal that comes in like this, if it's outside of our current NEPA, or if the proposal has additional information that was not covered in our current NEPA protocol call area, we would conduct an environmental assessment, or potential environmental impact statement, and our consultations, and, again, that's almost a two-year process, and so lots of time for review and input.

In looking at Gulf of Mexico Wind 1, the auction was held last year, three areas totaling about a hundred thousand acres each, and we had one lease, for a high bid of $5.6 million. RWE was the winner, and so where they are, with that one lease, is they have submitted agency communication plans, fisheries communication plans, and tribal communication plans, and so I just want to take

the time to thank the council, and members of the council that worked with our team, in ensuring that this first fisheries communication plan was appropriate and adequate for the Gulf, and so thank you.

Looking at Gulf of Mexico wind 2, this sale was canceled, and so we put out the proposed sale notice earlier this year, in May, and we received the twenty-four comments. Those comments, we developed responses to, and we published those on our BOEM website.

Following that, you know, there was deliberation, internally in the Gulf, and also with our leadership in headquarters, about, you know, what to do, and the determination was made that we would not have a sale, and that the sale would be canceled, based on the lack of competitive interest.

At the same time though, we had -- At the same time that this was happening, and it was parallel processes, we had an unsolicited lease request come in for previously identified WEA, wind energy area, Options C and D.

Even though we canceled that sale, we were looking towards this as an opportunity for maybe this would be an avenue for a lease, and so, you know, the market in the Gulf is different than the other regions, and the process in the Gulf is different. We don't have power purchase agreements, and so there's just a number of factors that could lend itself to this region being different, and we were not sure that -- Okay, maybe unsolicited lease requests would be an avenue for leasing, as well as conventional or competitive lease sales, so we're open. It's all within our authority.

It came -- So this request came in, and we put out the request for competitive interest, a forty-five-day comment period, and seventeen comments were received, and, at the very end of this comment period, Hecate Energy came in and put a proposal in, and they expressed that they were competitively interested in the same area, and they put -- They are legally and technically qualified.

We've walked through all of that, and so, at this time, we're currently reviewing to identify whether this is competitive interest. That's the next step in the formal process, is determining that there's competitive interest, and then what would happen with those areas after that.

So what are next steps, looking ahead? DOE, we’re still working with them regularly. We have ongoing outreach and engagement. Just last month, I met with the Gulf States Fisheries Commission, a very similar presentation to this, to provide an update. We're

regularly meeting with NGOs, and so we're continuing our ongoing outreach and engagement.

We're continuing -- I had also a meeting with the Department of Energy today. We're planning a transmission workshop, to better understand what transmission planning could look like. It's not going to dictate to industry how to put their cables in, and how to come to shore, but the Department of Energy has funding, and they've assessed transmission planning in the Atlantic Coast, and also the Pacific Coast.

Now they've just recently started, in the Gulf, with a literature and gaps analysis, and so the next step would be a data workshop, that we're going to hold in January, right around the time of the next council meeting, and so, if there is -- You know, there's an opportunity to be a part of that data workshop as well, if that if that's something the council wants to be a part of.

We are also working with NCCOS. We're doing the modeling, looking at -- We're looking at the next round of modeling, and with the potential next round of draft wind energy areas and what wind energy areas look like, and that will have its own public process as well.

There will be draft WEAs, with review periods, and so there's -- We're still -- You know, there's a lot moving. Even though the one sale was canceled there's still movement towards when leasing in the Gul, and so this last slide is just showing you -- I talk about wind, and we're giving a wind update, but it's really important to acknowledge we have all of these mission areas to consider as we're making decisions in BOEM, and the green dots are active oil and gas leases. The blue area are the potential viable areas for carbon storage, carbon sequestration. The red areas are significant sand sources, and the orange areas you see are -- They were the previous wind energy area options from the last model run. As we consider decisions, we have to prioritize looking at all these mission areas, and that is -- That's our last slide.

CHAIRMAN DUGAS: Thank you, Ms. Lyncker. Do we have any questions, or comments? Okay. Not seeing any questions, or comments, thank you for your presentation. Okay. We're going to move on, but, before we get the public comment, we're going to -- Okay. Before we move on to public comment, we're going to take a moment, and I'm going to say a few words.

For most people in this room, November 6th is just another day, but today is a special day for one of our colleagues. I would like to take a moment to recognize this individual. She has shown me her

leadership, passion, and patience throughout this process. I'm honored to work alongside of her. Happy birthday, Doctor Simmons.

DR. JOHN FROESCHKE: On behalf of the council staff, I'd also like to wish Carrie a happy birthday. We like to think that you have many choices of how you spend your birthday, and you've chosen to spend it with us. In this case, you're stuck here like the rest of us. She usually goes fishing on her birthday, and so talking about fish is going to be close, but happy birthday, and we'll see you at the bar.

EXECUTIVE DIRECTOR SIMMONS: Thank you all very much. I really appreciate it.

CHAIRMAN DUGAS: I'm looking at Emily. Do you want to get a photo? Okay, and so Emily is going to cut the cake, and everyone is welcome to a piece, and she will bring some to the back of the room as well.

Okay. We're going to move on to public comment. Good afternoon, everyone. Public input is a vital part of this 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 interests 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 communication provided to the council, its members, or its staff that relate to matters within the council's purview are public in nature.

Please give any written comments to the staff, as all written comments will be posted on the council's website for viewing by council members and the public and will be maintained by the council as part of permanent record. Knowingly and willfully submitting false information to the council is a violation of federal law.

We will welcome public comment from in-person and virtual attendees. Anyone joining us virtually that wishes to speak during public comment should have already registered online. Virtual participants that are registered to comment should ensure that they are registered for the webinar under the same name they are used to register to speak.

In-person attendees wishing to speak during public comment should

sign-in at the registration kiosk located in the back of the meeting room. We accept only one registration per person. Each speaker is allowed three minutes for their testimony.

Please note the timer lights on the podium or on the webinar. It will be green for the first two minutes and will blink yellow for the final minute of testimony. At three minutes, the red light will appear, and a buzzer will be enacted.

Time allowed to dignitaries providing testimony is extended at the discretion of the chair. If you have a cell phone, or similar device, we actually keep them on silent or vibrating mode during the meeting. Also, for all to be able to hear the proceedings, we ask that you have any private conversations outside the meeting room. Please note that public comment may end before the published agenda time if all registered in-person and virtual participants have completed their comment. We're going to start in the back of the room with Lawrence Marino, and followed by Dylan Hubbard.

PUBLIC COMMENT

MR. LAWRENCE MARINO: I think Dylan thought he was going to go first for once, and so he's a little bummed about that. Good afternoon. My name is Larry Marino, and I'm here on behalf of Louisiana Attorney General Liz Murrill.

The purpose of Amendment 60 is equitably distributing the right to fish for IFQ species, and that means putting the right into the hands of the fishermen, both the existing ones who need it now and the future ones who will need it. There was a lot of discussion yesterday about Amendment 60 and whether it's worth doing it all. That depends on what you put into it.

The shares reclaimed in Amendment 36A are insignificant, and I think we all know that. The allocation from set-asides under Action 3 could be significant, but, as currently written, only if there are large quota increases in the future.

That's because all of the current alternatives use 2024 as a baseline, and then they get smaller with all those subtractions. It's a death by a thousand cuts, and not even small cuts. Instead, the council should consider a wider range of baselines, such as the dates of IFQ program approval or public participation. These options were featured the last time the council looked at this, but they're not even mentioned here.

The historical baselines do make sense, because they relate to conditions when the shares were first given out or when non

fishermen were first allowed to own them. As an alternative to account for species going in the wrong direction, you can use an average for some period of time. Different baselines may be better suited to red snapper than red grouper or other species, and, depending on the species, setting aside only a portion of the increases over the baseline could be reasonable, if a more meaningful baseline is selected.

There was discussion yesterday about not penalizing shareholders for stock increases, but that's not what this is. That's just putting a nasty label on it. Rather, as was also said, to address the problems with access that are plaguing the industry, you have to get the fish from somewhere, and this is an equitable way to do that.

The last piece here, shares reclaimed due to an activity under Action 1, will also be insignificant, as Amendment 60 is currently written, with leasing shares counting as activity. Leasing isn't activity, or at least not in any sense relevant to why someone should be granted exclusive rights to fish for these species, and, relevant here, this approach ensures that no one will ever have their shares reclaimed, except a poor few folks who are going to probably forget about it some way.

Now, activity is addressed in Amendment 59, another amendment, but Action 1 of this amendment is about when shares will be reclaimed due to an activity, and so the council can say here that, for purposes of Action 1, inactive accounts are those that don't actually fish the shares, regardless of whether the shares are leased, but that's still not saying much, really, because focusing on inactivity of entire accounts is the wrong focus.

It's still far too easy to circumvent. Instead, the focus should be on the shares, and not the shareholder accounts and whether those shares are fished or sharecropped. Shares that aren't fished by the shareholders should be reclaimed, with proper provisions for hardship and looking at more than one year and all the other reasonable concerns.

Another response to that is, well, everybody says the shareholders are simply going to fish their own shares, to avoid losing them, or put them into corporations, so they won't be available to lease. That may not be true, at least not every time. The shareholder isn't fishing the shares now for a reason, but, even if it happens, if the shareholder becomes the fishermen again, then at least the purpose would still be served.

Finally, any distribution should be the allocation, and not shares.

Reclaimed shares, and set-aside, should be placed into a quota bank to allow redistribution to address current needs in the industry, as that changes over time. Don't commit the same error all over again of giving away all the shares, which got us into the situation in the first place.

There's plenty of precedence to look at for how to do a quota bank. Don't give it to NMFS, which really isn't designed for that, and which is capped as the fees they can charge. Instead, do it like the other fisheries, that have succeeded in establishing quota banks, and make it a private quota bank, perhaps managed by the states.

There are all kinds of options, but with objective management, selected transparently and thoughtfully, and give them clear priorities and requirements for how and to whom to distribute the allocation. Thank you.

CHAIRMAN DUGAS: Thank you, Mr. Marino. Do we have any questions, or comments?

MR. MARINO: Thank you.

CHAIRMAN DUGAS: Next up is Mr. Hubbard. Sorry about that, guys. I had it written out in the opposite way. After Mr. Hubbard will be Mr. Zales, online.

MR. DYLAN HUBBARD: Thank you. Captain Dylan Hubbard from Hubbard's Marina, and also a newly elected to the Tourist Development Council for Pinellas County. As far as public comment today, I wanted to start off talking about lane snapper. I've been talking, at this podium, about lane snapper for many, many years, and they continue to be a prolific species that we're seeing more and more of, more frequently in more areas, and in larger sizes, and so we continue to have this issue., where we're running into the quota.

I think the council's current action of trying to slow down fishing mortality is a great step forward to hopefully curb us running into that quota and having these closures in this healthy fisher.

Myself, DCBA, the Destin Charter Boat Association, and the Charter Fishermen's Association all agree that we should explore a twelve-inch minimum size limit and no bag limit changes. In order to have an effect on fishing mortality in a positive manner, you have to have a bag limit restrictive enough that would actually impact the fishing mortality, and, in order to get that restrictive, we're going to be talking very small numbers in the bag limit.

This is a healthy fishery, and I don't want to see fishermen punished, because it is a healthy fishery. A small size limit change I think would make enough of an impact, with a little negative impact to the angler, and so I would like the council to explore that minimum size limit of twelve inches and ignore doing anything with the bag limit for now, and especially not moving it into the ten-snapper aggregate.

The federal for-hire season, again, myself, the Charter Fishermen's Association, and the DCBA all felt leaving it the same was the best idea. There was some disagreement among the Charter Fishermen's Association, but DCBA, the Florida Guides Association, and myself all felt leaving it June 1st made the most sense for now.

IRA funding, I know Mr. Donaldson's presentation talked about the IRA funding helping to do more dockside intercepts, and validations, and we really appreciate those efforts, and we hope to see that continue.

As far as my comments today, on my own behalf, I'm looking forward to the red grouper assessment data. I would encourage the council to look at the workplan and try to make appropriate plans now for that red grouper assessment result.

So often, we're dealing with management that's based on a stock assessment that's happened pretty far in the past, and we see, at least my layman's interpretation of what's happening so far with this red grouper assessment, it's pretty positive, and what we're seeing management-wise is pretty negative, with another overage, potentially causing more payback next year, and less access for fishermen.

If we know the stock assessment is positive, and we're going to get positive results, and hopefully a larger catch advice, trying to proactively act now, as a council, to make sure there's holes in that workplan, so we can plug in that red grouper stock assessment information, hopefully act quickly, and get to rulemaking as soon as possible, expedited ruling as soon as possible.

Data collection, continue to push that quickly. I know this meeting was kind of ate up with HMS data collection, but we need that SEFHIER program back on the water as soon as possible.

Wahoo, I would hate to see the sanctuaries take draconian measures. I know there's not much appetite around the table for moving

forward with wahoo, but, if the council does something, it will stop the sanctuary from taking draconian measures, which I think would be wise.

Illegal charters, it was great to see the NOAA OLE presentation, and the big steps forward that are being made on illegal charters, but I would continue to encourage the council, and NOAA OLE, and everybody, to continue to watch for that, as it is a big, pervasive issue across the Gulf of Mexico.

As far as scamp grouper, my last part of my comment here, yellowedge grouper, I see the rationale for moving to an SPR of 40 percent, but, for scamp grouper, I don't see the rationale for moving to an SPR of 40 percent. I think the council should ask the SSC to reevaluate that, and potentially look at lowering that SPR, which would get a lot of these hardships that you face with scamp grouper and yellowmouth grouper -- It would ease some of that hardship.

With yellowmouth, or yellowedge grouper, excuse me, with yellowedge grouper, the life history, the way that they don't mature until nine years old, I can see why we need an SPR of 40 percent, a more conservative approach. With scamp grouper, the life history is not the same. There's no reason, in my mind, to move to an SPR of 40 percent. It's a pretty big step, and it creates a lot of problems at the council table, that you guys are struggling to grapple with, as it creates so much complication in shallow-water grouper complex.

I think that's an easy move, that the council could ask the SSC to go back and look at an SPR of 30 percent. I think it would help a lot. Thank you for your time.

CHAIRMAN DUGAS: Okay. Thank you, Mr. Hubbard. Do we have any questions? Not seeing any, we're going to go online to Mr. Zales, and he will be followed by Ms. Bosarge.

MR. BOB ZALES, II: Bob Zales, II, Executive Director of Southeastern Fisheries Association. We all woke up to a great day today, and so hopefully we're going to be looking at a brighter future, here in the next couple of years for sure anyway.

My comments on the deepwater grouper, the yellowedge, are apparently, over the past several years, from what I understand, effort has been reduced, because boats have left the fishery, and so that could be a reason, for the past couple of years, that you're seeing lower catch rates.

When you're looking at trying to create another allocation, and, for the recreational side, from the information that I've seen in your presentations, apparently there's a lot of question-marks as to how you're going to do that with the recreational data, whether or not you've got the correct information, or the proper information, to do it, and it's kind of like you're going to try to establish an allocation and then figure out the rationale for why you did that.

To me, that's the wrong way to operate a fishery. You need to figure out how you're going to do it, and then work with the allocation, because there may not be any reason to do an allocation, once you figure that stuff out.

I'm going to concentrate my comments on the HMS proposal for their logbook situation. You all have heard me, over the past several years, and I've been an advocate for a long time, on behalf of commercial and for-hire fisheries, to establish a data system that is universal, that you don't have a different data system for the Gulf, a different one for the South Atlantic, a different one for everybody else, and then you've got two or three different programs on the Gulf, or two or three different programs here.

I don't know who with the Fisheries Service, or with HMS, came up with this concept that they're dealing with, but I applaud their efforts, because it makes all the sense in the world, to me, to create one system and people report to that one system. At the HMS AP meeting that I last attended, if my recollection is correct, they've issued 25,000 permits, so they've got the permits out there, they've got the ability, apparently, to collect this data.

This data can be disseminated by each state, or each region, however you want to do it, and I would encourage you all to work with HMS, to work with this system, to develop this system and make it viable.

I sent Andy and Carrie some information on the Release app that they have in the South Atlantic. This app is a very good app, in my opinion, because it extends from Maine through Florida. Each state can pull out their information out of that app. The Pacific States Fisheries Commission has applied for funding and to get the data from ACCSP to do the same thing on the west coast, and I would encourage you all, as a Gulf Council, to pursue the same thing, so that we can all get on the same page with data, and do a much better job, especially on the recreational side, with the releases and discards and the discard mortality that is killing our fisheries. That's it unless somebody's got a question.

CHAIRMAN DUGAS: Thank you, Mr. Zales. Do we have any questions? I'm not seeing any, Mr. Zales. Thank you for your testimony. We're going to move on to Ms. Bosarge.

MS. LEANN BOSARGE: So my name is Leanne Bosarge. For those of you who don't know me, I'm a former council member, for nine years. I'm the current chair of the Shrimp AP. I'm on the board of directors for the Southern Shrimp Alliance, and then there's my day job at our family business, Bosarge Boats, which owns and operates a fleet of offshore shrimp boats.

I rarely, if ever, give public testimony, and so the fact that you're hearing my voice right now means that it's probably important. I'm here to humbly request that the council convene the Shrimp AP prior to the January council meeting.

At this meeting, the council was presented with new language for every alternative in the framework amendment, as well as new text in the discussion sections of that framework amendment. The council was presented with new information on survey design for the shrimp electronic logbook program. It was presented with new cost data, for both Alternatives 2 and 3 in the shrimp framework action.

Shouldn't the AP be given the opportunity to review all this new information as well and provide input for the council? Isn't that the point of the AP? We, the Shrimp AP, feel like we've worked in good faith with the agency and the Science Center and the council, for almost four years now I think, to solve the electronic logbook 3G transmission problem, and now the AP is not going to be allowed to provide input on the substantial new information prior to the council picking a preferred alternative?

The fact that Alternative 3, which is an alternative that was largely put forth by members of the industry, that changes to that amendment were proposed and adopted during committee, without any consultation prior to that with the industry, that's almost hurtful. It's hurtful to hear the agency say that the AP doesn't need to meet, because they don't see what they could say that hasn't been heard before.

New information, which the AP has never seen, and one would say that there would be no new input from the AP, and add to this the fact that the makeup of the AP membership changed significantly during the last appointment process by the council. Those new AP members, which is almost half the AP, have never been given the opportunity to meet at all to review this document and provide feedback.

Shrimping is a vastly different type of fishing than finfish fishing. Look around that council table and tell me. Is there anyone at that council that targets and harvests shrimp? I believe the answer is no. That means that getting regular input from the council's Shrimp AP is vital, anytime new information becomes available and changes are made.

I see my time is up, and so I'll bring it to a close right there. I just humbly request that you please convene the Shrimp AP prior to that January council meeting where you're going to pick preferreds. I don't think that's an extreme request, and I hope you'll entertain it. Thank you.

CHAIRMAN DUGAS: Thank you, Ms. Bosarge. Do we have any questions? Dr. Simmons.

EXECUTIVE DIRECTOR SIMMONS: Thank you, Mr. Chair. Not a question, but just to let everyone know staff has sent out a doodle poll to the Shrimp AP. We're trying to figure out if there's dates in December that might work, whether it needs to be a half-day, a whole day, or if we have to wait till January, and so we are working on that, and hopefully everybody on the Shrimp AP can go ahead and fill out that doodle poll, so we can make some decisions. Thank you.

CHAIRMAN DUGAS: Okay. Thank you, Dr. Simmons. Any questions for Ms. Bosarge? I'm not seeing any, Leann. Thank you for calling in. We will move on to Ken Haddad, followed by Bill Tucker.

MR. KEN HADDAD: Mr. Chairman and council members, thanks for allowing us to speak. My name is Ken Haddad, with the American Sportfishing Association. I'll talk about a couple of issues.

On wahoo, typically we would not advocate management consideration for a species that does not appear to reach the threshold of criteria for you to manage it. However, we do not think the sanctuary program should independently manage fisheries within a sanctuary, and so we think either Texas and Louisiana should take a look at this, like Florida has, or the council needs to address this as a possible larger Gulf issue or a specific area management issue.

For deepwater, both deepwater and shallow-water grouper, you're proposing allocation actions that actually go against a past motion. You heard this before, and we've always advocated removing that policy that you put in the motion of not making allocation decisions on FES data until the pilot study is done, and so an

easy solution is override that motion.

We echo the concerns by some council members that going from 30 to 40 percent SPR needs to be addressed in some way. It just seems that this creates a crisis management approach, because of a sudden overfishing trigger. We don't disagree with the 40 percent rationale due to life histories, but we think some thinking needs to be done, between the council and the SSC, on how to get to ultimately 40 percent without triggering this crisis approach, and time constraints that you're facing now, which can lead to some bad decisions.

The recreational data in these, both of these, by all standards of statistical bounds, are not usable to make allocation management decisions. We think it would be instructive to see the PSE, concurrent to landings, to put that data in actual perspective. If the overfishing status forces you to use these data, then there's just something's wrong with that approach.

With all that said, for the deepwater grouper, allocation alternatives currently proposed -- We believe there need to be some new ones that consider and take into account the validity of the landing data, and you might ask why do we care, and it's a small portion of the fishery, and it's small numbers, but we're at a point, in the recreational fishery, and I think all the fisheries, that every fish counts, and we want to make sure it's well deliberated when you come up particularly with these allocations. Thank you, Mr. Chair.

CHAIRMAN DUGAS: Okay. Thank you, Mr. Haddad. Do we have any questions? Not seeing any, next up is Mr. Bill Tucker, followed by Kelia Paul.

MR. BILL TUCKER: Hello. My name is Bill Tucker. I've been a commercial reef fish fisherman out of Clearwater, Florida since the late 1970s. I started out as a deckhand, then a captain, then an owner-operator, reef fish permit holder, and shareholder.

I heard, in yesterday's presentation, that it's the council's intent to, quote, not take anything away from anyone. Based on current options in Actions 3 and 4 on Amendment 60, it looks to me like you intend to take away some of the incentives for conservation that were a design feature that we built into our Gulf of Mexico IFQ systems.

Namely, there's no mention of distributing reclaimed shares to shareholders with permits who sold allocation instead of landing it. I think this is a mistake, and what about the shareholders

who transfer allocation to another boat and then go out on that boat to help catch the allocation? Why should these shareholders be precluded from your share redistribution plans? What did they do wrong?

Why are you eviscerating the incentives for conservation that we built into our IFQ systems? The incentive for conservation in our IFQs is the alignment of stewardship with profitability. IFQs offer the promise of reward to shareholders for a strong and healthy stock, and so taking care of the stock becomes ingrained in the fishermen, because there is a mutual benefit.

As the stocks expand, the shareholders' annual allocation increases, providing a financial reward for stewardship. Even the recreational sector benefits from the stewardship of commercial fishermen, and so, for example, when our quotas get cut, many fishermen realize that the resource will benefit when they sideline their own harvest operations and sell some, or all, of the allocation to other fishermen. This is a stewardship action.

Sure, they could keep fishing their own boats, but this would increase bycatch and release mortality, not only for the targeted stock, but of the other stocks we encounter while offshore. Selling our allocation, sharing it with others, is an act of conservation and stewardship, and punishing shareholders for conservation is a mistake, and removing them from consideration, with your redistributions, sends the wrong message. I encourage you to reconsider.

When the council cut the red grouper quota by 60 percent, it did, by definition, create overcapacity in the commercial fishery. As a result of these quota cuts, there were suddenly more than enough boats in the fishery than we needed to catch the reduced quota.

Were it not for our IFQ system, and any other management system, these severe quota reductions would have triggered another derby. Were it not for the IFQ system, we would have caught the quota in six months, or less. Were it not for the IFQ system, the fishery would have closed, and, anticipating a closed season, fishermen would adapt by fishing longer, and harder, to try to catch as many red grouper as possible before the season closed.

The resulting Derby would have flooded the market and driven down ex-vessel prices. Left with no options, fishermen would try to mitigate the price reductions by racing to catch even more fish before the fishery closed. Once the fishery closed, these boats would try to shift to other fisheries, to try to make ends-meet.

This added effort would disrupt those other fisheries, like mackerel, and would result in user conflicts, more flooded markets, and reduced earnings for all fishermen. Without IFQ management, season closures would have severely damaged the red grouper market, as closures are proof to the marketplace that the supply is unreliable. Restaurants would have reprinted their menus to remove red grouper from their offerings. Public perception of the state of the fishery would be damaged, which would be a real bummer for Florida, our nation's fishing capital.

When the red grouper fishery reopened the following January, the market, and the restaurants, would have replaced red grouper on their menus with a reliable alternative, and the demand for our red grouper would not be there. The prices would reflect that. Fishermen would have to catch more fish to make the same money. This is how derby fisheries spiral out of control.

Selling allocation is a design feature of IFQs. It allows the participants to efficiently allocate resources in a market-based reaction to changes in the state of the fishery. The buying and selling of annual allocations is consistent with the conservation goals of management. Punishing shareholders for selling allocation at tough times runs counter to the conservation incentives inherent in our IFQ programs.

Please reconsider the options in Amendment 60 and include options for shareholders who own shares, and permits, but have shared their landing opportunities with others. Thank you for the opportunity.

CHAIRMAN DUGAS: Thank you, Mr. Tucker. We have a question. Mr. Walker.

MR. WALKER: Thank you, Billy. I appreciate your input. I would like to ask you your thoughts on the proposals we have on should we require a permit to hold shares, should we require some level of participation to hold shares, and what was the other one? I guess you kind of have to have a permit and you would, I guess, have to have a vessel, but permit requirement really, and participation, and should you be required, or do you -- Are you okay with outside investors holding shares?

MR. TUCKER: These IFQs were originally designed, and yet the advisory panels, made up of fishermen, setting these things up wanted to require a reef fish permit to participate. The recreational sector, in the development of this program, when we started this thing out, would not move forward without the idea that, after five years, we open it up to everybody, which I think was a sneaky way for them to try to get in, purchase allocation,

and shift it to the recreational sector on the sly, and that's my suspicion there. It appears pretty obvious, to me.

So, you know, we should have had a permit requirement from the get-go, stuck to it, and held on to it. It's a commercial fishery, and it's for the benefit of the public. Commercial fishermen are the only ones that should be bringing this fish to the dock, and yes, there should be a permit requirement.

MR. WALKER: Thank you, sir.

CHAIRMAN DUGAS: Any other questions for Mr. Tucker? I'm not seeing any.

MR. TUCKER: Thank you for your consideration.

CHAIRMAN DUGAS: Thank you. Next up is Kelia Paul, followed by Mr. Charlie Ranier.

MS. KELIA PAUL: Good afternoon, council. Thank you for the opportunity to speak today. My name is Kelia Paul. I own two dually-permitted vessels out of Panama City Beach, and I am the president of the Panama City Boatman's Association. My comments today reflect that of my members.

I'm going to start with lane snapper. We support Alternative 3 with a twelve-inch size limit. We do not prefer a bag limit, but, if we have to have one, we want Alternative 5, which is fifteen per person. We do want to thank, and I don't remember who it was, but the committee member who asked for a decision tool, and we would like to see this, and so we encourage the council to do that as well.

Next up, I'm going to talk about HMS. We do not support reef fish being included in the HMS electronic reporting program. The open-ended verbiage for the economic questions, the lack of validation, the verbiage not specifically excluding VMS as a location mechanism, and the baitfish reporting are among the reasons we do not support this.

We thank the committee for sending a letter, or starting to send a letter, outlining these issues, and we fully agree. Please continue to work on standing back up SEFHIER. We fully support a data collection system that this council puts together.

I do want to touch on the amberjack motion that was made. While we know this council has been managing the species for a while, and struggling to find the right fit, we do not support state

management. We do, however, support exploring regional management, and fully support sector separation, which I have said for a while.

I'm going to finish up with snapper. We are in support of shifting the start date for the charter-for-hire season to May 15th. That was a consensus across my members, as we do not have the tourism pass, really, the second week in August. That being said, we are concerned about the state of the stock and our future seasons. Across the board, we have seen a decline in both catches themselves as well as the size of fish that we do catch.

While the economy may have some impact on the effort, it really doesn't have anything to do with the amount of fish we're catching or their size. I will also say that my captains are telling me they're seeing more recreational boats than they've ever seen, further offshore than they've ever seen them.

I'm not sure that the economy is fully responsible for the decline in their catches either, although I can say that, you know, we did have a decline in trips this year, but that's not fully the reason. Please take note of the stock and help us preserve our seasons and our stock moving forward. Thank you.

CHAIRMAN DUGAS: Thank you, Ms. Paul. We have a question from Mr. Walker.

MR. WALKER: Do you guys catch a lot of lane snappers up your way? Is it more incidental, or is it a regular catch?

MS. PAUL: It's incidental, for sure.

MR. WALKER: It is, and I gather you said that you all were okay with the twelve-inch, the increase to a twelve-inch size limit on those, and so the start of the red snapper season -- It's all over the place.

We're going back and forth on just a week's difference, but, after what I said yesterday, I finally heard a rationale, from some of the guys, that made sense to me for keeping it open. My only motivation is to get the charter guys the maximum benefit out of their season, and it was explained to me, and let me know your thoughts on this, that they don't have any problem booking Memorial Day Weekend, even if red snapper is not open.

Those days are booked either way, and so they will get more benefit out of having the latter part of August. With some red snapper available, that might help them sell more trips, because of the

red snapper option, which also made sense to me, and so what do you think about that?

MS. PAUL: I think it may be regional, if you want my honest opinion. I would say we would benefit more the 15th, or the Memorial Day, and I 100 percent agree with Memorial Day. We are going to run Memorial Day weekend regardless, but it's those days before that, that -- We don't have amberjack in May anymore, right, and so we've got triggerfish and beeliners, and so having snapper, and having something to sell, because -- I have to tout Jim Green, because I'm pretty sure he said this, and I'm going to steal it.

We sell opportunities, and not harvest, right, and so we're selling opportunities, and, in May, like I said, we have triggerfish and vermilion, but having that snapper those extra days will make such a big difference for us, because we have the tourism in May that we don't have in August.

I would say we're dependent on this school season, and, between like the 10th and the 15th, we're done until Labor Day, and then we have a little pickup, and then fall break, and so it doesn't help us in August. We're completely fine with it ending August 15th.

MR. WALKER: Thank you.

CHAIRMAN DUGAS: Okay, thank you, Ms. Paul. Dr. Walter.

DR. WALTER: Yes, and thank you for your comment. I wanted to follow-up with a question about -- You had mentioned that you didn't want HMS and reef fish to use the same reporting, and is it that, or is it something specific about the HMS reporting?

MS. PAUL: So it's the specifics of it. I don't -- The one-stop reporting, we don't -- We are completely onboard with. That's fine. It's the other pieces of it. It's the -- I think Captain Walker said it, and it's the open-ended economic data that scares us. It's the possibility that VMS can be there.

We don't want to be a SEFHIER version, you know, 1.0, a situation where we're in a litigation again, and we don't have data collection. Our goal is to get data collection in, consistent data collection, and have something that we can use, and, with what HMS did, it doesn't -- It just doesn't seem like it's going to work, and so, if we did it collaboratively, that's one thing, but, with everything that's going on, it's not something that we would support.

We would rather that HMS do their own thing and the council keep

moving on with what they're doing with SEFHIER and stand SEFHIER backup and do what the council -- Like I said, what the council has been working on all this time. Does that make sense?

DR. WALTER: So you're concerned that the HMS may cause problems for the council one-stop?

MS. PAUL: Yes.

DR. WALTER: Okay. Because of some of the things that are specific to HMS.

MS. PAUL: The data validation is the other big piece of that. The validation is a huge piece of that. You know, we went round and round, and I've heard you guys go round and round, at this council table, about how to properly validate without VMS, and all the other things, but, if we don't have validation, the data is not -- You know, can we even use it?

We want to make sure that we can do that, and this council has been working very hard to get us there, and I just don't want to do something quickly, which is what it seems like how the HMS has come across, if that makes sense.

DR. WALTER: Thank you for the clarification.

CHAIRMAN DUGAS: Okay. Thank you, Ms. Paul. Next up is Mr. Charlie Ranier, followed by catherine Bruger.

MR. CHARLIE RENIER: Hello. My name is Charlie Ranier. Most of you know me. I've fished my entire life. I was born and raised in the Keys. My father was a fisherman. My daughter is running my retail and my fish company, and I'm here to talk about deepwater grouper today.

When I was a kid, going back a lot of years, forty years ago, there was forty or fifty deepwater longline boats fishing yellowedge, snowies, tilefish. Over the years, the fishermen have died off. The younger fishermen are inshore, catching red grouper, gags, and snappers. There's very few fishermen that can fish in that deep water and make a living.

I would say there's probably only ten boats in this entire Gulf that can do it. I've got five of them that fish out of my place. I know Buddy has got a couple. There’s a couple up in the Panhandle.

You all are telling us you're going to take our deepwater fishery

from us, or part of it. We all know the deepwater fish grow slower, but I think the one thing you all don't understand is gag grouper live on edges. You go out there and find the edges, and you catch them. Our red grouper live in holes.

These yellowedge grouper, that live offshore live in soft bottom, a mud bottom. I heard you talking about it yesterday. They dig holes out there. Do you know how many thousands of miles of that bottom is from Key West all the way to Texas? Literally thousands of miles that's never even been touched, and you all are going to restrict us from even getting out there.

I'm trying to teach young fishermen to get offshore, to go catch that, so we don't have everybody catching red snapper, red grouper, and gag grouper, and you all are already going after that. We understand that.

There's no mortality out there. Every fish dies. We're not throwing anything back. Everything we catch, we sell, if it's two pounds or if it's thirty pounds, we sell it all, and so there's nothing slipping away.

I heard you all talking about sport boats going offshore. When you get out to catch yellowedge, most of that is a hundred miles, or further, offshore, and so you're looking at three and four-engine boats, which there are some around.

Do you know how much fuel it’s going to cause them to run out there to catch one or two groupers? Do you know how many days a year is calm enough for them to run out there and catch one of them groupers? I mean, we just need to use a little commonsense in this.

If you want them to catch some sport fish in the summer, give them May, June, and July, when it's slick calm, and they can run out there, and maybe you all can get some decent numbers from them. You all get great numbers from us, and we've got a very viable fishery, and you all are scaring the hell out of me, telling me you're going to go ahead and cut us back 40 percent.

We need those fish. The gag grouper, you all have taken from us, because of bad science. The amount of gags -- My guys are only getting three sets a day in, because they're pulling their lines so slow, in those deeper waters, that all the gags live. Some of them are throwing a hundred gags a trip back, because we can't keep them, because we had bad science.

We're willing to help you all. We'll work with you all on anything.

We want our fishery open. We want to feed the public, and we want to be here forever. Anything we can do to help you all, come and ask us questions. If you all want to know about deepwater grouper, we're here to tell you. I'll put you on boats. I'll let you go out there and see it, but don't go ahead and just shut our fishery down.

If you take -- Just because we're not catching, it doesn't mean it's not there, and we're going to have a problem this year. Our red grouper, we had a hurricane, and we didn't catch fish for a month. At the beginning of the year, the red grouper quota was so high priced, we couldn't afford to buy it.

I've got twenty-some longline boats at my place, and I don't think you all understand how this quota system works. In January, I try to lease enough quota for twenty to thirty longline boats for the entire year. Sometimes, the quota I lease, it goes through seven or eight different hands before it gets to us.

You may lease it for your boat. If you don't catch it, you lease it to him. If he don't catch it, then he leases it to him, and then, if he don't catch it, he leases it to me. I'm the one at the end that everybody wants. I've got a thousand calls right now of people are offering me red grouper at seventy-five cents, because they can't catch it, but, at the beginning of the year, they wanted three-dollars for it.

We just need a little bit of help, all the way around, so we can save this fishery. I mean, you all are worried about the fishery, the fish. I'm worried about the fishermen. Four or five years of this, we won't have any fishermen left. You know, anything you all want, just ask us. We just want to help. We want to keep it alive. We don't want to kill every fish in the ocean. We want to feed everybody we can feed, and, anything you all need, just ask. Thank you.

CHAIRMAN DUGAS: Thank you, Charlie. We have a question from Mr. Walker.

MR. WALKER: Thanks, Charlie. So I'm up here as a fisheries management guy now, and they come and they say deepwater is in trouble, and here's 225 pages of data to back up what we say, but the catch has declined every year for a while now.

MR. RENIER: It sure has. The amount of captains that have died off is unbelievable.

MR. WALKER: So you're attributing that --

MR. RENIER: Absolutely. You can ask any fish house owner in here. You can ask Greg Abrams. You can talk to Buddy Guindon. We have lost all our fishermen. Let me tell you that it's easy to catch a red grouper.

MR. WALKER: Hang on a second. Let me ask you something.

MR. RENIER: Go ahead.

MR. WALKER: At eight-dollars a pound, why are people not fishing?

MR. RENIER: Because a whole lot of them can't do it. I've seen plenty of guys go offshore, run their cable over, and never see it. You've got to know what you're doing. When you get in 600, 800, 1,000, 1,200 feet of water, and you got a two or three-knot current running out there, you've got to know what you're doing. A lot of these guys don't want nothing to do with that. It takes a damned good fisherman to get out there and know what he's doing.

MR. WALKER: Thank you.

MR. RENIER: You're welcome. Any other questions?

CHAIRMAN DUGAS: Any other questions for Mr. Renier?

MR. RENIER: Thank you.

CHAIRMAN DUGAS: Thank you. Next is Catherine Bruger, followed by Mark Tryon.

MS. CATHERINE BRUGER: Thank you. Good afternoon, and thanks so much, Mr. Chair. I'm Catherine Bruger. I'm a Manager of Fish Conservation with Ocean Conservancy, and it's great to be here with you today in-person and in my hometown.

I would like to welcome, and congratulate, the newly-appointed council members and returning council members. I'm excited to hear your perspectives and be working with you, and, also, I would like to congratulate Dr. Jack McGovern on your retirement. Our best wishes to you and your family on this new journey.

My comments today focus on private recreational data collection, and I offer four suggestions for continued improvements. First, I would like to thank the council staff and states for adding transparency and some consistency around tracking recreational red snapper landings.

One way to strengthen these presentations is to include error around measurements of size and age. We hope this can be incorporated into the Gulf State Commission's standardized database, and we appreciate the work that's happening around this.

Second, I would like to highlight that adherence to the existing recreational fishing survey and data standards is an opportunity for the states to further improve transparency and simultaneously improve the ability to integrate state data into stock assessments.

These standards really operate as performance standards, rather than technical specifics. These are things like developing survey design, obtaining certification, and developing transition plans, which many of the states have already done. Lack of consistency, however, with respect to the existing standards. has been part of a breakdown that has been a roadblock to integrating state data into the stock assessment.

For example, many state programs are falling short on one of the most critical data standards, which is providing annual reports on survey performance. The LA Creel model, however, produces this report on an annual basis, submits it to OST for annual review, and then makes the result and the report readily available to the public. The LA Creel survey also produces uncertainty estimates that are readily available on their website. Annual reports, and error statistics, are a great opportunity to improve transparency and are an integral part of certification.

Third, another opportunity to improve data and surveys is to address the issue of unresolved research needs identified in the Gulf transition plan and recently-released research plan. We have an unprecedented funding opportunity, through the IRA request for proposals, and we encourage the states to review research needs that are presently funded in the transition plans and leverage this IRA funding to solve the data challenges that have existed with state surveys for the last five or more years. We view this as transformational change.

Last, I haven't heard anyone articulate how the funded projects will ultimately patchwork together to ensure that resulting data gets used. We've provided some additional details in our letter.

Given the investment of time and money, we urge the council to consider how enhancing the review criteria that are already provided with specifics that consider how data collected will ultimately integrate with the five state surveys, the general surveys, dock site surveys, and ultimately produce something that's cohesive. That's all I have for you today. Thank you so

much.

CHAIRMAN DUGAS: Thank you, Ms. Bruger. Do we have any questions? I'm not seeing any. Thank you. Next up, Mark Tryon, followed by Timothy Dillingham.

MR. MARK TRYON: Mark Tryon, Gulf Breeze, Florida. I'm a commercial fisherman. I run dayboat trips, twelve to fourteen hours, on my twenty-seven-foot MayCraft. What I want to initially discuss is you have these proposals, and I forget if it's 59 or 60 now, on the reef fish requirement, landing requirements, and some other things.

I think, before you get too far into this, I would proceed with caution and maybe commission a white paper, you know, if possible, on unintended consequences of some of these actions. In other words, let me give you an example.

The reef fish requirement, one would think, okay, if you're going to require the reef fish, which I don't really have a big problem with that, but that's probably going to raise the cost of reef fish permits, for people who want to buy them, and supposedly we're interested in making things easier, and not more difficult, for new entrants, and so that would be a possible, you know, situation where it's an unintended consequence.

The landings requirement, as you've heard me say before, you know, if it's like a 20 percent requirement, and you told me this five or six years ago, do you have a problem with 20 percent, I would say, no, I could easily catch 20 percent, but, due to the localized depletion, fished-out conditions, whatever you want to call it, in my particular area of operation, it would be questionable whether I could do that, and so I'm very concerned about that.

I don't like it, and, once again, you know, perhaps if we commissioned a paper, had an unbiased entity study this, and come up with, you know, what do we think is going to -- Who is going to benefit by this and who might get hurt by it.

As far as -- I'm a little bit disorganized today. Just going in on the Florida 103-day season, I think it was way too long. I don't know what they intend on doing next season, and I'm kind of worried about it. This season is, you know, pretty much done. It's going to end at Thanksgiving weekend, but what are we going to do next weekend? Are we going to do another 103-day season? More than 103 days?

I mean, it seems, to me, that there has to be some control, by

National Marine Fisheries to come in here and, you know, see what's going on and question, you know, whether there's overfishing, which I truly believe occurs here.

I come up, and I give you the arithmetic on it every time, and I'm not going to do that again today. You're probably getting tired of it, but, in my mind, I'm just about certain that there's serious overfishing going on, and I'm concerned with that, and that leads to my situation of the localized depletion that I'm dealing with and am very, very, you know, upset about that. Thank you for your time.

CHAIRMAN DUGAS: Thank you, Mr. Tryon. Do we have any questions? Not seeing any, next up is Timothy Dillingham, followed by Mr. Scott Hickman.

MR. TIMOTHY DILLINGHAM: Hello, everybody. Thank you for having me up here. I just wanted to say thanks, once again, to Ed Walker and John Sanchez. Welcome back, John. I've seen you in this chair for a lot, and, as commercial fishermen, we appreciate you both. You both are active in supporting commercial fishermen, and view us as an asset to this country, and not a criminal liability, which is kind of the way all these men behind me feel.

We need to be taken in the light of food producers, just like farmers, just like everything else, and we're not getting that respect right now. Nothing against anybody in this council right now. You're all very educated, intelligent people, but can I just see a show of hands who here has ever commercial fished, out of anybody sitting at this table?

Okay, and so we have three, or four, people, and so that's a step in the right direction from where we've been, because this council has been extremely biased in a different direction, and it's been an uphill battle for us, since I got in this industry eleven years ago.

Once again, it's nothing against you guys. You're just not out there. You're not seeing what we're seeing. If you guys want to actually get the best scientific data, it's time for you to start asking the fishermen, the people who are on the water every single day. We're the ones seeing it. Whether we're divers or fishermen, we're seeing it.

You know, I'm hearing a lot of comments lately about, oh, we didn't hit this catch limit, or that catch limit, and, well, let's look at the last couple of years, what we've had to deal with. Has anybody here seen the weather we've dealt with in the last two

years? Ever. You might have. You've got a couple of years, and you're the only one.

What we're dealing with now, what he just said about losing fishermen, fishermen passing away, and we're also losing fishermen, young fishermen, because this business has got too difficult to get in.

I know, myself, I've lost three boats that I used to be a dealer for, and so, not only am I an owner-operator of my own boat, I also am a dealer for four other boats, and I own Dilly's Fish Company, and I provide seafood to a countless number of country clubs and restaurants in South Florida, eight of which those chefs came to the council meeting in Fort Myers.

I had a couple of council members come up to me and say, you know, how awesome it was that I actually brought chefs there to show you guys a side of us that's not us just taking fish out of the sea. We're actually doing something great, providing fish for people, and we're important to these chefs, and so I think we need to really take a step back, and I say this every time I get here, but we're basing our fishery decisions on flawed data, which you all have admitted is flawed.

I mean, just that debacle last year with the landings and gag from land. I mean, we know the information is false. We know that you don't have the correct data, and so you can throw all these studies out all you want, and, in the end, you're making bad decisions off of worse information.

We got to get the information better. The charter guys, they're going to be great, in the end, if they can start reporting some of the catches they're doing. Obviously, commercially, we're fully accountable right now, but it seems like, every council meeting, here we are again fighting for our rights.

The deepwater grouper, I literally have a boat being delivered sometime in the next two months, that I literally invested my life savings, because I had to get bigger, to get offshore, to fish for fish that you guys weren't regulating me out of my business. Now this is going to be gone.

You’re talking about taking away scamp, and you’re talking about taking away yellowedge, and then I just found out, in the meeting earlier, that you're planning on including all deepwater grouper in that cut, even though yellowedge is the only one under the overfishing, apparently, but then, on the shallow-water grouper, we're going to separate scamp.

I don't agree with either one of them, but, at the end of the day, if you're going to do one for scamp, and make that a separate one, then I would hope you would do the fair thing and make yellowedge its own as well, so that the other species, like speckled hinds, which is a big part of my business, as well as snowies and the other species, don't take the hit that aren't overfished.

We're trying to do a job to feed people, and we're literally getting no support. It's like we're trying to fish with one hand right now. I want you all to try and put yourselves in our shoes. We're not trying to rape and pillage the sea. We're trying to provide food for our Americans. This is very difficult for us right now.

A quick thing on the lane snapper, because I wanted to go over a couple things. There's tons of lane snapper out there. I wouldn't touch them. I actually sell a bunch. I have a bunch of Jamaican customers that only want small snapper. If you cut those, that's going to hurt me bad. I'd be perfectly fine going to ten inches. I think twelve inches is excessive, and so I think that's about it. Is there any questions at this point?

CHAIRMAN DUGAS: Thank you, Mr. Dillingham. Any questions?

MR. DILLINGHAM: Thank you.

CHAIRMAN DUGAS: I'm not seeing any. Next up is Mr. Scott Hickman, followed by Trenton Knepp.

MR. SCOTT HICKMAN: Ladies and gentlemen of the Gulf Council, and you're doing a great job as the new chair, and you're running meetings really good. Congratulations on that. Congratulations to Carrie on a big birthday today, and the best Executive Director we've ever had. We appreciate everything you do.

Captain Scott Hickman, from Galveston, Texas, one of the founding board members of the Charter Fishermen's Association. Captain Hubbard did a great job giving our testimony. I'm currently sitting on the Flower Garden Bank SAC, and we're going to talk about wahoo in a minute as well. I sit on your Coral AP, and your Data Collection AP, and I'd like to see the Data Collection AP meet to go over some of this charter boat reporting stuff.

Once again, Dylan did a great job on our testimony. The only thing differently from Galveston, and this may answer one of Dakus' questions that he was referring to the other day, the Galveston Professional Boatmen, instead of the June 1 opener, we prefer

something around Memorial Day.

In Texas, the Star Tournament's a really big deal. A lot of our clients, recreational anglers, join that tournament. They want to try to catch a big snapper or a big fish, and they would line up with that tournament opening, and that's kind of the kickoff in Texas, is that Memorial Day weekend, when people want to go get offshore.

Ecosystem-based fishery management definitely needs to get moved forward. I'm glad that we've got the staff, and that we got some of that money to start funding that and get it working. We've got a lot of challenges, on a lot of these fisheries, and one of the things that we're missing is that ecosystem-based management component to help manage these stocks, and so we're excited about that getting going, getting the council to fully support that, and I know Carrie has hired some good people to work on it, and we're glad to hear that it's going to be moving forward, and we'll hopefully hear something in January on how that's transpiring.

Wahoo, you know, I was hoping that the council would do something about wahoo. You know, we've got this big aggregation. We used to have one tournament. Now we've got two wahoo tournaments. Those fish are getting hammered. The technology, quad and triple-engine boats like mine, and we're seeing lots of fish taken out of there. Everybody supports, from our Boatmen's Association, doing some type of two-fish bag limit.

If the council doesn't want to take action on that, it would be great if the council would send a letter in to the Office of National Marine Sanctuaries, saying you're not going to take action, so we can decide how to move forward with that from a SAC perspective.

SEFHIER, I still say that an app, or a web-based reporting approach, would be the way to go. Everybody watched the hurricanes this year, and, you know, losing cell phones. Elon Musk flipped the switch, and everybody had cell phones, with this new technology. This spring, we'll all have full data, talk, and text anywhere on the planet with our smartphones. It’s super easy to have an app, or web-based reporting, for the charter boats and be able to use a simple phone. It'll validate, and you can do anything with it. We don't need VMS. The technology has moved past what everybody's been working on. It would make it really easy for us.

The IFQ system, I'm an IFQ shareholder. I don't have a problem with a permit being required, and, as far as these unused shares, I'm kind of conflicted where I think that those need to go. I do

believe that harvesters need to be helped, and so, if you've got a reef fish permit, a shareholder account, and you're harvesting whatever species that are, and there's some fish to give out to those harvesters, I think that would be a great thing to do. So, with all that being said, I appreciate you all, and, once again, happy birthday. The cake was great, and we appreciate y'all.

CHAIRMAN DUGAS: Thank you, Mr. Hickman. We have a couple questions. We'll start with Mr. Geeslin.

MR. GEESLIN: Thank you, Captain Hickman. Continue to beat those drums for the ecosystem-based management. I always appreciate hearing you say that. Wahoo, something I'm struggling with. I think I know the answer, but do you ever see any wahoo landed in state waters?

MR. HICKMAN: No, even us having a nine-mile limit. Maybe in South Padre, where that deep water kind of gets in there close, but definitely not on most of the coast, where we've got a lot of effort, and we're running a hundred miles to the sanctuary, and that's where they're being targeted. It's a targeted aggregation, and we're working on them pretty good, and everybody supports doing something about protecting some of those fish.

MR. GEESLIN: I'll talk about some of the challenges with enforcement later tomorrow in Full Council, but, regarding opener for the charter-for-hire, I heard you say June 1, or around Memorial Day, and does that mean the Friday before or the June 1 opener?

MR. HICKMAN: I would say Memorial Day weekend, or however it falls. You know, you could adjust it from year to year. We do it with our duck seasons, and we do it with a lot of different stuff. We've got to be flexible. We have sector separation, and so we have the flexibility to set that season, and that's the great thing about Amendment 40, is we were able to really adjust what we wanted to do, but the Memorial Day opener is very popular in Texas for our charter boats.

CHAIRMAN DUGAS: Okay. Another question from Mr. Walker.

MR. WALKER: Thank you, Scott. I know you're highly experienced in the Flower Garden Banks thing, and so you said, on wahoo, two per person. What about vessel limit? I mean, that's why we're all here talking about this, and let's be honest.

MR. HICKMAN: I'm conflicted on the vessel limit. You know, if you get forty people on a headboat -- I know the pictures were

shown with the headboats with those big harvests. There's not that many trips being made by the headboats.

The majority of the effort are people going out, the go-fast boats. There'll be twenty or thirty boats show up on a nice weekend in January or, you know, February. That's when this aggregation is there, and they're catching thirty or forty per boat, sometimes twenty or thirty boats, on four different banks, and it's an overkill, and fish are getting smaller.

We don't catch as many inshore as we used to. You know, even the people in the tournaments think it's too much, and so we haven't had any pushback at the sanctuary level on wanting to do this, and it's the right thing to do.

MR. WALKER: So two per boat, no vessel limit would be your recommendation?

MR. HICKMAN: I don't think a vessel limit. You know, I don't want to punish the headboats, that may make the three or four trips a year out there.

CHAIRMAN DUGAS: All right. Thank you. Mr. Sanchez, did you have a question?

MR. SANCHEZ: I think Ed got into some of that. Maybe the only thing left, that I was thinking, was those pictures that we saw is kind of why we're discussing this. How commonplace is that, or is that just the picture, and there's maybe another one, or is that happening often?

MR. HICKMAN: If you go on the Facebook pages for the two wahoo tournaments that are being held, and they're like two-month-long tournaments, and it's an aggregate limit, and so you've got to catch like your three biggest fish, and so you're going out every weekend that it's nice, or the weather days that it's being nice, and continue trying to get that three biggest fish, and there's hundreds and hundreds, and thousands, of fish being killed to win, you know, and there's some other issues with it, too.

My mechanic's really into this tournament, and he's like, you know, we're still going to discard some fish. He said, these wahoo bullets, and these lures they're pulling, are fifty or sixty-bucks a piece, and he said, I'm getting my lures back, and they bring those fish onboard to get the lures out of them, and wahoo are a big, strong, crazy fish.

You bring them on the boat, and they're snapping, and teeth, and

they’re probably not going to release in real good shape, and so that's something else to think about but I think, overall, a two-fish bag limit would help with a lot of this overharvest issue. A lot of those fish are probably getting freezer burns. You know, it's too much, but we don’t want to shut it down. I mean, we want that access. It's a neat fishery. We just want to be careful with it.

CHAIRMAN DUGAS: Thank you, Mr. Hickman. Next up is Trenton Knepp, followed by Bob Hilliard.

MR. TRENTON KNEPP: Hi. My name is Trenton Knepp. I'm a commercial fisherman. My parents have had commercial fishing boats since I was a kid. They started with longline vessels, and did some stone crabbing, and my brother just bought one of their vessels.

Before I get real sidetracked, I've been saying forever the lane snapper size should be increased. I mean, when you keep an eight-inch lane snapper, it's embarrassing.

Our biggest problem we've got is the IFQ. Like, earlier, I heard how can we help the fishermen? Well, you could buy us all brand-new boats, and you could buy us all the fuel, give us all the tackle and, a year from now, we'd be sitting here just as broke as we are now, because every time the fish price goes up, the quota price goes up. If fish would go to a thousand dollars a pound, the quota would go to $994 a pound. It's absolutely ridiculous.

Every year, I'm sitting at the dock, at the beginning of the year, because I can't find quota at a price to where someone can make a buck. The beginning of the year, every year, my parents' boats are being held back, because there's not enough quota available.

Every single year, we're derby fishing at the end of the year, like we're going to do this year. 27 percent of the quota still has to be caught. Every year, at the end of the year, we're derby fishing. It's ridiculous. We have no chance of making a fair day's wages for a fair day's work. If every one of you sitting here would have to give 80 percent of your paycheck to someone that sat in your seat before you, how quick would this problem get fixed? Thank you.

CHAIRMAN DUGAS: Thank you, Mr. Knepp. Do we have any questions? Mr. Walker.

MR. WALKER: Yes, and thank you. Recently -- I'm glad you came, because not a lot of guys did, and I asked some guys to, and they were reluctant to do so, facing the circumstances that exist here,

but I recently did a bit of an analysis on say a thousand-pound red snapper trip, and what a guy that has to lease it, and pay his crew, and his cost recovery fee and all that, and you were talking 80 and 20 percent, and I actually got, of the profit from such trip, 90 percent went to the quota holder, and 10 percent of the profit ended up in the fisherman's pocket, and so I agree with you. I would ask you, while you're here, what -- If you had a couple of things to throw out there that might help improve the situation, what might those be?

MR. KNEPP: When this whole thing was started, it was wrote into law that no value was to ever be placed upon these shares. It was never meant to get to this point. Somehow, it needs to be re-shook and handed back to the fishermen. I mean, we've got shareholders saying, oh, well, without us, there wouldn't be fish at the end of the year.

Come on, man. Do trip limits on boats, and you're regulated. You can only catch so many pounds a trip. That solves all the problems, and, I mean, we're giving all our money to people who -- Most of them don't even own a single fishing hook.

We're risking our lives. I mean, every single commercial grouper fisherman that I know is on the verge of financial collapse. I can't tell you how many of them went belly up, and, as far as coming here, I begged them to come, and they're like, well, our words aren't listened to anyhow, and then I told you how I was getting harassed for showing up to meetings, nonstop. They all saw that, my friends, and they're like we're not coming. It's not worth it. We don't need a target on our back, and they're not listening to us anyhow, and so we've got nothing to gain, and everything to lose, by coming to the podium.

MR. WALKER: I'm really glad you're here, because I think that we don't always get to hear the real situation out here, for the same reason you described, and so I appreciate you powering through and coming here and telling it like it really is.

CHAIRMAN DUGAS: Okay. We have one more question. Mr. Strelcheck.

MR. STRELCHECK: Yes, and Ed asked largely my questions, but I wanted to also emphasize my appreciation for you being here and being a voice that we often don't hear from. I'm curious, with your business model, how much you have to rely on leasing quota share, versus shareholdings, and you talked about, obviously, the challenge of buying allocation, especially at the start of the year, and so what are you seeing, in terms of kind of the price at the start of the year, for key species, versus what you're able to

pay at the end of the year and derby fish with?

MR. KNEPP: The beginning of the year, everybody was wanting three-dollars a pound, and like I was even having trouble finding it at that, but like, at three-dollars a pound, there's no sense in even leaving the dock. Now, like Charlie said, there's guys saying, hey, I'll take seventy-five cents.

Well, they choked us at the beginning of the year, trying to drive the price up, and now they're realizing that, oh, crap, we can't get rid of it all, and here. Here, go work as hard, as you can, as fast as you can. Every year, at the end of the year, I am running, to the point where I don't even know what day of the week it is, because it's my only chance to make a buck, because I've been sitting at the dock the first half of the year. It's wrong, it's wrong, it's wrong, it's wrong.

MR. STRELCHECK: Then what proportion, of kind of your overall landings, comes from quota share you hold, versus leased quota share?

MR. KNEPP: I personally don't own any. My parents own 15,000. I just do day-tripping, on a small boat, and so I don't need a ton. They go through a lot. My brother just -- He's been wanting a longline boat forever, and so he just recently bought one of their boats, thinking he could run it better, and he's losing about $10,000 a month, for the last five months. There's no money in it anymore. Everyone I know is on the verge of collapse.

CHAIRMAN DUGAS: Okay, Mr. Knepp. Thank you. I don't see any more hands. Any more questions?

MR. KNEPP: Thank you for your time.

CHAIRMAN DUGAS: Thank you. Next up, Bob Hilliard, followed by Eric Brazer.

MR. BOB HILLIARD: Good afternoon. Thank you for hearing from me. My name is Bob Hilliard. I'm a private recreational fisherman, and a spear fisherman, from here in Clearwater, Florida, and so everything I'm going to be talking about is west coast central Florida.

I've been diving and fishing this area since the mid-1970s. I've seen a lot of changes. Gag grouper has always been our premier species. Diving, I see a lot of them early on, and I got my gags during the two-week season, but they're still there. There's a ton of gags in this area. I'm also a member of your recently set

up recreational initiative, and so that was just brought up there, also, but having a two-week season really hurts. It cut down on my expenses, but it hurts the people I buy from, too.

The other thing, and I'm just going to ramble. I didn't bring my notes, but kingfish, king mackerel. There aren't as many there as there used to be. I'll go out and get one or two a year, and smoke them, but it's taking a lot harder -- It's taking a lot more to get them.

Another thing, with the closed seasons on everything, is people are shifting their efforts. A lot of hook-and-line people are now going after hogfish. There's still plenty of them there. They're smaller, but they're there, but just keep an eye on that population. That's all I got.

CHAIRMAN DUGAS: Thank you, Mr. Hilliard. Do we have any questions? I'm not seeing any. Thank you for coming. Next up is Eric Brazer, followed by Greg Abrams.

MR. ERIC BRAZER: Thank you, Mr. Chair. Eric Brazer, Deputy Director of the Gulf of Mexico Reef Fish Shareholders Owners Alliance. It's good to see you guys. Happy birthday, Carrie, Dr. Simmons.

I'm going to start out with my comments on 58A and B. I'm going to focus on three areas, the first one being allocations, and so, you know, in our opinion, regardless of the differences in how you're defining allocations, the effects of what you're doing is effectively going to be a reallocation. You are effectively reducing, proposing reducing, commercial limits and proposing increasing recreational limits.

Given the council's previous interpretation, or discussions, on allocations, versus de facto allocations, we think it's reasonable to interpret this action as something that would result in an allocation change.

Therefore, we're asking you to follow the allocation process, including identification of triggers, reviewing FMP objectives, analyzing whether these objectives are being met, identifying other relevant factors that would impact allocations, and then a formal analysis and determination of these allocation changes, and we would ask, as you would expect, that, in doing so, that you have to ensure that this process is fair and equitable.

We would argue that using highly uncertain recreational landings data to justify a 50 percent cut in deepwater grouper on the

commercial side -- That is not fair or equitable, in our opinion.

We do also have to ensure that this process is reasonably calculated to promote conservation, and, thus far, we have seen nothing in the document that we interpret to be reasonably calculated to promote conservation.

I have to touch on discards. We know the document is still in development. That being said, we expect to see a lot more discussion, and analysis, of total removals, landings, discards, and dead discards, and how it'll be published in the document, managed, and ultimately reduced in practice.

I'm going to skip ahead, and so one of the challenges that the public has with, whether it's 58A, B, 59, or 60, is getting from these kind of high-level general conversations to more practical analysis and thoughts. We might have had this back in the days of 36A, and I can't remember, but having some sort of model, or program, where we can start to plug in information about different businesses, pull the levers, and then spit out what these impacts are, having something that we can take this and pull it down to the ground level and start to look at how the different business plans are impacted by these proposals, and that would be super helpful.

We feel, for Amendment 60, we feel the purpose and need still needs some work. You're talking about increasing access and opportunities, but we don't know what "access" means. We don't know who should receive this access, where it's coming from, or why, and, in particular, and I'll wrap up here, Action 4 could be interpreted as reducing access and opportunity.

Then finally, and I know I've run out of time, but I just wanted to thank Dr. Jack McGovern for his time with the agency, and you've always been accessible to us, and you've always been really personable and excited to answer our questions, which we don't see very often, and so thank you for your support, and we wish you the best max relaxation in your retirement, and so thank you.

CHAIRMAN DUGAS: Thank you, Mr. Brazer. Do we have any questions? Mr. Strelcheck.

MR. STRELCHECK: Eric, thanks for your testimony. You have experience, obviously, running a quota bank with the Shareholders Alliance, and you've, you know, been involved in quota banks in the Northeast, and I'm curious your perspective on our conversation about quota banks the other day, and private, government run, the utility of that.

MR. BRAZER: I appreciate the question. That's something that I had to skip, because I'm too verbose in my testimony. We, obviously, are clearly supportive of quota banks. We would like to see that included in the document for analysis.

You know, we understand the need to look at agency-run quota banks. We are a big fan of industry-run quota banks. We feel that, from a bottom-up approach, we can do it faster, and more efficiently, than perhaps the agency can, in terms of building a program that's actually using this allocation to solve a problem.

You know, our quota bank tries to tackle discards and supporting young fishermen. We build a program, we run the program, we evaluate the program, and then we update and modify the program effectively in real time.

It takes a lot of work. There's a lot that goes into it, but, you know, we have found, in our experience, that building some sort of collective, collaborative approach to solving problems can often be more successful than tackling it one-on-one and individually, and so we really hope that this alternative will be included in the document. We would love to be part of the analysis, look at the analysis, and help describe kind of what we do and how it could be a tool that the council may use.

CHAIRMAN DUGAS: Thank you, Eric. We have another question from Dr. Banks.

DR. BANKS: I'm going to put you on the spot. Based on the conversation we had last night, can you tell us how you fund your quota bank? I understand that that's a developing process, but if you could just give us a brief description.

DR. BRAZER: Sure. As I mentioned, you know, it is a program that we run out of the organization. There are costs associated with it, and so what we have done is we've worked up through our membership, up through our board of directors, and, to help offset those costs, and to fund the program, there is a membership fee to be part of this program, and that's what we do.

There's many different ways to skin that cat. There could be grant opportunities, and there could be philanthropic opportunities, but our approach, thus far, has been through a membership fee.

DR. BANKS: Do you charge -- I think if I remember right, last night, you also charge a small fee on top of each pound that is passed through?

MR. BRAZER: That's what it is. The membership fee -- You know, there's been discussion of doing a lump sum. We have decided to do it on a per-pound basis. Therefore, if you receive less allocation, you're effectively paying less. More allocation, you're paying more.

CHAIRMAN DUGAS: One more from Mr. Walker.

MR. WALKER: Same concept. When you're leasing quota, out of your quota bank, is it at market price, and who determines what market price is on any given day?

MR. BRAZER: That's a great question. Given the lack of information about what true market price is, what we have done is we've built a formula where we go online, and we try and access as much publicly-available information as is available, and then we run it through a formula that spits out that price, and we've intentionally done it that way, as to kind of separate it from the members, from the board, from the fishermen. We've firewalled that, and we're constantly looking at ways to improve that information. Having Dr. Ropicki's reports has been really helpful.

CHAIRMAN DUGAS: One more.

DR. OVERTON: One more question. Does that price adjust throughout the fishing season, or is it just set at the beginning and it runs the entire season?

MR. BRAZER: Great question, Dr. Overton. We started our program with applications on a rolling basis, applications and allocation distribution on a rolling basis. We have moved to a quarterly system, because it's a lot less work on me, and so, to answer your question, as the applications come in, on a quarter-by-quarter basis, that's when we mine the public data and run the formula.

CHAIRMAN DUGAS: Okay. Thank you, Mr. Brazer.

MR. BRAZER: Great.

CHAIRMAN DUGAS: Next up, Greg Abrams, followed by Dennis O'Hern.

MR. GREG ABRAMS: Thank you. Greg Abrams, from Panama City. I own boats, quota, a fish house, a restaurant. I'm in debt. I borrowed money to buy more quota. I bought more deepwater this year, and the history of deepwater goes back to the early 2000s, when we was derby fishing. We derby fished for fourteen days, and we would take two days off.

The other days we would go deepwater fishing. Around fifty boats were fishing deepwater at that time, and then got down to 2009, when we went to IFQs, and it got down to probably twenty boats, or twenty-five boats, and this piece of paper right here's got thirty-seven of the best of the best captains, since 2005, that has passed or retired. I'm talking about best of the best, that would come in 10,000, or 15,000.

I had six boats deepwater fishing, and now I have three. We caught 130,000 this year, no problems, and we had bad weather this year, and I took two boats out for a month apiece to sandblast and maintenance, and they asked us why we weren't catching small fish.

If we go in and catch small fish, we're going get in there and catch sow snappers that weigh thirty pounds. Restaurants don't want sow snappers that big, and 75 percent of my fish goes to restaurants.

I run routes in Atlanta, Birmingham, south Florida, up the east coast, and, if you want me to go catch you 10,000 of one to five-pound yellowedge, pay for them, and I'll go catch them. I'll send my boats to catch them, because we jumping off -- We haven't -- We've been asking for a study since we went to IFQs, because our quota wasn't high enough.

Now they said didn't have the money, didn't have the money. Now you want to do a pencil research that, right now, this year, you do your study, and we haven't had over ten boats, ten boats now, from fifty or sixty, and we've got ten boats fishing deepwater, and when we got ten is when you all push the red grouper fishing outside of thirty-five, and there's two or three boats that have to go deepwater, because boat captains don't like to go deepwater fishing.

It's dangerous. It's hard on your equipment, and you've got to know what you're doing with the tide and current, and I got records to show it. All you have to do is get the staff to pull up, and not active permits, but active boats that's fished this year for the -- I think we've got five-hundred-and-something-thousand we're going to catch, and so that, with ten boats, is pretty doggone good, and so don't do what you did to the gag groupers, because we're killing more gags than we're catching anything right now, because we were two years behind the study, and so now we've got so many fish, we're killing fish, and that's not right to kill these fish.

It's we're working for the resource, and so take your time, do a

correct study, come check the boats out. We caught the biggest yellowedge we've ever caught. I mean, the biggest. We had a record fifty-four-pounder, but it's commercial boats, and they wouldn't put it on the record books.

I mean the whole -- All of them are big. We don't want to catch little fish. That's the reason we're not catching little fish. We don't go into the nurseries. Thank you.

CHAIRMAN DUGAS: Thank you, Mr. Abrams. Do we have any questions? Mr. Sanchez.

MR. SANCHEZ: I wanted to ask you, and, given the massive reduction that's being suggested now in the document, roughly 44 percent, and some of it is based on some data which would indicate decline, and this, that, and the other, and, of course I'm hearing, from you, there's been a serious decline in the actual fishermen that's capable of doing in.

So the amount of quota, based on the numbers that we're reviewing in the document, it seems like, every year, operating under the previous numbers, there was a little bit of a balance left on it. Now we go to this reduced quota, and you're going to catch it all, you know, that 400,000, or 500,000-pound balance.

Given that you weren't catching 20 percent, or something, before, when it was what it used to be, what would be a number in the middle, maybe, that, and I know this doesn't work like this --

MR. ABRAMS: Well, I hate to take away from anything until you get the correct studies. I can go back to gag groupers, and, you know, we didn't do correct studies, and we were two years behind, but 600,000, but you've got to look at the recreational, and I recreational fish, and you're going to take away from them, and what are they going to do? They're going to go out and kill more triggers, more snappers, and deepwater fishing is a very hard fishery.

You've got to get a perfect day, no tide, no current, get on the pipeline, or get on some hard bottom, and you've got to know what you're doing. Even a recreational man has to know, and he might get one or two, or three or four, but he's got to know what he's doing, and we have to -- Our captains have to know what we're doing.

So, cutting it down 40 percent, it's like grabbing a number out of the sky. Be sensitive, and keep us in the industry, because there's not many of us left. Karen Bell's fish house is gone.

Madeira Beach's fish house is gone.

I just sent a truck to Miami, and he's on the way down and down, and I wish I wouldn't have bought it, but I ordered it a year ago, a $154,000 ice machine. I wish I'd known what I was coming into, and I wouldn't have purchased a new ice machine, and I've got the paperwork to show where I paid for it, but hindsight is hindsight, you know, but, still, don't just cut our legs out and put us out of business, because you all are choking us slowly.

You all are choking us down to where we cannot make a living, and the restaurants are going to suffer. The people that does not have the opportunity to live on the coast, to go fishing, and we provide fish for the people up in the mid-cities. That's what we do.

MR. SANCHEZ: I appreciate your answer, and I sympathize with you. I know what it's like to order a truck, and have to wait a year to deliver it.

MR. ABRAMS: Yes. Yes. Thank you.

CHAIRMAN DUGAS: Thank you, Mr. Abrams. Next up is Dennis O'Hern, followed by Garrett Williams.

MR. DENNIS O'HERN: Good afternoon, council. I appreciate the opportunity to address you all. It's the first time I've been here since 2016. My name is Dennis O'Hern. Among other things, I'm the past president of the St. Pete Underwater Club. It's a seventy-two-year-old spearfishing club, based right here, obviously, in St. Pete, founded by Bill Jackson.

We've got about sixty-five members that are pretty avid spearos, and so we've got our finger on the pulse of a lot of the fisheries. In the past, we've participated in the hogfish study, the goliath grouper tagging study with Angela Collins, and we've done gag grouper work, and we've done a lot of work on the cooperative research projects.

In fact, I'm a five-time co-PI, co-principal investigator, of five different cooperative research projects, and so I've kind of been around a little bit. I've also been on over twenty different fisheries SEDAR data workshops, the data, the assessment, and the review, and so I've got a lot of background in this stuff, and I know you deal with numbers.

I know you're really dealing with what do we have to work with, but, back in 2006, the National Academy of Sciences gave a report

on, and then it was called MRFFS, Marine Recreational Fishing Statistical Survey, and the guy just stopped partway, right in the intro, and he goes, I've just got to say, quite frankly, this whole process is fatally flawed.

That was 2006. We're talking nearly twenty years now, and I've kind of watched what's going on. Man, we can do better. If you all notice, every time that there seems to be an overestimation of effort, and an underestimation of population, and like the State of Florida provides numbers that go, whoa, that gag number was kind of way out of line, and I feel for you. You know, you have the tools you have to work with, but there's got to be something done.

There's got to be some questions answered, because, quite frankly, the economic impact around here is way more than I think anybody recognizes, and the social impact, Ed taking his kids out, me taking my kids out. I'm running out of time already, and so another thing is sharks are everywhere.

I don't know if you guys are aware of that, but the spearfishing community will tell you. Spearfishing of wahoo, do not take that away, please, and I don't think wahoo needs anything done to it. You got bigger fish to fry, pun intended, and I would just like to leave you with this.

Spearfishing is the most highly ecological selective form of fishing available. We don't shoot, or rarely shoot, non-targeted species. We rarely shoot undersized fish, and, believe it or not, there is a release mortality that's not 100 percent, because I've seen fish get off the spear, and seen them later alive, on the same site, with a little wound, and so a lot of stuff to consider, but, please, think about the gag grouper. That is killing, killing, killing the State of Florida, all the fishing businesses, the charter businesses, the recreational businesses, and it's killing our way of life. Thank you so much.

CHAIRMAN DUGAS: Thank you, Mr. O'Hern. Do we have any questions? Not seeing any, next up is Garrett Williams, followed by Mr. Buddy Guindon.

MR. WILLIAMS: Hi. Good afternoon. My name is Garrett Williams. I'm also here to say a few words on behalf of the St. Pete Underwater Club. Denny did a pretty good job of it. The thing I wanted to make a point of is, you know, we see things firsthand underwater, details that topside studies never see. For instance, gag grouper is the healthiest we've seen it in years.

The rebounding, the rebuilding, of that stock has worked. I see healthy males at every spot, every dive spot, we go to, from thirty feet out to 200 feet, big, healthy males. They're all over the place. I think some of the previous studies, like Denny mentioned, there's fundamental flaws in some of those studies.

Red snapper, the same thing. They've rebounded. There's a biomass of red snapper, out of St. Pete, that you literally -- It looks like stocked aquariums. You have to swarm them off of you when you're diving down. I mean, it's unbelievable how we've seen it come out.

What's spiked even more than that is the sharks. I'm sure you guys -- Anybody that fishes and dives, the shark encounters, hostile shark encounters, whether you have fish on you or just recreational sightseeing scuba, is out of control. You know, they follow us from 170 feet down, up to twenty feet, on our safety stop.

I can assure you that's the longest three minutes of your life, with eight-foot bull sharks circling you during that time, and so I would ask the council, and HMS, if there's something we could look at to more closely control, you know, some of the over protections of the sharks. You know, I kind of look at it like fish and wildlife managing -- Land management with deer.

Sharks are apex predators. You know, once they get to a certain point, the ecosystem is unbalanced. Just like deer, you have to thin the herd at some point.

What the governor did for red snapper, extending the season through the fall, I think that's a great gesture, and I would love to look at that for gag grouper season as well.

You know, I'm beta testing some self-reporting apps for the rec sector. I know other states have implemented that, and I would love to see if we could do something like that, to get better reporting. I think that's it. Any questions?

CHAIRMAN DUGAS: Thank you, Mr. Williams. We have a couple questions. Dr. Frazer.

DR. FRAZER: Thanks for the testimony. My question is so you see big healthy males, from thirty feet out, everywhere, and I'm assuming, when you shoot those fish, that you've got them and sex them, and so what's the proportion of males that you're seeing?

MR. WILLIAMS: Unfortunately, this year has been the best we've

ever seen them, and we had a two-week season during hurricanes, and so I shot zero gags this year.

DR. FRAZER: Okay. Thank you.

CHAIRMAN DUGAS: Mr. Walker.

MR. WALKER: Thanks, Garrett. It's good to hear from a spearfishing perspective. We don't get that much of that around here, from the guys from underwater. As you know, I was also a member of the St. Pete Underwater Club for a long time, but, just for some context here, they put on the largest spearfishing tournament in the world every year, and they have biologists out there working up the fish every time, but they have, I think, what would be considered a unique perspective on the big black groupers.

That's the big prize in that tournament every year, is a really big black grouper. That's what you get, and, if I'm not mistaken, it's pretty common still that that's a hundred-pound, ninety or a hundred-pound, black grouper, gutted, each year weighed in in that tournament, right?

MR. WILLIAMS: Yes, pushing a hundred pounds. Right before the tournament, they were pushing 130, 140, 144-pound black groupers, yes.

CHAIRMAN DUGAS: Okay. Thank you, Mr. Williams. Any more questions? I'm not seeing any. Thank you.

MR. WILLIAMS: Thank you.

CHAIRMAN DUGAS: Next up is Mr. Buddy Guindon, followed by Richard Fischer.

MR. BUDDY GUINDON: As some of you know, as you get a little older, your hearing goes away, and your vision goes away, and next it will be your mind. Unintended consequences of the actions that may take place, I wish you would look at them, if you're concerned about the young fishermen and the folks that you're trying to protect. It's going to push people into different positions in the fishery, and eliminate some access, and so just consider them carefully as you move forward, and I appreciate all of your hard work. You've been working much better together lately, and so thanks for that. Have a nice day.

CHAIRMAN DUGAS: Thank you, Mr. Guindon. Any questions? Not seeing any, next up is Richard Fischer, followed by Brian Lewis.

MR. RICHARD FISCHER: All right. Thank you, Mr. Chairman, and congratulations on your recent appointment. Richard Fischer, CEO of the Louisiana Charter Boat Association, representing the federally-permitted guides out of Louisiana.

I'll start by supporting and thanking Mr. Schieble on the motion yesterday to revisit the Great Red Snapper Count. I also want to thank you for your motion yesterday on reopening looking at state management for amberjack.

As some of you all may know, we're now over two years since the last motion for staff to present the council with a document on state management for amberjack, and so I appreciate you for bringing that up, I appreciate the council for voting that in, and I hope staff is a little bit quicker to bring this one back to you guys to discuss it, and that the council maybe stays on top of them, to make sure that that happens.

As for red snapper and the start date, so I did a little bit of polling with some of our federally-permitted guides, those that got back to me, to give me their opinion on when the season should start, and there was a slight majority for opening it up May 15th, followed by keeping it at June 1st, and then last would have been the Friday before Memorial Day.

Really, my takeaway, from talking to those guys, was that these guys are just demoralized and disenfranchised, and, really, do whatever you all want, because this is such small potatoes, and table scraps, compared to what they are seeing the non-federally permitted guides at the dock right next to them being able to do, because the state management that they have, but the federally-permitted guides, simply because they own this asset, that costs a lot of money, and they are not privy to that, and so there's a lot of discontent out there.

I really would appreciate looking towards some state management for red snapper as well in the future, as well as amberjack too, and, you know, whenever you guys are thinking about making these decisions, I just want to keep reminding you all that charter is really just the Uber service for recreational fishermen who don't own boats.

When we stay in this current process of overfishing an overfished stock in one part of the Gulf and underutilizing a stock in a different part of the Gulf -- Yes, sure, captains in some parts of the Gulf aren't maximizing the amount of trips they're able to book, but we're really taking it out on the private recreational anglers, that are being kept away from this resource, those that

don't own a boat.

I wanted to thank General Spraggins for your comments on red snapper fishing off of Louisiana. Those are a lot of the same things that I've heard, and I also want to thank Mr. Geeslin for your comments yesterday on state management.

Finally, I'll round out on the concurrent logbooks. I'm not going to sit up here and oppose the HMS logbooks, any more than I've opposed SEFHIER in the past, so long as it appears that they are both going to work in concurrency, where there's a one-stop-shop, reducing the burden for captains, and I do have to say I've been very pleased with what I've heard, not only from the council this week, but also from HMS earlier, and last week on the webinar, where it appears that there's going to be a lot of coordination to make sure that it's just a one-stop-shop and not overly burdensome for captains, and I think that's all I got. I'm happy to answer any questions. Thank you all for the attention.

CHAIRMAN DUGAS: Thank you, Mr. Fischer. We have a couple questions. Mr. Schieble.

MR. SCHIEBLE: Thank you, Richard, for coming over and making comments today. When you surveyed your federal for-hire captains regarding the season start dates, we heard some comments, from some of the other testimony today, about on the back-end of the season, and like it really isn't worth having trips sometimes in the back-end, and then some said they would probably have more on the back-end, depending on, you know, when school goes back in in August, and there's really not as many customers. Did they mention anything like that to you when they did it?

MR. FISCHER: Thank you, Chris. I appreciate you giving me the opportunity to provide some more clarity on that, and so I probably won't be helpful, because I heard both. I heard both, from some captains, that we got to have an earlier start date, so that we can keep up a little bit with the state guides and what they're able to do and to give us the Memorial Day weekend, to really be able to drive home those trips, but I've also heard from other guys that say I'm going to book trips Memorial Day weekend anyway, and give me red snapper to catch in August, and later in August, when we don't have amberjack anymore, so that I can at least sell something then and keep the season open as late as possible, and so I'm sorry to not be helpful, because I really heard both. It was kind of split on that.

CHAIRMAN DUGAS: Okay. Mr. Walker.

MR. WALKER: I don't know if this is for you, Richard, or maybe even Mr. Schieble, but how many days did state-water guys have to charter fish this year?

MR. SCHIEBLE: 152, I believe.

MR. WALKER: 152, versus, what, a hundred-and-something federal?

MR. FISCHER: No. How many was it, Chris?

MR. WALKER: So the state-water guys have more access?

MR. FISCHER: Considerably more days, and, this year, in Louisiana, they got to fish four per person per day, and not two, and that was a big kicker as well.

MR. WALKER: Okay. Yes, that makes more sense to me. Thank you.

MR. FISCHER: Which, in my opinion, is more of an argument for state management, and not less, that they can flexibly and responsibly catch what they want to catch when they want to catch.

MR. WALKER: I would rather charter a boat that I can keep four than two, and so that I can totally understand their problem with that. Thank you.

CHAIRMAN DUGAS: Thank you, Mr. Fischer. One more from Mr. Strelcheck.

MR. STRELCHECK: A comment and a question, and so your state-water guys are probably going to feel disenfranchised when we reopen the federal-water season later this year, because the catch target hasn't been met, and so I just want to let you know that. We talked about that on Monday.

My question, and so I know you've gotten up here talking about SEFHIER, and opposing the economic questions. I'm on your mailing survey, and so I see that you asked your captains to fill out an economic survey. I'm just curious to learn more about that. What are they providing, and how is it being used?

MR. FISCHER: Yes, and so this is a non-mandatory economic study that we are putting out to all of our Louisiana charter captains, and not only offshore, but inshore saltwater and inshore freshwater as well.

I would say there are a few overarching goals of that economic study, one of which is for us to truly capture the value of

Louisiana charter fishing, more so for the state than for federal venues, but it would be valuable for federal venues as well, because we feel that, if we've got a number behind our industry, whenever I come to these podiums, and go to tables and go to the state capitol, go to the commission, it would really put more power behind our industry and show lawmakers, and professionals, that, hey, we do bring a good chunk of change to the State of Louisiana, and so that's one of the goals.

Another one of the goals is just to learn more about what customers are spending on, so that we can target our marketing efforts more appropriately, and so it's learning, and it's also going to be used as what we think is a very useful tool to show powers-that-be how powerful we are.

MR. STRELCHECK: Thanks for that, and I'm just curious. Are you getting strong voluntary participation, or are you getting a lot of input from your captains on it?

MR. FISCHER: I would say we've had better captain participation than customer participation so far, and we just put the captain portion of the survey out there, and we did offer a little gift card incentive to get captains to take it, and so the incentives are always helpful, but I would say, so far, with the captains portion of the survey being out about three weeks by now, we've probably got about sixty or seventy captains, which is, you know, coming up on 10 percent of our entire fleet, and it's very early, and so we're very pleased with the responses that we've gotten so far, and we're going to keep putting it out there as well.

CHAIRMAN DUGAS: Richard, one more. Dr. Banks.

DR. BANKS: Thank you, Richard. Following-up to Andy's line of questioning, how often are you sending that survey out, and are you seeing repeat captains filling it out?

MR. FISCHER: To this point, no, we have not seen captains try to game the system and get two gift cards, but I'm not saying that that won't happen, and it'll be very easy to suss out if it does happen.

We've sent out the survey by email twice in the past three or four weeks. I've also held captains meetings in the last couple of weeks, where I've handed out paper copies of the surveys to the captains that were in attendance, and I will continue to send out the captains survey until we either feel we have enough results or until we're going to start looking at the results and coming up with conclusions, and so I'll send it out several more times

through email.

CHAIRMAN DUGAS: Okay. Thank you, Richard. We don't have any more questions.

MR. FISCHER: All right. Thank you.

CHAIRMAN DUGAS: Next up is Mr. Brian Lewis, followed by Jason Delacruz.

MR. BRIAN LEWIS: Thank you, Mr. Chair. I want to wish a happy birthday to Carrie. My name is Brian Lewis. I reside in Clearwater. I have a commercial fishing boat. It's a forty-foot bandit boat. We fish for a Frenchy's Seafood.

I want to bring some things to your attention, right, and so this hurricane -- I don't know if you guys are aware of it, but all of Frenchy's restaurants on the beach got pretty messed up. The fish house had no ice, no bait, no nothing, right, for us to fish, and so I think a lot of us were in the same kind of boat, with the fact that there was no power, no ice, et cetera, et cetera, right?

We're still not fishing, right, and so like, you know, as far as the allocations, right, and so like, if I lease allocations, right, I want to talk about that, right, and we've talked about it in the past about maybe some carryover provisions for allocations, right, because like we put out a lot of money.

You hear a lot of fishermen here talking about leasing allocations, right, and, if you don't use them, you lose them, right, and we've had really bad weather. It's blown pretty hard out there. You know, on a forty-foot boat, we're anchoring up on the spot, and you guys that fish out here know how tough it is to get on a piece of hardbottom, flat hardbottom, and so I would like to see if we can try to get something going on on a carryover provision for the allocations for that. That would really be helpful.

I hear a lot of fishermen speak about, you know, the price they have to pay for the allocation. It's tough, right, and so I'll go back a little history, right, and I've been through this whole thing. I had a fishing boat. I had history. I sold the boat, sold the permit, I lost my quota, I built a new boat, and guess what? I had to start all over again, and I did. It wasn't -- I wasn't a fan of this IFQ in its initial stages, but let me tell you something.

It's the best thing we got, right? If you turn around, and you start taking away allocations, or diversifying allocations, or

shares, away from other fishermen -- We need access to that. I have no red snapper. I totally account on leasing that red snapper to get them.

You heard other fishermen speaking the same thing. If we lose that -- If we lose that, we lose, right, and so I guess we need to keep that. That's an unintended consequence that you're thinking about here. You got a lot of things to think about, right, but that's a big thing for me, right?

I can count on, okay, if I'm not fishing, I'm a shareholder. I can lease some of my allocations out, but guess what? If no one is fishing, I can't even lease them out, right, and so if my boat -- Like, right now, I'm not even fishing. I'm not making any money. Thank God I have other businesses to count on, but some of these other fishermen don't, but I don't think -- You know, everybody has got a business plan, right? If you want to get into the fishing business, you better have one. It's tough, but don't take away the allocations from these other shareholders. We need them, all right, and so I appreciate it.

Then one other note is I support bringing back the reef fish -- I'm sorry. The reef permit requirement for owning IFQ. I think that's a good move. I appreciate the opportunity.

CHAIRMAN DUGAS: Thank you, Mr. Lewis. Do we have any questions? Mr. Schieble.

MR. SCHIEBLE: More of a comment, Mr. Lewis, real quick, and so maybe some positive news, but our SSC was supposed to look into -- Or they were going to review a carryover provision at their most recent meeting that was canceled because of the hurricane, and so, potentially, once they see that, that may come before the council here coming up, and so look for it.

MR. LEWIS: I appreciate it. Thank you.

CHAIRMAN DUGAS: Thank you. Next up is Mr. Jason Delacruz, followed by Rachal Hisler.

MR. JASON DELACRUZ: Hello. I don't really have a lot to say today, but it's coming mostly for C.J., unfortunately. Sorry, and I don't mean to pick on you. I kind of think one of the things we need to think about, with trying to manage that recreational deepwater fishery, is you don't accidentally go deepwater fishing.

So, with that in mind, a closed season is not a bad idea. It will be a much cleaner data source, because you'll know for a fact,

because nobody's going to try to go if they don't know, and it's just not going to happen, and so that was just a thought I had, when we were talking about it in the room over there, that like that may be the one fishery that a closed season really, really works well to control harvest, because you just don't accidentally go 130 miles.

You know, maybe in different regions, but I just don't see it happening that often. It's a pretty delineated line. Other than that, that's all I got. Oh, and I was also the president of the St. Pete Underwater Club at one time, and so thanks.

CHAIRMAN DUGAS: Jason, we have a question. Dr. Sweetman.

DR. SWEETMAN: So I thought about that recreational season too, and I'm curious your perspective along those lines, and so, obviously, even if we close that down, people can still go fishing offshore.

MR. DELACRUZ: Yes.

DR. SWEETMAN: Just not land those species, but every single fish that -- It's not like you can say I'm going to directly target yellowedge grouper today, and kitty mitchells tomorrow, and I will do tilefish when it's closed, when those are closed, or queen snapper, or something like that. Every single fish that you land will be dead, and then you would have to throw it overboard, and so that's something I struggle with along those lines, and I'm curious your perspective, because discards are definitely something that you guys have constantly highlighted as being a major issue in the recreation sector.

MR. DELACRUZ: There's no doubt in my mind that discards are the number one problem of this group. You have to manage that. The gag numbers are insane, but I guess, if we're still going to have tilefish open, and we're still going to have some of the midwater snappers open, there is kind of an argument for that, but I think, when you take away the incentive that the grouper is there, I just don't see many people making that run for that.

I mean, it's a significant -- At least here, it's a significant difference. You have got to go. You know what I mean? You're looking at what you're doing for the day, and you're like I'm going to run another eighty miles. You know what I mean? So the likelihood seems very minimal, to me. Maybe, in Louisiana, that looks different, and probably in Destin it looks real different, but, here, it's definitely a clear delineation, but, I mean, maybe that's a thought process.

Maybe it's not a bad idea for beginning to think of our management in a holistic form where like, okay, we're going to close this complex of fish, and build some rationale behind it, so that we protect them, and then we're going to open up this complex of fish. That's always been a challenge, but none of that matters without getting really much better effort data in recreational, and I'll say it once, and I'll say it again, but we need some sort of app, that's mandatory, so we know exactly what they're doing.

Everything we're doing, we're guessing, and throwing darts at a board, with problems, and we won't have a clue whether they're catching, you know, their three-and-a-half percent, or whether they're at 19 percent, or whatever it is, and we need that data. Anyway, thank you.

CHAIRMAN DUGAS: Thank you, Mr. Delacruz. No other questions. Next, we have Rachal Hisler. followed by Sean Heverin.

MS. RACHAL HISLER: Good afternoon, Rachal Heisler. I'm here representing my multi-generational commercial fishing family from Double Bayou, Texas. One of the things that I'd like to comment on today is I would like for you to seriously consider the suggestion that's been made at this council meeting, and previous meetings before, to reconsider the motion that was agreed upon previously not to make any decisions that would be counting on that MRIP-FES survey information.

As an active stakeholder in this fishery, I want to have trust, and faith, in this body to act according to their word, and I feel like, if you all made the motion, and then it carried, that that is your word to stick to that, and so, if you were to go back on that, I think it's going to be difficult to trust the motions that you make going forward.

The next thing I want to comment on is a point that was made earlier about profit margins. That got me to thinking, and I was able to do a quick search online and find out that profit margins can vary wildly depending on the industry that you are in.

So far, in fact, that grocery retail stores operate at approximately a 1.11 percent profit margin, and then the highest one that I found was software and application services, operating at 19.66, and so the average profit margin is 10 percent, and so, basically, what your math showed, and so I just found that interesting, and I think it's something that we all need to, you know, just think about, and look at, be aware of, that we would all love to -- You know, everyone operates a business for the

purpose of making money, yes, but, realistically, what's a real -- You know, a realistic profit margin for a business?

Then the last thing I wanted to talk about is on that deepwater grouper species complex. Looking at the apportionment, and now switching it over to -- I'm sorry, and the term is escaping me at the moment, but changing it over so that it seems like there will be more accountability on the recreational side.

I don't like that commercial is going to take a haircut on that, but I do appreciate the fact that it could possibly bring some more accountability to that recreational side, and so that's my thought process on that. Thank you. Thank you, Ms. Hisler. We have a couple of questions. Mr. Strelcheck.

MR. STRELCHECK: Thanks, Rachal, for being here and giving testimony, and I appreciate your comments about profit margin, right, and so businesses widely vary, and profit margins are dependent on how well you run a business and a lot of other factors.

Your comment though didn't sit very well with me, because I would be curious to know, and are you operating on a 10 percent profit margin personally?

MS. HISLER: You know what? I can honestly tell you that I have not run that number myself. The way that I operate my business is through an S corporation, and so it's a pass-through, and so it may not be the same way that everyone else operates theirs, and I'll say that.

MR. STRELCHECK: Would you say though you would guess that your profit margin is higher than 10 percent?

MS. HISLER: Honestly, no, I would not say it's higher than 10 percent, no.

CHAIRMAN DUGAS: Dr. Sweetman.

DR. SWEETMAN: Thank you for your testimony. I would like to gauge your perspective, and so, relative to the deepwater grouper, we, obviously, have overfishing of yellowedge, and so, statutorily, we're bound to end overfishing here.

MS. HISLER: Sure.

DR. SWEETMAN: Unfortunately, there is going to be a cut, in some capacity, and so one thing that we had talked about was a proportional cut for everyone, more or less an equal pain across

the board there, and so I'm just curious your thoughts along those lines, relative to the other allocation scenarios that were on the table.

MS. HISLER: Sure. I think sharing the pain equitably is more palatable for everyone. Thank you.

CHAIRMAN DUGAS: Okay. Not seeing any more, thank you, Ms. Hisler. Next up is Sean Heverin, and then we'll go online to Clarence Seymour.

MR. SEAN HEVERIN: Hi. My name is Sean Heverin. I run a few fish houses around the Gulf and work with about sixty or seventy boats in Florida, Louisiana, and Texas. I offloaded about five boats this morning, before I had a chance to make it over here today, but, talking about the deepwater, you know, a lot of the boats that we work with do fish for deepwater.

A lot of their -- You know, we've had fishing effort going towards deepwater, yellowedge, tiles, and I would say the majority of the trips were failures, you know, meaning like profitability. They weren't very profitable on their trips, when they went out there. A couple have been profitable.

They've had decent trips, more like Louisiana and Texas, but Florida boats have really struggled, and our longline boats were pushed out past thirty-five fathoms in June, July, and August here in the eastern Gulf, and so, you know, they'll do a little bit of red grouper, and gag, but they can't really catch much gag anymore, and so they'll do yellowedge, and a lot of those guys have failed on their trips, and they went backwards, you know, and a lot of these guys --

When you go backwards on a fourteen-day trip, and that's your income, and you don't have other side businesses that you rely on, you know, it's hard to pay your normal living expenses, and so some of these captains struggle paying rent, or expenses, just to kind of maintain their boats, and their lifestyle, and things like that, when they have a, you know, fourteen-day failure on a deepwater trip.

So, you know, I think it does need some sort of haircut, but I would try to go for the highest level that the commercial would have to have access to deepwater, if it does come around.

I do think that the recreational sector, with the deepwater, it's kind of like a mystery of like what are they actually catching, and landing, and so I know that, as the technology is improved,

with different CMOR maps, and StrikeLines charts, and the equipment is improved, with the boats and the outboards, and they can reach the deepwater, I think they are putting more pressure on some of the deepwater species than they have been before, and so it's making the commercial guys -- It's a little bit tougher job to catch the fish that they need to make a profitable trip.

Then, also, the commercial guys, and not just commercial, but recreational, you know, we both got to fight through the sharks, and the dolphins, to get any fish to the boat, and so that's definitely a struggle for some of the guys there.

As far as shallow-water grouper, I think that I read that was on the agenda. Some of the guys are bringing some scamps and carbos in, but it's not a big portion of their trip. It seems like, every year -- You know, as a fish house, we got a lease quota for everybody, and have enough quota for all the boats to fish. You know, we're always having a lot of shallow-water grouper allocation left over that we just take a loss on.

Same thing with deepwater, and so like, right now, currently, we have like 10,000 shallow-water that we're going to take a loss, that we paid fifty-cents at the beginning of the year for, and so we just write that off, but it sucks. You know, we have to do that, but it's part of the business, and so, if we didn't have to take as much of a loss, because they're reducing the shallow-water, it would help out a little bit.

Red grouper, here recently, we do have a lot of red grouper left that we need to catch or sell. Right now, nobody is really buying it. The weather has been bad here in Florida. We lost almost six weeks for bad weather, between hurricanes, and, gosh, like, the wind machine just is constantly blowing, and so all the little boats can't really get out.

Then, when the guys do get out and go fishing, and we offloaded some boats today, and we've offloaded some boats sporadically, you know, since the hurricane, but they've been struggling to catch some of the red grouper. I don't know if it's a combination of the sharks eating all their fish, because we have a lot of dirty water in our area, and the sharks kind of thrive there, and they're just -- They're eating us alive.

Then the fish may be spread. The red grouper specifically may be spread out along the bottom, and the hurricane kind of displaced them, but it looks like we're going to be sitting on a lot of red grouper allocation that we'll probably take a big loss on this year, but I don't think it was a lack of effort. I think it's

just more of a weather-related issue. Maybe shark depredation has caused us not to catch the red grouper that we had hoped that we would land.

That's just what I've noticed, from working with all the different boats we buy and sell from. We probably work with about -- I would say, 24 to 27 percent of the red grouper in the Gulf, I either land or buy and sell, and so, I mean, I feel like I have a pretty good handle on what's going on there with the red grouper and the fishery there, with all the different boats that -- You know, from Everglades City up to as far north as like the Steinhatchee area where we buy from, but that's about all I got.

CHAIRMAN DUGAS: Thank you, Mr. Heverin. We have a couple of questions. Dr. Walter.

DR. WALTER: I'll defer to the council member, and then --

CHAIRMAN DUGAS: Mr. Walker.

MR. WALKER: Thanks, Sean. I appreciate your input. I feel like you give us a straight-up version of what's actually going on out there. A couple of things. Does that thirty-five fathom closure -- Does that kind of take you out of the red grouper zone? I mean, what's the steep edge of red grouper?

MR. HEVERIN: So usually June 1st, you know, is when the closure comes in, and so the bottom, just past thirty-five fathoms, the guys will do like red grouper or gag, you know, kind of combo trips, with some snapper in June, and that's okay, but then, after about a month of that bottom getting pounded, you know, by sixty-something longline boats, it kind of gets fished out, and so there's only a limited amount of bottom between thirty-five to say, you know, forty-five fathoms, where the red groupers, you know, would be in.

Now that we can't catch the gags in there, because we have no quota, you know, then they're forced to go either south, and try to target muttons, with red groupers mixed in, or go to the deep water, and so, when those guys go to the deep water, I'd say, you know, for a profitable trip, they need to have at least 3,000 to 4,000 deepwater in the trip with, you know, maybe 1,000 to 3,000 tile, for them to overcome their expenses, you know, pay for, you know, their deckhands, to have good trips.

You know, when they go out there and they have 1,000 to 1,500 deepwater, and maybe 500 to 1,000 tile, on a fourteen-day trip, they're -- I mean, it's not really a whole lot of money left over

to pay for fuel, bait, ice, tackle, pay for your crew, pay for your rent, pay for the boat, you know, maintenance, the stuff that breaks on there.

MR. WALKER: Right, and one other thing. You buy a lot of yellowedge, obviously. Have you seen any change in the average size of the yellowedge in the last five years?

MR. HEVERIN: I exclusively yellowedge and tile fished in Louisiana, before I moved to Madeira Beach, and that's what I did from 2016, when I came to the Gulf, until 2020, when I moved to Madeira Beach, and I didn't really see a difference in the size up there, but, when I moved to Madeira Beach, I noticed that the fish in Florida were a lot smaller than the fish that we encountered up in Louisiana and Texas, when I fished up there, but I wouldn't say I've seen the fish get smaller from, you know, 2021, January of 2021, when I came to Madeira Beach until now.

I think the fish are the same size, and you're just seeing less of the fish, and we would love to have more yellowedge, because all the customers that we sell to -- Obviously, they want yellowedge. The fishermen would love to catch it, because the price right now to the boat is through the roof, and the quota is so cheap, you know, and their margin is way better than if they were catching red grouper, or snapper, or gags this year, you know, and so they would love to catch more, because it's more lucrative, but, you know, if you can't catch them, because they're not there, then it's not really very lucrative.

CHAIRMAN DUGAS: Okay. Sean, we have one more. Dr. Frazer.

DR. FRAZER: I'm going to follow-up a little bit on Ed's question. I mean, Charlie Ranier came up, a little earlier and talked about the fact that the number of deepwater trips have kind of declined over the last decade or so, and that's true.

There's very few people that are really good at harvesting those deepwater fish, and, when you started your testimony, one of the things that you said was that, you know, because of the various restrictions, whether they're spatial or limits on quota, that more guys are going offshore, right, but they failed, and I think that's the word that you used, and they failed because -- I'm trying to figure this out a little bit, and they failed because they're not experienced at fishing out there, or they've just not fished there.

MR. HEVERIN: I think that the guys that are going out there are experienced. I mean, I can give you two examples. We have two

fifty, or fifty-one, Broadfires that are -- They're docked at Madeira Beach.

One of the captains, Kenny, and he's fished here for probably thirty or forty years, and he owns his own quota for deepwater and tile, and then another guy, Josh Kemp, that runs the Miss Rita, and he's offshore now, and he's going to be in tomorrow to offload, and he has fished, I think, for about fifteen years in this area, and so I wouldn't say it's lack of experience, or effort. They put the effort in. They're just not catching.

Now, we have a boat that we offload in Louisiana and Texas, and his catch rates are way, way better. You know, I think he offloaded, last week, with 4,800 tile, and 800 yellowedge, and I think a big like 200-pound Warsaw, for seven days dock-to-dock, and so that's a great trip, and, the trip before that, he had another successful trip, meaning like profitability-wise.

I would say like the Louisiana and Texas boats, and maybe even Panama City, and we don't offload boats in Panama City, but I think that their trips are maybe more successful than when you cross the eastern Gulf line, and so the northern gulf seems to be stable, and the fishing is okay, and those guys are profitable, but, when you come on the eastern Gulf side, I notice the profitability of the deepwater fishing has been down, and so guys are, you know, falling on their face.

It's hard for them to recover when you go out for fourteen days. You have all your eggs in one basket, as a full-time commercial fisherman, and then you struggle. You know, we try to pick up -- - You know, give the guys extra work unloading other boats at the dock, to give them some dock work or whatever, whatever we can to get them some extra money, if they struggle on their trips, but the fish need to be there.

DR. FRAZER: There you go. That was helpful. Thank you.

CHAIRMAN DUGAS: Dr. Walter.

DR. WALTER: Thanks. Sean, thank you for your testimony. I'm going to try to tie a few threads together that a few of you have brought up. I'll start with Tim, who said, do you use fishery-dependent data for your indices much, and I think we've largely gotten away from them.

The previous assessment used to use a commercial longline index for yellowedge, and, post-IFQ, we haven't really been able to connect that series, and recreate it, but I think it might be time

to start looking back into that and seeing if there is the potential to use that kind of information, particularly from what you're saying, that you're noticing different trends in abundance, from being out there on the water.

I think that's something we could look into, and a number of the public testimonies were how can we, as fishermen, help, and, well, I think helping us to interpret that data, and to produce an index that would be able to detect if the action by the council, as it's supposed to do, is to get the population back up to a higher abundance.

While we kind of fear this SPR 40, and thinking like, oh, we're being more precautionary, and we're going to have more fish out there, one of the benefits of it, of more fish out there, is you're going to have higher catch rates, which means higher profitability on a trip, and so there's actually some benefits to managing at a higher level, beyond just protecting the stock, but, a couple of years down the road from now, we're going to want to know is that working, and can we reap the benefit of that, i.e., can we raise the catch advice, which is the prediction that is supposed to happen. As you cut them, you're supposed to get back.

How are we going to know that, and that's where I think indices come in, to be able to detect is that happening, and can we build a better index, and, now, we do have the NMFS bottom longline, but I think it might be time to pull in the commercial fishing data here, to see whether we've got something else that's allowing us, and allow this council, to make a decision in a few years' time, maybe using something like an interim analysis. to say, you know what? It's working, and the stock is increasing, and we could potentially increase these, because it's not intended to be a permanent cut.

The idea is to build the population back up. Anyway, I appreciate this, and I appreciate the ideas that pop out, and I think I'm going to see if our staff can help try to rekindle that commercial longline index. Thanks.

MR. HEVERIN: Sure, and I would like to add to that. You know, I've discussed, with Jason Delacruz before, that like a good indicator of like the strength of the fishery is like the cost of the allocation. So, if the cost of the allocation is high, demand is strong. If the cost of the allocation is low, the demand is not strong.

You know, when I first came to the Gulf, for instance, in 2016, I think I was paying between $1.25 to $1.40, as high as $1.40, or,

actually, as high as $1.50 on deepwater grouper allocation, and so I didn't own any quota. I was a 100 percent leaser, and now the deepwater grouper allocation is trading at fifty-cents, and some guys are posting ads on Facebook that I've seen, for deepwater grouper, as low as like twenty-five to thirty-five-centers.

If it was $1.25 to $1.50 in 2016, and the stock was at -- I believe it was a little over a million, like kind of similar to what it is now, and so the stock hasn't changed, but the cost of the allocation has decreased tremendously, and so that could be a good indicator of what's going on with the fishery, and you could use that data to kind of make decisions of, okay, this is healthy, or not healthy, and, you know, what are the quotas trading at right now, you know, the share price, or the allocation price.

I think, if you were able to factor that in, the combination of other data, you know, and maybe you're getting survey data for recreational, or maybe you're looking at longline landings, you know, rod-and-reel, or bandit boat landings, and I think using kind of a number of those would help, you know, give you the information you would need to kind of get a true feel for what's going on with the fishery.

You know, allocation prices, you know, they tend to go down in the end of the year, because, you know, you run out of time to catch them. You've got to catch them by the end of the year, and so, if you see that falling, you know, big time, you know, and maybe red grouper. I can't even give red grouper away right now, and we paid a dollar -- Between $1.85 to $2.00, for most of the quota at the beginning of the year, and now we can't give it away. You're just running out of time to catch it, and so just kind of going on to that, but, yes, I think that would be a good tool to use to get a true feel for what's happening in the market, or in the fishery, and what's going on there.

CHAIRMAN DUGAS: Okay. Thank you, Sean. Next, online, is Clarence Seymour.

MR. CLARENCE SEYMOUR: Captain Clarence Seymour, Charter Boat SYL, Biloxi, Mississippi. Federally-permitted, for twenty-seven years now, and I'm here today to talk about the charter-for-hire season, which we had some discussion earlier from folks that I've been listening in on, and they're saying that school lets out in mid-August, and, from my recollect, after COVID, it seems like, in the Southeast, or part of the state of Mississippi, we're getting a June, third week in June, schools start back in.

We have lost a lot of school days, in the last couple of years,

due to the way the new school goes on, and so, after the meeting in Biloxi, I rallied up some of the guys in the fleet in Biloxi, and now we got some options on the board, either Alternative 2 or 3, which would be Memorial Friday start or May 15th, and so everybody's still on the fence either way on how that goes, and all we want to do, in Mississippi, is make sure we maximize the public's access to the fishery, that we can gather in the weekends and when school's out, is the main reason that the fleet of Biloxi's Mississippi is looking for a May start sometime.

Amberjack, if we're going to do an amberjack regional management, we might as well go ahead and throw triggerfish on that, as I was listening to yesterday, and some people think that closures aren't necessary for certain species.

I know we all want to fish, and catch such, but I feel, personally, after my twenty-seven years of experience with a federal permit, is mainly having closures. Closures help everything, you know, and we all definitely want to have access to the fishery, and so, other than that, that's all I have today, and I appreciate you all letting me in at the end on my day. Thank you, all.

CHAIRMAN DUGAS: Okay. Thank you, Mr. Seymour. Any questions? I'm not seeing any. Thank you for calling in. Okay. That will conclude our public comment. We will take a fifteen-minute break and try to knock out a report or two.

(Whereupon, a recess was taken.)

CHAIRMAN DUGAS: All right. We're going to get started. Okay. I misspoke. We're going to go to Supporting Agencies Updates. The first one up is Florida Law Enforcement Efforts and Captain Pearce.

FLORIDA LAW ENFORCEMENT EFFORTS

CAPTAIN PEARCE: Chairman, and council members, thank you all for giving me the opportunity to be here today, and I want to give you just a quick update on what we've accomplished over the last year with our OPV program within the Gulf of Mexico.

Just to give those of you that haven't seen this before a little overview of what we have available to us in the Gulf, you know, currently, we have one heavy endurance class vessel. That boat is in the process of being decommissioned, and we're going to replace that with hopefully a catamaran, similar to what Texas has. Those of you from Texas, if you know the catamaran you all have, we're trying to maybe replace that boat with something similar to that, but that's going to be probably two or three years down the road,

and so we're going to work with the best thing we can in the meantime, but we still have the Gulf Sentry. It's for sale, if anybody is interested.

We have four endurance class vessels. We have, well, the Guardian, again, is one of our endurance classes, but it's also for sale, and we're using -- Right now, we use a twenty-nine-foot Intrepid to accomplish that mission with that boat, and so we have the Vigilance, which is thirty-nine feet, the Interceptor, at thirty-nine feet, the Trident at thirty-five feet.

We have a forty-one-foot Safe boat, the Gulf Ranger, that's based out of Marco Island, and then, for our intermediate class, we have our twenty-nine Intrepid, again, the thirty-two Fincats. We have two thirty-two Fincats that provide medium-range, single-day patrols, and so that's kind of the fleet in the Gulf of Mexico. We have a total of about fourteen vessels overall, when you include the Atlantic.

All right, and so this is going to give you an idea of what we've accomplished this year with just the offshore patrol vessel fleet in the Gulf of Mexico. This is just the officers working the Gulf, and so, combined patrol efforts, we had 2,629 hours of federal enforcement patrol. We had 1,974 reef fish and CEP enforcement patrol hours. We had 323 hours of TED enforcement and 332 hours contributed to marine mammal enforcement. That is -- Part of that is east coast hours as well.

We had 498 enforcement actions. 350 were combined warnings, for all warnings, whether it be state or federal warnings, and then 148 combined citations, between state citations and federal citations.

All right, and so this is also the other part of our JEA program, where we use our regional assets that are not part of the OPV program to help us out, and so, for our regional officers that contributed to this, we had 1,042 hours of dockside inspections. That would include, you know, any dockside inspection that's related to reef fish, IFQ, things like that.

We had 2,620 vessel patrol hours. This is all just regional assets that are contributing to that. We have 351 hours of marine mammal patrol, and we had 332 hours of outreach that was focused on issues dealing with -- That are JEA-related issues. We had 556 hours of IUU time that we spent. That's our port investigators, and other officers, that are putting themselves in locations where they can inspect shipments that are coming into the U.S., the airports and places like that, or wholesale dealers that are probably bringing

in exported seafood.

We had -- The total regional efforts we had were over 4,901 hours of actual total efforts statewide for JEA. We had 1,565 enforcement actions, and 1,078 were combined warnings, and then 487 was combined citations, and so we couldn't do -- We couldn't pull it all off without all the numbers and efforts we have for just the regional assets as well.

This is specific to the Florida Keys National Marine Sanctuary. We had 1,362 patrol hours contributed, committed, to the sanctuary this year. The sanctuary preservation areas accounted for 678 hours. The Western and Eastern Sambo Ecological Reserve and special use areas, we had fifty-five hours there.

Our WMAs in the Florida Keys National Marine Sanctuary, we had 447 hours contributed to that, sixty hours for the Tortugas, and then all other hours added up to around 121 hours for all Florida Keys National Marine Sanctuary.

This is just -- I've got a few examples of cases that we made over the past year, and so this one is going to involve possession of undersized and over the bag of red grouper, possession of red snapper during the closed season, possession of amberjack during the closed season, and possession of red snapper and amberjack fillets.

One of my favorite things, and I don't know if you can tell, but that boat is obviously in federal waters. It's a flats boat, and so, you know, I always love seeing that kind of stuff going on out there.

This one is going to be illegal chartering, and so we had a case, in the Panhandle, where they caught somebody out, and they had guests out on a charter fishing in federal waters, and they had reef fish onboard, and we able to utilize -- Between visually stopping them and utilizing their track on their plotter, we were able to make a case on that.

This is for the Madison-Swanson, MPA. We had three separate cases that were involved of people that were actively harvesting reef fish in the MPA, and one of those cases also added -- We had a failure to possess a descending device or venting tool onboard, that was rigged and ready to use, and then we also had possession of gag grouper out of season, and so they were not only in the MPA, but they were actually harvesting gag grouper out of season, and so those are great cases. It takes a lot of time getting out there to make those.

This is another one. This was probably off of Monroe County. We had an officer board a shrimp vessel, a commercial shrimp vessel, and they did not have their Gulf of Mexico shrimp permit onboard, or didn't have one, an active permit, in their possession.

They had a 274 snapper over the aggregate bag limit, they had twenty-two egg-bearing blue crabs, and they had wrung tail spiny lobster, wrung tail, and so a really, really good case. Great efforts getting out there and intercepting that vessel.

This is our last example, and this is another one out of Monroe County, where the officers were out there on patrol, and they were at the Tortugas North Ecological Reserve, and they boarded a commercial reef fish boat that was actively fishing in the ecological reserve, and they had reef fish onboard, and so another really good case.

You've really got to commit yourself to go out and catch these folks that are in these areas that are very remote, and so another great job, and that will do it. If you have any questions, I'll be happy to answer.

CHAIRMAN DUGAS: Thank you, Captain Pearce. We have a couple questions. Mr. Walker?

MR. WALKER: Yes, sir. Thank you very much. I did have a question on the second-to-last slide there, all those small snapper, and are those lanes or what? Can you tell what those are?

CAPTAIN PEARCE: I would have to go back and look. I think they were lane snapper, but I can't --

MR. WALKER: All right. The next one back behind that, and I can't quite -- Is that on a shrimp boat or --

CAPTAIN PEARCE: That is on a shrimp boat. That was all -- That was all possessed on the shrimp boat. I do believe it was lanes, but I can double-check.

MR. WALKER: Because I know that those come up as bycatch all the time, and I guess they're supposed to be shoveled immediately overboard, or something.

CAPTAIN PEARCE: You're still bound by the bycatch, which would be -- I think they could have had sixty fish total onboard, and they had over 332 of the aggregate snapper.

MR. WALKER: But they were in a cooler, like they were keeping them, and they weren't in a pile?

CAPTAIN PEARCE: They were down in the hold. Yes, sir.

MR. WALKER: Okay. Thank you.

CHAIRMAN DUGAS: Dr. Sweetman.

DR. SWEETMAN: Thanks for the presentation, Captain Pearce. I just want to kind of -- You guys clearly do a ton of work, but I also want to highlight something that -- It's not a question, but just a sincere thanks. You don't highlight here the massive effort that you and law enforcement have done relative to our fishermen and hurricane disaster. I know you, in particular, have been basically living at our emergency command center over this last month or so, and so I just want to say thank you for that.

I mean, I can't tell you how many people that I've reached out to, and have reached out to me, that, the day after the hurricane, they've got FWC Law Enforcement knocking on their door, at 6:30 in the morning, just to make sure that they're all right, and I can't tell you how much that's appreciated by all the fishermen here that we ultimately are trying to support, and so I just wanted to say thank you.

CAPTAIN PEARCE: Thank you. I appreciate that. Our officers do a great job. Any more questions?

CHAIRMAN DUGAS: Dr. Banks.

DR. BANKS: Yes. Thank you. I just had a quick question. We've been talking about maybe potentially putting in wahoo management. We listened to public comment today. Since that would technically be in a sanctuary, although in the Western Gulf and not under your necessary jurisdiction, can you maybe speak a little bit to enforcement of Madison-Swanson, and some of these other MPAs, and how you -- The difficulties, or the benefits, of closures, versus bag limit changes that way? Maybe give us a little insight.

CAPTAIN PEARCE: So, when you're dealing with an offshore fishery, obviously, the further offshore, the harder it's going to be to enforce, based on what type of equipment you have, what type of capabilities you have to get out there and actually do it. You know, I think I understood there it's like a hundred miles off of Texas, where you're going, and so you're looking at utilizing probably a lot of air assets.

I know Texas has a big boat program. I can't speak to what their capabilities are, but I know they're really good at what they do, and they're probably willing to get out there whenever they can, but you're talking about going from a coastal fishery, where you have hundreds of patrol boats that can do it, to down to maybe one or two that have the capability of getting out there.

Those types of fisheries, we lean heavily on information from the public, and you've really got to think about how you're going to set those regulations up, to whether it's something you have to be out there to catch them, or could you do -- Is it something where you could intercept them on the way in, based on how those regulations are set up?

Sanctuaries offshore, the further offshore, the less frequency of patrol you're going to get. You're going to lean heavily on the Coast Guard to help with that, things like that, and aircraft becomes a huge asset.

VMS is also, you know, another one of those tools, if you can use it, depending on the fishery, where you can track the assets that are out there, and so, you know, that's just another tool, when you're talking about doing something that's that far offshore.

DR. BANKS: (Dr. Banks' comment is not audible on the recording.)

CAPTAIN PEARCE: I don't know that exact number of patrol hours, but knowing that I used to patrol the Madison-Swanson, you know, it's a commitment. I mean, it's nowhere near as far as you're talking about off Texas, but you're committing yourself to a whole day, you know, depending on how long you're going to be out there. Of course, when we had the Gulf Sentry, we would go out there and stay for two or three days, and patrolling that vicinity, and keeping an eye on it, but that was more of a deterrent, because you can see that boat from miles away, and most people just saw us and stayed out of the zone.

When we really have the most success in those areas, we use smaller vessels, lower profile, where people don't -- You know, you can't tell when we're coming, but it is a commitment to hours. I mean, again, going a hundred miles offshore, that's an overnight patrol, at a minimum, if not two or three days out there, to really be effective.

DR. BANKS: Okay. Thank you. That was what I was getting at, was how long -- For Madison-Swanson, which is closer to the coast than the Flower Gardens, what the effort for that one was, because it would definitely be significantly higher for the Flower Gardens,

and so thank you.

CHAIRMAN DUGAS: One more from Mr. Anson.

MR. ANSON: Thank you, Mr. Chair. So, relative to the patrols in those more offshore areas, what would you say the rate of violations were of those vessels that you encountered? There were less vessels, but would you say that there was a higher rate of violations with those vessels that you did encounter offshore, versus those vessels, or other vessels, that were more inshore?

CAPTAIN PEARCE: I would not feel comfortable saying that there is a higher rate. It really depends on how often you can get out there and who you're intercepting. I mean, we've spent -- You know, I myself have spent a lot of days, hours, patrolling offshore sixty to eighty-something miles, and I had patrols where we had hardly any violations whatsoever, and then we might go out there and have two or three.

It's just kind of hit-or-miss. It depends on, you know, what type of boats you're dealing with, but I don't think I can really put a number on that, or put a good -- You know, I don't feel comfortable trying to answer that. I don't want to feel like I'm throwing somebody out there, and so it's just really about just getting time out there and putting effort into it.

CHAIRMAN DUGAS: Any other questions for Captain Pearce? I'm not seeing any. Thank you, Captain Pearce. Okay. We're good.

CAPTAIN PEARCE: I just want to apologize. I underestimated my ability to see the screen with my contact, and so I had trouble reading my own work, and so thank you, all. I appreciate you.

CHAIRMAN DUGAS: Thank you. Okay, folks. I would like to do one more report for the South Atlantic. Mr. Griner.

SOUTH ATLANTIC COUNCIL LIAISON

MR. GRINER: Thank you, Mr. Chairman. I know it's late in the day, and so I'll try to be brief and get through this quickly. I would like to thank all of you for your hospitality and allowing me to sit in on your meeting this week, and I always find it very informative and helpful to our efforts in the South Atlantic, but I did want to just briefly touch on a few items that we're working on in the South Atlantic.

Firstly, our favorite species, red snapper. We, of course, have several lawsuits underway, one of which alleged that we violated

both the Magnuson-Stevens Act as well as the Administrative Procedures Act by failing to address overfishing. However, a settlement agreement has been reached requiring NOAA Fisheries to submit a secretarial amendment to the Federal Register by June 6th of 2025. Needless to say, anticipation level is quite high among our stakeholders for this.

Another hot topic, our SEFHIER, Southeast For-Hire Electronic Reporting, and we have initiated some new work on an amendment to try to prop up this program, focusing on recommendations from NOAA Fisheries, as well as actions taken by the Gulf, in an effort to try to improve our compliance, which is pretty dismal, and to validate the data for use in management.

In addition, we're exploring details on the process of approving landing locations, which is something new to us, and how that has been executed in the Gulf, again, in an effort to bolster our validation efforts.

We have also requested a presentation on HMS's efforts to enact their electronic reporting for their commercial and for-hire vessels. We share the same concerns that you guys do with this.

In addition, we're developing a Coral Amendment 11 and Shrimp Amendment 12. We previously submitted a Coral Amendment 10, which had attempted to reestablish some historical fishing grounds that were inadvertently added to the northern extension of Oculina Bank Coral HAPC with the previous approval of Amendment 8. However, NOAA disapproved our Amendment 10 for failure to address bycatch and failure to meet the goals and objectives of the Coral FMP, and so we're using this new joint amendment to address these concerns and to create this shrimp fishery access area.

We have approved a couple of snapper grouper amendments for formal review. Our Amendment 36 revised some transit provisions for our black sea bass pots, to account for pots that are now allowed to have on-demand gear, which we're really excited about, as well as revising some recreational vessel limits for gag and black grouper that were just really some changes in wording there.

Our Amendment 55, we created a new scamp and yellowmouth complex, and we had some identification issues there, and adopt a rebuilding plan to address the recent stock status determination for that complex.

Our black sea bass, Amendment 56, we received the results of our recent SEDAR 76 for black sea bass, which indicates that the stock is depleted. However, we received a letter from NOAA stating that

black sea bass will continue to be listed as not overfished, nor undergoing overfishing, as determined by the previous SEDAR 56 assessment, which used that proxy of 30 percent SPR.

The SSC reviewed this assessment again this past month. They discussed it at length and concluded that some of the data is unsuitable for management, and so this is going to require us to kind of take an incremental approach to our Amendment 56, eventually leading us to adopt a rebuilding plan.

I think this assessment really kind of, at least in my mind, kind of highlighted some of the challenges, and conflicts, with changing these status determination criteria, and so, you know, and I understand. I think it has to be a species-by-species kind of look, but I do think moving from 30 percent to 40 percent does take some careful discussion and deliberation, at least in my mind.

A couple other things, new things we're doing, and we have formed a new snapper grouper commercial subcommittee that's kind of reexamining our vision blueprint for the commercial fleet and the numerous challenges we're facing. We actually met via webinar yesterday.

Some of the topics that may be of interest to you guys, we're looking at some such things as permit capacity and overcapacity. We're taking a hard look at our two-for-one permit transfer, which is a requirement we have, and we're trying to explore some mechanisms for new entrants to obtain permits to enter the fishery.

Something that I heard here in your discussions yesterday, we're taking a look at some subregional and state-by-state management actions, possibly. One other item, and then I'll wrap this up, is we are working to begin a series of kind of informal stakeholder engagement meetings to kind of better involve, and inform, our stakeholders.

We're just in the early stages of trying to develop topics. Some of the possible topics are trip satisfaction, and what that really is, and what it really means. Kind of a primer on fisheries management, a fisheries management 101, if you will, that will just try to get some general information out there on the council process and ways that stakeholders can get involved in information programs, such as the MREP program, which I'm a big believer in. I think it's a great program. As well as our citizen science projects and our best fishing practices efforts with releases, and that's really all I had for you. Thanks again for the week.

CHAIRMAN DUGAS: Thank you, Mr. Griner. We have a question. Mr.

Walker.

MR. WALKER: Thank you, Mr. Griner. Can we scroll up just a little bit on this screen, to the secretarial -- So I've heard -- Some people have asked me about supposedly a secretarial amendment that will close all bottom fishing over there in the South Atlantic. I actually got two different emails about that. Do you know anything about that?

MR. GRINER: Yeah, well, I don't know anything about that that I can tell you for sure, but I'm sure Andy can enlighten us all on that, but I've heard that, and, again, you're going to hear all kinds of stuff, but none of it has any basis in reality, as far as I know.

The only person that really knows anything about that would be the service, and I know that, as part of this requirement for the secretarial amendment, there is a public review process. The council will have a chance to review and take a look at whatever action is taken by the Secretary, and so, Andy, I'm sure you're chomping at the bit here.

CHAIRMAN DUGAS: Mr. Strelcheck.

MR. STRELCHECK: I'm not really chomping at the bit, I promise you that. Yes, the Fisheries Service is in an unenviable position. After three-plus years of the council not taking action, we had received enough lawsuits that we couldn't sufficiently defend that we settled a case that indicated that we would take secretarial action, and so it takes it out of the hands of the council. The Fisheries Service essentially works on a secretarial amendment, like you would do around this table.

It's less transparent of a process. It doesn't involve as many public meetings, and so there's certainly a lot of anxiety, and lots of emails and misinformation that's being shared, and what I can say, and I've heard, and seen, some of those massive closure emails, and we haven't shared a single thing about what we are proposing at this point, right, and so where that information is coming from is speculation at this point.

We have told people that we will be sharing out information no later than January. We're hoping to maybe share some information before then, but give an indication of, obviously, the actions, and alternatives, and what we are proposing to end overfishing of red snapper and some of the changes that we would be making to management.

There will be public hearings up and down the east coast, and a lot more to come, and so just stay tuned. If you do hear more misinformation, or are getting emails and want to ask me about it, forward it to me, and I can certainly provide clarification where I can.

CHAIRMAN DUGAS: Okay. Thank you, Mr. Strelcheck. Mr. Griner, thank you for your report. I'm not seeing any other questions. We're going to adjourn for the day and reconvene at 8:30 in the morning. Thank you.

(Whereupon, the meeting recessed on November 6, 2024.)

- - -

November 7, 2024

THURSDAY MORNING SESSION

- - -

The Full Council of the Gulf of Mexico Fishery Management Council reconvened at The Hilton Bayfront in St. Petersburg, Florida on Thursday morning, November 7, 2024, and was called to order by Chairman J.D. Dugas.

CHAIRMAN DUGAS: Okay. Good morning, everyone. We're going to get started. We're going to work down the agenda in the order it is, and so that's going to take us to the Habitat Protection and Restoration Committee report. Mr. McDermott.

COMMITTEE REPORTS
HABITAT PROTECTION AND RESTORATION COMMITTEE REPORT

MR. MCDERMOTT: Thank you, Mr. Chair. All right. The committee adopted the agenda and approved the minutes of the October 2022 meeting as written. We've got a presentation on the final essential fish habitat contract. Dr. Bridgette Froeschke, from the University of Tampa, provided an overview of contract work to identify, catalog, and document contemporary habitat data sources in the Gulf of Mexico.

Documentation of these spatial data were presented to the SSC in July of 2024. The SSC provided feedback on possible other data sources for the states of Florida, Louisiana, and Texas. Dr. Froeschke reported that the SSC-recommended data sources from Florida and Louisiana had been obtained through the online GIS clearinghouse. Her team updated the metadata for those sources to

include the direct state habitat division contacts, based on the recommendation, from the SSC.

Several missing habitat data sources were included from the state of Texas, based on SSC feedback. The deliverables from this contract work will be used to update the descriptions of EFH for all managed finfish and shrimp species in a generic amendment.

A committee member asked about the inclusion of artificial habitat data layers in the report. Council staff responded that, while artificial reefs are not considered EFH, those data are often requested by the public and have now been cataloged, in case this information is needed for any future EFH work.

The committee provided feedback on next steps for the EFH project, including potentially collaborating with appropriate Gulf States Marine Fisheries Commission committees and considering data storage for the collected spatial layers. Council staff noted the committee's recommendations.

Additionally, the council staff will provide regular updates and provide and continue to incorporate committee feedback on the developing EFH amendment. Mr. Chair, this concludes my report.

CHAIRMAN DUGAS: Okay. Thank you, Mr. McDermott. Is there any discussion regarding Habitat Protection and Restoration? Okay. Not seeing any, we're going to move on to Sustainable Fisheries report. Dr. Banks.

SUSTAINABLE FISHERIES COMMITTEE REPORT

DR. BANKS: Thank you, Mr. Chair. The committee adopted the agenda, Tab E, Number 1, and approved the minutes, Tab E, Number 2, of the August 2024 meeting.

We then had a presentation on research and monitoring priorities for 2025 through 2028, Tab E, Number 4. Staff presented the council's research and monitoring priorities for the 2025 to 2028 grant cycle. The priorities are intended to foster a better understanding of the gaps in knowledge and data the council hopes to mitigate.

A council member inquired if SSC feedback on the prioritized list would be incorporated before final approval. Council staff clarified that, due to time constraints, the council would not review the list after SSC feedback. If the SSC recommended significant revisions, the council chair would work with staff to finalize the 2025 to 2028 research and monitoring priorities. Andy

Strelcheck, of the Southeast Regional Office (SERO) agreed with prioritizing key stock and species undergoing rebuilding plans.

A committee member highlighted discard mortality and depredation as major concerns. Dr. Simmons acknowledged long-term data gaps for key species and noted that recent funding, such as IRA funding, could help address some of the specific projects for some species.

Dr. John Walter, from the Southeast Fisheries Science Center, inquired whether the Science Center should give feedback on the research and monitoring priorities. Dr. Simmons indicated that, while comments from the Science Center would be valuable, the timeline might limit the opportunity for in-depth review this year.

Council staff presented information on wahoo stock connectivity, behavior, growth, and reproduction in the western North Atlantic. Staff then walked the committee through considerations to review before recommending whether wahoo is in need of federal conservation and management.

A committee member did not think that there were any pressing concerns for Wahoo in the Gulf. They noted the Atlantic portion of the Gulf of the stock is healthy and thought the Atlantic coast councils were managing Wahoo adequately. However, the committee member expressed some concern for exceptional regional landings and asked whether any of the states had any motivation to create management measures for wahoo. Absent that, the committee member noted that the Flower Gardens Banks National Marine Sanctuary could implement its own management measures within the boundaries.

Another committee member replied that the high harvest off Texas seemed to be the exception and not the norm. They echoed points in the presentation about the uncertainty in landings data and the lack of reliable length composition data.

The committee member thought the best course of action might be for the Flower Garden Banks Sanctuary to pursue its own regulations. A committee member from Louisiana added that LA Creel landings were as oscillatory and uncertain as the Gulf-wide landings data and that the landings seem to be coming more from off the mouth of the Mississippi River. They reached a preference for having Flower Gardens Banks pursue its own management measures.

A committee member asked for more information about the reasoning behind the current recreational regulation in the Atlantic for the two-fish daily recreational bag limit there. The Southeast Regional Office noted that the Atlantic stock status is unknown and that the Caribbean Fishery Management Council now has

management measures in place for dolphin and wahoo.

SERO added that most Gulf landings come from Florida, echoed the fast-growing nature of the species, and suggested avoiding fishing on spawning aggregations. SERO recommended going back to the Flower Garden Banks Marine Sanctuary and offering input on ideas they might consider for regulations within their boundaries.

A council member not on the committee recommended the committee be mindful of its experiences working with the Florida Keys National Marine Sanctuary, the lack of public transparency in that process, and the difficulty the council and the State of Florida had recently with the Florida Keys National Marine Sanctuary process.

A committee member clarified the current retention limits for wahoo in the Atlantic stemmed from proactive measures put in place in the wake of tightening swordfish regulations along the Atlantic seaboard.

Another committee member commented that the significant harvests in Flower Gardens were occurring in the winter, when the weather was rough, and outside of the stated spawning season. A committee member summarized that the committee showed some support for the Flower Garden Banks pursuing regulations, or the Gulf states, if they thought it necessary.

NOAA General Counsel stated that, if the committee thought wahoo needed federal conservation and management, then wahoo either needed to be added to a current fisheries management plan or another FMP would need to be developed for wahoo. A committee member replied that they thought wahoo was currently effectively managed by other state and federal management entities. The committee ultimately decided to listen to public comment and discuss further at Full Council. Mr. Chair, this concludes my report.

CHAIRMAN DUGAS: Okay. Thank you, Dr. Banks. Do we have any discussion on wahoo? Mr. Schieble.

MR. SCHIEBLE: Thank you, Mr. Chair. You know, I think, just sort of an update on this, and, after looking at it, I think, you know, our department is probably going to work on a bag limit analysis, and present that to our commission for consideration of potential state regulations on wahoo, either size or bag limit.

Obviously, we don't do an FMP, or stock assessment, in Louisiana on wahoo, but we can look at similar regulations to what Florida has, at least present that for the commission's consideration, but

it would require a little bit of a bag limit analysis, which we can work on pretty quickly.

CHAIRMAN DUGAS: Okay. Thank you, Mr. Schieble. I have Mr. Geeslin and Mr. Strelcheck.

MR. GEESLIN: Goodness, and I don't know what to do with this one. I agree with Chris. I think one of the cleaner, simpler, straightforward paths would be for the states to consider this. Looking at landings, I think our commission would really have a hard time, considering the biological science and the landings information.

That said, our commission has been fairly receptive, and open, to incorporating social science into, you know, what anglers want, what stakeholders want, and I would expect a fairly exhaustive scoping effort on our behalf, from our staff's behalf, to gauge the interest from recreational divers, anglers, Flower Garden enthusiasts, to really get a full, you know, scope and breadth of the thoughts and positions of this issue.

I would hate to forecast whether the Texas Parks and Wildlife Commission would take this up, but, if they did, the timeline for that, to implement a state rule package, would be next year, and it wouldn't go into effect, at the earliest, until September 1 of 2026. just throwing out there the timeline.

I think there are some other options available, notwithstanding any federal regs out in the EEZ that, under the joint enforcement agreement, that the state could also enforce those. If we implemented regulations in state waters, to also enforce those out into federal waters, which would provide coverage out into the EEZ, into the sanctuary, and I think that's a viable option.

Gosh, and, Bernie, did you get that slide? Our very own Dr. Jack McGovern back in -- There we go. If we go to Slide 8, please. I went back and pulled up Jack's presentation from there in Houston. He really did a good job of laying this out and providing some of the council options for next steps.

It seems like we went through a few of these. At this point, I am certainly open to going back to my respective state, and the department, and, you know, running this up the chain for consideration, and really getting a feel for the department's willingness to take this on. I can't make any commitments, or promises, but I do think that is a very viable option.

I've certainly reeled back some of my thoughts about, you know,

having the sanctuary take this on, especially having heard from our NOAA Law Enforcement, having heard from our partners over in the Florida Keys, and so I'm certainly more open to other options to pursue management here.

CHAIRMAN DUGAS: Thank you, Mr. Geeslin. Mr. Strelcheck.

MR. STRELCHECK: Yes, and so good comment. So, I guess, first, I wanted to just clarify, in the summary document, it says, you know, I suggested avoiding fishing on spawning aggregations, which is correct. I was later corrected, and I should have intended to say aggregations, and so I would ask that maybe the committee summary reflect that, because the problem really seemed to be, you know, focused on aggregations and not when they're spawning.

In terms of, you know, the path forward, obviously, to me, the two most logical paths forward are either writing a letter and requesting that the states consider some sort of conservation and management, and in particular Texas and Louisiana. I recognize, you know, what you said, Dakus, and Louisiana might take some time to do that, but, you know, if we could get some consistent regulations developed in the Western Gulf, I think this challenging problem may go away.

I also have heard, obviously, the concerns about the sanctuary imposing regulations, but that's certainly another path forward, if the states did not want to go down the path of implementing regulations, and so it could be more of like a stepwise process, to see would Louisiana, and would Texas, be willing to do something, and you come back to us. If not, then, you know, we would pursue maybe working with the National Marine Sanctuary to establish some sort of regulations.

I think the most important thing, from my standpoint is, you know, the committee report reads as, you know, lots of individual committee members kind of weighing-in about why this isn't in need of federal conservation and management. I think there is consensus, by the council and the committee, that it's not in need of federal conservation management, with the caveat as long as it's managed by someone else, right, and so I just wanted to kind of make that clear.

CHAIRMAN DUGAS: Thank you, Mr. Strelcheck. Are there any -- Mr. Sanchez.

MR. SANCHEZ: Based on past experience, I would just say, to my friends in Texas and Louisiana, as unappealing as rolling up your sleeves, and maybe having to do some state work to address the

wahoo issue, I promise you that you're going to like what you all come up with better than what the sanctuary is going to do for you.

CHAIRMAN DUGAS: Thank you, Mr. Sanchez. Dr. Simmons.

EXECUTIVE DIRECTOR SIMMONS: Thank you, Mr. Chair, and so I guess just a question, perhaps for Mr. Geeslin and Mr. Schieble. Would it be helpful if the council wanted to entertain a motion drafting a letter asking you consider this? Is that helpful, or is that hurtful, I guess, because then you have a little bit more formal request, but not pigeonholing you into some place you don't want to be.

MR. GEESLIN: Thank you, Dr. Simmons, and I think the key word there, for me, in that second bullet, would be "consider". Consider, evaluate, feasibility, because this would -- You know, our commission is very sensitive, especially in Texas, to regulations for the sake of regulations, and, again, I think the social science here could really justify some management actions. I would be supportive of that, that second bullet, going into a motion.

CHAIRMAN DUGAS: Okay. Thank you, Mr. Geeslin. Mr. Schieble.

MR. SCHIEBLE: I think, at this point, I would just say I'm not opposed to having a letter, but I don't think it's necessary either, from the Louisiana standpoint. I think our commission is very proactive, and receptive, to these types of things, if our staff come to them and say here's the need, here's the science, and please evaluate, but they're going to do it.

They've done this with a lot of things so far, and our administration is very proactive, when it comes to state management of fisheries, and so I don't see this as being an obstacle. I think they'll be able to work with the commission hand-in-hand.

CHAIRMAN DUGAS: Thank you, Mr. Schieble. So the question I have, maybe for Dr. Simmons, is do we also need to write a letter back to the sanctuary telling them that we are pursuing, or asking the states, and do we need to update them?

EXECUTIVE DIRECTOR SIMMONS: I mean, I think they're listening in. I think, for completeness, it would be nice, and so maybe we could just get an update, after your commission has a chance to look at this, to maybe close the loop on where you might land with this consideration, if we don't want to do a formal letter.

MR. SCHIEBLE: So I'm thinking we could probably bring an update to the January council meeting. Is that early enough, or do you need it before that?

EXECUTIVE DIRECTOR SIMMONS: Wow.

MR. SCHIEBLE: Well, I mean, so our commission meeting in January is the beginning. April? For sure, April. I mean, January would be tight. Our commission meeting is the beginning of January. If we get it on the agenda for them to look at, we potentially could bring it, but I think April will be more realistic.

CHAIRMAN DUGAS: Mr. Sanchez.

MR. SANCHEZ: If we're going to be, I guess, figuring out which letters we're going to write, I would suggest too that we explore what it all entails, how difficult and time-wise, to get involved with the South Atlantic and do some kind of joint wahoo management, before we hypothetically punt this to the sanctuary. To me, that would be more palatable.

CHAIRMAN DUGAS: So you're recommending if the states deny conservation?

MR. SANCHEZ: No, and what I'm saying is I'm not opposed to which direction we take, but, if there seems to be a reluctance from the states to get involved in this, then let's keep it in the federal realm, and, if the South Atlantic is the vehicle to do that, then let's take a good hard look at it.

CHAIRMAN DUGAS: Okay. Thank you, Mr. Sanchez. Mr. Geeslin.

MR. GEESLIN: John, to that point, I hope I'm not conveying a sense of reluctance. I'm just a little bit of, you know, realism coming from a state commission. I'm tending to side with Chris. I'm not sure a letter necessarily is needed, and I think there's some downside to having the council writing a letter to the states, and to our commission, kind of telling them what to do.

As long as -- You know, with the understanding that we were committed to go back and take a look at this, and I probably couldn't commit to a January or April timeframe, but I could commit to an evaluation, having those discussions with -- You know, as an earliest timeframe, if this went through our commission, again, as the earliest timeframe, with the regulation in place for September 1, 2026.

CHAIRMAN DUGAS: Okay. Thank you, Mr. Geeslin. Dr. Simmons is

telling me we do not need a motion, or you prefer a motion?

EXECUTIVE DIRECTOR SIMMONS: Well, I just -- I'll try to summarize what I think we're doing, just to make sure that we understand. So we're not going to write a formal letter requesting Texas and Louisiana consider this at their commissions and bring it back to the council, but we are going to schedule some time, in April or June, when you can talk about what you've been able to discuss with your commission. Okay. It makes it a little bit more difficult, when we're looking at stuff, when we don't have motions, but I think we got it.

CHAIRMAN DUGAS: Mr. Geeslin.

MR. GEESLIN: Carrie, I think that's more than reasonable. I would also suggest, between, you know, and I will certainly make the efforts to reach out and have those conversations with Dr. Michelle Johnson as well, at the Flower Gardens Sanctuary.

EXECUTIVE DIRECTOR SIMMONS: I can also follow up with an email to her as well.

MR. GEESLIN: Absolutely. Thanks for that.

CHAIRMAN DUGAS: Okay. Is there anything else that needs to come before -- Mr. Strelcheck.

MR. STRELCHECK: Apologies if this was just discussed, and I was having a sidebar, but should we -- Or is someone going to close the loop, at least with the sanctuaries, based on this conversation and next steps and what to expect?

EXECUTIVE DIRECTOR SIMMONS: We're going to send an email to them, telling them that the states are going to look at this, and we're going to talk about it again sometime in April or June.

CHAIRMAN DUGAS: Okay. Anything else that needs to come before Sustainable Fisheries? Not seeing any, we're going to move on to the next agenda item, and it would be the Shrimp report. Mr. Schieble.

SHRIMP COMMITTEE REPORT

MR. SCHIEBLE: Thank you, Mr. Chair. The Shrimp Committee report from November 4th, the committee adopted the agenda, Tab D, Number 1. The committee then approved the August 2024 meeting minutes, Tab D, Number 2, with the addition of lines 32 to 33 of page 17 of the Gulf States Marine Fisheries Commission has a 3 percent

overhead rate.

Draft Shrimp Framework Action, Modification of Vessel Position Data Collection Program for the Gulf of Mexico Shrimp Fishery, Tab D, Numbers 4a through 4c, Dr. Freeman presented on the draft shrimp framework action focusing on the interdisciplinary planning team's, or IPT, recommended changes to the language of the alternatives.

A council member inquired why the shrimp industry is opposed to the inclusion of satellite VMS with Alternative 2. Dr. Freeman explained that industry members had expressed concerns that satellite VMS devices are more costly than cellular VMS (cVMS) devices for industry. He noted that all devices currently used in the Early Adopter Program are cellular VMS.

Dr. Froeschke added that satellite VMS transmits continuously, whereas cVMS archives data before transmission, and he commented that industry might prefer their data be transmitted in bulk and not in real time.

Committee members stated that, if the proposed language is adopted for Alternative 2, owners and operators will face a cost decision on whether to select a VMS device that uses cellular or satellite transmission. He added that some SPGM permit holders operate in fisheries that require satellite VMS and that those operators/owners would be required to install two VMS devices if Alternative 2 does not allow for the option of satellite VMS.

Some committee members stated that they would prefer the Shrimp Advisory Panel (AP) weigh-in on the IPT's proposed language changes to the alternatives before the committee adopts those changes. Dr. Freeman responded that a poll had been sent to the Shrimp AP for proposed meeting dates in December 2024 and January 2025, in anticipation that the Shrimp Committee may wish to convene the Shrimp AP before the January 2025 council meeting.

A committee member inquired about the impacts to the proposed action schedule, which has the council taking final action on the draft shrimp framework action in its April 2025 meeting, if the language of the alternatives is further modified at the January council meeting. Dr. Freeman responded that it may delay final action by at least one council meeting, as Chapters 3 and 4 would need to reflect the language of the alternatives.

Mr. Strelcheck, another committee member, responded that council members should not delay action and should recommend changes to the draft framework action. He stated that feedback from the

Shrimp AP has already been received at previous council meetings and questioned if the council would receive significant new information from the Shrimp AP at this point.

At this point I'd like to pause in reading the minutes here, for a second, because this is where the council broke for a lunch break. I believe, before we had the committee break for lunch, we had a committee member that was working on making a motion that was suspended, and so I'd like to find out if that committee member would like to revisit that motion.

CHAIRMAN DUGAS: Mr. Sanchez.

MR. SANCHEZ: Thank you, Mr. Chair. Yes, I would. I had a motion that I presented to Bernadine. If you could bring it up now, I would be happy to read it, and, basically, while that's being done, I'll give you some background on it, I guess, even though it's the cart before the horse.

There were some substantial changes in recommendations by the IPT, and I see it as very important that we allow the Shrimp AP to weigh-in on these things, because they have not seen those as a group together yet, and I think, them being the highly -- The most transient fleet, in terms of being monitored in the Gulf of Mexico, and they're going to have to deal with these things, and I would feel better about making decisions that they're going to have to live with if their AP gets to weigh in on this.

I think there is a doodle poll being happening to try to find out some dates, from here to January, to be able to accomplish this, and I just think that's a more involved public opportunity path forward for that industry, which is 100 percent on the ropes right now anyway.

CHAIRMAN DUGAS: Okay we have a motion on the board.

MR. SCHIEBLE: I'll second it.

CHAIRMAN DUGAS: Mr. Schieble seconds. Is there any discussion to the motion? Dr. Banks.

DR. BANKS: Yes, I support this. We heard, from Leanne yesterday, that they would like to look back at these significant changes, and I think that's a fair request, that we can accommodate, so I would support this.

CHAIRMAN DUGAS: Okay. Mr. Strelcheck.

MR. STRELCHECK: I also support convening the AP. I guess I would suggest a friendly amendment that they provide commentary to the council's Shrimp Committee's recommended revisions, because we were accepting of the IPP's recommendations.

CHAIRMAN DUGAS: Okay. Mr. Sanchez.

MR. SANCHEZ: I don't know that that's in line -- That defeats the purpose of them, in my opinion, meeting, because the whole opportunity for them to meet is for them to look at this, as recommended, the changes by the IPT, and have them weigh-in, and then my thought is then, based on their feedback, then we, as a group, can figure out is this the right thing to do, or not, before we saddle them with this going forward.

CHAIRMAN DUGAS: Mr. Strelcheck.

MR. STRELCHECK: I'm fine with sharing the previous alternatives, and our Shrimp Committee recommendations, right, with them, so that they can weigh-in and see the changes that we made, but I want to be clear that there's ownership here, with the Shrimp Committee having made the decision to accept those IPT recommendations, and so this doesn't fall to the IPT any longer. It falls to us, as council members and Shrimp Committee members.

CHAIRMAN DUGAS: Mr. Sanchez.

MR. SANCHEZ: Okay. I understand, and I'll capitulate, with the understanding that, depending on what they -- You know, what they come up with, in terms of commentary, we may revisit this. You know, that they may have some great concerns with some of the wordsmithing we did. I don't know, but I would like them to see all of this together, and then we'll put it in a paper bag and shake it up and see what comes out.

CHAIRMAN DUGAS: Mr. Schieble.

MR. SCHIEBLE: I guess I'm sort of on one side or the other with what Andy's saying, because we're making this motion ahead of the Full Council voting on the committee-recommended motions, further down in this document, which incorporate the IPT's recommended revisions to the draft, and so we haven't actually voted on those as a council yet.

CHAIRMAN DUGAS: Okay. Is there any more discussion on the motion? Dr. Simmons.

EXECUTIVE DIRECTOR SIMMONS: Thank you, Mr. Chair. I'm not -- I'm

not sure if this is like out of order or anything, but it does contradict, like we discussed, what the committee had voted on earlier, and so I guess I'll lean on Ms. Levy, but I think perhaps we should either -- If we're going to vote this up or down, I believe we need to consider changing some of the text in the motion, or maybe withdrawing this until later, and voting the other ones down. Just, procedurally, I think it's a little awkward.

CHAIRMAN DUGAS: Mr. Sanchez.

MR. SANCHEZ: Would it resolve this if, in my motion, and, of course, if the seconder agrees, if we just removed "IPT's recommended" and just leave it as "regarding the revisions to the draft action", and would that clarify this and get us where we need to go? All right. I would like to amend my motion, if the seconder would agree.

CHAIRMAN DUGAS: Mr. Schieble.

MR. SCHIEBLE: Yes, I concur.

MR. SANCHEZ: Thank you.

CHAIRMAN DUGAS: Is there any more comments on the motion? I'll read the motion. **It's to convene the Shrimp Advisory Panel to review, discuss, and provide commentary to the council regarding the revisions to the Draft Shrimp Framework Action: Modification of Vessel Positioning Data Collection Program for the Gulf of Mexico Shrimp Fishery in advance of the Gulf Council January 2025 meeting. Is there any opposition to the motion? Seeing none, motion carries.** Mr. Schieble.

MR. SCHIEBLE: Okay. Continuing on with the Shrimp Committee report, Mr. Dettloff, from the Southeast Fisheries Science Center, and Dr. Gloeckner, also from the Southeast Fisheries Science Center, and then presented on the survey design and estimated costs for position recording devices in the Gulf of Mexico shrimp fleet as seen in Tab D, Number 4c.

The committee member inquired if there was information available on the monthly satellite VMS transmission fees. Dr. Gloeckner responded that satellite VMS transmission fees are not included in the presentation, but that he is aware of the transmission fees for the satellite cellular hybrid device, which is $349 annually.

A committee member responded that the $349 annual transmission fee seems low. Dr. Freeman added that, for that particular hybrid device, data is sent via cellular transmission, and the satellite

option only covers distress alerts.

Dr. Simmons then inquired if a type-approval process for Alternative 2 exists. Dr. Gloeckner responded that the type-approval process is specific for each fishery and has yet to be established for the Gulf shrimp fishery.

Dr. Simmons asked that the process for the Early Adopter Program, via a contractor, could be considered as a type-approval process for this fishery. Dr. Walter, from the Southeast Fisheries Science Center, stated that the type-approval process needs to be perpetual, and so the agency must set the specifications and allow for future type-approvals when vendors request it.

A committee member noted that Alternative 2 allows owners/operators to be eligible for national reimbursement of VMS devices and that Alternative 3 is more expensive for both the industry and National Marine Fisheries Service. They then added that if NMFS has the funds to fully support Alternative 3. Dr. Walter responded that the agency does not currently have funds appropriate to support Alternative 3.

In response, a committee member then inquired if Alternative 3 would be viable if selected as preferred. Committee members stated that the agency would have to decide to approve, or disapprove, the framework action based on whether the agency could fund the preferred alternative.

Dr. Walter added that the agency does not have funding to fully support Alternative 2. Dr. Walter then emphasized that alternative 2 has fewer costs to both the industry, due to the reimbursement program, as well as to the agency.

Dr. Frazer inquired as to the economic value of the Gulf shrimp fishery. Dr. Walter responded that the value of wild-caught Gulf shrimp sales was $329 million in 2022 and dropped to $204 million in 2023. The committee member asked if those values were for shrimp from federal as well as state waters, but that information was unavailable at the time.

Dr. Freeman proposed that the committee entertain the idea of motions for the individual alternatives and the IPT's recommended language changes and explained that the strikethrough language for Alternative 1 would not be removed from the document, but simply moved into the discussion of Alternative 1.

The committee recommends, and I so move, to adopt the language in Action 1, Alternative 1, per the IPT's recommendation. Alternative

1 is no action, maintain the current method to collect vessel position data through the cellular electronic logbook (cELB) units supplied by NMFS. NMFS will collect memory cards from the units via mail. The motion carried with no opposition. Mr. Chair.

CHAIRMAN DUGAS: Thank you, Mr. Schieble. Is there any discussion on the motion? I'm not seeing any. **Is there any opposition to the motion? The motion carries.** Mr. Schieble.

MR. SCHIEBLE: Thank you, Mr. Chair. Dr. Freeman then reviewed the IPT's rationale for the proposed changes to Alternative 3. A committee member inquired why the committee was considering changes to the alternative that does not have agency funding to support it.

Another committee member responded that the shrimp industry is highly supportive of Alternative 3 and that this is the first council meeting where NMFS has provided detailed cost information for Alternatives 2 and 3.

The committee recommends, and I so move, to approve the revised language in Action 1, Alternative 3, with the recognition that funding is currently unavailable. Alternative 3 is implement a cellular VMS (cVMS) requirement for the Gulf shrimp fishery that provides archived position data compatible with the Southeast Fisheries Science Center's shrimp effort algorithm. If selected by the SRD, the owner or operator of a vessel with an SPGM would be required to install a NMFS-approved cVMS that archives vessel position when on a shrimp fishing trip in the Gulf and automatically transmit those data via cellular service to a non-OLE NMFS server. NMFS-approved cVMS would be type-approved through a process external to 50 CFR 600.1501. The motion carried with no opposition. Mr. Chair.

CHAIRMAN DUGAS: Okay. We have a motion on the board. Is there any discussion? **Not seeing any, is there any opposition to the motion? Not seeing any, the motion carries.** Mr. Schieble.

MR. SCHIEBLE: Thank you, sir. Dr. Freeman then reviewed the IPT's rationale for the proposed changes to Alternative 2. A committee member noted that the last two sentences proposed by the IPT should be moved into Alternative 2's discussion.

Another committee member requested clarification if Alternative 2 required hybrid cellular satellite VMS devices. Committee members stated the proposed wording would allow owners/operators to select either cellular or satellite VMS devices and would provide the industry with more options.

Committee members discussed whether the description of archived data should be retained in Alternative 2. Ms. Levy, from NOAA General Counsel, recommended that archiving of data be described as the minimum requirement for VMS in Alternative 2.

The committee recommends, and I so move, to approve the following language in Action 1, Alternative 2. Alternative 2 is implement a vessel monitoring system (VMS) requirement for the Gulf of Mexico Gulf shrimp fishery that provides, at a minimum, archived position data compatible with the Southeast Fisheries Science Center's shrimp effort algorithm to a NMFS server. If selected by the Science and Research Director (SRD) the owner or operator of a vessel with a Gulf shrimp moratorium permit (SPGM) would be required to install a type-approved VMS unit (50 CFR 600.1501). The motion carried with no opposition. Mr. Chair.

CHAIRMAN DUGAS: Thank you, Mr. Schieble. We have a motion on the board. Is there any discussion? **Not seeing any, is there any opposition to the motion? Not seeing any, the motion carries.** Is there anything else that needs to come before the Shrimp Committee? Dr. Walter.

DR. WALTER: Yes, and there is a few un -- Or at least one question that I wanted to follow-up on with an answer, and if I could provide that. It's back in the text, on the value of the shrimp fishery, and I believe it's several paragraphs up, if we can move up, and if I could offer the answer. It's the paragraph -- It's starting with "Dr. Frazer inquired as to the economic value of the Gulf shrimp fishery". Right there.

A committee member asked if those values were for shrimp from federal as well as state waters, and SEFSC -- I would like to add -- Strike the "that information was unavailable at the time", and just remove that sentence, and say SEFSC followed-up, in Full Council, by confirming that these numbers are from both federally and state-licensed vessels.

CHAIRMAN DUGAS: Dr. Simmons.

EXECUTIVE DIRECTOR SIMMONS: Thank you, Mr. Chair, and so I don't -- Since that didn't happen in committee, I think we would just let this stand, unless there's a typo in what's presented there, and so you're just correcting the record at Full Council, so that would be reflected in the Full Council minutes. We wouldn't change the committee report.

DR. WALTER: So you leave it un-clarified in committee, and then

it would only be in the minutes, and not in the report?

EXECUTIVE DIRECTOR SIMMONS: Correct. You're correcting it now in Full Council. This is what happened in the committee. That's what happened, and so now we're correcting it at Full Council.

DR. WALTER: Which is what I said, followed up in Full Council. If you if the correct place is only in the minutes, which doesn't get, in fairness, as read as the reports, that's fine, but I just wanted the clarification to be provided. I'm not --

CHAIRMAN DUGAS: Dr. Frazer.

DR. FRAZER: I understand what you're trying to do, John, and, I mean, you wanted to clarify the record, and get the most accurate information out there. I think this is the report, right, and, fair deal, you're taking the opportunity to clarify and provide information, and that was that information will be reflected in the minutes, moving forward, and so it's there, right? I understand what you want to try to do, but just, with regard to process, that's probably the right process. This is a report. I'm not disagreeing with your intent, right, and I'm just saying process is process.

CHAIRMAN DUGAS: Dr. Freeman has a suggestion.

DR. FREEMAN: So, as a compromise, perhaps one suggestion would be, at the end of that sentence, where it says "was unavailable at the time", we could add a footnote that says, "in Full Council, Dr. Walter provided information", such and such.

DR. FRAZER: Yes, and that's fine, and I'm trying to work with you, trust me, so and, in fact, if we come back and look at the verbatim minutes, probably, from that discussion, you said I'll try to get back to you, or something, you know, and that's probably in there, and so that that's fine, to me, but my real question, I mean, for the record, was what proportion of that two-hundred-and-something-million dollars is attributed to the federal shrimp fishery, as opposed to the states. That was the real question.

DR. WALTER: That information is unavailable at the time.

CHAIRMAN DUGAS: Mr. Schieble and then --

MR. SCHIEBLE: Dr. Freeman mostly stated what I was going to state, simply that the Full Council minutes would have say, you know, Dr. Walter added, during Full Council, that the value is a composite of state and federal combined, or something like that, and so I

think it'll be in there.

CHAIRMAN DUGAS: Okay. Everyone is good? Dr. Frazer.

DR. FRAZER: I was just going to say there's plenty of record now.

CHAIRMAN DUGAS: Okay. Anything else needs to come before the Shrimp Committee report? Not seeing any, okay. We're going to move on down the agenda to Data Collection. Mr. Walker.

DATA COLLECTION COMMITTEE REPORT

MR. WALKER: Thank you, Mr. Chair. The Data Collection Committee adopted the agenda and approved the minutes. We had a presentation on the Highly Migratory Species proposed rule, Tab F, Numbers 4a through 4e. Ms. Karyl Brewster-Geisz and Dr. Clifford Hunt from HMS provided a presentation reviewing a proposed rule that would modify and expand HMS data collection programs for commercial, charter-for-hire, recreational, and dealer recordings.

A committee member asked where the data would be transmitted, and HMS staff responded that data would be sent to the Atlantic Coastal Cooperative Statistical Program and then made accessible to the Southeast Fishery Science Center. The committee asked what would happen if a program participant held both an HMS and reef fish for-hire permit with differing reporting requirements. HMS staff responded that the permit holder would be held to more stringent requirement.

HMS included a comparison between what has been proposed by HMS and what is being considered by the Gulf Council. Broadly, the timing of logbook and economic reporting differs between the two for-hire data collection programs, which is something that's going to need a lot more consideration going forward.

A committee member inquired about the attendance at the two virtual public hearings, and HMS staff indicated that over a dozen stakeholders attended each meeting. They continued that the amount of public comment received so far was more than what they usually receive at this point in the proposed rule process.

A committee member asked about the source of funding for the modifications, and HMS staff responded that some funding was already available for some of the existing programs. However, funds for expanding HMS data collection programs was still an open question.

A committee member asked how non-compliance with the permit

requirements in the for-hire sector would affect permit renewal. HMS stated that the HMS charter-for-hire permit was tied to the vessel, and so it would not be possible to simply add an additional permit to avoid required reporting.

The committee member asked about the sentiment of HMS program participants of the collection of economic data. HMS staff responded that they received comments from the commercial industry generally supporting the action, but the for-hire industry had expressed hesitation on collection of those data.

A committee member asked about the consideration of fisherman burden in reporting discard information, and that those data are often underreported. HMS staff responded that reporting 100 percent of discards is what is implemented for the commercial sector, and requiring this for the for-hire sector would create consistency between the two reporting programs. Additionally, reporting dead discard is a requirement for the ICCAT. I'll just -- International Commission of Conservation of Atlantic Tunas. That's the only time I'm saying that one all the way out.

Council staff took notes during the discussion and will generate a letter on the proposed rule to be submitted before the end of public comment. We had discussion on for-hire data collection.

CHAIRMAN DUGAS: Mr. Walker.

MR. WALKER: Yes, sir.

CHAIRMAN DUGAS: I wanted to stop you. I just wanted to check with the committee, to see if anyone, before we proceed, had any discussion on the HMS proposed rule. Okay. Please proceed. Thank you.

MR. WALKER: We had discussion on the for-hire data collection amendment, Tab F, Number 5. Council staff presented revisions to the document and focused on modifications to Action 4, which considers collection of economic information within the new data for-hire collection amendment in the Gulf.

Broadly, the sampling methodology would consider sampling a portion of participating vessels, rather than trips. Operationalizing sampling by trip is problematic with reporting applications, for several reasons, including the Southeast Regional Office not being able to know which trip had been selected.

The committee members suggested having a presentation outlining

the costs associated with the various alternatives in Action 4, to help inform the discussion, and so maybe have some discussion on that.

That was the one where we're changing the idea of trip reporting to your vessel selected. You would end -- All year, you would have to report, and so it probably good to hear from some other members of the for-hire community on thoughts there. In short, it kind of seems okay to me, but that would definitely be a good thing to discuss further, I think, because it is a pretty significant change to what we had talked about, in my view.

CHAIRMAN DUGAS: Thank you, Mr. Walker. Dr. Hollensead.

DR. LISA HOLLENSEAD: Thank you, Mr. Chair. Thinking about some next steps, I think I would take this back to the IPT and ask them for a little bit more detail on some of this economic data, for example how long -- You know, if the vessel is selected, maybe how long they would report. Is there some reasonable alternatives within that, maybe annually, or maybe every six months, something like that, and I'm just curious to get their thoughts on what we can maybe look at.

Additionally, getting to Captain Walker's point about getting some industry input, we're looking to have the for-hire ad hoc AP convene and look at all of this now. It seems like all of the elements of the program needs to get their feedback. We hope to try to maybe have that meeting sometime in late February, to get that group together, and so, that way, you all will be able to incorporate any feedback they may have when looking at the document again in April.

CHAIRMAN DUGAS: Thank you, Dr. Hollensead. Do we have any more questions, or comments? Captain Walker.

MR. WALKER: So, just -- It would be interesting to hear the discussion on how -- You know, we really argued back and forth a lot on economic reporting, and so now you're not going to have to -- We kind of wanted to keep it kind of brief, when you were going to be checked on your trip that day. Maybe your half-day trips are kind of keeping -- I was hoping to keep it to a handful of what are deemed important questions.

Now, if you're going to have to do a daily and annual report, it would be interesting to see if their plan is on really making it a full page of economic questions now, which is kind of what they do on the commercial side, and so we may come back to, you know, how much of this am I going to have to do.

CHAIRMAN DUGAS: Dr. Hollensead.

DR. HOLLENSEAD: It's my understanding, and somebody correct me if I'm wrong, that, if you are selected, it would be economic information every trip, for some period of time, a year, or six months, and so the questions that are being asked are in the document, and so you know the idea of what you would be expected to answer. I believe it's really only three questions outside of some of the -- You know, it's amount of fuel, price of fuel, and trip fee.

CHAIRMAN DUGAS: Mr. Walker.

MR. WALKER: Anyone else have discussion? Seeing none, we'll move on. I believe we are at Southeast Region Headboat Survey Report. Dr. Michelle Masi presented the 2023 annual report for the Southeast Region Headboat Survey.

A committee member inquired whether name switching between gag and black grouper species was observed by program port samplers. Mr. Rob Cheshire indicated that the regional misnaming between the two grouper species did not appear as prevalent now as it was in the past, but he theorized that may be happening to some extent. Any comment on the headboat survey reports?

We had a report from Dr. Richard Cody at MRIP Office of Science and Technology. He provided an update on progress of the 2024 Fishing Effort Survey pilot study, calibration, and transition to one month-data collection waves, an FES nonresponse mitigation report approach, and current program priorities.

A committee member asked about the approach for upweighting FES nonresponses. Dr. Cody indicated that the annual report for FES, linked within the presentation, provided a comprehensive documentation of that methodology and suggested reviewing that report for more detailed information. A committee member stated support for the ongoing collaborative work to compare recreational fishing estimates between data collection programs in Texas. Mr. Chair, this concludes my report.

CHAIRMAN DUGAS: Thank you, Mr. Walker. Is there anything else that needs to come before Data Collection? Not seeing any, we're going to -- Let's skip over Reef Fish and go to the next item, the council recommendation on the exempted fishing permit.

Dr. Simmons is going to kick me under the table at some point here, or guide me, because we're looking to recommend approval of the

exempted fishing permit?

COUNCIL RECOMMENDATION ON EXEMPTED FISHING REPORT

EXECUTIVE DIRECTOR SIMMONS: Yes.

CHAIRMAN DUGAS: Mr. Schieble.

MR. SCHIEBLE: So do we need a motion? Correct?

EXECUTIVE DIRECTOR SIMMONS: Yes, please, saying we recommend approval and to put it in the Federal Register.

DR. SCHIEBLE: I'll make a motion that council draft the letter to the NOAA Regional Administrator requesting, or seeking approval, of the exempted fishing permit for the bycatch reduction devices.

CHAIRMAN DUGAS: Okay. Thank you, Mr. Schieble. Do we have a second? Dr. Sweetman. Any discussion? Well, let's give Bernie a chance to get it up.

MR. SCHIEBLE: So I would look to Frank, if we need better wording of that.

CHAIRMAN DUGAS: Mr. Geeslin.

MR. GEESLIN: Just a clarifying question. I don't believe we have authority for approval. Would it be draft a letter of support for the approval of the EFP to the service?

CHAIRMAN DUGAS: It’s to recommend.

MR. GEESLIN: Just recommend? Okay.

MR. SCHIEBLE: Maybe include the word “testing”, “recommend support for the approval of testing”. Do you need that?

CHAIRMAN DUGAS: Mr. Anson.

MR. ANSON: Maybe draft a letter of support for testing of bycatch?

CHAIRMAN DUGAS: Yes. Dr. Simmons.

EXECUTIVE DIRECTOR SIMMONS: Thank you, Mr. Chair, and so I guess we could just recommend. We just recommend to NOAA Fisheries that they approve this exempted fishing permit, I believe. I don't know that -- It is put forward by Texas Sea Grant, correct? Okay. To recommend National Marine Fisheries Service approve the

bycatch, the EFP. There you go. Thank you.

CHAIRMAN DUGAS: Mr. Schieble, are you good with these?

MR. SCHIEBLE: Yes.

CHAIRMAN DUGAS: Dr. Sweetman. I'm looking at Andy and team. Are you good? **Is there any opposition to the motion? I'm not seeing any, and the motion carries.** Mr. Helies.

MR. FRANK HELIES: Thank you, Mr. Chair. I just wanted to make note that we're working on a Federal Register notice for this EFP, and that'll be posted for probably a fifteen-day comment period, so the public can comment on the EFP as well. Thanks.

CHAIRMAN DUGAS: Okay. Thank you for that information. Let's take a fifteen-minute break before we get into Reef Fish.

(Whereupon, a recess was taken.)

CHAIRMAN DUGAS: Okay, we're going to get started as soon as Dr. Frazer is ready. Thank you.

REEF FISH COMMITTEE REPORT

DR. FRAZER: All right. Reef Fish Committee report, the committee adopted the agenda, Tab B, Number 1, and the minutes, Tab B, Number 2, from the August 2024 meeting were approved as written.

Review of Reef Fish and Individual Fishing Quota (IFQ) Program Landings and State Program Landings for Red Snapper, Tab B, Numbers 4a through 4f, the Southeast Regional Office (SERO) staff reviewed the status of reef fish and IFQ program landings relative to catch limits.

Recreational data were available through Marine Recreational Information Programs Wave 3 and Wave 4, depending on the species. SERO indicated that they're considering a reopening for the for-hire component of red snapper, which has caught just over 70 percent of its ACL in 2024.

A committee member asked about the significant overage in recreational greater amberjack landings in 2024. SERO noted that accountability measures, which normally require a payback if greater amberjack is overfished, were not immediately implemented, because of logistical difficulties experienced by the SERO office staff during the two back-to-back hurricanes. SERO acknowledged that the 2024 and 2025 season opening had passed and whether to

apply any payback in the following fishing year would be based on landings from the current fishing year.

SERO added that the 2025 red grouper recreational fishing season will be projected based on 2024 landings and that the transition of red grouper catch limits to Florida's State Reef Fish Survey (SRFS) was pending the review of the recent stock assessment.

A committee member asked about the availability of the 2024 recreational gag landings. SERO and the State of Florida concurred that the data would be available for the January 2025 council meeting.

Council representatives from the five Gulf states also reviewed their 2024 private angling fishing seasons for red snapper and offered projections for the rest of the 2024 fishing season, as appropriate, and characterized available data for observed mean lengths and weights.

The Southeast Fisheries Science Center asked about any hypotheses for why private vessel landings in Florida were so much lower through August 24 compared to past years. Florida replied that, while longer fishing season durations reduce the race to fish, they are looking into it.

Louisiana noted an overage of its ACL, which will be paid back in the 2025 fishing year. A committee member noted that, with the exception of Texas, the average weights of red snapper have declined across the Gulf and expressed concern about this trend and thought there were potential negative repercussions if this trend continues.

Another committee member wondered if fuel and other costs are keeping anglers close to shore and whether that behavior was influencing the observed trends. SERO recalled a request from the commercial sector to not increase their ACL, a couple of years ago, and, this year, the for-hire component did not land its ACL during its initial forecasted season.

CHAIRMAN DUGAS: Dr. Frazer, we have a question. Mr. Strelcheck.

MR. STRELCHECK: Yes, and two things that I just wanted to note. So, one, during the state recreational landings presentations, I questioned some dated information from Texas, and I just wanted to acknowledge and thank Dakus for providing some further clarity, and information, with regard to why the statistics in the presentation don't match exactly the landings and information that Texas generates for red snapper landings, and so I appreciate the

clarity there, Dakus.

The second comment is I know there's a lot of for-hire captains asking me when are you going to reopen. I don't have an exact date. We do have the reopening package, and, you know, the clearance process -- It will work its way through that process. My expectation is we would open sometime in the month of November, later this month, and so I will try to, you know, make that announcement, and give as much advanced notice as we can, but I expect that it's going to be fairly short notice for for-hire captains, to give them lead time for booking trips.

CHAIRMAN DUGAS: Thank you, Mr. Strelcheck. We have one more. General Spraggins.

GENERAL SPRAGGINS: Yes, sir. Thank you very much. You know, I would like to address -- We had talked about it, a couple of meetings ago, of the possibility of looking at the total ACL for the Gulf of Mexico, as far as snapper, and, between the five states, as to what the allocation was, and how much was over-caught or under-caught, and there was some talk about a possibility of looking at to where one state could help pay back another state's overage, if that was a capability, if it happened at the time.

For instance, say that if a state was 20,000, or 10,000, pounds over, and there was less than 10,000 pounds caught in another state, that that state could possibly swap one-for-one, if that worked out under the, you know, the calibration ratio, to be able to do that.

What I would like -- The five state directors met last night, and I would like to ask if we could possibly get Andy, and NMFS, to look at it, and also the staff, to look at the possibility of could we do this Gulf-wide in the future, and could we look at the five states, and the total ACL, and never to exceed the total ACL, but could we look at the possibility of not having to charge a state an overage if they was an underage that was equal or better.

I'll open it up for discussion, if I can on that, but I just wanted to bring it out, and I think that -- I'm not sure, but I think we'd have to make a motion to ask the staff to do this, and, Carrie, is that correct?

EXECUTIVE DIRECTOR SIMMONS: Yes, and thank you, Mr. Chair. Yes, I think I think we would do that. We did, and I just wanted to point out, it looks like, in April of this year, you did direct us to consider changes in private recreational accountability

measures for red snapper, and I think that's the mechanism we would have to consider modifying to address, I believe, your concerns, and is that correct?

GENERAL SPRAGGINS: I think so. I think it's just basically following-up with that, and then we would have to, maybe later on into the meeting, I know when we go into the timelines and all, we can look at that, as to where we felt the staff ought to be working with the with the timelines, right now, I don't know, and do we need that? Do we need a motion to --

EXECUTIVE DIRECTOR SIMMONS: Well, we have it on our list. I think, when we get to the priorities discussion perhaps, and we're looking at everything that we're going to be working on the next couple council meetings, we should think about when we can bring that back. It's a B priority right now, but we do have a lot of kind of moving pieces going on with the deepwater and shallow-water grouper, and so maybe we could get through that discussion and then think about when we can bring this back to you, but, you know, leadership can make a note that you would like this moved up to a higher priority, it sounds like, on the action schedule.

CHAIRMAN DUGAS: Mr. Geeslin.

MR. GEESLIN: Thank you for bringing that up, General Spraggins, and, in the spirit of just thinking outside the box, and in, you know, responsible fisheries management of the collective Gulf red snapper stock, I'm fully supportive of that. I would -- I would suggest we do think about the timeline, and when we could think through -- You know, conceptually, I think all the state directors were supportive of that.

I think we all recognize the mechanics of how you implement that within a season, as you're working through the federal season, and the in-season landings monitoring, and there's a lot of mechanics there, and so, you know, getting that -- Getting that bumped up within the priority list I know is a big lift, but I also recognize there's some work behind the scenes that we would certainly want, you know, the Full Council input, and staff, and the service input into that process, to ensure we get that that process -- Or get that mechanism right.

CHAIRMAN DUGAS: General Spraggins, are you good with --

GENERAL SPRAGGINS: Yes, and I just -- I wanted to bring it out, number one. Number one is, you know, it was something we talked about at several meetings, and, if we don't need a motion, I'm fine. If we need a motion, I'm okay with doing that too, to make

a motion, but I just want to make sure that we put it on the -- I know it's on the radar already, but -- Then we maybe can wait, like you said, until we get towards the end of the meeting, when I know we go over the timelines, and, if we want to set something at that point, then that might be the time to do it, and so I'll leave that up to you all.

I just wanted to bring it out, but I think it is something that could possibly help out of a lot of things in the Gulf, you know, and we would have to look at it, and how is it calibrated, and, you know, in a situation last year, where we went over like 17,000 pounds in Mississippi, but, the way we're calibrated against, if we had taken Louisiana to help us pay it back, it would have probably been a two-to-one payback, and so we would have to look at that, and those things would have to be there, so that we knew that we didn't exceed the ACL, and it would have to be something that we used the right calibration in what we're do, and then, I mean, obviously, I don't think it's going to happen in the next two days.

That's not what I'm after, but, if it's something that we could get something working on, and to be able to bring it up in another couple of meetings, or whatever needs to be done, that's what I would look at.

CHAIRMAN DUGAS: Mr. Strelcheck.

MR. STRELCHECK: Yes, and I helped craft the motion back in April of last year, and certainly I'm supportive of looking into this, and I think we just need to figure out where it falls within the priorities and workload, going forward, and, you know, many of the points have already been made about, you know, it's not a one-to-one interstate transfer, and so kind of working that out.

You know, given we also are transitioning, or you're transitioning, Mississippi and Alabama to the LA Creel system for Louisiana, right, do we set something up now, or do we set up after that's in place, or do we do that after the next assessment, right, and there's, I think, a lot of timing considerations that we want to think about as well, because the transfer process could change quite a bit based on those pieces of the puzzle.

CHAIRMAN DUGAS: Thank you, Mr. Strelcheck. Mr. Walker.

MR. WALKER: I think it's the first I've heard of the concept, but I think it sounds feasible, especially if NMFS thinks there might be a way to do it, if there's leftover. It would definitely have to be at the very end of the year, because I know that some states,

if they have an overage, or projected, I guess, you know, they can extend the season later on, but, if the year is over, and that one state had a bunch of leftover, and one needed a little help on their side, I don't -- I think that's a good idea.

CHAIRMAN DUGAS: Thank you, Mr. Walker. Dr. Frazer, you want to continue?

DR. FRAZER: All right. Thank you, Mr. Chair. Draft Reef Fish Amendment 58B: Modifications to Deepwater Grouper Management Measures, Tab B, Numbers 5a and b, council staff presented updated management alternatives for modifying the deepwater grouper complex, in light of recent stock assessment advice.

Management alternatives for deepwater grouper include specifying status determination criteria, catch limits, sector allocations, and accountability measures. Deepwater grouper catch limits were updated by the SSC following its review of the SEDAR 85 stock assessment for yellowedge grouper, which, along with snowy grouper, warsaw grouper, and speckled hind, is a component of the deepwater grouper complex.

The Scientific and Statistical Committee recommended managing these four deepwater grouper species together, because of the use of similar data units and to reduce dead discards.

A committee member asked about the uncertainty around recreational landings estimates. Staff reply that the proportional standard error (PSE) estimates for the deepwater grouper species were generally over 50 percent.

Another committee member asked about multiyear ACLs for data-poor species and asked why an option for that was not presented. Staff replied that, even under a multiyear ACL, catch limits would still need to be specified for each year, and accountability measures would need to be applied based on annual fishery performance.

SERO expressed concern about applying the AMs while chasing sampling error in the recreational landings. An alternative might be to create a recreational fishing season for deepwater grouper, which could reduce fishing mortality, despite sampling uncertainty. A committee member thought that a recreational season would not be without concerns and identified specifically a concern about discard mortality.

Another committee member asked whether it was possible to set the OFL for deepwater grouper at one proxy for MSY, like F 30 percent SPR, and the ABC at another, like F 40 percent SPR. Staff replied

it is the combination of the change to a more scientifically-robust MSY proxy, increasing recreational harvest in recent years, declining recruitment, and the overfishing status of the yellowedge grouper stock that have all led to the reduction in the deepwater grouper catch limits. While changing the MSY proxy is a driver of the proposed reduction, it is not the only factor.

The Southeast Fishery Science Center echoed that the proposed MSY proxy at F 40 percent SPR is consistent with the best scientific information available and likely would have been used during the first yellowedge grouper assessment, SEDAR 22 in 2011, had the life history data and analysis available today been available then.

The committee expressed concern about setting catch limits and applying accountability measures based on landings data, which for the recreational sector are highly uncertain. Staff said that an option could be to use additional buffers, but it would be at the expense of overall harvest.

A committee member asked whether the lack of an established sector allocation for deepwater grouper would lead the council to have to go against its motion to not use MRIP-FES data to change sector allocations. NOAA General Counsel stated that there is an existing allocation, even though there is no recreational catch limit. When the current management regime was established, there was no concern for overfishing, which is now estimated to be occurring for yellowedge grouper. If the council decided not to change anything, the council would need to justify why that decision would not continue to lead to overfishing.

The committee discussed the buffer between the deepwater grouper complex OFL and ABC and asked if it was possible to reduce that buffer. Staff replied that the OFL and ABC are legally-binding recommendations set by the SSC and that the council would need to request that the SSC reconsider that buffer. Some committee members were skeptical that there would be justification, based on that data, to reduce that buffer.

The committee discussed Action 2 and favored removing Alternative 4 and replacing it with an alternative which would apply a proportional reduction in landings to both sectors.

The committee recommends, and I move, to move Alternative 4 to the Considered but Rejected Appendix. Alternative 4 is the complex ACL is set to the complex ABC. Establish a recreational ACL and sector allocation based on the average of the highest (2014) and lowest (2000) annual recorded recreational landings from 2000 to 2023, see Table 1.1.2. This results in a recreational ACL of

83,809 pounds gutted weight, or 15.10 percent of the complex ACL. The commercial sector is allocated 84.9 percent of the complex ACL, or 471,217 pounds gutted weight. The commercial quota is reduced from the commercial ACL by 4 percent and is set at 452,368 pounds gutted weight. The recreational and commercial ACL sum to equal deepwater grouper complex ACL. These values are shown in the table below in pounds gutted weight. That motion carried without opposition.

CHAIRMAN DUGAS: Thank you, Dr. Frazier. Okay. We have a motion on the board. Is there any discussion on the motion? Mr. Sanchez.

MR. SANCHEZ: Yes, and I'm kind of at a loss on how to proceed with this. As I mentioned early on, coming back to the council, and then meeting this document, a kind of new document, this amendment, derived from basically a new first-time stock assessment on this species, and we discussed, during committee, that there's a lot of uncertainty in some of the PSEs with some of the data streams.

We also discussed that the end result was, you know, a recommendation for 40 percent SPR, but then we got into, given all the uncertainty in the information and the assessment, and kind of the fact that at what -- We asked at what percentage point is it that we tip the scale and get into overfished, triggering us to do all of these dramatic management measures, and I don't know that we got a straight answer, other than it's somewhere in the thirties, but it's kind of unnerving, to me, that a percentage point, or two, or maybe three, propels you into a mandatory action to take draconian, you know, measures and reduce an overall quota by like 44 percent.

I don't know, but I have concerns, because I do see where scientific uncertainty is converging, undeniably, with the human interaction and impacts, also undeniable, and I don't know how to get my arms around understanding that, given that a few percentage point changes, in something fraught with uncertainty, is going to result in all these impacts.

Then we get into public testimony, and we hear, from the industry, that a lot of the highliners that prosecute this fishery, that have the expertise to do it -- They're getting older, and they're going off into the sunset. Maybe that explains why the landings are going down. I don't know.

Then we also hear, from the recreational sector, who's going to join us in this haircut, if you will, that they're saying, look, this isn't the kind of fishery that you just decide, well, the

snappers aren't biting, and let's go deep-dropping. Depending on where you're at in the Gulf, it takes a commitment to go out and do this.

A lot of these things, to me, are somewhat self-regulating, and to go off with extreme measures, given all the uncertainty, I'm just not ecstatic about it. Now, that said, I'm not smart enough to come up with a path forward. I threw out some out-of-the-box things, and apparently I gained no traction, and I'm hoping, like hell, one of my colleagues here, that is smarter than me, can come up with something that we can get our arms around that gets us to where we want to be, addresses the life history of this species, yet gets us there in a less impactful manner, because the impacts are tremendous on the top-end.

Then, on the backside of that, this is our first ever assessment. When the hell are we going to see the next one? I don't know, and so are we saddled with this until then? We need to do something, and I'm thinking a little more middle-of-the-ground approach, that satisfies everybody's concerns, biological, scientific, and otherwise, but also addresses the economic, and then monitor it, with some interim assessments somehow, if we get to that middle ground, so that we can tweak it as we see changes in recruitment, or biomass or something, but this is just -- There's too much uncertainty, except where the impacts are concerned. Those are certain. That's all I have to say.

CHAIRMAN DUGAS: Thank you, Mr. Sanchez. We have a motion on the board that I would like to complete, vote up or down, before we get to your point, if it's okay with everyone. Okay. Is there any discussion with the motion on the board? **Is there any opposition to the motion? Seeing none, motion carries.** Moving on to Mr. Sanchez's comments, Mr. Rindone would like to respond, and then Dr. Frazer.

MR. RYAN RINDONE: Thank you, Mr. Chair. Just for everyone's reference, I'm looking at Table 41 in the SEDAR 85 stock assessment report. It's on PDF page -- Page 120 in that document, in the assessment process report. This table shows a time series of the fishing mortality and spawning stock biomass relative to 30 percent SPR.

The SEDAR 22 stock assessment, the first stock assessment, which did use 30 percent SPR, had a terminal year of 2008, and the estimate of spawning stock biomass in that year, in 2008, which was the terminal year leading into the projections, was 6,991 metric tons.

The SEDAR 85 stock assessment has a terminal year of 2021, and so, in that year, the estimate of spawning stock biomass was 6,017 metric tons, and so a little bit more than a 20 percent decrease in the spawning stock biomass estimated between 2008 and 2021, and so, even if we had used 30 percent SPR for the projections that ultimately presented to you guys from the SSC from SEDAR 85, you still would have been looking at a reduction in catch limits relative to what we had in 2008, because the spawning stock biomass had decreased, and recruitment was poor since then, the other factors that were discussed in the report, and so just to contribute some more information to that discussion about 30 percent SPR.

CHAIRMAN DUGAS: Next, I have Dr. Frazer and Dr. Simmons.

DR. FRAZER: I just, again, appreciate all the comments that John made, and we've had a significant amount of discussion after the committee meeting, or at least I have with people interested in trying to address some of the concerns in this amendment, and so my suggestion, John, would be that we kind of work through the last paragraph of this section and then have a fuller discussion about a path forward.

CHAIRMAN DUGAS: Thank you, Dr. Frazer. Dr. Simmons.

EXECUTIVE DIRECTOR SIMMONS: Thank you, Mr. Chair. So, not to get us out of this conundrum, but just a reminder, a friendly reminder, and I had some council members just suggest that we have either the SSC chair, or maybe staff, the next time we're discussing some of these stock assessment results, give a little refresher on SPR and SPR proxies, and so we will work to do that, with the SSC chair, and figure out the best time that would fit into the agenda, so that everyone has maybe a more complete picture of what that means when they're receiving the stock assessment results.

CHAIRMAN DUGAS: Thank you, Dr. Simmons. Mr. Strelcheck.

MR. STRELCHECK: Yes, and Carrie made my point. I think this is -- I've seen this issue as well in the South Atlantic, with some of the status determination criteria shifting from 30 to 40 percent SPR, and so more education, information, outreach, with regard to the science behind it and the reasons why some of these shifts are happening, I think will be really important to share.

CHAIRMAN DUGAS: Thank you, Mr. Strelcheck. Dr. Frazer.

DR. FRAZER: All right, and so we'll finish up with this section. The committee discussed the recreational accountability measures,

and staff thought the practical implementation of Alternative 3 was questionable, based on the unreliability of the recreational landings data.

SERO discussed using the PSE estimates as a way to determine the confidence in whether an overage had actually occurred. The committee also discussed the possibility of not applying an accountability measure unless both the sector and complex ACL had been exceeded in a fishing year. The committee decided to further discuss multiyear ACLs and accountability measures at Full Council.

CHAIRMAN DUGAS: Mr. Strelcheck.

MR. STRELCHECK: Mr. Chair, I have a motion, if Bernie could bring it up, for deepwater grouper. **My motion is to direct the IPT to develop new recreational accountability measures for deepwater grouper. Measures could consider, but are not limited to, triggering the accountability measure based on exceedance of both the rec ACL and total ACL, accounting for the percent standard error of landing estimates when determining whether AMs are or are not triggered, and evaluating multiyear approaches for when AMs are triggered.** So, if I have a second, I can explain the rationale further.

CHAIRMAN DUGAS: We have a second by Dr. Sweetman.

MR. STRELCHECK: So I wanted to kind of intentionally leave this open-ended. Certainly it's not all the alternatives that the IPT might be able to consider. There might be other new, innovative strategies, but this kind of gives a basis for at least some ideas that they could look at. There are kind of questions about the multiyear approach, and I know that C.J. had talked about the, you know, multiyear ACL.

In this instance, you know, we want to look at also kind of a multiyear approach for accountability measures, and whether that's feasible, but we need to have some discussions with General Counsel and kind of bring that guidance back to the council after the IPT meets.

CHAIRMAN DUGAS: Okay. Do we have any discussion? Mr. Walker.

MR. WALKER: Could you clarify Number 2, accounting for the percent standard error of landing estimates, which are super uncertain, I understand, and so how do you account for that, without just subtracting it?

MR. STRELCHECK: So, you know, one example would be, you know, if the percent standard error is above a certain level, right, that you would either not use that estimate to determine whether or not the ACL has been exceeded or use some error bound around that estimate, to determine whether the ACL has exceeded, but, you know, we haven't fully fleshed that idea out, but it's really intended just to account for the uncertainty in the landings estimates, based on a data collection system.

CHAIRMAN DUGAS: Do we have any other questions, or comments? Mr. Sanchez.

MR. SANCHEZ: I appreciate the effort to try to address some of the concerns I have. I have to give this more thought, but I'm going to support it, in the interest of I see the effort to try to start to, you know, look at these things and consider all these concerns. Thank you very much.

CHAIRMAN DUGAS: Dr. Sweetman.

DR. SWEETMAN: Thank you, Mr. Chair. Yes, I support this motion. I think we've got a lot of questions, just relative to the data itself, and that we'd be using to ultimately manage a species where we have just highly uncertain data, and so I think this motion here tries to get at that, and think outside the box, quite frankly, relative to some of these high PSEs, how we would approach that, the multiyear ACL, or AM, component of it as well, and then looking at the total stock ACL as well there.

I think that there's some good thoughts in there, that just need to be fleshed out a little bit more, but this is a tricky species, obviously, a tricky fishery, where we have so much uncertainty, yet we're trying to make some significant management decisions here, and so I appreciate kind of the step=back approach here, to see what can actually be done to try accomplish basically -- Or accommodate for a lot of the concerns that we had around the table.

CHAIRMAN DUGAS: Thank you, Dr. Sweetman. Any other questions, or comments? Okay. **Is there any opposition to the motion? Seeing none, motion carries.** Dr. Frazer.

DR. FRAZER: All right. Thank you, Mr. Chair. We'll pick up with the Presentation of Modifications to Lane Snapper Minimum Size and Recreational Bag Limits, Tab B, Number 6. Council staff presented an update on the analysis for modifying lane snapper minimum size and recreational bag limits aimed at extending the fishing season duration and addressing the overfishing status in recent years.

Council staff noted that the analysis was not able to be completed for this meeting, but will be presented in January 2025 and suggested the committee provide feedback on the draft purpose and need and action alternatives.

A committee member noted that the alternatives with the greatest impact may be Alternatives 3 and 4 in Action 2. Another committee member highlighted that action may be taken separately on Actions 1 and 2, dependent on the outcome of the analysis. Consideration of the potential impacts of including lane snapper within the snapper aggregate bag limit, rather than the reef fish aggregate bag limit, for the next iteration of the analysis was requested by a committee member.

NOAA General Counsel noted that the purpose and need statement may need rewording to better align with the council's intent. Council staff responded that the current draft purpose and need aims to achieve the goals outlined under National Standard 1 to meet optimum yield and prevent overfishing, but could be more appropriately worded in advance of the next council meeting.

Council staff asked NOAA General Counsel about the implications of incorporating lane snapper within the snapper aggregate bag limit. NOAA General Counsel replied that there are no foreseen legal complications, but management implications should be explored. It may be worthwhile to investigate the rationale for including lane snapper in the reef fish aggregate bag limit, rather than the snapper aggregate bag limit.

A committee member inquired as to whether a decision tool would be worthwhile for this action. A council staff replied that it may be feasible to create a tool for this action if there are enough contrast in the data.

CHAIRMAN DUGAS: Mr. Strelcheck.

MR. STRELCHECK: A couple things here, and so we heard testimony, yesterday, that was supportive of increasing the size limit. I wasn't hearing a lot with regard to changing the bag limit, and so I wanted to see if there was still an appetite for changing the bag limit. The reason I ask is, if we just change the size limit, we think we can do a very streamlined NEPA document for this, and it be a pretty straightforward, simple action to complete.

CHAIRMAN DUGAS: Dr. Sweetman and then Mr. Walker.

DR. SWEETMAN: So my perspective, Andy, is that I don't think we know exactly what is going to get us to where we need to be to

reduce the risk of overfishing of the stock here, and so, from my perspective, I would like to keep that option on the table, even if we ultimately don't go there. I hear you loud and clear. It did seem like much more support for the twelve-inch minimum size, or, well, increasing the minimum size limit in some capacity, but, just to see what that analysis looks like and what savings we get, I would like to keep that in there.

CHAIRMAN DUGAS: Mr. Walker.

MR. WALKER: I agree. I'm really not in favor of changing the bag limit, unless there's something in that analysis that shows that we need that much of a modification to lane snapper, and so we'll leave it in there until we have that information.

I have, for the moment at least, kind of settled -- I've been asking all the party boat guys in my area, who are the real lane snapper users, you know, what their thoughts were on size limit for lanes, and, across-the-board, they said twelve inches. Everybody, with the exception of Dylan, for a while, who also came up yesterday and said twelve would be okay, and so I'm good with twelve at this point.

We can certainly wait for the analysis, and make sure we're going to get the reduction that we need to keep from exceeding the overfishing limit with that increase, and, if not, then we can talk about a bag limit, but, for me, twelve inches it is, and, also, and I hadn't really thought about it, but we're setting the commercial size limit with this motion too, because it's managed together, but most of the commercial guys seem okay with twelve as well.

CHAIRMAN DUGAS: Mr. Strelcheck.

MR. STRELCHECK: Yes, and we can certainly bring back an analysis that looks at the sector separately, in the event that that would be considered separately. All right, and so we'll proceed with doing the bag limit analysis, and we can certainly decide thereafter how to proceed.

The other, I guess, comment I'll make, and this is more of why we're in this conundrum, right, and I feel like this is a good news story for the species, that it's expanding its range, maybe growing in size, but we're always behind the eight-ball, and I know, Carrie, through the IRA funding, you know, you have an initiative to kind of look at some efficiencies and things where we can streamline the process.

We've done an interim analysis for this species before. We don't have -- Do we have a standing request for an interim analysis for this species? Okay, and when is that going to be available for them?

CHAIRMAN DUGAS: Dr. Porch.

DR. PORCH: I'm not sure about the exact time, and if I can get back to you. I mean, consistent with whenever we've done it in the past, that's when we've scheduled it for.

CHAIRMAN DUGAS: Dr. Simmons.

EXECUTIVE DIRECTOR SIMMONS: Thank you, Mr. Chair, and so just a clarification. The way we've talked about, currently, the draft alternatives, changing the minimum size limit, was for both the recreational and commercial. Are you suggesting separating that out, because I don't know if that was really clear, or is that something you want the IPT to look at?

MR. STRELCHECK: We'll have to analyze it separately, but you can combine it together, right, in terms of the overall reductions?

EXECUTIVE DIRECTOR SIMMONS: Correct, because it's a stock ACL.

CHAIRMAN DUGAS: Okay. Dr. Frazer, before you begin, there's a few folks that asked to check out before 11:00. We're ahead of schedule, and so I think what I would like to do, before we get into shallow-water grouper, is let these folks check out, but, when we come back, we're going to work until we're done. How about that? What do we need? Let's go to 11:00, break until 11:00. Is twenty minutes good? Okay. Thank you.

(Whereupon, a recess was taken.)

CHAIRMAN DUGAS: All right. We're going to get started and turn it over to Dr. Frazer.

DR. FRAZER: All right. Thank you, Mr. Chair. Before we jump into 58A, I had a request, during the break, to revisit the deepwater grouper complex, from both Andy and Michael, and so if you guys want to kind of wrap up your thoughts on the deepwater grouper, if you want to do that. Andy.

MR. STRELCHECK: Yes, and so, in the committee discussion, I had suggested kind of an equal reduction for both sectors as an alternative for allocation, and I think, Ryan, you worked up some estimates of what that would be, and so I guess I'd like to have

a discussion around that. Is that something we want to include as an alternative for the allocations?

MR. RINDONE: Don't you want to have discussion on whether to include it? I can send it to Bernie, and have her put the sheet up, and so give me just a second, and I'll do that, so that can be part of the record and all that. Bernie, it's coming to you.

Okay, and so what I did, using the recent five and ten-year means for the commercial and recreational landings, and this is pulled from Table 1.1.2, I did an equal reduction for both sectors, and, if you scroll down -- Bernie, if you scroll down some, you can see the difference between using the five-year or the ten-year isn't but about, you know, a tenth of a percent. It comes out to about 93 percent and 7 percent for both of those.

For ease of comparison, especially on like the social and the economic analyses that we would do in Chapter 4, I would -- You know, were I you sitting at the table, I would look at just sticking with the five-year version, because the current Alternative 3 uses a five-year time period.

It uses most recent five years, and so, if you use most recent five years here, you would get 93.16 and 6.84 percent split, and this is an equal reduction for both sectors, based on the reduction in the catch limits from the SSC recommendations. So, if this is an alternative that you guys would like to add, you would need to make a motion to add an alternative that does this.

CHAIRMAN DUGAS: Dr. Frazer.

DR. FROESCHKE: What is the reduction?

MR. RINDONE: It's -- If you go over -- Bernie, scroll to the -- John had asked what the actual reduction was, and so, if you scroll over, it's about -- For the five-year mean, it's about a -- You have to reduce it by about 33 percent. Like you have to reduce the average landings for the commercial and the recreational side each by about 33 percent, is what it comes out to.

CHAIRMAN DUGAS: Dr. Frazer.

DR. FRAZER: So, just for clarity, I mean, so this is going to go back to the IPT for discussion, but you still want a motion to include an alternative with a proportional reduction?

MR. RINDONE: If you guys make a motion here to include an alternative with -- It was an equal reduction, but it's done

proportional to the landings history, which I think is what Andy's intention was. You would need to make a motion to add that alternative, and then we would write it up for you guys, and so I'm showing you here what the actual resulting numbers look like, both from a percentage standpoint and a poundage standpoint.

Bernie, if you scroll back over to the left-hand side, so it would result in a commercial ACL, again, and assuming you stuck with the five years, which makes, like I said, the comparison with Alternative 3 a little bit easier, it would result in a commercial ACL of 517,066 pounds and a recreational ACL of 37,960 pounds.

MR. STRELCHECK: I guess I'm interested in hearing, from others, about, you know, this concept, you know, that -- What I like about it is it's equally, or proportionally, reducing landings across both sectors. Interestingly, this alternative would fall between two other alternatives that we already have in the document, and so it, to me, is very reasonable, in terms of the range we're considering.

CHAIRMAN DUGAS: Dr. Sweetman.

DR. SWEETMAN: Yes, I would be supportive of adding this. I think it's -- We're obviously struggling with this, but I think this is a little bit fair, and equitable, as it relates to everyone feeling a little bit of pain, unfortunately, given the stock status of this, but I think this is a fair and equitable and a reasonable way to look at this, and I would be supportive of adding this as an alternative in Action 2.

CHAIRMAN DUGAS: Mr. Walker.

MR. WALKER: I will concur with Dr. Sweetman. I think equal, or proportional, is a great way to go about this, and so I would be in favor of adding such a motion as well.

CHAIRMAN DUGAS: Are there any other comments? Mr. Strelcheck.

MR. STRELCHECK: So you would like a motion, rather than just a direction to staff, correct?

EXECUTIVE DIRECTOR SIMMONS: Correct.

MR. STRELCHECK: Okay, and so, Bernie, I'll try to create a motion, and please help me wordsmith. **To add a -- In Action 2, to add a new alternative allocation that proportionally reduces -- That reduces landings based on the most recent five-year average, and so it should say to add a new alternative allocation that is based**

on proportionally reducing landings. Proportionally reducing landings using the most recent five-year average.

MR. RINDONE: I mean, I think we get where it's going, you know, what the intention is.

CHAIRMAN DUGAS: Looks good, Andy? Okay. We have a second by Mr. Sanchez. Is there any further discussion on the motion? Not seeing any, I'll read it into the record. **In Action 2, to add a new alternative allocation that is based on proportionally reducing landings using the most recent five-year average. Is there any opposition to the motion? Seeing none, motion carries.** Dr. Frazer.

DR. FRAZER: I think Mr. McDermott also wanted to revisit a previous motion about -- That related to some of the historical time series data that might be evaluated in the IPT discussions.

CHAIRMAN DUGAS: Mr. McDermott.

MR. MCDERMOTT: Yes, and I wanted to propose that we put two alternatives in the document for review, using some different time series. The first one is -- These are the landings in Table 1.1.2 in the document, and the first one is the years 2001 to 2004, which is the same years that were used to set the IFQs, and the second one is just an average of all years in that table, 2000 to 2023.

CHAIRMAN DUGAS: So, Mr. McDermott, you wanted to make those two motions?

MR. MCDERMOTT: Well, do we need to do two separate motions, or can we do them both in one?

CHAIRMAN DUGAS: Dr. Simmons says we can do one, unless the council would like to do two.

EXECUTIVE DIRECTOR SIMMONS: Action 2, I believe.

CHAIRMAN DUGAS: It’s up to you, Mr. McDermott.

MR. MCDERMOTT: Well, let's split them up.

CHAIRMAN DUGAS: That's fine. Okay. We have a motion on the board. Dr. Banks seconds. Do we have any discussion on the motion? Dr. Froeschke.

DR. FROESCHKE: Just for clarity, do we want to add that you’re using the landings data provided in that table, because there are

different sources of data, including the original data?

MR. MCDERMOTT: Yes, let's add that to it. It was Table 1.1.2 in the document. Let me go back here. Yes, that's correct. Table 1.1.2.

CHAIRMAN DUGAS: In Action 2, to propose the following alternative, using Table 1.1.2.

MR. MCDERMOTT: Or the landings in Table 1.1.2.

CHAIRMAN DUGAS: Okay. We need some help wordsmithing. We need to state that we're adding this to the document. Mr. Rindone.

MR. RINDONE: So, just real quick, doing these numbers for Mr. McDermott here, using the 2001 to 2004 time period results in a percentage of 94.41 percent commercial and 5.59 percent recreational, and using 2000 to 2023 is 94.1 percent commercial and 5.9 percent recreational, and so they're pretty close. They're not as close as the last thing I just showed you, but they're pretty close.

MR. MCDERMOTT: I didn't run it on a percentage basis, Ryan, but I came up with this option here, with 2001 to 2004, 87,613 pounds, and then, when you average all years, it's 67,845. Is that what you're coming up with? Okay.

CHAIRMAN DUGAS: Mr. Schieble.

MR. SCHIEBLE: Just looking at the landings table, I was going to suggest potential consideration for exclusion of 2010 in the time series, the year of the oil spill, and the landings look, to me, significantly lower, recreationally, in 2010, because of closure areas, than the other years in the time series. Also, potential consideration of 2020, because of COVID.

We saw presentations, in the past, of the effect that COVID had on dockside intercept surveys in various states, and some were not even conducting them, and so these recreational landings, in 2021, may be lower than included. Just thoughts, and I'm not making a recommendation to change, but something for you all to think about.

CHAIRMAN DUGAS: Okay. Is there any more discussion on the motion? Mr. McDermott.

MR. MCDERMOTT: I'm not opposed to amending it, and removing those years, but I think it results in a change of the average less than a thousand pounds, and so either way is fine with me. I'm happy.

CHAIRMAN DUGAS: Ms. Levy.

MS. LEVY: Well, so this particular motion is just looking at 2001 to 2004, and so it would be in the next motion, I assume, that you would want to think about that, and just a comment on this. I actually think this is a good idea. It is consistent with what we've done in the other documents in which we've considered allocation. We've taken the same years, but updated with more current landings, to see what that would result in, and we don't currently have that in this document.

CHAIRMAN DUGAS: Thank you, Ms. Levy. Mr. Rindone.

MR. RINDONE: Thank you, Mr. Chair. We left 2010 and 2020 in there, because looking at -- Like, on the commercial side, there's a reduction definitely from 2009 to 2010, but there's also the institution of the IFQ program that happens in 2010, and so, on the commercial side, I'm looking at about 605,000, or about 606,000 pounds, and it goes up to 778,966, et cetera.

Then, in 2020, commercial landings were 823,000 pounds. They were about the same in the following year, and then they were considerably lower in 2022 and 2023. For the recreational side, in 2010 -- In 2009, the rec landings were about 48,000 pounds. They were 59,000 pounds in 2010, 26,000 in 2011, and 110,000 in 2012, and so there's a lot of variability, obviously, in the recreational landings. I don't know that 2010 looks remarkably different than any of the other highly-variable landings in the rec side.

For 202- -- So, in 2019, it was about 89,000 pounds rec, about 57,000 pounds in 2020, 29,000 in 2021, 38,000 in 2022, and so it's also kind of within that variability there, and so that's why we left those years in. That's why we left 2020 in anyway, in the analyses, is because it didn't look materially different, in terms of the number of pounds that were ultimately landed from the surrounding years.

If we were to exclude 2010 and 2020, based on the motion that Mr. McDermott is making, that gets you 94.2 percent commercial and 5.8 percent recreational, and so, again, close. It would end up between your 2001 to 2004 percentages and your 2000 to 2023 percentages. It's basically a tenth of a percent off from the second.

MR. MCDERMOTT: Yes, and, I mean, all I was getting at with using the longer time series is -- I mean, the landings are all over the

place. The PSEs are high. I'm just trying to smooth some of that out.

CHAIRMAN DUGAS: Dr. Frazer.

DR. FRAZER: I just want to make sure that we dispensed with this original motion before we start talking about the longer time series. Did we already do that?

CHAIRMAN DUGAS: Is there any more discussion on the motion on the board? Not seeing any, I'll read the motion into the record. **The motion is, in Action 2, propose adding the following alternative using the landings in Table 1.1.2. Alternative is use the years 2001 to 2004 (same years used to set IFQs) to set rec allocation. Is there any opposition to the motion? Seeing none, the motion carries.** Mr. McDermott.

MR. MCDERMOTT: So I move to add another alternative using all years in Table 1.1.2, 2000 to 2023.

CHAIRMAN DUGAS: All right. We have a second by Dr. Banks. Mr. Sanchez, you have a comment?

MR. SANCHEZ: A question, yes. Do we know why the 2000, the year 2000, rec data in that table, 1.1.2, I think, is confidential by species? Does anybody have an explanation for that?

CHAIRMAN DUGAS: Mr. Rindone.

MR. RINDONE: So, when I received the data, or when I made the data request, if the landings are thought to only come from a couple of sources, then they'll end up -- We operate on a rule of three, and so then they would have to be made confidential, and so, in the case of this, if I was going to suspect which species was responsible, I would probably say something like yellowedge, based on the lower level of landings in there, but, in this case, they all ended up coming back as confidential, and so I just -- I can't show those data publicly. I can show you the total, which, for 2000, was 13,917.

CHAIRMAN DUGAS: Thank you, Mr. Rindone.

MR. RINDONE: Since we're not doing these based on like species-specific allocations, and it's a complex, and maybe we're using all the four species together in the complex, it doesn't matter quite as much specifically what each one's annual landings were for that year.

MR. SANCHEZ: I understand. It just jumped out at me as something questionable, you know, dubious a little bit.

CHAIRMAN DUGAS: Mr. McDermott.

MR. MCDERMOTT: Ryan, I was just wondering, and forgive me if I overlooked this in the document, but is there like an average weight we can work off of in this complex, just for my own curiosity.

MR. RINDONE: Well, you have four different species, and so you would have four different average weights, and, since the majority of the landings come from yellowedge, if we were to do it, you know, as a complex combined, that would be biased by the yellowedge landings, since, you know -- Just kind of looking at this, yellowedge landings account for, in some years, as much as 90 percent of the total landings that are coming in for the complex, and so I guess I'm curious, and what are you trying to -- What are you trying to accomplish with the average weights? Like, what do you want to see done?

MR. MCDERMOTT: I mean, I'm not really trying to accomplish anything, but just satisfying my own curiosity. I mean, looking at that year 2000, I mean, if you're going off a fifteen-pound average, that's less than a thousand fish, you know?

MR. RINDONE: I think it's important to remember that -- So, like back in 2000, and there's been corrections applied to the data since then, as we back calibrate, but, you know, back at that time, your APAIS survey didn't exist, and the dockside intercepts that were being conducted were still being done at public access points, but they weren't going into the evening, like they do now in the current APAIS survey. If you think about like when you go offshore, if you're going out for these species, you're probably not back at three o'clock in the afternoon, right?

MR. MCDERMOTT: No.

MR. RINDONE: So I would have told you guys, had we been talking about this then, that there's probably an undersampling of the catch side of things then, simply because, when the intercept personnel were there to try to survey these fish, they were likely leaving, more often than not, before the fishermen were coming back with those fish, and so they would have missed that opportunity to sample that catch.

You know, the further back we go in time on the recreational data, you know, the more kind of wiggly we tend to get about whether we

want to use it. That's why sometimes you'll see, in the stock assessments, we have different cutoffs, based on our confidence in the data, especially the older data, and, with rare-event species like this for the recreational sector, especially compared to some of our other groupers and snappers, we just -- That was part of the reason why I didn't want to go back further than 2000, and so I kind of stopped it there. If you guys want to see landings back further than that, you need only ask, and we'll provide it, but I stopped it at 2000, in part for that reason.

MR. MCDERMOTT: Yes, and I would think, for the recreational sector, that the landings probably fall off pretty sharp as you get later in time, because there just wasn't a lot of people that were even pursuing those fish.

CHAIRMAN DUGAS: Okay. We have a motion on the board. Are there any more comments? Not seeing any comments, I'll read it in the record. **In Action 2, to propose adding the following alternative using the landings in Table 1.1.2. Alternative is use all the years (2000 through 2023) to set the recreational allocation. Using more years reduces the variability in uncertain numbers being used. Is there any opposition to the motion? Not seeing any, the motion carries.** Dr. Frazer.

DR. FRAZER: All right, and so we'll pick up the committee report with Draft Reef Fish Amendment 58A: Modifications to Shallow-Water Grouper Management Measures, Tab B, Number 7. Council staff presented updated management alternatives for modifying the other shallow-water grouper complex in light of recent stock assessment advice.

Scamp and yellowmouth grouper and black and yellowfin grouper are currently managed under a single annual catch limit, or an ACL, with a commercial ACL and annual catch target, or ACT, specified to allow for the functioning of the shallow-water grouper component of the commercial grouper tilefish IFQ program.

Because OFLs and ABCs were specified explicitly by the SSC for the aforementioned pairs of groupers, these species can no longer be managed under a single complex with one ACL, because of the possibility of overfishing occurring on either pair. Council staff presented revised actions for specifying the other shallow-water grouper complex structure, IFQ share distribution, status determination criteria, catch limits, sector allocations and accountability measures, and closed seasons for the recreational sector.

A committee member referenced an earlier discussion led by the

SERO staff related to implementation timelines and the unlikely implementation of the management measures in Amendment 58A prior to January 2027.

Based on that information, a committee member suggested that the council wait on development of the document, which might allow for all four of the other shallow-water grouper species being retained in one complex. Another committee member agreed with delaying or delay development of the document and noted that none of the four species are overfished or undergoing overfishing.

Council staff inquired if information from the forthcoming black grouper management strategy evaluation, or MSE, would be in the State Reef Fish Survey data units. A committee member responded that it was uncertain at this time in which data units the information would be presented.

Another committee member stated that recent landings are exceeding the ABC recommended by the SSC for scamp and yellowmouth grouper. They recommended exploring a reduction in catch limits for the other shallow-water grouper complex in 2026, which would lower fishing mortality, and to also implement recreational sector accountability measures.

A committee member inquired how the catch limits would be navigated, since the four species are in two different data units, MRIP-FES and MRFFS. Council staff commented that one approach could be to find the percent differences in scamp and yellowmouth grouper between landings and the assessment and then reduce the catch limits for the other shallow-water grouper complex by that percentage.

NOAA General Counsel expressed concern about delaying further development of this document, since it is unknown when the black grouper MSE will be completed and since black grouper is comanaged with the South Atlantic Fishery Management Council. Based on recent landings, if the SSC recommendations were adopted, then scamp and yellowmouth grouper would be undergoing overfishing.

A committee member requested clarification from SERO on what is involved, specifically the time involved by the IFQ program, to create two new complexes from the other shallow-water grouper complex. They added that direction to council staff would be provided during Full Council.

CHAIRMAN DUGAS: Mr. Strelcheck.

MR. STRELCHECK: Yes, and so I do have a motion, but, before that,

just a clarification, and so the summary of the committee talks about how unlikely it is to implement the management measures in Amendment 58A prior to January 2027. That's really specific to the IFQ program, and the challenges with splitting the complex, right, and so I just wanted to clarify that that's the real main challenge for us.

If Bernie could bring up the motion, and I believe John Froeschke might have sent it. Is that right? I talked to council staff, and John actually put together some numbers to help with this motion, but I guess I'll let them bring it up, and then we can discuss it.

Okay, and so my motion is to direct staff to begin work on a framework action and consider options to revise catch limits for the other shallow water grouper complex for 2026 to allow time for completion and implementation of Reef Fish Amendment 58A. Catch limits will be informed by the percent reduction necessary to achieve harvest reductions consistent with the results of the recent scamp and yellowmouth grouper stock assessment and subsequent recommendations by the SSC. If I have a second, I can explain this further.

CHAIRMAN DUGAS: Second by Mr. Walker.

MR. STRELCHECK: The idea here is essentially this is a stopgap measure, right, since we can't get the changes in place for the IFQ until 2027, and we know that we have ABC advice that we need to be acting upon to bring down scamp and yellowmouth catches

The team would essentially do a framework action, while we also continue to work on Amendment 58A, and that framework action would be simply just changing the catch limit and, rather than present numbers here, because we want to make sure we've gotten them right, the idea being that we would, you know, reduce that other shallow-water grouper complex catch limit by a commensurate amount that is estimated from the most recent scamp yellowmouth stock assessment.

CHAIRMAN DUGAS: Is there any discussion on the motion on the board? Dr. Sweetman.

DR. SWEETMAN: Yes, and so, overall, I think I'm supportive of this motion here. I had something a little bit different, but I also just want to kind of pose it, and it maybe intersects with this motion, and so I just kind of want to ask this question here. This would be -- The catch level of recommendations would be at the SPR 40 percent? Andy, is that what we'd be thinking here? That's what the stock assessment did, and so I'm assuming yes.

MR. STRELCHECK: I mean, I guess I was thinking of it more from a percentage standpoint, but, yes, it would be based on that reduction that's estimated from the assessment.

DR. SWEETMAN: Okay, and so I've been hearing the discussion about SPR on the table quite a bit here, and the reason why I'm tying it in, and I'm asking this question here, is because I have a separate motion that I was thinking, but it might relate to this, and so let me just pose it here, I guess, because it could intersect with this.

We heard about a discussion about SPR 30, versus 40, in terms of at least just some sort of educational thing that we could have here. I do think, relative to scamp and some of the other shallow-water grouper complex, scamp in particular, I do think it's justified to ask the SSC to provide catch level recommendations for 30 and 40 percent.

You know, this is a species that matures at an early size. I think it's fourteen inches. It doesn't have a directed, as much of a directed, fishery as some of the other groupers that we're managing at SPR 40, and it's not prone to red tide, relative to some of these other species that we're talking about for groupers.

At the end of the day, I would like these catch level recommendations for 30 and 40 percent, relative to maybe what we're talking about here with this motion, but also what I would like is for the SSC to provide pros and cons, justification, and management implications relative to what that 30 and 40 percent -- I feel that could be not only a tool, from an educational perspective, but it would allow the council to sit there and look at that a little bit more.

CHAIRMAN DUGAS: Mr. Strelcheck.

MR. STRELCHECK: I mean, that certainly sounds like a separate motion, but the question would be could it intersect with this, depending on the advice we get from the SSC, and so we do have an SSC meeting now rescheduled for December, or it's going to be rescheduled for December, and is that correct?

MR. RINDONE: It’s December 5th.

MR. STRELCHECK: Okay, and so is that a topic, at this point, that could be added to that?

MR. RINDONE: No. No. That meeting, I took a chainsaw to the

last agenda, to fit it all into one day on December 5th, and there is not room, and so we would have to convene the SSC to talk about this at another point.

Right now, the February SSC meeting is completely full, with a -- It's going to be joint, in the first part, to review mutton snapper and yellowtail snapper with the South Atlantic Council, and then the SSC also has to review the red grouper assessment, and then the last day is talking about all the Return 'Em Right discard, or descending device, science, and so there's no room in February right now either, and so we would either have to wait until May or we would have to convene the SSC for a special additional meeting to talk about it.

CHAIRMAN DUGAS: Mr. Strelcheck and Dr. Froeschke.

MR. STRELCHECK: Thanks for that clarification. You know, I don't know where that leaves you, C.J., but that would be then challenging for this framework to be able to incorporate that scientific advice, because we would need council final action no later than June, in order to implement it by 2026, and the sooner the better, just to allow for, obviously, implementation of the new catch level.

CHAIRMAN DUGAS: Dr. Froeschke.

DR. FROESCHKE: Well, without trying to get too weedy in the calculation, but think about the way the original, or the current, other shallow-water grouper catch is set up. That number is 710,000 pounds. That's the ACL, and it's a combination of the portion contributed, I'll say, just by black grouper and scamp, just for short.

Well, at the time, black grouper landings were much higher than we think they are now, because of the species identification, and perhaps other things we don't understand. The crux of the matter is that the way this would do -- Those inflated black grouper landings are subsidizing the catch in this level, and so, if you were to remove that, in some mechanism, it would be lower than this, and so, if you were to recalculate the scamp at a lower SPR, for this purpose, you're going to just further elevate the landings, and so you're going to be more likely to overfish, experience overfishing.

I mean, it's one year, but that's what would happen, because the black grouper landings are subsidizing, and I don't know how else to say it, the scamp, when we're managing them as this four-stock complex, which is why we're trying to get away from it in the

actual amendment.

CHAIRMAN DUGAS: Okay. Thank you, Dr. Froeschke. Dr. Simmons.

EXECUTIVE DIRECTOR SIMMONS: Thank you, Mr. Chair, and so, if this passes, then it sounds like we'd have to have like a special -- I don't want to say emergency, but a special SSC meeting to talk about this, and try to get that information together to start working on the framework, and is that what you're thinking?

MR. STRELCHECK: I wasn't necessarily thinking that an SSC meeting would have to be convened, right, and, obviously, if you want them to review this, then, yes, and I think, if it's within the bounds of their ABC advice that they've provided currently, in terms of how we calculate the other shallow-water grouper catch level, then I think we wouldn't need to convene them.

DR. FROESCHKE: I guess I don't know what the SSC would tell us on this. I mean, this is an ad hoc measure that is more likely than doing nothing to reduce the probability of overfishing. We would hope that it would get pretty close to it. or end overfishing, but there are enough uncertainties in this that I don't know what else we would get. We know that that's true, and it's not a long-term solution. It's a band-aid, and so, to me, the risk of adding all this extra thought and things -- By the time we get it all sorted out, it'll be no longer relevant.

CHAIRMAN DUGAS: Ms. Levy.

MS. LEVY: So it's not phrased this way, but it strikes me more as an interim measure to reduce overfishing while you're working on the long-term split to the complex. When I read this, that's what it reminds me of, and so, I mean, if we can say that this is going to reduce overfishing, while we're working on the final amendment, it seems reasonable.

I know that we're not really talking about C.J.'s comment, but, if we get there, I would like to know more about what the SSC already discussed, because I feel like it came to them with a 30 percent SPR, and then they rejected that and said, no, we don't believe that that's scientifically viable and are going to do with a 40 percent. I'm not -- If that already happened, I'm not sure what going back to them is going to do, but I don't remember the history, since it was a while ago.

CHAIRMAN DUGAS: Dr. Sweetman.

DR. SWEETMAN: I'm hoping Mr. Rindone could answer that. Mara was

highlighting that SPR 30 was already rejected by the SSC, and so she's not understanding the value of doing that.

MR. RINDONE: I mean, the current recommendations for -- You have an OFL and ABC recommendation for scamp and yellowmouth grouper from the SSC, and, like we discussed, OFL and ABC recommendations from the SSC are legally binding, and so you can't exceed those, and so -- Yes, that was kind of the end of my sentence.

DR. SWEETMAN: Yes, but the MSY proxies are not. ABCs are set by the SSC, and not MSY proxies, and we would have to justify going against what the SSC recommended along those lines there.

MR. RINDONE: Yes, and so like --

DR. SWEETMAN: That's why I was asking to look at this, so we can actually deliberate that.

MR. RINDONE: Yes, and so, like speaking to the motion that you were discussing before, that would be something that you would have to put forward to the SSC, and it's not to say that they wouldn't change their mind, or, you know, offer some kind of reconsideration.

We would just have to have a special webinar or something for them to be convened to have that discussion, because there are some material differences between -- You know, like if we wanted to compare two species that used to be together in the other shallow-water grouper, scamp and gag, and gag has been moved forward at 40 percent SPR, but it also has a demonstrated vulnerability to red tide, and it doesn't recover from red tide mortality like say red grouper seems to, and its recruitment has also been depressed, but it reaches sexual maturity at a larger size than scamp does, and so like there are some species differences there, and so that could be something that the council wants the SSC to kind of focus on a little bit, and maybe they offer something of an alternative for you guys to consider, but we would need to convene them in an additional meeting to what's already planned.

CHAIRMAN DUGAS: Dr. Frazer, and then Dr. Simmons.

DR. FRAZER: Yes, and so I was a council rep at that SSC meeting when they discussed that, right, and the direction, and the charge, to the SSC was to provide catch advice, right, and that's what they did. I think, if there's a concern about whether they use SPR 40 percent or SPR 30 percent -- I certainly don't want to set a precedent, on the council, of saying we don't like the science, or the answer that we got, and send it back.

I think that's a wrong message, but I do think that it's incumbent on the council, if they would like to explore the potential consequences of different SPRs, right, and that's a valid question I think to ask the SSC, but the direction needs to be more explicit coming from us, moving forward, and so, I mean, clearly, you know, the discussion around the table, and, you know, I'll let the science guys weigh-in over there, but it was, hey, you know, this is the information we got, and this is the best scientific information available, you know, and we're going to go with SPR 40 percent, you know, but there's a history, obviously, of using 30 percent.

If we did that, and we gave you -- Or calculated an OFL and ABC, there would be potential consequences, right, with regard to a management decision that you might make, and so I just think we have to be explicit about that. I don't think we want the SSC to tell us how to make management decisions, and I don't think we want to tell the SSC how to do the science.

CHAIRMAN DUGAS: Dr. Simmons and Mr. Sanchez.

EXECUTIVE DIRECTOR SIMMONS: Thank you, Mr. Chair. Just a suggestion, to try to compartmentalize some of the discussion and then the motion we have on the floor, and so what we're proposing, Mr. Strelcheck, is staff would do this.

We would try to keep the complex together. We would base it on the yield stream that came out of the scamp yellowmouth assessment, which is at the 40 percent, but it would be combined with the black grouper and yellowfin as one complex OFL and ABC, or just ABC, and then the council would act on that in a framework, and we would not take it back to the SSC. If that is the case, maybe for that, we should remove "subsequent recommendations by the SSC". That's the first request, and then if you could come back to me after that.

MR. STRELCHECK: I'm fine with that change. I don't have a problem with that.

EXECUTIVE DIRECTOR SIMMONS: It would really just be changing the catches, that we would not change the OFL on the books. We would not have to go back to the SSC for that then. It's just modifying the catch advice.

UNIDENTIFIED: (The comment is not audible on the recording.)

EXECUTIVE DIRECTOR SIMMONS: Because of black grouper. I'm sorry.

Yes, but no OFL anyway, and so we're okay. Sorry.

MR. STRELCHECK: I mean, I think, you know, we're trying to think on the fly here, and, because we are lowering fishing mortality, kind of this interim step, hoping to prevent it, and it may or may not happen, you know, what's currently on the books is obviously higher overfishing limits, ABCs, everything else, and so we're bringing that down, as an interim step, and so that's where I think we're okay until we split the complex and get into, obviously, the new advice that was happening through 58A. I don't know who seconded it, but if we strike "and subsequent recommendation by the SSC", and is the seconder good with that change?

CHAIRMAN DUGAS: Mr. Walker. Mr. Sanchez.

MR. SANCHEZ: I'm not opposed to doing this. I sort of kind of understand the reason to do it, but I also would like to see some of the concerns that C.J. has brought up, that we're trying to get some insight into addressing, also followed-up, and I understand these things are running in different time frames, and we have some perhaps challenges in further loading up the SSC.

Is there a way we can accomplish it virtually somehow, because, while I'm okay with this, to me, they're not kind of mutually exclusive, and, no, we're not trying to tell the SSC what advice they can give or not, but providing a range might be very beneficial, having read very closely the SSC report and how we arrived at the 40 percent discussion.

CHAIRMAN DUGAS: All right. I'm going to go to Dr. Sweetman, and we're going to try to wrap this motion up.

DR. SWEETMAN: I'm going to try to do exactly that, Mr. Chair. I do have another motion, and so I say we just go ahead and dispense with this, and I can bring forward the other one later.

CHAIRMAN DUGAS: Okay. Good. Okay. **Motion to direct staff to begin work on a framework action to consider options to revise catch limits for the other shallow-water grouper complex for 2026 to allow time for completion and implementation of Reef Fish Amendment 58A. Catch limits would be informed by the percent reduction necessary to achieve harvest reductions consistent with the results of the recent scamp and yellowmouth grouper stock assessment. Is there any opposition to the motion? Seeing none, the motion carries.** Dr. Sweetman.

DR. SWEETMAN: All right. Bernie, whenever you're ready, you can bring up the motion that I sent you. I hope we can have discussions

about the SSC meetings. It's not ideal. Okay. I'll read it in.

The motion is to request the council's SSC provide a comparison of MSY proxy of SPR 30 percent and SPR 40 percent and associated catch level projections for scamp grouper. In addition to catch level projections, the comparison should highlight the consequences for management of using either MSY proxy. It's trying to get at some of what Tom was highlighting there about the consequences, biology, ecology, management of using these MSY proxies.

CHAIRMAN DUGAS: Okay. We have a motion on the board. Is there a second? Mr. Sanchez seconds. Discussion? Ms. Levy and Dr. Porch.

MS. LEVY: So, I mean, Ryan, and council staff, can speak to this, but I'm looking at the SSC report from September 2022, and it has a table in it that has both OFL projections for 30 percent SPR and 40 percent SPR, and so they had the discussion. They looked at both. It's there. I mean, you can certainly send it back, but I just wanted to note that that information is in this report, and they did talk about it.

CHAIRMAN DUGAS: Thank you, Ms. Levy. Dr. Sweetman, to the point?

DR. SWEETMAN: Yes, and, just to that point, Mara, I completely agree. I know that was in there before. I would just like a little bit more further discussion, and a little bit more further evaluation, so that the council can understand the context there a little bit better. That's all I was trying to get at here.

CHAIRMAN DUGAS: Thank you, Dr. Sweetman. Dr. Porch.

DR. PORCH: Thank you, Chair. I think it's perfectly fine to ask the SSC to elaborate on their rationale and why SPR 40 percent is more likely to achieve the MSY than SPR 30 percent, and they have that at their fingertips, and so they can certainly explain that. However, the consequences of the short-term projections, and comparing those two and using that as a decision basis, isn't really appropriate, because remember we're using a proxy, because we're not confident in the long-term recruitment potential of the stock.

That's the whole reason we're using it, and, therefore, you want to use a proxy that's consistent with the best scientific information available, in terms of its ability to achieve MSY, and so they'll pick an SPR proxy on that basis, and not on the basis of what the short-term yield projections are, and we don't really have a good case for making long-term yield projections. That's

the whole reason we're using a proxy to begin with, because we don't know what the long-term productivity of stock is. Thank you.

CHAIRMAN DUGAS: Thank you, Dr. Porch. Any more discussion on the motion? Mr. Rindone.

MR. RINDONE: Thank you, Mr. Chair. Just another thing to note from the discussions that the SSC had, they had asked the Science Center to project what the model-estimated MSY would be, and so like not using a proxy, but using a model-derived value, and it came back at 37.8.

CHAIRMAN DUGAS: Thank you, Ryan. Dr. Simmons.

EXECUTIVE DIRECTOR SIMMONS: Thank you, Mr. Chair. So, I guess, if we were to go forward asking the SSC to do this, and we're potentially going to have a little bit more time to develop the larger amendment, I mean, a little bit of concern about how old the terminal year is for the stock assessment. I believe it's 2021, and so would it be possible to update the landings history and rerun the projections as we move forward with the larger amendment, after we do the stopgap? I don't know how much of a heavy lift that would be in addition to this analysis request for the SPRs.

CHAIRMAN DUGAS: Dr. Porch.

DR. PORCH: Of course, it's theoretically possible, and so we just have to work out, you know, what the schedule would look like for something like that.

CHAIRMAN DUGAS: Okay. Any other further discussion on the motion? **Is there any opposition to the motion? Not seeing any, the motion carries.** Mr. McDermott.

MR. MCDERMOTT: I'm just curious about these SPRs, and maybe just -- I'm sure this presentation will address it, but somebody may know, but we got two different groupers that we've been talking about going from 30 to 40 percent.

They've got two totally different life cycles, and we're moving -- I mean, increasing from 30 to 40 percent is a 33 percent increase. I mean, that's not a small change. Is it, for lack of a better term, industry standard to increase these in 10 percent increments, or what's the story with that? There may not being answered to that question, but I'm just --

CHAIRMAN DUGAS: Dr. Porch.

DR. PORCH: You know, council staff can correct me if I'm wrong, but that SPR 30 percent was a default value that had been specified actually many years ago, and there's been a lot of work, since then, that suggests SPR 40 percent is a better proxy for MSY for animals that have a life history like grouper do, and so it's just happenstance that it's a 10 percent change, but the SPR 30 percent was, in large measure, legacy from things that happened in the 1990s.

CHAIRMAN DUGAS: Thank you, Dr. Porch. Moving on, Dr. Frazer. Oops. Mr. Anson.

MR. ANSON: Just to follow-up on Mr. McDermott's comment, I guess, but, relative to what is generated through the assessment, a 30 and a 40 is what has just been programmed to be produced, as I understand it, and so it's just a matter of programming so that you get 35 and 45 percent options too, and is that correct?

CHAIRMAN DUGAS: Dr. Porch.

DR. PORCH: I mean, we can -- Yes, we can calculate 35 and 45 and 55 and 65. I mean, you can count. You know, it's easy to run those through stock assessment models and all that. The point is, you know, looking at all the work that's been done, what's the best proxy for MSY? What's most likely to produce the MSY, when you don't really know the long-term recruitment potential, and that's what the SSC was discussing, but, yes, we can run all sorts of things, but there's not necessarily a point to doing that.

CHAIRMAN DUGAS: Thank you, Dr. Porch. Dr. Frazer.

DR. FRAZER: Thank you, Mr. Chairman. Presentation, Reef Fish Amendment 60, Individual Fishing.

CHAIRMAN DUGAS: Sorry, Dr. Frazer. Dr. Froeschke.

DR. FROESCHKE: Sorry. One thing we just thought about is, if we were to go onto 58A, on the interim measure, it's likely that the recreational portion is going to be substantially reduced relative to what it is today, and that action in 58A, that it considers a recreational season modification, we may want to think about just moving that into this one as well. So we take it out of 58A and put it into this framework action.

DR. FRAZER: So that -- I mean, so I'm thinking about that. If we take it out, do we need a specific motion for that?

DR. FROESCHKE: Well, I'm not sure, but the consequence, if you don't do that -- The IFQ program, that would take care of itself, but, otherwise, if you were to lower the recreational component of the ACL, without any season or something, you have no way to constrain it to that, and so you really wouldn't accomplish anything, perhaps.

DR. FRAZER: Sure, and I guess, at that point, it's not just a simple framework anymore, and so I'm going to pitch that back to Andy.

MR. RINDONE: It's a season duration analysis that we would have to do, and so we would just have to look at recreational landings over time and then come up with a way to project what the season duration would be, and so it could still happen. Season changes happen in frameworks, and so that part doesn't change. It would just not be like a single action sort of situation.

DR. FROESCHKE: So I guess my vision was just, that draft action that's in 58A, we would just move it over to this one.

DR. FRAZER: Okay.

CHAIRMAN DUGAS: Miss Levy.

MS. LEVY: Well, I guess -- I mean, if the intent is to have this reduction in the complex catch limit effective for only one year, because we're going to get 58A implemented for the next year, I'm not sure what that's going to do to do this season there. We're not going to be changing the recreational AMs, and so we're going to have the same AMs we have now on the books, which don't really work properly, and so, I mean, you can, but, if it's supposed to be a one-year thing, then I don't know how much you're going to get from it.

DR. FRAZER: John.

DR. FROESCHKE: Well, my thinking is that, once 58A goes into place, those catch reductions would be at least as much as what we're talking about here, and so I don't see a reason why that season would need to go away. I could see potentially it would be modified, but my vision is that would be enduring, whereas the catch limit would be a one-and-done kind of thing.

DR. FRAZER: Just so staff is clear, I mean, I think everybody is saying that's fine, right? Okay. All right. We're going to move on. All right. So we'll go with Reef Fish Amendment 60, Individual

Fishing Quota Distributional Issues, Tab B, Numbers 8a and b. Staff gave a presentation on Amendment 60, which addresses the distribution of shares and annual allocations in the red snapper and grouper-tilefish IFQ programs.

IFQ shares and annual allocation to be distributed include shares held by NMFS from Reef Fish Amendment 36A, shares and allocation recovered from an inactive IFQ shareholder's accounts, shares and allocation reclaimed from shareholders whose accounts do not comply with commercial reef fish permit and fishing activity requirements to be set in Reef Fish Amendment 59, and annual allocation from future IFQ quota increases.

In Action 1, Reclaiming Shares from Inactive Accounts, the committee noted that defining inactivity by either not landing fish or not transferring allocation is not too restrictive. The committee indicated that determining inactivity based on a four-year time period was too long and recommended limiting the alternatives to two and three-year durations.

In Action 2, Distributing Shares Reclaimed from Inactive Accounts and Non-Compliant Accounts, the committee suggested that landings required in Alternative 2, Option c, should be considered during the two-year period to account for potential hardship.

Committee members noted that similar adjustments should be made to landings-based options in other actions. Committee members noted that quota banks could be onerous to run, given the small amount of quota available for distribution, and suggested the deletion of Alternative 6, which would establish a NMFS-administered quota bank.

Committee members asked whether NMFS could collect fees to cover the cost of running the quota bank. NOAA General Counsel indicated that NMFS can only collect fees under Section 304(d) of the Magnuson-Stevens Act, which include the administrative cost of administering permits and IFQ cost recovery.

The committee also asked about the feasibility of establishing a quota bank administered by a private entity. NOAA General Counsel indicated that the council would have to fully define all the features of the quota bank. The committee thought, to maintain flexibility to explore different types of quota banks, alternatives should refer to “quota banks” instead of “NMFS-administered quota banks”.

In Action 3, committee members asked from where the quota held by NMFS originated. Staff replied that the quota has been held by

NMFS since the implementation of Reef Fish Amendment 36A, modifications to commercial individual fishing quota programs.

In Action 4.1, Determining Baseline Quotas for Setting Aside Future Quota Increases, committee members asked whether baselines other than 2024 could be considered to account for the diversity of stocks included in the IFQ programs. Staff replied that other baselines could be explored and that separate baselines for each share category may be considered.

In Actions 4.2 and 4.3, Setting Aside and Distributing Future Quota Increases, committee members noted that the redistribution of future quota increases would prevent some fishermen from benefiting from recovering stocks. Committee members suggested that intergenerational transfers of IFQ privileges should be addressed in Reef Fish Amendment 60. The committee noted that these considerations could be addressed elsewhere.

The committee concurred with staff in that it may be time to prioritize the development of Reef Fish Amendment 59, which would modify criteria for participation in the IFQ programs. Mr. Walker.

MR. WALKER: Thank you, Mr. Chair. **I would like to make a motion that we convene the IFQ advisory panel.** I think there's lots going on in regard to IFQ, and we have a new panel that I think would be a good idea to let them weigh in on some of these relatively complicated IFQ issues.

CHAIRMAN DUGAS: Okay, Mr. Walker. Mr. Sanchez seconds. Dr. Simmons.

EXECUTIVE DIRECTOR: Thank you, Mr. Chair. So we did briefly talk about that this morning, amongst ourselves, staff did, and we are suggesting that is a good idea, proposing perhaps that could be in February or March, and they would discuss the drafts of both documents.

MR. WALKER: Do we -- Does the staff pick the topics or does the council pick the specific issues that we're asking them to weigh-in on, or who decides those? There's quite a few here that I know.

EXECUTIVE DIRECTOR SIMMONS: Staff drafts the agendas, and we usually work with the chair of the AP, but, since this is a new body, we'd be electing the chair and vice chair for this group at that next meeting. Are you suggesting that there's other things besides 59 and 60 you would want on the agenda for that body to review?

MR. WALKER: Well, there's a lot of things in each one of those. I have 58A, 58B, 59A, and 60. They all have some -- I think 60, yes, and so that's a lot, but if -- You know, obviously, on at least some of those, we would have to specify which part, or it's going to be overwhelming for a new thing, but I'm just curious how the process goes to select topics for them to specifically discuss, and then, you know, alternatives and things.

EXECUTIVE DIRECTOR SIMMONS: Thank you. Right now, for the Reef Fish AP, which is not that special ad hoc focused on the IFQ program, we do have slated for them to look at the deepwater grouper document and the shallow-water grouper document, which we probably need to go back and talk a little bit about timing of the shallow-water grouper document, but if those are things, by the time we want to convene them, that we think should go in front of them, we can work with staff, and work with council members, on that, and who is going to be the representative at that meeting.

CHAIRMAN DUGAS: Mr. Anson.

MR. ANSON: I'm wondering, relative to the motion and the timing of the next time that council would see this document, and I'm reading the timeline that we're going to be reviewing here at the end of Reef Fish, and it appears that Amendment 60 will at least be discussed during the January meeting, and so is that correct?

EXECUTIVE DIRECTOR SIMMONS: We had originally proposed that, but it looks like -- I think we requested, at the end of the report, that we wait until April to bring back 60, based on trying to focus on Reef Fish 59, and try to get that in place, was I thought where we landed, and so that hasn't been updated since that discussion.

CHAIRMAN DUGAS: Thank you, Dr. Simmons. Mr. Walker, are you okay the way the motion is written?

MR. WALKER: Yes, sir.

CHAIRMAN DUGAS: Mr. Sanchez? Any more discussion on the motion? **Any opposition to the motion? Not seeing any, the motion carries.** Dr. Frazer.

DR. FRAZER: Thank you, Mr. Chair. We will move on to Draft Options: Federal For-Hire.

CHAIRMAN DUGAS: Dr. Frazer, sorry. Dr. Simmons.

EXECUTIVE DIRECTOR SIMMONS: Thank you, Mr. Chair, and so I apologize, but I think, maybe just for completeness, if we could

just have a little bit of feedback on what the council anticipates, or intends, us to be doing with the 58A, the shallow-water grouper amendment.

Are we postponing that work? We're obviously asking the SSC to do these things. Are we working on it still? Are we waiting for the black grouper assessment? Just probably have a little bit of discussion about timing of that. Is it still the goal to take final action, and I thought I heard June 2025, but I don't see us doing that, making that deadline, and so could we talk a little bit about that?

CHAIRMAN DUGAS: Dr. Sweetman.

DR. SWEETMAN: I mean, from my perspective, at the very least, we need to wait until we get updates from the SSC relative to what we just passed to them, and so a jumping-off point there, perhaps.

CHAIRMAN DUGAS: Mr. Strelcheck.

MR. STRELCHECK: I think, based on the framework action, that reduces some of the urgency with 58A. I will say I generally agree with C.J., but, depending on how soon we can convene the SSC, right, it would be contingent on 58A moving forward. I don't want to get into a situation where we're in 2026 and having to rush the rulemaking and implementation, and so, the more lead time you can provide the Fisheries Service to change the quota categories for the commercial IFQ program, and put that into the IFQ, that would be beneficial.

CHAIRMAN DUGAS: Okay. Thank you, Mr. Strelcheck. Dr. Frazer.

DR. FRAZER: All right. Draft Options: Federal For-Hire Fishing Season for Red Snapper, Tab B, Number 9, in April of 2024, the council directed staff to reevaluate the for-hire buffer for red snapper and the for-hire fishing season. In August 2024, after reviewing the first options draft, the council decided not to modify the for-hire buffer between the components ACL and ACT at that time and to proceed only with evaluating modifying the for-hire fishing season.

Council staff presented draft alternatives for this action, including the season duration analysis. The committee members thought that the last week of August was not a great time for booking fishing charters, whereas any time in May was more preferable.

A committee member favored having a fixed opening date in May, to

make booking trips easier for charter operators. Staff clarified, for the committee, that it was unlikely that the proposed regulations could be in place for the 2025 fishing year and would more likely be able to be implemented in 2026. The committee ultimately decided to hear additional public testimony before considering a preferred alternative.

CHAIRMAN DUGAS: Thank you, Dr. Frazer. Dr. Banks.

DR. BANKS: Okay, and so I'm going to throw a motion out there to pick a preferred alternative. Bernie, if you'll pull the motion list up. **I would like to make a motion to make Alternative 2 in Action 1 the preferred alternative, and, if I get a second, I'll talk about it.**

CHAIRMAN DUGAS: It's seconded by Mr. McDermott.

DR. BANKS: So, based on a couple of meetings of public testimony, and discussion with our for-hire fleets in both the eastern and western Gulf, it seems like the Friday before Memorial Day is a good midpoint between where everybody would like their seasons. It gives a little extra time for those in tourist season with Memorial Day. It ends in August still, and after kids have headed back to school, and when we start to see all the trips drop off.

CHAIRMAN DUGAS: Okay. Mr. Walker, and then Dr. Sweetman and Mr. Schieble.

MR. WALKER: So I have flip-flopped on this, I don't know how many times, talking to different people, and I'm glad we're going to finally have a discussion about it. Myself, I have, as a charter boat captain, I have decided that my decision would be to keep it June 1st. I'm not going to carry a flag through the room and demand it, or anything like that, and that's the way my vote is going to go.

Perhaps one reason was because moving it up from June 1st, in Florida, will put the charter boat guys -- It will give them a, you know, whatever, a ten-day advanced shot at fish before the recreational fishing season opens, which recreational folks aren't crazy about. Currently, they both open at the same time, and so just -- I'm going to say that my preferred would be June, but I think voting on it would be great.

CHAIRMAN DUGAS: Dr. Sweetman.

DR. SWEETMAN: I was going to echo some of the things that Captain Walker said here. I think, for the most part, we heard Florida

would prefer to keep its status quo. We literally just got to June 1st there, to line this up, and now we're changing it, but it's okay.

You know, I'm not going to die on this hill here. It's just going to create a headache for me, but that's okay. I mean, we'll navigate it. At the end of the day, you know, I'm happy to accommodate for some of the other states here. It's just a few days difference between June 1st and this. My preference would be to keep it the same, but, like I said, I'm not going to die on this one here.

CHAIRMAN DUGAS: Mr. Schieble.

MR. SCHIEBLE: Thank you, Mr. Chair. You know, I echo Captain Walker's statement about how we heard, you know, both sides of the fence on this. We heard some folks would like to keep it at June 1st, and some of the public testimony stated, you know, it would be fine if it was the Friday before.

Really, it's a three-day difference we're looking at here, right, but some of the charter fleet said it wouldn't matter, and they're still going to book trips on that Friday before Memorial Day, just for other species as well, right, and so, you know, in Louisiana, our -- Basically, our state private recreational snapper season, in rule, opens the Friday before Memorial Day, unless our commission chooses to change that.

There could be years where our commission chooses to open with the regulation, and rule, on the Friday before, and so we would have a simultaneous opening of the private rec and the federal for-hire at the same time, which would mean our state charter and our federal charter fleet would be opening on the same day, if there were no changes put forth by the commission prior to that, and so I would be in support of this, but again, I'll get on my soapbox and say this is another good example of state management of the federal for-hire fleet, because we could have different options here that we're talking about among the states.

CHAIRMAN DUGAS: Thank you, Mr. Schieble. Mr. Frady.

MR. FRADY: Yes, sir. I hear what everybody is saying. Well, thank you, Mr. Chairman. but I hear what everybody is saying. The whole reason for this motion, the whole talk about backing the season up, is because everybody in the northern Gulf -- The kids go back to school on about August 9th or August 10th each year. The water temperatures are ninety to ninety-one degrees out there, and any fishing for red snapper after that, when kids are gone, we're

increasing the dead discards, and bycatch, by fishing in waters that are real hot, especially if you're fishing deep.

This is a wish list, basically, to give those of us who are full-time charter fishermen to back up just a couple of days, and for the sake of marketing a trip, and the confusion of the consumer coming down there and asking you -- Some of them book trips saying can we catch red snapper, and so you have to say, no, that's the state guide boats, or that's your private boat group, and so, you know, I'm not going to be torn either way, but, if I did have a preference, I would like to open the Friday before Memorial Day.

You know, I don't disagree with anybody else's opinion. I just know what would be best for us in Alabama, and, you know, the same amount of fish is going to be killed anyway, whether you open Memorial Day or after, and they don't care who's going to kill them, and so, you know, I'm in support of this right here, for the Friday before. Thank you.

CHAIRMAN DUGAS: Thank you, Mr. Frady. Do we have any other comments, or discussion, on the motion? Dr. Banks.

DR. BANKS: I'll just echo Mr. Schieble's comments about this is a really good example for state management, or at least regional management, and so, as we're moving forward with this, along with amberjack, that might be something to consider.

CHAIRMAN DUGAS: Okay. We have a motion on the board. Let me try this. **Any opposition to the motion?**

DR. SWEETMAN: I'm going to abstain.

CHAIRMAN DUGAS: So we can have one abstention and one opposed. **The motion carries.** Dr. Frazer.

DR. FRAZER: All right. Thank you, Mr. Chairman. We will go to the Discussion of the Updated NMFS Bottom Longline Index for Gulf Red Snapper, Tab B, Numbers 10a and 10b. The Southeast Fisheries Science Center staff discussed an update to the NMFS Bottom Longline Index for Gulf red snapper. This fishery-independent index of abundance has historically been used to evaluate trends in the relative abundance of the spawning stock biomass of red snapper and has also been used previously to inform interim catch advice.

This information is provided in response to a council request to view updated fishery-independent indices for red snapper. Many of the fishery-independent indices will be updated for the SEDAR 98

data workshop in Mobile, Alabama in early December. However, this index is the only one which could be updated through 2024 in time for this council meeting. Other survey data provided include the SEAMAP summer and fall groundfish surveys through 2023, the SEAMAP plankton survey through 2022, and G-FISHER composite video survey through 2022.

Generally speaking, the presented indices showed static to positive trends in the surveyed components of this stock.

The average length of fish in the eastern Gulf appears to be increasing, while the distribution of lengths in the western Gulf have concentrated more around the mean, which has been consistent over time. The Southeast Fisheries Science Center also directed the committee to a website where it intends to host these data.

A committee member asked to see a map of the GIS spatial extent of the bottom longline survey to better understand where the survey data are coming from in the Gulf. The Southeast Fisheries Science Center referenced its website, noting that those data should be available there.

Another committee member noted the decline in mean lengths observed by many of the state surveys and asked about the difference between those data and the fishery-independent data presented here. The Southeast Fisheries Science Center thought that the differences might have more to do with the location and gear used in the fishery versus the survey.

The Southeast Fisheries Science Center also clarified, for the committee, that the plankton survey collects eggs and young larvae, the groundfish surveys collect age-one and younger juveniles, and the bottom longline survey collects older, mature fish and spawning stock biomass.

Request for an Update on the Greater Amberjack Count, a committee member discussed a request for an update to the council regarding the Greater Amberjack Count, a regional study designed to generate spatially-explicit estimates of absolute abundance of greater amberjack in the Gulf.

Another committee member familiar with the project said that quality-checked data being submitted and, to their knowledge, the project was on track. A committee member expressed interest in seeing any available preliminary data. **The committee recommends, and I so move, to request an update on the Greater Amberjack Count for the January 2025 meeting, including a projected timeline for completion.** That motion carried without opposition.

CHAIRMAN DUGAS: Thank you, Dr. Frazier. I have a motion on the board. Is there any discussion on the motion? **Seeing no discussion, is there any opposition to the motion? Seeing none, the motion carries.** Dr. Frazer.

DR. FRAZER: A committee member discussed beginning work on a decision tool for state management for greater amberjack, including consideration of sector separation. Another committee member recalled feedback about a regional management approach that was not constrained to state boundaries explicitly and thought this should also be evaluated.

The committee recommends, and I so move, to direct staff to begin work on a flowchart to explore decision points for state and or regional management of greater amberjack, including a comparison with and without sector separation. That motion carried without opposition.

CHAIRMAN DUGAS: Thank you, Dr. Frazer. We have a committee motion on the board. Is there any discussion on the motion? Mr. Schieble.

MR. SCHIEBLE: Just briefly, and I made this motion, but intentionally I did not put a deliverable date on it, because I didn't want to hamstring council staff. My goal with this was to hopefully get this in front of us by April, the April council meeting, potentially, but I don't want to include it, because I don't want to force that, if our April agenda is out of control, and so just keep that in mind, please.

CHAIRMAN DUGAS: Thank you, Mr. Schieble. Any other -- Mr. Strelcheck.

MR. STRELCHECK: I mean, just to comment that, you know, I think that timing works pretty well. We have the recreational initiative, right, and that workgroup is meeting. They're going to, I think, have their third workgroup around the March timeframe, if I'm not mistaken, and that's the one where they're going to be looking at, you know, recommending innovative strategies to us. I know that regional management, and state management, was certainly at the top of their list at the first workgroup meeting as well, and so I just wanted to make a comment that I think we should consider all of that, you know, when that information is ready for us.

CHAIRMAN DUGAS: Thank you, Mr. Strelcheck. Any further discussion? **Not seeing any, is there any opposition to the motion? Seeing none, the motion carries.** Dr. Frazer.

DR. FRAZER: Other Business, no other business was brought before the committee. Mr. Chair, this concludes my report.

CHAIRMAN DUGAS: Thank you, Dr. Frazer. We're going to move on to Discussion of Council Planning and Primary Activities, Tab R, Number 6. Dr. Simmons.

DISCUSSION OF COUNCIL PLANNING AND PRIMARY ACTIVITIES

EXECUTIVE DIRECTOR SIMMONS: Thank you, Mr. Chair, and so we'll get that pulled up. Okay, and so, for Reef Fish 59, we had a little discussion on this, and we're going to make that the priority and plan to bring a draft in January, and potentially a public hearing draft in April.

For Reef Fish Amendment 60, we are not going to bring anything to the council in April, but try to bring a draft, potentially -- Excuse me. Not bring anything to the council in January, but bring a draft in April.

For for-hire data collection, we're planning to bring a draft of that in January, have the AP meeting after that, and maybe a public hearing draft in April. For the framework action for the shrimp vessel position data, we'll have the AP convened. We'll have those recommendations, and a draft of that, for the January council.

For king mackerel framework, we haven't been working on that. We've been conducting our stakeholder engagement process, and we did have a data request into the Science Center looking at some additional details, and information, about communities and infrastructure and any environmental information they might have and so we plan to bring that document, as a background, as well as the Spanish mackerel framework document as a background, with a report-out on the engagements and some high-level overviews on that analysis from the Science Center that was requested for the CMP species. Then you can tell us what you want to do as far as moving forward or not with those two framework actions.

I skipped the framework for the red snapper for-hire season, and so we plan to bring that for final action in January. I've covered Spanish. For shallow-water grouper, we're not going to bring that back in January. We will bring a draft options framework, potentially for that, I assume, would be the goal.

For the deepwater grouper management, we had originally thought we might be able to bring a public hearing draft. We don't think that's going to be possible, due to the number of changes that

were made at this meeting to the document, and so that will be a draft in January for that document.

For lane snapper, we plan to bring a draft in January. I think that didn't make it on here, but, yes, a draft in January. Then we also had a request for moving up a document that considers, or a presentation, changes to the private recreational accountability measures for red snapper, and so we had that on the list as well.

Then just a reminder, as Mr. Strelcheck mentioned, we will have quite a bit of time set aside in January to talk about the results of the two recreational working group meetings and the following stakeholder engagements, and all that will come to the council in January. You'll get to provide feedback, and then we'll have our final working group meeting in March, and that will go to you in April, and so that's going to take up quite a bit of agenda time as well.

CHAIRMAN DUGAS: Okay. Thank you, Dr. Simmons. Do we have any questions for Dr. Simmons? Mr. Anson.

MR. ANSON: I'm just curious, Dr. Simmons, on the red snapper for-hire season, and so no public hearing. You won't even do a webinar on that? Have you done one already?

EXECUTIVE DIRECTOR SIMMONS: We typically just do a video and then post that for written public comments. If you would like us to try to do a virtual public hearing, or a mail-out, or something like that, we could do that, if you think that's necessary.

MR. ANSON: I was just curious as to what plans you had, if anything, related to a public hearing document. Thank you.

CHAIRMAN DUGAS: Okay. Is there -- Mr. Strelcheck.

MR. STRELCHECK: Yes, and so I wanted to mention one other thing that we need to add to the workplan, and that's the DESCEND Act. If you recall, the DESCEND Act was implemented, and we published regulations, on January 13, 2021. It has an expiration date five years after implementation, and so it's going to expire in January 2026.

If we don't renew it, then descending devices, and venting tool requirements, would no longer be required for reef fish in the Gulf of Mexico, and so we need to figure out -- Well, I guess, one, does the council want to continue to require that? I think that's a good thing, and we would want to support that, and, two, what vehicle we can put it in to make that change.

CHAIRMAN DUGAS: Dr. Simmons.

EXECUTIVE DIRECTOR SIMMONS: Thank you, Mr. Chair. I guess, to that point, we have a whole day set aside, I believe, at the February SSC meeting, to talk about the studies from the Return 'Em Right Program, and, basically, it's going to be kind of a mini workshop, with the Science Center staff, to try to figure out how this can be integrated into the stock assessment process, and if we're on the right track, and what else is needed. If that information is going to the council in April, it seems like that would be the appropriate time for us to talk about that act, if that's sensible.

CHAIRMAN DUGAS: Mr. Strelcheck.

MR. STRELCHECK: I'm looking to Mara here, if I'm getting this wrong, and so, when the act was passed, the Fisheries Service drafted the regulations, and implemented it, and I think this would actually require a council action though, and not just kind of supporting it and the Fisheries Service moving forward with the change. Am I wrong about that, Mara?

EXECUTIVE DIRECTOR SIMMONS: Just a quick question. Do we know if that can be done via a framework or -- Yes? Okay. Thank you.

MR. STRELCHECK: Yes, we can do it through a framework.

CHAIRMAN DUGAS: Mr. Anson.

MR. ANSON: I'm wondering, and will there not be any discussion, or looking at, at the data workshop, of the Return 'Em Right data in December, or will the first time be just the SSC meeting? Dr. Porch, do you know if that's on the agenda, to look specifically at Return 'Em Right data, and to see how that might be incorporated into the red snapper assessment?

DR. PORCH: I don't know if it's specifically on the agenda. I mean, any information that's available, I imagine they'll look at, but I don't know that it's a line item on the agenda.

CHAIRMAN DUGAS: Thank you, Dr. Porch. Go ahead, Dr. Simmons.

EXECUTIVE DIRECTOR SIMMONS: So it sounds like there's some planning meetings that need to take place, but they're aiming to do that, including the recent headboat information on descending and venting. I think there was some information in that report from 2023, and so hopefully that would also be discussed for red

snapper, but we'll have to get back to you on the level of detail that will be ready for the data workshop, I think, with the Science Center staff.

CHAIRMAN DUGAS: Dr. Froeschke.

DR. FROESCHKE: Just, on this topic, I was curious. I know FWC, Florida, has complementary regulations to this. I was just curious if they will also sunset, and/or, if the federal regulations sunset, would that extend out into federal waters, because I think, right now, the Florida one is only in state waters. Is that right?

CHAIRMAN DUGAS: Dr. Sweetman.

DR. SWEETMAN: Our regulations are for state waters, and there is no sunset associated with that, and keep in mind, actually, the regulations between the Gulf and the South Atlantic are different relative to this, and so we kind of have a mismatch there.

DR. FROESCHKE: So, just as a follow-up, if it did sunset, we would have a requirement in shallow waters, but not in deep waters?

DR. SWEETMAN: That would be correct.

CHAIRMAN DUGAS: Mr. Geeslin.

MR. GEESLIN: Dr. Froeschke, Texas also implemented the same in state waters, two years ago, with no sunset as well.

DR. FROESCHKE: Thank you.

CHAIRMAN DUGAS: Is there any other business to come before the council? I'm not seeing any. All right. Thank you all once again. Congratulations, Jack. Happy birthday, Carrie. Thank you, staff, for all your hard work. Safe travels, everyone, and we'll see you in New Orleans in January.

(Whereupon, the meeting adjourned on November 7, 2024.)

- - -