

## GULF OF MEXICO FISHERY MANAGEMENT COUNCIL

## SUSTAINABLE FISHERIES COMMITTEE

The Lodge at Gulf State Park

Gulf Shores, Alabama

April 6, 2022

**VOTING MEMBERS**

Greg Stunz.....Texas  
 Kevin Anson (designee for Scott Bannon).....Alabama  
 Susan Boggs.....Alabama  
 Leann Bosarge.....Mississippi  
 Billy Broussard.....Louisiana  
 Tom Frazer.....Florida  
 Jessica McCawley.....Florida  
 Chris Schieble (designee for Patrick Banks).....Louisiana  
 Bob Shipp.....Alabama  
 Joe Spraggins.....Mississippi  
 Andy Strelcheck.....NMFS  
 Troy Williamson.....Texas

**NON-VOTING MEMBERS**

Dale Diaz.....Mississippi  
 Dave Donaldson.....GSMFC  
 Jonathan Dugas.....Louisiana  
 Phil Dyskow.....Florida  
 Dakus Geeslin (designee for Robin Riechers).....Texas  
 Bob Gill.....Florida

**STAFF**

Assane Diagne.....Economist  
 Matt Freeman.....Economist  
 John Froeschke.....Deputy Director  
 Beth Hager.....Administrative Officer  
 Karen Hoak.....Administrative & Financial Assistant  
 Lisa Hollensead.....Fishery Biologist  
 Ava Lasseter.....Anthropologist  
 Mary Levy.....NOAA General Counsel  
 Ryan Rindone.....Lead Fishery Biologist/SEDAR Liaison  
 Bernadine Roy.....Office Manager  
 Carrie Simmons.....Executive Director  
 Carly Somerset.....Fisheries Outreach Specialist

**OTHER PARTICIPANTS**

Peter Hood.....NMFS  
 Jessica Stephen.....NMFS  
 Laurilee Thompson.....SAFMC  
 John Walter.....SEFSC

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1 The Sustainable Fisheries Committee of the Gulf of Mexico  
2 Fishery Management Council convened at The Lodge at Gulf State  
3 Park on Wednesday morning, April 6, 2022, and was called to  
4 order by Chairman Greg Stunz.

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

10 **CHAIRMAN GREG STUNZ:** We'll call to order the Sustainable  
11 Fisheries Committee, and you can find the materials for this  
12 committee on Tab E, and so our committee members for this  
13 committee are Dr. Shipp as Vice Chair, Mr. Schieble, Mr. Anson,  
14 Ms. Boggs, Ms. Bosarge, Mr. Broussard, Dr. Frazer, Ms. McCawley,  
15 General Spraggins, Mr. Strelcheck or Mr. Hood, and Mr.  
16 Williamson. Andy and Phil, I know you all are out on the phone,  
17 and sometimes it's hard for us to see the hands up, and so feel  
18 free just to jump in if you're not being recognized in a timely  
19 manner.

20  
21 We'll have a relatively short, but important, agenda today.  
22 Just as sort of a preview, we've got a final action that we need  
23 to deal with for the historical captains, and then we'll review  
24 some of these allocation guidelines that we've been talking  
25 about for some time, but we'll get there in just a minute, but,  
26 before we begin, obviously, the first thing we need to do is the  
27 Adoption of the Agenda, and so are there any modifications that  
28 need to be done to the agenda?

29  
30 Looking around and seeing none, could someone please make a  
31 motion regarding approval? All right. We have a motion and a  
32 second. Seeing no opposition to that motion, we'll consider the  
33 agenda adopted.

34  
35 Our next item of business is the Adoption of the Minutes. Are  
36 there any modifications that we need to do to the minutes?  
37 Seeing none, we would need a motion for the minute approval.

38  
39 **GENERAL JOE SPRAGGINS:** So moved.

40  
41 **MR. KEVIN ANSON:** Second.

42  
43 **CHAIRMAN STUNZ:** It's moved and seconded. Any opposition?  
44 Seeing none, the minutes are approved. Dr. Diagne, since we  
45 only have two items, I guess you probably can just go ahead and  
46 review our Action Guide and make sure we're on track for what we  
47 need to accomplish here, and are you available to take us  
48 through that, please?

1  
2 **DR. ASSANE DIAGNE:** Yes, Dr. Stunz. Good morning. We have a  
3 very short agenda for the Sustainable Fisheries Committee today.  
4 First, we have a final action to deal with the historical  
5 captains permits conversion into standard for-hire permits. We  
6 would present an abbreviated framework that would provide an  
7 opportunity to replace remaining historical captain permits with  
8 standard for-hire permits. We have a very small number of  
9 permits now, but we'll get into that.

10  
11 The committee is expected to review the information that we  
12 present and discuss it, and, if deemed appropriate, recommend  
13 that the council take final action on the abbreviated framework  
14 action, and that is the first item. Dr. Stunz, would you like  
15 me to review both items now? That's what you -- Is that what I  
16 understand?

17  
18 **CHAIRMAN STUNZ:** Yes. If you want to go ahead. That way, I  
19 think we can just kind of -- That would be fine.

20  
21 **DR. DIAGNE:** Thank you, sir. For our second item, we will  
22 present the allocation review guidelines. Essentially, we have  
23 updated those guidelines to account for the revisions and the  
24 comments that we heard during the last council meeting, or at  
25 least two council meetings ago. I will present those, and the  
26 committee is expected to review the information and give us  
27 feedback, and, if warranted, the committee would recommend that  
28 the council approve the guideline for publication on the website  
29 and essentially have these as our allocation review guidelines.  
30 Thank you.

31  
32 **CHAIRMAN STUNZ:** Okay. Thank you for that summary, Dr. Diagne.  
33 That will bring us to that Item IV, the final action, the  
34 framework action, for the historical captain permit conversion.  
35 We'll have a presentation here in just a minute from Dr. Diagne,  
36 and the document, of course, is provided for your information,  
37 as well as the codified text at those particular tabs, and so,  
38 Dr. Diagne, if you're ready, and I assume you're the one that is  
39 making the presentation regarding this.

40  
41 **FINAL ACTION: FRAMEWORK ACTION: HISTORICAL CAPTAIN PERMITS**  
42 **CONVERSION**  
43

44 **DR. DIAGNE:** Yes, Dr. Stunz. We have prepared a short  
45 presentation to go over this abbreviated framework action, and,  
46 as indicated, it will allow the conversion of historical captain  
47 permits into standard federal charter/headboat permits, or just  
48 standard permits, if you would.

1  
2 A little bit of background, and, as you recall, the council had  
3 approved a previous action, and that action allowed for the  
4 replacement of valid or renewable historical captain, CMP and  
5 reef fish, permits with standard for-hire permits. That action  
6 also allowed the owners, or folks that still had outstanding  
7 letters of eligibility for historical captain permits, to redeem  
8 those letters and get a historical captain permit, but that  
9 redemption had to be done before the final rule became  
10 effective, and that date was May 21 of 2020. The council also,  
11 at the time, indicated that the newly-issued historical captain  
12 permits would not be eligible for the replacement.

13  
14 To date, all eligible historical captain permits were converted  
15 into standard permits, and, essentially, that is for thirty-one  
16 CMP permits and thirty reef fish permits. In terms of the  
17 letters of eligibility, three entities redeemed those letters of  
18 eligibility, and that resulted in three new historical captain  
19 CMP permits and three new reef fish permits.

20  
21 This action that we are discussing today provides an opportunity  
22 to replace those six permits that I just mentioned -- To replace  
23 those with standard for-hire permits, and, consistent with the  
24 previous action approved by the council, each newly-issued  
25 permit, standard permit, would have the same permit capacity as  
26 the historical captain permit it would replace, and, second,  
27 historical captains will have two years from the implementation  
28 date of this action to replace their permits with the standard  
29 permit.

30  
31 Now, if we look at the number of permits that we have in the  
32 Gulf, we have about 1,300 CMP and 1,300 reef fish for-hire  
33 permits, and so this action would result in a minute change to  
34 the number of for-hire permits in the Gulf, and, perhaps more  
35 importantly, should the three entities decide to convert their  
36 permits, this will allow us to eliminate one class of permits,  
37 because there won't be any outstanding historical captain  
38 permits in the Gulf. Thank you. I will stop here and try to  
39 answer questions, if you have any.

40  
41 **CHAIRMAN STUNZ:** Well, thank you, Dr. Diagne. I will open that  
42 up to the committee for questions. While we're waiting, just to  
43 refresh everyone, and some of you newer committee members, we  
44 have been talking about this for a long time, with kind of these  
45 awkward permits that were sitting out there, and the idea was to  
46 convert it back and so to streamline the process, obviously.

47  
48 I mean, I don't want to assume anything around this table, of

1 course, but, in the past, there wasn't a lot of opposition to  
2 this, and, in fact, there was support to get it done, from  
3 public testimony as well as staff and around the table and  
4 others, but hopefully that hasn't changed. If it has, certainly  
5 we would want to discuss that.

6  
7 I am a little surprised that there was only three in each  
8 category, and I suspected more than that, but we had to give  
9 them time to get through that paperwork and the need for  
10 conversion, but here we are. At this point, if there is any  
11 questions or comments we have before taking this to final  
12 action, now is the time. Dr. Diagne, this is a pretty quiet  
13 group, for a change. I'm not seeing any hands, and I don't know  
14 if Andy or Phil out there.

15  
16 During the presentation, by the way, we don't see the hands list  
17 always, and so I don't know if you all have any comments or  
18 questions, but -- Kevin.

19  
20 **MR. KEVIN ANSON:** Just to the number that's provided in this  
21 presentation, it differs from the number that was in the SEFHIER  
22 presentation, and I'm just -- I was trying to go back and look  
23 to see if there was a difference between the two groups, as to  
24 why that was, but I don't know, Dr. Diagne, if you have any --  
25 If you're familiar with the other presentation, and it looks  
26 like 1,328 Gulf for-hire federally-permitted vessels.

27  
28 **CHAIRMAN STUNZ:** Yes, Kevin, that's a good point, and, also,  
29 there were two versions of the presentation we just heard before  
30 in the Data Collection Committee that had different numbers for  
31 these too, and so that's a great point, Kevin, and obviously,  
32 maybe at the next meeting, if we can't resolve it here, and we  
33 want to make sure we're at the bottom of what's really out  
34 there, because there is several different numbers floating  
35 around right now.

36  
37 **DR. DIAGNE:** If I just may, the number of permits is depending  
38 on essentially the day, or the date, that that number was  
39 provided, and then the numbers would fluctuate, and so that is  
40 expected, and so, essentially, the numbers that I have here were  
41 provided by the Permits Office, by Mr. McIntosh, on March 8, and  
42 so depending on the dates on the presentation that was given  
43 earlier, and so it is expected that the numbers may be slightly  
44 different.

45  
46 **CHAIRMAN STUNZ:** Okay. Thank you, Dr. Diagne. I think Mr.  
47 Anson has a follow-up, and I also see that Jessica, Dr.  
48 Stephen's, hand is up, and maybe she has some clarity. Mr.

1 Anson is recommending that we hear from you, Jessica, if you  
2 have a comment to that.

3  
4 **DR. JESSICA STEPHEN:** The difference too is when we're counting  
5 permits if we're counting vessels. Keep in mind that a number  
6 of these vessels have both the CMP and the reef fish, but not  
7 all of them do, and so sometimes we will see a difference in  
8 that number, depending on how we're calculating that, as well as  
9 to the point in time that you're looking at.

10  
11 **CHAIRMAN STUNZ:** Okay. Thank you. Mr. Anson.

12  
13 **MR. ANSON:** Dr. Stephen, part of that point-in-time issue is  
14 that a permit might expire, but there is a window whereby the  
15 person can still provide some paperwork, and so it can be re-  
16 issued, and that's why some may fall off but then come back on,  
17 so to speak?

18  
19 **DR. STEPHEN:** Yes, that's correct, and so there's also the  
20 difference if you're looking at the valid permits that can  
21 currently fish, or what we call the valid and renewable, those  
22 that are in expired status, but they have within that year  
23 timeframe to renew and then be fishing again.

24  
25 **CHAIRMAN STUNZ:** All right. I am not seeing any hands up on the  
26 screen, and I am not seeing anyone else around the room that  
27 wants to weigh-in on this, and so, at this point, and, Mr.  
28 Chairman, you can correct me, but I think we probably need a  
29 motion to move this forward, if that's correct. I also don't  
30 remember if we do the roll -- Is there a procedure of the roll  
31 call vote at --

32  
33 **MR. DALE DIAZ:** At Full Council.

34  
35 **CHAIRMAN STUNZ:** All right. Thank you. Dr. Frazer.

36  
37 **DR. TOM FRAZER:** Thank you, Dr. Stunz. **I was going to make a**  
38 **motion to recommend that the committee recommends that the**  
39 **council take final action on the abbreviated framework action.**

40  
41 **CHAIRMAN STUNZ:** Thank you, Dr. Frazer. Do we have a second for  
42 that motion? Ms. Bosarge seconds that. Any discussion on the  
43 motion? I will wait a minute, to let everyone have a chance to  
44 read that. Tom, so this is a final action, and do you mind  
45 reading that motion, please?

46  
47 **DR. FRAZER:** No problem. **The motion is to recommend that the**  
48 **council approve Framework Action: Historical Captain Permits**

1 Conversion and that it be forwarded to the Secretary of Commerce  
2 for review and implementation and deem the codified text as  
3 necessary and appropriate, giving staff editorial license to  
4 make the necessary changes in the document. The Council Chair  
5 is given the authority to deem any changes to the codified text  
6 as necessary and appropriate.

7  
8 **CHAIRMAN STUNZ:** Thank you, Tom. Mara Levy, you had your hand  
9 up?

10  
11 **MS. MARA LEVY:** Well, just to note that the codified text is in  
12 your briefing book at Tab E-4(c), and it's very similar to the  
13 prior codified text when you did this before, but it doesn't  
14 have an eligibility date, because there's only six potential  
15 permits, and it does allow twenty-five months after the date of  
16 publication to actually submit the application to do this, like  
17 you did before, and it also makes clear that the permit will  
18 retain the same maximum passenger capacity, and so that won't  
19 change, and it will just be sort of replacing it.

20  
21 **CHAIRMAN STUNZ:** Okay. Good. I think that helps too, to make  
22 us feel good that everyone will have plenty of opportunity, at  
23 this point, to resolve this matter. Mr. Anson.

24  
25 **MR. ANSON:** I think this was also asked the last time we dealt  
26 with this issue, but I just want to ask it again, and that's, if  
27 this were to be action to go final, as approved by the agency,  
28 letters, or some sort of communication, would go to those six  
29 individuals that this is -- Or it would automatically happen,  
30 once they renew the next time, that they will get the next  
31 permit status, the upgrade?

32  
33 **CHAIRMAN STUNZ:** I would assume so, Kevin, and I'm not sure, and  
34 is that answer from Mara or Andy, perhaps?

35  
36 **MS. LEVY:** I don't think it's automatic, right, and so it's  
37 voluntary, and so they will get a renewal application, and they  
38 will have to indicate that they want to do the -- Change the  
39 permit, right, and so it's not an automatic thing. I'm sure the  
40 Fisheries Service will send out some sort of notice, and it will  
41 come with their renewal, I believe, but I will let NMFS speak to  
42 that, and I don't know their back process, but I just wanted to  
43 make clear that it's not automatic.

44  
45 **MR. ANDY STRELCHECK:** I think that's correct, Mara, and  
46 certainly, when we publish the rulemaking, we would do a Fishery  
47 Bulletin and announce this, but I would work with my Permits  
48 Branch Chief, Kevin McIntosh, to also communicate out on this

1 change, so that people are aware of the change and know what  
2 steps would need to be taken to convert over permits.

3  
4 **CHAIRMAN STUNZ:** Okay. Thank you, Andy. I am not seeing anyone  
5 else. **If there's nothing else, we'll go ahead and take a vote**  
6 **on this, and we'll do the roll call vote at Full Council, is**  
7 **what staff is telling me, and so, looking around, is there any**  
8 **opposition to this motion?**

9  
10 **MS. SUSAN BOGGS:** Mr. Chair, I abstain.

11  
12 **CHAIRMAN STUNZ:** Okay. Ms. Boggs is abstaining. **Other than**  
13 **that, I am seeing no opposition, and we'll consider this motion**  
14 **approved with one abstention.**

15  
16 All right. Thank you, everyone. With that, moving on to our  
17 next agenda item, the Allocation Review Guidelines, Dr. Diagne,  
18 I believe you've got a presentation for that as well, to update  
19 us on the status of that guideline.

#### 20 21 **ALLOCATION REVIEW GUIDELINES**

22  
23 **DR. DIAGNE:** Thank you. For this agenda item, we would like to  
24 discuss the allocation review guidelines. A little bit of  
25 background, as you recall, the council established its  
26 allocation review triggers, as directed by NMFS' allocation  
27 review policy, and the council also published the expected  
28 starting dates for the initial reviews.

29  
30 The council also noted that it could initiate allocation  
31 reviews, as needed, at any time. These guidelines that we are  
32 going to discuss detail the process that the council would  
33 follow to conduct its reviews, and just to note here that,  
34 should the council decide to develop an FMP amendment at some  
35 moment in time, it can do that, and that would imply that,  
36 essentially, a formal allocation review would be skipped, and,  
37 in those cases, these guidelines would not be relevant,  
38 essentially, and they would not apply. For example, I mean, we  
39 did look at a change in allocation for red grouper, and,  
40 essentially, we went directly to the development of an action.

41  
42 In today's discussion, I will cover the contents of the  
43 guidelines, and we will start with the terms of reference and  
44 end with resetting the clock for the allocation review, and, in  
45 today's discussion, I would like to emphasize the allocation  
46 review criteria, because that is the area that essentially  
47 brought most of the comments and suggestions the last time we  
48 had these discussions with the council.

1  
2 For the terms of reference, they could be developed by the  
3 Science Center or by the council staff, in conjunction with the  
4 Science Center and SERO. It is expected that our SSCs will  
5 review draft terms of reference and provide recommendations, and  
6 those recommendations, along with the terms of reference, would  
7 be reviewed by the council, and these guidelines indicate that a  
8 council motion is required, or will be required, to formally  
9 approve the terms of reference.

10  
11 The membership of the review panel, as we discussed previously,  
12 it could be done either by our planning teams, the IPTs, which  
13 typically would include SERO, the Science Center, and council  
14 staff, or the reviews could be conducted by SSC members, with  
15 support from NMFS and council staff, and these SSC members would  
16 be selected by the council, or the council may elect to choose  
17 independent experts to conduct specific allocation reviews or  
18 any combinations of these alternatives that we just listed.

19  
20 One point here is that, during the selection of the members of  
21 an allocation review panel, special attention needs to be placed  
22 on potential conflicts of interest, when it comes to the people  
23 that would be appointed to serve on these panels.

24  
25 These guidelines also call for the publication of a Federal  
26 Register notice prior to the initiation of each allocation  
27 review, and the notice would include the species and allocation  
28 to be reviewed, the membership of the review panel, the starting  
29 date of the review, as well as anticipated locations and dates  
30 of review panel meetings, if applicable, and a note here is that  
31 our planning teams, meaning IPTs, are exempt from meeting notice  
32 requirements, and so, should an allocation review be conducted  
33 by an IPT-type group, then a notice would not be required, would  
34 not be necessary.

35  
36 In terms of the allocation review criteria, we have a list here,  
37 and the criteria are in the document, obviously, and the first  
38 one is FMP objectives, and this is specifically stated in NMFS'  
39 allocation review policy, meaning that each allocation review  
40 would have to look at the FMP objectives and determine whether  
41 or not the allocation under review is consistent with the FMP  
42 objectives.

43  
44 The criteria for review would also include looking at the  
45 regulatory structure, and, by that, we mean looking at the  
46 current management measures and, if relevant, looking at the  
47 changes over time. For example, one could look at how bag  
48 limits have changed over time, and, for this item, we could

1 gather a lot of the information from the history of management  
2 that we typically include in our regulatory actions.

3  
4 Another criterion to be looked at has to do with the status of  
5 the stock, or stocks, under review, and this item, essentially,  
6 would discuss the findings of the latest stock assessment.

7  
8 Next, the ABC, ACL, and ACTs will be looked at, and for the  
9 different user groups, or sectors that are concerned by the  
10 allocation, and, if warranted, a discussion relative to the  
11 change in the units of measurement would also be included under  
12 this item. For example, the changes that we are seeing, and  
13 continue to see, in the recreational sector from CHTS to FES.

14  
15 Another criterion would be looking at accountability measures,  
16 and this, obviously, would include seasonal closures and quota  
17 paybacks and, as warranted, include a comparison across user  
18 groups. Landings histories would have to be looked at, and  
19 landings histories by user group, or by sector, or within  
20 sector, if applicable, and, again, here, the changes in the  
21 units of measurement may be relevant, for example for the  
22 recreational sector, as we just mentioned.

23  
24 In landings history, it may be also needed to look at aggregate  
25 landings. For example, when we are looking at a particular reef  
26 fish species, aggregate reef fish landings may be relevant and  
27 may add some information to this discussion.

28  
29 The utilization rate, the ACL or quota utilization rate, would  
30 have to also be considered, and this would essentially tell us,  
31 or tell the council, whether or not a particular user group, or  
32 sector, is fully utilizing its allocation, and trends would also  
33 have to be evaluated, looking at utilization rates.

34  
35 Allocation reviews would also consider participation and effort  
36 measures, and so this item would provide available data, in  
37 terms of the numbers of participants, and that could be measured  
38 in different ways, including permits, licenses, vessels, and  
39 anglers, where available. Effort measures, such as number of  
40 trips, would also be included under this item.

41  
42 The next criterion listed here would deal with discards and  
43 discard mortality rates, and, here, the comparisons between user  
44 groups, or sectors, would also add to the discussion. Next, the  
45 review could look at protected species bycatch, numbers, and  
46 rates, and, finally, on this slide, habitat impacts would also  
47 be considered and discussed, and, under this item, relevant  
48 environmental events would be considered. For example, spatial

1 considerations in allocation between Gulf states, when we have  
2 red tide events, or oil spills, or other let's say disasters,  
3 would be considered.

4  
5 In terms of economic factors that could be considered during an  
6 allocation review, we have listed several here, and they would  
7 essentially include measures of commercial surplus across the  
8 sectors, measures of producer surplus, allocation transfer  
9 prices, and this would be applicable for our IFQ programs, and,  
10 finally, economic impacts by sector, and these are the elements  
11 that would be considered, or could be considered, based on data  
12 availability.

13  
14 In terms of the social factors, some of the criteria here would  
15 include demographic information, regional and local quotients,  
16 community engagement and reliance indicators, and, finally,  
17 social vulnerability indices.

18  
19 In terms of the review stages, an allocation review would be  
20 conducted in three stages, and the first stage would essentially  
21 be the data collection stage, and the second would be the core  
22 of the review, and I guess then there's a typo there on the  
23 slide, and the third one would be the report itself, and, at the  
24 third stage, a preliminary, or a draft, report would be  
25 prepared.

26  
27 That draft report will be reviewed by our relevant APs. For  
28 example, the Reef Fish AP would review and make recommendations,  
29 and our SSCs, the Standing as well as Socioeconomic and relevant  
30 SSCs, and let's say for example Reef Fish, would review the  
31 draft report. In addition to that, stakeholders would have an  
32 opportunity to provide comments during public testimony, as well  
33 as submit comments electronically through our website. The  
34 SSCs' and APs' reviews and recommendations, as well as a summary  
35 of public comments received, will be presented to the council  
36 along with the draft report.

37  
38 Then, with that information, the council would decide, if you  
39 would. The review panel would present a draft report to the  
40 council, and, at that time, the council may request revisions or  
41 additions to the report. An SSC representative would present  
42 the SSC's review and recommendations, and, with input from the  
43 AP chair typically, the council staff will summarize the AP  
44 recommendations, and we will also provide a summary of public  
45 comments received.

46  
47 Following its consideration of this information, the council  
48 would then formally approve the report, if it meets essentially

1 the comments that the council initially provided, in terms of  
2 revisions and so forth, and then the council can formally  
3 approve the report and decide on the next course of action, and  
4 this can be in one of two ways.

5  
6 The council could either direct staff to start an amendment to  
7 the relevant FMP to consider alternative reallocations or the  
8 council can decide to conclude the review without considering  
9 revising the allocation, and, essentially, it can decide that,  
10 based on the review, an amendment is not warranted at that time.

11  
12 There is a final slide here that would look at resetting the  
13 review clock, and, depending on the council's decision, the  
14 review clock would be reset at the end of the review, and that  
15 would be if the council decides that an FMP amendment is not  
16 warranted to revise allocations, but, if the council initiates  
17 an FMP amendment, then the clock would reset at the  
18 implementation date of the amendment.

19  
20 I believe this is the last slide, or actually no. The next  
21 slide just is a reminder, to show our timeline, when it comes to  
22 the starting dates for the initial allocation review, and that  
23 would be it. Thank you, and I will try to answer questions, if  
24 you have any.

25  
26 **CHAIRMAN STUNZ:** I will open it up now for discussion, but, just  
27 while we're waiting to raise your hands, if we like this,  
28 obviously, a motion to move this forward would be necessary, or  
29 maybe not, depending on where the discussion goes, and, Assane,  
30 this might also set the stage for some of our discussion.

31  
32 In my mind, I sort of consider this -- This is a guideline sort  
33 of policy document, that I guess could be really changed at any  
34 time, at the council's will, if we get to review these and  
35 decide there's something needing modification to these  
36 guidelines, is that correct? So that is not a set-in-stone kind  
37 of document?

38  
39 **DR. DIAGNE:** Yes, Dr. Stunz. Absolutely, and, as drafted, the  
40 guidelines are fairly flexible to accommodate the regulatory  
41 environment that we have here in the Gulf, but, yes, in the  
42 future, if changes are needed, absolutely, the council can do  
43 that.

44  
45 **CHAIRMAN STUNZ:** Okay. Thank you, Dr. Diagne. With that, does  
46 the committee have any comments, questions, or suggestions  
47 regarding this policy document? Mr. Williamson.

1 **MR. TROY WILLIAMSON:** Mine is more of a clarification. On Slide  
2 10, under social factors, Dr. Diagne, can you -- Demographics is  
3 -- I think we all understand that, but can you give us some  
4 examples of the other three criteria? I'm not sure that I  
5 understand what they are. Thank you.

6  
7 **DR. DIAGNE:** Yes, and some of these are, I guess, human  
8 dimension data collected, and, I mean, regional and local  
9 quotient, engagement and reliance, and social vulnerability  
10 indices, to make sure I don't make a mistake, I would -- If Dr.  
11 Lasseter is in the room, I would ask her if she could speak to  
12 that, and she would be better.

13  
14 **CHAIRMAN STUNZ:** Ava, go ahead.

15  
16 **DR. AVA LASSETER:** Thank you. Okay. There is further  
17 information about each of these on page 6 of the document, the  
18 allocation review guidelines document, and so, briefly, your  
19 community, your regional and local quotient, are looking at the  
20 importance, the relative importance, of a particular stock,  
21 using landings, to a community and looking at the importance for  
22 harvest of that stock amongst all communities in a region. We  
23 only have those data for the commercial sector.

24  
25 The engagement and reliance are also measures of fishing  
26 activity, specific to a particular stock, and we have that for  
27 the commercial sector. For recreational, we could talk about  
28 that, in terms of fishing in general, and then the community and  
29 social vulnerability indicators are also not specific to  
30 fishing, and it uses census data and looks at measures of  
31 vulnerability more broadly in coastal communities and counties.

32  
33 **CHAIRMAN STUNZ:** Okay. Thank you, Ava. Is there other  
34 questions or comments regarding this document? Dr. Frazer.

35  
36 **DR. FRAZER:** I appreciate Dr. Diagne for walking us through the  
37 presentation, and I just am trying to think about Greg's  
38 comments and whether or not this is kind of a policy document or  
39 not, right, and, when I think about it, it seems to be largely  
40 procedural, right, because, although all of these things need to  
41 be considered, that the panel might consider the economics and  
42 other factors, I don't see any guiding principles in the  
43 document that would allow them to kind of weigh those various  
44 factors, and that's the problem, right, and so, at some point, I  
45 think we have to craft some principles that allow us to make  
46 decisions about what we value, right, and so that's one quick  
47 comment.

1 The other one has to do with the way that the panel might work,  
2 and so, if they make recommendations, I'm going to assume that  
3 they're making recommendations that will lend themselves to a  
4 suite of alternatives that then the council would weigh-in on,  
5 and I just want to make sure that that's correct, and so I will  
6 stop for a minute.

7  
8 **CHAIRMAN STUNZ:** Well, Dr. Frazer, we have the final say,  
9 obviously, at the council level, but are you recommending that  
10 some of those are in this document before we move it forward, or  
11 that's something that would occur down the line?

12  
13 **DR. FRAZER:** Well, I think it would be helpful, and it's just a  
14 suggestion, right, and it's in everybody's best interest if the  
15 document procedures could be guided by a set of principles,  
16 right, that are helping to then inform the recommendations.

17  
18 I think in the absence of that, right, I think what happens is  
19 you're forced to reflect on a set of existing data, right, and,  
20 by default, you will try to put everything in economics terms,  
21 and so it becomes difficult to capture some of the more  
22 subjective things that you might want to be thinking about,  
23 right, and it also makes it very reactive, right, and it doesn't  
24 allow you to think about where you want those fisheries to go  
25 and where they might be headed. I don't know what those guiding  
26 principles look like, but I think it would be a good idea to try  
27 to craft some.

28  
29 **CHAIRMAN STUNZ:** Okay. Thank you, Dr. Frazer. Andy, go ahead.

30  
31 **MR. STRELCHECK:** I just wanted to follow-up on Tom's comments.  
32 I really appreciate those comments. In the South Atlantic, they  
33 have developed the allocation decision tool, but, much like  
34 Tom's comments there, the challenge before them is that it  
35 produces a variety of just kind of different statements and  
36 outcomes that the council could consider, but it doesn't weight,  
37 obviously, those to determine whether or not an allocation  
38 should move in one direction versus another.

39  
40 I think the key to all of this, and one of the things that we,  
41 as a council, need to get better at is clearly looking through  
42 the FMP objectives and evaluating those consistent, obviously,  
43 with any allocation decisions, and, obviously, that is a part of  
44 these review guidelines that I think could help shape and inform  
45 the principles that Tom is also talking about, as we consider  
46 allocation decisions going forward. Thanks.

47  
48 **CHAIRMAN STUNZ:** Okay. Thank you, Andy. Assane, go ahead.

1  
2 **DR. DIAGNE:** Thank you. To Dr. Frazer's point, let's say we  
3 also have an allocation policy, which essentially lists some of  
4 the principles, as well as some of the possible methods for  
5 allocation, if you would, but the review guidelines are not  
6 meant to essentially put forward what it is that you value, as a  
7 council, and, essentially, to the extent that the council could  
8 articulate, when it comes to allocations, what it is that they  
9 value, then that would be perhaps included in the allocation  
10 policy, but I suspect that, depending on the species, depending  
11 on the user groups, or the different segments that the  
12 allocation would concern, then what is valued may change, and  
13 that is also, I guess, something that changes depending on the  
14 makeup of the council as we move forward.

15  
16 The allocation review guidelines is essentially laying out, as  
17 Dr. Frazer mentioned, the procedures, and with an emphasis on  
18 the criteria that need to be looked at, which are mentioned in  
19 NMFS' allocation policy, but, at the end of the day, at the end  
20 of an allocation review, it is for the council to make the final  
21 determination. Do we have enough information, or enough grounds  
22 here, to proceed, or do we, at this moment, decide to wait until  
23 the next allocation review? Thank you.

24  
25 **CHAIRMAN STUNZ:** Okay. Thank you, Assane, and so, to be clear,  
26 and maybe a comment, or a question, and so this guideline  
27 document -- The principles you were referring to in the other  
28 policy document, is that something we could incorporate into  
29 this, or maybe give Dr. Frazer some guidance, since he brought  
30 that up, to move forward, and is that something that would be  
31 appropriate?

32  
33 **DR. DIAGNE:** Yes, Dr. Stunz. I mean, the allocation policy is  
34 available on our website, and it has been since the council  
35 adopted the policy, and it's been several years, and maybe it's  
36 time to take a second look, perhaps, and refresh those, but  
37 that's at the council's, I guess, discretion, but, for these  
38 guidelines, they would stand alone, and, essentially, we would  
39 use them as a roadmap, if you would, to conduct the allocation  
40 review.

41  
42 **CHAIRMAN STUNZ:** Okay. Thank you, Assane, and, just to be  
43 clear, this document is something that doesn't -- It lives on  
44 the council website, for the public-facing information, but it's  
45 at the council level, and is that correct?

46  
47 **DR. DIAGNE:** Yes, and it's at the council level, yes.  
48

1 **CHAIRMAN STUNZ:** Okay. I am wondering -- Is your suggestion to  
2 take some of those principles that we developed, and it's a  
3 policy document, and maybe reincorporate them here in some way,  
4 or I'm not -- I am trying to figure out what the best way is to  
5 proceed.

6  
7 **DR. DIAGNE:** Yes, and maybe I was not clear, and I apologize.  
8 No, and my suggestion is, to the extent that -- If you have  
9 revisions that you would want to suggest, if you would send us  
10 those now, and we can discuss those. If not, you could  
11 recommend that the council approve these guidelines, and then we  
12 would use them to conduct our allocation review.

13  
14 It is possible that, after the first review, the council decides  
15 to amend these guidelines and then, in addition to the -- They  
16 would be forwarded, and we would amend them, but, for the time  
17 being, it seems to me that we have outlined the different steps  
18 and the content when it comes to the criteria that need to be  
19 considered within an allocation review, and so we could get  
20 started with this.

21  
22 **CHAIRMAN STUNZ:** Okay. Thank you. Tom, did you want to comment  
23 on that?

24  
25 **DR. FRAZER:** I don't have any real problems with the procedural  
26 part of this, right, and, I mean, I think we could, you know,  
27 say that we're fine with that and then move forward. In the  
28 absence though of making what I consider is a relatively vague  
29 policy document, at this point, and making it be useful, I don't  
30 think we have that, and so I think this will be really hard for  
31 this group, moving forward, to make recommendations, because  
32 they don't have the specificity that they need, right, to weigh  
33 the different factors.

34  
35 At some point, I would like to see those guiding principles  
36 refined and more clearly articulated, at least as kind of a  
37 complementary companion document to this more procedural  
38 document, right, and so NOAA has a policy document, right, and a  
39 procedural document, and they've been around for several years  
40 now, but, again, they're so vague, right, as to not be super  
41 helpful for any individual council, including this one.

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

44  
45 **EXECUTIVE DIRECTOR CARRIE SIMMONS:** Thank you, Mr. Chair. I  
46 don't know if it would be helpful for us to pull up what the  
47 council currently has on the books regarding the fishery  
48 allocation policy. It is on our website, and Bernie could bring

1 that up. It does have those principles and guidelines I think  
2 that Dr. Frazer is getting at, or driving at, but, like Dr.  
3 Diagne said, I think it probably does need to be updated, and  
4 so, if you would like, we could call that up now.

5  
6 **CHAIRMAN STUNZ:** I think that would be a good idea. We have a  
7 little time, if you want to pull that up, just to refresh  
8 everyone, because I don't recall. While she's doing that, I  
9 kind of see this like the FEPs that we were discussing earlier  
10 in the week, and it may take time to get through these and to  
11 really realize what we really need and develop it as we go,  
12 because the first ones through are going to be the most  
13 difficult, probably, but, while we're waiting on that, Mr.  
14 Anson.

15  
16 **MR. ANSON:** I think I understand what Dr. Frazer is saying, but  
17 I -- It might be by design, I guess, that it is a little vague,  
18 in that, A, there's not much experience, I think as Dr. Stunz  
19 just alluded to, and we don't know what we don't know, in the  
20 sense of, you know, what information, or data, we have available  
21 and the quality of the data, you know temporal scales and such,  
22 and so I guess I would be a little hesitant on trying to really  
23 dial into some sort of principles or things that are more on the  
24 quantitative side of things.

25  
26 I might be reading in too far to what you're describing, but I  
27 just would be a little hesitant at this point, and, as Dr. Stunz  
28 maybe suggested, kind of set up the framework, and Dr. Diagne  
29 says that this is something that at least staff can kind of run  
30 with, if you will.

31  
32 Maybe, to some degree, the TORs will help kind of shape, maybe,  
33 some of at least the information, and we can kind of weed  
34 through some of the data-quality-type issues through TORs, but I  
35 just -- Not having any other examples to go by, just trying to  
36 go and define and kind of cubbyhole some values or some scale or  
37 some metric system, would be difficult.

38  
39 I guess, for the future at least, and maybe not for this  
40 meeting, because we still want to try to get a document, I  
41 think, up on the website, but, as we get closer to going through  
42 our first review, certainly that decision tool that the South  
43 Atlantic has come up with might be something that we look at  
44 sooner than later, to kind of help us get prepared for going  
45 through our first review.

46  
47 **DR. FRAZER:** I mean, I'm fine with all of that, and I just -- I  
48 think we may in fact have to work through this process, right,

1 to expose the types of information that we don't have, or what  
2 the needs are, and so, you know, I don't want to be critical of  
3 what has happened so far, and, in fact, I think I'm encouraged  
4 by it quite a bit, but I just want to make sure that we  
5 ultimately get to a process, right, whether it's some type of a  
6 decision tool that we use, that helps guide our decisions,  
7 moving forward, as opposed to just simply being reactive and  
8 trying to allocate things in the way that it used to be some  
9 time ago or something like that. The world changes, right, and  
10 I think we need to be much more adaptive and forward-thinking in  
11 how we allocate our resources.

12  
13 **CHAIRMAN STUNZ:** Okay. Thank you, Tom. Assane, go ahead.

14  
15 **DR. DIAGNE:** Thank you. Just a couple of points. Perhaps here  
16 I would like to point to the distinction between an allocation  
17 review and an allocation amendment. It seems to me that, in the  
18 conversation at times, we put the two together. The allocation  
19 review is the preliminary step that would allow us, the council,  
20 to decide whether or not they want to proceed with an FMP  
21 amendment.

22  
23 The FMP amendment, in the alternative reallocations under  
24 consideration, would essentially reflect what it is that the  
25 council values when it comes to allocating its resources, and so  
26 it seems to me that a lot of that would have to essentially show  
27 up there at that level.

28  
29 Just to touch on the approach that was taken by the South  
30 Atlantic, meaning having a decision tool, I am pretty sure that,  
31 given their specificities, a tool would work for them, and that  
32 is the approach that they chose, but, for a variety of factors,  
33 and I am going to list some, that is not the best approach for  
34 us as the Gulf.

35  
36 I will start with our regulatory environment being very  
37 different. To I guess my knowledge, and everyone's, in the  
38 South Atlantic, you have one IFQ program with a very limited  
39 number of users, perhaps twelve or so, and we have a significant  
40 component of our fishery managed by IFQs, and the South Atlantic  
41 Council does not have sector separation, meaning allocations  
42 between for-hire and private anglers, and, finally, in the South  
43 Atlantic, they do not have state management, meaning splitting  
44 the red snapper quota for the five states.

45  
46 If you were to think about going the way of a decision tool  
47 here, then you would have to account for all of the different  
48 specifics, and that's one of the reasons why that approach is

1 not practicable for us.

2  
3 A second reason, and Mr. Strelcheck touched upon that, is, if  
4 you have three separate decision tools, one to deal with the  
5 biological, one to deal with the social, and one to deal with  
6 the economic factors, at the end of the day, you still need some  
7 weighting factors to decide which one of those set of criteria  
8 would take precedence over the others, and that is going to be a  
9 discussion that we can have here by presenting the criteria of  
10 social, economic, biological, and ecological, rather than having  
11 that discussion and say, well, then we are going to pick this  
12 side of the decision tool.

13  
14 We are familiar with the approach that they have taken, and,  
15 undoubtedly, it is the best approach for them, but, for us here  
16 in the Gulf, given essentially our regulatory landscape, if I  
17 can call it that way, that would not be the best approach.  
18 Thank you.

19  
20 **CHAIRMAN STUNZ:** Thank you for those points, Dr. Diagne, and I  
21 will recognize Mara. She had her hand up, and then, after that,  
22 Jessica you can weigh-in on that as well, but then, right after  
23 that, maybe we can quickly scroll through these principles, and  
24 so that will help inform our discussions here. Mara, you're  
25 okay? Then, Jessica, I assume you want to comment on the South  
26 Atlantic?

27  
28 **MS. JESSICA MCCAWLEY:** Yes, and, just to talk a little bit about  
29 the South Atlantic process, and Andy mentioned it, and, yes, we  
30 are using a decision tool process, and this is partly because we  
31 want to make sure we're bringing in additional information  
32 that's not just fisheries landings information, and I want to  
33 look at other data sources, and I want to look at qualitative  
34 information, and I want to try to gather public input in a more  
35 deliberative way, throughout the allocation process, and so we  
36 are using these decision tools.

37  
38 I don't know if I agree with Assane that it won't work for the  
39 Gulf Council, but I do agree that the decision tool isn't going  
40 to make the decision for the council. It's just a tool to bring  
41 in these other data sources and look at that information, maybe  
42 in a different way, so that everybody is not just thinking about  
43 the historical landings for a particular fishery.

44  
45 Also, it looks at each species separately, and so there might be  
46 different decision points for the different species, which I  
47 think the same thing would be happening here on the Gulf, and  
48 then, also, as Andy mentioned, we're going to be bringing the

1 FMP objectives to every single council meeting, so that we can  
2 go back and look at them side-by-side every time we have an  
3 allocation decision, and so I do think -- I agree with Dr.  
4 Frazer that there's more -- We need some more meat on the bones  
5 over here, on the Gulf side, even if you bring in other sources  
6 of information, and the data itself isn't going to make the  
7 decision, and you're still going to have a hard allocation  
8 decision, at the end of the day, but I do like how, on the South  
9 Atlantic, we're really bringing in all these other pieces of  
10 information at the same time to help us make that decision.

11  
12 I too, like Dr. Frazer, would maybe like to have a more robust  
13 discussion about this at a future meeting, but, also, I don't  
14 know what the Gulf Council's timeline is for getting something  
15 like this in place and then how allocation decisions would be  
16 made, leading up to whenever these principles, or guidelines,  
17 are finalized.

18  
19 **CHAIRMAN STUNZ:** Okay. Thank you, Jessica. Mara, do you have  
20 your hand up now?

21  
22 **MS. LEVY:** Just to kind of reiterate Assane's point, the  
23 difference between the review, and this is the guidelines for  
24 the review, and the review is supposed to inform you and help  
25 you decide whether to proceed with alternatives, right, or  
26 options. I think -- I don't know much about the South Atlantic,  
27 but, from what you said, Jessica, it seems like that decision  
28 tool informs you about the different options and basis for -- I  
29 mean, I don't know. Do you use it in your review, or it's after  
30 you've decided that you need to look at potential options for  
31 allocation?

32  
33 I guess I just -- I understand the need for more guidance on how  
34 you're going to look at allocation options and how you're going  
35 to make those decisions, but I just kind of am thinking keeping  
36 that separate from what you want in the review, to inform  
37 whether you actually want to proceed with looking at options,  
38 right, and this review is helping you decide whether to proceed  
39 to look at options.

40  
41 **CHAIRMAN STUNZ:** Thank you, Mara. I think that's very  
42 important, and both you and Assane have highlighted that, that  
43 this is just getting us down the road to the FMP, which is  
44 important. Tom, real quick, and then we'll go through these  
45 principles real quick, but go ahead, if it's related to that.

46  
47 **DR. FRAZER:** I mean, so that's why I made an earlier comment,  
48 Mara, about, at the end of the day, the panel has to provide a

1 recommendation or, in my mind, maybe recommendations, that help  
2 guide the formation of alternatives in an amendment, should you  
3 want to go that way, right?

4  
5 **MS. LEVY:** I mean, I don't know if that's true. I mean, you can  
6 look at the scope of information you have and decide whether the  
7 allocation that you currently have seems to be reasonable, or  
8 are there factors that you think would need to know and you need  
9 to relook at this. Are there social factors? Are there  
10 economic things happening, or biological things happening, that  
11 would warrant opening this up to look at different alternatives,  
12 and then you've got to decide what those alternatives might be,  
13 right, and so I think the review informs you as to the  
14 information you have and whether there's a need to kind of move  
15 further, but I don't know -- I mean, maybe it will, and maybe it  
16 won't, but I don't know that it will actually inform the actual  
17 alternatives.

18  
19 **CHAIRMAN STUNZ:** Okay. Well, briefly, Assane, and I hate to put  
20 you on the spot, but would you mind -- Up on the screen, we have  
21 the fishery allocation policy that lists the principles, and  
22 would you mind maybe just briefly talking us through those? I  
23 mean, we can go into detail if we want, but just maybe kind of a  
24 snapshot, to see if this is capturing what Dr. Frazer was  
25 saying, and I don't know if we have two companion documents and  
26 perhaps, maybe in this document, we refer back to these  
27 principles, or integrate them into this current document, and I  
28 don't know, but we can have that discussion, and maybe we can  
29 just briefly remind ourselves what those principles are.

30  
31 **DR. DIAGNE:** Yes, Dr. Stunz, and I will begin by saying that a  
32 lot of the principles here in the council's allocation policy  
33 were copied from the Magnuson Act, and so you are familiar with  
34 the text, and you would recognize some of the wording here, and  
35 so, essentially --

36  
37 **CHAIRMAN STUNZ:** Assane, just briefly -- I mean, we can -- If we  
38 decide to go into these in a little more detail, that's great,  
39 but just if we can just kind of maybe get through them, so we  
40 see what they are, and then I don't want to spend a whole lot of  
41 time on this, if it's not necessary, but I think it's important  
42 that we're just generally reminded what those are.

43  
44 **DR. DIAGNE:** Yes, Dr. Stunz, and so you would just want for  
45 let's say staff to scroll down as the committee members  
46 reacquaint themselves with the principles here, and, if there  
47 are questions, we will answer those?

1 **CHAIRMAN STUNZ:** Yes, please.

2  
3 **DR. DIAGNE:** All right. Thank you. Bernie, if you could just  
4 scroll down.

5  
6 **CHAIRMAN STUNZ:** Okay. That's probably good, if we want to  
7 scroll a little further. Okay. After briefly looking at those,  
8 Tom, is that what you're envisioning, or you're looking for a  
9 different set of principles?

10  
11 **DR. FRAZER:** I think we're good, and I think this is going to be  
12 a complicated process, moving forward, right, and so I  
13 appreciate the document that we had before us, right, and why it  
14 would be useful, and I understand Mara's point. After those  
15 recommendations, we might need some type of a decision tool,  
16 right, that are based on these principles that allows you to  
17 develop alternatives that might be considered in a plan  
18 amendment that involves an allocation decision to be made, and  
19 so I just wanted to make sure that, at some point in our  
20 collective process, that we get some specificity here.  
21 Otherwise, it's too subjective, and it makes our decisions very,  
22 very difficult to make.

23  
24 **CHAIRMAN STUNZ:** Ms. Bosarge.

25  
26 **MS. BOSARGE:** I was wondering if we could go back to the other  
27 document that we started off talking about, that Tab E, Number  
28 5(b), if Tom is done.

29  
30 **CHAIRMAN STUNZ:** Sure.

31  
32 **MS. BOSARGE:** Okay. That's our allocation review guidelines,  
33 and so it goes into the actual review process, and I was  
34 wondering, first, is this our first shot at this? Is this the  
35 first time we've seen this draft? I can't remember, and when  
36 did we first see it?

37  
38 **CHAIRMAN STUNZ:** Assane, would you remind us of that?

39  
40 **DR. DIAGNE:** Yes, and this is not the first time you have seen  
41 this, and we talked about this, I believe, two meetings ago, and  
42 we took your comments and suggestions and convened a meeting of  
43 the allocation review workgroup and looked at the criteria in  
44 more detail to be discussed here, and that's the reason why  
45 today I spent most of the time listing the economic, social,  
46 biological, and ecological criteria.

47  
48 **MS. BOSARGE:** Okay, and so I guess October of last year would

1 have been the first time we saw it, Assane?

2  
3 **DR. DIAGNE:** I think October of last year, and I don't recall,  
4 but I know that we discussed this with the SSC, and so brought  
5 their comments at the time.

6  
7 **MS. BOSARGE:** All right. Well, I really like it. I really wish  
8 that we had gone through this for the last allocation decision  
9 that we made, which would have been for red grouper, because, if  
10 you scroll to page 5, I think it's going to be very beneficial,  
11 going forward, to have a formal group that analyzes this.

12  
13 Like, on page 5, if you go down to this -- When you look at  
14 accountability measures, this PDF page 5, I was trying to do  
15 that on my own, and season closures and quota paybacks, or how  
16 about even having a quota, period, and then comparison across  
17 user groups.

18  
19 When were in red grouper, that was one thing that I thought was  
20 very hard to try and pull out. I actually had to go back into  
21 all the old amendments and try and find these items and really  
22 try and compare those, and so, if there was actually a group  
23 that could do this for me, and, as individual council members,  
24 we're not trying to pull all that out and make those comparisons  
25 on our own, that would be really, really useful, and so I feel  
26 like, if this was really in progress at that point, we probably  
27 should have used red grouper, if nothing else, as a test case, a  
28 trial run, on this policy, and then we would probably be able to  
29 give a lot better feedback right now, and we may have made --  
30 You know, we would have had a more informed decision and  
31 conversation on red grouper, rather than Leann trying to pull  
32 those out on our her own and present it on the fly.

33  
34 **CHAIRMAN STUNZ:** Thank you, Leann. Dr. Diagne, go ahead.

35  
36 **DR. DIAGNE:** If I may, I appreciate the point that Ms. Bosarge  
37 made, but I would like to point out that, essentially, the red  
38 grouper was an amendment, and that's an allocation amendment, an  
39 allocation decision, and what we are talking about here is an  
40 allocation review, and, essentially, for the red grouper  
41 amendment, you can consider that the review and the amendment  
42 were included, if you would, bundled in one step, and so, as we  
43 talk about this, I guess we want to separate the review from the  
44 amendment process.

45  
46 **CHAIRMAN STUNZ:** Ms. Bosarge, go ahead.

47  
48 **MS. BOSARGE:** Well, I guess that comes down to how we're going

1 to proceed with this, and so I think that this should be  
2 happening in tandem with any allocation of amendment that we  
3 have going on, and like this review should be happening with the  
4 IPT, or whatever group that you all set up that you decide is  
5 appropriate, and that gets presented to us at some point during  
6 our discussions in that amendment, and I was trying to find it  
7 on your slides here, and I will find it, but that's how I read  
8 your slides as this would be carried out, and is that not the  
9 case?

10  
11 **DR. DIAGNE:** Yes, and that is not exactly the case. This review  
12 is the first step. At the end of this review, as a council, you  
13 are going to decide whether you have enough, I guess, grounds to  
14 initiate an FMP amendment or whether you are satisfied with the  
15 current allocation on the books and wait until the next review,  
16 and so, essentially, this would proceed the development of an  
17 FMP, based on your decision.

18  
19 **CHAIRMAN STUNZ:** Okay. There are several hands up. Kevin was  
20 next, and maybe I will address the other two quickly, and then  
21 maybe we can pause for a minute and sort of figure out what we  
22 want to do here today, and then we can move forward, but, real  
23 quick, since you guys had your hands up, and that would be  
24 Kevin, Ms. Boggs, and Mara.

25  
26 **MR. ANSON:** In regard to what we do next is kind of what my  
27 question is about, and so, in Assane's presentation, the last  
28 slide, he provided -- In the slide before the thank-you slide,  
29 he has the expected start dates of initial allocation reviews,  
30 and the first one up is recreational red snapper ACL between the  
31 private and federal for-hire components, and that first review  
32 is expected to start in April of 2023.

33  
34 If that's the timeline, in fact, that the council is working  
35 towards, as Assane explained in his presentation today, we've  
36 got a little bit of work to do prior to the start of the review,  
37 inasmuch as identifying a working group and who those members  
38 will be, and I'm sure advertising, and then you've got to put  
39 out the federal notice, and so there's a timeline there. If  
40 we've got back out of that, how does this decision impact that  
41 process, if in fact we want to maintain that timeframe, I guess  
42 is what I'm --

43  
44 **CHAIRMAN STUNZ:** Thank you, Kevin, and I noticed those timelines  
45 as well, and so Ms. Boggs. I thought you had your hand up. Did  
46 you?

47  
48 **MS. BOGGS:** I did, but I thought that Assane was about to say

1 something, and so I paused.

2  
3 **CHAIRMAN STUNZ:** Okay. Dr. Diagne, go ahead.

4  
5 **DR. DIAGNE:** Thank you, and thank you, Ms. Boggs. To Mr.  
6 Anson's point, our first review is scheduled to start in April  
7 of 2023, and so, essentially, what we had in mind is, once the  
8 council approves these guidelines, and we put them on the  
9 website, as soon as the October meeting of this year, we would  
10 bring draft terms of reference, to say that, okay, for this  
11 particular allocation, which is sector separation, these are the  
12 elements that we think need to be looked at, and then also ask  
13 you for who would you want to conduct this review, and, if we  
14 need to advertise, we will do it at that time. That is  
15 potentially the plan to get moving and to complete the work  
16 before the review.

17  
18 A lot of the specificity, perhaps, that we are discussing, that  
19 may or may not be here, would be revealed as we draft the terms  
20 of reference, because the council could say that, well, this and  
21 this and this is important to me, when it comes to sector  
22 separation, and would like to see those elements in the review.

23  
24 Given the diversity of allocation that we have, diversity of  
25 user groups, et cetera, it seems to me that we could take these  
26 one-by-one, on a case-by-case basis, and be as specific as we  
27 want for each one of the cases. Thank you.

28  
29 **CHAIRMAN STUNZ:** Okay. Ms. Boggs.

30  
31 **MS. BOGGS:** So kind of a follow-up on Leann's points, and I'm  
32 thinking about what we're getting ready to do with amberjack and  
33 gag, I think, and, I mean, we're being pushed into allocation  
34 reviews, because of the FES data that we're getting now, and my  
35 question would be -- So like, for greater amberjack, if we go  
36 through this document and we make -- Then you're pushed up  
37 against an allocation review almost immediately after you get  
38 through doing it, because you're forced to do it, because of the  
39 FES data that we have, and I like the idea of what Leann said.

40  
41 A lot of this information triggered by these allocation reviews  
42 would be helpful when we make these decisions, and so I just --  
43 It seems like we have a lot, as we keep saying this week, of  
44 moving parts to these things, with things we're being forced to  
45 do, because of new data collection, and now we're looking at  
46 this, and it just seems like we're getting ready to -- I don't  
47 know, but we're snowballing and rolling downhill with it.

1 **CHAIRMAN STUNZ:** Yes, and, just a comment to that, again, is  
2 there are guidelines and just some discussions early on, when we  
3 were initially beginning these discussions, was, as a council,  
4 we do have a trump card at any point in time, and we could  
5 request the allocation even outside of this, I guess if that's  
6 the will of the council, and it moves forward, and so, you know,  
7 these were just as sort of our guidelines, I guess, but I don't  
8 know, Susan, and I don't disagree at all with what you're  
9 saying. Mara and then Leann next.

10  
11 **MS. LEVY:** Well, just to that point, I mean, I think the council  
12 can ask for whatever data or information they feel is important  
13 in the process of doing an amendment that looks at allocation.  
14 I mean, this review happens because you've set a schedule,  
15 right, of triggers, and so, come April of 2023, even though  
16 there's no like push to do an allocation document, right, or  
17 reconsider, and you're supposed to review it, to see if, at this  
18 time, it's appropriate to do that.

19  
20 You do have a lot of other things going on which are kind of  
21 forcing you to look at allocations, in terms of this FES data  
22 conversion, but there's nothing prohibiting you from having the  
23 data or information that you want included in that document or  
24 before you really make those decisions, and so, if there's  
25 something in the allocation review policy related to certain  
26 aspects or data, then it should be there if you want it, right,  
27 and you can ask that it be included, and you can ask for the  
28 information, but I just didn't want to make it seem like,  
29 because the amendment is kind of combining the review and the  
30 consideration of options, that you are somehow precluded from  
31 having the information that you think is important for your  
32 decision.

33  
34 **CHAIRMAN STUNZ:** Okay. Thank you. Ms. Bosarge.

35  
36 **MS. BOSARGE:** So this may be the hard schedule that we put down  
37 on paper, but that was if nothing came up before that. If we  
38 don't do anything with allocation, then we'll look at it at this  
39 point in time, and so, in my mind, we better go ahead and start  
40 updating this schedule, because we have gag that we're about to  
41 look at, and we have amberjack that we're about to have a  
42 document on and look at, and we have king mackerel that we're  
43 about to have a document and look at, and it seems fairly  
44 arbitrary to me that the council would be presented with all  
45 this wonderful, you know, detailed information only for  
46 allocation decisions that were on this hard schedule that, if we  
47 don't ever look at it until then, we'll give you that info then,  
48 but, when it's coming up before then, we're not giving that

1 information, and so I think that review should happen for all of  
2 the allocation decisions that are in an amendment that we're  
3 going to look at, regardless of whether it's on that timeframe  
4 right there or not.

5  
6 I'm okay if that's not presented to the council before we start  
7 the amendment, but it should be presented to the council during  
8 that amendment process for our evaluation and information.

9  
10 **CHAIRMAN STUNZ:** Thank you, Leann, and I certainly think it  
11 would have to be, and then, also, just to keep in mind, if we  
12 were on this schedule, I guess we could always decide that,  
13 well, no, we want to -- There's a lot of moving parts happening,  
14 and we want to delay that or something, and we would have that  
15 flexibility, but, Dr. Simmons, I think you --

16  
17 **EXECUTIVE DIRECTOR SIMMONS:** Thank you, Mr. Chair, and so I  
18 think Dr. Diagne and Ms. Levy have stated this, and we are under  
19 a tight timeline with the amendments, and we're incorporating  
20 the allocation review kind of rolled up in those amendments, and  
21 so I think my concern about what Ms. Bosarge is suggesting is  
22 that we're going to back off on that and put those on hold and  
23 try to do this review and then make decisions that would go into  
24 the FMP, and I don't know that we have the time and flexibility  
25 to do that for greater amberjack or gag, and so perhaps, as a  
26 compromise, we could see what is in this process that we may be  
27 able to bring to the council via presentations and you decide  
28 how it may or may not get integrated into the FMP, and I don't  
29 even know if we have time for that, and so I will throw that  
30 out.

31  
32 My other concern is the first review we're conducting, right out  
33 of the gate, and it being in April, with that timeline, and the  
34 red snapper data workshop and assessment schedule, and, I mean,  
35 we won't have the results of that assessment at that time, and  
36 I'm not sure when we're going to get this updated recommended  
37 use for recreational surveys, but I think we have a lot of  
38 things up in the air, and so I don't know if we want to start  
39 with that particular one if we want to start with this and see  
40 if we're ready or not, and so I will put that out there, but I  
41 do have some concerns about that April timeline.

42  
43 **CHAIRMAN STUNZ:** Thank you, Dr. Simmons. Go ahead, Dr. Diagne.

44  
45 **DR. DIAGNE:** Thank you, Dr. Stunz. Just two points. First, to  
46 Ms. Bosarge's point, that is absolutely correct, and we have to  
47 revise the schedule. For example, red grouper has already had a  
48 change in allocation recently, and greater amberjack will have

1 one, and probably gag, and so the timeline will be adjusted to  
2 reflect that the council too action for some of these species.

3  
4 As far as one of the points that Dr. Simmons just made, in terms  
5 of this April start, this is just an expected start date, and  
6 so, the extent that the council has initiated the review, be it  
7 by selecting the members of the panel and reviewing the draft  
8 terms of reference, et cetera, if there is information that we  
9 are waiting on, then we can wait for that, because there is no  
10 closing date, if I can put it that way, ending date, once the  
11 review has started, and we have that flexibility to start and  
12 then see what develops and collect additional data.

13  
14 **CHAIRMAN STUNZ:** Okay. I will recognize Mr. Anson, and then I  
15 kind of want to just get a feel for the room, where we want to  
16 go with that, and I don't want to stifle the discussion by any  
17 means, but then we can continue after that, so we can move this  
18 along or figure out what we want to do, but, Kevin, go ahead.

19  
20 **MR. ANSON:** I don't want to belabor the point too much, and  
21 Assane brought it up during his presentation, and Mara brought  
22 it up in one of her comments, recent comments, regarding what  
23 the council chooses to do or not, but, you know, just for  
24 transparency, I think the issue related to allocation decisions,  
25 related to stock assessment, i.e., data streams and the impact  
26 that the data streams have on the stock assessments, it is  
27 mentioned that the council may not choose to go through the  
28 formal guideline process that's described in the document, and  
29 it just may decide to choose the process that we have used thus  
30 far, recently, to deal with FES.

31  
32 I think that was just included because it's something that's  
33 needed to occur on a relatively quick timeline, at least from  
34 the agency's perspective, and it's a relatively simple process  
35 to do, relative to all this other data that you would have to  
36 look at in a guideline or a process that's described here, and  
37 so I'm just mentioning that, that we do have cover, if you will,  
38 if you want to look at it that way, to explain why we would not  
39 use the guidelines for trying to address those types of  
40 situations to date, and that's all.

41  
42 **CHAIRMAN STUNZ:** Very good points, Kevin, and we can open it  
43 back up for discussion, but we do have, just as a timeline, a  
44 little over fifteen more minutes, but we kind of need to decide  
45 what we want to do with the document, and one option, of course,  
46 is the guideline document, and we can move forward and have it  
47 on our webpage as this guideline that we can follow or choose  
48 not to, if we decide that something needs to happen quicker

1 outside of that, and that's one option.

2  
3 The other option that I think kin of Tom has recommended is to  
4 flesh this document out a little bit more, by adding in some  
5 principles, or at least referring back to and then revisit that  
6 again at another time, and that's a very brief summary of kind  
7 of I think where we are, but I would like to get the feel of the  
8 committee.

9  
10 Do we want to move forward with this and move this out of  
11 committee to Full Council for later this week, or do we want to  
12 revisit this at another meeting, once we've had time to mull  
13 this over some? I don't know, and I would look for some input  
14 to that, so we can determine how we want to efficiently utilize  
15 our last fifteen minutes here. Mr. Williamson.

16  
17 **MR. WILLIAMSON:** Thank you. I would be inclined to go with  
18 Tom's recommendation to flesh this out. I don't think we have  
19 enough information to move forward.

20  
21 **CHAIRMAN STUNZ:** Thank you, Mr. Williamson. Tom, I assume  
22 that's your feeling, but I see Ms. Bosarge.

23  
24 **MS. BOSARGE:** I would recommend that we start using gag as a  
25 test case. That's before us now, and this is good information,  
26 and all these things are going to be good information for the  
27 council to have at their fingertips as we start to evaluate that  
28 gag allocation and look at what we need to do with it.

29  
30 If you really want good feedback from the council on what's  
31 working with this potential policy and what's not, let's give it  
32 a test run, and so see if we can't get a group together and  
33 start gathering that information and that data for gag, because,  
34 as Carrie said, next January, I think they hope to bring us a  
35 rebuilding plan document that will have these decision points in  
36 it, and they're hoping that, by next June, we could make a  
37 decision on that.

38  
39 Well, this is all information that we'll need presented to us at  
40 our fingertips. We have to start getting deeper than just our  
41 landings history. We have to start looking at uncertainties. I  
42 mean, we talked about it yesterday. Well, we're going to try  
43 and set a season, and there's a lot of uncertainty around that,  
44 and do we think that we'll actually be able to constrain that  
45 catch to that quota, and we've got to start talking about these  
46 things in our allocation decisions, and it's not being presented  
47 in our documents as we go through them.

1 The actual uncertainties around the different data collection  
2 programs, we're not getting into those sorts of hard  
3 discussions, and so I would like to see this done for gag, and  
4 then we can probably revise this policy and fine-tune it.

5  
6 **CHAIRMAN STUNZ:** Thank you, Ms. Bosarge. Mara.

7  
8 **MS. LEVY:** Well, I guess -- I mean, it's just not clear to me  
9 what you want done for gag, meaning the review policy is about  
10 conducting the review to decide whether you're going to move  
11 forward with allocation options, right, but the assessments and  
12 changing to FES necessitate at least some type of discussion of  
13 options, in terms of do you want to keep the status quo, what  
14 are the implications of that, what are other reasonable  
15 alternatives, and so what is the review, which is supposed to  
16 include and make your decision about whether to have options,  
17 going to get you?

18  
19 I totally understand wanting the information, the information  
20 that you're talking about and asking for that information, but I  
21 don't understand what the group that you're going to try to  
22 convene and the terms of reference and all of that that you're  
23 going to try to go through are going to yield in a situation  
24 where you really need to look at the allocation and alternatives  
25 based on the change in data collection.

26  
27 **CHAIRMAN STUNZ:** Okay. Thank you, Mara. Kevin.

28  
29 **MR. ANSON:** Then, I guess, relative to Leann's point and what  
30 she was suggesting with this review, relative to the amendment  
31 and the timeline you provided, it didn't sound like there would  
32 be enough time for us to have a review process, at least in the  
33 context of this, where it would be a year long, I envision,  
34 relative to trying to get something done within our rebuilding  
35 or trying to address the overfishing status, and so I'm just a  
36 little concerned, I guess.

37  
38 Maybe perhaps, if the council agrees that, you know, let's  
39 reorder the schedule, we can do that, but, if gag is an easy  
40 species to look at, if you will, for us to kind of get used to  
41 this, is maybe we make that determination here, through a motion  
42 perhaps, and then have -- If it's the will of the council then  
43 to kind of look at some of these principles that Tom was  
44 alluding to earlier, is to come back at the next meeting, but  
45 also then to ask staff to kind of come up with some ideas  
46 relative to viable terms of reference that could be applied to  
47 gag, if that's in fact what is decided to do.

1 Then we could start thinking about those things and get a better  
2 understanding as to the data and some of the issues related to  
3 that, and that maybe might be a path forward, so that we can try  
4 to maintain a schedule, at least on schedule with starting  
5 allocation reviews in April of next year.

6  
7 **CHAIRMAN STUNZ:** Thank you, Kevin, and just like a comment I  
8 think I'm going to make coming up here soon regarding the FEPS,  
9 I think, in the spirit of what Leann is saying, outside of  
10 whether we can do this with gag or not, based on all those  
11 nuance and timelines, running one through these policies would  
12 be important, and it's going to identify where our weak areas  
13 are and all that kind of thing, and help us improve, and so I  
14 think that is important, because the first ones are probably  
15 going to be ugly, and it's always that way on the first ones,  
16 and then you learn, and you refine it, and so on.

17  
18 I think that that's good, and I guess I definitely don't want to  
19 get bogged down in the timeline in this particular slide that  
20 we're looking at here, because, you know, we can't do anything  
21 with this until we actually approve it, the guideline, and I  
22 guess that's the first step, and so I'm not being a very  
23 effective chair here, and we have twelve minutes left, and so we  
24 either need to make some motions, or come to a consensus, or  
25 whatever we want to do here, and I will help that along in a  
26 minute, if necessary, so we can move this forward or not. Tom,  
27 go ahead.

28  
29 **DR. FRAZER:** Sorry for opening up a can of worms, but I think,  
30 you know, that I'm okay with this document, right, and, I mean,  
31 it's a good starting point, and, to Leann's points, and others'  
32 points, we can use it to help us identify what type of  
33 information that we need to make some decisions now. I mean, it  
34 doesn't matter what they are, gag, amberjack, or mackerel, down  
35 in a very short, foreseeable timeframe, and so I am happy to  
36 approve this document.

37  
38 It's going to be a living document, right, and my only point  
39 here is that, at the end of the day, when it gets down to when  
40 we have to make a decision, I'm trying to figure out -- I wanted  
41 to figure out, from this material that was presented, whether or  
42 not the recommendations would be meaningful enough to help  
43 inform a reasonable set of alternatives in a plan amendment  
44 somewhere, right?

45  
46 Aside from all of that, you still need to think about what are  
47 the criteria, or what type of a decision tool, or what's going  
48 to drive the values decisions that you make, and so we have a

1 lot of work to do, and that's all I'm saying, Greg, and I  
2 appreciate the discussion around the table. I have no reason  
3 not to move this forward, as a start, because we can ask for the  
4 information that is indicated in this now, and so my  
5 recommendation would be to move it forward, actually.

6  
7 **CHAIRMAN STUNZ:** Any other -- I'm not seeing a lot of hands at  
8 this point, and we probably need a motion to do that. If we do  
9 have a motion to do that, Tom, I would highly recommend that we  
10 build into that motion something to the effect that this is the  
11 starting point, and we have to develop this better as we move  
12 through some of these or as we begin to really consider it for  
13 real, you know, outside of just where we are today, or, if not,  
14 we can just flesh out in the --

15  
16 **DR. FRAZER:** Yes, and, I mean, the record will kind of indicate  
17 that I think it's a living document, right, but I'm happy to  
18 make a motion that we approve this document as an allocation  
19 guide, I guess, right, or a review guide, excuse me.

20  
21 **CHAIRMAN STUNZ:** Okay. If we want to -- Tom, there's the basics  
22 of what you just said, if you want to modify that any.

23  
24 **DR. FRAZER:** I guess the motion to approve the allocation review  
25 guidelines document. I am good with that.

26  
27 **CHAIRMAN STUNZ:** That's clean. Is there a second for that  
28 motion? Ms. Bosarge. Any discussion regarding the motion?  
29 Seeing no discussion, we'll vote. I am not trying to -- This  
30 one, I can't read the room, and so let me first try this the  
31 easy route. **Is there any opposition to this motion?** All right.  
32 **Seeing none, the motion carries.** That was surprising, but we'll  
33 go with it. Ms. Bosarge.

34  
35 **MS. BOSARGE:** Then can we go ahead and use this document and  
36 start on our trial run for gag, and let's see how it's going to  
37 work and maybe what changes we need to make as a living  
38 document?

39  
40 **CHAIRMAN STUNZ:** Well, I think so. I don't know if that comes  
41 out of this committee or if would come out of the Reef Fish  
42 Committee. I'm not sure what the timelines are and where we are  
43 in that process. I thought I understood that we were past this  
44 process, in a way, for gag, but we still could use the intent of  
45 that document to inform the full -- I don't know, and that's  
46 something that I think we probably need to get clarity on, and  
47 I'm not opposed to that by any means.

1 **MS. BOSARGE:** Well, I think, in the way that it has been  
2 described to us, we probably are past the point where we would  
3 have liked to have used it. However, if we're going to do a  
4 test run on this document and plug a species in and try and do  
5 this, it seems like it would be very beneficial to do it for  
6 gag, since we are going to be, over the next year-and-a-half,  
7 looking at gag allocations, and it seems like that would be the  
8 most efficient species to plug in there.

9  
10 **CHAIRMAN STUNZ:** Dr. Simmons.

11  
12 **EXECUTIVE DIRECTOR SIMMONS:** Thank you, Mr. Chair. I think  
13 we're -- I think it would be confusing, because we would have to  
14 develop a terms of reference to do a review, but work on a  
15 rebuilding plan that the council has already decided to consider  
16 reallocation, and so I'm not 100 percent sure that gag would be  
17 the best place to start.

18  
19 I do agree that we could work towards, and probably a motion  
20 would be good, at Full Council, in Reef Fish or here, for us to  
21 consider these criteria and bring back to the council what we  
22 think we could use or would be considering anyway in the  
23 rebuilding plan. I mean, I think we can do that. I'm a little  
24 concerned with going down the review process for gag, if that  
25 makes sense, because you've already made a decision,  
26 essentially, to consider reallocating gag in a rebuilding plan,  
27 if that makes sense, and so I guess that would be the --

28  
29 **CHAIRMAN STUNZ:** Well, Leann, maybe we can think about that  
30 between now and Full Council. If I'm understanding it, it's  
31 that that situation has already passed, but that doesn't  
32 preclude us from having a motion or something that says, now  
33 that this document has passed, could we please consider these  
34 within that document, or does that not capture what your intent  
35 is?

36  
37 **MS. BOSARGE:** I don't know. Let me talk to Carrie before Full  
38 Council, because I didn't follow exactly what she was saying,  
39 and I'll be honest, and so let me get with her offline, and I  
40 will try and come up with a motion at Full Council.

41  
42 **CHAIRMAN STUNZ:** Okay. Okay. Well then that brings us to Other  
43 Business in the agenda. Is there any other business that needs  
44 to come before this committee? Seeing none, then we will  
45 adjourn the Sustainable Fisheries Committee. Mr. Chairman,  
46 we'll turn it back over to you.

47  
48 **MR. DIAZ:** Thank you, Dr. Stunz. There was a lot of good

1 discussion. I did find a comment that I would make that Dr.  
2 Assane made one typo, and it was "chore" instead of "core".  
3 Allocations are certainly a chore, and I think you did that on  
4 purpose.

5

6 **DR. DIAGNE:** That was a slip.

7

8 **MR. DIAZ:** He makes very few typos.

9

10 (Whereupon, the meeting adjourned on April 6, 2022.)

11

12

- - -