

1 GULF OF MEXICO FISHERY MANAGEMENT COUNCIL

2  
3 REEF FISH MANAGEMENT COMMITTEE

4  
5 Beau Rivage Hotel and Casino Biloxi, Mississippi

6  
7 October 24-25, 2022

8  
9 **VOTING MEMBERS**

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

27  
28 **NON-VOTING MEMBERS**

- 29 Dave Donaldson.....GSMFC

30  
31 **STAFF**

- 32 Matt Freeman.....Economist
- 33 John Froeschke.....Deputy Director
- 34 Beth Hager.....Administrative Officer
- 35 Lisa Hollensead.....Fishery Biologist
- 36 Ava Lasseter.....Anthropologist
- 37 Mary Levy.....NOAA General Counsel
- 38 Jessica Matos.....Administrative and Accounting Technician
- 39 Natasha Mendez-Ferrer.....Fishery Biologist
- 40 Emily Muehlstein.....Public Information Officer
- 41 Ryan Rindone.....Lead Fishery Biologist/SEDAR Liaison
- 42 Bernadine Roy.....Office Manager
- 43 Carrie Simmons.....Executive Director
- 44 Carly Somerset.....Fisheries Outreach Specialist

45  
46 **OTHER PARTICIPANTS**

- 47 Chester Brewer.....SAFMC
- 48 Richard Cody.....NOAA
- 49 Peter Hood.....NMFS

1 Sean Powers.....GMFMC SSC  
2 Ed Walker.....GMFMC RF AP  
3 John Walter.....SEFSC  
4  
5 - - -  
6

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4 representatives to provide state recreational red snapper  
5 management presentations, pre and post-season, for the April and  
6 October Council meetings, annually. [The motion carried on page](#)  
7 [26](#).

8  
9 [PAGE 42](#): Motion in Action 1 to make Alternative 5 the preferred  
10 alternative. [The motion carried on page 56](#).

11  
12 [PAGE 66](#): Motion in Action 1 to move Alternatives 4 and 5 to  
13 Considered but Rejected. [The motion carried on page 67](#).

14  
15 [PAGE 67](#): Motion in Action 1 to make an alternative for a  
16 November 1 through December 31 season. [The motion carried on](#)  
17 [page 68](#).

18  
19 [PAGE 86](#): Motion to modify the IFQ Focus Group's charge to  
20 consider an action that provides options on how to get:  
21 1)increases in annual allocation (not shares) above the current  
22 commercial allocation (approximately 6.3 million pounds); and  
23 2)allocation held in non-active accounts to active fishermen who  
24 own no shares. [The motion was tabled on page 90](#). [The motion](#)  
25 [was untabled on page 99](#). [The motion was withdrawn on page 103](#).

26  
27 [PAGE 95](#): Motion to reconvene the IFQ Focus Group for a second  
28 meeting with the remaining eight members. [The motion carried on](#)  
29 [page 96](#).

30  
31 [PAGE 103](#): Motion to direct staff to develop a list of proposed  
32 IFQ related issues the council would review and prioritize at  
33 their January 2023 meeting. Thereafter, the council would  
34 either convene a special council meeting or dedicate significant  
35 time on a future Reef Fish committee agenda to discuss the  
36 highest priority issues recommended by the council. [The motion](#)  
37 [carried on page 111](#).

38  
39 [PAGE 115](#): Motion in Action 1 to make Alternative 3 the  
40 preferred. [The motion carried on page 116](#).

41  
42 [PAGE 116](#): Motion in Action 1 to remove Alternative 5. [The](#)  
43 [motion carried on page 116](#).

44  
45 [PAGE 129](#): Motion in Action 1 to move Alternative 3 to  
46 Considered but Rejected. [The motion failed on page 131](#).

47  
48 [PAGE 150](#): Motion to direct staff to work on a document to

1 modify the catch levels for scamp and yellowmouth grouper and  
2 consider other management changes necessary for the shallow-  
3 water grouper complex. This would include catch projections of  
4 F SPR 30 percent and F SPR 40 percent. [The motion failed on](#)  
5 [page 153](#).

6  
7 [PAGE 154](#): Motion to direct staff to provide catch levels for  
8 scamp and yellowmouth grouper utilizing an MSY proxy of F 40  
9 percent SPR, and consider other management changes necessary for  
10 the shallow-water grouper complex. [The motion carried on page](#)  
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12  
13 - - -  
14

1 The Reef Fish Management Committee of the Gulf of Mexico Fishery  
2 Management Council convened at the Beau Rivage Hotel and Casino  
3 in Biloxi, Mississippi on Monday afternoon, October 24, 2022,  
4 and was called to order by Chairman Tom Frazer.

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

10 **CHAIRMAN TOM FRAZER:** I think we can move pretty expeditiously  
11 through today's agenda anyway, and it's largely informational,  
12 and so the first item on the agenda is the Adoption of the  
13 Agenda, and that's Tab B, Number 1. Does anybody have any  
14 additions or edits to the agenda as written? Okay. I am not  
15 seeing any. Is there anybody opposed to adopting the agenda as  
16 written? Dr. Simmons.

17  
18 **EXECUTIVE DIRECTOR CARRIE SIMMONS:** Thank you, Mr. Chair. I  
19 just wanted to let the committee know that Dr. Cody is not going  
20 to be here until tomorrow morning, and so his presentation will  
21 be tomorrow morning.

22  
23 **CHAIRMAN FRAZER:** Okay. Thanks, Carrie, for that. We'll make a  
24 note of that, and so, other than that, there was no opposition  
25 to the agenda, and so we'll consider the agenda approved. The  
26 second item on the agenda is the Approval of the August 2022  
27 Minutes, and so is there any edits to those minutes? I'm not  
28 seeing any edits. Any opposition to approving the minutes as  
29 written? Seeing no opposition, we will consider the August 2022  
30 minutes approved.

31  
32 The next agenda item is the Action Guide and Next Steps, and  
33 that's typically carried out by Mr. Rindone, but, Ryan, if it's  
34 okay, I think we can go ahead and just move through these with  
35 kind of informational titles here.

36  
37 **MR. RYAN RINDONE:** I will allow it.

38  
39 **CHAIRMAN FRAZER:** Thank you so much, Ryan. All right, and so we  
40 will then go into Agenda Item Number IV, which is Review of the  
41 Reef Fish and Individual Fishing Quota Landings, and that will  
42 be Mr. Hood. Tab B, Number 4 is the reef fish landings  
43 presentation. Peter.

44  
45 **REEF OF REEF FISH AND INDIVIDUAL FISHING QUOTA (IFQ) LANDINGS**  
46

47 **MR. ANDY STRELCHECK:** Tom, before Peter presents, I was going to  
48 talk about for-hire red snapper and red grouper landings, and

1 then Peter can go through the more detailed presentation. Prior  
2 to this meeting, we did receive Wave 4 landings. They do have  
3 to go through a processing by the Science Center, but I did ask  
4 them to prioritize both red snapper and red grouper.

5  
6 With the for-hire red snapper landings, we are 99.2 percent of  
7 the catch target, and so I consider that a bullseye, in terms of  
8 estimating the season length and the landings. Based on that,  
9 we don't foresee reopening for-hire red snapper.

10  
11 For red grouper, we were not as fortunate, and we had projected  
12 and closed the fishery as of August 30, and we were expecting  
13 that that would be sufficient to hold us to the catch target.  
14 Based on the preliminary Wave 4 landings, we have exceeded the  
15 catch target considerably, and we're still looking at those  
16 landings, and we do not expect to reopen red grouper private  
17 recreational and for-hire harvest this fall, and so I just  
18 wanted to update the council on those, because I know those are  
19 both fisheries that people are paying close attention to and  
20 interested in knowing if we would have a fall season.

21  
22 **CHAIRMAN FRAZER:** Great, Andy. Thanks for providing that  
23 update. I'm sure it was of interest to a number of folks in the  
24 room. Okay. Again, I'm trying to keep us on schedule, and,  
25 Peter, are you on the line?

26  
27 **MR. PETER HOOD:** Yes, I am. Can you hear me?

28  
29 **CHAIRMAN FRAZER:** We sure can. Take it away.

30  
31 **MR. HOOD:** Okay. Thank you. Okay, and so just a few notes on  
32 reef fish landings. All the 2022 landings are preliminary, and,  
33 right now, commercial -- I mean, from what we had, and sort of  
34 based on not really being able to update things too much, we  
35 were only able to have commercial landings through August 31,  
36 2022, but I did go in and look at the landings, and so I may be  
37 able to provide some updates for some of the species.

38  
39 Recreational landings include MRIP, LA Creel, SRFS, and headboat  
40 landings through June 30, which is Wave 3, and Texas landings  
41 aren't available yet. All the ACLs are based on recommended  
42 catch limits in currently-monitored units, and so, in other  
43 words, if we're using CHTS to monitor it, that's what will be  
44 provided, and then, just as a reminder, and we've been talking  
45 about this webpage in the Mackerel Committee, but this is a  
46 webpage, and I really encourage you to click on this link and go  
47 in and take a look at it.

48

1 On the first page, you're provided a series of choices, in sort  
2 of a tabular format, and, you know, you can pick Gulf versus  
3 South Atlantic, and you can decide to look at commercial  
4 landings, commercial IFQ landings, recreational landings, and  
5 then stock landings, where we have a stock ACL, and so we're  
6 looking at both commercial and recreational.

7  
8 When you get into those things, it provides the ACLs and the  
9 ACTs, what percent of the ACLs or ACTs have been caught, and the  
10 data sources are there, and the date the data is through is  
11 provided, and there are links to historical landings. You know,  
12 for the recreational landings, it talks about whether or not --  
13 You know, what survey units are used to monitor the catch, and,  
14 also, there's a little box that says, you know, is the season  
15 currently open, or is it closed, and we try to, you know,  
16 remember to update those as quickly as we can.

17  
18 Then, also, in there, there are links to the fishing  
19 regulations, the more standard, you know, seasonal closures, and  
20 then a link to the federal regulations at 50 CFR 622, and so  
21 there's a wealth of information, and, you know, for Ms. Boggs,  
22 don't worry. I will make sure that we -- You know, everything  
23 we provide on landings, we have this link there, so that  
24 everybody, you know, can go in and take a look at it.

25  
26 This is red snapper for-hire landings. You can see that the  
27 performance here, you know, for this year is very similar to  
28 previous years, and, as Andy mentioned, the preliminary look at  
29 the landings, it looks like we're at about 99 percent of the  
30 ACT, and so we did a pretty good job here.

31  
32 These are gag recreational landings, and, again, you can sort of  
33 see that black line, and we really only have Wave 1 landings,  
34 but, if you take a look at it, you will see that, at least for  
35 this year, in Wave 3, it looks like we're pretty much on track  
36 to what it has been in previous years, and, obviously, we'll  
37 take a look at it, you know, when we get Wave 4 landings, which  
38 should go up fairly soon.

39  
40 This is red grouper recreational landings, and, as Andy said,  
41 preliminary results look like we've exceeded the ACL, which is  
42 that upper-dark -- I think we got our dots mixed up, but that  
43 dark-green line is about the two-million-pound recreational ACL,  
44 and, you know, we were using past performance to do our  
45 projections, and so -- That's how we came up with the closure,  
46 and so, again, we'll take a look at the landings, when we have  
47 things more finalized, and be able to try to identify if we went  
48 -- If we went over and how much we went over.

1  
2 This is triggerfish commercial landings, and you can kind of see  
3 the black line buried underneath that blue line, and so, you  
4 know, what's going on this year seems to be fairly similar to  
5 last year. I did look at the commercial landings through  
6 October 17, and they have increased a little bit, up to about  
7 33,000 pounds, which seems to be, you know, fairly close to,  
8 again, what happened last year.

9  
10 This is gray triggerfish recreational landings, and, again, if  
11 you look at that black line for 2022, you know, it looks like  
12 what's happening this year is fairly similar to previous years.

13  
14 This is lane snapper stock landings, and you can see that the  
15 recreational sector catches most of the lane snapper. It's kind  
16 of, you know, tough to know what will happen, because this is  
17 only through Wave 3, but we'll certainly be monitoring lane  
18 snapper, once we get the Wave 4 data, and, if it looks like a  
19 closure is needed, we would certainly implement such a closure.

20  
21 This is lane snapper commercial landings, and you can see that,  
22 you know, the slope of that black line, which is this year, is  
23 fairly close to 2020 and 2021, and it's down a little bit, but  
24 it seems to be performing at about the same level, and, again,  
25 pulling landings through October 17, it's up to about 15,000  
26 pounds, and so, you know, that would be comparable to the other  
27 years.

28  
29 This is cubera snapper, and we did exceed the ACL in 2021. You  
30 know, this is -- The commercial sector and recreational sector  
31 land about equal numbers, for most years, except for 2021, and  
32 we had a lot of recreational landings. The ACL on this is  
33 fairly low, and, you know, you can see that it's about 5,000  
34 pounds.

35  
36 This is just commercial landings through August. You can see  
37 we're at about a thousand pounds, and I looked at the October 17  
38 landings that we had for the commercial sector, and it's up to  
39 about 1,300 pounds, which, again, is, you know, comparable to  
40 what we've had in previous years.

41  
42 This is mid-water snapper. You know, we had a problem in 2021,  
43 and this is a case where, in the butterfly fishery, they catch  
44 wenchman, and, in 2021, they went over their ACL, primarily  
45 because of those commercial landings. In 2022, they've landed -  
46 - They're well below their ACL, and they're at about 70,000  
47 pounds, and that's what I got from the October landings that we  
48 have on the webpage.

1  
2 I am not sure what's going on here, and it could be that the  
3 fishermen who are in the butterfish fishery are -- You know,  
4 they've figured out a way to not catch wenchman, or else  
5 they're, you know, not keeping the wenchman, and it's tough to  
6 tell what's going on, but certainly, right now, it looks like  
7 we're on track to stay below the ACL.

8  
9 Again, this is just the commercial landings, and I should have  
10 talked about slide here, and so we're fine. The jacks complex,  
11 and, again, this is primarily a recreational-sector fishery.  
12 You can see that we're below the ACL. Last year, we did exceed  
13 it, and so we're monitoring that. Again, this is through Wave  
14 3, and so, as we get Wave 4 landings, we'll take a hard look at  
15 this.

16  
17 This is, again, showing commercial landings for the jacks  
18 complex, and the performance in previous years is similar to  
19 this, and, again, going through October, we're at about 37,000  
20 pounds, and that's on par with, you know, what we've seen in  
21 2021, and it is below 2022. Then I think that's my last slide,  
22 and so back to you, Mr. Chairman.

23  
24 **CHAIRMAN FRAZER:** All right. Thanks, Peter, for moving through  
25 that pretty quickly, and that was super informative, and that's  
26 why people, obviously, like to see those visualization products,  
27 and it gives us kind of a finer temporal view of what's going on  
28 in the fishery, and so is there any questions for Mr. Hood? Go  
29 ahead, Ms. Boggs.

30  
31 **MS. SUSAN BOGGS:** Well, I was just sitting here making myself a  
32 note, and we had several species in 2021, on the recreational  
33 side, that seemed to peak from 2020, and they peaked in 2021,  
34 and now they're back down in 2022, and, of course, I know we  
35 don't have all the landings, but is there any thought process,  
36 or is that still a residual of COVID and people not going back  
37 to work, and they're spending all their time on the water, and  
38 we probably don't know, but I'm just asking.

39  
40 **CHAIRMAN FRAZER:** Sure. Thanks, Ms. Boggs. Peter, would you  
41 care to take a swing at that?

42  
43 **MR. HOOD:** Really, for the recreational sector, all we have is  
44 the first three months of landings, and so it's kind of hard to  
45 know what's going on, and certainly, you know, that takes us  
46 through -- Sorry. If I said three months, I meant the first  
47 three waves, but certainly July and August are pretty busy  
48 months, where people are out on the water, and, again, it's when

1 we get that Wave 4 data, and we're going to take a hard look at  
2 it, because the stocks that I was providing information on were  
3 stocks where, you know, we did have some overages in the last  
4 two years, and so I just wanted to kind of show you where we  
5 are.

6  
7 Where it's recreational heavy, we have to be careful, just  
8 because we're not -- You know, we don't have that Wave 4 data  
9 yet, and that's something that we have to consider, and so part  
10 of what I'm trying to do here is just kind of alert you to the  
11 fact that, you know, we've seen what has happened for these  
12 species in the past, and we're certainly trying to monitor  
13 what's going on, and, if it looks like, you know, a lot of fish  
14 were caught in Wave 4, then we'll certainly be looking at trying  
15 to do some projections and see if we need to close the -- You  
16 know, close the season for that particular stock. Thank you.

17  
18 **CHAIRMAN FRAZER:** Okay. Thanks, Peter. Any other questions on  
19 the reef fish landings? Okay. Peter, did you want to go ahead  
20 and walk through the ACL updates as well, and the IFQ landings?

21  
22 **MR. HOOD:** In the interest of time, I don't -- I think that  
23 those things are fairly obvious, and people can go through and  
24 take a look. I mean, certainly, if anybody has any questions  
25 from what's in the tables, I can talk about that.

26  
27 We did include, in there, the IFQ fishery, and, you know, we're  
28 not exceeding -- They're staying under the quota and everything,  
29 and it looks similar to previous years, but, really, I think  
30 everything in there is pretty obvious, and so I don't -- You  
31 know, I really don't know if there's too much to talk about  
32 there.

33  
34 **CHAIRMAN FRAZER:** Okay. I agree. I think that the information  
35 is provided in Tab B, 4(b), and so, if you guys want to take a  
36 look at that, and, if there's any questions that come up, we can  
37 certainly circle back on that in Full Council, but I think that  
38 -- Again, Peter, I appreciate you doing that, and that will  
39 probably provide us just enough time for us to walk through each  
40 of the state-specific private angling and state for-hire red  
41 snapper landings presentations, and so we'll just start straight  
42 off according to the agenda. Dr. Sweetman, if you want to give  
43 us an update with regard to Florida.

44  
45 **REVIEW OF STATE-SPECIFIC PRIVATE ANGLING AND STATE FOR-HIRE RED**  
46 **SNAPPER LANDINGS**  
47 **FLORIDA**  
48

1 **DR. C.J. SWEETMAN:** Can do, Mr. Chair. We can fly through this  
2 pretty quickly, I think. Just as kind of a reminder for folks,  
3 Florida monitors landings of thirteen reef fish species, using  
4 the State Reef Fish Survey, including red snapper, which  
5 replaced the Gulf Reef Fish Survey in 2020, in July, and this is  
6 an annual no-cost designation for those who plan to fish for  
7 reef fish from a private vessel.

8  
9 There are two components to SRFS. There is the mail-in and  
10 dockside interview component, and we also supplement that with  
11 MRIP angler interviews. As I stated at our last meeting, SRFS  
12 is not designed for real-time monitoring. Therefore, we do not  
13 provide daily or weekly landings, and we will discuss that later  
14 on here.

15  
16 This is Florida's red snapper quota in 2022, is 1,657,163  
17 pounds, and that accounts for the overage that occurred in 2021.  
18 Our summer season was open June 17 through July 31, and then we  
19 reopened for some select fall weekends, and we have completed  
20 three of those so far.

21  
22 Here is the new template that we're all trying to adapt to here.  
23 In blue, you can see the 2022 landings, and we are currently at  
24 1,452,625 pounds, which represents about 88 percent of the total  
25 quota for Florida, and, in comparison to previous years, you can  
26 see, in 2021, which is in the yellow, and I think that is  
27 actually just jittered above the 2020 ACL, because that ACL  
28 remained the same, but you can see, in 2021, that was the year  
29 that we exceeded the quota, and then, in 2020, we were  
30 consistently well below, at about 79 percent of the total quota.

31  
32 Moving on to recreational private and charter Gulf red snapper  
33 average weights, you can see we have plotted this from 2018 to  
34 2022, and the charter weights are in blue there, and you can see  
35 some increases over the first three years of this small time  
36 series here, followed by a couple of years of decrease, some  
37 reverse trends that we can see in the private sector, where we  
38 saw a little bit of a decrease in those first couple of years,  
39 followed by a bump-up, and then, over the last couple of years,  
40 they have remained similar, those two weights.

41  
42 This slide is going to be a little different, for the average  
43 lengths, and I will just hit off the private one right off the  
44 bat, and so we're only able to report average lengths for the  
45 private boat sector for 2021 and 2022 for this present meeting,  
46 and this is due to the transition from the Gulf Reef Fish Survey  
47 to the State Reef Fish Survey that occurred in 2020, and it  
48 would just take a decent amount of work in order to re-code the

1 legacy file that we have here, and we received this information  
2 -- We received some of this information just about a week ago,  
3 and so we will work to incorporate that for future meetings.  
4

5 As you can see here, similar trends, at least for the charter  
6 one, and we can see some slight increases, in terms of the  
7 overall average length in the first couple of years, followed by  
8 some commensurate decreases that we saw in the weights as well.  
9

10 Moving on to private recreational Gulf red snapper effort  
11 estimates, and so these are angler trips that we are reporting  
12 here. In 2020, we had a little bit less than 1.2 million trips.  
13 In 2021, a little more than 1.4 million, and that was the  
14 overage year, and then, currently, where we're at in 2022 is  
15 slightly less than 800,000 angler trips.  
16

17 I think this is going to be my last slide here, and this moves  
18 us into the private recreational Gulf red snapper catch per unit  
19 effort, and you can see, in 2020, it was sitting there like --  
20 This is catch per unit effort, and I'm talking number of fish  
21 per angler trip here, and you can see, in 2020, it was around  
22 0.46 red snapper per angler trip, and then, in 2021, that bumped  
23 up to 0.54 fish per angler trip, and then, currently, in 2022,  
24 we are sitting at roughly around 0.5, 0.52, Gulf red snapper per  
25 angler trip, and I believe that concludes my presentation, Mr.  
26 Chair.  
27

28 **CHAIRMAN FRAZER:** Excellent. Thank you, Dr. Sweetman. Any  
29 questions on the Florida update? All right. You got off scot-  
30 free. All right. Next up is Mr. Anson and Alabama.  
31

### 32 **ALABAMA**

33  
34 **MR. ANSON:** Thank you, Mr. Chair. Just to recap, the private  
35 recreational season, as we described, encompasses the season for  
36 both private vessel anglers and those anglers that are on state-  
37 licensed charter vessels. We do require and have mandatory  
38 reporting, through Snapper Check, of red snapper landed in  
39 Alabama by a single representative on the vessel that has fish  
40 that is being landed.  
41

42 We have operated four-day weekends this year, and this is, I  
43 think, our third year for doing that, and those are Friday  
44 through Monday, and our season began on May 27, which was  
45 Memorial Day weekend.  
46

47 We have a two-fish-per-angler-per-day bag limit, and sixteen  
48 inches total length is the minimum size, and a reef fish

1 endorsement is required for each angler possessing reef fish, of  
2 which red snapper is one of those, and there's about thirty-  
3 some-odd species that are defined in our regulation as a reef  
4 fish, and we also, again, as a reminder, have mandatory  
5 reporting for private recreational and state-licensed charter  
6 vessel anglers for gray triggerfish and greater amberjack that  
7 began in 2021.

8  
9 Here is a summary of this year's harvest, which is the red line  
10 there, and you can see, through October 10, we've estimated  
11 about 420,000 pounds have been harvested, which is significantly  
12 less than the prior two years at this time of year.

13  
14 Here's the mean weight for both the private and state charter,  
15 and you can see it has stayed fairly consistent, I guess, except  
16 for -- In the private mode, but, for the state charter, there's  
17 been a significant decline, and that, I think, speaks to the  
18 comments that are made relative to localized depletion, and so  
19 there is the state charter folks have to stay within the nine  
20 miles, whereas the private folks can go more than nine miles,  
21 and they can access bigger fish.

22  
23 These are the mean lengths, and it's a similar trend. You can  
24 see that, for charter, it's just under eighteen inches total  
25 length, and, for private, we're just about nineteen inches,  
26 nineteen-and-a-half inches, is the mean length, for this year so  
27 far.

28  
29 The trip information, you can see, for 2020 through 2022, for  
30 estimated vessel trips, it's in the upper-left there, and you  
31 can see, in 2020, again the COVID year for everyone, that nearly  
32 20,000 vessel trips were estimated to have occurred in Alabama,  
33 and those are trips, again, with red snapper landings, and, in  
34 2021, it was around 15,000, and, so far this year, it's just  
35 under 10,000, through the 10<sup>th</sup> of October.

36  
37 I think I mentioned, at the last meeting, that was a decrease of  
38 about 38 percent in effort, compared to last year, and so  
39 anglers per vessel trip has remained relatively consistent  
40 through the three-year period, so far through 2022, and then the  
41 mean fish harvested per vessel trip, and harvest, again,  
42 includes fish that are landed, as well as those that are  
43 reported as discarded dead, and you can see there's been a  
44 decrease that, again, at least for 2022, falls in line at least  
45 with the idea of the reduced number of fish, or the localized  
46 depletion effect, closer to shore, where some of those trips are  
47 still occurring relatively close to shore, and the fish are less  
48 abundant than they have been.

1  
2 The same graphs here, charts, as with private rec, but this is  
3 for state charter vessels, and so you can see, in the upper-left  
4 one there, and these are, again, vessel trips, and you can see  
5 2022 compares with 2020 favorably, but it's off by more than  
6 half from 2021.

7  
8 State charter vessels are -- They have a lot of variability, and  
9 the statistics on those trips are usually quite variable, and  
10 high proportional standard error that we convert to, and that's  
11 due, in part, to we have some transient folks, if you will, that  
12 occupy the state charter directory each year, and not only do we  
13 have those folks that are actually running a business and such,  
14 but we actually have some that are just buying it to kind of  
15 allow their passengers, their buddies and such, not to have a  
16 private fishing license, and so we'll get folks that will buy  
17 that state charter license one year, or two years, and then they  
18 opt out and not do it, and so there is some variability there.

19  
20 There's also some sample size issues that are going on there, in  
21 how we estimate vessel trips and catch, or harvest, and, you  
22 know, we're talking about, as far as our validation survey,  
23 anywhere from around low twenties to nearly thirty, to thirty-  
24 five, trips during the year that we're using to estimate that  
25 correction factor, or adjustment ratio, that we apply to the  
26 reported trips.

27  
28 The anglers per vessel trip, you can see, in 2020 and 2021,  
29 they're fairly consistent, but we have a significant difference  
30 in 2022, and there's also a difference in the mean fish  
31 harvested per vessel trip, which is that graph at the bottom  
32 there, in the center, and that, I think, is partly due to this  
33 issue of these transient folks coming in and out of the fishery,  
34 and, also, there is talk, on the dock, between state charter  
35 boat captains, those that are actually participating in the  
36 fishery, with their federal counterparts.

37  
38 There appears to be some confusion, I think, this year, with  
39 SEFHIER starting, that they're reporting the number of live fish  
40 that are being caught and released and not the dead discards,  
41 and so we're trying to tease out or get in touch with those  
42 captains to confirm the information that's provided on those  
43 trips that are, we think, providing a little higher than normal  
44 average harvest per vessel trip. That concludes my  
45 presentation. Thank you.

46  
47 **CHAIRMAN FRAZER:** All right. Thank you, Kevin. Any questions  
48 for Kevin? Mr. Strelcheck.

1  
2 **MR. STRELCHECK:** Thanks, Kevin, for the presentation. Your  
3 vessel trips are almost half of what they were in 2020, from  
4 what you showed, and that, in many respects, I think explains  
5 why your harvest is considerably lower. Do you know why people  
6 are taking so many fewer trips, because the trend off of Alabama  
7 seems very different than Mississippi and Florida.  
8

9 **MR. ANSON:** You know, we require folks to report when they land  
10 fish, and so there still may be some trips that are going out  
11 there attempting to catch and land, but they just don't catch,  
12 and, therefore, they don't report, and so there's a little bit  
13 of that, relative to those group of anglers that may have been  
14 fishing a couple of years ago, and we're talking about those  
15 that don't do it frequently, the inexperienced anglers, and they  
16 may have been more successful than today, on some of their trips  
17 a couple of years ago than now, and so that's part of it.  
18

19 I think, you know, Alabama is a little bit more -- It has a  
20 little bit more of a tourist vibe to it than maybe Mississippi  
21 does, and so there's some transient anglers that would bring  
22 their boats that maybe now may not be doing that as frequently,  
23 and the gas prices are having an impact, I think, in those folks  
24 making those decisions on where they might take their boat to go  
25 travel, and then we were pretty much a year removed, a full year  
26 removed, from any COVID anxiety, I guess, or related anxiety to  
27 travel, whether it be travel that would restrict you from  
28 traveling or travel that might put you in places where you would  
29 have to face some sort of restrictions when you got there.  
30

31 I think the opportunities for folks to do alternative things  
32 impacted that, and, also, word gets around, and so, when people  
33 start hearing that they're not as successful at catching in  
34 trips from their neighbors, or their buddies, they may look for  
35 other things to take up their time.  
36

37 **CHAIRMAN FRAZER:** I just wanted to follow-up, real quick. I  
38 mean, I was probably looking at the same slide that Andy was,  
39 and, I mean, the number of vessel trips has decreased by more  
40 than half, right, but the number of anglers per trip is also  
41 halved, right, and that says anglers per vessel trip, and that's  
42 the slide right above this, if you want to scroll up.  
43

44 **MR. ANSON:** That was for the state charter vessels, and so, you  
45 know, we do use that information, and, obviously, it goes into  
46 our estimation of harvest, but they represent -- Typically, they  
47 represent about a tenth of the landings, or less, compared with  
48 private recs, who don't see a similar, as much -- At least as

1 significant as that for the private recs.  
2

3 **CHAIRMAN FRAZER:** I guess what I was trying to figure out is the  
4 math here. When you get to the third panel, you've got fewer  
5 vessel trips, a fewer number of anglers per vessel, right, and  
6 you still have a bag limit, and so, you know, you've got -- I  
7 mean, you should have half, right, just the report -- But I  
8 guess I don't understand that.  
9

10 **MR. ANSON:** I will go back and, I guess, rephrase what I said  
11 earlier, and so we -- This year, we actually started collecting  
12 number of fish discarded alive from our dockside survey, okay,  
13 but, prior to that, and how we estimate the harvest that's  
14 conducted, it's from the number of fish that are reported as  
15 landed and the number of fish that are reported as dead  
16 discards, and so, from a certain number, a relatively small  
17 number of trips, but there are trips that have been turned in,  
18 from the state charter vessels, and they have reported some very  
19 high numbers of dead discards this year.  
20

21 Again, we're trying to get in touch with them, and they've been  
22 a little bit more difficult than I would like, and a lot of  
23 people, I think, do the screening calls, and they don't answer  
24 the phone, even though we leave messages, and they have not  
25 returned our calls, for the most part, so that we can verify  
26 that what they did report is actually dead fish that they  
27 released, or are they just making a mistake and reporting live  
28 discarded fish, and there is -- You know, there's quite a few  
29 fish that are discarded alive, typically, and so I think there's  
30 just some confusion there for that number, as to why there's a  
31 discrepancy in lower number of trips, vessel trips, lower number  
32 of angler trips, but high harvest.  
33

34 **CHAIRMAN FRAZER:** I get that now. Thanks for clarifying. All  
35 right. Ms. Boggs.  
36

37 **MS. BOGGS:** I can speak to the charter fleet. I mean, state and  
38 federal, in at least Orange Beach, was way down this year, and,  
39 with regard to what Kevin just said, I can see that number being  
40 higher, because the size of the fish are so much smaller, which  
41 we're seeing in both Florida and Alabama, that there's a lot  
42 higher discards, dead or alive both, and so I can see that that  
43 number would be higher, because they're having to discard more  
44 to catch and keep a legal fish.  
45

46 **CHAIRMAN FRAZER:** Thanks again, Susan, for adding that. All  
47 right. Are there any more questions regarding the Alabama  
48 findings? All right. I am not seeing any. Thanks again,

1 Kevin, for that. We'll go straight into Mississippi and General  
2 Spraggins.

3  
4 **MISSISSIPPI**  
5

6 **GENERAL JOE SPRAGGINS:** Thank you, Mr. Chairman. Okay. Our  
7 private angler and state for-hire red snapper landings and  
8 effort, according to the way you all had asked for it to be  
9 brought up, we are currently at 114,303 pounds harvested through  
10 October 16. That's 75.4 percent of our ACL of 151,550.

11  
12 We opened our season for 120 days this year, and we started on  
13 May 27 through July 10, and we closed the season until August  
14 12, and the main reason for that closure was two things. Number  
15 one, it's to assess where we're at, and number two was to give  
16 the fish and all a little bit of a break, and the temperature at  
17 that time is extremely hot, and hopefully that would help us  
18 with discards. It would help us to be able to have less  
19 mortality in discards at that time.

20  
21 All right, and you can see our landings, and, if you look at in  
22 2020, in red there, and in 2021, you will see, in 2022, we're  
23 down to a little over -- If you want to say somewhere around 10  
24 or 15 percent less, and it's around 12,000 less than what we  
25 were last year, as far as the catch at this time. Once again, I  
26 think we all attribute that to a lot of things, one being the  
27 cost of fuel being extremely high, and the other thing is we did  
28 have a couple of bad weekends at the start of the season too  
29 that was less turnout than what we had anticipated.

30  
31 Our average length has gone up, from 21.85 in 2020 to 22.28 in  
32 2021, and it's up to 23.58 in 2022. Our average weight has gone  
33 up, from 6.46 to 7.04.

34  
35 Our anglers per trip have basically gone down slightly, from  
36 3.93 in 2020 to 3.83 in 2022, and our catch per angler is down  
37 from 1.25 to 1.04. Our vessel have gone from -- Catch per  
38 vessel has gone from 4.9 to 3.9, almost four, and it's 3.99.

39  
40 Our angler trips are down from 17,000 total anglers on the trips  
41 to 14,370, and our fish harvested is from 21,988 to 14,972, and  
42 our vessel trips are down from 4,487 to 3,752. Once again, all  
43 of this, the trips and all, is depending on the amount of fuel  
44 costs and some of the weather, and then I think that they're  
45 catching a little bit bigger fish, but less fish.

46  
47 I think that's it, and I don't think I have another slide.  
48 Well, they did have one, but I don't know where it's at, and

1 it's not showing on there. Okay. That's good enough. It's  
2 close enough for government work, and does anybody have any  
3 questions?  
4

5 **CHAIRMAN FRAZER:** All right. Thank you, General. I am not  
6 seeing any hands up around the table. Thank you for moving  
7 through that pretty quickly. I appreciate it.  
8

9 **GENERAL SPRAGGINS:** Thank you.

10  
11 **CHAIRMAN FRAZER:** All right, and so we are going to move on and  
12 try to take care of Louisiana. Mr. Schieble.  
13

#### 14 **LOUISIANA**

15  
16 **MR. SCHIEBLE:** Thank you, Mr. Chair, and so the first slide here  
17 is simply a season recap that shows our payback from our overage  
18 from last year of 6,918 pounds, leaving us an allocation of  
19 809,315. We opened on May 27 in state and federal waters, for  
20 three-day weekends, which included the Friday, Saturday, and  
21 Sunday, and also the Mondays of Memorial, July 4, Labor Day, and  
22 with a three-fish bag limit, which we closed on September 18.  
23

24 We reopened on Friday, October 7 through Friday, October 14, and  
25 it was a Friday-through-Friday season, and I will explain why  
26 that matters a little bit in the next slide coming up here, and  
27 we had 39,087 pounds remaining, once we reopened.  
28

29 This shows landings to-date, leaving a difference of 17,319  
30 pounds. However, LA Creel works from a Monday through a Sunday  
31 time period, and so this includes the first Friday that we  
32 reopened up through the Saturday and Sunday. We're waiting on  
33 the next set of landings data, which I should have before this  
34 meeting is over this week, possibly by Wednesday, and we'll know  
35 if there's still any remainder left from that 17,000 pounds, but  
36 that only includes the Monday through Friday of the reopening  
37 period that we don't have the landings for yet.  
38

39 This is the comparison for each year, and the black line is the  
40 current year, 2022, and you can see it's a fairly similar to  
41 prior years, as far as our allocation goes there.  
42

43 This is the average weights over time, and we went back through  
44 2014, to show the difference, and it has a little bit of an  
45 increase over the private weight, which is the orange line, and  
46 then the charter/for-hire is the blue line, and there's a little  
47 bit of an increase compared to last year, for both of them,  
48 actually going up on the average weight, and it's 7.29 for

1 private and 7.46 for the charter/for-hire. Note, at the bottom,  
2 that these weights are through October 9, and so it's not  
3 current through the last reporting period that we don't have  
4 yet.

5  
6 These are the average lengths. As you can see over time, for  
7 the private boats, which is all the same color, the orange line,  
8 but usually around between twenty-three and twenty-four inches,  
9 over that course of time. It hasn't really changed much, and  
10 the charter/for-hire boats -- They have gone down a little bit  
11 in average length, but I think that's because of the  
12 availability of fish nearshore, in the past couple of seasons,  
13 more so than in previous years, and that probably has to do with  
14 where our river level is at. Also note that, at the bottom,  
15 these are current through October 9 as well.

16  
17 I added the age graph, and we had this at the last meeting in  
18 October, and I just wanted you to see where we're at, and this  
19 is also based on our current processing level, which is 170  
20 charter age samples and 277 private rec red snapper samples, and  
21 we will, obviously, add onto this as the course of the season  
22 finishes out here, but the average age is going up, which is  
23 indicative of a positive trend from the fishery, but, if you  
24 look at the private anglers, it's either fairly static or  
25 steadily increasing over time since 2014, which, to me, is a  
26 positive sign in the fishery, if the average age is increasing  
27 and the length and weight aren't really dropping off, and so  
28 that's the synopsis of that graph.

29  
30 We were asked to do some vessel and angler reporting, and LA  
31 Creel doesn't really do vessel reporting. It does individual  
32 angler reporting, and so the graph on the left there is number  
33 of anglers per trip, and I know it's a little small, and I  
34 apologize, but the blue is the charter/for-hire, and it's the  
35 same colors as the previous graphs, and orange is the private  
36 rec.

37  
38 You can see that there's a general trend, between last year and  
39 this year, of the number of anglers per trip, especially private  
40 rec going up a little bit, and then the bottom graph shows the  
41 red snapper vessel trips, and we can interpret, from LA Creel  
42 the trips of vessels going out, but it's not really a true  
43 effort, and it shows a general trend on the number of vessel  
44 trips going down.

45  
46 I suspect what's happening here is there is more people on a  
47 boat fishing this year, perhaps because of fuel costs, and  
48 that's the only thing I can think of, is they're being more

1 efficient, and so they have more people per trip on less boats  
2 per trip, and I think that's the last slide we have. Any  
3 questions?

4  
5 **CHAIRMAN FRAZER:** All right. Thanks, Chris. It looks like  
6 we've got a question from Mr. Strelcheck.

7  
8 **MR. STRELCHECK:** Thanks for the presentation, Chris. In other  
9 presentations, they shared catch per unit effort, either red  
10 snapper caught per angler or per trip, and do you have that  
11 information, or can you add that to your presentation for the  
12 future?

13  
14 **MR. SCHIEBLE:** Yes, and we can add it. I don't think we have it  
15 on this one, but we can add it pretty easy.

16  
17 **CHAIRMAN FRAZER:** All right. Thanks, Chris. We'll look for  
18 that next time, and we will round it out with the great state of  
19 Texas and Mr. Geeslin.

20

21 **TEXAS**

22

23 **MR. DAKUS GEESLIN:** Thank you, Mr. Chairman. Just as a recap,  
24 our 2022 allocation was 265,000 pounds. As you all know, we run  
25 a year-round state-water season, but our private recreational  
26 season in federal waters typically begins on June 1. This year,  
27 we were able to run that for ninety-three days, and we closed  
28 that right before Labor Day.

29  
30 This slide is a little busy, with all the data labels, but this  
31 is the landings over time, from 2019 through the second week in  
32 October. I will draw your attention to that top blue line that  
33 is the year 2019, where we exceeded our allocation. That  
34 allocation was paid back in 2021, where we were -- We had a  
35 lower allocation and closed state waters on November 15, and  
36 that bottom orange line is the current year, and, as of last  
37 Friday, October 21, and we just got those numbers in today,  
38 anglers have landed approximately 176,000 pounds, 66.6 percent  
39 of our annual quota.

40  
41 Now, diving off into the mean length, here you can see the  
42 private boats in orange and the charter boats in blue. As you  
43 would expect, a little bit larger size in the charter boats, a  
44 twenty-three-inch average, and that highest peak there is a  
45 twenty-five-inch average for 2021. The private boats are about  
46 the same, and they're getting anywhere from twenty-one, twenty-  
47 one inches, to about twenty-two-and-a-half inches, over the last  
48 five or six years.

1  
2 Our mean weight here, again, orange being private boats and blue  
3 are partyboats, and, again, a little bit larger size in the  
4 partyboats, and a nine-pound average, the highest in 2021, and  
5 it looks like the average weights for both private and charter  
6 boats decreased in 2022.

7  
8 For trip-based information, and, on these next three slides, you  
9 will see the five-year time series, and, as we heard earlier  
10 from the Chairman, he has attempted to describe the way our  
11 marine sport harvest program is designed in two seasons, a high-  
12 use and low-use season, and this is used in our estimates of  
13 pressure files, both in our rove surveys and our creel surveys,  
14 and those rove surveys -- Both those pressure files are  
15 expansions, and, ultimately, they lead to our landing estimates.

16  
17 We're still in that high-use season, and so anything that I  
18 would produce here would be very preliminary, and so you'll see  
19 just through 2021 here, but the anglers per trip, as you would  
20 expect in the private boat, smaller boats, are three-plus  
21 anglers over time, and the charter boats is about five to six  
22 anglers per boat.

23  
24 Then our vessel trips over time, and it looks like 2019 had a  
25 higher trips per year with the private sector, roughly 7,000  
26 trips, and it's been declining over time, in 2020 and 2021, and  
27 we're looking to see what that 2022 looks like, and so we've  
28 observed here today that some states are also sharing that  
29 decline, and it looks like the partyboats, or the charter boats,  
30 are pretty stable over time.

31  
32 Mean catch per vessel, the charter fleet, you will note that  
33 drop in 2018, and I asked about that, to our science director,  
34 and the charter fleet did a lot of trips that landed no snapper,  
35 which are still counted as a vessel trip, regardless of whether  
36 they landed trips or not, but you can see the private boats are  
37 pretty stable in the catch per vessel, with a little more  
38 variability in the charter boats. I believe that is the last  
39 slide, Mr. Chairman.

40  
41 **CHAIRMAN FRAZER:** All right. Thank you, Mr. Geeslin. Are there  
42 any questions regarding the Texas report? All right. I am not  
43 seeing any. Mr. Chairman, I believe we've covered our full  
44 agenda and got us back on time.

45  
46 **MR. DALE DIAZ:** Thank you, Dr. Frazer. Mr. Strelcheck.

47  
48 **MR. STRELCHECK:** I did want to have a discussion about the

1 presentations, and so I appreciate all the states working on  
2 helping to standardize the information. One of the questions I  
3 had for staff was how often this information be provided to us,  
4 and I believe there was a recommendation that we were having  
5 this information provided at every single meeting, based on a  
6 motion last year.

7  
8 I kind of view this the same as the landings summaries, in that  
9 it would be useful to get a deep-dive presentation like this  
10 once a year to the council, and then maybe, prior to the start  
11 of the season, get an update from each of the states with regard  
12 to what their regulations and plans are for that coming season,  
13 but I don't see a need for us to go through this level of detail  
14 each and every council meeting, and so I don't know if we need a  
15 motion for that, or just a discussion around that, but I wanted  
16 to, obviously, get input from the council on their thoughts.

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

19  
20 **MR. BOB GILL:** Thank you, Mr. Chairman, and so this is a little  
21 different than the landings report, because the information is  
22 not available to council members, or stakeholders, elsewhere. I  
23 don't know whether that changes the context of what you're  
24 suggesting, and I agree with you in principle, but it's not  
25 quite the same as we discussed earlier.

26  
27 **CHAIRMAN FRAZER:** Mr. Schieble.

28  
29 **MR. SCHIEBLE:** I would say that it is, because we have links on  
30 our website where you can get our weekly landings updates for --  
31 I'm not speaking for every state here, but I think it would be  
32 possible to have the same thing, where a link is provided in the  
33 briefing book, and you go to the link, and it has our current  
34 landing updates for each week.

35  
36 **CHAIRMAN FRAZER:** To that point, Mr. Gill?

37  
38 **MR. GILL:** Yes, and is that true for all states?

39  
40 **CHAIRMAN FRAZER:** Dr. Sweetman.

41  
42 **DR. SWEETMAN:** No, that's not the case for Florida.

43  
44 **CHAIRMAN FRAZER:** Mr. Anson.

45  
46 **MR. ANSON:** I would like to answer that question, and then I  
47 have another question to Andy, but, no, it isn't for Alabama  
48 either, and we don't have that, but, for Chris's benefit, I

1 guess, or Louisiana's benefit, maybe they can just simply put,  
2 hey, here's our link, and the other states, that don't have the  
3 data on their website, can do the presentation, but I guess,  
4 Andy, you mentioned summary information here that the states  
5 have provided, and then you mentioned a deep dive, more on an  
6 annual-type basis, and so are you anticipating, or would expect,  
7 like something more than what has been provided when you do the  
8 annual?

9  
10 **MR. STRELCHECK:** No, and what I was referencing is each of you  
11 provided a similar set of presentations, for example, at the  
12 last council meeting, and it wasn't as standardized as this, but  
13 it was a similar level of detail. I see it as redundant, and I  
14 don't see it as a great use of our time, given the decision-  
15 making and other things before us, and so, to me, I feel like  
16 the presentations that you gave today were very informative and  
17 helpful, and should be given once a year, at a date certain,  
18 right, and then, to the extent that, you know, we would want to  
19 be advised on what you're proposing for the coming fishing year,  
20 in terms of regulations, I see that as valuable say for an April  
21 meeting discussion, but, to spend thirty or forty-five minutes  
22 at every council meeting, going through this level of detail, to  
23 me, is not needed for every meeting.

24  
25 **CHAIRMAN FRAZER:** Mr. Rindone and then Mr. Gill.

26  
27 **MR. RINDONE:** Thank you, Mr. Chair. I guess, to clean the  
28 discussion up a little bit, perhaps the way forward would be to  
29 have a short presentation from their states about their  
30 expectations for how their fishing season is going to go in  
31 April, and their projected season durations, and then all of  
32 them in October about how it went, and then you can compared  
33 that to at least the previous two years, similar to the  
34 framework that we have here, and I'm happy to work with the  
35 states to come up with some kind of a template for the April  
36 presentation. I think what we have here, that the states went  
37 through, is probably a pretty good template for moving forward  
38 with the October presentations.

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

41  
42 **MR. GILL:** Thank you, Mr. Chairman. I support that proposal.

43  
44 **MR. RINDONE:** That sounded like a motion.

45  
46 **CHAIRMAN FRAZER:** We'll get there. Ms. Boggs.

47  
48 **MS. BOGGS:** I do understand what Andy is saying, and I do

1 appreciate the states providing this information, and I don't  
2 know if it would be a compromise that -- Of course, the states  
3 would still have to produce it, and the reason I bring this up  
4 is I made notes, as we were going through this, of the decline  
5 in the weights and the size of the fish.

6  
7 I think that's something that this council needs to keep an eye  
8 on, and I wouldn't be so against maybe, in the March/April  
9 meeting, we have an end-of-the-year report from the prior year,  
10 and then, in October, maybe a preliminary of what is coming out,  
11 because I don't want to lose focus of what's happening in this  
12 fishery.

13  
14 I mean, we kind of see the trends, with the weight from the  
15 reports that we get, and then are available online for the  
16 commercial and federal for-hire, but, as I stated with the king  
17 mackerel, we're seeing some trends that we're not used to  
18 seeing, and our fishery is changing, and I just don't want to  
19 lose sight of some of these things, but, like I said, three of  
20 the five states reported length and weight down, and two a  
21 slight increase, but I just don't think we need to lose sight of  
22 what's happening in this fishery, and, since we can't see it  
23 from a higher level, one fits all, we're now looking at six,  
24 basically, datasets, seven if you could SEFHIER, but it's  
25 included in the federal, but I just think we don't need to lose  
26 sight of what's happening in this fishery, or any other fishery,  
27 for that matter.

28  
29 **CHAIRMAN FRAZER:** Thank you, Ms. Boggs. Mr. Donaldson.

30  
31 **MR. DAVE DONALDSON:** Thank you, Mr. Chair. I just want to point  
32 out that, as part of this transition plan, the commission is  
33 working with the five states to ultimately make this data  
34 available in a single database, and we're not there yet, but  
35 that -- In the future, we should be, and so just to let you  
36 know.

37  
38 **CHAIRMAN FRAZER:** All right, and so I guess I'm hearing some  
39 consensus here. I mean, it sounds, to me, and I agree with Mr.  
40 Gill that it's probably worthwhile, and, Ryan, if you can work  
41 with the state directors to provide a pre-season kind of summary  
42 of the historical data, right, and the projections for the  
43 coming year, and then an overview of that catch data in the  
44 October meeting. I think that's all good, and, Mr. Donaldson,  
45 we'll be looking forward, obviously, to seeing that summary as  
46 well coming from the Gulf States Marine Fisheries Commission.  
47 Ryan, do you want a formal motion, or do you think we've  
48 captured this in the record?

1  
2 **MR. RINDONE:** Well, a motion made it. A motion to go a  
3 different direction would certainly provide clarity to staff,  
4 and that's why we've continually requested these over time.  
5

6 **CHAIRMAN FRAZER:** Andy, did you want to make that motion, since  
7 you brought it up?  
8

9 **MR. STRELCHECK:** All right, and so to direct staff -- Well, I  
10 guess it would be to work with the state representatives --  
11 Direct staff to work with the state representatives on state red  
12 snapper management presentations -- State red snapper management  
13 presentations for the April and October council meetings. Feel  
14 free to wordsmith.  
15

16 **CHAIRMAN FRAZER:** I think you did a great job, since I put you  
17 on the spot, but I guess the point might be to direct staff to  
18 work with state representatives on state red snapper management  
19 presentations pre and post-season, which equate to April and  
20 October council meetings.  
21

22 **MR. STRELCHECK:** Thank you for the assist.  
23

24 **CHAIRMAN FRAZER:** All right, and so Andy has a spectacular  
25 motion on the board. Is there a second for that? It's seconded  
26 by Mr. Gill. **Is there any opposition to the motion? Seeing**  
27 **none, the motion carries.** Back to you, Mr. Chairman.  
28

29 **MR. DIAZ:** Okay. I appreciate everybody's hard work today, and  
30 does anybody have any other business for today? Seeing none, we  
31 will adjourn, and we will start back at eight o'clock in the  
32 morning, and so thank you.  
33

34 (Whereupon, the meeting recessed on October 24, 2022.)  
35

36 - - -  
37

38 October 25, 2022  
39

40 TUESDAY MORNING SESSION  
41

42 - - -  
43

44 The Reef Fish Management Committee of the Gulf of Mexico Fishery  
45 Management Council reconvened at the Beau Rivage Hotel and  
46 Casino in Biloxi, Mississippi on Tuesday morning, October 25,  
47 2022, and was called to order by Chairman Tom Frazer.  
48

49 **CHAIRMAN FRAZER:** We're going to pick back up on the agenda from

1 yesterday, and we had one item that we didn't quite get to, and  
2 that was the Status of Revised Recreational Red Snapper  
3 Calibration Ratios, and so, Dr. Cody, if you can go ahead, and  
4 we'll load up that presentation for you, Richard, and we'll do  
5 that before we jump into amberjack.

6  
7 **REVISED RECREATIONAL RED SNAPPER CALIBRATION RATIOS**  
8

9 **DR. RICHARD CODY:** All right. Thank you. This is basically  
10 just a very short update on ongoing work right now to update the  
11 calibration information from the proposed rule, and so if I can  
12 have the next slide, please.

13  
14 As you will recall, there was a council motion, in June of 2022,  
15 to look at adding additional data that has become available  
16 since the development of the proposed rule, namely 2020 and 2021  
17 estimates, and this updating the calibrations was discussed also  
18 at a NOAA-led meeting with state directors at the August meeting  
19 as well, and there was general agreement there that we would  
20 work together with our state partners to update the current  
21 calibration ratios.

22  
23 Just a few bullet points here, to kind of point out some of the  
24 details, and, as I mentioned, you know, the potential is there  
25 to update the calibrations from the proposed rule, and so SERO  
26 has been working us to develop basically two sets of estimates,  
27 and so what we've done is produced a set of FES-related  
28 estimates and CHTS-related estimates for numbers of fish, and  
29 also pounds of fish, and, for the years 2015 through 2021, and  
30 so that covers the entire periods for which the state surveys  
31 have been operating.

32  
33 One thing to point out is that, with the Coastal Household  
34 Telephone Survey, it ended in 2017, and so all estimates from  
35 that survey are modeled, after 2017, and so 2018 through 2021,  
36 the CHTS estimates are modeled, based on the FES calibration  
37 modeling, and so, that said, a variation that potentially exists  
38 for looking at the data would be to use 2018 through 2021 data,  
39 based on the modeled CHTS estimates, for all states.

40  
41 Just a couple of other points here as well, and the estimates  
42 that were provided by SERO are annual, but they were also  
43 produced at the wave level, and so all waves were included.  
44 There has been some interest, from the states, in looking at the  
45 applicability of different waves, in terms of their  
46 representativeness in the data, and in particular shoulder waves  
47 that straddle the start of a season or the end of a season for  
48 the federal survey estimates.

1  
2 That interest in maybe potentially selecting different waves,  
3 the states would need to justify the selection of waves, if not  
4 all waves are used to calibrate, and a couple of other points  
5 here that minimal contribution to the estimation process could  
6 be found for the imputation process that we used for the 2020  
7 estimates. That wasn't the case in some of the other regions,  
8 where the contribution of imputed data to the 2020 estimates was  
9 generally higher, but, in the Gulf, for at least the red snapper  
10 season onward, there was good participation by the states in  
11 data collection, and the need for using 2018 and 2019 substitute  
12 data was minimized.

13  
14 One other point I will make is that the consultants, in our 2020  
15 workshop, where we settled on the ratio-based approach, the  
16 consultants did urge that, you know, consistency be followed, as  
17 much as possible.

18  
19 In the initial set of calibrations, the approaches used to  
20 develop the calibrations for the proposed rule varied by state,  
21 data availability, and survey implementation status. The  
22 states, you know, had different levels of comfort for the status  
23 of implementation of their surveys, and so, obviously, you know,  
24 the earlier years, there was some question about how stable  
25 survey estimates would be.

26  
27 Two basic approaches were used in that method of how catch  
28 advice was aligned with the monitoring methods, and I have  
29 bulleted those right here. There is a ratio of state survey  
30 landings to MRIP Coastal Household Telephone Survey landings  
31 directly, but also there is the ratio dependent on going  
32 straight to the FES and then converting to CHTS, in some cases,  
33 as well.

34  
35 Two more years, as I said, have become available since the  
36 initial development of the calibrations, or the proposed rule,  
37 and the idea is to include those data for consideration in the  
38 development of the calibrations, and so the next slide, and I  
39 think this is my last slide, just to summarize the status of  
40 things at this point, and the plan is for SERO, the Southeast  
41 Center, and Science and Technology to work with state partners,  
42 over the next few weeks, on information needs related to  
43 calibration development.

44  
45 The states are really -- The ball is in their court, in terms of  
46 developing their calibrations. We have provided the federal  
47 estimates for consideration, at all levels of resolution that we  
48 can, and so we expect, over the next few weeks, that we will

1 have some interactions with our state partners, and we've  
2 already been interacting quite a bit with Mississippi on their,  
3 we'll say, plans.

4  
5 The states are expected to produce a report that details the  
6 methods, if their calibration estimates differ from those -- If  
7 the methods differ from those used to develop the calibrations  
8 for the proposed rule, and so any kind of deviation from that  
9 would require some kind of justification, or explanation, and  
10 the states are requested to provide the updated estimates and  
11 the report by November 30, to either myself or Ryan Rindone,  
12 here at the council, so that the SSC will have it in time for  
13 their January 10 meeting and be able to provide recommendations  
14 for the Gulf Council meeting at the end of January.

15  
16 I think that's all I have at this point, and just to reiterate  
17 that what we've provided the states is a set of estimates that  
18 they can use to pair to their own state survey estimates and use  
19 to develop calibrations.

20  
21 **CHAIRMAN FRAZER:** Thank you, Dr. Cody, for the update. Are  
22 there any questions for Richard? Mr. Diaz.

23  
24 **MR. DIAZ:** I may have a question, but I do want to make a  
25 comment. I know you have been working closely with the State of  
26 Mississippi and the team there, and it's a lot of hard work, and  
27 I want to thank you and the folks at S&T for doing that, and so  
28 I think we're trying to work through some difficult issues, and  
29 I'm excited to see how all this works out in the very near  
30 future.

31  
32 I've got a question that I want to ask you, and it may or may  
33 not be directly related to this, but I've been concerned about  
34 outliers for a long time, and I've mentioned this on the record  
35 a couple of times, and I'm going to use this for an example,  
36 because it's so simple to drive my point home.

37  
38 Two separate times in the State of Mississippi for amberjack,  
39 just one intercept during a wave has shown that Mississippi has  
40 landed 300,000 pounds in a wave, on two separate times, and  
41 that's not possible, or plausible, and, in this process, is  
42 there a way to deal with outliers, because I'm sure this is  
43 happening, especially in small states with low sample sizes, and  
44 it's happened, I've got to believe, in other council  
45 jurisdictions too, and so is that being addressed in this  
46 process, or can that be addressed in some other process, where  
47 we just have a way to deal with stuff that's not possible, or  
48 not plausible, but, before I leave this -- I mean, this is my

1 insight, and I think the State of Mississippi does not catch a  
2 whole lot of amberjack.

3  
4 That's many, many times more, many, many times more, than what  
5 the state would catch in the entire year, realistically, and so,  
6 I mean, is there any plans to try to deal with those types of  
7 things, Dr. Cody, and, if you can, can you tell us what they  
8 are? Thank you.

9  
10 **DR. CODY:** I've had similar conversations with Trevor, but I've  
11 also had conversations with the other regions as well, and,  
12 basically, what you're looking at is a sample size issue, and I  
13 think we have provided guidance, in the past, on how to treat --  
14 I don't like to call them outliers, because, basically, they are  
15 data that have been collected, you know, and have been verified  
16 as having been collected, and the issue is largely when you have  
17 a small sample size that we'll say is overrepresented by let's  
18 say intercepts for a certain species.

19  
20 That can produce a very large estimate, and there are a number  
21 of different characteristics related to any kind of survey  
22 sampling that we can provide some guidance on. Okay, if it has  
23 this characteristic, or that characteristic, then perhaps you  
24 might consider treating that point estimate a little  
25 differently.

26  
27 We tend not to do that at our level, because what it means is  
28 that you're essentially censoring data before people have had a  
29 chance to review it, but I would argue that there are ways to  
30 handle that.

31  
32 We use, internally, within our office, a weight-trimming  
33 exercise, but, when you have a very low sample size, you know,  
34 you can only take that so far, and you still may end up with  
35 weights, sample weights, that are very large, and so one sample,  
36 out of a small let's say sample size, could be multiplied, you  
37 know, many thousands of times, depending on the weight of the  
38 sample, but we can certainly work with you to provide some  
39 guidance on those kinds of things.

40  
41 I mean, it's largely the reason why we are going to a  
42 publication standard of 50 percent for the variance estimates on  
43 our website, so we can, you know, acknowledge the limitations of  
44 some of the estimates that we produce.

45  
46 **CHAIRMAN FRAZER:** Thank you, Dr. Cody. If it's not handled at  
47 your level, and I understand that, would it be handled at the  
48 Science Center level, or what level would deal with these

1 outliers, to try to apply whatever methods are available?  
2

3 **DR. CODY:** I think that's something that would depend on the use  
4 of the data, and I don't want to make, you know, a statement  
5 where I'm out of line with the agency here, but I think it would  
6 depend on the uses of the data. I would have concerns that it  
7 could become something of an a-la-carte sort of menu of choices,  
8 that you pull out data until you get the estimate you're looking  
9 for, and that's not desirable, and so what I would urge is some  
10 form of consistency in the methods that are used to make  
11 decisions related to that, but I think that there is good reason  
12 to -- That could be done at the assessment level.  
13

14 **MR. DIAZ:** Thank you.  
15

16 **CHAIRMAN FRAZER:** All right. Richard, we've got a couple other  
17 questions. General Spraggins and then Mr. Strelcheck.  
18

19 **GENERAL SPRAGGINS:** Thank you, Dr. Cody. We appreciate  
20 everything you're doing in trying to work with us in  
21 Mississippi. We know you all are working hard, and Trevor and  
22 you all are working back and forth on things.  
23

24 One of the questions that I had, and, in every state, do we have  
25 to have the same model, or can there be different models for  
26 each state, and is that possible to do, to look at it according  
27 to the way the state is -- You know, the size of the state and  
28 the way the state is operating, and is it possible to have  
29 different models between two different states?  
30

31 **DR. CODY:** Well, we use a design-based estimation process, and  
32 so there's limitations there for what we can do. I mean,  
33 obviously, there are options to do hybrid approaches, where you  
34 do modeling, where you incorporate modeling, into the estimation  
35 process. Right now, we don't do that. We basically just use  
36 the design-based approach, and there are reasons for that.  
37

38 You have to -- It would largely depend on how the model is set  
39 up, and that model could be complicated, in terms of what is  
40 functional for one state may be not functional for another  
41 state, and it would depend on the level of complexity of the  
42 model approach, and we have done some work, internally, on  
43 looking at different approaches that we could potentially use to  
44 not so much trim the data, but at least take out some of the  
45 more -- The larger point estimates that don't seem to be, you  
46 know -- That don't seem to be realistic for the time series.  
47

48 **GENERAL SPRAGGINS:** Well, thank you, and the other thing is too

1 -- I think I heard you make a statement to something about  
2 discards, and one of our models, I think, what we're looking at,  
3 is a possibility of closing the season during the highest times  
4 of the possible mortality in discards, and that would mean, you  
5 know, in the hot part of the summer, in the July and August  
6 timeframe, and would that go into the equation in some way, to  
7 say that, hey, we're working every way we can, and we're showing  
8 you that we're going to close our season during the time when  
9 it's a possibility of high mortality for discards, and would  
10 that be something that could be worked on?

11  
12 **DR. CODY:** I will defer to Andy's shop for that, and perhaps the  
13 Southeast Center as well, and we don't -- At our level, for our  
14 survey, we don't produce estimates of -- You know, we don't  
15 produce estimates of mortality for released catches, either  
16 released alive or released dead, and so that -- Any application  
17 of mortality rates is after we produce those estimates.

18  
19 **GENERAL SPRAGGINS:** Thank you very much. Thank you so much for  
20 your help there, and I know you all are working hard with us,  
21 and, in Mississippi, we're trying to do what's right, and we  
22 want to do what's right, but we feel like we are not getting  
23 exactly what we need. Thank you very much.

24  
25 **CHAIRMAN FRAZER:** Mr. Strelcheck.

26  
27 **MR. STRELCHECK:** Thanks, Mr. Chair. Richard, I don't have a  
28 comment, or a question, for you, but I just wanted to thank you  
29 for being here and presenting and making yourself and your team  
30 available for the states, to work with them on calibration. I  
31 also want to thank the states, and I think we've had a number of  
32 great meetings over the last year to pave a path forward for  
33 updating the calibrations, and I appreciate your work,  
34 obviously, ongoing.

35  
36 I did want to maybe respond to a couple of things that General  
37 Spraggins and Dale said, and so, General, in terms of your  
38 question, I think maybe you were getting at it a little bit more  
39 in terms of can we consider different methodologies for  
40 calibration across the states, and I think certainly that is the  
41 case, and we need to look at each survey methodology and the  
42 uniqueness for your particular state.

43  
44 We did recommend, in the letter sent to you, a couple of  
45 standardized runs, just for the sake of comparison, but, also,  
46 acknowledged that you know your surveys best, and that there's  
47 an opportunity for you to identify where there might be  
48 differences, and propose those, obviously, for SSC

1 consideration, and so we look forward to, obviously, receiving  
2 that information.

3  
4 Dale, I couldn't agree with you more, in terms of outliers, and  
5 I think that is a challenge, whether it's a small state or a big  
6 state, and we've seen that, over time, with a variety of  
7 species, and I think it cuts both ways. You mentioned about  
8 kind of how we could address that, and we really haven't done  
9 that, with regard to annual catch limit monitoring.

10  
11 I know, in the stock assessments, occasionally they have done  
12 some data smoothing, to smooth out peaks, or uncertainties, with  
13 regard to the catch estimates over time, but I did also want to  
14 acknowledge that there's been a lot of focus on removing these  
15 outliers, or low sample size estimates, for the calibration, and  
16 I do want people to keep in mind that there is two parts of this  
17 equation, and one was how your allocation was determined, and  
18 the other is then your calibration against that quota  
19 allocation, and so, if your allocation includes those same  
20 potential low sample sizes, or outliers, whether they go up or  
21 down or produce zeros, or high estimates, you're benefitting, or  
22 potentially being penalized, in terms of what you were initially  
23 allocated also, based on the historical time series of landings  
24 from MRIP, and then we're calibrating against that.

25  
26 I think it's an important consideration that you think about in  
27 terms of how that initial allocation was determined and then how  
28 we calibrate against that, but certainly I think it's worthwhile  
29 to do a deep dive and look very carefully at that data, to  
30 determine what factors might be contributing to that  
31 variability, and so thanks for the comments.

32  
33 **CHAIRMAN FRAZER:** Thanks, Andy. Ms. Boggs.

34  
35 **MS. BOGGS:** I am good right now. Thank you.

36  
37 **CHAIRMAN FRAZER:** Okay. Are there any other questions? Go  
38 ahead, Dr. Walter.

39  
40 **DR. JOHN WALTER:** Thank you, Richard, and your office, for  
41 coming down here and for all your service and getting that  
42 transition plan document drafted quickly and getting it out the  
43 door, and I know that was a major accomplishment, and so we  
44 really appreciate that and all of your digging in.

45  
46 I wanted to talk about two things, one along the issue of  
47 outliers, and I know that there's a challenge to deal with, and  
48 you had mentioned that they may need to be dealt with in the

1 assessment process, and, unfortunately, that creates probably  
2 more problems than it solves, because then it makes the SEDAR  
3 assessments have to address that, or, even worse, the stock  
4 assessments have to address questions about the basic data.

5  
6 We would prefer that it be addressed ahead of time, and/or a CV  
7 provided that is appropriate and commensurate with the  
8 uncertainty related to it, so that we can then treat it  
9 appropriately, and I will use an example as a good illustration  
10 for where and why it creates problems, and I think I will bring  
11 up a South Atlantic example, of Spanish mackerel in the South  
12 Atlantic, where we had some really high estimates that had an  
13 initial flag as being problematic, but, for some reason, that  
14 flag didn't get passed on.

15  
16 That is a key thing that I don't know -- Somewhere, it missed  
17 that process, and that information needs to get passed on.  
18 Ideally, if it's something that needs to be address with one of  
19 the outlier, smoothing or outlier, correction methods, a priori,  
20 that really helps us to not move forward with data, because we  
21 generally have to assume that the data is the data and try to  
22 fit to it.

23  
24 I think that example of Spanish mackerel got corrected, and  
25 there is now new estimates, which your shop provided, and I  
26 think it's going to get shown this week to the SSC there, a new  
27 run with that, but it sets us up for having to do redos and  
28 delays in the process, and so, the more we can get that  
29 information upfront, and get those flagged estimates corrected,  
30 before we have to deal with it, it really helps us. I don't  
31 know if you want to respond.

32  
33 **DR. CODY:** I will make one point there. The review process, I  
34 mean, we do pass the estimates to the regions to look at, and so  
35 there is a review process, and, oftentimes, I think  
36 participation could be better. That's something that we're  
37 working on, and I think it's one of those things that it's time-  
38 consuming, and so people don't probably put as much attention to  
39 it as they could, but what we have sort of developed,  
40 internally, is just more guidance that will emphasize the  
41 importance of the review process itself with NOAA and then prior  
42 to us receiving data from the states as well.

43  
44 Generally, as I said, for flagged data, if we can verify that  
45 the information was collected and point to some issues with it,  
46 we will leave it in the dataset, because what happens is that,  
47 once you say change the weight of a sample, it doesn't just  
48 affect the estimate for that species, and it affects the

1 estimates for all the other species that occur within that cell,  
2 and so there is -- There are implications there, and there is  
3 definitely -- I would say it points to the need to identify and  
4 address those issues early, rather than, you know, a year after  
5 the fact.

6

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

8

9 **MR. GEESLIN:** Thank you, Mr. Chair. Dr. Cody, on the slide  
10 before us here today, I see -- From a state director  
11 perspective, I see a commitment to work with the states in the  
12 next upcoming weeks, but I also see expectations and requests to  
13 produce reports by here in about a month, and has this been  
14 communicated with our teams, because I'm looking at this and the  
15 timeline, and we want to achieve and meet those expectations, to  
16 keep this momentum moving, but I guess what I'm just requesting  
17 is to simply, sooner rather than later, to work with our teams  
18 at the state level to keep the ball rolling.

19

20 **CHAIRMAN FRAZER:** Mr. Strelcheck.

21

22 **MR. STRELCHECK:** I will just clarify, and so the calibration  
23 letters went out to the states of Florida, Alabama, and  
24 Mississippi, because Louisiana didn't have new information, and  
25 Texas hasn't been calibrated, and there's no action to be taken  
26 by either of your states.

27

28 **CHAIRMAN FRAZER:** Thanks, Andy, for clarifying. All right. Are  
29 there any other questions for Dr. Cody? Mr. Diaz.

30

31 **MR. DIAZ:** I just want to respond to what Andy said earlier, and  
32 I agree with most everything that Andy said, but I just wanted  
33 to make my position clear, and I never have been a proponent for  
34 throwing out data, or outliers, but I just want us to have a  
35 method to deal with it, and, obviously, the conversation around  
36 the table is we need to provide a way to deal with it early in  
37 the process, and so, yes, I've always thought that, once we  
38 collect data, we should use that data, but we just need to make  
39 sure and use it appropriate and make sure it's accurate as  
40 possible. Thank you.

41

42 **CHAIRMAN FRAZER:** Okay. I am not seeing any more hands, Dr.  
43 Cody. Thanks for being here. We appreciate it. Okay, and so  
44 we're going to move right into a discussion of Draft Amendment  
45 54, which is modifications to the greater amberjack catch limits  
46 and sector allocations and other rebuilding plan modifications.  
47 Dr. Froeschke, I think, is going to go ahead and direct us to  
48 the action guide.

1  
2 **FINAL ACTION: DRAFT AMENDMENT 54: MODIFICATIONS TO THE GREATER**  
3 **AMBERJACK CATCH LIMIT AND SECTOR ALLOCATIONS AND OTHER**  
4 **REBUILDING PLAN MODIFICATIONS**  
5

6 **DR. JOHN FROESCHKE:** Good morning, everyone. We have two  
7 amberjack documents, and so we're going to do them one at a  
8 time. The first one is Draft Amendment 54, and this is the  
9 modifying the catch limits and sector allocations based on the  
10 results of the most recent stock assessment, and so you've seen  
11 this document a couple of times before.  
12

13 Last time, you approved a public hearing draft and selected a  
14 preferred for Action 2, but you did not select a preferred for  
15 Action 1, which is the catch limits and sector allocations, and  
16 so, since then, we've taken the document out to public hearing,  
17 and we've taken it before the Reef Fish AP and got their  
18 feedback, and so we're going to provide those to you. This  
19 document is scheduled for final action, which requires that, at  
20 some point, we get preferreds for all the actions, and then, if  
21 you think it's ready, to recommend for final action to the  
22 council, and so I will stop there.  
23

24 **CHAIRMAN FRAZER:** All right. Thank you, Dr. Froeschke, and so I  
25 guess, before we dive into the document, we're going to get an  
26 update on public hearings and written public comments from Ms.  
27 Muehlstein.  
28

29 **MS. EMILY MUEHLSTEIN:** Okay, and so I just want to remind you  
30 that I'm going to go over the public hearing meetings first, and  
31 I wanted to remind you that we had planned for five in-person  
32 meetings. One of those meetings was cancelled, and that was the  
33 meeting in Madeira Beach, Florida, because Hurricane Ian was on  
34 its way, and then, a week later, the meeting that was planned in  
35 Key Largo was changed to a virtual format, due to the impacts of  
36 Hurricane Ian as well, and so we did end up hosting three in-  
37 person public hearing meetings and two virtual meetings.  
38

39 At the in-person meetings, we had a total of twenty members of  
40 the public attend, and thirteen people comment, and, during the  
41 virtual sessions, we had fifteen members of the public attend,  
42 and only two commented, and so I will just quickly walk you  
43 through those meetings and give you a brief summary of what we  
44 heard.  
45

46 The first virtual hearing that we hosted was on October 3, and  
47 we had nine members of the public attend that one, and one  
48 spoke, and the woman who spoke was a commercial fisherman out of

1 Texas, and she supported Action 1, Alternative 5, because it  
2 uses the longest time series and the most up-to-date landings.  
3 Also, because, since 2008, the numbers have been informed by the  
4 original allocations, and the longer time series should be  
5 considered the best available. She also supported Preferred  
6 Action 2, Alternative 3.

7  
8 Moving on to Galveston, Texas, we had thirteen members of the  
9 public attend that meeting, and ten of them spoke. Generally,  
10 what we heard in Galveston was that there was a problem with the  
11 greater amberjack stock, and everybody that attended that  
12 meeting did note that they did think that the greater amberjack  
13 were harder to catch, or they had to travel farther to find  
14 them, or they were smaller when they were harvesting them.

15  
16 At this meeting, we heard support for Action 1, Alternative 2,  
17 and some of the reasons that we heard in support of that were  
18 because reallocating will not help rebuild the stock, and we  
19 also heard that this is especially important when you are  
20 transferring allocation to a sector that is not accountable,  
21 meaning the folks at this meeting thought that the commercial  
22 sector was more accountable, and, therefore, it didn't make  
23 sense to reallocate in favor of the recreational sector that was  
24 unaccountable when the stock was in peril.

25  
26 At this meeting, we also heard support for the council's  
27 preferred Action 2, Alternative 3, and, in addition to sort of  
28 the core issues here, we also heard that greater amberjack  
29 should be included in an IFQ management program for the  
30 commercial sector and that private anglers need a better system  
31 for accountability.

32  
33 In Kenner, Louisiana, we did not have any attendees, and so  
34 nobody commented. In Orange Beach, Alabama, there were three  
35 members of the public that attended, and we heard support for  
36 Action 1, Alternative 4 and also Action 2, Alternative 3.

37  
38 We were told that overfishing in Orange Beach was not the cause  
39 of the issue with the stock assessment and that most of the  
40 boats in the area run half-day trips, two of them in a day,  
41 instead of one long trip, and so that might be one of the issues  
42 with the landings looking different, because the structure of  
43 the fishery has changed there. We also heard support for Action  
44 1, Alternative 5, because it uses the longest time series to  
45 establish historical allocation and then, again, support for  
46 Action 2, Alternative 3.

47  
48 Then, moving on to our final virtual hearing, which was hosted

1 on October 11, six members of the public attended, and one  
2 spoke, and the one that spoke wondered if shifting allocation  
3 away from the commercial sector was the right way to go and did  
4 not support any of the specific amendments, or did not speak to  
5 the specific actions.

6  
7 I will also move on now to our written public comment, and I  
8 just want to remind you that, for this effort, we did use our  
9 normal channels of communication, our press releases and our  
10 website and our social media, in order to advertise this  
11 opportunity, and we also relied on the Fish Rules and Fishbrain  
12 folks to help us promote this opportunity.

13  
14 We got some pretty impressive analytics out of that effort,  
15 through Fishbrain and Fish Rules. In total, the placements that  
16 we put out, across both Fishbrain and Fish Rules, produced 9,218  
17 click-throughs, and that was from approximately 900,000  
18 impressions, which is to say that almost a million people saw  
19 the opportunity to comment on this, and I guess 1 percent of  
20 that million, 9,000 people, clicked through and actually came to  
21 our webpage to look at the information that was being presented  
22 and the opportunity to comment.

23  
24 From that effort, we did end up with nearly 300 views of our  
25 public hearing video, and we got fifty-three comments, in total,  
26 that were submitted written, and I will just go ahead and sort  
27 of buzz through those.

28  
29 We heard, and I will focus right now on Action 1, and we heard  
30 that an allocation shift should not occur, not even the de facto  
31 reallocation that's caused by FES, and we heard that giving more  
32 fish to the recreational sector, which is the one responsible  
33 for overfishing, is unlawful. We heard that the commercial  
34 allocation should be decreased and that recreational limits  
35 should be increased.

36  
37 We heard support for Alternative 3, because adjusted allocations  
38 will be based on the same years in which our incorrect current  
39 allocations were initially set, and then we also heard support  
40 for Alternative 5, which uses that longest time series.

41  
42 For Action 2, we heard support for no action, because it sets  
43 the most conservative buffer between the annual catch limits and  
44 annual catch targets for both sectors. The reason here was  
45 because the fishery has been struggling, and so a more  
46 precautionary approach would be a rational path for the council  
47 to take.

48

1 We also heard a number of other comments that were related to  
2 greater amberjack, but were not specific to this document, and  
3 these might help inform the discussion that you guys have in the  
4 upcoming document, and so I will read through those, quickly.

5  
6 We heard that the greater amberjack stock is definitely in  
7 trouble and that catch limits should be modified to meet  
8 rebuilding targets. We heard that greater amberjack are  
9 plentiful. We heard that management actions should aim to  
10 maximize the numbers of days open to the recreational sector,  
11 and we heard that the recreational sector is not the issue and  
12 that the commercial overfishing is the problem.

13  
14 We heard the for-hire sector harvests too many greater  
15 amberjack. We heard that greater amberjack have worms and are  
16 an undesirable harvest anyways, and we heard that they are fun  
17 for the fight, but not for the food, and that they should be a  
18 catch-and-release fishery, and we heard that greater amberjack  
19 has failed to rebuild, in part because of the implementation of  
20 high-risk status determination criteria and that options for  
21 constant catch annual catch limits should be included, to ensure  
22 that greater amberjack meets its rebuilding target.

23  
24 We heard that separate recreational sector allocations should be  
25 created for greater amberjack, and we heard that the commercial  
26 size limit should be increased. We heard that the charter  
27 industry is going to go out of business with major cuts to  
28 greater amberjack catch limits. We heard that commercial  
29 vessels are harvesting all the greater amberjack before the  
30 recreational season opens.

31  
32 We heard that a fish tag system should be used to constrain  
33 recreational harvest, and we heard that there should be a  
34 seasonal and locational management plan for greater amberjack,  
35 because they are a migratory species, and we heard that there  
36 should no longer be commercial harvest of greater amberjack  
37 allowed at all, and we heard that amberjack should be closed  
38 during the spawn.

39  
40 We also heard some separate comments that did not pertain to  
41 greater amberjack specifically, and I will read through those,  
42 quickly. We heard that separate recreational sector allocations  
43 should be created for gag, red grouper, and triggerfish, and we  
44 heard that area restrictions should be used to eliminate the  
45 commercial fleet overfishing on public reefs within twenty miles  
46 off of shore, and that comment specifically was linked to the  
47 earlier one I said where folks were afraid that commercial  
48 fishermen were out fishing reefs before the recreational season

1 opened.

2  
3 We heard that fines should be increased in the recreational  
4 sector, to keep recreational poachers from keeping undersized or  
5 out-of-season fish. We heard that illegal harvest is an issue,  
6 and that there needs to be more enforcement on the water. We  
7 also heard that the data that are being used to make management  
8 decisions are untrustworthy and that fisheries regulations  
9 should be made by fishermen, and that concludes my report for  
10 the public comment that we heard during our amberjack public  
11 hearing efforts.

12  
13 **CHAIRMAN FRAZER:** All right. Thank you, Ms. Muehlstein. Do we  
14 have any questions from the council? Okay. I am not seeing,  
15 and so we will go ahead and speak with Mr. Rindone and Captain  
16 Walker with regard to Reef Fish AP recommendations on Amendment  
17 54.

18  
19 **MR. RINDONE:** All right. Can we go ahead and scroll down to the  
20 first bit about amberjack? The AP talked, on October 11, at its  
21 meeting, about Amendment 54, and so they had a couple of  
22 recommendations for the council, and Captain Walker is here, and  
23 he can elaborate on that.

24  
25 They discussed, at length, the merits of the different  
26 allocation alternatives, and what they ultimately recommended  
27 that the council do was to add a new Alternative 6, which would  
28 keep the current sector allocation of 73 percent recreational  
29 and 27 percent commercial, but fix the ACLs at the 2023 level  
30 and just hold it there, and I will let Captain Walker elaborate  
31 as to why, but, generally, the AP's concern was that we've been  
32 trying to rebuild amberjack for a long time here, and we just  
33 don't seem to have been getting any traction on it, and so, Ed,  
34 did you want to weigh-in?

35  
36 **MR. ED WALKER:** Thank you, Ryan. Pretty much what you just  
37 described was the general opinion of the AP. It got batted  
38 around the room a little bit, but I would say the underlying  
39 theme, at the AP, was that everything that we've been trying,  
40 thus far, has not gotten us much progress on amberjack, and I  
41 think that the AP feels like they're ready, and they don't want  
42 incremental increases, at this point, and just set it and let it  
43 work for a while, and that kind of trickled through on a couple  
44 other things as well, but that was the motivation for that.  
45 They didn't want to reallocate. They wanted to keep that  
46 constant, but not have those increases, as you mentioned.

47  
48 **CHAIRMAN FRAZER:** Okay. Is there more to the Reef Fish AP

1 report then, Ryan?

2  
3 **MR. RINDONE:** Yes, and we'll go down to the next one, and so  
4 that table there just shows what the 2023 catch limit is, and  
5 that little plus mark there is basically inferring that the  
6 catch limit, under this new proposed Alternative 6, would just  
7 be held constant through time, until changed by the council.

8  
9 Then the AP discussed how to handle the buffer for the ACT, and  
10 ultimately recommended that the council go with Alternative 3,  
11 which would apply the ACL/ACT Control Rule for 2016 through  
12 2019, to generate a buffer between the ACL and the ACT for each  
13 sector, and then the recreational buffer would be 17 percent,  
14 and the commercial buffer would be 7 percent. Both of those  
15 motions carried unanimously by the AP.

16  
17 **CHAIRMAN FRAZER:** Thank you, Mr. Rindone. I guess, I mean,  
18 John, we can either kind of go back through the document and  
19 just review the various alternatives in the two action items,  
20 and do you want to do that, and then we'll -- Sorry, J.D. I  
21 didn't see you. Go ahead.

22  
23 **MR. J.D. DUGAS:** Thank you, Mr. Chair. A question for staff,  
24 and, if we choose, or can we choose, to add another alternative  
25 at this point? I know we're looking at final action, and so is  
26 that even an option at this point, because then would it have to  
27 go to public comment again?

28  
29 **CHAIRMAN FRAZER:** Dr. Froeschke.

30  
31 **DR. FROESCHKE:** I think, specific to, for example, the  
32 alternative from the Reef Fish AP, it's well within the range of  
33 alternatives we have here in the analysis that we conducted, and  
34 so I don't think that it would prevent us from taking final  
35 action, and this meeting also is public comment, and so we could  
36 receive that public comment.

37  
38 If you were to do that, and take final action, we would need to,  
39 obviously, update the document accordingly, and the associated  
40 analysis, to make sure that everything was buttoned-up before we  
41 transmitted it, but it seems okay to me.

42  
43 **CHAIRMAN FRAZER:** Okay. Dr. Froeschke, if you want to go and  
44 work through the two action items and the various alternatives.

45  
46 **DR. FROESCHKE:** Yes, and can we just bring up the document and  
47 go through Action 1? The good news is it hasn't really changed  
48 very much, based on what you saw last time, and so the challenge

1 is that, last time, we talked through all of the alternatives  
2 for Action 1, and we weren't able to identify a preferred.

3  
4 The Reef Fish -- If you can scroll down to Alternative 2, just  
5 so everyone is clear, what the Reef Fish AP specifically  
6 recommended is, in Row 2, that corresponds to the Year 2023, the  
7 associated catch levels, beginning with the ABC of 649,000  
8 pounds, and the rec ACL of 473,770 and the commercial at  
9 175,000.

10  
11 That recommendation would hold that through the duration, until  
12 it was modified by the council at some point, and so that's what  
13 they recommended, noting that they did discuss that this was a  
14 large reduction, and they discussed that other management  
15 measures, size limits and fixed seasons and fishing gears and  
16 things, didn't seem to move the needle with regard to rebuilding  
17 the stock, and so, you know, that's sort of where we're at.

18  
19 Then, just for your information, the ACTs corresponding are in  
20 Action 2, which you did select a preferred, and you could always  
21 revisit that, but, on the recreational side, it would be a 17  
22 percent buffer, and so, in terms of the document we'll see next,  
23 we used those calculations based on that as well, and so, at  
24 some point, those are kind of tied together, but it would be  
25 great to get your feedback on this action.

26  
27 **CHAIRMAN FRAZER:** All right, and so, again, just as a quick  
28 reminder, this is actually slated for final action, and the  
29 council has yet to pick a preferred in the action. We've heard  
30 some suggestion of an alternative in Action 1, and so I will  
31 open up the floor for discussion. Mr. Dyskow.

32  
33 **MR. PHIL DYSKOW:** Thank you, Mr. Chair. Are you willing to  
34 entertain a motion right now for an alternative?

35  
36 **CHAIRMAN FRAZER:** Yes.

37  
38 **MR. DYSKOW:** I would recommend and move that we establish  
39 **Alternative 5 as the preferred.**

40  
41 **CHAIRMAN FRAZER:** Okay, and so we're going to get the motion up  
42 on the board, and it was seconded by Dr. Shipp. Let's make sure  
43 that everybody can see that. Okay, and so we have a motion on  
44 the board by Mr. Dyskow. **That motion reads, in Action 1, to**  
45 **make Alternative 5 the preferred.** Phil, would you like to give  
46 a little background and rationale for the motion?

47  
48 **MR. DYSKOW:** Thank you, Mr. Chair. I was leaning towards this

1 before the meeting, and then I saw, during the public comments,  
2 that this was one of the more preferred alternatives as well,  
3 and so, basically, it just pushed me over the edge, and I  
4 thought this was the best alternative available, and, because  
5 Alternative 6 came in so late, I really am still stuck on  
6 Alternative 5 as my preferred, but it looked like public comment  
7 was in favor, although they were all over the board a little  
8 bit, but it was still the preferred amongst the public to have  
9 comments.

10

11 **CHAIRMAN FRAZER:** Thank you. J.D.

12

13 **MR. DUGAS:** Thank you, Mr. Chair. **I would like to offer a**  
14 **substitute motion.**

15

16 **CHAIRMAN FRAZER:** Okay.

17

18 **MR. DUGAS:** **To make Alternative 3 the preferred.**

19

20 **CHAIRMAN FRAZER:** So we have a substitute motion by Mr. Dugas,  
21 seconded by Dr. Stunz, and we'll get the motion on the board.  
22 **The motion is, or the substitute motion, excuse me, is, in**  
23 **Action 1, to make Alternative 3 the preferred.** Mr. Dugas, do  
24 you want to elaborate?

25

26 **MR. DUGAS:** Thank you, Mr. Chair. In my mind, this is the  
27 direct FES conversion, and this is the best alternative that I  
28 see, and I do see some public comment that outlines that this is  
29 actually based on the same years that it was initially set to  
30 begin with as well, and this is the preferred that I would like  
31 to see go forward.

32

33 **CHAIRMAN FRAZER:** Mr. Gill.

34

35 **MR. GILL:** Thank you, Mr. Chairman. As you all recollect, we  
36 went through each alternative at the last meeting and couldn't  
37 settle on one, and part of the reason for that is the way the  
38 document is structured is -- We've lost focus.

39

40 As was pointed out during the Reef Fish AP discussion, this is a  
41 stock that is in trouble, and it's been in trouble, and we have  
42 not been successful in dealing with it, and that's because we're  
43 fussing about allocation differences over nickels and dimes, and  
44 we're not paying attention to rebuilding the stock, and our  
45 priority needs to be get the stock back to a level when we can  
46 have those discussions, but we're a ways from that, at the  
47 present time, and none of these alternatives satisfy that.

48

1 The Reef Fish AP proffered a constant catch approach, and others  
2 have also suggested the same thing, and I believe that, given  
3 where we are, what our history has been, we need to bite the  
4 bullet, take our medicine, and focus on priority one, which is  
5 getting the stock back to a level where people can fish it.  
6 We're not there, but none of these alternatives get us there  
7 either.

8  
9 Part of the problem, in the past, has been that we have  
10 assessments, and we get a yield stream from the Science Center,  
11 and we can't achieve these things and get the stock back, and  
12 so, in one sense, yield streams from the Science Center are  
13 overly generous, and we didn't know it at the time, but the net  
14 results show that we wouldn't be in trouble if we were able to  
15 sustain that, which we have not, and so I would like to proffer  
16 a motion, Bernie, if you would put up my amberjack motion.

17  
18 **That is to add an Alternative 6 for a constant catch strategy**  
19 **that is very similar to the Reef Fish AP's, and it differs in**  
20 **the amount that the limit is set at, and the Reef Fish AP chose**  
21 **alternatives for the 2023 ACL, but I would argue that, given our**  
22 **history, that's probably overly generous, and, if our priority**  
23 **is really to get the stock back into shape, that we need to take**  
24 **the haircut necessary to achieve that.** Bernie, do you have that  
25 motion, or do you want me to re-read it?

26  
27 I had picked, recognizing that situation, I had picked the  
28 typical ACL for all the alternatives for 2022, and arguing that  
29 that is the more conservative approach, and, yes, it's one heck  
30 of a haircut, and I fully understand that, and it's a super pain  
31 pill, but, if our focus is truly to get this stock back into  
32 shape, it's time to take that action necessary to do it, and I  
33 believe this approach is the best way to do that. Thank you,  
34 Mr. Chairman.

35  
36 **CHAIRMAN FRAZER:** Okay, and so I think Mara is probably going to  
37 weigh-in here on something that I am thinking about here, and so  
38 the first two motions deal specifically with preferreds, and  
39 this final substitute is essentially adding an alternative,  
40 which I'm okay with adding an alternative to the document. What  
41 I'm curious about is, because we're not adding it and making it  
42 a preferred, is it inconsistent, Mara, in your view, with the  
43 way that the first two motions were laid out? Yes. Mr. Gill.

44  
45 **MR. GILL:** Thank you, Mr. Chairman, and so I intentionally did  
46 not include it as a preferred, although that is my desire and  
47 intent, but this is considerably different than the other  
48 alternatives in the document, and whether the committee is

1 willing to accept that, and my thinking is that we do a second  
2 motion that would make it a preferred, rather than do it in this  
3 motion, and recognize that there may be disagreement about  
4 whether it should be a preferred, since we had so much trouble  
5 the last time, and so I was two-stepping it, rather than one  
6 motion.

7

8 **CHAIRMAN FRAZER:** Mr. Strelcheck.

9

10 **MR. STRELCHECK:** I think, unless you make it a preferred here,  
11 this would be another motion, and you would have to dismiss the  
12 other actions first on the board, in terms of voting on those  
13 first. While I have the mic, I guess my other recommendation is  
14 we are on a very tight timeline to meet our rebuilding goals,  
15 and so, if we're going to add an alternative, we need to add it  
16 and choose it as preferred. Otherwise, we're wasting a lot of  
17 staff time to add something that ultimately wasn't selected as a  
18 preferred, and so I think keep that in mind, if we're going to  
19 add anything to this document at this stage.

20

21 **CHAIRMAN FRAZER:** Ms. Levy and then Mr. Dugas.

22

23 **MS. LEVY:** Right, and so I think the point is, right now, we're  
24 talking about whether something should be a preferred, and so,  
25 to be in order with that discussion, you would be adding it and  
26 making it a preferred. If you just add it, we haven't dispensed  
27 with the discussion about what should be the preferred, but, I  
28 mean, so I would think about that.

29

30 Also, I guess I would think about, in terms of what Andy said,  
31 in terms of timeline, if we're going to add something and make  
32 it the preferred, let's pick a number that we've already  
33 analyzed, and so, you know, one of them has 497,000 pounds, or  
34 we have the AP recommendation that comes from an alternative,  
35 and we have that analysis kind of already baked-in, and it will  
36 be a lot easier for staff to pull that out and then incorporate  
37 it, but picking 500,000, which hasn't been used anywhere, for  
38 the economic analysis or anything like that, is going to make it  
39 more time consuming.

40

41 **CHAIRMAN FRAZER:** Mr. Gill. Excuse me. Mr. Dugas.

42

43 **MR. DUGAS:** Thank you, Mr. Chair. My question is for Mr. Gill.  
44 Does this alternative have a timeline on it, a sunset, and is it  
45 annually, or it's open-ended? What are you thinking, Bob?

46

47 **CHAIRMAN FRAZER:** Mr. Gill.

48

1 **MR. GILL:** Thank you, Mr. Chairman. As was mentioned, it's set  
2 until the council chooses to change it in the future, probably  
3 as the result of an interim assessment or a stock assessment.

4

5 **CHAIRMAN FRAZER:** Ms. Boggs.

6

7 **MS. BOGGS:** Well, a point of order, and I don't think my comment  
8 applies unless -- Number one, we don't have a second on this.  
9 Number two, because it's not chosen as a preferred, it doesn't  
10 fall in line here.

11

12 **CHAIRMAN FRAZER:** Yes, and so my preference, for this particular  
13 process, is not to -- I don't want to lose the potential to have  
14 a discussion about this alternative in the document. I mean,  
15 there are two approaches, in my mind, and the motion maker could  
16 simply add it, and also with the language to make it a  
17 preferred, and the other option is to go back and talk to the  
18 motion makers of the original two motions, or the motion and the  
19 first substitute, to withdraw them for the time being and have  
20 the discussion about whether or not this is an appropriate  
21 alternative, put that into the document, right, and then come  
22 back and have a discussion with regard to the preferreds,  
23 recognizing, of course, that we already have those interests on  
24 the table, and my inclination would be to keep them in the order  
25 that they were expressed before. Ms. Boggs.

26

27 **MS. BOGGS:** Okay. Well, what I want to do would be out of  
28 order, and so I guess I need to wait, and let's clean it up, and  
29 then I will address this.

30

31 **CHAIRMAN FRAZER:** If it's out of order, let's wait. Mr. Gill.

32

33 **MR. GILL:** Thank you, Mr. Chairman. **Based on the comments that**  
34 **have been made thus far, I would like to modify the second**  
35 **substitute motion, and so, Bernie, if you would change the**  
36 **500,000 pounds to 521,000 pounds and add, after "commercial",**  
37 **"make this alternative the preferred alternative".**

38

39 **CHAIRMAN FRAZER:** Ms. Boggs.

40

41 **MS. BOGGS:** I will second that motion.

42

43 **CHAIRMAN FRAZER:** Okay, and so we've got a second substitute  
44 motion on the board. **That second substitute motion reads: In**  
45 **Action 1, to add an Alternative 6 and make it the preferred.**  
46 **Alternative 6 would set the ACL at approximately 521,000 pounds**  
47 **whole weight and maintain the current allocation of 73 percent**  
48 **recreational and 27 percent commercial. All right. Is there**

1 further discussion on the motion? Ms. Boggs.

2  
3 **MS. BOGGS:** So what I wanted to comment on, and, Bob, thank you  
4 for making that change on the poundage, and that was the only  
5 thing that I was kind of hung up on, because -- I've said this  
6 before, and the commercial fishermen are taking a haircut, and  
7 they realize that there's an issue here, but, at the same time,  
8 they fish within their quota, and so I didn't really want to  
9 penalize them any more by going to 500,000 pounds, which is not  
10 much, but they're getting a pretty good haircut in this deal  
11 too, and I think the recreational and charter/for-hire sector  
12 needs to realize that it's not just them, and it's all sectors  
13 are taking a bit hit on this, but I agree with everything that  
14 Bob said. We have not been aggressive enough with this fishery,  
15 and, unfortunately, we're to this point that we need to be a  
16 little more aggressive. Thank you.

17  
18 **CHAIRMAN FRAZER:** Thank you, Ms. Boggs. Mr. Anson and then Mr.  
19 Strelcheck.

20  
21 **MR. ANSON:** I am kind of liking this second substitute motion  
22 too, and, similar to what Susan just said, is that we've tried  
23 lots of things here, and nothing seems to be working in trying  
24 to improve the stock, and so, you know, in another document that  
25 we've started, we're talking about trying to change those  
26 things, you know, seasons and bag limits and such, and those are  
27 getting -- We don't have many options, or palatable ones, as I  
28 can see it, going in that direction, and so maybe this would be  
29 a good alternative, relative to trying to get us to a better  
30 position, and so I certainly think I will be supportive of this  
31 motion.

32  
33 I just wanted to go back to the issue that J.D. brought up  
34 earlier about the timing of it, so I understand Bob's comment  
35 about have another assessment come down, but I'm curious. In  
36 the interim, before we conduct another assessment, and put in  
37 the resources and time to do that, is this a species that we  
38 have enough information that we could do an interim analysis on,  
39 or do any of those types of things that give us kind of a  
40 status, kind of a, you know, quick-and-dirty way to do that, Dr.  
41 Walter?

42  
43 **CHAIRMAN FRAZER:** Go ahead, John.

44  
45 **DR. WALTER:** I don't think we have a great index for this one,  
46 and it might be something that we need to explore what, of the  
47 sub-optimal indices we have, might work, and so it's a little  
48 probably premature for us to say this would be as easy as, for

1 instance, red snapper and red grouper, where we have pretty  
2 strong fishery-independent indices.

3

4 **MR. ANSON:** Thank you.

5

6 **CHAIRMAN FRAZER:** Thank you, Dr. Walter. Andy.

7

8 **MR. STRELCHECK:** I have a question for Captain Walker, if you  
9 could come back up to the podium. Thanks for being here, Ed.  
10 This motion is similar to the recommendation of the AP, although  
11 it sets the catch level lower than your recommendation, and what  
12 I'm curious about is the AP did recommend status quo with the  
13 allocation, and was that a unanimous recommendation, and what is  
14 the composition of the AP, in terms of commercial and  
15 recreational representation, just a ballpark?

16

17 **MR. WALKER:** What is the percentage of representation,  
18 commercial?

19

20 **MR. STRELCHECK:** The first question is was the recommendation  
21 for constant catch and the status quo allocation unanimous by  
22 the AP?

23

24 **MR. WALKER:** I believe it was.

25

26 **MR. STRELCHECK:** Then, in terms of representation at the  
27 meeting, was it good representation by both the commercial and  
28 recreational sectors?

29

30 **MR. WALKER:** Yes, it was.

31

32 **MR. STRELCHECK:** Okay. Thank you.

33

34 **MR. WALKER:** I think we have a really good AP there, and I think  
35 it's fairly balanced, and, at this particular meeting, we had  
36 vigorous discussion, with divergent views, and we hammered out a  
37 lot of things, and so there's some other things that some of the  
38 council members have asked me, and so please feel free to just  
39 pull me up anytime somebody has a question about the AP.

40

41 **MR. STRELCHECK:** All right. Thank you. I wanted to ask Captain  
42 Walker that, because I wasn't certain, in terms of how the  
43 recommendation was made, and, obviously, we don't get a lot of  
44 unanimous recommendations like that, especially when we're  
45 talking about reductions in harvest.

46

47 I think Bob Gill has made some excellent points about we have  
48 failed, in terms of rebuilding this stock, for quite some time,

1 and maybe now is the time to be more conservative and look at a  
2 constant catch approach. I try to avoid weighing-in on  
3 allocation decisions, but do, obviously, lean toward at least  
4 the advice of the advisory panel that we have appointed, and so  
5 I'm willing to support this motion, and I think it's a good  
6 recommendation and path forward, in the short-term.

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

10  
11 **MR. DUGAS:** Thank you, Mr. Chair. I am going to speak in  
12 opposition to this motion. The way I see this is we're moving  
13 percentages of fish to the commercial sector, by 11 percent, as  
14 to Alternative 3, my motion, and so I'm going to be in  
15 opposition to this. Thank you.

16  
17 **CHAIRMAN FRAZER:** Mr. Diaz.

18  
19 **MR. DIAZ:** I just want to put this out, for folks at least to  
20 know, and amberjack is scheduled for an allocation review in  
21 2025, and so this council will at least bring that up for  
22 consideration in 2025.

23  
24 **CHAIRMAN FRAZER:** Thank you, Mr. Diaz, for pointing that out.  
25 Ms. Boggs.

26  
27 **MS. BOGGS:** Well, J.D., yes, they're getting an increase,  
28 because of the increase with the FES, but the rec side is also  
29 getting an increase, but constant -- Well, I say constant catch,  
30 and the allocation for the commercial fishermen is 484,380  
31 pounds, and they have never exceeded that, but maybe a couple of  
32 -- I don't think. I will have to double-check.

33  
34 They're getting a haircut now to 140,000 pounds, and so they may  
35 be getting an 11 percent increase, but, in the whole scheme of  
36 things, they're losing 340,000 pounds of fish, based on what  
37 they constantly catch, and so that's why I have to -- One of the  
38 commercial fishermen told me, years ago, when we were doing our  
39 headboat EFP, that it has to hurt, and hurt equally, because, if  
40 it does not, then you're not doing something right, and this is  
41 going to hurt both sectors, and, yes, it's painful, but, if we  
42 don't do something, as a council, we have failed the fishermen,  
43 and we have failed our duty to protect and preserve these fish.  
44 Thank you.

45  
46 **CHAIRMAN FRAZER:** All right. Mr. Diaz.

47  
48 **MR. DIAZ:** I just want to mention that the amberjack is one of

1 these situations where we don't have any good options, and  
2 everybody is taking a haircut, and everybody is losing, and what  
3 we're trying to do is we're trying to pick out the best, and  
4 whatever perceives as the most fairest of not good choices to  
5 pick from, and so it's just a difficult situation.

6  
7 I think that's why we got to where we got at the last council,  
8 where we went through all of them, and basically couldn't pick a  
9 preferred at the last council, is just we're trying to pick the  
10 best of a lot of really bad choices, but everybody is going to  
11 take a haircut on it. Thank you.

12  
13 **CHAIRMAN FRAZER:** Ms. Boggs.

14  
15 **MS. BOGGS:** I would like to call the vote, please.

16  
17 **CHAIRMAN FRAZER:** Okay. I'm pretty sure that we're going to  
18 have a range of opinions on this, and so we're going to go ahead  
19 and vote up the second substitute motion. I'm going to try this  
20 with a show of hands. **All those in favor of the second**  
21 **substitute motion, raise your hand, six in favor; all those**  
22 **opposed, nine. The second substitution fails six to nine and**  
23 **one abstention, or two abstentions. I abstained as well, as**  
24 **Chair.**

25  
26 All right, and so we will go back to the original substitute  
27 motion, and so the substitute motion on the table now is, in  
28 Action 1, to make Alternative 3 the preferred. Okay, and so  
29 we'll try this again. **In Action 1, to make Alternative 3 the**  
30 **preferred, and that's the substitute motion under consideration**  
31 **at this point, and so all of those in favor of the substitute --**  
32 I thought we had some discussion, and I'm sorry, Andy. Let's  
33 have more.

34  
35 **MR. STRELCHECK:** We kind of moved passed it, with the second  
36 substitute, and so, with the motion on the board, and I guess a  
37 couple of points. I am going to reiterate what I said at the  
38 last council meeting, and so, yes, this is an updating of the  
39 same time series, with now FES data, and so, obviously, that's  
40 the advantage, or opportunity, here, is that we're updating with  
41 the most recent data.

42  
43 I will note that this alternative though is based on what we  
44 were recommending previously, is just an interim allocation,  
45 right, that we were going to revisit, and it also uses the  
46 oldest time series, and a large portion of this time series is  
47 based on commercial landings that did not identify amberjack, or  
48 greater amberjack, to species, in many instances, and so I don't

1 see this as a reasonable alternative, and I would recommend not  
2 going forward.

3

4 **CHAIRMAN FRAZER:** Ms. Boggs and then Dr. Sweetman.

5

6 **MS. BOGGS:** So I will not speak in favor of this motion either,  
7 a lot of what Andy said, because it wasn't until 2008 that we  
8 had the separate allocations for the amberjack, the issue with  
9 the identification of amberjack, and, again, we're punishing a  
10 sector that has been a good steward of the fish and reallocating  
11 more -- I say reallocating, but, I mean, we are. We're  
12 reallocating more fish to a sector that has been, and I'm  
13 including charter/for-hire in this conversation, because we  
14 hadn't had the data collection, other than the headboats, that  
15 has not had any kind of data to support what is happening here.  
16 I just can't support this motion. Thank you.

17

18 **CHAIRMAN FRAZER:** Dr. Sweetman.

19

20 **DR. SWEETMAN:** Thank you, Mr. Chair. I agree with a lot of the  
21 points of Susan, and some of the points of Andy, and I've said  
22 this before, and I will say it again, and I do not think that  
23 now is the time to reallocate in a fishery that has experienced  
24 this level of decline, and has not responded to numerous  
25 management changes. Mr. Diaz mentioned that we have a formal  
26 allocation review process that's set up for a couple of years,  
27 and, at this time, I'm going to vote in opposition to this  
28 motion.

29

30 **CHAIRMAN FRAZER:** Mr. Gill. Mara, is it to that point? Okay.  
31 Mr. Gill and then Ms. Levy.

32

33 **MR. GILL:** Thank you, Mr. Chairman, and so, the discussion we've  
34 had, we've noted that none of our previous allocations and  
35 assessments have worked, and yet this option doubles the ACL in  
36 five years, and why do we think this one is going to work? They  
37 haven't worked in the past, and so I don't support this motion,  
38 and it does not focus on the stock. It focuses on allocation,  
39 which is the wrong focus. Where we really need to be thinking  
40 about is how do we get this stock back, and using the same old  
41 techniques and hoping for a different change -- We all know what  
42 that is, and that's what we're doing here, and so I do not favor  
43 this motion.

44

45 **CHAIRMAN FRAZER:** Ms. Levy.

46

47 **MS. LEVY:** Thanks. This is just to a couple of points that  
48 Susan made. I just want to note that there are a couple of

1 tables in Chapter 3 that have, you know, the different years and  
2 the landings compared to the catch limit, and both sectors have  
3 gone over, and this is not a situation in which the commercial  
4 sector is constrained by an IFQ, and so they've both gone over,  
5 and they've both been under, and the recreational sector has  
6 been under since 2017, and the commercial sector has also been  
7 under the last two years, and so I just don't want to equate all  
8 allocation decisions with this idea that the commercial sector  
9 is always constrained and the recreational sector is never  
10 constrained.

11  
12 You have to look at it stock-by-stock and see what has happened,  
13 see the different management measures that are in place, and  
14 kind of stop making these broad statements that seem to just  
15 cover everything. Thanks.

16  
17 **CHAIRMAN FRAZER:** General Spraggins.

18  
19 **GENERAL SPRAGGINS:** I would just like to ask J.D., and the  
20 reason why you think this one is better than the Option 5, could  
21 you give us some kind of -- Something that, in your mind, is  
22 telling you why it's better to take this one than 5, so I can  
23 look at it.

24  
25 **CHAIRMAN FRAZER:** Mr. Dugas.

26  
27 **MR. DUGAS:** Thank you, Mr. Chair. General, the way I understand  
28 it is that this the direct FES conversion that we're supposed to  
29 be switching everything to, and it's just straightforward, to  
30 me, and that's why I choose this alternative. The SSC  
31 recommends it, and staff created it, and it's there for us to  
32 choose, and I chose it.

33  
34 **CHAIRMAN FRAZER:** Ms. Levy.

35  
36 **MS. LEVY:** Thank you. So, similar to the comment that I just  
37 made, I think we also have to stop making broad statements about  
38 just substituting in MRIP-FES data in the same time series and  
39 we just run with it for every species and every stock. Every  
40 situation is different, and, for red grouper, when we did that,  
41 you know, you looked at various times series, and it seemed like  
42 an appropriate time series to pick, the original time series.

43  
44 There are issues with this time series that have been identified  
45 in the document, in terms of identification of greater amberjack  
46 and things like that, and so to just, again, make sort of a  
47 blanket decision that, because we're using the same time series,  
48 we're just going to plug in new data and it's a go, that's not

1 going to be true in all cases, and so I really urge you to look  
2 at each thing that you're looking at for what it is and talk  
3 about the issues that are associated with this particular stock  
4 and make an informed decision based on everything. Thanks.

5  
6 **CHAIRMAN FRAZER:** Ms. Boggs.

7  
8 **MS. BOGGS:** Okay, and so, to Mara's point, the allocation for  
9 the amberjack, if I'm looking at this right, where we had  
10 separate allocations for commercial and recreational, with the  
11 2008, and I don't have the number I'm looking for, and I just  
12 lost my page, but it appears that, based on the current number  
13 of 480,000 pounds, and I'm sorry that I just lost my page, but  
14 the commercial sector has been under that 480,000 since it looks  
15 like 2008, and I apologize that I lost the -- Because I went  
16 back, and I'm trying to be more specific, based on what Mara  
17 just said.

18  
19 They have been good stewards, and they haven't overfished, from  
20 what I was looking at, Mara, for the last four or five years,  
21 but the issue is that we're not overfishing in either sector,  
22 because the fish are not there to catch, and so that's -- In my  
23 mind, it's hard to catch something that's not there, and, now,  
24 what has happened to them, we don't know, but, you know, and I'm  
25 sorry that I can't find the spreadsheet, but I will get more  
26 specific in just a moment.

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

29  
30 **DR. FROESCHKE:** To that point, Figure 1.1.1 and Figure 1.1.2  
31 illustrates this information. It provides both the commercial  
32 landings and the commercial quota, and that's Figure 1.1.2 for  
33 each year, and the same information in Figure 1.1.1 for the  
34 recreational, so you can see the ACLs, to the degree they were  
35 over or under, in each year.

36  
37 **CHAIRMAN FRAZER:** Ms. Boggs.

38  
39 **MS. BOGGS:** Okay, and so I found the spreadsheet I was looking  
40 for, and so, since 2012, what I was looking at, the highest  
41 catch that the commercial sector had was 480,000 pounds, and  
42 they were over. Okay. I see, and so they've been over several  
43 years, and so, yes, they have also been over, and I don't know  
44 if there was a payback, but 2017, 2018, 2019, 2020, and 2021,  
45 they have not exceeded their allocation. They do have a  
46 payback, and so what I'm saying is we have more of a way to  
47 track what the commercial fishery is catching, and so, the last  
48 few years, they have not exceeded their catch, and, based on the

1 income, that is a good source of their income, and they're going  
2 to lose a lot of that income.

3  
4 We also, as I understand, as a council member, we have to look  
5 at the economic side of this, the socioeconomic side of this,  
6 and so, from 480,000 to a hundred-and -- Well, now you're going  
7 to cut it to 79,000 pounds, and everybody has got to take a cut,  
8 and I agree that reallocating right now with a fishery that we  
9 can't get a handle on just seems inappropriate for this council  
10 to do, and I just can't support this motion.

11  
12 **CHAIRMAN FRAZER:** All right. We are going to go ahead and vote  
13 this one up, and so we'll try it by a show of hands. **All of**  
14 **those in favor of the substitute motion in Action 1 to make**  
15 **Alternative 3 the preferred raise your hand, eight for; all**  
16 **those against. The Chair votes no. The motion fails eight to**  
17 **nine.** Okay.

18  
19 Let's go back to the original motion, and so that is, in Action  
20 1, to make Alternative 5 the preferred. I want to make sure  
21 that we get enough discussion in here, and so the original  
22 motion maker was Mr. Dyskow, and it was seconded by Dr. Shipp.  
23 Is there any further discussion on this motion? Mr. Strelcheck.

24  
25 **MR. STRELCHECK:** To add to my comments from the previous  
26 alternative, you know, this addresses the concerns about using  
27 data prior to 1993, where you have species not identified, and  
28 it also is the most recent time series, which is advantageous,  
29 looking at current conditions, although it can be challenging,  
30 because both sectors have been constrained by catch limits and a  
31 regulatory environment.

32  
33 Looking at the kind of the economics of this, there's really not  
34 major, substantial differences between any of these  
35 alternatives, in terms of the kind of net economic benefits, and  
36 so this kind of falls within the mid-range of that, and so,  
37 overall, I think this is a reasonable alternative for the  
38 options we have available.

39  
40 **CHAIRMAN FRAZER:** Ms. Boggs.

41  
42 **MS. BOGGS:** So, to add a little more clarity too, as to why I  
43 don't support this motion, I don't remember what year it was,  
44 but the commercial fishermen put a trip limit on themselves.  
45 They came and asked us to reduce the trip limit from a thousand  
46 pounds to, when at 75 percent, then to reduce it to 250 pounds,  
47 so that they would not go over their quota, and so they've been  
48 good stewards of the fishery, and, again, to penalize them even

1 more does not seem appropriate at this time. Thank you.

2  
3 **CHAIRMAN FRAZER:** Mr. Schieble.

4  
5 **MR. SCHIEBLE:** This is just a technical question, for Andy I  
6 suppose, and so, going forward, I know we have Thursday at Full  
7 Council still, to make further decisions on this, but, if we go  
8 out of this meeting without a preferred in this document, just  
9 give me a timeline on what we're looking at here as a council,  
10 if we can't get past that.

11  
12 **MR. STRELCHECK:** So we're currently scheduled to take final  
13 action at this meeting, and keep in mind that you recommended an  
14 emergency rule that went into place around the end of July, and  
15 so that has a one-year timeline, where it would expire, and the  
16 commercial sector will start fishing their quota on January 1,  
17 and so we are under the gun to get new catch limits in place by  
18 spring of next year, to inform that commercial season as well as  
19 the recreational season, after the summer closure.

20  
21 **CHAIRMAN FRAZER:** Chris.

22  
23 **MR. SCHIEBLE:** So there's the likelihood of a second 180-day  
24 closure period, if we get to that point, correct?

25  
26 **CHAIRMAN FRAZER:** Andy.

27  
28 **MR. STRELCHECK:** We did not address the commercial sector in our  
29 emergency rulemaking. We have the authority to extend the  
30 emergency rule by 186 days, and that will be I think sometime in  
31 early January, that the extension would go into place.

32  
33 **CHAIRMAN FRAZER:** All right, and so, before we -- General  
34 Spraggins.

35  
36 **GENERAL SPRAGGINS:** I just want to make sure that I'm  
37 understanding correctly what I just heard, and so, if something  
38 happens and this one doesn't pass, Alternative 5, then we will  
39 go back to the emergency, is what we will have to go back to,  
40 and is that the case, or can we bring up any additional at this  
41 time?

42  
43 **CHAIRMAN FRAZER:** Mr. Strelcheck.

44  
45 **MR. STRELCHECK:** We have other alternatives that could be  
46 recommended for preferred that haven't been discussed yet, but  
47 we need to come out of this meeting with a final action and a  
48 preferred recommendation, so that we can begin the process of

1 rulemaking and get regulations in place by the 2023 season.

2  
3 **CHAIRMAN FRAZER:** All right, and so, I mean, before we vote on  
4 this motion, again, I just want to provide some context here. I  
5 mean, these are five current alternatives that we're talking  
6 about a range of no more than 20,000 pounds of fish, and this is  
7 a haircut for everybody, right, and to sit here and -- As a  
8 council, I would encourage folks to think about what's in the  
9 best interests of this fishery, moving forward, and not get  
10 caught down, or bogged down, excuse me, in some allocation  
11 decisions, knowing that we have an allocation review coming up  
12 for this fishery in the next couple of years.

13  
14 We may not get to a preferred today, and we haven't voted on  
15 this motion, but we should certainly be prepared to offer a  
16 preferred and come to a resolution in Full Council. **With those**  
17 **comments, I would like to vote on this motion, which is, Action**  
18 **1, to make Alternative 5 the preferred. All those in favor of**  
19 **this motion, raise your hand.**

20  
21 **EXECUTIVE DIRECTOR SIMMONS:** Thirteen.

22  
23 **CHAIRMAN FRAZER:** Thirteen in favor. All opposed, three in  
24 **opposition. The motion carries thirteen to three.** Okay. Ms.  
25 Boggs.

26  
27 **MS. BOGGS:** I am trying to be nice, Andy, but why did you  
28 support this motion? Why would we reallocate something when  
29 we've got a fishery that is being overfished and currently  
30 undergoing overfishing, and an emergency rule has been put in  
31 place? I don't see how this is a viable option. Thank you.

32  
33 **CHAIRMAN FRAZER:** I think those types of conversations -- I  
34 don't want to call people out at the table, right, and  
35 certainly, if you want to talk about the rationale, we can do  
36 that in a sidebar somewhere. All right. Are there any other --  
37 Is there any other discussion on this action item? Okay. I am  
38 not seeing any other interest there. Dr. Froeschke.

39  
40 **DR. FROESCHKE:** Tom, just to be clear, are you asking -- Are you  
41 wrapping up Action 1, or are you wrapping up the document?

42  
43 **CHAIRMAN FRAZER:** Action 1.

44  
45 **DR. FROESCHKE:** Okay.

46  
47 **CHAIRMAN FRAZER:** I just wanted to, again, make sure that we had  
48 some discussion about alternatives in that Action 1, and I just

1 wanted to make sure that we are good there. Okay, and so let's  
2 go to Action 2, Dr. Froeschke.

3  
4 **DR. FROESCHKE:** Okay. Action 2 is linked to Action 1, in that  
5 the ACL is established based on the preferred alternative, and  
6 that action will be -- We will apply the ACL/ACT Control Rule to  
7 establish an ACT buffer. The seasons correspond to the ACTs.

8  
9 At the previous meeting, you did select a preferred alternative,  
10 and so there are three alternatives in this one, the no action,  
11 which would maintain the ACL and ACT for each sector, and so the  
12 current recreational buffer is 17 percent, and the commercial is  
13 13 percent.

14  
15 The two alternatives would simply update this control rule.  
16 Alternative 2 used the reference years 2017 through 2020, and  
17 there was discussion, at the previous meeting, about the 2020,  
18 with the disruptions to the fishery from COVID, as well as the  
19 sampling protocols that collect the data, and that resulted in a  
20 13 percent recreational buffer and a 7 percent, and so it's a  
21 reduction in the buffers from both sectors.

22  
23 The Preferred Alternative 3 used the 2016 through the 2019 years  
24 as reference, and what those reference years essentially look at  
25 is the sector ACLs, the landings, the stock conditions, and so  
26 what other overages during the years, is the fishery overfished,  
27 those kinds of things, and there's a spreadsheet formula that  
28 we've used lots of times, and it's in the appendices of the  
29 document.

30  
31 This results in a buffer of 17 percent, which is the same as  
32 Alternative 1 for the recreational, but it reduces the  
33 commercial buffer from 13 percent to 7 percent, in part because  
34 of the additional changes, such as the step-down in trip limits  
35 on the commercial side that has kept them within their quota for  
36 the last several years, as you discussed. I guess, if you're  
37 satisfied with your preferred, there is no action that's  
38 required on this action. Otherwise, you can certainly discuss  
39 or change, if you want.

40  
41 **CHAIRMAN FRAZER:** Okay. Thank you, Dr. Froeschke, and so we  
42 landed on a preferred in our last meeting on this alternative in  
43 this action item, and is there any further discussion? Dr.  
44 Froeschke.

45  
46 **MR. FROESCHKE:** I forgot, Mr. Chair, that the Reef Fish AP did  
47 look at this action and recommended the current Preferred  
48 Alternative 3.

1  
2 **CHAIRMAN FRAZER:** Thanks, John, for reminding us about that.  
3 All right, and so I'm not seeing any discussion, further  
4 discussion, on this action item, and so, in Action 2,  
5 Alternative 3 will remain the preferred, moving forward, and so  
6 the next element, I guess, on the agenda, relative to this  
7 amendment, is the codified text, and it's pretty  
8 straightforward, if we want to pull that up. All right, and so,  
9 Mara, do you want to kind of take a quick peek at this? It's  
10 relatively straightforward.

11  
12 **MS. LEVY:** I believe it's just the current regulations, because  
13 we didn't have a preferred, and so we'll have to go in and  
14 update the numbers, and this is just showing you the sections  
15 that will be revised as a result of this amendment.

16  
17 **CHAIRMAN FRAZER:** I agree, and so, all right, and so we'll bring  
18 this back at Full Council, and we'll be prepared, obviously, to  
19 insert the appropriate language, or the numbers, into the  
20 codified text, as appropriate, and so, moving forward into Full  
21 Council, with regard to this particular amendment, we've got two  
22 action items, and we have preferreds, and we will revisit the  
23 issue in Full Council and make an appropriate motion at that  
24 time, since it's a final action item.

25  
26 Okay, and so we will move to the next agenda item, which is a  
27 Draft Options Paper, which is modifications to the recreational  
28 and commercial greater amberjack management measures. Dr.  
29 Froeschke, if you want to lead us through that.

30  
31 **DRAFT OPTIONS: MODIFICATIONS TO RECREATIONAL AND COMMERCIAL**  
32 **GREATER AMBERJACK MANAGEMENT MEASURES**

33  
34 **DR. FROESCHKE:** Okay, and so we have a presentation that is  
35 pulled up, and kind of the background of this is a couple of  
36 things. One, it was a council request to begin working on this  
37 at the last meeting, and so we've done that, and we developed a  
38 presentation, and, essentially, this is linked to the action  
39 that we just discussed, with the idea that when we got that  
40 letter and the timeline that the associated management measures  
41 that may be necessary to constrain the catch to the reduced  
42 levels, and we would take those up in a separate document, given  
43 the rapid rebuilding timeline requirements that we needed to get  
44 the catch limits in place, and, as you all know, none of that  
45 has been easy.

46  
47 That's one thing, and we developed this presentation, and we did  
48 present this to the Reef Fish AP, and so it's largely the same

1 as what the Reef Fish AP saw, and they did make some  
2 recommendations on this, but I wanted to make sure that you all  
3 saw the same information that they did. Captain Walker has some  
4 information that he can supplement the discussion, and so that's  
5 kind of where we're at.

6  
7 The background, and so some of this is just to kind of get you  
8 back up to speed, which you probably already are, but, as we  
9 just discussed, there's an emergency rule in place that can be  
10 extended through next year, while the catch limits are being put  
11 into place.

12  
13 The large reductions in harvest levels will likely require some  
14 modifications to the other management measures, and we've been  
15 through lots of changes on both the commercial and recreational  
16 sectors, with regard to seasons, size, trip limits, you name it,  
17 and some of those things we're bringing back, and we've tried to  
18 provide some additional ideas, and the AP as well provided some  
19 feedback I think that will inform the discussion.

20  
21 We just talked about this, and, essentially, we're trying to  
22 find ways to make the best use for all the stakeholders on the  
23 reduced fishery conditions that we're going to have, at least  
24 through the rebuilding plans.

25  
26 This is some of the information that we've seen, and we've kind  
27 of talked about this, and it was in the last document, but it  
28 shows you the recreational landings since 2008, when we have  
29 recreational quotas, and you can see -- The two points in this  
30 is that, essentially, the landings have been mostly flat, based  
31 on regulatory measures for a long time, and, you know, there  
32 have been overages and underages, and you will see that pattern  
33 for both sectors.

34  
35 The green line is the season lengths, and you can see we've made  
36 a number of changes to both size limits, seasons, the number of  
37 days open, all of those things, in an effort to rebuild this  
38 stock, which has not been successful, to date.

39  
40 Both of these -- Both sectors have accountability measures,  
41 including sector annual catch targets, as well as paybacks for  
42 each sector if they exceed the ACL, and so that's -- The seasons  
43 and things are set to target the ACT, but the accountability  
44 measure that requires a payback is not triggered unless the ACL  
45 is exceeded, and so the intent of the management actions that  
46 we've tried to line out here, we've tried to find ways to reduce  
47 the sector ACTs, as specified in Amendment 54, avoid some  
48 overages that are quite painful, and make the best use of the

1 fish that we have, on a Gulf-wide basis.

2  
3 I am going to go through just a few actions, and we can kind of  
4 go through these. At the AP, I kind of got tangled up, because  
5 we got all bogged down in this discussion before we saw the  
6 other one, and so I will go to the next slide once we go through  
7 this, but just this is what is currently on the books.

8  
9 We do have this emergency rule in place, but, if we don't change  
10 the regulations, once the emergency rule expires, we would  
11 revert back to this, in which the recreational season would open  
12 each year on August 1, through October 31, and then it would  
13 reopen May 1 through May 31, if there was quota allowed. We've  
14 been kind of hit-and-miss on whether we've got the spring season  
15 since we've implemented this, but it does allow a period in  
16 which you can get some intermediate landings and make an  
17 assessment on whether there are enough fish to go, and so we  
18 have reduced some of those overages that occurred prior to the  
19 implementing of the split season.

20  
21 The alternatives here, what I did, and you will see the dates  
22 are probably too precise, and a couple of caveats. What I tried  
23 to do is I made an assumption, which is down below, a couple of  
24 things, based on what -- I took an assumption of what the catch  
25 levels would be in Reef Fish 54, and it would essentially base  
26 it on the 2023 annual catch target for the recreational sector,  
27 based on the current allocation, and, obviously, that's not what  
28 you have now, and so those numbers would change, but what I did  
29 there is then I took the season projections, which is  
30 essentially a daily catch rate for each wave of data that the  
31 Southeast Regional Office has prepared, and then I tried to  
32 iterate those up until you met the annual catch target.

33  
34 A couple of things on this, and there is variability in catch  
35 rates, and the catch rates -- Primarily, the catch rate in  
36 August is much higher than September and October, based on  
37 previous years, and I have a figure that we can show that in a  
38 minute, but, in general, if you have a fishing season in August,  
39 you're going to eat those fish up a lot faster, based on  
40 projections, than you would September and October, and so that's  
41 one thing to consider.

42  
43 May, the catch rates in May, are higher than the September and  
44 October season, and they're lower than August, and I tried to  
45 make some assumptions on the split season, and so each of these,  
46 essentially, in terms of total landings, is approximately  
47 equivalent, and I will say that.

48

1 For the Alternative 4 and 5, I tried to come up with some ways  
2 that mimic a split-season approach, because there was a lot of  
3 discussion, for two reasons. Primarily, one, to give some time  
4 between the season, to where we could get some data and try to  
5 understand what was left, but, also, two, there was a lot of  
6 discussion, when this was done, that the western Gulf may  
7 benefit from these fish at a different time of year than the  
8 eastern Gulf, and so this was one way to try to spread the  
9 access around.

10  
11 What I did here is -- The other thing, when we talked about  
12 this, is there's no seasonal what I would call apportionment, or  
13 allocation. The last time we did this, we had a discussion that  
14 approximately 65 percent of landings were -- They tended to  
15 occur in the fall season, with about 35 percent in the May  
16 season, and so I tried to roughly keep those same percentages,  
17 with just a couple of different options.

18  
19 The first one opens on September 1 through October, and then you  
20 just complete the rest of the -- Whatever is left of the fishery  
21 would go to the May season, and Alternative 5 -- What I did was  
22 I just opened it up the whole month of May, and then the  
23 remaining fish went to the fall, and so it's a little bit  
24 different, two different ways, and, again, these numbers would  
25 change somewhat, based on the preferred alternative in the  
26 previous document and then if we have any updated information  
27 through the emergency rule stuff, and we would make a  
28 projection, and it would close, but those are sort of the  
29 ballpark figures that we have. Let's just go to that next  
30 figure, real quick, and then I'll stop and take questions on  
31 this.

32  
33 This just kind of illustrates some of the information that I  
34 already summarized, but it shows you that the catch rates, or  
35 landings, by month, and so, if you take those and divide it by  
36 the number of days, then you get a daily catch rate, and that's  
37 what we use to estimate how many days will be open, and so,  
38 again, it's higher in August, lower in September and October,  
39 and then intermediate in May.

40  
41 There are some assumptions, but this is based on a period when  
42 you were open in August, and it's unknown, if we were not open  
43 in August, if there would be some pent-up effort, and so you  
44 might see more effort in September and October, and so that's  
45 always the uncertainty of these kinds of approaches. I do want  
46 to go back to the previous slide and see if there's any comments  
47 on those alternatives.

48

1 **CHAIRMAN FRAZER:** Okay. Ms. Boggs.

2  
3 **MS. BOGGS:** I think I've asked this before, and maybe the  
4 Science Center can help me out, but we have a closure for  
5 amberjack, in the commercial fishery, March, April, and May, for  
6 the spawn, but, yet, here we're talking about, and it's always  
7 been this way, which I've never understood, but why are we  
8 wanting to open the season in May for the recreational  
9 fishermen, and you see, on the next slide, that there's a spike,  
10 if you open the fishery, and, here again, we're talking about a  
11 fishery that is overfished and undergoing overfishing, and I  
12 understand that we need to provide access, but I don't  
13 understand why we're providing access during the spawn, when  
14 another sector is closed because of the spawn.

15  
16 **CHAIRMAN FRAZER:** I mean, I will just kind of give you some  
17 things that I've heard over the last several years, right, and a  
18 lot of that discussion for wanting access to those fish in May  
19 is to make sure that people have something to fish for in the  
20 late spring, particularly in the northern Gulf, prior to the red  
21 snapper season, which traditionally started in June, and there  
22 was a lot of discussion about the appropriateness of actually  
23 opening up that fishery during that spawning period, but it was  
24 a tradeoff that this council, you know, essentially made. Ms.  
25 Boggs.

26  
27 **MS. BOGGS:** I understand, and that's, I think, the response that  
28 I've gotten in the past. I like gray triggerfish in January and  
29 February for my fleet, when we have our winter guests in town,  
30 but I don't get that, and I would like fish in November and  
31 December to catch, but we don't get that, and so you have  
32 triggerfish in May, and you have vermilion snapper, and you have  
33 lane snapper, and you have gray snapper.

34  
35 I mean, there's other fish in the Gulf of Mexico that can be  
36 caught, and we have a fish right now, amberjack, that is in  
37 trouble. We are providing access, and we can provide access in  
38 September and October, and I'm going to go ahead and throw the  
39 bomb out there. I think we should close it and open it in  
40 November and December. You're still providing access, but  
41 that's a time of year that there's probably not going to be a  
42 lot of pressure, and, if we see some rebuilding, because we have  
43 closed it year-round, except November and December, maybe we can  
44 open it up in January or October.

45  
46 We have to get creative at this council table, and I understand  
47 everyone here that owns a boat wants to go fish, and I  
48 understand that the charter fleet wants to have something to

1 catch year-round, but, again, this fishery is in trouble, and,  
2 if we don't do something, and be proactive, and provide access  
3 not during the spawn -- I mean, I just cannot comprehend it. If  
4 you're going to do that, then let the commercial fishermen catch  
5 the fish in May. I mean, I don't understand why it's good for  
6 one and not the other, and I don't support anything that opens  
7 this fishery in May.

8  
9 **CHAIRMAN FRAZER:** Okay. Thank you, Ms. Boggs, and, again, I  
10 just want to make sure that I wasn't stating my personal opinion  
11 on the issue. Dr. Froeschke.

12  
13 **DR. FROESCHKE:** The Reef Fish AP also had a recommendation on  
14 the season length, or the season, on this, and so if we want to  
15 bring up Captain Walker, who might be able to elaborate on a  
16 rationale.

17  
18 **CHAIRMAN FRAZER:** Sure. We'll have Ed come on up, but, in the  
19 interim, Mara, do you have a point?

20  
21 **MS. LEVY:** Yes, and can we go back to Slide Number 4? This  
22 figure is in the document, right, and I just want to, I guess,  
23 clarify, because it looks like, when you look at this, that  
24 there was a big overage of the recreational quota in 2018, but,  
25 if you look at Table 3.1.2.2, you can see that there was not a  
26 big overage, and I think the disconnect is coming from the fact  
27 that this is a calendar-year graph, but the fishing season is a  
28 split-year fishing season, and so this is kind of misleading.

29  
30 We either need to change this or we need to have some very  
31 prominent language that indicates that this is not based on the  
32 fishing year, and so there was no overage in 2018, and I just  
33 want to make sure, because, when you look at this, it jumps out  
34 at you, and we've had a lot of discussion about, you know, how  
35 the different sectors are constrained, and I just want to make  
36 sure that we're presenting the information in the most accurate  
37 way possible. Thanks.

38  
39 **CHAIRMAN FRAZER:** I guess I'm confused, Mara, just looking at  
40 the figure itself, and I don't see where there is any  
41 information there that would tell you what the overage is.

42  
43 **MS. LEVY:** Well, it shows recreational landings in blue, right,  
44 and it shows the recreational quota in orange, and, if you look  
45 at 2018, it looks like recreational landings were well above the  
46 recreational quota.

47  
48 **CHAIRMAN FRAZER:** I've got it now. Thank you. All right. Mr.

1 Walker.

2  
3 **MR. WALKER:** Thanks, Mr. Chair. To answer the question, we had  
4 some discussion on preferred season, and there were some members  
5 of the panel from the northern Gulf who expressed a desire to  
6 have it a little bit earlier than what was eventually put  
7 forward, and the mention of peak tourist season, or fall break  
8 season, and fishing tournaments that they wanted to try and get  
9 in, and deer season was also a factor, to some guys, that they  
10 wanted to move it away from that, but, ultimately, it passed  
11 unanimously, with the dates, and there was a little bit of, you  
12 know, disagreement in the discussion, but everybody eventually  
13 coalesced and came up with a unanimous recommendation.

14  
15 **CHAIRMAN FRAZER:** Again, be clear on what the dates were.

16  
17 **MR. WALKER:** September and October. September 1 to October 1, I  
18 believe.

19  
20 **MR. RINDONE:** September 1 to October 31.

21  
22 **MR. WALKER:** The 31<sup>st</sup>. Thank you.

23  
24 **CHAIRMAN FRAZER:** Okay. Thanks, Captain Walker. I guess, at  
25 this point, Dr. Froeschke, I mean, we might -- If people have  
26 other scenarios that they would like to see in the document,  
27 they need to bring them up, right? Okay. C.J.

28  
29 **DR. SWEETMAN:** Thanks, Mr. Chair. A question for NMFS. I'm  
30 curious if we have any landings information, and I know the last  
31 wave came in on October 15, and I was curious if you have any  
32 information for what landings are like for greater amberjack  
33 during this emergency rule.

34  
35 **MR. STRELCHECK:** No, we do not have MRIP landings at this point.  
36 That's Wave 5, and that won't be available until December 15.

37  
38 **CHAIRMAN FRAZER:** Mr. Rindone.

39  
40 **MR. RINDONE:** Thank you, Mr. Chair. Just one thing to add about  
41 the AP's discussion is that they preferred September and October  
42 also because it would have the entire season occurring within a  
43 single MRIP wave, and they had a lot of suspicion about the  
44 accuracy of the landings data if the season was going to open in  
45 one wave and then close in another, and they thought that it  
46 would be best, if it was going to be a short season, that it was  
47 constrained to occur within a wave, as opposed to across waves.

48

1 **CHAIRMAN FRAZER:** Thanks, Ryan. Mr. Anson.  
2  
3 **MR. ANSON:** Thank you, Mr. Chair. Dr. Froeschke, I'm wondering,  
4 in your analysis here, did that -- That was just the straight  
5 landings information, and you didn't account for the potential  
6 for any effort compression or anything when you talked about a  
7 shorter -- Like a May 1 to 19 -- Okay. Thank you.  
8  
9 **CHAIRMAN FRAZER:** Okay, and so I know -- I mean, this is, again,  
10 a draft document, and we'll bring it back -- John, the plan is  
11 to bring it back in April or something?  
12  
13 **DR. FROESCHKE:** Well, I think the plan would be that we would  
14 flesh this out into a real document to look at in January. The  
15 thing that I will ask at the end, I guess, with regard to the  
16 actions and things, but are there alternatives that are not in  
17 here that you would like to see? Are there alternatives in here  
18 that you have no interest in, that you would just recommend that  
19 we not include in a draft document?  
20  
21 **CHAIRMAN FRAZER:** I appreciate that, and I just wanted to make  
22 sure I was aware of the timeline. Ms. Boggs.  
23  
24 **MS. BOGGS:** Well, I mean, I would not support Alternative 4 or  
25 Alternative 5, and I'm serious, and I want to look at a November  
26 and December opening. That's a current wave, and I want to see  
27 what the compression -- You know, there's September and October  
28 that looks promising, but we're still giving access, and I know  
29 that's throwing something at the wall, but, again, we've been  
30 asked to kind of think outside the box here, and what I'm trying  
31 to do is take care of -- Protect the fishery and protect the  
32 resource, because, if we keep going down the path we're going,  
33 we're not going to have a resource left. Thank you.  
34  
35 **CHAIRMAN FRAZER:** Mr. Strelcheck.  
36  
37 **MR. STRELCHECK:** Well, I guess, just to move the conversation,  
38 and I generally agree with Susan about Alternatives 4 and 5. I  
39 think we're getting highly prescriptive, in terms of the dates  
40 of the season.  
41  
42 You know, the way I guess I'm thinking about this is we have,  
43 obviously, a fishery that's in trouble, and we just made some  
44 recommendations, in terms of the catch levels, and we have an  
45 opportunity, obviously, to be thoughtful in terms of setting the  
46 season, and so hopefully bolster the rebuilding plan, and, to  
47 me, it's an opportunity for us to be maybe a little conservative  
48 on the frontend of this rebuilding plan right now, to try to get

1 this rebuilding plan off to a great start, and so, to me,  
2 Alternatives 4 and 5 present greater risk than a fall season.  
3 Susan, I don't know if you want to make a motion for adding a  
4 November and December season, but I certainly would support that  
5 for consideration.

6

7 **CHAIRMAN FRAZER:** Dr. Simmons and then Ms. Boggs.

8

9 **EXECUTIVE DIRECTOR SIMMONS:** Thank you, Mr. Chair. I was  
10 wondering maybe if Mr. Strelcheck, or perhaps Ms. Levy, could  
11 provide a little bit of insight regarding the timeline on this  
12 framework action, and so we have an emergency rule that is good  
13 through January of 2023, and then, if it's extended for another  
14 six months, that means this document has to be implemented by  
15 August of 2023? Okay. Thanks.

16

17 **MR. STRELCHECK:** So we were just trying to -- So, right now, the  
18 season begins on August 1, and we changed it, under the  
19 emergency rule, to September 1, and so we would, next year,  
20 start the season on August 1, if the framework is not in place  
21 modifying the season, and then we would project when we think  
22 the season would be met and close the fishery based on our in-  
23 season accountability measures.

24

25 **CHAIRMAN FRAZER:** Mr. Diaz.

26

27 **MR. DIAZ:** I agree with a lot of what has been said, but the  
28 thing that worries me most is getting a point where we've got to  
29 close this fishery in the future and stop the flow of data, and  
30 so, I mean, I am trying to make myself think ultra conservative  
31 right now, because I do not want to see us get to the point, in  
32 the future, where we have to stop the flow of data on this  
33 fishery or other fisheries that also have extremely low catch  
34 levels. 600,000 pounds for the entire Gulf of Mexico is a very  
35 tiny amount, and we cannot afford to go backwards from here, if  
36 there's anything we can do. Thank you.

37

38 **CHAIRMAN FRAZER:** Ms. Boggs.

39

40 **MS. BOGGS:** I would like to make a motion.

41

42 **CHAIRMAN FRAZER:** I am paying attention.

43

44 **MS. BOGGS:** In Action 1, to move Alternative 4 and Alternative 5  
45 to Considered but Rejected.

46

47 **CHAIRMAN FRAZER:** Okay, and so we'll get that motion up on the  
48 board. In the interim, is there a second to that motion?

1  
2 **MR. GILL:** Second.  
3  
4 **CHAIRMAN FRAZER:** It's seconded by Mr. Gill. I know we've had a  
5 fair amount of discussion, but, real quick, Ms. Boggs, just to  
6 recap your position here.  
7  
8 **MS. BOGGS:** Well, yes, and I just -- Opening for May, when what  
9 I'm hearing is the peak of spawn, doesn't seem to make sense to  
10 me. If you look at Slide Number 8 that John presented, if you  
11 open in May, there's a huge spike for the catch levels, and I  
12 just don't think it's a prudent move for this council to support  
13 something for a fishery that is overfished and undergoing  
14 overfishing.  
15  
16 **CHAIRMAN FRAZER:** Thank you. Is there any further discussion?  
17 I am not seeing any. Ms. Levy.  
18  
19 **MS. LEVY:** Well, we can do this, but just to note there's no  
20 document, and so there is no Considered but Rejected, right, and  
21 they just wouldn't be included in whatever document gets  
22 developed.  
23  
24 **CHAIRMAN FRAZER:** Sorry about that, and so do we need to change  
25 that, or we just -- I mean, it's pretty clear. All right. **Is**  
26 **there any opposition to this motion?** All right. **Seeing none,**  
27 **the motion carries.** Ms. Boggs.  
28  
29 **MS. BOGGS:** I would like to make a motion to add an alternative  
30 in Action 1 to look at a November 1 to December 31 season, and  
31 then I can provide some rationale.  
32  
33 **CHAIRMAN FRAZER:** Okay, and so we'll get that motion on the  
34 board. In Action 1, to -- The motion is, in Action 1, to make  
35 an alternative where November 1 through December 31 is the  
36 season. Is there a second for that motion? Mr. Strelcheck  
37 seconded the motion. Ms. Boggs, rationale?  
38  
39 **MS. BOGGS:** It's just something to look at, and, to Mr. Diaz's  
40 point, I don't want to close the fishery, because you're correct  
41 that we lose data, and this would still give an opportunity for  
42 data to be collected, but I am looking at -- I am thinking  
43 backwards in this process, and, yes, we don't fish a lot in  
44 November and December, and we don't think we do, and we don't  
45 know if we do, and there is football season and deer season, and  
46 I get all that, but I'm just trying to be creative and look at  
47 this in a different light, and, if we see that, okay, there's no  
48 pressure in November and December, then we come back and move it

1 to October, or move it to January, but it doesn't close the  
2 fishery, but my concern is, if we don't get real conservative  
3 with this, we are going to be looking at a permanent closure.

4  
5  
6 The problem with the closure is, one, we may never get it back,  
7 and, number two, what else are they going to close that you  
8 might incidentally catch in amberjack, and we're already seeing  
9 this in the South Atlantic with red snapper, and so I am trying  
10 to be conservative, and I'm trying to keep the fishery open, and  
11 access is a big thing. There is access, and it may not been  
12 when you want it, but we are providing access, and so that's my  
13 rationale.

14  
15 **CHAIRMAN FRAZER:** All right. Thank you, Ms. Boggs. I think  
16 there is going to be, I mean, a bit of an issue. It's typically  
17 months that we don't have a lot of data for this species, and so  
18 -- But, again, I certainly applaud the effort to try and think a  
19 little more creatively. All right. Is there any further  
20 discussion of the motion? Okay. **Is there any opposition to the**  
21 **motion? Seeing none, the motion carries.**

22  
23 You know, one of the things that I think about this particular  
24 issue is one of the things that the AP did, right, is they tried  
25 to constrain the data to a particular wave, and I do think,  
26 given the low quota, that there's a real possibility, by holding  
27 this fishery open, even for two months during one wave, that you  
28 might exceed the quota, and I'm not sure that I'm going to make  
29 a motion at this point, but there may be some merit to have a  
30 hybrid of the two motions, you know, perhaps having a season  
31 that starts in September and then get some data to evaluate it  
32 and then open it up again in November, but I will talk to Dr.  
33 Froeschke offline and see if that's something they want to do.  
34 Is there any other input into this particular issue? All right.  
35 Dr. Froeschke, do you have what you need to move forward?

36  
37 **DR. FROESCHKE:** Yes, and I'm ready to go to the next action, if  
38 you all are.

39  
40 **CHAIRMAN FRAZER:** All right. Go ahead.

41  
42 **DR. FROESCHKE:** Okay, and so the next action that I have in here  
43 is to consider modifying the recreational minimum size limit,  
44 and so a couple of things before we dive into here. We've done  
45 this before, and I did try to provide some ideas that are  
46 different from things that we have considered before, and they  
47 may or may not be popular, and that's fine.

1 These are discussion prompters, and, also, the Reef Fish AP did  
2 make a recommendation, in regard to this action, that is  
3 different than what I have here, and so I think that would be  
4 great, for Captain Walker to kind of walk you all through that,  
5 as well. That's sort of my caveats on this one.

6  
7 Again, this is open. If there are things you like, that's  
8 great, and let me know. If there are things you do not like,  
9 let me know. If there are other things in here that you want us  
10 to look at, you know, the floor is open.

11  
12 This slide, just a little bit of information on the recreational  
13 sector, and we have a slide in here that kind of goes through  
14 the estimated percentage of animals that are thought to be  
15 sexually mature by size, all the way back to Amendment 30A, and  
16 the size limit used to be twenty-eight inches, and then we kind  
17 of decremented through thirty inches, and then thirty-four  
18 inches, which is where we are now, and so we've done all these  
19 size limit options, and the commercial size limit is thirty-six  
20 inches.

21  
22 If we go to Slide 12, the rationale for some of this, this  
23 little table here shows -- The first column is corresponding to  
24 the size limits, the thirty through thirty-six, and then the  
25 second column is the proportion mature, and so, you know, one  
26 axiom of fisheries science is that, if you're routinely  
27 harvesting juvenile fish, that may not be a sustainable  
28 practice, and so these sizes under thirty-four inches -- The  
29 proportion, for example, at thirty-two is 0.45, and so 45  
30 percent of individuals were estimated to attain maturity, and  
31 the majority not, and then there's some confidence levels, the  
32 LCL and the UCL.

33  
34 At thirty-four, we kind of got over the hump, meaning that it's  
35 estimated that most of the individuals are estimated to at least  
36 attain sexual maturity, and, by thirty-six, almost all of them,  
37 and so that was sort of the rationale for some of these changes  
38 in minimum size limit, and so we can go back to Slide 10, I  
39 guess.

40  
41 This one would simply move the minimum size limit from thirty-  
42 four inches to thirty-six inches, which would increase the  
43 proportion of animals that would reach maturity before they  
44 spawn, and this can be effective in reducing fishing pressure,  
45 fishing mortality, and the tradeoff is that you get more  
46 discards, and that the size of animals that you do retain are  
47 larger, and so they add up faster, in terms of quota monitoring,  
48 and so we've been all through those kinds of things, and those

1 issues have not gone away, and so that's something to discuss.  
2 The other thing that's been discussed is that the larger animals  
3 tend to come from deeper water and fight harder and likely have  
4 higher discard mortality.

5  
6 That being said, and so Alternative 3 -- What I tried to do, and  
7 I was trying to think about this, and I was looking at the SEDAR  
8 70 and the background papers, and there was a background paper  
9 by Deb Murie and colleagues, as part of this, and it's  
10 referenced down there, the SEDAR-RD-02, and it looked at the big  
11 old fat fecund females and the hypothesis with respect to  
12 greater amberjack, and, just briefly, the rationale for this is  
13 that the largest animals contribute more to the population than  
14 it would suggest by increases, and the reason for this is that,  
15 in terms of egg production, it increases with volume, and so  
16 it's a cubic and not a linear increase, like length, and so,  
17 when you get them bigger, the egg production increases  
18 exponentially with size.

19  
20 There's some additional rationale, or at least the hypothesis is  
21 that not only do they produce the egg production that increases  
22 exponentially, but the egg quality is thought to be better in  
23 some animals, or at least for other stocks they've looked at  
24 this, and then the other thing is that there's some evidence  
25 that the larger animals can spawn over a protracted spawning  
26 season, which gives more insurance, if you will, if they can  
27 spawn over a longer season, and the probability that they spawn  
28 in conditions that are conducive, environmental conditions, and  
29 so there may be higher survivorship of their recruits.

30  
31 All of this is very difficult to track through science, because  
32 figuring out egg production, who came from where and all that,  
33 is very difficult, but there is some evidence for these ideas,  
34 and so they looked at this in the context of slot limits, which  
35 I don't believe we have considered it specifically for this  
36 stock, and it may be a terrible idea, but that was the concept,  
37 was that there may -- Based on their analysis in this paper,  
38 that there may be some potential benefits of considering slot  
39 limits.

40  
41 They did not consider specific ranges, or anything like that,  
42 and what I tried to do is provided three options for -- First,  
43 the alternative as a concept and then three options. Option a  
44 was thirty-four through forty-two, and Option b is thirty-six  
45 through forty, and then Option c is just open-ended, for  
46 discussion. I don't have any analysis on what kinds of  
47 reductions in harvest or anything, if any, would be realized  
48 through this, and I also don't have any estimates of the discard

1 mortality on these larger fish.

2  
3 Dr. Marcus Drymon, a colleague that we've all worked with on our  
4 SSC, is doing some work on this, and there is some new  
5 literature that suggests that the discard mortality on these  
6 large animals is quite high and that it does increase quite  
7 rapidly as they get larger, and so this might be -- The bigger  
8 picture might be an opportunity that we could work with the  
9 scientists conducting the current science and try to find  
10 something of if this is worth considering or not, and so that's  
11 sort of the opportunity to be creative.

12  
13 I don't know if any of these things meet that, as they're  
14 configured, and, if it's not something that you're interested  
15 in, we can just make it go away. The other thing, and so I  
16 would like to just get any feedback on that, if you have it, and  
17 then ask Captain Walker about the Reef Fish AP recommendation  
18 about a full-retention fishery.

19  
20 **CHAIRMAN FRAZER:** All right, and so is there any feedback for  
21 Dr. Froeschke? Mr. Gill.

22  
23 **MR. GILL:** Thank you, Mr. Chairman, and thank you, John, for the  
24 slot limit idea. It seems, to me, that my knee-jerk reaction is  
25 that, the narrower the slot, the higher the discard, and the  
26 less effective it is.

27  
28 Now, in this particular case, with AJs, it can't be very broad  
29 and wide, but Option b seems, to me, to be particularly  
30 concerning, because they will be discarding a lot of fish in  
31 trying to get within four inches. I am not real keen on the  
32 eight inches, but, on the other hand, you've got a constraint on  
33 both, and so it seems, to me, that discards are going to drive  
34 that decision, and I don't know, and perhaps Dr. Walter would  
35 like to comment, but my guess is that Option b is a non-starter,  
36 just for that reason alone.

37  
38 **CHAIRMAN FRAZER:** John.

39  
40 **DR. WALTER:** Just my main comment is that, while these are  
41 useful things to consider, they do trade off, sometimes, with  
42 the catch limits, and so we assume a certain size limit, when we  
43 do the projections, and so the ABC and the ACL is functionally  
44 dependent on the selectivity and retention in the fishery, and  
45 so, if this body wants to explore something that is very  
46 different than what was originally projected, with the thirty-  
47 four-inch size limit, then that probably needs to be re-run  
48 through the assessment, to get a different ABC and ACL.

1  
2 For the most part, these are not that different, and the  
3 selectivity for the recreational fleet is strongly dome-shaped,  
4 e.g., it's really declining pretty rapidly above about twenty-  
5 four inches, so that the fishery has to work really hard to get  
6 a legal fish, according to the assessment, because most of the  
7 large fish are less selected for.

8  
9 I don't know how much -- I just kind of eyeballed the  
10 selectivity, in terms of how much benefit this would get, and  
11 it's hard to say, but it doesn't seem like it would have a  
12 substantial benefit, because they're just not catching that many  
13 fish above forty-two inches anyway, and that's just my kind of  
14 spitball look at the selectivity. Thanks.

15  
16 **CHAIRMAN FRAZER:** Thanks, John. Ms. Boggs and then Captain  
17 Walker.

18  
19 **MS. BOGGS:** You should have known that I would have something to  
20 say. I don't really support the slot limits at all. My concern  
21 there is, one, enforcement. I mean, everything we do,  
22 enforcement comes along with that, and I don't know that this is  
23 really enforceable.

24  
25 Number two, I just think that encourages discards, but I do have  
26 a specific question, because I don't think that I understood,  
27 and do we not have a lot of discard information on the  
28 amberjack?

29  
30 **CHAIRMAN FRAZER:** Dr. Froeschke.

31  
32 **DR. FROESCHKE:** I think we have discards. The question that I  
33 don't have the expertise, and that may be emerging, is the  
34 survivorship of the releases, and so the question is, these big  
35 ones, if you discard them, and you release them, are you  
36 reducing the fishing mortality, and some evidence suggests no,  
37 and others -- Some work with the descender devices and things  
38 like that, my understanding is they're not particular effective,  
39 or more effective than venting, for amberjack. I think this  
40 might be something that the SSC -- There's a lot of expertise on  
41 the SSC for this, and maybe they could weigh-in at some future  
42 meeting.

43  
44 **CHAIRMAN FRAZER:** Ryan, I think did you want to just weigh-in,  
45 real quick?

46  
47 **MR. RINDONE:** Yes, and so I was just going to say that Dr.  
48 Powers, from the SSC, has actually done some work on greater

1 amberjack post-release mortality, and he might be able to  
2 comment directly on that, based on some of the information that  
3 they've collected.

4

5 **CHAIRMAN FRAZER:** Sean, are you feeling so inclined?

6

7 **DR. SEAN POWERS:** I was offended by John not staying current on  
8 all my literature, but, yes, we just published a paper, a  
9 Fishery Bulletin, where we did acoustic tagging, discard  
10 mortality, and we looked at descender devices, and, essentially,  
11 the discard mortality, even delayed, was low for both, in the  
12 teens, but there was definitely a function of size, that the  
13 larger ones suffered higher discard mortality, but our size  
14 threshold was about thirty-four to thirty-six inches, but the  
15 smaller ones seemed to survive very well, with discard  
16 mortality, and we did it over different depths and in the  
17 summer, and the only really strong predictor of discard  
18 mortality was size, and the smaller ones, like we said, seemed  
19 to not have much discard mortality.

20

21 I think, for reference, and John can correct me, discard  
22 mortality is about 20 percent, from the stock assessment, and I  
23 think we found it more on the 14 percent, 12 to 14 percent,  
24 level. No effect of descender devices, but, at that small  
25 discard mortality, it was hard to see its benefit.

26

27 **CHAIRMAN FRAZER:** Thank you, Dr. Powers. Mr. Rindone.

28

29 **MR. RINDONE:** So the same discard mortality values from SEDAR 33  
30 were used in SEDAR 70, and that was 20 percent for the  
31 commercial and 10 percent for the recreational fishery, and so  
32 these values also reflect that commercial catches are taken in  
33 deeper waters, on average, and commercial discards are therefore  
34 likely to suffer more barotrauma-related mortality, and so  
35 that's directly from the SEDAR 70 assessment report.

36

37 **CHAIRMAN FRAZER:** Thanks, Ryan. I know there's a number of  
38 people in the queue, but I think, Dr. Stunz, I'm going to go to  
39 you first.

40

41 **DR. STUNZ:** Yes, and I was just trying to catch Dr. Powers,  
42 while he was up there. My original hand was raised to ask him  
43 to comment on his recent study, but, while he was at the mic, I  
44 was going to ask him, and, obviously, he's leading the amberjack  
45 study, which has relevance to this discussion right now,  
46 including the tagging study, which would get at these discards,  
47 and I was going to ask him to update us on that study, but now  
48 he's sitting down again, and so I don't know how you want to

1 proceed.

2  
3 **CHAIRMAN FRAZER:** We're going to summon him to the podium.  
4 Thanks again, Sean.

5  
6 **DR. POWERS:** The amberjack study is going to have a few things  
7 that I think would be relevant here. We're tagging a lot with  
8 acoustic tags, and tracking them, and so a lot of the questions  
9 on migration and where these fish go at different times -- I  
10 mean, that was my initial reaction to the November option, was,  
11 you know, I don't know if those fish will be off of Alabama and  
12 the Panhandle, until we learn more about their migration, and so  
13 we will learn more about that.

14  
15 As far as when the abundance estimate is going to be ready,  
16 we're still finishing up calibration between gears, and some  
17 synthesis phases, and most of the heavy field work, as you know,  
18 Greg, will occur next year, and so it's probably a year-and-a-  
19 half away, to two years, before we have an estimate of the  
20 absolute abundance, but, for a lot of these other issues,  
21 because of the tagging data, and because we're using hook-and-  
22 line, we'll learn a lot more about discard mortality, age and  
23 growth, and a little bit on the reproduction.

24  
25 **CHAIRMAN FRAZER:** Thanks, Sean, for sharing that. I think we've  
26 got a number of people in the queue, and I made Ed come up to  
27 the podium two or three times, and go back and sit down, and so,  
28 Ed, you get your turn, man.

29  
30 **MR. WALKER:** It's relevant to the current discussion, and the AP  
31 also had a vigorous -- We'll call it a discussion, almost an  
32 argument, on discard mortality of amberjack, and there was  
33 disagreement, and we essentially just had to call timeout and  
34 say we'll come back with some figures, and so I think the AP,  
35 much like you all, could use some harder data on discard  
36 mortality, particularly of the larger fish, because it matters  
37 in all the discussion of size limits, and, particularly, the AP  
38 talked about they did not really favor a slot limit.

39  
40 We discussed it a lot, and there was some interest, but  
41 discards, dead discards, as Mr. Gill said, were really the  
42 driver of that whole discussion, and probably the most  
43 interesting thing, on the subject of size limit, was a panel  
44 member brought up full retention, and it got kicked around the  
45 room, and, you know, they voted it up, although it was an eight-  
46 to-five vote, but I think it's interesting that the AP decided  
47 that maybe you guys should look at full retention.

48

1 Some of the discussion was do we really want to go out and take  
2 out three-pound amberjack, to result in more dead fish, although  
3 it may preserve the bigger fish somewhat, if you fill the quota  
4 with smaller fish, and then you're back to your large fish dead  
5 discard discussion again.

6  
7 Other things were slot limit no, a vigorous no on slot limit by  
8 some, again because they felt that it would increase large  
9 discards, which seem to be more susceptible to discard  
10 mortality, and I guess that's it for your current discussion  
11 right now. Any questions?

12  
13 **CHAIRMAN FRAZER:** I've got a question from Mr. Diaz.

14  
15 **MR. DIAZ:** I think I understand what people that voted for full  
16 retention's rationale was, and what was some of the folks'  
17 rationale for voting against it? I just wanted to see what you  
18 all's discussion was like.

19  
20 **MR. WALKER:** My recollection was targeting of much smaller fish,  
21 which some people didn't think was the right approach on a  
22 species that you're trying to recover, and the flip side, as I  
23 discussed, but I am trying not to give you my opinion, and I'm  
24 trying to give you the AP opinion here, but just suffice it to  
25 say that the AP, some members of the AP, did not think that  
26 targeting juvenile, essentially, you know, non-sexually-mature,  
27 fish was the proper recommendation.

28  
29 **MR. DIAZ:** Thank you for that, and, while I have the mic, I want  
30 to publicly thank you for being willing to chair this AP and for  
31 taking time out of your busy schedule to come spend it with us  
32 this week, and so we appreciate it, Captain Walker.

33  
34 **MR. WALKER:** Thank you. I appreciate the opportunity to put  
35 some input in here.

36  
37 **CHAIRMAN FRAZER:** Thank you, Captain Walker. I am going to take  
38 two more questions, or comments, discussion items, on this  
39 particular action, or alternative, and I want to try to keep us  
40 to our timeframe, and we still have one more alternative to  
41 explore, and so first I'm going to go to Susan and then Mr.  
42 Dugas.

43  
44 **MS. BOGGS:** So back to the discussion with discards and all of  
45 that, and I asked, many years ago, about size limits and  
46 spawning and things like that, and the response that I received  
47 was a dead fish is a dead fish, and it doesn't matter when you  
48 catch it, and it doesn't matter when you take it out of the

1 water, and I struggle with that, but, here again, we have a  
2 fishery that is overfished and undergoing overfishing, and I  
3 would -- I actually read it in the notes of the AP, that there  
4 is high-grading in all sectors to catch that bigger fish, and so  
5 you're going to have a lot more discards.

6  
7 This goes against just about everything I've ever thought, but,  
8 if we lower the size limit, and don't do a slot limit, and you  
9 don't have the full retention, but, if we lowered the size  
10 limit, where they can keep some of these fish, and, of course,  
11 the problem is you can't enforce high-grading, and so I don't  
12 know how we stop that, and I think that's a lot of our issue  
13 with amberjack.

14  
15 I am just thinking, again outside of the box, and we lowered the  
16 -- Of course, I believe the size limit for commercial is thirty-  
17 six inches, also, if I'm not mistaken, but just lower the size  
18 limit, and give these people an opportunity to catch a, I don't  
19 know, a thirty or thirty-two-pound amberjack and hope that the  
20 fishermen understand that we're giving them a gift, to be able  
21 to catch the species, to help regrow the population, and not  
22 high-grade, but it depends on your stewardship to the fishery.

23  
24 **CHAIRMAN FRAZER:** Okay. Thank you. J.D., do you want to --

25  
26 **MR. DUGAS:** Thank you, Mr. Chair. My question was for Dr.  
27 Powers.

28  
29 **CHAIRMAN FRAZER:** Go ahead. Sean, are you ready?

30  
31 **MR. DUGAS:** I was just curious, with the study that you guys are  
32 doing, if you have a feel for the biomass in the Gulf of Mexico  
33 with amberjack, and is it stronger in one area versus another?

34  
35 **DR. POWERS:** We really don't have a feel. You know, this one is  
36 not like red snapper, where we had a lot of consistent feedback  
37 from the fishermen on what they think is out there. Here, there  
38 is just a diversity of opinions.

39  
40 I guess the only kind of hint we get is that a lot of -- A lot  
41 of the comments we get is that the fishery is much stronger off  
42 Louisiana, and we think the biomass and the sizes are much  
43 bigger, whereas, in other parts of the Gulf, particularly in the  
44 eastern Gulf, we get a decent number of amberjack, but they're  
45 all small, and that's kind of the only sense we get, but, like I  
46 said, unlike red snapper, we really have no kind of preconceived  
47 notion of what's going on, because the fishermen that are  
48 talking to us just have a range of opinions, but that's probably

1 what emerges the most, is that Louisiana has a lot of big ones,  
2 particularly off the platforms, whereas, in the eastern Gulf, we  
3 get a fair number of amberjack, but they're just getting big. I  
4 mean, they're all small.

5  
6 **CHAIRMAN FRAZER:** Thank you, Dr. Powers. Andy, real quick, and  
7 then we're going to move over to John, to keep us moving.

8  
9 **MR. STRELCHECK:** I've appreciated the discussion. Size limits  
10 have been something that we've been looking at, on and off  
11 again, for a couple of decades now with amberjack, and we've  
12 moved it to Considered but Rejected, and we've made incremental  
13 changes. Here, we are trying to look at ways to constrain  
14 catch, reduce landings, potentially bolster those older, larger  
15 fish in the population, and I'm not seeing increasing the size  
16 limit is really helping us substantially here.

17  
18 The slot limit is intriguing, but I am concerned, obviously,  
19 about the potential for discards, especially of those larger  
20 fish that we want to protect, and I think the other thing that  
21 we need to really start thinking about is we're spending a lot  
22 of time talking about the now two months of the year that the  
23 fishery is open, and there's going to be ten months, or  
24 potentially longer, depending on the seasons that are set, where  
25 these fish are going to get discarded, because we're not  
26 allowing retention at that point, because we're trying to  
27 rebuild the stock, and that's really hurting our fisheries, not  
28 just for amberjack, but for many of our species, and so I  
29 recognize the need that we need to deal with, obviously, the  
30 landed catch and how we're going to constrain that, but I think  
31 we really need to spend time, as a council, going forward, on  
32 how we get a handle on reducing discards overall.

33  
34 This conversation kind of really put a shining light on that, in  
35 terms of the importance it's going to be for amberjack, to do  
36 that in terms of rebuilding the stock, and so I would recommend  
37 that we not proceed with Action 2 and including it in the  
38 framework action.

39  
40 **CHAIRMAN FRAZER:** All right. Thank you, Andy, and so, again, I  
41 am just going to try to move us along, and we can certainly  
42 revisit this in Full Council, but, John, I know you have one  
43 more action item to go over, and so let's do that pretty  
44 quickly.

45  
46 **DR. FROESCHKE:** Okay. Thank you. Action 3, this is an action,  
47 draft action, that considers changes to the commercial amberjack  
48 trip limits, and, just briefly, there's a long history of this

1 in management, and, initially, there was no trip limit. Then  
2 there was a 2,000-pound trip limit, and then there was a 1,500-  
3 pound trip limit, I think, and then a thousand, and now we're at  
4 a thousand with a step-down to 250 pounds when 75 percent of the  
5 ACT is thought to be met.

6  
7 This seems to have constrained the commercial to their quota,  
8 and I don't think we've had an overage since this has been in  
9 place, and the challenge, or the discussions, reflected that  
10 this is progressing towards more of a discard fishery now,  
11 instead of a directed fishery, and that any changes, in addition  
12 to this, would essentially -- This would, in fact, prevent a  
13 directed fishery, just because of the size limits.

14  
15 The Reef Fish AP discussed this, at length, and they have a  
16 recommendation, but I think I will just go into it, but,  
17 essentially, I think it was twenty-five fish -- Let me pull it  
18 up. Excuse me. It was a five-fish trip limit, commercial trip  
19 limit, and then, after 75 percent of the ACT is met, it would  
20 step down to two fish.

21  
22 In our documents, I believe the average weight -- I think we  
23 estimated it's twenty-six, or twenty-seven, pounds for  
24 amberjack, and so, essentially, 125 and fifty pounds is kind of  
25 the equivalent. They did discuss that this would, you know --  
26 It would be a discard only -- Or it would not be a target  
27 fishery, and it would be a bycatch fishery, and they were okay  
28 with that, at least based on their recommendation, and these are  
29 the alternatives that we have. Is this something that you're  
30 interested in or not interested in?

31  
32 While I've got the mic, all of these actions, if there's -- For  
33 example, the size limit, if you just don't want to consider it  
34 at this time, it's fine, and we can just not -- There is nothing  
35 required of you all to do that, and so I will stop there, and  
36 then I kind of have a question there later, at the bottom, if  
37 there's any interest in considering changes to the commercial  
38 closed season as well.

39  
40 **CHAIRMAN FRAZER:** Okay. Real quick, Captain Walker, do you want  
41 to weigh-in, real quick, on the AP question, and then we'll go  
42 to Mr. Schieble?

43  
44 **MR. WALKER:** Real quick, the commercial guys in the room all are  
45 pretty much in agreement that amberjack should just be a bycatch  
46 fishery, going on, and some felt that 500 pounds still might get  
47 some guys to target them, and so 250 pounds was discussed,  
48 versus a five-fish limit, and maybe you get five fifty-pounders,

1 and it's 250 pounds, and it was mentioned that, for enforcement,  
2 or to keep commercial guys out of trouble, for being a pound or  
3 two over, maybe just make it five amberjack.

4  
5 I think the assumption was you're probably very similar to a  
6 250-pound trip limit, with a five-fish limit, without the risk  
7 of being a couple of pounds over, because you misjudged your  
8 fish or something like that, and that passed unanimous, and that  
9 was discussed between commercial guys and pretty popular.

10  
11 **CHAIRMAN FRAZER:** All right. Thank you. All right. We're  
12 going to take a quick question from Chris, and we're going to  
13 try and stay on schedule, but go ahead, Mr. Schieble.

14  
15 **MR. SCHIEBLE:** I will be quick, and I know we're behind already,  
16 and so this is more for Dr. Froeschke. Going forward, in this -  
17 - When we bring a document at the January meeting, and I know  
18 the last time we kind of went through this stuff, in 2019, we  
19 had a lot going on, just like this document will have a lot of  
20 different options and alternatives, and can we have like a table  
21 that breaks down the savings benefits from each of these options  
22 in the document, or a decision tool that would show us that,  
23 where we can plug-in different alternatives and options that  
24 give us the best savings?

25  
26 I recall, back in 2019, I think the size limit gave us the  
27 biggest savings overall, and the size limit change was a  
28 potential, right, and so just that as an example, and so would  
29 that, you know, give us the most or not, and then I think, also,  
30 back in 2019, we had a zone management option in the document  
31 that we looked at, and it had east and west and southern zones,  
32 and I am not saying we need that, but it may be something to  
33 consider.

34  
35 I know the council, at that time, didn't have the appetite for  
36 it, obviously, because it wasn't utilized, but it may be  
37 something for us to consider looking at again, and, segueing  
38 from zone management, we had a motion, at the last council  
39 meeting, for a document to come with state management of  
40 amberjack, and, if that's next in the queue to be presented to  
41 the council, maybe we don't need zone management included in  
42 this document, and that's my two-cents.

43  
44 **CHAIRMAN FRAZER:** Okay. Real quick, Ms. Boggs.

45  
46 **MS. BOGGS:** Real quick, several things. To help John out, I  
47 heard what Andy said, but I don't know that I am ready to go  
48 there, but I would like to, in Action 2, Alternative 3, remove

1 the slot limit idea.

2  
3 **CHAIRMAN FRAZER:** Okay. Why don't we do this, if it's okay with  
4 you, and we're scheduled for a break, and give it some thought,  
5 and I think what Dr. Froeschke is asking for, again, is are  
6 there some recommendations right now to help kind of streamline  
7 the process, moving forward, and so think about that over the  
8 next fifteen minutes, and we'll put a bow on this discussion  
9 when we come back, and then we'll get into the IFQ discussion.  
10 Mr. Chair.

11  
12 **MR. DIAZ:** Thank you, Dr. Frazer. We're scheduled for a break,  
13 and so we're going to come back at 10:50. Before we do break, I  
14 want to recognize that we have an ex-council member in the  
15 audience, Captain Johnny Greene, and so it's good to see you,  
16 and you all take a moment and say hi to Johnny. Johnny, we miss  
17 your work ethic on this council and your expertise, and so we  
18 surely could use you now, and so we're glad to see you. Thank  
19 you. 10:50.

20  
21 (Whereupon, a brief recess was taken.)  
22

23 **CHAIRMAN FRAZER:** All right, and so we're going to go ahead and  
24 try to provide some final input with regard to the draft  
25 options. Go ahead.

26  
27 **MR. DIAZ:** We're having some trouble hearing up here, and so, if  
28 folks have conversations that they could take outside, we would  
29 appreciate it. Thank you very much. Go ahead, Dr. Frazer.

30  
31 **CHAIRMAN FRAZER:** All right, and so we're going to go ahead and  
32 try to get some final comments, or input, to Dr. Froeschke to  
33 move this options paper forward, and so, as John indicated  
34 before the break, if there's something that people would really  
35 like to add into this options paper, or remove, either one, then  
36 we should probably take care of that now.

37  
38 The other thing that I wanted to just get a couple of words from  
39 various folks on is there was a lot of discussion about discard  
40 mortality in the amberjack fishery, and so I think I will get a  
41 quick update from Dave Donaldson, and get a little more comment  
42 from Mr. Walker, before we get into the IFQ discussion.

43  
44 The first order of business really is, is there something --  
45 Again, I think, Susan, we left off with you, and is there  
46 something that you would like to see removed in the document  
47 here?

48

1 **MS. BOGGS:** I would like to -- I have two things. I would like  
2 to remove, in Action 2, Alternative 3, and, again, I understand  
3 what Andy said, but since we're not, I guess, to that point yet,  
4 I think I would like to see a couple of alternatives looking at  
5 various size limits, twenty-eight, thirty, thirty-two, but that  
6 leads me into my next little part, which is I think, and it's a  
7 cliché, but the elephant in the room, on every fishery here,  
8 that we haven't addressed, nor do I know how do we address it,  
9 is discards.

10  
11 **CHAIRMAN FRAZER:** Okay, and so, again, your preference is to --  
12 We're going to deal with a couple of these things, to make sure  
13 there's some consensus here, but to remove the slot limit  
14 alternative, or action, and so do we need a motion for that,  
15 John, or do we -- I mean, can we get some consensus around the  
16 table? Does anybody feel strongly about keeping the slot limit  
17 options in this document? All right. I'm not seeing any  
18 appetite for that, John, and so we'll go ahead and get rid of  
19 that.

20  
21 I think, with regard to the discard issue, again, hopefully  
22 we'll get some more updates from Dr. Powers, as we move along  
23 the way, and, I mean, he has his discard paper, that just  
24 recently came out, and he's working on the greater amberjack,  
25 and I know Dave Donaldson, at the Gulf States Marine Fisheries  
26 Commission, is getting some information, and we're going to  
27 share with folks what's going on there.

28  
29 **MR. DAVE DONALDSON:** Thank you, Mr. Chairman. Just to give an  
30 update to the committee, through the Return 'Em Right program,  
31 we actually are encountering amberjack, mainly off of Florida,  
32 through the at-sea sampling program that's a part of that, and  
33 we're collecting information on the effectiveness of using  
34 descending devices for amberjack, and those trips are going --  
35 Are actually targeting amberjack, going a little farther  
36 offshore, and we just started this summer, and so we don't  
37 really have any data on it, but I just wanted to let the group  
38 know that we are collecting some information, and we'll present  
39 that to the council at a future meeting.

40  
41 **CHAIRMAN FRAZER:** That's great, and so I think we've got a  
42 couple of sources of new information that we can anticipate in  
43 the future, and, again, I just wanted to provide, or give,  
44 Captain Walker an opportunity, if he wishes, to talk a little  
45 bit about some of the on-the-water observations as it might  
46 relate to discards in this fishery, just so people are aware of  
47 some things to consider, moving forward, and I don't want to put  
48 you on the spot, Ed, but I guess I just did.

1  
2 **MR. WALKER:** I am happy to speak on anything, anytime you guys  
3 are interested in listening to it, but, to be clear, this isn't  
4 an AP thing, right?

5  
6 **CHAIRMAN FRAZER:** Nope. This is your observation.  
7

8 **MR. WALKER:** Okay, and so the amberjack discard science seems to  
9 vary a lot. When we were having our discussion at the AP the  
10 other day, I texted Sue Barbieri at FWRI, where I participate in  
11 a lot of different research projects, and I asked her, because  
12 we've done some projects out in the marine sanctuaries, in  
13 pretty deep water, with acoustic tagging, and, on that  
14 particular project, and, granted, it was a red snapper project,  
15 but they also tagged 250 head of amberjack, in 250 feet of  
16 water, and with telemetry receivers down the ledge, through  
17 Madison-Swanson, and so they know for sure if the fish lived or  
18 died, and it's not a tag recapture thing or something, and it's  
19 very accurate.  
20

21 On those twenty fish, they had a 94 percent survival rate in 250  
22 feet of water, and so that -- You know, granted that's a red  
23 snapper study, and it's not directed, but we also heard Dr.  
24 Drymon, and his study apparently is saying something different,  
25 and I'm not familiar with it, but I've heard, from several  
26 people, that it's saying that the deeper water -- I mean, deeper  
27 water for sure, but, if it doesn't --  
28

29 All these things seem somewhat scattered, and I think it's  
30 really important for the council to bring the science together  
31 and get the best number they can, because it's -- I don't see  
32 the discard mortality on the larger amberjacks to very bad  
33 inside of 200 feet, or 250 feet. I've seen tragic in 400 feet  
34 of water, like very hard to get one to survive in 400 feet of  
35 water, which there are more people fishing in 400 feet of water  
36 now.  
37

38 **CHAIRMAN FRAZER:** Well, thanks, Ed, and I think C.J. has a  
39 question for you.  
40

41 **DR. SWEETMAN:** Thanks for your perspective there, Captain  
42 Walker. I'm just curious, and do you know what size of fish  
43 that you guys were catching with Dr. Barbieri?  
44

45 **MR. WALKER:** They were large, and that's all I know.  
46

47 **CHAIRMAN FRAZER:** Okay. I appreciate -- Do you have a question,  
48 Mr. Gill? Okay. Thanks, Ed. Again, the point, I think, moving

1 forward, is that there's a lot of things that are going on right  
2 now, and we've got a major study on amberjack, and we've got a  
3 recently-completed study and some work, both out of Alabama and  
4 some out of Texas, and so we can direct Dr. Froeschke to those  
5 resources, moving forward, and I think we've removed the slot  
6 limits from the options paper. Susan has asked for perhaps a  
7 broader range of considerations in the size limit section, and  
8 so, Mr. Gill, do you have something that you want to add?

9  
10 **MR. GILL:** Thank you, Mr. Chairman. I wanted to ask Dr.  
11 Froeschke whether he intended to add the recommendation by the  
12 AP for the five-fish limit in Action 3, and, if not, I think  
13 it's a good alternative that we ought to consider. It seems a  
14 lot more strict than what we have in there, and so it sets a  
15 lower bound, if you will, but it's an interesting alternative  
16 that may or may not prove fruitful.

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

19  
20 **DR. FROESCHKE:** I am happy to add that, unless you tell me not  
21 to.

22  
23 **CHAIRMAN FRAZER:** All right, and so I think we have everything  
24 that we need to move forward with regard to amberjack, and we'll  
25 certainly revisit some of these things in Full Council. Mr.  
26 Strelcheck.

27  
28 **MR. STRELCHECK:** Just to clarify and so are we adding the size  
29 limit alternatives of twenty-eight, thirty, and thirty-two?

30  
31 **CHAIRMAN FRAZER:** I was going to give John some discretion to  
32 include a broader range of sizes in there, but, if you want to  
33 get a little more prescriptive here, we can do that.

34  
35 **MR. STRELCHECK:** I'm fine with not being prescriptive, and I  
36 just wanted to clarify, and so a couple of things here to note,  
37 and so I appreciate the AP's recommendation for the five-fish  
38 limit, and I think it's important that we look at that in the  
39 context of whether or not that would prevent them, allow them,  
40 to harvest their catch limit, and I recognize that we're trying  
41 to be conservative here and constrain catch, but we may need to  
42 look at a broader range of options than just five fish, and so  
43 it's something to consider and probably direct staff to have  
44 some flexibility on.

45  
46 In terms of the size limit, and this is where I'm struggling,  
47 because we have so much of a fishery now that is occurring  
48 outside of a season, but, anytime you're changing the minimum

1 size limit, you're changing the selectivities of the resource,  
2 and, ultimately, that changes then the stock assessment and what  
3 the yield levels are that are produced from that stock  
4 assessment, and so I am -- I want to talk to John, and probably  
5 follow-up on this at Full Council, but I wanted to acknowledge  
6 that there's a relationship there between, obviously, the size  
7 limit and the yield levels, as well as the size limit and  
8 allowing for more retention, based on a lower size limit and  
9 what the season can be set at, and so we need to make sure that  
10 we're considering all of those moving parts when we establish  
11 our management measures.

12

13 **CHAIRMAN FRAZER:** Thanks, Andy. Dr. Froeschke.

14

15 **DR. FROESCHKE:** I am just trying to think about how I would  
16 build this into the document, and, kind of early in this  
17 presentation, I put up something about the rationale was to help  
18 reduce the catch to the limits that are going to be in Amendment  
19 54 and make the best use of the fish that we have, and it seems  
20 to me that, if we reduce the size limit, it's going to increase  
21 our estimates of catch and catch rate, and it might drive the  
22 size down, but I think it's going to be -- Well, I guess one  
23 problem, and I think that any analysis we might do is going to  
24 make that harder to get, and not easier.

25

26 Then a second point is, given that we don't have any  
27 information, really, about what we could expect, like with  
28 regard to season projections and things, those other size limits  
29 will be very difficult, and so you might get some wildly-  
30 uncertain estimates, and Mr. Schieble asked about like a  
31 decision tool or something, and it would be my objective to try  
32 to do something like that, as best we can, but I'm not sure how  
33 this is going to all work, and so we'll have to think through  
34 that.

35

36 **CHAIRMAN FRAZER:** Okay. Thanks, John. Ms. Boggs.

37

38 **MS. BOGGS:** I almost forgot something I was going to say before  
39 the break, and so Mr. Schieble brought up the state management  
40 for the amberjack at the last meeting, and I also brought up  
41 sector separation for gag grouper, red grouper, amberjack, and  
42 triggerfish, and, if state management for amberjack is something  
43 that is going to be looked at by this council, I would think  
44 that we would look at the sector separation portion of that  
45 first. Thank you.

46

47 **CHAIRMAN FRAZER:** Okay. Thanks, Ms. Boggs. All right. There  
48 is a couple of things to consider, I think, over the next day or

1 so, before we get to Full Council on this. The issue I think  
2 Ms. Boggs has raised, and it's not an agenda item, and we'll  
3 have to consider it other business, if we want to expand on the  
4 conversation, but I will give it some thought and see where we  
5 need to go on Thursday for that, but, in the short-term, John,  
6 do you have enough direction?

7  
8 All right, and so we're going to wrap up the discussion on  
9 greater amberjack, and that will lead us into Agenda Item Number  
10 VIII, which is the IFQ Focus Group, and we will ask Dr. Lasseter  
11 to come up and kind of walk us through the action guide and  
12 guide the discussion.

### 13 14 **IFQ FOCUS GROUP**

15  
16 **DR. AVA LASSETER:** Thank you very much. This should be very  
17 brief, and I believe there's probably more words on this action  
18 guide than there will be in the presentation, and so, really, we  
19 have two questions for you, and it's about looking forward to  
20 the next meeting and the charge for the next meeting, and so if  
21 we can go ahead and pull the presentation up, and it's at Tab B,  
22 Number 8(a).

23  
24 This is where we are, and the council approved moving forward  
25 with holding a second meeting of the IFQ Focus Group at your  
26 last meeting, and, since then, the participants were polled, and  
27 meeting dates have been selected, and so we have reserved  
28 November 30 and December 1, in the council's office, to hold  
29 this meeting.

30  
31 While scheduling that, one of the members, one of the nine  
32 members, resigned, and so we want to talk about that, and then  
33 the other item is the meeting charge to the IFQ Focus Group, and  
34 so we have brought you a potential refinement of that charge,  
35 and we'll hopefully get some more discussion on that as well.

36  
37 Here are the eight remaining members from the meeting, and so it  
38 was the public participant who has resigned, and at the very  
39 bottom is the eastern Gulf longliner that you had not appointed,  
40 and so, with the eight remaining members, I think it would be  
41 helpful to have a discussion on if you think that the meeting  
42 should be convened. Having lost a member, the facilitators did  
43 not think that that would be ideal, but, of course, they would  
44 go forward with whatever you asked them to do, and, actually,  
45 let's come back to this, and let's go on and go to the next  
46 slide. We'll go ahead and cover the charge as well.

47  
48 This is the charge that you had assigned for the first meeting,

1 to review the current program goals and objectives and recommend  
2 the replacement and/or retention and to define the changes  
3 needed for an improved IFQ program to address minimizing  
4 discards, fairness and equity, and new entrant issues.

5  
6 In consultation with the facilitators, they said that you could  
7 perhaps refine this and focus it a little bit more, such that  
8 the primary goal of the next meeting could be to focus just on  
9 the new entrants, and, again, when we say new entrants, we're  
10 talking about the replacement fishermen, and so to focus on new  
11 entrants to the IFQ programs, and, specifically, what could such  
12 program changes look like, and what would be the implications of  
13 those changes, and so very similar to the previous charge, but  
14 just a little more narrowing.

15  
16 This is the final slide, and so these are our questions for you,  
17 and then I will turn it over for discussion. Should a second  
18 meeting be convened, based on current participation, and should  
19 the meeting charge be modified?

20  
21 **CHAIRMAN FRAZER:** All right, and so it's a pretty  
22 straightforward request from Dr. Lasseter here, and so is there  
23 any further discussion, or there needs to be some discussion.  
24 Mr. Schieble.

25  
26 **MR. SCHIEBLE:** So I would like to add to the charge, or an item  
27 to put on the charge, and I sent a motion to staff, in a quick  
28 email here, and, basically, it's for the IFQ group to consider  
29 adding an action, or consider an action, that provides options  
30 on how to get: 1) increases in annual allocation (not shares)  
31 above the current commercial allocation of approximately 6.3  
32 million pounds; and 2) allocation held in non-active accounts to  
33 active fishermen who do not own shares, and so that's kind of  
34 the --

35  
36 **CHAIRMAN FRAZER:** All right, and so let's -- There's a lot  
37 there, and let's get that up on the board. Did you send that to  
38 Meetings, Chris?

39  
40 **MR. SCHIEBLE:** Yes, but I can just read it again, if you want me  
41 to, slower.

42  
43 **CHAIRMAN FRAZER:** Let me ask Bernie what she prefers. Go ahead,  
44 Chris. If you read it slowly, she will get it up.

45  
46 **MR. SCHIEBLE:** For the IFQ group to consider an action that  
47 provides options on how to get: 1) increases in annual allocation  
48 (not shares) above the current commercial allocation; and

1 2)allocation held in non-active accounts to active fishermen who  
2 own no shares.

3  
4 **CHAIRMAN FRAZER:** All right, and so, just to make sure I  
5 understand that motion, essentially, you want to see more people  
6 have access to allocation, right, and it's not about the amount  
7 of allocation, but increase the number of shareholders, and so  
8 it's not independent entirely. All right. Then you want to  
9 find a mechanism to -- I got it. To allocate.

10  
11 **MR. SCHIEBLE:** It's one of the objectives that she listed  
12 earlier.

13  
14 **CHAIRMAN FRAZER:** Okay.

15  
16 **MR. SCHIEBLE:** So for them to consider it and then bring it back  
17 to us.

18  
19 **CHAIRMAN FRAZER:** Okay. We need a second for that motion. It's  
20 seconded by Billy. All right. Greg.

21  
22 **DR. STUNZ:** Chris, I think I support your motion, but I'm just  
23 wondering, Tom, and are we just -- Are we going to move forward  
24 with the first request, about the meeting, and so I'm just  
25 wondering, and do we want to decide if we're going to have this  
26 meeting, first, and then talk about the motion, and I think it's  
27 fine, Chris, but, obviously, if we're not going to have a  
28 meeting, then --

29  
30 **CHAIRMAN FRAZER:** I agree. I probably should have expressed an  
31 opinion, moving forward on this, but, Chris, go ahead.

32  
33 **MR. SCHIEBLE:** It gives us some incentive to have a meeting.

34  
35 **CHAIRMAN FRAZER:** Mr. Gill.

36  
37 **MR. GILL:** Thank you, Mr. Chairman. I guess I have a question,  
38 Chris, relative to this motion. I think you prefaced it with  
39 adding to the existing charges, and so what you're doing, in  
40 essence, is broadening what we currently have on the books  
41 without changing it, and do I understand that correctly?

42  
43 **MR. SCHIEBLE:** I don't follow. Can you say that again?

44  
45 **MR. GILL:** Well, we have, currently, the discards, new entrants,  
46 and fairness and equity as their charge, right, without great  
47 specificity on those, and, if I heard you correctly when you  
48 proposed this motion, you were adding it to those, and is that

1 where you're coming from?

2  
3 **MR. SCHIEBLE:** I see it as a derivative of one of the existing  
4 ones that's already there, and it's just basically adding on to  
5 one of the objectives that they're going to consider at their  
6 meeting, if we have another one.

7  
8 **CHAIRMAN FRAZER:** Mr. Gill.

9  
10 **MR. GILL:** Thank you, Mr. Chairman, and so that -- I guess I  
11 have some concerns about that, Chris. It seems, to me, that,  
12 if, and this gets to Greg's point, but, if we have another  
13 meeting, which is where we currently sit, what we need to do is  
14 narrow the scope, and not increase it, and, by not changing any  
15 of the existing charge, and incorporating this, that, to me,  
16 increases it, and think that's the wrong way to go.

17  
18 We need to give them, in my opinion, a narrower charge, to have  
19 reasonable hope of achieving an endpoint, because the  
20 discussion, as you recollect, at the first meeting -- It went  
21 pretty broadly, and, in fact, the only two things they agreed on  
22 were functionally, in my view, not relative to the IFQ program,  
23 and they were talking about factors that impacted the IFQ  
24 program, and that's important, to be sure, but they weren't  
25 factors that we were going to change the program to implement,  
26 and so, in the context that you just described, I can't support  
27 this motion.

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

30  
31 **MR. SCHIEBLE:** To that point, I agree with you that, after the  
32 first meeting, or the first round, there wasn't much that came  
33 back to us, as a council, and so my goal, with this, is to give  
34 more specifics and narrow it down, just as you said. Instead of  
35 having these broad objectives, here's a specific goal to come  
36 back to us with.

37  
38 **CHAIRMAN FRAZER:** Ms. Boggs.

39  
40 **MS. BOGGS:** Well, I have not been real supportive of this from  
41 the very beginning, and now our IFQ group is down two people,  
42 and one we never were able to agree on, or had someone eligible,  
43 and we've lost another one, and I've had two come to me and say  
44 that we don't need to have this meeting.

45  
46 Seventeen people, and I've said this before, can't agree on  
47 anything, and eight people were sitting in a room, from what I  
48 am understanding, arguing with each other, and it's not being

1 productive, and, to me, this is almost like public comment, and  
2 we're giving them the opportunity to sit in a room and give  
3 public comment, when we have fifty, sixty, or seventy people  
4 come to this podium and give us public comment.  
5

6 I don't think -- I just don't think this focus group is being  
7 productive, and I would not support another meeting, and this  
8 motion, if it were to pass, I think is already characterized in  
9 the fairness and equity in the charge that's currently there.  
10 Thank you.

11  
12 **CHAIRMAN FRAZER:** Again, I am going to try to keep this as  
13 focused as possible. Dr. Lasseter, real quick.  
14

15 **DR. LASSETER:** Could we please change the motion, or modify the  
16 motion, just so that it reflects what we're talking about, and  
17 so what I'm understanding now is you're wanting to modify the  
18 IFQ Focus Group's charge to do this, even though it doesn't --  
19 Because I see "to consider an action". Chris, is that  
20 consistent? That is what we're talking about?  
21

22 **MR. SCHIEBLE:** Yes.  
23

24 **DR. LASSETER:** Okay. Thank you.  
25

26 **CHAIRMAN FRAZER:** All right, and so a little clarity there. Mr.  
27 Gill and then Chester.  
28

29 **MR. GILL:** Thank you, Mr. Chairman, and so I'm not sure the way  
30 you would like to do this, but I think, to Greg's suggestion, we  
31 would be better off to table this motion, pending a decision on  
32 whether to have that meeting. We have talked about some of the  
33 changes, and there may be others, because Hurricane Ian  
34 certainly affected at least one of the members, and the ability  
35 to ensure that the eight folks will make it, to me, is not  
36 clear.  
37

38 I think that the real question that we need to address, before  
39 we get into the specificity of how we modify the charge, is does  
40 it make sense, from our perspective, to have that meeting, even  
41 though that's what we said last time, but the world has changed  
42 since we agreed to have that. You know, we've lost another  
43 member, and there may be others, and we had Hurricane Ian, as I  
44 mentioned, and so I think the order is wrong, and so, if you  
45 would like me to make a motion to table, I will do it. If you  
46 would like to just shift that conversation, I'm good with that.  
47

48 **CHAIRMAN FRAZER:** We'll go ahead, and I understand the logic,

1 right, and go ahead and make the motion, if you will, to table  
2 it, and then we'll come back to it.

3

4 **MR. GILL:** Thank you, Mr. Chairman. **I move that we table the**  
5 **motion, pending a decision on whether we hold the second**  
6 **meeting.**

7

8 **CHAIRMAN FRAZER:** Is there a second to that motion? Seconded by  
9 Dr. Shipp. **Any opposition?** Discussion? Go ahead, Greg.

10

11 **DR. STUNZ:** Just a brief discussion, and I agree with the  
12 tabling and dealing with it like that, and depending on what  
13 happens with that motion that Bob just made, but I would have  
14 preferred -- I support the motion, or will, I guess, if it comes  
15 back up, but I would have preferred -- I see this as very  
16 similar to the motion that J.D. made at the last meeting, but  
17 more refined and very directed, which is fine, and I would have  
18 preferred that, rather than putting this in the hands of the IFQ  
19 group, and I know that's what we're talking about, and I would  
20 have preferred to see a motion that the council take up this  
21 action.

22

23 **CHAIRMAN FRAZER:** Again, I guess, once we make a motion to table  
24 something, we have to cease the discussion, and so I'm not an  
25 expert on the Roberts Rules all the time, and so take all of  
26 that back, please. Let the record note that we have redacted  
27 that, and so, again, we had a motion and a second. **Is there any**  
28 **opposition to the motion?** All right. **I am not seeing any, and**  
29 **so we'll table that motion, and we'll come back and have this**  
30 **discussion about the merits, right, of moving forward with a**  
31 **second IFQ Focus Group meeting.**

32

33 We've heard, from Ms. Boggs already, some opinion about that,  
34 and I saw that Chester might have had his hand up, and I will  
35 let him go, and then J.D.

36

37 **MR. BREWER:** I've been sitting on my hands, and probably I made  
38 a mistake by raising my hand, but I seem to remember, when this  
39 group was first being discussed, and I was there, as the  
40 liaison, and Leann and I had a pretty good conversation, and one  
41 of the problems that was identified, or at least one of the  
42 concerns that was identified, was there were a lot of shares  
43 that were owned by people that did not fish them, and I'm not  
44 talking about folks that are active in the fishery, but I'm  
45 talking about people that don't even have the permits.

46

47 They were, in turn, buying shares and then turning around and  
48 leasing them, and it commodified the resource, because they

1 simply were doing it as an investment, and it's a good  
2 investment, by the way, if you take a look at the numbers, and  
3 so that was identified as a problem, and one of the things I  
4 think that led to setting up this group, and I kind of agree  
5 with the thought that maybe this is an issue that should be  
6 taken up by the council, as opposed to a focus group, but I do  
7 think it's an issue, and I have not really seen it expressed in  
8 what we've seen so far here as a consideration, but, really, it  
9 almost has to be, because, from what I understand, last time I  
10 looked at the numbers, over 30 percent of the shares are owned  
11 by people that don't even have a permit. That's a problem.

12

13 **CHAIRMAN FRAZER:** Okay. Thank you, Chester. J.D.

14

15 **MR. DUGAS:** Thank you, Mr. Chair. I'm a little confused now,  
16 because I wanted to speak about the IFQ Focus Group. Can I do  
17 that, because of --

18

19 **CHAIRMAN FRAZER:** Yes, and, I mean, you can still -- What we're  
20 talking about now is whether or not there is -- We're having a  
21 discussion of whether or not we should move forward with a  
22 second meeting, and so go ahead.

23

24 **MR. DUGAS:** I was under the impression, the last meeting, that  
25 we did that, that we put forward the focus group to meet a  
26 second time, and I thought that was done.

27

28 **CHAIRMAN FRAZER:** We did, but, as Mr. Gill pointed out, the  
29 world has changed, and do we want to reevaluate our position?  
30 J.D.

31

32 **MR. DUGAS:** Thank you, and so, echoing some of the comments that  
33 Mr. Gill made, I feel like a lot of this group's focus was not  
34 in the right direction. You know, a lot of it was pinpointed to  
35 another sector, and they weren't focused on the IFQ program, and  
36 so I think they should meet again and hash out the details of  
37 the IFQ program and not be focused on the recreational sector.  
38 Thank you.

39

40 **CHAIRMAN FRAZER:** Again, what I've heard, on this side of the  
41 table, is that there is some merit in having the group convene,  
42 but, if they do convene, there needs to be more focus in that  
43 charge, right, and we've also heard that there are some folks  
44 that may not be in favor of moving this forward, and so I just  
45 want to make sure that I get -- That everybody gets an  
46 opportunity to weigh-in here. Mr. Strelcheck.

47

48 **MR. STRELCHECK:** Tom, I supported the focus group from the

1 beginning, and I still support the focus group. My concern, as  
2 it stands right now, is we are potentially turning this focus  
3 group into a very prescriptive charge, and that was never really  
4 the intent, to begin with, and maybe that's probably part of the  
5 challenge, obviously, with the focus group's first meeting.

6  
7 I have talked to a number of you about the IFQ program, and I  
8 think the struggle that we continue to face is that there is  
9 seventeen different perspectives around this table, and we don't  
10 necessarily share a common understanding of the program, but  
11 also don't share a common objective with regard to what we want  
12 to tackle and address with the program, and, to me, the focus  
13 group is important to meet, and let's hear from the industry  
14 again.

15  
16 I don't -- I would prefer it not to be prescriptive, but rather  
17 guidance-oriented, providing us, you know, insight and  
18 perspective on what works, and what doesn't work, with the  
19 program, and, obviously, around specific actions or charges, but  
20 then I think the council --

21  
22 We really need to think about, if we're going to move forward  
23 with the IFQ, rather than a haphazard approach that we've been  
24 taking, are there a handful of items that we really do want to  
25 tackle and address, and can we reach agreement on what those  
26 look like, and then, between the council staff and NMFS staff,  
27 be able to bring those forward to you have a much more  
28 substantive discussion and allow sufficient time on the agenda  
29 to have that discussion, but I would like to let the focus group  
30 convene one more time, to give us another opportunity to hear  
31 from them, and I would hope that we wouldn't be overly  
32 prescriptive with regard to their charge.

33  
34 **CHAIRMAN FRAZER:** Thank you, Mr. Strelcheck. Mr. Anson and then  
35 Ms. Boggs.

36  
37 **MR. ANSON:** So we have, Andy's comments notwithstanding -- I  
38 mean, I'm kind of in agreement with Susan, and I wasn't really  
39 in favor of this when we last discussed this and passed the  
40 focus group, and some of the issues that are appearing now are  
41 the issues, or some of the issues, that I thought would arise,  
42 or would be part of the problem, for us to get something of  
43 value from the focus group.

44  
45 To Chester's comments, I think he pretty much hit the nail on  
46 the head, from my perspective, is that a lot of the issues with  
47 the program I think revolve around a long-term viability of the  
48 program to operate, as it has been operating, and to operate

1 probably more efficiently in the future, because, you know,  
2 there's a potential, I think, as we go forward, that even more  
3 consolidation will occur with those folks that aren't active  
4 participants, and I think that's just going to be how that  
5 program evolves.

6  
7 Is that really what we want, you know, as a program that we have  
8 here in the Gulf, for folks that are really just -- They're  
9 essentially, small-time business owners, and they aren't big  
10 conglomerates, like they are in the other parts of the country  
11 that have IFQ programs, and, you know, there's lots of money  
12 that it takes to get into those things, and they're really just  
13 corporations.

14  
15 To address, I guess, if we're wanting to go forward, I think we  
16 need, because of the issue that's really on the table, for me,  
17 and it may not get voted up as to what they discuss about, but,  
18 you know, having a public participant chair in the room, to talk  
19 about that issue, if in fact that's what is going to be  
20 discussed, and I think that would be very important, and so we  
21 probably ought to look at how we might want to fill that chair  
22 that has now been vacated for that portion, or that  
23 representation.

24  
25 You know, certainly, in the presentation, there is other issues  
26 that are on the table, in regard to what Andy has asked for  
27 direction for council staff and the agency staff to get  
28 together, to kind of hone-in what would be those outstanding  
29 issues, and certainly minimizing discards could be part of that  
30 discussion, and fairness and equity I think kind of ties hand-  
31 in-hand with new entrants, to some degree, into new entrants,  
32 and so -- But that's how I would be. I think we would have to  
33 populate, or repopulate, that public participant chair, if we're  
34 going to have more discussion.

35  
36 **CHAIRMAN FRAZER:** Thank you, Mr. Anson. Ms. Boggs.

37  
38 **MS. BOGGS:** I have an alternative suggestion, and do I discuss  
39 that now, or do we finish the discussion about as to whether or  
40 not we're going to hold this meeting?

41  
42 **CHAIRMAN FRAZER:** Give it a whirl.

43  
44 **MS. BOGGS:** So, at the very beginning, when we discussed the IFQ  
45 Focus Group, my argument was we have a Grouper-Tilefish AP, and  
46 we have a Snapper Grouper AP, and those people were chosen by  
47 this council because of their expertise in the commercial  
48 fishery.

1  
2 The other problem is this U right here, and we can't agree on  
3 anything, and so my thought, and this is Andy's fault, because  
4 he told us to start thinking outside the box, is have a council  
5 meeting, one day or two days, that we allocate, and I hate to  
6 use that word, to this issue. We invite both of those APs into  
7 the discussion, and we bring the facilitators in, and we hash  
8 this out.

9  
10 I mean, yes, it's complicated, and, yes, there may be things  
11 thrown and words said, but we keep talking about the same thing,  
12 over and over and over again, and another focus group is not  
13 going to solve this problem, and, J.D., this focus group is not  
14 anything to do with the recreational, and it's strictly for  
15 commercial, but we don't like to have these conversations, and  
16 we're pushing it off on someone else to have the conversation,  
17 and we're the ones that need to be having this conversation.

18  
19 **CHAIRMAN FRAZER:** Again, I'm just going to try to help move us  
20 along here, and I appreciate that input. What I'm hearing is  
21 that there is value, right, at least in having a participatory  
22 group, right, shed some light, or help this council,  
23 appropriately focus their activities moving forward, and there's  
24 lots of issues out there, right, and, because we often throw the  
25 whole kitchen sink into a document, whether it's 36A or B or C  
26 or D, or maybe Z one day, but it's hard to handle all of them,  
27 but, if we could prioritize them, with some suggestions about  
28 how you might --

29  
30 What might be some fruitful ways to attach, or address, specific  
31 issues, that might help us, right, and so the question at-hand,  
32 right now, is whether or not we can get that input from this  
33 focus group, as it's currently constituted, or do we need to add  
34 -- Repopulate it, to some degree, or do we move forward with an  
35 alternative approach, and so that's where we're at.

36  
37 I'm going to take a couple more questions, but then I'm going to  
38 ask, you know, do we want to move forward with a second IFQ  
39 working group. Real quick, Ms. Boggs.

40  
41 **MS. BOGGS:** With my idea, we bring in some public participants,  
42 and it's not that difficult.

43  
44 **CHAIRMAN FRAZER:** I understand. C.J., are you good? Were there  
45 any other -- All right. Is there any further discussion, and so  
46 the motion -- First of all, we need a motion, if we want to  
47 continue and to have a second meeting. J.D.

48

1 **MR. DUGAS:** I will make that motion, Mr. Chair.  
2  
3 **CHAIRMAN FRAZER:** Please do.  
4  
5 **MR. DUGAS:** Ava, can you help? **To reconvene the IFQ Focus Group**  
6 **for a second meeting.** It's pretty simple.  
7  
8 **CHAIRMAN FRAZER:** Thank you, J.D. Is there a second? Dr.  
9 Simmons, before we get to the second.  
10  
11 **EXECUTIVE DIRECTOR SIMMONS:** Thank you, Mr. Chair. I think I've  
12 recovered from my gray hair from Ms. Boggs' comments earlier,  
13 but so does this mean, with the current participants, because we  
14 have this motion already, but the question is -- You lost a  
15 participant, and so we're moving forward with the same  
16 participants, with this motion?  
17  
18 **CHAIRMAN FRAZER:** Yes, and so we could add a little bit to the  
19 motion, right? Go ahead, J.D.  
20  
21 **MR. DUGAS:** I don't have a strong opinion whether we add or  
22 leave it the way it is, and I will look around the table, if  
23 anyone wants to chime-in, or add to this, and I'm fine with it.  
24  
25 **CHAIRMAN FRAZER:** I think, to Dr. Simmons' point, we already are  
26 intending to move forward with the IFQ Focus Group, and the  
27 question is really, you know, do we not want to do that, right,  
28 but, if we do move forward, are we going to repopulate the  
29 group, right? J.D.  
30  
31 **MR. DUGAS:** My answer would be no. We don't start over, and we  
32 continue down the path we're on.  
33  
34 **CHAIRMAN FRAZER:** Repopulate with the people that were lost and  
35 not entirely, and so we've lost a public participant, for  
36 example, and, Ava, is there another individual? Just one,  
37 right?  
38  
39 **DR. LASSETER:** That's correct. There was some concern  
40 expressed, by Mr. Gill, about one of the members that has been  
41 impacted by Hurricane Ian, and I did reach out to Casey, on  
42 Friday, and talked to him, and he does plan on attending.  
43  
44 **CHAIRMAN FRAZER:** Okay, and so go ahead, J.D.  
45  
46 **MR. DUGAS:** I didn't hear what Ava said. Casey does plan on  
47 attending? Okay. So, again, I don't have a strong preference  
48 whether we repopulate one position or not, but I just want to

1 make sure that we move forward.

2

3 **CHAIRMAN FRAZER:** Mr. Schieble.

4

5 **MR. SCHIEBLE:** So we currently have eight, with that one  
6 missing, right, and it would be a population of eight members?

7

8 **DR. LASSETER:** Correct.

9

10 **CHAIRMAN FRAZER:** Mr. Diaz.

11

12 **MR. DIAZ:** I just want to make sure that I understand, and I'm a  
13 little confused. The motion on the board has been moved forward  
14 with the eight members that we have remaining, and is that  
15 correct?

16

17 **CHAIRMAN FRAZER:** That's correct.

18

19 **MR. DIAZ:** Okay, because, if not, there are some other plans  
20 that are going to have to go on behind the scenes to repopulate  
21 it. Thank you.

22

23 **CHAIRMAN FRAZER:** Right, and so that's to decide from the plan  
24 that's already in place, right, and so, as a council, we already  
25 opted to have the second meeting. We've lost some people, and  
26 there's been some changes, and the motion says we're going to  
27 move forward without replacing that individual. All right. Is  
28 there a second for that motion? It's seconded by General  
29 Spraggins. Is there further discussion? I am not seeing any.

30 **Is there any opposition? Three in opposition. The motion**  
31 **carries.**

32

33 All right, and so then we have to move to the issue of the  
34 charge to the focus group, and so we've heard two sides of this,  
35 you know, a little more specificity and one that says perhaps we  
36 don't want to be too prescriptive, and so what I suggested,  
37 perhaps, is that that group helps prioritize the issues that are  
38 addressed by this council, because there are lots of them,  
39 right, and that's, I think, part of the issue that we tend to go  
40 all over the place. Mr. Gill.

41

42 **MR. GILL:** Thank you, Mr. Chairman, and I agree with you, and I  
43 think, in terms of the focus group, based on their first  
44 meeting, that it is important that we try to constrain that  
45 discussion to the most important aspects. If we have a broad  
46 topic, and, with respect to Chester's comment, if we get into  
47 that discussion, we will probably not get anything out in this  
48 short-term meeting, and it's a long, tough discussion.

1  
2 I think it important that we, despite Andy's comments, limit  
3 that discussion and try to get it to focus on what we consider  
4 the most important ones, and I would suggest, along that line of  
5 thinking, that that's the discard mortality and the new entrants  
6 issue, and that we should be more limiting there, and that  
7 suggests that we eliminate the fairness and equity discussion,  
8 for a number of reasons, not the least of which it's tough to  
9 get your arms around, but it allows a greater focus on things  
10 that will help us.

11  
12 At the end of the day, the value of this focus group is whether  
13 they're coming back with things that will help us achieve focus  
14 as well, which we've not been able to do, and so we're setting a  
15 tall task for this group, and we have grappled with this years  
16 and gotten nowhere, and so I think we ought to remove the  
17 fairness and equity one and consider specifics, such as what  
18 Chris suggested in his motion, but be more specific, in terms of  
19 what we're looking for, in terms of discard mortality and new  
20 entrants.

21  
22 **CHAIRMAN FRAZER:** Okay. We're going to come back to you, Mr.  
23 Gill, in a minute. Ms. Boggs.

24  
25 **MS. BOGGS:** Well, I think I would disagree with Mr. Gill. I  
26 mean, fairness and equity and new entrants, to me, that all kind  
27 of ties in together, and that is probably the biggest argument  
28 that's had at this table, and so I think the charge, the way it  
29 is, is fine, and it's not real confining, which I understand  
30 what Andy is saying, but, again, I just do not understand why  
31 we're having this focus group reconvened. I just don't see what  
32 we're going to get out of it, and it's going to make -- We have  
33 already passed that point, I understand, but I would say leave  
34 the charge the way it is, because I think fairness and equity is  
35 exactly one of the problems that we have.

36  
37 **CHAIRMAN FRAZER:** Okay. Is there any further discussion? I  
38 think -- Go ahead, Andy.

39  
40 **MR. STRELCHECK:** I think we should come back at Full Council  
41 with some ideas here. My point, with the earlier comment, is  
42 it's very prescriptive, with regard to increases in allocation  
43 above a certain threshold, right, and so, to me, I think that's  
44 overly prescriptive, and I don't necessarily disagree that we  
45 need to give them more bounds on their charge.

46  
47 What I feel like is missing is, when we originally stood up this  
48 focus group, we talked about it not being like a typical AP,

1 where they're giving us a specific recommendation, or reaction,  
2 to an action alternative, but rather they're giving insights in  
3 terms of the pros and cons and the value, or lack thereof, of  
4 how the program operates and any fundamental changes that,  
5 obviously, could be made that would benefit the program.

6  
7 I recognize that, in the first meeting, they got bogged down,  
8 because there is lots of differences in perspective and opinion,  
9 and so I'm trying to figure out how can we pull them out of that  
10 and really try to get to the meat of what we're looking for,  
11 which is understanding, from their standpoint, you know, of what  
12 works and what doesn't and all the varying perspectives that we  
13 put on this group could provide us in terms of informing our  
14 decision-making, going forward.

15  
16 **CHAIRMAN FRAZER:** Mr. Gill.

17  
18 **MR. GILL:** Thank you, Mr. Chairman. **We're neglecting the fact**  
19 **that we tabled the motion pending the decision, and we made the**  
20 **decision, and I move we untable the motion.**

21  
22 **CHAIRMAN FRAZER:** All right. We need a motion to untable, and  
23 so you made that motion. Is there a second for that? Billy  
24 seconds it. All right, and so we have a motion to untable the  
25 motion and put it back on the table.

26  
27 That motion is -- It was made by Chris Schieble to modify the  
28 IFQ Focus Group's charge to consider action that provides  
29 options on how to get increases in annual allocation above the  
30 current commercial allocation and allocation held in non-active  
31 accounts to active fishermen who own no shares. All right, and  
32 so is there going to be further discussion on this motion? I  
33 guess I'm confused.

34  
35 **MR. GILL:** A point of order, Mr. Chairman.

36  
37 **CHAIRMAN FRAZER:** Point away.

38  
39 **MR. GILL:** We need to vote on untabling the motion.

40  
41 **CHAIRMAN FRAZER:** I thought we did.

42  
43 **MR. GILL:** We haven't voted.

44  
45 **CHAIRMAN FRAZER:** We have voted, because I just read the motion  
46 to untable it. All right. Let me ask Mara, and I guess that's  
47 correct, right, that we can't have discussion, and it's just a  
48 straight cut-and-dried deal? No discussion. Okay. **Is there**

1 **any opposition to untabling the motion? Seeing none, the motion**  
2 **is untabled.** Is there any further discussion on this motion  
3 that's been untabled? Ms. Levy.

4  
5 **MS. LEVY:** Well, just a question, or maybe a couple of  
6 questions, because I can't recall, and Ava would remember this.  
7 We have information about this, and so, in 36 what now might be  
8 C, and I guess we had a lot of information, and the council  
9 talked a lot about what it means to be an active -- We had  
10 decision points about what it means to an active fisherman and  
11 all of that stuff, and so I guess my point is that, if you want  
12 the IFQ Focus Group to consider this, okay, but there are a lot  
13 of kind of refinements that you could make, and that they may  
14 need to make, to even discuss it.

15  
16 Like what is an active fisherman, and what is meant by non-  
17 active accounts, and, I mean, we already had an action that took  
18 the shares out of every account that had never been activated,  
19 right, and NMFS is still holding onto those, and so do you mean  
20 something else by "non-active accounts", and I guess I'm just  
21 wondering how much you're going to get from this group if you  
22 don't really think about what you mean by some of these terms,  
23 and, again, maybe Ava can chime-in on what you have regarding  
24 this.

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

27  
28 **DR. LASSETER:** Thank you, and thank you, Mara. Actually, that's  
29 perfect, because where they were ending -- Where the IFQ Focus  
30 Group ended at the first meeting, they were trying to define  
31 just these terms, and I think it was "substantial participant",  
32 and it's in the report, which is also in the briefing materials,  
33 and so I think yes.

34  
35 Looking at this motion, what would be helpful, would be  
36 fundamental, is to define the terms that are going to go into  
37 what the IPT would then be developing, which would be options,  
38 and so, when I first saw the motion -- Chris, when you popped it  
39 up, I was confused, because it seemed more directed at staff,  
40 and it seemed like a motion directing us to do something, rather  
41 than directing the focus group to do something.

42  
43 With that in mind too, if we could perhaps -- It's to modify the  
44 IFQ Focus Group's charge to consider an action -- Can we remove  
45 that "to consider an action" part? What you're wanting to know  
46 then is -- You're wanting them to explore this idea, right, and  
47 to talk about how it would work, and I think that's where you're  
48 getting at. I will pause there.

1  
2 **CHAIRMAN FRAZER:** Chris, to that point, and then Mr. Gill.

3  
4 **MR. SCHIEBLE:** So my thought process, in this, was to get to  
5 them first, the focus group, right, and have them come back with  
6 recommendations to us on this, and in that process was they've  
7 already seen 36C, and we all have.

8  
9 We've been down that road, and they should understand what the  
10 definitions of all these are, from having seen 36C already, and  
11 I didn't want to rehash all that, was my goal, and so, if they  
12 come back to us with recommendations on this, then the next  
13 step, to me, would be an action to staff for this same thing,  
14 without having to go back into 36C and go down the whole road  
15 with that entire document, and does that make sense?

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

18  
19 **DR. LASSETER:** Yes, and so I think, with the motion here, the  
20 "active fishermen" part, right there, like Mara highlighted,  
21 asking them to define what that means could be helpful.  
22 Amendment 36C has, I believe, a whole page asking you, as a  
23 council, for input on how you could outline and define some of  
24 these terms, and so I think that would be something that they  
25 could focus on, that we could task them with and they could  
26 focus on. I guess it's just the rest of it, about options and  
27 how to get to -- This just sounds more like something that staff  
28 would be outlining for you. I think that's all I have.

29  
30 **CHAIRMAN FRAZER:** Mr. Gill.

31  
32 **MR. GILL:** Thank you, Mr. Chairman. Taking into account that we  
33 agreed to hold another meeting, I am persuaded by Andy's  
34 suggestion that perhaps, and we can do this any way you like, if  
35 you agree, Mr. Chairman, that we basically pause this discussion  
36 until Full Council, to give us some thought, to see if we can't  
37 get our arms around and bring specific thoughts to identifying  
38 this revised charge, whatever it is, that we've had a pretty  
39 good wide bandwidth of leave it as it is, change it, et cetera,  
40 and I think some thought into that, prior to Full Council, would  
41 be well advised.

42  
43 I don't know if I should suggest this, but we could table this  
44 until Full Council, or we could vote it up or down, but I am  
45 thinking that the end result, at Full Council, requires a little  
46 thought and not right off the top of our heads here in the last  
47 few minutes, when we are supposed to have another agenda item  
48 prior to breaking for lunch as well, and so my suggestion is we

1 basically move it on to Full Council.

2  
3 **CHAIRMAN FRAZER:** Ms. Boggs.

4  
5 **MS. BOGGS:** Okay. If we're going to reconvene the IFQ Focus  
6 Group, I would like to make a motion that, after the IFQ Focus  
7 Group has their second meeting, that we convene the Ad Hoc Red  
8 Snapper Grouper-Tilefish IFQ AP to review what these people have  
9 done and then maybe --

10  
11 **CHAIRMAN FRAZER:** We have a motion on the board, and so we're  
12 not going to start talking about a new one right now.

13  
14 **MS. BOGGS:** I'm sorry. I thought we were just saying wait until  
15 Full Council on that one. I apologize.

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

18  
19 **EXECUTIVE DIRECTOR SIMMONS:** Thank you, Mr. Chair. Just a  
20 question, regarding the motion, while we're pondering it the  
21 next day or two, and I'm a little confused about the second  
22 part, about the allocation held in non-active accounts. I was  
23 under the impression that that was dealt with in Reef Fish  
24 Amendment 36A, and so I guess I would ask Andy, and maybe his  
25 staff, and does this still exist? Are there still non-active  
26 accounts with allocation, or shares?

27  
28 **CHAIRMAN FRAZER:** Go ahead, real quick, Andy. My concern here  
29 is that we're really getting into the weeds, and we don't need  
30 to be doing that right now, but I will let you answer that  
31 question, and then I have a request of Mr. Schieble.

32  
33 **MR. STRELCHECK:** We have quota that still exists from inactive  
34 accounts that was pulled back previously, and we haven't looked  
35 at it, to see if there's more inactive accounts that now exist  
36 since that time.

37  
38 **CHAIRMAN FRAZER:** Okay. Thank you, Andy. I guess, Chris, if  
39 it's okay with you, and I'm listening to Mr. Gill and Mr.  
40 Strelcheck, and I do think that there's merit in thinking about  
41 this for a day and coming back. I think the motion that needs  
42 to be made at Full Council, right, or a motion that needs to be  
43 made, is what we're going to do specifically with the charge.

44  
45 I view this as more of a detailed thing, and it doesn't mean  
46 that it can't come up after that, but I think we have to deal  
47 with the larger issue of the charge, and, if it's all right with  
48 you, I am going to ask you to consider withdrawing that motion,

1 this motion, for the time being.

2  
3 **MR. SCHIEBLE:** Yes. **I can withdraw the motion, and we can bring**  
4 **it back at Full Council.** I don't have any issue. As I said  
5 before, I think it's important that this focus group goes in  
6 with a specific task, to try to come back with something to us,  
7 and so, if that's what it takes, we'll work on it at Full  
8 Council, and we can put the motion up there.

9  
10 **CHAIRMAN FRAZER:** I thank you for those comments, but it's hard,  
11 again, to give them that task without a well-articulated, you  
12 know, charge, right, and so I don't think we have that, or  
13 agreement on that, at this time, and so we will come back at  
14 Full Council with that, as kind of a task for the group, and I  
15 think, Ava, unless there's anything else, we can go ahead and  
16 wrap this up.

17  
18 Mr. Chairman, we have only five minutes before we have to go to  
19 -- I think the next one will be relatively quick, but not that  
20 quick, and so we will hold off until after lunch, if that's  
21 okay.

22  
23 **MR. DIAZ:** Yes, and I think this is a good time to -- Mr.  
24 Strelcheck.

25  
26 **MR. STRELCHECK:** I am fine to talk about this after lunch, but I  
27 did want to follow-up on my idea for staff bringing back a  
28 prioritized list of ideas for the council, and I have offered a  
29 motion, but I can wait until after lunch.

30  
31 **CHAIRMAN FRAZER:** Okay. We'll take -- Again, I will look at the  
32 motion too, and I think you and I were saying the same thing,  
33 Andy, with regard to like you have to define the space that  
34 you're going to work at, right, and, really, what you want from  
35 this group is to help prioritize that space a little bit, but  
36 I'll see what it is, and we'll bring it back right after lunch.  
37 All right. Mr. Chair.

38  
39 **MR. DIAZ:** Okay, and so we're going to go ahead and break for  
40 lunch, and we will reconvene at 1:30.

41  
42 (Whereupon, the meeting recessed for lunch on October 25, 2022.)

43  
44 - - -

45  
46 October 25, 2022

47  
48 TUESDAY AFTERNOON SESSION

49

1  
2  
3 The Reef Fish Management Committee of the Gulf of Mexico Fishery  
4 Management Council reconvened at the Beau Rivage Hotel and  
5 Casino in Biloxi, Mississippi on Tuesday afternoon, October 25,  
6 2022, and was called to order by Chairman Tom Frazer.

7  
8 **CHAIRMAN FRAZER:** We are going to -- Right before we left to go  
9 to lunch, we were just finishing up the discussion as it related  
10 to the IFQ Focus Group, and I told Mr. Strelcheck that we would  
11 bring up a motion that he had sent to staff, and so that will be  
12 the first thing. We'll get that motion on the board, Andy, if  
13 you want to --

14  
15 **MR. STRELCHECK:** If Bernie could bring up the motion that I sent  
16 to the Meetings email. **All right, and so my motion is to direct**  
17 **staff to develop a list of proposed IFQ regulatory changes for**  
18 **council review and prioritize at their January 2023 meeting.**  
19 **Thereafter, the council would either convene a special council**  
20 **meeting or dedicate significant time, and I purposely kind of**  
21 **kept that undefined, on a future Reef Fish Committee agenda to**  
22 **discuss the highest priority issues recommended by the council.**  
23 If I get a second, I will speak to it more directly.

24  
25 **CHAIRMAN FRAZER:** It's seconded by Mr. Gill. Go ahead, Andy.

26  
27 **MR. STRELCHECK:** As I mentioned earlier, I think one of the  
28 stumbling blocks, for us, when it comes to the IFQ, is that we  
29 have a lot of ideas, in terms of changes that we may want to  
30 pursue and make, and we don't necessarily have a common list of  
31 priorities and actions that we are focused on, and so, to me,  
32 this places effort on staff, working together, to kind of come  
33 to us with an initial list of proposed ideas that we could chew  
34 on and react to and review.

35  
36 It doesn't mean that it's a comprehensive list, and we could  
37 add, obviously, some additional ideas, and then it gives us the  
38 opportunity to then prioritize these items and, ultimately,  
39 create a path forward that would focus on what we would, as a  
40 council, collectively believe are kind of the top, I will say,  
41 two or three priorities that we would most want to spend time  
42 and attention on.

43  
44 Then we've discussed a lot about convening a special session, or  
45 having, you know, much more dedicated time than just a few hours  
46 on a Reef Fish Committee agenda, and so the idea would then that  
47 would be brought back, at a future council meeting, or committee  
48 discussion, and we would have a focused effort on those highest-

1 level priorities, but I'm trying not to be overly prescriptive,  
2 because I think it's important that we first generate this list  
3 and then, second, take the time to collectively prioritize it  
4 before staff can move forward. Thanks.

5  
6 **CHAIRMAN FRAZER:** Thanks, Andy, and just, again, for clarity,  
7 this doesn't preclude, right, the convening of the IFQ Focus  
8 Group in November.

9  
10 **MR. STRELCHECK:** That's correct, and I originally had it in the  
11 motion that this would be informed by input from the focus  
12 group, from our five-year reviews, from, you know, council and  
13 public input that we've heard over the course of many years, and  
14 I didn't think that was necessary, but I think, you know,  
15 technical staff will be able to take that into consideration as  
16 they compile this list of potential priorities for us.

17  
18 **CHAIRMAN FRAZER:** Thanks, Andy. All right. Is there other  
19 discussion of the motion? Mr. Gill.

20  
21 **MR. GILL:** Thank you, Mr. Chairman, and thank you for the  
22 motion, Andy. I think the direction that you're proposing is  
23 correct, but I have a little concern on how the staff is going  
24 to deal with the first sentence. I put myself in the position  
25 of, okay, I'm trying to do what Andy wants, and I think the idea  
26 is good, but the question is that could be a huge list, and it  
27 doesn't provide much direction to staff as to how to compile  
28 that list, and I perhaps want to throw Ava under the bus and ask  
29 her reaction, but I'm a little concerned that that's so open-  
30 ended that creating is, a, difficult, and, b, won't be  
31 responsive to where we're trying to get with this motion, and so  
32 could you speak to that, to some extent, please?

33  
34 **MR. STRELCHECK:** I certainly would welcome input from Ava or  
35 others. You know, the language that I struggled with really  
36 pertains to maybe what you're getting at, in terms of, you know,  
37 what do I mean by "proposed IFQ regulatory changes", and so I  
38 don't see this as like very specific kind of detailed, we're  
39 going to go into the regulations and change, you know, X to Y,  
40 or eliminate or add something, and the program is more buckets  
41 of potential actions that we want to focus on that staff would  
42 bring back to us, and so, for example, we've heard a lot about  
43 public participants, and is that going to be a top priority for  
44 the council or not, and, you know, that could be on the list.

45  
46 We've heard a lot about concerns with regard to new entrants,  
47 and so it's trying to bring some framework to us, in terms of  
48 what we view as kind of the most important issues to improve the

1 IFQ program, but yet it's going to be a comprehensive enough  
2 list that we have some things to pick and choose and make some  
3 decisions for ourselves, so that we can, maybe not be all in  
4 agreement, but we have at least collectively voted on it and  
5 made the decision in terms of what we were agreeing to move  
6 forward with and consider.

7

8 **CHAIRMAN FRAZER:** To that point, Bob?

9

10 **MR. GILL:** Thank you, Mr. Chairman, and so perhaps my hang-up is  
11 the term "changes", and, you know, that's pretty broad reaching,  
12 and perhaps what you're talking about, which I think is a better  
13 way to go, is some terminology like "categories", or something  
14 to get it out of the minutia that possible -- That "changes"  
15 would imply.

16

17 **CHAIRMAN FRAZER:** Greg, do you want to go, and then we'll give  
18 Andy some time to think about that.

19

20 **DR. STUNZ:** Andy, I support your motion, but I do have a  
21 question for you, and then a comment, and I think that I'm going  
22 to follow-up, because I also share Bob's concern a little bit,  
23 and I just want to get it right and useful, but are you  
24 envisioning kind of like just a bulleted list, without a lot of  
25 description and that kind of thing, or are you looking for  
26 something more thought out?

27

28 The reason I'm asking is I feel like we do have some of these  
29 lists already, and we've already got a start to some of this,  
30 but I'm not sure what -- So I have a follow-up comment to that  
31 though, as soon as --

32

33 **CHAIRMAN FRAZER:** Okay. Andy, and then go and follow-up, Greg,  
34 after that.

35

36 **MR. STRELCHECK:** I guess my response is I am open to ideas.  
37 What I'm trying to do is take the approach that we've been, or  
38 the path we've been, going down, which is throwing a lot of  
39 ideas out on the table without really kind of a clear objective  
40 and trying to be more strategic in terms of, okay, what do we  
41 have on the table, first, and then, from that, how are we going  
42 to prioritize that, and we're going to not focus on ten or  
43 fifteen or twenty items that may be of interest, but rather just  
44 a subset, a small subset, of those that, collectively, we  
45 prioritize, as the council, that we continue to hear about and  
46 we think are important.

47

48 **CHAIRMAN FRAZER:** Greg.

1  
2 **DR. STUNZ:** To that, then I would sort of recommend, Andy, more  
3 of a bulleted, with maybe a short description, just so we're all  
4 understanding what we're talking about, versus spending a lot of  
5 time getting into an issue that we might not want to address,  
6 but the reason I'm for this motion, Andy, is I think that we  
7 keep, you know, not getting off the center here, and exactly  
8 what you were just saying, talking around, and we've got to  
9 really just have the hard discussions, is what it comes down to,  
10 and I really think that's the first step, is we get it on paper,  
11 and, I don't know, but we seem to be more successful when we've  
12 got something on paper that we can talk about, rather than kind  
13 of just throwing things out, and so I think it's a nice step.

14  
15 The only other thing I would add to that is I talked with Dale,  
16 and I've made some recommendations in the past about really  
17 having some dedicated council time, I mean like a day time  
18 period, you know, to begin talking about this, where we really  
19 have time to vet these issues and that sort of thing, and so  
20 this would kind of be the first step to we all sort of can come  
21 prepared to that, and prepared with the discussion, and prepared  
22 to have some of these really difficult, hard decisions, because  
23 I think that's what, at least in the back of all of our minds,  
24 is preventing us from really moving forward, but this is a good  
25 first step, in my opinion.

26  
27 **CHAIRMAN FRAZER:** Mr. Diaz.

28  
29 **MR. DIAZ:** I was just going to -- Dr. Simmons just shared with  
30 me that we did have a list of issues for the focus group to look  
31 at, and so the staff will have a starting point, and Ava might  
32 want to weigh-in on that, but they would have a starting point  
33 for coming up with some discussion items for the group. Then,  
34 later on, I would like to speak about the timing of when we put  
35 more stuff on the agenda, but after you finish your discussion.

36  
37 **CHAIRMAN FRAZER:** All right. Thank you, Dale. Ms. Boggs.

38  
39 **MS. BOGGS:** Andy's motion kind of speaks to what I was saying,  
40 prior to lunch, about we've just got to sit down and get in the  
41 weeds and have this discussion, and, since we're going to have  
42 the IFQ Focus Group meet, then they should bring some things  
43 back, and, I mean, I think that's addressing the same thing,  
44 unless, Andy, are you wanting the council staff to take what the  
45 IFQ Focus Group comes back with and kind of go through that, and  
46 either add to or expand on some things? That's a question, and  
47 then I have another comment.

48

1 **MR. STRELCHECK:** I see the IFQ Focus Group as a component to  
2 this process, and so we want to utilize the info that we receive  
3 from them currently, as well as what we'll receive from them in  
4 November and December, but that's one of many sources of  
5 information, right, and the charge that we're going to come back  
6 to in Full Council potentially would be narrower in scope than  
7 what I'm suggesting here, right, and so the idea, from this, is  
8 that we make sure that we have a comprehensive list of ideas,  
9 issues, changes that we want to explore, and then let's all  
10 agree on what we think are the top priorities to move forward  
11 with and narrow down this list considerably and then spend a  
12 commensurate amount of time working on those, rather than being  
13 more haphazard and ultimately trying to kind of chew on too many  
14 issues at once and not spending the sufficient time to work on  
15 it.

16  
17 **CHAIRMAN FRAZER:** Ms. Boggs.

18  
19 **MS. BOGGS:** In the past, Emily, you've done, what is it, the  
20 little thing that shows the good and the bad, the word tree --

21  
22 **UNIDENTIFIED:** Word cloud.

23  
24 **MS. BOGGS:** Word cloud. Thank you. If we took the ideas from  
25 the IFQ Focus Group, and I'm going to give Carrie some more gray  
26 hair, and, if we use the Something's Fishy, and I forget what we  
27 call it now, and ask for input, almost like public comment,  
28 which I'm sure we're going to get a lot of that tomorrow, and  
29 then the word cloud, and I know that seems kind of elementary,  
30 but that would certainly stand out, to this council, what the  
31 concerns of the constituent is, and we can build off of that,  
32 because what may be important to the council may not be as  
33 important to the people that live, eat, and breathe the  
34 commercial fishery.

35  
36 I say that because we need -- We, being the council, need to  
37 work with the constituents, to make sure that we address their  
38 issues, but, if we see something else that needs to bond with  
39 it, or in conjunction with, but we don't need to alienate the  
40 fishermen that are actually going to be affected by the  
41 decisions that this council makes.

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

44  
45 **EXECUTIVE DIRECTOR SIMMONS:** Thank you, Mr. Chair, and so I  
46 think I understand what the motion is asking for. I guess I  
47 would just ask the council to take a look at the focus group  
48 meeting summary, and, on page 2 and 3, there is a list of flaws

1 that they came up with in the program, and there's a long list  
2 there, and so, I mean, I guess we can spend some time  
3 prioritizing them, or maybe we could ask them to help us with  
4 that, at the next meeting.

5  
6 My other concern is kind of tying our hands with the January  
7 2023 meeting. We can aim for that, but we have a lot of things  
8 going on with the Florida Keys National Marine Sanctuary, and we  
9 need to make sure that we address those types of things in  
10 January, before we get too far ahead of ourselves on the agenda,  
11 and so I would just ask that we have a little bit more  
12 flexibility in making sure that we can do this right. We're  
13 going to have another focus group meeting, and we have multiple  
14 AP meetings, and so I would like us to consider that. Thanks.

15  
16 **CHAIRMAN FRAZER:** Mr. Strelcheck.

17  
18 **MR. STRELCHECK:** Related to that, I'm not asking for a lot of  
19 time on the council meeting in January, but I feel like we need  
20 to move forward with this, and the first step would be coming up  
21 with the priorities that then could set in motion our schedule  
22 for subsequent council meetings next year.

23  
24 I think the challenge I'm having is we can all point to, whether  
25 it's the focus group list, or the five-year reviews, and there  
26 is all of these different sources of information that indicates,  
27 you know, where we could make improvements in the program, but  
28 we haven't spent the time, as a council, kind of reviewing them  
29 collectively, and I am asking NMFS and council staff to kind of  
30 help guide us, essentially, so that we can get to a more  
31 informed decision point with regard to narrowing the scope of,  
32 you know, working on some issues, given the issues and concerns  
33 being raised about the IFQ program and how we can make some  
34 improvements to it.

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

37  
38 **MS. BOGGS:** Well, I will admit that I didn't do my homework too  
39 well, because I didn't read the IFQ Focus Group meeting report,  
40 and I didn't realize that all of this information was out there,  
41 and so that brings me back to why are we reconvening the IFQ  
42 Focus Group, because I can promise you that this council can't  
43 get through two items on that list in two years, but maybe a  
44 charge to this council, Andy, is for each member to take that  
45 list and prioritize it for this council.

46  
47 I mean, we keep trying to kick the ball to someone else to solve  
48 our problem, and I don't think it's council staff that takes

1 this list and says you need to look at this first, because look  
2 at Amendment 36A, B, through Z, and we keep parsing it out and  
3 breaking it up, because we don't like what the council staff has  
4 brought to us, and so this council needs to take some of this  
5 burden.

6  
7 I really believe that, and, I mean, I know we've all got a lot  
8 on our plates, but I think this council needs to take a little  
9 more responsibility, myself included, because I didn't realize  
10 that list was out there.

11  
12 **CHAIRMAN FRAZER:** All right. I don't think -- Hopefully, Andy,  
13 I'm not going to put words in your mouth, but I think what Andy  
14 is suggesting here is that, you know, this is -- I think  
15 everybody would agree that this, by its very nature, a  
16 participatory process, right, and, even though there's a list of  
17 potential IFQ-related issues that was provided already by the  
18 focus group -- You know, I don't know how the charge might come  
19 out in Full Council, but there is certainly an opportunity for  
20 that group to look at their own list and then prioritize things  
21 a bit, right, but I also think that you're going to get that  
22 same type of information from our IFQ APs, right, and I think  
23 the agency will be engaged.

24  
25 I think that the staff will be engaged, but, to your point, I  
26 think this council should be prepared, right, and that, when we  
27 do bring this up, individuals should have some idea of what  
28 their priorities are, so we can at least, by taking all of that  
29 information into consideration, come up with a plan that's going  
30 to allow us to focus, moving forward, and so the only question  
31 I'm hearing, really, with regard to the motion though, and I  
32 will go back to Bob, and, when I see the word, or the phrase  
33 "regulatory changes", do you want to make that, perhaps, just  
34 "IFQ-related issues", Andy, or does it matter one way or another  
35 to you?

36  
37 **MR. STRELCHECK:** It doesn't. **I'm fine with any friendly**  
38 **amendments.**

39  
40 **CHAIRMAN FRAZER:** Okay. **Well, I would suggest that, because --**  
41 **If that's okay, and so to direct staff to develop a list of**  
42 **proposed IFQ-related issues.** I think that kind of tempers the  
43 language a little bit, and so that's what Bob was getting at.  
44 Andy.

45  
46 **MR. STRELCHECK:** I appreciate that friendly amendment. I guess,  
47 just real quick, in terms of what Susan said, you know, the  
48 other thing I'm trying to do is we could all sit around and say

1 here's our top three, or five, priorities for the IFQ program,  
2 and they could all be very different, right, and so let's rally  
3 around this and come together and see if we can't reach  
4 agreement on what those top three or five priorities -- We may  
5 not fully be in agreement, but at least we'll have a discussion  
6 around it and some consensus that then can move us forward and I  
7 think be more proactive and organized with regard to how we  
8 approach that.

9  
10 Then this also, to me, sets the stage for our respective staff,  
11 both council staff and NMFS staff, to become -- To, you know,  
12 prepare for the meetings and bring the information and materials  
13 that are going to really be needed for substantive discussions  
14 that we would have around those issues. Thanks.

15  
16 **CHAIRMAN FRAZER:** Thank you, Andy. Ms. Boggs.

17  
18 **MS. BOGGS:** One last idea, and I brought up the Something's  
19 Fishy, and I don't know if you can do it in an anonymous  
20 fashion, but can we do a Something's Fishy to the council  
21 members about what is your priority, and develop a list that  
22 way, instead of sitting here at this table having that  
23 discussion?

24  
25 I am just trying to get a means to an end here, and I think we -  
26 - I think we're at the point that Amendment 36, and I'm just  
27 going to say 36, is so outdated that we don't -- We probably  
28 just need to not even look at Amendment 36 anymore and move  
29 forward with the whole -- I don't want to say that, but start  
30 from the beginning, and not the beginning of the IFQ fishery,  
31 and I want to leave it as it is, but work forward from what we  
32 have, as the initial IFQ fishery, the last review, or the last  
33 revision, and I don't know how you want to say it, but, I mean,  
34 I can't even -- I'm struggling to talk about it, because it's  
35 been so long ago that we spoke about it that no one at this  
36 table remembers, and you have new council members now that have  
37 no clue what we're talking about, I'm sure, and I don't mean  
38 that offensively, but I'm just saying, you know, that it's been  
39 so long since we've had the discussion.

40  
41 We have a recommendation already from the IFQ Focus Group, and  
42 you've lost members, and you're -- I mean, you're going to have  
43 a whole different opinion now, because now you have one  
44 influencer out of the program, and so I don't know why we don't  
45 just take what we have and work with that, because, as I stated,  
46 that's going to take us long enough to figure out without them  
47 going back through and adding and doing more to it, but that's  
48 just one opinion, and I will be quiet now.

1  
2 **CHAIRMAN FRAZER:** Okay. Is there further discussion on the  
3 motion? I am not seeing any. **Is there any opposition to the**  
4 **motion?** J.D.

5  
6 **MR. DUGAS:** Not opposition, but just the wording. I think you  
7 wanted to change it.

8  
9 **CHAIRMAN FRAZER:** Yes, and we'll fix the wording, and so "direct  
10 **staff to develop a list of proposed IFQ-related issues"** and not  
11 **"regulatory"**. Thanks, J.D. All right. **Is there any opposition**  
12 **to this motion? Seeing none, the motion carries.** Thank you,  
13 Andy, and thanks, everybody, for the discussion.

14  
15 All right, and so we are going to move to our next agenda item,  
16 which is the draft framework action for gray triggerfish  
17 commercial trip limits and Ms. Somerset.

18  
19 **DRAFT FRAMEWORK ACTION FOR GRAY TRIGGERFISH COMMERCIAL TRIP**  
20 **LIMIT**

21  
22 **MS. CARLY SOMERSET:** Thank you, Mr. Chair. I am ready, if  
23 Bernie can bring up the document, or, if you prefer, we can look  
24 at the Reef Fish AP recommendations first, whichever works best  
25 for you. I can go through the action guide, quickly.

26  
27 I will be discussing the Framework Action for Modifying the Gray  
28 Triggerfish Commercial Trip Limits, and so we'll go through the  
29 document. We have five alternatives, and this is the first time  
30 seeing the document for the council since the motion was made to  
31 begin one at the last meeting, and so, just to recap, the  
32 council did decide to increase the gray triggerfish annual catch  
33 limits previously, which was implemented in July of 2021, and  
34 commercial fishermen have requested that a potential increase in  
35 the trip limit be explored to allow them to reach the commercial  
36 quota, and so just consider the information presented, ask any  
37 questions, and make recommendations, as appropriate.

38  
39 While Bernie is bringing that up, I will say that -- So we'll go  
40 through the document, and then Captain Walker can come up and  
41 discuss any of the Reef Fish AP discussions, and I just want to  
42 say that we had some analyses that were done for the Reef Fish  
43 AP presentation, and then we did receive some updated data and  
44 analyses with that data after the Reef Fish AP met,  
45 unfortunately, but that's when we were able to get it, and so  
46 what you see in the document is the updated analyses.

47  
48 Just remember that the AP recommendation was made with what we

1 had prior, which it's basically just extending some of the trip  
2 analyses, and so I don't know if it would have changed the  
3 recommendation, but what I show here will be everything that we  
4 have to this point.

5  
6 We'll go to page 2, that has Table 1.1.1 on it, and so, just  
7 briefly, to go over the current commercial regulations, the  
8 sector allocation is 79 percent recreational and 21 percent  
9 commercial, and it's closed during peak spawning in June and  
10 July. The vessel trip limit is sixteen fish, a minimum size  
11 limit of fourteen inches fork length.

12  
13 The commercial ACT is set at 8 percent below the ACL, and then,  
14 as a reminder, commercial landings are recorded in pounds whole  
15 weight, and I believe that Ava mentioned this earlier, when she  
16 was going through the LETC summary, that the trip limit is in  
17 number of fish, for enforcement purposes, but, for these  
18 analyses that I present, we'll be converting back and forth for  
19 the trip-level analysis and the trip limits and the  
20 alternatives, and so I just wanted to mention that before I go  
21 into those.

22  
23 Here, in this table, these are commercial landings from 2008 to  
24 2021, and 2021 is still preliminary. As you can see, the  
25 commercial sector has only exceeded its ACL twice 2008, once in  
26 2012 and then in 2018, and I want to point out here, for context  
27 for this framework action, that it's pretty routine that the  
28 commercial sector does not harvest its ACL, and you can see, in  
29 2021, that 46.8 percent of the ACL was landed, and so we've  
30 heard, at council meetings in the past, and Reef Fish AP  
31 meetings, that commercial fishermen wanted to have the trip  
32 limit increased, that the current trip limit of sixteen fish is  
33 too low, and so it is an opportunistic incidental fishery.

34  
35 Commercial fishermen encounter them, and they will keep them,  
36 but increasing it would probably make it more worthwhile for  
37 them to harvest it, and possibly also help reduce discards, and  
38 so this framework action provides alternatives to increase the  
39 trip limits, other than the no action, which would be to keep  
40 the current sixteen-fish trip limit and allow the commercial  
41 sector more opportunity to harvest its ACL, but, also, still  
42 maintain the rebuilding timeline and hopefully, you know,  
43 continue to help reduce dead discards.

44  
45 We'll go to the alternatives, Chapter 2, and so these are our  
46 five alternatives, currently. They're not set in stone, and I  
47 will go through the analyses that have been done on these five,  
48 and these are based off of some of the previous amendments that

1 looked at changing the commercial trip limits and also comments  
2 from commercial fishermen to look at increasing it up to forty,  
3 and so we have some more conservative alternatives, and then  
4 Alternative 5 is that forty-fish trip limit.

5  
6 If we go to Figure 2.1.1, this just shows -- We asked for the  
7 average weights from 2018 to 2021, and so this just shows the  
8 change in those average weights each year. For the analysis,  
9 this red line is the three-year average weight, and so I believe  
10 it's standard practice, when doing these, to take either three  
11 years or five years to look at -- You know, to take an average  
12 weight from either three or five years, and this average allows  
13 for the variability in the most years to be incorporated into  
14 that trip limit analysis.

15  
16 We do have 2018 up here, and so you can see, you know, the last  
17 four years, but 2018 was also when the current trip limit went  
18 into effect, and so we're using 2019 to 2021 for everything else  
19 that I'm showing you, and that average weight for those three  
20 years was 4.51 pounds,

21  
22 We'll go to 2.1.2, and so this shows triggerfish pounds per trip  
23 and trip sample size per year, and this was generated from the  
24 commercial logbook data, and so I'll just note here that looking  
25 at previous trip limit analysis, which is mentioned in the  
26 document, generally, the commercial sector has harvested below  
27 its trip limit, as you can see here, and then, when I show you  
28 the next figure, in numbers of fish, and so, here between 2018  
29 and 2021, about 40 to 50 percent of the trips harvested twenty-  
30 five pounds or less per trip.

31  
32 This is very similar to the one you just saw, except that it's  
33 switching from pounds to numbers of fish, and so the average  
34 weight for each year was divided by the total weight landed on  
35 each trip, to generate a count of fish per trip, and then, using  
36 these estimates, at least 50 percent of the trips reported  
37 landing, about 50 percent, less than ten gray triggerfish.

38  
39 We'll go to Table 2.1.2, and so we're moving to the  
40 alternatives, and so, for the analysis overall, trips that  
41 landed less than ten fish were not modified, and all trips  
42 landing ten or more fish were modified by replacing the total  
43 number of pounds harvested with a new trip limit weight  
44 corresponding to each trip limit alternative, and so you can see  
45 here that this is a table that shows each of the alternatives,  
46 that average weight that I mentioned of 4.51, which is the  
47 average from 2019 to 2021, and that gives a trip limit weight,  
48 in pounds whole weight.

1  
2 Then the average weight for each trip limit was equal to the  
3 number of fish for each trip limit multiplied by the average  
4 weight for gray triggerfish, and then the alternative trip  
5 limits were applied to all the records with ten or more fish,  
6 and so that provided an additional buffer to account for an  
7 estimated change in landings.

8  
9 If we go to 2.1.3, this is some of the analyses that were  
10 updated that the Reef Fish AP did not get a chance to see, but  
11 you can see here that they used a predicted change in landings  
12 and then gave a predicted closure date, and the number of days  
13 for the season, and so the projected increases for each  
14 alternative were multiplied by the average monthly landing, and  
15 that's in the document, and I won't show it here, for time, but  
16 we can look at it if needed, and then that was summed  
17 cumulatively, to determine what day, if any, would result in a  
18 closure. The one highlighted in red, Alternative 5, is the only  
19 one that would likely result in an early season closure.

20  
21 The analyses did include looking at thirty-five fish, and I will  
22 just say here, even though it's not in the document, that would  
23 also result in an early closure, and so alternatives up to  
24 thirty fish per trip would likely keep the season as-is, and  
25 these were all done by Mike Larkin, Alicia Gray, and Dominique  
26 Lazar, and I believe they're online, if, during our discussion,  
27 they are needed for any additional questions.

28  
29 That was everything that I wanted to show you in the document,  
30 and I do have some questions that were posed to the Reef Fish AP  
31 that I will throw out there for discussion, for you all to  
32 consider, and so, since the increase in the ACL, and that was  
33 July of 2021, does the current sixteen-fish trip limit constrain  
34 harvest? If the commercial trip limit does increase, will fleet  
35 behavior change to target the species, and, if the trip limit is  
36 increased, and quota is landed more quickly, should the council  
37 be concerned about increased discards, and so I will leave it  
38 there for discussion, and I'm happy to answer any questions.

39  
40 **CHAIRMAN FRAZER:** Okay. This might be a good time for the AP to  
41 weigh-in, Ryan or Ed.

42  
43 **MS. SOMERSET:** Thank you, Mr. Chair.

44  
45 **MR. WALKER:** The commercial panel members looked at the analysis  
46 here and agreed that an increase to twenty-five was pretty safe  
47 from triggering a closure, which nobody wants, which will  
48 increase discards and all that. The number of twenty-five was

1 picked to avoid closures, avoid discards, avoid overfishing  
2 their quota, and while giving them some increase and allowing  
3 them to fulfill their quota, and it passed unanimous. That was  
4 a pretty easy one, and there was not a lot of disagreement, or  
5 arguing, over numbers, and they were pretty comfortable with the  
6 number of twenty-five.

7  
8 **CHAIRMAN FRAZER:** Okay. Thanks, Captain Walker. I guess,  
9 Carly, at this point, we have a single action, right, in the  
10 document, with five alternatives, one of those being Alternative  
11 3 that Captain Walker just referenced as the recommendation  
12 coming from the AP. I note, in that action schedule, that we  
13 should see this document again in January, and is that -- I  
14 mean, I'm just trying to keep us on the right timeline here, and  
15 are we looking for a preferred at this point, or are we going to  
16 wait until we flesh-out the document and pick a preferred in  
17 January?

18  
19 **MS. SOMERSET:** So I believe you should see it again in January,  
20 time permitting, and I think that was the plan, and what's on  
21 the action guide, and so this is just Chapters 1 and 2, right,  
22 and so we can flesh this out, and Chapters 3 and 4 -- You know,  
23 there hasn't been an economic analysis done, and the remaining  
24 chapters will go in more detail, with additional analyses, and  
25 there are some more questions that, you know, you all haven't  
26 seen what I presented, as far as the data and the analysis so  
27 far.

28  
29 If you have anything else, and, like I said, these alternatives  
30 aren't set in stone, and it is the one action, but, I mean, you  
31 could potentially pick a preferred. It's pretty  
32 straightforward, but you will see it fleshed-out in January, and  
33 then potentially we could pick after that, if it needs to come  
34 back again after January.

35  
36 **CHAIRMAN FRAZER:** Okay. Mr. Gill.

37  
38 **MR. GILL:** Thank you, Mr. Chairman. **With that in mind, I move**  
39 **that the preferred in Action 1 be Alternative 3.**

40  
41 **MS. BOGGS:** Second.

42  
43 **CHAIRMAN FRAZER:** It's seconded by Ms. Boggs. Do you want to  
44 share some rationale, Mr. Gill?

45  
46 **MR. GILL:** Well, that was where I wound up independently from  
47 the Reef Fish AP, but I think that the basis is correct. It  
48 provides a significant increase, and it's over 50 percent more

1 fish than they had originally that they could land, and so it  
2 gives them a better option for achieving their quota, without  
3 overrunning it, and, you know, you could argue that thirty fits  
4 that mode as well, but that's a riskier approach, and I think  
5 it's an appropriate approach, and agreed to by industry, and,  
6 therefore, is the preferred.

7  
8 **CHAIRMAN FRAZER:** Thank you very much. Is there any further  
9 discussion of this motion? **Not seeing any, is there any**  
10 **opposition to the motion? Seeing none, the motion carries.** I  
11 think, Ms. Somerset, we will look to see a fleshed-out document  
12 in January, but I see that Dr. Simmons has her hand up.

13  
14 **EXECUTIVE DIRECTOR SIMMONS:** Thank you, Mr. Chair. Just to  
15 throw this out there, for maybe Full Council, after you get  
16 public comment, but maybe consider removing the forty-fish trip  
17 limit, because it clearly looks like you're going to exceed your  
18 quota, your ACT.

19  
20 **CHAIRMAN FRAZER:** Do you want a motion to remove that as an  
21 alternative, Dr. Simmons?

22  
23 **EXECUTIVE DIRECTOR SIMMONS:** That would be great, but, if you  
24 want to wait until Full Council, that's okay, too.

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

27  
28 **MR. GILL:** Thank you, Mr. Chairman. **I make that motion to**  
29 **remove that alternative from the document.**

30  
31 **DR. SWEETMAN:** Second.

32  
33 **CHAIRMAN FRAZER:** It's seconded by Dr. Sweetman. Ms. Boggs.

34  
35 **MS. BOGGS:** I will wait until after we vote this motion.

36  
37 **CHAIRMAN FRAZER:** Okay. Is there any further discussion on the  
38 motion? **Not seeing any, is there any opposition to the motion?**  
39 **Seeing none, the motion carries.** Ms. Boggs.

40  
41 **MS. BOGGS:** Holy cow. Can we go final on this in January and  
42 dispense of it?

43  
44 **CHAIRMAN FRAZER:** I will defer to Dr. Simmons.

45  
46 **EXECUTIVE DIRECTOR SIMMONS:** We can try. Internally, just so  
47 everyone kind of knows, the reason we had "draft" there again is  
48 we were contemplating whether it was a good idea to put the

1 greater amberjack management measures in with this framework  
2 action, but I do think that it would slow this down a little  
3 bit, based on the conversation we had this morning, and so maybe  
4 we should think about that some more.

5  
6 **CHAIRMAN FRAZER:** All right, and so we will see, in the Reef  
7 Fish agenda for January, where we're at, but it appears that may  
8 be a possibility. All right, and so, Ms. Somerset, is there  
9 anything else that we need to accomplish at this point?

10  
11 **MS. SOMERSET:** No, Mr. Chair, and I think we got through it.

12  
13 **CHAIRMAN FRAZER:** You did an amazing job.

14  
15 **MS. SOMERSET:** Thanks. I'm just trying to catch up.

16  
17 **CHAIRMAN FRAZER:** All right. Ms. Boggs.

18  
19 **MS. BOGGS:** I would just like to say, if there is any way --  
20 This is something that's very simple, and it's streamlined, and  
21 we can check that box, and I don't mean it that way, but I think  
22 I might have come to that decision before we ever came to this  
23 meeting today, but let's not -- That's what happens, is we bog  
24 these documents down. We've got something fairly simplistic,  
25 and, if we can go final in January and move on with it, but, if  
26 we put amberjack with it, we'll be talking about it at this time  
27 next year.

28  
29 **CHAIRMAN FRAZER:** Okay. We've heard that. We're good, and the  
30 burden is on all of us, obviously, but certainly we can work  
31 with Dr. Simmons to see if we can make that happen. All right,  
32 and so thank you again, Ms. Somerset, for moving us through  
33 that.

34  
35 We're going to move into our next agenda item, which is draft  
36 options for Amendment 56, and that's modifications to the gag  
37 grouper catch limits, sector allocations, fishing seasons, and  
38 other rebuilding plan measures. Mr. Rindone will take us  
39 through the next steps and action guide, and then we'll get an  
40 update on the gag grouper interim rule from the SERO staff.  
41 Ryan, take it away.

42  
43 **DRAFT OPTIONS FOR AMENDMENT 56: MODIFICATIONS TO THE GAG GROUPE  
44 CATCH LIMITS, SECTOR ALLOCATIONS, FISHING SEASONS, AND OTHER  
45 REBUILDING PLAN MEASURES**

46  
47 **MR. RINDONE:** Thank you, Mr. Chair, and so, in June of 2022,  
48 SERO staff presented options to the council for a proposed

1 interim rule for gag, which is intended to reduce fishing  
2 mortality ahead of the development of this amendment, which is  
3 going to be gag's rebuilding plan, and so Mr. Strelcheck is  
4 going to provide a brief update to us on the status of where the  
5 interim rule is, development-wise, and then Dr. Powers will  
6 provide you guys with an update on the revised projections for  
7 gag, for the different allocation scenarios, and there is two of  
8 them.

9  
10 You guys talked, last time, about whether to recommend any other  
11 alternative years, or percentages, and so we went through that  
12 whole exercise, in August, where we looked at the different  
13 reference periods, and they were all generating pretty similar  
14 percentages for allocations, based on using SRFS.

15  
16 The SRFS run was done as an alternative run to the SEDAR 72 base  
17 model, and it was found to be consistent with the best science  
18 by the SSC, at its July meeting this year, and SRFS captures a  
19 little more than 95 percent of the sampling frame for the  
20 private angling and state for-hire vessels that catch gag, but  
21 SRFS, like the previous run that used FES, also found gag to be  
22 overfished and undergoing overfishing.

23  
24 The SSC, considerate of the stock size and gag's susceptibility  
25 to red tide, and the fact that it's a directly-targeted species,  
26 though that a fishing mortality rate at 40 percent of the  
27 spawning potential ratio was a better proxy for maximum  
28 sustainable yield than either  $F_{max}$ , which is what is currently  
29 on the books, or  $F_{30\% SPR}$ , which is what was proposed  
30 under the previous version of SEDAR 72 that used MRIP-FES, and  
31 so that's what the projections that the SSC reviewed and  
32 approved -- That's what they used, is that 40 percent SPR proxy  
33 for MSY.

34  
35 The SSC thinks that this will allow the stock to rebuild to a  
36 more robust population size, which will make it more durable to  
37 episodic mortality events like red tide, and we know we're going  
38 to have more red tides in the future, and we don't know when or  
39 how bad or to what extent, but we know we can't just assume that  
40 they won't happen.

41  
42 You guys will see some options for the two actions in the  
43 document, and so to look at catch limits and to look at the  
44 recreational fishing season duration. You guys should provide  
45 some feedback, wherever you think appropriate, and make sure  
46 that what you're being presented is what you want to see, and  
47 then our plan would be to work on a public hearing draft for the  
48 next meeting in January. Then Captain Walker is here, also, to

1 talk about the Reef Fish AP's recommendations. I think first  
2 up, Dr. Frazer, is Sean talking about the -- Sorry. It's Andy  
3 talking about the interim rule.

4  
5 **CHAIRMAN FRAZER:** All right. Thank you, Mr. Rindone. Mr.  
6 Strelcheck.

7  
8 **MR. STRELCHECK:** Thanks, Mr. Chair. With regard to the interim  
9 rule, we have been working on completing the environmental  
10 assessment, and we have, I think, completed the environmental  
11 assessment, at this point, and we are in the process of drafting  
12 the proposed rule to send to General Counsel. Our goal, and  
13 timeline, is to have that rulemaking sent to Headquarters in  
14 early to mid-November and publish the proposed rule before the  
15 end of the year. We will not have a final rule in place at the  
16 start of the year.

17  
18 Recall that we do have provisions in our IFQ regulations that  
19 allow us to hold back quota if rulemaking is underway, and so we  
20 would also be working on holding back the commercial quota at  
21 the start of the year, consistent with that interim rulemaking.

22  
23 The recreational season does not open until June 1, and so the  
24 interim rule would change that to open on September 1, and so we  
25 have, obviously, more time to get the interim rule in place to  
26 affect the recreational season, and so we will keep council  
27 staff posted on progress made with the interim rulemaking, and  
28 we do appreciate the council's support and efforts on that.

29  
30 **CHAIRMAN FRAZER:** All right. Thank you, Andy, for that update,  
31 and so that will bring us then to the SSC recommendations, and  
32 that will be Dr. Powers.

33  
34 **DR. POWERS:** We reviewed Dr. Siegfried's updated catch  
35 projections for gag grouper, based on the alternative run with  
36 the State of Florida reef fish data, with a revised sector  
37 allocation of 65 percent recreational and 35 percent commercial.  
38 The previous was based on allocation of 61 percent recreational  
39 and 39 percent commercial.

40  
41 We were presented projections for four scenarios, and all of it  
42 varying on the rebuild time, the minimum time to rebuild,  $T_{min}$ ,  
43 with fishing mortality set to zero, which is about eleven years,  
44 and then 75 percent of  $F$  at 40 percent SPR, a  $T_{min}$  plus one  
45 generation, and a  $T_{min}$  times two.

46  
47 The other thing that changed about -- Since we saw the last  
48 projections, besides the allocation, is that the projections

1 assume that the interim rule would be in place for 2023 and put  
2 in that ACL, and so the first year of management in the  
3 projections is 2024.

4  
5 The SSC essentially determined that the yields corresponding to  
6 all of the rebuilding schedules were adequately calculated, and,  
7 after review, we found that they were suitable for informing  
8 catch advice. The SSC also, obviously, acknowledged that sector  
9 allocation decisions are the council's purview, and so we just  
10 reviewed the calculations and the science behind the  
11 projections.

12  
13 One note though is, if you look at the 61 percent recreational  
14 and 39 percent commercial original sector allocation, those  
15 projections that we had did not have a 2023 catch in it, and so,  
16 if you go back to that allocation scenario, you would have to  
17 update it, and Ryan could tell me if that has been done already,  
18 but we noticed that, and so you can see the OFLs at F 40 percent  
19 SPR, and then, finally, the next slide in your packet has all  
20 the various rebuilding schedule times, the three various  
21 rebuilding schedules.

22  
23 That was it, and it was a relatively easy task, and the  
24 projections seemed absolutely fine. We had a little bit of  
25 conversation about it, but we approved the projections.

26  
27 **CHAIRMAN FRAZER:** Thank you, Dr. Powers. Do we have any  
28 questions regarding the SSC recommendations? I'm not seeing  
29 any. Thanks, Sean. Okay, and so I guess, Ryan, what we'll do  
30 now is go ahead and work through the draft options and weave in  
31 the Reef Fish AP recommendations, as appropriate.

32  
33 **MR. RINDONE:** All right, and so, Bernie, if you could bring the  
34 document up, please. This is -- Just a couple of notes about  
35 this. In Action 1, all the catch limits are currently in gutted  
36 weight, and so I will do a conversion for those, for the  
37 recreational sector to whole weight, in the next version of  
38 this, and then, in Action 2, because of when we were able to  
39 receive all the updated projections, we weren't able to do the  
40 season duration projections using the updated data, and so  
41 everything in here is kind of a placeholder, but it does allow  
42 you to conceptualize, a little bit, what kind of options you  
43 guys might consider, given what was considered for the gag  
44 interim rule.

45  
46 We'll start in the introduction though, and there's some things  
47 that have been added here that you guys should focus on, and so,  
48 starting on page 3, there's a section about the institution of

1 SRFS and that SRFS was designed to be compatible with CHTS, and  
2 it's important to note that, with the historical calibration of  
3 SRFS, it does show slightly more historical recreational fishing  
4 effort than MRIP-CHTS, but that amount of recreational fishing  
5 effort is still much less than is historically estimated by FES,  
6 and that's the reason for that 4 percent difference between CHTS  
7 and FES, when we look at the sector allocations.

8  
9 There is also a bit in here, on page 4, about the alternative  
10 base model run for SEDAR 72, and so the consideration here is  
11 just kind of the transition of going from the original version  
12 of SEDAR 72, which was used in the interim rule, which, at the  
13 time, the SSC found to be consistent with the best science, and  
14 that's what NMFS and the council staff used when putting  
15 together the interim rule, and then, after that process had  
16 started, was when the alternative run for SEDAR 72, using SRFS  
17 in place of FES, was conducted, and that is what has ultimately  
18 led to the projections that Dr. Powers mentioned that are  
19 included in this document. There's hopefully a not too-hard-to-  
20 follow writeup of that whole process there and how all that came  
21 to be.

22  
23 On page 6, at the top, is the purpose and need, and so the  
24 purpose of this action is to modify the gag catch limits, sector  
25 allocations, maximum sustainable yield proxy, and recreational  
26 fishing season, and the need is to use the best scientific  
27 information available to end overfishing of gag and to rebuild  
28 the stock to a level commensurate with maximum sustainable  
29 yield, consistent with what we're supposed to do for Magnuson,  
30 and so we can go on to Chapter 2 now, Bernie, to Action 1 in  
31 Chapter 2.

32  
33 A note here, and so Action 1 is going to deal with the catch  
34 limits, and a note here about Alternative 1 in Action 1. Right  
35 now, this reflects what is currently codified in the  
36 regulations, but our expectation would be that, once the interim  
37 rule is implemented, this Action 1 -- Sorry.

38  
39 This Alternative 1 will have to be updated to reflect what the  
40 council had recommended and NMFS is expected to implement for  
41 the interim rule, and so this may look different, the next time  
42 you guys see this in January, but, right now, you can see what  
43 our current catch limits are, and this is using our current  
44 sector allocation, which is based on MRIP-CHTS data currency and  
45 using an MSY proxy of Fmax, as established in Amendment 32.

46  
47 It uses a sector allocation of 61 percent recreational and 39  
48 percent commercial, using the average landings from 1986 to

1 2005, as specified in Amendment 30B, and so those limits are  
2 there.

3  
4 We'll go on down to Alternative 2, and so Alternative 2 would  
5 revise the catch limits for gag, using a 40 percent spawning  
6 potential ratio, to revise the MSY proxy, and the ABC would  
7 equal the combined total ACLs from both sectors. The sector  
8 allocation would remain at 61 percent recreational and 39  
9 percent commercial, straight out of Amendment 30B, and just a  
10 note that this allocation was set using MRIP-CHTS, but the catch  
11 limits would be set using and monitored in the State of  
12 Florida's State Reef Fish Survey, commensurate with the most  
13 recent run of SEDAR 72 for gag.

14  
15 Alternative 2 would establish a rebuilding timeline for  
16 rebuilding the gag stock from its overfished condition, and all  
17 these catch limits that are in the tables are rounded to the  
18 nearest thousand pounds, and so, for Alternatives 2 and 3, there  
19 is four options under each of these, and it corresponds to the  
20 rebuilding timeline options that were available under the Act.

21  
22 Option a, under both, is going to be  $T_{min}$ , or the minimum time  
23 to rebuild assuming no fishing mortality, and, essentially, this  
24 means an ABC of equal to zero, but it would rebuild the stock in  
25 eleven years. Option b, for both Alternative 2 and 3, is the 75  
26 percent of  $F$  at MSY, or, in this case,  $F$  40 percent SPR, which  
27 would rebuild the stock in eighteen years, and, as we move from  
28 Option a to Option d in each of the alternatives, the rebuilding  
29 timeline gets longer, but the initial yields are a little bit  
30 larger in the beginning of the projections, and these  
31 projections are only given for 2024 to 2028, as it's customary  
32 for the SSC not to give you guys projections beyond five years,  
33 because things can get a little uncertain after that period.

34  
35 Option c for both alternatives is going to be the minimum time  
36 to rebuild, and so eleven years, plus one generation time, which  
37 is calculated at eight years for gag, or a total rebuilding  
38 timeline of nineteen years, and then Option d, for both  
39 alternatives, is twice the minimum time to rebuild, or twenty-  
40 two years.

41  
42 Scrolling down to Alternative 3, the difference between  
43 Alternative 2 and Alternative 3 has to do with the sector  
44 allocation, and so Alternative 2 uses our current sector  
45 allocation of 61 recreational and 39 commercial. Alternative 3  
46 recalculates the sector allocation, using the exact same  
47 reference years of 1986 to 2005, but it uses the SRFs-calibrated  
48 historical landings from that time period, and that's where you

1 get to the 65 percent recreational and 35 percent commercial  
2 sector allocation, and so about a 4 percent shift.

3  
4 There is, obviously, lots of numbers in all these tables, and so  
5 I'm not going to read through those, but, if we scroll on down  
6 into the meat of this chapter, there's a couple of things in  
7 here, just to make sure that you guys are getting the  
8 information, and so there's a couple of boxes in here to call  
9 your attention to.

10  
11 The first one is about the interim rule and the catch limits,  
12 and the expectation, again, that Alternative 1 would be updated  
13 once the interim rule is implemented, and then the next box is  
14 the description of the multiuse IFQ shares that will ultimate be  
15 a part of this as well, and so gag is under a rebuilding plan,  
16 and the red grouper multiuse allocation is set equal to zero,  
17 but, because red grouper is not in a rebuilding plan, there will  
18 still be gag multiuse allocations, and that's just an important  
19 note to keep in mind of all of this, and so all of that is  
20 explained within that box.

21  
22 Then, Dr. Frazer, I will try to walk you guys through the key  
23 decision points, you know, the main ones being that you have to  
24 select an allocation, and you have to select a rebuilding  
25 timeline, but both of those decisions will ultimately lead you  
26 to one of the options presented in either Alternatives 2 or 3,  
27 and Alternative 1 is not a viable alternative here, because it's  
28 not represented by the best scientific information available,  
29 and so I will stop there.

30  
31 **CHAIRMAN FRAZER:** All right, and so is there any -- Ms. Levy.

32  
33 **MS. LEVY:** Thank you. I have a question, Ryan, and probably  
34 just because I haven't had a chance to really delve into this,  
35 but the OFL and the ABCs for the action alternatives, right, are  
36 quite -- I mean, they're close together, relatively speaking.  
37 When we looked at greater amberjack, right, the OFL was very  
38 high, because it wasn't based on rebuilding, but the ABC was,  
39 and is that different than what is happening here? Is this OFL  
40 based on a rebuilding -- Does what I'm saying make sense?

41  
42 **MR. RINDONE:** Yes, and so the reason for the difference between  
43 amberjack and gag is that we're able to rebuild amberjack in  
44 less than ten years, if we reduce the catch limits to such a  
45 degree -- If we reduce the ABC to such a degree, until 2027, and  
46 we're able to stick to those ABCs, and so that's the main reason  
47 for that big difference, is we're forcing the ABC down to be  
48 able to rebuild in less than ten years.

1  
2 In the case of gag, even if we move the ABC all the way to zero,  
3 we still can't rebuild in ten years, and it would take eleven  
4 years, and so that's where we get into the other three options,  
5 and a note on this.

6  
7 If there's any of those rebuilding timeline options that you  
8 guys aren't necessarily fond of, you know, this would be a time  
9 to thin the herd on that, and, from an IPT perspective, one  
10 consideration might be to think about where we've been with  
11 recruitment for gag, and it's been low, especially with all  
12 those successive red tide events that we've had, and so, if  
13 we're thinking about the generation time option, that takes into  
14 account gag's ability to reproduce and when it's going to do  
15 that, and if there's been some shakiness on the ground, so to  
16 speak, for gag's reproductive potential.

17  
18 That's something that we've talked about in previous meetings,  
19 about trying to find ways to protect some of the larger  
20 individuals and reduce discard mortality and protect the males  
21 and things like that, and so that might be one to keep an eye  
22 on, especially since the difference between the 75 percent at  
23 FMSY option and the minimum time to rebuild plus one generation  
24 time are eighteen years and nineteen -- They result in eighteen  
25 or nineteen-year rebuilding timelines, respectively, and so  
26 that's pretty close, and so just a thought.

27  
28 **CHAIRMAN FRAZER:** All right. Any further discussion on this  
29 action? Mr. Strelcheck.

30  
31 **MR. STRELCHECK:** Just in comment to a response to Ryan. I  
32 think, at this point, my preference would be not to remove any  
33 of these alternatives, or options, for rebuilding, especially  
34 knowing that we're looking at very small catch limits, and  
35 50,000 pounds, or 100,000 pounds, can make a substantial  
36 difference in some of the decisions we're making, and so I think  
37 we stay the course, with all of these being reasonable options  
38 to consider, and we can certainly reevaluate that as this  
39 document moves forward.

40  
41 **CHAIRMAN FRAZER:** Okay. Thank you, Andy, for that input. Is  
42 there any further discussion on this action item? All right. I  
43 am not seeing any, and so, Ryan, if you want to move down to the  
44 next action item.

45  
46 **MR. RINDONE:** All right. That is surprising.

47  
48 **CHAIRMAN FRAZER:** That's all right, and is there an AP

1 recommendation here?

2  
3 **MR. RINDONE:** We do, and we have Captain Walker, who can speak  
4 to that. The AP had a couple of recommendations with respect to  
5 Action 1, and so, Ed, do you want to focus in on those?  
6

7 **MR. WALKER:** So we're talking about the Tmin times two  
8 rebuilding timelines in Action 1, and so the AP just had a  
9 couple of questions, I believe, because that had been switched  
10 from -- We talked about an Fmax before, and it's kind of  
11 technical, but those were pointed out, to the best of my  
12 recollection here, that they couldn't really be used anymore,  
13 and I believe that the one that we selected was the SSC  
14 recommendation, and is that correct?  
15

16 **MR. RINDONE:** So, ultimately, the Reef Fish AP had recommended  
17 the longest rebuilding timeline.  
18

19 **MR. WALKER:** Right. With no change to allocation.  
20

21 **MR. RINDONE:** Right. With no change to allocation, and there  
22 was discussion in there about the AP members that target gag  
23 were seeing a lot more this season, and had seen a lot more last  
24 fall, and so they had some confidence that the stock was perhaps  
25 in a little bit better condition than the assessment might be  
26 estimating, which led to one of the next -- Which led to one of  
27 the follow-up AP recommendations, which the council has already  
28 expressed an interest in to the Science Center, about doing  
29 annual interim analyses, and the AP asked that those be looked  
30 at by the SSC.  
31

32 **MR. WALKER:** We did have considerable discussion on that one,  
33 and I wasn't sure if we had moved up there yet or not. It was  
34 unanimous, among the group, that, as often as possible, they get  
35 updates, and they felt that the gag stock is likely to rebound  
36 quickly, and, considering the impact these monumental changes  
37 are going to have on some people's livelihoods, commercial,  
38 charter, and recreational, they would like to be able to  
39 capitalize on increases, when they're recognized, and they  
40 requested annual interim analyses, or some sort of updates that  
41 could be quickly acted upon, to, you know, utilize the increases  
42 in abundance.  
43

44 Actually, one other thing on that, and the justification for not  
45 changing the allocation, or, you know, some reasons that were  
46 discussed, were that it's really a small amount that you're  
47 talking about, and I believe it was 4 percent. It wasn't going  
48 to make a big difference on either side, really, to anybody

1 else, and so I believe that was what kind of drove the group to  
2 unanimously approve keeping the allocation as it is.

3  
4 **CHAIRMAN FRAZER:** So, real quick, Ed, to your question, or  
5 suggestion, that there is regular updates, and perhaps this is a  
6 question for Dr. Walter, and I think we have a standing request  
7 in for an update on this fishery, because I can't remember if  
8 was an annual update or a biannual update for gag, and is there  
9 an interim assessment that we kind of --

10  
11 **DR. WALTER:** Mr. Chair, I'm not sure what the schedule is for an  
12 interim for that one, but I think that was one that we said that  
13 we could definitely get on the schedule to do an interim, but I  
14 will have to check as to when we said we could do that, relative  
15 to when the combined video index is available, and it looks like  
16 Ryan probably can help us remember.

17  
18 **MR. RINDONE:** It had to do with the availability of the  
19 combined video index, but it also had to do with completing the  
20 alternative SRFS run and that being evaluated by the SSC,  
21 because prior -- When that recommendation was made, or when that  
22 request to the council was made, we were in that in-between  
23 period between when we had the SSC having approved the MRIP-FES  
24 version of SEDAR 72 and the council's request for the SRFS run,  
25 and so the Science Center's position, at the time, was we need  
26 to know the currency this is going to be in before we start  
27 promising to do interim analyses.

28  
29 Now that we have the recommendation from the SSC for what data  
30 currency should be used, moving forward, then, at that point,  
31 it's just a matter of working out the timing, which is a  
32 negotiation between the council and the Science Center, and it's  
33 outside of the SEDAR process, for scheduling those interim  
34 analyses, to, one, be conducted, and then, two, be reviewed by  
35 the SSC.

36  
37 **CHAIRMAN FRAZER:** Okay.

38  
39 **MR. WALKER:** While I'm here, why don't I go ahead and give the  
40 last part, or at least the last part that I have information on,  
41 and it's the next motion, I believe, and the season for gag, and  
42 is that what you had next, Ryan?

43  
44 **MR. RINDONE:** That's what is coming up next, if you wanted to --  
45 If there's no more questions, and you want to loop into that,  
46 that's fine.

47  
48 **MR. WALKER:** Okay. The AP had vigorous discussion on when to

1 make the gag season, the abbreviated season, and some members  
2 from the northern Gulf wanted it earlier, but those were  
3 somewhat minimal compared to -- What it seemed to come down to  
4 was the September opening, if it's warm in September, it's  
5 generally not considered great gag fishing.

6  
7 Gag fishing is considered a cooler-weather fish, to a lot of  
8 people, but you're looking at maybe a shorter season, if you  
9 went with the cooler months of November and December, and so one  
10 argument was that opening in September may force anglers to fish  
11 deeper water, thereby encountering larger fish with higher  
12 barotrauma.

13  
14 One of the issues was fishing quality, versus the length of the  
15 season, and so it seems like, the way the numbers add up, if you  
16 open it when the fishing is the best, you're going to have a  
17 shorter season, because you're going to bring in more fish,  
18 right, and so there was this debate among the panel of would you  
19 rather have a longer season, that's maybe not the best season,  
20 or would you rather have the best season and likely shorter,  
21 and, in the end, in a twelve-to-two vote, they voted to go with  
22 the September 1 to October 31.

23  
24 **MR. RINDONE:** It's November 10, but that November 10 date might  
25 change by a day or two, once we put in the SRFS data, but, given  
26 the way that things scale, it shouldn't be that dissimilar, but  
27 an opening in September and an ending in early November, using  
28 the same methods from the interim rule.

29  
30 **MR. WALKER:** Right, and then -- I just got a phone call and lost  
31 my train of thought here. September may steer the fleet deeper.  
32 All right. That's all I've got, and I think I lost one more  
33 thought on what we discussed, but I think that's about it for us  
34 on gag, and is there any more motions there? I don't think  
35 there is. Are there questions?

36  
37 **CHAIRMAN FRAZER:** Happy birthday, Ed, by the way. That might  
38 explain the memory loss. All right, and so, again, Ed, we  
39 appreciate that update. Ryan, if you want to go ahead and walk  
40 through the second action item.

41  
42 **MR. RINDONE:** Sure, and just a reminder here that we're going to  
43 update all of the season duration projections in here once we  
44 are able to make that request to the Southeast Regional Office  
45 to get that spooled up, and so we'll do that between now and the  
46 next meeting, but this kind of helps serve as a placeholder,  
47 like I had said, and helps conceptualize, for you guys a little  
48 bit, what you're looking at here.

1  
2 Important to note is that, the shorter the fishing season, the  
3 less precise the expectation should be that we're going to hit  
4 the nail on the head exactly with what the season duration  
5 projections are going to be. We're only going to have, coming  
6 into what we use for this document, one year of fishing effort  
7 to look back on for how long we think the season might be able  
8 to be open, and that's going to come from the interim rule.

9  
10 The interim rule uses a recreational season duration of  
11 September 1 to November 10, and so one year is better than no  
12 years, but one year is not a lot, and so we should temper our  
13 expectations for precision with how long the fishing season will  
14 be open, but, as we progress through this, that accuracy should  
15 improve, and so Alternative 2 is reflective, in concept, for  
16 what's in the interim rule, but, in keeping with the discussions  
17 from the Section 102 Workgroup for the Modern Fish Act, we had  
18 an Option 2a here.

19  
20 That says that, if the recreational ACL is not met by whatever  
21 date in November it ends up being calculated out to be, and the  
22 recreational fishing season remains open until that date for  
23 three consecutive fishing years, then the recreational fishing  
24 season closure date will be modified to December 31, or the end  
25 of the fishing year, or whenever the ACL is projected to be met,  
26 whichever occurs first.

27  
28 That last little bit there is an important thing to remember,  
29 and it's always under NMFS' prerogative to close a fishing  
30 season when they project that the ACL is going to be met,  
31 because it's their responsibility to make sure that the ACL  
32 isn't exceeded, and so they will use the data available to  
33 project that season, and, even if it's opening on September 1,  
34 and we say, oh, it's going to close on November 10, if they have  
35 data which say it should close sooner, then it's their  
36 responsibility to make sure that they close it before then.

37  
38 What Option 2a here does is it says that, if three years go by,  
39 and the season is open that whole time, and there is  
40 recreational ACL that is, obviously, being left over, then,  
41 after that third year, that November date goes away, and it  
42 moves all the way to the end of the fishing year, which is our  
43 expectation, right, because we have increasing yields that we  
44 anticipate, year-over-year, and so the probability of having  
45 that entire fishing season open should increase as the ACL  
46 increases. This would make this change happen, without the  
47 council having to come back and then do another document, and it  
48 would just -- It would happen on its own.

1  
2 Similar to some of the options that were considered for the  
3 interim rule are Alternatives 3 and 4, which would open  
4 recreational fishing for gag on October 1 and November 1,  
5 respectively, and both would see NMFS close harvest when the ACL  
6 is projected to be met or by December 31, since gag is still  
7 closed starting in January. Any questions here?  
8

9 **CHAIRMAN FRAZER:** All right. I am not seeing any questions.  
10 Ms. Boggs.  
11

12 **MS. BOGGS:** What is the timeline on this, and then I have  
13 something else, after this.  
14

15 **MR. RINDONE:** So our current expectation is that we'll be  
16 looking to bring a public hearing draft back in January, and  
17 then public hearings follow that, and then we would  
18 theoretically be preparing to go final in April, and so we have  
19 to have this transmitted to NMFS and implemented by early  
20 January of next year, and so I think it's January 16, Mara, or  
21 25, or 26, and it's one of those dates, and so near the end of  
22 January. In anticipation of that, the Regional Office can  
23 withhold allocation on the commercial side, in the IFQ program,  
24 anticipating whatever it is that the council has transmitted,  
25 and so --  
26

27 **CHAIRMAN FRAZER:** Ms. Boggs.  
28

29 **MS. BOGGS:** I am not going to rehash the discussion, because  
30 you're going to know where I'm coming from, but I would like to  
31 make a motion to move Action 1, Alternative 3 to Considered but  
32 Rejected.  
33

34 **CHAIRMAN FRAZER:** Okay. Let's get a motion up on the board. I  
35 am scrolling through the document to look at that particular  
36 alternative in Action 1. All right, and so, again, the motion  
37 is --  
38

39 **MS. BOGGS:** In Action 1, to make Alternative 3 Considered but  
40 Rejected.  
41

42 **CHAIRMAN FRAZER:** Okay. We have a motion on the board of, in  
43 Action 1, to move Alternative 3 to Considered but Rejected. Is  
44 there a second for that? It's seconded by C.J. I guess I'm  
45 going to ask Mara, real quick, and, typically, when we have an  
46 action item, and we want a range of alternatives -- Does this  
47 put us in a precarious spot with regard to having only two  
48 alternatives in this action item?

1  
2 **MS. LEVY:** I am going to say yes, for a couple of reasons. I  
3 mean, I think we don't have any analysis, and so Alternative 3  
4 is the same as Alternative 2, except it looks at updating, or  
5 modifying, the allocation based on the fact that you're going  
6 from MRIP-CHTS to the SRFS-calibrated average landings, right,  
7 and I feel like it's appropriate to consider that, but you have  
8 no analysis related to the economic impacts or anything else,  
9 and so, you know, in circumstances like this, where that might  
10 make a difference, I don't think it's really wise to remove it  
11 before you have that before you, and then, once you have it, I  
12 mean, removing it doesn't really do anything, and so my  
13 suggestion would be to keep it, because it's addressing  
14 something that is specifically happening, and so I would hope  
15 that you would keep it, so we can see the analysis.

16  
17 **CHAIRMAN FRAZER:** Thank you, Mara. Mr. Gill.

18  
19 **MR. GILL:** Thank you, Mr. Chairman. I would like to hear some  
20 rationale as to why that's the appropriate motion.

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

23  
24 **MS. BOGGS:** Gag has been overfished and undergoing overfishing  
25 since 2010, and we're in 2022, and it hasn't rebuilt, and we  
26 just said, in amberjack, why are we reallocating a species  
27 that's undergoing overfishing, and, I mean, it's the same thing,  
28 but we're going to change the rules to gag, and I don't see how,  
29 with any species of fish, that that matters. It seems -- It  
30 seems very -- There's a word, and I can't come up with it, but  
31 it's very wrong, in my opinion, that we look at reallocation  
32 when we're trying to rebuild a fishery.

33  
34 **CHAIRMAN FRAZER:** Dr. Stunz.

35  
36 **DR. STUNZ:** Thank you, Mr. Chairman. Bob asked the question I  
37 was going to ask, was what was the reasoning here, Susan,  
38 because I don't know that I support your motion here, and I  
39 think it's a little premature, without having further analysis  
40 and more consideration, and so I'm for keeping it in the  
41 document for now.

42  
43 **CHAIRMAN FRAZER:** Any further discussion on the motion? Okay.  
44 **All of those in favor of the motion, raise your hand, two in**  
45 **favor; all those opposed.** Did you count them?

46  
47 **MR. RINDONE:** Two abstained. How about that?

48

1 **CHAIRMAN FRAZER:** It failed, clearly, two to whatever that is.  
2  
3 **MR. RINDONE:** Thirteen.  
4  
5 **CHAIRMAN FRAZER:** Thirteen with two abstentions. Okay. Is  
6 there any other discussion on this draft document? Mr.  
7 Strelcheck.  
8  
9 **MR. STRELCHECK:** I wanted to go back to Action 2, the setting of  
10 the seasons.  
11  
12 **CHAIRMAN FRAZER:** Okay.  
13  
14 **MR. STRELCHECK:** So a couple of things to note. Based on prior  
15 actions by this council, we already have accountability measures  
16 in place that allow for the season to be set based on  
17 projections, or estimated landings, or even in-season landings,  
18 and I think we're getting to the point where, with such a short  
19 season, we might end up having to do that, after we run, you  
20 know, the season one year under the rebuilding plan, just based  
21 on information that we get and learn from that.  
22  
23 Alternative 2 I'm struggling with, because, you know, in one  
24 respect, it's beneficial, in that it's more constraining,  
25 potentially, but, on the other hand, it doesn't give us a lot of  
26 flexibility if the stock starts rebounding and catches  
27 potentially go up and we're allowed to extend the season as well  
28 to later in the year.  
29  
30 The other aspect of this is that we will need to work closely  
31 with the Fish and Wildlife Commission, now that we're using the  
32 SRFS data, and I expect that's why we don't have like a November  
33 date here, is that we need to estimate now what the estimated  
34 closure would be based on the SRFS data, but there will be a  
35 learning curve.  
36  
37 We're not selecting preferreds at this point, but my preference  
38 really is more along the lines of Alternatives 3 and 4, because  
39 I think it does provide greater discretion, in terms of setting  
40 the season, and, ultimately, more flexibility that doesn't  
41 require the council to then come back and take further action,  
42 and so I'm not ready, I think, to remove Alternative 2, but I  
43 did want to acknowledge that there are some limitations in  
44 Alternative 2.  
45  
46 **CHAIRMAN FRAZER:** C.J., in just a sec, and so, Andy, I just want  
47 to make sure that I understood that, and so your preference is,  
48 again, potentially, down the road, right, is to have an

1 Alternative 2 that is worded similarly to Alternatives 3 and 4,  
2 with a September 1 start date. Okay. C.J.

3  
4 **DR. SWEETMAN:** Thanks, Mr. Chair, and I have some similar  
5 concerns with Alternative 3 and 4. The State Reef Fish Survey,  
6 similar to MRIP, is not designed for real-time, in-season  
7 management, and so, when we're having these discussions about  
8 just open-ended -- No end season date, basically, and there is  
9 some concerns there that the agency wouldn't be able to close  
10 the fishery in an appropriate timeframe, based on when the data  
11 would be available from the State Reef Fish Survey.

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

14  
15 **MR. STRELCHECK:** That's why I was making the comment that I did  
16 though, because we would then have to project the season in  
17 advance, and so based on available data from prior years,  
18 regardless of whether landings data has been reported in the  
19 season, and so I recognize that SRFS is not necessarily designed  
20 to do that, but, right now, that's how the accountability  
21 measures are kind of structured and what we would be required to  
22 do to ensure that, if the season, you know, started on a certain  
23 date, and didn't take us to the end of the year, or to that  
24 November date, we would project the season length and specify  
25 the season in advance.

26  
27 **CHAIRMAN FRAZER:** All right. Are there any further discussions  
28 or questions? Mr. Rindone.

29  
30 **MR. RINDONE:** Thank you. Well, in response to Andy's comments  
31 about Alternative 2, if that's your sentiment, then now would  
32 seem like a great opportunity to just get rid of the close on  
33 November, et cetera, and make it similar to Alternatives 3 and  
34 4, because that's essentially what -- If you were to choose  
35 Option 2a, that's eventually what it leads into, and we were  
36 just trying to reflect what was done in the interim rule,  
37 because that was enacted and informed the choice the council  
38 made with the data they had then, but, if the preference is to  
39 just have it be when the ACL is projected to be met, or December  
40 31, whichever occurs first, then we can certainly make  
41 Alternative 2 set up similar to Alternatives 3 and 4, but just  
42 with a September 1. Now would be a great time to make that  
43 change, if that's what you guys want.

44  
45 **CHAIRMAN FRAZER:** Andy.

46  
47 **MR. STRELCHECK:** Ryan, I'm going to make your life difficult and  
48 ask that maybe you just make a note of this in the Reef Fish

1 Committee report and that we talk about this at Full Council,  
2 and I think it would be good, for me and C.J. in particular, to  
3 chat, given we're in a new era of using the SRFS data.  
4

5 **CHAIRMAN FRAZER:** I didn't hear that, Ryan. Did you say thank  
6 you?  
7

8 **MR. RINDONE:** You're breaking up, Tom. I can't hear you either.  
9

10 **CHAIRMAN FRAZER:** All right. Well, is there any further  
11 discussion about Amendment 56? All right. I am not seeing any  
12 more takers. We'll go ahead and wrap that up, and we will  
13 discuss that action item in Full Council a little bit more,  
14 after Andy and C.J. have a chance to talk, but, Mr. Chair, I  
15 believe we're scheduled for a break, and we're back on schedule.  
16

17 **MR. DIAZ:** Good job, Tom, getting us back on schedule. I  
18 appreciate that. I want to make a note to folks, before we take  
19 a break, that, immediately following the Reef Fish Committee  
20 today, National Marine Fisheries will host a general question-  
21 and-answer session, and that will start right after this  
22 session, and, Emily, I'm going to put you on the spot, and can  
23 you let people know, if they're out there online, how they can  
24 sign up to get on that session, after the close of business?  
25

26 **MS. MUEHLSTEIN:** Yes, absolutely. Anybody that is in the  
27 public, if you go to our website, [www.gulfcouncil.org](http://www.gulfcouncil.org), you can  
28 navigate to this meeting, either through the calendar or through  
29 our meetings, on the toolbar, and you will find the agenda and  
30 meeting materials, and scroll down to today, and you will see,  
31 right after all of the information for the Reef Fish Committee  
32 session today, there is both a link to register, if you want to  
33 join us online, and, alternatively, you can call in, and there  
34 is an audio access code that is there.  
35

36 If you happen to join us online, or by phone, and cannot  
37 participate by asking a question, you can email  
38 [gulfcouncil@gulfcouncil.org](mailto:gulfcouncil@gulfcouncil.org), and we are happy to ask that  
39 question on your behalf.  
40

41 **MR. DIAZ:** Thank you, Ms. Muehlstein. Okay. We're going to  
42 take a fifteen-minute break, and we're going to start back 3:20  
43 and finish up Reef Fish. Thank you.  
44

45 (Whereupon, a brief recess was taken.)  
46

47 **CHAIRMAN FRAZER:** All right, and so we are on schedule and  
48 moving toward Agenda Item Number XI, and that would be the SSC

1 Recommendations, the Review of the SEDAR 68 Operational  
2 Assessment for Gulf of Mexico Scamp, and that's Tab B, Number  
3 10(a) in your briefing materials, and so, Dr. Powers, if I could  
4 get you up one more time. You're getting a workout today. I  
5 appreciate it.

6  
7 **SSC RECOMMENDATIONS: REVIEW OF THE SEDAR 68 OPERATIONAL**  
8 **ASSESSMENT FOR GULF OF MEXICO SCAMP**  
9

10 **DR. POWERS:** All right, and so it will be Slide 16. The SSC  
11 reviewed the operational assessment for Gulf of Mexico scamp,  
12 and Katie Siegfried presented the findings of the SEDAR 68.  
13 SEDAR 68, if you remember, began in 2020 with a research track,  
14 and it was the first research track.

15  
16 It built that model, and that model was reviewed and accepted,  
17 and then they moved to the operational assessment to give catch  
18 advice, and so scamp is currently -- Just a few reminders, and  
19 scamp is currently considered part of the shallow-water grouper  
20 complex, along with black grouper, yellowfin grouper, and  
21 yellowmouth grouper.

22  
23 The commercial harvest of scamp is regulated under an IFQ  
24 system, and the operational assessment separated the Gulf of  
25 Mexico stock from the South Atlantic at the boundary in the  
26 Florida Keys.

27  
28 We can answer any detailed questions that you all have about the  
29 assessment, and the assessment was very well done, and the  
30 presentation was excellent, and so I think, between Ryan and I,  
31 we can entertain any of your questions, but, here, you can see  
32 the landings, and the landings are in metric tons for the  
33 commercial and thousands of fish for the recreational, but, if  
34 you look at the panel on the side, it shows you a shift,  
35 essentially, from primarily dominated by commercial landings, in  
36 the early time series, switching more and more over to  
37 recreational landings in the fishery.

38  
39 You will also notice one of the things written on that scale  
40 there, on the graph, is the error associated with the landings.  
41 We assume, as we do with most stock assessments, very little  
42 error on the commercial landings, and the CV on the error for  
43 the recreational landings was relatively high, and, in this  
44 case, it was fixed at 0.3, and, again, we usually have to fix  
45 landings in many of the assessments, for the recreational side.

46  
47 If you look, this is the discards, and the discards are  
48 primarily from the recreational, and the pattern is very noisy,

1 with relatively few discards in recent years.

2  
3 Again, model parameterization highlights, and the base model  
4 uses a spawning stock biomass estimate, and that's both male and  
5 female, because there is a hermaphrodite that transitions to  
6 male, and scamp and yellowmouth grouper are not assumed to be in  
7 a virgin exploited condition at the beginning of the time series  
8 of 1986, and so some initial F conditions had to be calculated,  
9 or estimated.

10  
11 We assume a Beverton-Holt stock relationship, with steepness  
12 fixed at 0.69, and the model could not estimate steepness, and  
13 so it's fixed at 0.69, and we assumed constant selectivity for  
14 all the fleets in the surveys, and so it didn't change over the  
15 model years.

16  
17 The model time-varying retention, the model -- We model time-  
18 varying retention to account for changes in management  
19 regulations, and so this assumed that all fish caught before the  
20 size limits were actually retained, and then the model estimated  
21 retention after that.

22  
23 Again, this emphasized that the analysts had to fix steepness.  
24 You can see, right there, there's a poorly-defined spawner-  
25 recruit relationship, and, again, this is not usual for a lot of  
26 the fish species that came in front of the SSC, and a lot of the  
27 assessments have a poorly-defined spawner-recruit relationship.

28  
29 If you look at the lower graph, on at least my left-hand side,  
30 you will notice a pattern that the SSC did talk about for a  
31 little while, and that is that there seemed to be periods of  
32 high recruitment in 1999 and 2000, and, in recent years, there  
33 is a trend of lower recruitment in the scamp, and so we talked  
34 about that a lot, and that will actually come up in some of our  
35 recommendations in a second.

36  
37 Another feature of the model results were that selection and  
38 retention of larger and older scamp and yellowmouth grouper were  
39 seen in the commercial fleets compared to the recreational  
40 fleets, as well as the video indices, and so, again, different  
41 selection and different retention for these different sectors of  
42 the fishery.

43  
44 The conclusion of the operational assessment was that Gulf scamp  
45 is neither overfished nor undergoing overfishing, and you can  
46 see we're all in the green area of the curve. You can see  
47 though, in recent years, that the population is showing some  
48 decline, and, obviously, not to a level where we would consider

1 it overfished or overfishing occurring, but it is declining in  
2 recent years.

3  
4 One of the things to keep in mind that the SSC talked about a  
5 lot is the SPR, and remember that we just talked about gag, that  
6 had a 40 percent SPR, but, for the shallow-water grouper, the  
7 MSY proxy is set at 30 percent SPR, and the OY is defined as 0.9  
8 of the F at that proxy.

9  
10 The SSC recommendations, the SSC accepted the stock assessment  
11 as the best scientific advice and agreed with the conclusion  
12 that the stock is not overfished, nor is experiencing  
13 overfishing. The SSC did recommend that the council explore an  
14 F of 40 percent, instead of the current FMSY proxy, and so,  
15 after we accepted it as consistent with best scientific advice,  
16 the SSC thinks that an FMSY proxy of 40 percent SPR is more  
17 appropriate for scamp and yellowmouth grouper, based on their  
18 life history, and that should be considered by the council for  
19 management.

20  
21 It should be noted that, even if we move the proxy up to F 40  
22 percent SPR, that the stock would not be considered experiencing  
23 overfishing, nor overfished, in the current assessment  
24 framework. Here are the OFL projections for both 30 percent and  
25 40 percent FSPR.

26  
27 The SSC did not recommend an ABC at this point, citing several  
28 key issues that we need the council to resolve, and, obviously,  
29 which proxy we use is a risk decision, and that has to come from  
30 the council, and so that's one of the big things, is what is the  
31 appropriate FMSY proxy. We had a lot of conversation about how  
32 susceptible scamp were to some of the red tide events, and the  
33 fact that we're seeing lower and lower recruitment, in recent  
34 years, suggests that the stock might not be as productive now as  
35 it either was in the past or we assumed it to be.

36  
37 The council also -- We also need how the council intends to  
38 manage the scamp and yellowmouth grouper, since they are  
39 included in the shallow-water grouper complex, which is part of  
40 the grouper-tilefish IFQ. If scamp and yellowmouth grouper  
41 remain part of the shallow-water grouper complex, then  
42 projections would need to be provided including all four species  
43 in that complex. If not, then projections would need to be  
44 provided for scamp and yellowmouth grouper by themselves, and  
45 also independently from black grouper and yellowfin grouper,  
46 and, again, we note the recent downward trend in population  
47 abundance.

48

1 The actual mechanics of calculating the ABC are not difficult,  
2 and we can review that, but we need some advice, or some  
3 direction, on the part of the council, on the key questions  
4 here, particularly the proxies for FMSY, and I think that's it,  
5 unless Ryan had anything else.

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

8  
9 **MR. RINDONE:** I would just have Ed talk about the Reef Fish AP's  
10 recommendations, following that, but that was great, Dr. Powers.  
11 Thank you.

12  
13 **CHAIRMAN FRAZER:** Are there any questions, before we bring Ed  
14 up, for Dr. Powers? Mr. Gill.

15  
16 **MR. GILL:** Thank you, Mr. Chairman, and thank you, Sean. So the  
17 concept of changing the shallow-water grouper complex -- I  
18 wasn't aware that was on the table, and I don't know if it  
19 originated from your discussions at the SSC meeting, and could  
20 you talk a little bit about the discussion and the rationale for  
21 thinking that that is appropriate?

22  
23 **DR. POWERS:** We actually -- Now that we have scamp assessed, and  
24 Ryan and I were talking about this, and black grouper is the  
25 indicator species, right now, of that complex, and will we  
26 switch to scamp being the indicator of that complex, since scamp  
27 has a separate assessment, and, again, I'm always saying scamp,  
28 but it also includes yellowmouth grouper. Do we pull that out  
29 and manage it separately?

30  
31 We assumed status quo, but we didn't know what the intent of the  
32 council was, and, I mean, if you all don't change anything, we  
33 will just assume that it stays in the complex, with black  
34 grouper still as the indicator species.

35  
36 **CHAIRMAN FRAZER:** Mr. Gill.

37  
38 **MR. GILL:** Thank you, Mr. Chairman, and so there was no thrust,  
39 if I can call it that, by the SSC that perhaps consideration of  
40 removing it from the shallow-water complex would be the best way  
41 to go, from a science basis, and is that what I hear you saying?

42  
43 **DR. POWERS:** Correct. We talked about the possibility that the  
44 council may take that action, but, unless Ryan was privy to  
45 other conversations at the end that I missed, and we had no  
46 conversation on what would be the best, from a science  
47 conservation point of view, correct.

48

1 **CHAIRMAN FRAZER:** Dr. Froeschke.

2  
3 **DR. FROESCHKE:** One thing to think about the shallow-water  
4 grouper -- The way it's done now, it's additive of the stocks in  
5 there, and their respective catch limits are additive. Now that  
6 you're going to have two assessed stocks in there, they're going  
7 to be in different currencies from the other stocks, and so it's  
8 no longer going to be an additive thing that you could do in the  
9 same way, and so we're going to have to do something, but I just  
10 don't know how to do it yet.

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

13  
14 **MR. RINDONE:** To that point, and like Dr. Powers mentioned, the  
15 SSC wasn't saying that scamp and yellowmouth should be pulled  
16 out of the complex or should be left in, and it's just you're at  
17 a point where you have a contemporary and accepted stock  
18 assessment for those two species, and, the last time we tried to  
19 assess black grouper, we had to pull the plug early on on that  
20 assessment, because of misidentification issues in the early  
21 part of the time series for gag.

22  
23 I dare say there might be some considerable time before we ever  
24 have a yellowfin grouper assessment, if ever, and so you're --  
25 As far as an indicator species for the complex, it seems that  
26 this scamp and yellowmouth assessment might be better for that,  
27 but it doesn't mean that you have to pull it out, but, like John  
28 said, for the SSC to approve an ABC, and for you guys to then  
29 derive an ACL for that, we're going to have to then take  
30 yellowfin and black grouper, and we're going to have to add  
31 those into the complex, the shallow-water grouper complex, as  
32 projections, with scamp and yellowmouth in FES.

33  
34 That hasn't been done yet, but it's very customary, and within  
35 the SSC's expertise, to be able to do that, and so it's just the  
36 direction from the committee, and from the council, on how to  
37 move forward will just basically tell us what to do the next  
38 time when we look at the projections, and are we looking at them  
39 with the complex split or not.

40  
41 Now, the Reef Fish AP had some specific comments to that, which  
42 I think you guys should hear before there is more discussion on  
43 that, just because there's some intricacies in the relatedness  
44 between the shallow-water grouper and deepwater grouper complex  
45 and the rules for landing certain species under one versus the  
46 other, depending on whether you have caught all of your  
47 allocation under one or the other, and so there's some  
48 complexities there that might help you make a decision.

1  
2 **DR. POWERS:** Bob, we also did have conversations for the 40  
3 percent level, whether we wanted that to be more global for all  
4 the grouper, but we decided just to make it specific for these,  
5 because each one will have to be assessed on recent productivity  
6 and recruitment as well as susceptibility to red tide.

7  
8 **CHAIRMAN FRAZER:** Okay, and so, I mean, I just want to make  
9 sure, Ryan -- So we don't have a specific, you know, document or  
10 anything lined up for scamp in the action guide, but, in order  
11 to even start to even to even consider where we might go with  
12 this information, the single piece of information that the SSC,  
13 or the staff, would need is to decide what is the appropriate  
14 MSY proxy, right, and so, in this case, we have SPR 30 percent  
15 and SPR 40 percent to choose from, and is that our only decision  
16 point?

17  
18 **MR. RINDONE:** So I think there's two. There is getting  
19 projections -- You know, whether you want to see projections in  
20 30 and 40 percent or if you just want to move forward with 40  
21 percent, and then how you want to treat the placement of scamp  
22 and yellowmouth, in terms of the shallow-water grouper complex,  
23 because we can have -- Well, Dr. Walter, is there any issue,  
24 that you could foresee, for having species in a complex that use  
25 different proxies for F at MSY?

26  
27 **DR. WALTER:** Yes, and particularly if that complex gets an ACL,  
28 and we have to somehow turn an ACL that is derived from a  
29 projection of those two, and you can't split that FSPR out, and  
30 you would have to split those species out and project them  
31 separately.

32  
33 **MR. RINDONE:** So, right now, I think black grouper is at 30  
34 percent, and yellowfin, by default, is F 30 percent, but that's  
35 of questionable consequence, and then scamp -- Whether you did  
36 it at 30 or 40 percent, the stock is still healthy, and so I  
37 guess those are things that the SSC would have to talk about,  
38 too.

39  
40 **DR. POWERS:** Well, again, I mean, we get into this loop, like we  
41 always do with the SSC and the council, and, I mean, really the  
42 council needs to decide on the SPR, and, I mean, it's the  
43 council's decision, and you have our recommendation from the  
44 SSC, that we think, at least for scamp and yellowmouth, we  
45 should go to 40 percent. Obviously, that is not our decision,  
46 and, if you said that it's going to remain at 30 percent, then  
47 we can give you an ABC.

1 **CHAIRMAN FRAZER:** Dr. Walter.

2  
3 **DR. WALTER:** I am going to respectfully disagree, Sean, and I  
4 think that the decision, and the recommendation, for what an  
5 appropriate SPR should be is fundamentally scientific, and it  
6 should come from the SSC to recommend to this council to then  
7 adopt, and, from the standpoint of where the authority lies,  
8 risk is within the purview of this council, but I believe that  
9 the scientific determination for the benchmark should come from  
10 the SSC, and, if your recommendation is 40, then I think you  
11 should be clear and confident in saying that's your scientific  
12 recommendation.

13  
14 **DR. POWERS:** So the motion was clear that that was the SSC's  
15 recommendation. Who has that purview is not -- I mean, I would  
16 rely on staff.

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

19  
20 **MR. RINDONE:** Yes, and so it's actually the council's  
21 prerogative to determine what the MSY proxy should be, under  
22 Magnuson, and not the SSC, and so the council can make the  
23 determination that they're going to go with one proxy or  
24 another, and like, in the case of gag, there is a progression  
25 between the recommendations that were made by the SSC, going  
26 from the SEDAR 33 update assessment, and Fmax, to the MRIP run  
27 of SEDAR 73, which was at 30 percent SPR, that the council  
28 adopted in the interim rule, and, because there wasn't any other  
29 MSY proxy being considered, that was adopted by default.

30  
31 Then a similar process is currently being proposed for Amendment  
32 56, with the SRFS run for gag, for going from 30 percent to 40  
33 percent, and so, in this particular instance, it's a little bit  
34 more complex, I guess because we have two other species that are  
35 in this complex that are at 30 percent, and we have an  
36 assessment for scamp and yellowmouth at 30 percent, but the SSC  
37 is saying, given what they understand about the species life  
38 histories, et cetera, that 40 percent might be better, but,  
39 ultimately, the council could tell the SSC that's great, but do  
40 30 percent. Ultimately, that MSY proxy decision is still the  
41 prerogative of the council.

42  
43 **DR. POWERS:** Can you go back to Slide 24, please, since we're  
44 talking about those motions?

45  
46 **CHAIRMAN FRAZER:** We've got Kevin Anson in the queue, but, Sean,  
47 if you want to talk specifically to that point, and then we'll  
48 get to Kevin.

1  
2 **DR. POWERS:** So we would love it resolved, who makes this  
3 decision, and, again, getting to John's point, our  
4 recommendation here is pretty clear, and it was unanimous, or  
5 near unanimous, and I think there was only one, and our SSC  
6 doesn't always have that kind of consensus, and so I think we're  
7 clear on our motion. You know, as far as who makes that  
8 decision, I would defer to others to say, but our recommendation  
9 is clear.

10  
11 **CHAIRMAN FRAZER:** Mr. Anson.

12  
13 **MR. ANSON:** It sounds like we might be in a position to  
14 formulate some motions here, but I thought I heard, relative to  
15 the splitting out of the two species from the four that is  
16 currently in the complex, that there was some discussion at the  
17 SSC relative to the shallow-water grouper complex, and that  
18 there was some overlap, I guess, with the deepwater grouper,  
19 Ryan, and is that from the AP?

20  
21 **MR. RINDONE:** That was from the Reef Fish AP. They had some  
22 specific comments about the interconnectivity between the share  
23 categories and when you could land certain species under certain  
24 parts of the program.

25  
26 **CHAIRMAN FRAZER:** Do you think that would be relevant to trying  
27 to formulate a motion?

28  
29 **MR. RINDONE:** I think that is extremely relevant, actually, and  
30 so --

31  
32 **MR. ANSON:** Okay. We might want to offer to --

33  
34 **CHAIRMAN FRAZER:** All right. Ms. Levy.

35  
36 **MS. LEVY:** Thanks. Just to weigh-in a little bit on this  
37 discussion of the appropriate MSY proxy, I mean, we've talked  
38 about this before. To the extent that it's reasonable for it to  
39 be 30 or 40 percent SPR-based, then, ultimately, the council has  
40 to make a policy decision about which one is more appropriate,  
41 given what that means.

42  
43 If the SSC really thinks that it is not scientifically  
44 defensible to have an F 30 percent proxy, then that's a  
45 different story, and this motion, to me, does not say that, but  
46 I don't know what the SSC discussed, and so, to me, there's a  
47 difference between there are two kind of reasonable  
48 alternatives, but this one is more conservative, and we think

1 it's more appropriate for this stock, but you could justify 30  
2 percent, versus we looked at everything and we just do not see  
3 any basis to have an MSY proxy based on 30 percent SPR. Then it  
4 becomes a policy decision, right?

5  
6 **CHAIRMAN FRAZER:** I was the council rep at the SSC meeting,  
7 right, and I've been working really hard to try to make sure  
8 that we can provide as much explicit direction to the SSC as  
9 possible, right, so we don't get in this situation where they  
10 offer a range, you know, and so, before you get in here, Mara,  
11 there was a lot of really good discussion, and we want them to  
12 weigh-in with their best --

13  
14 These are the experts, right, and I certainly want to see the  
15 most informed and discussed opinion, moving forward, and, in  
16 this particular case, they walked through the SPR proxy under  
17 two different scenarios, and I think the reason that the  
18 discussion came up is because we just went through this exercise  
19 with gag, which is a very similar species, right, with very  
20 similar life history characteristics, and we made a very strong,  
21 you know, scientific kind of justification for using that SPR 40  
22 as the MSY proxy, and it made sense to follow through with that  
23 with scamp.

24  
25 Again, I think, as Dr. Powers said, there was a very involved  
26 discussion, and, at the end of the day, that's their best  
27 advice, and I'm not sure why -- I mean, we should be compelled,  
28 in my opinion, to recognize it as their preferred direction,  
29 moving forward, even though we still have some latitude, and I  
30 get that. I guess I don't understand -- I don't want you to try  
31 -- Not you, but I don't want to try to complicate this.

32  
33 **MS. LEVY:** I am not trying to complicate it, but, I mean, we  
34 can't just take something that the SSC does, if there are other  
35 reasonable options, and be like we're not going to consider  
36 those, and we're just going to run with it. I mean, if there is  
37 a clear consensus, from the SSC, that F 30 percent proxy is not  
38 reasonable for this particular species, for whatever reason, and  
39 that is clearly documented, then you might be able say, well, we  
40 don't really need to consider it as a policy matter, and we're  
41 going to adopt what the SSC does without further consideration.

42  
43 I guess my point was that this motion does not make that kind of  
44 very strong statement, to me, that it is unreasonable to  
45 consider an F 30 percent proxy, and, ultimately, the council is  
46 the policy decisionmaker here, and, if they want to go with F 30  
47 percent, they're going to need to explain why, given the SSC's,  
48 you know, recommendation that 30 percent is still appropriate,

1 but I don't -- I'm not really comfortable saying we should just  
2 like take that decision point away from the council. Clearly  
3 they should be listening to the advice of the SSC, right, and  
4 incorporating it into the decision-making process.

5  
6 **CHAIRMAN FRAZER:** Yes, and I wasn't trying to take that away  
7 from the council, and I was just trying to kind of massage the  
8 exchange that Dr. Walter was having with Dr. Powers and kind of  
9 work in the legal elements there, right, but I get often  
10 frustrated, when I go to an SSC meeting, and there's not enough  
11 direction, right, provided to the SSC members, because I want  
12 explicit, you know, advice coming out of that group, and I think  
13 this is, you know, heading in that direction, right, and so we  
14 can certainly have a discussion about it, and I think we can,  
15 about an appropriate SPR, or MSY, proxy, and we will, and so I  
16 think we're all good, but I just wanted to kind of get that  
17 squared away, and we should probably bring up Captain Walker to  
18 give us a little input from the AP side of things. Thanks,  
19 Sean. Mr. Anson.

20  
21 **MR. ANSON:** I don't want to belabor that point, but, you know, I  
22 think this is -- If there's confusion amongst the SSC members on  
23 this issue, then it really is simply a one-pager that they can  
24 have, you know, available to them at the desk, you know, and  
25 they can review that when they come to these types of decisions,  
26 but, you know, as Mara pointed out, I mean, there's two motions  
27 here, and they're both saying essentially the same thing, and  
28 so, you know, it goes back to the council's purview, and, unless  
29 there was some specific information, and I don't want to repeat  
30 what Mara said, and she did a very good job, but that would have  
31 been my understanding all along, is, unless there is some  
32 compelling information that the SSC has, from a scientific  
33 perspective, that would not -- Or that they would feel strongly,  
34 given this particular situation even, that they could make a  
35 recommendation that the council could consider it.

36  
37 I mean, this is -- You know, I'm afraid that some of the  
38 confusion is a little bit -- A little bit part of the process,  
39 unfortunately, and it just needs to be clearer, you know clearer  
40 direction provided, I agree, and simply a one-pager that would  
41 help describe and summarize exactly what the SSC's  
42 responsibility is and where they can have that opportunity to go  
43 ahead and make the comment, when it's appropriate, based on the  
44 best scientific information that they strongly recommend, or  
45 recommend using a different MSY proxy.

46  
47 **CHAIRMAN FRAZER:** So, I mean, Andy, I know you want to say  
48 something, but I guess I'm looking at the second motion, right,

1 where it specifically says, "However, the SSC thinks that the F  
2 MSY proxy of F 40 percent SPR is more appropriate for scamp",  
3 and so I guess they are making a more pointed -- They're  
4 pointing us in a slightly different direction, right, and so go  
5 ahead, Kevin.

6  
7 **MR. ANSON:** It might be in the report, and so I may be a little  
8 bit speaking out of turn here, but, I mean, that should be more  
9 -- There should be more evidence as to why they made the  
10 "however", or they shouldn't have passed the first motion, you  
11 know, because it's very ambiguous at this point now, and it just  
12 continues this debate that we have, when, again, it's fairly  
13 clear, given the circumstances that we have right now, that the  
14 council has the opportunity to use F 30 percent SPR as the  
15 proxy, because they said so, and the assessment says it's okay,  
16 and so --

17  
18 **CHAIRMAN FRAZER:** I appreciate that, and Sean walked back to the  
19 podium, because we had a very lengthy discussion, and I'm sure  
20 that he can provide the justification.

21  
22 **DR. POWERS:** It was made, and you call tell us whether this was  
23 right or wrong, and it was made abundantly clear to the SSC that  
24 this was not our charge, on SPR, and so we felt compelled that,  
25 under the existing MSY proxy, is the assessment accepted, is the  
26 status condition accepted, and then that was an absolute to the  
27 SSC, or at least presented like it was an absolute.

28  
29 Then we felt strongly enough to say, no, this stock, a lot  
30 because of the gag conversations, and a lot because of that  
31 decreasing trend that we see in recent years in recruitment,  
32 that maybe the stock is not as productive as we have assumed it  
33 to be, and so, you know, I think there are legitimate reasons,  
34 and well-explained reasons, in the record that talk about our  
35 concerns with red tide, the decreasing recruitment trends, the  
36 considerations that we gave gag, that led us to this 40 percent.

37  
38 However, it's not as strong, I guess, as some would like,  
39 because the stock is not overfished, and it's not experiencing  
40 overfishing, and we think F 40 percent is a better, safer, more  
41 conservative, and appropriate way to do it, but we also can't  
42 dismiss the fact that, at 30 percent, the stock is not  
43 overfished, nor experiencing overfishing, and so I guess that's  
44 why it falls short of the absolute that some apparently want,  
45 but I agree with Dr. Frazer. For our SSC, this is a pretty  
46 clear message. I mean, you know, I think it is.

47  
48 **CHAIRMAN FRAZER:** Thank you, Sean. Mr. Strelcheck.

1  
2 **MR. STRELCHECK:** I am thinking that we're getting wrapped around  
3 the axle pretty tight here. You know, Mara and I were just  
4 talking, and we do need to confirm what the kind of current  
5 proxy is, and whether it applies to scamp or the actual shallow-  
6 water grouper complex, but, regardless of that, I mean, we've  
7 used F 30 percent commonly for the proxy for FMSY, and I don't  
8 see any issue with the SSC making their recommendation in Motion  
9 1, based on the current proxy, and then providing some guidance,  
10 obviously, with potentially altering that.

11  
12 The question I have, I think for Sean, is, you know, you're  
13 recommending the proxy, and I think it's worth the council  
14 considering both options, and it's not just because it's more  
15 conservative, but there's new literature, and information as  
16 well, that you're basing this on, based on the life history of  
17 the species.

18  
19 You made that decision for gag, and scamp is a similar grouper  
20 species, and so you're making at least the recommendation for  
21 scamp, and my expectation is that this is going to roll through  
22 subsequent grouper assessments, and we might see similar  
23 recommendations, and so I just want to find out if you agree  
24 with that and if there is anything else that you could put  
25 towards a rationale for the 40 percent recommendation, because I  
26 think there is more to it than just being more conservative.

27  
28 **DR. POWERS:** Yes, and thanks for the point to clarify, and  
29 clearly what I meant is the life history, and the complexities  
30 of the life history that we understand now, compared to what we  
31 understood in the past, with more and more literature argues  
32 that -- You know, I used "conservative", but we should be more  
33 careful, that these stocks aren't as productive as we originally  
34 thought, and that's probably the better way to phrase that.

35  
36 The obvious lessons we've learned with red tide and, you know,  
37 is scamp as susceptible as gag, and we know it's susceptible,  
38 and, again, the downward trend in those recent recruitments all  
39 suggest that this stock probably doesn't have the productive  
40 capabilities that it either had in the past or that we  
41 overestimated those in the past.

42  
43 **CHAIRMAN FRAZER:** All right. I am done getting wrapped around  
44 the axle, Andy, and so I think we're good for right now. Sean,  
45 thanks for that, for those point there at the end. Captain  
46 Walker, if you want to work with Ryan to share the AP  
47 recommendations on scamp.

48

1 **MR. WALKER:** I don't know that we had a recommendation on scamp.

2  
3 **MR. RINDONE:** Well, there wasn't a direct recommendation, but  
4 there was discussion that I thought that you guys had that was  
5 important to share, and you have kind of a good takeaway to it,  
6 and I will expand up that.

7  
8 **MR. WALKER:** Okay. Well, so I've got pages and pages of notes  
9 from the AP. However, what it says on scamp was that there were  
10 some questions, but a general consensus was that the panel are  
11 somewhat satisfied with the way things are, and, if it ain't  
12 broke, don't fix it, and that's all I have written here, and so  
13 I'm sorry to make the walk up here just to tell you that, but  
14 that's it.

15  
16 **MR. RINDONE:** Well, Mr. Chair, the thing that I was going to  
17 expand upon is a couple of the commercial members had talked  
18 about the way in which some of the species are landed between  
19 the share categories between the shallow-water grouper and  
20 deepwater grouper share categories, and it's my understanding  
21 that, if you hold both -- If you hold allocation in both, you  
22 can land scamp under the shallow-water grouper share category  
23 until you have landed all of your allocation there, and then you  
24 can continue to land it under the deepwater grouper allocation,  
25 until you've exhausted that, but you have to satisfy whatever  
26 you have for shallow-water grouper allocation first.

27  
28 Likewise, for the deepwater groupers, for warsaw and speckled  
29 hind, you can land those first, under your deepwater grouper  
30 allocation, until that is satisfied, and then you're allowed to  
31 land those under any remaining shallow-water grouper allocation  
32 you have, once you've exhausted your deepwater grouper  
33 allocation.

34  
35 The way that this was described to us at the AP meeting was that  
36 there's this interconnectivity, with some of these species,  
37 between the share categories and the way that this stuff is  
38 defined in the regs and that doing something like splitting up  
39 the current shallow-water grouper complex, and changing the way  
40 that the share categories are defined, and how these rules are  
41 set up, is probably a lot more complex than, well, let's just  
42 separate them.

43  
44 That is what led to Captain Walker saying the if it ain't broke,  
45 don't fix it statement from the AP, and so I thought that you  
46 guys hearing that, and knowing that, might be important to your  
47 discussions.

1 **CHAIRMAN FRAZER:** Thank you, Mr. Rindone. A real quick  
2 question. I mean, I don't think we're in the immediate -- Under  
3 any immediate pressure to do anything with scamp, and clearly  
4 we're needing to think it through a bit, and my only question is  
5 whether or not we should pick the FMSY proxy, or the FMSY proxy,  
6 today in order -- Is that a bottleneck? Can we not do anything  
7 until we decide on that? That's my question. Ms. Levy.

8  
9 **MS. LEVY:** Well, I think that, again, you have a proxy for the  
10 shallow-water grouper complex, and I don't think you have an  
11 existing proxy for scamp.

12  
13 **CHAIRMAN FRAZER:** That's what I'm asking. Do we need to pick  
14 one?

15  
16 **MS. LEVY:** I mean, I guess I'm still thinking about whether the  
17 30 percent and the 40 percent are both reasonable alternatives,  
18 given the scientific information and what the SSC said. I'm not  
19 clear on the answer to that. If there's more than one  
20 reasonable proxy, because we've had that before, and you've had,  
21 you know, different proxies to look at, and the SSC has made a  
22 recommendation for one, and you had a reason why you went with a  
23 different one, and I think you've drawn justification for going  
24 for a different proxy than the one recommended by the SSC, but,  
25 if there's more than one reasonable proxy, then we need  
26 alternatives, and we need to evaluate them, when you address  
27 scamp, right, and like what are you doing with scamp? Is it  
28 going to be managed now as a single stock, and we're going to  
29 need an FMP amendment to address all of this stuff, right?

30  
31 **CHAIRMAN FRAZER:** Ryan and then John.

32  
33 **MR. RINDONE:** I think we're probably going to be saying  
34 something similar here, and the decision point that you need  
35 today isn't actually which MSY to use, because the projections  
36 can be produced either way. The decision really is it the  
37 council's intent to continue managing scamp and yellowmouth  
38 grouper as components of the shallow-water grouper complex or to  
39 do something different, and, if it's to do something different,  
40 then what is that intention?

41  
42 If it's not to do anything different, then you guys can just say  
43 we recommend that, if it ain't broke, don't fix it, or, you  
44 know, we recommend this other approach, and then we will make a  
45 request to the Science Center, on behalf of the council, for  
46 projections, but in accordance with whatever you guys tell us.

47  
48 **CHAIRMAN FRAZER:** Dr. Froeschke.

1  
2 **DR. FROESCHKE:** Well, a couple of other things, and so the  
3 current catch levels are based on the Generic ACL/AM Amendment  
4 in 2011, which is the Tier 3a, which was simply a summation of  
5 the annual landings for those stocks added up, and we  
6 subsequently developed Reef Fish Amendment 48 that defined SPR,  
7 SPR 30 percent, as the MSY proxy, but that can't be used until  
8 you have an assessment.

9  
10 Now we have an assessment, at least for some component of those,  
11 and so it's a little bit ambiguous to say that. We're not  
12 really using a 30 percent SPR proxy right now, and so it's not  
13 totally clear, to me -- Whichever one of those we use, we're  
14 still going to have to figure out how to integrate this into the  
15 complex or not, because of the currency and other issues.

16  
17 **CHAIRMAN FRAZER:** Yes, and so, I mean, clearly this is a  
18 complicated situation, and I think, I mean, with regard to where  
19 we go with scamp today, and I think we're in the very early  
20 stage of this process, and I think probably the best thing that  
21 we can do is, you know, appreciate the information that was  
22 provided by the SSC, and, I mean, I think we should all feel  
23 good that we have a fishery that was assessed and it's not being  
24 overfished and undergoing overfishing, but there is some  
25 decisions that need to be made, moving forward, and so we have  
26 to view the complexity of the complex, right, what the potential  
27 consequences are of using a different MSY proxy, and so we just  
28 need to have probably a more clear path, moving forward, and so  
29 we don't have to do that today, is my opinion. Mr. Anson, and  
30 then I will go to Dr. Walter.

31  
32 **MR. ANSON:** I guess we don't today, but, at least by the end of  
33 the meeting, you know at Full Council, maybe we ought to give  
34 some direction to staff, so that they can reach out to the  
35 Science Center and start doing the analysis, I guess, or bring  
36 back some of that data, but I guess that's how I interpret it,  
37 at least, and, again, maybe we don't need to do it here in  
38 committee, but, by Thursday, we ought to, I think, give some  
39 direction, is what staff is asking for.

40  
41 I mean, I guess, you know, my preference would be to include  
42 both SPR 30 and SPR 40 for analysis and then to look at pulling  
43 them out, and see if that's even feasible, and that I think  
44 would be not only from a science perspective, but also from the  
45 management side, as to what impact that would have relative to  
46 the quota issue, deepwater versus shallow-water, but, because of  
47 the differences we have, and those two other species not being  
48 assessed, you know, that creates a problem, but they still can

1 be assessed, at least through the index, I guess, because the  
2 black grouper was still being looked at, you know, as part of  
3 that. At least that's how I interpret where we are.

4  
5 **CHAIRMAN FRAZER:** Okay. Dr. Walter.

6  
7 **DR. WALTER:** Speaking on behalf of the Center, from the  
8 standpoint of having projections of both F SPR 30 and F SPR 40,  
9 it's really a double the workload, and there is the decision  
10 point, in terms of if one is a better scientific proxy, and  
11 simply having the projections doesn't provide any additional  
12 information, from the biological perspective, as to which is a  
13 better proxy, and it seems pretty clear, from what the SSC said,  
14 that they are recommending an F SPR 40, based on the biology of  
15 the species, unless there's another argument that's based on  
16 science that would argue for F SPR 30, and I think it's going to  
17 be contingent upon this council to come up with that argument to  
18 then diverge from the recommendation of your SSC, but simply  
19 seeing two yield trajectories doesn't give any biological  
20 information.

21  
22 What I would say is that, if F SPR 40 is a better proxy for  
23 FMSY, then choosing F SPR 30 is choosing a higher probability of  
24 overfishing, a higher than 50 percent probability of  
25 overfishing, and so I am not seeing how having both sets of  
26 projections are going to inform a decision, if that decision  
27 needs to be based on science. Thanks.

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

30  
31 **MR. STRELCHECK:** I mean, switching gears, I don't think we're  
32 going to have it, certainly, by the Full Council discussion, but  
33 I think it would be beneficial for the IFQ program staff to  
34 coordinate with the Science Center to come back with some input,  
35 advice, with regard to the impacts of pulling out versus  
36 maintaining scamp, black grouper, and the other shallow-water  
37 grouper complex, so that we can better understand that issue as  
38 well, moving forward, from an IFQ standpoint.

39  
40 **CHAIRMAN FRAZER:** I would agree with that, and I didn't think we  
41 were quite prepared to have that discussion, and my only  
42 question really here, Kevin, was whether or not there was some  
43 value in deciding whether or not we wanted, as a council, you  
44 know, to opt for the MSY proxy of SPR 40 or 30, and I am happy  
45 to do that today, and that doesn't bother me at all, and I think  
46 there is a pretty strong, compelling argument for one, and so,  
47 Dr. Simmons.

1 **EXECUTIVE DIRECTOR SIMMONS:** Thank you, Mr. Chair, and so I  
2 think it sounds, to me, like we need to get some more  
3 information together, perhaps, on a lot of these decision  
4 points, and one thing we don't want to do is let this assessment  
5 set around, in my opinion. I mean, we've done that, perhaps,  
6 with yellowtail snapper, and we had to ask for an update, and so  
7 I don't think we want to let this get old.

8  
9 I think, at a minimum, we should start work on a white paper, or  
10 a document, a presentation, however the council would like to  
11 see it first, that looks at modifying the catch advice based on  
12 the new assessment for scamp and yellowmouth grouper and then  
13 bring some of this other information, to help make some more  
14 decisions regarding the complex as a whole, specifically the  
15 AP's recommendation about looking at the proportion of landings  
16 for the different complexes with scamp and some of those other  
17 things that were discussed.

18  
19 **CHAIRMAN FRAZER:** So, from staff's perspective, do you want a  
20 motion to let the MSY proxy -- Would that be helpful at this  
21 meeting?

22  
23 **EXECUTIVE DIRECTOR SIMMONS:** I mean, if you can come to a  
24 decision on that, unless there's something else you would like  
25 us to get together with the Science Center for the SSC to look  
26 at again.

27  
28 **CHAIRMAN FRAZER:** I think it looks like Mr. Anson might be  
29 willing to offer up a motion.

30  
31 **MR. ANSON:** Thank you, Mr. Chair. **My motion would be to have**  
32 **staff work on a document to modify the catch levels for scamp**  
33 **and yellowmouth grouper and consider further management changes**  
34 **necessary for the shallow-water grouper complex. This would**  
35 **include catch projections of F SPR 30, or 30 percent SPR, and F**  
36 **SPR 40 percent.**

37  
38 **CHAIRMAN FRAZER:** All right, and so I just want to make sure  
39 that I'm reconciling the comments that I heard from Dr. Walter,  
40 right, and so with regard to workload and -- So you want to see  
41 them both at this time. Is there a second to the motion? It's  
42 seconded by Ms. Boggs. Is there any further discussion on the  
43 motion? Ms. Levy.

44  
45 **MS. LEVY:** Just a question, and so "to modify catch levels for  
46 scamp and yellowmouth grouper", and so we don't have catch  
47 levels for them as separate stocks, right, and so are you asking  
48 council and NMFS staff to look at that, because, right now, it's

1 all the shallow-water grouper complex, right, and so they don't  
2 have separate catch levels, and maybe that's something they need  
3 to explore, but then, again you have the implications for the  
4 IFQ species, and so I guess I'm just wondering what your  
5 expectation is, in terms of what you would get back.

6  
7 **CHAIRMAN FRAZER:** Yes, and that's what I was not doing a very  
8 good job of trying to explain. I think there are some things  
9 that we can do, right, and so we can go ahead and provide catch  
10 levels for scamp, using one of the proxies, right, and we  
11 recognize that we may not opt to pull scamp out of that complex,  
12 right, but it's a first step. If we choose to use that  
13 information, it clearly will have implications, right, for the  
14 way that we currently include scamp in the complex.

15  
16 I just want to try to move forward, as Carrie said, and I don't  
17 want this to sit around forever, and I am super cognizant of the  
18 fact that, if you're going to move forward with two different  
19 MSY proxies, that it's -- I mean, we talk about workload all the  
20 time, and I think that there's a compelling argument, Kevin,  
21 made by the SSC that SPR 40 percent is probably an appropriate  
22 proxy, moving forward, and I would be in support of this, right,  
23 if you simplify the motion. Otherwise, I would probably vote  
24 against it and opt for an alternative. Dr. Simmons and then Mr.  
25 Anson.

26  
27 **EXECUTIVE DIRECTOR SIMMONS:** Thank you, Mr. Chair, and so I  
28 guess just some feedback, perhaps, to Ms. Levy's advice on the  
29 catch levels, and so maybe we want to say modify the catch  
30 levels for scamp and yellowmouth grouper individually, and as a  
31 complex, and then I guess we would have to ask the Science  
32 Center to update the yellowfin and the black grouper, or  
33 calibrate them to MRIP-FES, which I suspect there might be a  
34 little bit of recreational landings of the black grouper, I  
35 think more in the South Atlantic, but there could be some  
36 changes to the complex catch level as a whole, and so we could  
37 try to get both of those things perhaps in front of the SSC,  
38 when they look at the revised projections, again, perhaps with  
39 the F SPR 40 percent and the low recruitment. I think they did  
40 see a draft of those, at the last meeting, but we did not have  
41 the low recruitment held constant.

42  
43 **CHAIRMAN FRAZER:** Chairman Diaz.

44  
45 **MR. DIAZ:** I am going to speak, when maybe sometimes I probably  
46 shouldn't speak, but I do want to respond to something that Dr.  
47 Walter said, and just because it comes -- Based on my history,  
48 and my past history used to be the Director of Fisheries for the

1 Mississippi Department of Marine Resources, and we reported to a  
2 commission, and we provided that commission with scientific  
3 advice, and, when necessary, we made recommendations, but the  
4 commission always had to look at the science to make decisions,  
5 but they also had to take into consideration some other things  
6 that the scientists didn't have to.

7  
8 Those might be economic, and they might be social, and they  
9 might be risk, and they might be a whole host of things, and I  
10 think this council operates the same way. We talk, all the  
11 time, about how different sectors might be and locations and  
12 other things, and so I'm not pushing for this motion one way or  
13 the other, but I think science should be the number-one thing  
14 that we always look at, but we've got to recognize this council  
15 looks at a whole bunch of other things to make decisions, and  
16 that's part of this process.

17  
18 We get public comments from people all the time that have  
19 nothing to do with the science, and so it's not just if we can  
20 set this or that, or disregarding what the SSC says, or  
21 disregarding the workload, but there may be other factors that  
22 council members are thinking about that is a reason to have more  
23 information, and so, anyway, that's enough of that. Thank you,  
24 Tom.

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

27  
28 **MR. ANSON:** I will just address you, Tom, about, you know, your  
29 comment about support of this, as it's written, and partly to  
30 Dale's comment, and, you know, this just provides us a little  
31 bit more opportunity, and there is -- You know, with the extra  
32 comment and commentary that's provided, one might look more  
33 towards the 40 percent, but there were two motion that came from  
34 the SSC, and so I think we owe it to the fishermen to try to  
35 then look at it.

36  
37 If they were -- You know, I think this could be a good exercise  
38 for the SSC members, or a good example at least, that's brought  
39 up those, from time to time, to help them as they make these  
40 motions, because they do have an impact, as it goes down the  
41 line

42  
43 You know, it's essentially the first cut, if you will, for what  
44 the council can do for managing the resources, and so, if they  
45 feel strongly about it, then there should be one motion that  
46 comes to us, you know, about the recommendation. If they have a  
47 strong feeling on the science side of things, there should be  
48 one motion that comes to us, and so I'm not going to change the

1 motion.

2  
3 **CHAIRMAN FRAZER:** Again, I am not going to twist anybody's arm  
4 to change their motion, and I guess -- You know, I am thinking  
5 about this, right, and what I've heard in the dialogue around  
6 the table is, you know, there are certainly things that we have  
7 to consider, and it might be this, but it might be that, and,  
8 you know, that's kind of our tendency, to throw everything and  
9 the kitchen sink, right, and, at the end of the day, we  
10 recognize that we have limited resources, and we have some  
11 pretty directed, pretty good, information, and, I mean, we may  
12 not get everything, right, but, if we don't recognize that we  
13 can't have everything all the time, and we make an informed  
14 decision to run with the best information, moving forward, then  
15 I think we're putting ourselves behind the eight-ball, and we're  
16 causing some of the problems, right, with the backlog, and so  
17 that's my reasoning, moving forward, and so, again, I am not  
18 going to try to get you to change your motion, but, if it  
19 doesn't pass, I will offer a more streamlined one.

20  
21 All right. Is there any further discussion of this motion? All  
22 right. **There is going to be some opposition, and how many**  
23 **people are in favor of the motion; how many are opposed.**

24  
25 **EXECUTIVE DIRECTOR SIMMONS:** It failed two to fifteen.

26  
27 **CHAIRMAN FRAZER:** **The motion fails.** Do you want to offer up a  
28 modification, or do you want me to do it?

29  
30 **MR. ANSON:** Someone else can do it.

31  
32 **CHAIRMAN FRAZER:** All right. Mr. Gill.

33  
34 **MR. GILL:** Thank you, Mr. Chairman.

35  
36 **CHAIRMAN FRAZER:** You're welcome.

37  
38 **MR. GILL:** Is this payback?

39  
40 **CHAIRMAN FRAZER:** We all have a responsibility.

41  
42 **MR. GILL:** What I don't understand, as part of this motion, is  
43 how it interacts with the complex. I think I can craft a motion  
44 relative to scamp and yellowmouth, but I don't understand, or I  
45 am confused by, how we apply that to the complex, and so, if you  
46 want me to do it on two, I can do that, I think.

47  
48 **CHAIRMAN FRAZER:** Yes, two would work.

1  
2 **MR. GILL:** All right, and so the motion would be to direct staff  
3 to provide catch levels for scamp and yellowmouth grouper,  
4 utilizing an MSY proxy of F SPR 40 percent.  
5

6 **CHAIRMAN FRAZER:** Okay, and so we have a motion to direct staff  
7 to provide catch levels for scamp and yellowmouth grouper  
8 utilizing an MSY proxy of F SPR 40 percent. Is there a second  
9 for the motion? It's seconded by Ms. Boggs. Okay. Any further  
10 discussion on the motion?  
11

12 **MR. GILL:** I am happy for folks to make friendlies and modify it  
13 appropriately.  
14

15 **CHAIRMAN FRAZER:** C.J.  
16

17 **DR. SWEETMAN:** I have a question for Dr. Simmons. The component  
18 of this -- Kevin too, but the "consider other management changes  
19 necessary", and I'm wondering if -- What the benefit would be if  
20 we could add that into this motion here, and I'm wondering what  
21 those other management changes were.  
22

23 **CHAIRMAN FRAZER:** I just want to be clear, right, Bob, and so  
24 your intent is to follow this up with a second motion that  
25 addresses that second part? Okay. What is your intent now?  
26 I'm joking. Mr. Anson.  
27

28 **MR. ANSON:** I mean, that's kind of what my question going to be,  
29 Mr. Gill, was, you know, there are some -- If we just look at  
30 the scamp and yellowmouth, there are some potential implications  
31 as to how the other two species in the complex currently are  
32 managed and are not managed going forward, and so that could be  
33 part of the discussion in the document, is to flesh all that out  
34 and make sure that, whatever we make relative -- Decisions that  
35 we make relative to scamp and yellowmouth, that there is at  
36 least a plan going forward as to how to address those other  
37 species, and so that's all I was including the first time.  
38

39 **CHAIRMAN FRAZER:** C.J. and then Bob.  
40

41 **DR. SWEETMAN:** So I might offer a friendly amendment to add that  
42 language, "to direct staff to provide catch levels for scamp and  
43 yellowmouth grouper and consider other management changes  
44 necessary". You would have to add "the shallow-water complex",  
45 too.  
46

47 **CHAIRMAN FRAZER:** All right, and so, Bob, are you good with  
48 those amendments?

1  
2 **MR. GILL:** Yes, but I think I would prefer to put the MSY proxy  
3 portion closer to the catch levels portion, since that's what  
4 it's really referring to, right, and it's just separating out a  
5 modifier.

6  
7 **CHAIRMAN FRAZER:** Did you want to say, "to direct staff to  
8 provide catch levels for scamp and yellowmouth grouper using an  
9 MSY proxy of F SPR 40 percent"?

10  
11 **MR. GILL:** Correct.

12  
13 **CHAIRMAN FRAZER:** So, that section that you just moved, Bernie,  
14 "an MSY proxy of F SPR 40 percent", should come after  
15 "yellowmouth grouper".

16  
17 **MR. GILL:** And delete the "utilizing" after catch levels.

18  
19 **CHAIRMAN FRAZER:** So we've got the motion on the board, and is  
20 the seconder good with the changes? Ms. Boggs. She is. Is  
21 there any further discussion of the motion? I am not seeing  
22 any. **All those in favor of the motion, raise your hand; all**  
23 **those opposed.**

24  
25 **EXECUTIVE DIRECTOR SIMMONS:** Ten to six.

26  
27 **CHAIRMAN FRAZER:** **The motion carries ten to six.** Okay. The  
28 next thing on the agenda is the Reef Fish AP Recommendations  
29 from the last October 2022 meeting, as they relate to  
30 Southeastern U.S. Yellowtail Snapper and then U.S. Coast Guard  
31 Inspection Requirements for Gulf Federal Commercial Reef Fish  
32 Permits. Mr. Rindone.

33  
34 **REEF FISH AP RECOMMENDATIONS FROM OCTOBER 2022 MEETING**  
35 **SOUTHEASTERN U.S. YELLOWTAIL SNAPPER**  
36 **GULF OF MEXICO SCAMP**  
37 **U.S. COAST GUARD INSPECTION REQUIREMENTS FOR GULF FEDERAL**  
38 **COMMERCIAL REEF FISH PERMITS**  
39

40 **MR. RINDONE:** I've got you, Ed. FWC presented a summary of the  
41 recent interim analysis, or interim catch analysis, however you  
42 want to define that, that was done for southeastern U.S.  
43 yellowtail snapper, where they updated the landings and fixed  
44 some biases that were within the model, and they updated the  
45 landings data all the way through 2020, and it showed that the  
46 stock is still not overfished and still not undergoing  
47 overfishing, and so it's healthy, and this will allow the  
48 councils to be able to use the catch limit recommendations

1 therein for moving forward with Snapper Grouper Amendment 44 and  
2 Reef Fish Amendment 55, which will look at updating those catch  
3 limits for southeastern U.S. yellowtail and the jurisdictional  
4 allocation between the councils.

5  
6 There will be a couple of other actions within that document  
7 also that will address specific sector allocation issues for the  
8 South Atlantic Council, and we do not currently have sector  
9 allocations in the Gulf.

10  
11 The AP maintained its previous recommendation to the council,  
12 which was that it was happy with the way the yellowtail snapper  
13 is currently managed, under a stock ACL, and it hasn't had any  
14 seasonal closures, due to the ACL being met, and they would like  
15 to see that continue.

16  
17 The next thing was the issue about the Coast Guard permit, or  
18 the Coast Guard inspection. One of the AP members discussed an  
19 issue of a disparity between a Coast Guard inspection that was  
20 valid for five years and the commensurate sticker that was only  
21 valid for two, and, thankfully, our Coast Guard rep, Lisa, was  
22 on there, and she talked about an -- She talked about a  
23 certificate of compliance is being developed by the Coast Guard  
24 to replace the sticker, and that will be valid for five years,  
25 which will resolve the difference between the validity of the  
26 inspection versus the sticker, and so that will ultimately  
27 resolve this concern from the AP, and so there was no motion  
28 there.

29  
30 Then there was a last item that the AP made a motion on about  
31 establishing a fixed opening date for the federal for-hire red  
32 snapper season, and the AP discussed the benefits of knowing, by  
33 a certain date, that the federal for-hire season was going to be  
34 reopened, and so they made this recommendation that NMFS monitor  
35 the federal for-hire fishing quota for red snapper such that the  
36 fishing season would reopen on November 1 of each year, using  
37 any remaining quota determined to be available at the end of the  
38 initial projected fishing season, which starts on June 1, and  
39 this motion carried unanimously. Then that's it from the Reef  
40 Fish AP.

41  
42 **CHAIRMAN FRAZER:** All right. Thank you, Mr. Rindone. Any  
43 questions with regard to any of the Reef Fish AP discussion?  
44 Mr. Strelcheck.

45  
46 **MR. STRELCHECK:** Just a comment with regard to that last motion  
47 regarding the red snapper season. I certainly appreciate the  
48 industry's desire to have a kind of fixed date for reopening.

1 The concern I have is that we typically don't get the landings  
2 data for Wave 4, which would cover the July to August timeframe,  
3 until the middle of October, which leaves a very short window,  
4 once we process the data, to announce the season and get it  
5 published for reopening, and I know, when we reopened, I believe  
6 it was last year, there was some concerns about not giving the  
7 industry sufficient time to notify them of that reopening, and  
8 so I think this deserves more discussion.

9  
10 We may encounter this more often, going forward, and we would  
11 like to, obviously, come up with some solutions that would for  
12 industry, but also giving the desirable amount of time to plan  
13 for trips that would occur for red snapper.

14  
15 **CHAIRMAN FRAZER:** Thanks, Andy. Mr. Rindone.

16  
17 **MR. RINDONE:** Thank you, Mr. Chair, and the AP talked about that  
18 specifically, Andy, about trying to set this date at such a time  
19 that would occur after when those preliminary landings were  
20 expected to be available, and so I think, if the committee were  
21 to recommend anything to the council, it would certainly be to,  
22 you know, have some options and discussions with SERO about when  
23 an appropriate date might be, to ensure that that data -- That  
24 those data are available, and they had said that, if they know  
25 that that fixed date exists, then they can be anticipating it,  
26 and, once they get the -- Once you guys get the landings in, and  
27 you make that announcement, they seem to think that they can  
28 react pretty quickly, with being able to capitalize on any extra  
29 days.

30  
31 **CHAIRMAN FRAZER:** Okay. Thanks, again, Ryan, for that, and so,  
32 if there's not any other discussion related to the AP report, we  
33 are down to our last agenda item, Other Business, and, unless  
34 there is any other business to come before this committee, Mr.  
35 Chair, I will send it back to you.

36  
37 (Whereupon, the meeting adjourned on October 25, 2022.)

38  
39

- - -