

GULF OF MEXICO FISHERY MANAGEMENT COUNCIL

REEF FISH MANAGEMENT COMMITTEE

Hilton Bayfront and Virtual St. Petersburg, Florida

November 4-5, 2024

VOTING MEMBERS

- 10 Tom Frazer.....Florida
- 11 Kevin Anson (designee for Scott Bannon).....Alabama
- 12 Kesley Banks.....Texas
- 13 Billy Broussard.....Louisiana
- 14 J.D. Dugas.....Louisiana
- 15 Troy Frady.....Alabama
- 16 Dakus Geeslin (designee for Robin Riechers).....Texas
- 17 Michael McDermott.....Mississippi
- 18 Jason Osborne.....Mississippi
- 19 Anthony Overton.....Alabama
- 20 John Sanchez.....Florida
- 21 Chris Schieble (designee for Ryan Montegut).....Louisiana
- 22 Joe Spraggins.....Mississippi
- 23 Andy Strelcheck.....NMFS
- 24 C.J. Sweetman.....Florida
- 25 Ed Walker.....Florida
- 26 Troy Williamson.....Texas

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- 29 Dave Donaldson.....GSMFC
- 30 LT Jackson Morton.....USCG

STAFF

- 33 Max Birdsong.....Social Scientist
- 34 Assane Diagne.....Economist
- 35 Matt Freeman.....Economist
- 36 John Froeschke.....Deputy Director
- 37 Lisa Hollensead.....Fishery Biologist
- 38 Sarah Gardiner.....Fishery Biologist
- 39 Mara Levy.....NOAA General Counsel
- 40 Emily Muehlstein.....Public Information Officer
- 41 Kathy Pereira.....Meeting Planner & Travel Coordinator
- 42 Ryan Rindone.....Lead Fishery Biologist/SEDAR Liaison
- 43 Bernadine Roy.....Office Manager
- 44 Carrie Simmons.....Executive Director
- 45 Camilla Shireman.....Administrative & Communications Assistant
- 46 Verena Wang.....Fishery Biologist

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2 Frank Helies.....NOAA
3 Clay Porch.....SEFSC
4 Jessica Stephen.....NMFS
5 Matt Walia.....NOAA OLE
6 John Walter.....SEFSC

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[PAGE 64](#): Motion to move Alternative 4 to the Considered but Rejected Appendix. [The motion carried on page 64.](#)

[PAGE 134](#): Motion to request an update on the Great Amberjack Count for the January 2025 meeting, including the projected timeline for completion. [The motion carried on page 135.](#)

[PAGE 135](#): Motion to direct staff to begin work on a flowchart to explore the decision points for state and/or recreational management of greater amberjack, including a comparison with and without sector separation. [The motion carried on page 138.](#)

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1 The Reef Fish Committee of the Gulf of Mexico Fishery Management
2 Council convened at The Hilton Bayfront in St. Petersburg, Florida
3 on Monday afternoon, November 4, 2024, and was called to order by
4 Chairman Tom Frazer.

5
6 **ADOPTION OF AGENDA**
7 **APPROVAL OF AUGUST 2024 MINUTES**
8 **ACTION GUIDE AND NEXT STEPS**
9

10 **CHAIRMAN TOM FRAZER:** I will call together the Reef Fish Management
11 Committee and remind folks that this committee is a committee-of-
12 the-whole. The first order of business is the Adoption of the
13 Agenda, and that would be Tab B, Number 1 in your briefing
14 materials, and so is there any modifications, or edits, to the
15 agenda as written? Not seeing any, is there any objections to
16 adopting the agenda as written? Not seeing any, we'll consider
17 the agenda adopted.

18
19 The second order of business is the Approval of the August 2024
20 Minutes. That would be Tab B, Number 2 in the briefing materials.
21 Any edits to those minutes? Okay. Seeing none, is there any
22 objection to approving the August 2024 minutes as written? Seeing
23 none, we'll consider the minutes approved.

24
25 The next order of business is the Action Guide and Next Steps.
26 That would be Tab B, Number 3, and we've got Mr. Rindone to take
27 us through the first item, which is the Review of the Reef Fish
28 and IFQ Program Landings. Mr. Rindone.

29
30 **REVIEW OF REEF FISH AND IFQ PROGRAM LANDINGS AND STATE LANDINGS**
31 **FOR RED SNAPPER**
32

33 **MR. RYAN RINDONE:** Thank you, sir. Frank, are you leading this
34 off? Great, and so Frank is going to review the status of the
35 reef fish and IFQ program landings, relative to their catch limits,
36 which is just for you guys' information, and then reps from the
37 five Gulf states will also review their 2024 private angling
38 fishing seasons for red snapper and offer projections for what the
39 rest of their 2024 fishing seasons look like, as appropriate.

40
41 These data are all part of an ongoing effort to just keep the
42 council abreast of what's going on and don't require any direct
43 action. The states will also provide whatever data they have
44 regarding observed mean lengths and weights, and some effort-level
45 data as well, and so you guys are free to ask questions about the
46 information presented, and so Frank.

1
2 **MR. FRANK HELIES:** Thanks, Ryan. Frank Helies, NOAA Fisheries.
3 I'm just going to -- I have a pretty brief presentation on updated
4 reef fish landings, and so just some notes that 2024 landings are
5 preliminary, and I do -- So the figures in this presentation are
6 through Wave 3, but I do have some updated rec figures through
7 Wave 4 to provide you guys. Then commercial landings, for the
8 figures, are through the end of September. I want to direct you
9 to our website. It's updated Mondays, most Mondays, for updated
10 landings.

11
12 We'll start with red snapper federal for-hire, and so Wave 3 was
13 about one-million pounds, and then Wave 4, and we just got that
14 the other day, is 1.15 million pounds, and so the total estimated
15 landings for the federal for-hire season was 2.193 million pounds,
16 which is 71 percent of the ACT. I don't know if you want me to
17 pause there, for effect, or we can come back to federal for-hire
18 red snapper at a later date. Come back to it?

19
20 **CHAIRMAN FRAZER:** I think we can come back, Frank. Go ahead.

21
22 **MR. HELIES:** I think we have a question.

23
24 **CHAIRMAN FRAZER:** Sorry, Chris. I didn't see you.

25
26 **MR. CHRIS SCHIEBLE:** We can come back, but I was just going to
27 ask, and is there consideration for reopening, or is it too late?

28
29 **CHAIRMAN FRAZER:** Mr. Strelcheck.

30
31 **MR. ANDY STRELCHECK:** I'm actually just learning about this today,
32 and so there is consideration of reopening. It is concerning, to
33 me, that we are at 71 percent, and I would like to understand why
34 that is, because, typically, we are well above 90 percent at this
35 point, very close to catching the entire annual catch target.

36
37 **CHAIRMAN FRAZER:** Thanks, Andy. Frank.

38
39 **MR. HELIES:** Thanks. Red grouper rec landings, and so our season
40 was January 1 through June 30 this year. Unfortunately, we did
41 exceed the ACL, and so the total was 2.2 million pounds, which was
42 about 113 percent of the ACL.

43
44 Greater amberjack commercial landings, we closed -- So we had a
45 reduced poundage this year, and we caught 52,225 pounds, which was
46 89 percent of the ACT.

1
2 The rec landings, we reopened on May 1 for the 2023-2024 season,
3 and we did have high landings in that month of May, and so the
4 total landings for that wave were 687,792 pounds, for a total of
5 -- 861,933 pounds was the May, and so 687,000 was the total
6 recreational harvest for the 2023-2024 season. With the new
7 amendment that just went into place, we changed the season to
8 September and October, and so we just completed that season, and
9 we'll have maybe an update on those numbers for you in January.

10
11 **CHAIRMAN FRAZER:** If we can go back to that one, Frank.

12
13 **MR. HELIES:** Sure.

14
15 **CHAIRMAN FRAZER:** Dr. Sweetman.

16
17 **DR. C.J. SWEETMAN:** Thank you, Mr. Chair. I'm wondering what the
18 heck happened in May. I mean, we were at like 30 percent of the
19 quota, when we were previously there, and 600,000 pounds in May.
20 I get like -- Just doing a preliminary look at this, it does look
21 like the vast majority of this came off of Florida, in terms of
22 the actual landings there, but, obviously, we've got a fishery
23 that's in big trouble, and I realize that we just changed the
24 regulations there, and so, given our accountability measures, in-
25 season and then payback requirements associated with rebuilding
26 the fishery, and I'm looking at you, Andy, in terms of what we
27 might be thinking here and how to move forward on this.

28
29 **CHAIRMAN FRAZER:** Mr. Strelcheck.

30
31 **MR. STRELCHECK:** This data came in, and we were reviewing it, right
32 before Hurricane Helene and Milton, and we were asking some of the
33 same questions you are, right, and that really high spike in
34 landings and what's causing that. You were right that a lot of it
35 came off of Florida. It came from potentially some high sample
36 sites.

37
38 Helene hit, and it affected a lot of my employees, and, by the
39 time we came back to this, we didn't have enough time to implement
40 anything, any accountability measure, during the September-October
41 season. There's supposed to be a payback provision, which would
42 have pretty much prevented us from opening, but we didn't have the
43 data, and didn't make the decision fast enough, and so the season
44 has come and gone. At this point, we did not institute an
45 accountability measure, and so we'll look at, obviously, the
46 landings data for September-October and be better prepared,

1 obviously, for next season, if there is any sort of overage from
2 that season.

3
4 **CHAIRMAN FRAZER:** Thank you, Andy. Any further questions with
5 regard to the AJs? Go ahead, Frank.

6
7 **MR. HELIES:** Thanks, Mr. Chair. Lane Snapper, the stock ACL --
8 Let's see here. With the updated landings, we're currently at
9 966,748 pounds, which is 89 percent of the stock ACL, and so we
10 are looking at the data, and we may need to close early this year,
11 and that is with the updated ACL. We just implemented the
12 framework amendment.

13
14 Gray triggerfish commercial landings are currently at 42,833
15 pounds, which is 48 percent of the commercial ACT. Recreational,
16 gray triggerfish rec landings, we're currently at 55 percent of
17 the ACT, 150,247 pounds.

18
19 Gray snapper, this figure will be updated the next time we see it.
20 We switched from CHTS to FBS, and so it's a much higher stock ACL
21 now. It's five million pounds, and not 2.2 million pounds, but
22 the new -- The current stock ACL is -- We're currently at 69.7
23 percent of the stock ACL, 3.9 million pounds.

24
25 Mutton snapper, we're at 82 percent of the stock ACL, 119,000
26 pounds. Vermilion snapper, we're currently at 50 percent of the
27 stock ACL, at 2.7 million pounds, and 952,000 of those are
28 commercial.

29
30 Yellowtail snapper, I'm going to speak real quick about the
31 previous season. This is another one of the split seasons, and
32 so, for the 2023-2024 fishing season, we ended up with 267,580
33 pounds, which was 29.7 percent of the ACL. The next season, 2024-
34 2025, started August 1st, and we're currently at 9 percent of the
35 ACL, and 53,500 pounds are commercial of the total.

36
37 Cubera, we exceeded the stock ACL. It's 5,726 pounds. It's a
38 very small quota, but there isn't an in-season AM, and so we'll
39 look at it for next year. Jacks are currently at 60 percent of
40 the ACL, 187,000 pounds, and, finally, our favorite, midwater
41 snapper. We're currently at 45.5 percent of the stock ACL, which
42 is 75,575 pounds. It looks like the wenchman issue is not an issue
43 anymore, which is good news. That's reef fish. Is there anything
44 with reef fish you guys wanted to --

45
46 **CHAIRMAN FRAZER:** So we have kind of a couple of anomalies there.

1 We had the red snapper charter-for-hire issue, and we've got an
2 overage in the AJs and in the red grouper, and so I would imagine
3 those are the ones we might have questions about. All right. I'm
4 not seeing any, Frank. Mr. Strelcheck.

5
6 **MR. STRELCHECK:** Well, we've already talked about amberjack, and
7 so, with red grouper, I mean, this has been a challenge now for a
8 number of years, and we've essentially had to shorten the season,
9 I think three or four years consecutively. We'll have to look at,
10 obviously, the landings and make a determination of what the season
11 will be set at for 2025, and so that's on the horizon. We do have
12 a stock assessment, and we'll be shifting to the State Reef Fish
13 Survey, but that won't be in effect for 2025, and so just
14 acknowledging that.

15
16 Then, you know, for red snapper, we haven't dug into it,
17 understanding, you know, what's causing the decrease, or where
18 that decrease is primarily occurring, but, as I mentioned, I mean,
19 it's concerning, to me, that we've really done a really good job
20 of harvesting that catch target and predicting the season, and
21 this is the first year we've been way off, probably in about six
22 or eight years, right, and so has something changed, where the
23 fish rate, catch rates, are down, and, if so, what's causing that?

24
25 My authority would be, because it has -- The catch limit hasn't
26 been caught, and I can reopen the fishery, and so we'll, obviously,
27 have to look at that, and make some decisions to reopen between
28 now and the end of the year, but, once again, it's something that
29 I think we just need to keep a close eye on.

30
31 **CHAIRMAN FRAZER:** Dr. Banks.

32
33 **DR. KESLEY BANKS:** I think this is a question for Andy, but you
34 guys are looking at the AJ numbers and some of these other
35 anomalies. Will that be available by the January meeting, or is
36 that something that it might take a little longer to get back to
37 us?

38
39 **CHAIRMAN FRAZER:** Andy.

40
41 **MR. STRELCHECK:** Well, I don't know that I would characterize the
42 other issues as anomalies. Certainly amberjack was a very high
43 catch estimate for May, and unexpected relative to our projections,
44 and so we have looked at some of that already, and we can certainly
45 bring back some more information at a future council meeting. You
46 know, if you want us to look into any of these other changes, like

1 red snapper, we're happy to do that as well.

2

3 **CHAIRMAN FRAZER:** Okay. I'm not seeing any more hands around the
4 table, and so if you want to go ahead and continue the IFQ stuff,
5 Frank.

6

7 **MR. HELIES:** Thank you, Mr. Chair. Before I move on, I just -- As
8 a note, if anybody has any suggestions, or comments, or questions,
9 on how to make these landings presentations more useful for the
10 council, please do. I don't want to just give you guys numbers up
11 here. If you find some way, just let me know and I would be happy
12 to adjust how we present this data to you all.

13

14 Okay. IFQ, the link there will get you real-time numbers on IFQ,
15 and that data is through October 17th for these figures. I do have
16 some numbers as of today, though. I did look them up this morning.
17 As of this morning, red snapper is 87 percent of ACL, 6.5 million
18 pounds. Red grouper, 74.4 percent of the ACL, 2.078 million pounds
19 landed. Gag, we've landed 102,381 pounds, which is 69.6 percent
20 of the ACL.

21

22 This next slide, I added some additional information, since we're
23 discussing shallow-water grouper in Amendment 58A, and so I just
24 -- We have an action in 58A that adjusts the commercial quota for
25 scamp, and so the dotted lines are the proposed quotas for those
26 various alternatives. You can kind of see, based on what you guys
27 end up choosing, how we are -- What kind of reductions we're going
28 to need.

29

30 Currently, we're only actually at 17 percent of the current stock
31 ACL, or of commercial quota, excuse me, of 525,000 pounds, and so
32 we've only landed 90,957 pounds, but that's for the whole other
33 shallow-water grouper category. Any questions on how I presented
34 that?

35

36 **CHAIRMAN FRAZER:** Yes, and I think Dr. Sweetman.

37

38 **DR. SWEETMAN:** No question, but I just really appreciate actually
39 the way that you structured this here, relative to the amendment
40 that we're working on. This is helpful. Thanks, Frank.

41

42 **MR. HELIES:** Okay. This last slide is black grouper, also in
43 shallow-water grouper category, because we were discussing that at
44 the last meeting, and that's IFQ.

45

46 **CHAIRMAN FRAZER:** Okay. Any questions with regard to the IFQ

1 landings? Not seeing any, but just the fact that, Frank, that you
2 brought up the gag catch, and, obviously, for the recreational
3 season, it's in Wave 5, and we don't have those numbers, but I
4 expect -- Will we see an update on the gag recreational numbers in
5 January. Will that be enough time? Andy is saying yes. Andy.

6
7 **MR. SWEETMAN:** I think really a question for C.J. So, timing-
8 wise, for September recreational landings, with the State Reef
9 Fish Survey, I would assume you'll have estimates, preliminary
10 maybe, in the next month, and so, timing-wise, January will work.

11
12 **CHAIRMAN FRAZER:** I really appreciate you guys working on that.
13 All right, and so we're going to go ahead and move into the state
14 program landings for red snapper, and the first on the list is
15 Florida, and that would be Tab B, Number 4b in your briefing
16 materials. I'll hand it over to you, Dr. Sweetman.

17
18 **DR. SWEETMAN:** Thank you, Mr. Chair. Good afternoon, everyone.
19 We can go ahead and dive into Florida's Gulf red snapper season
20 update. Just a reminder about Florida's State Reef Fish Survey.
21 It's required for all fishers in the Gulf and Atlantic that are
22 targeting or harvesting thirteen species of reef fish from a
23 private vessel.

24
25 There's two components, as I always say. You know, this includes
26 our own dockside mail survey, our mail survey, as well as dockside
27 interviews, and then our interviews are actually also supplemented
28 with MRIP angler interviews.

29
30 Here's how the Florida season was structured. The summer component
31 of Gulf red snapper season opened on June 1st and closed on July
32 31st, and then the fall component consisted of three-day weekends,
33 and so Friday, Saturday, Sunday, and this included all three-day
34 weekends in September and November, through November, plus Labor
35 Day, Veterans Day, and Thanksgiving. It makes for a total of 103
36 fishing days.

37
38 Where we're at relative to the landings, through the month of
39 August, on our 2024 ACL, we are currently at 36 percent of the
40 quota, and, as you can tell, that is smaller than previous years,
41 relative to the landings at this time.

42
43 When we start to look at some of the details behind some of this
44 data here, in 2024, you can see the weights themselves, at least
45 as it relates to private rec, which is an orange, they are similar
46 to the long-term average, but, for state charter, which is in blue,

1 fish were definitely smaller in weight, in 2024, compared to the
2 long-term average, and even when you compare 2024, just to the
3 previous year, in 2023, you can see that the fish that were landed,
4 both at the state and the charter side, are smaller in weight.

5
6 As you can imagine, we would tend to see similar trends here, and
7 so this is not a huge shock. We do see that relative reduction in
8 overall lengths there, relative to private versus charter, and
9 it's not surprising that charter is smaller, because those are
10 limited to state waters, where fish are typically smaller anyways,
11 relative to what the private fishery prosecutes in federal waters.

12
13 Okay, and so here we have the total number of angler trips taken
14 in the Gulf of Mexico for any of the thirteen reef fish species
15 that are included in the State Reef Fish Survey each month. I'll
16 pause there, for people just to look at, just so you can see the
17 overall trends.

18
19 Then, moving on to the next slide, this last slide here, it shows
20 Florida's catch per unit effort estimates for red snapper. Note
21 that the State Reef Fish Survey operates at the angler level. It
22 is not a vessel level, and so the CPUE that you see here is the
23 per angler trick.

24
25 We offered fall opportunities in 2020 and 2022, and so that's why
26 you can kind of see landings towards the end of the year there.
27 We'll have similar patterns this year, but, in general, as you can
28 see, CPUE for 2024 is comparable to previous years, slightly
29 smaller than last year, but greater than previous years, and that
30 is my last slide, and I'm happy to take any questions.

31
32 **CHAIRMAN FRAZER:** Mr. Anson.

33
34 **MR. KEVIN ANSON:** Just a question on the Gulf reef fish permit.
35 On your second slide there, C.J., it said it's required for all
36 anglers harvesting thirteen reef fish species from a private
37 vessel. I thought the shore anglers needed it too. Yes? Okay.

38
39 **CHAIRMAN FRAZER:** Mr. Strelcheck.

40
41 **MR. STRELCHECK:** Can you go back to Slide 4? So, C.J., you were
42 closed in August, and it looks like the line might extend until
43 September. Is there any landings for September in this graphic?
44 Okay.

45
46 **DR. SWEETMAN:** No, sir.

1
2 **CHAIRMAN FRAZER:** Dr. Walter.
3
4 **DR. JOHN WALTER:** Thanks for this presentation. Have you gathered
5 any reason why the catches are so low compared to other years?
6
7 **DR. SWEETMAN:** That's a very good question. It's definitely
8 something that we're looking at. I think, you know, based on the
9 last meetings, that we've heard similar concerns about what's going
10 on with Gulf red snapper across-the-board, regardless of sector,
11 regardless of state, and it seems to be being a little bit realized
12 here, at least in this first early couple of waves here, but I
13 don't have an explicit answer for you.
14
15 I mean, Luiz and his team are looking into possible explanations
16 for what's going on there. We do have -- Obviously, it's one of
17 the longest seasons that we've ever offered. You know, I thought
18 the intent -- Part of what I was hoping for, with a longer season,
19 is that it would spread effort across-the-board, and maybe you
20 don't have these people that are necessarily we need to get out on
21 this weekend there, and kind of push it out a little bit, but this
22 is a little bit beyond that, I think, John, and so I'm not sure if
23 this is a biological signal that we're seeing there.
24
25 We're definitely seeing it in terms of the size and the weights of
26 the fish in this year, but I will wait to see what happens towards
27 the end of the year, because we do have, you know, quite a bit
28 left still in the season, and so I don't have an answer for you as
29 to why exactly we're seeing this drop.
30
31 **CHAIRMAN FRAZER:** Captain Walker and then General Spraggins.
32
33 **MR. ED WALKER:** I had a similar question about that. The for-hire
34 sector is way off. The recreational catch is way down. The CPUE
35 is the same for the recreational, but the catch is significantly
36 lower. Does that mean the CPUE by fish or by pounds?
37
38 **DR. SWEETMAN:** What's that?
39
40 **MR. WALKER:** Is CPUE fish or pounds?
41
42 **DR. SWEETMAN:** (Dr. Sweetman's response is not audible on the
43 recording.)_
44
45 **MR. WALKER:** Okay, and so that just -- That's kind of perplexing,
46 but I would point out --

1
2 **DR. SWEETMAN:** It's fish.
3
4 **MR. WALKER:** Okay, and so that could be a decrease in size, correct?
5
6 **DR. SWEETMAN:** We did see that.
7
8 **MR. RINDONE:** I mean, it could be a decrease in size, but, I mean,
9 if CPUE is relatively static, and landings are down, then it's
10 probably corresponding to a decrease in the total number of trips,
11 and so the people that are going are still catching fish, but, if
12 there's fewer people going, then you're going to see fewer fish
13 landed.
14
15 **MR. WALKER:** Okay, and that helps. I would point out that the
16 commercial side is right on track, even above what they normally
17 catch, on the IFQ side, although it could be a hint that maybe
18 closer to shore is beaten down a little bit more, and commercial
19 guys are fishing deeper water, but I don't know. That's pure
20 speculation, but there seems to be some interesting developments
21 there.
22
23 **CHAIRMAN FRAZER:** We'll go to General Spraggins.
24
25 **GENERAL JOE SPRAGGINS:** I was just looking at it and trying to
26 make sure that -- It's showing, like July to September, there's a
27 level line. Is that just because you haven't got the data yet, is
28 all of that?
29
30 **DR. SWEETMAN:** Yes, and all this is just through August. That
31 pullover into September, that must've just been a typo on my part.
32 It should be to end of August.
33
34 **GENERAL SPRAGGINS:** Yes, because, I mean, notoriously, it goes up
35 quite a bit during that time, and so I just wondered though --
36 Your numbers are going to change quite a bit, you would think,
37 once all that data is put in.
38
39 **DR. SWEETMAN:** Yes, and we would still need to include the months
40 of September, October, and November, basically, to add on top of
41 this here. Those are active fishing months for the State of
42 Florida, and so that is not included in here.
43
44 **GENERAL SPRAGGINS:** Did the hurricanes have any effect, to amount
45 to anything, that you know of?
46

1 **DR. SWEETMAN:** We certainly -- I mean, yes, there were some very
2 significant hurricanes that occurred on the west coast of Florida
3 that impacted fishing operations across the board.

4
5 **GENERAL SPRAGGINS:** Okay. Thank you.

6
7 **CHAIRMAN FRAZER:** Mr. Geeslin.

8
9 **MR. DAKUS GEESLIN:** Well, the General hit on one of my
10 observations, and I'll elucidate that a little more in our
11 presentation, as we saw, you know, some severe weather events, and
12 not quite as impactful as you all experienced over in Florida, but
13 I would presume those had a marked effect on the effort. If you
14 see the catch per unit effort, as Ed pointed out, relatively
15 stable, the effort really took a hit. Your landings took a hit.
16 I suspect there's probably some economic factors playing in there
17 as well.

18
19 **DR. SWEETMAN:** Yes, and, to that point, I mean, we would start to
20 see that potential realized decrease in effort in later waves here,
21 and so the data that we're presenting -- This is kind of
22 irrespective of the hurricanes that we experienced relatively
23 recently, and so what we're presenting here is more or less our
24 summer season, where the weather was fairly decent. You know, of
25 course, depending on -- Yes, there was some weather, depending on
26 which part of the Florida you were in, but I would say these are
27 lower than what we were expecting.

28
29 **CHAIRMAN FRAZER:** I had a real quick question, and maybe Ed or
30 Andy can answer this. I'm just, again, like all of us, trying to
31 reconcile these numbers, or findings, and so, of the number of
32 federally-permitted for-hire fishermen, what percentage of those
33 actually are in Florida? Is it 40 percent, or 50 percent, maybe?
34 Andy.

35
36 **MR. STRELCHECK:** I don't recall. We would have to look it up, but
37 it's a pretty high amount, yes.

38
39 **MR. WALKER:** I believe it's higher than 50. I think there's about
40 650 boats in Florida alone.

41
42 **CHAIRMAN FRAZER:** Yes, and, I mean, it's -- The finding is the
43 same, right, and so it's leading me to at least explore the fact
44 that it's probably an eastern Gulf phenomenon, but, anyways, all
45 right. Any further questions for Dr. Sweetman with regard to the
46 Florida landings? Okay. Not seeing anything, thanks, C.J. Next

1 up is Alabama and Mr. Anson.

2
3 **MR. ANSON:** Thank you, and so just a summary of the 2024 season,
4 as it stands right now. We opened on Friday of Memorial Day
5 weekend, and we continued our four-day weekend structure
6 throughout the season, a sixteen-inch total length minimum size,
7 a two-fish-per-person-per-day creel limit, and, as of October 14th,
8 estimated harvest is 537,000 pounds, eighty-one-and-a-half percent
9 of our allocation of 659,000 pounds.

10
11 That 659,000 pounds was reduced by the overage for last year of
12 4,000 pounds, and we anticipate the current bag and size limits
13 and weekend format will remain for the remainder of 2024, and so
14 here's a summary of the 2024, all the way back to the 2019 season,
15 and we're right between 2022 and 2023, as far as our landings at
16 this point.

17
18 Mean weight of a snapper, this is for both the private mode, in
19 green, and the state charter, in blue, and, as we discussed last
20 year, or beginning of this year, the 2023 number for state charter
21 -- See that peak there, that increase in 2023, and that was from
22 a couple of trips of fish that were way that were much larger than
23 the normal, and that brought the average up, but, generally, a
24 declining trend amongst both of the groups.

25
26 The lengths, again, a similar trend with that increase in 2023 for
27 state charter, and the number of fish that are both weighed and
28 measured is provided there at the bottom of each slide.

29
30 Summary of the number of trips, mean number of anglers per vessel
31 and the mean number of red snapper harvested, and, just as a
32 reminder, Snapper Check, that we use to estimate red snapper
33 harvest, is only required for those vessels that are landing fish
34 in Alabama, and so it's a directed effort survey, essentially.

35
36 You can see the fishing mode, the number of trips, the fishing
37 mode private is green, and blue for state charter. It's fairly
38 consistent, although, here in recent years, we've had a fall-off
39 in the number of vessel trips, compared to 2019 to 2021.

40
41 However, the mean number of anglers on those trips are remaining
42 relatively consistent, at just over four anglers per vessel trip
43 in both private and state charter vessels, and then somewhat
44 consistent for the mean harvest per vessel trip, at around just
45 over seven, seven-and-a-quarter fish here, which compares with
46 2021, 2022 and 2023.

1
2 This just gives a summary of each of the years that we've been
3 under state management, either through the EFP in 2018 and 2019
4 and then through Amendment 50, starting in 2020. The results for
5 the total number of days in the season, season closure dates, or
6 reopening dates, and the allocation for each of the years. I think
7 that's the last slide.

8
9 **CHAIRMAN FRAZER:** All right. Thank you, Mr. Anson. Any questions?
10 Captain Walker.

11
12 **MR. WALKER:** Thank you, Mr. Anson. So your whole season is Fridays
13 through Mondays, four days?

14
15 **MR. ANSON:** (Mr. Anson's comment is not audible on the recording.)

16
17 **MR. WALKER:** Interesting. Those fish, the average weight that you
18 got, those are actually weighed, or estimated?

19
20 **MR. ANSON:** The weights are actual weights that are collected at
21 the dock.

22
23 **MR. WALKER:** They dropped from nine to four pounds, average, on
24 your graph, right?

25
26 **MR. ANSON:** For that one year? Yes, and it was eight, eight
27 something, 8.8, I think it was, or somewhere around there, yes.

28
29 **CHAIRMAN FRAZER:** Okay. Any other questions for Mr. Anson and the
30 landings from Alabama? Okay. Not seeing any, thank you, Kevin.
31 Next up is Mississippi and General Spraggins.

32
33 **GENERAL SPRAGGINS:** Thank you very much, and we'll get the slides
34 up. Okay. Our review of the snapper season for 2024, and just to
35 give you a little overview before that, we opened up on Memorial
36 weekend, May the 24th, and closed on July the 7th, forty-four days,
37 and so that's what our season was this year, due to the number of
38 fish that we had to be able to harvest, and the pounds.

39
40 If you can look on this one, you can see that, in 2021, and 2022,
41 we had 150,000 plus, and then, in 2023, it went down to 62,000.
42 We overfished, and we paid it back, and that was the payback for
43 this year, and, you know, we tried to make that work, and it
44 didn't, but we came in this year, even this year, with the payback,
45 at about 4,000 pounds less than what our ACL was.

1 I did that for a reason, because we didn't feel like we could open
2 it up for a day or two and not over exceed it again, and so we
3 wanted to make sure that we did not do that, and it worked out for
4 us, and now we'll hopefully be able to do a little bit different
5 in the next season that's coming up.

6
7 As you can see, our anglers per trip has pretty much stayed the
8 same, all the way across, and our vessel trips, obviously, are way
9 down, but due to the fact of the number of days that we're open,
10 and, you know, if you go back to 2021 to 2024, there's quite a few
11 difference in the days there, and so a hundred-and-something days,
12 against forty days, and that's what makes a difference there, is
13 why our vessels is so low.

14
15 Our CPU is up even, and we're up to about 4.4 per vessel, which is
16 good, being able to catch a little bit more. As you can see, that
17 our average weight is down a little bit, to a little over five
18 pounds per fish, but, obviously, you know, when you fish as hard
19 as it did for forty-four days, and then that's it, you know, we'll
20 see -- Usually, we come back with a little bit bigger fish, you
21 know, if we have another season open, but that didn't happen, and
22 so we're there.

23
24 Our recreational average length is a little over twenty inches,
25 and down just a little bit from, you know, last year, but,
26 obviously, a pretty good sized fish, but, hopefully, this year,
27 you know, things will change a little bit, and I'll tell you what.
28 I had the privilege of going over to Louisiana the other day
29 fishing, and the 1st of October, or right before that, and they're
30 not overfished.

31
32 You know, we caught enough fish, and big fish, that they are not
33 overfished, I'll tell you what, and I know they caught a lot of
34 fish this year in Louisiana, but for us to go out there in two
35 hours and catch the limits that we caught, and that was pretty
36 darn good, and the fish that we caught were nice fish, and so I
37 think that the -- I can't speak for everybody else in the Gulf,
38 but I think Mississippi and Louisiana is holding on pretty good on
39 that, and so that's my report, unless you have any questions.

40
41 **CHAIRMAN FRAZER:** All right. Thank you, General. Any questions
42 for the folks in Mississippi? Okay. Not seeing any, Chris, give
43 us the good news about Louisiana.

44
45 **MR. SCHIEBLE:** There you go. The Snapper Valhalla will give the
46 report. So, while she pulls that up for us, our commission elected

1 to open our season a little bit earlier this year, kind of a
2 science experiment for our anglers, to see how they prefer an
3 earlier start, versus fishing later in the year, and so our start
4 date was April 15th, with a seven-day-a-week fishing season and a
5 four-fish bag limits, is what we opened with, and an allocation of
6 934,587 pounds.

7
8 We closed our season on July 7th, and we reopened for a weekend-
9 only season starting on July 12th, and so weekends only is Friday,
10 Saturday, Sunday, and then we closed again on August 18th, and
11 resumed the daily seven-day-a-week season, and a four-fish bag
12 limit, on August 19th, the same date as our start of our August
13 council meeting. In total, we were open 151 days. We closed
14 October 6th, and we fished a total of 974,385 pounds, which is 4.3
15 percent over our allocation.

16
17 This shows the breakdown, in pounds, between the private
18 recreational boats and the state charter boats, but also included
19 is the estimate on our federal for-hire landings within Louisiana.
20 That's not part of our allocation, but we put it up here, because
21 we're able to monitor it with LA Creel, just so you can see what
22 the difference is.

23
24 As I said, we exceeded our allocation by roughly 40,000 pounds,
25 39,798, and we will be paying that back for the 2025 fishing year.
26 The next slide shows the graphic of that. You've been seeing these
27 on our webpage weekly, our landing estimates.

28
29 The next slide is sort of the comparison to the years, and so, if
30 you took the red line and shifted it over to Week 20, you would
31 basically be overlapping with the previous years, but it starts on
32 Week 15, because of the April 15th start date, and so you can see
33 it's very similar.

34
35 Of note, Week 22 is Memorial Day weekend on this graphic, and so
36 you can see a pretty good bump-up from that. It's an important
37 weekend to the fishery. July 4th is Week 27. There's a little bit
38 of a bump-up there, but it's not as big as Memorial Day. Then
39 Labor Day, which can have some large landings, but typically not,
40 was Week 36, and you can see this year was not exceptionally a big
41 landing week for us.

42
43 So, going into the average private and charter red snapper weights,
44 charter is the blue line, and the private recs are the orange line.
45 You can see, over time, and I just want to make note that the time
46 series on these graphs is back to the inception of LA Creel, which

1 is 2014, and so it's not the start of state management in 2020 or
2 the start of the EFP years in 2018. We're actually looking at
3 data from the LA Creel start time.

4
5 The smaller graphs, to the right, I sort of just added in as
6 anecdotal, or informational only, for the most part, but I think
7 they're interesting, and so I stuck them in, because we're talking
8 about weights and lengths, as we do these reports, and I was
9 curious what the difference is between different areas where fish
10 are landed across the State of Louisiana.

11
12 You can see the different basins listed on the bottom,
13 Pontchartrain, Barataria, Terrebonne, Vermillion, and then
14 Calcasieu are the different colors there, but there's quite a
15 disparity between the average weight in each of those basins
16 landed, at least in previous years, but they all sort of neck down
17 to a very similar weight this year, which is interesting, but
18 Barataria, for reference, contains Grand Isle marinas, as well as
19 Venice marinas. Terrebonne would be our Cocodrie, CoCo Marina,
20 and so the largest fleets, and fishing pressure, come out of those
21 two basins, but some of the larger weights also come from when you
22 look at the Calcasieu landings over time. It's pretty interesting.

23
24 The bottom graphic there, it's a comparison between charter red
25 snapper weight by basin as well. The majority of charter comes
26 out of Terrebonne and Barataria, like I said, Grand Isle, Venice,
27 and then CoCo Marina, and so that's why you don't see the other
28 lines. They just really don't show up, enough of a dataset, but
29 there's quite a difference in basin disparity with charter fleet
30 as well, in the weights.

31
32 These are the lengths. You can see there's been a trending
33 comparison in average length for the private rec from 2014,
34 basically the past ten years, but it's really only a difference of
35 about two inches, and so just pay attention to the axes there for
36 the lengths, and then, again, I added those additional graphs on
37 the side, by basin to show, and they're very similar to the weight
38 trends, by basin, obviously, because length and weight are
39 correlated, but the charter had quite a significant difference
40 this past year, when you look at that.

41
42 There's a large disparity between the Venice/Grand Isle area, and
43 then also CoCo Marina. There's a little bit heavier fish coming
44 in, and some of this can be due to the earlier start date of our
45 season this year.

1 In April, when the water's cooler, a lot of the larger fish are
2 still closer to shore, and so a lot of our state charter fleet,
3 that's restricted to nine miles, has more access to heavier fish
4 earlier in the year, and that may have changed some of these
5 charter weights, and lengths also, and so keep that in mind.

6
7 This is the age graph. I put this in here just to kind of
8 illustrate the trend in age over time. I think it's somewhat
9 important, when you look at especially the first one, the charter.
10 Over the past ten years, there really hasn't been a negligible
11 increase, or decrease, in average age of the fish that are being
12 caught. It's gone up, and it's gone down, but, in the end, it's
13 still between about six to six-and-a-half years old.

14
15 The average private recreational age has actually gone up over the
16 past ten years. It vacillates up and down, but it's about another
17 year, to a year-and-a-half older fish that are in the system, and,
18 again, I added those graphics to the right, which is age graphics
19 by basin. They are all over the place. It's hard to read, and I
20 get that, but age data, as you know, is different year to year,
21 from where we obtained it all, but, again, we're getting coast-
22 wide sampling of lengths, weights, and ages, and so that's the
23 importance of the upper graph.

24
25 Then, at the bottom graphic, I find really interesting, because
26 the age, by basin, for Terrebonne has increased a lot over the
27 past ten years. Those are a lot older fish that we're catching,
28 that the charter fleet is catching, in that basin, but the
29 Barataria has sort of rebounded a little bit from last year, but
30 it's still a little bit below the original age, when it started
31 back ten years ago.

32
33 These are the CPUE slides. The upper-right is the number of
34 anglers per trip over time. It's roughly pretty close to the same
35 for the charter, which is the blue, compared to last year, but our
36 private angler trips have gone down a little bit this year,
37 compared to last year. As a matter of a fact, they're pretty much
38 the lowest of the time series, and keep in mind this is from the
39 EFP year of 2018, and so this is not going back to 2014.

40
41 Then the bottom graphic is the number of vessel trips. We had a
42 reduction in the private trips, as well as the charter trips, this
43 year compared to last year, but they're still both higher than
44 they were in 2022, and then the tabular data is on the right, just
45 so you can see what those values are compared to the graphic.

1 The last slide is basically a history of our season structure over
2 time, since the start of the EFP years, and, again, we mentioned
3 we went over by 39,798 pounds this year, and fished 151 days total,
4 which is very similar to the 2021 season of 146 days, where we
5 also had an overharvest.

6
7 Our last year was the most we've ever fished, 220 days, and we
8 were under by 79,000 pounds, with a similar season structure, a
9 four-fish bag limit, but it was a daily three-fish to begin with,
10 until July 17th, and so, again, trying to find the optimal fishing
11 structure for seasons and bag limits for anglers is sort of a
12 moving target. It's never the same thing two years in a row.

13
14 Our commission, as well as our staff at the office, are trying to
15 really find the best and optimal season structure, and I think
16 that's what state management has allowed us to do here, and this
17 is a good example of it. We have some years where we're over, and
18 some years we're under, but we're trying to see what anglers really
19 want to have in their fisheries each year, and so, any questions,
20 I'll be glad to take them.

21
22 **CHAIRMAN FRAZER:** Any questions? Captain Walker.

23
24 **MR. WALKER:** Thank you, Chris. I was looking at your season
25 structure here. I wrote it down, because it was involved. Open
26 April 15th, close July 7th, open July 12th, weekends only, close the
27 18th, open on the 19th, close on the 6th.

28
29 You said this was a bit of an ongoing science project. Would you
30 -- Did you learn anything from this current project, and is your
31 four-fish -- Would you call your four-fish bag limit the right
32 one, or is it still a work in progress?

33
34 **MR. SCHIEBLE:** So good questions. I'm glad you asked that. Part
35 of what I thought, with recommending a four-fish bag limit to our
36 commission, was that potentially it could reduce discards. We
37 hear a lot about discards, around this table, in the recreational
38 sector, and perhaps making it easier for anglers to obtain four
39 fish, instead of having to try to highgrade to get two bigger ones
40 would reduce those discards.

41
42 We're still working on that. LA Creel monitors discards, but we
43 don't have the final estimates in yet to look at what the trend is
44 over time for the entire season, but I'm hopeful, and maybe it
45 will show that, and maybe it won't.

1 To the second part of your question, I think a three-fish or a
2 four-fish bag limit is important for our fishery, because a lot of
3 the anglers make a pretty good run. Sometimes, out of Venice,
4 they're running twenty miles of river before they even get out
5 close to a fishing area, to start going fishing, and they can't do
6 multiple trips a day, for our state charter fleet really either,
7 unless an earlier season structure helps them out with that.

8
9 Trying to get that really refined, between bag limit and season
10 structure, is I think the key, and so our commission is striving
11 hard to do this, and I think they're doing a good job of trying to
12 come up with different ideas.

13
14 **CHAIRMAN FRAZER:** J.D.

15
16 **MR. J.D. DUGAS:** Thank you, Mr. Chair. To Ed's point, everything
17 I've heard this summer, around my area, is the four-fish bag limit
18 is -- I would say helping. There are less discards in the
19 recreational sector. The guys pull up on the spot, and the first
20 four sixteen-inch fish are going in the box.

21
22 **MR. WALKER:** But you all did go over a little bit this year, too.

23
24 **CHAIRMAN FRAZER:** Mr. Anson.

25
26 **MR. ANSON:** Chris, thanks for the information. In prior years,
27 when you had an overage, or at least maybe one year, it was pinned
28 to the survey methodology, in that it was a December, late
29 December, weekend, that was really nice weather and such, and how
30 did this weekend turn out, relative to the 40,000-pound overage?
31 Was it a good weekend that you tried to squeeze out, that happened
32 to be good weather, or how did that happen? Do you know?

33
34 **MR. SCHIEBLE:** I don't know if we can go back or not, but, if you
35 go back to the graphic and look at -- I guess it's Slide 5, Bernie,
36 if you can go backwards, and it's the combo of all the -- There
37 you go.

38
39 You can see Week 37 is it, and that blew us over, and so we were
40 under, all the way along, pretty flat-line, and then, all of a
41 sudden, Week 37 hit, which is the weekend after Labor Day, and it
42 doesn't really make sense. You would think Labor Day would be the
43 weekend that you would have a big overage, but we had a lot of
44 inshore effort trips that weekend.

45
46 In LA Creel, the way it works, if a bay boat goes out fishing, and

1 they pick up, you know, four red snapper in the morning. When
2 they come in -- They spend the rest of the day red fishing in the
3 marsh, and they get intercepted by the LA Creel intercept at the
4 dock side, and they get asked, you know, what did you primarily
5 fish for, and they say redfish, and that's an inshore trip.

6
7 It's not an RLP effort trip. It's an inshore fishing trip, and
8 that effort can go up but, you know, that's part of the survey,
9 and how it works, and so it all works its way out in the end, over
10 an annual landings estimate. You may have some weeks that are
11 underestimates, and some that are over, but, when you're within
12 4.3 percent by the end of the year, I'll take it.

13
14 **CHAIRMAN FRAZER:** General Spraggins.

15
16 **GENERAL SPRAGGINS:** Chris, I was just looking at your slides and
17 all, and I'll tell you what, and something just kind of hit me a
18 little bit stronger. Obviously, the effort is where we're at,
19 and, you know, the amount of effort that you have -- Because, if
20 you go back and look at your 2020, you had forty-one days, and
21 they caught almost 800,000 pounds, but you had almost the same
22 amount of vessels that you had in the two-hundred-and-twenty-
23 something days in 2023.

24
25 Obviously, the number of vessels is what we're talking about, you
26 know, and the effort is what it is, but it seems like it's kind of
27 stable there, that, you know, you catch them all in a month, if
28 everybody in the world fishes, or you catch them all in four
29 months, or six months, you know, if they're scattered out, and so,
30 to me, I don't see any change in what you're doing, as far as
31 Louisiana.

32
33 It looks like, to me, that Louisiana is holding, according to what
34 it is, you know, and it's holding pretty level, according to what
35 effort is put forward to it, and so you're going to catch whatever
36 that effort is. Obviously, you went a little this year, but I
37 think that might've been because of the four fish, you know, and
38 other things at work, but, if you look at two-fish, against four-
39 fish, against 2020 and 2023, it's amazing. It's amazing the
40 difference that you look at.

41
42 **CHAIRMAN FRAZER:** Chris.

43
44 **MR. SCHIEBLE:** Thank you, General Spraggins. I think you're right,
45 and so that year was still sort of early in the works with state
46 management, right, and anglers were sort of like, well, I've got

1 to go get my fish, before they shut this thing down.

2
3 They didn't really know how stable this was going to be, and now
4 anglers have gotten comfortable with the state management system,
5 and how the landings work, and they can sort of gauge how it's
6 going, with our weekly graphics, and know that, well, maybe I don't
7 need to go out in the twenty-mile-an-hour winds to catch snapper,
8 and maybe I can go next weekend when the weather is nicer.

9
10 They don't have to really, you know, put that effort in all in the
11 front-end, to try to get it done, and so I think you're right.
12 It's stabilized, and we're starting to get to a point where we can
13 determine what people want to be able to do, and, hopefully, going
14 forward, we'll get that, you know, just right.

15
16 **CHAIRMAN FRAZER:** I've got a quick question, Chris. I know that
17 you showed the federal charter data, because you could, and you
18 had 150,000 pounds, and you didn't show the historical, and so any
19 idea how that relates?

20
21 **MR. SCHIEBLE:** That's a good question too, and so long-term
22 historical, going way back, it typically, on average, was about
23 three-hundred-and-some-thousand pounds for federal for-hire in
24 Louisiana, but that has gone down over time, and I think, you know,
25 with the difference in the ability to fish, and state charter boats
26 too, and there's more state charters going out, because they've
27 got more opportunity with earlier season, and so some of these
28 guys that are choosing to not fish during the federal season as
29 well.

30
31 **CHAIRMAN FRAZER:** I appreciate that. Any more questions for folks
32 in Louisiana? Okay. Thanks, Chris. Next up is Texas and Mr.
33 Geeslin.

34
35 **MR. GEESLIN:** Thank you, Mr. Chair. All right. For this season,
36 we were fishing under a quota right under 300,000 pounds, at
37 286,000. As a reminder, we keep our state waters open on -- Or we
38 open them on January 1st, with the goal to keep them open year-
39 round. We do close those once we are projected to meet our
40 allocation.

41
42 This year, we ran a ninety-eight-day federal season, with an opener
43 on June 1st, and we ran that through Labor Day, and closed that
44 Friday after Labor Day, and, as of October 18th, we're sitting at
45 75 percent of our allocation, with a little over 200,000 pounds
46 attributed to the private recreational sector and 6,000 pounds

1 coming from the Texas state-water headboats. Again, those are
2 those Texas headboats that are fishing those state waters from
3 January 1 through about mid-May.

4
5 This is our landing estimate trends over time. You will see the
6 2024 season there highlighted in yellow. There's higher than
7 average state water landings, and it started us out higher than
8 the previous four years, but, with some of the conditions, wind
9 and wave conditions we saw, primarily in the latter June, with
10 Tropical Storm Alberto, it really kind of slowed some landings. A

11
12 You can see it in our biweekly reports. When we get those tropical
13 storms, and Hurricane Beryl, during the first part of July, our
14 landings really slowed, and so we're tracking somewhere in between
15 2022 and, surprisingly, the COVID year of 2020, that green-dashed
16 line, and so, again, currently sitting at -- We're currently
17 sitting at 75 percent, as of October 18th.

18
19 The average weights, I'll start off with the private sector, right
20 at six, 6.1, pounds. It's pretty stable over time, since 2018.
21 Our charter trips, we've caught some big fish this year. Again,
22 those are -- The same question that Kevin got. Those are fish
23 that are weighed at the dock. That's 8.9 pounds, average, coming
24 from the charter sector.

25
26 Same thing with lengths, and those weights and lengths track very,
27 very closely, not surprisingly. Our private sector is just right
28 over an average length of twenty-one inches, and, for the charter
29 sector, just right at twenty-four-and-a-half inches average
30 length. Not a lot of variability there over the past six years,
31 an inch or two here or there. It's trending up in the charter
32 sector, and it's pretty stable there in the private sector, over
33 the last couple of years.

34
35 Anglers per trip, not surprising, with their charter boats carrying
36 six anglers per vessel and the private boats carrying right at
37 four, four anglers per vessel. Vessel trips, we only go through
38 2023, because we're still fishing, or still assessing, our effort,
39 as far as vessel trips, but you will see that there were -- I'll
40 speak a little bit to 2023, as we saw a lot more -- I can already
41 tell you, looking back at the summer, and there were a lot more
42 fishable weather days in 2023. I suspect our effort, in vessel
43 trips, will be lower than it is in 2023, probably more in line
44 with what we saw in 2020, 2021, and 2022.

45
46 Our private trips is just under 6,800 there in 2023. That was the

1 highest we saw since 2019. Party trips, or the charter trips,
2 right at a thousand, right at a thousand boats.

3
4 The mean catch, this is the pounds per vessel. The private sector
5 is pretty stable, when compared to the past six years. It's
6 roughly a forty-eight, or 48.5, pound average. The party trips,
7 or the charter trips, are up this past year, again, looking at the
8 factoring in that larger average size fish, the highest that we've
9 seen in the mean catch related to the past six years. With that,
10 I will take any questions.

11
12 **CHAIRMAN FRAZER:** I've got a question from Captain Walker.

13
14 **MR. WALKER:** Thank you, Mr. Geeslin. I had a question about the
15 mean catch per vessel. Is that with vessels with landings or
16 across all vessels? If that's recreational boats with fifty pounds
17 of landings, and it seems like a lot, unless it's just vessels
18 with landings. In other words, does that count boats that struck
19 out, and that's for still --

20
21 **MS. GEESLIN:** No, and we don't count the zeros. They're not
22 reported, and I should have said we do have the -- We do fish under
23 that four-fish bag as well. We have been for a while. Two fish,
24 of course, the two-fish federal, in federal waters, and four-fish
25 in state waters, but those two fish in federal waters count towards
26 that four-fish state water bag. We got a fifteen-inch minimum
27 size limit in our state waters. That probably factors in there as
28 well.

29
30 **CHAIRMAN FRAZER:** General Spraggins.

31
32 **GENERAL SPRAGGINS:** Yes, sir. I'm just looking at it and trying
33 to put my head around it. Your charter, against your recreational,
34 it seems like that they're, obviously, catching a lot bigger fish,
35 under charter, and is that because they maybe discard a lot more,
36 and keep what they want, because it is a charter, and do you have
37 any idea why it's that much difference? Are they state and federal
38 waters, or just state waters?

39
40 **MR. GEESLIN:** No, and those are both going into federal waters as
41 well. It could be some of that, General. They could be also
42 traveling out to farther distances, to get those larger fish. We
43 know that a lot of our private rec anglers will stick a little
44 closer to home. I'm not certain where to point that one to. Maybe
45 they're just better fishermen.

1 **MR. WALKER:** I would speculate on that, that those are professional
2 fishermen, compared to recreational fishermen, and they might be
3 more likely to catch bigger fish than the regular guy. That might
4 just be the charter boat captain in me, and I don't know.

5
6 **CHAIRMAN FRAZER:** We'll scratch that from the record. All right.
7 Any more questions? Mr. Strelcheck.

8
9 **MR. STRELCHECK:** Thanks, Dakus, for the presentation. Kind of
10 similar to Captain Walker's question about the mean average catch
11 per trip, I'm curious, with the Slide 7, vessel trips per year,
12 and is that all vessel trips, including catching, or not catching,
13 red snapper, or only red snapper vessel trips?

14
15 **MR. GEESLIN:** No, that's all vessel trips.

16
17 **CHAIRMAN FRAZER:** So I just also wanted to just point out -- I
18 mean, so those numbers are still for 2023, right, because we have
19 to wait a while.

20
21 **MR. GEESLIN:** No, that's correct, Tom. Yes.

22
23 **CHAIRMAN FRAZER:** All right. Any more questions for the good folks
24 in Texas? Okay. Not seeing any, Mr. Chairman, we've got about
25 twenty minutes left. Do you want to go ahead and deviate from the
26 schedule a little bit? All right, we'll go ahead. We were going
27 to get a -- We've got a lot of questions over here. Troy.

28
29 **MR. TROY FRADY:** Thanks, Mr. Chairman. You know, I applaud, over
30 the recent years, how the states have taken control of managing
31 their private recreation and their state guide boat seasons. Being
32 a little bit cynical at my own numbers, and looking out hard, and
33 I have to struggle to catch fish where I am.

34
35 I noticed, you know, through each one of the state's presentations,
36 their average weight per fish, except Texas, is going down. We've
37 gone from ten to six in Louisiana, around seven down to five in
38 Mississippi, eight, or nine, pounds to four pounds in Alabama, six
39 to four pounds in Florida, and Texas is just Texas. They must
40 have a tremendous fishery over there.

41
42 The thing -- What I want to say is 80 percent of the entire Gulf
43 is what I consider negative trending. The average weight continues
44 to go down, but yet we pat ourselves on the back and say, are we
45 really doing a good job, and I say, for the most part, yes, but,
46 being trained in the banking world, negative trending is nothing

1 more than seeing a trend of the average weight continuing to fall
2 each year.

3
4 It doesn't mean you're doing a bad job. You're actually doing a
5 great job, but, from where I stand every day, if I'm sitting there
6 saying, well, I'm maintaining this average weight, and I'm
7 wondering how much effort is really going into the red snapper
8 fishery, across the Gulf, in order to try to maintain that weight,
9 because that's an average weight for every fish landed.

10
11 You know, with the weight going down, all I want to do is just
12 make a statement and say -- I'm averaging about eighteen fish,
13 within thirty miles of shore, before I catch one keeper, after
14 about three or four weeks in the season, and I've seen it do that
15 on the first of the season, you know, and I wouldn't be sitting
16 here telling you something just to fluff it up.

17
18 I just really believe this, that we're removing fish faster than
19 they can repopulate or reproduce, and I just wanted to make a
20 point. I don't want to see the average weight continue to go down
21 on red snapper, and so I'm asking everybody to use caution, use
22 whatever we got to do, to make sure we don't continue dropping our
23 weight, because what's going to happen is CPUE is going to go
24 through the roof, as the average size go down, because everybody's
25 trying to catch a bigger fish, and they're going farther.

26
27 I've got friends of mine with \$700,000 boats, to million-dollar
28 boats, that are tired of having to run fifty miles to try to
29 maintain an average weight, and they're frustrated, and now they're
30 switching their effort over to other things, and so I'm not
31 fussing. I'm just simply saying I'm noticing a trend that's
32 alarming, and that's it. Thank you.

33
34 **CHAIRMAN FRAZER:** Yes, and I'll get to the General in just a
35 second. I think those observations are good ones, Troy, you know,
36 and so we've got the red snapper data workshop coming up in
37 December, and I'm pretty sure that people are going to take a
38 pretty good, hard look at that moving forward. General?

39
40 **GENERAL SPRAGGINS:** I don't know, but sometimes, if you look at
41 things, and you look at the effort, and you look at what it is,
42 just what he said there, that, you know, I've got to go X amount
43 of miles, but, the price of what it costs you to go there, a lot
44 of people aren't going.

45
46 They're catching the fish inshore. They're catching them before

1 they go out, just as you said, Dakus, about the number -- You know,
2 about the fishermen going out in the charter boat and willing to
3 take it that extra distance.

4
5 I'm not sure this is the answer. I'm not sure that's anything to
6 do with it. I'm not a charter person. You know, I don't
7 understand, and I don't go out commercial, as far as that goes,
8 but the point I'm getting at is I know, the other day, we went
9 forty miles, wasn't it, Billy, something like that, and they were
10 big fish, I mean, big fish, out there at forty miles.

11
12 The point is that everybody is not running forty miles, and so
13 maybe the numbers are getting skewed, because they're catching all
14 the numbers inside the shore, in a small amount of distance,
15 because of the price of fuel, because of what's going on, and, you
16 know, I don't know. To me, that may have something to do with it,
17 rather than the -- You know, the number being overrated, because,
18 if they went out that extra distance, I can guarantee you, if they
19 saw what I saw, they were some huge fish out there, and that would
20 have changed the numbers a little bit, and so I don't know.

21
22 I'm just thinking, you know, and, once again, I'm not a commercial
23 fisherman, or a charter fisherman, or anything else, but I'm just
24 going by the thoughts of, if you catch it inshore, and you fish it
25 hard, eventually the numbers are going to go down. If you go
26 offshore, the numbers are a lot bigger, and that usually would
27 counter that, and I don't think we're getting the counter that we
28 want to, and maybe I'm wrong.

29
30 **CHAIRMAN FRAZER:** Troy.

31
32 **MR. FRADY:** Thank you, General, and I don't disagree with you on
33 that. I mean, I myself stay within thirty miles of shore, on most
34 trips. However, when I hear some of the top -- The highliners in
35 the industry, that park next to me, who have really, really big
36 boats, and, five years ago, they would say to me that, Troy, you're
37 wrong, and we're not seeing that. We're not seeing it. Now, about
38 80 percent of all those guys who run beyond thirty miles, fifty to
39 sixty to seventy miles or more, they're seeing it, and so it's a
40 slowly, but gradual, decline.

41
42 I mentioned to this council, about six or seven years ago, that
43 we're seeing what's called localized depletion, and everybody
44 said, oh, that's just a natural term for what we're dealing with,
45 but, when the problem affects those bigger boats, and they're
46 having trouble maintaining an average weight, then it's a

1 progressive step here, and I'm not complaining about it. I'm just
2 simply saying I think we can do a better job, because, when it
3 affects the big boats way offshore, as much this year, in 2023 and
4 2024, as it is that the rest of us have been facing for six or
5 seven years, I just think we need to not ignore the problem, but
6 just acknowledge it and move forward. Thank you.

7
8 **CHAIRMAN FRAZER:** All right. Thank you, Troy. Mr. Strelcheck.

9
10 **MR. STRELCHECK:** Captain Frady, thanks for saying something out
11 loud that maybe others weren't willing to talk about. This has
12 been concerning me for a while, right, and I've voiced my concerns
13 on the record. You know, I don't have the data, the stock
14 assessment, to tell us exactly where we're at, but, when you have
15 the commercial sector, a couple of years ago, come to us, in Texas,
16 and say, don't increase the quota, and you see, today, that the
17 charter sector is well below their quota.

18
19 Then you see Florida, Alabama, Mississippi, and Louisiana all have
20 declining trends in either length or weight, right, and it's hard
21 to argue that there isn't something going on, and, yes, maybe
22 there's changes in effort. Maybe there's more fishing closer to
23 shore, but the population is changing.

24
25 The Great Red Snapper Count did tell us some information, which is
26 that the fishery offshore -- You know, there's this large biomass
27 that's offshore, right, and so they can help to bolster the stock
28 status, but you can only take so much fishing mortality as well on
29 the inshore population, and so I like what Captain Frady has said.

30
31 I think we need to proceed with some caution here. I think there's
32 some signs here that are indicating that we may have some issues
33 with this fishery, going forward, if we're not careful, and
34 thoughtful, in terms of how to proceed.

35
36 The last thing I'll mention, and, I mean, it's great, for
37 socioeconomics, to have more fishing days, but the other trend
38 that has concerned me is our seasons are getting longer. We're
39 taking longer to catch the catch limits, and part of that can be
40 because we're stretching out the season and not forcing people to
41 fish in a small window, but I think a lot of that has to also do
42 with the quality, and fishing experience, and the amount of fish
43 that are present and abundant nearshore that's allowing them to,
44 obviously, take more days, because their catch rates aren't
45 necessarily as strong.

46

1 **CHAIRMAN FRAZER:** Captain Walker.

2
3 **MR. WALKER:** Just briefly, to General Spraggins' point, or comment,
4 I would say that, for me, I ran red snapper charters all of July
5 this year, and we ran a minimum of sixty miles each trip, sometimes
6 seventy, or seventy-five, and our fish were markedly smaller out
7 there too, and so I can't comment on other states, but I can tell
8 you that the smaller fish problem is not necessarily a proximity
9 to shore issue, where we're out fishing.

10
11 **CHAIRMAN FRAZER:** All right. Thank you, Captain Walker. Any
12 further questions? All right. Dr. Walter.

13
14 **DR. WALTER:** I'm listening intently to a lot of these comments and
15 the thoughts here, and I think the stock assessment will give us
16 a status of the stock, coming up, as we embark upon that, but a
17 lot of these are touching upon the quality of fishing opportunity,
18 and I think that's what we're beginning to touch upon, is, while
19 maybe there isn't as much of a problem with the stock, because
20 there's a lot of biomass far offshore, if that's the case, and
21 that's what we saw in the Great Red Snapper Count, but, in the
22 areas that are fished more heavily, maybe the catch rates, and the
23 sizes, are not what people would have wanted to have caught and
24 what they were expecting.

25
26 Maybe it's really an opportunity overfishing scenario, where the
27 opportunity is not as high as people would want, and I think that's
28 something that we're beginning to talk about as we integrate social
29 sciences, and the things that are beyond just yield, in terms of
30 incorporating what do fishermen really want, and can we improve
31 the angling experience and try to meet some of these things that
32 are kind of getting to what optimum yield is.

33
34 I think that's something we talked about as one of our fishery
35 ecosystem ideas, or perhaps exploring, but certainly catch rate,
36 and mean size, if we can quantify a catch rate that fishermen want
37 to have, the mean size that they would like to see, we can evaluate
38 management strategies that might try to achieve that, and maybe
39 some sort of spatial management, that's even more refined than
40 state-based, that might be distance-based, might achieve that.

41
42 One of the other things that I think is intriguing, about some of
43 these experiments, which is essentially what they are, is how
44 they're actually addressing some of the other problems we know we
45 have, such as dead discards, and I would be really curious to see
46 whether some of the extended seasons, as Louisiana said, maybe are

1 addressing that, reducing the discards.

2
3 Maybe those are strategies that might begin to improve the
4 multispecies aspect of these fisheries particularly, because we
5 know we've still got dead discards problems in fisheries. We know
6 we've still got depredation as a problem. Is expanding the fishing
7 season opportunity addressing depredation, perhaps, and so you
8 might see less of it, because it's less concentrated fishing.

9
10 I don't know, and I think those are intriguing questions to ask,
11 as we've got this data from these different fishing experiments in
12 different states, and I think we look forward to being able to
13 mine that for even more insights. Thanks.

14
15 **CHAIRMAN FRAZER:** All right. Thank you, Dr. Walther. We're going
16 to take one more, and then I'm going send it back to the chair.
17 Mr. Anson.

18
19 **MR. ANSON:** Thank you, Dr. Frazer. I won't spend too much time.
20 I mean, I do appreciate, as Andy mentioned, Troy bringing this up.
21 We do bring it up, from time to time, about the performance of the
22 fishery, and what the performance is today, and how anglers might
23 perceive that performance relative to their personal experience
24 and desires, but, you know, you do have to go back and look at
25 where we were when state management occurred, and, you know, there
26 is a dichotomy in the management between eight years ago and today.

27
28 You know, if we want to improve the quality of a fisherman's
29 fishing trip, it will have to come at the expense of reducing
30 effort, and so, you know, that's, I think, the tradeoff, that we
31 just have to, you know, get out there and engage with the public.
32 Having that data, whether it's socioeconomic data, and certainly
33 the biological data, you know, aligned with where the stock is, so
34 that we could manage effectively.

35
36 You know, it appears that the stock was not as high as it probably
37 was when we had the last formal stock assessment, and so, if we
38 don't have the right information, at the outset, to set our
39 management goals, then it's difficult to set our management with
40 that, and so I certainly look forward to those conversations.

41
42 You know, we've had lots of conversations, with folks in Alabama,
43 about their experiences over the time series here over the last
44 eight years, and, yes, they are not as happy as they were three or
45 four years ago, but, again, they've had the benefit of the extra
46 opportunities to fish.

1
2 **CHAIRMAN FRAZER:** Thank you. I'm going to turn it back to the
3 chair.

4
5 **MR. DUGAS:** Thank you, Dr. Frazer. We're going to wrap-up today
6 and reconvene tomorrow with Ms. Levy's litigation report update,
7 at 8:30 a.m. Thank you.

8
9 (Whereupon, the meeting recessed on November 4, 2024.)

10
11 - - -

12
13 November 5, 2024

14
15 TUESDAY MORNING SESSION

16
17 - - -

18 The Reef Fish Committee of the Gulf of Mexico Fishery Management
19 Council reconvened at The Hilton Bayfront in St. Petersburg,
20 Florida on Tuesday morning, November 5, 2024, and was called to
21 order by Chairman Tom Frazer.

22
23 **MR. DUGAS:** All right. We're going to get started. Can we get
24 quiet in the back, please? Thank you. All right, and we're going
25 to get started, and, before I hand it over to Dr. Frazer and Ms.
26 Levy, I would like to recognize the past Regional Administrator is
27 here, Dr. Roy Crabtree. Thank you for coming and visiting. It's
28 good to see you. He's already gone. Okay, Dr. Frazer. I just
29 was informed that Peter Hood is here, too. There he is. It's
30 good to see you. Thank you for coming. Okay, Dr. Frazer, or Ms.
31 Levy. Either way you all want to go.

32
33 **LITIGATION BRIEF**

34
35 **MS. LEVY:** So it's early, and we're going to talk about two cases
36 that deal with the Appointments Clause, and so you get a quiz.
37 Who remembers what the Appointments Clause is? No, but, just as
38 a refresher, so the two active cases are the challenge to Amendment
39 54, which is the greater amberjack amendment, and Reef Fish 56,
40 which is the gag. Greater amberjack is in the Mississippi Fifth
41 Circuit, and gag is currently in Mobile, Alabama, and so that's
42 the Eleventh Circuit, in terms of appellate circuits.

43
44 I'll start with Amendment 56, because that's the simplest one, and
45 so that case is in the Southern District of Alabama. We are due
46 to file our answer and administrative record Thursday. We filed

1 a motion to dismiss, or transfer venue, because we were arguing
2 that that court was not the appropriate venue for that case, and
3 the district court recently denied that, and so we have to file
4 our answer and record, due this Thursday.

5
6 I think we're working on a briefing schedule, that's probably going
7 to be expedited, and probably completed sometime in January, and
8 so, at that point, that court would have the case. I don't know
9 if there will be an argument or not. If the court sets an argument,
10 I will certainly let you all know that.

11
12 Just as a -- I meant to give a refresher of the Appointments
13 Clause, because I asked you the question, and nobody jumped up and
14 was like I know what that means, and so, in the simplest terms, it
15 requires that officers of the United States, which is a particular
16 category of people that work for the federal government, be
17 appointed in a particular manner, either by the President, and
18 confirmed by the Senate, or there are other types of officers,
19 which can be appointed by like department heads and things like
20 that, and the arguments, in these cases, are that the members of
21 this council are officers of the United States, and therefore must
22 be appointed consistent with the Appointments Clause and that you
23 are not, because the President is not appointing you, and you're
24 not confirmed, and then there's some arguments about whether you're
25 appointed by the head of the department.

26
27 In the Arneson case, and that's the Amendment 54 case, there were
28 two cases there, and Arneson and Bell are the two plaintiffs for
29 the two separate cases. They were combined. That was the one in
30 Mississippi, and so we had the decision from the Mississippi court
31 that found that there was a violation of the Appointments Clause,
32 in terms of how council members are appointed, but the court also
33 said that there was no need to vacate the rule, because there was
34 a quorum of validly-appointed council members that actually voted
35 in favor of the amendment, and that, also, that the Assistant
36 Administrator, Janet Coit, kind of did her own action, right, in
37 approving and implementing the amendment, and so that kind of, in
38 a way, was the basis for the harm.

39
40 The council's decision wasn't the basis for the harm. She stepped
41 in, and she actually implemented -- She issued the rule, and that
42 was the basis for the harm, and so there was no remedy for the
43 violation of the Appointments Clause. It was a very complicated
44 decision. It had a lot of rambling, different things, parts, and
45 so I simplified it the best I could.

1 That went to the Fifth Circuit. The plaintiffs appealed that.
2 The Fifth Circuit issued an order, in August, remanding back to
3 the trial court, for the trial court to address two questions.
4 The first question is whether there's jurisdiction to consider one
5 of the plaintiff's claims that -- The requested relief was that
6 Amendment 54 was void, and that plaintiff wanted to enjoin the
7 council members from developing any further catch limits related
8 to greater amberjack, and so that was some of the requested relief.

9
10 The agency argued -- Because that was the case, remember, when you
11 actually were named as plaintiffs, and so there was a lot of angst
12 about being named as plaintiffs, and we were arguing that there's
13 no jurisdiction, because the Magnuson Act has a specific
14 jurisdictional provision that says that's what reviewable, is
15 regulations issued by the Secretary, or actions taken by the
16 Secretary pursuant to regulation, and so there is no there's no
17 way to challenge council members or council members do, and so
18 that's what the court is asking in that question.

19
20 It's asking the trial court to answer that question of is there
21 jurisdiction to even grant this relief, to actually void Amendment
22 54 and enjoin the council from doing something, and not the
23 Secretary.

24
25 The second question the court asked was whether NMFS's review and
26 approval of the amendment actually ratified the decision of the
27 council to actually do Amendment 54, right, and the greater
28 amberjack thing, and so I'm going to leave it at that. It's a
29 technical legal question about whether there was ratification, and
30 so whether, you know, Janet Coit's actual approval and issuance of
31 the rule sort of, you know, operated as a ratification of what the
32 council did, and that has its own legal ramifications.

33
34 It's very similar to what the trial court already found, which was
35 that her actions meant that this council's actions were not the
36 cause of the harm, but it's slightly nuanced, and so I can't -- I
37 don't even know how to get into all the nitty-gritty of that, but,
38 for your purposes, it's back in the trial court to answer those
39 two questions. There's no final decision on Amendment 54.

40
41 Whatever the trial court does with that, it will go back up to the
42 Fifth Circuit, because that's what the Fifth Circuit asked for,
43 and then presumably we'll get a decision from the Fifth Circuit.
44 I have no idea how long that's going to take. We did just complete
45 the written arguments on those questions for the trial court, and
46 so they're in the court.

1
2 I think the trial court already scheduled argument for that in
3 February, and so we're not going to have a decision until after
4 that, and so, sometime in the spring of next year, we'll have that
5 trial court decision. Okay. Was that clear as mud? Yes?

6
7 All right, and just an update, and so these cases are not Gulf
8 Council cases, but there are two other Appointments Clause cases
9 that are out there. One is in the Third Circuit, and that's the
10 Lofstad case, and the Third Circuit recently issued its decision
11 in that case.

12
13 That court found that council members were officers, basically
14 because of three provisions in the Magnuson Act that the court
15 says gives the councils what it calls pocket veto powers, which
16 means that, if the council doesn't recommend or agree with a repeal
17 of an FMP, a delegation to a state or the implementation of a
18 limited access program, that the Secretary is prohibited from doing
19 that, and the court found that that gave the council significant
20 authority, so that the council members were officers, but, in this
21 particular case, none of those provisions were an issue.

22
23 That rule was not based on any of those provisions. The court
24 found the appropriate remedy was to sever those provisions, in
25 terms of giving the council that authority, and so upheld the rule,
26 since it didn't involve those. The court specifically found that
27 the process used, the general process where the council recommends
28 FMP and FMP amendments and proposed regulations, that that was not
29 significant authority, and so there was no problem with the
30 Appointments Clause, in terms of how the council generally
31 operates.

32
33 The other case is in the District of Maine, and that argument,
34 before that district court judge, just happened last week, and so
35 there's no decision in that District of Maine court case yet.
36 That's it.

37
38 **MR. DUGAS:** Thank you, Ms. Levy. Do we have any questions for Ms.
39 Levy? Mr. Sanchez.

40
41 **MR. SANCHEZ:** Yes. Is there an update on the Amendment 53 grouper
42 remand, particularly the economic analysis?

43
44 **MS. LEVY:** I do not have any update to provide at this point.

45
46 **MR. SANCHEZ:** Okay. Thank you.

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MR. DUGAS: Mr. Walker.

MR. WALKER: So you said -- I think you said you had a gag case. Was one of those you described the gag case? Which one was that? I'm mixed up.

MS. LEVY: That's the one in the Southern District of Alabama, and so where our answer and administrative record are due Thursday, and that briefing will probably be done early next year before the trial court. I will just remind you that so none of these cases involve the under -- There's no challenge to the underlying management measures in either Amendment 56 or Amendment 54. It's all the Appointments Clause constitutional challenge.

MR. DUGAS: Okay. Any other questions for Ms. Levy? Seeing none, Dr. Frazer, take it away.

CHAIRMAN FRAZER: Thank you, Mr. Chair. I did have a request, from Mr. Geeslin, before we get started, to clarify some comments in this presentation yesterday. Mr. Geeslin.

MR. GEESLIN: Thank you, Mr. Chair. I just want to right a wrong from yesterday. Thank you, Bernie. You're so on top of it, always. I appreciate that. Yesterday, Andy asked a specific question about this slide, and I believe the question was are these trips all trips or trips that landed snapper, and I incorrectly stated those are all trips, thinking they were all offshore fishing trips. Those are, in fact, trips that landed snapper.

I went back and looked at our 2024 trips, and, through October 18th, through this year, we're sitting at 3,309 trips, and so, yes, a little bit lower, as I predicted, and probably on pace with that 2021 and 2022, and it's going to be lower than 2023, but I just wanted to clarify that, for the record. Thank you, Mr. Chair.

CHAIRMAN FRAZER: Mr. Strelcheck.

MR. STRELCHECK: Well, I thought you had answered my question then, and so the reason I was asking is, if you take the trips in this slide, and multiply it by the average catch in your next slide, and tally all that up, it goes to well over your allowed catch limit for Texas for 2023. I haven't done the other numbers, and so the math wasn't adding up to me, and so I'm just curious, in terms of then the calculation behind that, and whether or not more was harvested than reported, or these are statistics after the

1 fact, and so we can talk about that, maybe offline, to understand
2 this better.

3
4 **CHAIRMAN FRAZER:** Okay. We are going to go ahead then and move
5 into the first agenda item of the day, and that would be the Draft
6 Reef Fish Amendment 58B: Modifications to Deepwater Grouper
7 Management Measures. Mr. Rindone, if you want to take us through
8 the action guide.

9
10 **DRAFT: REEF FISH AMENDMENT 58B: MODIFICATIONS TO DEEPWATER**
11 **GROUPEr MANAGEMENT MEASURES**

12
13 **MR. RINDONE:** Sure thing. I'm going to present some updated
14 alternatives for you guys for modifying the deepwater grouper
15 complex, in light of recent stock assessment advice for yellowedge
16 grouper.

17
18 The management alternatives are going to include status
19 determination criteria, catch limits, sector allocations, and
20 accountability measures. These catch limits have been updated by
21 the SSC, following the review of the yellowedge grouper stock
22 assessment, which, along with snowy, warsaw, and speckled hind
23 make up the deepwater grouper complex.

24
25 From SEDAR 85, yellowedge grouper was found to not be overfished,
26 but it is experiencing overfishing. The SSC recommended managing
27 the four deepwater grouper species together, because of the use of
28 similar data units and to reduce dead discards, and, when you're
29 fishing at those depths, you can't say, this drop, we're going to
30 get this fish, and discard mortality from those depths is
31 considerable.

32
33 You guys should consider the range of actions and alternatives
34 presented, suggest any revisions to or removal of any of the
35 presented management alternatives, and determine what you want to
36 do next. We have a document and a presentation, but we should be
37 able to just loiter in the presentation.

38
39 Just for a little background, we talked about the species that are
40 in the complex. The only one that's been assessed is yellowedge,
41 and, like I said, it's undergoing overfishing, but it's not
42 considered overfished, and, as we've been doing for some of the
43 grouper species, we're considering revising the MSY proxy from 30
44 percent SPR to 40 percent SPR, and the reason is because yellowedge
45 grouper are I think, the longest-lived species that we managed.

46

1 They can live to be eighty-five years old, and 50 percent of
2 females are not sexually mature. They don't reach sexual maturity
3 until age-nine. They're late-maturing, and long-lived, and
4 they're definitely one of the older species that we deal with.

5
6 Deepwater grouper are managed under a complex ACL, without a
7 defined recreational ACL. About 96.5 percent of the complex ACL
8 was set aside for the commercial sector, for operation of the
9 grouper-tilefish IFQ program. This dates back to the days of the
10 Generic ACL/AM Amendment, and that 96.5 percent comes from data
11 from 2000 to 2008, and so back when like the recreational data
12 would have been informed by MRFSS.

13
14 The IFQ program serves as the accountability measure for the
15 commercial sector, and there's a post-season accountability
16 measure for the recreational sector.

17
18 Recent landings, the commercial sector lands most of the fish, and
19 generally about 90 percent of the total landings, and recreational
20 catch has likely been underestimated by APAIS, since APAIS was
21 implemented, and the reasons for this would be private access
22 points non-accessible to samplers, and the effort estimation
23 issues, obviously, would still be a component that would have to
24 be thought about.

25
26 These are deepwater species, and so you have to go a considerable
27 ways offshore to be able to get to them, which requires a certain
28 type of vessel that's -- You know, those that fish know that it's
29 not very convenient to launch from a public ramp.

30
31 The SSC made its catch limit recommendations and set OFL and ABC
32 for yellowedge, and for the other three species, in MRIP-FES units,
33 and then it combined the OFL and ABC recommendations of all four
34 species into a single complex OFL and ABC.

35
36 These species are often caught together, and the idea was to try
37 to reduce the probability of discard mortality. These fish are
38 often harvested from depths exceeding 100 meters, or about 300
39 feet, and, in common cases, you know, they're fished for at like
40 600 to 800 feet, and so discard mortality from those depths, with
41 a descender device or not, is usually pretty considerable.

42
43 You can see the combined catch limits there, and OFL is about
44 731,000 pounds gutted weight, and an ABC of about 555,000 pounds
45 gutted weight. This does -- This is tantamount to a considerable
46 reduction from where we are now, and that has to do with, again,

1 the overfishing status of yellowedge, and trying to end that, and
2 the shift from 30 percent to 40 percent SPR for yellowedge, and
3 yellowedge landings make up the majority of the deepwater grouper
4 landings. Ed.

5
6 **MR. WALKER:** Just a quick question. Is there a size limit on
7 yellowedge grouper?

8
9 **MR. RINDONE:** No. What you get is what you get. I believe that's
10 the same for the deepwater species in the South Atlantic as well.
11 C.J., is that correct? There's not a size limit for the deepwater
12 species, because the odds of you being -- Or that fish being able
13 to survive, if you had to release it, is very, very, very low.

14
15 **DR. SWEETMAN:** Yes, that's correct.

16
17 **MR. RINDONE:** All right, and so what needs to happen? We have
18 three actions that are proposed right now. The first one would
19 modify the MSY proxy and the OFL, ABC, and the complex ACL. The
20 second one would apply the sector ACLs, and sector allocations,
21 and then the third action would modify the recreational
22 accountability measures.

23
24 For the first action, the no action alternative would be to keep
25 the current proxy and catch limits. The current MSY proxy is the
26 yield when fishing at 30 percent SPR, and you can see the current
27 catch limits there.

28
29 Alternative 2 is based on the SSC's recommendations, and it would
30 shift the MSY proxy to 40 percent SPR for determining the OFL, and
31 then the ABC would be the yield at 75 percent of 40 percent SPR.
32 The OFL and the ABC, for the three remaining species, are based on
33 Tier 3 of our ABC control rule, which is a more data-poor tier
34 that we use.

35
36 It's based on landings only, and the MSY proxy for those species
37 would also be set at 40 percent SPR, for a lot of the same reasons
38 that it's being considered for a change for yellowedge, but, as
39 far as like the effect on the catch limits, the majority of that
40 effect comes from yellowedge, since it's the species that's landed
41 the most. We talked about the OFL at 731,000, and ABC at 555,000,
42 and the complex ACL would be set equal to the ABC.

43
44 I have Alternative 1 kind of highlighted in yellow there, to just
45 kind of remind you that it's not a viable alternative. It's in a
46 no longer used data unit, and it doesn't account for the stock

1 status situation with yellow, and then Alternative 2 there shows
2 the comparison, which has the SSC's recommendations. Any questions
3 before we move on from that?
4

5 Seeing no flares, all right. Action 2 would modify the sector
6 ACLs and allocations. We have to establish a recreational ACL,
7 which would be monitored in FES, in keeping with the catch limit
8 recommendation that's coming forward from Action 1.
9

10 We can't just combine the recreational with commercial anymore,
11 due to the catch limit reductions, and the commercial side needs
12 its own ACL for the IFQ program to function, and so the
13 recreational sector needs its own ACL, for that reason, and also
14 for any necessity for things like season projections, if those
15 were necessary, and, more importantly, for being able to actually
16 apply accountability measures.
17

18 Just a note, and the commercial quota that the IFQ program uses is
19 set 4 percent below the commercial sector's ACL, and this was
20 originally for accommodating the current flexibility measures,
21 which exist between the other shallow-water grouper complex and
22 the deepwater grouper complex.
23

24 Alternative 1, which is based on the Generic ACL/AM Amendment,
25 provides 96.5 percent of the complex ACL for the commercial sector,
26 based on landings during 2001 to 2004, and the recreational
27 sector's ACL is undefined. Under Alternative 1, if a recreational
28 ACL is not established, then that's what that looks like, based
29 off the catch limits from Action 1.
30

31 Alternative 2, again with the complex ACL equal to the ABC, we
32 would establish a recreational ACL, and sector allocation, based
33 on the same information that was used in the Generic ACL/AM
34 Amendment, and so this is basically just using the same
35 information, and, instead of leaving the recreational ACL as
36 undefined, it's assigning an actual percentage and poundage to it,
37 and so it's not just the balance of whatever is left, and so the
38 same numbers with that balance now specified for the recreational
39 ACL in the rightmost column.
40

41 Alternative 3, and, again, the complex ACL equals the ABC, and we
42 would base the sector allocation on the average -- Or we would
43 establish a recreational ACL and sector allocation based on the
44 average recreational landings from the most recent five years and
45 against the commercial landings from the same time period. The
46 commercial ACL would equal 89.76 percent of the complex ACL, and

1 the recreational ACL would equal 10.24 percent of the complex ACL,
2 and those poundages are shown down below in the table.

3
4 Alternative 4 takes a slightly different approach. It uses the
5 average of the highest and lowest point estimates for annual
6 recorded recreational landings from 2000 to 2023, from the recent-
7 ish time period, as opposed to going all the way back to like the
8 1980s, or something like that, and, by using the average of the
9 highest and lowest values there, it gives a commercial ACL of 84.9
10 percent and a recreational ACL of 15.1 percent, and those values
11 are shown there as well.

12
13 The commercial landings from the past ten years are greater than
14 any of the proposed commercial ACLs in Action 2. The commercial
15 sector for deepwater grouper has been landing, you know, well in
16 excess of the 555,000 pounds, and so any scenario is going to
17 result in a reduction in commercial landings. That's going to be
18 unavoidable.

19
20 For the recreational side, if you guys do some color matching
21 there, you can see basically how the different alternatives in
22 Action 2 pan out, and, essentially, Alternative 4 results in the
23 greatest recreational ACL, and so results in the fewest instances
24 of that ACL being exceeded, and so just arithmetic. Anything
25 there? Okay.

26
27 Action 3, modification of the AMs for the rec sector, Alternative
28 1 wouldn't change anything, but it's also not viable, and so
29 Alternative 1 would maintain the AMs for the deepwater grouper
30 complex, and so IFQ programs, versus the AM, for the commercial
31 sector, and, for the recreational sector, if the total complex ACL
32 is exceeded in the fishing year, then, in the following fishing
33 year, the Regional Administrator would close recreational fishing
34 for the complex, for the remainder of that fishing year, the
35 following year, when the total complex ACL is projected to be met.

36
37 Well, this is obviously problematic, right, because you don't know
38 the pace at which the commercial landings are coming in, and, even
39 if you rest on the assumption that they're going to be landed, you
40 don't know the pace at which the recreational landings are coming
41 in very well either, because of the nature of the recreational
42 data being pretty uncertain, and so it's impossible to verify how
43 much of the commercial ACL has been landed until the fishing year
44 is over, and so you wouldn't be able to assess this accountability
45 measure until after the fishing season was already -- So, as
46 written, it's not viable.

1
2 Alternative 2 would revise the recreational AMs for the complex,
3 such that, if the recreational ACL is exceeded in the fishing year,
4 then, in the following fishing year, the Regional Administrator
5 would close the recreational fishing season for the complex, for
6 the remainder of that fishing year, when the ACL is projected to
7 be met. For the commercial sector, the IFQ program still serves
8 as the AM, and so, essentially, this is a post-season AM, but it's
9 based off of the newly-established recreational ACL, whatever that
10 is, in Action 2.

11
12 Action 3 is an in-season accountability measure, and so, if the
13 recreational ACL is projected to be met in the fishing year, then
14 the Regional Administrator would close fishing for deepwater group
15 or for the remainder of that fishing year, and, again, the IFQ
16 program serves as the AM for the commercial sector, and so, again,
17 in-season AM for Alternative 3, and it's based on this newly-
18 established ACL from Action 2.

19
20 So why do we not have any fishing season duration projections yet?
21 These are things that we can generate, but the recreational data
22 for deepwater grouper, again, like we talked about, may not be
23 very representative, just by nature of the sampling design that
24 we're relying on to get us these landings estimates.

25
26 APAIS sampling isn't going to happen on private docks in people's
27 backyards, and so the recreational data are also highly variable.
28 You can see that just looking at the trends and looking at the
29 Table 1.1.2 in the document.

30
31 A larger recreational ACL is obviously going to mean less of a
32 likelihood of an ACL overage and the degree to which you guys want
33 to manage that management uncertainty, that management risk. You
34 know, you can think about different allocation schemes, and, you
35 know, whether you want to go with an in-season or a post-season
36 accountability measure, and you have those decisions available to
37 you to think about.

38
39 The expectation of in-season monitoring, the expectation there
40 should be that it's going to be pretty uncertain, especially
41 starting out, and so, for the recreational side, there's
42 essentially been no management bias for deepwater grouper. This
43 is really the first time that measurable management bias could
44 have some kind of a material effect on fishing behavior.

45
46 The season would have to be projected based on recent landings,

1 such as using the mean daily catch from the previous fishing year,
2 and, again, with the data being as uncertain as they are, those
3 data could change a lot from year to year, and so it would be
4 something that NMFS would have to think pretty critically about
5 how they were going to approach trying to project the season as
6 accurately as possible.

7
8 Just so I can finish the last bullet, there haven't been any ACL
9 closures, to date, and so there's really no experience to draw on
10 there about, like what that would look like from a discards
11 perspective. Mr. Chair, you have a question down here.

12
13 **CHAIRMAN FRAZER:** All right. Thank you, Mr. Rindone. We have a
14 question from Mr. Sanchez.

15
16 **MR. SANCHEZ:** Thank you. Two questions. One, can we not monitor
17 the commercial landings in relative real time, and, two, what is
18 the standard error on how we're keeping track of the recreational
19 landings currently?

20
21 **MR. RINDONE:** So the commercial landings can be checked in, you
22 know, near real time, as all those IFQ reports are coming in, and
23 so we have a decent idea of what the pace of those landings look
24 like, but there's not really a concern about an overage on the
25 commercial side, because there's only so much that's let out, and,
26 therefore, there's only so much that can legally be landed, and so
27 an overage on the commercial side is not expected.

28
29 On the recreational side, the proportional standard error
30 estimates vary, based on, you know, which species you're looking
31 at, and it's difficult to look at it for like combining all four
32 species together, but it doesn't really improve the situation.
33 The PSEs are generally over 50 for the four species.

34
35 There are some years where the yellowedge estimates are a little
36 bit better, but, again, we have this concern about like are we
37 under sampling the catch side of things, and never mind the effort
38 side, but are we under sampling the catch side of things, and how
39 accurate do we really think this is, and so it makes faith in any
40 single year's point estimate a little bit nervous, and so looking
41 at trends over time might be a little bit more reliable look for
42 the recreational side.

43
44 **CHAIRMAN FRAZER:** Dr. Sweetman.

45
46 **DR. SWEETMAN:** Thank you, Mr. Chair. So, yes, I've got some

1 significant concerns, as we're sitting here trying to figure out,
2 you know, potential actions, and we're using PSEs to -- Or I mean
3 we're using landings with PSEs that are higher than 50 percent,
4 which, you know, we're not recommended to use that kind of
5 information, and now we're trying to structure a fishery that is
6 considered overfishing, and I just have very significant concerns
7 along those lines.

8

9 I just wanted to highlight that, but question for you, Ryan. I
10 believe, when we talked about this last, one thing I asked for in
11 here was a multiyear ACL to look at that, to kind of mitigate the
12 potential of some of these anomalous landings, based on these high
13 PSEs that we're getting. Can you explain why that's not in the
14 document here?

15

16 **MR. RINDONE:** So we've talked a lot about this idea of using
17 multiyear ACLs, but it still doesn't absolve us from having to
18 monitor and apply things like the accountability measures on an
19 annual basis, and so we don't achieve anything yet, based on an
20 attempt to use a multiyear ACL.

21

22 You know, we had a discussion about, at the IPT level, about trying
23 to modify the accountability measures such that, you know, you
24 wouldn't apply any sort of a corrective action, unless the ACL was
25 exceeded in a certain number of years within a larger time period,
26 and we were advised, by General Counsel, that we can't do that,
27 because it requires us to look at -- We can't just not -- We can't
28 skip years, and like we have to look at -- Monitor the landings
29 every year, and accountability measures need to be considered,
30 based on the current rules about what's happened, you know, and
31 it's either in-season or it's in the following season.

32

33 At this point, like I know that we've heard some from the Science
34 Center about ideas with multiyear ACLs, and how that might help
35 alleviate things with species that the data are less certain on,
36 but we're still stuck in an annual catch limit, and an annual catch
37 target, an annual application of accountability measures, and so
38 the multiyear approach is just not -- It's not something that we've
39 been able to accomplish yet.

40

41 **DR. SWEETMAN:** So I guess I'm a little confused there, because,
42 yes, we got that presentation from the Science Center about the
43 utility of these things, and especially for rare-event species.
44 Other councils use multiyear ACLs. I mean, the South Atlantic
45 does for wahoo, and the Pacific Fisheries -- Like I guess I'm
46 confused as to why we can't do that in this situation, and I might

1 be directing that question to you, Mara.

2

3 **CHAIRMAN FRAZER:** Ms. Levy.

4

5 **MS. LEVY:** I don't remember discussing specifics of what the
6 multiyear plan would look like, right, and so I don't -- Maybe I'm
7 misremembering what we talked about, but, I mean, I was looking at
8 the guidelines.

9

10 A multiyear plan must include a mechanism for specifying ACLs for
11 each year with appropriate AMS to prevent overfishing and maintain
12 an appropriate rate of rebuilding for a stock, or stock complex,
13 and a rebuilding plan and so, I mean, I don't -- I don't know what
14 the South Atlantic -- We can look at what the South Atlantic does,
15 but that seems to indicate that you have to have an ACL for each
16 year and appropriate AMS to prevent overfishing. I mean, if we
17 can establish that, okay, but I didn't -- I don't feel like we got
18 into a detailed discussion about how it would work, but, Ryan, you
19 can correct me if I'm wrong.

20

21 **CHAIRMAN FRAZER:** Dr. Froeschke.

22

23 **DR. FROESCHKE:** Well, a couple of different things. I mean, we've
24 talked about this in the purpose of -- For example, in the data-
25 poor stocks, instead of taking ten annual averages, and averaging
26 them and calculating means and standard deviation, where you would
27 take a multiyear average, in the end, when you reduce that -- The
28 way we do our control rule, you also reduce the variance, and so
29 I don't know if that works.

30

31 The specific issue, in this case, that I recall, is a situation
32 of, if you had a multiyear, and you exceeded it in the first year,
33 the AMS work -- It doesn't allow us to not recognize and respond
34 according, and that was the issue, and so it doesn't really --
35 It's not necessarily the setting the multiyear ACL, but it's the
36 AMS, as I understand them, don't allow you to not respond if in
37 fact you know that overfishing has occurred, and we just couldn't
38 find a way around that.

39

40 **CHAIRMAN FRAZER:** I mean, it just seems, to me, that you would
41 just -- Why wouldn't you just adopt the years catches, or the
42 landings, and grandfather things in? Andy.

43

44 **MR. STRELCHECK:** Well, I'm going to take us in a little bit
45 different direction, and so I don't want to stymie the multiyear
46 discussion, if people still want to talk about that.

1
2 **CHAIRMAN FRAZER:** Well, I think it's -- You were going to take
3 this to a different direction?
4

5 **MR. STRELCHECK:** Well, I want to throw out another alternative
6 that I've been thinking about, and so what I'm concerned about,
7 with the accountability measure alternative, is chasing sampling
8 error, right, and we have both low estimates of catch and high
9 estimates of catch, high percent standard errors, and there was
10 recently a court case, NRDC versus DOC and ASA, in the Mid-
11 Atlantic, right, that upheld the Mid-Atlantic's harvest control
12 rules.
13

14 That harvest control rule took into account stock status and the
15 variability in recreational landings, right, and I'm not
16 suggesting here we necessarily need to do a harvest control rule,
17 but it seems like we could do an accountability measure that
18 considers the uncertainty in the landings estimates and kind of
19 when we trigger things.
20

21 We have a substantial buffer between the overfishing limit and the
22 ABC, and so looking at kind of that uncertainty with that buffer,
23 to me, seems to allow some flexibility with regard to the response
24 to management, in the event that we get a landings estimate where
25 the catch limit is exceeded on the recreational side, right?
26

27 The actual specifics of how we could lay that out and design that
28 could be determined, right but the reality is, I think, you know,
29 it's very problematic, and we're going to chase the sampling error,
30 and you have these high standard errors, and then, all of a sudden,
31 you're seesawing back and forth from one year to the next, with a
32 short season, and a long season, and a short season again, just to
33 be able to control fishing mortality.
34

35 The alternative to that, right, is if, you know, we have the
36 postseason accountability measure, right, and, you know, rather
37 than try to set it up where then the season gets shortened, we
38 come in and actually put in a recreational season of some sort,
39 for deepwater grouper, that kind of hedges against, you know, these
40 overages by allowing harvest during a shorter period of time during
41 the year.
42

43 You know, fishermen probably don't prefer that, because it might
44 limit then their ability to go out and catch the catch limit, but,
45 ideally, that's another way of at least trying to minimize fishing
46 mortality and maintain, you know, avoiding overfishing for

1 deepwater grouper, but I really think we need to account for that
2 sampling uncertainty, in terms of how we set up the accountability
3 measure, so we're just not reacting to spikes and low estimates of
4 landings.

5
6 **CHAIRMAN FRAZER:** Thank you, Andy. Dr. Sweetman.

7
8 **DR. SWEETMAN:** I would be certainly interested in seeing what that
9 looks like, Andy. I guess my one concern, relative to a
10 recreational season then, is your discard mortality is -- I mean,
11 like when -- Any fish that's caught is going to be dead, basically,
12 and people would still theoretically be able to target other
13 species, besides yellowedge or something like that, and, you know,
14 everything is just going to go dead over the side, and so I guess
15 that would be my -- Obviously, I would like to see what it looks
16 like, you know, before I give my finalized opinion there, but it's
17 just a concern that I have overall with a recreational season for
18 deepwater grouper.

19
20 **CHAIRMAN FRAZER:** Captain Walker.

21
22 **MR. WALKER:** Thank you. I had a question, I guess, for Ryan. I
23 can't find it specifically listed, but is the commercial sector
24 catching all of their quota on these each year? I see that,
25 overall, it's 59 percent landed. I would assume the commercial is
26 coming up short for the last --

27
28 **MR. RINDONE:** They're not catching their current quota. They would
29 be catching all of the revised quota, based on the recent landings.

30
31 **MR. WALKER:** So the proposed alternative is going to make any
32 changes at all then?

33
34 **MR. RINDONE:** The proposed alternatives are going to result in a
35 reduction in landings for the commercial sector. Even if you gave
36 the commercial sector 100 percent of the complex ACL, it would
37 still result in a reduction in landings from where they are.

38
39 **MR. WALKER:** Okay, thanks. That was the question.

40
41 **MR. RINDONE:** There's not a table in there for it, because --
42 There's not like a chart in there for it, like there was for the
43 recreational landings, because the average commercial landings
44 would just be above every single one of the alternatives in Action
45 2, and so there's a sentence, before you get to that point in the
46 document, as to why we don't have that plot in there, because the

1 average of the recent commercial landings are higher than any of
2 our ACL --

3

4 **CHAIRMAN FRAZER:** Captain Walker, and then Mr. Sanchez.

5

6 **MR. WALKER:** So would I be wrong to assume that if we, quote,
7 unquote, allocations stay the same, and we make this cut, that it
8 could possibly mean there would be no recreational fishing for
9 yellowedge, and only commercial fishing?

10

11 **MR. RINDONE:** So, if you go with Alternative 2, because, again, we
12 have to establish a recreational ACL, but Alternative 2 basically
13 takes the current situation and creates a recreational ACL out of
14 it, using the same information. The recreational sector would
15 have a little more than 19,000 pounds. I don't remember exactly
16 what the number was, 19,426 or something like that. 19,426, and
17 so Andy would have to project the season for the recreational
18 sector, based on a recreational ACL of 19,426 pounds, and using
19 data he would probably wish were more precise.

20

21 **CHAIRMAN FRAZER:** Mr. Sanchez.

22

23 **MR. SANCHEZ:** Thank you, Dr. Frazer. I guess, for me, the concern
24 is, when we went from 30 to 40, we have a 44 percent reduction in
25 harvest potential, and he also then incurred the fact that we're
26 overfishing now, whereas, at 30, we weren't. Now, biologically,
27 given the life history of it, I see there's some compelling
28 arguments to do that. Is there some middle way we can do that,
29 because what's happening here, with such a draconian reduction,
30 and we're talking about these paltry amounts of fish, and I think
31 we have to consider the stakeholders involved as well.

32

33 I'm not so sure there isn't maybe a more middle approach to this,
34 or something, and, again, I'll leave this to you all, because we
35 obviously all are here because we like and prefer science-based
36 management, but, when there's extremes, it kind of begs the
37 question of is there an out-of-the-box approach to stop the front-
38 loaded pain that this is going to result in, and I don't know, but
39 is it possible to do like an OFL at 30 percent, and an ABC at 40
40 percent, and maybe add just a few more fish to this, before we get
41 into all these things?

42

43 There's a lot of uncertainty in a lot of this, and the recreational
44 landings, and I don't know that we should be discussing allocation
45 divisions right now, when we were, in my mind, waiting on the
46 results of the MRIP-FES pilot study, yet here we are doing that

1 very thing, and so these things are all together, as a result of
2 the 30 to 40 percent change. Well, we've got a nominal amount of
3 fish to work with, and is there something that can be done to help
4 reduce the pain over time, yet get us to the same conservation
5 goal that we're trying to achieve?

6
7 **CHAIRMAN FRAZER:** Mr. Rindone.

8
9 **MR. RINDONE:** Thank you. So, for the why for 40 percent, starting
10 out, we can't set the OFL at one proxy and then the ABC at another
11 proxy. We would set it at like some percentage of the proxy on
12 which the OFL is based. That's typically what we've done.

13
14 So like the ABC now is set at 75 percent of the yield that the OFL
15 is set at. The science behind going to 40 percent SPR is something
16 that we discussed at length for gag, and, you know, if it was true
17 for gag, it's triple true for yellowedge. They take three-times
18 as long for 50 percent of the females to reach sexual maturity.
19 They live nearly three-times as long as gag do, and, you know,
20 truth be told, if we had known what we know now about yellowedge,
21 we might have thought more critically about applying 30 percent
22 SPR to yellowedge back in the day. 30 percent is just -- It's
23 simply too aggressive.

24
25 The research that the SSC has been relying on to help inform some
26 of these decisions is -- You know, it's not like a white paper or
27 anything. It's multiple studies, peer-reviewed. It's consistent
28 with the best science, but that move to 40 percent does result in
29 some of the reduction. That's one thing.

30
31 The second thing is the fact that the stock is undergoing over-
32 efficient. It's difficult for me to carry on this conversation at
33 the same time, and so I'm going to tap Dr. Walter to help me.
34 There was a run at 30 percent originally. Did that run also have
35 yellowedge undergoing over-efficient?

36
37 While he's looking for that, we have a situation, with yellowedge,
38 where we've had increasing recreational landings in recent years,
39 and we have also not had great recruitment signals coming along
40 with that, and that's not terribly surprising, right? Very long-
41 lived species, matures later than most of the other groupers that
42 we deal with, and removals have just been outpacing the stock's
43 ability to place itself, and so recruitment has not been great for
44 yellowedge, at least the signal that we have.

45
46 You know, the recruitment estimates that we get in the stock

1 assessments are model derived, and so there's a fair amount of
2 uncertainty there as well, but, when you're looking at it over the
3 long time period, like it's been going down, and so the combination
4 of declining recruitment, the move to a more scientifically-
5 appropriate proxy for MSY, at 40 percent SPR, and the increasing
6 harvests that we've seen in recent history, are all things that
7 got us to the point where we're looking at the catch limit
8 reductions that we are.

9

10 It's not just the MSY proxy, and that, by itself, like fiddling
11 about with that, so to speak, by itself doesn't fix the underlying
12 issue that we have with this long-lived, slow maturing species.

13

14 **CHAIRMAN FRAZER:** Miss Levy.

15

16 **MS. LEVY:** I was just -- I was looking at the -- I just wanted to
17 ask C.J. a question. You mentioned -- Was it wahoo in the South
18 Atlantic? So, at least in the regulations, it's not a multiyear
19 ACL. It's that annual recreational landings are -- They're going
20 to be determined using a three-year geometric mean and compared to
21 a particular ACL, and so it's using an average, comparing it to
22 the ACL, but you're doing that every year, and we have used
23 averages in the past, and John may have mentioned that.

24

25 The problem has been that that is -- If you have one year with
26 very high landings, that carries over for the next three years,
27 right, and so then -- We had that. Back in the day, the Caribbean
28 had that, and people didn't like that, and so then we changed it,
29 and got rid of the three-year averages, and so that, to me, seems
30 fine. That's not really a situation where you're not actually
31 looking at catches compared to the ACL every year. You're still
32 doing that, right? That's still a yearly process.

33

34 **CHAIRMAN FRAZER:** While we're waiting for Dr. Walter, Mr. Sanchez.

35

36 **MR. SANCHEZ:** I would like to know too where the position, or
37 initiative, and where's the genesis, or is it in fact an
38 initiative, to go to 40 percent on a lot of species, because we've
39 seen it in scamp, gag, and now yellowedge.

40

41 At the SEDAR that I recently attended for mutton, there was talk
42 of even doing it in snappers, a non-hermaphrodite, and so is there
43 some underlying initiative to go to 40 percent on everything, and,
44 you know, is it justifiable, for some of these species,
45 particularly like mutton?

46

1 I believe that the end result of the mutton SEDAR, and I could be
2 wrong, but I think they were suggesting an OFL at 30 and an ABC at
3 40, and so is that doable maybe here? What would those projections
4 look like?

5
6 **CHAIRMAN FRAZER:** I'm going to go back to Dr. Walter.

7
8 **DR. WALTER:** So I think it was probably in this room, and I don't
9 know how many years ago, that I was the lead assessment analyst
10 for yellowedge, the first time we did this, that set the 1.1
11 million pounds.

12
13 If I knew then what I knew now, I would have recommended F SPR 40.
14 This is an animal that lives to eighty-five years old, and we know
15 this with bomb radiocarbon. It's something that lives and digs a
16 hole in the bottom and largely stays there. It's quite easy to
17 catch, if you're actually out in the waters where they are, and so
18 it's certainly one that -- Of all the groupers, as Ryan noted,
19 this is one where I think the science would be pretty firmly saying
20 that we should fish this with a little lighter hand, like an F SPR
21 40.

22
23 John, to your point of is there a movement to go to F SPR 40,
24 versus F SPR 30, for a lot of the groupers, and a number of the
25 snappers, there is, and there's a fairly compelling body of science
26 that is suggesting that we have to fish them with a lighter hand.

27
28 That's been the recommendation in many of the times when we've
29 looked back on these stocks, and that the SSC has taken a look at
30 this, and advised this council as to what F SPR is a best proxy
31 for MSY, when we can't estimate MSY, because remember we're trying
32 to use SPR as a proxy when that MSY is not estimable.

33
34 The question is then really can we look back at what we would have
35 been with SPR 30, and, yes, we can look back at that. Is that a
36 viable option, at least in heeding the science? Not according to
37 the SSC's recommendation. The stock was not overfished, or
38 undergoing overfishing, at F SPR 30, and so that change in status
39 is largely due to the change in benchmark. However, recent
40 recruitments are quite low for this stock.

41
42 There's a number of reasons I think we could postulate as to why
43 that might be the case, but, when you project forward with lower
44 recent recruitments, even if you're using a long-term average,
45 which is what was used, you're going to get lower catches, which
46 is one of the other reasons why we're seeing lower catches in that

1 1.1 million pounds. Those two factors are combined to get us to
2 where we are right now. I think -- Was there another question
3 that, Ryan, you had brought up?
4

5 **MR. RINDONE:** It was just yellowedge undergoing overfishing under
6 the 30 percent SPR.
7

8 **DR. WALTER:** All right. I hit that. No. Thanks.
9

10 **CHAIRMAN FRAZER:** Great. Thanks, John. Dr. Froeschke.
11

12 **DR. FROESCHKE:** Just one more follow-up to Mr. Sanchez's earlier
13 questions with the allocation, and just to kind of circle back on
14 this, and we've done this many times, but there really isn't an
15 option to not do allocation. If you leave the allocation the same,
16 you really are doing allocation, because you're changing the data
17 units on the recreational side, and so there isn't a non-option.
18

19 Consistent with the way we've handled this every other time, in
20 this Action 2, Alternative 2, we tried to keep the same methodology
21 that was originally established and then replace it with the
22 requisite numbers and then reapply the methods, and then the
23 percentage changed, but the methods are the same, which is the way
24 that we've always understood, and discussed it. That's the closest
25 to the no action, or not reallocating. You know, for those who
26 have been here for a while, it's the de facto reallocation thing.
27

28 **CHAIRMAN FRAZER:** Okay. Thanks, John. Dr. Sweetman.
29

30 **DR. SWEETMAN:** Maybe just a question here, but, so heading back on
31 this allocation discussion here, we still have -- This is all
32 driven by landings data that are super, super uncertain there,
33 where actually the guidance is to not use those for management,
34 and we're driving this -- I realize data-limited species, and stuff
35 like that, but I'm trying to wonder like what other things can we
36 look at here to try and figure out what is the best way, if we
37 need to.
38

39 I get it, and overfishing -- Like, we have to do something here,
40 and that does involve dealing with some allocation discussions
41 here, based on -- You know, there's no technical allocation. It's
42 just a buffer between the IFQ and the rec side here, and so we
43 would be setting this for the first time, really, but, even just
44 using recreational landings -- Like I just feel super, super
45 uncomfortable trying to structure a fishery, in terms of setting
46 these allocations, based on something where our guidance is to not

1 use that data. Is there anything else that -- Go ahead.

2
3 **DR. FROESCHKE:** I'll give it a go. I mean, I can defer to Ms.
4 Levy on the guidance. In the past, I would say the generic --
5 Essentially, the way we dealt with this was by not by essentially
6 just leaving some buffer. I mean, I guess you could do that, and
7 that's as close as -- You could. I expected that, in practice, we
8 would need a larger buffer than we're probably considering here,
9 which would result in fewer harvested fish across the board. I
10 don't know, and that's pontificating.

11
12 I mean, as far as not using that -- I've seen that guidance. What
13 I struggle with is, the way the ACLs are structured, there isn't
14 an option to say, well, I don't really believe these data, and so
15 I'm not going to -- I'll ignore it. You know, there is an annual
16 catch limit. We have some best estimate of total removals, and we
17 have to adhere to that, for good or bad. I don't know what the -
18 - I'm not aware that there are workarounds around that, despite
19 that guidance, that I am aware of.

20
21 **CHAIRMAN FRAZER:** Okay. We've got either Mr. Strelcheck or Ms.
22 Levy. I saw Andy had his hand up. Andy.

23
24 **MR. STRELCHECK:** Mr. Chair, I guess I'm going to suggest that maybe
25 we walk through the actions, one-by-one. I feel like we're just
26 all over the map with this discussion, but I will leave it up to
27 you as to how you would want to proceed, but I feel like we need
28 to provide some structure to the discussion.

29
30 **CHAIRMAN FRAZER:** Yes, and I don't mind doing that. Let me just
31 kind of remind folks where I think we are at this point. I think
32 the presentation certainly covered the various actions, and the
33 alternatives, and we can go back and do that.

34
35 C.J. raised this question of whether or not we need to entertain
36 this idea of a multiyear ACL, and you provided some discussion
37 there, and so that might get added back in, either under one of
38 the action items or as its own action.

39
40 One of the things I wanted to think about is, you know, just
41 looking at the action schedule as it currently exists, right, and
42 so there's an AP meeting coming up. They're slated to talk about
43 this, but then, in the January council meeting, we're supposed to
44 develop a public hearing draft, or review a public hearing draft,
45 and so we certainly would have to have alternatives, or preferreds,
46 excuse me, at that time, but it looks like we're still, as you're

1 pointing out, Andy -- You know, we still haven't wrapped our heads
2 around each of the action items, and we probably need to do that
3 again, and so, Ryan, if you want to walk us through the various
4 actions again, and we'll kind of see what we need to do here.

5
6 **MR. RINDONE:** Okay, and so back to Action 1, which modifies our
7 status determination criteria and the OFL, ABC, and complex ACL.
8 So Alternative 1, maintain the current proxy, OFL, ABC, and complex
9 ACL. The MSY proxy is the yield when fishing at 30 percent spawning
10 potential ratio, and the OFL is 1.113 million pounds gutted weight,
11 and the ABC, and complex ACL, are both equal to 1.105 million
12 pounds gutted weight.

13
14 Alternative 2 would revise the MSY proxy and catch limits for the
15 complex, based on the council's SSC's recommendations from SEDAR
16 85, and from applying Tier 3b to the average catches for warsaw,
17 snowy grouper, and speckled hind. The OFL and ABC for yellowedge,
18 and the OFL and ABC for the other three species, would be combined
19 together, and the stock would still be managed as a complex.

20
21 The MSY proxy for all the species in the complex would be set equal
22 to the yield when fishing at that 40 percent SPR. This gives us
23 an OFL of 731,035 pounds gutted weight and an ABC of 555,026 pounds
24 gutted weight, and the complex ACL is still set equal to the
25 complex ABC.

26
27 We don't have another alternative here, because this was the SSC's
28 recommendation, and, like Dr. Froeschke had said, you know, if you
29 guys wanted to have more of a buffer established, to try to account
30 for some of the uncertainty in the recreational landings, and,
31 right now the complex ACL is set equal to the complex ABC, and so
32 that would be something that you could consider modifying, but,
33 again, it would be at the expense of overall harvest.

34
35 **CHAIRMAN FRAZER:** Andy.

36
37 **MR. STRELCHECK:** I just wanted to walk through the actions. I
38 think the range here is reasonable. I think there's a large buffer
39 already set, and so I'm not arguing for expanding that buffer. I
40 think we can probably consider how to monitor recreational
41 landings, and the catch limits, as we proceed through the other
42 actions.

43
44 **CHAIRMAN FRAZER:** Yes, I would agree with that, and so if we want
45 to go to the Action Item 2.

1 **MR. RINDONE:** All right. Let's go to Action 2. This would modify
2 the sector ACLs and sector applications. Based on the Generic
3 ACL/ AM Amendment, the deepwater grouper ACL provides about 96.5
4 percent of the complex ACL for the commercial sector, based on
5 landings from 2001 to 2004, and the recreational sector's ACL is
6 unspecified.

7
8 The complex ACL is set equal to the ABC, and, based off of
9 Alternative 2 in Action 1, everything else in that table is then
10 populated out, and so the commercial ACL is 96.5 percent of the
11 complex ACL, and the commercial quota is 96 percent of the
12 commercial ACL, to account for that 4 percent reduction from the
13 commercial quota. Again, the recreational ACL here is undefined,
14 unspecified.

15
16 For the application of the accountability measures, if we're going
17 to -- I mean, technically, Alternative 1 is a viable alternative,
18 if you don't want to change anything about the accountability
19 measures from the status quo, but, as the accountability measures
20 are defined right now, they can't truly be applied, and this is
21 something that Mara had talked to us about during the IPT process.

22
23 We don't know what the commercial landings truly are until after
24 December 31st, and so we can't -- We don't have a mechanism to just
25 assume that the commercial sector is going to do something and
26 then apply an accountability measure, based on that, on the
27 recreational sector.

28
29 Then, if the commercial sector ended up not landing it, then we've
30 applied this accountability measure incorrectly, and so we can't
31 really apply the current accountability measure until after the
32 season is good and over, and, by that point, the next season has
33 already started, and so there is that problem there. How viable
34 it is -- I don't know that it isn't not viable, but it's not
35 appropriate, based on the data that we have, and when those data
36 come in, and when we have to make the decisions that we have to
37 make, and so never mind what the data actually are. It's just the
38 timing of when the data come in. It makes it not appropriate.

39
40 Alternative 2 basically uses the same setup as Alternative 1, and
41 it just codifies the recreational ACL using the remainder that's
42 not being used by the commercial sector, which is 19,426 pounds.

43
44 **CHAIRMAN FRAZER:** Andy.

45
46 **MR. STRELCHECK:** When we established the percentage under Action

1 1, way back when, that was based on using MRFSS data, and so is it
2 just coincidence that the percentages remain the same if you use
3 the same landings time series?
4

5 **MR. RINDONE:** It's using the same percentages, and so it's not
6 using the landings time series. It's using the same percentage,
7 and so it's taking the percentage that's already part of the
8 Generic ACL/AM Amendment and it's just establishing a recreational
9 ACL off of that. We're not looking back and using the landings
10 from 2001 to 2004 again, and so it's just using the percentage.
11

12 **CHAIRMAN FRAZER:** Andy.
13

14 **MR. STRELCHECK:** Okay. Well, that's helpful, but I guess, with
15 regard to the recreational sector, my presumption is that those
16 landings would be higher, under the new units, and would result in
17 a different allocation, based on the back-calculated estimates for
18 FES.
19

20 **CHAIRMAN FRAZER:** Captain Walker.
21

22 **MR. WALKER:** So, as we're discussing the allocation issue, it's
23 still rather vague. The terminology -- According to the document,
24 and I quote, the deepwater complex is managed under a total complex
25 ACL, and there is no defined commercial or recreational sector
26 allocation. The commercial sector has been apportioned 96 percent.
27

28 So, you know, does that mean that we're constrained by the motion
29 that we passed about not making changes to allocation based on
30 FES, or -- According to this, there is no allocation, because we're
31 about to talk about some pretty important allocation discussion,
32 and I would just like some clarification. Is this -- Are both
33 sides of this considered allocated, or are they something else?
34

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

37 **MS. LEVY:** So even what was done in the Generic ACL Amendment is
38 an allocation. It might not say it's an allocation, but it
39 definitely is an allocation, and, in the document, because it is
40 an allocation, it goes through the National Standard for criteria
41 related to allocation and justifies why it's fair and equitable,
42 why it's reasonably calculated to promote conservation, and that
43 there's no excessive share of privileges.
44

45 The document is certainly treating it like an allocation, despite
46 the fact that it's not giving the rec a certain percentage. It's

1 giving the commercial a percentage, right, and so the rec is left
2 with the rest, but, at that time, the intent was to continue the
3 status quo, right, the status quo harvest, and, at that time, there
4 was no concern with overfishing by doing that.

5
6 The issue here is there is a concern, right, and like you could
7 keep this, potentially, undefined, if you can say that that's not
8 going to result in overfishing, but, given the reduction in
9 harvest, and the information that indicates that the commercial
10 sector would harvest the whole amount available, and maybe lead to
11 overfishing, I don't know.

12
13 We would have to justify how this is not going to lead to
14 overfishing, if we were going to do something like that again, and
15 we would have to go through these same criteria and explain how
16 it's fair and equitable and all that other stuff.

17
18 **CHAIRMAN FRAZER:** Mr. Dugas.

19
20 **MR. DUGAS:** Thank you, Mr. Chair. How does our motion that we
21 passed, with no changes in sector allocations -- Does it have any
22 factor to this?

23
24 **CHAIRMAN FRAZER:** Mara.

25
26 **MS. LEVY:** So you made a motion not to consider further allocation
27 changes related to FES. However, there is going to be an
28 allocation here, regardless of what you do, because you have a
29 stock assessment that you're addressing. The stock is undergoing
30 overfishing. We have to address that. You have to reduce the catch
31 limits to do that, and so, whether you change the percentages or
32 not, there's going to be an allocative decision, and there's no
33 way not to do that in this circumstance.

34
35 This isn't a thing where you just got new data, and you're like,
36 oh, we're going to reconsider the allocation, but we said we aren't
37 going to do that, right, and this is driven by the stock assessment
38 and the data used in the stock assessment.

39
40 **CHAIRMAN FRAZER:** Okay. Ryan, if you want to -- Dr. Walter.

41
42 **DR. WALTER:** One of the things that's a little bit easier about
43 this is it's not a change from something that was already on the
44 books. It's just creating something on the books for the first
45 time, and so presumably it won't be as challenging to do that, if
46 that's the case, unlike some of the other decisions.

1
2 **CHAIRMAN FRAZER:** Mr. Dugas.

3
4 **MR. DUGAS:** So a question maybe for Ryan. Do we have the option
5 to squeeze the OFL and ABC buffer in?

6
7 **MR. RINDONE:** You could ask the SSC to reconsider, but the council
8 doesn't have the option of increasing the ABC, and so the OFL and
9 ABC are set by the SSC, and those are binding recommendations.
10 You guys can set the complex ACL up to, and equal to, the complex
11 ABC, but you cannot exceed the ABC, and so, if you wanted the SSC
12 to reconsider the scientific uncertainty that they think is
13 represented between the OFL and the ABC, then that would be a
14 request that you could pass to them, and then we'll put it on the
15 agenda and have them talk about it. Right now, you know, it's
16 about 180,000 pounds, give or take.

17
18 **CHAIRMAN FRAZER:** Mr. Sanchez.

19
20 **MR. SANCHEZ:** Yes, I would say let's do that. Let's have them
21 take a look at that, and come back with some kind of updated
22 projections or something, because the frustration here is -- What
23 I keep seeing happening is a lot of uncertainty in the science,
24 and, again, I appreciate the scientists. For Christ's sake, we're
25 asking them to count the number of fish in the ocean. What a
26 daunting task, but we have these fisheries, and then with, one
27 assessment to another, we go from a 30 historical to a 40.

28
29 Arguably, the life species, you know, the life history, justifies
30 it, and so I get that, but there's real impacts here, and then we
31 have a lot of recreational uncertainty, yet these changes in the
32 assessment result in overfishing, and we're back to what's the
33 solution? To reallocate from the commercial to the recreational.
34 You know, this rob Peter to pay Paul stuff, how long can it go on
35 for? It's in every fishery, and it's very frustrating, and so,
36 yes, I would like to have them take another look at this.

37
38 **CHAIRMAN FRAZER:** Dr. Froeschke.

39
40 **DR. FROESCHKE:** I guess what I'm struggling with is how we would
41 convey this to the SSC. It's that we would say there's so much
42 uncertainty, but we would ask them to take a look to reduce their
43 buffer that is accounting for uncertainty.

44
45 Essentially, that buffer between OFL and ABC is reflective of the
46 scientific uncertainty. We really don't have very much management

1 uncertainty in there. If you look at the sum of the commercial
2 quota and the recreational ACL, it's very close to the ABC complex,
3 and so, in terms of parsing out uncertainty, we're saying we have
4 quite a bit of scientific uncertainty, and we have virtually no
5 management uncertainty, and then we're discussing this
6 uncertainty, and then we're saying can you please consider if we
7 could reduce our uncertainty buffer. I'm just trying to think how
8 we would have to request that from the SSC, such that we get what
9 you're looking for.

10
11 **CHAIRMAN FRAZER:** I mean, John, I think you make a good point,
12 right, and, I mean, what I'm concerned about, right now, as we
13 have this discussion, is it's -- You know, from when you're
14 allocating a number of fish, right, obviously there's a reduction
15 on those fish that are available, and it's going to affect all
16 sectors that are involved, and we want to try to reduce the pain,
17 as John calls it, to the best of our ability.

18
19 We don't want to negatively impact the stakeholders, but, at the
20 same time, we're dealing with the science that we have, right, and
21 trying to ensure that we have a resource that can continually be
22 accessed, right, and that's the sustainable nature of what we do,
23 right, and so I'm with John right now, Dr. Froeschke. You know,
24 we would have to have a fairly compelling argument to go back to
25 the SSC and ask them, you know, to reevaluate. I'm not sure they
26 have a lot of wiggle room there. Mr. Strelcheck.

27
28 **MR. STRELCHECK:** That's kind of my struggle. Obviously, you know,
29 where we could shrink the buffer would be great, but I'm not sure
30 we have really sound rationale that the SSC would come back with
31 any different decision.

32
33 Then, looking at how the ABC was calculated for non-yellowedge
34 species, we're using the Gulf Council's ABC control rule for that,
35 and, for yellowedge, we're using 75 percent of FMSY, which is a
36 common proxy for calculating yield levels from a stock, and so I
37 -- As much as I would like to shrink the buffer, I'm not sure
38 there's really going to be sound rationale to do so, and taking it
39 back to the SSC may not be a fruitful effort.

40
41 **CHAIRMAN FRAZER:** All right. Ryan, I think there's several other
42 alternatives here.

43
44 **MR. RINDONE:** Yes, sir. The next one is Alternative 3, which the
45 complex ACL is set equal to the complex ABC, and the sector
46 allocation will be based on the average recreational landings for

1 the most recent five years. This results in a recreational ACL of
2 56,834 pounds, or 10.24 percent of the complex ACL, and the
3 commercial sector would be allocated the balance, which is 89.76
4 percent of the complex ACL.

5
6 The commercial quota would then be reduced 4 percent from the
7 commercial ACL, and so it's basically a reduction from 498,191 to
8 478,264, and the recreational and commercial ACLs sum to equal the
9 complex ACL, and everything for that is shown in the next table.
10 This brings the recreational ACL up to about 56,800 pounds.

11
12 Then Alternative 4 takes the average of the highest and lowest
13 annual recorded recreational landings from 2000 through 2023,
14 which results in a recreational ACL of just under 84,000 pounds,
15 or 15.1 percent of the complex ACL, and then the commercial sector
16 -- We get the balance, which is 84.9 percent, and then the rest of
17 -- You know, the commercial quota decrementing happens from there,
18 and those catch limits are shown in the next table.

19
20 If we scroll down to the chart, Alternatives 1 and 2 are kind of
21 -- Well, not kind of, and they're exactly on top of each other, at
22 that about 20,000-pound mark. Then Alternative 3 is there in the
23 purple. Alternative 4 is in the ugly Carolina blue. Then the
24 black line there is the recent deepwater grouper recreational
25 landings.

26
27 **CHAIRMAN FRAZER:** Andy.

28
29 **MR. STRELCHECK:** I would be interested in hearing from others about
30 Alternative 4. I think the struggle I have with Alternative 4 is
31 it's essentially using two data points, one of which is twenty-
32 four years old, and the other is ten years old, and so, you know,
33 it's obviously accounting for that variability in landings, and so
34 that's a plus for using it, but I'm not sure it's really
35 representative of how we would want to calculate an allocation.

36
37 My recommendation would be to eliminate that as an alternative.
38 What I'm thinking of, as a replacement for that is something that
39 Tim Griner has actually suggested in the South Atlantic, which is
40 kind of looking at the relative proportional reduction for both
41 sectors that will be needed, so that kind of each sector has kind
42 of an equal reduction and harvest, and we set the allocation based
43 on that proportionate amount, based on some recent time period,
44 and so I'm curious about other thoughts.

45
46 **MR. RINDONE:** I think that's kind of nested within what we have

1 for Alternative 3, because it's based on recent landings, and then
2 the reduction is implied from there.

3

4 **CHAIRMAN FRAZER:** Mr. Strelcheck.

5

6 **MR. STRELCHECK:** Potentially, yes, and so what you would want to
7 look at is those recent landings, compared to their new catch
8 limit, and the recent commercial landings, and do they both
9 proportionally come down by that same amount, and is that
10 consistent with the reduction we're seeing.

11

12 **CHAIRMAN FRAZER:** C.J., and then Captain Walker.

13

14 **DR. SWEETMAN:** Thank you, Mr. Chair. Yes, I agree with what Andy
15 said, relative to elimination of Alternative 4 there. Just using
16 two data points, and the most extreme ones, is probably not an
17 ideal way to go, and representative of the fishery, and so I would
18 be supportive of that.

19

20 I've been trying to come up with a similar idea, Andy, along those
21 lines, for kind of a proportional way to deal with this there, and
22 so I think I would be supportive of that idea as well, to adding
23 that alternative in here.

24

25 **CHAIRMAN FRAZER:** Captain Walker.

26

27 **MR. WALKER:** I agree as well. Alternative 4, I think we could
28 toss, based on two data points, as you mentioned, and they're
29 pretty old, and I also support the concept of getting some more
30 recent landings years included in this, although with the
31 understanding that the landings data is fairly weak, but I do think
32 more recent would be more representative of what is going on
33 nowadays.

34

35 **CHAIRMAN FRAZER:** Okay, and so I think I'm going to try to move us
36 along a little bit here. Ryan, is there enough direction there
37 to.

38

39 **MR. RINDONE:** No, and --

40

41 **CHAIRMAN FRAZER:** Well, I know you will need a motion, but I'm
42 just talking this through. I mean, essentially what I'm hearing
43 is that we're going to potentially eliminate, with a motion,
44 Alternative 4, in Action 2, and replace it with some type of an
45 alternative that deals with more of a proportional reduction and
46 capturing -- Is that what you're saying? All right. I just wanted

1 to make sure we're all on the same page here. If we want to
2 eliminate Alternative 4, we do need a motion for that.

3
4 **MR. RINDONE:** We need a motion for both. I think, to Captain
5 Walker's point, for using recent landings, that's Alternative 3.
6 It uses the most recent five years.

7
8 **CHAIRMAN FRAZER:** C.J.

9
10 **DR. SWEETMAN:** Sure. I'll bite. **I can make a motion to remove -**
11 **- Or to move Alternative 4 in Action 2 as considered but rejected.**

12
13 **CHAIRMAN FRAZER:** Is there a second for that motion? Second by
14 Captain Walker. Any further discussion? **Is there any opposition**
15 **to the motion? Seeing none, the motion carries.** Mr. Strelcheck.

16
17 **MR. STRELCHECK:** Maybe, rather than making a motion for a new
18 alternative, we could work with Ryan and team, to see if we could
19 craft something for presentation at Full Council regarding that
20 kind of proportional reduction approach.

21
22 **CHAIRMAN FRAZER:** I'll look at the committee, and I'm certainly
23 happy to do that. Looking around, I don't see any objection to
24 that Andy, and so, if you can do that, that would be great. I
25 have a question, perhaps for C.J. You know, we've had this
26 discussion about how we might incorporate a multiyear ACL. Would
27 that require a separate action, or would that fall into an
28 alternative in one of the existing actions?

29
30 **DR. SWEETMAN:** I appreciate the question. I've been trying to
31 figure that out too, and so feel free to correct me if I'm wrong,
32 just in terms of what I think this would have to do, if we wanted
33 to do that, but I feel like it would have to be an option in Action
34 1, as well as Action 3, relative to the accountability measures
35 there too, right?

36
37 If that is something that we would want to consider, along those
38 lines, you would probably have to -- Am I correct that that would
39 have to be punted back to the SSC, just to look at and get those
40 catch level recommendations for Action 1, if we wanted to do it
41 that way?

42
43 **CHAIRMAN FRAZER:** Dr. Froeschke.

44
45 **DR. FROESCHKE:** Probably, although, if it was less than the current
46 ones, maybe not. I don't know. That would be a question for Ms.

1 Levy. I do agree with you on the AMs, and I would recommend that
2 we start with that, because that seems to be the hill that we
3 always struggle to climb.

4
5 **CHAIRMAN FRAZER:** All right, and I guess we'll ponder that a bit.
6 I think, in the interim, Ryan, perhaps we can move to Action 3.

7
8 **MR. RINDONE:** Action 3 looks at the recreational accountability
9 measures, which right now, for the commercial sector, the grouper-
10 tilefish IFQ program serves as the AM. For the recreational
11 sector, if the total complex ACL is exceeded in a fishing year,
12 then -- Again, if the total complex ACL is exceeded, then, in the
13 following year, the Regional Administrator will close recreational
14 fishing for the complex, for the remainder of that fishing year,
15 when the total complex is projected to be met.

16
17 Since it's impossible to verify how much of the commercial has
18 been landed until after the commercial fishing year ends on
19 December 31st, and then, you know, it begins again the following
20 day, and it's impossible to project when the complex would be met
21 during the fishing year. Therefore, as written, Alternative 1 is
22 not viable.

23
24 Alternative 2 would establish a post-season accountability measure
25 for the recreational sector. If the recreational ACL, as defined
26 in Action 2, is exceeded in the fishing year, then, in the
27 following year, the Regional Administrator will close recreational
28 fishing for deepwater grouper, for the remainder of that fishing
29 year, when the recreational ACL is projected to be met.

30
31 For the commercial sector, you still have the IFQ program serving
32 as the AM. Then Alternative 3 would apply an in-season
33 accountability measure for the recreational sector, with -- You
34 know if the recreational ACL was projected to be met in a fishing
35 year, then the Regional Administrator would close recreational
36 fishing for deepwater grouper for the remainder of that fishing
37 here.

38
39 **CHAIRMAN FRAZER:** Okay, and so Mr. Dugas. Dr. Simmons.

40
41 **EXECUTIVE DIRECTOR SIMMONS:** Thank you, Mr. Chair. It seems like
42 Alternative 3, based on the discussion, is not very practical, and
43 I thought we had, based on the MREP-FES pilot that was going on
44 through 2026, removed some of the in-season accountability
45 measures for other species, such as Spanish mackerel, and so I'm
46 a little bit surprised this is in here, and I don't know if it's

1 because of a NEPA requirement, but I don't think it's really a
2 viable alternative, in my opinion.

3

4 **CHAIRMAN FRAZER:** Ms. Levy.

5

6 **MS. LEVY:** Well, I mean, under Alternative 2, you have to do the
7 same thing, in a year after an exceedance of the ACL, and so both
8 of these alternatives require a projection and a closure. One
9 just delays it until there's an overage, and one requires it every
10 year, and so I don't -- I don't see Alternative 3 as non-viable.
11 It's just requiring it yearly, the same thing as Alternative 2.

12

13 **CHAIRMAN FRAZER:** Dr. Simmons.

14

15 **EXECUTIVE DIRECTOR SIMMONS:** I guess it's the practicability in
16 being able to accurately do the projections in-season and having
17 a little bit more uncertainty postseason, based on these rare-
18 event species.

19

20 **CHAIRMAN FRAZER:** Ms. Levy.

21

22 **MS. LEVY:** But what I'm saying is they amount to the same thing.
23 Alternative 2 is saying you don't do that in-season type
24 projection. All of them are going to be based on data projections
25 from past years. Alternative 2 says you don't do that until
26 there's an overage in year-one, and then, in year-two, you're doing
27 that projection, and you're closing.

28

29 Alternative 3 is you do that projection every year, regardless,
30 and like it doesn't matter what happened the year before, and so
31 it's going to require the same thing. You're just delaying that
32 action until there's an overage, and I'm not saying you can't pick
33 Alternative 2, but Alternative 3 -- They're both going to require
34 the same thing at some point.

35

36 **CHAIRMAN FRAZER:** Dr. Simmons.

37

38 **EXECUTIVE DIRECTOR SIMMONS:** Thank you. I guess am I correct --
39 In the discussion on Spanish mackerel though, I thought we had
40 considered removing that, for that kind of species, when there's
41 a stock ACL, due to the uncertainty in the MRIP-FES projections,
42 and so I guess I'm just a little confused why it's here, but we
43 did remove it for other amendments.

44

45 **CHAIRMAN FRAZER:** Andy.

46

1 **MR. STRELCHECK:** Well, I guess I would just say it's certainly not
2 my preferred, given the data uncertainty, and I'm not sure it's
3 unreasonable to keep in the amendment, and to consider at this
4 point, but I agree with kind of your thoughts, Carrie, in terms of
5 the potential for it to be preferred. It doesn't make a lot of
6 sense.

7
8 While I have a mic, I mentioned earlier that, you know, I think
9 deepwater grouper is unique, compared to many of the species that
10 we manage, especially with the -- Regardless of the allocation
11 we're looking at, they're still low ACLs for the recreational
12 sector.

13
14 The accountability measure, I guess I'm thinking of, is going to
15 take into consideration a couple of factors, right, and so one
16 would be the percent standard error, and the estimate, right, and
17 so we could say, you know, the accountability measure would be
18 triggered if, you know, the catch estimate has a PSE less than 50
19 percent, right, versus greater than 50 percent, or, if the is PSE
20 is greater than 50 percent, we would look at the bounds of
21 uncertainty around that estimate, to determine if there's truly a
22 catch limit exceedance, right, given the uncertainty surrounding
23 the estimates.

24
25 I think we can do this, because we have this large buffer between
26 the overfishing limit and ABC, right, and so even if the estimate
27 is going over the recreational annual catch limit by some amount,
28 right, we're still well below the overfishing limit, potentially.

29
30 What I would worry about is, obviously, if we had a huge catch
31 estimate, and we went over the overfishing limit, and so I'm not
32 prepared to like make a motion, but I feel like what we really
33 need to do, with deepwater grouper, is take into consideration the
34 uncertainty in the catch estimates while we're triggering these
35 accountability measures.

36
37 **CHAIRMAN FRAZER:** Captain Walker.

38
39 **MR. WALKER:** I'm looking at this and wondering -- It says that we
40 need the total complex landings, to see if the fishery, or the
41 complex, is overfished, and does that mean that, if the commercials
42 come up 100,000 pounds short, and the recs go over, then we still
43 have not overfished, and then we would not have a penalty, a
44 payback, accountability measure? Is that accurate?

45
46 **MR. RINDONE:** At the moment, there's not a payback.

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CHAIRMAN FRAZER: Ms. Levy.

MS. LEVY: Right, and there is no payback right now on this, but, yes, and, I mean, you're managing to a total, right, and so your total landings have to be over the OFL, or, if we're going to say that the ACLs and AMs are working, the total landings would have to be below the ACLs, right?

MR. WALKER: But, if we were to select a recreational allocation, if you will, and the recs go over, but the total isn't exceeded, does that count as over, or we were still within the constraints?

MS. LEVY: Over for what purpose? Over, in terms of not properly constraining recreational harvest to the ACL, perhaps, and not over the total ACL, and perhaps not over the overfishing limit.

CHAIRMAN FRAZER: Andy.

MR. STRELCHECK: I mean, if I'm understanding Ed correctly, we do this in the South Atlantic, with some of our species, where, if the cumulative -- If one sector exceeds their catch limit, but not the other, then we can also look at the total catch limit for both sectors and trigger the AM only in the instance where both the individual sector catch limit is exceeded and the total catch limit is exceeded.

CHAIRMAN FRAZER: Okay, and so I think we have a couple of tasks ahead of us, right, and so I'm going to look back to staff, but, in the interim between now and Full Council, there will be some discussion regarding Action 2, right, and how we might potentially craft a motion to create an alternative and then bring that back.

There is an outstanding question with regard to how we might incorporate multiyear ACLs, and so maybe we can think about that a little bit and bring that discussion -- Or introduce that into the discussion at Full Council.

Then, at that point, right, the question I have, for staff, is if we're able to make -- To insert new alternatives, or actions, or change them, and there's an AP meeting scheduled between now and the January meeting, right? In December? Okay. In December, and so they would have an opportunity to look at these changes, and provide some input, and then we would still -- Is that enough time then to bring a document back in January, because it's scheduled on the action schedule, right, as a public hearing document.

1
2 I don't know if I have to answer that, or we have to answer that,
3 right now, but that's the schedule. It seems like there's a fair
4 amount of work to get us to that point, and so we may revise that
5 action schedule, unless -- I'm just bringing it up, and I want
6 people to be aware of what work we have to do. Dr. Simmons.

7
8 **EXECUTIVE DIRECTOR SIMMONS:** Thank you. Mr. Chair. I think that's
9 a good point. I also think maybe the Regional Office staff could
10 help us with some of the other, besides rulemaking, timelines that
11 we need to consider, and I don't know if you want to do that now,
12 because it could apply for both documents. Andy, are you prepared
13 to do that?

14
15 **MR. STRELCHECK:** So I'm going to turn things over to Frank here to
16 talk about Amendments 58A and B timing.

17
18 **MR. HELIES:** Thanks. So, 58B, looking at the action schedule,
19 were we planning on going final in April? So, generally,
20 rulemaking is six to nine to twelve months, depending on
21 complexities. We can expedite the rulemaking for these actions,
22 if we put a lot of work in, and a lot of it also depends on how
23 long it takes for the council staff and our team to finalize the
24 amendment that gets submitted for formal review.

25
26 These are plan amendments, and so it requires NOA, which is an
27 additional fifteen-day comment period on top of the thirty days,
28 and so forty-five days and a thirty-day comment period during the
29 proposed rule stage, and so that takes a little bit longer than if
30 we were dealing with framework amendments.

31
32 58B doesn't implicate a new IFQ issue, and so we can likely
33 complete that a little faster than 58A. I want to allow Jessica
34 to speak to the IFQ piece, because she's the expert on IFQ timing,
35 if she can, for 58A. Thanks.

36
37 **DR. JESSICA STEPHEN:** So 58A is going to have significant changes
38 to the technology, the kind of database, and the views that the
39 fishermen have, and so, when we're looking on significant changes
40 to creating the new share categories and all that, at a minimum,
41 we probably need six months development time, and so we would need
42 also to have kind of the final rule, and all the choices, really
43 selected to build that development and make sure that we're
44 building exactly to what the council has suggested. I'm happy to
45 take any questions about development time.

46

1 **CHAIRMAN FRAZER:** So just, again, you know, 58B and A have slightly
2 different timing, right, and so 58 A, or B, the way it sits on the
3 books right now is final in April, and 58A sometime after that,
4 potentially in June or in August, and so then, given the timing
5 that Frank and you just talked about, and so that's 2025, right,
6 and a year of time puts it in 2026, but it would have to take
7 effect in a fishing year, and so we're actually not talking about
8 an implementation of this rule, or amendment, until 2027.

9
10 **DR. STEPHEN:** Yes, and so I'm going to say shallow-water and
11 deepwater, because I have to admit that 58A and B gets confusing.
12 Deepwater grouper doesn't require a lot of development or code
13 changes. We have, on the books, that, if we anticipate reducing
14 the quota, we can hold that back, as long as the rule becomes final
15 before, I believe, June 1st of that year, right, and so, if we're
16 a little bit delayed on the implementation for deepwater grouper,
17 and it's just reducing the quota, we can reduce that and have it
18 effective in 2026.

19
20 When you're talking the shallow-water grouper, because we're
21 creating new share categories, getting rid of the old ones, that
22 needs to start at the start of the year, and so most likely is
23 that one won't go into implementation until 2027.

24
25 **CHAIRMAN FRAZER:** Thank you for answering those questions, Dr.
26 Stephen. Dr. Simmons.

27
28 **EXECUTIVE DIRECTOR SIMMONS:** Thank you. Mr. Chair. Thank you so
29 much, Jessica. We haven't really had a chance to talk about this
30 in detail at the IPT meeting, and so sorry if I'm putting you on
31 the spot. Is it possible -- If 58A is not far enough along, and
32 we know we're going to have to separate into two subcomplexes,
33 that that work could begin, at perhaps the public hearing draft
34 stage, when the alternatives are quite stable, and we know those
35 changes are going to occur, before the rulemaking process, or is
36 that not possible?

37
38 **DR. STEPHEN:** So, as soon as we're kind of sure the preferreds,
39 will probably start sketching out all the different aspects in the
40 code that need to get changed, all the different parts. My concern
41 is, if anything changes, and I don't want to waste development
42 work and I'll be honest. I have one developer, and that's it, and
43 so I also want to give a timeline if anything would happen that we
44 wouldn't expect within it. Rushing to get it done by 2026 has me
45 evaluating the risks, and the risks seem pretty high to me.

1 **CHAIRMAN FRAZER:** Dr. Froeschke.
2
3 **DR. FROESCHKE:** Just thinking about evaluating the risks, I guess
4 the other side of the coin is that, absent implementation of this
5 program, we are likely, very likely, to be overfishing scan, and
6 that -- I mean, at minimum, we're talking that would be two more
7 years, this year and -- I mean, the terminal year of the assessment
8 was 2021. You're talking 2022, 2023, 2024, 2025, and 2026 of
9 overfishing, and the projections from the SSC ended in 2026.
10
11 Then you're going to have all the FES allocation, and, I mean, at
12 some point, I don't see how we wrangle all that into an amendment,
13 and I guess that's what I'm really struggling with at the time.
14
15 **CHAIRMAN FRAZER:** Okay, and so we're going to talk about shallow-
16 water, and so let's hold off on the timing for that for right now.
17 Jessica, thanks for answering these questions. I think we know
18 where we are with regard to deepwater, and we have some work to do
19 behind the scenes, and we can bring it back in Full Council. I
20 think we're probably at a good stopping point for this one. J.D.
21
22 **MR. DUGAS:** I have one more question, Dr. Frazer. I was waiting
23 for you to finish.
24
25 **CHAIRMAN FRAZER:** Go ahead.
26
27 **MR. DUGAS:** Maybe for Dr. Walter, or the SSC, I'm not sure, but,
28 going back to Action 1, my question is, between 30 and 40 percent
29 SPR, at what point do we cross the line to be overfishing? Is it
30 closer to 30 or closer to 40?
31
32 **CHAIRMAN FRAZER:** John.
33
34 **DR. WALTER:** I can get those numbers, because I think it looks
35 like it's about halfway. I think that F went from 0.06, which is
36 taking about 6 percent of the stock. Under F SPR 30, it's 0.044,
37 and so it's about a 28 percent reduction in the rate at which you
38 can fish the stock, going from 30 to 40. I think we're at -- I'm
39 not sure what our current F is, but I think it's like 0.047, and
40 so it's probably that we were -- It was really going down to that
41 SPR 40 that put us in the overfishing situation.
42
43 **CHAIRMAN FRAZER:** J.D.
44
45 **MR. DUGAS:** But would it be fair to say 35 percent could be
46 analyzed?

1
2 **DR. WALTER:** Unfortunately, I think the SSC has already given their
3 advice, and so I think, from that standpoint, and usually they
4 evaluate it from the basis of what the life history would suggest,
5 and not necessarily what would be convenient to not be overfishing,
6 and so I think that's the path at which they evaluate that, and
7 usually the proxy of F SPR 40 is what has come up as the best
8 approximation for what FMSY is for a stock like that.

9
10 **CHAIRMAN FRAZER:** All right, and so I think, J.D., if it's okay
11 with you -- Have you got a quick one, Kevin?

12
13 **MR. ANSON:** I do, before you leave this agenda item, if you don't
14 mind. In Action 3, I just would like maybe some consideration on
15 clarification to the note that's provided there under the
16 Alternative 1 of "since it is impossible to verify how much
17 commercial ACL has been landed". Perhaps change that to "since
18 it's impossible to know when the allocation is landed", because we
19 monitor the landings, you know, through the commercial IFQ program,
20 and so that's known at that point in time. It's just the allocation
21 is distributed at the beginning of the year, and you don't know
22 when the allocation is used throughout the year. That's just a
23 just a small note.

24
25 **CHAIRMAN FRAZER:** Thanks, Kevin, for paying attention to that.
26 All right. Mr. Chairman.

27
28 **MR. DUGAS:** Thank you, Dr. Frazer. We're going to take a break,
29 and let's say fifteen minutes, 10:35.

30
31 (Whereupon, a recess was taken.)
32

33 **CHAIRMAN FRAZER:** We are going to move to Modifications to Lane
34 Snapper Minimum Size and Recreational Bag Limits. That's Tab B,
35 Number 6 in your briefing materials, and, Ms. Sarah Gardiner, if
36 you can take us through the action schedule and the presentation.

37
38 **PRESENTATION: MODIFICATIONS TO LANE SNAPPER MINIMUM SIZE AND**
39 **RECREATIONAL BAG LIMITS**
40

41 **MS. SARAH GARDINER:** Thank you. I'll be providing an update
42 presentation for the analysis to modify lane snapper minimum size
43 and recreational bag limits. Currently, lane snapper is not
44 managed with sector-specific annual catch limits, but, recently,
45 the recreational sector has expressed an interest in maintaining
46 a year-round fishing season, as the fishery has been closing late

1 in the year, due to landings exceeding the ACL in recent years.

2
3 Thus, the council directed staff to develop management options
4 that aim to extend the fishing season. Additionally, there's been
5 some feedback from stakeholders reporting increased lengths of
6 lane snapper being landed, and, in response to the positive
7 feedback about the stock, and to be more responsive to the stock's
8 management needs, the council requested an interim analysis for
9 lane snapper at the June 2024 meeting.

10
11 The committee should evaluate the presented draft actions, and
12 purpose and need, and the accompanying analyses that we have, ask
13 questions, and make recommendations to staff, as appropriate.

14
15 **CHAIRMAN FRAZER:** If we could pull up that presentation. It's all
16 yours, Sarah.

17
18 **MS. GARDINER:** Thank you. Before I get started on the meat of the
19 presentation today, I do want to provide an update on the timeline
20 and some history and landings for the stock, and so I'll kind of
21 be walking through those, and then we'll walk through the draft
22 purpose and need as well as the draft actions on the table today.

23
24 As many of you are aware, this action came about due to a recent
25 increase in stock condition and recent landings that resulted in
26 exceeding the ACL for lane snapper from 2019 to 2023, and, as we
27 heard in our presentation yesterday about landings, we're on the
28 same trend for 2024 as well.

29
30 The current accountability measure for this stock, just to note,
31 is to close the season if the ACL is exceeded, or projected to be
32 exceeded, in any given year. Additionally, National Standard 1 of
33 the Magnuson-Stevens Act requires that the council should consider
34 management measures to prevent overfishing, and, given the recent
35 overfishing status in recent years, the council put forth the
36 motion, in June 2024, to evaluate size limits and bag limits that
37 may aid in staying within the ACL.

38
39 This is the current timeline and kind of where we're at today, and
40 so, as I noted, the motion came forth in June. We had a meeting,
41 an IPT meeting, in September, where staff brought forth the drafted
42 purpose and need and action alternatives, and the IPT was able to
43 provide feedback. I'll be presenting those today, to you all, so
44 that you guys can provide feedback as well.

45
46 Unfortunately, we weren't able to incorporate any analysis for

1 this meeting, and so I just have a presentation to provide a pulse
2 update, or a pulse check, as to where we're at with analysis, and
3 I'll be bringing back the full analysis in January 2025 for council
4 review.

5
6 I want to provide some information on current landings for the
7 stock. As we can see, there is an increase in landings in 2016,
8 and I do want to note just a brief typo on this figure. I
9 apologize, and so the black line should be ACL in FES, whereas the
10 gray should be ACL in CHTS, and so apologies for that, but we do
11 see an increase in landings since 2016.

12
13 We had closures for the fishery in 2019, 2021, and 2022. In 2021,
14 there was the amendment to increase the ACL to 1,128,000 pounds
15 whole weight, due to the changes that were being observed within
16 stock status, and it revised the accountability measures for that
17 stock. Most recently, in 2024, in October, the final rule went
18 through to amend the ACL, to increase it about 60,000 pounds of
19 allowable harvest, and you can see that slight uptick in the figure
20 on the right.

21
22 By and large, the fishery has experienced increased landings
23 compared to historical values. There are a few thoughts as to
24 what's driving the stock increase, or the increase in landings,
25 but it's challenging to pinpoint exactly what's causing the
26 increase in landings.

27
28 Some of the thoughts around why these increases in landings have
29 been occurring is that there's just an overall increase in stock
30 size, and so the recent interim analysis, in 2021, that increased
31 the ACL, and showed that the stock was performing fairly well, and
32 doing well, and increased the ACL accordingly.

33
34 The other thought is that there may be an expansion in the
35 geographical distribution of the stock, and so maybe just more
36 catches throughout the entirety of the Gulf of Mexico, rather than
37 concentrated along the Florida coast, and then, lastly, just
38 potential for angler behavior changing due to the differences --
39 The fishery closures at different times of year, and so maybe more
40 individuals are targeting lane snapper, whereas previously they
41 had been fishing for other species.

42
43 I want to walk through the current regulations that are in place.
44 I have the OFL, ABC, and ACL listed at the top of this slide. The
45 ACL does reflect the 2024 increase of 60,000 pounds, and so that
46 is up-to-date.

1
2 The current size limit for lane snapper is eight inches total
3 length, and I've already kind of reviewed the accountability
4 measures, but I do want to highlight that there was that change in
5 2021 to now, where the accountability measure just closes the
6 fishery for the remainder of the season, rather than implementing
7 a subsequent season closure.

8
9 The bag limit for lane snapper, they're included in the aggregate
10 reef fish bag limit. I do want to note that they're not in the
11 snapper bag limit, and so that's kind of why I have both on the
12 slide here, but there's no limit on lane snapper within the reef
13 fish aggregate bag limit, and so you could potentially be taking
14 twenty lane snapper daily if you wanted.

15
16 For the remainder of the presentation, I want to walk through the
17 purpose and need and draft alternatives that staff put together,
18 based on the IPT feedback from September, and we were able to come
19 up with the following purpose.

20
21 The purpose is to modify current management measures to prevent
22 overfishing. In recent years, the ACL has been exceeded, resulting
23 in early recreational season closures. Stakeholders have
24 expressed an interest in additional management measures that may
25 reduce early season closures. The need is to prevent overfishing,
26 giving landings exceeding the ACL in recent years. Management
27 measures such as bag and size limits, aid in achieving optimum
28 yield, consistent with the requirements of the National Standard
29 1 of the Magnuson-Stevens Fisheries Conservation and Management
30 Act.

31
32 Now I'll walk through the draft actions. We've kind of split this
33 action into two different actions, and so the first being to modify
34 the size limit for commercial and recreational Gulf lane snapper.
35 Alternative 1 is the no action, or status quo, alternative, and so
36 that would retain the eight-inch size limit for lane snapper.
37 Alternative 2 would implement a ten-inch total length size limit,
38 and Alternative 3 would implement a twelve-inch total length size
39 limit. I do want to note that the size limit applies to both the
40 recreational and commercial sectors.

41
42 The rationale behind the size limits, for Alternative 2 and 3,
43 stems from the size of maturity for the stock, and so I pulled two
44 recent papers discussing the size at maturity for lane snapper.
45 The 2014 paper was used in SEDAR 49, and so the most recent stock
46 assessment for the stock, and then I pulled the Fernandez et al.

1 in 2022, as more of a more recent paper, but both of these highlight
2 that the L50, for females and males, based off the 2014 paper, was
3 9.1, and the males were 9.5. 2022 had slightly higher numbers for
4 size of maturity at 50 percent, with females being at 10.7 inches
5 and 11.1 inches, and all these are in total length. Those provide
6 a justification for the Alternative 2 and 3 that were presented.

7
8 Action 2 would be modifying the bag limit for recreational Gulf
9 lane snapper. Alternative 1 is our status quo no action
10 alternative, which would retain the Gulf lane snapper within the
11 Gulf reef fish aggregate bag limit of twenty reef fishes, and so
12 no additional limit on Gulf lane snapper. Alternative 2 would
13 increase the limit for two Gulf lane snapper within the aggregate
14 bag limit. Alternative 3 would implement a bag limit of five for
15 Gulf lane snapper. Alternative 4 would implement a bag limit of
16 ten, and Alternative 5 would implement a bag limit of fifteen.

17
18 I just wanted to provide a refresher on the current reef fish
19 aggregate bag limit regs. Under Alternatives 2 through 5, there
20 would be an additional limit put on Gulf lane snapper, as seen in
21 the right-hand column of the table. It would appear similar to
22 vermilion or gray triggerfish, where there exists an additional
23 limit specific to lane snapper within the aggregate reef fish bag
24 limit of twenty fishes.

25
26 Next steps, and so we're at the November 2024. As I mentioned,
27 this is just an update on the analysis, kind of a progress check
28 of where we're going. We have requested an analysis for the bag
29 and size limit and the implication that the proposed alternatives
30 would have on season length and landings, in comparison with the
31 ACL for all of the presented alternatives on the screen.

32
33 I also requested a size frequency distribution amongst landings,
34 if we have the data available for it, and so hopefully we can
35 include that for the document in January of 2025. We do plan on
36 having another IPT meeting once we get the analysis back, and then
37 this will be going in front of the Reef Fish AP as well.

38
39 Lastly, I'm just looking for any council input on the draft purpose
40 and need, or the action items on the table, or if there are any
41 additional analyses that the council, or the committee, wishes to
42 request before we bring this back in January. I'll take any
43 questions you may have. Thank you.

44
45 **CHAIRMAN FRAZER:** All right. Thank you, Sarah. Captain Walker.

1 **MR. WALKER:** Thank you for that, and I would say that, to me, the
2 two most important factors to consider here are the reduction to
3 ten fish, or even five fish, and I'm more at like ten. You know,
4 what impact would that have, and I don't know. Are many people
5 landing more than ten? Would it be one of those that really has
6 no impact if you cut it in half?

7
8 Perhaps, more importantly, to me, would be the frequency, the size
9 frequency, of landings that you mentioned. If we go to ten inches,
10 is that going to cut the catch in half, because there's a lot of
11 nine-inchers coming in, or are most of them twelve anyway, and so
12 those would be my two key factors for consideration here.

13
14 **CHAIRMAN FRAZER:** Okay. Thanks, Ed. Dr. Sweetman.

15
16 **DR. SWEETMAN:** Thank you for the presentation, Sarah. It was very
17 well done. I'm definitely looking forward to seeing what those
18 analyses look like. Certainly, I think the options that are on
19 the table are reasonable to look at here, but maybe we don't need
20 to do both, you know, if a bag limit, or a size limit reduction,
21 gets us the savings that we need in order to get this fishery under
22 control, and so I would be interested in seeing kind of how that
23 translates these reductions here into potential savings, I guess,
24 if you will, for the fishery, and so I appreciate that. I'm
25 looking forward to seeing that.

26
27 I guess the one other thing that maybe I would potentially like to
28 look at is -- So we've got bag limit reductions within the reef
29 fish aggregate, but I'm also wondering, and what if we added lane
30 snapper to the snapper aggregate, and what that could potentially
31 do, and similar options that you have in there, and I think that
32 would probably be a little bit more restrictive, but I would just
33 be interested in seeing kind of what that would actually
34 potentially look like.

35
36 **CHAIRMAN FRAZER:** Sarah.

37
38 **MS. GARDINER:** Thank you. I think that's certainly doable. I
39 will note that, you know, if we add lane snapper to the snapper
40 aggregate bag limit, with a subsequent limit on lane snapper within
41 that limit, it may affect the limits, or the total catch, of
42 snapper of other species, and so that would be something to
43 consider, if that's something the committee or council wants to
44 do.

45
46 **CHAIRMAN FRAZER:** Okay. Any other suggestions? Ms. Levy.

1
2 **MS. LEVY:** Can we just look at the purpose and need, and maybe we
3 can talk about this in the IPT some more, because I feel like we
4 did talk about it, but then things were kind of like moving really
5 fast, because it seems a little bit inconsistent to me, and so it
6 says the purpose is to modify the management measures to prevent
7 overfishing, but what it's really been focused on is the
8 commercial, or the ACL being exceeded, resulting in early
9 recreational season closure, and so it doesn't seem, to me, that
10 the need, and the purpose, are necessarily to prevent overfishing.

11
12 I mean, everything we do is to prevent overfishing, but it seems
13 more geared towards constraining to the rec ACL, and then also not
14 having that early season closure, and so I think maybe we can just
15 think about that.

16
17 **CHAIRMAN FRAZER:** Dr. Froeschke.

18
19 **DR. FROESCHKE:** Yes, and maybe we didn't handle that correctly.
20 Part of, I guess, our rationale for setting it up this way is my
21 understanding of the AMs is that, if we're routinely exceeding
22 that ACL, as part of the AMs, that we're required to reevaluate
23 our management. The way it's written, I think we were trying to
24 accomplish that requirement. Again, you know, I don't have a
25 strong feeling about how it's done, but that was part of the
26 conversation.

27
28 **CHAIRMAN FRAZER:** Mara.

29
30 **MS. LEVY:** Yes, and so, when you exceed the ACL more than once in
31 a four-year period, you're supposed to reexamine the system of
32 ACLs and AMs, and so we can do that as part of this, but it's, to
33 me, not really geared towards the overfishing part, I guess. Like
34 I don't -- I mean, I think we might have exceeded the overfishing
35 limit a couple of years, maybe. I don't know, but it just seems
36 disjointed and like maybe we can somehow make it clearer that
37 extending the season, or not having early closures, is not
38 necessarily linked to the overfishing issue, but I don't know.

39
40 **CHAIRMAN FRAZER:** Mr. Strelcheck.

41
42 **MR. STRELCHECK:** I mean, I generally agree with Mara. I would say
43 that they're not mutually exclusive with one another either,
44 though, right, and so the overages that we've been seeing have
45 triggered the overfishing limit of being exceeded as well, right,
46 and so we have a very small buffer between the overfishing limit

1 and the annual catch limit, and so anything we do to constrain
2 recreational harvest, which represents a bulk of the total catch
3 limit here, will help us to also prevent overfishing, but I think
4 the purpose needs certainly could be reworked to better reflect
5 both of those points.

6
7 **CHAIRMAN FRAZER:** Dr. Froeschke.

8
9 **DR. FROESCHKE:** Just while we're on it, maybe a comment for Ms.
10 Levy. We did talk about, at least internally, about potentially
11 moving lane snapper to the snapper aggregate, rather than the reef
12 fish complex, and I'm just curious if you had any initial thoughts,
13 if there was some issue with that that we hadn't anticipated.

14
15 **MS. LEVY:** I don't know that there's a legal issue. I don't know
16 what the management implications are.

17
18 **DR. FROESCHKE:** Yes, and just these complexes, and redefining these
19 complexes seems problematic. I was just curious if we needed to
20 think about that.

21
22 **CHAIRMAN FRAZER:** Mara.

23
24 **MS. LEVY:** Maybe I didn't understand your question. We're not
25 making it a complex, right? We're just --

26
27 **DR. FROESCHKE:** No, but the bag limit is part of the reef fish
28 aggregate. I don't know if that's a complex. It's an aggregate,
29 but we're potentially discussing taking it out of one aggregate
30 and moving it to a different snapper aggregate. I never thought
31 about that, and so I just wanted to see if there was some larger
32 picture, if those aggregates are defined in some way that would
33 require a more extensive modification, and perhaps couldn't be
34 done through the framework process, or something like that, just
35 so we know.

36
37 **MS. LEVY:** Okay. I don't think that it's -- Like, from a legal
38 perspective, I think you're deciding how to manage recreational
39 harvest with the bag limit, whether it's in one aggregate or
40 another aggregate. We're still managing as a single stock, to a
41 single stock ACL, right, and so there's none of that like complex
42 issue, but, from a management perspective, what that means, in
43 terms of changing it from one aggregate bag limit to the other,
44 that would be something to look at, maybe why it was put in the
45 reef fish aggregate, as opposed to the snapper one, originally,
46 and I don't know the answer to that.

1
2 **CHAIRMAN FRAZER:** Okay. Any other suggestions from Ms. Gardiner?
3 Kevin.

4
5 **DR. ANSON:** I was just curious if there would be an opportunity to
6 do a decision tool for this one. Is it too complex, with the bag
7 limit species, the complex bag limit, and size limits, bag limits?

8
9 **CHAIRMAN FRAZER:** John.

10
11 **DR. FROESCHKE:** I think, if there's enough contrast in the data,
12 we could try to put one together. Sometimes these -- Like with
13 the Spanish mackerel, where they are really fifteen -- You had to
14 get all the way to three to see something, and then it's not really
15 worth it, but I guess we could take a look at it, and I think, if
16 it's beneficial, we'll try to put one together.

17
18 **CHAIRMAN FRAZER:** Okay. So, Sarah, do you think you've got what
19 you need here?

20
21 **MS. GARDINER:** Yes, and I think I can work with that.

22
23 **CHAIRMAN FRAZER:** All right. Excellent. Okay, and so we will go
24 ahead then and move on to our next agenda item, which is the Draft
25 Reef Fish Amendment 58A, which is Modifications to Shallow-Water
26 Grouper Management Measures. That would be Tab B, Number 7 in
27 your briefing materials, and I think Dr. Freeman is going to help
28 us out here.

29
30 **DRAFT REEF FISH AMENDMENT 58A: MODIFICATIONS TO SHALLOW-WATER**
31 **GROUPEr MANAGEMENT MEASURES**

32
33 **DR. MATT FREEMAN:** Great. Would you like for me to start with the
34 action guide?

35
36 **CHAIRMAN FRAZER:** That would be great. Thanks, Matt.

37
38 **DR. FREEMAN:** Perfect. So, for this item, council staff will
39 present updated management alternatives for modifying the other
40 shallow-water grouper complex. In light of recent stock assessment
41 advice, scamp and yellowmouth grouper, and black and yellowfin
42 grouper, are currently managed under a single ACL with a commercial
43 ACL and ACT specified to allow for the functioning of the shallow-
44 water grouper component of the commercial grouper tilefish IFQ
45 program.

1 Because OFLs and ABCs were specified explicitly by the SSC for the
2 aforementioned pairs of groupers, these species can no longer be
3 managed under a single complex, with one ACL, because of the
4 possibility of overfishing occurring on either pair.

5
6 Council staff will present revised actions for specifying the other
7 shallow-water grouper complex structure, IFQ share distribution,
8 status determination criteria, catch limits, sector allocations,
9 accountability measures, and closed seasons for the recreational
10 sector, and flexibility measures between other shallow-water
11 grouper and deepwater grouper. The committee should review the
12 information presented, ask questions, and make recommendations to
13 staff, as appropriate.

14
15 One question for the committee, before we dive into the document
16 itself. I know there was some discussion previously, under 58B,
17 in terms of timing of the documents. I did want to note that,
18 currently, on the action schedule, this document is not slated to
19 come back to the council in January, and so I didn't know if the
20 committee wanted to discuss any of that now, or any of the
21 information that they had heard from SERO, before going through
22 the actions, just to understand sort of the potential timeline.

23
24 **CHAIRMAN FRAZER:** Yeah, and so I appreciate that this is a very
25 complex document and there's been a lot of discussion about it. I
26 think, Matt, it would be helpful, and we certainly will revisit
27 that conversation, but I think if we could maybe just spin through
28 the action items in the document, at a fairly high level, right,
29 so people know what's involved, and then, if we could hold
30 questions, perhaps until we're done with that, and we can discuss
31 some of the bigger issues. Okay. It's all you.

32
33 **DR. FREEMAN:** Okay. So, Bernie, if you could go to the purpose
34 and need. Thank you. The purpose and need statements have been
35 revised. Last time I presented on this, it was when it was still
36 being potentially managed -- Or addressing deepwater grouper as
37 well.

38
39 The revised purpose statement is to modify the current management
40 measures and establish new management measures for the species
41 contained within the other shallow-water grouper complex in
42 response to the results of a recent stock assessment.

43
44 The need for these actions is to use the best scientific
45 information available, based on the recent stock assessment, to
46 implement measures to avoid future overfishing and to achieve OY

1 for the species considered herein, consistent with authority under
2 the Magnuson-Stevens Fishery Conservation and Management Act.
3 Unless there's any questions, we'll go ahead and dive into Action
4 1.

5
6 Action 1 really is not -- We're not very much from what the
7 committee saw in August. We have two alternatives. The first is
8 to maintain the current composition of the other shallow-water
9 grouper complex, which contains scamp, yellowmouth grouper, black
10 grouper and yellowfin grouper.

11
12 In doing so, we would maintain the IFQ share category associated
13 with the other shallow-water grouper complex. There's a note, at
14 the bottom of the alternatives, which, again, the committee saw
15 this in August. Alternative 1 would be inconsistent with the best
16 scientific information available and would not be considered a
17 viable alternative.

18
19 Alternative 2 would dissolve the other shallow-water grouper
20 complex and form two new complexes from the remaining species.
21 The first is a scamp and yellowmouth grouper complex, and the
22 second is for a black grouper and yellowfin grouper complex.

23
24 As a result, two new IFQ share categories would be created for
25 those two complexes. Through the rest of the document, we will
26 refer to the scamp and yellowmouth grouper complex as the scamp
27 complex, being as that's the majority of the landings, and one for
28 the black grouper and yellowfin grouper complex, again for the
29 same rationale, referring to it as the black grouper complex, going
30 forward.

31
32 Shares would be distributed such that shareholders will receive
33 the same percentage in each of the two new categories that they
34 held upon dissolution of the other shallow water grouper complex.
35 Would you like for me just to kind of hit through each of the
36 actions, for overview, and then take questions?

37
38 **CHAIRMAN FRAZER:** I think that would be best, Matt.

39
40 **DR. FREEMAN:** Okay. Wonderful. Action 2 establishes biological
41 reference points and status determination criteria for those two
42 complexes. Alternative 1 would not establish MSY, MFMT, MSST, or
43 OY for those new complexes established in Action 1. Alternative
44 2 would basically apply what's existing currently with the other
45 shallow-water grouper complex to both complexes.

1 Bernie, if you can scroll down just a little bit, these are shown
2 in that table below, and so, with Alternative 3, the MSY, MFMT,
3 MSST, and OY for the new black grouper complex, again, will look
4 identical to what's currently being applied to other shallow-water
5 grouper.

6
7 The main difference here, when you're comparing, in that table,
8 Alternative 2 and Alternative 3, is that, as a result of the MSY
9 proxy, MFMT, MSST, and OY for the scamp complex being based on the
10 SSC recommendations, what you'll see is, under Alternative 3 for
11 the scamp complex, MSY is now going to be yield when fishing at a
12 40 percent spawning potential ratio, instead of what's currently
13 at a 30 percent spawning potential ratio. Otherwise, there are no
14 differences, compared to what would exist under Alternative 2.

15
16 Bernie, if we can move forward to Action 3. Action 3 would
17 establish the stock complex OFL and ABC for both the scamp complex
18 and the black grouper complex. Alternative 1, our no action, would
19 not establish catch limits for either of the two complexes
20 established in Action 1. Alternative 2 would establish catch
21 limits for the scamp complex based on the SSC's recommendations
22 from SEDAR 68, and those are provided in that first table, the OFL
23 and ABC values.

24
25 Then next is establishing the catch limits for the black grouper
26 complex, using the time series for each as recommended in the
27 Generic ACL/AM Amendment, using the Gulf Council's apportionment
28 of black grouper based on SSC's recommendation, and those catch
29 values are in that second table. You'll note that the OFL for
30 this complex is not defined, due to incompatible OFLs, as a result
31 of the black grouper OFL being for the Gulf and South Atlantic
32 combined, while yellowfin OFL is for the Gulf.

33
34 Action 4 would establish ACL and sector allocations for the scamp
35 complex and the black grouper complex. Alternative 1, our no
36 action, would not establish sector allocations for either of those
37 two complexes.

38
39 For Alternatives 2 through 4, we've put, in bold, basically what
40 the differences are across those alternatives, and that's applying
41 specifically to the scamp complex. In Alternative 2, we would be
42 establishing sector allocations based on apportionment of the
43 stock ACL to the commercial sector established in the Generic
44 ACL/AM Amendment. As a result, the commercial sector would be
45 allocated 8.1 percent of the scamp and yellowmouth grouper combined
46 ACL, and the rec sector would be allocated 19.9 percent.

1
2 We move into Alternative 3, and the scamp complex allocations are
3 based on landings for 2012 through 2023, excluding the 2020 COVID
4 year, and that would result in a split of 38.6 percent for the
5 commercial sector and 61.4 percent for the recreational sector.

6
7 Alternative 4 would establish commercial and recreational
8 allocations for the scamp complex, between the commercial and
9 recreational sectors, basing down the three most recent years of
10 landings, 2021 through 2023, and the scamp complex ACL would be
11 split 29.7 percent commercial and 70.3 percent recreational. As
12 I mentioned, the black grouper and yellowfin grouper ACL, in
13 percentages, would not be changing across those three.

14
15 So, Bernie, if we can move to the next page, for Table 2.4.2, this
16 shows, across Alternatives 2, 3, and 4, what those resulting sector
17 allocations would be between commercial and rec. As mentioned,
18 you'll see, for black grouper, 73 percent to the commercial, 27
19 percent to rec, and that's maintained under all three of those
20 alternatives.

21
22 Yellowfin grouper would be 80.1 percent commercial, 19.9 percent
23 rec, and, again, the two of those combined make up that new black
24 grouper complex, and then the scamp complex is where we see those
25 differences across those three alternatives.

26
27 Bernie, if we can scroll down just a little bit more to Table
28 2.4.3, and, again, we can revisit this when we go through it in a
29 little bit more detailed discussion with questions, but we've
30 outlined, for the black grouper complex, as well as for the scamp
31 complex, what the stock complex ABC would be, the stock ACL, and
32 then the commercial ACL and rec ACL across Alternatives 2 through
33 4 for those two complexes. Again, under the black grouper complex,
34 those values aren't changing from Alternatives 2 through 4. It's
35 with scamp complex where we're seeing the different percentages
36 for sector allocation that is impacting those values.

37
38 Action 5 will establish sector ACL and ACT buffers for the scamp
39 complex and the black grouper complex. Alternative 1, no action,
40 would not establish sector buffers between the ACL and ACT for
41 either complex. Alternative 2, for the scamp complex, we would
42 establish a buffer between the commercial allocation of the ACL
43 and ACT at 4 percent, and that's what's currently established in
44 the Generic ACL/AM Amendment. The commercial ACT would be equal
45 to the commercial quota there.

46

1 For the scamp complex, we would establish a buffer of 18 percent
2 between the rec ACL and the rec ACT, using the council's ACL/ACT
3 control rule, and manage the recreational sector to this ACT. For
4 the black grouper complex, there would also be established a buffer
5 between the commercial allocation of the ACL and ACT at 4 percent,
6 and, again, that's what's currently established in the Generic
7 ACL/AM amendment, and, similar to the other complex, the commercial
8 ACT would be equal to the commercial quota.

9

10 For the black grouper complex, we would not establish an ACT for
11 the recreational sector and simply manage the rec sector to its
12 sector ACL. Bernie, if we can scroll down to Table 2.5.1, at the
13 bottom of this page, and so that right there shows, under
14 Alternative 2, what those resulting buffers would be.

15

16 So, Bernie, if we can move to the next page, Table 2.5.3, and we
17 can go, again, into more detail here with the discussion, but I
18 did break out, for the scamp complex, catch limits, both for the
19 commercial ACL and ACT as well as for the rec ACL and ACT, and how
20 those would differ depending on the sector allocations from Action
21 4. Again, we had Alternatives 2 through 4 that varied those sector
22 allocations, which would impact the resulting commercial and rec
23 ACLs and ACTs.

24

25 Bernie, if we can move down to Action 6, and so this establishes
26 a recreational sector accountability measure for the scamp complex
27 and the black grouper complex. Alternative 1 would not establish
28 rec sector AMs for either complex.

29

30 For Alternative 2, recreational fishing would close, for the scamp
31 complex, when NMFS projects that the recreational ACT, as
32 established in Action 5. is met, and recreational fishing would
33 close, for the black grouper, complex when NMFS projects that the
34 recreational ACL, as established in Action 4, is met. Just as a
35 reminder from that previous action, we're not establishing a rec
36 ACT for the black grouper complex.

37

38 We can move forward to Action 7, and so here we would establish a
39 fixed recreational closed season for the scamp complex and the
40 black grouper complex. Alternative 1 would not establish a fixed
41 closed season for the rec sector for either complex.

42

43 Alternative 2 here, sort of focusing in on sort of a key takeaway,
44 the scamp complex would be closed from January through April each
45 year, and, in essence, open May 1st through December 31st, or require
46 closure based on when that rec ACT is projected to be met.

1
2 Alternative 3 for the scamp complex, it would be open from July
3 1st until December 31st, or, again, would require closure based on
4 when that recreational ACT is projected to be met. Those are our
5 seven actions, as sort of a high-level overview, and so I will
6 hand it back over to the chair for questions and discussion.

7
8 **CHAIRMAN FRAZER:** Thank you, Dr. Freeman. Are there any questions
9 from the council? Dr. Sweetman.

10
11 **DR. SWEETMAN:** Not necessarily a question, or, well, I guess it
12 will be a question towards the committee here. Just relative to
13 the timing update that we had heard previously on this, so, you
14 know, bigger-picture context here. Initially, when the council
15 started working on this, you know, our objective was to try and
16 keep these complexes together. You know, that was that was what
17 we tried. We obviously have an assessment where we've got FES
18 units for scamp, and then we've got MRFSS units for the other
19 remaining complex, and so I can understand why the thought is that
20 you need to split those out there.

21
22 Given what we just heard about how this rule, given the
23 complexities of this, and it wouldn't actually be implemented until
24 2027, when we also have a black grouper assessment coming down the
25 pipeline next year, which things will be converted into FES units
26 there, and so you no longer have those data discrepancies, and we
27 don't have overfishing occurring here, and so there's no --

28
29 Well, I understand we've got the recommendations along those lines,
30 and there's no timeline, from a statutory deadline there, and so
31 I'm wondering what the added value here is to even move forward on
32 this document here, when we will have a much clearer picture and
33 be able to accomplish the goals that the council was initially
34 trying to accomplish with trying to keep these complex this complex
35 together. I'm just posing that, I guess, out here for the
36 council's, the committee's, discussion and consideration here,
37 because I don't think that there's a lot in this here, and I think
38 that we might be moving forward on some stuff a little bit
39 preemptively, when we have another big piece to the puzzle coming
40 down the pipeline next year, and given when we can actually
41 implement this rule. I think that all kind of factors into the
42 discussion. Thank you.

43
44 **CHAIRMAN FRAZER:** Captain Walker.

45
46 **MR. WALKER:** I agree with Dr. Sweetman, particularly since this is

1 not overfished or undergoing overfishing, and there's more updated
2 information, before we make really rash decisions on it. I would
3 like to get the information I can, and so I agree.
4

5 **CHAIRMAN FRAZER:** Any other thoughts? Dr. Froeschke.
6

7 **DR. FROESCHKE:** A question for Dr. Sweetman. On the black grouper
8 management strategy evaluation, if and when that resulted in
9 management advice, do you anticipate that would be in SRFS or FES?
10

11 **DR. SWEETMAN:** I think it ultimately depends on how that assessment
12 deals with it, but, obviously, the thought process there is to
13 look into SRFS there, but, once that -- Until that assessment is
14 completed, I can't really say which unit is going to be utilized
15 there.
16

17 **DR. FROESCHKE:** Just as a follow-up, is it going to be an
18 assessment, or is that going to be part of the management strategy
19 evaluation? Are those using those interchangeably, or is there
20 actually going to be a stock assessment?
21

22 **DR. SWEETMAN:** It's the management strategy evaluation, but SDC
23 going to be determined within that.
24

25 **CHAIRMAN FRAZER:** Mr. Strelcheck.
26

27 **MR. STRELCHECK:** I appreciate C.J.'s thoughts on this. I guess my
28 concern is we do have ABC advice, right, from the SSC. We have
29 landings that we know are exceeding that ABC advice at this point,
30 and so inaction means that this gets delayed even further beyond
31 potentially 2027, given we're waiting on black grouper.
32

33 One of the ideas that I've been tossing around, with my team, is
34 is there kind of a hybrid that we could potentially consider here,
35 where we could do something to reduce the catch limit for other
36 shallow-water grouper in 2026, to allow time for the complexes to
37 be split and built into 2027, right, and I know that, if we reduce
38 the other shallow-water grouper in 2026, it wouldn't necessarily
39 constrain catch limits, based on that ABC advice, because it's
40 still encompassed within the complex, but it would at least lower
41 fishing mortality relative to, obviously, that new advice.
42

43 I toss it out there, because I do have concerns, and frustration,
44 with the length of time it takes for us to implement these things
45 when we're dealing with an IFQ program, and I would hate to just
46 take this amendment entirely off the table and not move forward

1 with something.

2

3 **CHAIRMAN FRAZER:** I'm looking around the table, Andy. Captain
4 Walker.

5

6 **MR. WALKER:** I'm not really sure what you just said, Andy, and
7 could you -- I'm trying to process it, but if we're being honest
8 here, and I listened to you, but I didn't I didn't grasp it. Could
9 you give me another version of that?

10

11 **MR. STRELCHECK:** So, right now, we have everything in a complex,
12 right, and we're splitting that complex into two. The thought
13 would be kind of a step-wise approach, where, if we could move
14 forward with this amendment, we would lower the catch limit for
15 the complex in 2026, as it stands right now, and set whatever
16 recreational management measures, and then 2027 comes around, and
17 it gives us the time to make the changes to the IFQ program, and
18 that's where we split the complex and implement the new share
19 categories.

20

21 **CHAIRMAN FRAZER:** I was going to say -- Maybe he already clarified
22 things, and we'll see. Requesting a fly-by. Dr. Sweetman.

23

24 **DR. SWEETMAN:** Just a question for you there, Andy, just so I can
25 understand it. So would the thought there be, because we have the
26 different data units between -- You're trying to keep the complex
27 together for this upcoming year, right, but you would lower the
28 catch level for that complex. You've got MRFSS, and you've got
29 FES, and so how would you navigate that? Would you just do some
30 sort of calibration for black grouper and that other stock, to get
31 it into FES units, so you can actually keep it together under one
32 ACL? I'm just -- I'm wondering how that would work.

33

34 **MR. STRELCHECK:** I mean, this is the danger of, you know, spit-
35 balling things on the fly here, but I guess there's one potential
36 way where -- The real bottleneck is the commercial program, right,
37 and so could we do it for the commercial sector, as another
38 shallow-water grouper quota reduction, and the recreational would
39 essentially have the split-out in 2026, and then, in 2027, the
40 commercial program has it, but I don't -- I don't know if that's
41 even feasible, right, but there's -- The big issue is just the
42 timing and how long it takes to implement these changes, and,
43 whenever you're making a change to the IFQ program, we need some
44 lead time to, obviously, convert the system.

45

46 **CHAIRMAN FRAZER:** Dr. Froeschke.

1
2 **DR. FROESCHKE:** Well, I think we talked about this last time, but,
3 I mean, what I've suggested before, and it still seems consistent
4 with this is you try to figure out what the percent reduction for
5 scamp is between the current assessment and what we have now, and
6 you would have to sort out the currency, but say it's a 50 percent
7 reduction in landings, and I don't know what it is.

8
9 Then just take that 50 percent and make it relative to the current
10 catch limits we have in place, in the same currencies, and you
11 would just reduce the shallow-water grouper landings complex by
12 that percentage and be done with it. I suspect that it wouldn't
13 be precise, but I think it would be -- It would accomplish what
14 you're trying to do.

15
16 **CHAIRMAN FRAZER:** Do you still have your hand up, Carrie?

17
18 **EXECUTIVE DIRECTOR SIMMONS:** Thank you, Mr. Chair, and so I guess
19 I'm a little frustrated. I feel like we waited eight months, and
20 talked about this with the IPT, and thought about all kinds of
21 ways to try to keep the complex together, and we have new science,
22 which is becoming old science, and we thought we had a path
23 forward. We tried to streamline the document. I mean, I guess my
24 question is what would have happened if this was overfished? What
25 will we have done, with a system that takes so long to modify? I
26 mean, we would have been in a real pickle.

27
28 **CHAIRMAN FRAZER:** Mr. Strelcheck.

29
30 **MR. STRELCHECK:** Right, and so the other path, right, but is maybe
31 not attainable right now, is trying to get this done between now
32 and April and bring it back to the January meeting, right, but
33 that would at least maximize the amount of time for rulemaking and
34 development time, but it's still, you know, a challenge to,
35 obviously, do the technological changes.

36
37 In terms of your comment about overfished status, you're right. I
38 mean, that's the complexity we have with these IFQ systems, and
39 especially when there's a substantial change being made in the
40 system.

41
42 **CHAIRMAN FRAZER:** All right. A bit of a pickle there. You know,
43 when I look at the action schedule here, and, again, this is an
44 issue that needs to go before the AP, at their December meeting,
45 and it's not scheduled to come back to the council until April,
46 and there's really kind of two decision points, right, and you can

1 perhaps take the advice that Dr. Froeschke provided as one, and
2 then the other -- Maybe that's the only advice that's viable, to
3 be honest with you. Andy, I'm kind of looking at you.
4

5 **MR. STRELCHECK:** There is sentiment, obviously, to table this
6 action, not move forward with it. There's the idea of how do we
7 move forward and try to do something by 2026, right, at least kind
8 of a viable path. I guess my preference would be for us to walk
9 through and at least discuss the actions in this document, without
10 just setting it aside entirely, and see if, between now and the
11 end of Full Council, we can come up with a clearer path, in terms
12 of how to implement this by 2026, if that's feasible, and, if not,
13 then we'll change course.
14

15 **CHAIRMAN FRAZER:** I guess, based on the information that Frank
16 provided when we had the discussion on 58B, or the deepwater, and
17 then Dr. Stephen as well, I mean, it's feasible to move the
18 deepwater through, to get something happening in 2026, regardless.
19 Because of the complexity of this document, it doesn't seem like
20 that's possible.
21

22 I guess what I'm asking is, in the background, can we --
23 Recognizing that, ultimately, you're going to have two complexes,
24 and that's a reality, and what work do you need to do, behind the
25 scenes right now, to figure out how that's going to work in the
26 IFQ kind of world, and maybe that's -- That's not clear, to me at
27 this point anyway, and maybe that's the next step, just to make
28 sure there's clarification on the process moving forward and bring
29 that back to the council as part of this in April, I would think,
30 but just, again, a suggestion.
31

32 I mean, there's seven action items in this document, and they're
33 pretty standard, but, again, there's some issues we've talked
34 about. For example, why do we have a 40 percent SPR for yellowedge,
35 right, and, until we get an assessment on black grouper, for
36 example, we've got kind of some inconsistencies there.
37

38 We've got a 40 percent SPR for scamp, and an existing 30 percent
39 SPR for black grouper on the books, but we know that we're going
40 to have a new assessment, right, and that's likely to change too,
41 and so I think that the nuts and bolts of kind of the typical
42 management actions are there. I don't think those actions are
43 going to change. What I don't have a good feel for is how this is
44 all going to affect the IFQ side of things, right? Ms. Levy.
45

46 **MS. LEVY:** I'll just -- I'm a little bit concerned with the idea

1 of waiting for black grouper when, to me, it's not clear when that
2 would be completed. We don't know what it would show, and then we
3 have to coordinate with the South Atlantic Council, because it is
4 a stock that spans both councils' jurisdictions.

5
6 Then not only are you dealing with the IFQ system, but you're
7 dealing with the apportionment between the two jurisdictions, and
8 I just see this rolling into the 2030s, at this point, and like we
9 have information related to scamp, and we should be acting on the
10 best information we have, which is what this document is doing,
11 right? Yes, black grouper is going to happen at some point, but
12 waiting for black grouper to happen, and for that to sort itself
13 out, just doesn't really seem like a viable path to me.

14
15 **CHAIRMAN FRAZER:** A couple of hands are up already. Ed.

16
17 **MR. WALKER:** Just to that point, I think it would be more urgent
18 if it was overfished, or undergoing, but it's not, and so, because
19 of that, I'm a little more comfortable with gathering a little bit
20 more data.

21
22 **CHAIRMAN FRAZER:** Ms. Levy.

23
24 **MS. LEVY:** Well, to that point, the only reason for that is that
25 we haven't done anything, meaning, if we were actually to be using
26 what the SSC recommended for scamp, it would likely be undergoing
27 overfishing, but, because we haven't adopted it yet, yes, we
28 haven't made that determination, but there's a stock assessment
29 out there that says we need to reduce catch levels from what they
30 are now, or it would be undergoing overfishing.

31
32 **CHAIRMAN FRAZER:** Dr. Simmons.

33
34 **EXECUTIVE DIRECTOR SIMMONS:** Thank you, Mr. Chair. We were
35 supposed to get, I think, a status update on the black grouper
36 management strategy evaluation during the October SSC meeting, and
37 we couldn't do that, because it was canceled, and so we're a little
38 in the dark on how that's going, and if that's going to be possible.

39
40 I will say, the last time one was attempted, I think it was aborted,
41 because of the data issues, and so maybe if we could get some more
42 information about that process, and what it's looking like, and
43 how successful we think it might be for black grouper, and that
44 could be helpful.

45
46 **CHAIRMAN FRAZER:** C.J., can you address that?

1
2 **DR. SWEETMAN:** In part, and I am not the person that's running
3 this management strategy evaluation, and so perhaps, maybe at a
4 later point, we can have a discussion, or Luiz can brief the
5 council along those lines for what it is there.

6
7 Yes, the last -- It was like 2017, I think, was the last time a
8 black grouper assessment was attempted. For various issues, one
9 of the main ones being identification, historical
10 misidentification, between black and gag, and that was one of the
11 big ones in there, but that is why a management strategy evaluation
12 is being attempted here, as opposed to a formalized stock
13 assessment, so we can try and -- Potentially try to mitigate some
14 of those issues there. Exactly how that's being done, I think
15 that's more of a Luiz question, to be perfectly honest with you,
16 Carrie. Certainly I can try and get that information. I'm not
17 saying you need to ask him, and I'll try and get that information
18 for you.

19
20 **CHAIRMAN FRAZER:** So, I mean, there's obviously some concern about
21 the timing of that assessment/evaluation. I mean, it's -- Again,
22 in my mind, it's pretty clear that we're going to ultimately move
23 to complexes, right, and so I guess that's what I was trying to
24 figure out, Andy. You know, in the interim, can we get some
25 clarity on how we would move forward, right, within the IFQ
26 program, as these are separated out, regardless of that timeframe,
27 and I'm not sure of what's ultimately involved there, right, and
28 so, that's what I'm asking for. Go ahead.

29
30 **MR. STRELCHECK:** Well, just so I'm clear, Tom, so kind of you're
31 talking about the time period between now and whenever the
32 complexes are split, or are you talking about what it takes for us
33 to split the complexes and implement that in the program?

34
35 **CHAIRMAN FRAZER:** Yes, and, in my mind, I think that you may have
36 to do that first, right, and so I don't know that, but so the
37 question would be, you know, what is the time associated with
38 actually, you know, splitting those complexes up, right? How do
39 you handle that, administratively, in the IFQ program?

40
41 **MR. STRELCHECK:** Jessica Stephen and one of my lead IT analysts
42 are here that would do the programming, and so can certainly talk
43 to them and come back with more details in terms of the estimate.
44 I mean, like everything, it depends on the complexity of the action
45 and what, you know, is proposed and, ultimately, the lead time we
46 have to implement it.

1
2 **CHAIRMAN FRAZER:** Again, I mean, I guess I'm just trying to figure
3 out how to lead a productive discussion, right, and I think it's
4 -- You know, it's pretty clear, at this point, that we don't quite
5 know how to proceed, and I don't want to just spin our wheels here
6 too much.

7
8 I think what I might do, Mr. Chair, is maybe have some discussion
9 with Jessica a little bit behind the scenes, and maybe come back
10 to this in Full Council, with some potential timelines of actions
11 that we can decide that might be helpful. All right. Are there
12 any further questions, or issues, that anyone wants to bring up
13 with regard to 58? Matt.

14
15 **DR. FREEMAN:** So, just for my own understanding, so, at Full
16 Council, you'll be able to provide staff with direction at what
17 would be brought potentially at the April council meeting, so that
18 I can discuss with IPT sort of the gameplan?

19
20 **CHAIRMAN FRAZER:** Yes, and I think what we need to do is figure
21 out what a likely path forward might look like, and hopefully we
22 can provide that clarity, and direction to staff, at Full Council.
23 Dr. Froeschke.

24
25 **DR. FROESCHKE:** Does that potential path involve, or include, what
26 we kind of suggested about figuring out some scalar reduction, or
27 a different path? I'm happy to think about that more, but I don't
28 know -- If that's not what path we're going. The reason I ask
29 that is, if we did that, the Reef Fish Amendment 58 might not even
30 be the right vehicle, and like it might be a framework action or
31 something that would be separate.

32
33 **CHAIRMAN FRAZER:** Yes, and that's certainly something that I think
34 is part of the discussion, John. All right, and so I think we are
35 going to just let this one sit, and, you know, we'll have some
36 discussion behind the scenes, Mr. Chair, and we'll come back at
37 Full Council and see if we can again provide that clarity and
38 direction to staff.

39
40 **MR. DUGAS:** Thank you, Dr. Frazer. I would propose us break for
41 lunch a little early, and come back a little early, at 1:15. Is
42 everyone okay with that? Thank you.

43
44 (Whereupon, the meeting recessed for lunch on November 5, 2024.)
45
46

- - -

1
2 November 5, 2024
3

4 TUESDAY AFTERNOON SESSION
5

6 - - -

7 The Reef Fish Committee of the Gulf of Mexico Fishery Management
8 Council reconvened at The Hilton Bayfront in St. Petersburg,
9 Florida on Tuesday afternoon, November 5, 2024, and was called to
10 order by Chairman Tom Frazer.
11

12 **CHAIRMAN FRAZER:** So, we will move to -- Let's see where we're at
13 here. A presentation on Reef Fish amendment 60: Individual Fishing
14 Quota Distributional Issues. Dr. Diagne will lead us through the
15 action guide and then the presentation. Dr. Diagne.
16

17 **REEF FISH AMENDMENT 60: INDIVIDUAL FISHING QUOTA DISTRIBUTIONAL**
18 **ISSUES**
19

20 **DR. ASSANE DIAGNE:** Thank you, Mr. Chair. First, with the action
21 guide, staff will give a presentation on Reef Fish Amendment 60,
22 and this amendment deals with distributional issues for both of
23 the IFQ programs.
24

25 The shares and allocations to be distributed include the shares
26 held by NMFS, through 36A, shares recovered from inactive accounts,
27 as well as shares that will be reclaimed from noncompliant
28 accounts. You recall that 59 possibly is going to have some permit
29 requirements as well, as fishing activity requirements, and,
30 finally, also in this amendment are included provisions to address
31 future quota increases.
32

33 The committee should consider the information presented, make
34 suggestions, and recommend next steps. The gist of it is,
35 hopefully at the end of this discussion, the committee is going to
36 assist us in having a stable, quote, unquote, set of actions and
37 alternatives to move forward in the development of this regulatory
38 action.
39

40 **CHAIRMAN FRAZER:** Okay. Thank you, Dr. Diagne. I guess we'll go
41 ahead and load up the presentation, and so Tab B, Number 8a.
42

43 **DR. DIAGNE:** All right. Thank you, Bernie. Let's go to the next
44 slide, please, and here we are offering an outline. Essentially,
45 during today's presentation, we'll briefly review the purpose and
46 need and then discuss reclaiming shares from inactive accounts,
94

1 subsequently addressing the distribution methods for what it is
2 that we reclaimed from those inactive accounts, and we'll also
3 talk about the distribution of shares from non-compliant accounts,
4 distribution of the shares held by NMFS, and, finally, we will
5 look at three actions dealing with future quota increases. We'll
6 define a baseline, the percentage to be set aside, and, finally,
7 the distribution methods for your consideration.

8
9 For the purpose and need statements, we just put it here as a
10 reference, given that, in a previous meeting, you reviewed it and
11 offered changes, and this purpose and need reflects the changes
12 that you recommended at the time.

13
14 Let us start with Action 1, which would reclaim shares from
15 inactive accounts. Just by way of a reminder, an inactive account
16 is an account that didn't have any allocation transferred or
17 landings during a given year, and so that would be considered an
18 inactive account.

19
20 Here, in terms of alternatives, we have four of them, the no-
21 action alternatives, which essentially would not reclaim shares
22 from inactive IFQ shareholder accounts, and Alternative 2 would
23 read as follows. Beginning January 1st the year following the
24 implementation of this amendment, IFQ shares held in a shareholder
25 account would be reclaimed by NMFS if the account is inactive
26 during any two consecutive full calendar years. For each account,
27 inactivity status would be determined based on one of these
28 options.

29
30 The first option, inactivity, would be based on all share
31 categories in the shareholder's account, meaning that this would
32 be the most, quote, unquote, lenient option, because, looking at
33 your share holdings, if you are active in any one of those share
34 categories, then you would be, quote, unquote, protected from any
35 reclamation of shares.

36
37 It goes more, I guess, precise, or restrictive, if you would,
38 because Option b would determine inactivity for each share program,
39 and so the red snapper is its own program, and so, to remain
40 active, then you would have to have some activity relative to your
41 red snapper shares, but, for the grouper and tilefish IFQ, which,
42 for the time being, has five share categories, activity in any one
43 of those five share categories would, quote, unquote, protect one
44 from these inactivity provisions.

45
46 Just the final one, Mr. Walker, and Option c is essentially going

1 to look at inactivity independently for each one of the share
2 categories, and so, essentially, we would look at it for all six,
3 quote, unquote, share categories, if we were to look at them
4 holistically. I'm going to pause here if there are questions.

5
6 **CHAIRMAN FRAZER:** Thank you, Dr. Diagne. Ed.

7
8 **MR. WALKER:** I have a quick question, but you kind of answered it
9 when you went over Option c, but, just to clarify, the grouper-
10 tilefish program has five species, and the IFQ categories is each
11 individual one, and so there's either two groups or every species
12 separately. That was my question.

13
14 **DR. DIAGNE:** Yes, Captain Walker. It's either the whole thing,
15 all six, meaning throughout the two IFQ programs, or separately,
16 one in five, or individually, independently, all six, one after
17 the other.

18
19 **CHAIRMAN FRAZER:** So, real quick, before we move on, Dr. Diagne,
20 so, from your perspective, right, and, I mean, we've got a number
21 of actions that you're going to work through, and the purpose here
22 really is to kind of make sure that we have the full range of
23 alternatives in these action items?

24
25 **DR. DIAGNE:** Yes, and so, essentially, if there were something to
26 be removed, or something that the committee would like for us to
27 add here, then we would do that, so that, essentially, we can
28 start, you know, further development. Absolutely.

29
30 **CHAIRMAN FRAZER:** Okay. Great. Thanks. All right. Any other
31 input? Mr. Williamson.

32
33 **MR. TROY WILLIAMSON:** Assane, you've defined inactivity as no
34 action in any of those accounts, whether it be collectively or a
35 single account. Is that if a shareholder goes out, and makes one
36 trip, does that qualify to take him out of the inactive category?

37
38 **DR. DIAGNE:** As currently defined, you know, by, I guess, NMFS, on
39 the LAPP branch, yes. Inactivity is not having any transfers or
40 lending within the year, and so, as a shareholder, if I make one
41 trip, I would be considered to be active for that year.

42
43 **MR. WILLIAMSON:** Thank you.

44
45 **CHAIRMAN FRAZER:** Captain Walker.

1 **MR. WALKER:** So you said "transfers", which kind of set off a light
2 bulb in my head. I can not participate in the fishery, and shift
3 my stuff around, and still be considered an active account, though
4 I don't fish?

5
6 **DR. DIAGNE:** Based on current definitions, that is absolutely
7 correct, but in discussing these, hopefully in the back of our
8 mind, if we could, we have to keep the requirements that 59 is
9 going to impose, and so, really, if you were to think about those
10 in tandem, 59 would presumably require a valid commercial permit,
11 and, in some settings, commercial permits with landings, and so
12 some of these hopefully would need to be thought about in
13 conjunction.

14
15 **CHAIRMAN FRAZER:** Mr. Geeslin.

16
17 **MR. GEESLIN:** Thank you, Mr. Chair. I guess that's one way to
18 look at it, and I appreciate Mr. William pointing that out about,
19 the activity criteria, and how you qualify or not, and I guess
20 another way to look at that is the focus on those shares and not
21 the account. I'm thinking about how to reclaim whatever shares,
22 whatever shares aren't actively landed by those respective
23 accounts collectively.

24
25 **CHAIRMAN FRAZER:** Dr. Diagne.

26
27 **DR. DIAGNE:** For the time being, in, I guess, developing this
28 amendment, we stayed consistent with the council's expressed
29 intent. When this motion was made to start this amendment, I mean,
30 the committee and subsequently the council, clearly said that, for
31 the time being, the objective was not to take away shares, or
32 annual allocation, from anybody, but rather to make the most from
33 redistribution of things that were reclaimed.

34
35 **CHAIRMAN FRAZER:** Dakus, are you okay? All right. Mr. Anson.

36
37 **MR. ANSON:** I do recall some of the conversations that Dr. Diagne
38 mentions, but, Dakus, I'm kind of with you. I mean, this is a
39 relatively low bar, if you will, in my mind, and I don't think it
40 will provide, you know, as big of an impact, I guess, in
41 relationship to trying to get, you know, those shares out amongst
42 those folks who are using shares, either primarily through leasing,
43 but, yes, I mean, Dr. Diagne took what came from the council, as
44 far as direction, and this is what they provided, but I just still
45 think it, you know, doesn't quite hit the mark, in relationship to
46 that issue of providing broader access to those who currently have

1 the least shares.

2

3 **CHAIRMAN FRAZER:** Mr. Strelcheck.

4

5 **MR. STRELCHECK:** I think this is the challenge with multiple
6 amendments that are all working through the process at the same
7 time, and so kind of think of inactive accounts as people aren't
8 touching those accounts, right, and you had someone that passed
9 away, and the account has just sat there for several years, not
10 being used, right, and no one has gone in to even try to access
11 it, versus an activity requirement, which is what we're considering
12 in Amendment 59, which is you have shares, but you're not meeting
13 that threshold of whatever that activity level is, right, and so,
14 to me, it's two things that we're trying to address.

15

16 The first being, if there's just someone that's not using their
17 account one bit, reclaim those, and redistribute them, and then
18 how do we redistribute them? Then, two, for those that are using
19 their accounts, but maybe at a minimal level, right, what's that
20 threshold that we say that you have to have activity at, and, if
21 you don't meet that threshold, then that's where we would pull
22 back and redistribute shares accordingly.

23

24 **CHAIRMAN FRAZER:** Okay. Any more discussion on this particular
25 action item? I'm not seeing any. Dr. Diagne.

26

27 **DR. DIAGNE:** Thank you. For this action, Alternatives 3 and 4
28 would read exactly the same, except for, I guess, the time period,
29 the duration. Alternative 3 would use three years, and 4 would be
30 four years, which I guess is a very long time, and so should the
31 council consider that two and three years would be plenty of time?
32 As we develop this document, perhaps we will not include watching
33 an account, quote, unquote, for four years to determine an
34 activity.

35

36 As a reminder, we did not include one year here, because, the last
37 time we discussed this, the committee indicated that it was too
38 short, due to potential hardship. Let's say someone could, you
39 know, be injured, or have personal circumstances that would prevent
40 them from essentially doing anything for a year.

41

42 **CHAIRMAN FRAZER:** Dr. Sweetman.

43

44 **DR. SWEETMAN:** Thank you, Mr. Chair. I appreciate that, Assane.
45 I mean, just from my perspective, I would say three -- I tend to
46 lean towards the three years aspect of that just, because of --

1 You know, you highlighted you can have health issues, and next
2 year you can have a boat issue, something along those lines
3 basically, and so it's just accommodating for any of that risk
4 there. I agree with you that I think four years is a little bit
5 too much.

6
7 I do wonder if there's -- We're experiencing a lot of hurricanes
8 in the Gulf, more recently, okay, and so like I'm wondering like,
9 even if we have inactivity, like even at a four-year period, and
10 like let's -- It's not going to be uncommon for certain areas,
11 nowadays, to be impacted multiple years in a row there, and so is
12 there any sort of like mechanism, potentially, where folks could
13 petition to NOAA Fisheries not to do this, if they have some of
14 these extreme circumstances, where they're hit along those lines,
15 but also being cognizant of I think the three years is appropriate,
16 but I'm just asking the question, if there's like strenuous
17 circumstances along those lines.

18
19 **CHAIRMAN FRAZER:** Andy.

20
21 **MR. STRELCHECK:** A couple of thoughts, and certainly Mara, or
22 others, could weigh-in. You know, in terms of petitioning us, or
23 having some sort of administrative process, I mean, yes, there's
24 something I'm sure we could set up, but we would want to make sure
25 that we did that in this amendment.

26
27 I would want to avoid something being very administratively
28 burdensome. I think the -- On the other side of the coin, if we're
29 defining inactivity as both not landing fish, but also not
30 transferring allocation, to me, that's a pretty low bar, because,
31 even if you're impacted by storms or other circumstances, there is
32 that ability to transfer that allocation out of your account and
33 maintain your active status.

34
35 **CHAIRMAN FRAZER:** Captain Walker.

36
37 **MR. WALKER:** I do not support the three-year options. To me, as
38 a participant in this fishery, if you can't get your act together,
39 whatever your problem, is in two years, you're really not a
40 participant in the fishery. You're not making a living. That's
41 something that you sat out for two years. A year, yes, and you
42 can have a health problem, but, if you can't get it together in
43 two years, then you face the consequences, in my mind.

44
45 **CHAIRMAN FRAZER:** Dr. Diagne.

46

1 **DR. DIAGNE:** Yes, and, I mean, we are not discussing preferred
2 alternatives or anything. It was just to determine the final range
3 to be included in this document, and so, to the extent that you
4 may consider that four years is too long, then we are just going
5 to drop Alternative 4 from the document and stick with, you know,
6 the two and the three years. If there is an understanding, that's
7 plenty.

8
9 **CHAIRMAN FRAZER:** All right.

10
11 **DR. DIAGNE:** Thank you. To give us an idea about the number of
12 inactive accounts that we currently have, let's say, and, I mean,
13 at least there's a five-year series here, but I will just zoom-in
14 on 2023.

15
16 In the red snapper program, we have thirty-four accounts, and we
17 have the numbers for each one of the share categories in the
18 grouper and tilefish program, and the total being 233 for the
19 grouper and tilefish program.

20
21 As an order of magnitude, in terms of the pounds that could be
22 recovered, but this is just an illustration, because, of course,
23 in the amendment, it would have to be forward looking, right, and
24 this is just a state of affairs, if you would.

25
26 We don't know that it's going to be the same amount to be recovered,
27 but, here, around 13,000 pounds, in terms of red snapper, and in
28 terms of the various share categories, we have the different
29 amounts, with the largest amount being under the other shallow-
30 water grouper, which is, I guess, the share category that we have
31 for the time being for that.

32
33 This is a table that was a little bit too big to fit on one slide,
34 but it provides valuable information over the span of five years,
35 and the terminal year here being 202, and it gives us summary
36 information for what follows, what is to come, in terms of
37 discussion, because, in the methods of distributions, we are going
38 to discuss various subsets of shareholder accounts, and so, if you
39 would, as we are talking about that, if need be, we can come back
40 to this table, or you could look at it as the proceedings continue.

41
42 Here, we have the number of shareholder accounts with allocation,
43 and we have that by share categories, as well as the total. We
44 also provide here the shareholder accounts with shares, and, again,
45 total amount as well as by individual share categories.

1 We have the number of shareholder accounts with permits, and then
2 shareholder accounts with landings, with the understanding, of
3 course, that, if you have landings, you do have a permit, and so,
4 I mean, you could say shareholder accounts with permit and
5 landings, because, of course, you know, the landings require having
6 a permit.

7
8 Finally, we also provide the shareholder accounts with shares and
9 permits, and, again, here, by subtraction, we could, I guess,
10 identify additional subsets. For example, if you were to take the
11 shareholder accounts with permits and the shareholders accounts
12 with shares and permits, by difference, we get that one of the
13 complements, and so on, and so forth.

14
15 Now, on to Action 2. Action 1 would reclaim shares from inactive
16 accounts, but, as mentioned earlier, Amendment 59 presumably would
17 have a certain number of noncompliant accounts, and those shares
18 would have them to be reclaimed, and so taking together what was
19 reclaimed, either from inactive accounts or from noncompliant
20 accounts, we put those together and propose distribution methods
21 for it.

22
23 We have several alternatives. We start with the no-action
24 alternative, which would not distribute the reclaimed shares, be
25 it from inactive accounts or from a noncompliant shareholder
26 account. Alternative 2 is, for each share category, proportionally
27 distribute shares reclaimed from inactive accounts, which we just
28 talked about, and noncompliant accounts, which would be defined in
29 Reef Fish Amendment 59, based on qualified shareholder's share
30 percentages.

31
32 In terms of options, who would be those qualified shareholder's
33 accounts? Option a is pretty much everybody with a shareholder's
34 account, and that is essentially our existing method of
35 distribution, right, to distribute to everybody based on the
36 percentage that they own.

37
38 Option b would look at the shareholder accounts with a valid or
39 renewable permit, and, finally, Option c is we would only
40 distribute to those shareholder's account with a permit and with
41 landings in the share categories, and so meaning those who actually
42 fish, quote, unquote, and use the resource in that way. That would
43 be Alternative 2, and so proportionally distribute based on the
44 share percentages using one of these three options. Alternative
45 3 would use inverse share percentages, and so --

46

1 **CHAIRMAN FRAZER:** Mr. Strelcheck.
2
3 **MR. STRELCHECK:** Assane, if we go back to Alternative 2, with the
4 Option c, it says with landings in the share category, and so it
5 seems like we would want to at least specify the time period,
6 either consistent with the time period that we were, you know,
7 reclaiming the shares or the most recent, you know, year prior to
8 redistribution of shares. Do you agree?
9
10 **DR. DIAGNE:** Yes, I do agree, but we left it open, but we could,
11 I guess, develop a series of options, one being with landings in
12 the share category during the two preceding years, and so on, or
13 three preceding years, and, here, it gets to looking backwards, or
14 maybe with landings in the share category in the year of
15 implementation of the amendment, or something like that, and so,
16 whichever option the committee feels would be more suitable, we
17 can definitely include that.
18
19 **CHAIRMAN FRAZER:** Andy.
20
21 **MR. STRELCHECK:** Yes, and so I just want to avoid not having it
22 open-ended and someone that landed, you know, quota ten years ago
23 would qualify for it, right, and so it seems like either one of
24 those options could work, right, in terms of the most recent year
25 prior to reclaiming, or the same time period to reclaim shares.
26 I'm seeing head nods, and so I don't know if there's a preference,
27 and so I'll suggest the most recent year prior to redistributing
28 the shares.
29
30 **DR. DIAGNE:** So, essentially, that would be the year of
31 implementation of the amendment.
32
33 **CHAIRMAN FRAZER:** Andy.
34
35 **MR. STRELCHECK:** Yes, but, if we set this up as something that's
36 a rolling time period, that's going to change from one year to the
37 next.
38
39 **DR. DIAGNE:** Yes. Okay. All right, and so we'll, I guess,
40 wordsmith the language and to make sure that, the year preceding
41 the distribution of the shares, during that year, the shareholder's
42 account would need to have landings, every time, and so, if you
43 are distributing -- Because we may be reclaiming shares on an
44 ongoing basis, and so, every time, the year preceding the
45 distribution, we have to make sure that there are landings. Is
46 that the intent? Yes?

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MR. STRELCHECK: Yes.

DR. DIAGNE: Thank you.

CHAIRMAN FRAZER: Captain Walker.

MR. WALKER: So, on kind of the same lines as the other side of this, with the two years for hardship, I would like to see a two-year option here as well. I agree with you, and not going back ten years, or any time in the last twenty or something, but maybe keep two years in as an option, for the same reason. Somebody might have been down for a year, or something like that, just for further discussion.

CHAIRMAN FRAZER: I guess what I'm thinking is that you could -- If you did it the previous year, and you're restricted to a single year, right, I mean, the distribution is clear, right, but, if you have two years, you have to average data, right, and it becomes a little more problematic. I'm not sure you can do the math, but I'll think about it.

MR. WALKER: Well, to me, this is -- We're talking about leasers here, people that lease quota from other people, I think is what this would be, and maybe they couldn't get quota the year before, or there just seems like there could be a -- If their boat was broken down, the same thing they had before, and so, just as an option, I'd like to see two years included, for further discussion.

DR. DIAGNE: It seems to me then that Option C would need to have sub-options, one to account for what Mr. Strelcheck has mentioned and another one for what Captain Walker mentioned. As a side note, I mean, Option c is not only for the leasers, because it is shareholder's account, whether you own shares or not. In some of the other distribution methods, we are going to zoom-in, actually, on that subset, folks that have a permit, landings, and no shares.

For Alternative 3, the distribution method would be based on inverse share percentages, and so, essentially, I mean, most of whatever is being distributed is going to be tilted, quote, unquote, towards those that own the least, and there's, of course, a conundrum here, and something that was a question during last time we discussed this, meaning how should we treat those that don't own anything, for example the leasers.

For the purposes of this distribution method, based on the

1 inversely proportional percentage owned, for those that have zero,
2 in terms of shares, we would assign the lowest possible value that
3 the IFQ system can handle, and that value is -- I believe it's to
4 the sixth decimal, and so five, zero, and one, and so that will
5 allow us then to compute, if you will, those shares. Of course,
6 you know, the inverse of zero being what we know.

7
8 As far as the options, we have similar options here, shareholder
9 accounts, account with a permit, and account with a permit and
10 with landings, and so I take it that the sub-options that we just
11 discussed would then be applicable here, too.

12
13 Now Alternative 4, and so, for each share category, Alternative 4
14 would equally distribute shares that were reclaimed, be it from
15 inactive accounts or from noncompliant accounts, an equal
16 distribution, and this equal distribution could be applicable to
17 everyone, all shareholder's accounts, or it could be, Option b,
18 applied to accounts with a permit, or Option c, account with a
19 permit and with landings in that share category, or Option d,
20 account with a permit, but without shares, and, finally, Option e,
21 account with permit, with landings, but without shares.

22
23 If you were to talk about folks that lease quota, and land it, the
24 closest thing would be then Option e, if you would, because they
25 would have the permit, and they would show the landings, but they
26 would not own any shares, given that they would get allocation on
27 a, quote, unquote, regular basis, and so that is Alternative 4 for
28 distributing shares that have been reclaimed from either one of
29 those sources, inactive accounts or non-compliant accounts.

30
31 Alternative 5 here will zoom-in on the landings, if you would, and
32 so, for each share category, proportionally distribute shares
33 reclaimed from inactive or non-compliant accounts, based on the
34 shareholder's account, shares of the landing category to a variety
35 of subsets.

36
37 Here, the comments that Mr. Strelcheck and Captain Walker provided
38 would also have to be applicable, in terms of sub-options, to be
39 able to determine the time period to be considered for the
40 landings.

41
42 That said, Option a would distribute the shareholder accounts with
43 a permit, and, of course, with landings in the share category.
44 Option b, the shareholder's account with a permit, with landings
45 in the share category, but without shares in that share category,
46 and, finally, we included an Alternative 6, given that the

1 committee, and the council, have been talking about, if you would,
2 a possibility of having quota banks.

3
4 Alternative 6 would establish a NMFS-administered quota bank that
5 would be funded with shares reclaimed from inactive accounts and
6 noncompliant accounts, with the understanding that the
7 characteristics of the quota bank will be defined in a separate
8 plan amendment, eligibility, running, and so on and so forth of
9 the quota bank. That is included here for your consideration,
10 should you want to further explore that going forward.

11
12 There is a note here to conclude this action. Here, subject to
13 availability, the reclaimed shares would be distributed each
14 calendar year on an ongoing basis, and this is also a comment that
15 was made earlier, and we made sure that we included that, so that,
16 you know, we don't have to come back to do anything, and it will
17 be just on an ongoing basis. Distributions would exclude inactive
18 shareholder accounts, given that we would have already reclaimed
19 the shares from them. This concludes Action 2. It has the six
20 alternatives.

21
22 **CHAIRMAN FRAZER:** I'll go to Mara first.

23
24 **MS. LEVY:** Just a suggestion. I understand what you're talking
25 about, in terms of wanting to define when the landings would need
26 to occur, like one year prior, or within two years prior, but I
27 guess I would encourage you to discuss what you think the most
28 appropriate option is there, so that you don't have sub-options
29 under every single one of these.

30
31 There are already a lot of alternatives, and then to have to add
32 one or two years prior, and then do all that discussion, it's just
33 going to make it more complicated. If there's a good reason for
34 saying we think it should be two years, or we think it should be
35 one year, I think we can just articulate that, and so thanks.

36
37 **CHAIRMAN FRAZER:** Mr. Strelcheck.

38
39 **MR. STRELCHECK:** I feel like Ed made a really good case for why
40 two years would be better than just the single year, and I think
41 we've already discussed the record for that, given the potential
42 impact from storm events and other factors, and so I would
43 recommend the two years, based on that.

44
45 **DR. DIAGNE:** Just a question. I mean, two years is fine, but what
46 if I -- Let's say somebody just got an account in the previous

1 year, and so they would not be able to show landing in year-T-
2 minus-two, because that account is new. It only has, you know,
3 that current year. If I create an account, let's say in 2023,
4 show landings, and this is implemented in 2024, I would be fine,
5 but, if we said two years, I don't have anything to show for 2022,
6 meaning for the two years, or is it in any one of the two years?
7 Okay. So, if it is in any one of the two years preceding, then it
8 covers everything.

9
10 **CHAIRMAN FRAZER:** I think there's going to be some decision rules,
11 right, because then you're going to say that I have differences
12 between those years-one and two, right, and so maybe the default
13 is, if you had something immediately in the previous year, that's
14 where you go. That's the one that counts. If you didn't, then
15 you check to see if you had something two years ago that allows
16 you to still stay in the game. Otherwise, people would be just
17 kind of like highgrading.

18
19 **DR. DIAGNE:** I misunderstood it as showing landings for both years,
20 but, if it is in any one of the years, actually that's fairly
21 flexible, and it would work, and so, if that's the council's, or
22 the committee's, recommendation, we would not include sub-options,
23 and that is the time period that we will specify for all of these
24 requirements and make it any one of the two years preceding the
25 distribution.

26
27 **CHAIRMAN FRAZER:** Dr. Diagne, I just have a quick question. Maybe
28 it's -- I'm trying to think about how the analysis is going to go
29 with regard to Alternative 6, right, and so, I mean, this is in
30 preparation for preparing a document, and, I mean, I'm -- In
31 general, I don't like to impose an activity, on anybody, without
32 making sure that they have the resources to do it, and so I'm just
33 thinking ahead, for the folks at NMFS.

34
35 If you were to establish a quota bank within the agency, that
36 requires resources to operate it, right, and so how would you
37 identify those resources? Is that something you're going to have
38 to tax somebody that's participating in this program, or are you
39 going to redirect them internally?

40
41 **MR. STRELCHECK:** The agency receives cost recovery funds from the
42 program, right? We collect 3 percent of the ex-vessel value, and
43 so that supports a number of activities, including staffing the
44 IFQ program. I think the question that you're posing is a good
45 one, Tom, in terms of what does it mean to run a quota bank, what's
46 the complexity of that, how much staff time and resources would

1 that require, and we haven't flushed out any of those details, I
2 think, to the point where I can say for certain whether or not
3 that's something we could afford, under the current cost recovery
4 structure, what we're receiving from the program.

5
6 Certainly, with having the mic, I mean, my preference would likely
7 be not to go down that route, right, and try to come up with an
8 alternative way to distribute these small amounts of inactive
9 shareholdings to fishermen. I think it'll be onerous to try to
10 run a quota bank with the amount of quota share we're talking about
11 that's inactive.

12
13 **CHAIRMAN FRAZER:** I guess the reason I'm asking is I'm trying to
14 limit all the work also in preparing the document, if we can
15 anticipate these types of things, but maybe that's something that
16 the IPT will talk about.

17
18 **DR. DIAGNE:** I mean, for this, I mean, go-round, we included it,
19 because that is something that was talked about, and mentioned
20 around the table, but we are ready to take your recommendations,
21 and perhaps take this out of the document, and that would be a
22 consideration at the future date when, quote, unquote, we will
23 have alternative ways of funding the quota bank, or something like
24 that.

25
26 **CHAIRMAN FRAZER:** Dr. Banks.

27
28 **DR. BANKS:** Thank you, Mr. Chair. I think that was going to --
29 Assane led into my question. This may be for Andy, or Mara, but,
30 if a quota bank was the route we decided to go, they generate some
31 sort of revenue, potentially. Could there be a fee associated
32 with the quota bank, to cover the cost of staff running it? Is
33 that outside of what can be done?

34
35 **CHAIRMAN FRAZER:** Mara.

36
37 **MS. LEVY:** I mean, the agency can't impose fees beyond what is
38 authorized by the statute, and so we can't -- You know, we can't
39 collect money to run the quota bank outside the appropriations
40 process, and the only thing the agency is authorized to collect is
41 that cost recovery fee, as well as for administration of permits,
42 but that -- I don't think there's a way to collect fees for the
43 quota bank.

44
45 **CHAIRMAN FRAZER:** Dr. Banks.

1 **DR. BANKS:** So then my next question is what is the deficit, or
2 surplus, that 3 percent is covering for the IFQ administration
3 side of things? Is there a large deficit, that NMFS is having to
4 cover internally, or is there any kind of surplus?
5

6 **CHAIRMAN FRAZER:** Andy.
7

8 **MR. STRELCHECK:** I would have to get back to you, in terms of most
9 recent expenditures. We have put together annual reports, or at
10 least five-year reviews, and we can pull that information. Keep
11 in mind, it's not just for the administration of the program, but
12 it goes to law enforcement, and it goes to some of the science
13 that's unique to supporting an IFQ program, and so it gets divvied
14 up into a number of different pieces of pie.
15

16 **CHAIRMAN FRAZER:** Kesley.
17

18 **DR. BANKS:** Sorry. Hopefully the last question in this series.
19 What is the feasibility of a quota bank outside of NMFS'
20 management, like if it were to be -- I don't have this fleshed
21 out, because I'm spit balling here, but, if it was outside of NMFS
22 managing it, where the revenue could go toward the administration
23 of, and is that something feasible? They would, obviously, have
24 to work very closely with NMFS to do any of that, but I don't know
25 that --
26

27 **CHAIRMAN FRAZER:** Mara.
28

29 **MS. LEVY:** I would have to look back, but we talked about this
30 when we first went down this road, and about private quota banks,
31 and I believe it was a possibility, but, you know, the council,
32 and the agency, would need to define exactly what the parameters
33 are. Like how can you apply to be this quota bank, and what people
34 can actually utilize the quota bank, and like, at the time we were
35 talking about it, it was like let's just let a private quota bank
36 do it, and we're not going to specify anything, and they'll decide,
37 and that cannot happen.
38

39 You know, the council still has to decide, you know, who can avail
40 themselves of that quota bank, and things like that, but I know we
41 had information about it. I have to look back and see exactly
42 what we put together.
43

44 **CHAIRMAN FRAZER:** Go ahead, Kesley.
45

46 **DR. BANKS:** Just a statement then. I would greatly appreciate

1 that information, if possible, but then, to the point of this
2 document, I think we should leave Alternative 6 in, for the purpose
3 of flushing this out, because I know we talk about a quota bank in
4 a couple of other actions that are coming up, and I'm going to
5 have probably the same questions.

6
7 **CHAIRMAN FRAZER:** Okay. Mr. Strelcheck.

8
9 **MR. STRELCHECK:** I think I'm good with Kesley's recommendation on
10 keeping it in for now. I did want to ask Assane, with the IPT
11 discussions, and so we have six alternatives, and I think thirteen
12 or fourteen options, right, and that's a lot to, obviously,
13 analyze. Has the IPT discussed whether some of these might be
14 more in line, or viable, for the goals and objectives we're trying
15 to accomplish, versus others?

16
17 **DR. DIAGNE:** No, we didn't go that far, because, right now, given
18 the different comments that were made, meaning put emphasis on
19 landings, put emphasis on those who catch the fish, but don't have
20 shares, put emphasis on those that have a permit, and so forth,
21 and, I mean, it takes a lot to go around and essentially account
22 for all of those points being made.

23
24 Along those lines, let's say, should 59 be implemented, or move
25 forward, some of these are going to drop off, and so, essentially,
26 any action that mentions, or doesn't mention, ownership of a permit
27 would have to be irrelevant, for example, and so it's a lot, but,
28 if you were to think about it, there are so many different ways of
29 parsing out the universe of a shareholder's account, and hopefully,
30 you know, as we develop this further, you will make decisions to
31 help us streamline it and drop things that are not, I guess,
32 relevant, quote, unquote.

33
34 One last thing is what would be most consistent with previous
35 discussions, the revised goals and objectives, would be
36 essentially to zoom-in on those folks that have landings, and folks
37 that have permits, and so we can, if you were to direct us to do
38 so, streamline this and take out all of the options that do not
39 mention ownership of a permit as well as having landings.

40
41 Then other decisions to be made would be with or without shares,
42 ownership of shares, or only allocation, but you can certainly
43 direct us now to take out the options that do not require the
44 ownership of a permit and do not show any landings.

45
46 **CHAIRMAN FRAZER:** I think, Assane, we'll probably have to think

1 about this a little bit, for sure.

2

3 **DR. DIAGNE:** Okay. For this Action 3, distribute the shares that
4 were held since Amendment 36A was implemented, and, in terms of
5 options here, and alternatives, we have a status quo, Alternative
6 1, which would not distribute anything.

7

8 Alternative 2 is, for each share category, proportionally
9 distribute to qualified shareholder accounts, based on their
10 shares of the landings, and, here, we would have to say that the
11 landings that they accumulated in the year preceding the
12 distribution, and who should be the beneficiary, or beneficiaries,
13 of this distribution?

14

15 It could be a shareholder's account with a permit, and with landing
16 in the share category, and, to zoom-in a little bit more on folks
17 that just lease, shareholder accounts with a permit, with landings,
18 but who do not own any shares in that particular category.

19

20 Alternative 3 would equally distribute these shares that are held
21 by NMFS. Equally distribute shares held by NMFS to accounts with
22 a valid permit, and with landings in the share category, with
23 accounts with a valid permit, but without shares, with accounts
24 with a valid permit, with landings, but without shares in the share
25 category. I think that's a duplicate here.

26

27 Alternative 4, finally, would establish a quota bank, just similar
28 to Alternative 6 that we talked about, but, this time, it would be
29 funded with shares held by NMFS, and so, basically should -- If
30 the council decided to establish a quota bank, it could pick all
31 of these alternatives and combine, or pool, those shares and
32 allocation to be distributed going forward. Again, just a note
33 here that would say that distributions would not include inactive
34 accounts.

35

36 **CHAIRMAN FRAZER:** There's a number of new folks, Assane. You might
37 want to remind them what Reef Fish Amendment 36A is.

38

39 **DR. DIAGNE:** Yes, and Reef Fish Amendment 36A did reclaim the
40 shares, and so the shares held by NMFS were done as a result of
41 the implementation of Amendment 36A.

42

43 **CHAIRMAN FRAZER:** Andy.

44

45 **MR. STRELCHECK:** Contrary to I think the Action 2 discussion, to
46 me, Action 3, with the quota bank, doesn't make a whole lot of

1 sense, because the shareholdings that we have right now, that NMFS
2 holds, are really tiny, right, and so a lot of administrative
3 effort to distribute a very small number of shareholdings, and so
4 I would recommend either eliminating this alternative or coming up
5 with some way to combine this in with Action 2, so that you could
6 have the cumulative shareholdings that are both pulled back now as
7 well from 36A.

8

9 **CHAIRMAN FRAZER:** Dr. Diagne.

10

11 **DR. DIAGNE:** Absolutely, Mr. Strelcheck. That's the intent of
12 this, and so, essentially, if the council wanted to establish a
13 quota bank, they would take Alternative 6 in the previous action,
14 and Alternative 4, and all the places where quota banks are
15 mentioned, and pool that, because, yes, I mean, the amount here is
16 very small, but taken over, you know, a certain time period, the
17 annual allocation that it generates could be helpful to some.

18

19 **CHAIRMAN FRAZER:** Captain Walker.

20

21 **MR. WALKER:** I'm not really in favor of a quota bank. I'm open to
22 discussion about it. I'm not saying a hard no, but, for the same
23 reasons that Mr. Strelcheck said, and it's a small amount, for the
24 most part, and most of these actions, with the possible exception
25 of the action that would reacquire shares from increases -- Really,
26 the only way the quota bank would be needed, to me, would be if
27 larger amounts of quota were there, to make it worthwhile, and
28 that -- Increases, from or reacquired shares from increases, is
29 something that we'll need to discuss, but I have some real
30 reservations about that, myself, and so I don't think the quota
31 bank is worth it without, and that one we have to discuss further.

32

33 **CHAIRMAN FRAZER:** Dr. Diagne.

34

35 **DR. DIAGNE:** I mean, for the time being, what I heard was that the
36 alternative mentioning quota banks should stay in the document
37 until, I mean, I guess, a further date, and so we'll leave it at
38 that for now.

39

40 **CHAIRMAN FRAZER:** Dr. Banks, to that point?

41

42 **DR. BANKS:** Yes. To that point, looking at both of these amendments
43 together, Ed, if we're talking about potentially reclaiming
44 anything that's from a noncompliant, as defined by 59, this could
45 be an alternative to putting it there for redistribution, and so,
46 essentially, it could, in my mind, be a single quota bank that

1 kind of takes care of all of this for a central distribution.

2
3 Maybe I'm thinking about that wrong, but, in my mind, that's the
4 way I'm thinking about it, and so this is a viable alternative, or
5 option, if we decide to go that way, and depending also on what we
6 did in 59.

7
8 **MR. WALKER:** Yes. Sure, I'm open to leaving it in for further
9 discussion, for sure.

10
11 **DR. DIAGNE:** All right. Thank you. So let's proceed, and we were
12 in Action 3, and that is Action 4. One of the ideas that the
13 committee, and the council, discussed was to essentially set a
14 baseline, or different baselines, and reclaim the portion above
15 that baseline, should there be quota increases, and distribute
16 that alternatively.

17
18 Action 4 here, which would include three sub-actions, attempts to
19 do just that. First, Action 4.1 would define the baseline for
20 setting aside future quota increases. We have a status quo
21 alternative, no action rather, under which we would not define
22 baseline quotas for setting aside future quota increases, and so,
23 essentially, we would not do it.

24
25 Alternative 2 is, for each IFQ share category, the baseline quota
26 used to determine the magnitude of the quota increase would be
27 equal to this year's quota for the share category.

28
29 When we started this, that is the only alternative we had, and,
30 listening to comments, and the recommendations made the last time,
31 we added two alternatives, which would account for what was called
32 back then, well, what if the quota drops, and then goes back up,
33 and would it be fair to account for -- So that brought us
34 Alternative 3, which would, for each share category that does not
35 include a species under rebuilding, set the baseline to the 2024
36 quota.

37
38 Alternative 4, that would, I guess, go in tandem with this. For
39 a share category that includes a species under rebuilding, the
40 baseline quota used to determine the quota increase would be set
41 equal to the quota immediately preceding the beginning of the
42 rebuilding plan, meaning the quota before it was decreased,
43 because, when we have a rebuilding plan, presumably it comes with
44 a significant decrease in quota, and so whatever quota immediately
45 preceding the rebuilding plan would be used as a baseline, so that
46 folks would not be penalized, which is how it was characterized

1 here before.

2

3 **CHAIRMAN FRAZER:** Dr. Froeschke.

4

5 **DR. FROESCHKE:** There are a couple of situations I can see that
6 would be interesting. One, assuming that your stock was
7 stationary, in terms of biomass, but you changed currencies, for
8 example CHTS or FES, and I'm not sure how we would interpret that,
9 because figuring out those bridges is difficult.

10

11 The other scenario is you could keep the total ACL equal, and you
12 need to reallocate, and so, if you were to reallocate, in this
13 case, from recreational to commercial, for any reason, that will
14 drive up that quota, and I don't know, and would that trigger that
15 as well?

16

17 **CHAIRMAN FRAZER:** Dr. Diagne.

18

19 **DR. DIAGNE:** I mean, if you were to reallocate, let's say, from
20 the recreational to the commercial, I mean, the net result is going
21 to be that you are going to increase the commercial quota, and so,
22 I mean, as written, it would be applicable, because, essentially,
23 I mean, the idea, or based on discussions behind this, is to make
24 sure that no one is, quote, unquote, penalized, but, if anything
25 comes up on top of that, that is open to being redistributed,
26 totally or partially, as other actions we've discussed.

27

28 **CHAIRMAN FRAZER:** I have my head around that a little bit, and it
29 can potentially go either way. It could go up or down, and I think
30 that's what we --

31

32 **DR. DIAGNE:** But, if it goes down, you don't do anything, of
33 course. It's going to be only if it goes up beyond the baseline
34 that you set, right?

35

36 **DR. FROESCHKE:** Just to that point, yes, I think so. I just think
37 the pretense of this action was that, if the quota increased, and
38 I guess, intuitively, I would link that with the stock is doing
39 well, and the pie is growing, and things like that, but these are
40 just some situations which seem plausible, and, in particular,
41 that one where we get the assessment, which will be in a different
42 currency, and that's -- We've changed currencies, and, if you were
43 to change back to something else, with a slightly different --
44 Would you unwind it, and all that?

45

46 **DR. DIAGNE:** Yes, and I guess perhaps, you know, a final point,

1 and you will discuss this further, but part of the idea here -- I
2 mean, the quota is still going to stay within the commercial
3 sector.

4
5 That's the key thing, but it was to begin to change, if you would,
6 the dynamics, in terms of the distribution of the quota, by moving
7 some from the traditional way in which we distribute to, for
8 example, those that have a permit, have landings, but don't have
9 any shares, and so that would essentially change the dynamic, if
10 you would, of the distribution and of the relationship within the
11 IFQ participants, but nothing is going to leave, if you would, the
12 commercial quota. It is going to stay within, quote, unquote, the
13 system.

14
15 **CHAIRMAN FRAZER:** I mean, regardless of what happens, the quota on
16 pounds, right, and so that's a stable number, I think, John, but
17 we might have to work through that.

18
19 **DR. DIAGNE:** Yes, and to be continued.

20
21 **CHAIRMAN FRAZER:** Ed.

22
23 **MR. WALKER:** So how often would these -- Because it seems like
24 quota goes up and down pretty frequently. Is this something we're
25 talking about doing every time one of the quotas goes up and down,
26 or is this a one-time deal? I'm not really sure what we're talking
27 about here.

28
29 **DR. DIAGNE:** I mean, this does not address quota going down, right,
30 because when it goes down, there is no supplement to distribute.
31 What this is saying is you pick a baseline, and whatever it is
32 that you have in excess of that baseline should be distributed in
33 a different manner.

34
35 Now, the last time we talked about this, one of the points being
36 made was what if the quota decreases significantly and then goes
37 up? What are you going to do, and that would be then, you know,
38 the bouncing around, and so it seems, to me, that probably, I mean,
39 moving towards Alternatives 3 and 4, in combination, would be the
40 one that would, quote, unquote, preserve, or protect, the interests
41 of current quota holders, because that's something that was
42 mentioned here in saying that we don't want anybody to be
43 penalized.

44
45 For example, if you were to do this right now, and look at the gag
46 quota, then folks are going to be penalized, knowing that before

1 -- I mean, if we go back last year, the quota was much higher, and
2 that is why we have the specific provisions here to separate those
3 species, or stocks, that are under rebuilding from those that are
4 not.

5
6 If you were to take red snapper, we know the aggregate quota is
7 fourteen-million-and-change, and the commercial side of it is
8 seven-million-and-change, and so if the quota were to -- If the
9 commercial quota increased to eight million, then you take that
10 million difference, or actually maybe not that whole thing, and
11 the next action talks about that a little bit. You take the
12 totality, or a portion of that, and distribute it differently, if
13 you would.

14
15 **MR. WALKER:** So this would be a hard baseline for the future, going
16 forward. This won't be a floating baseline. This will be
17 everything above two million pounds is considered an increase.

18
19 **DR. DIAGNE:** It could be, as long as the stock is not in rebuilding,
20 but, I mean, the intent of this was to, again, maintain and
21 preserve the interest of current participants, by not taking away
22 anything from anybody, right?

23
24 Take red snapper, for example, and the 2024 quota is seven-million-
25 and-change, and so you would not take anything away from anybody,
26 but, if the commercial quota increased to let's say nine million
27 pounds, now you have two million pounds to do something with, and
28 what it is that you can possibly do, at least the range of options,
29 we can discuss now what percentage of that you are going to take.

30
31 That is the next action, and then, once you do that, how do you
32 want to distribute? If we do nothing, it is going to continue to
33 be distributed to existing shareholder accounts based on their
34 share percentages.

35
36 That is the traditional method, but one of the things that you've
37 been trying to do is to perhaps change, a little bit, the dynamics
38 within the shareholders participants, and the way in which you can
39 do that is to shift some of the resources from, you know, folks
40 that have the largest percentages, perhaps, towards those that
41 have a little less, if any.

42
43 **CHAIRMAN FRAZER:** Okay. We can move on.

44
45 **DR. DIAGNE:** Let's go to the next slide, please. Now another
46 decision point here is whether you are going to reclaim and take

1 the entirety of the amount above the baseline or only a portion.
2 You could take the totality of it, and that would be Alternative
3 2.

4
5 Let's say, for example, quota goes from seven to nine, and you
6 take the two million pounds, or you can take 75 percent, or you
7 can take 50 percent. We didn't include 25 percent, but it seems,
8 to me, that half and above would be sufficient here.

9
10 Let's say, for example, you decided to take 50 percent of the
11 amount above, and so it means that you would only take one million
12 pounds to be redistributed. Everything else would fall to folks
13 according to the percentage of shares that they own, but, if you
14 took 100 percent, then you take the entirety of the two million
15 pounds and distribute it in a different way.

16
17 This is another, I guess, fine-tuning, quote, unquote, that you
18 can do by saying I want to give a little bit of the increase to
19 shareholders, based on their percentages, and a little bit to those
20 that don't have any, and so that's the decision you can make by
21 picking 100 percent or 75 or 50 percent.

22
23 **MR. WALKER:** So this is just how we would split it up if we decided
24 to use it, but, more and more, I'm looking at this as a takeaway
25 from a commercial fisherman's benefit from the recovery of his
26 stock.

27
28 Maybe he rode it down, and now the stock is coming back, but he's
29 not going to get the benefit of the recovery of the stock, because
30 we're going to give it to somebody else, and this is a participant
31 in the fishery that we're talking about this -- I don't know if
32 you would call it takeaway, but we're considering making him
33 required to be a permit holder, and a vessel owner, and participate
34 in the fishery, and skimming off some of his benefit from the
35 recovery, to give to somebody, because he doesn't have so much.
36 I'm supporting that less and less, in my mind.

37
38 **DR. DIAGNE:** Yes, and, I mean, that's certainly a perspective. I
39 mean, the only thing that I'm going to say here is that taking a
40 portion of future quota increases -- That was explicitly stated in
41 the motion the council passed, in terms of actions to consider in
42 this amendment.

43
44 You know, there were discussions around the table, and folks said
45 that, well, it sounds reasonable to pick some kind of a baseline
46 and think about alternative ways of distributing this, and, really,

1 I don't think, and I'm actually pretty sure, that the intent is
2 not to penalize anybody and prevent anyone from benefiting from
3 the recovery, but it is more in recognizing the role of some of
4 the folks that are active in the fishery, but don't have shares.

5
6 I mean, at the end of the day, you need -- If you want to give
7 them something, it has to come from somewhere. If you don't want
8 to take it from existing shareholders, these three sources are the
9 places that we have so far, the inactive accounts, noncompliant
10 accounts, and future increases. Those are the only places. To
11 the extent that I guess we want to help, and change a bit the
12 dynamics of the fishery, it seems, to me, that this is something
13 that maybe, you know, deserves consideration.

14
15 **CHAIRMAN FRAZER:** Again, just the purpose of the exercise here is
16 to see if we've captured a full range of alternatives, right?

17
18 **MR. WALKER:** I get that, and I was originally a supporter of this,
19 but, the more I've thought about it, the more I'm starting to think
20 that this increase part is not something I'm in favor of.

21
22 **CHAIRMAN FRAZER:** Okay. Any other comments? Dr. Diagne.

23
24 **DR. DIAGNE:** Now that we have discussed the baseline, and discussed
25 the proportion above the baseline that would be collected, the
26 last action here, 4.3, will consider the distribution methods.
27 This would be Action 4.3, which looks at the distribution of annual
28 allocation for quota set-asides. For this action, of course, we
29 cannot distribute IFQ shares, given that quota increases are, by
30 essence, temporary.

31
32 The only thing you can do is give out annual allocation, so that,
33 if you have a subsequent decrease, then you don't have anything to
34 distribute, and it goes away.

35
36 Alternative 1, no action, would not distribute annual allocation
37 from quota set-asides. Alternative 2, for each share category,
38 equally distribute annual allocation from quota set-aside to
39 shareholder accounts with a valid or renewable permit and with
40 landings in the share category.

41
42 Just as an aside here, this would include everybody, including
43 those who own the shares, but, because it's an equal distribution,
44 it will shift just a little bit more to those that have less.
45 Option b would distribute it to accounts with a permit, but without
46 shares, and so we are moving closer towards those people in the

1 fishery that don't own anything, if you would.

2
3 Option c would distribute to accounts with a permit, with landings,
4 but without shares, and those would be essentially the group of,
5 you know, folks who land the fish, quote, unquote, but don't own
6 any IFQ shares, and that would be an equal distribution.

7
8 **CHAIRMAN FRAZER:** We've got a question. Dr. Banks.

9
10 **DR. BANKS:** Going back to this quota bank, now that we've seen a
11 couple of the alternatives come up, should we reword Alternative
12 4, since there is discussion of potentially not a NMFS-administered
13 quota bank, to be a little more inclusive to us exploring our
14 options?

15
16 **DR. DIAGNE:** If I understand your question, Dr. Banks, it would be
17 just to say "establish a quota bank" and take away the "NMFS-
18 administered" portion of it, for the time being, and is that what
19 you're suggesting?

20
21 **DR. BANKS:** That or add another alternative. Since we're not sure
22 NMFS can fund it, there would be other options, potentially an
23 outside party, and we would, obviously, have to define that, but
24 not to narrow, especially at least for the record. Right now, I'm
25 looking at Alternative 4 that only allows us to look at a NMFS-
26 administered bank.

27
28 **DR. DIAGNE:** Yes, and so, if that's, I mean, the consensus here,
29 we'll just have the alternative read to establish a quota bank,
30 but I don't quite know how, let's say, you know, NMFS, or someone,
31 is going to establish a private quota bank. We can take that out
32 and just leave it as quota banks for now.

33
34 **CHAIRMAN FRAZER:** Mr. Strelcheck.

35
36 **MR. STRELCHECK:** I mean, Assane kind of made my point. I'm not
37 sure there's really any mechanism for us to provide funding to a
38 private entity for this. Maybe we could do it under a contract or
39 something.

40
41 The wording here is a little awkward too, and I didn't pick up on
42 this earlier, but when we say NMFS-administered quota bank funded
43 with annual allocation, really it's supported by annual
44 allocation, and not money coming from that annual allocation, and
45 so I just want to make that clear.

46

1 **DR. DIAGNE:** Yes, Mr. Strelcheck. Absolutely. I mean, funded, I
2 mean, let's say, you know, what is meant here is providing the
3 seed quota for the bank, but we'll certainly look for a more
4 appropriate phrasing, to make sure that dollars are not coming
5 from the agency to go into this.

6
7 **CHAIRMAN FRAZER:** Kesley.

8
9 **DR. BANKS:** I still lean toward maybe rewording Alternative 4,
10 just to give us the flexibility while we flush through. Like it
11 has been mentioned, multiple times, we're not picking preferreds,
12 and we're just going through the options, and is -- I mean, is
13 anybody seeing any harm in adding -- In changing that to include
14 a little bit more flexibility? It can always get moved to
15 Considered but Rejected later down the line, or I don't know, and
16 maybe we'll pick it. I don't have a clear crystal ball.

17
18 **CHAIRMAN FRAZER:** So I'm just curious. What's the suggested
19 rewording, or wordsmithing, and it doesn't have to be perfect, but
20 I'm just trying to get a feel for what the wording is going to
21 look like in your mind.

22
23 **DR. BANKS:** Establish a quota bank, and I'll leave "funded", but
24 we'll -- Whatever Andy's adjustment is there to the funded portion,
25 and seeded with annual allocation. Just give us the flexibility
26 of it not necessarily having to be administered by NMFS.

27
28 **CHAIRMAN FRAZER:** Okay. I get it. Thanks.

29
30 **DR. DIAGNE:** So we'll adjust the alternative accordingly, and just
31 take that qualifier. Thank you. Where were we? We covered, yes,
32 the equal distribution.

33
34 Alternative 3, for each share category, distribute proportionally
35 based on the share of the -- Distribute based on the shares of the
36 landings in the share category to shareholder accounts with a
37 permit and with landings, of course, in the share category, to
38 shareholder accounts with a permit, but without shares in the
39 category, and, finally then, establish a quota bank funded, or
40 seeded, with annual allocation from quota set-aside, and, you know,
41 specifying that the features of the quota bank, eligibility, et
42 cetera, et cetera, those would have to be defined in a separate
43 plan amendment.

44
45 There is a note here just to make sure that we remember that the
46 distributions would be on an ongoing basis, and so, once this is

1 implemented, essentially, the agency would have, you know, the
2 power to continue having this distribution. I think this was the
3 last slide. I'll try to answer additional questions, if any.
4 Thank you.

5

6 **CHAIRMAN FRAZER:** C.J.

7

8 **DR. SWEETMAN:** Thank you, Mr. Chair. Something I just want to run
9 by you, Assane, and so it's relative to the baseline itself. A
10 lot of that language is specific to 2024, you know, setting the
11 baseline. I'm wondering if there's other options that we might
12 want to consider there.

13

14 I'm thinking along the lines of red grouper. It's not in a
15 rebuilding plan, but we had large quota reductions along those
16 lines. We're talking about scamp, and reducing quota along those
17 lines there too, and so I'm not sure exactly how to navigate this,
18 but maybe the baseline could look at something beyond 2024, like
19 the average of the three highest quotas. or something like that.
20 I don't know. I'm really spit-balling here, but just thinking
21 that there might be some situations where 2024 might not be
22 necessarily the appropriate baseline.

23

24 **DR. DIAGNE:** So, we could certainly, I mean, further explore this,
25 but one of the results is probably going to be then considering
26 each one of the shared categories individually and looking at --
27 Because, let's say, for example, if we think about red snapper, we
28 have, right now, the highest quota we've ever had, right, and so,
29 as a starting point, 2024 looks great.

30

31 It doesn't look so great for gag grouper. It doesn't look -- I
32 mean, it's in between for red grouper, and it's certainly not going
33 to look great once we split the other shallow-water grouper into
34 the two new share categories, and so perhaps, yes, we can -- We'll
35 think about it with the group, and the net result probably is going
36 to be looking at each one of the six shared categories, and, I
37 mean, soon to become seven, I mean, following 58A, and then decide
38 on a baseline for each one of those.

39

40 **DR. SWEETMAN:** I mean, I'm wondering -- I don't want to put too
41 much on you. That sounds like a lot of work to do, but it seems
42 like it's something that would be appropriate to look into, but
43 I'm just curious what your thoughts are.

44

45 **DR. DIAGNE:** Yes, it sounds appropriate given, I guess, the
46 diversity in the conditions of the different stocks. That is

1 totally something, I think, that we should consider.

2
3 **CHAIRMAN FRAZER:** Mr. Strelcheck.

4
5 **MR. STRELCHECK:** I wanted to add my support to C.J.'s comments.
6 You know, I know we're not at a point of choosing preferreds, or
7 deciding whether things should be considered, but the one thing
8 that I'm struggling with this one, and I like the concept, but
9 it's, you know, the quotas are going to be not only contingent on
10 future stock assessments, and those changes, but changes in
11 allocation, changes in the units of measure that we use for the
12 recreational sector, right, and so there's a lot of moving parts
13 to this.

14
15 Setting a baseline now could be a very different estimate than
16 what we might get in the future, based on new data streams and
17 other information, and so we need to keep that, I think, into
18 consideration, as we move forward, but I certainly agree with Ed's
19 comments earlier.

20
21 You know, we often have fishermen that have to experience the pain
22 of reducing quotas and then working toward rebuilding those quotas.
23 To me, for those that experience that pain, we also want to reward
24 them for that, by giving some of that quota back, and not taking
25 it away from them as that quota comes.

26
27 **DR. DIAGNE:** Yes, understood, and, I mean, one of the levers that
28 you have is in deciding how much of the quota increase you are
29 going to take, right, and we have options here between 25 percent
30 and 100. If you were to take, let's say, 50 percent, the other 50
31 percent will be distributed according to the traditional, quote,
32 unquote methods, and so everyone that owns shares would benefit,
33 quote, unquote, from the recovery.

34
35 Once we explore further the suggestions Dr. Sweetman made, then,
36 presumably, the baselines are going to be very high. Let's say,
37 just taking red snapper, fourteen million pounds is the highest
38 we've ever gotten, right? When the program was implemented,
39 immediately afterwards, the quota moved, I mean, aggregate, from
40 nine million pounds to six, and so, I mean, that's a long way
41 between there and now, and so definitely, yes, we are going to
42 look at alternative ways of setting the baseline so that no one
43 would be penalized.

44
45 **CHAIRMAN FRAZER:** Dr. Diagne.

1 **DR. DIAGNE:** Just one last thing. As we, I guess, think about
2 this, there is 59 in the back of the head, which is going to set
3 some requirements for participation, and presumably will narrow
4 or, you know, shrink the universe of participants in the IFQ
5 program.

6
7 One overarching question may be Amendment 60, and Amendment 59,
8 and we are going this way, but perhaps now would be, you know, the
9 time to take 59 and give it precedence, so that we take care of
10 that first, with whatever criteria we want, and then, you know,
11 the distribution and so forth would follow.

12
13 **CHAIRMAN FRAZER:** Yes, I agree with that. I think they're
14 certainly going to be sequential, moving forward, right, and so
15 we're starting to diverge there. I think the discussion was good
16 with regard to have we captured the full breadth of the
17 alternatives under the various action items.

18
19 At least in my opinion, I think, you know, where we struggled in
20 the past, and so we've put too much stuff in particular amendments,
21 and I think this one is appropriately constrained, and so I don't
22 think we're missing any action items at this point, and so unless
23 -- I don't want to speak for the committee, and so, if there's
24 another action item in here, I need to know what it is. Mr.
25 Williamson.

26
27 **MR. WILLIAMSON:** Well, you know, we've got -- As Andy said, we've
28 got a small amount of reclaimed shares, a very small amount, and
29 then we have the option of an increase in quota, and, in between
30 that, we have this really low threshold of reclaiming shares. I
31 mean, if you transfer, or you have a landing, then that takes you
32 out of the inactive, or the non-compliant.

33
34 Now, the commercial fishermen are not only commercial fishermen,
35 and they're very good businessmen, and they have -- They're not
36 going to let go of their shares by inactivity, or being
37 noncompliant, and so that's almost an area that you could just
38 take out of this Amendment 60, unless you address the issue of
39 these intergenerational transfers.

40
41 I mean, you've got a whole lot of guys that are transferring their
42 shares into entities, or whatever, but there's no consideration
43 being given to reclaiming these shares as a result of these
44 transfers or when they die. I mean, it's a privilege. It's not
45 an ownership, and that's stated in Magnuson.

1 I'm just -- That's just offering that up as we're missing something
2 here. If you throw in a condition regarding intergenerational
3 transfers, then you're reclaiming shares has some value, but not
4 the way it is now. I didn't mean to silence the group.

5
6 **CHAIRMAN FRAZER:** No, and, I mean, I'm just going to allow any of
7 the other committee members to weigh in on that. Again, I think
8 that issue is one that you've phrased before, and I'm just trying
9 to figure out, in my mind anyways, if it needs to be addressed in
10 this particular amendment, which is 60, right, and so the issue of
11 defining what an active or inactive account is, based on whether
12 you've caught fish or you've had a transfer in your account, is
13 settled in 59.

14
15 I'm trying to appropriately constrain the discussion to the
16 amendment at-hand here. I'm not -- In my opinion, I'm not sure it
17 belongs in this amendment, Troy. All right. I'm not seeing any
18 more discussion there. So, Mr. Chair, I think we're about
19 scheduled for a break.

20
21 **MR. DUGAS:** Thank you, Dr. Frazer. Yes, let's take a fifteen-
22 minute break.

23
24 (Whereupon, a recess was taken.)

25
26 **CHAIRMAN FRAZER:** We'll pick up with Draft Options: Federal For-
27 Hire Fishing Season for Red Snapper. Mr. Rindone will lead us
28 through the action guide and the draft options document. Mr.
29 Rindone.

30
31 **DRAFT OPTIONS: FEDERAL FOR-HIRE FISHING SEASON FOR RED SNAPPER**

32
33 **MR. RINDONE:** Thank you. So, this April, you guys directed us to
34 reevaluate the for-hire buffer for red snapper and the fishing
35 season, and, at our last meeting, after reviewing the first draft
36 of this, you decided not to continue with modifying the for-hire
37 buffer between the component ACL and ACT and just proceed with the
38 consideration of changing the fishing season, and so we'll show
39 you draft options for that action, including the updated season
40 duration analysis.

41
42 You guys should review the information presented and make any
43 modifications to the options and give us any additional feedback.
44 Right now, we're planning to bring this back for final action in
45 January, and so, Bernie, if you can pull the document up, and we'll
46 just go down to the purpose and need.

1
2 The purpose is to modify the fishing season for the federal for-
3 hire component, to allow greater access, while continuing to
4 constrain the landings to the component ACL, as well as the total
5 recreational ACL.

6
7 The need is to allow the for-hire component more opportunity to
8 harvest red snapper at a level consistent with achieving optimum
9 yield within the rec sector in the long-term, while preventing
10 overfishing on an annual basis and rebuilding red snapper stock,
11 and so we can go to the action.

12
13 All right, and so the current season opens June 1 and closes when
14 the component annual catch target is projected to be met, or on
15 December 31st, whichever one comes first. Alternative 2 would
16 modify the for-hire component fishing season, with the fishing
17 season opening on the Friday before Memorial Day and closing when
18 the component ACT is projected to be met, or on December 31st,
19 whichever one comes first. Then Alternative 3 would modify the
20 fishing season to open on May 15th and then close when it's
21 projected to be met.

22
23 There's a table down there that shows what the season duration
24 projections look like, and so opening -- Based on our current ACL
25 and ACT, and using -- Based on the current catch limits, and
26 assuming the average daily catch rate and the pounds whole weight
27 for 2021 through 2023, you can see what the projected closures
28 would look like.

29
30 It's a copy-paste issue with that number of days open, but the
31 season closure dates are there in the far-right column, and so
32 opening earlier in May results in season closures that are going
33 to happen up earlier in August, and no change in continuing to
34 open on June 1. Basically, the season analysis, it's in the
35 appendix in the back of the document, and it shows that season
36 closure is projected for the end of August, August 31st.

37
38 **CHAIRMAN FRAZER:** All right. Thank you, Mr. Rindone. It's a
39 fairly simple framework. Would you like to for the committee to
40 consider a preferred at this point, since it will be a final?

41
42 **MR. RINDONE:** I mean, if you would like to, we don't have the, you
43 know, Chapters 3 and 4 analyses or anything, but, you know, making
44 modifications to fishing seasons is not something that you guys
45 are not used to either, and so, if there's something that you would
46 like, or perhaps to get some personal feedback, you know, on the

1 public comment side of things, we certainly do that.

2

3 **CHAIRMAN FRAZER:** All right. Captain Walker.

4

5 **MR. WALKER:** I think one more round of public comment might be
6 good, because I still hear rationale for both sides. I don't
7 understand it all, but, to me, I would think, you know, the goal,
8 as a charter boat captain, would be to have the best opportunity
9 to capitalize on your season.

10

11 We're talking about essentially flip-flopping a week forward or
12 back, and where I am is the last week of August is really not the
13 best time of year for booking charters, whereas Memorial Day
14 weekend is a guaranteed charter, and so I would think the for-
15 hire guys would prefer to have that week, as opposed to the last
16 week of August, but that's just me, and, you know, I don't -- I
17 could go either way on it, and so I would like to hear some more
18 opinions on it.

19

20 **CHAIRMAN FRAZER:** Dr. Banks and then Mr. Schieble.

21

22 **DR. BANKS:** I kind of will echo some of Ed's sentiments. I lean
23 toward the Friday before Memorial Day, in our area. You know,
24 it's a big tourist time. Kids are now out of school at that point
25 in May. By the time you get to the end of August, in our area,
26 they're going back to school, and the end of August, versus that
27 extra week in May, and that's where I'm leaning, based on the fleet
28 in our area, but I'm open to another round of public comment
29 tomorrow.

30

31 **CHAIRMAN FRAZER:** Mr. Schieble.

32

33 **MR. SCHIEBLE:** Thank you, Dr. Frazer. I agree with what Captain
34 Walker said, as well as Dr. Banks. I think, when you look at the
35 landings reports that we saw yesterday from all the states,
36 landings seem to taper off as you start to get to around August
37 with the private recreational sector.

38

39 I think, when you look at our landings that we track for the
40 federal for-hire fleet with LA Creel, there's the same pattern.
41 There's just -- You know, there's obviously less landings coming
42 at that time of year, and so it makes sense.

43

44 I could never really understand why we didn't allow the federal
45 for-hire fleet access to a major holiday weekend, Memorial Day
46 weekend, and it's because of data, you know, the waves coming in,

1 right, and so the data reporting, and I get that part, but, to me,
2 this would seem to fix that.

3
4 You know, if they had that access, with either one of those
5 options, either 2 or 3, it gives you that access to that holiday
6 weekend, as a charter for-hire captain, and so I would be in
7 support of what we hear around the council as well as public
8 comment tomorrow.

9
10 **MR. WALKER:** I would like to hear what Troy Frady has to say.

11
12 **CHAIRMAN FRAZER:** Troy, do you want to weigh-in on this, you're
13 your perspective?

14
15 **MR. FRADY:** (Mr. Frady's comment is not audible on the recording.)

16
17 **CHAIRMAN FRAZER:** I'll repeat the question. So we're on this
18 framework and trying to figure out an opening date.

19
20 **MR. FRADY:** Thank you, Mr. Chair. We've thought about this. We've
21 discussed it. You know, I've talked to the charter fishermen
22 across the northern Gulf, where I live in Alabama. We see the
23 benefit of having a hard date, to plan on the start in May. Now,
24 we're not necessarily in agreement with other groups, but, where
25 we are in Alabama, it makes sense to try to back it up a little
26 bit, but have the hard date that we can bank on every year to start
27 with.

28
29 Like I said, the idea is not to overfish the fishery, but the idea,
30 for me, is to take the pressure off the fish, because not everyone
31 in Orange Beach is fishing in that month of May heavily, for pretty
32 much any species, until kids get out of school, on about the 23rd
33 or 25th of May, and so I would say we could live with it. I don't
34 really want to go earlier than that, but I would say May 15th or a
35 hard date right prior to the Memorial Day weekend every year, but
36 no farther back than that. Thank you, sir.

37
38 **CHAIRMAN FRAZER:** Thanks, Troy. Dr. Banks.

39
40 **DR. BANKS:** Just a quick question. Can someone remind me the
41 timeline, if we take final action on this in January? Is that
42 right? So when would this potentially be able to be? The 2026
43 season, or 2025, or, I guess, what's the timeline?

44
45 **MR. RINDONE:** Most likely for the start of 2026 season. I mean,
46 you figure, you go final in January and, you know, that means at

1 the end of that month, and we get it transmitted in February, and
2 it goes through the rulemaking process. That still puts you at
3 July, at the quickest, and so the, you know, at that point, the
4 current season is already open, and well underway, and so it would
5 be the following.

6
7 **CHAIRMAN FRAZER:** Any more comments? Mr. Geeslin.

8
9 **MR. GEESLIN:** Thank you, Mr. Chair. I think I weighed-in on this
10 at the last meeting. This one-size approach, or one-size-fits-
11 all, across the Gulf doesn't sit well with me. I think Captain
12 Frady makes some good arguments. I would also like to hear from
13 the gentleman standing up in the back of the room from my home
14 state, and, again, I think this speaks to the advantage of state
15 management.

16
17 I think this will also prompt some of our state directors to think
18 about a private rec opener to coincide with that May 15th, or that
19 May whatever it may be, the Friday before Memorial Day opener, and
20 so just recognizing that this may have some downstream implications
21 as well.

22
23 **CHAIRMAN FRAZER:** Thank you, Dakus. So it sounds, to me, based on
24 the comment, that we'll get some more public comment, and then
25 there's a likelihood, or a possibility, that we could take a
26 preferred in Full Council. All right. I think we can dispense of
27 this agenda item. Is that's all you need?

28
29 **MR. RINDONE:** (Mr. Rindone's comment is not audible on the
30 recording.)

31
32 **CHAIRMAN FRAZER:** Okay. We'll go ahead and move on to a Discussion
33 of the Updated NMFS Bottom Longline Index for Gulf Red Snapper,
34 and that will be Dr. Porch providing a presentation, but, Ryan, do
35 you want to go ahead and do the action guide?

36
37 **DISCUSSION: UPDATED NMFS BOTTOM LONGLINE INDEX FOR GULF RED SNAPPER**

38
39 **MR. RINDONE:** Sure. Dr. Porch is here to discuss an update to the
40 bottom longline index for red snapper. It's a fishery-independent
41 index of abundance, and it's historically been used to evaluate
42 trends in the relative abundance of spawning stock biomass of red
43 snapper. It's also been previously used to inform interim catch
44 advice. This information is provided in response to a council
45 request for updated fishery-independent indices for red snapper.

1 Many of these are being prepared in advance of the SEDAR 98 data
2 workshop, which is going to be in Mobile from December 10th to 13th.
3 However, this index is one of the only ones that was able to be
4 updated in time for this meeting, and so you guys should hear Dr.
5 Porch out and ask questions.

6
7 **CHAIRMAN FRAZER:** Clay.

8
9 **DR. PORCH:** All right. Great, and so we actually were able to
10 update a few things, but the only one we could update through 2024
11 was the longline survey, but our folks in our survey division did
12 an excellent job pulling together all of the information that they
13 had, and that longline survey data is literally only weeks old,
14 and so we just completed the survey, and so really a Herculean
15 effort on their part.

16
17 What we are able to show you here is the SEAMAP summer groundfish
18 survey through 2023. That's from the eastern Gulf. We were also
19 able to update our fall groundfish survey, and the groundfish
20 surveys were basically done with shrimp trawl nets on the shrimping
21 grounds, and that we were able to update for both the western and
22 eastern Gulf. We're still working on the data from the summer
23 groundfish survey in the western Gulf.

24
25 Then there's the SEAMAP fall plankton survey. That's only updated
26 through 2022. It takes a lot more work to sort through all the
27 plankton, and that's going to be an index of more or less spawning
28 biomass, egg production, larval production.

29
30 Then there's our G-FISHER video survey. That's updated through
31 2022 through the western Gulf. Obviously, the eastern Gulf is a
32 little tougher to complete, because that's being done largely by
33 the State of Florida, and they had a little thing called Hurricanes
34 Helene and Milton, which has slowed that process down. Then I'll
35 go through the longline survey through 2024. We also have some
36 length comp information to show you as well.

37
38 I'll start with our SEAMAP summer groundfish survey, which are
39 mostly what we call age-zero. They're less than a year old, and
40 this is for the eastern Gulf. The solid lines are the trends in
41 relative abundance, the relative frequency that we see these
42 animals, and then the dashed lines are the, I believe, 95 percent
43 confidence limits.

44
45 What you can see here is that survey started in 1982, and it goes
46 here through 2022, and, in general, the values, as you might

1 expect, in the 1980s and 1990s, were lower than they are today.
2 That's when the stock was severely overfished, and you can see,
3 since 2007, the numbers have gradually increased. There's a lot
4 of year-to-year variability, but, in general, they're more or less
5 four-times higher now than they were back in the 1980s and early
6 1990s.

7
8 For the fall groundfish survey in the western Gulf, the trend is
9 not as obvious. We do see a little bit of elevated recruitment,
10 but, you know, it's more dominated by just the interannual
11 variation, but you can see, in the most recent years, after around
12 2002, it's a little bit higher, on average, than the earliest
13 years, but not much.

14
15 Here's the fall groundfish survey for the eastern Gulf, and so the
16 animals are a little bit older now. You actually are starting to
17 lose some of that trend we saw with the younger animals, and,
18 really, you can't hardly see any trends, and so just major spikes
19 from one year to the next.

20
21 Here's where we're starting to get the things that the fishermen
22 might pick up on, and that is more large fish, and this is the
23 fall plankton survey, and, yes, it's an index of plankton, but
24 it's very young eggs and larval stage of red snapper, and so that's
25 more an index of how much product is being put out in the water,
26 spawning product, and so we consider it an index of spawning
27 biomass.

28
29 You can see, since about 2007, the population in the western Gulf
30 has increased several-fold, as we all know, and we see on the
31 water, and this is updated through 2022, and so you can see, from
32 more or less 2007, a very rapid increase.

33
34 This is the data for the eastern Gulf. It's a little spottier
35 than the western Gulf, and we have a big gap in -- Well, a gap in
36 2020, and that's obviously COVID. We weren't able to get out on
37 the water, but, again, ingeneral, you can see a pretty substantial
38 increase since about 2007.

39
40 This is even closer to what fishermen will see on the water. This
41 is our video survey, where we put cameras down near a structure
42 where a lot of fishermen are operating, and, again, you can see
43 this one starts in around 1993. You're starting to see some
44 increases there, and then it really starts increasing after 2006,
45 or 2007, a several-fold increase. However, this is -- You can
46 see, towards the last couple years, 2019, 2021, and 2022, a little

1 bit of a decrease, and so the peak seems to have been around 2017,
2 or 2018.

3
4 Western Gulf bottom longline survey, this survey tends to get the
5 fish that are on that so-called uncharacterized bottom. It does
6 get near some structure, but, obviously, they're not laying the
7 longlines right on top of the high-relief structures, but sometimes
8 the longlines are fairly near them.

9
10 The bottom line is these get more large fish, proportionally more
11 large fish. It's the largest fish of all our surveys, and you can
12 see that, similar to what you saw with the plankton survey, that
13 the numbers have increased pretty substantially since 2007 or so.

14
15 Here's the eastern Gulf, and this is the area where we've been
16 getting the comments from fishermen, and the trends here are
17 actually fairly level up to 2024, with maybe a slight increase
18 relative to 2023, although generally lower than the peak that was
19 around 2016, and so we're not seeing, in the uncharacterized bottom
20 areas, a big decrease in red snapper, but, obviously, that's not
21 where most of the fishermen operate.

22
23 Again, I think the one that would be most interesting is going to
24 be the G-FISHER survey for the eastern Gulf. We expect that to be
25 completed at the December workshop, SEDAR workshop, and so we can
26 probably show that for the next council meeting. That's going to
27 be the one that matches up the most with what the fishermen are
28 seeing on the water.

29
30 This is just a plug, a shameless plug, for our SEAFiSh data
31 visualizer. It's the one I demonstrated for you a couple meetings
32 back, and that link is hot, and so, if you have a copy of this
33 presentation, you can click on it, and go to that, and you can see
34 all the data that I just showed you. There should be a slide after
35 that. Maybe there's a later version. There should be the
36 snapshots of the size composition information.

37
38 **CHAIRMAN FRAZER:** It's a separate link. We'll get it up, Clay.

39
40 **DR. PORCH:** Yes, and I had a version of the presentation -- I think
41 there is a later one, that just didn't get substituted, or maybe
42 not sent, and I don't know, but there was a version that had all
43 the size comp in it as well.

44
45 **CHAIRMAN FRAZER:** Yes, and so, Bernie, it's the second one. It's
46 the plot.

1
2 **DR. PORCH:** I can talk you through it.
3
4 **CHAIRMAN FRAZER:** We'll get it, Clay.
5
6 **DR. PORCH:** Okay. That will work, too. That's not the same plots,
7 but it's the same point. You can see here, and it's a little
8 harder to read, but that's years, on the bottom axis, and, in
9 general, you can see, since around 2007, that the average size of
10 the fish is getting larger and larger.
11
12 On the vertical axis is the length of the fish in centimeters, and
13 so thirty centimeters is twelve inches, and you can see, in
14 general, the longline fishery -- Sorry. Not the longline fishery,
15 but the longline survey, and the average size of the fish has been
16 increasing over time.
17
18 This is the western Gulf of Mexico bottom longline survey length
19 composition, and there we don't see too much of a trend, except
20 the distribution of sizes seems to have contracted a little bit,
21 but the average size hasn't changed very much through time.
22
23 **DR. FROESCHKE:** Clay, I put these together.
24
25 **DR. PORCH:** We don't need to go through this one. What's that?
26
27 **DR. FROESCHKE:** I put these together, and so those are just some
28 supplementals, and so that's why you're not familiar with these,
29 but you don't have to go through this.
30
31 **DR. PORCH:** All right. Good. Well, the bottom line is we didn't
32 see a real strong signal in the length composition data. We're
33 not seeing a big decrease in the average size, but, again, the key
34 one, that we can show hopefully by the next council meeting, is
35 going to be that video survey in the eastern Gulf of Mexico, and
36 so any questions?
37
38 **CHAIRMAN FRAZER:** We have Mr. Schieble.
39
40 **MR. SCHIEBLE:** Thank you, Mr. Chair. Just a thought. It may be
41 interesting, in the future, to look at a GIS plot of the bottom
42 longline transects across the Gulf, with some sort of heatmap
43 showing those sizes, like we see in the plot diagram here, but
44 overlaid spatially in the Gulf itself. It might be more
45 representative, or visual, for us to see that, but I'm just
46 thinking out loud.

1
2 **DR. PORCH:** Well, we can show you that. I believe, in the report
3 that's attached to -- If you go to the SEAFiSh link, there's a
4 report that describes it. It shows generally where all the
5 stations are. I don't know if it compares it exactly to the
6 distribution of where the fishing effort is, but we can certainly
7 show that. We have that information.

8
9 **CHAIRMAN FRAZER:** Any other questions for Dr. Porch? C.J.

10
11 **DR. SWEETMAN:** Thanks for the presentation, Clay. Very
12 interesting. Even just looking at those bubble plots in the
13 previous one, and I was just looking at it with Tom there, and you
14 can kind of see there's fewer fish that we're seeing, at least in
15 the western Gulf, what I'm seeing there. There seem to be fewer
16 fish in that plot there, in the length comp plots, but what I'm
17 struggling with is it seems to be an increasing size that you're
18 seeing, just a subtle trend in that direction, and I'm just trying
19 to justify -- I'm wondering if you have any thoughts for -- I know
20 you weren't here yesterday, but a lot of the states are seeing a
21 decline in the average size.

22
23 I'm curious if you have thoughts. Is it just because the bottom
24 longline index may be targeting areas that recreational fishermen
25 aren't really targeting, and so you're seeing a different sample
26 size there?

27
28 **DR. PORCH:** It's really targeting closer to what we described in
29 the Great Red Snapper Count as the uncharacterized area. It does
30 get near some of the structure, but it's quite possible that you
31 have some -- I hesitate to say local depletion, because it's fairly
32 widespread, but, on the high-relief areas that are more commonly
33 fished, that you're losing a lot of the bigger fish, and so the
34 size is going down. That's why I say the G-FISHER survey will be
35 really interesting.

36
37 **CHAIRMAN FRAZER:** Dakus.

38
39 **MR. GEESLIN:** Well, C.J. got the first point, and I was going to
40 suspect that it was sampling in different areas, and some of the
41 contradiction that we've heard about localized depletion, smaller
42 sizes, and coming from the fishery-dependent data, and it's always
43 good to have fishery-independent, but also kind of a gut check
44 across the Gulf, and so I appreciate that, Clay. I appreciate
45 your team looking into that.

1 What is also encouraging is over in the western Gulf, especially
2 on the adult size classes in your bottom longline survey. I can't
3 help but think that some of that continues to speak to me in
4 support of a kind of an east-west split, and a biomass-based
5 fisheries management approach in the Gulf, and so thanks for
6 highlighting that.

7
8 **CHAIRMAN FRAZER:** I know I asked you once before, Clay, and I
9 forgot the hook size that are used in the ground fish survey. Are
10 those thirteens?

11
12 **DR. PORCH:** I'll get back to you on that, because I don't want to
13 say the wrong one. I can't remember exactly which hook size it
14 is.

15
16 **CHAIRMAN FRAZER:** All right. Thanks. All right. Are there any
17 further questions for Dr. Porch? Mr. Geeslin.

18
19 **MR. GEESLIN:** Just diving in here, Clay, just for the groundfish,
20 and that's juvenile, and what size class are we targeting there?
21 Are we targeting juveniles, and then the plankton is -- Is that
22 larval-size fish? I'm just trying to understand the gear types
23 and the size class of fish, the life stages, that we're targeting.

24
25 **DR. PORCH:** Right. In the groundfish survey, you're basically
26 talking about fish that are a maximum of one years old, and they're
27 typically under twelve inches, but most of them are very small,
28 little age-zeroes, and so you're talking about, you know, a couple,
29 three, four inches long. That's the majority of them, and so,
30 yes, age-zeroes, yearlings, and, yes, the plankton survey gets
31 young larvae and eggs.

32
33 **CHAIRMAN FRAZER:** Thank you, Dr. Porch, for that presentation.
34 All right, and so we're going to move along, and the next agenda
35 item is by Mr. Schieble, a request for an update on the greater
36 amberjack count. Chris.

37
38 **REQUEST FOR AN UPDATE ON THE GREATER AMBERJACK COUNT**

39
40 **MR. SCHIEBLE:** Thank you, Mr. Chair. I'll be brief, if there's
41 interest in firing up Captain Walker for his Data Committee after
42 this, since we have an hour. I wanted to sort of put this on the
43 plate for us to look at.

44
45 Back in April of 2023, the SSC was given an update on the greater
46 amberjack count, and then that presentation -- The SSC summary

1 report was given to us at the April 2023 council meeting, and it
2 showed, you know, where they were in the process, and the steps,
3 and so we're looking at, you know, over a year-and-a-half ago was
4 sort of our last update, to my best recollection on that, and so
5 I guess, if a motion is needed to ask for a presentation at the
6 January council meeting, to give an update on the greater amberjack
7 count from the PIs, and is that what you need, a formal motion, or
8 can we just request that?

9
10 **CHAIRMAN FRAZER:** Dr. Simmons.

11
12 **EXECUTIVE DIRECTOR SIMMONS:** I think that would be a good idea,
13 because we would need to contact them, and coordinate and all that,
14 and the independent academics that we're contacting, and so yes.

15
16 **DR. SCHIEBLE:** Okay. **Easy enough, and so I'll make a motion for**
17 **the council requesting an update on the greater amberjack count**
18 **for the January Gulf Council meeting, to include reference to the**
19 **timeline. I guess I'll speak to that as well, if I can get a**
20 **second. There's a second by Billy.**

21
22 The timeline we saw, from the April council meeting, said that the
23 project is expected to be completed by April, or May, April/May,
24 of 2025, and then undergo --

25
26 **DR. FROESCHKE:** Sorry. Bernie didn't catch your motion. Can you
27 --

28
29 **MR. SCHIEBLE:** Sorry. I'm going too fast, Bernie. A motion to
30 request an update on the greater amberjack count for the January
31 Gulf Council meeting, to include an update on the timeline, and it
32 was seconded by Billy Broussard.

33
34 What I'm saying is the timeline we received, almost a year-and-a-
35 half ago, is that it was expected to be completed by April/May of
36 2025. It will undergo a peer review, similar to the Great Red
37 Snapper Count, and so I just want to kind of see where we were in
38 that process, from the PIs, and, if they don't really have a
39 compilation of data, that's fine, but just sort of more of a
40 timeline thing would be helpful for us as well. If we need any
41 discussion, let me know, and I have one more item after that.

42
43 **CHAIRMAN FRAZER:** Okay. Is there any further discussion with
44 regard to the motion? Dr. Banks.

45
46 **DR. BANKS:** I support this, Chris, but I will say it's a good thing

1 that you're only really looking for the timeline. We just sent
2 preliminary -- Our QC'd data into the team, the quantitative team,
3 and so I don't know how fast they'll have it, but they might have
4 a few preliminary results as well, but, as far as the rest of the
5 PIs have been told, they're still on track.

6
7 **CHAIRMAN FRAZER:** Chris.

8
9 **MR. SCHIEBLE:** Thanks, Dr. Banks, and that's mainly what I'm after,
10 is are we still on track after this eighteen months that, you know,
11 we got our last update, and how does it look, and I know there
12 three phases to the project itself, and how far are we in Phase 3
13 now, that type of thing, and, if there is preliminary data, I think
14 it would be interesting for us to be able to see a brief summary
15 of that, but, anyway, we're conked out.

16
17 **CHAIRMAN FRAZER:** Almost, Chris. Almost. Any further discussion
18 on this motion? All right. **Not seeing any, is there any objection**
19 **to the motion? Seeing none, the motion carries.** That leads us to
20 the Other Business, if you want to make any.

21
22 **OTHER BUSINESS**

23
24 **MR. SCHIEBLE:** I also wanted to make a motion for council staff to
25 **begin work drafting a decision tool for state management of**
26 **amberjack, including comparison sector separation, and I'll give**
27 **more thoughts if I get a second on this.** Okay. There's a second.

28
29 **CHAIRMAN FRAZER:** I just have a process-oriented question, because
30 it's an Other Business item, or, I mean, technically, are we, can
31 we make a motion to carry out an action here?

32
33 **EXECUTIVE DIRECTOR SIMMONS:** I think the intent was it went under
34 the amberjack request, the amberjack request that was on the
35 agenda.

36
37 **CHAIRMAN FRAZER:** Okay. Fair deal. I understand now. Okay.
38 We'll get the motion on the board. The motion is to begin work on
39 drafting a tool to begin state management of greater amberjack,
40 including a comparison of sector separation. We might need some
41 wordsmithing here.

42
43 **MR. SCHIEBLE:** So, in front of "tool", put "decision", "drafting
44 a decision tool, including a comparison with sector separation".

45
46 **CHAIRMAN FRAZER:** Dr. Simmons.

1
2 **EXECUTIVE DIRECTOR SIMMONS:** Thank you, Mr. Chair. Do you mean a
3 decision tool, or maybe like a white paper, with a flowchart of
4 decisions the council would have to consider to move state
5 management of amberjack forward?
6

7 **CHAIRMAN FRAZER:** Chris.
8

9 **MR. SCHIEBLE:** I was thinking a flowchart decision tool, but, if
10 that is a white paper request, then, yes, do we need to add that
11 in the language then, specifically, or no?
12

13 **EXECUTIVE DIRECTOR:** I would just take "decision tool" out, because
14 I think, a lot of times, we're asking the Science Center, or the
15 Regional Office to do those, and I think we can come up with a
16 flowchart that explains all the different decision points the
17 council is going to have to come up with in order to move this
18 forward, and so I think that's the intent, right?
19

20 **MR. SCHIEBLE:** Yes, exactly. My thought process on this is we
21 all, around the table, know how long it takes to get something
22 through the council, from inception to final action.
23

24 If we can get something started, where we start to decide certain
25 facets of how we would want state management of amberjack to take
26 place, by the time we get to the end of the FES pilot study, and
27 by the time we get through the culmination of the greater amberjack
28 count in the stock assessment, perhaps we would start to have a
29 draft that we can work on for state management of amberjack at the
30 council level, at the same time, instead of beginning that by the
31 time all those other things are done, because we seem to always
32 work on data from a stock assessment that's two, three, four years
33 old by the time we're getting something accomplished here.
34

35 I feel like we always are working with somewhat outdated data, and
36 so maybe we could get this started on the front end, so that they
37 come together around the same time. Just my thoughts.
38

39 **CHAIRMAN FRAZER:** All right. Further discussion on this motion?
40 Dr. Banks.
41

42 **DR. BANKS:** I have maybe a friendly amendment, or maybe just a
43 point of discussion. We've heard, from a couple of the charter
44 guys, that they're not necessarily in favor of state management,
45 but maybe regional, and so can we include that in this white paper
46 as well, rather than go straight down to state, but see what

1 regional and state also look like?

2

3 **MR. SCHIEBLE:** I would be open to editing the motion, if you want
4 to add that in there, just add the language, and so I know we got
5 something similar to that in an amberjack document a few years
6 back, where we had three regions, I believe Ryan had in the
7 document. It was very similar to how the kingfish zones are laid
8 out in the Gulf, and so maybe resurrecting that within the thing
9 as well for us to consider.

10

11 **CHAIRMAN FRAZER:** Okay. Do you want to suggest the appropriate
12 wording, Dr. Banks?

13

14 **DR. BANKS:** I'll give it a shot, but anybody else feel free to
15 help wordsmith. **To direct staff to begin work on a flowchart to**
16 **explore decision points for state or regional management of greater**
17 **amberjack, including a comparison with sector separation.**

18

19 **DR. SCHIEBLE:** I agree with that.

20

21 **DR. BANKS:** Or "and regional", or "and/or".

22

23 **MR. SCHIEBLE:** Yes, that's fine. Dakus, are you good with that?

24

25 **CHAIRMAN FRAZER:** Mr. Rindone.

26

27 **MR. RINDONE:** Thank you. Including a comparison with sector
28 separation, and so is it -- Is the intent like you could do regional
29 management or state management or sector separation, or sector
30 separation is a part of the whole scheme?

31

32 **MR. SCHIEBLE:** Either with or without, including, and so there's
33 another action on the action guide, right below state management
34 of amberjack, that includes sector separation for amberjack and
35 triggerfish. This would just be specific to including sector
36 separation for amberjack within the decision tool document,
37 whatever that is.

38

39 **CHAIRMAN FRAZER:** Are you good with that, Ryan? Do you need more?
40 Okay. Mr. Strelcheck, you're good? All right. Dakus, as the
41 seconder, you're good with all of that?

42

43 **MR. GEESLIN:** I'm good with all of that.

44

45 **CHAIRMAN FRAZER:** All right. Is there any further discussion of
46 this motion? **Is there any opposition to the motion? Seeing none,**

1 **the motion carries.** Okay. Is there any other business to come
2 before the committee? Not seeing any. I'm going to turn it back
3 to you, Mr. Chair.

4

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

6

7

- - -