

1 GULF OF MEXICO FISHERY MANAGEMENT COUNCIL

2  
3 REEF FISH MANAGEMENT COMMITTEE

4  
5 Omni Hotel Corpus Christi, Texas

6  
7 August 22-23, 2022

8  
9 **VOTING MEMBERS**

- 10 Tom Frazer.....Florida
- 11 Kevin Anson (designee for Scott Bannon).....Alabama
- 12 Susan Boggs.....Alabama
- 13 Billy Broussard.....Louisiana
- 14 Dale Diaz.....Mississippi
- 15 Jonathan Dugas.....Louisiana
- 16 Phil Dyskow.....Florida
- 17 Dakus Geeslin (designee for Robin Riechers).....Texas
- 18 Bob Gill.....Florida
- 19 Michael McDermott.....Mississippi
- 20 Chris Schieble (designee for Patrick Banks).....Louisiana
- 21 Bob Shipp.....Alabama
- 22 Joe Spraggins.....Mississippi
- 23 Andy Strelcheck.....NMFS
- 24 Greg Stunz.....Texas
- 25 C.J. Sweetman.....Florida
- 26 Troy Williamson.....Texas

27  
28 **NON-VOTING MEMBERS**

- 29 Dave Donaldson.....GSMFC
- 30 LCDR Lisa Motoi.....USCG

31  
32 **STAFF**

- 33 John Froeschke.....Deputy Director
- 34 Beth Hager.....Administrative Officer
- 35 Lisa Hollensead.....Fishery Biologist
- 36 Ava Lasseter.....Anthropologist
- 37 Mary Levy.....NOAA General Counsel
- 38 Natasha Mendez-Ferrer.....Fishery Biologist
- 39 Emily Muehlstein.....Public Information Officer
- 40 Ryan Rindone.....Lead Fishery Biologist/SEDAR Liaison
- 41 Bernadine Roy.....Office Manager
- 42 Charlotte Schiaffo.....Administrative & Human Resources Assistant
- 43 Camilla Shireman.....Administrative & Communications Assistant
- 44 Carrie Simmons.....Executive Director
- 45 Carly Somerset.....Fisheries Outreach Specialist

46  
47 **OTHER PARTICIPANTS**

- 48 Richard Cody.....NOAA
- 49 Tim Griner.....SAFMC

1 Joy Hazell.....UFL  
2 Mike Larkin.....NOAA  
3 Jim Nance.....GMFMC SSC  
4 Kelli O'Donnell.....NOAA  
5 Clay Porch.....SEFSC

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7  
8

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TABLE OF MOTIONS

PAGE 14: Motion to untable Reef Fish Amendment 55 and include consideration of updated catch advice as recommended by the Gulf and South Atlantic SSCs. The motion carried on page 17.

PAGE 54: Motion in Action 1 to make Alternative 3 the preferred. The motion carried on page 73.

PAGE 76: Motion in Action 2 to make Alternative 3 the preferred. The motion carried on page 78.

PAGE 80: Motion to direct staff to begin development of a framework action for greater amberjack to modify commercial and recreational management measures. The motion carried on page 80.

PAGE 101: Motion to recommend the council approve the Framework Action: Modification of Catch Limits for Gulf of Mexico Red Snapper and that it be forwarded to the Secretary of Commerce for review and implementation and deem the codified text as necessary and appropriate, giving staff editorial license to make the necessary changes in the document. The Council Chair is given the authority to deem any changes to the codified text as necessary and appropriate. The motion carried on page 102.

PAGE 127: Motion that the council recommends acceptance of the state surveys of private recreational catch and effort as best available science for assessment and management. The motion was deferred to Full Council on page 181.

PAGE 129: Motion that the Council concur with the SSC's motion regarding the SEDAR 72 Gulf of Mexico gag grouper operational assessment base run configuration, MSY proxy, red tide scenario, and stock status determination to use SRFS data and its consideration as BSIA. The motion carried on page 132.

PAGE 164: Motion to reassemble the IFQ Focus Group for a second two-day meeting. The motion carried on page 165.

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1 The Reef Fish Management Committee of the Gulf of Mexico Fishery  
2 Management Council convened at the Omni Hotel in Corpus Christi,  
3 Texas on Monday afternoon, August 22, 2022, and was called to  
4 order by Vice Chairman Chris Schieble.

5  
6 **ADOPTION OF AGENDA**  
7 **APPROVAL OF MINUTES**  
8 **ACTION GUIDE AND NEXT STEPS**  
9

10 **VICE CHAIRMAN CHRIS SCHIEBLE:** At this time, I would like to  
11 call the Reef Fish Committee to order. This is a committee-of-  
12 the-whole, and so I'm not going to go through everybody's name  
13 that is on the list, and it's all of us that are in here, and  
14 some of those people are present virtually today as well, and  
15 just to note that. The first item on the list is Adoption of  
16 the Agenda, which is Tab B, Number 1, and can I have a motion?  
17 Mr. Gill.

18  
19 **MR. BOB GILL:** Thank you, Mr. Chairman. I would like to add an  
20 item to Other Business, the title of which is Elephants.

21  
22 **VICE CHAIRMAN SCHIEBLE:** Sorry. I couldn't hear. What was it?

23  
24 **MR. GILL:** The title of which is Elephants.

25  
26 **VICE CHAIRMAN SCHIEBLE:** Is there one in the room?

27  
28 **MR. GILL:** There might be.

29  
30 **VICE CHAIRMAN SCHIEBLE:** All right. Andy.

31  
32 **MR. ANDY STRELCHECK:** Dale already alluded to it, but I wanted  
33 to specify, with the agenda, that Richard Cody is scheduled to  
34 talk about calibration, and he won't be able to speak until  
35 tomorrow morning.

36  
37 **VICE CHAIRMAN SCHIEBLE:** So the agenda is going to go a little  
38 bit out of the order that you see it, and I'm going to explain  
39 here in a second, after we get through the first two things.  
40 The next item on the agenda is Approval of the June 2022  
41 Minutes. Does anyone have any changes or edits or comments to  
42 the minutes from that meeting? If not, I will ask for a motion  
43 to approve the minutes from the June 2022 meeting.

44  
45 **MR. GILL:** So moved, Mr. Chairman.

46  
47 **VICE CHAIRMAN SCHIEBLE:** Do we have a second? Billy Broussard  
48 seconds. Then we'll move on to the Action Guide and Next Steps,

1 which is Tab B, Number 3. Mr. Rindone, can you please take us  
2 through it?

3  
4 **MR. RYAN RINDONE:** If you would like, I can just go bit-by-bit,  
5 as we move through everything.

6  
7 **VICE CHAIRMAN SCHIEBLE:** So we're going to start with Item V, I  
8 believe, which is Recommendations of the Southeastern U.S.  
9 Yellowtail Snapper.

10  
11 **GULF AND SOUTH ATLANTIC SSC REVIEW AND RECOMMENDATIONS FOR**  
12 **SOUTHEASTERN U.S. YELLOWTAIL SNAPPER**  
13

14 **MR. RINDONE:** All right, and so Dr. Nance is here with us today,  
15 and he's the SSC Chair, and he's going to talk to you guys about  
16 the joint SSC review of the SEDAR 64 interim analysis for  
17 southeastern U.S. yellowtail snapper.

18  
19 The SSC has reviewed the updated information and continues to  
20 find yellowtail snapper to be healthy and not experiencing  
21 overfishing, and they made some catch limit recommendations for  
22 you guys and the South Atlantic Council to consider. We share  
23 this stock with the South Atlantic Council, and, currently, 25  
24 percent of it is apportioned to the Gulf, and 75 percent to the  
25 South Atlantic, based on biomass and where the landings occur.

26  
27 The interim analysis continues to use the Marine Recreational  
28 Information Program's Fishing Effort Survey adjusted  
29 recreational landings data, and so, Dr. Nance, with that, take  
30 it away.

31  
32 **DR. JIM NANCE:** Thank you. It's nice to be able to be here,  
33 and, from all the SSC members, Dr. Shipp, we wanted to wish you  
34 a happy birthday today. We appreciate all the science that  
35 you've given in the Gulf of Mexico.

36  
37 As Ryan mentioned, this was a joint meeting between the Gulf and  
38 the South Atlantic SSCs. We followed the South Atlantic rules  
39 in our meeting, and so, instead of motions and things like that,  
40 it was consensus, and so you'll see those consensus statements  
41 in this presentation.

42  
43 The Florida Fish and Wildlife Conservation Commission presented  
44 this interim analysis, and it's important to remember that this  
45 was an interim analysis, and the only thing that was updated  
46 were landings and discard data, and those were updated through  
47 2020. We used -- In this analysis, they used the SSC-approved  
48 base model that was put together for SEDAR 64 for the stock

1 assessment.

2  
3 For this interim analysis, no updates were made from the SEDAR  
4 64 model, and no model features, such as age, length  
5 composition, reproduction, and other indices were updated. As  
6 Ryan mentioned, the SEDAR 64 model uses the MRIP-FES data to  
7 inform the recreational catch and effort statistics.

8  
9 During our meeting, the base model configuration was reviewed,  
10 and it was updated with recruitment deviations through 2020, as  
11 I mentioned, and updated bias adjustments. The model  
12 convergence criteria and their structure remained unchanged from  
13 SEDAR 64, and the model fits to landings and discards were  
14 observed to be reasonable, in our estimation, and within the  
15 model error estimation.

16  
17 Model diagnostics were completed to evaluate model stability,  
18 and we looked at the model and felt that it performed well for  
19 the analysis, and the overall goodness of fit increased over  
20 time in the model towards present-day data. The ratio of  
21 spawning stock biomass compared to the spawning stock biomass at  
22 the proxy, which is current F 30 percent SPR, has remained  
23 consistent and increased with time across stock assessments,  
24 indicating that we have a healthy stock.

25  
26 The FWC reviewed the yield projections, limited to 2021 to 2030,  
27 including consistent catch and consistent F scenarios.  
28 Recruitment was fixed, similar to the average recruitment for  
29 the stock over the recruitment time series. Using the South  
30 Atlantic SSC's Acceptable Biological Catch Control Rule, a  $P^*$  of  
31 0.375 is applied to the projections, and that was done following  
32 SEDAR 64. Projections for a three-year and five-year average,  
33 constant catch, and equilibrium catch were also provided for our  
34 review.

35  
36 Our first consensus statement is the SSC determined that the  
37 2022 SEDAR 64 interim analysis satisfies the prescribed terms of  
38 reference. Consensus Statement Number 2 is the SSC did not find  
39 any outstanding issues with the analysis that would prevent it  
40 from being used to inform catch level recommendations. The next  
41 statement is the SSC finds the 2022 interim analysis, using the  
42 SEDAR 64 base model, as being consistent with the best  
43 scientific information available.

44  
45 We had discussions after these presentations, and the SSC  
46 recommended using a  $P^*$  value of 0.375 to produce the ABCs, and  
47 this is consistent to what we did last time. With this model  
48 being an interim analysis, we felt it prudent to keep the same

1 P\* value, and that's what we recommended, and, as we move away  
2 from when SEDAR 64 was done, as we just add landings and discard  
3 data, we move further and further away from the model, and so  
4 the councils could consider adjusting the annual catch limit,  
5 the ACL, or the annual catch target for management uncertainty.

6  
7 Our next consensus statement is the SSC recommends that the next  
8 stock assessment for southeastern U.S. yellowtail snapper be  
9 performed during the next three to five years and including  
10 updating all the indices of relative abundance. The next  
11 assessment should also further explore uncertainty in natural  
12 and discard mortality, and in the projections, and, also, the  
13 MRIP-FES CPUE interpretation as catch per trip, instead of catch  
14 per angler, and research recommendations from SEDAR 64 should be  
15 considered.

16  
17 Our next last consensus statement is the SSC recommends catch  
18 levels commensurate with F 30 percent SPR for the overfishing  
19 limit and P\* of 0.375 for the ABC, using annual yields, as  
20 outlined in the table below.

21  
22 In the next slide, there is the table, and so it has OFL, our  
23 recommended ABC, and, also, if the council wished to change to a  
24 different ACL, or ACT, 90 percent of F 30 percent SPR and 75  
25 percent F 30 percent SPR are also provided in this table. Mr.  
26 Chair, that's the end of my presentation.

27  
28 **VICE CHAIRMAN SCHIEBLE:** Thank you, Dr. Nance. Mr. Chair.

29  
30 **MR. DALE DIAZ:** Thank you, Dr. Nance. I read the SSC report,  
31 and I agree with everything that the SSC did, and I think you  
32 all did a thorough job. In the report, it talks about the year  
33 2017, and there was a geometric mean used for a couple of years  
34 before 2017, and after 2017, and can you talk about that a  
35 little bit, and just maybe explain to me and the council maybe  
36 the issue with 2017 and some of the other factors that you all  
37 discussed, please?

38  
39 **DR. NANCE:** Ryan, remind me, and is 2017 -- Go ahead.

40  
41 **MR. RINDONE:** 2017 was the year where the landings got a little  
42 bit interesting, and the landings in 2015 and 2016 and 2018 and  
43 2019 were all within what we would have expected to see and were  
44 not dissimilar from one another in their magnitude, but the  
45 landings for 2017 were an order of magnitude higher than the  
46 landings in surrounding years.

47  
48 In looking at the intercept information, there didn't appear to

1 be anything obvious, from the way that the intercepts that were  
2 done and the number of intercepts, that anything was done  
3 incorrectly, but it was just that the intercepts that were  
4 conducted happened to interact with anglers who had claimed to  
5 have caught large numbers of fish, and a couple of intercepts  
6 had included weights, included larger fish, and so, as we've  
7 seen happen in the past, especially with FES, that expanded out  
8 quite substantially, to result in landings that were in the  
9 300,000-pound range for the recreational sector, that normally  
10 only lands anywhere between 50,000 and 100,000 pounds, and so it  
11 was quite an increase, compared to what we've seen in the  
12 surrounding years.

13  
14 It didn't have an overwhelming effect on where the model  
15 ultimately ended up, and so like the terminal year,  
16 determination of stock status and yield and everything, it was  
17 very close to what the model was estimating, if you left 2017 in  
18 as collected, if you didn't do any of the smoothing, and so the  
19 decision by the analyst was to go ahead and just leave 2017 in  
20 there.

21  
22 When it comes further down the road, for things like season  
23 projections, the council might consider doing something to try  
24 to smooth 2017 out, since it's not typical of the surrounding  
25 years, based on the landings data that we have, but leaving it  
26 in there, as-is, could have an effect on season projections and  
27 what we think we might experience with yellowtail fishing in the  
28 Gulf.

29  
30 **DR. NANCE:** Thank you, Ryan, and, Dale, as we saw in gag  
31 grouper, for example, and we had that spike in 1983 and those  
32 types of things, and so sometimes, when we extrapolate up, we  
33 have those spikes. While we saw that spike in 2017, as Ryan  
34 mentioned, we discussed that, and we left it in, instead of  
35 smoothing it out, and we'll have to take a look at that at other  
36 times though, but it didn't affect the output, the analysis,  
37 from the model.

38  
39 **MR. DIAZ:** I appreciate you all having these discussions, and  
40 we've talked about this some around the table, and I agree with  
41 everything you all did, but I like that you all are talking  
42 about some of these spikes, because I think sometimes we just  
43 have to look at things, when things that are show up that are  
44 not plausible, or possible, and I think sometimes that might not  
45 necessarily be for an entire year, and it might be for a wave  
46 for one state, and, anyway, I appreciate that you all are having  
47 those discussions.

48

1 **DR. NANCE:** Thank you, and I think that it's important, if we  
2 see those spikes, that we look back at the data. Sometimes it's  
3 caused from one trip, and that certainly is an anomaly, but, if  
4 you've got many trips in there, you have to take consideration  
5 of were those -- I mean, those are active trips, and so you have  
6 to take maybe a little different stance on some of those other  
7 things that we look at, but taking a look at the data I think is  
8 the important part.

9  
10 **MR. DIAZ:** I wholeheartedly agree, and I encourage you all to  
11 keep investigating, whenever some of these spikes happen, and  
12 see if there's better ways, or if they're being dealt with  
13 appropriately, and so I would very much strongly encourage you  
14 all to keep doing that. Thank you, Dr. Nance.

15  
16 **DR. NANCE:** Thank you.

17  
18 **VICE CHAIRMAN SCHIEBLE:** Kevin, go ahead.

19  
20 **MR. KEVIN ANSON:** Thank you, and I don't know, and it might be a  
21 question for Ryan, but, Dr. Nance, on one of your slides, it  
22 talks about, for the consensus statement, for the future  
23 assessment, is to evaluate the MRIP-FES CPUE interpretation as  
24 catch per trip, instead of catch per angler, and there was just  
25 a couple of sentences in the SSC report, and can you explain  
26 what that means, or what those differences --

27  
28 **DR. NANCE:** From my recollection, right now, the data for  
29 yellowtail snapper is CPUE from catch per trip, instead of catch  
30 per angler, and so that's how the data is incorporated, and so I  
31 think the other ones are used by catch per angler, aren't they,  
32 in the MRIP-FES, and Ryan may be better to answer that one.

33  
34 **MR. RINDONE:** The differentiation between catch per angler and  
35 catch per trip did result in some differences in trend, but,  
36 based on the jitter analysis, the diagnostic run, or the  
37 diagnostic method, that's used to test the model's sensitivity  
38 to certain changes, by varying parameters up to 10 percent, that  
39 -- Characterizing CPUE by the angler, and not by the trip,  
40 didn't have a pronounced effect on the model.

41  
42 It was visually noticeable, and it may have a greater effect as  
43 additional years are added, and sometimes we add more data in,  
44 and sometimes a couple of years can skew things, and so one of  
45 the things that the SSCs wanted to see done was to have that  
46 characterization of CPUE be done as it's done for other reef  
47 fish species, which is by trip and not by the individual angler,  
48 and so that was one of the comments that they had made.

1  
2 It wasn't a dramatic difference, that was going to result in  
3 like a change in result, but it was visually noticeable, and so  
4 they wanted to see that brought in line with how everything else  
5 is done.

6  
7 **DR. NANCE:** Thank you, Ryan.

8  
9 **VICE CHAIRMAN SCHIEBLE:** Okay. Andy, you had your hand up?

10  
11 **MR. STRELCHECK:** Dr. Nance, thanks for being here, and thanks  
12 for your work on the SSC. I'm not sure if this is a question  
13 for you or Ryan, but I'm trying to wrap my head around  
14 yellowtail catch limits that are currently in place, and, given  
15 this assessment, and what was on the board just now is showing  
16 kind of ABC recommendations and OFLs from the SSC, I'm  
17 interpreting this as actually a net decrease, in terms of what  
18 would be allowed, because of the incorporation of FES, and that  
19 our current catch levels are commensurate with what's kind of  
20 being recommended now, but they're not in the FES units, and so  
21 am I correct on that, Ryan?

22  
23 **DR. NANCE:** Bernie, go ahead and put that last slide up, please.

24  
25 **MR. RINDONE:** So it's not just that, but it's better precision  
26 about the understanding of the virgin biomass and how that  
27 affects where we are at this point in time. That was revised  
28 from the SEDAR 27 assessment to this one, and so, basically, the  
29 stock isn't thought to have been as large as we previously  
30 thought it was, and so that brought things down a little bit,  
31 and then, with FES as a -- You can't really directly compare it,  
32 because like the model that was used for SEDAR 27 and the model  
33 that was used for SEDAR 64 are different, in a lot of ways,  
34 including the estimate of virgin biomass, the way that the  
35 recruitment deviations are done, and the model itself.

36  
37 We used ASAP last time, and we used SS this time, and the  
38 recreational catch and effort is now different, and there's a  
39 lot that has changed, and so it's not as -- We won't have the  
40 luxury of saying, oh, well, this is this in CHTS, and this is  
41 this in FES, because the currencies would be only part of the  
42 story. I actually don't know how we would compare them, and so  
43 we might just not.

44  
45 Typically though, as far as the fisheries are concerned in the  
46 Gulf, it tends to be dominated by -- Gulf yellowtail landings  
47 tend to be dominated by the commercial sector, but the  
48 recreational sector has been landing more fish, especially as

1 we're starting to see more fish northward toward Tampa Bay. In  
2 the South Atlantic's jurisdiction, landings are dominated by the  
3 recreational sector, as are discards, and so considerations  
4 there.

5

6 **VICE CHAIRMAN SCHIEBLE:** Mr. Gill.

7

8 **MR. GILL:** Thank you, Mr. Chairman, and thank you, Dr. Nance,  
9 for your presentation, and I want to express my disappointment  
10 at the output of the SSC, and there's a number of reasons for  
11 that, and I would like to enumerate those.

12

13 For one, the scientific uncertainty, as measured by the  
14 difference between the OFL and the ABC, in 2023 is less than 1  
15 percent. There is nothing we do in fisheries science that is  
16 that certain, nothing. It's 35,000 pounds in a little under  
17 four-million, but it gets worse. As you noted, the further away  
18 you get from the assessment, the more uncertain it is, but the  
19 SSC says, no, no, we get more certain, because it's three-times  
20 as certain in 2027 than it was in 2023.

21

22 In my mind, that's simply not credible, and there's more to it  
23 than that, because then you suggest that the ACL ought to  
24 recognize and take up this uncertainty that was failed to be  
25 recognized on the science side, and let's be honest. It's so  
26 close, the ACL to the OFL, that likely the ACL will have to be  
27 made even lower, to avoid going over the OFL, and it doesn't  
28 stop there.

29

30 It goes to the absence of a constant catch scenario. Well, they  
31 didn't offer one, and I would argue that the constant catch  
32 scenario proffered in the presentation and the analysis was  
33 incorrect, because it didn't include this chart. It included  
34 2021 and 2022, and, since we're on a decreasing scale, the large  
35 numbers drove the constant catch strategy to be inconsistent  
36 with proper management, and so what we're left with, if we  
37 wanted to consider a constant catch strategy, is the lowest ABC  
38 on the list, and we wouldn't want to do that unless we thought  
39 the stock was in trouble, and they correctly note that it's not.

40

41 One, the SSC has significant impact on what council management  
42 can be, both from the ACL standpoint, and we can't do a valid  
43 constant catch strategy if we want to, because, functionally,  
44 you didn't give us room to do that, and so I'm not pleased with  
45 the results.

46

47 I think that they don't reflect the true science, and I am half  
48 tempted to make a motion to turn it back to the SSC for

1 reconsideration, and I do understand that we don't catch much of  
2 the stock, and that's the South Atlantic. I do understand that  
3 they were driving the joint meeting, but everything that the  
4 Gulf does and the South Atlantic do are not necessarily the  
5 same, either in operations or in philosophy, and that goes to  
6 the SSC and the council both.

7  
8 My sense is that the Gulf SSC, which is to give advice to the  
9 Gulf Council, basically abdicating their responsibilities and  
10 did what the South Atlantic did, and then the result is that the  
11 normal process that we go by in the Gulf Council -- We don't  
12 have that option, and so you've handed us, in my view, a can of  
13 worms, and that's what we've got to work with. I don't know  
14 whether council members feel the same way, but I think the  
15 interim assessment was basically good, with the exception of the  
16 plaguey on the constant catch, but, other than that, I think it  
17 was a good job, but I don't believe the SSC characterized  
18 properly the projections and the recommendations to the  
19 councils. Thank you.

20  
21 **DR. NANCE:** Bob, I appreciate those comments, and it's  
22 interesting, since this is an interim analysis, and all we were  
23 doing is updating the landings and the discard data. Without  
24 the other indices that are used in an assessment, we felt it  
25 prudent to keep the P\* at 0.375, as with the previous  
26 assessment, and not to move off of that, and so that's kind of -  
27 - During our discussion, that's where we kept things.

28  
29 OFL, we kept it at 30 percent SPR, as the previous assessment,  
30 and then the ABC at the P\* of 0.375. We did talk about, as you  
31 move further, that you can't have -- Moving away from that long-  
32 term average, and so we did provide ACTs and ACLs, if the  
33 council wanted to be able to consider those, and those were  
34 provided.

35  
36 **VICE CHAIRMAN SCHIEBLE:** Thank you, Dr. Nance. Any further  
37 questions for Dr. Nance on the SSC recommendations for  
38 yellowtail snapper? Well, thank you, again, for your  
39 presentation.

40  
41 **DR. NANCE:** Thank you, and, Ryan, I appreciate your historical  
42 knowledge.

43  
44 **MR. RINDONE:** You guys might recall -- Thank you, Dr. Nance, for  
45 being here, and so you guys might recall that we previously had  
46 tabled work on Reef Fish Amendment 55, which is also Snapper  
47 Grouper Amendment 44, and so we don't have a joint management  
48 plan for yellowtail with the South Atlantic Council, but we are

1 trying to develop concurrent documents that will essentially  
2 look the same for certain actions, and the South Atlantic's will  
3 differ, in some respects, because they have sector allocations  
4 for yellowtail, but things like what's the stock ABC going to  
5 be, what's the stock ACL going to be, what's the jurisdictional  
6 allocation going to be, and like those things need to be the  
7 same in both documents, and those were tabled until this work  
8 could be completed and these data could be updated, and so, at  
9 this point, you guys would have the option of recommending  
10 starting all that back up again.

11  
12 With respect to Mr. Gill and Dr. Nance's conversation about the  
13 catch limits, one of the things that was mentioned, on the South  
14 Atlantic side, for leaving in the 90 percent and 75 percent at F  
15 30 percent SPR yields was that the South Atlantic Council, and,  
16 again, this is what they like to do, will often look to those  
17 yields for setting the total ACL, to create more of a buffer  
18 between the ABC and the ACL, and so it is something that you  
19 guys could talk about, and that we could have conversations with  
20 the South Atlantic Council, for how to address the total ACL,  
21 which would then be divided between the Gulf and the South  
22 Atlantic, to get at Mr. Gill's comments about wanting to see  
23 more spread there between the OFL and the ABC, to account for  
24 more of the uncertainty that we believe to be present.

25  
26 **VICE CHAIRMAN SCHIEBLE:** Mr. Gill.

27  
28 **MR. GILL:** Thank you, Mr. Chairman. **Given Ryan's comments, I**  
29 **move that we untable Reef Fish Amendment 54.**

30  
31 **MR. RINDONE:** 55.

32  
33 **VICE CHAIRMAN SCHIEBLE:** Do you need a motion for that?

34  
35 **MR. RINDONE:** Yes, we need a motion for that, and it would be  
36 Reef Fish Amendment 55, and then the presumption would be then  
37 that, when the South Atlantic Council meets next month, then  
38 they could consider untabling Snapper Grouper Amendment 44.

39  
40 **VICE CHAIRMAN SCHIEBLE:** Mr. Gill.

41  
42 **MR. GILL:** Thank you, Mr. Chairman, and so, for clarification,  
43 the action guide has got a typo in it? The action guide calls  
44 for 54.

45  
46 **MR. RINDONE:** It looks like a typo then. I blame Dr. Simmons.

47  
48 **MS. SUSAN BOGGS:** I will second the motion for discussion,

1 because I have a question.

2

3 **VICE CHAIRMAN SCHIEBLE:** Okay, Ms. Susan.

4

5 **MS. BOGGS:** So our amendment though does not have to go in  
6 conjunction, because it's not a joint amendment, and so, whether  
7 the South Atlantic decides to move on their amendment or not, we  
8 could -- The Gulf Council can move on Amendment 55, correct?

9

10 **MR. RINDONE:** No, because it's going to affect it. It's going  
11 to affect the South Atlantic Council as well. It's one of those  
12 things where, when we send one of you guys off to the South  
13 Atlantic Council, to be the council rep, that what you say is  
14 going to be important.

15

16 The summary that you give is going to be important, because  
17 they're going to be looking to you for information and to  
18 provide input on what the Gulf is doing, and, in this case, on  
19 Reef Fish Amendment 55, so that they understand our discussions  
20 and everything when they're having theirs about Snapper Grouper  
21 Amendment 44, but both need to be untabled and started and be  
22 developed concurrently, because they're going to have a lot of  
23 the same information in it, and so I think we're still  
24 considering doing a combined document, and so you guys could --

25

26 You know, if we move forward with that direction, then you guys  
27 would see a combined amendment that would affect both councils,  
28 but there would be actions in it that you just simply wouldn't  
29 address, and so like you guys wouldn't have any comment, beyond  
30 public comment, if you so chose to give it, on their sector  
31 allocation and their sort of hoop-jumping, if they want to go  
32 through with any modifications to yellowtail management.

33

34 **VICE CHAIRMAN SCHIEBLE:** Okay. A point of order, and then I'll  
35 have a comment from you, and let's get this motion straight here  
36 on the board from Mr. Gill, and so exactly -- Is it worded the  
37 way you wanted it?

38

39 **MR. GILL:** Yes, Mr. Chairman.

40

41 **VICE CHAIRMAN SCHIEBLE:** And the seconder approves of how it is?

42

43 **MS. BOGGS:** Yes.

44

45 **VICE CHAIRMAN SCHIEBLE:** It looked like it was taking a while to  
46 get up here.

47

48 **MS. BOGGS:** I was trying to ask my question.

1  
2 **VICE CHAIRMAN SCHIEBLE:** Go ahead.  
3  
4 **MS. BOGGS:** So this is kind of a nudge to the South Atlantic  
5 that, hey, we want to do something, and you need to get moving,  
6 and I probably won't be at the next South Atlantic committee  
7 meeting, and you all will arm whoever goes with the necessary  
8 arguments to hopefully bring this forward?  
9  
10 **MR. RINDONE:** Yes.  
11  
12 **VICE CHAIRMAN SCHIEBLE:** Dr. Freeman has his hand up.  
13  
14 **DR. MATT FREEMAN:** Sorry. Bernie had me testing that earlier,  
15 and it just didn't get lowered.  
16  
17 **VICE CHAIRMAN SCHIEBLE:** Okay. While they're deliberating, how  
18 about any other further discussion on the motion here? Mr.  
19 Dyskow.  
20  
21 **MR. PHIL DYSKOW:** Thank you, Mr. Temporary Chair. Bob, could  
22 you articulate, in one or two sentences, and I know this is  
23 going to be a reach for you, what you're trying to accomplish  
24 with this, so I understand?  
25  
26 **MR. GILL:** It's so that we can address our approach to dealing  
27 with yellowtail as a result of the interim assessment.  
28  
29 **MR. DYSKOW:** Thank you.  
30  
31 **VICE CHAIRMAN SCHIEBLE:** Any other comments on the motion?  
32 Ryan.  
33  
34 **MR. RINDONE:** You guys might consider adding something to this  
35 about incorporating the updated catch advice from the interim  
36 analysis, for consideration in the amendment, which is  
37 ultimately -- That's what the SSCs are currently saying, is  
38 consistent with BSIA, and so that's what we would use anyway,  
39 but just for the sake of being crystal clear on it. I know you  
40 got called "Bog" earlier, and I don't want you to be accused of  
41 being murky, Mr. Gill.  
42  
43 **MR. GILL:** If you would suggest that language, Ryan, I would  
44 appreciate it.  
45  
46 **MR. RINDONE:** Sure, and so to untable Reef Fish Amendment 55 and  
47 include consideration of updated catch advice, as recommended by  
48 the Gulf and South Atlantic SSCs.

1  
2 **VICE CHAIRMAN SCHIEBLE:** Ms. Boggs, are you okay with that, as  
3 the seconder?  
4  
5 **MS. BOGGS:** I am okay with that, as the seconder.  
6  
7 **MR. RINDONE:** We know enough about what's going on there to know  
8 what to do.  
9  
10 **VICE CHAIRMAN SCHIEBLE:** All right. Any further discussion, now  
11 that we've adjusted it? No? Okay. **All in favor of the motion,**  
12 **say aye; any opposed.** Okay. Moving on, we are at a breaking  
13 point, and is that where we are, Mr. Chair?  
14  
15 **MR. DIAZ:** We're all going to take a break, but, first, I think  
16 Ms. Boggs has an issue she wants to bring up. Ms. Boggs.  
17  
18 **MS. BOGGS:** Yes, and I do, and I'm sorry to bring this up, but  
19 we would like to wish Dr. Shipp a happy 80<sup>th</sup> birthday today.  
20  
21 **DR. BOB SHIPP:** Thank you, all. I appreciate it. I know  
22 sometimes I kind of slip away, but that's -- You know, an  
23 eighty-year-old has that privilege, especially when you're  
24 talking about data, and what is data? Data are plural, and  
25 remember that. Again, thanks, everybody.  
26  
27 **MS. BOGGS:** We have a card, and it took some doing, but I found  
28 out that German chocolate is your favorite, and so we have some  
29 cupcakes in your honor, and we would like to take a break and  
30 celebrate your birthday today.  
31  
32 **DR. SHIPP:** I can't think of anything better to do than that.  
33  
34 **MS. BOGGS:** Since I can't bring gin-and-tonic or anything like  
35 that into the council room.  
36  
37 **DR. SHIPP:** I was talking to one of my council member  
38 colleagues, and I told him that Monday was my 90<sup>th</sup> birthday, and  
39 I got to thinking, later on, that's what happens to old people,  
40 is ten years here or there, and so I went back and I found him,  
41 and I apologized, and I said, I really meant that I am turning  
42 eighty, and he said, thank god, and you're the best-looking  
43 ninety-year-old I've ever seen.  
44  
45 **MR. DIAZ:** We're going to take about a twenty-minute break, and  
46 we'll start back up at 3:30.  
47  
48 (Whereupon, a brief recess was taken.)

1  
2 **VICE CHAIRMAN SCHIEBLE:** We're going to modify our agenda here a  
3 little bit again, and we're going to lead off with Agenda Item  
4 IV now, which is going to the Review of Reef Fish and Individual  
5 Fishing Quota Landings, with Ms. O'Donnell, and we'll start out  
6 with reef fish and coastal migratory pelagics, which is Tab B,  
7 Number 4(a)(i) and (a)(ii). Thank you.

8  
9 Also, after we go through this, Agenda Item IV, we're going to  
10 jump to Agenda Item VI, which will be the Review of State-  
11 Specific Angling Landings from each individual state report.  
12 Ms. O'Donnell, are you available?

13  
14 **REVIEW OF REEF FISH AND INDIVIDUAL FISHING QUOTA (IFQ) LANDINGS**  
15 **FLORIDA**

16  
17 **MS. KELLI O'DONNELL:** I'm ready and waiting for the presentation  
18 to come up.

19  
20 **VICE CHAIRMAN SCHIEBLE:** Okay. Please take over when you're  
21 ready.

22  
23 **MS. O'DONNELL:** Okay. We are going to start with our commercial  
24 reef fish landings, and we did put on here the link to where the  
25 ACL landings are on our webpage, so that you can go ahead and go  
26 there anytime that you would like to look at the commercial and  
27 the stock landings, and so, in between meetings, if you want to  
28 see where things are, these are the websites to go to.

29  
30 The last meeting, it was requested to show where red snapper  
31 for-hire landings have been in a similar format as what we've  
32 been doing for the other species we've been presenting a figure  
33 for, and so you can see, right now, for this year, we don't  
34 really have much, because we only have through Wave 2, and so,  
35 since we're closed until Wave 3, we'll see what happens with  
36 them, although they've been pretty steady in these past couple  
37 of years, regardless of COVID, and landings have still been  
38 similar, even all the way back through the average of 2017 to  
39 2019.

40  
41 You can't see it, but the 2022 line is kind of hidden behind  
42 those other averages and things, because it's pretty much right  
43 at zero, and then you can see all of the closures that have  
44 occurred, and, in more recent years, how the closures have  
45 started to get later and later.

46  
47 Gray triggerfish continues to be lower landings, and I'm  
48 assuming it's following what we're hearing from stakeholders,

1 that it's difficult to catch the commercial ACT with the current  
2 trip limit, and so we'll see what happens, if the document  
3 implements a higher trip limit in the future, and that's going  
4 to be getting worked on.

5  
6 Greater amberjack continues to be lower and lower than what  
7 we've seen in recent years, and I don't really have anything  
8 else to say, except for the status of the stock is most likely  
9 heavily affecting what these landings are, in addition to a  
10 reduced trip limit that, even though we haven't hit that step-  
11 down, just the reduced trip limit itself makes it difficult for  
12 targeted trips to occur for this species.

13  
14 Gray snapper is bumping back up there, with its landings to be  
15 back on par with what it was pre-COVID, with a 2017 to 2019  
16 average, although, still, this is a stock, and we're only  
17 showing commercial landings, they have a lot of room to land  
18 some more.

19  
20 Lane snapper still continues to be lower in landings than what  
21 it has been the past couple of years, and, again, still way  
22 lower than what it was for the 2017 to 2019 average. Vermilion,  
23 the same sort of trend, and it's hovering a little bit lower  
24 than what it has been in the past couple of years, and a lot  
25 lower still than what it was in the 2017 to 2019 average.

26  
27 Yellowtail, as we were just discussing, commercial does land  
28 more in the Gulf than the recreational, but we still have been  
29 seeing lower landings, in the past couple of years, than what  
30 they have been landing, on average.

31  
32 Cubera, we did just get their little spike in landings, and so  
33 we are keeping an eye on this stock, since they do have a post-  
34 season accountability measure in effect right now to do a  
35 project to see if a closure is needed, and, right now, we're  
36 still not seeing that one is needed, based on what the  
37 recreational landings are, but, due to them going over last  
38 year, we are keeping an eye on this stock, to see what happens.

39  
40 The same for midwater snapper, and we're keeping an eye on this  
41 stock, although you can see commercial landings are a lot lower  
42 than what they were last year, and, again, this is a stock as  
43 well, but recreational landings are low as well, and, even  
44 though they do have the post-season accountability measure, we  
45 do not have any sort of closure projection showing a closure is  
46 needed for this stock, as of yet.

47  
48 The same for the jacks complex, and landings are, again, a

1 little bit lower than they were in the previous couple of years,  
2 but still have been trending higher, on average, than what they  
3 were for the 2017 to 2019 average. I think that's the last  
4 slide for this one.

5  
6 **VICE CHAIRMAN SCHIEBLE:** Okay. Thank you, Ms. O'Donnell. Do we  
7 have any questions from the group? Nope and I don't see any  
8 hands up either, and so we'll move on to the IFQ landings  
9 presentation, Tab B, Number 4(b), please.

10  
11 **MS. O'DONNELL:** Well, we do have CMP as well. Did you want me  
12 to present that? I know it's been asked in the past that, even  
13 if we don't have a CMP Committee, to provide the landings.

14  
15 **VICE CHAIRMAN SCHIEBLE:** Yes, ma'am. Please. Thank you.

16  
17 **MS. O'DONNELL:** All right, and so we have the CMP landings on  
18 here, and, again, the websites are at the bottom, if you would  
19 like to look at landings in between meetings. Next slide.  
20 Cobia continues to be lower landings than what we have seen in  
21 the past years, and it could be partially due to their stock  
22 status as well, and I'm not totally sure, but they do seem to  
23 have a continued downward trend in their landings these past  
24 couple of years. We see the opposite in the Florida East Coast  
25 Zone, where landings have been starting to trend up, and they  
26 are getting closer to what they were in their 2017 to 2019  
27 average.

28  
29 King mackerel landings have been way lower than what they have  
30 been in the past couple of years, and which is on par to what  
31 we've been hearing from stakeholders, that the fish have been  
32 more difficult to find, and I'm not quite sure what is going on  
33 there with that stock either, but you can see, from this slide,  
34 that landings, in this fishing year, which we did just finish at  
35 the end of June, and so we pretty much have their whole fishing  
36 year on here, is way lower than what they have been in recent  
37 years.

38  
39 Spanish mackerel, on the other hand, has slowly started to tick  
40 up with their landings, and landings for this year, so far,  
41 which started on April 1, are higher than what they have been  
42 the past couple of years, but still not as high as what they  
43 were in the 2017-2018 to 2019-2020 average. I think that's the  
44 last slide for this one.

45  
46 **VICE CHAIRMAN SCHIEBLE:** Okay. Do we have any questions or  
47 comments on the coastal migratory pelagic landings? I am not  
48 seeing any. Moving on to Item B, IFQ landings, please.

1  
2 **MS. O'DONNELL:** The same thing here. We have the website at the  
3 bottom, and these landings are actually updated daily, and so  
4 you can really see, in more real time, what is going on with the  
5 IFQ landings.

6  
7 Red snapper, they are on par to where they've been at in the  
8 past recent years, and, again, still even on par to what they  
9 were for their 2017 to 2019 fishing year average. Red grouper  
10 has slowed down compared to what we saw going on last year, and  
11 are back under what they were for their 2017 to 2019 rate of  
12 harvest, although we still anticipate that they will be pretty  
13 close to their quota by the end of the year.

14  
15 Gag grouper continues to be landing faster than what they have  
16 in the past couple of years, and it will be interesting to see,  
17 as we finish out the year, what the commercial sector ends up  
18 with, because they have not been close to their quota in any of  
19 the recent years, and so it will be interesting to see how close  
20 they get to this year, and I think that is the last slide for  
21 that one.

22  
23 **VICE CHAIRMAN SCHIEBLE:** Okay. Thank you. Are there any  
24 questions or comments for these? Okay. Then we'll move on to  
25 the ACL updates, Tab B, Number 4(c)(i) and (c)(ii).

26  
27 **MS. O'DONNELL:** These are the tables that we've been presenting  
28 every month. I wanted to bring these up here, because, even  
29 though we were not able to get recreational figures put together  
30 for you, this is just a reminder that we do put the recreational  
31 landings in these tables every meeting, and so, if you wanted to  
32 scroll down, we do have all of the recreational in here,  
33 including for stocks as well, at the bottom, and so, if you're  
34 wanting to see where we are so far with the recreational  
35 landings, although we don't really have very much of an update  
36 from the last meeting, which is why we do not have any  
37 presentations, and I don't really have much more to say about  
38 that, and the same thing in the other tab for CMP species. It's  
39 the same thing, and we have the recreational landings available  
40 in these tables, and these are available at every meeting, even  
41 if we don't have an actual figure presentation for the rec  
42 sector, or the rec part of the stock, and so I'll just see if  
43 there's any questions there.

44  
45 **VICE CHAIRMAN SCHIEBLE:** We have one question. Ms. Boggs.

46  
47 **MS. BOGGS:** Thank you, Kelli, for your presentations. Do we  
48 think that we will have the total numbers for the amberjack

1 2021-2022 season before we reopen it on September 1, just to  
2 kind of see? I suspect what we're looking at is going to be  
3 pretty much it, but I would be curious to see how we ended the  
4 year before we go forward in opening this next year, if you  
5 will, and not that it will impact what we do, but I'm just  
6 curious how we ended up.

7  
8 **MS. O'DONNELL:** I think we just got Wave 3 in, but I'm not sure,  
9 Andy, if you wanted to answer that, if you know more about that,  
10 but I'm not sure what those landings are.

11  
12 **MR. STRELCHECK:** Susan, you're asking if we have essentially  
13 final landings for the prior fishing year before we open the new  
14 fishing year? That's -- We do have Wave 3, that just came in,  
15 and we have to process that data and convert it back to the  
16 units for CHTS, in order to use it for amberjack, from what I  
17 recall, but that really wouldn't influence, or affect, any  
18 decision we've made going forward at this point, in terms of the  
19 September or October opening.

20  
21 I think what will be more critical is knowing what was landed in  
22 September or October, in some of the discussions we'll have  
23 around future greater amberjack management and any changes to  
24 management measures, and that would be available by early next  
25 year.

26  
27 **VICE CHAIRMAN SCHIEBLE:** Mr. Chair.

28  
29 **MR. DIAZ:** I think this question is for Mr. Strelcheck. I know  
30 we really don't have a lot in these tables to talk about the red  
31 snapper for-hire sector, and I have commended you before, and I  
32 want to commend you again, and I thought you all did a lot  
33 better job last year handling the red snapper for-hire sector.

34  
35 We are set to close on August 19, and, historically, at that  
36 point in the season, the last several years, they have been  
37 running behind, and they had quota left over, and have you all  
38 had any discussions about how you might handle that, or do you  
39 have any insight you could give us about how you might handle  
40 that, if they still have some quota left, whenever you can get  
41 that next wave of data?

42  
43 **MR. STRELCHECK:** Thanks for the question, Dale. Recall, in  
44 years past, we closed considerably earlier than August 19, and  
45 it was around the first of August. Last year, I did reopen the  
46 fishery once we were able to determine there was sufficient  
47 quota remaining to reopen, and we certainly could do the same  
48 this year, but, because July and August will have been open

1 almost the entire two-month period, I would want to wait on that  
2 data to come in before any decision was made to reopen.

3  
4 We did extend the season this year, compared to the last couple  
5 of years, kind of accounting for that slower rate of harvest,  
6 hoping that will allow us to come closer to the catch target  
7 than what we've done in the past.

8  
9 **MR. DIAZ:** A follow-up with that, and I think I know the answer,  
10 but for folks listening, and so the wave for July and August,  
11 realistically, you probably won't have those numbers until early  
12 October, and is that correct?

13  
14 **MR. STRELCHECK:** Mid-October.

15  
16 **VICE CHAIRMAN SCHIEBLE:** Okay. Ms. Boggs has a follow-up to  
17 your previous comment from before.

18  
19 **MS. BOGGS:** All right, and so, to amberjack, and I understand  
20 what you're saying, Andy, and I was just curious what we were  
21 looking like, going into this next season, because the trend,  
22 right now, looks like it's going to be even lower than it was  
23 last year, based on what I'm looking at, and, of course, that  
24 could be wrong, but I'm just curious how that was going to look,  
25 and I understand that it doesn't affect what the emergency  
26 action, or the ruling, has been, and, Dale, to follow-up with  
27 you -- I mean, I have been asked by the fishermen about that,  
28 but I told them, basically, that, you know, it's probably going  
29 to be so late in the season before we find out that -- If you  
30 announced a fall season in October or November, you can probably  
31 just count on it not really being fished.

32  
33 I mean, you might, but certainly it would be those that are  
34 still fishing that time of year, and it would certainly be  
35 beneficial in some of our early winter guests that show up in  
36 November and December, and they might be appreciative of that as  
37 well, and so thank you.

38  
39 **VICE CHAIRMAN SCHIEBLE:** Mr. Gill, did you have our hand up  
40 before, or no? Okay. J.D. Did you have a follow-up?

41  
42 **MR. STRELCHECK:** Yes, and I just wanted to comment, and no one  
43 has asked about red grouper, and so we did announce a closure of  
44 August 30 for this year, and, last year, I believe it was a mid-  
45 September closure, but we went over the annual catch limit.

46  
47 Landings were tracking lower this year than they were  
48 comparatively last year, and so we obviously took that into

1 account in looking at the projections, but this will be, I  
2 think, a similar situation as what we just talked about with  
3 for-hire red snapper, where, once we get the landings in for  
4 both Waves 3 and 4, we'll reevaluate whether or not there is  
5 sufficient quota to reopen, and we could reopen the fishery  
6 after that point, until the end of the year, depending on what's  
7 available.

8  
9 **VICE CHAIRMAN SCHIEBLE:** Okay. Any other comments or questions?

10  
11 **MS. O'DONNELL:** I just wanted to speak to Ms. Boggs' comment  
12 about greater amberjack, and it kind of seemed like you were  
13 thinking maybe, if there was quota left over, that we would  
14 reopen later in the year, and I'm not totally clear where you  
15 were going with that, but I thought one thing to bring up to  
16 keep in mind is that we did do the emergency rule, and it's  
17 effective for the 180 days, and so that will actually go into  
18 January, but, in addition to that, when the SSC gave us their  
19 yield stream recommendation, the first year for that, we are not  
20 even able to lower the catch limits in time, and so that first  
21 year of that severely-decreased harvest would have been for the  
22 2021-2022 recreational greater amberjack fishing year, and so,  
23 even if landings were lower, on the recreational side, it may be  
24 a better thing for the stock, as far as its recovery and meeting  
25 its rebuilding timeline. Thank you.

26  
27 **VICE CHAIRMAN SCHIEBLE:** Okay. Ms. Boggs.

28  
29 **MS. BOGGS:** Thank you, Mr. Chair. I know I've asked this  
30 question in the past, and the January, February, March -- The  
31 January through May landings for red snapper for-hire, where are  
32 those numbers coming from? Is that Texas state waters or --  
33 Please remind me.

34  
35 **MS. O'DONNELL:** I'm pretty sure it is Texas landings and some  
36 headboat landings that they have over there for red snapper, and  
37 so it's not very much, but it is a little bit.

38  
39 **MS. BOGGS:** Okay. I've got to do this, and I'm sorry, Dale,  
40 but, if the Texas state waters are open, and federal waters are  
41 closed, how are those boats fishing in state waters, because  
42 they're held to the most restrictive of the rules, and so why  
43 are we having all these landings in those first five months of  
44 the year? That doesn't make sense to me, and I'm obviously  
45 missing something.

46  
47 **VICE CHAIRMAN SCHIEBLE:** Andy.

48

1 **MR. STRELCHECK:** Let us get back to you on this. I know this  
2 has come up before, and I want to talk to Ken Brennan, who is  
3 our headboat program coordinator. I think it's an issue in  
4 terms of whether those vessels are federally-permitted or not,  
5 but I want to confirm that.

6  
7 **MS. BOGGS:** So, if they're not federally-permitted, would they  
8 fall under this and not like the state guideboats, like other  
9 states, because they fall under -- This is an offline  
10 conversation, I guess, but I do need some better understanding.  
11 Thank you.

12  
13 **VICE CHAIRMAN SCHIEBLE:** Okay. J.D., do you have a question?

14  
15 **MR. J.D. DUGAS:** Yes. Thanks, Chris. I may have missed it, but  
16 I'm curious, and why does all these landings exclude Monroe  
17 County, Florida?

18  
19 **MR. RINDONE:** I got that one.

20  
21 **VICE CHAIRMAN SCHIEBLE:** Okay.

22  
23 **MR. RINDONE:** In most cases, Monroe County is included as part  
24 of the South Atlantic, and this goes back to the 1970s, I think,  
25 when this was all mapped out and negotiated between the  
26 councils. Since then, there's been some changes, based on stock  
27 structure and biology, that have some Gulf stocks as being  
28 managed throughout the Keys, by the Gulf Council, like king  
29 mackerel, and there's only a small portion of king mackerel that  
30 occur during the winter mixing zone area that are considered to  
31 be South Atlantic migratory group king mackerel, but, the rest  
32 of the time, we think they're Gulf fish, and so we manage all  
33 the way through there, but it really just -- It depends on the  
34 species, but, for the most part, Monroe County is considered  
35 part of the South Atlantic Council.

36  
37 **VICE CHAIRMAN SCHIEBLE:** Okay. Thank you, Ryan. I saw Mike  
38 Larkin had his hand up, but now it's gone. Okay. Anyone else  
39 have any comments?

40  
41 **DR. MIKE LARKIN:** I'm sorry, but I did have something. Can you  
42 hear me?

43  
44 **VICE CHAIRMAN SCHIEBLE:** Yes.

45  
46 **DR. LARKIN:** Sorry, and I know I'm kind of late to the party  
47 here, but it looks like the question is about the for-hire red  
48 snapper landings, like for example in January and February, and

1 those are headboat landings. Those are headboats from the  
2 Southeast Regional Headboat Program, and so it's just -- I mean,  
3 it's the way it was set up with the Gulf Council, and, you know,  
4 those are -- Those headboat landings that occur in Texas, and  
5 outside the federal season, they are applied. They're still  
6 federal for-hire vessels, and so it's applied to the for-hire  
7 ACL.

8  
9 **VICE CHAIRMAN SCHIEBLE:** Okay. Any further comments to that?  
10 Okay. Moving on, Item IV(e) is the Status of the Revised  
11 Recreational Red Snapper Calibration Ratios from Dr. Cody, and  
12 we will move that to tomorrow. Now we're going to move on to  
13 Agenda Item VI, which is the State-Reported Landings for Private  
14 Recreational Red Snapper Effort. Dr. Sweetman, if you're not  
15 ready to go, I can go first, if you need some prep time.  
16 Otherwise, let us know if you're ready to do that or you need a  
17 couple of minutes to get ready.

18  
19 **DR. C.J. SWEETMAN:** I am ready, Mr. Vice Chair.

20  
21 **VICE CHAIRMAN SCHIEBLE:** All right. Go knock it over the fence.

22  
23 **REVIEW OF STATE-SPECIFIC PRIVATE ANGLING RED SNAPPER LANDINGS**  
24 **AND REEF FISH DIRECTED EFFORT - STATE REPRESENTATIVES**

25  
26 **DR. C.J. SWEETMAN:** Okay. For those that don't know me, my name  
27 is C.J. Sweetman. I am the Federal Fisheries Section Leader for  
28 FWC's Division of Marine Fisheries Management. I really wish  
29 that I could be there with you all there this week. However,  
30 you probably wouldn't want to be near me, and I apologize in  
31 advance if I start coughing during this presentation.

32  
33 Just kind of a little bit of an overview of the background for  
34 Florida's State Reef Fish Survey. Florida replaced the Gulf  
35 Reef Fish Survey with the State Reef Fish Survey, and so GRFS to  
36 SRFS, in July of 2020. This is a required, at no cost, for all  
37 fishers in the Gulf and South Atlantic that are targeting  
38 thirteen species of reef fish from a private vessel.

39  
40 This includes red snapper, along with a variety of other  
41 species, like mutton, yellowtail, hogfish, et cetera. There are  
42 two survey components that we have. First is a monthly mail-in  
43 survey that is independent of MRIP and dockside interviews,  
44 which are subsequently supplemented with MRIP angler interviews,  
45 and this kind of leads into this last little bullet here and  
46 pointing out that SRFS is not really designed for real-time  
47 reporting, or at least like weekly or daily reporting, as some  
48 of the other Gulf state surveys are, and, rather, we get monthly

1 estimates.

2  
3 To this point, this is the typical timing, and I think we just  
4 kind of touched on it a little bit with greater amberjack, for  
5 when we're able to provide preliminary estimates from the State  
6 Reef Fish Survey. We recently got MRIP data to pair with our  
7 SRFS dockside interviews, and we were able to put everything  
8 together for preliminary landings for the private recreational  
9 sector, and just a thanks to John Foster for the quick data pull  
10 and the fisheries-dependent monitoring staff for analyzing  
11 everything in a quick timeframe.

12  
13 Then, as you can see, in July, that is when we typically -- We  
14 have to wait for the July landings until mid-October, for Wave 4  
15 from MRIP, and so, today, we'll really only be talking about the  
16 July landings that we have preliminary estimates for.

17  
18 The current Gulf red snapper season in 2022 was based on a quota  
19 of roughly 1.6 million pounds, which incorporates that 13  
20 percent reduction to account for the overage that occurred in  
21 2021. The 2022 Gulf red snapper private recreational season  
22 began on June 17 and ended on July 31, and that was the summer  
23 season component. We plan to have an additional twelve days in  
24 the fall, and that consists of three October two-day weekend  
25 dates, on Saturday and Sunday, which would be October 8, 9, 15,  
26 16, 22, and 23. Then, finally, we'll have some three-day  
27 fishing weekends on Veterans Day and Thanksgiving Day weekend.

28  
29 Now the season applies to recreational anglers that are fishing  
30 from a private vessel in Florida Gulf state waters and federal  
31 waters, for-hire operations that do not have a federal reef fish  
32 permit and they also participate in the season, but they are  
33 limited to fishing for red snapper in Florida Gulf state waters  
34 only.

35  
36 Here's what we have so far in Florida, and just a reminder that  
37 these are preliminary landings, and our season started a little  
38 bit later than usual. We started in mid-June this year, and we  
39 typically receive about 95 percent of our responses from our  
40 mail-out surveys, within the first sixty days from the mail-out.  
41 We've still got a few trickling in, but there is a cutoff point  
42 that we no longer include some of these survey responses, which  
43 I believe is about eighty-four days from the date that survey is  
44 sent out.

45  
46 While we don't have MRIP Wave 3 catch estimates for state-  
47 permitted charter landings, what we're showing here are the  
48 private recreational landings, and we'll present this in a more

1 comprehensive manner, for the July landings, at the next council  
2 meeting.

3  
4 Florida anglers fished for fourteen days in June, catching  
5 approximately 550,000 pounds of red snapper, or about 33 percent  
6 of the quota. It is a little bit challenging to directly  
7 compare June landings in each year, because the length of the  
8 fishing days are a little bit different here.

9  
10 The data request was for length frequency compositions for June  
11 and July, compared to this year and previous years, and, here,  
12 we're looking at private boat by month and year, using weighted  
13 SRFS estimates and MRIP data combined. As previously discussed,  
14 we don't have the July data yet, and we hope to present that at  
15 our next council meeting.

16  
17 Previously, in 2018 and 2019, you can see that there are  
18 relatively high catch rates that were spread between the  
19 fourteen to twenty-inch size range. However, since 2018, it  
20 does appear that we seem to be getting a little bit more larger  
21 fish, greater than the twenty-eight inches in size, and you can  
22 see a bit more spread in the data, indicative of increased  
23 catches of some of these larger fish. Overall, when we compare  
24 kind of June to July, our data shows that larger fish are  
25 generally caught more frequently in June and July.

26  
27 Another data request was to provide an overview of the different  
28 type of fishing licenses that we have in Florida and the other  
29 states, as well as the reef fish designation, and so, here,  
30 we're providing Florida's resident and non-resident saltwater  
31 fishing licenses and the various options that are offered in  
32 Florida. We've provided the number of SRFS endorsements that  
33 are associated with each license type, and we last updated these  
34 numbers at the end of July, and so that's the period that we're  
35 reporting for this information today.

36  
37 Because FWC also manages freshwater fishing and hunting, we do  
38 offer combination licenses, as a part of a bundle, if you will,  
39 and so that is what is meant here by the combination designation  
40 and the different types of licenses. Of these categories, our  
41 annual saltwater license is our most popular that we're listing  
42 here, and more than half of those who have signed up, both in-  
43 state and out-of-state, also have a State Reef Fish Survey  
44 designation, in order to help us track catch and effort over  
45 time.

46  
47 Then, finally, moving on to compliance, FWC continuously  
48 provides outreach to our stakeholders on the State Reef Fish

1 Survey and why it's required to participate if you're fishing  
2 for reef fish from a private vessel.

3  
4 Since 2015, when it was previously the Gulf Reef Fish Survey,  
5 FWC law enforcement has issued about twenty-three citations, and  
6 116 warnings, as it relates to those who do not have a State  
7 Reef Fish endorsement, but should have, based on their fishing  
8 activity.

9  
10 There are certainly challenges that are associated with  
11 compliance, and these include people not really knowing that  
12 they need to renew their SRFS endorsement annually, as well as  
13 there may be a different expiration data for a SRFS endorsement,  
14 relative to the expiration date for a fishing license, and,  
15 mainly, this is a challenge with those that have a greater than  
16 one year fishing license, such as the five-years or lifetime  
17 anglers, as well as automatic sign-ups for SRFS when it's not  
18 necessary, and an example of this is an automatic sign-up at a  
19 retail place, when they're not actually fishing for reef fish  
20 from a private vessel, and so we're working on outreach on that  
21 and rectifying some of those issues.

22  
23 Then, finally, there are some challenges associated with people  
24 signing up for a State Reef Fish Survey annually, even though  
25 they're exempted from a fishing license, such as seniors, who  
26 are not required to have a fishing license over the age of  
27 sixty-five, and I believe that's my last slide, and I'm happy to  
28 take any questions, if there are any.

29  
30 **VICE CHAIRMAN SCHIEBLE:** Okay. Thank you, Dr. Sweetman. Good  
31 presentation. We have a question from Mr. Gill first.

32  
33 **MR. GILL:** Thank you, C.J., for that presentation, and I'm  
34 looking at the June landings slide, which is about three slides  
35 ago from the last one, and my question is that there seems to be  
36 a consistency in the uncertainty for every year but 2021, which  
37 is a whole lot bigger. Now, granted, there's a little longer  
38 season, but can you elucidate a little bit of why the  
39 uncertainty in that one bends so much higher than all the other  
40 years?

41  
42 **DR. SWEETMAN:** Sure. So, obviously, yes, that was part of a  
43 function of -- It's part of a function of the length of the  
44 fishing season, obviously, and there's a little bit more  
45 uncertainty there, but, at the same point, I do know that, you  
46 know, we were working side-by-side with MRIP and with regard to  
47 some discrepancies in the weight of the fishes, as it relates to  
48 the landings, and so there's just some general uncertainty that

1 was associated with that. Specifically, why 2021 was that much  
2 higher than others, I would have to check with our fisheries-  
3 dependent monitoring staff, and I can get back to you, Bob.

4  
5 **VICE CHAIRMAN SCHIEBLE:** Okay. Andy.

6  
7 **MR. STRELCHECK:** C.J., thanks for the presentation. Sorry you  
8 couldn't be with us this week. A question for you, and so you  
9 are at 33 percent of the quota, and you were open the whole  
10 month of July, and those landings won't come in until mid-  
11 October, when you're opening weekend days in October. What's  
12 the process for deciding on whether or not you can, you know,  
13 continue to have openings in November, or are you planning on  
14 just running the season the whole year, based on what you've  
15 already proposed?

16  
17 **DR. SWEETMAN:** Thanks for the question, Andy, and so we'll  
18 certainly look at what the landings are like at the end -- When  
19 we get the MRIP Wave 4 in July, or in August, or October, excuse  
20 me, but, yes, currently, the plan is to move forward with a  
21 late-fall season, as was previously announced.

22  
23 **VICE CHAIRMAN SCHIEBLE:** Okay. Any more questions for Dr.  
24 Sweetman or Florida? If not, we will be moving on to Kevin and  
25 Alabama, please.

26  
27 **ALABAMA**

28  
29 **MR. KEVIN ANSON:** Thank you, Mr. Chair. Just to recap, of  
30 course, the private recreational season encompasses both private  
31 vessel anglers and anglers on state-licensed charter vessels.  
32 We have mandatory reporting, through Snapper Check, of red  
33 snapper landed in Alabama, by just a single representative from  
34 the vessel that's landing fish.

35  
36 We had four-day weekends season this year, in 2022, like last  
37 year, and it was Friday through Monday, and that started on May  
38 27. We will run our season until the quota is determined to be  
39 used, or is used, and we currently have a two-fish-per-angler-  
40 per-day bag limit, with a sixteen-inch total length minimum  
41 size, just like we have had since the beginning of state  
42 management.

43  
44 **MR. RINDONE:** Mr. Anson, can you pause for just a moment?  
45 Whoever is in the back of the room that has their volume turned  
46 up on their laptop, if you could please turn that down, and  
47 we're getting an echo, and, if you have any conversations that  
48 are going on in the back of the room, if you could take those

1 outside, we would appreciate that as well. Mr. Zales. Mr.  
2 Anson, you can continue. Thank you.

3  
4 **MR. ANSON:** Thank you. We also implemented a reef fish  
5 endorsement for each angler that is possession of reef fish, and  
6 I will discuss that at the end of the presentation in more  
7 detail. We also included mandatory reporting for recreational  
8 anglers for gray triggerfish and greater amberjack, starting in  
9 2021, and I won't be discussing any of that information, but  
10 just to let people know.

11  
12 This is a graphic that we update weekly. Usually, by Friday,  
13 we'll post estimated landings, or harvest, through that Monday  
14 of that week, the Monday of that week, and so this was the last  
15 week's graphic that was uploaded, and the website is down at the  
16 bottom of the slide, but you can see the red line there with the  
17 harvest, as of August 15, and it's 364,758 pounds is estimated.  
18 That is shown with the harvest throughout the season, or  
19 cumulative harvest, through each of the 2020 and 2021 seasons,  
20 and you can see that we are just below half, or right at half,  
21 of where we were for last year, and probably around 35 to 40  
22 percent of where we were at the same time period in the season  
23 as we were for 2020.

24  
25 You will notice, there in 2020 and 2021, most of the harvest  
26 occurs within the first two to three weekends of the season. If  
27 the weather cooperates, there is lots of folks that have high  
28 interest in trying to catch red snapper at the beginning of the  
29 season. Certainly, in 2020, you can see the large increase, or  
30 trend line there, and it's very steep during the initial part of  
31 the season, and that's primarily due to the extra effort, due to  
32 COVID, more than likely, and so we had to pause there,  
33 temporarily, after thirty-eight days or so in the season, forty  
34 days in the season, and reopen later on in the year.

35  
36 For each of those two years, just so we have the slide up, to  
37 talk about Alabama's fishery, and, again, I mentioned that,  
38 usually around the first three weeks is when we have the  
39 majority of the fishing for red snapper will occur, and then it  
40 will taper off, and I don't have it on this current slide, but  
41 2019 and 2018 show a decline after about day thirty or forty, a  
42 much lower trend line, and it's not as steep, and then, once you  
43 get into around day-eighty, which is the middle of August or so,  
44 it really tapers off, and we have much less effort and harvest  
45 for red snapper in Alabama.

46  
47 Here is some of the information, as far as estimates of trips,  
48 vessel trips, angler trips, and then the estimates for harvested

1 fish, and that includes landed fish and dead discards, and then  
2 a harvested fish per angler trip, mean weight of those fish, and  
3 the number of fish weighed, and that was given in deference to  
4 Leann, and she always liked to see what was comprised of the  
5 weight estimates, and so those are the actual number of fish  
6 that were weighed that were used to determine the mean weight.

7  
8 You can see, in each of the years, starting in 2018, the vessel  
9 trips, and it increases in 2019, and, again, it has a high year  
10 there in 2020, the COVID year, and then it falls off in 2021,  
11 and, in 2022, it's the lowest amount of vessel trips that we  
12 have estimated to have taken place, and this is through August 8  
13 for each of these years. Then you can see the corresponding  
14 angler trips that those vessel trips derived, or derived from,  
15 and then the corresponding harvested fish at that point in time  
16 in the season, you can see as well, and, again, compared to last  
17 year, we're under 50 percent, at 45,000 fish.

18  
19 We do have -- We do see a decrease in the number of fish per  
20 angler trip, peaking there in 2020, and then it fell in 2021,  
21 and it's at its lowest right now, at 1.28, which corresponds to  
22 what we hear with folks talking about localized depletion, if  
23 you will, or at least their inability to catch fish as they had  
24 in the past.

25  
26 Then that's the mean weight, and that's calculated as a weighted  
27 average, based on the samples that are collected, and you can  
28 see that it peaked in 2018, the first year of state management,  
29 and it declined through 2020, and it increased in 2021, and then  
30 now is just below seven pounds for the average-size fish.

31  
32 The table at the bottom there just shows the percentage change,  
33 for comparing those estimates for 2021 and 2022, and you can see  
34 that it's been a significant decrease in the number of vessel  
35 trips and angler trips, which corresponds to the reduced harvest  
36 estimate, and, from what we gather, from talking to folks  
37 locally, the biggest -- We had two issues this year. We had a  
38 poor start to our season, and the weather, the wind, was not  
39 very good for that opening weekend, and it kept people off the  
40 water, and then fuel prices are impacting a lot of people's  
41 decision to fish.

42  
43 This is the same information, but for state charter vessels, and  
44 it shows a somewhat similar trend, although 2020 does not show  
45 up like it does for the private recreational side, as far as an  
46 increase, or showing the highest estimates, and you can see a  
47 similar trend in the average size fish that is being calculated,  
48 and we're at its lowest mean weight here in the 2022 season.

1  
2 This is the number of landing reports that were submitted in  
3 2021 and 2022 by fishing mode, and these are, again, just the  
4 trips that are being submitted from the angler to us, through  
5 Snapper Check, and you can see it's less in 2022, versus 2021.

6  
7 Our reporting rate, or estimated reporting rate, is similar to  
8 what it has been in prior years, and it's up just slightly.  
9 It's in the upper 40s right now for private vessels. You can  
10 see that the mean reported trips per vessel is about the same  
11 for each of the two gears and each of the two respective modes,  
12 and that 8.27 trips that were reported for each charter vessel,  
13 and then 7.35 in 2022, and then the average reported trips for  
14 private vessel in 2021 is 2.62 and, in 2022, 2.48, and so that's  
15 very similar.

16  
17 Again, relating that back to the reduced number of trips that  
18 are being estimated, and what we think is going on is that,  
19 because of the fuel prices, a lot of those folks that are not  
20 very avid anglers, or those that are really itching to go  
21 fishing for red snapper, have probably decided not to go fishing  
22 for red snapper and spent their money elsewhere, more than  
23 likely, and they just didn't show up, and we didn't have to  
24 adjust for that.

25  
26 In 2021, we included a question on our dockside validation form,  
27 asking where the anglers spent the majority of their time  
28 catching the red snapper that they have on their trip, and,  
29 again, these are for trips with red snapper, that had red  
30 snapper on the vessel, and you can see that, for the most part,  
31 where they're catching them, or say they're stating they are  
32 catching the red snapper, is fairly consistent between the three  
33 categories of distance from shore, state miles, the reef fish  
34 state miles of three to nine, and then greater than nine miles,  
35 in federal waters.

36  
37 This is a graph with the numbers of licenses that we have sold,  
38 saltwater fishing licenses, recreational, and there are several  
39 different categories of licenses that are represented here. You  
40 can see the total is that top line, and that's cumulative for  
41 all the licenses that are provided, and so we have an annual  
42 license, and that's issued to residents and non-residents, and  
43 then trip license, again resident and non-resident designation,  
44 and then the angler registry is those -- They're registered  
45 anglers that are residents of the State of Alabama that are  
46 above the age of sixty-four.

47  
48 They are not required to purchase a saltwater license, but they

1 are included in these counts here, and then we also sell a pier  
2 license, and I included that in there, just to give some more  
3 deference, because of the reef fish endorsement, and the reef  
4 fish endorsement is required, again, for all reef fish species,  
5 and you can catch gray snapper, for instance, from shore, and so  
6 they're just included in here for this presentation, and then  
7 the other licenses are disabled military and veteran licenses  
8 that make up that small category there.

9  
10 You can see that we have seen an increase in the number of  
11 licenses, beginning in the 2018-2019 license year, and we're  
12 just around 203,000, or 204,000, licenses, total, for the 2021-  
13 2022 license year.

14  
15 Reef fish endorsements, we began selling the reef fish  
16 endorsement during the 2019-2020 license year, and so we -- That  
17 occurred relatively late, or the middle of the year, in the  
18 summer, and we did not have much time to really advertise that  
19 and let people know that that was required, and so we don't  
20 think that that year indicates, or accurately indicates, the  
21 number of folks that probably needed a reef fish endorsement,  
22 and so that's probably why that number is much lower than in  
23 2021 and 2022, and we're at 65,000 reef fish endorsements sold  
24 for private rec anglers in 2022, and then you can see the number  
25 of reef fish endorsements sold to state charter vessels.

26  
27 Then the table at the bottom there asks for kind of -- What the  
28 status of the violations are relative to the reef fish  
29 endorsement, and so enforcement officers checked, in 2021, a  
30 little over 15,000 recreational fishermen, of which there were  
31 sixty-eight reef fish endorsement violations, comprising 0.44  
32 percent of all the fishermen checked, and, in 2022, it was  
33 nearly 14,000 recreational fishermen were checked, with fifty-  
34 seven violations, and, again, it's around 0.4 percentage of the  
35 anglers checked that were not in compliance for a reef fish  
36 endorsement, and that is the end of my presentation.

37  
38 **VICE CHAIRMAN SCHIEBLE:** Thank you, Kevin. Good presentation.  
39 Does anyone have any questions for Kevin and Alabama? Andy.

40  
41 **MR. STRELCHECK:** Thanks, Kevin, for the presentation. Two  
42 questions. What's your compliance rate? Is it around 50  
43 percent these days?

44  
45 **MR. ANSON:** For the mandatory reporting, it's just under 50  
46 percent, for private anglers, or private vessels.

47  
48 **MR. STRELCHECK:** Then I see you have angler trips. Are you able

1 to estimate the unique number of anglers that are reporting,  
2 relative to the number of endorsement holders? Like do you know  
3 what proportion hold an endorsement and also report to your data  
4 system?  
5

6 **MR. ANSON:** We don't -- We can tell that for charter boats,  
7 which vessels are reporting, submitting a landing report,  
8 because it's the vessel that has the endorsement, whereas, on  
9 the private vessels, each angler is supposed to have a reef fish  
10 endorsement, as well as a license, or at least follow the  
11 licensing guidelines, and we do not gather, currently, that  
12 information through our dockside sampling.  
13

14 **VICE CHAIRMAN SCHIEBLE:** Okay. Are there any other questions  
15 for Alabama? Okay. Then we're moving on to Mississippi.  
16 General Spraggins, are you ready?  
17

### 18 **MISSISSIPPI**

19

20 **GENERAL JOE SPRAGGINS:** Thank you very much. Just to give you a  
21 little synopsis, this is a 2021-2022 overview, and it's  
22 basically where we stand in the State of Mississippi as to what  
23 we have caught in red snapper.  
24

25 We started our season on Friday, May 27, 2022, and we're open  
26 seven days a week. We closed on Monday, July 11, to do a  
27 reassessment and see where we were at. We reopened again on  
28 Friday, August 12, 2022. To date, the season has been open for  
29 fifty-seven days, and we've caught 85,963 pounds that have been  
30 harvested through August 14, and that is 56.7 percent of our  
31 ACL. Out of that, about 4,500 pounds has been for state for-  
32 hire charters, and so if you have any idea of needing that  
33 information.  
34

35 This is kind of a figure that shows you where we're at, and you  
36 can see what we've harvested for 2022 and that 2021, and the red  
37 is 2021, and the red is the 2022 season, and we're a little bit  
38 under, and it's due to a couple of things. You know, we had a  
39 little bit of a drop-off on the second and third weekend, and  
40 that's just kind of normal, because, you know, we opened up, and  
41 we had a pretty good weekend the first weekend, with the  
42 Memorial Day weekend, and then we worked it, and then, after  
43 that, it kind of dropped off, and we attribute that mainly to  
44 fuel prices, and, I mean, fuel prices itself have caused us to  
45 not have near as many people wanting to go out, and you'll see  
46 that further in the presentation, as to what that's caused.  
47

48 If you can see here, we have -- This figure shows basically our

1 trips matrix there. You will see, on the left side, it's  
2 anglers per trip, and it went up to right at four, from 3.75  
3 from 2021 to 2022, and then the average weight went up from 6.63  
4 to 7.14, but catch units is down from 1.16 to 1.08.

5  
6 If you see our trips, you can see that shows the numbers of  
7 trips that we have, and the average trip per day in 2021 was  
8 about sixty-six trips per day, and then to fifty-six trips per  
9 day in 2022, and that's quite a bit less than the fourteen-  
10 hundred-and-something that MRIP says that we do every day. I  
11 think you can see that.

12  
13 We also had several days that we observed larger trip volume,  
14 and you can see that from 2021, and the drop-off is an open  
15 weekend and then non-proportional effort observed for the second  
16 and third, and there was also some weather involved in that.

17  
18 The average length, and I will make a correction on this.  
19 That's not centimeters on this. It's millimeters, and so, that  
20 "cm" in there, don't pay attention to it, but it does make a  
21 little difference, right, but the average is 22.8 inches in 2021  
22 and 23.15 in 2022, and a larger portion of bigger fish, so far  
23 this year, than we had with average weight, and it's just  
24 showing a little bit of a difference in the increase in the size  
25 of the fish.

26  
27 Our compliance, Mississippi -- We sell our license mainly  
28 through the Department of Wildlife, online, and we're trying to  
29 do our own in Mississippi, as far as the Department of Marine  
30 Resources, but you can see license compliance, for the overall  
31 licensing, is 95 percent, based on our Office of Marine Patrol  
32 estimates, and Marine Patrol enforcement officers have been able  
33 to intercept 14 percent of the Tails 'n Scales red snapper  
34 trips, which is, I think, quite a bit, 14 percent of every trip  
35 that happens, and that's current compliance of 95 percent for  
36 the private recreational fleet.

37  
38 Also, just to give you an idea, on the 4<sup>th</sup> of July, we were 100  
39 percent compliant, and we had quite a few officers in the water  
40 that day, and we had quite a few intercepts, with 100 percent  
41 compliance, and that tells you that Tails 'n Scales is working,  
42 and we can definitely tell you where we're at, and that's it,  
43 unless you've got a question, and that's Mississippi's brief.

44

45 **LOUISIANA**

46

47 **VICE CHAIRMAN SCHIEBLE:** Thank you, General Spraggins. Does  
48 anyone have any questions for Mississippi? No questions? Thank

1 you, again. Good presentation. Next up is Louisiana, if you  
2 can pull that up for me.

3  
4 Just a brief season overview for us for this year, and our  
5 allocation includes a 6,918-pound reduction, or payback, from  
6 last year, which we overfished. Also, we started the season on  
7 May 27, in state and federal waters, which is a weekends only,  
8 for us, Friday, Saturday, and Sunday, season. That includes the  
9 Mondays of Memorial Day, July 4<sup>th</sup>, and, hopefully, when we get to  
10 Labor Day, I will include that as well, and, also, note that  
11 we're fishing this year with a three-fish bag limit and not two.

12  
13 We were asked, by our commission, to try to retain some  
14 allocation to get through Labor Day weekend, and, so far, as  
15 you'll see in a couple of slides here, our season projections  
16 indicate that we should be able to do so.

17  
18 This is the weekly landings update graphic that we send out in  
19 our news releases. Usually on Fridays they come out, and,  
20 currently, we're at 572,036 pounds, and that's current through  
21 the 7<sup>th</sup> of August. Our LA Creel weeks start on Monday and end on  
22 Sunday, and so it's current through that Sunday.

23  
24 This is a comparison graphic with the years since we started  
25 fishing under state management, for the most part, the two EFP  
26 years and then our two most recent state management years. As  
27 you can see, the black line is the current line for this year,  
28 and we are just above, slightly, where we were at this point  
29 last year, in 2021, and you can see the orange line, which is  
30 2021, and it leveled off for about a month, and so we closed the  
31 season last year, to catch up on making sure our numbers were  
32 right, and then Hurricane Ida hit, and we could not reopen for  
33 about a month, and then we finally did, and so I think that  
34 level that you see in the line there, and it made a bit impact  
35 afterwards, because we lost a lot of infrastructure, marinas and  
36 fishing piers and everything, boats, and so I expect that we  
37 will stay ahead of that line, obviously, for this year.

38  
39 This is our landings tables, and so, so far, we are at 71  
40 percent of our total allocation through Week 31. If you note,  
41 Week 31 was our lowest percentage harvested so far this year,  
42 and, if that's indicative of how the season is going to go, we  
43 may well make it past Labor Day.

44  
45 This is a comparison to last year, and so this is last year's  
46 landings table, and we remained open all the way through the end  
47 of the year, because of, like I said, Hurricane Ida, and that's  
48 that big set of zeros right there in the middle, and then Week

1 31, if you note, shows that 68 percent, and so, at this time  
2 last year, we were just under where we are now, which is 71  
3 percent.

4  
5 This is our snapper weights going back through 2014, and so the  
6 reason for 2014 is because that's the inception of LA Creel  
7 reporting in Louisiana, and so these are all LA Creel years that  
8 you see in the dataset. The blue line are the charter weights,  
9 and the orange, or red, line is the private weights. You can  
10 see, on average, that, at the beginning, the private starts out  
11 a little bit heavier, in the first few years, and it kind of  
12 moved up and down a little bit, and charters really kind of have  
13 been all over the place, depending on the year and the distance  
14 they fish, but there's been an uptick this year compared to last  
15 year, most notably.

16  
17 The next slide, that's going to be the length, and so the  
18 lengths pretty much mimic the weights that you saw in the  
19 previous slide, and the charter is blue, and the private rec is  
20 the orange line, and the charter runs a little bit, you know,  
21 higher, because they are, obviously, catching bigger fish than  
22 the private recs, on average, and so we saw a little uptick in  
23 the average length from the charter fleet this year, compared to  
24 last year, as well, and so what are we really trying to get at  
25 here, and we're trying to get at, you know, what is the average  
26 age of the fish being harvested, because that really tells you  
27 the big picture, more so than looking at weights and lengths.

28  
29 The next slide is the average age over the same time span, with  
30 charter in blue, again, and the private in the red there, and so  
31 they pretty much mimic the weights as well. The charter, you  
32 know, vacillates up and down above the mean pretty consistently,  
33 and I would say that private are even more consistent, and it's  
34 a very linear line of the difference between ages year to year,  
35 but the bottom line is that, if the age were getting younger  
36 each year, you could suspect that you're looking at a condition  
37 of possibly overfishing taking place, and maybe or maybe not,  
38 but it doesn't seem to appear to be doing so.

39  
40 In fact, they're getting a little bit older this year, compared  
41 to last year, and so, as the mean goes up and down, the ages are  
42 going up and down as well, and, you know, there are all kinds of  
43 different cohorts of year classes that come through the system.  
44 One year, you're fishing one year class, and one year you're  
45 fishing another, and so there's going to be variability, any  
46 time you look at this data on a long-term set like this, but  
47 it's very consistent for the last year.

48

1 This is the number of saltwater licenses, also over the same  
2 year span as the previous graphs, from 2014 on, and it shows the  
3 difference between our annual license, which is the blue line,  
4 and total license holders is the red line, and then the daily  
5 license, which is like the charter/for-hire licenses, and that's  
6 the gray line on there, and they're fairly consistent over the  
7 same time period. There's been a little bit of a reduction in  
8 the annual licenses, but we've had some changeover in our  
9 licensing system in the past year or two, and so I would expect  
10 this will look different by the time we get to next year.

11  
12 This is our recreational offshore landing permit subscriptions  
13 by year, and you can see the inception of it coincides with when  
14 LA Creel began, and that's 2014, and we had an increased angler  
15 buy-in, if you will, over the course of the LA Creel reporting  
16 system, from 2014 through now, and then the charter ROLPs are  
17 also -- It's a separate frame, but it's listed -- On the right-  
18 hand side there, you can see the difference, and they go up and  
19 down. I don't know what the difference and anomaly this year  
20 is, and that may change as we get our full amount of data in by  
21 the end of the year.

22  
23 This is the proportion of lifetime licenses in the ROLP, and so  
24 we've got ROLPs with a lifetime license in the left-hand column,  
25 and percent of that license frame is the right-hand column, and  
26 that has increased over time, which is good, because that shows  
27 an increase in compliance with those lifetime licenses over the  
28 duration of LA Creel, as well as ROLP, and then you can see a  
29 little asterisk at the bottom there, and it talks about what I  
30 just mentioned, that we've had a change in our licensing  
31 structure this past year, and that may account for the bump that  
32 you see in the overall percent of the frame, because of our new  
33 fee structure, which was created this past year.

34  
35 This is number of offshore contacts, which would be considered  
36 our enforcement interactions with anglers, and then the  
37 violations by year, ROLP violations, in the middle column, for  
38 each year, and then the percent of those violations, or percent  
39 compliance, however you want to look at it, for those, and  
40 that's the end of my presentation. However, I added some  
41 additional tables, Bernie, if you could pull those up for me.

42  
43 I tried to just, I guess, homogenize the data with other tables  
44 that the other states have shown you today, just for similarity,  
45 to be able to make a comparison, and this is posted as Tab B-  
46 6(b)(i), I believe, in the briefing book, and so it should be up  
47 there for folks to pull down, if they want.

48

1 The top table is the LA Creel estimates of the number of red  
2 snapper landed in each of those years, and the middle section is  
3 estimated angler trips targeting red snapper, and so that's one  
4 of the questions from the dockside intercepts, and then landed  
5 red snapper per angling trip, and you can see that the average  
6 is pretty consistent, and, in fact, there is less estimated  
7 number of red snapper landed so far per trip targeting red  
8 snapper this year, and so the point is that we've got three fish  
9 as a bag limit. However, the effort appears to be down a little  
10 bit, and so that's probably why you're seeing that the landings  
11 trend is very similar to last year, even though we have a  
12 similar number of fish landed per angler.

13  
14 Then the lower is the dockside data for the number of red  
15 snapper trips interviewed for each of those years and then the  
16 number of anglers that that adds up to and then the number of  
17 red snapper landed, as well as the catch per boat trip and then  
18 the catch per angler trip, and you can see they are very  
19 consistent.

20  
21 Obviously, this year, the catch per boat trip is up, because we  
22 have the three-fish bag limit, versus two those previous years,  
23 and then, also, the catch per angler trip is a little bit higher  
24 as well, for the same reason, even though we have less effort  
25 this year going on, because we have places, like Grand Isle,  
26 that are still recovering from Hurricane Ida, and there is not  
27 the infrastructure to support the fishery quite back the way it  
28 was this time last year, before the hurricane.

29  
30 Then that last graphic, at the bottom, is -- It's just a  
31 graphical version of what you saw here, and it's the same thing,  
32 and it's estimated trips targeting red snapper among all those  
33 years, from 2018, 2019, 2021, and 2022, which are the state  
34 management years, under EFP as well as Amendment 50. If anyone  
35 has any questions, I will take them. Andy.

36  
37 **MR. STRELCHECK:** Lots of questions. Thanks, Chris, for the  
38 presentation. A similar question that I asked Kevin, and so I  
39 think, in Slide 13, you were showing violations by year, but  
40 those, I think, are enforcement violations, and do you -- What  
41 is your compliance rate when you're doing dockside intercepts?  
42 Is it similar?

43  
44 **VICE CHAIRMAN SCHIEBLE:** No, and it's -- Dockside intercepts, I  
45 want to say we're probably over 90 percent on dockside  
46 intercepts, and this is the ROLP violations for on-the-water  
47 intercepts, but dockside is -- I don't know the exact number,  
48 but it's very high, and I know that. If there are no other

1 questions, we'll move on to Dakus with Texas, please.

2  
3 **TEXAS**  
4

5 **MR. GEESLIN:** All right. Thank you, Mr. Chairman. We will hop  
6 right into it. As you all know, we conduct an independent  
7 survey as part of our long-term marine resource monitoring  
8 program, and it's the same program we've had in place since  
9 1974. Our 2022 allocation was 265,105 pounds.

10  
11 I am going to orient you on the graph here, and two notable  
12 lines are the orange is our 2019 landings estimate, and that's  
13 the year where we did go over, and we made that payback last  
14 year, where we closed down our state waters on November 15.  
15 Also, this year, 2022, is the kind of lower blue line, and I'll  
16 talk about that here in just a second, but, on the X-axis is our  
17 time scale, time series there, and you'll see those state-water  
18 landings from January 1 to May 31. This year, we estimated  
19 approximately 35,000 pounds of red snapper landed in our state  
20 waters during this timeframe.

21  
22 As usual, or at least in the EFP arena, since 2018, we opened up  
23 our federal-water season on June 1, and this started to track --  
24 This year started to track just like many of the other years,  
25 and then, in July, it really kind of got off the track. Some of  
26 the offshore conditions have been a little rougher than we  
27 usually see in Texas, and that, combined with what you've heard  
28 here today of gas prices, and, really, the landings have not  
29 been as high as what we would have anticipated and what we would  
30 have liked to have seen.

31  
32 As of today, and I just got an email earlier, and we do these  
33 weekly update meetings and then submit our biweekly report  
34 landings to NMFS, and, as of today, we are at, and we had a  
35 pretty good weekend, but we're at 54.4 percent of our quota, and  
36 that's just right about 144,000 pounds, and so our federal-water  
37 season is still open. This is the longest federal-water season  
38 we've had since 2007, and, that year, it closed on Halloween,  
39 October 31.

40  
41 Just as a comparison for the years, on this graph, in 2018, we  
42 had an eighty-two-day season, and then, over the last three  
43 years, 2019 through 2021, we've had a season length anywhere  
44 from about sixty-two to sixty-five days.

45  
46 Here we have our length distribution information. Just for the  
47 last couple of years, you can see that 2022 -- There are some  
48 smaller fish being proportionally caught, and, really, the 2021

1 is more evenly distributed through those various size classes,  
2 and, coincidentally, the mean weight for each of those years is  
3 6.6 pounds in 2021, and, while we're still fishing in 2022, the  
4 mean weight is 6.7 pounds, and so a difference of about a tenth  
5 of a pound there, but you can see the size distribution.  
6 There's a little bit of larger fish extending out on that tail-  
7 end from last year, and not so much this year.

8  
9 This slide is a little harder to see, and what this is is  
10 license types, and there's a lot of them, the license types that  
11 will allow any license holder to fish for red snapper, and that  
12 includes the combo licenses, which is, you know, the combining  
13 of fresh and saltwater, and what we don't have -- We don't have  
14 a reef fish endorsement, per se. However, through our survey  
15 estimates, we estimate approximately 11,000 anglers have taken  
16 part in the red snapper fishery during 2022, the 2022 season,  
17 and I believe that is, and I'm happy to answer any questions.

18  
19 **VICE CHAIRMAN SCHIEBLE:** Okay. Thank you, Dakus. Good  
20 presentation. Ms. Susan.

21  
22 **MS. BOGGS:** Thank you, Dakus. That last slide that you showed,  
23 does that account -- I don't think Texas is the only state, but  
24 you are required, saltwater anglers on the charter/for-hire  
25 boats, to purchase the state license, and is that correct, and  
26 is that reflected in these numbers?

27  
28 **MR. GEESLIN:** State charter/for-hire fishermen on state-  
29 chartered vessels, right?

30  
31 **MS. BOGGS:** No. Any charter vessel, or is it just state charter  
32 vessels?

33  
34 **MR. GEESLIN:** No, and they do have to have a saltwater fishing  
35 license.

36  
37 **MS. BOGGS:** For any charter vessel?

38  
39 **MR. GEESLIN:** Correct.

40  
41 **MS. BOGGS:** Is that reflected in these numbers?

42  
43 **MR. GEESLIN:** It should be in one of the many categories here.

44  
45 **MS. BOGGS:** Okay. Thank you.

46  
47 **VICE CHAIRMAN SCHIEBLE:** Okay. Any other questions for Dakus  
48 and Texas? Mr. Dyskow.

1  
2 **MR. DYSKOW:** Thank you, Mr. Chair. Can I ask an overriding  
3 question that would apply to all five states?  
4

5 **VICE CHAIRMAN SCHIEBLE:** Sure.  
6

7 **MR. DYSKOW:** I would like to start by saying thank you to each  
8 of the states, because they've made a serious concentrated  
9 effort to provide more data, more information, and to give us a  
10 higher confidence level that the recreational angling community  
11 is trying to be accountable, and we're trying to improve that  
12 accountability, steadily, year-by-year, because the data that we  
13 see is getting more thorough and more complete.  
14

15 Is there any way, and maybe Andy could answer this, although he  
16 would probably say no, but is there any way that we could take  
17 these five states that have this information and standardize it  
18 to the point that we could collectively give a report for the  
19 Gulf in its entirety, as opposed to seeing individual state-by-  
20 state reports?  
21

22 **VICE CHAIRMAN SCHIEBLE:** Well, I don't know the answer to that  
23 one, and I guess it would be the states would have to get  
24 together, probably, and see what sort of tables we have in  
25 common, as far as data, to put that in a simple form.  
26

27 Some of the things we did this time, we were specifically asked  
28 for, to include, and so the licensing data and all that, and  
29 those are special requests, and I don't think those are what  
30 you're going to see every meeting in the future, going forward,  
31 and we'll shorten these up a little bit, but, yes, I don't know.  
32 Andy.  
33

34 **MR. STRELCHECK:** Well, I mean, I certainly agree with you,  
35 Chris, that there is information that is collected in a  
36 standardized way, or a similar way, that could be compiled. I  
37 think the landings data is the big question, right, because we  
38 have talked about calibration for many, many years in this  
39 council meeting, and what one state produces is not necessarily  
40 going to be similar and comparable to another state, and so that  
41 would be the challenge, in terms of how you would produce the  
42 landings in a collective summary report, but, in terms of the  
43 catch per unit effort, angler trips, age distribution, size  
44 distribution, that's pretty standard stuff that could be  
45 summarized.  
46

47 **VICE CHAIRMAN SCHIEBLE:** Go ahead.  
48

1 **MR. DYSKOW:** If I could follow-up on that, Andy, and, you know,  
2 what I'm specifically asking is, if we have this data stream  
3 that's improving year by year, and we have this challenge, in  
4 that we can't consolidate landings, for example, which is the  
5 most critical component, what's the barrier to getting the five  
6 states to commonize, to the point that we can give a Gulf-wide  
7 landings report, and other information, specific to recreational  
8 fishing?

9  
10 **VICE CHAIRMAN SCHIEBLE:** Go ahead.

11  
12 **DR. CLAY PORCH:** The challenge -- I mean, that's what the  
13 transition working group that Richard will talk about will  
14 address, but the challenge is, if you ran all those same surveys  
15 all in the same state, they would give different answers. It's  
16 not like they all come to an exact answer, and so you can show  
17 all the different states' estimates, but they're not really in  
18 the same scale, necessarily, and they're not directly  
19 comparable, and so that's the challenge, and that's why we've  
20 been having all these calibration discussions.

21  
22 **VICE CHAIRMAN SCHIEBLE:** Thank you, Dr. Porch. Anybody else  
23 have any comments? Kevin.

24  
25 **MR. ANSON:** So two comments, I guess, that were slightly  
26 conflicting, one that you made relative to going forward, what  
27 type of information that states would provide on a regular  
28 basis, and then to Mr. Dyskow's comment about it was nice to see  
29 all that information, and it kind of showed that states are  
30 willing to share the information and get it out there, so that  
31 people can kind of, you know, consider it and look at it and  
32 that type of thing, and so I'm just wondering, going back to  
33 your comment, is the states can simply just get together and  
34 such and kind of, you know, come to a collective understanding  
35 as to what would be a standard report that we would submit, and  
36 that might be something we would work with Ryan, you know,  
37 outside, like we did this last go-round, and just kind of select  
38 that this is something that would be nice to have, and this  
39 wouldn't, and this would, and kind of do that, so it would just  
40 be a standard thing that you're going to report red snapper, and  
41 everybody has kind of like six slides, and each slide is going  
42 to show the same thing, you know, just so it's a little bit more  
43 consistent and gets to the apples-to-apples type level. Thank  
44 you.

45  
46 **VICE CHAIRMAN SCHIEBLE:** Yes, I agree. I mean, what I was  
47 thinking is you have the same tables in one presentation,  
48 perhaps, or all five, but they would all be a standardized

1 format, going forward, so, at least for the audience, they know  
2 what to expect every time, as we go forward, and we have to do  
3 this for quite a few years, I guess, right? Ryan.

4  
5 **MR. RINDONE:** We can certainly have the conversation about, you  
6 know, the best time to present this information, and it could be  
7 like and update, as far as in comparison to the previous year,  
8 that's given -- It could be something that's given at every  
9 council meeting, or it could be given at just one or two council  
10 meetings, and the states could certainly have this conversation  
11 and think about what sorts of information they want to provide  
12 in there.

13  
14 I think licensing and compliance information could be like a  
15 once-a-year sort of thing, and I know that the states are going  
16 to be working with the Gulf States Marine Fisheries Commission,  
17 starting in 2023, to provide the numbers of licenses that have  
18 certain designations, like Gulf reef fish angler recreational  
19 offshore fishing license, et cetera, depending on the state and  
20 what the state is using, but, yes, we can certainly figure out  
21 how to standardize all that, and I don't think that would be  
22 difficult at all.

23  
24 **VICE CHAIRMAN SCHIEBLE:** Very good. Any further questions  
25 regarding the state landing data? Then I will turn it over to  
26 you, Mr. Chair, and the interim chair is done.

27  
28 **MR. DIAZ:** Thank you, Mr. Schieble. You did a great job leading  
29 us through Reef Fish today. I appreciate that, stepping up at  
30 the last minute. I have been the chair of this council almost a  
31 year, and I'm fixing to say something that I haven't said in a  
32 year, but I think we're going to knock off early today, eight  
33 minutes early. Remember that I'm up for reelection.

34  
35 No, but we are going to start at 8:00 in the morning. We are  
36 going to start at 8:00 sharp, and we're going to start with Sam  
37 Rauch, and he's going to address us virtually, and we're going  
38 to start with that at 8:00 in the morning, and so I'll see you  
39 all at 8:00. Thank you for your hard work today, and I do  
40 apologize for having to juggle the agenda, but just  
41 circumstances made it work out that way. See you in the  
42 morning. Thank you.

43  
44 (Whereupon, the meeting recessed on August 22, 2022.)

45 - - -

46  
47  
48 August 23, 2022

TUESDAY MORNING SESSION

- - -

The Reef Fish Management Committee of the Gulf of Mexico Fishery Management Council reconvened at the Omni Hotel in Corpus Christi, Texas on Tuesday morning, August 23, 2022, and was called to order by Chairman Tom Frazer.

**CHAIRMAN TOM FRAZER:** I am trying to circle back on the agenda, and I think one of the items that we didn't quite get to yesterday was a presentation, or an update, by Dr. Cody regarding the status of revised recreational red snapper calibration ratios, and so, Richard, do you want to provide an update?

**STATUS OF REVISED RECREATIONAL RED SNAPPER CALIBRATION RATIOS**

**DR. RICHARD CODY:** Tom, could I ask for a little bit of clarification here? Are we talking about transition or calibration?

**CHAIRMAN FRAZER:** Mr. Rindone.

**MR. RINDONE:** It's both, and so the idea is that this is a recurring agenda item to continually have updates from the NOAA Office of Science and Technology on the ongoing work of the transition team and the calibration effort with the states.

**DR. CODY:** All right. What I will do is I will start with the transition plan update. Back in February of this year, we had a workshop, and, basically, the outcome of that workshop was the development of a transition plan for the Gulf surveys, and, in doing that, we laid out an outline of the plan during the workshop, and then this was, you know, further completed, following the workshop.

We received input from all of the transition plan working group members, and we asked them to share it more broadly within the agencies, to get input as well, and so I'm happy to say that we have received input from everybody and incorporated it into the plan, and, basically, what we have now is a completed draft that's under review by NOAA leadership, and so we're doing two things with that review at this time.

There's a review of the rollout plan that accompanies the transition plan, and we're expecting the review to be completed within the next few days. That said, since it is -- It hasn't

1 been fully reviewed, and I will just give you a brief overview  
2 of what's in the plan.

3  
4 Basically, in the workshop, participants from the state and our  
5 federal counterparts in the region identified an approach, I  
6 think, that gets at the short-term, as well as the long-term,  
7 needs for the region, and so, in that plan, two things were  
8 identified, a research path, and then also a transition path,  
9 and these two items, or components, were meant to occur  
10 simultaneously, or at the same time, so that, basically, one  
11 didn't slow down the other.

12  
13 With the research track, we had a few different asks, based on  
14 the congressional language for 2021 appropriations, and,  
15 basically, what that was looking for were to review the state  
16 surveys, and the federal surveys, look at improvements that  
17 could be made, identify how to do that, and then, once those  
18 have been completed, complete a final review of calibration  
19 methodology that would hopefully be final.

20  
21 That's, obviously, a long-term undertaking, or it can be, and  
22 so, recognizing that there could be an impact on transitioning  
23 the surveys and getting the information used from the state  
24 surveys in management, basically, the idea was to keep them  
25 going at the same time, and make progress on both, without  
26 having a bottleneck that would occur because of the research  
27 path, and so I think what we've done is, at this point, we have  
28 put together a working group, or are starting to put together a  
29 working group, for the research track.

30  
31 It's chaired by Tom Frazer and Greg Bray, and, at this point, we  
32 are compiling all the sources of information that the states  
33 have available, and NOAA has available, regarding research  
34 that's either ongoing, planned, or completed that has looked at,  
35 or is looking at, sources of non-sampling error with the  
36 surveys.

37  
38 A critical component of the research plan is that, if we can get  
39 to a point where we can bring the surveys closer together, in  
40 terms of their estimates, by reducing non-sampling error, then  
41 we stand a much better chance of having more options available  
42 to us, when it comes to developing calibrations, and one of  
43 those options would be the use of composite estimation.

44  
45 Right now, the estimates are so far apart that composition  
46 estimation is not really a viable option, and so that's the  
47 research component, and it has short-term and long-term parts to  
48 it, and the other component is the transition track itself, and

1 so, in the workshop, there was consensus that we needed to move  
2 forward with what we have, and so we're treating the ratio  
3 calibrations as an interim calibration, basically, for the  
4 surveys, and I think the agreement was, between the states and  
5 NOAA at the time, that these would be used to continue the  
6 current process, which was to calibrate against the federal  
7 surveys to deliver the quotas for the states, and then the  
8 states would monitor in their own survey currencies.

9  
10 That's where we are right now. The hope is that, over the next  
11 couple of years, as we complete the research track, that we'll  
12 be able to open up the options for calibration, more  
13 sophisticated or complex calibration options, but, also, that it  
14 will fulfill the needs for management in the shorter term as  
15 well.

16  
17 The research track, as I said, has, you know, a fairly long  
18 timeline, and it is funding dependent, and I think, in the draft  
19 plan, we identify 2026 as sort of the final year for that.  
20 There are studies that are ongoing right now, and there are some  
21 that have been completed that may be able to inform improvements  
22 to the surveys in the shorter term, and so we wouldn't be  
23 waiting until 2026 to get those in place. I think that's sort  
24 of the summary of where we are at this point, and, as I said, I  
25 expect the plan to be released fairly soon.

26  
27 **CHAIRMAN FRAZER:** All right. Thanks, Dr. Cody. Again, sorry,  
28 and I just probably kind of put you on the spot, and I was just  
29 trying to caught up myself, and I said that Richard can come up  
30 here and talk about this any time, I'm sure, but, anyway, given  
31 that update, I will just open the floor for questions. Mr.  
32 Gill.

33  
34 **MR. GILL:** Thank you, Mr. Chairman, and thank you, Dr. Cody.  
35 Maybe I didn't understand, but it sounded to me that what I  
36 heard was, and if you would clarify it, I would I appreciate it,  
37 but is that the transition plan is effectively completed and  
38 status quo, and everything downstream depends on the research  
39 plan and what gets funded and what gets done, and is that a  
40 correct read?

41  
42 **DR. CODY:** I would say that, yes, the research plan has a large  
43 effect on this, but, at the same time, I think we have ratio  
44 calibrations that are in place. Status quo would mean that  
45 we're not getting any more data available to update those  
46 calibrations, and I think that's not the case, and so it's  
47 status quo in terms of the methodology that's used, but it does  
48 mean that there are considerations that have to be taken into

1 account, such as the availability of additional years of data,  
2 and potentially changes to surveys that have occurred, or may  
3 have occurred.

4

5 **MR. GILL:** Thank you.

6

7 **CHAIRMAN FRAZER:** Okay. Are there any other questions for Dr.  
8 Cody? Mr. Strelcheck.

9

10 **MR. STRELCHECK:** Thanks, Richard, for being here. I'm glad you  
11 were able to make it safely. A couple of questions. I guess,  
12 first, to point out, with the transition process, this is a  
13 great collaborative effort, and I appreciate, obviously, the  
14 work of Science and Technology and the Science Center, but also  
15 the states, in coming up with kind of the short-term and long-  
16 term plan. These are difficult questions that we've been  
17 wrestling with for quite some time and don't necessarily have  
18 easy answers.

19

20 Given kind of the short-term versus long-term nature, obviously,  
21 the Center is starting to plug in information to stock  
22 assessments, but what would you recommend as value added to this  
23 council, in terms of bringing information, data, and results  
24 back to inform the council about progress being made on the  
25 transition plan?

26

27 **DR. CODY:** Thanks, Andy. One thing I didn't mention is that  
28 there are regular meetings that are planned for the transition  
29 team subgroup related to progress on the transition plan, and so  
30 those will be ongoing, and I also expect that, as the research  
31 working group ramps up, there will be more to report on that end  
32 as well, and so I think, going forward, it's going to be very  
33 important that we pass what's going on at the team level back to  
34 the state directors and others that have an interest in the  
35 outcomes. I think that's one of the challenges that we've had  
36 so far.

37

38 There is a communications component in the transition plan that  
39 deals directly with that, and I think that, hopefully, that will  
40 help to address some of the communication shortfalls that are  
41 acknowledged on all sides throughout this process.

42

43 **CHAIRMAN FRAZER:** Richard, we've got a question here from Mr.  
44 Geeslin.

45

46 **MR. GEESLIN:** Thanks, Dr. Cody. If you could please, just kind  
47 of walk us through where we are in the efforts from S&T to  
48 address comments and edits that states provided in the

1 transition plan dated July 5, and just what efforts have been  
2 made to reconcile, or address, any of those comments to-date?

3  
4 **DR. CODY:** We have reviewed -- Dakus, thanks for the question.  
5 We have reviewed the comments that have come in, and we've done,  
6 I think, a decent job of incorporating, as best we can, the  
7 concerns of the states with the plan, and I know you had --  
8 Texas had some comments in there, but several of the other  
9 states did as well, and so, I mean, this is something that, once  
10 the final plan is released -- I mean, you'll have an opportunity  
11 to look at it and evaluate it, but I think that we did a fairly  
12 good job, in my opinion, of incorporating those concerns.

13  
14 **CHAIRMAN FRAZER:** All right, Richard. We're just dealing with a  
15 little technical difficulty at the moment, but I think I am not  
16 seeing any other questions around the table at this point, and  
17 so, again, thank you for taking the time to provide that update,  
18 and I look forward to chatting with you here at the break, and  
19 catch up myself. All right.

20  
21 Okay, and so it looks like we've got -- Next on the agenda is a  
22 review of the public hearing draft of Amendment 54, which is  
23 modifications to the greater amberjack catch limits and sector  
24 allocations and other rebuilding plan modifications, and so I  
25 will go ahead and let Dr. Froeschke work us through the action  
26 guide, as it relates to that item.

27  
28 **PUBLIC HEARING DRAFT OF AMENDMENT 54: MODIFICATIONS TO THE**  
29 **GREATER AMBERJACK CATCH LIMITS AND SECTOR ALLOCATIONS AND OTHER**  
30 **REBUILDING PLAN MODIFICATIONS**

31  
32 **DR. JOHN FROESCHKE:** All right. Good morning, everyone. Today,  
33 for amberjack, we have two things. The big picture is that  
34 we're going to go through Amendment 54, and it's a public  
35 hearing draft of a document that considers changes to sector  
36 allocations and catch limits for amberjack, in response to a  
37 stock assessment that determined the stock was overfished and  
38 overfishing.

39  
40 As part of the document that considers allocation, or  
41 reallocation, there are number of requirements to the allocation  
42 review process, and so Dr. Lasseter is going to give a short  
43 presentation to highlight the information within the document  
44 that addresses those components, to inform your deliberations,  
45 and so, after that, we'll go through the document. We'll look  
46 at the timeline and the purpose and need.

47  
48 What I would like is to spend the time on the actions and the

1 alternatives, and, if appropriate, the committee could select a  
2 preferred that we could take out to public hearings after this  
3 meeting, before the October meeting, which we plan to take final  
4 action.

5

6 **CHAIRMAN FRAZER:** I think Ava is up.

7

8 **DR. AVA LASSETER:** Okay. Thank you, Mr. Chairman. We're going  
9 to review the presentation that's at Tab B, Number 7(a), and, as  
10 just explained, this document, this PowerPoint, includes the  
11 location of the allocation review components in council  
12 amendments, and so you can use this kind of as a tool for this  
13 amendment, and then, generally in amendments, the locations are  
14 the same, to kind of reference and identify where in our  
15 amendments is the information that is highlighted from these  
16 review guidelines.

17

18 When we're talking about plan amendments, an amendment will  
19 include the full analysis and evaluation of allocation options,  
20 and we are going to use an amendment, and not a framework  
21 action, for making any kind of an allocation decision. Whether  
22 it's an EIS or an EA would be a different issue, and that's a  
23 NEPA decision, but an allocation decision is going to be  
24 evaluated with a full analysis that is examining the range of  
25 alternatives, and this should serve to inform and support your  
26 allocation decision, whether or not a review has been done as a  
27 previous step.

28

29 The amendment we're talking about here, Amendment 54, proposes  
30 to modify the greater amberjack sector allocation, and the  
31 amendment includes analytical components that are appropriate  
32 and related to the particular action, and so as relates to the  
33 purpose of the action.

34

35 Flipping back to the allocation review guidelines, this is a  
36 quote taken directly from the guidelines, on page 4, and I'm  
37 going to emphasize the underlined text here, and so, one, in  
38 allocation reviews, we're using data that are routinely  
39 available. This will utilize ecological, biological, social,  
40 and/or economic studies relevant to the subject stock, and we  
41 would expect not to include absolutely everything that might be  
42 listed in the review guidelines in a review, just like it may  
43 not be in an amendment, but we would want to tailor that list to  
44 be appropriate to the actions under review.

45

46 Then, finally, this last point, the data availability, goes  
47 along with the first one as well. We are providing you analyses  
48 and information that is available, and we're not. Everything

1 that is included in the document is limited by what we're able  
2 to put together for you.

3  
4 The rest of this PowerPoint, on the left-hand side, provides  
5 text directly from the allocation review guidelines, and so this  
6 section of FMP Objectives, this is what is in your guidelines,  
7 and then, on the right side of the slides, it tells you the  
8 location in an amendment.

9  
10 The rest of the document, the rest of this PowerPoint, is going  
11 to be about Amendment 54, but, in this one, I want to call  
12 attention to the FMP objectives that you just recently reviewed  
13 through Amendment 53, and so just last year, about red grouper,  
14 and that was in Section 1.1, and so, currently, reviewing the  
15 FMP objectives is not considered again in Amendment 54, but you  
16 did just do this last year.

17  
18 I'm not going to go through each and every little detail of  
19 these, but we'll just skim through the next slide, and you can  
20 see that we have identified, on the right side, where, in  
21 Amendment 54, details are included, and we provided one of the  
22 tables here that outlines the management measures by sector.

23  
24 Status of the stocks, for this particular allocation amendment,  
25 this is very much the purpose of the amendment, is to address  
26 the ongoing status of greater amberjack. Often, in other  
27 amendments, you will find the discussion of the status of the  
28 stocks also in Chapter 3. For Amendment 54, because this is  
29 kind of core to what the amendment is about, Chapter 3  
30 references back to Chapter 1, and so this is very core to the  
31 amberjack amendment.

32  
33 Catch limits and accountability measures and where they're  
34 located, and we have landings history, ACL quota utilization  
35 rates, and where participation and effort measures are. A lot  
36 of these, what's in the guidelines, are provided in the various  
37 Chapter 3 sections in the plan amendment.

38  
39 Biophysical information should be more narrowly in Section 3.3,  
40 which is usually the biological environment, if we have not  
41 included a description of the fishery, and it might be 3.2, and  
42 I do believe that a BPA will be completed for this amendment,  
43 the bycatch practicability analysis, and it's located in the  
44 appendix, when the amendment does include one.

45  
46 This is the only section that -- It has two slides, and so the  
47 economic factors, this first slide, is the text from the actual  
48 review guidelines, and then the next slide -- Again, you can see

1 the label in the right-hand side, in the border, and it  
2 identifies where these economic factors are located in Chapters  
3 3 and 4. Then social factors and where their location is in  
4 Amendment 54. That's all I have, if there's any questions. If  
5 not, I will turn it back to Dr. Froeschke.

6  
7 **CHAIRMAN FRAZER:** Ava, it looks like Dr. Stunz, and then Mr.  
8 Gill, have questions.

9  
10 **DR. STUNZ:** Thank you, Mr. Chairman. I don't really have a  
11 question for Ava, and I just have a comment. What I want to say  
12 is we're kind of wading into these CHTS to FES calibration  
13 amendments, and also the resulting allocation, and I -- Probably  
14 I'm going to come back with a motion later, but I kind of wanted  
15 to set the stage of what I'm thinking, and I don't want the  
16 staff to get worried, and I don't want to slow down this  
17 amberjack amendment.

18  
19 I think we need to -- It's a little too late for what I'm about  
20 to propose, but I think we need to get preferreds going and move  
21 that down the line, because we're considering new ones, and  
22 maybe the gag that's coming up, and others in the future, and  
23 there's really two things going on, in my mind.

24  
25 We have the conversion, which is very much a science issue, and  
26 we need to sort of get that straight, in my mind, but I think  
27 what's happening, and I'm sure we're all doing, is we're taking  
28 a peek at what does that allocation look like on the backside of  
29 that conversion, and that happens when we combine these  
30 amendments, and, whether that's right or wrong, and I think what  
31 happens is we begin to make decisions based upon what that  
32 subsequent allocation looks like and not necessarily getting the  
33 conversion right in the first place.

34  
35 What I think I'm recommending here, and I'm still thinking about  
36 this, is that, and we have time with gag, for example, and not  
37 amberjack, is to really start looking at -- Let's do this  
38 conversion first, and get the conversion right, and then, if  
39 people don't like the allocations, the chips kind of fall where  
40 they are, based on that conversion, and then we have this  
41 process that we've debated around this table, many, many times,  
42 a real formal allocation process then to do that allocation in a  
43 meaningful way, where we're not really confusing those two  
44 things.

45  
46 I just think it creates a little bit more work, in a way, and I  
47 think, in another way, it allows us to move through the  
48 conversions, but it also makes it cleaner, so we're not mish-

1 mashing things in one amendment, which, you know, confounds  
2 things, in my opinion, and so, anyway, Mr. Chairman, that's a  
3 long comment, but I kind of wanted to set the stage, and I don't  
4 want to do anything here with this amendment, because we're way  
5 down the line, but, anyway, just some thoughts.

6  
7 **CHAIRMAN FRAZER:** All right. Thank you, Dr. Stunz. Mr. Gill  
8 and then Mr. Dugas.

9  
10 **MR. GILL:** Thank you, Mr. Chairman, and it's not a question, but  
11 just a comment. I appreciate this presentation and this  
12 amendment, or not amendment, but this inclusion as part of the  
13 process. I think it's, A, very helpful, but, B, it also serves  
14 as a checklist, to ensure that we're doing what we said we were  
15 going to do in the allocation review policy, and so I think it's  
16 excellent, and I'm assuming that we're going to be carrying it  
17 forward on all questions of allocation in the future, and we  
18 would be well advised to do so.

19  
20 **CHAIRMAN FRAZER:** Thank you, Mr. Gill. Mr. Dugas.

21  
22 **MR. DUGAS:** Thank you, Mr. Chair. I would like to point out, in  
23 the discussion part of this amendment, under Alternative 3, it  
24 says that it would modify the recreational and commercial sector  
25 allocations of Gulf greater amberjack, based on landings from  
26 the same timeframe used in Amendment 30 back in 2008, but using  
27 MRIP and FES landings, which is considered the best scientific  
28 information available. **With that said, I would like to make a  
29 motion for Alternative 3 to be the preferred.**

30  
31 **CHAIRMAN FRAZER:** Real quick, before you get there, J.D.,  
32 because I know that John is going to work through the document,  
33 and do you want to wait until John works through the document,  
34 so that it coincides with kind of the logic flow, or do you want  
35 to go ahead now?

36  
37 **MR. DUGAS:** I want to do it now.

38  
39 **CHAIRMAN FRAZER:** Go ahead.

40  
41 **MR. DUGAS:** **The motion is to choose Alternative 3 as a  
42 preferred.**

43  
44 **DR. FROESCHKE:** That's Action 1.

45  
46 **CHAIRMAN FRAZER:** Okay, and so, with that clarification, we'll  
47 get that motion up on the board. Okay, and so the motion by Mr.  
48 Dugas is, in Action 1, to make Alternative 3 the preferred, and

1 is there a second for that motion? It's seconded by Dr. Stunz.  
2 J.D., do you want to provide a little background of what your  
3 rationale for the motion is?  
4

5 **MR. DUGAS:** Sure. Thank you, Mr. Chair, and that's what I tried  
6 to do before the motion. Just reading the document, and using  
7 the changes from MRIP to FES landings, and it's the best  
8 scientific information available, and that's what I'm going off  
9 of.

10  
11 **CHAIRMAN FRAZER:** Dr. Froeschke, to that point?  
12

13 **DR. FROESCHKE:** Just to clarify, and so the Alternatives 2  
14 through 5, the SSC essentially made equivalent recommendations,  
15 meaning that all of them integrate MRIP-FES recreational data,  
16 and so all of them are consistent with BSIA, in that context,  
17 and so they do reflect different sector allocations, and  
18 slightly different catch limits, but any of them, in terms of  
19 the scientific BSIA aspect, we would consider those equivalent.  
20

21 **CHAIRMAN FRAZER:** Okay. Thank you. I think I missed Ms. Boggs.  
22 I apologize.  
23

24 **MS. BOGGS:** Well, it's not to this motion. It was to comment on  
25 what Greg said, and so I can wait.  
26

27 **CHAIRMAN FRAZER:** Okay. We'll come back to that, Ms. Boggs.  
28 Mr. Gill.  
29

30 **MR. GILL:** Thank you, Mr. Chairman. I guess a couple of  
31 comments. One is I think, whatever choice we make as a  
32 preferred, it needs to rest on more than just the FES  
33 conversion, which was, in effect, what Dr. Froeschke was saying,  
34 but, number two, we ought to keep in mind that the choice of  
35 Alternative 3 is the one that has the least amount of stock  
36 available to the fishermen, and the difference between, for  
37 example, status quo, which is Alternative 2, is about 25,000  
38 pounds, which is roughly 5 percent of the stock, and that's due  
39 to the differences in the estimated discard mortality between  
40 the two sectors.  
41

42 In terms of maximum economic benefits, I don't know if it's in  
43 Chapter 3, and I don't know if Dr. Travis is here, but I'm not  
44 sure that leaving 25,000 pounds, 5 percent, is necessarily the  
45 best way to go to get the maximum net benefits, and, if there is  
46 some analysis of that in Chapter 3, I would be interested in  
47 seeing it, but the net result is we're giving up to just offset  
48 the change in allocation, and I have a difficult time accepting

1 that as the best way to go.

2  
3 Now, we may need to change that allocation, and I understand  
4 that, but going to the max allocation we pay a price for, and we  
5 ought to keep that in our minds as we make this decision. Thank  
6 you, Mr. Chairman.

7  
8 **CHAIRMAN FRAZER:** Thank you, Mr. Gill. It looks like Dr.  
9 Sweetman has his hand up online here. C.J., sorry that I didn't  
10 see that earlier. Go ahead.

11  
12 **DR. SWEETMAN:** Thank you, Dr. Frazier. I'm going to speak in  
13 opposition to this motion. I agree with a lot of the previous  
14 comments that Dr. Stunz made, and I feel the ultimate goal, for  
15 what we're trying to do here, is to rebuild the stock, and I  
16 don't necessarily feel that providing additional quota to the  
17 recreational sector would do that, and, further, I think we're  
18 making a lot of allocation decisions here, based on these FES  
19 conversions, and we're operating under whether they're interim  
20 rules, emergency rules, or rebuilding plans, and I kind of think  
21 that there should be their own separate process for looking at  
22 this, and I don't feel that making a reallocation towards  
23 recreational during this process, with this situation that we're  
24 under for greater amberjack, is the appropriate time. Thank  
25 you, Mr. Chair.

26  
27 **CHAIRMAN FRAZER:** Thank you, Dr. Sweetman. All right, and so  
28 I'm not seeing any hands. Mr. Strelcheck.

29  
30 **MR. STRELCHECK:** Thanks, Mr. Chair. I'm going to echo some of  
31 the comments that have been made around the table. I like what  
32 Greg was indicating, in terms of, you know, this is a science  
33 issue, but it's more than a science issue, right, and so we need  
34 to take into consideration, obviously, the updated science and  
35 information, but, when we're talking allocation decisions,  
36 that's why we have an allocation policy, and that's why we  
37 should be rigorously discussing what are the goals and  
38 objectives of the fishery management plan, how are we achieving  
39 those goals and objectives, looking at the biological benefits,  
40 or impacts, as well as the economic and social benefits and the  
41 impacts of those decisions, and so I just encourage the council,  
42 as we have this discussion, to be thinking about all of those  
43 factors.

44  
45 Obviously, people are going to weight them differently,  
46 depending on your perspective and position, but, ultimately, at  
47 the end of the day, we need to come up with a justification for,  
48 if we're going to change allocation, or if we're going to

1 maintain the allocation, as to why we're changing it, and that  
2 should be fairly thorough, in terms of the details of that  
3 decision.

4

5 **CHAIRMAN FRAZER:** Thank you, Mr. Strelcheck. Dr. Stunz.

6

7 **DR. STUNZ:** Directly to Andy's point, and outside of -- Well,  
8 first, I support this motion, and I'm going to support the  
9 motion, but, to Andy's point about an allocation, I think this  
10 amendment is too far out of the gate, in terms of -- You know, I  
11 think we need to select preferreds and move on, in this  
12 situation, but I think what Andy was saying, for example, is,  
13 when we went to this allocation review policy, we had the  
14 discussion that, at any point, we can bring up the need for  
15 reallocation and start that process, but it involves review  
16 panels, and I'm trying to remember the whole list of triggers  
17 and everything that we had, and it's a pretty rigorous process,  
18 and rightly so, because I think those allocation decisions are  
19 some of the biggest ones that we make around this table, and  
20 that's why I had wanted it separated out.

21

22 Here, we kind of go through the process, and, I mean, I don't  
23 think we're doing anything wrong here, but I just don't think  
24 we're being really true to the overall magnitude of what we're  
25 doing without -- If we want to go with this, but then have a  
26 real reallocation decision, and I think we need to do that, and  
27 that would be the case for many of our species, and not just the  
28 ones that are here, but anyway.

29

30 **CHAIRMAN FRAZER:** Thank you, Dr. Stunz. Ms. Boggs.

31

32 **MS. BOGGS:** Thank you, Mr. Chair, and I will go ahead and -- I  
33 am going to speak in opposition to this motion, but I do agree  
34 with what Greg is saying, because I feel like, with these new  
35 FES numbers, the council is making knee-jerk reactions to what  
36 we're trying to do, and, yes, the numbers look good, but we  
37 really don't know what those numbers mean yet, and now we have a  
38 species that's overfished, and is undergoing overfishing, and is  
39 going to be in a rebuilding program, and, yes, I agree with Dr.  
40 Stunz that we don't need to stop this document, and we need to  
41 move forward, but I do think, in the future, reallocation is  
42 something that should be looked at by itself, because there is a  
43 lot of discussion, and it affects people.

44

45 It affects, you know, all sectors of the fishery, and it affects  
46 all their subsidiary businesses, the tackle stores, and, I mean,  
47 it affects everybody, and we don't always look at it  
48 holistically, and so I do agree with what Greg and Mr.

1 Strelcheck are saying, that we probably need to start looking at  
2 allocation on its own, because we try to rush through these  
3 documents sometimes, and I don't think we're doing justice to  
4 the fish or the fishermen. Thank you.

5  
6 **CHAIRMAN FRAZER:** Thank you, Ms. Boggs. It looks like Ms. Levy  
7 has her hand up.

8  
9 **MS. MARA LEVY:** Thank you. Just a couple of things, and so,  
10 regarding the idea of separating the allocation from the catch  
11 level determination, we've talked about this before, and the  
12 reason they're together is because they are linked, and, even if  
13 -- You're going to have to articulate why it's appropriate to  
14 keep the same percentages when that actually does, in fact, in  
15 reality, change the allocation.

16  
17 It changes the fish available to each sector, particularly the  
18 recreational sector, because we're measuring what they're  
19 catching differently, and so, I mean, I'm not advocating for any  
20 particular alternative, but I'm just saying that you're going to  
21 have to consider it, and you're going to have to justify, under  
22 any circumstance, why what you're doing is consistent with the  
23 Act, including National Standard 4.

24  
25 In this particular case, I would just say that -- I mean, the  
26 current -- The alternative that's up for preferred is using  
27 average landings from 1981 to 2004, and so, if you do that, or  
28 if you keep the percentages based on a similar time series, but  
29 the different data, it's like why is it not appropriate to look  
30 at more recent data, and, in this case in particular, you have  
31 Alternative 4, which looks at 1993, right, which is when they  
32 started actually -- The commercial sector had greater amberjack  
33 by species.

34  
35 There are a lot of moving factors here, and I just think -- I  
36 agree with Andy, that you're going to need to be fairly detailed  
37 and articulate, in terms of why what you're doing is appropriate  
38 and consistent with the requirements of the Act. Thanks.

39  
40 **CHAIRMAN FRAZER:** Thank you, Ms. Levy. Mr. Gill.

41  
42 **MR. GILL:** Thank you, Mr. Chairman. I guess the heart of my  
43 concern is we've not had a good discussion, around this table,  
44 about allocation. Chapters 3 and 4 are not yet complete, and  
45 so, in that sense, we're rushing into judgment without all the  
46 information and consideration. I stand corrected.

47  
48 **DR. FROESCHKE:** Chapters 3 and 4 are in the document, and we're

1 prepared to answer questions, or lead through those, and what  
2 might be helpful is to kind of look at some of just the  
3 background information, the purpose and need, and a little bit  
4 of the rationale for why the alternatives are as they are, and  
5 maybe it would provide some of that context, and then we could  
6 have -- We have Dr. Diagne and Dr. Lasseter on hand, if you have  
7 social impacts or economic questions, and they're happy to  
8 answer those.

9  
10 **CHAIRMAN FRAZER:** I tend to agree. Ms. Boggs, real quick, and  
11 then we're going to see where we're going to go here.

12  
13 **MS. BOGGS:** So I would like to ask a question, I guess maybe to  
14 Mara and/or Andy, or Clay, and so I understand that everybody --  
15 That we look at the catches differently, and all the states have  
16 their thing, and we've got FES, and then we talk about the  
17 commercial fishermen, and, well, the commercial fishermen --  
18 They know what they catch, and so why should their number  
19 change?

20  
21 The only reason the commercial sector number should change, in  
22 my mind, is if we get a bump in allocation and they get that  
23 same bump, because their numbers are their numbers, and that is  
24 something that I have never understood. In all species, they  
25 know exactly what they caught, and so why are their numbers  
26 having to change? Why isn't -- Why can't they keep their catch  
27 levels, and, as we get increases, or decreases, their  
28 percentages go the same way, because, I mean, here, it's 484,380  
29 pounds, and then, if we look at Alternative 2, you're taking  
30 them down 140,000. Their numbers don't change. They stay the  
31 same, and that's something that I have always struggled with.

32  
33 **CHAIRMAN FRAZER:** Okay. Thank you, Ms. Boggs, and so we've been  
34 listening to a number of comments, and clearly that there's a  
35 lot of discussion, and we need to work through some of the  
36 details of these alternatives. I do think that there's a value  
37 in letting Dr. Froeschke kind of work through these  
38 alternatives, and the rationale, I guess from a procedural kind  
39 of perspective -- J.D., we can perhaps leave -- You know, we can  
40 vote on this motion, but could choose, perhaps, to table it and  
41 work, again, through the discussion of the various alternatives,  
42 and, when we're done with that discussion, revisit this motion  
43 as the first order of business. J.D.

44  
45 **MR. DUGAS:** Thank you, Mr. Chair. My decision will not change  
46 in working through the document, and so do you mind if we just  
47 take care of it now?

48

1 **CHAIRMAN FRAZER:** I appreciate that your decision might not  
2 change, but I think a lot of people are deciding, you know, how  
3 they feel about their own decisions, J.D., and so that's my  
4 rationale, but, again, it's your motion. We can table it, and I  
5 would suggest that we do that and kind of walk through and have  
6 a discussion, but it's up to you.

7

8 **MR. DUGAS:** Let's vote.

9

10 **CHAIRMAN FRAZER:** Dr. Simmons.

11

12 **EXECUTIVE DIRECTOR SIMMONS:** Thank you, Mr. Chair. Sorry to  
13 interject here, but I do think there's a bit of confusion about  
14 where we are with the document, and maybe, if we did allow staff  
15 the chance to go through it -- We have a new council member, and  
16 I think Mr. Gill wasn't even aware that we have Chapters 3 and 4  
17 completed, and so it just would be a good idea probably for  
18 everyone to go through the document. Sorry.

19

20 **CHAIRMAN FRAZER:** Mr. Dyskow.

21

22 **MR. DYSKOW:** Thank you, Dr. Frazer. I'm in support of this  
23 motion, but I would respectfully suggest that perhaps we could  
24 defer a vote on this motion until after we do exactly what Dr.  
25 Simmons said, and so I'm taking a dual approach. I am  
26 supporting the amendment, but I do think we would all benefit  
27 from more discussion prior to that vote.

28

29 **CHAIRMAN FRAZER:** Dr. Stunz.

30

31 **DR. STUNZ:** As the seconder of this motion, I wanted to see this  
32 motion this morning, but, if we want to go through the document,  
33 to discuss things, I'm totally fine with it.

34

35 **CHAIRMAN FRAZER:** Okay. J.D., I'm just going to go ahead and  
36 let us walk through a description, the history and all the  
37 rationale, and then we will bring this back as the first motion  
38 after that. All right. Thanks, J.D., for accommodating, and I  
39 realize that you wanted to do it now. All right. John, do you  
40 want to go ahead and work us through the document and the  
41 alternatives?

42

43 **DR. FROESCHKE:** Yes, and what I would like to do is go through a  
44 few of the background tables, and I think that has some  
45 important information in there, and then look at the purpose and  
46 need, and then provide the rationale for the various  
47 alternatives. Bernie, could you bring up Table 1.1.1, and so,  
48 other than red snapper, this stock as much regulatory history as

1 just about anything we manage.

2  
3 This table just reflects the six stock assessments that have  
4 been conducted for this species, beginning in 2000, which  
5 include data through 1998, and so what you will see is that,  
6 with each assessment, every time, it's been overfished and  
7 overfishing, including this most recent SEDAR 70 stock  
8 assessment that we're working through now.

9  
10 Unfortunately, it's not because there hasn't been a lot of  
11 action, in terms of management, to try to end overfishing and  
12 rebuild the stock. There was a secretarial amendment, Amendment  
13 30A, that established annual catch limits, ACTs, and sector  
14 allocations.

15  
16 Amendment 35 was a check on the progress from the update, and,  
17 unfortunately, the stock was not responding as we expected, and  
18 so there were additional reductions, along with trip limits,  
19 changes in seasons, and I believe 2015 and 2017 had additional  
20 changes in catch limits, seasons, fishing years, all of which  
21 have been made in an attempt to end overfishing and rebuild the  
22 stock. Essentially, the stock has fluctuated at a fairly low  
23 level, below the minimum stock size threshold, which is the  
24 threshold at which we would declare a stock overfished, but it's  
25 been fairly level, and it just has not responded.

26  
27 SEDAR 70 was -- Well, it was a stock assessment that  
28 incorporated the MRIP-FES data, and so that was one major  
29 change, and so it did incorporate more recent data, and it did  
30 look at where we are relative to the 2016 stock assessment, and  
31 it indicated that we're not making progress on this and that  
32 additional cuts in the quota are necessary to end overfishing,  
33 and so there's two parts to this.

34  
35 There's major reductions in the allowable catch, and that's due  
36 to continued overfished and overfishing status, and so, when we  
37 get that -- We received a letter from NOAA in April of 2021,  
38 indicating that the stock was overfished and overfishing. You  
39 have two years to implement regulations to change that, and so  
40 that's the timeline we're at, and so it's 2022.

41  
42 If you generally assume that you have six months to get  
43 regulatory action in effect, that would be October, and so  
44 that's kind of the timeline we've been working through, and so  
45 it is an accelerated timeline, but the cut in quota is based on  
46 the condition of the stock and what the assessment projects that  
47 is necessary to end overfishing and rebuild the stock by 2027.

48

1 The second part of this is the changes in sector allocation that  
2 are being considered as a result of including MRIP-FES  
3 recreational data in this, and so we can look at those  
4 differences in just a minute, and so we'll go to the 1.1.2  
5 Table.

6  
7 This is the table that just summarizes the relevant metrics from  
8 the stock assessment, and many of you have seen these before.  
9 Essentially, it gives you an estimate of the mortality, the  
10 steepness, some of those stock assessment parameters. The  
11 primary things that I wanted to point out -- There are two  
12 points, and the F current over MFMT, which is that 1.25 value  
13 that's indicated in gray, and values above one mean that it's  
14 overfishing, and so the current rate of removals is too high,  
15 and then, on that bottom block, in the biomass criteria, the SSB  
16 over MSST is 0.83, and so values below one, again, would  
17 indicate that the stock is overfished.

18  
19 The MSST is the minimum stock size threshold, and so, in this  
20 case, the biomass at MSY, which is the MSY proxy -- The MSST is  
21 a buffer between that that allows for some fluctuation around  
22 the MSY biomass without requiring these rebuilding plans all the  
23 time. For amberjack, it is set at 0.5, and so 50 percent. Once  
24 the biomass is 50 percent below the biomass at MSY, that's when  
25 you have a declaration that the stock is overfished. We have  
26 changed that MSST declaration for amberjack, but 50 percent is  
27 as low as that can be set, and we are still below the value, and  
28 so that's where we are for that. Let's go to Table 1.1.3.

29  
30 Table 1.1.3, as you will see in Action 1, the alternatives for  
31 various allocation scenarios are based on reference years of  
32 historical commercial and recreational landings. The current  
33 allocations are based on the commercial information, which is in  
34 Column 2 here, and then the recreational MRIP-CHTS.

35  
36 What we're moving toward now is this recreational FES data, and  
37 so what you will see is, if you look at each year, there is two  
38 to threefold difference in the recreational CHTS data as  
39 compared to the MRIP-FES data, and so that's what's driving the  
40 difference in allocation, and so the way that these are done is,  
41 for example, in the current allocation, the 1981 to 2004 were  
42 selected as reference years.

43  
44 The commercial landings were tabulated with the recreational,  
45 and you get a total, and figure out what percentage of those was  
46 each sector over that reference year, and that's how the  
47 percentages are calculated, and so, in theory, that's what we  
48 would do here. Obviously, there are a number of different

1 reference periods that you could use. The table that we have in  
2 this table extend from 1981, which is the earliest date in which  
3 recreational data really were available, and it extends through  
4 2019.

5  
6 Then, when we step through the alternatives, what I would like  
7 to do is just give you a little bit of rationale relative to why  
8 the alternatives in the document are reasonable and appropriate,  
9 and it's not an opinion of which one to pick, but just what the  
10 rationale for each one of those are.

11  
12 If we go to the purpose and need, and each of our documents will  
13 have a purpose and need in them, and it essentially outlines the  
14 reason the council is considering action and the goals of this,  
15 and so, in this case, the purpose is to modify the rebuilding  
16 plan, because we know the stock is overfished and overfishing,  
17 and an effort to end overfishing and rebuild the stock, and then  
18 the secondary purpose is to reconsider the allocation, as the  
19 allocation that we have right now was based on the MRIP-CHTS  
20 data, which is no longer considered the best scientific  
21 information available.

22  
23 In aggregation, we have the new OFL and ABC recommendations from  
24 the SSC, and so this document integrates that information, and  
25 so the need, as we've stated, is to end overfishing and rebuild  
26 the stock within the timeline, as required by the MSA,  
27 consistent with the best scientific information available, the  
28 FMP objectives, which Ava mentioned just a few minutes ago, and  
29 the newer information on the data.

30  
31 That's kind of why we're here, and now I would like to go to  
32 Action 1. There are two actions in this document. Amberjack  
33 has both annual catch limits and annual catch targets, and so,  
34 for all of the actions -- The total annual catch limit, in these  
35 tables, you will see that as the total ACL is equal to the ABC,  
36 and so the SSC provided OFL and ABC recommendations, and the  
37 total ACL is set equal to those.

38  
39 In Action 2, which we'll get to in just a minute, it provides an  
40 additional management buffer from the ACL, using the ACT Control  
41 Rule for each sector, with a couple of different options. For  
42 your information, this stock has been challenging to manage, in  
43 that both sectors, in various times, have been over, and not  
44 wildly over, and it does have payback provisions, and so any  
45 overage from either sector has to be paid back, on a pound-per-  
46 pound basis.

47  
48 There have been additional management controls put in place, in

1 recent years, and so the overages have been minimized, or non-  
2 existent. However, it will be a new era, because the quotas are  
3 going to be very low considerate to what they were, and so are  
4 there any questions on that before we kind of step through the  
5 alternatives in Action 1? Okay.

6  
7 So Alternative 1, a couple of things to point out here, and so  
8 this is based on an allocation of 73 percent recreational and 27  
9 commercial. This is based on the landings from 1981 through  
10 2004, as established in Reef Fish Amendment 30A in 2008, and so  
11 this information was based on the MRIP-CHTS recreational data.  
12 It's not consistent with the best scientific information  
13 available. It is included in the document as the no action, and  
14 it's not a viable alternative.

15  
16 Let's go to Alternative 2, and Alternative -- There are four  
17 action alternatives, Alternatives 2 through 5, and so the way  
18 this was handled is the SSC, in November of 2021, provided the  
19 OFL and ABC recommendations, for each alternative, and they are  
20 slightly different, and that's conditioned on the sector  
21 allocations, and the reason that the catch levels vary, based on  
22 the sector allocation, is there are differences between  
23 selectivity and discard rates between the commercial and  
24 recreational sectors, and so, depending on how the fleets  
25 operate, you're going to get slightly different recreational and  
26 commercial ACLs, depending on the alternatives selected, and so  
27 it's about a 5 percent difference, overall, and it's not as  
28 large as, for example, I think what we saw in red grouper, but  
29 it is there, and so that's why the total ACLs vary for the  
30 alternatives within a given year.

31  
32 The second component of this is you will see that there is a  
33 yield stream, and so, for each year, from 2022 through 2027,  
34 which is the end of the rebuilding period, the total ACL does  
35 increase, and that's consistent with our assumption that the  
36 stock size will continue to grow, and so, to maintain a constant  
37 fishing mortality rate, you are allowed to harvest more fish,  
38 and so we'll see that same pattern through each of the action  
39 alternatives.

40  
41 On all of the tables, in the far-right column, you will see the  
42 allocation of recreational to commercial, and so, again, it's  
43 73/27, and so what I will do now is just give you a little bit  
44 of rationale for each of the alternatives and why they're  
45 included in there.

46  
47 Alternative 2, what that does is it simply maintains the current  
48 73 to 27 percent allocation that was established in Amendment

1 30A, and so there wasn't any considerations to the reference  
2 years of the landings data, and it just maintains that  
3 percentage, and you can see projections from the Science Center,  
4 and recommendations from the Science Center, and so,  
5 essentially, you'll look at it, and what I'm going to do, in the  
6 tables, is look at the year 2023, because 2022 is going to be  
7 over, in terms of what we're going to be doing here. For  
8 example, the total ACL is 649,000 pounds, 473,000 to the  
9 recreational and 175,000 to the commercial, and so both of those  
10 would increase throughout, maintaining the 73/27.

11  
12 Alternative 3, and so, Alternative 3, what this does is it --  
13 Instead of maintaining the percentage that we established in  
14 30A, this maintains the reference years, and so Amendment 30A  
15 used 1981 through 2004, and so, essentially, rules-of-thumb for  
16 using reference years for landings, we try to use a long time  
17 series, so it's more representative over a period.

18  
19 Some complications are that more recent years, when you have  
20 many regulatory actions that control the sector catch, the  
21 fisheries are not operating in absence of management, and so you  
22 can reinforce what you already have, and, in this case, we  
23 established sector allocations in 2008, and so you would expect  
24 that the allocation percentages that were established would be  
25 reinforced through the landings, because of management, and so  
26 we'll see that.

27  
28 What this one does is it just keeps that same reference years,  
29 1984 through 2004, and there really weren't too many management  
30 measures in place. There were some, through the Reef Fish  
31 Amendment 1, but it simply updates those percentages, and so  
32 what you will see is that the allocation is transferred from the  
33 commercial to the recreational, owing to that increase in the  
34 FES estimate, and so that's simply what it is.

35  
36 Let's go to -- I will point out the other thing with Alternative  
37 3, and so it's 84 percent recreational and 16 percent  
38 commercial, and that's the largest percentage, of the  
39 alternatives that we consider, to the recreational sector, just  
40 for your information.

41  
42 Alternative 4, what you will see is a slightly different  
43 reference year, and so, essentially, the methodology of how it  
44 was calculated is exactly the same as Alternative 3, but it just  
45 uses 1993 through 2007. The reason that this timeframe wouldn't  
46 start until 1993 is there were -- Prior to this, the commercial  
47 landings were not identified as landed per species, and they  
48 were landed as jacks as an aggregate, and then there was some

1 poststratification analysis to try to determine what percentage  
2 of those jacks were amberjack, versus lesser amberjack or almaco  
3 jack or something, and so it's thought that they are likely less  
4 precise in that earlier period.

5  
6 From 1993 onward, we think that that seems -- That we have  
7 handled, and so why does it end in 2007? Again, one rationale  
8 is you want as long of a time series as possible, and, from 2008  
9 onward, we do have this allocation on the books, and so you  
10 would expect that you would achieve, and reinforce, the  
11 allocation already beyond that, and so that's why we considered  
12 this alternative from 1993 to 2007, to try to balance the idea  
13 of getting a long time series with avoiding those later years  
14 that already have an allocation on the books that would  
15 influence your calculations.

16  
17 Alternative 5 is the same methodology, and you can see the  
18 general ballpark of the landings are similar, and, again, it  
19 starts at 1993, and this tradeoff is, while realizing that 2009  
20 through 2019 do have a sector allocation, this provides longer  
21 reference years, a longer set of years, to make these reference  
22 comparisons, and so we extend it through 2019, which is the most  
23 recent data that we have for this purpose in this document, and  
24 so that's the caveat. The landings are 80 percent recreational  
25 and 20 percent commercial.

26  
27 One thing that I will say, on these, is there's not tons of  
28 difference between -- It's 84/16, 80/20, 78/22, and so, for good  
29 or bad, they're in the same neighborhood, but I understand that  
30 each of those percentages is quite important in these kinds of  
31 discussions, and so do you want me to stop here, and then we can  
32 do Action 2 after you've had the discussion on this?

33  
34 **CHAIRMAN FRAZER:** Yes, John, I do. I think it's an appropriate  
35 time. I mean, J.D. had the motion up on the board, and this is  
36 a logical follow-on from this discussion, and so we'll put  
37 J.D.'s motion back on the board, and I will open discussion  
38 again. Mr. Anson.

39  
40 **MR. ANSON:** Just going back to our previous discussion, before  
41 we got into the document, as to whether or not there's anything  
42 in Chapter 3 that you wanted to cover before we got into this,  
43 John.

44  
45 **DR. FROESCHKE:** I wasn't planning to go through it, necessarily,  
46 but just to make sure that you all know that we have the subject  
47 matter experts available to answer questions and that those  
48 analyses are complete in the document.

1  
2 **CHAIRMAN FRAZER:** Okay. Are there any other questions on the  
3 motion to make Alternative 3 the preferred? Mr. Gill.  
4  
5 **MR. GILL:** Thank you, Mr. Chairman. Part of my problem with  
6 Alternative 3, aside from the fact that everybody is looking at  
7 the right-hand column, and that's the decision point, is that  
8 it's exclusively old data. It's forty to eighteen years ago,  
9 and it's a different fishery and a different time, and it seems  
10 inappropriate to choose just that to make that decision.  
11  
12 The other alternatives, for the most part, are similar to that,  
13 with the exception of 2, of course, but Alternative 5 has got  
14 the more recent timeframe, albeit that that one has some issues  
15 associated with it, and so where I landed was, although my  
16 preference is Alternative 2 -- **I would like to make a substitute**  
17 **motion and make Alternative 2 in Action 1 the preferred.**  
18  
19 **CHAIRMAN FRAZER:** Okay. We'll get that substitute motion up on  
20 the board. While we're doing that, is there a second to that  
21 motion?  
22  
23 **MS. BOGGS:** I will second.  
24  
25 **CHAIRMAN FRAZER:** It's seconded by Ms. Boggs. All right. Let's  
26 get it up on the board, real quick, and so the substitute motion  
27 is, in Action 1, to make Alternative 2 the preferred, and I know  
28 you just kind of explained your rationale for that, Mr. Gill.  
29 Do you want to provide any further thoughts, before we open it  
30 up?  
31  
32 **MR. GILL:** Thank you, Mr. Chairman, and so that does represent  
33 the current allocation percentages, but, also, it gets us out of  
34 the quagmire of Alternative 3 and ancient data, which bothers  
35 me, because we have a different fishery now than the alternative  
36 provided, whereas Alternative 2 doesn't have that same issue. I  
37 rest my case.  
38  
39 **CHAIRMAN FRAZER:** All right. Dr. Stunz.  
40  
41 **DR. STUNZ:** Bob, I will professionally disagree on this, because  
42 I think, a lot of fisheries, we're going back way in time, and,  
43 believe me, I understand that, the further we go back in those  
44 time series, the less confident we are in that data, but we have  
45 made those conversions, and, by the way, that's for all  
46 fisheries, but we also gain a lot of power in our information by  
47 going back in those long-time data series, but we did do the  
48 conversions, where, you know, you knew what percentage of those

1 might be, you know, lesser versus amberjack, and, I mean, I  
2 think that's a pretty robust way to do it, and it offsets the --  
3  
4 You get -- You know, if you looked at just your bang for your  
5 buck, or pros and cons, you're getting more value out of the  
6 long-term dataset, and that also would have implications, you  
7 know, for a lot of other fisheries as well, if we wanted to  
8 truncate that, but I would also say this is exactly why, you  
9 know, we want to separate these conversions from the allocation,  
10 and this is sort of case in point here, but, anyway, that's just  
11 --

12  
13 **CHAIRMAN FRAZER:** Mr. Gill.

14  
15 **MR. GILL:** Thank you, Mr. Chairman, and thank you, Dr. Stunz,  
16 and so the South Atlantic -- I don't know if they still do it  
17 this way, but they used to do what was called Boyle's Law, and  
18 Boyle's Law was they took the entire timeframe -- 50 percent of  
19 the entire timeframe and 50 percent of the most recent 50  
20 percent of the timeframe, and that's what they used as their  
21 year set, if I remember this correctly, and I didn't  
22 particularly like that one, because that put all the emphasis on  
23 the front-end, the current stuff, but at least it tried to  
24 achieve a balance between current and past.

25  
26 Alternative 3 does not. There is no such balance, and I think  
27 we need to consider that, because we're talking different  
28 fisheries in different times, and so I don't think Alternative 3  
29 is appropriate, and I am offering Alternative 2.

30  
31 **CHAIRMAN FRAZER:** Mr. Strelcheck.

32  
33 **MR. STRELCHECK:** Well, I don't typically weigh-in on allocation  
34 issues, but I'm going to offer a second substitute motion.

35  
36 **CHAIRMAN FRAZER:** I'm glad that I got that plane back, and so  
37 we'll offer up a second substitute motion.

38  
39 **MR. STRELCHECK:** In Action 1, to make Alternative 4 the  
40 preferred.

41  
42 **CHAIRMAN FRAZER:** All right, and so the second substitute motion  
43 on the board is, in Action 1, to make Alternative 4 the  
44 preferred. Is there a second for that substitute motion?

45  
46 **MR. GILL:** I second it.

47  
48 **CHAIRMAN FRAZER:** It's seconded by Mr. Gill. Andy, do you want

1 to provide some rationale?  
2

3 **MR. STRELCHECK:** Yes. Thank you, Mr. Chair. As we mentioned  
4 earlier, I think it's really important, obviously, that we look  
5 at the goals and objectives of the fishery, as well as kind of  
6 the previous rationale and how we're updating, or modifying,  
7 allocation decisions, and so the current allocation is based on  
8 fairly old data at this point.

9  
10 Part of our allocation policy states that we should consider  
11 whether or not this remains relevant to current fishery  
12 conditions, and I have a hard time justifying selection of  
13 status quo, or even Alternative 3, with data that's thirty to  
14 forty years old. It's also noted, in the amendment, that there  
15 are problems with identification of amberjack prior to 1993, and  
16 so our previous allocation is based on that, but we now have  
17 newer, better information, and so I would argue that Alternative  
18 4 is preferable, because it would rely on a timeframe when  
19 landings were identified to species.

20  
21 Then, in contrast to Alternative 5, although I don't think --  
22 Arguably, you could not use Alternative 5, and Alternative 5  
23 will artificially affect allocation, because it incorporates a  
24 time when quotas were in place, and so it's going to  
25 artificially restrict how much a sector may harvest or not and  
26 reward sectors that go over their quota, or maybe penalize  
27 sectors that are under their quota, more or less so, and so I  
28 think Alternative 4 strikes a nice balance.

29  
30 It has, I think, defensible data, in terms of updating the  
31 allocations. It is more recent, and it avoids some of the  
32 limitations of some of the other allocation approaches at this  
33 point, and I will also point out, from the economic analysis,  
34 that, if you look at Section 4.1, the economics, there is,  
35 obviously, some tradeoffs between the net economic value, and  
36 these kind of balance those economic losses amongst the sectors.

37  
38 **CHAIRMAN FRAZER:** Thank you, Mr. Strelcheck. It looks like Ms.  
39 Levy has her hand up.

40  
41 **MS. LEVY:** Thank you. My comment was really to the other,  
42 Alternative 2, and so I will defer. Thanks.

43  
44 **CHAIRMAN FRAZER:** All right. Sorry that I missed you earlier,  
45 Mara. Okay. Is there any further discussion of this second  
46 substitute motion? Mr. Dyskow.

47  
48 **MR. DYSKOW:** Thank you, Mr. Chairman. Just as a question, or a

1 point of order, Bob brought up, Bob Gill brought up, Alternative  
2 2, and now this is Alternative 3, which you seconded, and so did  
3 you withdraw your alternative, or are you voting for -- You have  
4 two up there, essentially. You seconded this one, and you  
5 presented the previous one, and you withdrawing that?

6  
7 **MR. GILL:** No, and there's nothing out of order with that.

8  
9 **MR. DYSKOW:** Okay.

10  
11 **CHAIRMAN FRAZER:** Okay. Are there any more comments on this  
12 second substitute? Ms. Boggs.

13  
14 **MS. BOGGS:** I am on the fence as to what I'm going to do about  
15 this, and I probably would not have an issue with this, except  
16 for the fact that we're reallocating 5 percent of the quota to  
17 the recreational sector, and this is a sector that is unlimited,  
18 unrestricted, and the charter/for-hire is a part of that sector.  
19 However, we are limited. We're under a moratorium, and we've  
20 got a fishery that is overfished, and it's undergoing  
21 overfishing, and it's in a rebuilding plan, and I just don't see  
22 how we can reallocate additional fish to a sector that we don't  
23 have a handle on, and I'm not sure what I'm going to do with  
24 this. Thank you.

25  
26 **CHAIRMAN FRAZER:** Okay. I am not seeing any other hands up. I  
27 suspect we have a -- Go ahead, Mr. Williamson. Sorry.

28  
29 **MR. WILLIAMSON:** Some of this is over my paygrade, but it  
30 appears to me that we've got a stock that's overfished, and  
31 undergoing overfishing, and we would choose that OFL that is the  
32 lowest among all of these alternatives, and that is Alternative  
33 3. Further, I would object to the characterization that the  
34 recreational sector is unaccountable, and so that seems to be an  
35 old argument that rattles around this table, and I thought we  
36 had gotten away from that, but that's my point. Thank you.

37  
38 **CHAIRMAN FRAZER:** Thank you, Mr. Williamson. Ms. Boggs.

39  
40 **MS. BOGGS:** Maybe okay, and so we'll stop talking about  
41 unaccountable anymore, but it's unrestricted. There is more and  
42 more and more boats out there, with more recreational anglers,  
43 and there is no restriction there, and I understand this is a  
44 national resource, but sometimes we overlook that somehow -- If  
45 we don't protect this resource, there's not going to be anything  
46 left out there to go catch, and I am not saying to restrict the  
47 recreational fishermen, but my point is it's just an unlimited  
48 number of people that are accessing this resource, and, somehow,

1 we've got to get a restraint on that, or there's not going to be  
2 a resource left to catch.

3

4 **CHAIRMAN FRAZER:** Dr. Porch.

5

6 **DR. PORCH:** Thank you, Chair. I just wanted to make the case  
7 that, for Alternatives 2 through 5, all of the ABCs get you to  
8 the same place, and so the magnitude doesn't matter so much,  
9 because they have taken into account the change in the size of  
10 fish being caught by the different fisheries, and so the reason  
11 why the ABC is lower in some cases -- It's lower where you give  
12 more fish to the recreational fishery, because of the higher  
13 discards and the selection towards smaller animals, and so all  
14 of that is taken into account, and so the actual magnitude of  
15 the OFL and the ABC is neutral here. They all get you to the  
16 same rebuilding place.

17

18 **CHAIRMAN FRAZER:** Thanks, Clay, for making that point. All  
19 right. I am not seeing any other hands related to an interest  
20 in asking a new question. I am going to take a show of hands on  
21 this motion, and I'm going to try to get away with that.

22

23 **I realize there will probably be a wide variety of opinions on**  
24 **it, but so all of those in favor of the second substitute**  
25 **motion, which is, in Action 1, to make Alternative 4 the**  
26 **preferred, raise your hands. We've got C.J. on the line. Is he**  
27 **taken care of?**

28

29 **DR. SWEETMAN:** I am in opposition.

30

31 **CHAIRMAN FRAZER:** Okay. The motion -- What is the tally, five  
32 yes. **All those opposed.** Okay. So we'll get the tally on the  
33 board.

34

35 **MR. DYSKOW:** I am nay.

36

37 **MS. BOGGS:** I abstain.

38

39 **CHAIRMAN FRAZER:** Okay, and so the motion fails eight to five,  
40 **with one abstention, it looks like.** We will go back to the  
41 first substitute motion, which was to make Alternative 2 the  
42 preferred. We're going to go through the same exercise, and I  
43 would ask people that are in favor of this motion to hold their  
44 hands high, and raise them, so we can get them counted. **All**  
45 **those in favor.**

46

47 I will read the motion again. **The substitute motion is, in**  
48 **Action 1, to make Alternative 2 the preferred. Alternative 2 is**

1 to maintain the sector allocations as 73 percent recreational  
2 and 27 percent commercial and to revise the OFL and ABC, as  
3 recommended by the SSC, based on SEDAR 70, and so set the total  
4 stock ACL equal to the ABC. All of those in favor of this  
5 motion, raise your hand.  
6

7 **MS. LEVY:** Mr. Chair?

8  
9 **CHAIRMAN FRAZER:** Yes?

10  
11 **MS. LEVY:** I think you had some hands up from when this was on  
12 the board before.  
13

14 **CHAIRMAN FRAZER:** Okay. Let me make sure that I'm squared away  
15 here.  
16

17 **MS. LEVY:** Including me.  
18

19 **CHAIRMAN FRAZER:** Go ahead, Mara.  
20

21 **MS. LEVY:** I just wanted to make a comment regarding this,  
22 before you voted on it, and, you know, I heard, you know, Bob  
23 Gill say about using outdated data, but just to recognize that  
24 this percentage was originally based on data, right, from 1981  
25 to 2004, and so I just wanted to throw that out there and make  
26 sure that you're thinking about that, and, you know, maybe  
27 talking about why it's still appropriate to carry that forward,  
28 these percentages. Thanks.  
29

30 **CHAIRMAN FRAZER:** Okay. C.J., it looks like you had your hand  
31 up as well?  
32

33 **DR. SWEETMAN:** My hand is just raised for the vote.  
34

35 **CHAIRMAN FRAZER:** Okay. I know that we talked about the  
36 historical record underlying this alternative, and, Mara, I  
37 didn't know if you wanted more discussion specifically to that  
38 issue?  
39

40 **MS. LEVY:** Just if this -- I mean, if you end up moving forward  
41 with this, in the end, I think there needs to be some discussion  
42 about why it's appropriate, given what it's based on, right, and  
43 so you're carrying forward, but why is that appropriate, in this  
44 context, given the fact that it was based on data from that same  
45 time series that was indicated by some people was old and data  
46 using, right, MRFSS, and so I just think there needs to be some  
47 discussion about why that's appropriate, if you end up moving  
48 forward with this, you know, in the end. Thanks.

1  
2 **CHAIRMAN FRAZER:** Okay. Clay, did you want to say something?  
3 It looks like you're itching over there.  
4  
5 **DR. PORCH:** Yes, and I thought, to Mara's point, I would just  
6 remind the council that Action 2 is a de facto reallocation,  
7 because the year range that they used was also using the older -  
8 - We talk about older data, but the old MRFSS stuff, and now we  
9 have FES, and so you would be basing your original percentage on  
10 the old MRFSS stuff, which gave lower estimates, and then you  
11 would be monitoring in FES, and so it's a de facto reallocation,  
12 and it's the same discussion we've had with red grouper and some  
13 of the others.  
14  
15 **CHAIRMAN FRAZER:** All right. Thanks, Clay, for clarifying. I  
16 am not seeing any other interest in weighing-in on that issue at  
17 the moment, and so we're going to go ahead and take a vote on  
18 this one as well. **All those in favor of the motion, which is,**  
19 **in Action 1, to make Alternative 2 the preferred, signify by**  
20 **raising your hands, two in favor. C.J. Three. Okay. All**  
21 **those opposed. The motion fails three to ten.**  
22  
23 That will bring us back to the original motion. Ms. Boggs,  
24 before we get there, go ahead.  
25  
26 **MS. BOGGS:** Well, it doesn't pertain to the motion. I forgot  
27 that we had another one on the board, and so maybe I should hold  
28 my question.  
29  
30 **CHAIRMAN FRAZER:** If it's not directly related to the motion, I  
31 think that would be good. Okay. We have the original motion,  
32 in Action 1, to make Alternative 3 the preferred. Do we need to  
33 read that into the record, Dr. Simmons, or are we good?  
34  
35 **EXECUTIVE DIRECTOR SIMMONS:** Yes, that would be great. Thank.  
36  
37 **CHAIRMAN FRAZER:** I'll go ahead and read it. Okay. **Alternative**  
38 **3 is to revise the allocation between the recreational and**  
39 **commercial sectors using MRIP-FES-adjusted average landings**  
40 **during the years 1991 through 2004, and the allocation for**  
41 **greater amberjack is 84 percent recreational and 16 percent**  
42 **commercial, and to revise the OFL and ABC as recommended by the**  
43 **SSC, based on SEDAR 70, which was done in 2020. All of those in**  
44 **favor of this motion, signify by raising your hand, nine in**  
45 **favor; all those opposed. C.J., do you have a -- We have four.**  
46 **The motion passes.**  
47  
48 All right, and so, again, just to let people know where we're

1 at, this will be the preferred, as it is in the committee, and  
2 I'm sure we'll revisit in Full Council, but it's for the  
3 purposes of a public hearing document. All right. John, would  
4 you like to go ahead and continue working through the document?  
5 Excuse me. Ms. Boggs.

6  
7 **MS. BOGGS:** I don't know who this question is for, but when did  
8 amberjack convert to FES? What year did we start using FES as  
9 the calibration, or the new science?

10  
11 **CHAIRMAN FRAZER:** Dr. Froeschke.

12  
13 **DR. FROESCHKE:** Well, we're still back-calibrating, right now,  
14 to CHTS. When this amendment goes into effect, we'll convert to  
15 FES.

16  
17 **MS. BOGGS:** So the numbers we're looking at are not FES? I  
18 understood that they were converted to FES.

19  
20 **DR. FROESCHKE:** No, they are in FES, but we haven't implemented  
21 this. In terms of what's considered in this document, all of  
22 the recreational data, historically, are presented in both FES  
23 and in CHTS. The entire assessment was based on the FES data.

24  
25 **MS. BOGGS:** That assessment was when?

26  
27 **DR. FROESCHKE:** What's that?

28  
29 **CHAIRMAN FRAZER:** When was the assessment completed, John, the  
30 SEDAR 70?

31  
32 **DR. FROESCHKE:** SEDAR 70 was completed in 2020, and 2018 was the  
33 terminal year, and the recommendations from the SSC were made in  
34 November of 2021.

35  
36 **MS. BOGGS:** The reason I'm asking is, to Dr. Porch's comments,  
37 and you're saying we're using old numbers, et cetera, but all  
38 this has been converted, and so I suppose, in my mind, that  
39 maybe that's where a lot of this confusion is. We've got MRFSS,  
40 MRIP, or CHTS, FES, but don't use that data, because it's old  
41 data, but the old data has been converted, but I do understand  
42 the argument that Andy had about the 1993, but it's like we're  
43 playing the shell game and how much can we confuse everyone  
44 until we get what we want, and maybe it's just me, but I'm just  
45 -- I'm not happy with how all of this is going. Thank you.

46  
47 **CHAIRMAN FRAZER:** Okay. John, go ahead, and we'll start working  
48 through the second part of this document.

1  
2 **DR. FROESCHKE:** Okay. Action 2, this would consider the  
3 modification of annual catch targets, and so amberjack is  
4 monitored with annual catch limits and annual catch targets,  
5 which is an additional management buffer that accounts for  
6 uncertainty in the implementation of management, and we have  
7 historically used ACTs, and there is some uncertainty in  
8 controlling the seasons, to constrain them to the annual catch  
9 limits, and so both of these are managed with seasons.

10  
11 The recreational has a fixed season. It's currently now, which  
12 we have modified a number of times, where we have a fall season  
13 and then a one-month spring season, and, of course, there is the  
14 emergency rule that's going to modify that for this year, for  
15 2023.

16  
17 The commercial sector has also seen a number of changes, and so,  
18 historically, there were overages in the commercial, and it's  
19 managed, and it's not an IFQ species, but there is a three-month  
20 closed season, March through May, and we've used trip limits  
21 that have become progressively smaller through time. The way it  
22 is now is it's a thousand-pound trip limit until 75 percent of  
23 the ACT is met, and then it steps down to 250 pounds, and this  
24 has been in effect for a couple of years now, and it seems to be  
25 effective in constraining the catch at or below the ACL.

26  
27 As typical for stock assessments, when we go through this, we  
28 have an ACL/ACT Control Rule that we apply, and, typically, the  
29 way that we do this is we get the most recent years of data, and  
30 we put this through a spreadsheet calculation, and it results in  
31 buffers for both the recreational sectors, and so we've done  
32 that here.

33  
34 The way the alternatives are structured is that Alternative 1  
35 would just be the no action, and it would maintain the  
36 recreational buffer of 17 percent recreational and 13 percent  
37 commercial, which would essentially reflect the calculations the  
38 last time we did this for an assessment. The reason that there  
39 are two action alternatives, in particular, 2020 was a very  
40 unusual year, both in terms of our ability to monitor the  
41 landings and the activity of fishermen, because of all things  
42 COVID, and so we have presented a separate option, and so we  
43 used the reference years of 2016 through 2019.

44  
45 The calculations are in the appendices, if you're interested,  
46 and it's a fairly straightforward calculation. It considers  
47 overages, our ability to constrain the fishery, stock status,  
48 things like that, and the results of this are, for Alternative

1 2, which is the 2017 through 2020, it would be a 13 percent  
2 recreational buffer and a 7 percent commercial buffer, and so  
3 those would both be smaller buffers than we have for Alternative  
4 1 under status quo.

5  
6 Then Alternative 3 would be a 17 percent recreational buffer,  
7 which would essentially reflect what the recreational buffer is  
8 now, and then the commercial buffer would be reduced to 7  
9 percent, from 13 percent, relative to Alternative 1.

10  
11 **CHAIRMAN FRAZER:** All right. Thank you, Dr. Froeschke. Again,  
12 what we're faced with here is trying to potentially work through  
13 these alternatives in the action items, potentially, or  
14 preferably, pick a preferred, as we send this document out for  
15 public hearing, and so this is the second and final action in  
16 the document, and we can certainly pick one in Full Council,  
17 should we choose, but I would entertain any discussion toward  
18 that direction now. Mr. Gill.

19  
20 **MR. GILL:** Thank you, Mr. Chairman, and so I have to admit that  
21 I'm kind of surprised at the difference between Alternative 2  
22 and Alternative 3. That suggests to me that 2020 was a  
23 significantly different year, for whatever reason, Deepwater  
24 Horizon, how we captured the landings, et cetera, and, that  
25 being that case, that suggests that Alternative 3 makes better  
26 sense, to reflect the fact that 2020 in Alternative 2 is  
27 significantly different. **With that in mind, I move that, in**  
28 **Action 2, Alternative 3 is the preferred.**

29  
30 **CHAIRMAN FRAZER:** All right, and so we have a motion by Mr. Gill  
31 that, in Action 2, to make Alternative 3 the preferred. Is  
32 there a second? J.D. Okay. Again, just to remind people,  
33 Alternative 3 is to apply the ACL/ACT Control Rule for the years  
34 2016 through 2019 to revise the buffer between the ACL and the  
35 ACT for each sector. The recreational buffer is 17 percent, and  
36 the commercial buffer is 7 percent. Bob provided some  
37 rationale. Is there any further discussion on the motion? Ms.  
38 Boggs.

39  
40 **MS. BOGGS:** I agree with Bob, and, I mean, we just had this  
41 discussion to use the most recent time series, and then, when  
42 you look at this, so -- I think I've said this before, and  
43 there's no way to fix it, and I realize that, and the  
44 inconsistencies, and, again, it's like -- To me, I would go with  
45 Alternative 2, because it uses the most recent time series, but,  
46 in this case, it doesn't seem to fit the picture, because I  
47 would prefer to see the 17 percent recreational buffer, and so I  
48 feel like I'm being a hypocrite here, and so I want to support

1 this motion, but, again, it's just -- I don't know.

2

3 **CHAIRMAN FRAZER:** Dr. Stunz.

4

5 **DR. STUNZ:** I support this motion as well, and part of the  
6 reason that I was supporting the past Alternative 3 motion was  
7 because I had an intent to support this motion as well, based on  
8 what Troy had mentioned a little bit too, in terms of the status  
9 of this fishery.

10

11 This does give us a little bit more of a buffer, in terms of  
12 some of the issues that we might be experiencing there, and so  
13 it just gives us a little bit of leeway, and so I think this is  
14 probably a little more conservative way to go, and I support  
15 your motion, Bob.

16

17 **CHAIRMAN FRAZER:** Okay. I am not seeing any other hands. C.J.,  
18 is your hand up? I just wanted to double-check.

19

20 **DR. SWEETMAN:** Yes, Dr. Frazer, it is.

21

22 **CHAIRMAN FRAZER:** Go ahead.

23

24 **DR. SWEETMAN:** I had a quick question for Dr. Froeschke. I am  
25 curious if there are any other buffers that are in place right  
26 now, and I know we're talking about the ACL and the ACT, but I'm  
27 wondering about like the OFL and the ABC, or if there is another  
28 buffer between the ABC and the ACL, and I'm just wondering if we  
29 could discuss that for a second.

30

31 **DR. FROESCHKE:** Sure. We can go back to Action 1, the tables,  
32 if you want, but there are large buffers, and so the OFL is  
33 approximately 2.5 million pounds, I believe, and then the ABC is  
34 based on the F rebuild, because it's in a rebuilding program,  
35 and so there's about a million-and-a-half-pound, I think, off  
36 the top of my head, buffer between the OFL and the ABC. The  
37 total ACL is equal to the ABC, and then so the buffer, the  
38 management buffer, here would be between the ACL and the ACT.

39

40 **DR. SWEETMAN:** Thank you, Dr. Froeschke.

41

42 **CHAIRMAN FRAZER:** Okay. Thank you, John, for providing that  
43 information on the fly. Mr. Strelcheck.

44

45 **MR. STRELCHECK:** A couple of comments. One, I don't -- Either  
46 alternative, I support, and I think it's obviously good, in  
47 terms of the buffers, but keep in mind that, I mean, we're  
48 looking at ACLs in the hundreds of thousands of pounds, and so

1 we're talking about buffers that are different by only 10,000,  
2 or 20,000, pounds, and that is miniscule in comparison to,  
3 obviously, the data that we collect on these fisheries.

4  
5 The other point that's not lost on me here is there's this  
6 tradeoff between the decision we just made in Action 1 and what  
7 we're choosing here, in terms of Action 1, in that we choose a  
8 higher allocation for the recreational sector in Action 1, but  
9 then you're going to buffer it, and that's what we're going to  
10 manage to, in Action 2, right, and so you're kind of offsetting  
11 the rationale and benefit of the allocation change, and you  
12 could potentially accomplish that, in the same way, with a  
13 different allocation and a smaller buffer.

14  
15 The other thing of note is that there's, obviously, a  
16 substantial buffer already between the overfishing limit and the  
17 ABC, recognizing that the main reason for that is we have to  
18 rebuild this stock, given the problems we've had with  
19 overfishing.

20  
21 **CHAIRMAN FRAZER:** Okay. Are there any further comments on this  
22 motion? I am not seeing any. **Is there any opposition to this**  
23 **motion?** Okay. **The motion carries without opposition.** Mr.  
24 Gill.

25  
26 **MR. GILL:** Thank you, Mr. Chairman, and this question is asked  
27 out of ignorance, but how old is our ACL/ACT Control Rule, and  
28 do we need to relook at that?

29  
30 **DR. FROESCHKE:** I believe it was created in the Generic ACL/AM  
31 Amendment, and so eleven years.

32  
33 **CHAIRMAN FRAZER:** Okay. Mr. Chair, I think we're pretty close  
34 to a logical breaking point. It looks like Dr. Froeschke has a  
35 question here.

36  
37 **DR. FROESCHKE:** Just to close the loop here, our plan would be  
38 to take this document out for public hearing between this  
39 meeting and October and notice it for final action in October,  
40 and I just wanted to make sure that the committee was aware, if  
41 there was any --

42  
43 **CHAIRMAN FRAZER:** It's good to do that, and, I mean, I mentioned  
44 it earlier, but, again, just to kind of clarify further, right,  
45 and so this is a committee, and we've got two preferreds on the  
46 books. We'll bring it back at Full Council. If they are  
47 supportive in Full Council, we'll incorporate them into the  
48 public hearing document, and that document will go out for

1 public hearing, and we'll revisit the issue again in October.  
2 Okay. All right. Do you want to take -- Mr. Strelcheck. I'm  
3 sorry.

4  
5 **MR. STRELCHECK:** Tom, we can handle this before or after the  
6 break, but I do want to discuss beginning development of a  
7 framework action for amberjack. We aren't modifying management  
8 measures in this amendment, because of the short timeframe for  
9 development, but keep in mind that we just implemented an  
10 emergency rule to change the recreational season, and there may  
11 be some appropriate commercial management measures that we need  
12 to think about modifying.

13  
14 **CHAIRMAN FRAZER:** Yes, and so we can go ahead, and it would  
15 probably give me a little bit of time to think about that, and  
16 kind of structure that discussion, and so we'll do it right  
17 after the break, if that's okay with the Chair.

18  
19 **MR. DIAZ:** Yes, sir. We are going to take a fifteen-minute  
20 break, and we're going to come back at 10:10. Before we do  
21 that, I want to recognize that we have two former council  
22 members in the audience, Mr. David Walker from Alabama, and  
23 thank you for being with us, David. We appreciate your  
24 presence, and Mr. Doug Boyd from Texas. Thank you, Doug. It's  
25 good to see you. If you get a chance, say hi to those folks.  
26 Fifteen minutes, and we'll come back at 10:10. Thank you.

27  
28 (Whereupon, a brief recess was taken.)

29  
30 **CHAIRMAN FRAZER:** Right before the break, Mr. Strelcheck  
31 reminded us that we have an emergency rule in place as it  
32 relates to greater amberjack, and that rule is set to expire, if  
33 we don't renew it, after 180 days, and then potentially move it  
34 up for another 186, but I guess Andy's suggestion is that we  
35 might want to consider the development of a framework action to  
36 solidify some of the management things in the rule, and is that  
37 correct, Andy?

38  
39 **MR. STRELCHECK:** Thanks, Mr. Chair. With regard to the  
40 framework action, so we recognize that, in Amendment 54, we're  
41 under a very tight timeline to get the revised rebuilding plan  
42 and catch levels in place, and so we can't include those  
43 management measures in Amendment 54, and so I'm recommending  
44 that we do a separate framework action, and the reason for the  
45 framework action is that emergency rule will be expiring, and  
46 so, if we do not take action, we would revert to the August 1  
47 fishing season for recreational, and then the Fisheries Service  
48 would close amberjack once we project, or determine, that the

1 catch limit has been met, or the catch target has been met.

2  
3 Similarly, given decisions about allocation, the lowering of the  
4 catch limits on the commercial side, there may be some  
5 commercial management measures that we want to consider, in  
6 terms of modifying how the commercial fishery is managed.

7  
8 **I would like to make a motion to direct staff to begin**  
9 **development of a framework action for greater amberjack to**  
10 **modify commercial and recreational management measures.**

11 Certainly, if I have a second, I can talk further, if we want to  
12 refine that, in terms of specific management measures the  
13 council would want to pursue.

14  
15 **CHAIRMAN FRAZER:** Okay. We've got a second to the motion by Dr.  
16 Shipp. All right. Do we want to add any specificity to the  
17 motion, I guess to get the discussion rolling, to help provide  
18 staff some guidance? Mr. Gill.

19  
20 **MR. GILL:** Thank you, Mr. Chairman. I am not convinced that we  
21 need to add any specificity, but I am curious, Andy, whether you  
22 have thoughts on what some of those measures might be, areas of  
23 consideration, where are you going, and you've probably got this  
24 all laid out, pretty much in great detail, and I'm interested in  
25 just the high points.

26  
27 **MR. STRELCHECK:** Well, I mean, the two immediate things that  
28 come to mind would be revisiting modification of the  
29 recreational fishing season and determining whether or not we  
30 want to maintain a later opening in the fall or some other  
31 structure of the recreational season, and then, for the  
32 commercial fishery, it's managed, really primarily, with a size  
33 limit, a trip limit, and a catch limit, and so your  
34 modifications to, in particular, the trip limit, we want to  
35 make, because of the catch limit reduction.

36  
37 **CHAIRMAN FRAZER:** Okay. I think, again, to have some discussion  
38 about what might potentially go in that framework action is  
39 worth thinking about, and a couple of things are at least on the  
40 board already, with regard to the recreational seasons, and, as  
41 you just pointed out, the commercial trip limits. I would  
42 encourage people to think a little bit about it between now and  
43 Full Council, to help provide some ideas that would aid staff in  
44 the development of the framework, but, in the short-term, we'll  
45 go ahead and vote on this motion. **Is there any opposition to**  
46 **the motion?** All right. **I am not seeing any, and so the motion**  
47 **carries without opposition.** Mr. Anson.

48

1 **MR. ANSON:** Relative to your comment about staff -- Giving  
2 comment to staff, I guess, at Full Council, is that, if there is  
3 time for staff to go back and look at some of those items that  
4 we had previously looked at, and I know there's one that's  
5 unpopular, but, based on where we are, that might come up again,  
6 and that's relative to the bag limit for the recreational, but  
7 just if they can go back and look and review those documents and  
8 look at the specific topics, or items, that were discussed  
9 previously, just for frame of reference. Thank you.

10  
11 **CHAIRMAN FRAZER:** Right, and so we can certainly have discussion  
12 with staff prior to Full Council, and we'll revisit some of  
13 that. Okay. We are going to close the book on AJs for the time  
14 being, and that will lead us into our next agenda item. All  
15 right, and so we have a Final Action: Modification of Catch  
16 Limits for the Gulf of Mexico Red Snapper. Mr. Rindone, if you  
17 want to walk us through this.

18  
19 **FINAL ACTION: MODIFICATION OF CATCH LIMITS FOR GULF OF MEXICO**  
20 **RED SNAPPER**  
21

22 **MR. RINDONE:** All right. Thank you, Mr. Chair. This is Tab B,  
23 Number 8 in the briefing book, but I'm sure Number 1 in your  
24 hearts. Council staff will review the options in the draft  
25 framework to modify the catch limits for red snapper, and this  
26 is based on the updated catch analysis that was reviewed by the  
27 SSC, and it includes looking at the couple of absolute abundance  
28 studies that were done in the Gulf, the Great Red Snapper Count  
29 and then the one done for the State of Louisiana by LGL.

30  
31 Combined, and with some adjustments that you can read about in  
32 the scope there, these studies estimate -- This analysis, using  
33 the data from these studies, estimate about 85.6 million age-  
34 two-and-older red snapper to be present. Based on this  
35 information, the SSC offered a revised OFL of 18.91 million  
36 pounds and an ABC of 16.31 million pounds.

37  
38 You guys have previously transmitted two framework actions to  
39 the agency, one that was based, previously, on just the Great  
40 Red Snapper Count and one that would implement the calibration  
41 ratios that were initially presented back in, I think, 2020 to  
42 the SSC, and both of those documents are being moved forward by  
43 the agency together, and I think Mr. Strelcheck would be best to  
44 talk about where they are in the process, but I think they're  
45 getting near the finish line.

46  
47 This document is pending final action, and there's only one  
48 action, with a couple of alternatives in it, and so you guys --

1 As we're going through it, which will be quick, we'll get some  
2 updates on public comments received from Ms. Muehlstein, and  
3 then SERO can go through the codified text. If you have any  
4 questions or changes, we should make those now. Andy, can you  
5 brief the committee on where the other two framework actions  
6 currently are in the rulemaking process?

7  
8 **MR. STRELCHECK:** Thanks, Ryan, and so we have wrapped up a  
9 public comment period on that joint rulemaking, and so we  
10 combined the catch limit increase with the calibration action.  
11 Right now, we're working on addressing public comments received  
12 during the rulemaking, and we will, obviously, base any further  
13 decision, in terms of moving forward with final rulemaking, on  
14 that review of public comment and input and consistency with  
15 Magnuson.

16  
17 **MR. RINDONE:** Mr. Chair, at this point, I can review the  
18 council's preferred alternative, and then we can go into public  
19 comments and then talk about the codified text. Does that sound  
20 good?

21  
22 **CHAIRMAN FRAZER:** That sounds excellent, Ryan.

23  
24 **MR. RINDONE:** Okay. Bernie, can you bring the document up, and  
25 just go straight to Chapter 2? Where we are now is with an OFL  
26 of 15.5 million pounds and an ABC of 15.1 million pounds, and so  
27 this framework action, if you guys were to select Alternative 2  
28 here, which is recognized by the SSC as being consistent with  
29 the best scientific information available, that would raise the  
30 OFL to 18.91 million pounds and 16.31 million pounds, and then  
31 all of the remaining percentage adjustments for the commercial  
32 and recreational ACLs and whatnot, moving all the way down into  
33 the state-specific private angling ACLs, would be adjusted as  
34 described in that calculations column. While you guys are  
35 looking at that, I will call up Ms. Muehlstein to give the  
36 public comments.

37  
38 **MS. EMILY MUEHLSTEIN:** Okay. I'm ready. Since this is a  
39 framework action, we took this out to public hearings by  
40 creating a public hearing video, as well as sort of just  
41 noticing the opportunity to comment on our website, as well as  
42 on our social media channels.

43  
44 We did receive 1,057 views of that public hearing video, which  
45 indicates that the issue was interesting to our public.  
46 However, we only received eighteen comments on the issue, and I  
47 will go ahead and I will start by summarizing what we heard that  
48 -- The comments that we heard that were specific to the document

1 itself.

2  
3 We did hear support for Alternative 1, which is the no action  
4 alternative, and those folks that were supporting Alternative 1  
5 noted that the inshore snapper fishery is not as productive as  
6 it used to be, that the stock has been locally depleted in the  
7 last couple of years, that the quota should be decreased  
8 slightly, rather than increased, that the stock is healthy and  
9 does not need to be overfished with an increase to our annual  
10 catch limits, and that an increase to the annual catch limit  
11 will harm the fishery more than it will help it.

12  
13 We did also hear support for Alternative 2. Those folks that  
14 were supporting Alternative 2 noted that red snapper are  
15 abundant, that it is impossible to catch anything but red  
16 snapper, that the council should raise catch limits, so that the  
17 recreational seasons can be lengthened, that the states are  
18 managing well and that they should be given more quota to work  
19 with. Red snapper are everywhere, and management resulting from  
20 incorporation of the Great Red Snapper Count doesn't raise catch  
21 limits enough.

22  
23 We also heard some comments that did not pertain to this  
24 document, but were specific to red snapper, and I will just  
25 review those very quickly. We heard that the council should  
26 consider regional management of red snapper based on biomass,  
27 and we heard that it's good expensive to go offshore and only  
28 bring home two red snapper at a time. We heard that the bag  
29 limit should be raised to three per person, and we also heard  
30 that it should be raised to four per person.

31  
32 We heard that the minimum size limit should be raised to  
33 eighteen inches and that the council should consider a slot  
34 limit for red snapper that would allow the larger breeders to  
35 survive. We heard that the season should be set on weekends,  
36 May through November, the season should be open in the fall, and  
37 that there should be some sort of fall mini-season created, and  
38 that finalizes the public comment report.

39  
40 **CHAIRMAN FRAZER:** Thank you, Ms. Muehlstein. Yes, Mr. Dugas.

41  
42 **MR. DUGAS:** Thank you, Mr. Chair. A question for Emily. It  
43 seems there is mixed emotions, all over the Gulf, or I'm  
44 guessing all over the Gulf, and so is there a way that we can --  
45 Do we know where these views are coming from, if there's a more  
46 or less western and eastern --

47  
48 **MS. MUEHLSTEIN:** That's a really great question, and so,

1 actually, if you go onto our website, right on our homepage, at  
2 the sort of very bottom, you can go to the comments themselves,  
3 and I haven't done that analysis, and I'm sure I could do a  
4 breakdown for it, if you wanted, and not only feelings maybe  
5 that were geographically referenced, but I think it might be  
6 important to also look at sector, whether or not it was federal,  
7 for-hire, or private anglers, and so, since it's eighteen  
8 comments, I think you could probably go in there, but, if you  
9 would like me to sort of dig deeper, I'm happy to.

10  
11 **CHAIRMAN FRAZER:** Ms. Boggs.

12  
13 **MS. BOGGS:** Since we're talking about comments, and I know it's  
14 not on the website or anywhere, but I have heard from anglers  
15 all over the Gulf coast, and I have heard from anglers that come  
16 on our boat that fish, that own their own boat in other areas,  
17 asking the captain that where are the red snapper, and we can't  
18 find any red snapper, we're not catching any red snapper, and  
19 all the red snapper are small, and that's not just from Orange  
20 Beach, Alabama. That's from a port in Louisiana, and there's  
21 people from south Florida, and the other thing that I am hearing  
22 is that the fish are smaller.

23  
24 I can personally attest that, on the boats at our marina, and  
25 not just the charter boats, but the private recreational boats  
26 alike, and we had a boat captain that came to our marina, and he  
27 is probably the best boat captain in Orange Beach, Alabama.  
28 He's been doing this for fifty years, and he came in, and he  
29 said, have you got a torch? I said, why, and he said, I'm going  
30 to burn my GPS book. He was gone for two days, and he did not  
31 find one red snapper.

32  
33 That's some pretty big testimony, to me, when you've got one of  
34 the best recreational -- He's got a private boat, and not a  
35 charter boat, and I'm sure it's going to pass with Alternative  
36 2, increasing the limits, but I really caution this council.

37  
38 We don't have a good grip on the red snapper fishery, the  
39 amberjack fishery, the gag grouper fishery, the triggerfish  
40 fishery, and we don't have a good handle on these, and these  
41 decisions that we make are going to be very impactful, and it  
42 really concerns me that I think the path we're getting ready to  
43 go down is to increase this. I've had private recreational  
44 fishermen, as well as charter fishermen, come and say, please  
45 don't give us any more fish. Thank you.

46  
47 **CHAIRMAN FRAZER:** Mr. Dugas.

1 **MR. DUGAS:** Thank you, Mr. Chair. Speaking for the Louisiana  
2 waters, I would have to disagree. We have a lot of red snapper.  
3 I personally fished the last three weeks, and, if you want to  
4 catch any other species, you're challenged to get through the  
5 snapper and the amberjack.

6  
7 We have fish all over, and so I understand, and I hear what  
8 Alabama is saying, but it's not the same in Louisiana, and I  
9 think that we should look at a regional approach, for this exact  
10 reason right here.

11  
12 **CHAIRMAN FRAZER:** Ms. Boggs and then Dr. Shipp.

13  
14 **MS. BOGGS:** I am not going to belabor this. I mean, every area  
15 is different, and, as I stated, I have talked to boats in South  
16 Florida, and they're catching red snapper, yes, and they say the  
17 red snapper are thick, forty-six to fifty-plus miles from shore.  
18 I understand that the western delta block, Louisiana delta  
19 block, has no pressure, because they're not Orange Beach,  
20 Alabama, and they don't have 500,000 boats going out of there  
21 every year to fish, and I get that there is different areas that  
22 have fish, but I have had fishermen from Louisiana get off of  
23 our boat and say that they can't find a red snapper. Now, maybe  
24 they're not a good fisherman, and maybe they don't have an i-  
25 Pilot, and I don't know, but there is a problem, and it's Gulf-  
26 wide.

27  
28 **CHAIRMAN FRAZER:** Dr. Shipp.

29  
30 **DR. SHIPP:** I just wanted to comment that we've been running  
31 snapper surveys out of Dauphin Island for twenty-two years now,  
32 and we still have plenty of red snapper, more than we know what  
33 to do with.

34  
35 **CHAIRMAN FRAZER:** General.

36  
37 **GENERAL SPRAGGINS:** Just in reference to that, I mean, we're not  
38 seeing anything in Mississippi to say any different. Obviously,  
39 if you look at our catch limits right now, we're about normal  
40 where we were, or just a little bit under, just due to what we  
41 had for cost of fuel and what people are doing, but I don't  
42 know, and we're just not seeing any difference. We're seeing a  
43 good amount of snapper, and so I think that the allocation is  
44 still there.

45  
46 **CHAIRMAN FRAZER:** Thank you, General Spraggins. Mr. Strelcheck.

47  
48 **MR. STRELCHECK:** I mean, this is a great discussion, and I have

1 heard a lot of input from many constituents around the Gulf,  
2 like you guys are sharing right now, and I think it is very  
3 regionally-centric, in terms of some of the problems that I'm  
4 hearing about, as well as some of the areas which are probably  
5 doing better.

6  
7 The science is unequivocal, in terms of telling us that there's  
8 a lot more fish out there than we at least previously knew. The  
9 challenge is that most of those fish exist in uncharacterized  
10 bottom that aren't frequently fished, because they're in low  
11 densities.

12  
13 You know, I have a hard time going against the science, because,  
14 obviously, it's the information available to us, but one of the  
15 things that I think would be really beneficial for this council,  
16 if we move forward with increasing the catch limit, is what are  
17 the metrics and things that we should be considering, going  
18 forward, to assess whether or not this is effective and  
19 efficient, and, yes, we can wait until the next stock assessment  
20 and the research track, but there are certainly things that we  
21 can be doing, I think, in between now and then --

22  
23 (There is a brief gap in Mr. Strelcheck's comments.)

24  
25 -- contrary to what we would normally do, in terms of increasing  
26 a catch limit, and we have heard from our constituents, at  
27 times, when they've expressed these concerns, and opted not to  
28 increase catch limits, vermilion snapper being a recent example,  
29 and cobia and others, and so I share this because I think it's  
30 really important that, however this vote goes, we really do need  
31 to talk about what we want to do in terms of metrics for  
32 evaluating these fisheries, going forward, and how we consider,  
33 obviously, kind of the success, or benefits, of changes to  
34 management, in light of, obviously, this new information and  
35 science.

36  
37 **CHAIRMAN FRAZER:** Thanks, Andy. I know we've got Ms. Boggs and  
38 then Mr. Anson, but, Ms. Boggs, if I can just take a second to  
39 respond to Andy's point. I totally agree that it's important to  
40 think about what metrics that we might visit to evaluate the  
41 consequences of the decisions that we make as a council.

42  
43 The question I have is, is the council the appropriate body to  
44 develop the metrics, or identify those metrics, and my  
45 preference would be to ask the SSC, based on the information  
46 that's available to them, to identify those that would indicate  
47 what is the consequences, again, of our actions, and so what we  
48 would be looking at with regard to CPUE, for example, and what

1 we would be looking at for lengths or weight information, all of  
2 those types of things, in order to say, hey, you know, we went  
3 down the wrong path, or things are going to be okay, and I don't  
4 think we have that type of dialogue with the SSC, at the moment.  
5 I totally agree with you, that we need that, and I think that  
6 the metrics need to be identified with our other body first.  
7 Ms. Boggs.

8  
9 **MS. BOGGS:** I absolutely agree with Mr. Strelcheck and Dr.  
10 Frazer. I mean, I think that's very important, that we look at  
11 how we move forward with this, but the one other comment that I  
12 did want to make is I am hearing a lot of comments about smaller  
13 fish, and so what about the discards?

14  
15 I mean, if I had to guess, and I will just use an example, and  
16 we had a charter the other day, and I understand that it's the  
17 quality of the fisherman and that type of thing, but you had one  
18 red snapper versus twenty-six discards, and so how many of those  
19 discards survived?

20  
21 That's the problem that I'm seeing, is, when you get in these  
22 areas of regionalized depletion, and even areas where they're  
23 saying there's an abundance of fish, they're saying everything  
24 they're catching is smaller fish, and so now we're back to we're  
25 missing that age class of fish, because we overfished that  
26 sixteen to seventeen-inch size fish, age class, and so that's  
27 something else that we have to consider, when we do things like  
28 this, is giving the opportunity to catch more fish, but how many  
29 more fish are we releasing and not surviving, and so I think we  
30 need to look at discard mortality, or think about that, when we  
31 make these decisions. Thank you.

32  
33 **CHAIRMAN FRAZER:** Mr. Anson.

34  
35 **MR. ANSON:** I think what Andy had said is probably pretty  
36 appropriate. I mean, we've had discussions, here in prior  
37 meetings, recognizing that red snapper -- We have the most data  
38 of any fish, with red snapper, and so we should be able to look  
39 at data, various sources of data, whether it's federal, or even  
40 state, data, and Dr. Shipp mentioned the long time series that  
41 we've had here in Alabama, since the late 1990s, and we've also  
42 had other data that's been ongoing since 2011, or 2012, and that  
43 essentially made up the proportion of Alabama's component of the  
44 Great Red Snapper Count, and so, I mean, there's certainly some  
45 data that we can all look at to try to get a handle as to  
46 decisions that we make and whether the decisions will be  
47 impactful, or not impactful, but it certainly, in my mind,  
48 brings in the discussion of optimum yield and whether or not we

1 can look in the fishery, at least the recreational side of the  
2 fishery, in terms of optimum yield, because, you know, there is  
3 still a need for folks to have access, but, as we're hearing  
4 now, when we provide more access, at least in the northern Gulf,  
5 it does have an impact on the fish.

6  
7 We've been catching more fish here lately, and that has affected  
8 the fishery. Has that affected the fishery to the point where  
9 it's no longer sustainable, and we're losing ground? That's  
10 still up for further analysis, and so I would be certainly  
11 interested in trying to find out, you know, how we can better  
12 look at this fishery in between assessments, to kind of help  
13 guide our decisions, and whether or not it goes to the SSC  
14 first, or comes to us with suggestions, and then have the SSC  
15 review -- I guess it doesn't matter, and, ultimately, the  
16 council will look at it, but I think that would be appropriate.

17  
18 **CHAIRMAN FRAZER:** Thank you, Mr. Anson. Dr. Stunz.

19  
20 **DR. STUNZ:** I wanted to add to that discussion. I mean, I  
21 certainly would advocate, you know, kind of what Tom was saying  
22 about let's let the scientists look at this and really carefully  
23 vet that. I'm not saying that we don't keep a close pulse on  
24 what's happening, and we certainly want to do that, and I think  
25 the patterns that we're seeing and hearing around these  
26 comments, and what we're observing and all that, is clear  
27 evidence of differences in regional exploitation and how that  
28 fishery is carried out.

29  
30 I know I've said this at this table, and I'm going to say it  
31 again, in terms of the Snapper Count, but the part that gets,  
32 you know, not much attention was that we had this astonishing  
33 percent return rate on our tagged fish, that were tagged all  
34 throughout the Gulf of Mexico, and where would that return rate  
35 come from? Very popular fishing areas close to shore, and it's  
36 kind of a no-brainer, especially with the fuel prices and  
37 everything going on, and we have, you know, probably even  
38 differences of how that's taking place, but so I think that's  
39 generally what we're seeing, but, of course, we're not seeing  
40 that in all areas, and so I think that's something to be very  
41 clear, very on top of, and study.

42  
43 I would caution us, a little bit, to be making decisions on  
44 anecdotal information. If we go to the science that we have,  
45 and, of course, I'm an advocate for the Great Red Snapper Count,  
46 obviously, but we did show those fish abundance in the  
47 uncharacterized bottom, but, even if you halve what we found --  
48 You know, we're managing fifteen million pounds, or whatever it

1 is, eighteen now, if we decide to approve this.  
2  
3 We showed -- You know, pick your weight, but 700 to 800 million  
4 pounds of fish are out there, and, if you halve that, to 300 or  
5 400 million pounds of fish, there's still a lot of snapper that  
6 are out there, but we're having more of these regional  
7 exploitation issues, and so I would encourage that we really  
8 look at the whole picture and have our SSC really vet this  
9 before we get too far into this, and so I think adding three  
10 million pounds is not going to be a big issue in the overall  
11 impact of the fishery.

12  
13 **CHAIRMAN FRAZER:** Dr. Porch.

14  
15 **DR. PORCH:** Thank you. I just wanted to remind everybody that  
16 these conversations that we were having were actually exactly  
17 what the SSC was talking about. There was a lot of concern that  
18 you might have some localized depletion, as Andy pointed out,  
19 and Greg, there is about two-thirds of the population that is on  
20 the, quote, unquote, uncharacterized bottom, much of which is  
21 low density, and so people don't fish there, but red snapper  
22 don't just instantly mix.

23  
24 As Bob and many of you know, they show a lot of site fidelity.  
25 Yes, there's some movement, but it's not like they're just  
26 swimming all throughout the Gulf instantaneously, and so, if you  
27 fish an area hard, you would expect that you might see some  
28 localized depletion, and, in fact, that could even be a  
29 management strategy.

30  
31 It remains to be seen what the trends are for 2022, since we're  
32 doing the surveys now, but that will be something that will be  
33 interesting to see when the operational stock assessment is  
34 conducted, to see an update, in terms of what the abundance was  
35 in the uncharacterized region in 2022, relative to when the  
36 Great Red Snapper Count was conducted.

37  
38 Another point I would make is that the SSC pointed out that, if  
39 you look at the original stock assessment, which granted didn't  
40 get the numbers right for the whole stock, but it got them spot-  
41 on for the area where the fishery actually operates, and, with  
42 that assessment, if you look east versus west, it did predict  
43 that the east would decline much faster than the west, and that  
44 does seem to be happening, at least in the areas that are  
45 fished, and so none of this is too, too surprising.

46  
47 The broader question is in fact what is happening in that  
48 uncharacterized region and is this just a local depletion, or

1 are we seeing a depletion overall of the stock, and hopefully  
2 we'll get some better idea when we get our latest survey results  
3 in 2022.

4

5 **CHAIRMAN FRAZER:** Thank you, Dr. Porch. Ms. Boggs.

6

7 **MS. BOGGS:** Something that we need to consider, and I know the  
8 science, but I also look at it realistically, is you've got a  
9 lot of bigger, faster boats, and they will go offshore fifty or  
10 sixty miles, and they will start finding this uncharacterized  
11 bottom, and I'm afraid that that's going to be our next issue  
12 that we have to face, because I see it at our fuel dock every  
13 single day.

14

15 It's not these little twenty-foot center consoles anymore, and  
16 it's the forty-five or forty-seven-foot Freemans, with quads,  
17 and now they've got the quinces, where you've got five motors,  
18 and, I mean, the boats are getting bigger and faster, and  
19 there's a lot of them that are reaching out to go find those  
20 fish, and so that's just something to think about. Yes, there's  
21 the uncharacterized bottom, but, the next thing we know, that's  
22 just going to be the regular fishing grounds. Thank you.

23

24 **CHAIRMAN FRAZER:** Dr. Stunz.

25

26 **DR. STUNZ:** I wanted to follow-up on something else, and I don't  
27 disagree with Susan, and I want to make just this one comment,  
28 Tom, to Susan's point. The fish on the uncharacterized bottom,  
29 when you sum-up the total vast area of the uncharacterized  
30 bottom, it does come out to a relatively low density, but, when  
31 there are places out there where what we call relief anomalies,  
32 whatever they are, artificial reefs or shipwrecks or whatever,  
33 or natural bottom, they are in high densities, when you find  
34 those areas, and so, yes, they could get exploited, with  
35 technology and that sort of thing, and so that certainly  
36 something that we want to keep an eye on, but we're only talking  
37 here about -- They're still constrained to the eighteen million  
38 pounds.

39

40 What I really wanted to comment on was this discards, because  
41 surely we're going to have a lot more discussion, this week and  
42 in the future, on discards, but, in addition to that 30 percent  
43 return rate we got from the Great Red Snapper Count, from the  
44 tagging piece -- You know, that's 30 percent of the fish  
45 survive, and think of the probability of capturing a tagged fish  
46 and return, with all the other snapper out there, and so we  
47 probably missed a bunch of that, and so what I'm trying to say  
48 is that it's showing that what we're doing, in terms of this

1 fishery, in terms of SeaQualizers and venting and those kind of  
2 things, are really working.

3  
4 You know, you can successfully reduce discard mortality, and I  
5 just want to make sure that all that good information coming out  
6 of that isn't lost in just how many snapper are out there, but  
7 our discard work that we're implementing is in fact working, and  
8 it has the potential to do even more.

9  
10 **CHAIRMAN FRAZER:** Thank you, Dr. Stunz. Mr. Strelcheck.

11  
12 **MR. STRELCHECK:** Great conversation, and so I wanted to tie a  
13 few thoughts together here, in terms of people's statements, and  
14 so, one, thanks, Tom, for your comments back on my earlier  
15 comment, and I agree with you, and I think the SSC plays an  
16 important role here, as well as the Science Center, in terms of  
17 developing those metrics.

18  
19 Like with any good science, we often end up with more questions  
20 after we perform that good science, right, and so credit to Greg  
21 and the team for producing an abundance estimate, and now the  
22 question is, that was a snapshot in time, and how has that  
23 abundance estimate changed, and where are we trending, and what  
24 does that mean for us going forward?

25  
26 Kevin mentioned the optimum yield, and that's really one of the  
27 kind of head-scratchers for me right now, is how does this fit  
28 into our constructs of Magnuson, with regard to accomplishing  
29 maximum sustainable yield, and then where does optimum yield lie  
30 in this, because we've often talked about commercial sector and  
31 recreational sector having kind of different objectives, with  
32 access being important to the recreational sector, more so than  
33 maybe yield for the commercial sector.

34  
35 Then Clay mentioned, you know, connectivity, and I will throw in  
36 productivity, right, and so we now know that there's a lot more  
37 fish in this uncharacterized area than we previously knew about,  
38 and what's the connectivity between inshore and offshore, or  
39 offshore to inshore, and what does that mean, if we're going to  
40 have localized depletion, in terms of replenishment of those  
41 inshore areas, and then, more importantly, did that offshore  
42 stock, or portion of the population, kind of maintain the  
43 productivity of this stock at some lower sustainable level, as  
44 we started to rebuild the population years ago, and does that  
45 mean there is changes in the status determination criteria?

46  
47 I dropped a lot more questions than answers on that right now,  
48 but I think it's important that we're having this conversation,

1 going forward, because it really will mean that we can not only  
2 move forward with the science, but the management. Thanks.

3  
4 **CHAIRMAN FRAZER:** Thank you, Andy, for tying all those comments  
5 together and giving us kind of a path forward in how we want to  
6 approach the discussion. All right. I am not seeing any other  
7 hands at the moment, and so -- Mr. Dugas.

8  
9 **MR. DUGAS:** Thank you, Mr. Chair. I have a question pertaining  
10 to the document.

11  
12 **CHAIRMAN FRAZER:** Go ahead.

13  
14 **MR. DUGAS:** All right. It might be for Ryan, but Alternative 1  
15 versus Alternative 2, and, Ryan, could you explain a little bit  
16 why, on Alternative 2, the OFL and the ABC are different,  
17 versus, in Alternative 1, they were the same number?

18  
19 **MR. RINDONE:** The OFL and the ABC are different in both  
20 alternatives, and the ABC and total ACL are equal, because  
21 that's what you guys have currently designated, and so the OFL  
22 in Alternative 1 is 15.5 million pounds, and the ABC is 15.1  
23 million pounds. Then, in Alternative 2, the OFL would increase  
24 to 18.91 million pounds, and the ABC would increase to 16.31  
25 million pounds.

26  
27 The important thing to note here is the new difference between  
28 the OFL and the ABC between the alternatives. In Alternative 1,  
29 the difference is about 2.6 percent, and then it's about 13.7  
30 percent in Alternative 2, and so it's more of a buffer than  
31 we've had in the past for this stock, and that's a recognition,  
32 by the SSC, of the scientific uncertainty that was inherent with  
33 the analysis that was done and the data that were available to  
34 be used.

35  
36 **CHAIRMAN FRAZER:** J.D.

37  
38 **MR. DUGAS:** So the SSC recommended the buffer be 13.7 percent?

39  
40 **MR. RINDONE:** Their recommendation for ABC ultimately brought  
41 them to that 13.7 -- To a value that was commensurate with that  
42 13.7 percent, and they didn't have a conversation and say, you  
43 know, we think 13.7 percent is good, and it was based on  
44 multiple analyses, including looking at the amount of the UCB  
45 that was likely to be subject to fishing effort, understanding  
46 that, back in the day, there wasn't quite the available  
47 technology and the bathymetry data that are available now.

48

1 Now, it's -- You could easily argue that there isn't a spot in  
2 the Gulf of Mexico that a boat can't get to. Whether or not  
3 they go there to fish is a different story, but there isn't  
4 anywhere that is not accessible, and the technology, like the  
5 sounding equipment and stuff, is light years ahead today from  
6 where it was even fifteen years ago.

7

8 **CHAIRMAN FRAZER:** J.D.

9

10 **MR. DUGAS:** Thank you for clarifying, Ryan, and so, as I recall,  
11 the Great Red Snapper Count said, and, what is it, north of a  
12 hundred -- Was it a hundred million pounds, and we're only  
13 allowing 2.6 million?

14

15 **MR. RINDONE:** The Great Red Snapper Count went through a couple  
16 of revisions, and Dr. Stunz is best to speak about that, and  
17 this analysis, that was done by the Science Center and reviewed  
18 and considered consistent with BSIA by the SSC, took the Great  
19 Red Snapper Count for the states of Texas, Mississippi, Alabama,  
20 and Florida, and then the LGL study for the State of Louisiana,  
21 and it combined them.

22

23 It also factored in a poststratification analysis of the  
24 nearshore depth strata for the State of Florida, and it also  
25 factored in an analysis of the percent utilization of the UCB  
26 that was vulnerable to fishing effort, based on -- It looked at  
27 commercial trip data, and it took inferences from recreational  
28 fishing effort, and the SSC reviewed that and agreed upon a  
29 percentage that they thought was appropriate, like the  
30 percentage of that UCB that they thought was vulnerable to  
31 fishing pressure.

32

33 Obviously, if you considered the entire Gulf equally vulnerable,  
34 then that would have driven the catch limit up, but, in  
35 practice, the Gulf -- Everywhere in the Gulf is not equally  
36 vulnerable to fishing pressure. People are going to gravitate  
37 first towards areas of identifiable structure, because most  
38 people understand red snapper to be reef-associated, and so the  
39 best place to start looking for them is where you can identify  
40 some structure.

41

42 It would be unlikely, and uncommon, for a vessel to just be  
43 cruising around over wide swaths of uncharacterized bottom and  
44 doing the drop-and-hope, in hopes that they might catch a red  
45 snapper, and so the CPUE over those areas would be desperately  
46 low, but it constitutes a considerable amount of real estate in  
47 the Gulf of Mexico, and so, even very low abundances, say per  
48 small unit area of red snapper, it's a ton of area, and so it

1 ends up resulting in a ton of biomass. It's just it's so spread  
2 out that it's difficult for a fisherman to target.

3

4 **CHAIRMAN FRAZER:** General Spraggins.

5

6 **GENERAL SPRAGGINS:** I have a question about the document, and, I  
7 mean, I'm not sure if this is the correct time, but one of the  
8 things that I wanted to ask -- I realize that we're talking  
9 about raising the ACL, and I realize what we're looking at with  
10 this, and I also realize that Secretary Raimundo has not signed  
11 the other documents yet, and so my concern is that she has not  
12 signed the one that has the calibration.

13

14 The question I have is, if you look at Table 2.1.3, and it gives  
15 calibration on there, is it necessary to have that in this  
16 document, because we're basically not -- I guess the question is  
17 we're not asking for calibration, and we're asking for an ACL  
18 increase, and is that correct, in this document?

19

20 **CHAIRMAN FRAZER:** I am going to let Mr. Rindone respond to this  
21 more generally, but I would just say that one of the reasons  
22 that you have the calibrations in the document is you are  
23 providing a complete set of information that provides the basis  
24 for the recommendation, moving forward, but, Ryan, do you want  
25 to expand on that?

26

27 **MR. RINDONE:** I do. You guys have already submitted the  
28 calibration ratios from the previous framework for  
29 implementation. They were accepted by the Science Center as  
30 being consistent with the best scientific information available,  
31 and, because of that, and because of their pending  
32 implementation, they're included in this document.

33

34 We expect that they will be implemented, and so, when that  
35 happens, whether they're included in this document or not, they  
36 would be applied to the results of this document, and they would  
37 still be codified, and so the other risk, and I would look down  
38 the table, towards Dr. Porch, is that, if we don't characterize  
39 what we know the calibration ratios are, and how they affect the  
40 catch limits -- I guess the question would be whether or not the  
41 catch limits that we would be representing as the council's  
42 preferred alternative here are consistent with BSIA, because  
43 they would be absent the adjustments for the calibration ratios,  
44 which have already been recognized as being consistent with  
45 BSIA.

46

47 **CHAIRMAN FRAZER:** Clay, do you want to weigh-in?

48

1 **DR. PORCH:** Yes. At this point, no, it wouldn't be consistent,  
2 and so you do need to make those calibrations.

3  
4 **MR. RINDONE:** So, General Spraggins, I think that answers the  
5 question. I mean, we would have to include the effects of those  
6 calibration ratios in this table, because we have already  
7 recognized them as currently being consistent.

8  
9 Now, moving forward, if the work of the transition team, with  
10 the states, leads to revised calibration ratios, then we would  
11 go through another framework action to basically do what we did  
12 the last time, to do that again, with those revised ratios, and  
13 then the council would go through its normal framework action  
14 process, where it would submit that for implementation.

15  
16 **GENERAL SPRAGGINS:** So that means that calibration could be  
17 readdressed in the future?

18  
19 **MR. RINDONE:** Absolutely.

20  
21 **GENERAL SPRAGGINS:** And it could readdressed with the states'  
22 data, but other things would depend on what we're working on,  
23 and I guess that's the only question I had. I mean, I thank you  
24 for the 3,000 pounds that you're trying to give us, but I don't  
25 want to lose the 90,000 pounds that you're trying to take away  
26 from me, and I guess the biggest question that I had, too, was  
27 I've been back and forth in this, this morning, with myself and  
28 others, but, you know, since Secretary Raimundo has not signed  
29 the other document, and even though it's been through its  
30 comment period and all, the question is, will this supersede  
31 that document, and, if so, if I vote for this, am I saying that  
32 I agree with calibration?

33  
34 **MR. RINDONE:** So the catch -- Hot potato, Mara.

35  
36 **CHAIRMAN FRAZER:** Ms. Levy.

37  
38 **MS. LEVY:** Thank you. A couple of things. Your vote on the  
39 calibration is complete. The agency's work on the rulemaking  
40 for that, and considering public comments and all that sort of  
41 thing, is not complete. The reason to include it here is  
42 because it is proposed right now, and we do want to give people  
43 the full picture of what is out there and what information we  
44 have and the things that are being considered by the agency, and  
45 this does that.

46  
47 This tells you, you know, if that rule is finalized as proposed,  
48 and then this document gets approved and finalized, in addition

1 to that, you can see, very clearly, what the resulting catch  
2 limits would be, and so I guess that's my answer to the question  
3 is, from the council's perspective, you have already approved  
4 submission of the calibration framework. This is not a comment  
5 on that from you, in my opinion, but it does interplay with  
6 that, which is why the information is here.

7

8 **CHAIRMAN FRAZER:** A follow-up, General?

9

10 **GENERAL SPRAGGINS:** Yes, and I guess I understand that, but the  
11 whole thing -- Obviously, we did a thing last year, and we  
12 passed it, and we sent it straight forward, and we sent it to  
13 the Secretary, and the Secretary has not signed this, and this  
14 has been almost a year, and the Secretary has not signed this,  
15 and the Secretary -- It's been out of comments for over two  
16 weeks, I think, right, and am I correct on that? It's been out  
17 for over two weeks, I think.

18

19 **CHAIRMAN FRAZER:** I believe you're correct.

20

21 **GENERAL SPRAGGINS:** My question is, should we wait until maybe  
22 the next meeting before we finalize this, to see what Secretary  
23 Raimundo wants to do, as to whether or not she wants to sign  
24 that first document, before we give her a second, supersede it  
25 with a second, document?

26

27 **CHAIRMAN FRAZER:** I am going to let Andy -- I know, Susan, you  
28 had your hand up, but, Andy, to that point?

29

30 **MR. STRELCHECK:** Well, I will reiterate what Mara said, which is  
31 the decision to submit the calibration document, as well as the  
32 prior catch limit change, has already been submitted to the  
33 agency, and this is a logical outgrowth of those actions, with,  
34 obviously, them pending at this point, but any decision by the  
35 agency to approve or not approve the calibration action, or that  
36 ACL increase, to me, is independent and separate from what we're  
37 doing here, because all we're focusing on is changing the catch  
38 limit.

39

40 The reality is, regardless of calibration, we were essentially  
41 at, what, a 15.1 million ACL, and the proposed rule before us  
42 would increase it to 15.4, and this is going to increase it to  
43 16.3, if approved by the council, and then that will or will not  
44 be calibrated, based on any final decisions by the agency to  
45 approve, or move forward, with that action or not.

46

47 **CHAIRMAN FRAZER:** General, real quick, and we'll have a back and  
48 forth here, and, Susan, I didn't forget about you.

1  
2 **GENERAL SPRAGGINS:** Well, and I guess I understand a couple of  
3 things. Number one, my understanding of this whole process is  
4 Secretary Raimundo is the one who has the final say-so, and, if  
5 she wants to pass this document that we have sent to her before,  
6 and she agrees with that, and says calibration, and this is all  
7 included in it, then the Secretary has spoken, right, but, right  
8 now, we're trying to supersede her, because we're trying to send  
9 her another document saying that this one overrules the one that  
10 we've asked her to do, that she has already put out for comment,  
11 and I don't see why we would want to supersede the Secretary and  
12 try to take the reins ourselves and saying that we're doing it,  
13 and what if she doesn't approve that other one?

14  
15 What if she says I don't want to approve it? Then we've just  
16 shot ourselves in the foot, as a state, by saying something  
17 different, and I guess the question I've got is why would we  
18 supersede the Secretary?

19  
20 **CHAIRMAN FRAZER:** Well, I'm going to let Andy weigh-in. I think  
21 I know what he's going to say, but, if he doesn't, I will  
22 follow-up. Andy.

23  
24 **MR. STRELCHECK:** Well, I guess two things. One is to address  
25 the General's concerns, and, you know, we would have to look at  
26 the document, and you could, obviously, clearly identify that  
27 this is proposed language at this point, in terms of submittal  
28 to the agency, and, as far as the Secretary, I just want to be  
29 very clear with people that she doesn't just have blanket  
30 authority to approve or disapprove. It has to be based on the  
31 Magnuson-Stevens Act and other applicable laws, and we have to  
32 determine whether or not what you submitted, in terms of action,  
33 aligns, or doesn't align, with those mandates and regulatory  
34 authority.

35  
36 If we did disapprove the calibration, it would be returned to  
37 the council, with guidance with regard to why it was disapproved  
38 and any changes that would need to be made to kind of reconcile  
39 that action, and so I'm not suggesting that that's going to be  
40 the case, but there are procedures in place that are outlined in  
41 Magnuson that were very clear with regard to the approval  
42 process for actions completed by the council.

43  
44 **CHAIRMAN FRAZER:** Thank you, Andy. I am going to go now, if I  
45 can, to Susan, before we get too far off track, and then I'll  
46 come to Kevin Anson.

47  
48 **MS. BOGGS:** Well, this is completely off the subject, but this

1 document, Ryan, is in CHTS, correct, these numbers, and we won't  
2 be using FES for red snapper until the 2026 stock assessment,  
3 and is that correct?

4  
5 **MR. RINDONE:** In effect, yes. Of course, it also depends on the  
6 concurrent work by the MRIP transition team and the states and  
7 looking at the calibration ratios, because it may come to pass  
8 that the currency, if you will, that falls into some other  
9 commensurate, you know, format -- It may be -- It will be  
10 whatever comes out of the operational assessment for red  
11 snapper, which will follow the research track, and we won't have  
12 the results of that until well into 2024, we expect.

13  
14 **MS. BOGGS:** So, just to follow-up with that, everything, most  
15 likely, with red snapper will be in CHTS until that transition.

16  
17 **MR. RINDONE:** Until the operational assessment of SEDAR 74 comes  
18 through, at a minimum.

19  
20 **CHAIRMAN FRAZER:** Okay. Mr. Anson, I saw that the Chairman had  
21 his hand up, and I didn't know if he wanted to weigh-in first.

22  
23 **MR. DIAZ:** Well, I just wanted to ask -- Andy made the comment  
24 that we could massage the language in that Table 2.1.3 and make  
25 sure and have some clear language that this is just proposed  
26 outcomes. Would that satisfy your concern, General, or would  
27 that not satisfy your concern?

28  
29 **GENERAL SPRAGGINS:** It would satisfy my concern, but what I'm  
30 worried about -- I go back to my Air Force days, and there is no  
31 way, as a general, that I would supersede the Secretary of the  
32 Air Force, and that's what I see us doing, is superseding the  
33 Secretary of Commerce, and that's what I worry about.

34  
35 I see us trying to supersede the Secretary of Commerce, and  
36 we've asked her to give us a document that we have sent to her,  
37 and she went through all the process of it, and even went  
38 through the public comment, and then turned around and has not  
39 chosen -- I'm sure she's a busy woman, and she has more to do  
40 than just this, but we haven't given her the opportunity to say  
41 I want to send this back to the council and look at it, and  
42 maybe look at a couple of other things, and you know that all of  
43 the states -- Well, most of the states in the Gulf -- The  
44 congressmen and senators signed-off on the letter asking her to  
45 look at some other things, and they asked her to look at some of  
46 the reasons for how this was -- It didn't specifically state  
47 this, but it did talk about MRIP, and it did talk about others,  
48 and I'm sure she's taking that into consideration, and I'm sure

1 she's looking at it.

2  
3 I mean, I'm not trying to make her decisions for her, by no  
4 means, but the point is that, if we can massage it all day long,  
5 what's it going to hurt if we wait until October to do this, to  
6 see if she's going to sign it, because, if she signs it, then  
7 it's a moot point, right, and we've still got time to implement  
8 it by 2023, that we're talking about, and that's what my whole  
9 point is. Why are we trying to get it there before she has an  
10 opportunity -- She's only had two weeks, and give her a few more  
11 days to look at it, and that's my point.

12  
13 **CHAIRMAN FRAZER:** Mr. Anson.

14  
15 **MR. ANSON:** So I'm a little hesitant to ask this question, but,  
16 Andy, it's my understanding -- I mean, once the agency submits  
17 the documentation to the Secretary, the Secretary has thirty  
18 days, or something like that, to provide a response, or sign-off  
19 on it, and, if the Secretary does not, then it automatically  
20 defaults, or it becomes regulation, because there was no  
21 decision, or no indication, given by the Secretary.

22  
23 **CHAIRMAN FRAZER:** Andy.

24  
25 **MR. STRELCHECK:** Mara can add, and, I mean, that, I believe, is  
26 specific to fishery management plans and amendments, and what I  
27 said earlier is not exactly correct with regard to rulemaking,  
28 where you have a framework action submitted.

29  
30 While I have the mic, a couple of things here, and, you know,  
31 the rule is in my office right now, and so, in terms of the  
32 timeline for proceeding, you know, it's not just instantaneous  
33 that we turn around public comments and move the rulemaking  
34 forward. It takes time, based on the number of public comments,  
35 and this is a complicated rule, and it's very controversial, and  
36 so, at some point, that rule will leave my office and be sent to  
37 Headquarters and go through its normal governmental review,  
38 before a decision is made by the Secretary.

39  
40 I can't commit to a timeline on that. I can commit to a  
41 timeline as to when it likely will leave my office, but it may  
42 not be October. It could be before the end of the year, and --

43  
44 (There is a brief gap in Mr. Strelcheck's comments.)

45  
46 -- that these are proposed calibrations, and they're under  
47 review by the agency and the Secretary of Commerce, and, as  
48 General Spraggins said, it doesn't tie the Secretary's hands,

1 but it indicates that, if they are approved, this is what the  
2 catch limits would be for each of the states. If they're not  
3 approved, we've clearly indicated that, well, that was just the  
4 proposed rule.

5  
6 **CHAIRMAN FRAZER:** All right. Thank you, Andy, for that  
7 clarification. Okay. We're at that point. In order to move  
8 this document forward, we're going to have to pick a preferred  
9 here, and so --

10  
11 **MR. RINDONE:** You have a preferred picked. It's Alternative 2.  
12 I just -- In editing the document from the last time, I just  
13 forgot to put the "preferred" in front of it, on that second  
14 table, but, elsewhere in the text, and in Chapter 4 and beyond,  
15 it's noted as being the preferred.

16  
17 **CHAIRMAN FRAZER:** I just didn't see the word "preferred", Ryan.

18  
19 **MR. RINDONE:** There's always a typo, Tom. There is always one  
20 somewhere, and so --

21  
22 **CHAIRMAN FRAZER:** So we have one, moving forward?

23  
24 **MR. RINDONE:** Yes. You guys selected Alternative 2 as preferred  
25 in June.

26  
27 **CHAIRMAN FRAZER:** All right. Then we will -- In the absence of  
28 any other discussion, I guess we're going to talk a little bit  
29 about the codified text at this point.

30  
31 **MR. RINDONE:** Yes, and that would be a SERO topic.

32  
33 **CHAIRMAN FRAZER:** Let me pull up the agenda here.

34  
35 **MR. RINDONE:** Bernie, can you pull up the codified text, real  
36 quick? It's pretty straightforward. It just goes into the  
37 regulatory language, and, where the overfishing limit and  
38 acceptable biological catch are noted for red snapper, it  
39 revises those, to reflect the current preferred alternative, and  
40 then all of the subsequent catch limits are so adjusted, based  
41 on the sector allocation and the buffer for the for-hire ACL and  
42 ACT, and then the recreational ACL, and then as it's broken out  
43 for all the states, based on the proposed calibration.

44  
45 **CHAIRMAN FRAZER:** Gotcha.

46  
47 **MR. RINDONE:** That's a very quick synopsis of it, but --

48

1 **CHAIRMAN FRAZER:** Sure, and I see Mara is available. Mara, did  
2 you want to walk through this?

3  
4 **MS. LEVY:** Yes, and, I mean, it basically reflects the numbers  
5 in the table you were just talking about. It does include the  
6 calibration, just to make it clear that that's what --

7  
8 For your purposes, what was proposed and what it would be if  
9 those are implemented, so that you can see what that would be in  
10 this document, and it does not include the OFL and the ABC,  
11 because we do not codify those, but they're in the document, and  
12 that's fine. If you have any questions about it, I can answer  
13 them, but it does reflect those numbers in Table 2.1.3.

14  
15 **CHAIRMAN FRAZER:** Okay. Thank you, Mara. All right, and so, at  
16 this point, our action is to move this forward for final, or  
17 recommend, the committee, that we do that in Full Council. Dr.  
18 Stunz.

19  
20 **DR. STUNZ:** Well, Tom, are you looking for a motion at this  
21 point then? **I would go ahead and make our normal motion, and**  
22 **maybe if we want to pull it up, and I never can remember what it**  
23 **says, but to move this to final, with staff having editorial**  
24 **license and all that, or not move it to final, but, if they**  
25 **could pull up that motion, I will make it.**

26  
27 **CHAIRMAN FRAZER:** We will find that boilerplate language. Okay.  
28 While we're putting it up on the board, Ms. Boggs.

29  
30 **MS. BOGGS:** Mara, I was looking at the codified text, and I was  
31 trying to -- I'm sorry, and let me pull it up, so I can ask you  
32 specifically, but it references round weight for the commercial  
33 sector, and is that correct? I don't ever recall we used that  
34 terminology, and it's Subsection 622.39, Quotas, (i).

35  
36 **MR. RINDONE:** All of the -- For the sake of how all the  
37 regulations go into -- Like they go into the document,  
38 everything is expressed in whole weight, and round weight and  
39 whole weight are essentially the same thing.

40  
41 The regulatory writers have used round weight since, well,  
42 before some of us were born, and so it's just the language  
43 that's been used, but it means whole weight, and so, in the  
44 language, you will see round weight, gutted weight, or landed  
45 weight, and whole weight is one that is used in -- I see Mara  
46 has got her hand up, and maybe she's got a better history lesson  
47 than my cobbling.

48

1 **CHAIRMAN FRAZER:** Ms. Levy.  
2  
3 **MS. LEVY:** I actually didn't have my hand up, or maybe I did and  
4 I forgot to put it down, but, Ryan, I think you answered it. I  
5 don't have a history. It's the way that it's indicated in the  
6 regulations throughout. Thanks.  
7  
8 **MR. RINDONE:** So round weight means whole weight, and there will  
9 be a conversion to gutted weight for the setting of the  
10 commercial quotas for the IFQ program.  
11  
12 **MS. BOGGS:** That's fine, and, I mean, I interpreted it to be  
13 that, but I've just never seen it used that way, and I guess  
14 I've missed it in prior documents, and so thank you.  
15  
16 **CHAIRMAN FRAZER:** Mr. Anson.  
17  
18 **MR. ANSON:** Probably a question for Mara, and I don't recall if  
19 we reviewed any codified text relative to the calibrations for  
20 each of the state surveys, in order to determine the quota, and  
21 there's a poundage listed here that utilizes those calibrations,  
22 but the calibration itself is not listed, and so I'm just  
23 wondering if that's elsewhere in the codified text or anything,  
24 or how is that -- Is this the only place that references what  
25 each state would get, based on the ACL?  
26  
27 **CHAIRMAN FRAZER:** Ms. Levy.  
28  
29 **MS. LEVY:** The actual calibration ratios are in the framework  
30 action in which you adopted them, and we didn't codify those.  
31 We're just codifying what the catch levels would be, and so it  
32 shows the catch level and then the MRIP federal equivalent catch  
33 level, but we didn't -- The prior codified text for the  
34 calibration didn't include the ratios either.  
35  
36 **CHAIRMAN FRAZER:** Thank you, Ms. Levy. All right, and so we've  
37 got a motion on the board to recommend this for approval. Is  
38 there a second to this motion? It's seconded by Mr. Geeslin.  
39 All right. Is there further discussion about the motion? **Not**  
40 **seeing any, is there any opposition to the motion?** Okay. **The**  
41 **motion passes without opposition.**  
42  
43 All right. I'm going to try to keep us on track here, with  
44 regard to the schedule, and we're going to move into a  
45 presentation having to do with the framework action for  
46 vermilion snapper recreational bag limit and gray triggerfish  
47 commercial trip limit and recreational closed seasons, and so,  
48 Ms. Somerset, Carly, you get the pleasure.

1  
2           **PRESENTATION ON THE FRAMEWORK ACTION FOR VERMILION SNAPPER**  
3           **RECREATIONAL BAG LIMIT AND GRAY TRIGGERFISH COMMERCIAL TRIP**  
4           **LIMIT AND RECREATIONAL CLOSED SEASONS**  
5

6 **MS. CARLY SOMERSET:** Thank you, Mr. Chair. This presentation  
7 will provide an overview of three potential actions that the  
8 council has requested exploration of from previous meetings, and  
9 so, now that we have an opportunity to present these, I've got  
10 some background slides, to remind everyone of the motions, and  
11 then some analyses for consideration, before discussion, and  
12 thanks to Mike Larkin. He did these analyses for both the  
13 vermilion and the triggerfish, and so he is online, but having  
14 power issues, and so I will do my best to answer questions in  
15 his stead, and we will see what we can do with this.

16  
17 Previously, the council decided to move forward with two  
18 framework actions, one to increase the gray triggerfish annual  
19 catch limits, and that was implemented in July of 2021, and one  
20 that increased the vermilion snapper annual catch limits, and  
21 that one has been transmitted, but not yet implemented, and so  
22 this presentation considers modifications to vermilion snapper  
23 recreational bag limits, the gray triggerfish rec fixed closed  
24 season, and then the gray triggerfish commercial catch limits.

25  
26 At the November/December 2020 meeting, a motion was made to  
27 modify the recreational bag limit for vermilion, including  
28 alternatives for a fifteen-fish bag limit and to eliminate the  
29 bag limit, but retain the twenty-fish aggregate bag limit for  
30 those reef fish species without a species-specific bag limit.

31  
32 Also, a motion to modify the recreational fixed closed season  
33 for gray triggerfish to be January 1 through the end of February  
34 and June 1 through the end of June, and then, at October 2021  
35 meeting, a motion to add an action to the Framework Action:  
36 Modifications to the Vermilion Snapper Bag Limits and the Gray  
37 Triggerfish Recreational Fixed Closed Season to adjust the  
38 commercial gray triggerfish trip limits.

39  
40 That January/February closure for the commercial gray  
41 triggerfish was implemented in Amendment 46. The June 1 to July  
42 31 closure was implemented in Amendment 37, and that applies for  
43 -- The June 1 to July 31 applies to both the commercial and  
44 recreational sectors. That is the time of peak spawning in the  
45 northern Gulf.

46  
47 Also, public testimony has been asking for an increase in  
48 commercial gray triggerfish catch limits, and the Reef Fish AP,

1 in February of 2021, requested consideration for adjusting the  
2 commercial trip limits for gray triggerfish, in response to the  
3 increased quota.

4  
5 Just an overview of the current vermilion snapper regulations,  
6 and we going to discuss the potential bag limit changes first  
7 for vermilion, and so, for recreational, it's open year-round,  
8 with a ten-inch total length, ten fish per person, and that's  
9 within the twenty-reef-fish aggregate, and then, on the  
10 commercial side, it's also open year-round, again a ten-inch  
11 total length, but no trip limit, and there is no sector  
12 allocations.

13  
14 These are recent vermilion snapper landings, and this table  
15 shows the landings from 2012 to 2020, and these landings are in  
16 pounds whole weight with CHTS units, and it also gives the  
17 percent of the total ACL, and so that's recreational and  
18 commercial, because there is no sector allocations, and you can  
19 see that it's only been exceeded once, in 2018.

20  
21 Mike has provided an analysis of the vermilion snapper bag limit  
22 harvest per person. This data comes from -- Well, it's from  
23 2019, 2020, and 2021, and you can see it includes headboat,  
24 MRIP, and then the Texas creel survey, as well as LA Creel, and  
25 the majority of anglers harvest one snapper per angler on each  
26 trip.

27  
28 Considerations for modifying the bag limit, just some things to  
29 think about for discussion, is would increasing the bag limit  
30 change fishing behavior, potentially? As you can see, since  
31 most recreational anglers don't retain the ten vermilion snapper  
32 now, that bag limit, and then the conservative option was chosen  
33 for FES catch limits, and so increasing the bag limit could  
34 result in potentially an early season quota closure, and, also,  
35 you know, possibly reconsidering the reef fish aggregate, if you  
36 all choose to increase the vermilion snapper bag limit within  
37 that aggregate. Again, that's the twenty-reef-fish aggregate,  
38 and, also, just note that those new vermilion catch limits are  
39 still in final rulemaking, and so that has not been implemented  
40 yet.

41  
42 We'll move to the recreational gray triggerfish fixed closed  
43 season. Sector allocations are 79 percent recreational and 21  
44 percent commercial, and it's closed January and February and  
45 then June and July. There's a fifteen-inch fork length minimum  
46 size and one fish per person within the twenty-reef-fish  
47 aggregate.

48

1 Most recently, the council approved the framework action, in  
2 January of 2021, to increase the gray triggerfish recreational  
3 ACL and ACT. The new ACT is 274,323 pounds whole weight, and  
4 that's an increase from the previous ACT of 217,100 pounds whole  
5 weight. This was done in response to stock growth, which was  
6 identified in the 2021 interim analysis, and the analyses that  
7 Mike has done -- That's based on the new catch limits.

8  
9 All right, and so this is what was used to predict future  
10 recreational landings, and, essentially, because of the nature  
11 of the seasons, sometimes they have not always been open  
12 consistently, and they have closed in different years, and so  
13 what this essentially shows -- The data source, what Mike used  
14 for this analysis, and because of the different closure dates  
15 and the variation in compatibility of state and federal  
16 closures, it can be difficult to predict future landings.

17  
18 Just a couple of things to note here. Greater than 90 percent  
19 of the Gulf trigger landings come from MRIP, and so this is a  
20 combination of MRIP, Texas, LA Creel, and the headboat survey.  
21 They are organized by two-month waves and then broken up into  
22 individual months, and then Mike assumed a uniform distribution  
23 of landings within those waves, and then all the MRIP data used  
24 in this analysis is from the MRIP-CHTS, because the ACTs  
25 considered in the framework action are all based on CHTS data,  
26 and so just a few things to keep in mind.

27  
28 Over the past decade -- In 2013, the recreational sector was  
29 last open in July and August, and then, in 2011, it was last  
30 open in September through December.

31  
32 **CHAIRMAN FRAZER:** Carly, I think Ms. Boggs might have a  
33 question, real quick.

34  
35 **MS. SOMERSET:** Yes.

36  
37 **MS. BOGGS:** So this is a lot of information, and I apologize if  
38 I missed it, but it says no data to predict landings for July to  
39 December, and, I mean, how is that possible? We have headboat  
40 landings data, and I know some of the states collect data, and  
41 help me understand that, please.

42  
43 **MS. SOMERSET:** Yes, ma'am, and so it's been closed, and, I mean,  
44 I think some of the states I know have a voluntary collection,  
45 but, at the MRIP federal level, the season is closed, and so he  
46 did not use data to make any predictions from July to December.

47  
48 **CHAIRMAN FRAZER:** A follow-up, Ms. Boggs?

1  
2 **MS. BOGGS:** So are we only talking about -- What years are we  
3 talking about, because, I mean, you should have some data,  
4 because, the last two years, three years maybe, we reopened in  
5 August, even though it was a short period of time, or are we  
6 just looking at these specific years of 2014, 2016, 2018, and  
7 2019?  
8

9 **MS. SOMERSET:** Yes, ma'am, and so that's a good question. Here,  
10 on the table, it's essentially showing what the analysis used,  
11 the best available for each time period, and so, you know,  
12 January and February, it was 2014 and 2016 data, and, because  
13 that was before the changes in the size and bag limit, Mike  
14 adjusted that to account for the implemented changes, and so,  
15 essentially, it's just giving -- He looked at everything over  
16 the past decade and picked the years that he could gather the  
17 best information from to use for predictions. Does that answer  
18 your question?  
19

20 **MS. BOGGS:** Yes, ma'am. Thank you.  
21

22 **CHAIRMAN FRAZER:** Okay. Go ahead, Carly.  
23

24 **MS. SOMERSET:** Thank you. This is predicted recreational  
25 landings by month, and then upper and lower 95 percent  
26 confidence intervals, and, again, to Ms. Boggs' point, no  
27 landing predictions were made for July to December, because of  
28 the lack of recent landings, and that also -- There was high  
29 uncertainty of landings, if there were any, in that time period,  
30 because of the closures, and so it does fall in line, generally,  
31 with past landings, and there's been an uptick in harvest in  
32 later months, mostly April, and then May and June was the  
33 highest, and so you can follow that here, as you move from  
34 January to over to June.  
35

36 This figure just shows it in a different way than the table, and  
37 you can see the red is the predicted future landings, and he's  
38 got the confidence intervals are the black-dashed lines, and  
39 then it drops off in July, because there were no landings, and  
40 so predictions were not made at all from July through December.  
41

42 To wrap-up the seasonal closure analysis, the predicted  
43 landings, and then the confidence intervals, were cumulatively  
44 summed to determine when that new ACT of 274,323 pounds would be  
45 reached for different seasonal closure alternatives, and the  
46 results reveal that the ACT, under different closures,  
47 essentially is expected to be reached in either April or May,  
48 and these were alternatives that were made in a previous draft

1 framework that was shifted into multiple different frameworks,  
2 and that included the vermilion, and so this is just bringing  
3 back those alternatives that had been made in a previous draft.

4  
5 Finally, moving to potential changes in the commercial gray  
6 triggerfish catch limits, commercial catch limits, and so sector  
7 allocations, again, are 79 percent recreational and 21 percent  
8 commercial. It's closed during peak spawning in June and July,  
9 and the current trip limit is sixteen fish per vessel, with a  
10 fourteen-inch minimum fork length, and the commercial ACT is set  
11 at 5 percent below the commercial ACL.

12  
13 This table is the triggerfish commercial landings, the ACL, the  
14 payback-adjusted ACL, and then the percent ACL landed from 2008  
15 to December of 2021. You can see, in orange, when the percent  
16 ACL has been -- Has gone over, in 2012 and then again in 2018,  
17 and then, again, the closure dates, in that far-right column.

18  
19 This is basically a figure showing the changes from 2018 to 2021  
20 of the average weight per fish, and so this came from the  
21 Science Center TIP program, and then this is with the current  
22 minimum size limit of fourteen inches, and so it was around five  
23 pounds in 2019, and, in 2021, it's now roughly between 4.3 and  
24 4.5 pounds.

25  
26 This is the annual sample size that's in the average weight, the  
27 standard deviation, and the standard error in the commercial  
28 sector from 2018 to 2021, and then the confidence intervals, and  
29 all of this, again, came from the Science Center TIP program.

30  
31 This is the estimated number of pounds from applying the 2021  
32 average weight, and so then that was multiplied by the number of  
33 fish, and then you have the upper and lower confidence  
34 intervals, to generate an estimate of pounds, and so the 2021  
35 average weight was estimated to be 4.3 pounds, with a confidence  
36 interval that ranges from 4.1 to 4.5.

37  
38 Just to provide some potential alternatives, there could be a no  
39 action, which maintains the current trip limit of sixteen fish  
40 per vessel, and two additional alternatives to increase the trip  
41 limit to twenty fish per vessel or increase it to twenty-five  
42 fish per vessel. In January, the Reef Fish AP made a motion  
43 requesting the commercial limit increase to thirty-two to forty  
44 fish, to increase the probability of the commercial sector  
45 catching the commercial allocation.

46  
47 Just some thoughts for consideration, as you discuss, and the  
48 Reef Fish AP was not in support of removing the vermilion

1 snapper from the twenty-reef-fish aggregate, and they were not  
2 in support of modifying the recreational fixed closed season for  
3 gray triggerfish. However, they did support increasing the  
4 vermilion bag limit to fifteen fish per person within the  
5 twenty-fish aggregate and increasing the gray triggerfish  
6 commercial trip limit, and so, you know, streamlining the  
7 document could result in faster implementation.

8  
9 A question to think about is if you would like to potentially  
10 postpone the vermilion snapper bag limit and the fixed closed  
11 season, as they could result in early closures, and move forward  
12 with the commercial trip limit, or some iteration of these three  
13 potential actions, and I'm happy to take questions or go back to  
14 any slides, if you need to look at them again.

15  
16 **CHAIRMAN FRAZER:** Thank you, Ms. Somerset. Mr. Gill has a  
17 question.

18  
19 **MR. GILL:** Thank you, Mr. Chairman, and thank you, Carly, for  
20 that presentation. My question is, relative to the commercial  
21 trip limits, was there an analysis performed, similar to the  
22 recreational bag limits, as to how many fish are actually being  
23 landed on a trip?

24  
25 **MS. SOMERSET:** I believe -- I can check with Mike, but he  
26 focused on looking at the individual weights of the fish that  
27 are landed and whether they catch their limit every time, but I  
28 can ask him.

29  
30 **MR. GILL:** Thank you, and so it seems, to me, effectively,  
31 that's a commercial bag limit, and so it would be informative to  
32 understand if they're all coming in with sixteen fish or some  
33 lesser number, and it's clearly not a targeted fishery, and it's  
34 a bycatch fishery, and that has some ramification, as to how  
35 much increase and how much impact that might ultimately have.

36  
37 **MS. SOMERSET:** Yes, sir. I believe, in public testimony and at  
38 the APs, that they have discussed that the commercial allocation  
39 is not reached, but sixteen fish is -- They would like to  
40 increase it, to actually be able to meet the quota and keep more  
41 each time.

42  
43 **CHAIRMAN FRAZER:** Okay. Are there any other questions for  
44 Carly? Ms. Boggs.

45  
46 **MS. BOGGS:** Carly, you had mentioned something, I believe, that  
47 one of the APs talked about the commercial bag limit, but I  
48 didn't understand what you said, and so I don't know how to ask

1 the question.

2  
3 **MS. SOMERSET:** They have discussed it several times, and it's  
4 come up in public testimony, specifically to increase the  
5 commercial limit, but I believe it was at one of the recent APs  
6 that there was a request to increase it from sixteen to thirty-  
7 two to forth fish, and that's why Mike provided the individual -  
8 - The average individual weights, to show you how quickly you  
9 could potentially reach that and what thirty-two to forty fish  
10 would look like, versus sixteen, twenty, twenty-five.

11  
12 **MS. BOGGS:** Okay, and so I did hear you right. Okay. I thought  
13 I misunderstood you. Thank you.

14  
15 **CHAIRMAN FRAZER:** Okay. Are there any other questions? Dr.  
16 Simmons. I know what's coming. Fire away.

17  
18 **EXECUTIVE DIRECTOR SIMMONS:** Thank you, Mr. Chair, and so not a  
19 question on the presentation, but a question for the committee.  
20 Based on this information, and the workload we have going on  
21 right now at our office and the Regional Office, do you still  
22 want to pursue all three of these actions, or could we maybe  
23 streamline the commercial trip limit and proceed with the other  
24 ones later on, or do you see any wiggle room in there?

25  
26 **CHAIRMAN FRAZER:** Again, essentially, we've got a new ACL that's  
27 working its way through, right, the process, for vermilion,  
28 right, and so we've got a couple of different issues that we're  
29 talking about here, and so we could move -- It's workload issue,  
30 and I get that, and a priority issue, and so I do think the  
31 council is going to have to direct the staff on what they want  
32 to do. Do they want to go forward with all those pieces, or do  
33 they want to just think about component parts? Ms. Boggs first,  
34 and then I will go back to Dr. Simmons.

35  
36 **MS. BOGGS:** Of course, I'm going to comment on this, because the  
37 vermilion snapper recreational bag limit and the gray  
38 triggerfish recreational fixed closed seasons was my deal. The  
39 issue I have, and Carrie and I talked about this, and I'm  
40 probably going to backtrack on what I told her, but the issue I  
41 have with pushing it is we're going to be August of next year  
42 talking about it.

43  
44 If that's what we have to do, that's what we have to do, and I  
45 understand the workload. Separating out the gray triggerfish  
46 commercial trip limit, that would probably be okay, because  
47 that's a commercial issue and not a recreational issue, and we  
48 always get bogged down on the recreational issues.

1  
2 I will comment on the vermilion snapper bag limit, and why I  
3 remember this so vividly, but it was January in Mobile in 2013,  
4 and I don't remember the reasons why, but they restricted the  
5 recreational from the twenty-fish recreational aggregate bag  
6 limit -- From twenty fish, which they could have twenty  
7 vermilion snapper, and they backed it back to ten, but there was  
8 no restrictions on the commercial fishery, and the commercial  
9 fishery has no trip limit, and, I mean it's just open-ended for  
10 the commercial fishery.

11  
12 I mean, they have their allocation, but we could never  
13 understand the reasoning why the recreational side bag limit was  
14 lowered, and, as you can see, most of the people don't catch  
15 them, but we always talk about opportunity, and it's like with  
16 red snapper, and, well, let's give them more fish, and give them  
17 the opportunity to go catch it, and so I guess I'm being -- I'm  
18 saying here there's no reason -- These fish are not in trouble,  
19 and, yes, we were conservative in the last document, where we  
20 set the ACLs, but that was so we didn't overfish.

21  
22 Instead of giving us the eight million pounds in red snapper, we  
23 were conservative, and we held some back, and so the fish isn't  
24 in trouble. I mean, we're looking at giving more fish in  
25 species that are in rebuilding programs than a species that  
26 seems to be healthy, and I don't want to do something to curtail  
27 that, and so I would be amenable to a fifteen-fish bag limit.

28  
29 The gray triggerfish recreational fixed closed season, we're  
30 talking about equity. I hear, on my dock, and you all have  
31 heard it at this council table, that the fishermen that come in  
32 the winter months would like something other to catch than  
33 vermilion snapper, and this is an opportunity to give equity to  
34 the American public to come and catch these fish, and they've  
35 been asking that for five or six years.

36  
37 To delay this document yet again, if we have to do, but this is  
38 my argument of why I don't like to delay things, because it  
39 impacts not only the fishermen that have the vessels, the  
40 charter boat and the recreational alike, but those others that  
41 want to access this fishery, and we just keep kicking the cans  
42 down the road, and I understand workload, but we have to, as a  
43 council, figure out how to -- I'm not going to say figure out,  
44 but we need to be bold enough to make decisions, and every  
45 decision we make ultimately has an adverse consequence.

46  
47 We see it in everything we do, everything we do, but we have  
48 ways to come back and correct that if we have to, but we're so

1 worried about trying to get it perfect, and we're so worried  
2 about who are we going to offend, who is going to be upset, who  
3 is not going to get what they want, and this is a give and take,  
4 and I'm not going to get everything I want in that document, and  
5 I know, but I don't want to wait another year or two years, when  
6 maybe I'm not on this council, and I don't have the opportunity  
7 to see something through.

8

9 (There is a gap in the audio recording.)

10

11 **EXECUTIVE DIRECTOR SIMMONS:** -- the catches we're going to  
12 accumulate, and so that's one of the things that we were  
13 thinking about as a staff. The other concern we had, if you  
14 could, Bernie, please go to Slide 13 of the recreational  
15 seasonal closure analysis for gray triggerfish, and it's I think  
16 Slide 13, and so if you look at that slide, the current fixed  
17 closed season that we have on the books, based on the analysis  
18 that Mike did, it looks like we should have the season closed  
19 now, let alone opening it up in January and February, or  
20 changing it from the June and July, which was one of the main  
21 reasons we closed it then, was during peak spawning and this  
22 unusual harem-type behavior that gray triggerfish have.

23

24 I guess, based on this preliminary analysis, I just fear that  
25 we're going to make these changes, and then we're going to be  
26 closing earlier in May, or not open back up, and I just thought  
27 we would put that out there, as staff, and staff is just looking  
28 at this.

29

30 **CHAIRMAN FRAZER:** To that point, Ms. Boggs, and then Mr.  
31 Strelcheck.

32

33 **MS. BOGGS:** To that point -- Well, two points. You had  
34 mentioned the vermilion snapper, and so that goes back to what  
35 General Spraggins was just saying. Why are we doing something  
36 before the Secretary of Commerce has had an opportunity sign off  
37 on it and it gets on the books, but it's okay for red snapper to  
38 do that, but you're telling me it's not okay for vermilion  
39 snapper, and so that upsets me.

40

41 If you look at this Alternative 2, if you close it in January  
42 and June and July, or you have a May 1 closure, possibly, and  
43 the same in February, and the only one you get six more days in  
44 is if you close January and February, and so, if you're worried  
45 about a closure, then you don't do Alternative 4, you know, and  
46 I see some options there that give a few more days for fishing.  
47 Thank you.

48

1 **CHAIRMAN FRAZER:** Mr. Strelcheck.

2  
3 **MR. STRELCHECK:** I think there's two things here. One is what's  
4 in the queue that we're working on and how do we prioritize this  
5 action over something else, and I think that's a discussion that  
6 I know my team has with council staff after each meeting, but  
7 maybe something we should be doing more of at the end of each  
8 council meeting as well, to identify what are the priorities  
9 we're moving forward with and what are things that are going to  
10 be in the queue and what are things that are going to have to  
11 wait.

12  
13 In terms of the specifics of this action, to me, the commercial  
14 trip limit is kind of the obvious one. The immediate need, I  
15 certainly respect and appreciate Susan's comments about the gray  
16 triggerfish season, and possibly reevaluating that, and I'm not  
17 seeing a burning need for a vermilion snapper bag limit change,  
18 and I recognize that there may be additional access or  
19 opportunities that could be provided for that, but, when you're  
20 providing the ten-fish bag limit, and nearly all of the catch is  
21 less than ten fish to begin with, spending the time to increase  
22 the bag limit, to me, is not really going to be time well spent.  
23 With that, I would recommend moving forward with the action, in  
24 particular with the trip limits, and I certainly would be open  
25 to consideration of the seasonal closure.

26  
27 **CHAIRMAN FRAZER:** Okay. Thank you, Andy. At some point, we  
28 will have to consider that recommendation, and others that have  
29 been made around the table, with a motion to provide some  
30 direction to staff, and hopefully we can do that by Full  
31 Council, and so I will let people take some time to think about  
32 that, and we will go ahead and move on, to keep us on schedule,  
33 and I think we have a presentation by Dr. Nance, but I will just  
34 double-check that. We do, and so we have SSC recommendations,  
35 right? Welcome, Dr. Nance.

36  
37 **SSC RECOMMENDATIONS FROM THE JULY 2022 SSC MEETING**

38  
39 **DR. JIM NANCE:** Thank you, Mr. Chair. It's good to be here.  
40 Let me ask you, and so I have -- In this presentation, we're  
41 doing wenchman and also discards. Do you want me to stop  
42 between the two, or just do both and then take questions at the  
43 end?

44  
45 **CHAIRMAN FRAZER:** We'll go ahead and stop after you do wenchman,  
46 and then we'll direct questions specifically to that, and then  
47 we'll move on.

1 **DR. NANCE:** Okay. Perfect. Thank you. That's what I will do.  
2 We had a presentation, at our meeting in July, on wenchman data  
3 evaluation, and National Marine Fisheries Service, at that  
4 meeting, provided background, management history, and recent  
5 landings for the midwater snapper complex. That has four  
6 different fish in it. It's queen snapper, blackfin snapper,  
7 silk snapper, and wenchman, and we specifically, at our meeting,  
8 focused on wenchman. The stock experienced an unconventional  
9 in-season closure in 2021, due to exceeding the ACL, with large  
10 landings of wenchman contributing to the increased harvest.

11  
12 Mr. Andrew Bryant and Mr. Mike Grieco, stakeholders in the  
13 butterfish fishery, provided testimony indicating that the  
14 observed increase in landings of wenchman in 2021 were due to  
15 their harvest as bycatch when they were targeting the  
16 butterfish.

17  
18 The SSC inquired if other species in the mid-snapper complex  
19 were also observed as bycatch in the butterfish fishery, and Mr.  
20 Bryant replied that only wenchman were frequently encountered  
21 during that exercise. The SSC asked both of them if they were  
22 able to differentiate between butterfish from wenchman, using  
23 the vessel sonar gear, and they responded that the two species  
24 tend to school up together, making direct targeting difficult.

25  
26 The wenchman that are taken are marketed for human consumption,  
27 and, thus, are not discarded when caught. However, butterfish  
28 are the direct target of this fishery. Closure of the midwater  
29 snapper complex could result in high discard mortality of  
30 wenchman and potentially also close the butterfish fishery.  
31 Captain Eric Schmidt, who was there at the meeting, indicated  
32 that, recreationally, the deep-drop fishery has expanded to  
33 other species in this complex.

34  
35 The SSC discussed the rationale for why wenchman was included in  
36 the midwater snapper complex, and we spent some time reviewing  
37 the 2011 Generic Acceptable Catch Limit and Accountability  
38 Measure Amendment, and also an empirical study characterizing  
39 the number of Gulf stocks.

40  
41 After that review, the SSC concluded that data limitations,  
42 rather than a robust association of life history traits,  
43 resulted in wenchman being designated in the midwater snapper  
44 complex. Based on that discussion, there was a motion. Based  
45 on a review of catches and historical record, the SSC recommends  
46 that wenchman snapper be removed from the midwater snapper  
47 complex. That motion carried without opposition.

48

1 With that motion, we deliberated on possibly setting separate  
2 catch advice for wenchman. Southeast Fisheries Science Center  
3 staff provided some options for OFL, using a variety of years in  
4 the time series to compute an average from the available, the  
5 non-confidential part, of the midwater snapper landings. The  
6 SSC, during our deliberations, struggled to identify any  
7 substantial portion of that time series where landings were  
8 consistent.

9  
10 Additionally, each iteration of the exercise to produce an OFL  
11 for wenchman would be less than the current midwater snapper  
12 OFL, and, thus, this would not be really addressing the issue of  
13 avoiding the closure of the butterfish fishery.

14  
15 The SSC was hesitant to set any catch advice before having a  
16 better understanding of the nature of landings history for  
17 wenchman, and this motion was made to recommend the council ask  
18 the Gulf States Marine Fisheries Commission to work with the  
19 five Gulf states to compile historical landings for butterfish,  
20 wenchman, scad, and any other associated species from the  
21 midwater trawl fishery in the Gulf of Mexico for the Gulf SSC  
22 evaluation. That motion carried without opposition. That ends  
23 the part on the wenchman fishery.

24  
25 **CHAIRMAN FRAZER:** Okay. Thank you, Dr. Nance. Andy, did you  
26 have a question, or are you just stretching over there? Mr.  
27 Gill.

28  
29 **MR. GILL:** Thank you, Mr. Chairman. Thank you, Dr. Nance. The  
30 question, in my mind, is, when you go back to the motion that  
31 recommended removal of wenchman from the midwater snapper  
32 complex, did you have a discussion about the history of  
33 landings, and, obviously, the erratic amount that you did see,  
34 but how did the conclusion come to removal, as opposed to  
35 assessing the spike as an outlier in wenchman history, and why -  
36 - As I understand it, that single data point was the driver for  
37 making that decision.

38  
39 **DR. NANCE:** Well, we looked at the history of wenchman, and they  
40 really have a very different life history than the other species  
41 in that complex. Our feeling was they were placed in that  
42 complex just because of data limitations, and the butterfish  
43 fishery is being executed. Wenchman is a bycatch of that  
44 fishery, and so it will probably, in the future, and I'm not  
45 going to be predicting, but, as long as that butterfish is being  
46 prosecuted, and wenchman is a bycatch of that fishery, you have  
47 the potential for the whole complex to be shut down, because  
48 they're going to go over their ACL.

1  
2 Removing it from the complex would allow other species in that  
3 complex to be able to be prosecuted in the deep-drop fishery,  
4 but taking wenchman out -- We need to know some other things  
5 before we set ACLs for that.

6  
7 **MR. GILL:** Thank you for that, but, you know, taking it out of  
8 that complex brings in additional complications as well, and,  
9 given that we had this one spike, we don't know, for example, if  
10 there was unusual recruitment that we will not likely see in the  
11 future, and, hence, we're chasing this spike without a whole lot  
12 of basis, and so my view is that more data might tell us, but it  
13 would be premature to just jump to the conclusion because we  
14 have, for the first time in maybe ever, this overrun and that  
15 that necessitates separating it out. Thank you.

16  
17 **DR. NANCE:** I think that was our second motion, is to be able to  
18 get other data, so we could be able to make this in a more  
19 informed decision.

20  
21 **MR. GILL:** I agree with that, but that, in a sense, obviates the  
22 first motion.

23  
24 **CHAIRMAN FRAZER:** Mr. Rindone, did you want to weigh-in here?

25  
26 **MR. RINDONE:** I do, and so we had the luxury of having some  
27 paper logbooks from the early 1990s through the early 2000s from  
28 one of the fishermen from the northern Gulf who has remarked  
29 quite a bit about this issue, and one of the things that the SSC  
30 identified was that there are more common names that were used  
31 by the fishermen for landing wenchman than just wenchman, and  
32 one of them was silver snapper, and this one particular  
33 fisherman's historical landings indicate that --

34  
35 I mean, it looked like he was catching several hundred thousand  
36 pounds of wenchman a year, amongst millions of pounds of  
37 butterfish, and, taking him at his word, that his paper logbooks  
38 were correct, and we don't have any reason to presume that they  
39 weren't, this one fisherman was catching several times the  
40 current catch limit for the whole midwater snapper complex, but  
41 these data weren't available when we did the ACL and AM  
42 amendment and considered the ACL, because they were written in  
43 there as silver snapper.

44  
45 Well, it's not a species that we have listed that we were  
46 looking at, or that we managed, but, if silver snapper, as he  
47 stated, and, well, that's wenchman, and that's the same thing,  
48 and, if we take those landings, and any other common names that

1 may have been used by fishermen in the past, that were part of  
2 this trawl fishery especially for wenchman, and we aggregate all  
3 those together, we're probably going to have a completely  
4 different picture of these landings than we have historically,  
5 and so it was because of this that the SSC made the request that  
6 they did to work with Gulf States, who is going to have better  
7 access to some of this information than the council does, to be  
8 able to try and get this information together, and perhaps we  
9 can go back, and we can revisit how that ACL was determined and  
10 come up with something that's more appropriate, given the actual  
11 historical landings, given this new information.

12

13 **CHAIRMAN FRAZER:** Okay, and so, Ryan, did you have more?

14

15 **MR. RINDONE:** I guess, just to get to a decision point here,  
16 what we would be looking for, from consideration for the  
17 committee, is to write a letter to organize all this and get the  
18 ball rolling on this data dive, so that, if we need to do  
19 something, we at least have the proper information in front of  
20 us to make that informed decision.

21

22 **CHAIRMAN FRAZER:** Okay, and so folks can be thinking about that  
23 prior to Full Council. I'm trying to keep us on time here, and  
24 it's right at noon. I think, Dr. Nance, with regard to the  
25 discard summary, it's relatively short, if you wanted to knock  
26 that out, and then we'll probably adjourn for lunch, Mr. Chair.  
27 Go ahead, Dr. Nance.

28

29 **DR. NANCE:** Thank you, Mr. Chair. This was the Southeast  
30 Fisheries Science Center provided an overview of summarized  
31 discard data for directed fleets and fishing sectors to the SSC,  
32 and the presentation included discard data inputs from most of  
33 the recent stock assessments for the requested species. Those  
34 species included gag grouper, red grouper, greater amberjack,  
35 and red snapper.

36

37 The SSC stated that visualizing trends in discards was  
38 informative, and we appreciated that presentation. However, the  
39 SSC, during our discussions, acknowledged several caveats when  
40 interpreting the presentation information, including differing  
41 sampling units, difference in fishery-dependent survey designs,  
42 and species-specific discard mortality estimates.

43

44 The SSC contended that novel management approaches to  
45 incentivize release techniques that increase the probability of  
46 survival would be required for a meaningful reduction in discard  
47 mortality, and that, Mr. Chair, ends the presentation.

48

1 **CHAIRMAN FRAZER:** Thank you, Dr. Nance, as always, and so are  
2 there any questions with regard to the discard discussion? Mr.  
3 Gill.

4  
5 **MR. GILL:** Thank you, Mr. Chairman. Dr. Nance, did the discard  
6 data provided include confidence limits on that data?

7  
8 **DR. NANCE:** Not that I recall. I think there were trends  
9 analysis and things like that, and what they did was provide us  
10 with all of the information from all the assessments, put into a  
11 linear stream to show the discards over time, and I can't  
12 remember confidence intervals being part of that.

13  
14 **CHAIRMAN FRAZER:** Mr. Rindone.

15  
16 **MR. RINDONE:** The confidence intervals varied based on species  
17 and how much information was available for the data presented in  
18 things like the Reef Fish Observer Program and the amount of  
19 coverage, the amount of trips, that we had observations to  
20 corroborate the discard estimates, and that had an effect on the  
21 confidence intervals, and, historically, coverage from that  
22 survey is low, but it's valuable, because it's a direct  
23 observation of length composition of discards, and so it's going  
24 to vary a little bit by species, and Dr. Porch can speak to  
25 this, and the Center has acknowledged this in the past, that,  
26 compared to -- Especially compared to landings, regardless of  
27 sector, discards data are quite uncertain, by comparison, and we  
28 could do our best to be able to characterize those discards, as  
29 best we can, with the data that are available.

30  
31 There's also the differences in discard mortality and the  
32 estimates that we have for those, and so like discard mortality  
33 from something like the commercial longline fleet is expected to  
34 be very high, because it's fishing in very deep water, subject  
35 to barotrauma, compared to the recreational fleet, which might  
36 operate in shallower waters, but the number of fish being  
37 discarded is also relevant to that conversation, because the  
38 numbers of fish that are being discarded by one fleet may be  
39 quite low, paired with quite high discard mortality, and then  
40 the opposite may be true for another fleet, and so looking at  
41 the total number of discarded fish and then applying that  
42 discard mortality is relevant to the conversation of  
43 understanding the effects.

44  
45 **CHAIRMAN FRAZER:** Okay. I am not seeing any more hands at the  
46 moment, and we're right up against our lunchtime. Dr. Nance, I  
47 appreciate you being here, as always, and this will lead us into  
48 our discussion after lunch, and we'll move right into gag

1 grouper, and so, Mr. Chairman, back to you.

2  
3 **MR. DIAZ:** Thank you, Dr. Frazer, and thank you, Dr. Nance.  
4 Let's go ahead and take our lunchbreak, and we will start back  
5 at 1:30.

6  
7 (Whereupon, the meeting recessed for lunch on August 23, 2022.)  
8

9 - - -

10  
11 August 23, 2022

12  
13 TUESDAY AFTERNOON SESSION  
14

15 - - -  
16

17 The Reef Fish Management Committee of the Gulf of Mexico Fishery  
18 Management Council reconvened at the Omni Hotel in Corpus  
19 Christi, Texas on Tuesday afternoon, August 23, 2022, and was  
20 called to order by Chairman Tom Frazer.

21  
22 **CHAIRMAN FRAZER:** We are going to move right into the draft  
23 options for Amendment 56, which is Modifications to the Gag  
24 Grouper Catch Limits, Sector Allocations, Fishing Seasons, and  
25 Other Rebuilding Plan Measures. To get us on the right track,  
26 we're going to look to SERO staff to provide us with an update  
27 on the gag grouper interim rule. Are you going to do that,  
28 Andy, or somebody else?  
29

30 **DRAFT OPTIONS FOR AMENDMENT 56: MODIFICATIONS TO THE GAG GROUPE**  
31 **CATCH LIMITS, SECTOR ALLOCATIONS, FISHING SEASONS, AND OTHER**  
32 **REBUILDING PLAN MEASURES**  
33

34 **MR. STRELCHECK:** I guess I will. There's not really a lot to  
35 report on here, and so thanks for the work at the last council  
36 meeting. We are planning to submit the draft interim rule to  
37 Headquarters in the coming month and get that moving through the  
38 clearance process, with the goal of, obviously, having that  
39 effective by January 1, so that we can modify the catch limits  
40 for the commercial sector and the recreational sector and then  
41 ultimately have the recreational season in place for next fall.  
42

43 **CHAIRMAN FRAZER:** Very efficient, Andy. All right, and so  
44 that's where we are with the interim rule, and we will go ahead  
45 and get a presentation from Dr. Nance with regard to the SSC's  
46 review of the alternative SEDAR 72 base model using Florida's  
47 State Reef Fish Survey and the SSC recommendations.  
48

49 **DR. NANCE:** Thank you, Mr. Chair. We're going to do the SEDAR

1 72 model, and so we're going to talk about the SEDAR 72 base  
2 model, and, as was mentioned, it was -- The data used was MRIP-  
3 FES data, and we replaced that with -- The Science Center  
4 replaced that with the Florida State Reef Fish Survey data, and  
5 we'll look at the analysis that they presented to us.

6  
7 At the beginning of the SSC meeting, the Southeast Fisheries  
8 Science Center presented a resolved issue with the data from the  
9 headboat-directed landings and discards. When these data were  
10 pulled into the SEDAR 72 assessment, Area 23, which covers  
11 northwest Florida and Alabama, was accidentally omitted.

12  
13 The inclusion of this data in both the original SEDAR 72 base  
14 model, using the FES data, and also the Florida State Reef Fish  
15 Survey, resulted in minimal differences in the estimated  
16 landings by year, and so both these models were updated with  
17 that new data.

18  
19 Although these differences for gag grouper were small, both the  
20 MRIP and SRFS-informed models were rerun to ascertain any  
21 effects to management benchmarks and rebuilding timelines. This  
22 resulted in no substantial change to rebuilding timelines for  
23 the SRFS model. However, for the MRIP model, the projections  
24 changed and showed that the stock could rebuild in ten years,  
25 from a T<sub>min</sub> of ten years at a fishing mortality rate at maximum  
26 sustainable yield and an FMSY proxy using a 30 percent spawning  
27 potential ratio and a medium severity estimate of red tide  
28 mortality in 2021.

29  
30 If you remember, last time, in the 72 model, we had, I think, a  
31 twelve-year, or eleven-year, T<sub>min</sub>, and this adding data changed  
32 that now to a ten-year timeframe.

33  
34 The Southeast Fisheries Science Center presented the revised  
35 SEDAR 72 results, using SRFS for the private angling landings in  
36 place of the MRIP-FES data in the original SEDAR 72 base model.  
37 A review of the SRFS data, the historical calibrations, were  
38 coordinated and compiled by the NMFS Office of Science and  
39 Technology in May of 2022. The findings of that review were  
40 subsequently evaluated by the National Marine Fisheries Service  
41 Office of Science and Technology and Southeast Fisheries Science  
42 Center staff, and no major concerns were identified in the  
43 review that precluded the use of the calibrations for their  
44 intended purpose.

45  
46 Generally, the SRFS model estimates similar trends in landings  
47 as the MRIP model, albeit lower estimates of removal and stock  
48 size. Approximately 95 percent of private angling landings of

1 gag grouper are captured with the SRFS sampling frame, which  
2 encompassed the eastern Gulf of Mexico, from the Florida-Alabama  
3 line east and south through Monroe County.

4  
5 The Southeast Fisheries Science Center presented the updated  
6 model results and diagnostics, including comparisons with the  
7 SEDAR 33 update assessment as well as the previously approved  
8 SEDAR 72 base model. The revised management benchmarks, stock  
9 status estimates, and projections for gag grouper were shown to  
10 us.

11  
12 Fits to the indices, trends in recruitment, exploitation rates,  
13 and spawning stock biomass were also similar between the models.  
14 The SRFS run does estimate a lower virgin biomass, a lower rate  
15 of depletion, and less recruitment, all to pair with the lower  
16 estimated historical removals under SRFS, compared to the MRIP  
17 model.

18  
19 Diagnostics demonstrated stable models, using either SRFS or  
20 MRIP, and minimal retrospective patterns in the standing stock  
21 biomass, recruitment, and F. Generally, the SRFS model scales  
22 down the population size by about 50 percent, but does not  
23 change the stock's trajectory or the ratio of standing stock  
24 biomass to virgin standing stock biomass in the terminal year.

25  
26 The Southeast Fisheries Science Center presented projections  
27 from the models, which were informed by a medium severity  
28 estimate of red tide mortality in 2021, compared to the 2005 red  
29 tide, and proxies for FMSY of F 30 percent SPR and F 40 percent  
30 SPR, and so we asked for both of those runs to be completed.  
31 Fmax was not included in the projections, due to it previously  
32 being deemed inappropriate by the SSC at its previous meeting.

33  
34 For projections, selectivity and retention at fixed at their  
35 2019 values, with recruitment following the Beverton-Holt stock-  
36 recruitment relationship. Actual landings are used for the  
37 interim of the years 2019 through 2021, and the average of those  
38 three years is used for data for 2022.

39  
40 In this analysis, the sector allocation ratio from Reef Fish  
41 Amendment 30B was retained at 61 percent recreational and 39  
42 percent commercial, and the red tide influence in 2021 is  
43 included as a fixed F.

44  
45 Under either the SRFS or MRIP models, gag grouper is overfished  
46 and undergoing overfishing. Using the FMSY proxy of 30 percent  
47 SPR, the stock rebuilds to a smaller standing stock biomass than  
48 at F 40 percent SPR, with ultimately smaller yields over time.

1 The SSC noted that fixed steepness and setting a proxy for FMSY,  
2 in effect, fixes the stock's productivity.

3  
4 The SSC, through deliberation, noted the need to determine which  
5 proxy to use for FMSY. One of the SSC members noted differences  
6 in when the stock was estimated to be overfished, based on the  
7 way the standing stock biomass is calculated. In some of the  
8 past models, we've used female only, versus combined sexes, is  
9 what we used in SEDAR 72, and, also, previous models used Fmax,  
10 and, last time, we used the F 30 percent SPR, and so the 72  
11 model -- Just as a reminder, we used combined sexes and a 30  
12 percent SPR for those analyses. These model specifications have  
13 changed from assessment to assessment, as the data have evolved  
14 through time.

15  
16 An SSC member thought that the FMSY proxy of 30 percent SPR was  
17 likely a lower bound for gag grouper, and F 50 percent SPR, or F  
18 60 percent SPR, was a higher bound, with F 40 percent SPR being  
19 closer to the middle. Another SSC member agreed, adding that,  
20 given the low sex ratio, rate of production, and red tide  
21 susceptibility, there appeared to be ample evidence to support a  
22 higher FMSY proxy than the 30 percent SPR that we have  
23 previously used.

24  
25 There was a motion that was made that the SSC recommends F 40  
26 percent SPR as the appropriate FMSY proxy and the basis for  
27 stock status determination criteria for Gulf of Mexico gag  
28 grouper. That motion carried with one opposed and five absent.

29  
30 The SSC then discussed the SRFS run compared to the MRIP run,  
31 considerate of how the fishery is expected to be monitored in  
32 the future. An SSC member noted the State of Florida and the  
33 councils have expressed a desire to use the same data collection  
34 program to both monitor and assess the stock, which would  
35 support using SRFS. Another SSC member added that migrating  
36 from a generalized survey like MRIP, which is Gulf-wide, to a  
37 region-specific survey, like SRFS, may be more appropriate for  
38 stocks that are effectively sampled by that one state survey,  
39 noting that about 95 percent of the private angling landings for  
40 gag grouper are captured by SRFS, with the added benefit and  
41 improved precision of the SRFS survey.

42  
43 The SSC discussed, over a lengthy period of time, selecting the  
44 exact model which was consistent with the best scientific  
45 information available, considerate of discussions about data  
46 inputs and the trends observed in the stocks. The two surveys,  
47 both MRIP and SRFS, are linked, in that the intercept data  
48 collected by SRFS are ultimately used to inform the MRIP catch

1 estimates in the Access Point Angler Intercept Survey. Where  
2 the survey differs is in the estimation of fishing effort. An  
3 SSC member though that determining that the SRFS run was  
4 consistent with BSIA was not out of order, especially given the  
5 comparatively-similar performance of the two models.

6  
7 The SSC had this motion presented. The SSC determines that  
8 SEDAR 72 Gulf of Mexico Gag Operational Assessment State Reef  
9 Fish Survey Run, based on the combined-sexes standing stock  
10 biomass, the corrected SRHS data, an MSY proxy of F 40 percent  
11 SPR, and a medium red tide scenario is consistent with the best  
12 scientific information available and should be used as a basis  
13 for stock status determination and management advice. Based on  
14 this assessment model, the stock is determined to be overfished  
15 and undergoing overfishing. That motion carried fifteen to four  
16 with five being absent.

17  
18 The Southeast Fisheries Science Center reviewed the rebuilding  
19 timelines for the projections, assuming no fishing pressure, F  
20 equals zero, to determine the minimum time to rebuild the stock,  
21 or Tmin. Assuming an F 40 percent SPR reference point, the MRIP  
22 model rebuilds in thirteen years at F equals zero and twelve  
23 years for the SRFS run.

24  
25 The motion was made that the SSC determines that the yield  
26 corresponding to the rebuild schedules based on Tmin, Tmin plus  
27 one generation time, and Tmin times two are appropriately  
28 calculated and suitable for informing catch advice. That motion  
29 carried with no opposition and five being absent.

30  
31 The SSC noted that the overfishing limit projections, and those  
32 of F rebuild, are equivalent to the acceptable biological -- The  
33 ABC. They were contained in the tables in the presentation  
34 provided in millions of pounds gutted weight, and I will show  
35 you that table.

36  
37 Although not contained in the SSC's previous motion about the  
38 catch limits associated with different rebuilding timelines, the  
39 SSC stated that it thought that catch limits associated with the  
40 rebuilding timeline using 75 percent F 30 percent SPR, which is  
41 one of the options when Tmin is greater than ten years in the  
42 Magnuson-Stevens Act, was a valid option for consideration by  
43 the council. The SSC then compiled these data into a single  
44 table for the different rebuilding timelines, and we'll go ahead  
45 and put that next slide up.

46  
47 I know these numbers are unreadable on the screen, and you have  
48 them in your packet, but I wanted just to show you this, that

1 this table that was put up by the Science Center contains the  
2 OFL, in that left-hand side, and it also presents F rebuild with  
3 a  $T_{min}$  of twelve years times two,  $T_{min}$ , one generation, and F  
4 equals 75 percent of F 40 percent SPR.  
5

6 To kind of capture that discussion, this motion was made by a  
7 member of the SSC. The SSC determines that the yields  
8 corresponding to the rebuilding schedules based on  $T_{min}$ , which  
9 is twelve years at F equals zero,  $T_{min}$  plus one generation of  
10 time, and that's eight years for gag grouper, and so that's a  
11 twenty-year total,  $T_{min}$  times two, which is twenty-four years  
12 total, and 75 percent of F at SPR 40, nineteen years total, are  
13 appropriately calculated, and the five-year OFL and ABC yield  
14 streams associated with those rebuilding timelines are suitable  
15 for informing catch advice. That motion carried with no  
16 opposition and five absent. Mr. Chair, that ends the  
17 presentation.  
18

19 **CHAIRMAN FRAZER:** Thank you, Dr. Nance, as always, and so do we  
20 have any questions for Jim? Kevin Anson.  
21

22 **MR. ANSON:** Thank you, Mr. Chair, and thank you, again, Dr.  
23 Nance, for being here. I'm wondering if maybe you, or perhaps  
24 Dr. Porch, could answer this question, and so, in the  
25 presentation, you had indicated, and I'm trying to find it here  
26 -- Two things. One, a statement that the SRFS -- Well, that the  
27 SRFS data and the MRIP data were -- The landings were relatively  
28 comparable, right, and there were some differences, I guess, in  
29 the discards, but, for landings purposes, they were comparable,  
30 and then it goes through the SEDAR 74 run, SEDAR 72, and it  
31 says, generally, the SRFS run scales down the stock's population  
32 size by about 50 percent, but it does not change the stock's  
33 trajectory or the ratio of SSB to virgin SSB in the terminal  
34 year, and so I am just wondering. If the landings were  
35 relatively the same, what would cause a difference, using the  
36 SRFS data, of 50 percent?  
37

38 **DR. NANCE:** Well, the SRFS data and the MRIP data have the same  
39 data collection. There is a difference in how effort is  
40 calculated, and so the effort expansion in that is what -- SRFS  
41 is about 50 percent of the standing stock biomass than the MRIP  
42 is, just because of that change in effort, and you add that into  
43 the assessment. When you add that new data stream in, it  
44 produces a smaller standing stock biomass, historically and in  
45 the future.  
46

47 **CHAIRMAN FRAZER:** Real quick, Kevin, and I think Clay wanted to  
48 add something to this.

1  
2 **MR. ANSON:** Yes, and I just wanted some -- On the landings  
3 though, the landings were generally the same though, and so the  
4 effort wouldn't really -- At least it shouldn't have an impact  
5 on the landings for the sector.

6  
7 **DR. PORCH:** I can answer that. SRFS landings were much lower  
8 than the MRIP landings. The trends were about the same, because  
9 remember the SRFS landings actually are back-calibrated  
10 according to the trends in the MRIP-FES statistics, and so what  
11 it did is scaled the MRIP estimates back in time to the  
12 magnitude of SRFS, but the absolute magnitude of landings from  
13 SRFS is substantially lower than the MRIP.

14  
15 **CHAIRMAN FRAZER:** Thanks, Clay.

16  
17 **DR. NANCE:** Thanks, Clay. I misspoke.

18  
19 **CHAIRMAN FRAZER:** Okay. Are there -- Dr. Stunz.

20  
21 **DR. STUNZ:** Thanks for that thorough presentation, Jim, and the  
22 way I'm understanding this, and sorry for the acronyms, but the  
23 SRFS is -- One, I guess it's a good example of, you know, the  
24 state data shedding some interesting light on the -- In fact, I  
25 could argue, I guess, maybe more accurate picture of really  
26 what's going on, and so I wanted to ask maybe a little broader  
27 question, using this as just one case study or example.

28  
29 Have we asked you, as the SSC, or have you all had any  
30 deliberations, looking at the state data versus MRIP like this,  
31 for other things, or this has just been specifically for gag, or  
32 has that come up around you all's table?

33  
34 **DR. NANCE:** This was specifically asked for by the council, I  
35 think, a few minutes ago, and the SRFS was used as a -- I can't  
36 think of the term right now, but as a sensitivity run, and the  
37 State of Florida asked for it to be a full run, and then that  
38 was a motion made by the council, and that was then presented to  
39 us.

40  
41 Now, I think, with gag grouper, it's one of those species that  
42 is really just off of Florida, and there's not a lot of catch  
43 elsewhere, and so SRFS does a very good job of capturing that  
44 data, and we felt like that MRIP is a Gulf-wide survey, used to  
45 calculate those types of things, where SRFS is -- Just for  
46 Florida, it may do a better job of capturing a Florida-centric  
47 species.

1 **DR. STUNZ:** Thanks, Jim, and that -- Because I'm trying to  
2 reconcile SRFS as state data, and you were using it for gag  
3 here, but I guess, the way the dockside intercept surveys are  
4 happening, that is conserved through the states, right, I guess?  
5 You know, if you're looking at dockside -- I guess you were  
6 saying that this gag is specific, in this case, in Florida,  
7 versus the broader MRIP across the Gulf-wide and all the states,  
8 but at least the major component of this dockside survey is  
9 similar -- I am just -- I guess the broader question, Jim, is  
10 like SRFS is good here, and, I mean, I think I like the SRFS,  
11 and I could definitely move to use SRFS here, but why isn't that  
12 applicable broader across the Gulf, and not just for gag, but  
13 other things as well, if the dockside survey and intercepts are  
14 pretty similar?

15  
16 **DR. NANCE:** Okay. I think Ryan has a --

17  
18 **MR. RINDONE:** Sure. I think the main difference here is that  
19 you have the single survey that's capturing, in this case, over  
20 95 percent of all realized landings for that particular fleet  
21 over where the stock exists, and so, for other species -- Like,  
22 if we pick on say gray snapper, the majority of the landings of  
23 gray snapper in the Gulf also come from Florida, but there is  
24 still 30, or 35, percent of those landings that come from the  
25 other four states.

26  
27 In this case, there is such a preponderance of the landings for  
28 gag that come from the State of Florida that the inclusion or  
29 exclusion of the miniscule amount of landings that occasionally  
30 come into like Alabama, as an example, were not demonstrated, in  
31 the last data workshop, to have any meaningful effect, and so  
32 this is a Florida-centric stock, and, in this particular case,  
33 the SSC thought that, for these Florida-centric stocks, we're  
34 uniquely positioned to have the option of using either SRFS or  
35 MRIP.

36  
37 In the case of SRFS, with the more frequent reporting, it would  
38 allow for a little bit more nimble observation and monitoring of  
39 the landings relative to the ACLs, and so the SSC thought that,  
40 in this particular case, that SRFS was consistent with BSIA, as  
41 MRIP was determined to be by the SSC for the original SEDAR  
42 assessment, but that, for this species, that SRFS was  
43 appropriate for moving forward.

44  
45 **CHAIRMAN FRAZER:** Dr. Porch.

46  
47 **DR. PORCH:** Thank you, Chair. One more thing to add to that.  
48 It requires calibrating back in time, and so remember that we

1 need a consistent time series. Whatever currency you're using,  
2 in this case SRFS, we need to calculate it all the way back in  
3 time, and so the State of Florida did that, and then they  
4 documented it and submitted it to the independent consultants  
5 for essentially a peer review, and that's what hasn't happened  
6 with all the other surveys, and so we actually went through  
7 those steps and calibrated back in time.

8  
9 It was an easy lift, for the reasons that Ryan and Jim were  
10 explaining, but we still had to go through the steps of back-  
11 calculating that time series, all the way back in time, and so  
12 now you have a SRFS back in time to 1981, SRFS-like, and doing  
13 the peer review for that. It's a lot more complicated when you  
14 have multiple surveys, because now not only are you worried  
15 about how you calibrate relative to MRIP, but then it's the  
16 relative magnitude of each of the various state surveys.

17  
18 **CHAIRMAN FRAZER:** Susan.

19  
20 **MS. BOGGS:** I think Dr. Porch may have just answered my  
21 question, because I'm sitting here thinking that, okay, we took  
22 gag and SRFS, and we calibrated, and we're done, and what's the  
23 problem with red snapper, and so would it be safe to assume, and  
24 I hate to use that word, that the calibrations for red snapper  
25 to SRFS, or FES to SRFS, has been done, but it's just now  
26 bringing all of the five states together, and do you understand  
27 my confusion?

28  
29 I mean, here we go again, and, well, it works for this, but it  
30 doesn't work for that, and I just want to be very clear what  
31 we're doing here, because I had a problem going down this road  
32 before, or, when we went down this road, I said that we need to  
33 be cautious, because now what's going to preclude -- Well, all  
34 the red snapper are off the reefs in Alabama, and so, hey, we  
35 need to use Snapper Check, and, I mean, this is a bad road that  
36 I think we're going down. I understand, but we catch gag -- I  
37 mean, we do catch gag grouper Gulf-wide, albeit not a lot, but  
38 I'm just going to put that out there again, and I really caution  
39 what we're doing here.

40  
41 **CHAIRMAN FRAZER:** Dr. Porch.

42  
43 **DR. PORCH:** Just to answer that again, I just wanted to  
44 emphasize, and so, in the case of SRFS, the State of Florida  
45 actually went to the trouble to create a time series of SRFS,  
46 calibrated back in time to the FES, and that hasn't happened  
47 with the other state surveys, for red snapper or any other  
48 species, and so that step would need to be taken, and then do

1 the peer review, because you need to make sure that, whatever  
2 calibration approach is used to create that time series back in  
3 time, it is appropriate, given the differences between the  
4 various state surveys and the way the FES survey was conducted,  
5 which, again, remember that was calibrating the old CHTS  
6 estimates back in time, and so it does get complicated, in terms  
7 of the actual details. It was an easier lift with SRFs, because  
8 it's very much like the MRIP survey, except in the way the  
9 effort is calculated.

10  
11 **CHAIRMAN FRAZER:** Okay. I think we've got most of the questions  
12 answered, Jim. Dr. Shipp.

13  
14 **DR. SHIPP:** You know, we've been debating, back and forth, this  
15 business of state surveys versus MRIP versus all the various  
16 ones, and it seems like each state has a survey system that  
17 works best for them. I think I'm going to make a motion to open  
18 the discussion about, in general, if I can find my glasses, so  
19 that I can read, but a general discussion about state surveys  
20 about MRIP and what else. I would like to move that the council  
21 accepts state surveys -- Bernie, I gave you a copy of that, if  
22 you want to just use that.

23  
24 **CHAIRMAN FRAZER:** We'll wait just a second, Bob, and we'll get  
25 it up on the board.

26  
27 **DR. SHIPP:** My motion is on the board, and it's very short and  
28 very clear, and I just think it's time for us, as a council, to  
29 decide which way we're going to go on this continuing debate on  
30 the validity of the various surveys, and so that's my motion.  
31 If I get a second, we can discuss it. If not, we'll move on to  
32 the next item.

33  
34 **CHAIRMAN FRAZER:** Hold on, Bob, before we go through that, and  
35 so we have a motion on the board, and just a couple of things  
36 that are going through my mind. I mean, I'm trying to keep the  
37 discussion, at this time, focused specifically on gag, and I'm  
38 not discounting your motion, Bob.

39  
40 **DR. SHIPP:** I realize that, and I was trying to decide whether  
41 to make the motion now or at Full Council, and I guess the  
42 reason I decided now is because the discussion of gag grouper  
43 started to seep out into other things, and we talked about red  
44 snapper. Whether we do it now or in Full Council, it doesn't  
45 matter to me much, but I would like to put this motion on, and  
46 if we can get a second.

47  
48 **CHAIRMAN FRAZER:** Okay. Well, again, Bob, I don't mind

1 discussing the motion at all, right, and my preference is very  
2 similar to the discussion we had this morning, and I would like  
3 to kind of keep the focus on gag. I realize the discussion has  
4 been wandering, and we need to wrap up the discussion  
5 specifically on gag, because we need to make some progress  
6 there. Let's circle back on this motion.

7  
8 **DR. SHIPP:** Okay. I will withdraw the motion for now, and we  
9 can pick it up later on.

10  
11 **CHAIRMAN FRAZER:** I appreciate that. Okay. All right, and so,  
12 again, thank you, Bob, for accommodating that request, just for  
13 process purposes. What I do want to ask staff is, at this point  
14 -- So we've got an interim rule, and Andy laid that out pretty  
15 well, right, and so we're set for 2023, with regard to our  
16 management actions, right, and the question is, you know, much  
17 like AJs, right, we need to do something, so we're prepared for  
18 2024, and so we've got a plan amendment in the works.

19  
20 I guess, from staff's perspective, when you're asking the  
21 council for guidance, you probably are asking for us to resolve  
22 a couple of things, and like what's going on with regard to  
23 status determination criteria is the first one, and is that  
24 right, Ryan?

25  
26 **MR. RINDONE:** Yes, and I was talking with Dr. Froeschke, and,  
27 since the SSC's recommendation is based on 40 percent SPR, and  
28 because they didn't offer you guys the option of using Fmax,  
29 which is our current proxy for F at MSY -- It's still the  
30 council's prerogative to change that status determination  
31 criteria, that proxy for F at MSY, but your recommended catch  
32 limits are -- Based on the SSC's justification, they are  
33 provided using F 40 percent SPR, and so we would need new  
34 projections done, and Fmax, which the SSC did not support, for  
35 all the reasons that they outlined.

36  
37 All that said, the catch limits that are in Action 2, that are  
38 proposed in the presentation that I can give next, since they're  
39 based on that, if you guys adopt those catch limits, you would  
40 de facto be adopting F 40 percent SPR, and so we could just kind  
41 of skip past Action 1 that I have in that presentation.

42  
43 What we have proposed to you guys, at this point, is to take  
44 some of the things that are in the current interim rule, take  
45 these updated catch recommendations, and fold all of that, and a  
46 couple of additional things, into a proposed rebuilding plan for  
47 gag. I want to try to get this road-mapped before I bring --  
48 We, the IPT, bring you guys an actual option version for

1 Amendment 56 at the next council meeting, just to make sure that  
2 we make the best use of our short amount of time.

3  
4 Dr. Frazer, you're right that we're square for 2023, but,  
5 ideally, we would have something in place, or at least sent off  
6 and everything, and ready to be implemented, sometime in the  
7 middle of 2023, at the latest, so that it could be implemented  
8 by January 1, 2024, because we got that letter telling us that  
9 gag was overfished, and undergoing overfishing, from SERO on I  
10 think January 25 of this year, and so this is something that we  
11 need to move forward on and try to get done quickly.

12  
13 **CHAIRMAN FRAZER:** Okay. I'm going to come back to you in just a  
14 second, Ryan, and I want to make sure that I acknowledge Dr.  
15 Sweetman and Mara Levy. I see both their hands are up. C.J.,  
16 do you want to go first?

17  
18 **DR. SWEETMAN:** Thank you, Dr. Frazer. Trying to keep this  
19 focused on gag, I put forward a motion, Bernie, and I sent that  
20 over to you, if you could potentially bring that up. I could  
21 read it in too, if that's helpful. I will read it for everyone.

22  
23 **The council concurs with the SSC's motion regarding the SEDAR 72**  
24 **Gulf of Mexico gag operational assessment base run**  
25 **configuration, MSY proxy, red tide scenario, and stock status**  
26 **determination to use the State Reef Fish Survey data and**  
27 **consider it BSIA.**

28  
29 **CHAIRMAN FRAZER:** Okay. Thank you, C.J., and so we have a  
30 motion on the board, and it's essentially consistent with the  
31 recommendation coming from the SSC. Is there a second to this  
32 motion? It's seconded by Dr. Shipp. Okay. Is there any  
33 further discussion on this motion? Do you want a little more --  
34 Kevin.

35  
36 **MR. ANSON:** Sometimes I'm too finicky for my own good, but I'm  
37 just wondering, and should it say "considers", instead of  
38 "consider", and it's referring to -- Bob, you help me out here,  
39 and you're real good at this, and is it in reference to the SSC  
40 making it, or is the council saying it's considering it BSIA,  
41 and that's all I want to make sure is clear.

42  
43 **MR. RINDONE:** Maybe "and its consideration as"? C.J., how do  
44 you feel about that?

45  
46 **DR. SWEETMAN:** Yes, I think that's fine.

47  
48 **CHAIRMAN FRAZER:** Andy, did you want to make a comment? I'm

1 sure about the BSIA issue here. No?

2  
3 **MR. STRELCHECK:** No, not about that, and just more general. I  
4 mean, I appreciate the motion, but I'm just not sure it's  
5 necessary. We're going to be taking action here based on the  
6 results of the SSC putting together an amendment, and so, to me,  
7 that's concurrence, in and of itself, without having to put  
8 together a motion at this meeting.

9  
10 **CHAIRMAN FRAZER:** I'm sorry, Andy. I did not hear the last part  
11 of that.

12  
13 **MR. STRELCHECK:** I'm just -- I am questioning the need for the  
14 motion, right, and so it's kind of restating what we're  
15 obligated to do as a fishery management council, and we're going  
16 to be proceeding with an amendment for gag to revise the  
17 rebuilding plan, regardless, and this will all be components for  
18 consideration within that amendment.

19  
20 **CHAIRMAN FRAZER:** Maybe Ryan or Dr. Nance can help me out here a  
21 little bit. When I read the motion, I guess we're -- As we move  
22 forward with an amendment, right, we are going to explore the  
23 use of a new MSY proxy, for one.

24  
25 **MR. RINDONE:** We'll be doing that as a default, by accepting the  
26 updated catch level recommendations, because those are  
27 predicated on an FMSY proxy of 40 percent SPR, and so that's  
28 that part. They're also predicated on a medium red tide  
29 severity index, for how we believe the 2021 red tide was in  
30 relation to the 2005 red tide.

31  
32 The stock status determination comes from the SSC's  
33 recommendation, and then it's formally recommended by the agency  
34 to the council, via the letter that we got in January, and so  
35 that's already done as well. Then the base model configuration,  
36 using SRFS, that's kind of the basis for the whole thing, for  
37 the catch level recommendations that you guys are going to get,  
38 and so, by adopting the catch level recommendations from the  
39 SSC, you would, point in fact, do all of this automatically, but  
40 with the greater precision, if you will, of actually picking the  
41 catch level recommendations.

42  
43 I will add that those -- The catch level recommendations that  
44 are in that presentation that I've got up for you guys -- Those  
45 are predicated on the current sector allocations, and so, if you  
46 decide to modify those in any way, then we're going to need to  
47 get projections rerun, albeit quickly, and have the SSC review  
48 those and confirm that those are all good to go for use for

1 management.

2  
3 **CHAIRMAN FRAZER:** Right, and so I guess, based on that, what I'm  
4 looking at -- I'm not arguing whether or not we concur or not  
5 with the SSC. What I'm asking Andy for is there is no harm and  
6 no foul in this motion, right?

7  
8 **MR. STRELCHECK:** Correct, but, in response to what Ryan just  
9 said, we don't have to just accept the MSY proxy that's provided  
10 to us from the SSC. We need to be explicit in terms of  
11 redefining that proxy, going forward, and we'll have to do that  
12 as part of the amendment process.

13  
14 **CHAIRMAN FRAZER:** Ryan.

15  
16 **MR. RINDONE:** Yes, and like it will be listed out in the  
17 alternative for all that, and it's based on the revised FMSY  
18 proxy of 40 percent SPR, and so that will all end up codified.  
19 John has got his hand up, too.

20  
21 **CHAIRMAN FRAZER:** Dr. Froeschke.

22  
23 **DR. FROESCHKE:** Doing it this way would leverage the text we put  
24 into Reef Fish Amendment 48 that allows the council, if they  
25 don't -- If they want to change the SPR proxy, and they don't  
26 want to consider alternatives, they can simply note it in a plan  
27 amendment, without going through a formal action, and so this is  
28 one of those streamlining mechanisms that we put in there, and  
29 so that's the reason why it's like this.

30  
31 **CHAIRMAN FRAZER:** Okay, and so my angle, right now, is just to  
32 make sure that we're getting enough direction to the council  
33 staff, right, so they can get to work on this amendment, so we  
34 are ahead of the curve on this one, and so that's the only  
35 reason I'm asking. All right, and I think we've had a fair  
36 amount of discussion on the motion. Is there any opposition to  
37 the motion? Ms. Levy. Sorry.

38  
39 **MS. LEVY:** Thank you. It's not directly to the motion, but kind  
40 of related, because it's about the MSY proxy stuff, and we can  
41 get more into it later, but, you know, it can't just be a  
42 because the SSC recommended it, and this is what shakes out, and  
43 it's part of the alternatives, and so it's done, and, I mean,  
44 we're going to have to document and discuss the rationale for  
45 the change and why it's appropriate and why, you know, the other  
46 things, Fmax, F 30 percent, why the council feels that's not  
47 appropriate, and so I just wanted to make sure that that was  
48 clear. Thanks.

1  
2 **CHAIRMAN FRAZER:** Dr. Porch and then Ryan.

3  
4 **DR. PORCH:** I would just say that I think that the record is  
5 pretty clear in the SSC discussions, the rationale for changing  
6 the proxy, because the idea is that the MSY proxy should be the  
7 best approximation to what you would think would be in the  
8 vicinity of MSY, and they documented that fairly well, why they  
9 think it should be F 40 percent, and I agree that their  
10 rationale is consistent with the best scientific information  
11 available, and I just want to make sure that people don't forget  
12 that there is a scientific basis for a proxy, and it's not  
13 something instead of MSY, and it's something that provides the  
14 best approximation of what the MSY might be when you can't  
15 actually calculate it.

16  
17 **CHAIRMAN FRAZER:** Thanks, Clay. Mr. Rindone.

18  
19 **MR. RINDONE:** So what Dr. Porch said, and we'll take a lot of  
20 the language from the SSC's minutes to clarify that and document  
21 it.

22  
23 **CHAIRMAN FRAZER:** Okay. All right. There's been a fair amount  
24 of discussion. **Is there any opposition to this motion?** All  
25 right. **Not seeing any, the motion carries.** All right, and so,  
26 Ryan, I guess is there other specific direction that you want  
27 from the council at this point?

28  
29 **MR. RINDONE:** Absolutely, and I want to bring that presentation  
30 up.

31  
32 **CHAIRMAN FRAZER:** Well, load it up.

33  
34 **MR. RINDONE:** All right. Let's dance. Just to recap, gag is  
35 overfished and undergoing overfishing. The SSC doesn't  
36 recommend Fmax anymore, because of a lot of the justification  
37 that Dr. Nance has given at past meetings and the justifications  
38 that he gave today for supporting F 40 percent SPR, which is  
39 likely more considerate of gag biology and red tide  
40 vulnerability and other factors, and we're also looking at a low  
41 proportion of males, only about 2 percent or so of the spawning  
42 stock biomass.

43  
44 Some considerations that you guys are going to have to think  
45 about, when we're crafting this rebuilding plan, are things like  
46 fishing pressure, especially on the males, discard mortality,  
47 and vulnerability during the spawning seasons.

1 Magnuson requires that the council implement measures to end  
2 overfishing and rebuild gag within two years, and so we talked  
3 about that January letter that we got this year, and these  
4 measures need to be in place before the IFQ allocation is  
5 released, or before January 1, 2024, so that SERO can do  
6 anything that they can, as far as like holding back any of that  
7 allocation in anticipation of any changes to the catch limits,  
8 because, once that allocation is out, it can't be recalled.

9  
10 You guys worked on the interim rule in June, which only needs to  
11 reduce, and not end, overfishing, and it will do something to  
12 that effect, to dramatically reduce overfishing. Catch limits  
13 for the interim rule are recommended under FES, and an FMSY  
14 proxy of 30 percent, and the same red tide severity index for  
15 2021.

16  
17 You guys also recommended revising the recreational fishing  
18 season to September 1 and closing November 10, and, as Mr.  
19 Strelcheck indicated, NMFS is working on the rule, and it can be  
20 effective for up to 366 days, total. You guys also elected not  
21 to modify sector allocation percentages in the emergency rule.

22  
23 This is what we were talking about, briefly, and what Dr.  
24 Froeschke had mentioned, that, if you're not considering other  
25 options for an FMSY proxy, if you're just going to move straight  
26 into 40 percent SPR, then, based on what you guys passed in Reef  
27 Fish Amendment 48, that's something that we can just specify  
28 within the document, within the ACL change, and so what's being  
29 proposed here is only changing the FMSY proxy and leaving the  
30 rest of the status determination criteria the same.

31  
32 Generally speaking, just to simplify things, the lower SPR  
33 targets tend to result in smaller stock sizes over time, and  
34 allowing a larger proportion of the stock size to be caught, but  
35 they also generally are going to result in less of a buffer  
36 between the catch limits and total spawning stock biomass, and  
37 the stocks are generally going to have a little bit more  
38 vulnerability to changes in fishing pressure and episodic  
39 mortality.

40  
41 By going with this higher SPR target, this larger stock size is  
42 going to be able to be achieved over time, and it's going to be  
43 more robust to things like changes in fishing pressure and red  
44 tides, and so just it's a little bit of extra insulation for the  
45 gag stock, which we've looked at patterns in recruitment for  
46 this stock, but it just has not come roaring back, after some of  
47 these red tides that it's had in the last decade or so, and we  
48 know that there's going to be more in the future, and so having

1 a more robust stock may help insulate the stock from more wild  
2 fluctuations.

3  
4 The next action would consider modification of the sector  
5 allocation, which is currently 61 percent allocated to the  
6 recreational sector and 39 percent to the commercial sector, and  
7 this was using CHTS data from the average landings for 1986 to  
8 2005, and so this Alternative 1 would no longer reflect the best  
9 scientific information available, and you guys can consider that  
10 one non-tenable.

11  
12 Alternative 2 would keep that 61 percent recreational and 39  
13 percent commercial, but it would use SRFS landings data to  
14 monitor the stock moving forward, and this would result in a de  
15 facto reallocation, albeit a small one, to the commercial  
16 sector, due to the slightly higher historical and recreational  
17 landings using SRFS.

18  
19 Alternative 3 would modify the sector allocation for gag, by  
20 applying the SRFS data to the historical period used in the  
21 current sector allocation, again using that reference period of  
22 1986 to 2005, and that would result in a revised sector  
23 allocation of 65 percent to the rec sector and 35 percent to the  
24 commercial sector, and so that's a 4 percent. Then recreational  
25 landings data would be monitored using SRFS. Any questions?

26  
27 **CHAIRMAN FRAZER:** Dr. Simmons.

28  
29 **EXECUTIVE DIRECTOR SIMMONS:** Thank you, Mr. Chair, and so it's  
30 pretty important that the council decide, pretty much, at this  
31 meeting, by Thursday, if they want to look at any other shifts  
32 in allocation, because we would need to send a letter back to  
33 the Science Center requesting that and rerunning the  
34 projections, so that it could be reviewed by the SSC again and  
35 put in the rebuilding plan, because we really need to be taking  
36 final action on this document, and I believe the latest would be  
37 in June of 2023, to get it implemented, and that's pushing it.  
38 Thanks.

39  
40 **CHAIRMAN FRAZER:** Ms. Boggs.

41  
42 **MS. BOGGS:** Ryan, could you go back up a couple of slides? Your  
43 bottom down there says a de facto reallocation, due to -- I  
44 thought, in previous documents, with other species, that wasn't  
45 an okay thing to do, and so here we are again, and why do we do  
46 one thing for one species and not for another, and not that this  
47 is a preferred, or maybe you're going to come back and say you  
48 can't use that, but, in the past, that's not been an okay thing

1 to do.

2  
3 **MR. RINDONE:** This is something that you guys can do, but you  
4 just can't keep using CHTS, because CHTS is no longer supported  
5 as the best scientific information available. The SSC's catch  
6 limit recommendations use SRFS. You can keep the same sector  
7 allocation that's currently in place, but, because of the way  
8 that -- Because of the slightly higher recreational effort that  
9 is estimated under SRFS, and its calibrated historical time  
10 series, keeping the current sector allocation is in fact a bit  
11 of a shift, more so towards the commercial sector.

12  
13 That's because, if we apply those calibrated historical data to  
14 the time series we used last time, we see about a 4 percent  
15 shift to the recreational sector, and so both Alternative 2 and  
16 Alternative 3 constitute reallocation of some fashion or  
17 another, and it's just whether you want to leave the percentages  
18 the same as they are now or whether you want to revise those  
19 percentages based on the reference period used in 30B, but using  
20 the new BSIA-supported data.

21  
22 **CHAIRMAN FRAZER:** Dr. Stunz.

23  
24 **DR. STUNZ:** Thank you, Mr. Chair. We're falling into the trap  
25 again that I was talking about before with amberjack, and so I'm  
26 trying to figure out what to do, and I don't have like an  
27 eloquent motion prepared, and maybe Full Council is the right  
28 place, but, I mean, this -- We have the opportunity here to --  
29 Earlier, I said maybe fix the science issue, and this gets at --  
30 I think this is really a math issue that we need to fix, with  
31 the first conversion part of this.

32  
33 Then, all of a sudden now, we start getting into these de facto  
34 allocation discussions, and so we have an opportunity to  
35 separate that out into two separate things, to fix the math and  
36 then do a real reallocation.

37  
38 The good thing here, if I'm understanding Ryan correctly, is  
39 there's not a lot moving back and forth, and so hopefully it's  
40 not some horribly controversial thing, but it's a good -- In  
41 other words, I think that's kind of the way we need to be  
42 proceeding on a lot of these, and so, Tom, I don't know what  
43 your pleasure is, if you want me to hold off, or I don't know if  
44 I can construct a motion here on the fly like that, and it's  
45 pretty complex, but I think we should separate these, to make it  
46 cleaner otherwise.

47  
48 **CHAIRMAN FRAZER:** There's a couple of generalities, and I see

1 that Bob is interested in pursuing this, and you are as well,  
2 and, again, my preference, right now, is to let Ryan walk  
3 through this presentation, because we know that we have to  
4 develop an amendment, and we know that there are actions that  
5 need to be included in that amendment, and so I'm trying to get  
6 the scope of that endeavor, or that effort, on the table, and  
7 then we can define the language and tweak things from there, and  
8 so if that's okay. Okay, and so, Ryan, let's go ahead and work  
9 through your presentation, so that we know, again -- All of us  
10 know what's on the table and what you're asking for, moving  
11 forward.

12  
13 **MR. RINDONE:** Sure thing. Any other questions about the sector  
14 allocation? Mara has got her hand up, Tom.

15  
16 **CHAIRMAN FRAZER:** Ms. Levy.

17  
18 **MS. LEVY:** Thank you. Just kind of to Carrie's point, and  
19 looking at the alternatives that are currently under what's  
20 called Action 2, and I think maybe you should think about  
21 whether there would be other appropriate alternatives, given  
22 that the time series here is 1986 to 2005, and at least some  
23 discussion about whether looking at some more recent years might  
24 be appropriate, when you get there. Thank you.

25  
26 **CHAIRMAN FRAZER:** Thanks, Mara. Mr. Gill.

27  
28 **MR. GILL:** Thank you, Mr. Chairman, and that was the road that I  
29 was going down, that the only options here are old time series,  
30 and it seems, to me, that we need to have alternatives that  
31 include, in some fashion, more recent time series inclusive,  
32 and, yes, there may be problems, for one reason or another, IFQ  
33 or whatever it happens to be, but, nevertheless, relegating  
34 these decisions to just old time series, to me, seems  
35 inappropriate, and so I would suggest that we include another  
36 alternative, or two, that give options that include, in some  
37 fashion, more recent time series.

38  
39 **MR. RINDONE:** Any idea on what those time series might be? I  
40 would like to avoid just bringing forth -- Or asking the Science  
41 Center also to provide projections on four or five best-guess  
42 recent time series. If you guys could provide some direction,  
43 that would certainly narrow the field.

44  
45 **MR. GILL:** I don't have any at this time, but I will think about  
46 it and see if I can't provide some.

47  
48 **CHAIRMAN FRAZER:** Okay. Ms. Boggs.

1  
2 **MS. BOGGS:** So that kind of leads into my next question, and I  
3 was thinking about this with the conversation with amberjack,  
4 and I understand every species is different, but, from a  
5 scientific point of view, what is a good -- We talk about old  
6 time series, more recent time series, and I understand,  
7 historically, or historical information is, and can be, very  
8 beneficial, and we had this conversation at the red snapper  
9 workshop.

10  
11 You know, they're worried about data back in 1939, and, okay, I  
12 think we can get past that, but I'm sure there is some  
13 historical value to that, and so, when we're looking at a more  
14 recent time series -- Of course, with amberjack, as Andy pointed  
15 out, in 1993, that kind of needs to be the break, but, to the  
16 question Ryan is asking, and to what Bob is asking, if we could  
17 get some guidance of what time series is considered recent, and  
18 is it five years, or is it ten years, or do you need twenty  
19 years to kind of develop -- I hope you understand what I'm  
20 asking, Clay, because, I mean, I know it's not a straightforward  
21 answer, but there's got to be some -- You know, ten years gives  
22 us what we need.

23  
24 **CHAIRMAN FRAZER:** Go ahead, Dr. Porch.

25  
26 **DR. PORCH:** Thank you for the question, and so it's not really a  
27 science issue, in this case, and it's more what does the council  
28 want to use as a reference period, and so I wasn't a party to  
29 the criteria that the council used to select that year range to  
30 begin with, but the point is that, at some point, the council  
31 must have thought, based on what the historical catches have  
32 been for the two sectors, we'll keep that allocation fairly  
33 consistent from that point on, and I don't know all of the  
34 discussion that went on, but, basically, it was whatever the  
35 year range was now.

36  
37 With the amberjack, it was, what, 1981 to two-thousand-and-  
38 something, and I forgot, but that was a decision the council  
39 made to just basically say let's look at those average landings  
40 and compare the commercial and recreational and keep the  
41 allocation the same, but someone else, who may have been  
42 involved in those discussions, could probably answer better.

43  
44 The bottom line is it's not really a scientific question, which  
45 years you should use, and it's more where do you want the  
46 fishery to be in the future, like the recent past or the  
47 historical past.

48

1 **CHAIRMAN FRAZER:** I will just expand on that a little bit as  
2 well, and I don't think that the length of the time series is a  
3 science question. It really gets to the heart of this issue, is  
4 what's driving our allocation decisions, and I think, without  
5 putting words in Dr. Stunz's mouth, I think he was starting to  
6 go down that path of, you know, when are we going to have those  
7 discussions about what is driving our allocation decisions  
8 upfront.

9  
10 I don't think -- I feel bad, and I don't think you're going to  
11 get, Susan, the answer that you were looking for, but what I do  
12 recognize now, moving forward -- What I was trying to do, and  
13 this is why I kind of put Dr. Shipp off for just a minute, and  
14 we know, in this amendment, there is at least four action items  
15 that we have to deal with, right, and I was trying to give Ryan  
16 an opportunity to walk through those action items and the  
17 alternatives, as they currently exist, recognizing that we might  
18 want to add some more in there, for the reasons that Mara Levy  
19 said, right, and so I still think my approach here is to allow  
20 Ryan to walk through this presentation, so we're aware of all  
21 four of the action items, and then we can come back and revisit  
22 and ask staff where they think they may want to include some  
23 alternatives, or just offer some up ourselves, and is that okay  
24 with you, Ryan?

25  
26 **MR. RINDONE:** Yes, that's fine with me, and I was just going to  
27 mention a couple of allocation options that were discussed for  
28 red grouper, and see if any of that spaghetti stuck, but there's  
29 one of them that's not applicable, because it would absorb more  
30 quota than is going to be available, and so there was one in red  
31 grouper that was to keep the commercial ACL the same, and the  
32 current commercial ACL for gag is higher than the total ACL,  
33 under the rebuilding scenario, and so that one would be out, but  
34 another one that --

35  
36 If you guys are trying to look at more recent years that you  
37 might consider, it might be like 1986 through 2018, or you could  
38 use the terminal year of the assessment, which is 2019, or  
39 something like that, and so, I mean, if -- I am seeing some  
40 slight head nods, and so we could request 1986 to 2019 as  
41 another option to be considered, which would be the entirety of  
42 the data-rich time period, or the landings for the stock, and  
43 would include the more recent years. I am seeing some three-  
44 millimeter head-nodding going on.

45  
46 **CHAIRMAN FRAZER:** We're going to let Mr. Strelcheck, and then  
47 Mr. Anson, weigh-in.

48

1 **MR. STRELCHECK:** I guess two thoughts. I agree with a more  
2 recent time series, and, like we just had a discussion of  
3 amberjack, I know there was problems with identification of gag  
4 and black grouper, back in time, and was that the 1986  
5 timeframe, or is it more recent than that?  
6

7 **MR. RINDONE:** Well, we have a correction for that for gag that's  
8 a lot better than it is for black grouper, because more of the  
9 fish that were being landed at the time were gag, and so the  
10 effect of the misidentification of black grouper being included  
11 with gag -- It has less of an effect than it does the other way  
12 around, and so like the effect of the misidentification on black  
13 grouper is much more pronounced, because more of the fish landed  
14 were actually gag, and so that's not as much of a -- It is a  
15 thing that happened, but it's not as much of a mathematical  
16 concern for gag.  
17

18 **MR. STRELCHECK:** I understand that, and I guess my point would  
19 be if there's like a point in time where we feel like the  
20 correction factor has been reduced to limit the error, right,  
21 around that adjustment, and maybe that's a starting timeframe,  
22 and then you mentioned that the IFQ also started in 2020, and  
23 that fundamentally changed the behavior of the fishery, and so  
24 2009 might be another endpoint.  
25

26 The other recommendation, and I really like this, and I don't  
27 recall if it's the preferred right now in the South Atlantic, is  
28 -- We're calling it kind of the equal-pain-equal-gain scenario  
29 for allocation, and it's looking at a snapshot of a recent  
30 timeframe for both sectors and their kind of percent  
31 utilization, and then, because they have to rebuild gag,  
32 reducing that proportionally, based on current percent  
33 utilization, and then, as the stock rebuilds, the allocation  
34 kind of shifts over time, and I think, in concept, it helps to  
35 spread some of the pain with regard to rebuilding, but also  
36 recognizing that everyone contributed to overfishing and also  
37 will benefit from the benefits of rebuilding, if successful, and  
38 so I would certainly encourage the council to look at that. It  
39 is a more complex way of allocating.  
40

41 **CHAIRMAN FRAZER:** Okay. Mara had her hand up, but she pulled it  
42 down, and I just want to make sure it's not a computer glitch.  
43

44 **MS. LEVY:** Yes, I put it down. Thanks.  
45

46 **CHAIRMAN FRAZER:** Okay. All right, and so, Ryan, again, I just  
47 think it's probably best, at this point, to walk through those  
48 different action items, so people know what's on the plate, and

1 then we can come back and provide some initial recommendations  
2 and ways to get you started with the document that we're going  
3 to have to see in very short order, to keep it on track.

4  
5 **MR. RINDONE:** Can do, and so let's click on down. The current  
6 sector allocation is based on CHTS, and I think we've pretty  
7 much talked our way through all of this, and let's just go ahead  
8 and skip to Action 3.

9  
10 Talking about modification of the catch limits, again, this is  
11 predicated on the current sector allocation of 61 percent  
12 recreational and 39 percent commercial, and no action would be  
13 to retain the current OFL, ABC, ACLs, and ACTs, which we can't  
14 do, because it's not representative of BSIA, and so the next  
15 alternative -- I just said all of that, but, anyway, let's go  
16 back to that slide, Bernie, and there's a couple of nuggets in  
17 here.

18  
19 There's a 14 percent buffer between the commercial ACL and the  
20 quota that comes from Amendment 30B and a 10 percent buffer  
21 between the rec ACL and the rec ACT, and it's important to note  
22 that the commercial ACL is ultimately set in gutted weight, and  
23 the rec ACL is in whole weight. The commercial quota is also  
24 decreased by apportioning out the multiuse from the -- It's  
25 calculated based on the group ACL, and so, if you add up  
26 everything for the commercial ACL on those that come -- For the  
27 commercial quota, it comes as being a little bit more of a  
28 buffer than 14 percent, and that's because we accounted for  
29 multiuse shares being counted separately.

30  
31 Alternative 2 would modify the catch limits based on the SSC's  
32 recommendation for the SRFS run, and the ACL would be set equal  
33 to the ABC for the total stock ACL, and the catch limits would  
34 be based on the following rebuilding schedule, and so this is a  
35 decision that you guys would have to make about the pace of  
36 rebuilding, and you can use 75 percent of F 40 percent SPR, or  
37 nineteen years, T<sub>min</sub> plus one generation time, or twenty years,  
38 or T<sub>min</sub> times two, which is twenty-four years. Just as a  
39 reminder, the Reef Fish AP, the last time that they talked about  
40 this, they had recommended that you guys consider using T<sub>min</sub>  
41 times two, or the longest rebuilding period.

42  
43 The longer the rebuilding period, the higher the yields are in  
44 the initial years, but, again, the longer it takes to rebuild,  
45 and I guess just a note, and I didn't include T<sub>min</sub> on its own,  
46 which would be twelve years, because that would require that  
47 fishing mortality be set equal to zero, and you guys made it  
48 pretty clear that that's not something that you're interested in

1 exploring, if at all you can help it.

2  
3 The OFLs for all options, at F 40 percent SPR, are shown in the  
4 table right there. The right-most column is in millions of  
5 pounds gutted weight, and so you're looking at about 420,000  
6 pounds estimated from 2023, working its way up to about 1.25  
7 million pounds by 2027, and this is assuming, again, 61 percent  
8 recreational and 39 percent commercial.

9  
10 The next few slides look at the different options, based on the  
11 pace of rebuilding, and I'm not going to read all the numbers,  
12 but, generally speaking, Option 2c, which is the next slide,  
13 results in the highest annual yields, compared to the other two.  
14 Option 2c results in the highest yields in the initial years,  
15 followed by 2b and then 2a.

16  
17 The last proposed action would look at modification of the  
18 fishing seasons. Right now, the commercial sector has a year-  
19 round fishing season under the IFQ program, and the recreational  
20 fishing season is closed from the beginning of January through  
21 end of May, annually, opening June 1 and closing on December 31.

22  
23 In the interim rule, you guys revised the recreational fishing  
24 season, but there wasn't anything talked about for the  
25 commercial fishing season, and so we received some feedback from  
26 council members offline, and a couple of fishermen, about  
27 consideration of bringing back the closure beyond twenty fathoms  
28 during the gag spawning season, and so in February and March,  
29 for the commercial sector.

30  
31 We don't currently have any closed seasons for IFQ programs, but  
32 we are in a situation, with gag, where this might be something  
33 that you guys want to consider. If it's not, let us know, and  
34 we don't need to include this, but Alternative 2 would modify  
35 the commercial fishing season for gag and close fishing in  
36 February and March annually in waters beyond twenty fathoms,  
37 which would correspond with peak gag spawning activity, and  
38 shallower than twenty fathoms is almost exclusively females.  
39 Better than 99 percent is going to be females, and I don't know  
40 that there's been a recorded male caught on any of the surveys  
41 in waters shallower than twenty fathoms, and so this would also  
42 serve as a little bit of an extra protection for males during  
43 the spawning season.

44  
45 **CHAIRMAN FRAZER:** Susan.

46  
47 **MS. BOGGS:** Sorry that I'm being so complicated today, but these  
48 are questions that are just burning in me, and I've asked this

1 before, and so amberjack is closed April and May for commercial  
2 fishermen, and June and July for recreational fishermen, and so,  
3 if spawning is so important to these species, why are we not  
4 consistent across-the-board with our closures? That's question  
5 number one.

6  
7 Then I'm going to go ahead and jump into this one, the size  
8 differences. With red snapper, you've got a sixteen-inch red  
9 snapper for recreational and a thirteen-inch red snapper for the  
10 commercial fishery. If they were all thirteen inches, a lot of  
11 our discards would go away, I would think, and it would help us  
12 with that problem.

13  
14 Gag is one of the very few species, because triggerfish is  
15 fifteen and sixteen inches, but gag is the same, and so, again,  
16 I've been told that a fish out of water is a fish out of water,  
17 and so, if that's the case, what difference does it make, and  
18 where I'm going with all of this is we've tried the same thing,  
19 over and over and over and over again, and so let's start  
20 thinking outside of the box.

21  
22 Why don't we try to close things simultaneously, and why don't  
23 we try some of the size limits to be the same, and why don't we  
24 try some different things, because what we've done, especially  
25 with amberjack and gag grouper, guys, has not worked. I'm not  
26 saying that will work, and I'm sure there's some scientific  
27 explanation that's going to be over my head, but, from a layman,  
28 it seems like we complicate this an awful lot, and, you know, if  
29 you have consistency, then you don't have to worry if somebody  
30 is fishing out of season or -- I mean, it just seems like it  
31 would be cleaner and easier, and let's just try it.

32  
33 **CHAIRMAN FRAZER:** Okay, Susan. I mean, these are -- Like you  
34 said, it's a complex questions, and there's lots going in here,  
35 and I think those are all definitely considerations when we're  
36 thinking about evaluating these alternatives in this particular  
37 document, but I think what Bob is getting to, and I know what  
38 Greg has been getting to, is these are bigger issues about how  
39 we think about these things, but, in the interest of time  
40 though, I'm going to keep Ryan moving forward. Mr. Gill, in the  
41 interest of time.

42  
43 **MR. GILL:** You're giving me that look, Mr. Chairman. I  
44 understand the rationale for Alternative 2, but my question is  
45 do we have the data that we can sufficiently analyze that to  
46 determine the impact?

47  
48 **MR. RINDONE:** In what way? Like in reference to the amount of

1 landings that are coming from waters deeper than twenty fathoms?

2  
3 **MR. GILL:** Well, the whole point of Alternative 2 is to reduce  
4 the impact on the stock, the negative impact on the stock, and  
5 so that says there is positive benefits for doing so, and the  
6 question is can they be evaluated and analyzed sufficiently that  
7 you can get a sense of how much good this is likely to do, or  
8 how much it's not likely to do? Otherwise, it's kind of a feel-  
9 good, and I don't think we should be determining alternatives on  
10 that basis.

11  
12 **MR. RINDONE:** Well, I think this is -- In a sense -- In some  
13 sense, it would be qualitative, but I think it could be  
14 considered well-informed, the reason being that we know that  
15 their peak spawning activity is in February and March,  
16 specifically from about mid-February to mid-March, but covering  
17 those two months makes it easier for stakeholders to follow the  
18 regulations than more specific dates.

19  
20 The other thing that we know is that most of the spawning  
21 activity, like probably almost all of it, is occurring in waters  
22 that are deeper than twenty fathoms, and we know, and it's well  
23 documented, that we do not find males shallower than twenty  
24 fathoms, and we do know, and it's well documented, that we do  
25 not have many males, and so, if we are trying to increase the  
26 probability of rebuilding the stock, some protection for the  
27 males would seem in line with consideration, and something that  
28 the council should talk about, and, by precluding fishing  
29 activity where the males are likely to be found spawning, during  
30 the spawning season would be one of the low-hanging fruit things  
31 that the council could implement.

32  
33 As far as concurrence with other regulations, and we already  
34 have shallow-water grouper closures beyond twenty fathoms for  
35 the other species that are in the shallow-water complex, and for  
36 red grouper, and so this would put gag back in line with those.  
37 We had removed this closure, several years ago, which you guys  
38 can read about in the management history, but this would offer  
39 protection for males, which I have listed in the beginning of  
40 the presentation as something that the council should pay close  
41 attention to, because it's something that the scientists have  
42 waved the flag pretty emphatically about.

43  
44 **CHAIRMAN FRAZER:** Okay. Ryan, do you want to keep working  
45 through this? This is where I expect that we're going to end up  
46 today, right, and, I mean, clearly an overview of the  
47 alternatives that we tentatively are exploring, and we certainly  
48 can add more alternatives to these actions, but, I mean, the

1 action items that we're dealing with have, again, to do with the  
2 status determination criteria, some allocation decisions, the  
3 annual catch limits, and then, finally, what we might do with  
4 regard to fishing seasons, and so there is four broad categories  
5 here.

6  
7 I think these are the things that are on the table, and, if Ryan  
8 can go through them, we can come back in Full Council and  
9 suggest either that we eliminate some of them, or potentially  
10 add new ones, and we'll think about the consequences of these  
11 alternatives, and I think that's probably where Bob was going  
12 with his last discussion.

13  
14 You know, even though it makes sense not to fish, for example,  
15 in spawning aggregations, it's something that we've kind of  
16 incorporated into our decision-making in the past, and are there  
17 unintended consequences that are of an economic consideration  
18 that maybe we're not thinking about, and how does it mesh with  
19 closures of other fisheries, as Susan is pointing out, and so I  
20 just want to get us to a point where we're structured enough  
21 that we can start to put together a document, and so, Ryan, I  
22 would -- If it's okay with you, to keep us on schedule, let's  
23 just walk through these last two alternatives, so people are  
24 aware of what's on the document, and then we come back and make  
25 some additions in Full Council.

26  
27 **MR. RINDONE:** Next slide, Bernie. Alternative 3 would mirror  
28 what you guys proposed for the interim rule and would revise the  
29 current fishing season, recreational fishing season, for gag to  
30 be closed January 1 through August 31, open September 1, and  
31 then close on November 10 for the remainder of the calendar  
32 year, or when the recreational ACL is projected to be met,  
33 whichever occurs first.

34  
35 We already talked about the commercial side, and we already  
36 talked about this being in the interim rule, and so the  
37 recreational fishing season may be able to be open beyond  
38 November 10 as the stock rebuilds, and so something you guys  
39 might consider is like a sunset provision on the duration of the  
40 change in the recreational fishing season, or some other measure  
41 to require it to be reevaluated if it comes to pass that say  
42 it's been three years in a row where it's closed on November 10,  
43 and there's been fish left on the table, so to speak, for the  
44 recreational ACL, and then, maybe at that point --

45  
46 I mean, you guys will see the landings, and so you could just  
47 make that decision then as well, and it wouldn't have to be  
48 something that would have to be put in the document, but you

1 could revisit the recreational fishing season at that point and  
2 say we're going to do something different. That's it.

3  
4 **CHAIRMAN FRAZER:** All right. Thanks, Ryan, for moving through  
5 that. Again, this information is, obviously, in the briefing  
6 materials, and I would encourage everybody to kind of look  
7 through it, and we'll circle back on it in Full Council, but I  
8 just don't think that we have enough time to start picking these  
9 off one at a time, because we still have to go through an IFQ  
10 discussion, and I want to make sure that -- I kind of just  
11 pushed aside Dr. Shipp and Dr. Stunz, and I'm trying to figure  
12 out where I want to incorporate their input here, and so, Mr.  
13 Chairman, do you want to take a fifteen-minute break now, or do  
14 you -- We're scheduled for one.

15  
16 **MR. DIAZ:** How much longer do you think that it will take to  
17 wrap-up gag?

18  
19 **CHAIRMAN FRAZER:** I think we're done with gag.

20  
21 **MR. DIAZ:** We're done?

22  
23 **CHAIRMAN FRAZER:** I mean, IFQ is certainly next on the agenda,  
24 but, again, I asked Bob to hold onto his motion, and I know that  
25 Dr. Stunz has one too, and so let's take fifteen minutes.

26  
27 **MR. DIAZ:** Yes, and we'll come back at 3:20. Thank you.

28  
29 (Whereupon, a brief recess was taken.)

30  
31 **CHAIRMAN FRAZER:** Our last agenda item this afternoon has to do  
32 with the IFQ focus group, and we've got Dr. Lasseter to lead us  
33 through that discussion.

34  
35 **IFQ FOCUS GROUP**

36  
37 **DR. LASSETER:** Thank you, Mr. Chairman. The action guide is  
38 slightly outdated, and we have brought you a draft report that  
39 we will be reviewing, and we did not have the opportunity to get  
40 feedback from the facilitators and the members of the group, and  
41 so we are going to go over a draft today, and then I hope that  
42 the committee will discuss the material in the meeting. We have  
43 one, or both, facilitators that should be on the line, and I  
44 believe Bob Gill, as our council rep, will also be helping us  
45 out.

46  
47 Again, I want to emphasize that this is a draft, and we are  
48 going to be taking additional feedback from the facilitators and

1 members of the focus group, and so these are our initial  
2 comments and responses, and an outline of really what happened  
3 at the meeting.

4  
5 For this meeting, we did something quite different. It was  
6 defined as a focus group, and it was facilitated, and so we  
7 really did try something different, knowing that we were going  
8 to have a small group, and so the facilitators planned a series  
9 of activities that were designed to be developing a shared  
10 understanding of the programs amongst these different  
11 perspectives from the program, to work on building trust amongst  
12 them.

13  
14 Then, alongside these, working on brainstorming ideas and  
15 prioritizing ideas, and so it's kind of building on ideas,  
16 breaking them down, categorizing them, prioritizing them, and  
17 that was kind of the process for the two days. Here, we have  
18 the meeting objectives, which was what the council -- What you  
19 laid out to them as their charge, which was to review the  
20 current program goals and objectives and recommend the  
21 replacement and/or retention and to define the changes needed  
22 for an improved IFQ program to address minimizing discards,  
23 fairness and equity, and new entrants' issues.

24  
25 All of the discussions, over these two days, focused on these  
26 topics, these broad themes, the minimizing discards, new  
27 entrants, fairness and equity, and other issues, because those  
28 could also weave back in and be related to the main topics. We  
29 wanted to make sure that we kept things to be open and to allow  
30 brainstorming to happen.

31  
32 I also want to comment that the report, the draft report,  
33 includes photographs, at the end, in an appendix, of all of  
34 these work products, these flip-chart pages that you can see,  
35 and then, in the text of the report, those flip charts, the work  
36 products, are transcribed, so you can see everything and read  
37 everything in the report.

38  
39 We had nine members that you appointed attend. The positions  
40 are named here, and we began -- The facilitators began with  
41 introductions, as well as identifying themselves, and they are  
42 both from the University of Florida's Natural Resources  
43 Leadership Institute.

44  
45 The first activity, after the introductions, is they did  
46 brainstorm expectations for the meeting, and the first actual  
47 activity, getting into the material, was called a timeline  
48 activity, and you can see the work product, the final product of

1 this activity, on the screen, and so the objective of this was  
2 to begin developing that shared understanding of the past and  
3 present experiences with the IFQ programs, and there is actually  
4 two timelines here. There is a top and bottom.

5  
6 The facilitators divided the group into two separate groups, and  
7 each group was assigned to a room with this paper, and the  
8 participants provided key moments themselves on their timeline,  
9 and they're working, and they're discussing, and they're  
10 providing details and explanations about significant key moments  
11 on the paper.

12  
13 After each group developed a timeline, the groups changed rooms,  
14 where they then discussed and contributed to the other group's  
15 timeline. We then regrouped everybody, and these timelines were  
16 taped together on the wall. We returned to plenary session, and  
17 then the participants discussed each of their timelines.

18  
19 That was the structure for the two-day meeting, where we divided  
20 the groups up, either into groups of two or three, or even into  
21 pairs, and they would work on brainstorming, or some kind of a  
22 small activity, and then we would regroup everybody back in a  
23 plenary session, so the public also could hear what happened and  
24 discuss that assignment.

25  
26 I will note that this is the only work product that is not  
27 transcribed in the report. The quality of the image should be  
28 good enough that you can zoom-in on this in your document.

29  
30 The next activity was interesting, fairness and equity, and the  
31 participants were divided into pairs for discussion, and each  
32 person was asked to describe to their partner what fairness  
33 meant to them. Afterwards, we regrouped everybody, and we  
34 shared their conversations, and the facilitators wrote down some  
35 key words on the flip chart here, and, again, everything is  
36 transcribed in the report, but one of the main themes that came  
37 out was this idea of fairness in effort, that effort was  
38 something that could be compared amongst people to determine  
39 fairness. Another idea that had consensus was that "fairness"  
40 was really hard to define and that what is fair to one person  
41 may not be fair to another.

42  
43 Then they began a brainstorming kind of activity, where they  
44 identified positive, negative, and neutral aspects of the IFQ  
45 programs, and each of the participants were provided with  
46 colored paper, red meaning negative, yellow neutral, and green  
47 positive, and they were asked to write two aspects of each of  
48 these and put them up on the walls.

1  
2 That was lumping positive, negative, and neutral, and then they  
3 began to categorize changes to, and so a couple of the  
4 categories that came out of just the positive and negative was  
5 centered around economics and conservation and/or ecological  
6 benefits, and then, amongst the negative aspects, the themes  
7 focused on costs and access to fish. Then they started  
8 categorizing them underneath themes of the minimizing discards  
9 and the new entrants, and then this built on -- This is the  
10 categorizing of that previous section.

11  
12 Now they have moved into addressing changes to the IFQ programs,  
13 and what's up on the screen is the end stage of it. This is now  
14 once those potential changes have been prioritized, and so, to  
15 begin, they started with another brainstorming activity where we  
16 divided the group into three groups, and each facilitator and  
17 myself served as a scribe, and each of the groups would free  
18 list, and they were asked to brainstorm as many things as they  
19 could think of that would be ways to address each of the topics  
20 of the three groups, which was minimize discards, addressing  
21 issues with new entrants, and other kinds of changes.

22  
23 This is brainstorming, and this is allowing all ideas to be on  
24 the table, positive, negative, feasible, infeasible, and the  
25 idea is that everything is on the table.

26  
27 After each group had brainstormed its list, we moved the groups  
28 to the next list, and they were then asked to review what has  
29 been there, note emphasis, note things that they liked, and also  
30 to add things that they felt were missing, and then the groups  
31 met again, and they complete the same exercise on the third  
32 group's chart, and so they're each able to provide feedback and  
33 input and brainstorming on each of these three themes.

34  
35 Moving through the process, now they have identified -- They  
36 have each worked with all three of them, and the facilitators  
37 then gave them colored stickers, and they went on and they  
38 identified which were the ones that they wanted to emphasize,  
39 and, through this iterative process, the facilitators, and  
40 working with the members, began to narrow down the scopes of  
41 these changes, to identify ones that they want to focus on  
42 through further discussion.

43  
44 That's how we ended up coming around to these prioritized  
45 potential changes that you see on this screen, and, if we go to  
46 the next slide, here's the other potential change, and, again,  
47 this is the prioritized list. This is the list that got at  
48 least a couple of mentions of needing emphasis.

1  
2 From these lists, the facilitators began pulling out the ideas  
3 that would work for their final discussions, and we're in day-  
4 two now, and so they're identifying the topics for their final  
5 discussions, and so what they came up with was what would be  
6 really helpful for them to discuss would be definitions.

7  
8 How would we define certain groups or terms that could be used  
9 in a program, and one that came up was "substantial  
10 participant". What does this term mean? How could we define  
11 this term, and so the group was then broken into two, and one of  
12 the facilitators took each of the groups, and they had their  
13 discussion, and then we all came back together and reported out.

14  
15 For the final discussion, the Group 1 facilitator noted that  
16 their group was not able to arrive at a consensus position, and  
17 there were several points of disagreement, and they centered  
18 around those who were not involved in catching, landing, or  
19 selling fish, whether or not they could be considered  
20 substantial participants.

21  
22 The other group, the Group 2 facilitator, then described their  
23 decision as to what could be considered a substantial  
24 participant, and that's the one on the right here, and this  
25 group definitely had some more consensus than the other group,  
26 and I think it definitely reflected, over the two days, the  
27 composition within each of the groups, of course, what progress  
28 or what discussion that they were able to have.

29  
30 Then the facilitators wrapped up by reviewing the activities and  
31 discussions from the last couple of days, and we can take a few  
32 moments to talk about next steps, and so I did note that this is  
33 a draft report that will still be reviewed by the facilitators  
34 and the focus group members, and the facilitators and the group  
35 are under the understanding that there is a second meeting, but  
36 I think that is for the Reef Fish Committee here to discuss your  
37 options for having a second focus group meeting.

38  
39 Before I turn it over for any questions, I do believe that one,  
40 or both, of the facilitators may be on the line, and I would  
41 like to invite them to provide their observations, or maybe some  
42 comments. Joy Hazell, are you on the line?

43  
44 **MS. JOY HAZELL:** Hi, everybody. My name is Joy Hazell, and I  
45 am, as Ava mentioned, with the University of Florida Natural  
46 Resources Leadership Institute, and I was one of the two co-  
47 facilitators for the IFQ focus group process, and I wanted to  
48 recognize what Ava had mentioned, that this was a different way

1 of doing things and that, at the end of two days, we had not  
2 reached consensus.

3  
4 However, I believe that there was a strong amount of dialogue  
5 that happened, and that people were able to speak their piece  
6 and speak their mind in a constructive manner, and I think that  
7 there is benefits to doing that and that building that dialogue,  
8 and learning to have that dialogue, means that the potential  
9 second meeting, which the two facilitators, myself included, are  
10 more than willing to do, could move this a little bit more  
11 forward. I don't have anything prepared for you, but I am here  
12 to answer any questions that you have about the process or  
13 outcomes.

14  
15 **DR. LASSETER:** Great. Thank you, Joy, and then I also wanted to  
16 request that Mr. Gill help me further describe the meeting and  
17 maybe share your impressions as well.

18  
19 **MR. GILL:** Thank you, Ava, and so, yes, I attended the two days  
20 of the focus group meeting, and the facilitators had done an  
21 excellent job in preparation. There was a detailed, time  
22 constrained structure, but very intensive, and I guess I would  
23 also add that, as the representative, I didn't participate in  
24 the function at all, and I just observed, pure observation, and  
25 so there was a lot of discussion, and I would be interested in  
26 some more comments and questions from both this committee and  
27 Joy to lead us to the discussion of a second meeting and that  
28 aspect, and so, with that, I think I'll pass it back to you,  
29 Ava.

30  
31 **DR. LASSETER:** So that is all I have. I will turn it over to  
32 the committee for discussion and questions.

33  
34 **CHAIRMAN FRAZER:** All right. Ava has turned to me, and I am  
35 turning it back. Ms. Boggs.

36  
37 **MS. BOGGS:** You should just automatically call on me, and you  
38 don't have to worry about looking down here. This is a question  
39 that I don't know the answer to, and I try to always know the  
40 answer before I ask, but, Ava, how many commercial fishermen, or  
41 I guess permits wouldn't be the right -- Yes, commercial  
42 fishermen in the Gulf, and the reason I ask is you're asking  
43 about the possibility of another meeting, and I was opposed to  
44 this actually on the onset, because you have nine interests  
45 sitting in a room, and I'm not saying that this wasn't good  
46 discussion, but trying to bring back something for a thousand  
47 people, and I don't know what the numbers are, but how many -- I  
48 hope you understand the question that I'm asking.

1  
2 You've got a small percentage, because we have the two grouper-  
3 tilefish AP, and we have the snapper grouper, and that's what,  
4 fifteen or thirty people, and I'm not sure, and I haven't looked  
5 at the numbers, and so we keep trying to drill this down.

6  
7 Now, if you take this, and you come back, we're going to have  
8 the same arguments we've been having at the table, and I think  
9 this probably gives us some good guidance, but I've heard some  
10 things from the IFQ focus group that makes me -- I wasn't there,  
11 and it's second-hand information, but it makes me want to say  
12 that we don't need to spend any more time on this focus group.  
13 We need to take what they have provided to us, and discuss it at  
14 the council, but, ultimately, you've got your whole commercial  
15 fishing group industry that's going to weigh-in on this issue,  
16 and I don't know that we need to spend a whole lot of time on  
17 this IFQ focus group. Thank you.

18  
19 **CHAIRMAN FRAZER:** J.D.

20  
21 **MR. DUGAS:** Thank you, Mr. Chair. My question is for Mr. Gill.  
22 I believe that Mr. Gill is the one that made the motion to  
23 establish this focus group, and my question is did the focus  
24 group achieve what you expected?

25  
26 **CHAIRMAN FRAZER:** Mr. Gill.

27  
28 **MR. GILL:** Thank you, Mr. Chair. It's difficult to say, and Ava  
29 might know the answer, and, if not, then Joy, and we had set a  
30 cap on this focus group for two meetings, if you recollect, and  
31 I'm not sure whether or not the preparation and the planning for  
32 this first meeting was based on having two or potentially being  
33 just one, and so I would ask the question of Ava and Joy, in  
34 terms of the preparations, because they were so detailed and so  
35 intense, and whether that was part of the structure based on  
36 having two meetings or just one.

37  
38 **DR. LASSETER:** My understanding is that we were -- We all had  
39 the mind that there could be up to two meetings, but maybe --  
40 That sounds like a question maybe more for Joy, for her actual  
41 planning for how far she got, and let me let her speak.

42  
43 **CHAIRMAN FRAZER:** Joy, it's Tom Frazer. I just want to make  
44 sure you're hearing us on your end of the line.

45  
46 **MS. HAZELL:** Sorry. I'm struggling with muting and unmuting  
47 myself. I'm not used to the GotoWebinar. I am here, and I'm  
48 listening. To answer Bob's question, and Ava's question, when

1 we went into the planning with Ava, we were predominantly  
2 thinking two meetings. It wasn't explicit, because we did  
3 understand that it was a possibility that there wouldn't be two,  
4 but -- I told the group this, and I will tell you this, but if I  
5 could come in, and, in sixteen hours, you know, facilitate the  
6 consensus-building of something that's been ongoing for a long  
7 time, I would be more of a rock star than I think I am, and so  
8 what we wanted to do was build the practice of dialogue and get  
9 the ideas on the table, with the hope that, in a second meeting,  
10 we would be able to go over what some pros and cons are and get  
11 to some more consensus.

12  
13 That being said, I want to point out that I think that the  
14 product, the work product -- I can't see any of you, and so  
15 forgive me, and I don't know who spoke, who asked the original  
16 question, but I feel like the work product, the report, is  
17 something that could -- Your committee and the council could  
18 move forward with. There's good information.

19  
20 What I don't know is if the participants feel like they were  
21 able to speak all of their points to the group or able to dig  
22 into the issue as well as they might have liked to, and so I've  
23 answered a lot of questions at once. We did anticipate two  
24 meetings, and we understood the possibility that there would  
25 only be one, and so we wanted to provide some level of work  
26 product that would be useful to this committee and the council  
27 moving forward, but I feel like that there could be some benefit  
28 to a second meeting. I don't want to promise a complete  
29 solution, or consensus, at a second meeting, because I don't  
30 think that's possible.

31  
32 **CHAIRMAN FRAZER:** Susan.

33  
34 **MS. BOGGS:** Joy may have just answered one of my questions, and  
35 did you say you think you can get to consensus after a second  
36 meeting?

37  
38 **MS. HAZELL:** I do not think that I can get to consensus after a  
39 second meeting. I think we think of it as more advancing the  
40 thinking, and so narrowing-down options, and more creating more  
41 of a playbook, in order to operationalize those options, if you  
42 choose to, and that's what I would think a second meeting would  
43 achieve.

44  
45 **MS. BOGGS:** So that was going to be my question, and so that  
46 answered that. It doesn't feel like we can get to a consensus,  
47 and would you be looking at another two-day meeting, or would it  
48 be a one-day, and I guess what I'm trying to think is, is there

1 value into proceeding down this path, and I would certainly hope  
2 that, maybe tomorrow, in public comment, some of the focus group  
3 members might give us some feedback on how they feel about it,  
4 but, as I stated when we voted to create this focus group -- I  
5 mean, we have all these other IFQ groups in place, and it seems  
6 to me like it would take more than nine people to resolve this  
7 problem, because the seventeen of us aren't doing a very good  
8 job either.

9  
10 **CHAIRMAN FRAZER:** Mr. Strelcheck.

11  
12 **MR. STRELCHECK:** Maybe we could hire Joy to facilitate our  
13 discussion around this table.

14  
15 **MS. HAZELL:** No.

16  
17 **MR. STRELCHECK:** So I was on vacation, and I've just been  
18 briefed on the focus group, and first the positives. I heard  
19 the facilitation went very well, and so credit to Joy and the  
20 team there, and Ava, and all the work that was put into this.  
21 You know, I also heard that it was contentious, and that people  
22 were entrenched in their positions, and I don't think that  
23 should come as a surprise to us. I think we've seen that around  
24 this table, when we've talked about the IFQ program, for quite  
25 some time.

26  
27 It kind of led me to believe, you know, should we -- What's the  
28 next step, what's the next option here, and, you know, is this a  
29 failed experiment and we abandon it, or do we try this another  
30 time and see if we can't get a little bit more out of this  
31 group, and I have kind of come to the conclusion that I think it  
32 would be beneficial to have a second meeting.

33  
34 I don't think we're trying to achieve a consensus, even though  
35 that's mentioned, and I think, when Dale and Martha and I were  
36 meeting a while back, we talked a lot about kind of the  
37 statement of the problems, better identifying the problems from  
38 the industry's perspective, hearing from them kind of the pros  
39 and cons about those problems and issues and what advice,  
40 guidance, they could provide at the council, and, to me, there's  
41 benefit in having a diverse group that may not agree, but we can  
42 learn from that, and benefit from that, in terms of decisions we  
43 make, and so I'm supportive of having another facilitated  
44 discussion, and I think it could build upon the report that's  
45 been provided here.

46  
47 **CHAIRMAN FRAZER:** Thank you, Mr. Strelcheck. Mr. Williamson.

48

1 **MR. WILLIAMSON:** Thank you, Mr. Chairman. I listened, with  
2 great interest, to both days of the focus group, and it was a --  
3 It was very interesting, and I thought that the public comment  
4 was every bit as interesting as the focus group, and it was a  
5 debate between the haves and the have-nots, the entire two days.

6  
7 The only consensus that the focus group came to was that the  
8 recreational sector was responsible for a lot of problems, due  
9 to their inability to address discards, and, you know, they  
10 failed to address that the commercial sector had discards as  
11 well, but that's kind of an aside.

12  
13 There are major, major problems with the IFQ program. I am not  
14 opposed to a second day, if that's what the committee's pleasure  
15 is, but I don't think it's going to solve anything. What's  
16 going to solve something is this council recognize that these  
17 major problems exist, and it should come as no surprise that  
18 they exist, because, every time we have public comment, we hear  
19 about it. We hear about this, and we hear about that, from both  
20 sides, but we're going to have to step up and take  
21 responsibility for this.

22  
23 This council created this program, and we have stepped into the  
24 shoes of the council members that created this, and we can't  
25 shirk that responsibility. We need to make major modifications  
26 to it so that both sides can live with it. I mean, we're  
27 talking about people's livelihoods here, and I don't take it  
28 lightly, and I'm sure everyone around this table won't take it  
29 lightly, but it's our responsibility. We can only get some  
30 advice from a focus group, but, ultimately, it falls on our  
31 shoulders, and I will stop there. Thank you.

32  
33 **CHAIRMAN FRAZER:** Thanks, Troy. Ms. Boggs.

34  
35 **MS. BOGGS:** I have to get this on the record. I think I  
36 actually agree with Troy Williamson.

37  
38 **CHAIRMAN FRAZER:** Dr. Stunz and then Mr. Anson.

39  
40 **DR. STUNZ:** Thank you, Mr. Chairman, and so I'm a little bit  
41 indifferent on another meeting or not. If the folks around the  
42 table thought we wanted to have another one, I definitely would  
43 not push back. I'm kind of leaning to Troy, which I thought his  
44 comments were very well said, and I don't know what we're going  
45 to get out of that, but, if we did go down that route, then I  
46 think we need to be very explicit, as a council, of what we want  
47 to come out of that.

1 I mean, I think the good news, from that meeting, is this is  
2 obviously very difficult for us to talk about this around this  
3 table, but that group, despite being entrenched in what -- I  
4 listened to much of it, and it broke the ice a little bit, and  
5 it got a lot of ideas on the table, from all different  
6 spectrums, of where we should go, and so I think that's a good  
7 thing, and that's hard for us to do, not necessarily being in  
8 that fishery, and we heard directly from those, and so I don't  
9 necessarily know, Bob, if we're going to hear anything else,  
10 other than what we've heard.

11  
12 I mean, I'm willing to give it a chance, but, at the same time,  
13 if we don't -- I agree with Troy, pretty strongly, that we've  
14 just got to bite the bullet, and let's do it. Let's figure out  
15 what we've got to do, start putting some ideas on paper, and  
16 people are going to like it, and they're going to hate it, and  
17 we've just got to vet it and get some tough skin and get through  
18 it and listen to public comment.

19  
20 Now, I will end there, Tom, because I want to give others an  
21 opportunity to get their word in, but I heard a bunch of things  
22 that I kind of wanted to bring up some point, the ideas, just to  
23 throw against the wall, to see what sticks, and, you know, I  
24 don't even know if I necessarily agree with them, but things  
25 that we should start vetting, around this table, to get the ball  
26 rolling.

27  
28 Then the last thing I would think that we need to discuss is how  
29 do we really move forward, through the amendments we currently  
30 have, and do we just tweak those, or do we develop a new one  
31 that really captures the ideas, and I don't know, but I think  
32 we've got to start moving in that direction sooner than later.

33  
34 **CHAIRMAN FRAZER:** Thanks, Greg. Mr. Anson and then Mr. Dyskow.

35  
36 **MR. ANSON:** Thank you, Mr. Chair. I listened to the recording  
37 of the first day, and I did not listen to the second day, and so  
38 I don't have the full picture, at least listening to the  
39 individual conversations that were had during the focus group,  
40 but, you know, I was a little, I guess, concerned, or my  
41 concerns that I had originally for this group, because I also  
42 didn't think it was going to work very well, and did not fully  
43 support it when the motion was passed at the council to form the  
44 group, and I felt the reason why is we would not have full  
45 participation, or at least the exchange of ideas, even though  
46 the environment was set up to try to foster an ease and such,  
47 but there were some comments made, at the beginning of the first  
48 day, of at least one of the participants that they felt like

1 there could be some retribution, potentially, depending upon how  
2 much they said during the meeting.

3  
4 Going back to what Troy had said, I believe you're right, Troy,  
5 that we've got to right some wrongs, potentially, in order to  
6 make the IFQ program function to the maximum benefit that it can  
7 for the fishery that we have, or the fisheries that it's  
8 operating in, in the Gulf of Mexico, and those fisheries just  
9 operate differently than other fisheries where IFQs were  
10 implemented in the country, and those issues, you know, really  
11 hit home, and hit home to the issue of a bottom line for these  
12 small businesses and businessmen and women and, you know,  
13 maximizing profits and such to those that are on the water and  
14 actually catching the fish today to feed people today.

15  
16 I can go with one more meeting, but I just don't feel like we'll  
17 get much information that will help us in making those decisions  
18 and such, and, you know, to Greg's point about trying to really  
19 hash these out and kind of throwing things against the wall,  
20 ideas, to see if they stick, I think is really our best path  
21 forward, and we do have a lot of information that the council,  
22 over the years, has previously discussed, relative to those  
23 issues, which I think are really driving a lot of the, you know,  
24 angst, if you will, of those that are participating in the  
25 fishery, but, again, are having to share a lot of the  
26 inequities, or realize a lot of inequities, that the system  
27 currently provides. Thank you.

28  
29 **CHAIRMAN FRAZER:** Thanks, Kevin. Mr. Dyskow.

30  
31 **MR. DYSKOW:** Mr. Chair, I'm just going to withdraw my question.

32  
33 **CHAIRMAN FRAZER:** Okay. Mr. Strelcheck. Andy, if you don't  
34 mind, I saw that C.J.'s hand was up there for a while. C.J.

35  
36 **DR. SWEETMAN:** Thank you, Mr. Chair. Just a quick question, and  
37 I'm not -- I think I'm in favor of an additional meeting here,  
38 but I kind of have a question, maybe for Joy, or maybe even for  
39 Dr. Lasseter, about what the council could provide to have more  
40 constructive conversations, and perhaps provide detailed  
41 solutions to the council, from the IFQ focus group. I'm just  
42 curious on your insights there.

43  
44 **MS. HAZELL:** Ava, I'll speak first, and, again, I'm a little bit  
45 of a disadvantage, and I don't know who mentioned this idea of a  
46 very directed charge from the council, and the committee, and I  
47 think that would be a fantastic idea. There was definitely --  
48 Probably one of the sticking points was this sort of concept of

1 fairness, right, and what is fair to one person might not be  
2 fair to another, and so one of the things -- I'm just  
3 brainstorming here a little bit, but one of the things Wendy-Lin  
4 and I, my co-facilitator and I, were discussing was framing it,  
5 and I would actually suggest the same for the committee here,  
6 but to think of it less about what you want the fishery to look  
7 like tomorrow, or next year, but rather what do you want it to  
8 look like in twenty years, and then give some specific  
9 parameters.

10  
11 You might want to think about, you know, how many people are  
12 participating, what is the range of size of business, and some  
13 things that, as I understand, the IFQ program already does, but  
14 others maybe don't, and so that's just off the top of my head,  
15 but I actually really -- Mr. Sweetman, I really appreciate your  
16 question, and I would love to be given a little more time to  
17 think about it, because I think good direction would make some  
18 of the discussion -- It would provide you all with better  
19 details to think about operationalizing changes, which is what  
20 I'm hearing that you are thinking of doing, as a committee.  
21 Ava, do you have anything to add?

22  
23 **DR. LASSETER:** No, and I thought that was really good. That did  
24 come up, and Joy did mention this during the meeting, asking the  
25 members, the participants, to think about what the fishery --  
26 What they would like the fishery to look like in twenty years,  
27 and I think that's a really helpful exercise.

28  
29 **MS. HAZELL:** But I do think we could drill it down even further,  
30 and it is 5:00 on a Tuesday for me, and so my brain is probably  
31 not operating at its maximum potential right now, and, believe  
32 it or not, I have to facilitate another state fisheries meeting  
33 in fifteen minutes.

34  
35 **CHAIRMAN FRAZER:** Okay, and so it looks like we had questions,  
36 and we will go back to the queue. Mr. Strelcheck and then Ms.  
37 Boggs.

38  
39 **MR. STRELCHECK:** Thanks, Mr. Chair. I guess I'm struggling with  
40 this conversation on a number of fronts. I see a lot of energy  
41 from our recreational representatives, in terms of wanting to  
42 fix the commercial program. Now, part of that is we don't have  
43 a lot of commercial representation on this council, but it  
44 really bothered me when the statement was made about major  
45 problems with the IFQ program.

46  
47 Yes, we have problems. We have things that we need to improve  
48 with the management of this program, but, if you think about it,

1 in terms of previously the management system for the commercial,  
2 we've limited access, and we've reduced effort, we reduced  
3 overcapitalization, and we've increased safety-at-sea. We've  
4 increased profitability of the industry, and we've eliminated  
5 derby fishing. Those aren't problems. Those are solutions, and  
6 those are working.

7  
8 I ask that we give the commercial industry a chance to help  
9 further improve their program, and then my comment about the  
10 recreational representatives is I ask that you put as much  
11 energy into the criticism of the IFQ as the thinking about  
12 solutions for the recreational fishery and use the words from  
13 one of the council members, and now let's bite the bullet, and  
14 let's do some things that people like and don't like, because  
15 we're at a position, right now, where everything seems to be  
16 failing with our management system, and we need to make some  
17 substantial changes to how we improve our fisheries, going  
18 forward. Thank you.

19  
20 **CHAIRMAN FRAZER:** I am going to give Mr. Williamson a quick  
21 chance to respond.

22  
23 **MR. WILLIAMSON:** Andy, I would just remind you that, yesterday,  
24 I took an oath to represent both of these sectors, and not just  
25 one, and I take that oath very seriously.

26  
27 **CHAIRMAN FRAZER:** Ms. Boggs.

28  
29 **MS. BOGGS:** Andy does bring up some very good points, which I  
30 don't disagree with. I do agree with Troy that, yes, we have  
31 some things we need to fix. Of course, that's in every fishery,  
32 and one of the things that I have thought about, as opposed to  
33 an IFQ focus group, is, any time that this council looks at the  
34 commercial fishing IFQ, we have two hours, if that, to have a  
35 conversation, to try to find ideas, to try to discuss it, and  
36 then it's three o'clock, and we've got to move on to this.

37  
38 I think this council needs two days to sit here and have an  
39 honest conversation about the IFQ program. I know Carrie is  
40 going to throw something at me, but this is serious, and I said  
41 it earlier today, that the decisions that we make affect a lot  
42 of livelihoods. It may not be the recreational fishermen  
43 directly, but it's the people they buy their tackle from, and  
44 their boats from, and their fuel from, but then people like me -  
45 - It affects my family.

46  
47 It affects me putting food on the table and paying my electric  
48 bill, and the same with the commercial fishermen. It's the same

1 thing. It's the processors and the dealers, and it's not just  
2 the fishermen, or women, and it's everything that trickles down  
3 from there, and to think that we can sit here -- We can't -- It  
4 takes us two years to get through a document, and we've been ten  
5 years -- Okay. Let me back up.

6  
7 I can safely say five years on Amendment 36A, B, C, and, heck, I  
8 don't even know what number we're to now, but I've been sitting  
9 at this council table, and we can't make a decision, and so it's  
10 either time to fish or cut bait, but let's do something, because  
11 this is not fair to the men and the women that make their living  
12 in this industry.

13  
14 Now, I understand, with every business, there comes a risk, and  
15 I'm going to get personal for a minute. My husband and I bought  
16 a thirty-eight-foot charter boat in 1999, and that's what we  
17 started with. We saw that we needed to diversify, and so we  
18 bought a bigger boat. Then we bought another boat, and they we  
19 realized that maybe that wasn't a smart decision.

20  
21 Then we had the ability -- Well, we didn't have the ability, and  
22 it was kind of forced upon us, but our marina went up for sale.  
23 We buy the marina, or we get kicked out, and we have nowhere to  
24 go with our boats, and so we stepped up and we bought a marina,  
25 and so, when we bought our boat in 1999, we took a risk, and  
26 we've had to overcome.

27  
28 We've had to work through these seasons, these closures, these  
29 bag limits, all of these things, and, when you go into business,  
30 it's a risk, and so these commercial fishermen, that maybe  
31 bought in, and things have changed, and, yes, it was a risk, but  
32 sometimes you can mitigate a risk, and this council is  
33 responsible, and not this council, necessarily, but the councils  
34 before us, for some of these decisions that have been made that  
35 have made their risk a bad choice, but it could have been  
36 avoided, in some instances, with the required permits or no  
37 permits, and so the decisions that this council made, and has  
38 made, it has affected my livelihood, and it's affecting the  
39 commercial fishermen's livelihood, and everyone else that  
40 trickles down from there.

41  
42 For us to sit at this table, and I'm not being critical of Tom  
43 and Dale and the staff for the agendas that they make, but I  
44 think it's very important that we take a very serious look at  
45 this and we spend more than two hours discussing commercial  
46 fishermen and the issues that are at-hand. Thank you.

47  
48 **CHAIRMAN FRAZER:** Susan, I've got a number of people in the

1 queue, but I agree these are complicated issues, right, and  
2 we're going to have to spend lots and lots of time focused on  
3 particular issues, and this isn't the only one. The allocation  
4 issue, as we all know, has been a difficult one to wrap our  
5 heads around, and so it would be nice to be able to find that  
6 time, but there's a lot on our plate, right, and I'm not making  
7 excuses, and so, as a council, we have to decide if that's a  
8 priority or not, and, if it is, then we can make it one. Go  
9 ahead.

10  
11 **MS. BOGGS:** So have a sixth council meeting with nothing but to  
12 discuss this IFQ issue. Have a separate meeting to address this  
13 issue, because it's not going to get resolved unless you put us  
14 in an IFQ focus group with those nine people and make us sit  
15 down with them, and this group is not going to take the time,  
16 make the time, to make these hard decisions.

17  
18 Either that or I will be happy to make the motion to table all  
19 that crap and get it off the table, and let's start over again.  
20 I don't think the IFQ needs to go away, but I'm just talking  
21 about 36, because it's so old, and it's so outdated, that we  
22 probably can't even remember what we talked about. I can't. I  
23 can't even remember the arguments at this time.

24  
25 I have a stack of paper this big, and so, when we come back to  
26 it, I can go back, and I can look at it, and I can try to  
27 refresh my memory, and try to figure out what all the arguments  
28 were and start all over again, and that's essentially what we're  
29 going to have to do, and so I will be happy to make that motion,  
30 to get 36 off the table, and let's start over again.

31  
32 **CHAIRMAN FRAZER:** Again, I think -- I mean, I'm speaking as the  
33 chair of this committee, but, again, as a council, we, have the  
34 prerogative to choose where we want to prioritize our actions,  
35 and, if that is the priority, right, then something else is  
36 going to have to slide off the table, right, and we're going to  
37 have to balance our time, and that's okay, Susan. I don't have  
38 a problem with that, but you know how many things are on the  
39 table, right, and so I'm just letting you know.

40  
41 I'm not offended by these comments, and I'm happy that you said  
42 them, and I would say allocation is likely another one, and I  
43 might even prioritize that over the IFQ issues specifically,  
44 right, but, if we need more focused discussion time, then we  
45 need to talk about it as a council and decide whether or not we  
46 want to fit it in, and we have to talk with the council staff,  
47 to figure out if we have the budget and things to do that as  
48 well, but I'm not opposed to it at all, and so let's come back

1 to that, because I tried it when I was the chair, to deal with  
2 the allocation issue, and everything happens, every day, and  
3 something else gets in the way, and we're not able to dedicate  
4 that focused effort, but we probably need to. Mr. Gill.

5  
6 **MR. GILL:** Thank you, Mr. Chairman. I have a number of thoughts  
7 and comments. One is managing expectations, and, reasonably, we  
8 can't expect that the focus group, in the space of two days, or  
9 four days, to give us definitive recommendations on a problem  
10 that we can't solve in eleven years, with multiple APs and the  
11 council addressing it multiple times, and so expecting them to  
12 find the magic bullet that says, oh, we've got the  
13 recommendations for you guys to fix this thing, that's not  
14 realistic.

15  
16 What we can expect is that they will provide some insight that  
17 will help our discussions, because, at the end of the day, we  
18 have to deal with the same questions they're dealing with, but  
19 in the context, as Ava expressed, of what do we want that  
20 fishery to look like in twenty years, and, unfortunately, the  
21 council doesn't deal well with questions like that.

22  
23 The broad perspectives, the philosophic discussions, we're  
24 terrible at, and, in fact, we're not very good at the specific  
25 ones either, but, in this case, that's the answers we've got to  
26 get to, because that's where the decisions will lead us, and so  
27 I think it's reasonable to expect that we're not going to get  
28 the answers to our prayers from this focus group, but can we get  
29 some help in helping us make those decisions that we have to  
30 deal with? That's what we ought to be looking for.

31  
32 I guess the second thing I would like to say is that I have a  
33 lot of faith in Joy and Wendy-Lin. I didn't know Wendy-Lin, and  
34 I know Joy quite well, and they were excellent and did a great  
35 job, and, to whatever extent we can utilize that talent to help  
36 us, I think it's probably worthwhile. You said, Mr. Chairman,  
37 that you had a lengthy queue, and I am prepared to make a  
38 motion, but I will wait until you get through the queue, if no  
39 one else makes one. Thank you, Mr. Chairman.

40  
41 **CHAIRMAN FRAZER:** Thank you, Mr. Gill. We are going to walk  
42 through a few people here. Dr. Stunz.

43  
44 **DR. STUNZ:** Okay. Thanks, Tom. First, I wanted to agree with  
45 Susan on a lot of things related to -- I think, if we're really  
46 going to do this, we've got to dedicate the time. I mean, I was  
47 thinking we had two hours here, and, you know, it goes by like  
48 that, and I don't know what that looks like, and if that's --

1 Maybe it sounds like Bob is going to make a motion on another  
2 meeting, and then have a dedicated meeting, and, Carrie, I know  
3 you probably don't want to hear that, and Dale, but I think it's  
4 probably going to require some type of -- You can't do it in two  
5 hours, at the backend of Reef Fish or something, and it's just  
6 not -- I don't think that that's realistic, and so, anyway, for  
7 what's that worth.

8  
9 The other thing that I raised my hand for was to professionally  
10 strongly disagree with Andy, but also strongly agree with  
11 something, and so there's no question, Andy, that, if you looked  
12 at that fishery, and use the analogy of it was the wild west, a  
13 long time ago, before the IFQ, and there was derby fishing, and  
14 safety-at-sea was a problem, all kinds of, you know, gluts in  
15 the market, when the fishing was good and the season was open  
16 and all.

17  
18 There is no question that that IFQ program came in, and the  
19 folks that founded that incurred the big, big problem you're  
20 having, and I don't think anyone disputes that the fishery is  
21 not better because of that today.

22  
23 Now, that was like, whatever, the sheriff rides into the wild  
24 west, and the order is restored kind of thing, but, you know,  
25 that was a little bit of a roughshod approach to do that, and  
26 now I think we're seeing some of the implications of that, and  
27 so clearly there are some merits coming from that program that  
28 we hear about all the time, but now, you know, it clearly needs  
29 some tweaking, and, Andy, that's where we agree that, you know,  
30 that program has done some good things and that we wouldn't be  
31 where we are today if it didn't, but we've kind of outgrown that  
32 initial thing.

33  
34 The comment you made about certain folks around the table not  
35 managing the fishery -- If you heard the calls that I get, from  
36 a lot of different people, there's a lot of ire-raising,  
37 eyebrow-raising issues that I am getting, and I think, well, is  
38 this a battle that we need to fight, with everything else that  
39 we have going on, and I ask them why aren't you contacting your  
40 commercial reps or whoever, that kind of thing, and, every time,  
41 I'm getting pushback of well, you took an oath, didn't you, to  
42 manage this fishery, and Troy is right on that.

43  
44 We all have an obligation to fix this program, no matter -- An  
45 other seat, like I'm in, or a rec seat, or a commercial seat,  
46 whatever, and, I mean, I think we collectively need to put our  
47 heads together, and so I don't think one, you know,  
48 representative or something is necessarily the right way to go

1 about it.

2  
3 I mean, what we all want, I think, is a vibrant fishing  
4 community, and what I'm hearing now is maybe that's not the  
5 case, and it's very vibrant for some, and maybe not for some  
6 others, and how do we fix that, and I am willing to have those  
7 really difficult discussions about some of the maybe darker side  
8 of this program, as it relates to leasing transparency and all  
9 those associated things, and it's probably going to get very  
10 ugly, when we start discussing that, but, you know, we've got to  
11 be realistic and get that out on that table, if we're really  
12 going to fix it, and I just don't think it's going to happen,  
13 you know, here in a two-hour discussion kind of thing, and we're  
14 going to have to have some dedicated time on -- I don't think  
15 anyone around this table really enjoys having this discussion,  
16 but, anyway, Bob, if it's through another meeting, to help us  
17 along, I think that's fine, but I don't want to just -- I think  
18 we need to move simultaneously with that meeting, to try to move  
19 the ball forward.

20  
21 **CHAIRMAN FRAZER:** A couple of things, I guess, because I want to  
22 focus, again, on this report, Ava, and so what I didn't see, in  
23 the way that it was presented, is there was a charge, actually,  
24 right, to review the current program goals and objectives and to  
25 recommend whether or not they should be replaced or retained.

26  
27 I didn't see that, and why that's relevant is, you know, we've  
28 heard a couple of conversations about attribution here that the  
29 program has been successful or the program is broken, right, and  
30 I wouldn't know -- What I was hoping to get out of this group,  
31 for example, is, based on the program goals -- One of them would  
32 be, you know, it's -- We went in there, and there's a goal out  
33 there says it's overcapitalized, right, and so we've reduced the  
34 pressure in that regard, but what's the goal?

35  
36 As a council member, I don't have any idea of what it would mean  
37 to -- What criteria I would use to objectively assess whether or  
38 not we reached that goal, and so that's the type of thing that I  
39 was looking for in the discussion material that you provided,  
40 and it's not necessarily -- That's slightly different than what  
41 do we want to look like twenty years from now, and that's an  
42 aspirational goal, but I have to ground it and benchmark it with  
43 something, and that's where we are today, what's good and what's  
44 bad, and the goals, as they're expressed, are general goals,  
45 right, and we have never really applied any metrics to those  
46 that would allow us to get to where we need to go.

47  
48 Right now, there are eight-hundred-and-something permitted reef

1 fishermen in the Gulf of Mexico, and maybe 500 to 600 active  
2 fishermen, with various degrees, right, and I have no idea if we  
3 need to get to 300, or maybe we could support 750, and I don't  
4 understand the information that would underlie a decision like  
5 that, right, and so these types of things that I am seeing --

6  
7 You know, again, they're kind of intuitive, but they're vague,  
8 and I guess I would like to get down to brass tacks and truly  
9 revisit our goals and see what those metrics are and move on  
10 from there, so we can in fact envision what twenty years from  
11 now might look like, if that helps, if we're going to meet with  
12 this focus group one more time, but those are the types of  
13 discussions that we would have amongst this council as well.

14  
15 I think Greg is exactly right, that they're going to be very  
16 contentious, very difficult issues, right, because you're going  
17 to have to lay your cards on the table, and some hard questions  
18 are going to be asked, but, if we need to make the time, then we  
19 probably should. That probably gets to Mr. Gill's motion. You  
20 had a motion that you were going to make?

21  
22 **MR. GILL:** You had a queue? You don't have a queue? All right.  
23 **Well, in order to focus the discussion that we've had around the**  
24 **table, and perhaps engender a little bit more, I move that we**  
25 **reassemble the focus group for a second two-day meeting.** I will  
26 leave it at that, Mr. Chairman, and then we can discuss whether  
27 we want to revise the charge some, as you were discussing, and  
28 that would be appropriate as well.

29  
30 **CHAIRMAN FRAZER:** Thank you, Mr. Gill. We have a motion on the  
31 board to reassemble, or I guess to reengage, the IFQ focus group  
32 for a second meeting. Is there a second to that?

33  
34 **DR. STUNZ:** I will second for discussion, but I want to add a  
35 few points to that too, at some point.

36  
37 **CHAIRMAN FRAZER:** Okay. Go ahead, Bob, if you want to expand on  
38 it a little bit, or we'll let Greg jump right in.

39  
40 **MR. GILL:** Part of the basis for that is that there did seem, to  
41 me, to be considerable entrenchment in that discussion, on the  
42 first one, but I'm also encouraged by the comments that Joy  
43 provide that there was some value -- That knowing what was  
44 needed, in having gone through the first one, for a second one,  
45 and I think that's worthwhile.

46  
47 We can use all the help we can get, frankly, on this discussion,  
48 and I think that would be enough to warrant reassembling them

1 and taking that time and energy and hopefully utilizing Joy and  
2 Wendy-Lin to continue that discussion, understanding and having  
3 heard the discussion about this table at this time.

4

5 **CHAIRMAN FRAZER:** Greg, do you want to add anything?

6

7 **DR. STUNZ:** Yes, and, obviously, Bob, I support your motion, and  
8 I seconded it, but I think we follow-up this motion, you know,  
9 with some real explicit -- I would have very much liked to have  
10 seen some more concrete things coming out of that first meeting,  
11 and maybe, like you're saying, the expectations, you know, were  
12 maybe too high, and that was the first meeting that it got on  
13 the table, and now I think we can go back and say these are the  
14 things we would like to see coming out, with some real  
15 recommendations, and listening to, you know, all sides of the  
16 recommendations, so that we can carefully vet those.

17

18 The other thing, and the reason that I was on the fence about  
19 whether having another meeting or not, was slowly down the  
20 discussion, and so I wouldn't -- I mean, we, obviously, need to  
21 wait to hear what this group has to say, but I think, Dale and  
22 Carrie, as we're moving along, don't wait to plan our next  
23 meeting to discuss this, and kind of plan it all simultaneously,  
24 so that hopefully it can all come together and we're not wasting  
25 a lot of time in between these meetings.

26

27 Then, and I don't know if we need a motion, or how we want to  
28 go, and maybe we discuss it more around this table, or even at  
29 Full Council, the ideas that sort of Susan is saying about  
30 having, you know, a much more in-depth meeting, specifically  
31 related to this topic.

32

33 **CHAIRMAN FRAZER:** Okay. Is there any further discussion on the  
34 motion? I am not seeing any hands. **Any opposition to the**  
35 **motion? One opposed.** All right. **The motion carries.**

36

37 Ava, to move forward in reengaging that group, is there any  
38 further direction that you need from this council, or would you  
39 like from this council, today?

40

41 **DR. LASSETER:** No, and just to also temper expectations, and I  
42 don't believe that a next meeting will be possible before your  
43 October council meeting, and it will have to be scheduled for  
44 after that, just to kind of give everybody a heads-up.

45

46 **CHAIRMAN FRAZER:** Okay. All right. I am trying to think of a  
47 next step here. I think we're probably as far as we're going to  
48 go with the focus group discussion today. I did want to give

1 Bob Shipp an opportunity -- I said that I would revisit his  
2 motion. Mr. Gill, before I go there.

3  
4 **MR. GILL:** Thank you, Mr. Chairman. Before we go there, we've  
5 had some discussion about folks wanting to define better, if you  
6 will, the charge, and resulting in outcomes, and I think we  
7 ought to spend a little time on that, if that's where we want to  
8 go, and I would defer to Dr. Stunz, if he has specific ideas  
9 there, but, if we leave it as it is, then, other than the  
10 discussion we've had, and Joy listening in, they will proceed  
11 based on that, and so, if we want to do something different, now  
12 is the time.

13  
14 **CHAIRMAN FRAZER:** Well, let me just step in, real quick, and so  
15 this is my understanding of the objectives of the group, right,  
16 and, I mean, it's laid out in the first slide. They're supposed  
17 to review the current program goals, right, and objectives and  
18 recommend their replacement, if they're not working, or their  
19 retention. The argument that I made earlier was I'm not sure  
20 what data that we would have to say whether or not they're  
21 working or not, right, or when we achieve success.

22  
23 The second part of that was then to define the changes that are  
24 needed to improve the program, and, again, that's either through  
25 retaining and improving and acting on some of the goals that we  
26 find positive, and getting ones that are irrelevant, don't work,  
27 or something like that, and so I think the charge is there, in  
28 my view.

29  
30 I just think that, as typical of focus groups, right, you're  
31 getting people together, and you're giving them an opportunity  
32 to talk, and those conversations will wander for some time, and  
33 that's -- I'm sure your facilitators, and I know Joy and Wendy-  
34 Lin well, right, and they're skilled at doing this, and it  
35 probably will take more than a meeting, and, even after two  
36 meetings, we should back-temper some of those expectations, but  
37 it's important to have a healthy dialogue, but it may be simply  
38 an envoy into a very directed conversation, or discussion, with  
39 this group that, as Andy pointed out, might benefit from a  
40 facilitator itself, and so I don't know, Bob. I'm not sure that  
41 I would ask for anything specifically different in the  
42 objectives at this point, but that's me, and I will let somebody  
43 else weigh-in. Greg.

44  
45 **DR. STUNZ:** Well, I'm thinking that -- I just threw that on the  
46 table right now, so that maybe people have some time to think  
47 about that between now and Full Council, to really see what some  
48 of those look like, and, that way, we can come up with a real

1 clear charge, at that point, and that's what I would recommend,  
2 so that we have a little bit of time to really think through it,  
3 so we're not -- I mean, I've got a few ideas here, but I think  
4 there's probably more, to give others a chance to think over it  
5 for a day or so.

6  
7 **CHAIRMAN FRAZER:** Okay. Mr. Gill.

8  
9 **MR. GILL:** Thank you, Mr. Chairman. I agree, Greg, that giving  
10 it some thought and coming back at Full Council, and perhaps  
11 defining it better, and I would like to, if I may, Mr. Chairman,  
12 while we're on IFQ, talk about something that came up very  
13 frequently during the focus group, and that was the NAS report  
14 on IFQs.

15  
16 In that, they made twenty-three recommendations, and of five  
17 different categories, and one of the problems with studies like  
18 that are that a bunch of very astute, smart, experienced folks  
19 get together, and they do this work, and they come up with these  
20 recommendations, and they make the report, and nothing happens.

21  
22 In this case, the focus on the recommendations were mostly on a  
23 startup of an IFQ in a mixed fishery, but they're equally  
24 applicable, in my mind, to a review of the state we're in, and  
25 so, from our perspective, I see the report's recommendations are  
26 important to incorporate in that discussion and to consider  
27 dealing with them.

28  
29 To that end, I would like to ask Andy, because the agency may be  
30 working on one, two, or whatever, some number of them, and the  
31 others are not getting addressed, and so I think that we need to  
32 address them, or not, but do it intentionally, as opposed to  
33 dying on the shelf, and so my question for Andy is, is the  
34 agency specifically working on the recommendations from the NAS  
35 report, and, if so, could you identify them, and it doesn't have  
36 to be today, to the council, so that the council can then  
37 consider addressing the ones that the agency has not?

38  
39 **MR. STRELCHECK:** Good question, Bob, and thanks for asking it,  
40 and I would certainly have to get back to you, in terms of the  
41 specifics, in terms of how we're going about addressing the  
42 findings in the NAS report, and certainly, whether the agency is  
43 addressing it with a broader brush, versus regional-specific  
44 needs, right, is a big question here, and so I think there's an  
45 opportunity for the council to be specific, in terms of looking  
46 at those recommendations as well, in terms of what you would  
47 prioritize and be most influential and important to the IFQ  
48 program, regardless of what the agency is doing to address the

1 findings in the report.

2  
3 **MR. GILL:** Well, I guess I don't fully agree, Andy, because this  
4 was about mixed-use fisheries, and we've got them, and most of  
5 the other folks don't have many of them, in terms of their IFQ  
6 programs, but, yes, I think we -- I guess the bottom line is we  
7 need to look at them and assess what makes sense to work on and  
8 what makes sense to not, and then figure out the ones we want to  
9 work on and how do we do that, but that's a partnership between  
10 the council and the agency thing, so that we don't spin our  
11 wheels, collectively, going down the road the other one is going  
12 down.

13  
14 **CHAIRMAN FRAZER:** Dr. Stunz.

15  
16 **DR. STUNZ:** Bob, where I thought you were going with that  
17 National Academy of Sciences report was not where you went,  
18 which is fine, but so I wanted to just follow-up. Well, let me  
19 back up to one thing. When we're defining these explicit ideas  
20 that we want to get out of this workgroup, I think there's,  
21 obviously, a lot of folks in the back of the room that -- During  
22 public comment, I think we'll gather a lot of information as  
23 well, and so I would encourage them to kind of help guide us, in  
24 terms of what we want to get out of that committee.

25  
26 Related to the Academy of Sciences report, I wouldn't mind a  
27 presentation, and I know, in the past, we've had one, Carrie,  
28 but now we're a little further along, I think, where we can  
29 really begin to -- I think, the last time, it was a pretty broad  
30 overview, which was perfectly fine, but I think we're at a point  
31 now where we could get into that report just a little bit more,  
32 to, one, refresh all of our minds, but also talk about the  
33 direct relevance of what we're doing here and the  
34 recommendations.

35  
36 I would -- If you need a motion, I'm happy to make one, or I  
37 would encourage that we have a presentation from -- I'm not even  
38 sure who that would be, but whoever has the best insight on that  
39 report and its relevance to this discussion.

40  
41 **DR. LASSETER:** We did have Dr. Bonnie McKay, who chaired the  
42 committee, and she actually presented to you, with Dr. Marty  
43 Smith as well, who is one of the economists that was on the  
44 panel, and are you requesting that we reach out to them and have  
45 them, or are you thinking more staff?

46  
47 **DR. STUNZ:** Well, I'm thinking -- I don't want to put the guy on  
48 the spot, but Dr. Powers is sitting in the back, and he wrote

1 part of it, and he was -- That report was coming from him, and  
2 others, and he would be someone, and especially since he's on  
3 our SSC, and so he's most in-tune with the direct needs, and  
4 others might now be, and, now, I don't know -- Others might have  
5 other ideas, but, you know, it would be nice to hear directly  
6 from the folks that put the words on the page.

7

8 **CHAIRMAN FRAZER:** Dr. Lasseter.

9

10 **DR. LASSETER:** Actually, Dr. Powers and Dr. Anderson are both on  
11 the SSC, and so we can reach out to them.

12

13 **CHAIRMAN FRAZER:** Mr. Gill.

14

15 **MR. GILL:** Another way to take a bite of that apple is that you  
16 recollect, when the SSC reviewed the NAS report, they basically  
17 said it's good stuff, but they didn't give us any consideration  
18 of what their thoughts on these specific recommendations were,  
19 and that might be another way to request the SSC to provide  
20 their comments on the twenty-three recommendations relative to  
21 the council.

22

23 **CHAIRMAN FRAZER:** Dr. Simmons.

24

25 **EXECUTIVE DIRECTOR SIMMONS:** Just a couple of questions, to make  
26 sure we understand what you're asking, and so we received kind  
27 of a broad overview, and so what we're asking for is perhaps a  
28 more deeper dive, with some folks that can help us figure out  
29 some things the council may want to operationalize, and we could  
30 bounce some ideas off of them, and the timing of this would be  
31 at a meeting when we receive the recommendations from the next  
32 focus group, and is that what we're thinking?

33

34 **CHAIRMAN FRAZER:** Dr. Stunz.

35

36 **DR. STUNZ:** I mean, that would be fine, Carrie, and I was  
37 thinking -- I mean, the sooner the better, for that type of  
38 presentation, and I don't know how quickly we can assemble it,  
39 but, I mean, there's no real time, for me, other than the sooner  
40 the better, so we can be thinking about it.

41

42 **CHAIRMAN FRAZER:** I mean, I can see the puzzled look on Ava's  
43 face a little bit, and I didn't mean that in a bad way at all.  
44 What I'm trying to think about is how can we really help you  
45 understand what's being asked, right, and so it sounds, to me,  
46 like there is a couple of things going on, right, and so there  
47 is a report out there, which we have been briefed on, on a  
48 fairly high level, and there are these twenty-three

1 recommendations, in these various subject areas, and Dr. Powers  
2 and others were involved, and so maybe we bring them in  
3 specifically to, you know, talk about those twenty-three  
4 recommendations and how they may be relevant to some of the  
5 things that we're dealing with.

6  
7 That's one thing, in and of itself, right, and we also have --  
8 You know, I'm not sure what the next iteration of  
9 recommendations, and I wouldn't necessarily call them  
10 recommendations, coming from this focus group -- I would be  
11 shocked if you got anywhere close to a recommendation, but you  
12 might get some clarity on some of the priority issues, perhaps,  
13 and so if you can bring those together, but perhaps then that  
14 information is helping to structure and inform a discussion of  
15 this council that, to Ms. Boggs' point, is more than two hours.  
16 That's how I interpret this discussion right now, Ava, if that's  
17 helpful for you. All right, and so do you have enough  
18 information to work with? I can chat with you, certainly, on  
19 the side.

20

21 **DR. LASSETER:** I do, Mr. Chairman. Thank you so much.

22

23 **CHAIRMAN FRAZER:** All right. We only have a few more minutes  
24 before we're scheduled to close, and, again, I think we're good  
25 on the IFQ subject matter. I appreciate everybody's comments,  
26 genuine, candid comments, and that's what we need, and I hope  
27 that we'll have a lot more of them, moving forward.

28

29 I do want to give Bob Shipp an opportunity to float a motion  
30 that he started to as we were talking about gag, and so, Bob, if  
31 you want to put the motion up on the board, we will --

32

### 33 **DISCUSSION OF PREVIOUS MOTION**

34

35 **DR. SHIPP:** If can get Bernie to put the motion back up, we can  
36 start over again. That's the motion, and this is an issue that  
37 -- Well, first of all, I need a second, if we're going to  
38 discuss it.

39

40 **CHAIRMAN FRAZER:** Again, Bob, you made the motion, and I will  
41 read it again, that the council accept the state surveys of  
42 private recreational catch and effort as best available science  
43 for assessment and management. It was seconded, I believe, by  
44 General Spraggins.

45

46 **DR. SHIPP:** That's right. The General seconded it. This is an  
47 issue that has come and gone, and I remember that I made a very  
48 similar motion in April, maybe April a year ago, and I can't

1 even remember now, but I think it's something that we need to do  
2 as a council.

3  
4 I think it -- I think the fact that the council expressed an  
5 opinion on this issue is worth it, in and of itself. I'm not  
6 foolish enough to think that the council has the power to  
7 mandate issues like this, but I think a stance from the council  
8 would encourage the powers that be that we need to move ahead on  
9 this.

10  
11 The states have been putting a tremendous amount of effort into  
12 it, and we saw, earlier today, Florida's contribution, and how  
13 detailed it is, and we also have letters from Congress, from  
14 senators, that we need to evaluate the state effectiveness in  
15 these surveys, and so, with that, I hope we get a discussion,  
16 but we'll see.

17  
18 **CHAIRMAN FRAZER:** General Spraggins.

19  
20 **GENERAL SPRAGGINS:** Bob, would you be willing to make a little  
21 minor change or two on it?

22  
23 **DR. SHIPP:** For you, General, I'm sure that I will be able to.

24  
25 **GENERAL SPRAGGINS:** Instead of the council itself, could we say  
26 that we recommend, or propose, to accept it, and could it say  
27 that the council proposes, or it recommends, that the state  
28 surveys --

29  
30 **DR. SHIPP:** As long as it's a positive action on the council's  
31 part, and that's why I would -- We can try it either way. **The**  
32 **council recommends acceptance of the state surveys, and that**  
33 **would be okay with me.** Is that okay with you, General? Okay.

34  
35 **CHAIRMAN FRAZER:** Mr. Strelcheck.

36  
37 **MR. STRELCHECK:** Thanks, Mr. Chair. Two things. One, the  
38 council doesn't have authority to weigh-in on best available  
39 science, but, regardless of that, I guess a point of order  
40 question. Dr. Shipp made this motion, almost exactly, at the  
41 April 2021 meeting, and it failed, and so I don't know, from  
42 Roberts Rules of Order, if it would be brought back up by the  
43 same person, when the motion has failed from a previous meeting.

44  
45 **DR. SHIPP:** The motion failed by one vote, nine to eight, I  
46 believe, in April, and we have different council members now,  
47 and there are other issues that have transpired since that time,  
48 and I'm not sure the verbiage is exactly the same. This motion

1 was from recollection and help from other council members, and  
2 so I would challenge the idea that this is an invalid motion.

3  
4 **CHAIRMAN FRAZER:** Well, we'll go ahead and have a little more  
5 discussion, at the moment, and I guess -- Again, I would weigh-  
6 in, and I'm going to reinforce or -- I mean, I talked to Bob a  
7 little bit, off the record, and, I mean, Andy is exactly right.  
8 The council doesn't have the authority to determine what is the  
9 best available science, right, and it's not under their purview.

10  
11 I think, if the motivation, and the rationale, for the motion,  
12 moving forward, is a recognition that the states have invested  
13 in surveying and sampling programs that provide higher-  
14 resolution information, both spatially and temporally, and  
15 should be considered, certainly, for management purposes, I  
16 think that's a valid thing to put on the record.

17  
18 I do think we -- Everybody around this table would agree that  
19 all of the states, from Florida all the way over to Texas, have  
20 invested a tremendous amount of resources in their sampling and  
21 surveying programs, and they have designed purposes. The issue  
22 that we have, at the moment, in my opinion, is that there is a  
23 disconnect, right, in how those state surveys are integrated in  
24 with the broader surveys, and we need to figure a way to do  
25 that, and Dr. Cody, this morning, spoke to that fact, that there  
26 is indeed an effort to move forward on that front.

27  
28 It may not be fast enough for what people would like to see at  
29 this point, but the fact of the matter is, if we voted on this  
30 motion, and simply said, yes, we think these are the best things  
31 -- This is the best, right, legally, I don't think we could just  
32 make the jump, because, from an assessment perspective, and, I  
33 mean, we all can relate to the red snapper situation here.

34  
35 We have an assessment that was, from an assessment perspective,  
36 we did not assess the fishery using the state data. Could we  
37 one day, and should we? Maybe we should, right, but that's the  
38 work of the transition team, right, and the integration group,  
39 but, to acknowledge and recognize that the data have value,  
40 likely value, and is probably where we need to be in the future,  
41 I agree with that, but I can't -- What I'm afraid is that some  
42 people would look at this and simply say, you know what, the  
43 state data are the best data, and we should use them, and only  
44 them, without realizing that they can't, because they're still  
45 connected to a history, right, and we have to transition out of  
46 that history to improve our situation.

47  
48 If it's a statement, for the record, that we recognize the value

1 of the state data collection programs, I'm all for that, but, as  
2 Andy pointed out, it's not our authority to say what's the best  
3 available science, and we can only recommend that we continue to  
4 use it, recognize its potential value, and advocate for it,  
5 moving forward, but I think that's the extent of where we can  
6 go, and you can correct me if you think I'm wrong.

7  
8 **DR. SHIPP:** My first statement was a recognition that we do not  
9 have the authority to mandate anything. My intent is for the  
10 council opinion to be made available. All we're doing is  
11 offering an opinion. I have heard this before, about they're  
12 going to incorporate it into what they're doing, and, to what  
13 level, I don't know, but I think that we need some formal  
14 recognition of the opinion of the council regarding the state  
15 surveys, and that's why I made the motion.

16  
17 **CHAIRMAN FRAZER:** I'm going to go to Mr. Strelcheck and then Dr.  
18 Stunz.

19  
20 **MR. STRELCHECK:** A comment and then I guess a question for Dr.  
21 Shipp. To me, with the state survey work, with the MRIP team,  
22 we've been working much better in recent years, and we sat down  
23 at lunch today and had a great conversation about the state  
24 surveys and ongoing work and the transition plan, and so there's  
25 progress being made. Maybe it's not happening on the time scale  
26 that people want.

27  
28 I fully agree with everything that Tom just said, and I don't  
29 want to reiterate that, but my question to you, Bob, is you  
30 said, well, this is laying out the council's opinion, in the  
31 motion, but the opinion for who? Who are we communicating with?  
32 Is it ourselves, because, to me, this is something we all know  
33 that we're working toward a common goal on.

34  
35 **DR. SHIPP:** In answer to your question, the opinion is expressed  
36 to the entire community, all the stakeholders, the public,  
37 people who are interested, and, if the council comes out with an  
38 opinion, I think that opinion is worth something to the public.

39  
40 **CHAIRMAN FRAZER:** Mr. Strelcheck.

41  
42 **MR. STRELCHECK:** All right. Well then, the problem I see with  
43 that is it's an opinion, and it's not fact, and it sets up  
44 misperceptions and inappropriate expectations for the public to  
45 understand what is actually within the council's purview and  
46 what's not under our purview to actually say or do.

47  
48 **CHAIRMAN FRAZER:** I am going to go ahead, and, unless you want

1 to respond specifically to that, Bob, I would like to hear from  
2 Mara and then Dr. Stunz.

3  
4 **MS. LEVY:** Thank you. I think what I -- My question has been  
5 answered, and it was more about who is the acceptance going to  
6 be coming from, but I think you already had that discussion.  
7 Thanks.

8  
9 **CHAIRMAN FRAZER:** Thank you, Mara. Dr. Stunz.

10  
11 **DR. STUNZ:** Mr. Chairman, I support Bob's motion, but, also,  
12 especially with the General's addition of the "recommends", I  
13 think that takes care of the problems we've been discussing, but  
14 it does put some things in motion. One, it sends a message, as  
15 Bob is conveying. When Dr. Nance was talking about the SRFS  
16 earlier, and I asked the question about, you know, has the SSC  
17 vetted the other state programs and that kind of thing -- It  
18 begins to move a lot in that direction, and whether, you know,  
19 it carries the weight of it's our authority to do BSIA, well,  
20 that's independent, I think, from this motion, and so I support  
21 your motion, Bob.

22  
23 **CHAIRMAN FRAZER:** Mr. Gill.

24  
25 **MR. GILL:** Thank you, Mr. Chairman, and so I see this motion,  
26 aside from the fact of the best available science issue, as a  
27 science question, and of some import, and so, before I would be  
28 willing to support the motion, I would like to run that by the  
29 SSC and get their reaction to it, because it's a significant  
30 question, scientifically, and we don't have that expertise.  
31 They have a heck of a lot more than we do, and they should  
32 weigh-in before we do.

33  
34 **CHAIRMAN FRAZER:** Mr. Anson and then Mr. Dyskow.

35  
36 **MR. ANSON:** Just a couple of points that have been said that I  
37 will just kind of restate. I agree with Andy's statement that,  
38 you know, here, as of late, there's been more communication and  
39 more effort put forth by agency staff to have the discussions  
40 and get that process rolling, and we appreciate that.

41  
42 The State of Alabama appreciates that, and we've had these  
43 recent discussions, as recent as lunchtime today, and I do also  
44 understand, you know, the importance of making all of our  
45 motions clear, but, specific to this one, to make it, you know,  
46 very clear, the statement that we're trying to make, and I would  
47 ask Bob to consider, you know, maybe adding in NOAA's acceptance  
48 into the motion, potentially, as an avenue to make it more clear

1 as to who we're communicating with, as Mara pointed out, but,  
2 anyways, that's all. Thank you.

3

4 **CHAIRMAN FRAZER:** Mr. Rindone.

5

6 **MR. RINDONE:** I think somebody else was ahead of me, but I was  
7 going to speak a bit to Mr. Anson's and to the previous comment.  
8 So, when we're talking about -- Is that all right, Phil?

9

10 **CHAIRMAN FRAZER:** I'm sorry. You're right. I skipped over  
11 Phil, and I will give him an opportunity, if he would like to  
12 speak, and so let's go ahead and let him do that, Ryan. I'm  
13 sorry.

14

15 **MR. DYSKOW:** Thank you, Mr. Chair. I'm just the red-headed  
16 stepchild here, and I understand.

17

18 **CHAIRMAN FRAZER:** I can't see you.

19

20 **MR. DYSKOW:** I would like to speak in support of this motion,  
21 and I recognize the concerns, and perhaps frustrations, that  
22 Andy has addressed, and I realize that, certainly, whether we  
23 pass it or not, that the SSC will want to weigh-in somehow, but  
24 I think we need to make a very clear statement that, up or down,  
25 that the council recommends the acceptance of these state  
26 surveys that we've put so much work into as a way of going  
27 forward faster and as a way of going forward to address a lot of  
28 the issues we have with rec data.

29

30 We hear that the rec fishing industry is unaccountable, from  
31 some people, and we hear that there needs to be some licensing,  
32 or something, but we have all those things at the state level.  
33 If you look at the five reports that we saw yesterday, that's  
34 probably the deepest dive into serious rec fishing catch data  
35 that I've ever seen, and, at the same time, they have a  
36 licensing program, and three of the states, I believe, do  
37 require permits in federal waters for reef fish.

38

39 We have tools that we should be using that we're not using, and  
40 we're then forced to use other tools that are perhaps -- I hate  
41 to say not as good, but less helpful, and so I would like to see  
42 this -- I speak in support of this motion, and, if there's  
43 barriers to it, if somebody throws it out, for legal reasons or  
44 whatever, so be it, but we need to draw a line in the sand and  
45 say this is what we want to do, going forward, and, if there are  
46 some constraints put on this, so be it.

47

48 **CHAIRMAN FRAZER:** Thank you, Mr. Dyskow. We will go to Mr.

1 Rindone and then Dr. Porch.

2  
3 **MR. RINDONE:** Thank you, Mr. Chair. We had a great presentation  
4 by Dr. Patrick Lynch, a couple of SSC meetings ago, talking  
5 about the SSC's responsibilities for noting things as being  
6 consistent with the best scientific information available, and  
7 saying that things are consistent with is very key to that  
8 discussion, because, ultimately, it's the agency's prerogative  
9 to declare and defend whatever it is that's being recognized as  
10 the best scientific information available, and they're the ones  
11 that have to go to court to stick up for it.

12  
13 They lean very heavily on the recommendations from the SSC and  
14 from the Science Center, in order to be able to do that, but  
15 it's important to note, and this came from Dr. Lynch's  
16 presentation, that it's not any individual survey, or even an  
17 amalgamation of surveys, that are deemed as being consistent  
18 with BSIA, but rather the resultant analysis that results in  
19 some actionable management advice, and so just the survey by  
20 itself is just that. It's just a survey, and, you know, all  
21 surveys are wrong, but they're all, to some degree, useful, and  
22 so to some known degree of precision.

23  
24 When the SSC is making a recommendation about BSIA, like in the  
25 case of the -- I will use the recent gag assessment, and it  
26 isn't that SRFS itself was deemed BSIA, but the alternative  
27 SEDAR 72 model that used SRFS, that total analysis, and  
28 everything that was contained within it, that end product that  
29 results in actionable management advice, is what was deemed  
30 consistent with the best scientific information available. I  
31 realize that that's a bit nuanced, but that is a departure from  
32 what's characterized in the motion.

33  
34 **CHAIRMAN FRAZER:** Phil, to that point, and then Dr. Porch.

35  
36 **MR. DYSKOW:** I appreciate what you said, and it all makes  
37 perfect sense, but we, under Amendment 50, gave the states the  
38 responsibility for managing recreational red snapper fishing in  
39 federal waters. They have gone forward with enhanced surveys,  
40 and other actions, to manage that effectively, and now we're  
41 saying we can't use that information? You know, we have to  
42 think outside the box here a little bit, because this isn't a  
43 standard approach to fishery management.

44  
45 We delegated some of that responsibility to the states, and so  
46 we can't apply this standard format to a very different program.  
47 This is different from our normal management oversight. The  
48 states are involved in this much more heavily than they are

1 other aspects of our Gulf fisheries, and so I think this is a  
2 perfectly acceptable motion. Whether it holds up or not, that's  
3 a different issue, but we need to make a statement as to what we  
4 think and what we feel.

5  
6 **CHAIRMAN FRAZER:** Real quick, I mean, I think, Phil, the states  
7 were delegated the authority to manage the fishery, provided the  
8 catch in the bounds of the OFLs and the ABCs and the ACLs,  
9 right, and so it's a little bit more nuanced than that, and so,  
10 anyways, Dr. Porch.

11  
12 **DR. PORCH:** Thank you. One, no one is saying that we can't use  
13 this information, that we wouldn't use it, and, I mean,  
14 obviously, we're using it for monitoring. Two, the way the  
15 motion is written, it does imply that the council somehow has  
16 some authority to influence best available science, and that is  
17 outside the council's purview, and Ryan was exactly right, in  
18 terms of how it interpret what we're calling best available  
19 science and what measures are based on that.

20  
21 The other thing is it's actually just not right, as written, and  
22 we can't just take a state survey and plug it into an  
23 assessment, and it's not plug-and-play like that. You have to  
24 have consistent measures, through time, and this is what I  
25 talked about of we have to go through the process of trying to  
26 find a way to calibrate the state surveys back in time, just as  
27 we did with the SRFS dataset for gag grouper, and so there is a  
28 whole process, that Richard articulated earlier, that we have to  
29 follow if we were going to incorporate that into an assessment,  
30 and we certainly just don't substitute it in or just --

31  
32 For instance, you wouldn't use FES statistics all through  
33 history and then suddenly put in the state surveys when they  
34 start. It wouldn't make sense, because you would have a high  
35 catch suddenly drop to a low catch, but only because you're  
36 using different scales and not because there was a real change  
37 in catch, and so, the way it's written now, it just --

38  
39 It doesn't make sense, from a science context, and I don't think  
40 it's appropriately worded. It's fine to support, you know,  
41 further work using the state surveys for assessments and  
42 management, but, again, as it's written now, I don't think it's  
43 particularly useful.

44  
45 **CHAIRMAN FRAZER:** Mr. Strelcheck and then General Spraggins.

46  
47 **MR. STRELCHECK:** I want to make it clear that we are using the  
48 state surveys. You can talk about gag, and you can talk about

1 red snapper. I think the argument that we're not using it is  
2 false and wrong, and I want to make sure that's clear.

3  
4 The issue is that we're asking -- Not asking, but we're  
5 calibrating, based on a decision this council made, and people  
6 disagree with that, and so, unfortunately, given the motion, and  
7 my disagreement with it, I'm going to make a substitute motion.

8  
9 **CHAIRMAN FRAZER:** Okay.

10  
11 **MR. STRELCHECK:** My motion is the council and NOAA Fisheries  
12 greatly value the work of the Gulf states to develop private  
13 recreational catch and effort surveys -- Fishing catch and  
14 effort surveys and are committed to working collaboratively with  
15 the states to improve data collection and ensure the council is  
16 using the best scientific information available for management  
17 decisions.

18  
19 **CHAIRMAN FRAZER:** Okay. I am sure we'll get a second for the  
20 motion, Andy, but, before we do, I'm just going to ask you, and  
21 maybe you want to add a word, perhaps, to that, and I think what  
22 I'm -- The context of this discussion is really, or the  
23 underlying context, is that things aren't happening fast enough,  
24 and so, in order to move -- For all the reasons that Clay just  
25 talked about, there is a process, right, and there is scientific  
26 rigor, and there is calibration, and there is all of these  
27 things that take time, and that can be frustrating for us, and  
28 not just us, but all of our stakeholders, and so perhaps simply  
29 adding the words that we are committed to working expeditiously  
30 and collaboratively sets the right tone.

31  
32 It wasn't to imply that you don't think that we are working  
33 expeditiously, and I think we are trying, but the perception is  
34 it's not moving fast enough, and so the suggestion is to add a  
35 word.

36  
37 **MR. STRELCHECK:** I hear you, Tom, and I don't necessarily  
38 disagree. The problem is that people interpret that very  
39 differently, and what does that mean, and how is that defined,  
40 and we work with the states to come up with a transition plan  
41 for short and long-term measures, and so I feel like we have  
42 laid out some of the timelines, and we're talking about other  
43 decisions that need to be made, and so, unless others suggest  
44 that, I would not accept that, but we need a second for the  
45 motion.

46  
47 **CHAIRMAN FRAZER:** Andy, it was only a suggestion, and I get it,  
48 right, but just the record will reflect that we had this

1 discussion about the intent and some of the thoughts that are  
2 going on, and so I'm fine leaving it out, one way or the other.  
3 Is there a second for the motion? It's seconded by Ms. Boggs.

4

5 **MS. BOGGS:** As long as "expeditiously" is left out.

6

7 **CHAIRMAN FRAZER:** Well, it is gone. I was asking Andy if he  
8 wanted to add a word, and then I was asking Ms. Boggs, right,  
9 and she -- She seconded the motion.

10

11 **DR. SHIPP:** This motion. Okay.

12

13 **CHAIRMAN FRAZER:** Yes. As long as "expeditiously" is not in the  
14 motion, and it's not in the motion. It's Andy's original  
15 motion, and so go ahead, Bob.

16

17 **DR. SHIPP:** I speak against this motion, and I think we're all  
18 working in the same direction, and we all have the same spirit,  
19 but the verbiage is the typical verbiage that prevents us from  
20 moving at a rapid rate, and it says, "NOAA Fisheries greatly  
21 values the work". That's a subjective thing, and I think that  
22 accepting verbiage like that does tend to make it far more  
23 subjective and more likely to be delayed.

24

25 **CHAIRMAN FRAZER:** Okay. Is there any further discussion on the  
26 motion? Mr. Dugas.

27

28 **MR. DUGAS:** Thank you, Mr. Chair. I'm in favor of Dr. Shipp's  
29 motion. I feel like the substitute motion is status quo. It's  
30 where we are today, and I feel like there is some recreational  
31 anglers that really look up to the state data, and they look at  
32 the states, I guess, as, like Phil mentioned, being more up to  
33 time, and I believe there is some movement, or some suggestions  
34 of movement, away from the MRIP program.

35

36 I think the west coast has done it, the Pacific Council, and  
37 maybe we need some guidance to get there, but I feel there is  
38 some shifting away from MRIP, and maybe this is where this is  
39 going, but the substitute motion, to me, is just status quo.

40

41 **CHAIRMAN FRAZER:** The Chair wants to weigh-in real quick. Mr.  
42 Diaz.

43

44 **MR. DIAZ:** I am very reluctant to stop discussion on this, or to  
45 slow it down, but we do have a question-and-answer session that  
46 is scheduled, was scheduled, to start at 5:00, and I would like  
47 to get a hard stop for this committee at 5:15, and so if you can  
48 take a comment or two more, and then let's proceed to a vote or,

1 if you decide to hold it off until tomorrow, that would be fine  
2 with me, but we just have to accommodate that question-and-  
3 answer session. Thank you.

4  
5 **CHAIRMAN FRAZER:** Thank you, Mr. Chairman, for keeping us on  
6 track. I will take two more comments, and I had Andy Strelcheck  
7 and then General Spraggins, and then we'll shut it down, and my  
8 suggestion is that we think about it, and we'll talk about it  
9 tomorrow. Andy.

10  
11 **MR. STRELCHECK:** Just a comment. Neither motion, to me,  
12 accomplishes what maybe people are wanting to accomplish, in  
13 that we don't decide best available science, and, in order to  
14 get the best scientific information, we have to have the people  
15 and the resources working on that, and that's why I made the  
16 motion that I did, because that's the work underway, and that's  
17 the work we're striving toward, and, ultimately, the outcome of  
18 that is going to be the best scientific information available,  
19 at whatever time down the road.

20  
21 In the meantime, I also disagree with the status quo  
22 characterization, because the agency has moved forward with the  
23 council motion, back in I think October of last year, and  
24 already incorporated the results into a gag stock assessment.  
25 We're moving forward in the SEDAR process, with red snapper, and  
26 we're using state surveys for red snapper already, and so  
27 there's a lot that is already happening with the state surveys  
28 that relate to the work underway, and, to me, neither one of  
29 these motions is ultimately going to accomplish achieving the  
30 best available science. They're just giving, I guess,  
31 perspective and direction, in terms of how we feel. Thanks.

32  
33 **CHAIRMAN FRAZER:** Thank you, Mr. Strelcheck. General Spraggins.

34  
35 **GENERAL SPRAGGINS:** I don't know if it's legal or not, but is it  
36 legal to make a substitute motion to this, a second substitute,  
37 to say let's table this to a later date? Right now, I think we  
38 all have a -- We're kind of going around the same circle here,  
39 and I think there are some good ideas both ways, and I just  
40 think it needs to be tabled, maybe until at least Full Council  
41 or something, and is it legal to make that motion?

42  
43 **CHAIRMAN FRAZER:** It's okay, and we've already made that  
44 decision, and so we're rounding out the discussion right now,  
45 and there is a hard stop in two minutes, and we were going to  
46 pick it up tomorrow, and we're not going to vote on the motion.  
47 All right, and so I think the last word I would say is, besides  
48 that protocol, moving forward, is the way that that first motion

1 is written is that it refers to a survey as the best available  
2 science, and science isn't a thing, as Ryan pointed out.

3  
4 Science is a process, and it's a way of doing investigation, and  
5 it's a compilation of many pieces of information, and so, again,  
6 I think there's a couple of things that I have concern about  
7 with that first motion, and I understand the intent, but I also  
8 very much appreciate where authority exists, and I am firm  
9 believer in adhering to the legal process, to the best of our  
10 ability, especially when we know there is precedent there for  
11 doing that.

12  
13 I do think it's best that we go back and spend a little bit of  
14 time thinking about the wording of both of these motions, and  
15 we'll bring it up first thing tomorrow, if we can have a few  
16 minutes, Mr. Chairman.

17  
18 **MR. DIAZ:** My preference would be that, when we get to this at  
19 Full Council, to address it at Full Council, at that time, if  
20 people wanted to move with it, and, Mr. Gill, I know you had an  
21 Other Business item. Are you okay if we just move that Other  
22 Business item, and we can move it to Other Business in Full  
23 Council, if that's all right with you, and remind me when we  
24 take up the agenda, at Full Council, to add it, so it doesn't  
25 get overlooked.

26  
27 Anyway, I am sorry to stop this meeting, and we running over,  
28 but we did set this question-and-answer session up. Real quick,  
29 Dr. Simmons, can you tell us a little bit about the question-  
30 and-answer session, for folks that are in the room and for  
31 council members that want to stay around for it, and just kind  
32 of let people know how we're going to set everything up.

33  
34 (Whereupon, the meeting adjourned on August 23, 2022.)

35  
36 - - -  
37