GULF OF MEXICO FISHERY MANAGEMENT COUNCIL

REEF FISH MANAGEMENT COMMITTEE

Renaissance New Orleans Pere Marquette New Orleans, Louisiana

January 28-29, 2025

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TABLE OF CONTENTS

Table of Motions..... 4

Litigation Briefing..... 5

Adoption of Agenda and Approval of November 2024 Minutes..... 6

Action Guide and Next Steps..... 6

Draft: Reef Fish Amendment 58B: Modifications to Deepwater Grouper Management Measures..... 7

Draft Framework: Other Shallow-Water Grouper Catch Limits..... 36

Draft Framework: Modifications to Lane Snapper Minimum Size and Recreational Bag Limits..... 56

Summary of Reef Fish Advisory Panel Discussions and Recommendations 63

Reef Fish Amendment 59: Requirements for Participation in Individual Fishing Quota Programs..... 72

Summary: December 2024 Gulf SSC Webinar..... 94

Presentation: Recreational Red Snapper Accountability Measures 103

Other Business..... 114

SERO Update on 2024 Recreational Gag Landings..... 114

Recreational Initiative..... 117

Adjournment 143

- - -

TABLE OF MOTIONS

PAGE 23: Motion in Action 2 to Alternatives 5 and 6 to the Considered but Rejected Appendix. The motion carried on page 24.

PAGE 24: Motion to add a new alternative to Action 3: Alternative: For the recreational sector, if the average deepwater grouper landings exceed the average ACL over a three-year moving period, the Regional Administrator would reduce the length of the recreational season by the amount necessary to ensure that the recreational ACL is not exceeded during the following fishing year unless BSIA suggests no adjustment to the fishing season is necessary. The motion carried on page 32.

PAGE 32: Motion to move Alternative 3 to the Considered but Rejected Appendix. The motion carried on page 33.

PAGE 68: Motion to request the SEFSC evaluate catch limits for lane snapper in the interim analysis using Tier 3a of the ABC control rule and use G-FISHER data to monitor the lane snapper stock for changes in length composition. The motion was withdrawn on page 69.

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The Reef Fish Committee of the Gulf of Mexico Fishery Management Council convened at The Renaissance New Orleans Pere Marquette in New Orleans, Louisiana on Tuesday morning, January 28, 2025, and was called to order by Chairman Tom Frazer.

LITIGATION BRIEFING

MR. J.D. DUGAS: Good morning, everyone. Welcome back. Before we dive into the agenda, General Spraggins would like to say a few words.

GENERAL JOE SPRAGGINS: Yes, and if I could -- If I could get that brought up. You know, I want you to know sometimes you've got to be very careful what you do, and where you're at, and, you know, when you're a pretty good sized guy, you need to get a real beer, instead of a pony. All right. Just having fun.

MR. DUGAS: Okay. All right. Now we're going to start at the top of the agenda, and we're going to go to Miss Levy's litigation report, followed by Reef Fish.

MS. MARA LEVY: All right. We're ready? It's not much of a report, and so it will go really quickly. Not a lot has been happening on the litigation front. So, just as a reminder, for Gulf of Mexico actions, we have two pending cases still, both related to the Appointments Clause challenge to the council system.

There's Amendment 54, which is the Greater amberjack amendment, and you may recall that that went up to the 5th Circuit, and the 5th Circuit, which is the appellate court, remanded it back to the trial court, last year, to answer two questions, specific questions related to the jurisdiction of the court to actually declare the amendment invalid and whether the Fisheries Service's action, in reviewing and approving the final rule, ratified the council's decision, and so some technical legal questions that are back at the trial court. Briefing for that has been completed in the trial court, and it's waiting on the trial court to do something, and so nothing happening there yet.

The other case, that's the Appointments Clause in this region, is Amendment 56, which is the gag grouper case. That's the one that's in Alabama, and so briefing in the trial court is ongoing, and that should end in March. I don't believe that there's been a date for argument, and so the court may or may not hear argument, and then, again, we're going to wait on the trial court to have that decision.

Just as an FYI, there are two other Appointments Clause cases that are -- Well, one was resolved, and we talked about it last time, in the 3rd Circuit. In that case, you may recall that the 3rd Circuit found three particular provisions of the Magnuson Act basically gave the council enough discretionary power to make you officers, but the 3rd Circuit basically found the way that the Magnuson Act is set up, the council process, that there was nothing wrong with that, in terms of an Appointments Clause issue, and that court basically severed those three very specific provisions, to the extent that they limited the Secretary's authority to do the things in those provisions.

Then, very recently, and so there was also a case in Maine, in the trial court in Maine, and, in December, that court issued a decision that was very similar to the 3rd Circuit's decision, and so they found a couple of provisions gave the council significant authority, which is a problem under the Appointments Clause, and severed those provisions, to the extent that it limited the Secretary's authority, but basically found that the setup, the way that the council operates, the main way that the Magnuson Act operates, did not have an Appointments Clause problem, and so those are all the cases that are pending, and, again, not much going on in terms of decisions in this region.

MR. DUGAS: Okay. Thank you for that report, Ms. Levy. We have a question from Mr. Sanchez.

MR. JOHN SANCHEZ: Is there any update on Amendment 53?

MS. LEVY: How did I know you were going to ask me that? I don't have an update to share. Thanks.

MR. DUGAS: Okay. Thank you, Ms. Levy. All right. We're going to move on to Reef Fish Committee. Dr. Frazer?

ADOPTION OF AGENDA
APPROVAL OF NOVEMBER 2024 MINUTES
ACTION GUIDE AND NEXT STEPS

CHAIRMAN TOM FRAZER: All right. Thank you, Mr. Chairman, and so we will move forward and convene the Reef Fish Management Committee. I will remind folks that that's a committee-of-the-whole. The first item on the agenda is the Adoption of the Agenda, which would be Tab B, Number 1 in your briefing materials, and so can I get a motion to approve the agenda? Motion by Dr. Sweetman.

A second? Second by Mr. Broussard. All right. Is there any discussion? Seeing none, is there any opposition to the motion? Seeing none, we'll consider the agenda adopted as written.

The second item on the agenda is the Approval of the November 2024 Minutes, Tab B, Number 2 in your briefing materials. Is there any additions, or modifications, to the minutes? Seeing none, is there any opposition to approving the minutes as written? Seeing no opposition, we'll consider the November 2024 minutes approved. All right, and so we have a number of action items on this committee. We will probably take them in order and work through the action guide. Mr. Rindone, if you want to work this -- Take us through the first steps there.

DRAFT: REEF FISH AMENDMENT 58B: MODIFICATIONS TO DEEPWATER GROUPER MANAGEMENT MEASURES

MR. RYAN RINDONE: Sure thing, Mr. Chair. I'm going to present some updated management alternatives for modifying the deepwater grouper complex, in light of recent stock assessment advice for Reef Fish Amendment 58B.

Management alternatives for deepwater grouper include specifying status determination criteria, catch limits, allocations, and accountability measures, and we've added some alternatives that were requested by you guys at the last meeting, covering sector allocations and accountability measures, and so you guys should discuss the range of actions and alternatives presented and suggest any revisions, and we will, at this point anyway, plan to bring a public hearing draft back for your approval at the April 2025 meeting.

We also have some Reef Fish Advisory Panel recommendations to go through, Mr. Chair, and we have our Reef Fish AP chair here as well, and so I don't know if you want to start with the document, and then go to that, or do you want to start with the recommendations and then go through the document?

CHAIRMAN FRAZER: My preference actually is to go through the document and then come back to the recommendations, so people have context.

MR. RINDONE: Okay. So, Bernie, if you could bring the document up, please. I don't have a presentation this time, because we do need to start preparing for creating a public hearing draft for this, and so I just want to make sure everybody is good and familiar

with the actual document. So, Bernie, we'll start with the purpose and need.

The purpose of this amendment is to modify status determination criteria, sector allocations, catch limits, and accountability measures for the deepwater grouper complex, which includes yellowedge grouper, snowy grouper, Warsaw grouper, and speckled hind, in response to recent stock assessment results.

The need for these actions is to use the best scientific information available, based on the recent stock assessment, which was for yellowedge grouper, to implement measures to end overfishing of yellowedge, and to achieve optimum yield for the species considered in the document, consistent with Magnuson. We'll go straight to Action 1.

All right, and so the first action deals with modifications to the deepwater grouper maximum sustainable yield proxy, the overfishing limit, the acceptable biological catch, and the complex annual catch limit.

Alternative 1 would maintain the current MSY proxy, OFL, ABC, and complex ACL. The MSY proxy is the yield when fishing at a 30 percent spawning potential ratio, and the OFL is 1.113 million pounds gutted weight, and the ABC and complex ACL are 1.105 million pounds gutted weight.

The note is for Alternative 1, saying that it's not a viable alternative, because the stock assessment that was done for yellowedge grouper included recreational data from MRIP-FES, and the current Alternative 1 catch limits still have the recreational data in MRFSS, or the Marine Recreational Fisheries Statistics Survey, which is a legacy survey that's no longer in use.

Since the subsequent catch data that were used to produce the new OFL and ABC recommendations from the SSC use more contemporary data that are considered, and that analytical product of SEDAR 85 for yellowedge, the stock assessment, is considered consistent with BSIA, and that makes using the catch limits in Alternative 1 not a viable alternative.

Alternative 2 would revise the MSY proxy and the catch limits for deepwater grouper, based on the council's SSC's recommendations for OFL and ABC. The OFL and ABC for yellowedge would be set based on an MSY proxy of the yield when fishing at 40 percent SPR and the yield when fishing at 75 percent of that, respectively. The

OFL would be the yield at 40 percent SPR, and the ABC would be the yield at 75 percent of F at 40 percent SPR.

The OFL and ABC for the three remaining species were set using Tier 3b of the council's ABC control rule, and the MSY proxy for the remaining three species would also be the yield when fishing at 40 percent SPR.

The OFL and ABC for yellowedge and the three remaining species would be combined, and then all four species would be managed as a single complex, with a complex OFL of 731,000-pounds-and-change, and an ABC, a complex ABC, of 555,000-pounds-and-change. Then the complex ACL would be set equal to the ABC, and so you've got about a 180,000-pound, plus or minus, difference between the OFL and the ABC here to account for that scientific uncertainty.

One of the reasons the SSC gave for keeping the family together, so to speak, keeping all four deepwater grouper species managed together, was they all tend to be caught together, when you're fishing for them, and it's almost impossible for most fishermen to be deepwater -- Or deep-dropping and be able to say, oh, this drop, we're going to catch this species, and you catch what comes up, and that's why there's not a minimum size limit on any of these species, is because, when they come up, the discard mortality is usually pretty high, because you're fishing in really, really deep water, usually in excess of 300 feet.

The SSC thought, in the interest of trying to keep discard mortality reduced, it was better to continue to manage them all together.

I guess just a little bit of background, and the stock assessment that brought us here, SEDAR 85, had found that yellowedge grouper was not overfished, but was undergoing overfishing, and it's just on the other side of that overfishing line, where the current fishing mortality is just a little bit too high, compared to the fishing mortality at MSY, and the SSC believes that, you know, based on the stock assessment, and the catch projections that you guys have in Alternative 2, that this would work to end overfishing of yellowedge grouper. Any questions about Alternative 2? We don't have another alternative for this, Mr. Chair, just because this is the SSC's recommendation.

CHAIRMAN FRAZER: Yes, and I appreciate that. Perhaps, after we hear Captain Hubbard's kind of input from the AP, we'll circle back on all of these various action items and the alternatives.

MR. RINDONE: I'm sorry. Can you say that again?

CHAIRMAN FRAZER: I said maybe if we can work through the action items, and the various alternatives, and then we'll hear from the Reef Fish AP, and then we'll come back.

MR. RINDONE: Okay.

CHAIRMAN FRAZER: Okay.

MR. RINDONE: So we'll just move on then.

CHAIRMAN FRAZER: Yes.

MR. RINDONE: So Action 2, please. All right, and so Action 2 deals with the sector ACLs and sector allocations, and just a note here about how we're dealing with Alternative 1, just so that everything is easily comparable for you guys for Action 2.

This action assumes that Alternative 2 in Action 1, again, which is the only viable alternative that we have for Action 1, would be selected as the preferred alternative, and so Alternative 1 in Action 2 reflects the status quo method of specifying the catch limits, but it uses the ABC from Alternative 2 in Action 1 to specify the complex ACL.

So Alternative 1 in Action 2, the no action alternative, would be based on the Generic Annual Catch Limits and Accountability Measures Amendment, and it would provide ninety-six-and-a-half percent of the deepwater grouper complex ACLs for the commercial sector, based on landings during 2001 to 2004, and the recreational sector's ACL would be unspecified.

The complex ACL would be set equal to the ABC, and so, based on the complex ABC of 555,026 pounds gutted weight, the commercial ACL would be 535,600 pounds. The quota, the commercial quota, is reduced by 4 percent from the commercial ACL, and so that would be set at 514,176 pounds.

As described in the Generic ACL AM Amendment, the recreational harvest would be managed through the current recreational accountability measures, and that would be undefined under Alternative 1.

One of the issues with having an undefined recreational ACL is,

boy, it's hard to do accountability measures when you don't have a recreational ACL, which brings us to Alternative 2, which essentially does the exact same thing as Alternative 1, except it takes that remaining three-and-a-half percent and, instead of having an unspecified recreational ACL, it uses that three-and-a-half percent to create one, and so you end up with a recreational ACL of 19,426 pounds.

Everything else about the commercial sector's catch limits from Alternative 1 remains the same. It's just now we actually have a specified recreational ACL, and that helps facilitate the application of accountability measures.

If we go down to Alternative 3, the complex ACL here would be set equal to the complex ABC, and that will be a recurring theme. It would establish a recreational ACL and sector allocation based on the average recreational landings from the most recent five years, and so that means, very simply, that we just took the average of the recreational landings from 2019 to 2023, and that value comes to 56,649 pounds. We said that's the recreational ACL.

Then what's left of the complex ACL is then allocated to the commercial sector, and so it's not normally what we do, but that's what we did here, just to give you guys a different type of option.

What that shakes out to is you have the recreational ACL of 56,649, or about 10.21 percent of the complex ACL, and that leaves 89.79 percent of that complex ACL for the commercial sector, or 498,000-pounds-and-change. Then you decrease that by 4 percent for the commercial quota, and you get 478,000-pounds-and-change. Questions here?

All right. Alternative 4, and so this is Mr. Strelcheck's equal reductions alternative, and so this would, again, set the complex ACL equal to the complex ABC and establish a recreational ACL and sector allocation based on an equal reduction in the landings from the recreational and commercial sectors for the most recent five years, such that the resulting sector ACLs don't exceed the complex ACL proposed in Action 1.

This results in a recreational ACL of 37,964 pounds, or about 6.84 percent of the complex ACL, and then the commercial sector gets the balance, which is 93.16 percent, and, again, the quota is reduced 4 percent, and you guys can see all those values there in that table, and so this is your equal reductions alternative.

The next two alternatives were also proposed. These were by Mr. McDermott at the last meeting. The Alternative 5 uses the average landings for the recreational and commercial sectors from 2001 to 2004, which was the same time series that was used in the Generic ACL AM Amendment to establish the recreational and commercial sector allocations.

For Alternative 5, which uses 2001 to 2004, you get a recreational ACL of just a hair over 31,000 pounds, or 5.59 percent of the complex ACL, and then the commercial sector gets the balance, and you guys can see those numbers there.

Then if you scroll down, Alternative 6 does the same thing, but with a different time series. It uses all of the recent time series that we had provided in Table 1.1.2 in the beginning of the document, and so 2000 to 2023. The caveat with this is that it includes both non-IFQ and IFQ years, and it results in a marginally different value here, and so 32,747 pounds for the recreational ACL, and the balance going to the commercial ACL.

Mr. Chair, for this action, an IPT recommendation would be to consider if there are any alternatives that you guys think you could weed out, because, as we're preparing for doing the public hearing drafts, and drafting Chapters 3 and 4, there's a matrix of analyses that will be necessary to do, and so, if we can hone-in closer on the alternatives that the council is most interested in, that certainly makes that process more efficient.

CHAIRMAN FRAZER: Yes, and noted, Mr. Rindone. I'm curious as well, and, I mean, given that it's slated for a public hearing draft, do you want to move towards picking preferreds as well during this meeting?

MR. RINDONE: I think for some, you could. Like, for some of the actions, you certainly could do that comfortably. I mean, you guys are very familiar with, you know, the allocation issues, and setting ACLs, and there's a table down in there too. Bernie, if you scroll down a bit, would you please? Keep going. Stop.

This table kind of puts all the alternatives together for you guys, so you can see all the percentages, and the numbers in pounds gutted weight, which makes it a little bit easier to digest, and, if you look at the plot just below that table, you can see how the recreational landings performed against the Action 2 alternatives for the recreational sector. Bernie, if you scroll down just a little more for me.

Generally speaking, and rather intuitively, right, Alternative 3, which has the highest recreational ACL, results in the fewest overages over the last ten years, and so we don't have 2024 data included in here, because they're very preliminary.

The black line, that makes a lot more of an oscillatory movement there, that's the deepwater grouper recreational landings, and then the rest of the alternatives are in the different colors, and so, if anyone is colorblind, my apologies, but, intuitively enough, higher ACL, and fewer overages over time. Generally, you could interpret that, but there are also some that are very, very similar.

Like Alternatives 5 and 6, you know, result in pretty similar values, and so, if there's a principle behind one of those that you guys agree with more than the other, you know, that might be something to talk about. If you like the idea of the equal reductions alternative, that's Alternative 4, or you don't, and that would be something to talk about.

If you like what we did with Alternative 3, with focusing on just the average recreational landings and then the rest goes to the commercial, that's something to talk about there, but definitely in search of a consideration of reducing the number of alternatives for Action 2.

CHAIRMAN FRAZER: All right. Thank you, Ryan. We'll work on that. I think we can go ahead and move though, for now, to Action 3.

MR. RINDONE: Action 3, and so this action modifies the deepwater grouper accountability measures. The current accountability measures are specified in Alternative 1, and so, if the total complex ACL is exceeded in a fishing year, then, in the following fishing year, the Regional Administrator will close the recreational sector for the remainder of the year if the sum of the commercial and recreational landings reaches, or is projected to reach, the total complex ACL.

This directs NMFS to close the recreational sector only if both sectors reach, or are projected to reach, that complex ACL, and, because the IFQ system allows commercial landings year-round, it's unlikely that this AM will effectively constrain those recreational landings, because you don't know exactly how much has been landed by the commercial sector until you get past December 31st, and so NMFS would have to assume, at the beginning of the

fishing year, that all of the commercial quota would be landed.

Based on what the commercial quota could be from the alternatives that are in Action 2, that's a safe enough assumption, based on recent history, but it's still not a guarantee, and this assumption is not clearly stated in the current accountability measure.

CHAIRMAN FRAZER: A real quick question?

MR. ED WALKER: Just real quick, to keep me from scrolling through all these pages. Do you know what the rec catch has been estimated at in the last few years?

MR. RINDONE: Bernie, could you scroll back up to that plot that was in Action 2? So that black line there, Captain Walker, is the recreational catch from 2014 to 2023, and that's combined private and for-hire, and so for all states.

We've had some discussion about assumed precision in the recreational landings, because of how far offshore you tend to have to go to catch these species. It tends to necessitate a type of vessel that's uncommon to be launched from public access points, and so we're talking larger private recreational vessels that are the kind that are usually kept either at a large marina or behind somebody's house, and might be less commonly intercepted by the MRIP Access Point Angular Intercept Survey.

While, on one hand, it's possible that FES has been overestimating the effort, it's also possible that APAIS has been underestimating the catch, and so there's considerable uncertainty to think about when we're looking at the recreational landings.

CHAIRMAN FRAZER: All right. Thanks, Ryan.

MR. RINDONE: Bernie, could we go back to Action 3, please? So Alternative 2 would revise the post-season recreational AMs for the deepwater complex, and it says that, for the recreational sector, if the ACL is exceeded in a fishing year, then, in the following fishing year, the Regional Administrator would close the recreational sector for the remainder of that fishing year when the ACL is projected to be met.

When we're thinking about projecting when the season might close, again, the thing to consider for this, and then we'll have season projections to provide to you guys, once we have a better idea of what the alternatives look like in Action 2.

When we're thinking about that, though, we also need to think about the precision of the recreational landings, and these are otherwise rare-event species, for all states, and so there's going to be a fair amount of uncertainty in exactly when the recreational sector might need to close, based on a pre-season projection.

Whether we're doing an in-season accountability measure or a post-season accountability measure, that season -- Projecting that season closure is going to be difficult to nail right down, and so we'll go to Alternative 3.

Alternative 3 would establish an in-season recreational accountability measure for the deepwater grouper complex, and so, if the recreational ACL is projected to be met in a fishing year, then the Regional Administrator would close the recreational sector for that complex for the remainder of that fishing year.

If we were comparing this to Alternative 2, I would say that Alternative 3 would be even more difficult to do, because when -- You know, this fishery using MRIP-FES, and so we have that time delay between when the wave ends and when we have the data from that wave, and so there would be quite a bit of imprecision as it relates to this, and I think there's probably an increased probability of recreational ACL overage here than there is perhaps for some of the other alternatives that you guys might consider, and so the in-season one is especially difficult, but this is offered just in the spirit of having a balanced offering of alternatives for you guys to look at.

Alternative 4 would revise the post-season recreational accountability measure for the deepwater grouper complex, such that, for the recreational sector, if the recreational ACL is exceeded in a fishing year, and the total ACL for deepwater grouper is exceeded, then, in the following fishing year, the Regional Administrator would close the recreational sector for the deepwater grouper complex for the remainder of that fishing year when the recreational ACL is projected to be met.

This provides a little bit of wiggle room on the back of the 4 percent difference for the commercial quota, versus the commercial ACL, because the recreational ACL, plus the commercial ACL, does still equal the complex ACL. We're not using a recreational ACT right now, or anything like that, and so there's just a little bit of a buffer there.

Alternative 5 would revise the post-season recreational accountability measures such that, for the recreational sector, if the landings exceed the ACL in two consecutive years out of the previous three fishing years, then, in the following fishing year, the Regional Administrator would close the recreational sector for the deepwater grouper complex for the remainder of that fishing year when the recreational ACL is projected to be met. Ms. Levy, do you want to speak to Alternative 5, because we had some discussions about this. Mara, do you want to speak to this one specifically, to Alternative 5?

MS. LEVY: Well, I can. I mean, I just have some concerns about allowing two consecutive years, or two years of overages, before any action is considered, but, I mean, I think -- I'm trying to think of some ways to maybe link it to maybe the total ACL not being exceeded.

I mean, we may have some wiggle room, but the way it's written now, to me, is it just allows it regardless. Like, regardless of the amount of the overage, regardless about what that means for the stock, how close we get to the OFL, how much the total ACL is exceeded, we're going to allow two years before we do anything, but maybe, if we put some caveats in there, maybe it's workable. I just think -- I think we need to flesh it out a little more and talk about it.

CHAIRMAN FRAZER: Thank you, Mara. Captain Walker, did you have question?

MR. WALKER: No, and I was going to ask what Ms. Levy answered there, the feasibility of the two-year. Also interesting, since you were mentioning it, about if the total ACL is not exceeded together, like it is now, and maybe there's some other alternatives we can consider here, too.

CHAIRMAN FRAZER: Thank you, Mr. Walker. Mr. Strelcheck.

MR. ANDY STRELCHECK: Yes, and so just some general comments about the accountability measures, and so I agree. I think in-season, for a fishery with high PSEs and uncertainty, is not something that -- A path we want to go down.

Commonly, we've used this approach in the South Atlantic, where both the recreational ACL and the total ACL are exceeded and accountability measures are triggered. We've already set that precedent, and I think that's something that works well. Our goal

is, obviously, to avoid having the ACL exceeded, and then trigger accountability measures, as needed.

We did spend a lot of time, between the last council meeting and this council meeting, talking with, you know, peers, and others, about this idea of could we do two out of every three years, or some other approach, and, you know, credit to Ryan, and others, for really looking at this carefully.

I think the challenge continues to be what the national guidelines say specific to when accountability measures are triggered and making sure that we're looking at this on an annual basis, and so I'm hesitant to just throw the alternative out, but we, I think, have to be thoughtful, and, like Mara was suggesting, if there's a way to modify it in a way that continues to make sure we're looking at the ACL exceedance, and, you know, reacting to it, and doing something, so that we just don't let the two years kind of pass by without doing anything.

CHAIRMAN FRAZER: Captain Walker.

MR. WALKER: I like Andy's comments there. I might suggest maybe we could eliminate at least Alternative 3, in-season accountability measures, because I don't see there's any way that that could be done. I think that's the only one that has an in-season, but, if we're trying to streamline our alternatives, we might think about eliminating ones with that in-season accountability measure.

CHAIRMAN FRAZER: Thank you, Captain Walker. I think what I would like to do though is kind of the way that we've laid out this particular, you know, agenda item. Let's go ahead and work through all of these, and hear from the AP and Captain Hubbard, and then we'll come back and walk through that. Mr. Anson.

MR. KEVIN ANSON: Just a minor typo, or update to the language, before you move on to that AP report. It is under the bolded language under Alternative 1, that paragraph there, and the first sentence, near the end, where it says, "recreational landings reaches or is projected to reach the total complex ACL", and it's missing the "to reach" there, and so thank you.

CHAIRMAN FRAZER: Thank you, Mr. Anson. Okay. Mr. Rindone, you can carry on.

MR. RINDONE: Mr. Chair, this is the last action. That was the

last alternative in the last action. Break out your weed whacker.

CHAIRMAN FRAZER: Let's go ahead, and we'll hear the AP summary and recommendations from Captain Hubbard.

MR. DYLAN HUBBARD: All right. Thank you. As far as the deepwater grouper is concerned, 58B, the first round of discussion the AP had was about the buffer. There was a significant buffer in place, by the SSC, between the OFL and the ABC.

There was a lot of questions surrounding that, and why the scientific uncertainty was so high surrounding the species, and then, as far as alternative -- Or Action 2 is concerned, there was the initial discussion around discussing allocations between sectors or sector allocations going against previous council motions, where the council motion in discussion was how you guys were going to wait to discuss sector allocations until the FES pilot study was done. There was a large discussion AP had surrounding that.

Then, also, we discussed removing the buffer for the commercial sector, for both deepwater grouper and shallow-water grouper. There's a 4 percent buffer in the commercial ACL, and so we were discussing removing that, and I believe there was a motion. Yes. It was a unanimous motion suggesting that.

Then, as far as the Action 2 is concerned, the discussion, we were trying to help the council make decisions, and pick preferreds, but the AP ultimately was unable to. There was a lot of discussion over how the fishery has been changing. There was a discussion around the commercial side of things, how the fishing fleet for deepwater grouper is shrinking. There's less people, less captains, less boats prosecuting that fishery.

There was a large discussion around the recreational sector, how there's bigger, faster boats, with more engines, more technology, more mapping technology, better chips, the spot-lock GPS trolling motors, greater ability to prosecute that fishery by the recreational sector.

Essentially, discussion around the AP table was how there's more recreational use in recent years, and less commercial use of deepwater grouper, and a big discussion, that Ryan alluded to already, was how this species specifically, this species complex specifically, is really difficult for MRIP-FES to handle, because of the APAIS restrictions.

A lot of these fish are being landed by these multimillion-dollar boats, whether it's a fifty-foot Viking, that goes back to a private dock, or a forty-two-foot Freeman that goes back to a private dock, and these fish are likely not intercepted by APAIS, and so the recreational landings are severely underrepresented in those sector allocation discussions. That was the discussion around the AP table.

Also, in Action 3, we were able to help and pick a preferred there. The AP discussed making Alternative 5 the preferred, because of the variability and recreational landings, as that table that was up on the screen before, that Bernie was showing, with that black line of the landings being so variable. I think Alternative 5 would be the best option, in order to try to smooth out some of those variability in the landings.

Also, with the recreational data concerns, the APAIS issues, which I already belabored, and this being a rare-event species, I think Alternative 5 -- Or the AP felt Alternative 5 would be the best option, and that pretty much sums up our AP discussion on 50B.

CHAIRMAN FRAZER: All right. Thank you, Captain Hubbard, for that summary. Any questions for the AP, before Captain Hubbard leaves the podium? All right. I'm not seeing any, and so, Ryan, I guess we'll just go back to the top of the document and see where we go with regard to the various action items.

MR. RINDONE: So we'll go back to action one, Bernie. All right. The easy one.

CHAIRMAN FRAZER: Yes, and so you're right, and so we've got the non-viable no action and a single alternative, and so any suggested modifications there, or do we want to move straight to Action 2? Captain Walker.

MR. WALKER: I don't know if I can modify it, but -- Check me if I'm wrong here, but this -- We went from not undergoing overfishing to overfishing, or undergoing -- I forget, but almost entirely based on the decision to go -- To move the SPR ratio from 30 to 40, right? That was the difference between a problem and no problem, and that decision was made in a room like this somewhere.

I know it's more complicated than that, but it seems to be, when that decision was made to change that 30 to 40, then we were handed a problem that we have to deal with, and that's just how I read

that right there. Now it says there's no other alternative to take, but take this that we're handed.

CHAIRMAN FRAZER: So, again, so that was a discussion that was had in the SSC, with regard to the biological characteristics, particularly yellowedge, and so I think they made a decision, at that point, that was probably the more appropriate SPR, and that's how we ended up where we are, but it's certainly open for discussion. Captain Walker.

MR. WALKER: So it's my understanding that there's some trendy science going around right now that -- Or studies that are -- I haven't read them yet, but saying that 40 percent should be considered more often across-the-board, and it's being followed, and it's far more technical than I could ever argue, but, from a layman's standpoint, I don't think we should just readily adopt this new trend to start 40 and look back, but I know there's more factors to it than that.

CHAIRMAN FRAZER: Anybody going to weigh-in on that? Mr. Rindone.

MR. RINDONE: Thank you, Mr. Chair, and so there are several factors that ultimately led to the reduction in catch that's coming out of SEDAR 85. On one hand, you have yellowedge grouper's life history characteristics, and this is really where most of it actually comes from, and so 50 percent of the females -- It's a protogynous hermaphrodites, and so it starts life as female and then transitions to male at a later age.

It can live up to eighty-five years, and so it's one of the longest, if not the longest, lived species that we manage, and 50 percent of the females don't reach sexual maturity until nine years old, and so it is the latest-maturing species that we manage, and so the longest-lived and latest-maturing.

It's subject to very high discard mortality, because, if you catch one, and you bring it up, the odds of it surviving and being sent back down are low. Recruitment for the species has been below average for the last fifteen years or so, and Dr. Walter, who did the original assessment of the species back in SEDAR 22, made the comment, at the last meeting, that, had we known then what we know now about the life history characteristics of yellowedge, you know, its age at which 50 percent of the females are mature, its true max age, and the estimated age of transition I think is like seventeen or eighteen years, or something like that, at the low end, you know, that they would have recommended at least 40 percent

SPR back at SEDAR 22.

Even still, despite all of that, the contemporary research that's been discussed by the SSC would suggest that 40 percent SPR would be like the lower bound of how aggressive we should have been managing this stock. Mr. Chair, since I called on Dr. Walter, if he wants to say something, I'll let him say something.

CHAIRMAN FRAZER: Go ahead, John.

DR. JOHN WALTER: Sure. Thank you, Ryan. I think you said it very well. This one is probably one where heeding the SSC's advice would be very -- Unless the council has a strong scientific rationale for choosing a different SPR value, in which case the rationale would have to be based on the science here, heeding the SSC's advice would be the counsel that the Science Center would give, and this one is probably our -- Of the groupers, the one, as Ryan said, that's likely to be in the slowest lane of its life, of any of the ones we've got, and so it's probably a pretty easy call.

In fact, I think the SSC even entertained SPR 50, which would be an even lighter fishing pressure for this one, and so probably at least some of the recent papers, and I would recommend probably getting up-to-speed on some of them, and we'll be giving a presentation on SPR proxies by the SSC chair in -- I believe, tomorrow, and so that will be an opportunity to ask questions of the SSC chair, Mike Allen, and then get up-to-speed on some of the recent science, which is suggesting that now, what we know for many of these animals, the closest proxy to FMSY, and remember, in a perfect world. we would estimate the stock-recruitment relationship, and so this discussion wouldn't even happen around the council floor, because FMSY would have been determined by the stock assessment.

Unfortunately, when it is not estimable in the stock assessment, we usually have to use a proxy, which right now is why we're debating that proxy, and the recent science is suggesting that the proxies for many of our species need to be higher than what they were originally set as, and so I'm happy to take questions on that further, but I think we want to look forward to the presentation we'll get from Dr. Allen. Thanks.

CHAIRMAN FRAZER: Thank you, Dr. Walter. Mr. Sanchez.

MR. SANCHEZ: On deepwater and yellowedge, the life history would

suggest that this is maybe the one species, or one of a smaller list of species, that this would be appropriate for 40 percent, but the concerns that I have had is that it really does seem like this rush to 40, you know, and then 50 was suggested earlier, and, if it lives old enough, and grows slow enough, that that might have been that too, but what's lost here is that we have, as a council, a lot of toolboxes to address buffers, and it seems almost like SPRs, and these increasing percentages of proxy, are being used as an additional buffer to supplant our traditional ABC management.

To me, that's a little troubling. I mean, we have OFL, and it has ABC as its buffer. Then we have the ACL, the option to make it lower than the ABC, a little additional buffer, and then we have an ACT, which we can do as a further buffer, and so we've got buffer toolboxes, but this is becoming like a buffer layer cake, and SPR is the latest layer on that cake, and I don't know if it's the right thing to do, if I'm comfortable doing it for all species, because, quite frankly, when those 40 and 50 percent SPR grenades get launched into this arena, it's us that have to jump on it.

CHAIRMAN FRAZER: Thank you, Mr. Sanchez. All right. We've had a fair amount of discussion on the SPR proxy, and so, again, this is -- I'm trying to think this through a little bit, and trying to streamline process. As we get to Full Council, there's a single viable alternative in this action. You know, is there any willingness, perhaps, to offer up this as a preferred, or not? Okay. Maybe we'll circle back on that in Full Council. Okay. We'll go to Action Item 2. Dr. Sweetman.

DR. C.J. SWEETMAN: Thank you, Mr. Chair. Let me try and help potentially streamline some of this process here, and so I actually like the alternative that Andy requested there, Alternative 4, an equal reduction in landings based on the most recent five years.

I do have concern that, you know, a large portion of what we're doing here -- You know, there would be projected recreational landings exceeding the ACL, based on what I'm looking at. It looks like Alternative 4 would have done it in four of the last five years, and a lot of the other alternatives are three of the last five years.

I feel like this is kind of -- It's clear, to me, that recreational needs something, and, based on the way we're structuring this, we need to specify what that catch limit is here. It was unspecified in the past. You know, it was kind of just that 4 percent buffer

that was given away from the commercial to the recreational to allow for that.

Obviously, we have to formalize that, in some capacity, hold one sector accountable relative to their landings, and I get where we're at relative to some of those landings and the uncertainty.

I feel like what is going on in Action 3 tries to help deal with some of that uncertainty here in the recreational landings, and I feel like Alternative 4 is kind of a happy medium, if you will, and so that's kind of where I'm at, as far as Alternative 4, and I would be more or less in favor of removing at least some of the more extreme options on both sides of the spectrum there, but that's just my two cents. I'm just curious what others think.

CHAIRMAN FRAZER: Thank you, Dr. Sweetman. Any other input on this action? Mr. Strelcheck.

MR. STRELCHECK: I guess I view Alternatives 2,3, and 4 as providing that reasonable range for consideration, and 4, 5, and 6 are very similar, in terms of the actual allocations themselves, and when we were talking about -- You know, for the recreational sector, a significant amount of fish, when you're talking, you know, just a few thousand fish, given how small the allocation is.

I think Alternative 5 was the one that jumped out at me, because I think that one is based on just the five-year time series, or four-year time series, and isn't representative of kind of potentially what's happening more recently in the fishery, and so I would certainly support, you know, moving that to Considered but Rejected. Alternative 6 obviously has a longer time series and produces almost the same allocation as Alternative 5.

CHAIRMAN FRAZER: Thanks, Andy, for that input. Further discussion on this action item, or is there any appetite for removing one of the alternatives? Dr. Sweetman.

DR. SWEETMAN: Sure. I agree with Andy. **I mean, I'll make a motion to remove in, Action 2, to make Alternative 5 and Alternative 6 Considered but Rejected.**

CHAIRMAN FRAZER: Okay. So we'll put a motion up on the board, and we'll wait for Bernie to get that up. All right. So we've got a committee motion on the board in Action 2 to move Alternatives 5 and 6 to Considered but Rejected. Is there a second for that motion? It's seconded by Mr. Sanchez. Any further

discussion on the motion? **Seeing none, is there any opposition to the motion? Seeing none, the motion is approved?** Okay.

Is there any further discussion on this particular action item? Again, I think my hope is, by the end of this meeting, we might be able to pick some preferreds, prior to developing a public hearing draft, but we don't have to do it now. We might get some public testimony and do that in Full Council. All right. I'm not seeing any further hands with regard to this particular action item, and if we can move to Action Item 3. Dr. Sweetman.

DR. SWEETMAN: Thank you, Mr. Chair. I appreciated the dive into the kind of the multiyear perspective here. I totally agree with Andy that an in-season closure is just not viable. I mean, I'm thinking Alternative 3 is probably something that we can remove here, but, to the point taken of Mara, relative to Alternative 5 in there, I have a thought, and maybe, Bernie, if you could bring my motion up that kind of tries to thread that needle there a little bit, and we'll see where this one lands.

CHAIRMAN FRAZER: All right, and so we have a motion by Dr. Sweetman in Action 3 to add an Alternative 6. Alternative 6 reads, for the recreational sector, if the average yellowedge grouper landings, when determined after a three-year period, exceeds the annual recreational ACL, the AA would reduce the length of the recreational season by the amount necessary to ensure that the recreational ACL is not exceeded during the following three-year fishing period. Is there a second for that motion? It's seconded by Mr. Broussard. Further discussion? Dr. Sweetman.

DR. SWEETMAN: Just a little justification here. I mean, my goal is to try and -- Similar to what's done in Alternative 5, but looking at it a little bit differently, across more of a three-year fishing period, and an average. I'm kind of trying to avoid overreacting to some of these imprecise catch limits that we know are out there.

Ultimately, this would average annual variability in landings. We could look at this every year, based on that, to determine overfishing status. It's within the CFRs, within rulemaking, to actually look at this from a multiyear perspective. We can't use more than three years, and so that's what I'm going off of here, and, basically, the objective here is to try and get relatively consistent seasons, so we're not having abrupt closures based on kind of imprecise data, and so that's my overall justification for it.

CHAIRMAN FRAZER: Thank you, Dr. Sweetman. Ms. Levy.

MS. LEVY: So just a question. Are you -- Is this articulating like a rolling three-year period, like indicated in the guidelines, or are you saying you wait three years and --

DR. SWEETMAN: Rolling.

MS. LEVY: Rolling, and so like you just keep rolling the years, and like the guidelines actually talk about a three-year moving average, right, and is that what this is talking about? Okay.

DR. SWEETMAN: Yes.

CHAIRMAN FRAZER: Captain Walker.

MR. WALKER: So it almost seems like maybe there should be some kind of a cap though. If they had some breakout year, and they caught 100,000 pounds, would we have to wait two more years for that to -- I guess you're trying to smooth it out, but --

DR. SWEETMAN: It's an average.

MR. WALKER: Right, and so, if it's average, it just seems like it leaves the door open a little bit for -- I support it. I'm just thinking on all sides here, but, if they went way over, waiting three years might be a mistake.

CHAIRMAN FRAZER: To that point, Dr. Sweetman?

DR. SWEETMAN: No, and it's not waiting three years. You look at it every year. You're just taking the average of the previous three years, and it's a moving average that you're looking at each year.

CHAIRMAN FRAZER: Mr. Strelcheck.

MR. STRELCHECK: I guess the first question is so you refer to yellowedge grouper, but --

DR. SWEETMAN: (Dr. Sweetman's comment is not audible on the recording.)

MR. STRELCHECK: Deepwater grouper? Okay. Then, just for the council's reference, accountability measures could be based on

comparison of average catch to average catch limit over a three-year moving average period, and so that's essentially what you're getting at here.

We might want to, you know, work on the wording, to just make sure that it's referencing kind of that moving average. Then, as Captain Walker points out, you know, there's kind of a risk-reward with this, right, and so, if the first year is low landings, right, you benefit from that, but, if the first year is the high landings, then, all of a sudden, that persists throughout the three-year average, right, and it affects accountability measures, but this does at least take into consideration that the landings are going to be variable and fluctuating around some average over time.

CHAIRMAN FRAZER: Okay. Dr. Froeschke.

DR. JOHN FROESCHKE: A similar question, I guess, and, if we were to do this, you would start year-one, and, for example, say the recreational ACL was 100,000 pounds. These data are super variable. You could generate an estimate of 300,000 pounds right out of the gate. By that process, would you just close for the next two years automatically?

CHAIRMAN FRAZER: I'll let Dr. Sweetman weigh-in, and then I'll follow-up.

DR. SWEETMAN: That's a fair question. I'm thinking, no, that is not the intent there. The exact nuances of how year-one -- I think I would have to deliberate that a little more before we see this again there, but, conceptually, I just wanted to see if any people were onboard with it, but that's a fair point, John.

CHAIRMAN FRAZER: I mean, it's a good point. I mean, I think the intention would not to be hamstrung by a single year, right? Dr. Froeschke.

DR. FROESCHKE: The other thing, I mean, what I can see is, in the event that you got to the point where we were doing fairly frequent interim updates, and things like that, and you're constantly changing the landings, how would you deal with that? Would you restart the three years every time, or figure out something else? It's just something that we'll have to talk about with the IPT.

CHAIRMAN FRAZER: Thanks, John. Mr. Rindone.

MR. RINDONE: So two -- Well, one friendly amendment to add a new

alternative, since I'm not really sure which number this would be, and then a suggestion to you -- So just "a new alternative", yes.

Then a suggestion. The AA would reduce the length of the recreational season by the amount necessary to ensure the recreational season, blah, blah, unless blah, the best scientific information available suggests no adjustment is necessary, because, if the best scientific information available is tied to a stock assessment that has say increased the catch, then that's something that the AA could consider.

If the landings are just barely over but have a PSE with a comma in it, to be very sarcastic about it, then that's something that the AA could consider. You know, that's something that -- Are the landings so uncertain that -- You know, if they're over by say a thousand pounds, on that rolling three-year average, but it has a PSE of 75, then, well, it's very uncertain. It's very close, and so maybe that's something that could be discussed, you know, by NMFS.

Bernie, so where it says, "if the average yellowedge grouper landings", if you could change "yellowedge" to "deepwater", please. As far as my added language, I'll wait to see if that's something that the motion maker and seconder prefer.

CHAIRMAN FRAZER: All right, and so we've got three suggested wording changes. "Alternative 6" was replaced with just "alternative", and "deepwater grouper landings" replaced "yellowedge" and then there was a suggested addition of "unless BSIA suggests". C.J., are you good with those?

DR. SWEETMAN: Yes, and I think we're missing a word at the end there. Yes, and I think Andy's point was well taken about incorporating, in some capacity, the moving average component of it. I don't think I've captured that appropriately, and so I would be open to friendly amendments on that too, but, yes, I agree, and I'm okay with these edits.

CHAIRMAN FRAZER: Mr. Broussard? Billy says okay. Mr. Anson.

MR. ANSON: A couple of questions. At the end, it says "ensure that the recreational ACL is not exceeded". Should it be that the "annual recreational ACL is not exceeded during any", and just period, and not any mention of it following a three-year period? I mean, we would be kind of looking at each annual period, I guess. It's not a cumulative three-year ACL that we're looking at, and

we're just talking about annual ACLs, right, and so I would just put more thought on that, to maybe clarify that.

Then, just going back to the comment that Dr. Froeschke mentioned about in year-one, I guess if -- I mean, I was thinking that, if this were to be implemented, and we're looking at the next year, that would be the previous three years. It wouldn't be just next year's landings that we would be looking at, and so it would a -- It would still be a three-year period, once this gets implemented, and so year-one is just out of the question, I guess, for any following management action, until that three-year period is up, correct, and that would be that year, and so it would be the following year.

Like, in year-two, we would be taking all the -- We would take management action on the previous three years of data in year-three of that period, which would be that first year, and I guess I was just confused about the first year-one concept.

CHAIRMAN FRAZER: Yes, and, I mean, as John pointed out, I think they'll flesh that out in the IPT, but, again, my suspicion, right, is that they would kind of grandfather in the previous couple of years to make this a viable, workable thing. Dr. Froeschke.

DR. FROESCHKE: Yes, and I guess that's what I thought. What trips me up here is that there is no recreational ACL to pre-date, and so we couldn't go back in time and use that, and so we would have to come up with something else, and then, you know, based on previous conversations, it seems that you would just skip the first two years, start on the third, and go in perpetuity after that, and it might be a tough sell, but I won't comment on that, because it's not my area.

CHAIRMAN FRAZER: Yes, and clearly there's some things to work out here. Andy.

MR. STRELCHECK: First, a comment on that. We did do three-year moving average ACLs in the Caribbean, and, actually, they had like a phase-in period in year-one, year-two, and then year-three, right?

In terms of the wording of this, and so I'll look to C.J. here, but what I would suggest is "if the average deepwater grouper landings exceed the average ACL over a three-year moving period, comma, the Regional Administrator would reduce the length of the recreational season", right, and so are you good with that?

DR. SWEETMAN: Yes.

MR. STRELCHECK: And the seconder?

MR. BROUSSARD: Yes.

MR. STRELCHECK: Okay. **All right, and so if the average deepwater grouper landings exceed the average ACL over a three-year moving period, the average for three years -- Okay. Exceed that average ACL, right, or exceed the ACL, right? Then delete up to the comma, and then change "AA" to Regional Administrator", or "RA".**

Then the other question I guess I would have is be -- You know, are we wanting to change it on an annual basis, or, if it's exceeded on that three-year average, we're changing it for a three-year period, right, and so -- Because it's moving, right, we're shifting in time, and so it could be variable from one year to the next, versus fixing it over a three-year period.

CHAIRMAN FRAZER: Dr. Sweetman.

DR. SWEETMAN: I guess my intent, and as we're sitting here talking this out, I would think across the three-year period would be most beneficial, but I'm curious your thoughts, Andy.

CHAIRMAN FRAZER: Andy.

MR. STRELCHECK: I think, based on the National Standard Guidelines on accountability measures, I would have to do it annually, and so it would be is not exceeded during the following year.

CHAIRMAN FRAZER: So we'll make that change, "the following year".

MR. RINDONE: Bernie, "the following fishing year", and then just delete "fishing period". Then "unless BSIA suggests no adjustment to the fishing season is necessary", just to be more precise about that.

CHAIRMAN FRAZER: All right, and so we had a couple of comments first. Ms. Levy.

MS. LEVY: I guess I'm just not clear on the BSIA thing. I mean, we do have that language with regard to AMs that have paybacks, and we say unless the best scientific information available indicates that the payback isn't necessary, and we don't have it

with respect to any postseasons that require monitoring and a closure, and so I'm not sure what we would be saying here with respect to the BSIA.

I mean, it's a projection, right, and we don't have it in any of the other alternatives, and so it's just not clear to me what the intent is and why we would throw it into this one.

CHAIRMAN FRAZER: Point taken. Dr. Sweetman.

DR. SWEETMAN: I think the intent there, and, Ryan, correct me if I'm wrong, was, if we get something else aside from this, like an updated stock assessment, or anything along those lines that doesn't fall specifically within what we're talking about here, that would be considered best scientific information, rather than what we're trying to do here.

CHAIRMAN FRAZER: Ms. Levy.

MS. LEVY: Right, but, in any case where we get a stock assessment, and we update catch levels, I mean, Andy would still be evaluating whether there needs to be a reduction to the fishing year to not exceed that new ACL. Like, it's not -- If the new ACL goes up, then he's considering, based on what he knows, whether there needs to be a reduction in the season. Like that happens with all of the AMs.

I guess my concern is putting it in here without explicitly indicating why it's here and it's not everywhere else. It's not going to be clear that this is really doing anything, because, in any of our Ams, other than paybacks, we don't reference BSIA suggesting that there be some other action.

CHAIRMAN FRAZER: Mr. Rindone.

MR. RINDONE: Well, I think that we could also say that we don't do it yet, and, in this particular case, you would still be monitoring what's happening on an annual basis, and, if you were in a situation where the landings were very uncertain, just like with a payback situation, and let's say with gag, where there was one positive APAIS intercept that resulted in the shore mode landings that were very high for 2023, and it was acknowledged, both around this table and by the agency, that using a sample size of one for estimating the landings for that fleet, for that year, was highly uncertain.

That was considered for the following season's projections, for setting the -- For dealing with the payback and for the following seasonal projection, like what to do with the shore mode landings, and, for 2024, there was no intercept, and so no positive intercept by APAIS for gag, and so the landings that were reported for the shore mode by S&T were zero, which we also know isn't correct, right, and so it's highly unlikely that absolutely no gag were landed from shore last year.

Well, similarly with this, we have an even greater amount of uncertainty with rare-event species that are landed far offshore, by vessels that are uncommonly intercepted by the survey, and so the landings are inherently going to be uncertain.

If it's a situation where it's close, if we're looking at the average grouper landings over a three-year moving period, and it turns out that it's over by a small amount, but the annual PSEs, and the cumulative PSE over that three-year period, is a value that S&T recommends not be used for making management decisions, then that's something that the agency could consider in whether it thinks that it needs to modify the fishing season and the subsequent fishing year. It's not something we do yet, but does that mean that's something we cannot do?

CHAIRMAN FRAZER: Thank you, Mr. Rindone. Ms. Levy.

MS. LEVY: I guess my point is we already do it without that language. When the region is making a projection, they're deciding what information is available to use and what should be used in that projection, and they have the discretion already to say there's this crazy amount that we've all decided we shouldn't use for this projection.

It's in there based on the projection. The agency has to use the best scientific information available. Explicitly saying it here doesn't really add anything, when it's already there. I mean, if you want to say it, that's fine. I'm just saying it's already there, and we haven't made this express statement in any of the AMs that require a projection, because the projection, on its face, requires using the best scientific information available.

CHAIRMAN FRAZER: Dr. Sweetman.

DR. SWEETMAN: Yes, that's fine, and we're not going final on this right now, obviously. I appreciate the discussion around the table. Let's just keep it in, for the sake of the IPT discussion.

If we need to tweak it later on, fine, and so be it, but that's where I'm at there.

CHAIRMAN FRAZER: All right, and so we, again, had a number of friendly amendments to this particular motion. C.J., and Billy, are you guys good with the changes? Both are good.

DR. SWEETMAN: Thank you, everyone, for helping me with this. This is a tricky one.

CHAIRMAN FRAZER: Is there any further discussion on this motion? **Seeing none, is there any opposition to the motion? Seeing none, the motion carries.** So I have a quick question. Did you have a question, Andy, real quick?

MR. STRELCHECK: Go ahead, Chair, and then I'll ask it.

CHAIRMAN FRAZER: Okay, and so, in keeping with a suggestion from staff to, you know, perhaps reduce and streamline some of the workload, there's six alternatives. There's been some suggestions, perhaps, to eliminate one. Is there any appetite for that? C.J.

DR. SWEETMAN: Yes, Mr. Chair, and I think we talked -- **I mentioned this before I threw the motion out there, but I think another motion that we can have is to, in Action 3, to move Alternative 3 to Considered but Rejected, just because of the feasibility of monitoring in-season and trying to close it down.**

CHAIRMAN FRAZER: Okay, and we'll get that motion on the board. We have a motion by Dr. Sweetman.

MR. STRELCHECK: Second.

CHAIRMAN FRAZER: Seconded by Mr. Strelcheck. The motion reads: In Action 3, to move Alternative 3 to Considered but Rejected. Is there any further discussion on the motion? Captain Walker.

MR. WALKER: I think it makes sense, just because we have a hard enough time determining the catch for the year, and it's super variable, and so, with inside that year, it just seems like something that just can't be done, and so let's streamline our process here.

CHAIRMAN FRAZER: Okay. Thank you, Captain Walker. Any further discussion? **Seeing none, is there any opposition to the motion?**

Seeing none, we'll consider the motion approved. All right. I think we have worked through all of the action items. Mr. Strelcheck.

MR. STRELCHECK: I did want to just come back to the Alternative 5 discussion, if you could bring that up on the board, and so this is the one that's two out of three years. You've heard, obviously, from Mara, some of the legal advice, and kind of concerns about whether or not this is consistent or inconsistent with our National Standard Guidelines and requirements for accountability measures.

I did want to note -- I was just, you know, reading through the National Standard Guidelines, and there is a provision that says there's limited circumstances that may not fit standard approaches to specification of reference points and management measures set forth in these guidelines. In those circumstances, the council may propose alternative approaches for satisfying requirements of the MSA.

Other than those set forth in the guidelines, council must document their rationale for any alternative approaches in the management plan or amendment. So, in this instance, I feel like that might fall into, you know, what we're talking about here. You know, the challenge is the guidelines speak to, you know, having a trigger for an annual accountability measure, and, in this instance, it would be over a two-consecutive-year period, which seems to be counter to, obviously, what the guidelines are saying.

I think we do have, obviously, a lot of rationale, with regard to the uncertainty in the landings estimates, the high percent standard error, to where we can keep this in, but I just wanted to kind of acknowledge that and see if there was still interest in pursuing this or we would want to move this to Considered but Rejected, given C.J.'s motion previously.

CHAIRMAN FRAZER: Mr. Anson.

MR. ANSON: Yes, and I'll just cut to the chase. I'll make a motion to move Alternative 5 to the Considered but Rejected section.

CHAIRMAN FRAZER: Is there a second to that motion? Not seeing one, Mr. Anson. I think the reason is that it was selected as a preferred by the Reef Fish AP, and it probably requires some public testimony. Okay. All right, and so no seconder for that motion, and so we'll move forward. Is there any further discussion on the

action items in this particular document? Captain Walker.

MR. WALKER: So I've just been kind of squirming over here, and I think I know the answer to my question, but just to throw it out there on these proposed multiyear smoothing ideas, and is there any way that, if the total ACL isn't exceeded -- I mean, currently, they're managed together, or, since we're picking sectors and giving each their own, you're overfishing either way, but if you were to -- If the rec overfished a bit, but the commercial did not, is there any way there's forgiveness for that, or is your sector your sector?

CHAIRMAN FRAZER: Mr. Rindone.

MR. RINDONE: Can we go back up to the motion that you guys passed, C.J.'s multi-modified motion? The way that you guys made this motion, for the recreational sector, if the average deepwater grouper landings exceed the average ACL, and it doesn't say recreational ACL, and so I guess this might be we need to be more clear here about what you mean, and maybe this is an opportunity for Captain Walker's concern to be considered, or maybe it needs to be its own thing, but it could be the average complex ACL or the average recreational ACL, and so we should be specific about it.

CHAIRMAN FRAZER: C.J.

DR. SWEETMAN: I mean, the very first word is for the recreational sector.

MR. RINDONE: Yes, and I get that, but the AM applies to the recreational sector, and there are Ams, like in the South Atlantic, and even in this action, that say, for the recreational sector if the complex ACL isn't exceeded, and so I bring it up just for precision of language for this motion, but, if it's something that -- At the risk of adding additional alternatives, if it's something that you guys would want to have considered for the complex, or just the recreational ACL, and like it's something that we could have as options for this alternative, and then you could pick.

EXECUTIVE DIRECTOR SIMMONS: (Dr. Simmons' comment is not audible on the recording.)

MR. RINDONE: Do what?

EXECUTIVE DIRECTOR SIMMONS: (Dr. Simmons' comment is not audible

on the recording.)

MR. RINDONE: But it's still using a three-year moving average, and so you're going to know what those landings are into the following fishing year. Like you're going to know what the commercial landings were January 1.

I guess, Andy, does that create a problem, you know, in the same vein as Alternative 1, with having to make the assumption that the commercial landings are likely to equal the commercial quota, because it's not -- I know the issue here is that it's not -- It's implied, but it's not specifically stated for Alternative 1, but it could be specifically stated, if nowhere else in the discussion, for this new alternative.

MR. STRELCHECK: I would have to think about it. I mean, the benefit, obviously, of the commercial landings is we have the real-time monitoring, and so we're able to track those in-season, and we, obviously, can see how they're trending, in terms of utilization of the quota year to year, as well as within the year, and so it presents a little bit of a challenge in terms of estimating what the commercial landings would be and whether or not the total complex ACL would be exceeded, but I don't think that's insurmountable, given the quantity of landings we're talking about for deepwater coming from the commercial sector.

CHAIRMAN FRAZER: All right.

MR. RINDONE: So, to that point, and, Dr. Sweetman, to your motion, maybe it would be worth considering adding options to it for considering it, you know, like tying it to the recreational ACL or to the complex ACL, and then both could be analyzed.

CHAIRMAN FRAZER: C.J.

DR. SWEETMAN: Yes, and my -- Fair points. My intent here was recreational ACL, and maybe that was an oversight, but I think we can think a little bit more, and maybe discuss it at Full Council, relative to whether we wanted to add options, because I think you're bringing up some decent points, and Ed's points are well taken too, and so it’s something I just want to think about a little more.

CHAIRMAN FRAZER: All right, and so certainly we're going to strive for clarity in the language. You know, we've already approved this motion, and we're not going to go back and necessarily modify

it, and so let's go ahead and think about how we might modify these things in advance of Full Council, and we'll address it then, and so thanks, everybody, for that discussion. Is there any further discussion on any of the action items in this particular document? All right. I'm not seeing any. Mr. Chairman, it's ten o'clock, and we're scheduled for a break.

MR. DUGAS: Thank you, Dr. Frazer. We'll stay on schedule and take a fifteen-minute break. Thank you.

(Whereupon, a brief recess was taken.)

CHAIRMAN FRAZER: Mr. Rindone.

MR. RINDONE: Thank you. Before we turn it over for the next agenda item, given that we're trying to plan ahead for doing a public hearing draft, staff would appreciate if the committee would consider the kinds of locations that they would like to have the public hearings at for a deepwater grouper, and that could be something that's discussed at Full Council, but just something for state folks to be thinking about, like where they would like these public hearings to be held, the locations.

CHAIRMAN FRAZER: Thanks, Ryan, for that, and we'll certainly bring it up at Full Council. The next item on the agenda is the Draft Framework for Other Shallow-Water Grouper Catch Limits. That's Tab B, Number 5 on your briefing materials, and, Dr. Froeschke, if you want to lead us through the action guide, and then any presentation of the framework.

DRAFT FRAMEWORK: OTHER SHALLOW-WATER GROUPER CATCH LIMITS

DR. FROESCHKE: Okay, and so this document will be the first time we've seen this framework action that came out of our discussion of Reef Fish 58A last time.

In the discussion of that document, in consultation with the Regional Office and the changes potentially that are likely, or expected, to the IFQ program, we determined that it would likely be at least 2027 before that could be -- Before those changes could be implemented, and so this document that I'll present to you today would serve as a temporary, I guess, if you will, action to reduce the harvest of the shallow-water grouper complex while the longer-term changes, that include changes in catch levels and other management structures, the IFQ and things like that in 58, are considered.

What I tried to do in this document is to keep it straightforward and simple for your consideration. I'm going to walk you through the foundational components of this, and maybe even prompt you for a preferred alternative or two. I did not prepare a presentation, but what I'm going to do is walk you through the document, on the critical parts, and, if you have questions, please let me know.

CHAIRMAN FRAZER: So real quick, and so I think, John, I appreciate that preface, and so we'll go ahead, like we did with the last document, and we'll work through it. The document has two action items, and then perhaps we can follow up with the Reef Fish AP summary, and then we'll go back, as a committee, and kind of address any concerns, or modifications, that we might have, and, again, as John pointed out, it's a framework.

It's not an amendment, and I think the plan is to try to move this forward and take it final in April, and so just be cognizant of that fact as we're moving through, and so John.

DR. FROESCHKE: Okay, and so what I'm going to try to do is go through some of the tables, explain some of the relevant bits and pieces of information I think that are necessary to contemplate this document. I want to provide some background to some assumptions, and then we'll look at the alternatives.

I would like to start with Table 1.1, and so what this is, it’s a summary of how this current shallow-water grouper complex is managed, and I'm just going to walk through this. The overfishing limit is undefined, which is unusual for most of our stocks. The reason that is because black grouper is included in this complex.

Black grouper is undefined, because it's a jointly-managed stock with a South Atlantic, and so that’s the way it’s set up, and so it's a very unusual situation. It's not -- I don't view that as impactful to the decision that you make today, but that's why that is.

The ABC is 0.71 million pounds, or 710,000 pounds. That's combined ABC for both sectors and four stocks, and so scamp, black grouper, yellowfin, and yellowmouth groupers. Of those, just for your edification, scamp is the vast majority of the landings. Black grouper is a small component, and, historically, it was probably a larger component, but we're now probably in the 30,000 pounds a year.

The two, the yellowfin and yellowmouth grouper, stocks are negligible almost, less than 1,000 pounds or less a year, and so you'll see when we kind of get to how I worked out some of these draft alternatives, and that's why I'm telling you that now, because this does affect all the components, but the landings are almost entirely driven by the scamp.

The next portion of this, the commercial ACL, this was -- There was an apportionment. There's not a hard allocation, like we have for red snapper or amberjack, but it was apportioned off, and so there's the ABC, and the vast majority, about 80 percent, went to the commercial ACL, which is administered through the IFQ program.

There's a 4 percent reduction between the commercial ACL and the commercial quota. That allows for the transferability between the shallow-water and deepwater complex, the flexibility measures in the IFQ program, and so that's the same, and that's where you see that 4 percent buffer, and then, like I said, the recreational ACL -- There is no recreational ACL.

Essentially, that landings would be accounted for between the difference between the ABC and the commercial ACL, and so none of that is proposed to change in this amendment.

Okay, let's go to table 1.1.2, and just scroll down, and so what I have here are the landings for the shallow-water grouper, and what I want to show you here is you can kind of see the black and the yellowfin are combined, because there's some confidentiality.

You'll see, in both components, the scamp is the bigger component, and the yellowmouth grouper is almost negligible. They're combined, but you can -- Essentially, those are all scamp. If you look at the most recent say five years or so, the landings are around 300,000 pounds total, and about 50-50 in terms of commercial landings, and so I'll just state that, and just remember that, because it will come back later.

Okay, and let's go to the purpose of need. The purpose of this is to modify the current management measures for the shallow-water grouper complex. If you recall, 58A considers more dramatic changes to the management of these stocks, including changes to the complex itself, the IFQ program, potentially allocations, all these kinds of things.

We're not doing that in this document. It considers changes to the catch levels for the complex as a whole, and it considers a

recreational season that may be necessary if you decide to reduce the catch levels. That's it. None of the other portions, for good or bad, are contemplated for change in this document.

Okay, and let's go to Action 1, and I want to -- Before we go to the alternatives, I kind of want to go to the foundational -- Go down just a little bit, Bernie, because there's a chart down there, and I want to give you a little bit of background. Okay. Actually, go back. That's fine.

So SEDAR 68 was a scamp and yellowmouth grouper, and the results of that are presented here, and so I want to explain this, at least two things on this. If you recall, the scamp is the vast majority of the landings for the complex. The current complex ACL is 710,000 pounds. The ABC for scamp, based on this, is 203,000. If you're keeping score, that's a major cut.

The other portion of this is what we are currently doing, and the 710,000 is in MRFSS units. These are in FES units, and so you can -- That cut, on a relative sense, would be more than that.

So what I tried to do in this was to try to figure out, well, you obviously can't take these ABCs and apply it to the shallow-water grouper, because it doesn't apply to those stocks, and there's no way to get apples and apples. I'll just state that. It's imperfect.

What I tried to do was I took -- If you scroll down, Bernie, you'll see a chart. Just scroll down. What I tried to do is I took the most five-year recent landings for the scamp and yellowmouth grouper, in FES, and then I took the ABC recommendation, in FES, and I asked the question of, well, how much, as a percentage basis, would you have to reduce the recent landings to get down to the recommendation from the ABC, and so that black arrow is the difference between that orange line, which is the five-year average, and the purple line, which is the ABC, and that math works out to 54.7 percent, and so that is sort of the foundational percentage that I've developed the alternatives off of.

Okay, and so now let's go to the alternatives. Scroll up. Alternative 1 is 710,000 pounds, and we just talked about that, and the 547,000 is the commercial, the 526,000 is the quota, and then the rest of it would be available for recreational harvest. To date, we've never exceeded those. Much of the -- Recently, the average, the landings is combined, you know, in this 300,000 pounds-ish.

Alternative 2, what I did is I kind of did three different iterations, but I'll start with Alternative 2. I took the 710,000 pounds, and I said that's the ACL. If you reduce it by this 54.7 percent, you get 322,000 pounds, and so that would set this. It just cuts the whole thing down by that 54.7 percent. I acknowledge that black grouper, and the yellowfin, are not part of that, but that's how I did the calculation.

From there, I did everything essentially the same, and so how I got from the commercial, from the stock ACL to the commercial ACL, and so, in the Generic Amendment, Generic ACL Amendment, the black grouper was apportioned 73 percent and 27 percent. And so 73 percent of the landings went to the IFQ, and 27 for the recreational.

On the other three stocks, it was 80.1 percent to the commercial and 19.9 percent to the recreational. I computed a weighted average, and so it essentially works out to 80 percent and 20 percent, with some rounding, and so that’s kind of how I did it.

The 322,000, 80 percent went to the commercial, and 20 percent went to the recreational, I think it was, and so that's how the numbers worked out, as far as that's how I got from the stock ACL to the commercial ACL. The commercial quota is the 245,000. That's just the commercial ACL reduced 4 percent, and so there isn't a recreational ACL, because there isn't one in -- We're not doing that.

We do, later on, use that difference as part of the season calculation, but what you'll see is, if you just look at the math, it's about 60,000 pounds left over. If you look at the recent landings on the recreational side, it's about 150,000, and so there is going to be a big cut there.

On the commercial side, this 245,000 is not likely to be as problematic, given their recent landings. However, I did discuss, with the SERO folks in the IFQ, and they kind of reminded me that this would result in a big reduction in the actual allocation that's distributed, and so there may be some distributional problems, because all of the right people may not -- That have historically or intend to harvest them may not have the allocation they did, because it's been cut in half, and so there may be some reductions that we experience in the landings that may not be fully calculated, and so I think there'll be more of a reduction than it might seem here. The reason I'm --

CHAIRMAN FRAZER: Sorry, John, to interrupt. So, just for clarity, right, so the reduction to the sector itself -- I mean, it's kind of a proportional change, but it's -- I mean, I just want to make sure I understand that, but, within the sector, because of the way that fishes are distributed, right, that there may be some consequences there.

DR. FROESCHKE: Yes, and the reason I'm trying to weave this story is that, if you just look at the recent landings and say they're about 300,000, and you set the stock ACL at 322,000, you're saying, well, we're not even doing anything to the fishery, and why are we bothering, and what I'm suggesting is that, while that top line number may be true, that may not be -- There may be changes, or there will be changes to the fishery, both on the recreational side, because their component is going to be reduced, and there likely will be changes on the commercial, just by the way the fishery operates, and so the reason I'm saying that is the other alternatives are more of a reduction than that, and, you know, you may want to think about those other ones.

Let's move to alternative three. I'll try to walk you through -- I realize there's two alternative threes. That should be Alternative 4. I'll walk you through both of these, and then we can kind of have a little more discussion.

Alternative 3, just like Alternative 2, uses that 54.7 percent. However, instead of basing that off of the ACL, I based it off the most five-year recent landings, which I noted are much lower than the ACL, and so the resulting values are going to be low, and then -- So that would get you a stock ACL of 133,000 pounds, instead of the 322,000 in Alternative 2.

The challenge becomes, when you take that, and then you take 80 percent, it goes to the commercial, and then you have essentially 20 percent, and so you're left with a very small recreational season, or recreational component of this, which would correspond to a very short season, in all likelihood. You're talking 20,000 pounds-ish.

Alternative 4, when I tried to do with this, in recognition that black grouper and yellowfin grouper really weren't part of that 54.7 percent, what I did for this one is I based the calculations on -- I reduced the scamp and yellowmouth by that 54, and I left the other ones the same.

Given that they're not a very big part of the landings, it doesn't change the numbers very much, but that's what I did, because I was curious, and I wanted to see that, and so you can see it raises the ABC and ACL about 18,000 pounds, relative to Alternative 3. It would raise the commercial a little bit, or, excuse me, the recreational a little bit.

In terms of, you know, the season and things, Alternative 3 and 4, which is considered in Action 2, would be pretty dang short, because you're going to have a very small bit, and so, at the time, we did bring this action to the Reef Fish AP, in December. We did not have any season calculations available at that time.

They recommended Alternative 2. I don't think we fully realized that that was quite similar to the landings that we already had, and so it may not have resulted in -- You know, that was a little bit unnerving to me, I guess, that maybe we're not achieving anything, and so why bother, and we did kind of talk about it and look at the recreational component.

You know, it's mostly allocated to the commercial, but, in terms of how the fishery has changed, and things like that, that's not really how it operates anymore, but that's not part of this discussion, and that's 58A, and so I was being very deliberate in not going there.

That's sort of how this would work, and so I guess I'll stop there, if there's any questions, and if you want to go back to -- Or if you want to have a look at Action 2, and then kind of do the whole thing, or however you want to handle it.

CHAIRMAN FRAZER: My preference, John, is to go ahead, and just, you know, simply because you've already kind of opened the idea of looking at season length, right, and we'll go ahead to Action 2, and then we'll come back and listen to the AP report and then walk through this again.

DR. FROESCHKE: Okay. So Action 2, the IPT and I, we kind of came up with three alternative seasons. Right now, there is no recreational season closure. I guess it's open all year. Based on the changes, the alternatives are linked, and so you'll see -- I'm going to use Alternative 2 as an example, but, underneath the bottom of that, essentially there are different options that correspond to the different ACL, and so, depending on what you would select in Action 1, depending on the applicable row in Alternatives 2, 3, and 4.

I did not include the no action alternative in Action 1, because, if you select no action in Action 1, there isn't any reason to do this, and so this only corresponds to the reduced season, the reduced ACL bits. Each row states when it's closed because that's how we do it in the government.

I tend to prefer to think about it when it's open, and so, Alternative 2, the season would open January 1, and then it would close when we think that the recreational component of that is met, and so, for this Alternative 2 in Action 1, that's the 322,000, and that would be about middle of July.

Alternative 3 would be shorter, May 25, and then Alternative 4 is just a little bit longer than Alternative 3, but it's shorter than Alternative 2. That's going to be the same for the other ones. Alternative 3, it would be open on June 1, and it would close on September 15. Alternative 3 would be open June 1, and it would close on July 5. Then Alternative 4, it would open on June 1 and close July 13.

Alternative 4 -- I'll give you kind of the dates, and then I'll give you the rationale. So Alternative 4 would open September 1. If you went with Alternative 2 in Action 1, it would stay open the remainder of the year. Alternative 3 would close October 28, I think, or October 29, and Alternative 4 would close December 21.

The reason the start dates -- Alternative 2 is similar to what we have now, where it opens January 1. The pros of that are that. The cons, as I see them are, one, you have to figure out when to close on an in-season basis, which is difficult. You know, these are projections. Two, it does overlap with the spawning season and things like that.

Three, you know, it may or may not include some of these cold months and things. It may or may not be as desirable. You're kind of -- You're likely cutting out the bulk of the summer, when people are out there fishing. The June 1 corresponds to the peak season of effort. People are out there fishing. They're likely going to be caught, and so that's sort of the pro. The con is, because it's peak rate, you're going to have a shorter season.

Alternative 4 corresponds to September. Gag and scamp, historically, are frequently caught together and would align those seasons. That's sort of the rationale for the various alternatives, and so I'll stop there.

CHAIRMAN FRAZER: Thanks, John. It might be actually really good to look at the table, I think, because that kind of visualizes the --

DR. FROESCHKE: Yes, and I think there's a table, if you scroll down.

CHAIRMAN FRAZER: It's on page 15.

DR. FROESCHKE: There we go.

CHAIRMAN FRAZER: So, I mean, John, I don't want to kind of put words in your mouth, but, essentially, this is a table summary of what you just went through, and so there's pros and cons, obviously, with regard to season duration, you know, and implications for when you might open it, and how you might have to implement some in-season monitoring, or things of that nature, and so we'll leave it open. C.J., real quick.

DR. SWEETMAN: Just a question, and I'm sorry, and I know we're going to get to Dylan. Relative to Action 1, I'm just trying to understand process-wise, John. So, at the last council meeting, I made that motion about SPR 30 and 40 percent and catch level projections getting sent back from the SSC.

In Action 1, obviously, we're talking about catch level recommendations here, and so I'm just wondering -- I know we've got a broader amendment that we'll be working on too, for some of this year, but I'm just wondering how that potentially plays into what we're looking at today.

CHAIRMAN FRAZER: Dr. Froeschke.

DR. FROESCHKE: It doesn't, because these were set using landings in the Tier 3, and so these were -- These catch levels were set in the Generic ACL, thirteen years ago, and they were based on average landings, and so, for species that we used Tier 3, the SPR proxy doesn't really weigh into it.

CHAIRMAN FRAZER: So again, I just -- I'm just trying to make sure everybody's aware, right, and so this is a framework, right, and we've got Amendment 58A that's moving along. You know, kind of the soonest that we might implement that amendment is kind of in 2027, right, and so the development of that amendment will involve a fuller discussion of the SPR proxies.

DR. FROESCHKE: That's correct. This is intended to be a near-term fix while those longer-term management measures can be put in place and all of those recommendations can be more fully fleshed out.

CHAIRMAN FRAZER: Great. Thanks, John. All right. I think let's go ahead and get the AP summary from Captain Hubbard.

MR. HUBBARD: All right. Thank you. As far as this framework amendment goes, and discussion around the AP table, there was a discussion over the SPR ratio again, pretty thoroughly. Unlike yellowedge grouper, scamp grouper's life history is a little different. They're not so long-lived. They reach sexual maturity at a younger age, and I think there are -- Or the AP thinks that there is a stronger rationale for re-evaluating this at 30 percent, and there was a motion by the AP to support the council's petition to lobby the SSC to re-evaluate 30 percent as the SPR for scamp grouper.

Also, there was a discussion over technology again around the AP table, and technology's effect, and influence, on scamp grouper fishing. Also, there was a discussion around the AP table about why black grouper is still using MRFSS data and yellowfin and scamp are moving to FES data, and that related to the stock assessment that happened for yellowmouth and scamp, and that's why the data was updated.

Also, there was a question around why there's two complexes with two fish each, instead of managing each fish separately, and staff explained to us the intricacies of that. Also, there was a discussion, and this was pretty interesting, I found, but there was a discussion over the recreational buffer of 18 percent for scamp and yellowmouth grouper.

Staff explained that had to do with the ABC or ACT control rule. ACL, ABC, and so many -- So many words, but you know what I'm trying to say, and so, essentially we dug down deep into that control rule, and there's actually like little things that make up what the percentage comes out to.

One of the penalties that the recreational sector was getting was the fact that scamp and yellowmouth are being managed together, and, because they're managed together, there's considered to be some uncertainty, and so that's why that percentage was jumped from 14 percent to 18 percent, and so that AP suggested using 14

percent instead of 18 percent for the recreational buffer, so the recreational fleet isn't penalized for the decision to bind yellowmouth and scamp together, because that wasn't a decision the recreational fishery necessarily supported, or made.

Also, there was a discussion of why there's still a 4 percent buffer in the commercial ACL for the black grouper complex, the new black grouper complex, and that was just simply a carryover, explained to us, from the flexibility measure, but, if the flexibility measures are removed, then this buffer should also be removed.

The AP, again, discussed the council's October 2023 motion of waiting to do any allocation decisions, or changes, and we went around and around about that multiple times through the day.

Also, a motion to make Alternative 2 in Action 1 the preferred, and so, again, in Action 1, Alternative 2 was the preferred from the AP.

Then there was a lengthy discussion trying to help the council make a decision in Action 2 over the recreational sector, but the ultimate conclusion was that we recommend analysis on what impact the combined fishing season for scamp and amberjack, or scamp and red snapper, would have. There was a lot of conversation around how, when we're fishing deeper for red snapper or amberjack, it would behoove us to have scamp grouper open. As we are fishing deeper, we would run into more barotrauma issues, and it would make sense to have these fish open when we're already fishing deeper.

Then, also, I just wanted to add -- To remind the council that, in the previous document, the AP's discussion, and motion, was to remove that 4 percent buffer for the commercial fleet, and so I just wanted to remind you that that would also apply to this framework as well. Thank you.

CHAIRMAN FRAZER: Dylan, excuse me. We've got a question by Dr. Sweetman.

DR. SWEETMAN: Thank you, Mr. Chair. Dylan, I've got some questions for you. So relative to -- I know you said that you want to look at a little more for the recreational season for scamp here, and so I'm kind of going around, in my head here, what might be the best option, and part of me is thinking that there may be some value towards aligning a season with other species that might

be caught at the same time, right, and so we've got options here in June, and that kind of aligns with red snapper, an option in September that would align with gag, but gag is mainly a Florida fishery, versus red snapper, which is across-the-board, and so is scamp, and so I'm curious your thoughts kind of on that.

MR. HUBBARD: Are you asking me personally or as the AP chair?

DR. SWEETMAN: Well, both.

MR. HUBBARD: Okay. As the AP chair, I can't really speak to it, because, ultimately, a decision didn't happen. The conversation around the AP table was, like you mentioned, red snapper is Gulf-wide, and we fish deep, and so it would make sense to have scamp open during that time.

Then the other conversation didn't have anything to do with gags, because gags wasn't brought up. It was more centered around amberjack, fishing deep for amberjack. In other parts of the Gulf, around structure, they do encounter scamp, and so which one should we do, and, ultimately, the decision was to pass that motion to have -- To suggest an analysis.

Me personally, speaking for myself, and not the AP, in our area, we encounter more scamp when we're fishing for those red snapper in deeper water, and so it would make sense for us to have scamp open during red snapper. For amberjack, we're fishing higher in the water column. No one wants to fight an amberjack off the bottom, and so we fish big baits, and drop them slowly, and try to keep that away from the bottom, and so, to me, it would make more sense, personally, to have them open for red snapper season.

CHAIRMAN FRAZER: I have a quick question related to that discussion, right, and I appreciate the interest in trying to align this season with things like red snapper and gag. You didn't discuss gag, but was there any discussion about, you know, some issues related to in-season monitoring, and how that might figure into either one of these, because if you start, for example, to align with the red snapper season, then you have to implement that in-season monitoring, which there's concern if you go with one of the gags, for example, and AJs, and the possibility is that you don't have to worry so much about that, because it will go through the end of the calendar year.

DR. HUBBARD: Yes, and so the discussion around the AP table didn't necessarily specifically relate to that, but we did have that

conversation on multiple other fronts during the day at the AP meeting.

Essentially, recreational landings and in-season monitoring being so difficult, especially when we talked about those earlier accountability measures for the deepwater grouper. It's so difficult for in-season monitoring, because of the delay with MRIP-FES, and also the general mistrust around MRIP-FES numbers, was the AP saying that, and I personally feel -- Again, since it didn't happen around the AP table, I can't speak for the AP, but, me personally, I think it's worrisome to have that in-season monitoring, especially if it's open during red snapper season.

We've seen the MRIP-FES effort spikes in June and July. We've seen it with red grouper every year. If it trickles into June, all of a sudden, FES says we catch 600,000 pounds of red grouper in two weeks, and these effort spikes really drive up landings, and so my concern is, if you have scamp open during red snapper season, then you're going to have a very -- An extremely short scamp season, because of those effort spikes from MRIP-FES data, and I think it would be very difficult, in the RA's position, to monitor effectively in-season, because of that data lag and having to wait until, I mean, essentially August or September, before you have those numbers to make a decision on.

CHAIRMAN FRAZER: All right. Thanks, Dylan. I appreciate that, that input. All right. So, John, if we go back to the document, and I think we'll just kind of work through a discussion of the two action items, and so go ahead.

DR. FROESCHKE: If I could, just a couple things. Captain Hubbard commented on some of the recommendations, and some of those are really more applicable to the 58A, and so I just kind of wanted to clarify a couple of those things. So, for example, the recreational -- Their recommendation about reducing the buffer for the recreational ACL and ACT from 18 to 14, that's fair game, but that's part of 58A. There isn't one here. Okay.

The other part, about removing the 4 percent buffer between the commercial ACL and the ACT, so that is also fair game in that document, but not here, and here's why. So, one, this was a deliberate action not to change how that program works, but the way -- The way this program works here is we have the flexibility measures between the deepwater and the shallow-water grouper, all right, and there are certain species that can be landed.

That 4 percent buffer allows that, and, if you don't have that, then there's a possibility you can exceed the commercial ACL, and, given we're putting in reductions, who knows, but that's also -- That's not part of this program, and so -- Or at least the actions and alternatives the way they sit here.

I guess the only other thing I was thinking about is your question about the SPR, and if there -- You're not -- So I kind of stated in the -- It was based on my premise of this 54.7 percent. You all are not -- That was just the -- I explained the way I did it, and that's the number I got.

You could pick a different number, and so if you wanted to say, well, I think that, really, the whole SPR thing needs to be considered, and, I mean, how I would do that in practice on this was you would just base that on a slightly smaller reduction than 54.7. Maybe it's 50, or 40 percent, or something like, and that would be the best approximation that I can suggest, if you will, and, you know, that would change the numbers a little bit, and the seasons a little bit, and things like that, but I don't know if that's something you want to entertain or not.

CHAIRMAN FRAZER: So just -- I mean, let's walk through that a little bit, right, and so, I mean, this framework is being driven, in large part, by the fact that we've got an assessment for scamp, right, and, as part of that assessment, that was a 40 percent SPR. I understand, and I take Captain Hubbard's point, and C.J.'s point as well, and, as a council, we may want to revisit that. Is it really -- I mean, it seems kind of odd that you would just arbitrarily pick a number without any scientific basis in this framework action.

DR. FROESCHKE: Well, and I'm not suggesting that you do. The way that I would do that, in my head, is the 54.7 comes from the five years of recent landings to the ABC that's based on SPR 40, the 203,000. If they had a different SPR, like 30, and I don't know what that number -- But it would be higher than 203,000, and so, if it was a 220,000, and I don't know, then you could take the difference between the recent landings and the 220,000, and you would get that calculation.

I'm not suggesting -- I mean, me personally, that's probably -- You know, this is a fairly crude estimate, and so it's only intended to be a -- But that would be the basis of what I was explaining.

CHAIRMAN FRAZER: Yes, and I get that. Again, I'm just trying to -- If we do something, I just want it to be a defensible action, right? That's all I'm saying. So I guess then let's go back to the Action 1. C.J.

DR. SWEETMAN: To your point, John, so, yes, I guess my intent was to hopefully try and get something in here, but it was to be sent back to the SSC to provide those catch level recommendations, so we could have these specific numbers here, and so I'm kind of with Tom in having defensible numbers on there. I think what you're saying is probably what I was looking for, but I don't think we have the information to do that right now, and so, with that said, what is the mechanism there?

DR. FROESCHKE: I don't know that there is. I mean, I'll just say I did these calculations, and so I think this is the most defensible scheme that I could come up with. I mean, the other portion of that, one, I guess you could go back and ask for a different ABC for the scamp, and redo this process. I think, by the time you did all that, the moment would be past. You know, you wouldn't get this done in 2026, and that would be -- You know, I think there is a conservation risk of ignoring this.

CHAIRMAN FRAZER: C.J.

DR. SWEETMAN: So this could be relooked at in 58A, though.

DR. FROESCHKE: It absolutely would. Yes, and this is intended to just serve while that's being fleshed out. This is not --

DR. SWEETMAN: Yes, and the reason why I'm saying that, where I don't want to necessarily add something right here, is just because I did ask for the SSC to kind of defend the justification on both perspectives, and I want to understand that, before just throwing something in here. You know what I mean?

CHAIRMAN FRAZER: Dr. Froeschke.

DR. FROESCHKE: Yes, and, just for your edification, I mean, I don't have the numbers, but, to speculate a little bit, when that comes out, whether it's 30 percent or 40 percent, and the currency changes and all that, I mean, I think these numbers are -- The impacts on seasons and things are right in line with what we're going to expect in the future, and so --

CHAIRMAN FRAZER: All right. Dr. Simmons.

EXECUTIVE DIRECTOR SIMMONS: Thank you, Mr. Chair, and so we did drop the letter requesting that information from the Science Center, requesting the updated landings, and rerun the projections, and so I don't think that the SSC is going to get to see that though until later this year, based on the other agenda items that we had to reorganize from, and cancel from the hurricanes and everything else, and so it is later in the year, by the time we get to that, and so, if you were to wait on that, I think this would dramatically slow that down, and we don't know if the SSC is going to make those changes either.

I think it's good that we are asking them to re-explain why they're making that recommendation for that SPR proxy for scamp, but I don't know that, like John is saying, it would change a whole lot of what we have in this amendment, if the spirit of this is to try to Something as a stop-gap measure, in the interim, until we can get the amendment moved along, 58A.

CHAIRMAN FRAZER: Sure. One of the things that, when you look at the action schedule, for example, 58A that is slated to go to the SSC prior to, I think, the June meeting, or something, and so that sets it out. That's why John's saying, right, we won't -- 58A wouldn't get implemented until 2027, and so, if you want something by 2026, you have to go final on this in April, and so that's the hurry here.

All right, and so let's go back to Action 1, and kind of -- Again, I suspect we're going to be in a similar spot as we were with the previous discussions on deepwater grouper, but, you know, with regard to picking preferreds here, but we'll go ahead and have that discussion anyway, and so there's essentially, in this first action, four alternatives, and so any discussion on those alternatives? Dr. Sweetman.

DR. SWEETMAN: I feel like I'm talking a lot here. My preference, just from my perspective, kind of aligns with what the Reef Fish AP was highlighting there. You know, in Action 1, Alternative 2, and it's aligned with the SSC recommendation for these species, and it's -- You know, it' just a reduction of 54.7 percent across the board for the ABC, and so it makes a lot of sense for me. It's not as extreme as some of the other options here, based on more recent landings, but it's just a broad application to the ABC, and so that's kind of where I'm at.

CHAIRMAN FRAZER: Captain Walker.

MR. WALKER: I would reluctantly go along with Alternative 2. I don't think any of them are that great. You know, it's pretty much saying how do you want to take your 55 percent reduction, this way, this way, or this way, but a 55 percent reduction it is. Based on the SPR change, and MRFSS data, and a lot of questionable things, it's going to cut off a lot of people's opportunity to go fishing.

CHAIRMAN FRAZER: Any other further discussion on this action item? Mr. Sanchez.

MR. SANCHEZ: I would be reluctant, but, I mean, what choice do I have? You pick the lesser of several evils. You've heard me share concerns with you about how an SPR proxy from 30 percent to 40 percent -- Somewhere along that journey, we hit a percentage point where we tipped the scales to overfishing, or overfished, and I personally would like more insight into where, so that us, as managers, have the ability to figure out how much risk we're willing to take in all of this, because we went from 30 to 40, and it wasn't overfished.

Now we're looking at a very large reduction in everybody's ability to pursue these fish, and I would have loved to have known, and was it at 38 percent, or 39 percent? Because then it becomes, to me, more egregious. That 30 to 40, with it being in the higher thirties, that's where we tipped the scales of everybody has got to take a draconian reduction.

I think there has to be, and I know this is not relevant, and germane, to this right now, but there has to be some management flexibility for the council, when dealing with management options on the management rulemaking side that's commensurate with the amount of uncertainty in a lot of this stuff, because right now -- I mean, I don't know, and I feel like I've been here a month already.

Every time I sit down, we're taking a haircut, and it's just like, you know, I don't get it, but, anyway, that's my rant. Hopefully we can do something maybe a little different, and maybe there will be some ideas in Full Council.

CHAIRMAN FRAZER: Thank you, Mr. Sanchez. Mr. Chairman.

MR. DUGAS: Thank you, Dr. Frazer. To Mr. Sanchez's question, or point, I think I asked the question to Dr. Walter last meeting of

what was the percentage, and I think he said 38, somewhere in that area. I think that's what John was asking.

CHAIRMAN FRAZER: I'll let Dr. Walter respond.

DR. WALTER: So the closest proxy to FMSY, if you use the -- I believe that the stock-recruit relationship is fixed in the assessment, and I could be wrong about that, but that would be a SPR of 38 percent is correct. 37.8 percent would be the closest approximation to the FMSY, and I believe the steepness was 0.694, and fixed in the assessment, or a steepness of 0.7.

CHAIRMAN FRAZER: Thank you, Dr. Walter. Captain Walker.

MR. WALKER: I was a council rep at that AP meeting, and I'm looking through my notes here, and I don't see it, but I thought I remembered them requesting to see what numbers would look like with the 30 percent SPR, just for comparison. I thought that came up somewhere along the line.

CHAIRMAN FRAZER: Yes, and I think the request has been made, and, to Dr. Simmons' point, right, I think the SSC will have an opportunity to review it, but it won't help necessarily with this framework.

I think a broader issue, Ed, is that, you know, what John was asking, essentially, is if there's a request of the SSC to evaluate, and provide some elaboration on alternatives, that explicit direction needs to be given to the SSC, right? In the absence of that, you know, they're providing the council the best scientific information available, their best advice, and in this particular case, right, it came back at 40 percent SPR, and so, you know, that's a little bit on the council, and the direction as well, and so we need to think about that moving forward. All right. Dr Sweetman.

DR. SWEETMAN: Just again, Ed, I think we'd have the opportunity to look at that, when we get that information from the SSC in 58A.

CHAIRMAN FRAZER: Mr. Strelcheck.

MR. STRELCHECK: I don't recall if we have the numbers for F 30 or not, but I think we're still looking at a reduction, whether it's F 30 or F 40, and it would just be a lesser reduction, and so I wanted to make that point.

You know, keep in mind, this is, obviously, our attempt at kind of have an interim step, so that we have time to work on 58A, and so I guess I view this as this is a one-year catch limit change, until 58A goes into effect and we're able to implement the new share categories for the 2027 fishing year. That was really the limiting factors. We just need time to obviously do the IT development, and change the IFQ program, based on whatever's recommended by the council.

I guess, you know, given, obviously, the concerns, we continue to hear about the proxies, right, we're still going to get a presentation tomorrow, right, and that may or may not shed more light on this, or create more confusion. We'll wait to see, obviously, how that goes. I guess what I'm recognizing, obviously, is this has not necessarily been well communicated from the science community to the management community in terms of, you know, the new body of science and information, and lesson learned there, in terms of, you know, why these changes are coming forward and ultimately what the results are producing.

You know, ideally, the assessment would be able to actually estimate MSY, and we wouldn't have to use proxies, and that's the challenge here, is that we're having to estimate proxies, because of uncertainty in the stock-recruitment relationship and other factors, and so I think we just need to take that into consideration as well as we kind of evaluate these proxies for grouper species, and others going forward, and the scientific advice that we're getting, but it doesn't get us out of the woods that, just because the proxy is higher, that we wouldn't have to be doing something here. It's just the mechanism that we're having to deal with.

CHAIRMAN FRAZER: Okay. Thank you, Mr. Strelcheck. Dr. Walter.

DR. WALTER: Yes, and that's very correct, and there was a presentation at the SSC meeting, I believe where we -- The projections were done with SPR 30 and SPR 40. This was the September 2022 SSC meeting, and so those exist, and both of them would have indicated fairly substantial cuts are necessary to meet that, and a lot of that is something that shouldn't be lost here.

If you look at the stock assessment, and you see that the recruitment is really down in about the last ten years of the time series, and so, when we project forward, we have to make an assumption about what the recruitment is going to be going forward.

While the debate about the appropriate SPR is certainly a valid debate to have, from a scientific perspective, often the yields that we're going to get, in the short term, are really dependent on what recruitment is likely to be, and assumptions there, and, in this case, any way you use those recent recruitments, whether they factor into the long-term average or -- I can't remember exactly what assumption was made to make those projections, but, either way, with pretty long-term declines in recruitment, you're going to get reduced yields are going to be recommended moving forward, to allow the stock to return to those higher averages.

That's the case both with scamp and yellowmouth, and it's also the case with yellowedge, and so, while we might have thought that yellowedge -- That the declines in the catch were solely due to the SPR, that's, as Ryan pointed out, certainly not the case, and I think that the recruitment declines might be something that this council would need to also consider, in terms of we would like to see recruitment come back up. How do you allow recruitment to come back up? Well, in this case, you reduce the catch of the stock. Thank you.

CHAIRMAN FRAZER: Thank you, Dr. Walter. Mr. Sanchez.

MR. SANCHEZ: While -- You know, I'm trying to understand that, and some of this stuff gets very technical, but there is a lot of uncertainty in estimating recruitment abundance, some of the steepness estimates that we use, and it just seems like, every time, we go so draconian, and risk-averse, that there's tremendous impacts, and then the process is slow, and so we've got to live with them for several years, until we get to the next fix, and you feel like you're being pushed to do something right now, because we have to do it right now. It just -- It's very frustrating if you're on the receiving end of that.

CHAIRMAN FRAZER: All right. Is there any more discussion on the Action 1 in the document? Again, I think the goal here is to kind of work through the various alternatives, have people -- Provide people an opportunity to share their opinions, and thoughts, but we'll get some public comment as well on that, and so let's go ahead, real quick, to Action 2, and, again, I'll open that up a little bit for discussion. Dr. Sweetman.

DR. SWEETMAN: I think we've only heard from Florida on this one, and so I would be curious what some of the other states think, relative to the timing of that recreational season. You all get scamp, and you all have got some other fisheries too, and I'm

curious your thoughts about how you want to align that, and so I'm going to put a little pressure on the other states.

CHAIRMAN FRAZER: Mr. Broussard.

MR. BROUSSARD: If it's not a June opener, then we're out. I mean, it will be caught before we can even get on the water, and so I think the June opener would work best. It will be the shortest season, but at least we'll have a season.

CHAIRMAN FRAZER: Thank you, Mr. Broussard. Okay. I'm not seeing any other -- I guess we'll wait till a public testimony to get some more feedback on this. Thank you. Mr. Strelcheck.

MR. STRELCHECK: I guess the one thing I would note is, you know, the seasons here are really prescriptive. We, obviously, are splitting waves, in many cases, and we maybe have short time periods for one wave relative to another, and that always is challenging, and problematic, when we're dealing with estimation and statistics and, you know, landings estimates, and so I would ideally like to try to look at how we could set the seasons that align with the data collection as well. I just wanted to make that note.

CHAIRMAN FRAZER: Okay. Thanks, Andy. All right. So we will circle back on this framework in Full Council, and I think we'll move on to the next agenda item, to try to keep us on schedule. the next agenda item is Agenda Item Number VI, which is a Draft Framework Modifications to Lane Snapper Minimum Size and Recreational Bag Limits. Ms. Gardiner, if you can help guide us through the action guide here, and then we'll have a presentation.

DRAFT FRAMEWORK: MODIFICATIONS TO LANE SNAPPER MINIMUM SIZE AND RECREATIONAL BAG LIMITS

MS. SARAH GARDINER: Thank you, Mr. Chair, and good morning, council members and committee members. The action guide today, I'll be presenting the management alternatives for modifying lane snapper minimum size and recreational daily bag limits.

In recent years, landings have exceeded the ACL resulting in early season closures, and modifications to lane snapper limits and recreational bag limits are being considered in an effort to stop exceeding the stock ACL and overfishing of lane snapper and manage the stock to optimum yield.

The committee should evaluate the management options and the accompanying analyses presented, ask questions, and provide feedback to staff on the range of management alternatives.

Today, I have a presentation for folks, and I'll be walking you through, you know, the purpose and need and then the two actions that are on the table. Mr. Chair, if it's appropriate, I'll walk through the presentation, and then maybe we'll received the AP report, and then we can come back for discussion on the actions.

CHAIRMAN FRAZER: I think that's great. Thank you very much.

MS. GARDINER: Okay. Thank you. So, as the presentation gets pulled up, I'll just remind folks of the timeline. This came about as a motion in June, 2024, and I brought an update to the council in November, and then we were able to present preliminary analysis results to the AP, the Reef AP, in December. We squeezed in an IPT meeting sometime after the holidays, and before this meeting, and now I'm bringing the draft document for review at the committee.

This figure, I just want to remind folks kind of what historical landings looked like over the past couple of years, highlighting that we do see that landings, total landings, and so it's more specifically looking at the recreational landings, and we're exceeding that ACL, and we resulted in early season closures in 2019, 2021, 2022, and 2024.

On this figure, I have the ACL and the OFL for comparison, as well as commercial landings, recreational landings and total landings. I know there's a lot going on here, but really just highlighting that we're seeing an increase in landings overall, but, more importantly, that we're looking at those landings exceeding the ACL in three consecutive years.

I revised the purpose and needs statement since the last time I brought this forth to the committee, and the purpose of this framework action is to modify the lane snapper size and bag limits to better constrain harvest to the stock ACL.

Additionally, this framework action is intended to prevent early season closures, by reducing the lane snapper landings, and the need is to decrease the likelihood of overfishing the Gulf lane snapper stock, consistent with National Standard 1 of the Magnuson-Stevens Fishery Conservation and Management Act.

Action 1 looks at modifying the minimum size limit for recreational and commercial Gulf lane snapper. Alternative 1, the status quo, would be an eight-inch size limit. Alternative 2 would increase the size limit to ten inches, and Alternative 3 would look at increasing the size limit to twelve inches.

The analysis showed that a majority of the landings we're looking at in the recreational sector here are within that, you know, eight to twelve-inch bucket range, with some being greater than ten inches, but the majority of catches being around that ten-inch range, and then the analysts were able to compile a percent reduction in landings.

I will caveat that these two figures in the table on the right are from landings in 2021 to 2023, and so this percent reduction in landings is in pounds, and these are based on the caveat that landings would be similar to those seen in 2021, 2022 and 2023, and so a ten-inch size limit has an estimated reduction in landings at about 31.83 percent, whereas, with a twelve-inch size limit, you would see a much larger decrease in estimated percent reduction, at 76.46.

Again, I'll caveat that, you know, these percent reduction in landings are if we're seeing landings that are similar to those that were seen in 2021 to 2023, and that's consistent throughout the analysis as well.

We see a similar trend in the commercial sector as well. Commercial catch is not a large proponent of the total catch landings. The recreational has a higher percentage, but we do see that the landings tend to be a little bit larger in size for commercial, and so, if the minimum size limit was changed to ten inches, we would see a much smaller percent reduction in landings, at about 2.3 percent, and, if we were to go up to twelve inches, we would see a larger reduction in landings, at about 31.1 percent.

Action 2 looked at modifying the recreational bag limit. I know the text here is small, but it does say essentially the same thing. I have the highlighted bag limit, proposed bag limit, change under each alternative in yellow here, and so it would look at modifying the recreational bag limit, decreasing it to implementing a lane-snapper-specific limit within the Gulf reef fish aggregate bag limit.

Alternative 2 would implement a two-fish recreational limit, Alternative 3 a five-fish, Alternative 4 a ten-fish, and

Alternative 5 a fifteen-fish.

Similar to what I presented for the size limit, in this analysis, we're seeing that, you know, in the figure on the left, a lot of folks aren't landing that full twenty lane snapper within the Gulf reef fish aggregate bag limit.

A majority of folks are not even landing less than ten, with most folks taking in about one to five-ish, and then, that percent reduction in landings, we wouldn't start seeing a large impact on reducing landings by implementing a recreational bag limit until we get into that five lane snapper limit or a two lane snapper limit, and so we would have to have quite a substantial reduction in a bag limit for lane snapper for that to really have an impact on landings overall.

In the analysis, we were able to kind of combine the effects of what Action 1 and Action 2 would look like on season length, and so, over the next two slides, and this is a little bit of a larger table, but I wanted the text to be big, and we're looking at what a bag limit and a size limit in conjunction would do to kind of extend that season length, so that we reduce the early season closures.

We're really not seeing a difference in season length with the eight inches status quo size limit unless we drop the bag limit to two lane snapper, but we do see a difference in season length if we go up to a ten-inch size limit, where we wouldn't be hitting that ACL early on in the season and having an early season closure. On the next slide, we kind of wrap up this table by seeing what I just said for a ten lane snapper bag limit and a fifteen lane snapper bag limit.

At the last council meeting, staff was requested to kind of look into what including lane snapper in the snapper aggregate bag limit would look like, and so we didn't do a full analysis on this, but the effects would be similar to what would be seen for a ten lane snapper bag limit, and that was about a 4.6 percent reduction in landings, but I will say if this is something that the committee wishes for staff to look at, we can investigate this a little bit further, but it is likely that it would constrain harvest of other snapper species, and we didn't really analyze that too in-depth in this draft, but we can moving forward, if that is requested.

The next slide just kind of wraps up our next steps for this action. I think, if appropriate at this time, we could select a

preferred alternative and bring this back for final action in April. If not, then we'll continue another iteration of this and bring it forward with some more information if that's requested as well.

The next slide, and then we can probably take the AP report, but these are just some areas in which council input might be helpful moving forward for the document. Thank you.

CHAIRMAN FRAZER: Thank you, Ms. Gardner, for that presentation. We'll go ahead and call Captain Hubbard up and go through the AP recommendations and then circle back, as we have for the previous documents.

CAPTAIN HUBBARD: Thank you. This one will be short. Lane snapper, the AP conversation around the table was basically alluding to, hey, this is a healthy fishery. We need to do something small, minimal, with as little intrusion as possible, while trying to maintain that twelve-month season.

Initially, before seeing this helpful presentation, that was perfectly timed and ready for us during that AP meeting -- Before seeing that, a lot of conversation was talked about going from eight to twelve, but, obviously, as you can see from the data and the presentation, the AP quickly shifted and made a unanimous motion to move to ten, and that seems to get the job done, and, as was stated by staff, any bag limit change would have to be super draconian to make any real difference, and so the AP was very, very adamant, and unanimous, in saying that any consideration of bag limit should be removed from consideration, and that's it.

CHAIRMAN FRAZER: All right. Thank you, Captain Hubbard. Mr. Strelcheck?

MR. STRELCHECK: I was struck by your word there, “draconian”. I certainly recognize it's a twenty-fish bag limit, that could be reduced to fifteen, or ten, but, if people aren't catching the twenty-fish bag limit --

MR. HUBBARD: It's not a twenty-fish bag limit, right? It's a twenty-fish reef fish aggregate, and so, if you start reducing it, then you -- I mean, mental math is difficult for a lot of us, Andy, and so -- I mean, personally, from -- Again, this conversation didn't happen around the Reef Fish AP, and so I want to make it clear that this is me personally speaking, but this is a healthy fishery, right?

It's expanding spatially. We're seeing larger average sizes, and so personally, I really, really have been pushing so hard on lane snapper because I think it loses this process's credibility. It harms angler satisfaction, and it really turns people off from the council process when they see a fish like lane snapper close.

Every year, we deal with it, when there's a closure, and there's fallout. We have to constantly re-explain the whole this is a healthy fishery, and that's why it's closed, and it just defies logic, right, and so, if we were then to say, hey, we're going to increase the size limit, and we're going to cut your bag limit, trying to explain the rationale behind that in a healthy fishery -- I don't want to do it, and so let's not look at it.

CHAIRMAN FRAZER: To that point, Andy?

MR. STRELCHECK: Yes, and I hear you, and, obviously, you know, I look at it from the standpoint of what's being caught, right, and so that's why I picked up on the term "draconian". I also want to ensure, obviously, what you're getting at, which is that we're going to have a year-round season, right, and avoid that closure, right, and so size limit changes -- I think past history often indicates that they're not as successful, in terms of achieving the reduction that we maybe were hoping to achieve, and so that's why I was at least wanting to ask more about the bag limit.

MR. HUBBARD: Well, we can skip forward, if you want, to other things on the Reef Fish agenda, because, in Other Business, there is a motion by the Reef Fish AP. To me, again speaking personally, I think this is an interim measure, right, because your statement just now is my biggest concern, right, that we increase the size limit to ten, because we're catching so many of these fish so quickly, and. well, what happens?

These fish get even bigger, and we start catching a lot more of them, and then we start running into an even bigger problem, and so, to me, this is an interim measure. This is a band-aid that we put on the thing until we can get these catch limits more commiserate to what we're seeing on the water, until science can catch up to what we're seeing on the water, and so I understand your point here, and it's my concern as well.

CHAIRMAN FRAZER: All right. Dr. Sweetman.

DR. SWEETMAN: Thank you, Mr. Chair, and I appreciate the insight,

Dylan. I think I was the person that brought forward about the concept of even looking at throwing this into the snapper aggregate, and that was met with a resounding thud from just about everyone, and so probably not in favor of moving it forward on that. That doesn't seem to have too much of an impact, and, honestly, like this seems fairly straightforward, to me.

I mean, we've got, currently, a minimum size limit of eight inches, where, first of all, I highly doubt anyone really wants to fillet an eight-inch fish. But, on top of that, you know, it's actually below the average size at maturity for this species, and so, even from a biological perspective, it makes sense to bump this up.

It seems like we get everything that we need, in terms of the savings, and not having in-season closures, by just doing the eight -- Bumping up the size limit from eight to ten inches, and we don't have to touch anything else.

We don't have to deal with incorporating something, or lowering the reef fish aggregate, or incorporating it into the snapper aggregate, where it's impacting the landings on other species that people are targeting, and so, from my perspective, it kind of makes common sense, to me, to just work on just that one size limit and then call it a day for this, and I think that gets us to where we need to be. Thank you.

CHAIRMAN FRAZER: Thank you, Dr. Sweetman. Captain Walker.

MR. WALKER: I agree. I think, at the very least, we let the ten-inch size limit -- See how it goes, and I think it will work. I don't really see a need to mess with the bag limit at this time.

I would like to give a shout-out to Frank over there. He's actually helped solve this problem a lot. We've been asking for length catch data on lanes for a while, and we've debated what the size limit should be without actually knowing this for a long time and, at the AP meeting, I talked to Frank, and I'm like, man, it sure would be nice to know what's actually being landed here, because nobody seems to have the data.

In an hour, during the meeting, we had all this length catch data, and it was the solution to the -- There it was right there, and this is an easy one, with that data to me, and so I appreciate you there, Frank. That helped a lot.

CHAIRMAN FRAZER: All right. Well, I'll reiterate. Thank you to

the SERO staff for getting that done. Dr. Simmons.

EXECUTIVE DIRECTOR SIMMONS: I'll just say we're going to have to have Ed request all the data from now on, because we asked for it about four months before then, and we got it in time for the AP meeting, and so we're going to you, Ed, next time.

CHAIRMAN FRAZER: Is there any further discussion on this document? So, again, there are two actions. It seems like there's a fair amount of consensus around potentially a preferred. We'll get some public comment. There doesn't seem to be a lot of appetite for a change in the bag limit, but, again, we'll wait and see what public comment brings. The goal, I think, is to, after public comment, pick some preferreds, so we can take this final, and so is that correct, Ms. Gardiner?

MS. GARDINER: I'm sorry, and could you repeat the question?

CHAIRMAN FRAZER: We do want to try to, if we can, possibly get this done so we can go final in the April meeting?

MS. GARDINER: Yes, that's the intent, if we can select preferreds at this meeting. Thank you.

CHAIRMAN FRAZER: Great. All right, and so is there any further discussion on this particular framework? All right. I am not seeing any, and so we will go ahead, and I will defer to the chair. We have about fifteen minutes left. You want to take an early lunch, or do you want to jump right into something else?

MR. DUGAS: Dr. Frazer, I think we're going to jump into one more piece here, the Summary of the Reef Fish Advisory Panel Discussion and Recommendations, Tab B, Number 4(a). I think we can get through that in twenty minutes.

CHAIRMAN FRAZER: Which agenda item is that?

MR. DUGAS: Agenda Item Number IX.

CHAIRMAN FRAZER: Sure, if Captain Hubbard is willing to do that.

SUMMARY OF THE REEF FISH ADVISORY PANEL DISCUSSION AND RECOMMENDATIONS

MR. HUBBARD: All righty. Do you want me to skip the part about the IFQ stuff that's coming up after lunch, I assume?

CHAIRMAN FRAZER: Yes, please.

MR. HUBBARD: Okay. Let me scroll to the top here, and so we already covered the shallow-water grouper part of it. I apologize that I was not prepared. The deep-water grouper we already covered as well.

The twenty-fathom closure, we discussed the removal of the twenty-fathom closure around the AP table. A lot of the conversation was surrounding the fact that this is a rule that is very difficult for the people who are behaving properly in the Gulf of Mexico who have federal permits at risk, and it is very widely known that people are behaving badly around this rule, right, and just subverting the rule, or purposely breaking the rule, and it's a cause for a lot of animosity between sectors as well, because this only applies to one sector, and sot creates a lot of animosity.

The hope, the goal, is to try to eventually work to remove this rule. However, ultimately, the AP came up with a motion to hold work on this, and to stop evaluating the document, until the conclusion of this red grouper stock assessment that's going on now, because the conversation essentially is, hey, if this rule is in place, then people aren't supposed to be catching red grouper beyond twenty fathoms, but, if it's removed, then a lot of the conversation from staff, and the data analysis, says that the landings are going to go up, and so the season gets shorter.

No one wants to see a shorter red grouper season. We're already seeing it get shorter and shorter every year already, and so the concern is, if we remove this rule now, we have a shorter season, but the hope is -- The goal will be that, after this red grouper stock assessment, hopefully we get some positive news.

Hopefully we see catch levels increase. Hopefully we see a season increase, and then, when we have extra season, then we can come back to evaluating removing the twenty-fathom closure. The other discussion was around the federal for-hire start date. Do you want me to cover that now as well, Dr. Frazer?

CHAIRMAN FRAZER: Sure.

MR. HUBBARD: The conversation around the table kind of went back and forth. There was some people that liked the definite day of, hey, we're starting June 1, or, hey, we're starting May 15. The conversation went back and forth, but, essentially, we settled on

a motion to support Alternative 2 in Action 1, and that was eleven-to-three. It was not unanimous, but it did pass.

Lane snapper was discussed, and we already went over that. What I alluded to a few minutes ago, in my conversations with you, Andy, after your question, was brought up in Other Business. The AP discussed the data currently being used in interim analysis for lane snappers, and so a lot of you around the table, who have been here a while, has been familiar. There's an interim analysis that happens, I believe annually, by the Southeast Fisheries Science Center to try to evaluate where we are at with lanes, but they're using the headboat data and the catch and effort data.

The headboat data has kind of been constrained by the ACL, right, and so, if we're looking at headboat landings, the headboat landings can only move, or increase, so much if they're constrained by the ACL, and so the goal here is to try to maybe use a different data point to try to do that interim analysis that is not constrained by an ACL.

The motion reads: The Reef Fish AP recommends that the SSC and the council evaluates catch limits for lane snapper using Tier 3a of the ABC control rule and use G-FISHER data to monitor the lane snapper stock for changes in length composition.

The G-FISHER data wouldn't be constrained by an ACL, since we're just looking at video surveys, and that would give us a really good spatial coverage of the area in which lanes are landed, and it would also help us to get a better idea of the lane snapper biomass and what we've been evaluating on the water, which is a larger average size, and a greater spatial distribution, and I think the G-FISHER indices of abundance would be much more appropriate, to hopefully give us a bigger increase in that lane snapper ACL, instead of these very small bumps. We get the small bump, and then we hit it again, and so, to get us out of this circular issue, we would like to try to move the data point.

Then there was also a discussion, in Other Business about the South Atlantic Fishery Management Council Release app, and, basically, one of the AP members summarized information about this app and what it was developed to collect and how recreational data collection could potentially help. There was a lot of conversation back and forth about recreational, private recreational, data collection and the issues around validation for that.

Also red snapper sizes, and several AP members discussed their

desire to see more information about the declining length composition of red snapper harvested by private anglers and discards as well from that fleet.

The Reef Fish AP passed a motion asking the states and the Gulf Council to work together to include numerical values of average sizes in their private recreational season updates and analyze Gulf-wide trends of red snapper average size, publicizing both the trend figures, and also numerical values, and then conduct an analysis of in and out-of-season discards for red snapper, both each state and also Gulf- wide, and that concludes my report.

CHAIRMAN FRAZER: All right. Thanks, Captain Dylan, and so a couple of things to run through here, if that's okay with you.

MR. HUBBARD: Yes.

CHAIRMAN FRAZER: But it involves staff as well. So, with regard to the twenty-fathom rule, that's contingent, I mean, obviously, on completion of the stock assessment for red grouper, which was slated for the end of 2024. Do we have a status update on that?

MR. HUBBARD: I know the SSC is going to bring catch level recommendations at their April meeting, or at least that's what the agenda says. We're very excited about that.

CHAIRMAN FRAZER: Dr. Simmons.

EXECUTIVE DIRECTOR SIMMONS: Thank you, Mr. Chair. The SSC is slated to receive that information at their February SSC meeting, and then it would go to the council in April.

CHAIRMAN FRAZER: Okay. Thank you for that. With regard to the lane snapper recommendations, or the motion that was made by the AP, I guess my question is, you know, what you're suggesting is for the SSC and the council, right, to look at this alternative index of some kind, and I'm just trying to figure out how we turn that into an actionable item, and so, again, I would defer to staff on that. I mean, how do we -- Assuming -- Well, here comes Mr. Rindone.

EXECUTIVE DIRECTOR SIMMONS: So I'll start. We did send the request for an interim analysis for lane snapper, which is I think what we acted upon just recently, last year, but I don't know that it incorporates the new information that the AP is bringing up, which is the G-FISHER and the size of the fish.

MR. RINDONE: No, it doesn't, but we're also at a point now where we have three years of landings for lane snapper under the catch limits in MRIP-FES, and so, if we wanted to be considerate of the Tier 3a, we enough data now to try to do that.

Then we've had some offline discussions with Science Center staff about the use of the headboat CPUE index for lane snapper, and there's been interest in exploring alternatives to that, for some of the reasons that Captain Hubbard had mentioned. It's going to biased by the headboat fleet, and it's going to be -- And also by the current catch limit, and so it seemed more reasonable to look at all catches, and also to look at the G-FISHER index, which is going to capture the same fish that are being captured by the private fleet, the for-hire fleet, and the commercial fleet, and not just looking at the CPUE for the for-hire fleet.

There's -- I mean, there's interest from multiple directions on that, and so, if the committee were considering a motion, it might be to request that Science Center, during its next interim analysis for lane snapper, consider the Tier 3a approach and also consider G-FISHER and making proposals for catch limit modifications for lane snapper.

I think there's a couple of ways that ultimately that that could happen. You know, if the SSC ultimately just went with Tier 3a, that's -- Obviously, that's a very straightforward approach. It's just average landings, and the OFL is set at two standard deviations of those data for those three years, and then the ABC can be set at one-and-a-half standard deviations, or one-half standard deviation, or whatever, you know, the SSC thinks is appropriate. There's some flexibility there.

If the SSC was going to take that approach, they could still look at say the length composition data from G-FISHER, to get an idea of what's going on with the length from that particular survey, are the lengths holding relatively constant through time, or are they go on up or down, and then they could evaluate how they recommend catch to the council based on that, and so it provides a little bit more flexibility, using a much better index, than the headboat CPUE does.

CHAIRMAN FRAZER: I guess the question, really, for you, Ryan, and as a council action, and so is there a motion necessary to ask the Science Center, right, to consider the Tier 3 approach, and the G-FISHER data, in that interim?

MR. RINDONE: Yes, and the council staff will need to put a letter together to send to the Science Center for that, and so a motion to do that would be useful.

CHAIRMAN FRAZER: Okay, and so is anybody interested in making that motion here, or do you want to bring it back? Dr. Sweetman.

DR. SWEETMAN: I think it makes sense. Bernie, I will work on this on the fly. Apologies here, but it's more or less going to be similar to what the AP motion is. It's just to request that the Science Center evaluate in the interim analysis.

EXECUTIVE DIRECTOR SIMMONS: It's hard to hear back here, and so if you guys could speak in the microphone a little bit better.

DR. SWEETMAN: Sorry. Bernie, it's going -- I think the best way to do would just start by copying over the AP motion, and I'll modify that. Perfect. **So obviously, you can get rid of "the Reef Fish AP recommends", and so it would read to request the Science Center evaluate -- Then you can get rid of the -- Sorry. I'll wait. Yes, "the catch limits for lane snapper", and then just add in here "in the interim analysis".**

CHAIRMAN FRAZER: All right, and so we've got a committee question on the board. I s there a second to that? It's seconded by Mr. Broussard. Further discussion? Dr. Froeschke.

DR. FROESCHKE: I guess it's odd to me. I mean, in my understanding, the current one, we would consider using like a 2, using a Tier 2, because we have a data-limited stock assessment. It doesn't seem to make sense, to me, that we would move backwards into a Tier 3, absent some compelling reason.

CHAIRMAN FRAZER: Was that discussion had in the AP, Captain Hubbard?

MR. HUBBARD: So we've got lots of great compelling reasons. No, not specifically. This was a little bit above my pay grade, and so I had a little bit of help crafting this, and the science between the difference between a Tier 2 and Tier 3 is above my head. Sorry.

CHAIRMAN FRAZER: Dr. Walter.

DR. WALTER: Yes, a similar point. I think we're at Tier 2, and

so then the logic here is we're saying we no longer think that the information that was used to classify it as Tier 2 is reliable. Therefore, we're reverting down the food chain, so to speak, which seems like not necessarily -- We would have to have a compelling argument as to why we would do that, in this case.

I certainly agree with the exploration of G-FISHER. We've invested pretty substantially in that, and I think that's going to become a really valuable survey for us. I'm just concerned really here on the process, and the logic, behind saying we're going to drop a tier simply for this purpose. Thanks.

CHAIRMAN FRAZER: Dr. Sweetman.

DR. SWEETMAN: All good points. **I'm going to withdraw this motion.** I need to think about the Tier 3a, versus Tier 2, a little bit more, and maybe I can bring it up in Full Council.

CHAIRMAN FRAZER: Captain Hubbard.

MR. HUBBARD: Just to the conversation, and, again, I can't speak to the reason to drop a tier, but, essentially, what was discussed, at the AP, and the sentiment behind this motion, the rationale behind this motion, is essentially we've been evaluating lane snapper, almost annually through IAs, and it's not working, and what we're seeing on the water is changing rapidly with these fish getting bigger and expanding to new areas.

We're seeing them more and more frequently in more and more depths, deeper, shallower, further north. You name it, and you see it, and so these lane snapper are being caught at increasing rates, and what we're doing now isn't working, and you guys are working really hard, trying to do these interim analysis, trying to give us more catch limits, and, as soon as we get that catch limit, and the rulemaking is done, we're hitting it again.

The sentiment behind this is essentially we have to do something novel. We have to take some novel approach, to get a bigger increase, so that science can catch up to what we're seeing on the water. Whether it's Tier 2 or Tier 3, and I don't know the difference, but, essentially, what we're trying to communicate, and what we're trying to get at, is let's look at this and evaluate some different approaches to try to get a bigger catch limit increase to match.

That way, angler sentiment is greater, right, and what we're seeing

on the water, and what we're experiencing, is matching what the science is saying.

CHAIRMAN FRAZER: Yes, and I appreciate that, and Mr. Strelcheck has his hand up, but I just want to -- Before you go there, I just want to say I don't think, you know, by withdrawing that motion, that we're walking away from the issue, right, and I think there's always an interest, on the part of the council, to incorporate the advanced technology, so we get better data moving forward, and so we'll revisit it, Dylan. Mr. Strelcheck.

MR. STRELCHECK: So, first I'm certainly open to, obviously looking at the interim analysis, and other information, and seeing the utility of that. I did want to push back a little bit, in terms of your comment about it's not working.

Biologically, we have a good problem on our hands. We have a healthy stock, right? That's what we want. Socially, you're not happy with, obviously, the consequences of the closure, which we were talking about, obviously, with the size limit change.

Then, you know, in terms of the headboat index, you had mentioned earlier about, you know, kind of that limited by the catch limit, but what we showed earlier, right, is most people aren't being inhibited by the aggregate bag limit there, and so, if the stock is expanding and increasing, and catch rates are going up, that should be reflected in the headboat index, and also show up in the interim analysis.

What might not show up in the interim analysis is, obviously, the expansion of the stock, if you're fishing in areas, obviously, where the fish are also growing in abundance, and so I'm all supportive of this, but I think we need to think about how we frame this at the Full Council session.

CHAIRMAN FRAZER: Real quick, Dylan.

MR. HUBBARD: Yes, and, to that point, my concern over the headboat data is, A, there's -- I've heard that the headboat data is going away, that it's not going to be funded next year, and that's our longest-term recreational data collection that we have, and so that's really scary, and a whole different other topic.

Also, as far as catch per unit of effort is concerned, lane snapper isn't Gulf-wide, and so it's hard, I think, for the CPUE to fully grasp that, because it is kind of more of a eastern Gulf, and

really it was just along the Florida peninsula, and now it's expanding into Alabama, and north Florida as well, and so it's changing, but, also, I think, again, locally, in different areas, it's more concentrated, and I think it would be difficult for that CPUE of just headboats alone to capture that sentiment.

CHAIRMAN FRAZER: Okay, and I just want to circle back on one final thing, after Dr. Walter gets a chance to talk.

DR. WALTER: I did want to address the point you brought up about the headboat survey going away, and there are some rumors about that. That is untrue. The headboat survey will continue to exist in its current form.

The issue is that, the port agents for Alabama to Texas, we no longer have the funding to support them, and so those are the port agents who go and collect the biological samples. They also have often been in close contact with the headboat operators, to ensure that they're reporting as they're supposed to do with their reporting, which is the basis of the survey, is the reporting system by the headboat operators.

That will continue, but, right now, it's the port agents that collect the biological data for those states that we do not have the funding to support, and so problem on the survey. That's going to continue to exist. Please continue to report, because it is the vessel reporting that underpins all of that information, and many things more, but there will be also a more formal announcement of that forthcoming. We just need to work out some of the details. Thanks.

CHAIRMAN FRAZER: All right. Thanks, Dr. Walter, for that. The last thing I just wanted to circle back is on the discussion having to do with red snapper sizes and discards, right, and so there was the SEDAR 98 workshop. The data workshop was held in early December, and both of those issues were discussed at length, and so I would, you know, urge you to kind of look at that, and keep track of that moving forward. Okay. Excellent. Mr. Chair.

MR. DUGAS: Thank you, Dr. Frazer. Okay. We're going to break for lunch and return at 1:30. Thank you.

(Whereupon, the meeting recessed for lunch on January 28, 2025.)

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January 28, 2025

TUESDAY AFTERNOON SESSION

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The Reef Fish Committee of the Gulf of Mexico Fishery Management Council reconvened at The Renaissance New Orleans Pere Marquette in New Orleans, Louisiana on Tuesday afternoon, January 28, 2025, and was called to order by Chairman Tom Frazer.

MR. DUGAS: Okay, everyone. We're going to get started back on Reef Fish Amendment 59. Dr. Diagne and Dr. Frazer.

CHAIRMAN FRAZER: All right. Thank you, Mr. Chairman. We will move to Agenda Item Number VII, which is, in fact, Reef Fish Amendment 59, Requirements for Participation in Individual Fishing Quota Programs, which is Tab B, Number 7 in your briefing materials. Dr. Diagne will lead us through the action guide and next steps, and so, Dr. Diagne, it's all yours.

DRAFT OPTIONS: REEF FISH AMENDMENT 59: REQUIREMENTS FOR PARTICIPATION IN INDIVIDUAL FISHING QUOTA PROGRAMS

DR. DIAGNE: Thank you, Mr. Chair. Good afternoon. So, for this agenda item, Reef Fish Amendment 59, staff will give an overview presentation of this amendment, which addresses participation requirements in the two IFQ programs that we have in the Gulf, the red snapper and grouper-tilefish programs.

As you recall, the participation requirements that are considered here include the ownership of a commercial reef fish permit and also landings of fishing a preset percentage of the shares owned by a particular shareholder.

During the presentation, we are going to discuss the range of actions and alternatives and highlight the consequences, at least potential consequences, of combinations between some of these actions. The committee should review the information presented, review the range of actions and alternatives discussed, make recommendations, and discuss next steps as needed. That's for the action guide.

CHAIRMAN FRAZER: All right. Thank you, Dr. Diagne. I think it's pretty good, where we're headed, and so, if you want to go ahead and work through the presentation, that would be great.

DR. DIAGNE: All right. Thank you, and I'll ask Birdie to scroll down to -- Let's start with the goals and objectives of the IFQ program. Okay. Thank you, and this is just to highlight the fact that you adopted new goals and objectives, and, essentially, Amendment 59 is also going to, quote, unquote, officially update the goals and objectives of the IFQ program.

Let's go to Action 1, please, Section 2.1, Bernie. All right. Thank you. The first action addresses requirements to open and maintain shareholder accounts. I will start with the no action alternative, and, essentially, with this alternative, we would not establish new requirements to obtain, or maintain, IFQ shareholder accounts.

To obtain and maintain a shareholder account, the applicants must be a U.S. citizen, a corporation, partnership, or other entity established under the laws of the U.S., or any state, or a permanent resident alien. So, in short, I guess, the next steps in the discussion, we will just refer to this as citizenship requirement, in short.

Alternative 2, and so, in addition to the citizenship or permanent residency requirement, all applicants are required to possess a valid or renewable reef fish permit to obtain a shareholder account. Just for the obtention of the account, a permit would be required.

In Alternative 3, which is going to be more restrictive, in a sense, it would require a permit to obtain and maintain the shareholder account. Here, just to highlight one point, Alternative 2 would essentially restore the requirement, or conditions, at the inception of the programs.

As you recall, both of the programs had a five-year interval, and, when that five years expired, essentially permits were no longer required. Alternative 2 would restore the requirement that we had when the programs were established, but Alternative 3 would essentially require a permit to obtain and maintain the account, meaning having a smaller universe of participants, if you would. Mr. Chair, should I pause here, or go to the next action?

CHAIRMAN FRAZER: I think, in this particular case, why don't we go ahead and review the various action items in the document, and we'll circle back when people have the full flavor. Thank you.

DR. DIAGNE: Thank you. Let's go to Action 2, please. Action 2 looks at active participation requirements for shareholders, and this action includes six alternatives. The no-action alternative would not define active participation in the IFQ program. Essentially, anyone who meets the citizenship or permanent residency requirement would be considered as an active participant in the IFQ program, or programs, plural. Both of them.

Alternative 2, to be considered as an active participation in the IFQ programs, in addition to the citizenship or permanent residency requirements, a shareholder's account owner must, during any two calendar years, have landings equal to at least 50 percent of --

Here, we would have two options. Option a will consider the shares in their totality, and so meaning the total pounds equivalent to the IFQ shares held in the account on January 1 of the first year of any two-year period, and the second option is the pound equivalent for each share category held in the account on January 1 of the first year of any two-year period.

A couple of comments here. When we started this, we had the requirements for a one-year, meaning an annual requirement, and the council did suggest that perhaps, for hardship considerations and so forth, a two-year time period would be more suitable, and, also, the last time we discussed this, the council did indicate that, rather than simply looking at the aggregate, or the total, if you would, amount, but look at this for each share category.

In option 2a, I can meet the 50 percent, for example, just by harvesting my red snapper quota, but, in Option 2b, if I also own other share categories, let's say from the grouper and tilefish program, in each one of them I should meet the 50 percent threshold.

That's the difference between the two options, and there is a sentence, at the bottom of this, for a timely determination of the active participation status of shareholder accounts.

Only landings recorded by October 1, in any given year, are utilized to compute the percentage of IFQ shares landed, and this is because, by January 1, the LAPP Branch would issue the new annual allocation, and, to have the time to process this, and know who is or isn't in compliance, obviously, we need -- They would need some time between, you know, stopping the clock, quote, unquote, looking at who meets the 50 percent requirements, and then moving forward for the subsequent year. In any event, Dr.

Stephen is in the back, and so, if someone needs her to chime-in, I'm sure she would be willing to do that.

The remaining alternatives, except for Alternative 6, are built exactly the same, but use decreasing percentages. If we look at Alternative 3, then the requirement here drops to 25 percent, and so at least 25 percent of either the total or the pounds equivalent in each share category, and the same October 1 deadline is also there.

Alternative 4 drops the threshold to 10 percent, and Alternative 5 to 5 percent. If you recall, 10 and 5 percent were suggested by the council, the last time we talked about this, and we have Alternative 6, which is written slightly differently.

So, here, to be considered as an active participant in the IFQ program, in addition to the citizenship or residency requirements, a shareholder account owner must, during any two calendar years, have completed a landings transaction for any of the IFQ shares held in their account or for each one of them.

Here, there is no numerical, if you would threshold, because, once you go through, I guess, you know, the hurdles of getting the permit, getting the vessels, and so on and so forth, fishing ten pounds or fifty, that's the same, but this alternative has, I guess, the added benefit of being much simpler.

Because it is simpler, the time needed for the LAPP Branch to compute, or determine, status would be shorter. That is why, here, landings transactions have to be recorded by December 1, which would give them a month to process this.

CHAIRMAN FRAZER: I think, Dr. Diagne, we've got a question from Dr. Banks.

DR. BANKS: I just have a clarifying question. So, for any of these percentages, hypothetically, I could have no catch in year-one, or, in Alternative 2, 50 percent in year-two, and I would meet the requirement. I don't have to have 50 in each year.

DR. DIAGNE: Yes, that's correct. This is for any two-year period, and, if you recall, when we started this, the requirement was annual. We said 50 percent every year, but the council did recommend that we take a two-year period, to account for potential hardship. Someone's vessel may be broken, or they may have an illness, or some major life event.

DR. BANKS: But it's not 25 in one year, and 25 in one year, and that equates to the 50. It's 50 in a single year within those two periods.

DR. DIAGNE: No. Here, it is 50 percent during any two calendar years, and, as you mentioned, for year-one, and let's say your vessel is not functioning, and maybe you didn't fish, but then, essentially, during year-two, that puts the onus on you to really fish to meet the 50 percent threshold.

So we covered the six alternatives in Action 2, and one thing to mention here is, the way the alternatives are written -- For example, I will take Alternative 2, Option 2a, and it says the total pounds equivalent of the IFQ shares held in that account on January 1 of the first year.

So, obviously, I mean, it's a workable option, but, if we think about it, what if I were to open an account on January 5? It means that, for the first year, this requirement cannot be applicable to me, because my account came after January 1, or, for example, if I acquire a significant amount of IFQ shares on March 15, let's say, then those would not be accounted for in provisions like this, and it would not be, I guess, practicable to pick a rolling date, or an interval, and so forth, because, no matter how you think about it, once you set the date, some transactions are going to be outside of that particular date or time interval. I just wanted to point that out. Okay, and so we can go to Action 3, Bernie, please, or I'm going to stop.

CHAIRMAN FRAZER: Mr. Williamson.

MR. TROY WILLIAMSON: Assane, if a shareholder leases some of his quota, or allocation, out of his shareholder's account, does that count towards the 50 percent?

DR. DIAGNE: No, the leasing does not count towards the 50 percent, and this here looks at the total amount of shares held in the account, let's say as of January 1, and then 50 percent of that, be it let's say 5,000 pounds, or say 2,500 pounds, would need to be harvested, and, of course, then one is free to lease out the remaining 2,500, if they so chose.

CHAIRMAN FRAZER: Mr. Anson.

MR. ANSON: Thank you, Dr. Diagne, for the explanation. I have a

further question about, in Options 2a and 2b for the alternatives, when it says the total pounds equivalent in 2a of the IFQ shares held in the account on January 1 of the first year of any two-year period, and so, in your scenario we just -- That Mr. Williamson just brought up, what in year-two, then -- If you were -- If that individual were to sell those, a certain percentage of those shares, if you read this, then it would have to apply for the January 1 as the first year, but, in year-two, if they sell a lot of their shares, or more than half, in Alternative 2, with the 50 percent requirement, they would automatically then be excluding themselves from being able to pursue that for that year, if they did not achieve it in year-one. Am I interpreting that correctly?

DR. DIAGNE: If they did not harvest 50 percent in year-one, then they would be in -- Let's say, they won't be compliant, absolutely. If I have 5,000 pounds, and, in year-one, I only harvest -- Let's say I land 2,000, and then turn around and sell the remaining 3,000, and so, for that two-year period, I cannot be in compliance. That is essentially a decision that the fisherman, let's say, would have to account for.

CHAIRMAN FRAZER: Okay. I'm not seeing any more questions. We can probably move on to Action 3.

DR. DIAGNE: Thank you. So let's look at Action 3, and Action 3 looks at requirements to obtain and maintain shares. The no action alternative would essentially just stay with the citizenship and residency requirement, nothing beyond that. Alternative 2, to obtain IFQ shares, in addition to the citizenship and permanent residency requirements, a shareholder account must be associated with a valid or renewable commercial reef fish permit.

Alternative 3 goes one step further. To obtain and maintain the shares, in addition to the citizenship requirement, the shareholder account must be associated with a valid or renewable commercial reef fish permit, and, finally, Alternative 4 here would take Alternative 3 and then add the active participation requirement, whichever option is selected in Action 2.

Let's say, for example, Alternative 2, which said 50 percent, at least, then that would come on top of the permit requirement here, and, again, in this action, Alternative 2 would restore, let's say, the conditions at the inception of the program. Alternative 3 would make sure that participants maintain the ownership of a valid or renewable permit to have the opportunity to obtain and maintain IFQ shares.

Let's go to Action 4, please. After the shares, IFQ shares, let's discuss annual allocation, and this action here looks at requirements to obtain the shares. We have a no action alternative, which would not set any additional requirements outside of the citizenship and residency requirements, and here we only have two alternatives.

Alternative 2 is, to obtain annual allocation, in addition to citizenship and residency requirements, a shareholder account must be associated with a valid or renewable commercial reef fish permit. These are the two alternatives that we have here. Either we do it or we don't.

Let's move on then to Action 5, please, and this is the last action included in this amendment for the time being. Action five looks at the divestment from non-compliant shareholders' accounts. We have the no action alternative, and the no-action alternative, essentially, is the shareholder account must be compliant with the requirements set in the amendment here by the effective date of the final rule implementing these requirements, or their shares would be reclaimed immediately by the agency. That would be the no action alternative.

Alternative 2, NMFS will reclaim shares from shareholder accounts that are not compliant with the requirements set in the amendment here, and we have two options. The first option would be one year following the effective date of the final rule implementing the requirements, and Option 2b would consider a longer, if you would, adaptation period and would give two years following the effective date of the final rule implementing the requirements.

Alternative 2 deals with what to do once the amendment has been implemented. Alternative 3 looks at the longer term, if you would, because one may have a permit, and, after five years, let's say, let their permit lapse, for a variety of reasons, and so Alternative three is, after the implementation of this amendment, if a shareholder account is no longer in compliance with the requirements set in the amendment, the owners of the account must divest of their shares or the shares would be reclaimed by NMFS.

Here, the adaptation periods considered would be one year following the noncompliant status or two years following the noncompliant status, and so, for the time being, those are the time intervals that are considered in the amendment. They could be shorter or longer if, let's say, the council thought, or the committee, excuse

me, that alternatives should be added here, but, for now, we have one and two years, and I believe that's the last action in this amendment, and so I'm going to pause here.

CHAIRMAN FRAZER: Great. Thank you, Dr. Diagne. A couple of questions. Kevin Anson, and then Captain Walker.

MR. WALKER: I wonder -- We have an October 1 and a December 1 in the previous action, to help with administration of the program, and so I'm wondering if we might consider, or, Assane, if you could provide your thoughts on whether or not the addition of an alternative here, identifying a similar date, October 1, of the year that it's implemented, or goes to final, if that would be appropriate to help, again, with administration, so that that account can get cleared and all those shares can be put back into the pool for distribution on January 1 of the subsequent year.

DR. DIAGNE: I'm not sure I understand, I mean, the question, let's say fully, but let's say my account became noncompliant on, let's say, November 1, or October 1 for that matter. Then, based on anyone, and I'm thinking Alternative 3 in this case, then I would have at least a year to come into compliance.

That year would come back, let's say, on -- If we said October 1, then, by September 30, I need to get a permit, or sell my shares, or the agency would reclaim that, and so I don't -- I'm not sure that we need a date, per se, here, because the date of noncompliance would vary depending on the individuals.

CHAIRMAN FRAZER: Mr. Anson.

MR. ANSON: It would also vary based on the date of the final rule being implemented. That's what I was getting at, is if the final rule was -- The final date, or the effective date of the final rule, was November 15, and that could potentially be too late for -- Administratively, for those shares to be available for distribution or allocation decisions at January 1.

DR. DIAGNE: Yes, now I understand, but the thing is, should we implement 59 on November 15, we still have a full year to come into compliance or divest. It's not going to be November 15, the next day, those shares are reclaimed, and so now let's look at what may happen if we chose Option 2a.

November 14 of the following year, then, essentially, you become non-compliant, and so your concern is, if we reclaim those shares

on November 14, would the LAPP Branch have enough time to turn around and add it back to the pool and distribute it, and, for that, maybe if I could ask Dr. Stephen to chime-in.

DR. JESSICA STEPHEN: Could you just repeat the scenario, so I get it exactly right?

MR. ANSON: So, right now the language for the alternative says that, you know, Options 2a and 2b, that there will be a certain date, or year, after the effective date of the final rule, and so if the final rule is -- Let's say it occurs in June, and that may not be a problem for, again, determining allocations for those remaining shareholders for the following year, but, if it happens December 1 that the final rule becomes effective, how, in this situation, with a one-year, or two-year, delay, if they're not in compliance on December 1, then would there be enough time to have those shares be available for those allocation decisions?

DR. STEPHEN: Yes, and so the way that would work is so they would be non-compliant, because they currently don't have the permit at that point in time, and so it's not about someone who in Alternative 3, where they're selling the permit, right, and so we're dealing with accounts that don't currently have a permit.

If the action went final in December, we would have until that next December, we would probably start sending notice, and emails, to people to allow them to take care of the problem themselves, whether they want to divest their shares or get a permit. Depending where in December it lies, it could create a little bit of a problem.

Ideally, we would know, and sort of cut off any access to it, so that we could do the year-end process and have those shares available for redistribution, and so I think we can handle it, for the most part, as long as we're not going final in the mid-half of December. In that case, I would probably ask for one extra month to take care of it.

CHAIRMAN FRAZER: Thank you, Dr. Stephen. Captain Walker.

MR. WALKER: So I have a lot of points here, but let's go back to Action 2.2, and so it was looking kind of tricky on how we were going to require participation, and it still is, and we have six alternatives here, and I had an idea of another way we might be able to approach this, and I ran it by some of the NMFS folks, and they didn't shoot it down right away, and, to me, it means there's

maybe a little bit of a chance.

So consider this. What if a shareholder that was issued shares January 1 was only allowed to lease out 80 percent of those as allocation to other people, meaning he would either fish a portion of his shares, or he would take a loss on them, which I would think would encourage him to actually participate, and so it's open for discussion, and, if it sounds reasonable, I'll propose we add an Alternative 7 to this list.

I'm not even talking about what percentage at this point, and I'm not even saying that particular number, but, if I'm issued 1,000 pounds of red grouper, I would only be allowed to lease out say 800 pounds of it to other people, and I would have to catch some of it myself, because I can't lease it out to other fishermen.

CHAIRMAN FRAZER: Okay. Dr. Diagne.

DR. DIAGNE: Yes. Thank you. Captain Walker, I think what you are suggesting is, by default, included in the alternatives here. You are just looking at it from the other side, right, because, if we say you have to at least harvest 25 percent, what we are not saying, but is part of this, is that you can lease 75 percent, right, but you are just looking at it from the other side of the coin, it seems to me, unless I missed something.

MR. WALKER: Yes, and that's exactly correct. However, it may circumvent some of the issues with proving your participation. I'm told that the term "slipper skippers" came up in Alaska, when they tried something like this, and the owner would just hop on the boat in his slippers, and sit on the couch, just to check that box, and so it seems, to me, like it could possibly be an easier way to get to where we're trying to go, as far as requiring participation. If you can't lease out 20 percent of your quota, you're going to have to go fishing, or you're going to take the loss of the value of those fish, and so we don't have to chase the guy around, and make sure he went on the boat, or whatever. What do you think?

DR. DIAGNE: What I have would be just questions. I mean, one thing would be what would be the cutoff, because, again, if we pick a date, January 1, I'm going to make sure that, on January 1, I only own 100 pounds, and then you say, okay, you can have 80 percent, et cetera, but then, by March 1, I will get myself 50,000 pounds, that are going to be excluded, but, if you want to do this on a rolling basis, and like, at any given point, 80 percent of

your ownership -- I don't know how many folks would need to be working in the LAPP Branch to be able to do something like that, but, again, we can --

MR. WALKER: Well, no, you can't go and get 50,000 pounds of shares on June 1, or whatever. You're issued your shares January 1, and there's no changing that for the rest of the year. Allocation is different. I'm not really talking about that. Am I right here, or am I getting confused here?

DR. DIAGNE: No, and you can go ahead and buy shares. That's the point. You can go ahead and buy shares, and, of course, get the --

MR. WALKER: I see what you're saying. Okay. Sorry. I was confused there.

CHAIRMAN FRAZER: We're going to circle back on this in a minute. I've got a couple folks here. Dr. Banks, and then Mr. Williamson.

DR. BANKS: So the term "slipper skipper", if I remember fisheries, and, Andy, correct me if I'm wrong, the owner has to be on the boat in Alaska. It cannot be transferred, and like a captain can't fish.

In my mind, anything on this board doesn't stop you from hiring a captain to fish. In Alaska, they cannot hire a captain. The owner has to be on the boat. You can still, with these options, still have a successful business, and own the shares, and put a captain on salary, or payroll. Am I wrong, Andy?

MR. STRELCHECK: No, and you're accurate.

CHAIRMAN FRAZER: Mr. Williamson.

MR. WILLIAMSON: That was my point.

CHAIRMAN FRAZER: Okay. Mr. Strelcheck.

MR. STRELCHECK: So, one thanks to Ed for, you know, floating some new concepts, and ideas, and I've been thinking a lot about, obviously, Amendments 59 and 60. We've spent a lot of time around this table deliberating over those, and not making a lot of progress. I think, with 59, there seems to be large agreement about, you know, returning the permit requirement and some of the provisions around that permitting requirement.

I think, with Action 2, there's some ideas, and not just with Ed, but my team, that are emerging, that we really want to get a better handle on. You know, from an administrative standpoint, I'm looking at what are things that can be workable, and simplified, so that it's easy for both the stakeholders to understand whether they've met the qualifying thresholds or not, but also for us to monitor that, right, and so one of the suggestions that I would like to offer is that I would like to move Amendment 59 forward faster.

I think we could do that if we removed Action 2, and moved that to a separate amendment, and then we spend really some thorough time looking at Action 2 and that separate amendment.

I am concerned with the range of alternatives in Action 2, that we're still not meeting some of our purpose of trying to get this quota in the hands of actual fishermen that are using it, and some of the thresholds are very low, and that you could still have someone that is essentially profiting heavily off of leasing allocation, and not fishing a large portion of that quota, and so my recommendation would be to take Action 2 out of this amendment, streamline Actions 3, 4, and 5, based on that change, and then move forward Amendment 59 in the next couple of meetings.

CHAIRMAN FRAZER: Okay. Andy, again, we'll circle back on that too, and Dr. Sweetman as a question, or a comment.

DR. SWEETMAN: Just a comment. I think -- I hadn't thought about that, Andy, but I think I tend to agree with you. I think Action 2 is going to be the most challenging one here, relative to the impact for a lot of our shareholders, and so I think that makes a lot of sense. I mean, we would be splitting this out into three separate amendments all together, but, if that's what it requires to kind of move forward on this, then, yes, I think that does make sense to me.

CHAIRMAN FRAZER: Okay, and I've got a couple questions for Dr. Diagne. Again, I mean, I'm super sensitive to the fact that we've kind of wrestled with these IFQ amendments for years and years and years, and I like the fact that we're actually making some progress here.

I mean, the time scale for this particular amendment, right, is it's scheduled to kind of go before the Ad Hoc IFQ Advisory Committee, right, in February or March, and I can't remember.

DR. DIAGNE: Yes, and the doodle poll is still out. Closing is today, but the meeting is mid-March, let's say, somewhere around the 18th.

CHAIRMAN FRAZER: So then we would receive some input from that particular group. Could we come back in the April meeting, right, and then prepare -- Or preferably pick some preferreds, so we would have a public hearing draft, so we could go final in June, and so I get that.

The purpose of this meeting today, or this discussion, right, is to present to the committee the fact that we've got a full range of alternatives in the various action items, and I think that you've accomplished that here, and in the IPT. If we pull this particular action item out of the document, so this becomes, you know, 59B, for example, or C. No, it would be 59B, right? So we still have 59A.

Are you comfortable with where we are in the document, as far as like all of the chapters, you know, particularly 3 and 4, moving forward, that we will be on schedule to do that?

DR. DIAGNE: Yes, and, if we were to pull Action 2 from this document, essentially, we'll be able to streamline this, and, you know, meet, easier, the timeline to be suggested, so that that will give everyone time to think about alternative ways to capture active participation, because, as Mr. Strelcheck and others mentioned, Captain Walker, we can think about alternative ways, and, you know, having the time to think about it would be great, and the 59 permit requirement -- That's going to be fairly straightforward.

Everybody would know what the amendment intends to do, and this will require a permit for some combination of this action, and so, I mean, I guess, on behalf of the IPT, I think we would be very, very comfortable in achieving, you know, the goals, as I've stated, yes, by pulling Action 2.

CHAIRMAN FRAZER: Okay, and so thank you for that. So, by the end of this meeting, which I'm not presuming that we take any action yet or not, but I'm just thinking it through, right, and so if -- You're going to need potentially two motions. One is to start a different document, right, remove -- I guess, yes, a single motion, right, to pull Action 2 out and start a new document. Okay. Dr. Banks.

DR. BANKS: I'm not sure I agree with any of that. I think Action 2 plays a very big role in the divestment portion of this. All we've done, in Action 1, 3, 4, and 5, would make us scramble for permit buys, knowing there's going to be some kind of activity requirement later.

I don't -- I think there's going to be unintended consequences, unless Action 2 stays with this compliance, the rest of these actions for compliance, and active participation. I think you've got to leave that in there.

CHAIRMAN FRAZER: Okay. Thank you. Captain Walker.

MR. WALKER: I would agree with Andy, if nothing else for the fact that, however long it's been, we've never actually done anything on this, and those other actions are very complicated, and they're going to take some time to hammer out, and, personally, I would like to -- If there was one we could pluck out that's easy, with understanding what you said, but I think we could take one out, that one out, and take a step forward, at long last, without having too much of a negative impact on these others, and so I would be in support of pulling that one out, so we can move forward with this.

CHAIRMAN FRAZER: Okay. We've got two hands up. Mr. Strelcheck, and then Dr. Banks.

MR. STRELCHECK: Just to be clear, right, I'm trying to figure out how to move this action forward, right, and I'm afraid that, with Action 2, it's complicated, and it's going to continue to bog us down, and so I am supportive of moving Action 2, but just to a separate action, and I agree we need to do something, but I -- Right now, I don't think it's really well thought out.

I think there's some challenges, and problems, with how we would implement it, and I think there's maybe some other ideas and things that we really need to be carefully thinking about, and it would benefit from having that separate action. In the meantime, move forward the permit requirements.

CHAIRMAN FRAZER: Dr. Banks.

DR. BANKS: I just don't see how it's not going to have unintended consequences with the permits and cause problems down the road. I'm fine removing a couple of alternatives, but, as multiple people

have said, we've been talking about this for years, and so, at some point, we're going to have to pull the trigger and do something.

We're going to cause some kind of consequence, no matter what we do, and so, at some point, we're going to have to do it, and we took our oath, and make a decision, because these people are sitting in limbo, trying to figure out what we're doing with an IFQ program, that we've now been talking about for years, and so I'm for maybe pulling a couple alternatives out, but I think Action 2 needs to move forward with this.

CHAIRMAN FRAZER: All right, and so is there further discussion on any of these action items? Let me ask this, in the absence of seeing any hands. So, if you just pull out Action 1, is that a problem? You can move straight -- Move just to the permit requirement. Captain Walker.

MR. WALKER: Well, I mean, this program was started with that rule in effect, and so that seems fairly straightforward. It's not breaking any new ground or anything. The first five years of the program had this requirement, and so it would just be shifting back to the original program. I would support that.

CHAIRMAN FRAZER: Dr. Simmons.

EXECUTIVE DIRECTOR SIMMONS: I'm having a hard time hearing Captain Walker. Can you move the mic a little closer?

MR. WALKER: I think it buzzes if I get real close, or did we fix that?

CHAIRMAN FRAZER: You might have to repeat what you said, Ed.

MR. WALKER: Okay. I said that -- I just pointed out that the first five years of the IFQ program had a permit requirement, and so we wouldn't be making anything that hasn't been done before. We would just be shifting back to the original plan, and so that's -- To me, that's an easy one.

CHAIRMAN FRAZER: Andy, is there any -- Do you envision any issues if you went that route? I mean, is there a problem with just instituting a permit requirement without linking all these other alternatives?

MR. STRELCHECK: Well, so you have the Actions 3 and 4, and,

obviously, which then are related to obtaining and maintaining shareholdings and allocation, right, and so that's why I was suggesting just removing Action 2 and moving forward with the remainder of the amendment, because I think that's also a challenge with the program and what a permit requirement would, obviously, help constrict.

CHAIRMAN FRAZER: I'm fully aware of the intent. I'm just trying to figure out if it's logistically possible, right, to move through in pieces without having, as Dr. Banks pointed out, perhaps a number of unintended consequences. Dr. Banks.

DR. BANKS: I hate to be the person to say this, but I really think none of these can go separately. I think they are all intertwined with that participation in the fishery. I think, at some point, we're just going to have to make a decision, and Action 1 -- I mean, let's go through and see if people can pick a preferred on everything but Action 2, and then see where we land on Action 2. Maybe we don't need to pull anything out, and we can spend all our time on Action 2. I don't know where everybody lands on that, and so I'll that out there.

CHAIRMAN FRAZER: I'm hesitant to pick preferred without having some public comment at this stage in the game, right, and we might be able to do that in Full Council, but I'm just trying to figure out what all our possible pathways are at this point, and I appreciate your perspective and points here. Dr. Diagne.

DR. DIAGNE: Thank you, Mr. Chair. I mean, one of the points is, no matter what we do, this Amendment 59 is going to come with a lot of unintended consequences, some of the things that none of us really can foresee now, because folks have, you know, after the first five years, built a variety of business models without a permit and so forth.

Pulling out Action 2 would really allow us to, if you would, separate the impacts. That would be one of the benefits, to be able to know what it is that requiring a permit would do to these programs in the first place, and, actually, I mean, some of these actions, and alternatives, will do more than the way the program was.

The program, essentially, in the first five years, and that's Alternative 2, in the first one, because you could, with your permit, get the account, get the shares and allocation, and let your permit lapse, and, in fact, we saw some of that, people who

got rid of their permits after they received everything they had to.

If we were here to do that, for example, to obtain and maintain a shareholder account, for example, maybe shares, et cetera, this move towards putting the shares in the hands of those who fish would be at least 80 percent there by requiring a permit to obtain and maintain the account and the shares, because the permit -- You don't just have it, you know, in the air. You have requirements to be able to have a valid permit, and so that would allow us to think about better ways, if you would, of requiring active participation.

To the extent that it's in a separate amendment, I think, one, we'll be taking final action very soon on 59, I guess, A or B, depending on the numbering, and, two, we can benefit from the suggestions of everybody, including the AP and other members, to bring more creative ways of requiring active participation outside of the landings.

If that is something that could be considered at all, I think, you know, the suggestion made by Andy, and others, would be beneficial, not only to streamline this, but to add clarity to what it is that we are trying to do, and also to help even some members of the industry better prepare for what comes next, because, now, dealing with the permit, that would weed out a lot of, let's say, related accounts, for example, and so on and so forth.

Then, when we see how our universe is now defined, bring an active participation requirement that is going to be targeted and, quote, unquote, more creative to solve the problem that you are trying to solve. Okay. Just my two-cents.

CHAIRMAN FRAZER: Dr. Banks, and then Captain Walker.

DR. BANKS: So, first, when we discuss business models, there's thousands of business models out there, and, I mean, I'm not a private business owner in the IFQ program, but I imagine that's going to have to adapt, no matter what we do, and so those are always changing to adapt to regulations.

While we keep thinking about business models, and I'm fine with that, but, at some point, that can't be what's holding us up on this. They're going to move, and they're going to change, and they're going to adapt, period.

Then, I just -- I really don't see how you're going to pull all this apart, for the active participation, when that's what most of those goals are for. People have shares, and allocation, now that they're not using. Just because you have a permit, okay, and I'm going to buy a boat, and I'm going to sit my permit on it, and I can still lease all my quota out. It's still not forcing an active participation. You're just going to have someone that's got more money to go buy something.

CHAIRMAN FRAZER: To that point, Dr. Diagne?

DR. DIAGNE: Yes, and, I mean, point taken, but, at some point, the hurdles to jump through, or over, are going to be too high, and one of those hurdles would be to maintain a permit. I mean, if you were to require a permit to obtain, and maintain, a shareholder account, IFQ shares, and to obtain allocation, you are going to see a very, very different universe of participants in the IFQ programs, or at least a very different distribution of shareholder accounts.

This, you know, having three, four, five related accounts, trading these, et cetera, a lot of those things are going to disappear, and we will have a better idea, in terms of who is still participating in these programs, and then help us design, quote, unquote, collectively, better measures that would fit the universe of participants, in terms of active participation.

I was not suggesting that business models should hold us up, no, and, essentially, 80 percent of what it is that we are trying to do right now would depend on the alternatives that you select, in terms of requiring a permit to obtain and maintain an account. If you just stop at obtaining, well, I can obtain it, and then, after a couple of months, let it lapse, but, if you say to maintain also, then you are beginning to really move towards the folks that are actually fishing, and so that is, you know, one perspective.

CHAIRMAN FRAZER: Okay. Dr. Banks, and then Captain Walker, and then Dr. Sweetman.

DR. BANKS: Last question. To maintain a permit, is --

DR. DIAGNE: I am sorry. Let’s say -- For example, let’s go back to Action 1, if you would, Bernie. Okay. Let’s just use this as an example. Right now, any U.S. citizen or permanent resident can open an account, and, from there, buy shares, get allocation, et cetera.

If you were to do Alternatives 2, essentially, you would do what let's say this council did at the inception of the program, because, when we started, let's say, for example, the red snapper program, you had to have a permit to open a shareholder account, but what folks did afterwards is that they -- Some folks had the permit, opened the account, received shares and allocation, and then let the permit lapse, transferred it, sold it, et cetera, because, you know, you were not required to have a permit after that first step, but, if you were here to consider Alternative 3, that will no longer be possible.

Essentially, to be able to open an account, you would need a permit, but, the minute you let your permit lapse, your account would no longer be valid, because you would have to maintain that account, and you would need to still have a permit, and, if you did that also for the shares, and let's stop there, and just for the shares, then it seems, to me, that, you know, folks who just want to come in and let's say, you know, trade, if you would, that would not be possible for them. They would be out from the get-go.

DR. BANKS: Maybe I'm not understanding this correctly, but, if I have a permit to open and maintain, or whatever, is there a vessel length limit that I have to keep that permit on, or can I just put it on a sixteen-foot johnboat? That's what I'm saying. Like, I don't think those are true hurdles to be participating in the fishery. I could put that permit on a johnboat, and have it sit in my backyard with a VMS, and go off.

I watch people in the charter fishery do it, and it's more money in the commercial, and so I'm saying the participation part here is the actual landing, or whatever we decided, and I don't think necessarily the permit alone is what's going to drop everybody. Am I not thinking about that correctly?

DR. DIAGNE: No, you are correct, and, I mean, I guess this is the permit alone, no, but we said that the permit solves, it seems to me, 80 percent of the problem that we are trying to solve, and, to be clear and, you know, separate the effects, to really see the impacts of what it is that we're trying to do, if you want to start with the permit requirement, first you will have a different universe of participants.

Knowing who your quote, unquote clients are would allow you to design more precise, if you would, more creative ways to require

participation. Right now, I mean, we don't have a very clear view. I mean, we could -- Dr. Stephen and them are working on it.

We have related accounts. We have folks that, you know, for business purposes, have three and four accounts, get the stuff, and then spread it. If you put a permit requirement, they will be forced to consolidate, unless they want to buy, you know, ten permits, or five permits.

The permit requirement alone is going to begin to trim the fat, streamline the participants, and then you can come back and say, okay, who is here, or there, and we have a few dealers, maybe. They will have to have a permit and vessels. It won't be possible anymore for someone to say that I don't own a permit, and I don't have a vessel, but I want to participate in this.

To be a participant, you will need to have a valid or renewable permit, and that's the first step, and, once you do that, you solve 80 percent of your problem, and, I guess, while you are thinking about the best way to target active participation, and it may be it's not landings.

Maybe you would think about a better way of doing this, and so, if you leave it here, you won't have that opportunity, and that's what it is, but, if you put in a separate amendment, somebody may come up with it, and it could be you.

CHAIRMAN FRAZER: All right, and so, I mean, I appreciate the dialogue, but, really, it boils down to this, right, and, I mean, is an incremental implementation of the action items in this particular document -- Will they inform subsequent actions, right, and we can argue about that all we want right now, but I think that's the crux of the argument. To Dr. Banks' point, I think Andy wanted to reply about specific to vessel lengths, as the example that you used. Mr. Strelcheck.

MR. STRELCHECK: Well, I think you framed it well, right, and this is -- I'm not abandoning Action 2. I want to continue to move it forward. It's an incremental step in the process. We have struggled to move these amendments forward, and I view this as kind of a simpler way to at least move Amendment 59 forward, and not get bogged down with Action 2, because I think there's still some work to be done. I mean, we could all agree that Action 2 is fine today, but I think there's some challenges with it that we're still maybe not thinking about.

In terms of the permit requirement, keep in mind, you know, yes, you can put it on whatever boat you want, but you're still going to have to meet the commercial VMS requirements, and other requirements that come along with a reef fish permit, in addition to that.

Is there loopholes? Is there going to be ways to get around the system? Absolutely, and there's a lot of smart commercial fishermen that will figure that out very quickly, right, and so, recognizing all of that, what I'm just trying to do is -- You know, we sit around, and we talk about Amendment 59, and we talk about 60, and it's usually four, five, or six of us around this table, right, and I want to be able to move this off our plate, with meeting some of those goals and objectives that we laid out the better part of two years ago, and then continue with 60, and 61, or whatever the next amendment is, to continue to move this along and make that incremental progress.

CHAIRMAN FRAZER: Captain Walker.

MR. WALKER: So, along with what Andy said, there's -- One of the reasons I support taking the action out is that there is a million loopholes in a lot of this, and we've been talking about it for two years, and we could easily talk about it another year.

If we require a permit, there's workarounds, but, at the very, very least, I believe it will kind of close the door on future non-participatory people saying, you know, me and my wealthy friends were thinking about investing in this IFQ deal, that my buddy made a bunch of money over there, and so all of us are going to chip in $500,000, and we're going to start investing in IFQ quota.

If they look at it from the outside and say, well, you need a permit, and you need a boat for that, then maybe they'll go invest somewhere else and -- So I think, at the very least, it will put up some boundaries to new non-fishing investors, just the general outlook that you have to have a permit and a vessel. Yes, you can get around it, but I think it will help. It's not going to solve the whole problem, but it would be a step forward, and I think it might help more than we think.

CHAIRMAN FRAZER: Mr. Anson.

MR. ANSON: Regarding removal of Action 2, I can see both sides. I'm a little leery on, you know, this particular action, as it

relates to our goal, our objectives, with the IFQ amendments, but, on the other hand, you know, I can see that allowing some additional time to potentially work through some of these things a little bit more clearly, in order to be more efficient in achieving one of those objectives that we set out at the onset of this particular IFQ version of documents, could be helpful.

I am a little concerned though on the timeline, and, you know, we certainly would be supportive of, you know, making sure it stays as a priority, top priority, on the council's to-do list, that it doesn't linger for a year or two after we get the other action items implemented, so that we can have a look-see to see what's going on in the fishery. I think that would not be very wise, relative to trying to get further action in on this particular side of the program, and so those are my comments.

CHAIRMAN FRAZER: All right. Thank you, Mr. Anson. Dakus.

MR. GEESLIN: Thank you, Mr. Chair. I see this action as being probably the most meaningful action within this suite of actions itself. Without this -- You know, I think this is linked, and connected, to every single one, especially some of the other 4 and 5 actions. So, you know, we're kicking the can here. Is this perfect? Absolutely not. Is there loopholes? There's always going to be loopholes. I'm supportive of keeping it in.

CHAIRMAN FRAZER: Captain Walker.

MR. WALKER: I mean, to me, keeping it in is kicking the can. It means it gets tied to some things that are going to take a lot longer to iron out, when we could just pick that can up today.

CHAIRMAN FRAZER: Mr. Williamson.

MR. WILLIAMSON: I totally disagree with that approach. This particular action is definitive of what we're trying to accomplish with someone being on the boat, although it's not going to accomplish it, but it at least gives you a requirement that -- Maybe you can, or maybe you can't work around it, but I speak in favor of it.

CHAIRMAN FRAZER: Okay, and so I think this is what's going to happen. I think we're going to get some public comment on this. I'm pretty committed to the timeline for this particular document, moving it forward, whether we move forward with or without Action 2.

I think we're going to get some comment, public comment, that will help us on that, but I think, in Full Council, we should certainly be prepared to move forward with some version of this document, with or without Action 2, because, you know, regardless of how you feel, and I think I've heard good arguments on all sides of this, I think we're -- I'm of the opinion that we have kicked this can a long time, and so all right, and so we will then move forward to the next agenda item, if it's okay with you, Dr. Diagne. Mr. Strelcheck.

MR. STRELCHECK: Regardless of, obviously, what we decide at Full Council, we do need to lock down the alternatives, so that the IPT can be working on these. One thing that I would be interested in hearing, from the public, the stakeholders, is the thresholds for consideration in Action 2.

As I mentioned, some of these seem very low, in terms of meeting participation requirements, and I recognize it depends on where you sit in terms of, you know, that active participation, but I think that would be beneficial feedback for us to consider narrowing the range of alternatives here.

CHAIRMAN FRAZER: All right. Thank you, Andy, for that. All right, and so we will look up to our chair. Do you want to take a break now before this, before we get Dr. Allen on the phone? He's going to go through a presentation, and it might be a good time to do that.

MR. DUGAS: Yes, sir. Dr. Frazer. I think now would be a good time for a break, before the next agenda item, which would be the Gulf SSC webinar by Dr. Allen. A fifteen-minute break.

(Whereupon, a brief recess was taken.)

CHAIRMAN FRAZER: So we're going to carry on with Agenda Item Number -- Let me see what that is. VIII, a Summary of the December 2024 Gulf SSC Webinar. So, Mr. Rindone, you want to go through the action guide?

SUMMARY: DECEMBER 2024 GULF SSC WEBINAR

MR. RINDONE: Can be done. Dr. Mike Allen is on the line. He's our SSC chair. He'll be reviewing the remaining SSC recommendations from the SSC's December 5 webinar, including a management strategy evaluation for black grouper that was

commissioned by the Florida Fish and Wildlife Conservation Commission and a progress update on the SEDAR 88 stock assessment of Gulf red grouper. The committee should evaluate the information presented and ask questions of Dr. Allen, as appropriate. Mike, are you there?

DR. MIKE ALLEN: I am. Can you hear me?

MR. RINDONE: Yes.

DR. ALLEN: All right. So there we go. Thank you, Ryan, and good afternoon, everyone. I'm happy to be here to represent the SSC, but I've been very disappointed not to be there in person. I was definitely planning on being there to be able to talk with all of you all, and go enjoy some oysters in New Orleans, but, about three hours before I was set to leave for the flight, I got a stomach bug, that was really nasty, and I decided not to share that with any of my co-people on the flight, or you all, and so I'll do this remotely. This was a shortened SSC meeting because of Hurricane Milton and also -- What's that, Ryan?

MR. RINDONE: I didn't say anything.

DR. ALLEN: Okay. This was a shortened SSC meeting, because of the hurricanes, and so we broke this down into one day, and it was a webinar. It wasn't in-person, and so I'll go through the highlights of that, and we can have any discussion.

Our first main topic in this meeting was the black grouper management strategy evaluation. As some of you may recall, the last assessment, which was -- Or assessment attempt was at SEDAR 48 in 2017. That assessment was terminated during the data workshop, for a lot of issues around the data quality, but the main one was very suspect landings, due to misidentification with gag grouper, especially prior to 2006. There was a decision, after that data workshop, to halt that process and kind of recalculate.

FWC contracted Dr. Bill Harford to do a study to look at the options that may be available for black grouper, and Dr. Harford did a report to them and gave a presentation to the SSC about this. In that, he proposed a traffic-light-style approach to identify the confidence that we have in the different data streams, and he went through all of that with us, and some of the fishery-dependent data sets were the most uncertain, for the reasons I specified before.

The recommendation from that study was to embark on a management strategy evaluation, which a management strategy evaluation, and I'm sure most of you know, but it's where investigators try to simulate the whole system. They try to simulate the fishery, the data collection, the fish population dynamics, and kind of simulate the whole operation and see what can be learned about that whole operation, to make things better, and what sources of uncertainty might contribute. Uncertainty in the data might contribute to uncertainty in the output models for the stock assessment.

They didn't conduct a management strategy evaluation in that study, but he did outline a number of examples where this general traffic light approach and management strategy evaluation had been able to improve inference and stock assessment for some other species.

The SSC supported continuing this approach, and going down the road of possibly an MSE for black grouper, and we thought that was a good next step, but, at the outset of our discussion, it was really the idea from a management strategy evaluation should be to have a goal to seek clear management advice at the outset of that, and so not just a modeling exercise, but really to try to use an MSE to get as much management advice as we can get, given the limitations of the data.

We gave that feedback to him there, and, of course, we would need coordination with the South Atlantic Council on black grouper fisheries as well, and so that was the summary from that discussion. It was a good discussion about this topic.

The next was an overview of the Gulf red grouper assessment. This assessment is underway, and the Science Center was coming to the SSC looking for some input on some key parameters. This was under SEDAR 88, and so I'll go through some of that, and some of the things that we were requested to get feedback on.

We had a really good discussion with the Science Center on this assessment. I'll note that this uses the SRFS dataset, the State Reef Fish Survey, for the private vessel fleet.

That replaces the use of the MRIP-FES for private vessels, which has been shown to have, which it should have, improved precision, because it's higher sampling on those kind of boats that would have those kind of red grouper catches, more intensive sampling around reef fish ports and those kinds of things, and so it's expected to have increased precision over the MRIP-FES, and there's no shore fleet for red grouper in that, which also makes biological

sense.

There are a number of changes that the center is proposing in this upcoming assessment, changes to data and parameter estimates, and so updates of data and different parameter estimation options, and that was the bulk of the rest of our discussion.

One is updated natural mortality estimation, which is actually expected to raise the natural mortality estimate for red grouper. The effect of a higher natural mortality for red grouper is going to mean higher stock productivity, higher spawning stock biomass, and lower relative fishing mortality.

The basic gist there is, when the natural mortality rate is higher, it means that the stock had to be more productive to produce the landings that were observed, and so, when the natural mortality rate goes up, the stock productivity increases likewise, and so those are operating as we would expect, and I'll talk a little bit more about the natural mortality in just a minute.

They also were proposing to freely estimate the selectivity parameters and use age-based inputs for the selectivity curve, and, specifically, the selectivity patterns were more freely estimated, and based on age, and that was deemed a good approach from the SSC.

The growth parameter estimation, they've been working on trying an estimate of L infinity from the von Bertalanffy growth equation, with and without platoons, and what platoons is is it’s just accounting for the fact that different size bins of fish have different growth rates, and so, for a given age, you have a range of different growth rates, and so the platoon approach allows you to explicitly model fast-growing groups of fish and slow-growing groups of fish.

That's the idea there, and it accounts for how the growth rates of these platoons might influence their vulnerability to harvest, and so that was a good discussion, and I think the SSC saw a lot of merit in this platoon approach, but we don't know yet if they'll end up using it. It's just we gave our thumbs-up to go ahead and consider that approach in using the -- In doing the assessment with the growth parameters, as they go forward.

Then, based on the parameters above, growth and selectivity and natural mortality rate, the spawning stock biomass would change as well, and that would be recalculated as well.

They able to estimate steepness of the stock-recruit curve, which I'm going to talk more about that tomorrow in the SPR discussion, and so we'll get into a little bit more details about that in general, but they were able to estimate it with the available data, and they were -- It was a robust solution to it as well, and it was estimated at 0.66.

Keep in mind that steepness is the proportion of recruitment at 20 percent of the stock relative to the recruitment that you would see at the unfished level, right, and so a steepness of 0.66 means that you would get 66 percent of the recruitment at 20 percent of the stock size that you would get when it was unfished.

You know, we didn't finalize where, you know, where we thought that should set, as far as the final assessment, because we wanted to evaluate the diagnostics, and the final fitting of everything, when they make the changes to the model in the assessment, but the SSC was very unanimous, I think it's safe to say, that it's better to estimate the steepness, when it's possible that we can estimate it from data, and get a robust solution, but, oftentimes, it's difficult to estimate, or it's estimated also with high uncertainty, and so we'll see where that goes, but our guidance to them was to estimate the steepness, if possible, which, at this stage, it looked like they would be able to estimate it.

That estimated steepness affects the maximum sustainable yield, as well as the projections of future recruitments as well, and so the steepness is really a surrogate, or a good indicator, of the stock productivity, and so that's why it's best to estimate it from data, if you can.

The selectivity updates, they used the age-based selectivity, and what they found is that the previous stock assessment, in SEDAR 61, had underestimated the observed weight-at-age, and so they explored different ways to deal with that, to better be able to predict weight-at-age, and they did a logistic selectivity for the longline fleet, and this suggests consistent vulnerability at age, once they're selected, and so that means, once they recruit into the fishery, and they’re fully selected, their vulnerability doesn't change through time.

Doing this actually resulted in more realistic estimates of spawning stock biomass and F, and the previous SEDAR had used a dome-shaped selectivity, which assumed that large animals would become much, much less vulnerable, and so the logistic selectivity

seemed to do a better job of predicting the observed average weight-at-age and was a desirable characteristic, and so they made the corrections to the mean length and weight estimation, and the SSC thought that this was a good change for this red grouper assessment, and so they'll move forward with that guidance.

As I mentioned, we supported estimating steepness, where it's possible to do it. That's always a good thing, if we can estimate parameters directly from the data, rather than having to fix it, or use a surrogate from somewhere else, which we're often forced to do, but it's better if we can estimate it from data for each species.

We supported the growth parameter estimation using that platoon approach. We like this idea of being able to explicitly account for variation in size-at-age and the fact that you've got sub-cohorts of fish that are relatively fast growers and relatively slow growers for every age.

This may ultimately not be used in this assessment, because it's age-based. We'll kind of let the Science Center staff work through that and come back to us with what they think is the best approach, but I do think, based on the discussion, that the SSC felt that this platoon approach for length-at-age was a solid approach, moving forward in the future, at least for other species, and so that was a good discussion.

We discussed M, and suggested using the Hamel and Cope, which is very similar to what they had used in this updated assessment. It's an updated method based on the maximum age. You may have heard of the Hoenig maximum age equation for natural mortality estimation, that we've used in lots and lots of stock assessments, and this is an updated version of that, that uses more data in developing the method, and probably a more reliable estimate.

Red grouper that results in a higher M, about 0.19, than the previous assessment, which was 0.14, and, as I mentioned before, what that means is that, if you have a higher M, then it would have had to take a more productive stock to be able to produce the landings that we've observed, and so that's going to change a fair amount of the assessment results, with using the higher M rate, and the SSC felt like this was a good change, and it was a justified change, based on the data of what we know about natural mortality approximation using a surrogate measure like maximum age, and so they'll move forward with that, I believe.

Okay. Red tide, and we didn't get into this a lot, because they haven't really officially accounted for red tide yet, but, as everyone is aware, red tide is a big concern for the red grouper fisheries, and it affects some part of the stock in a lot of years.

Like gag, we expect to have higher mortality on the younger ages of red grouper associated with red tide events, but they haven't -- I think, in the interim years, they didn't have -- They're not expecting any red tide effects, but back in time they would, and they're working on -- There's a research project evaluating this now, I believe, that is working on updating the red tide predictions, to look at how that might influence natural mortality rate going back in time, and so we didn't see the results of this, but it's on everyone's mind, and they have a plan to implement that before the assessment comes out.

The updated models are expected early this year, and then Ryan, with his great memory, will update us on when we're going to see that again. I don't have that in front of me, but, anyway, that will be a topic, obviously, in everybody's mind, about red tide, particularly with this species.

Okay, and so February 26 is base model review in Tampa. The SSC will -- I'm not sure which meeting this will be, but further evaluation of those key parameters and the diagnostics and the future projections. We will go through that and then make our final recommendations for the Gulf red grouper to the council here, and that's a summary of our meeting. It was a really good discussion with the Science Center, and I appreciate having the time, and I welcome any questions.

CHAIRMAN FRAZER: All right. Thank you, Dr. Allen. I'm looking around the table, to see if we've got some questions. We've got one from Captain Walker.

DR. ALLEN: Okay.

MR. WALKER: Thank you, Dr. Allen. I just had a thought. Your second-to-last slide here, the red tide mortality considerations, it says "like gag, higher mortality expected for younger ages", but, as I'm sure you guys are aware, those two don't really live -- They don't have first year habitat similarities, necessarily. Red grouper, to my knowledge, do not recruit to the estuaries like gag do, and estuaries is where you definitely see more red tide than the offshore areas.

DR. ALLEN: I think that's a fair point. I think, when we say younger ages, we mean pre-recruit to the fishery, and so not just the age-ones, but it's a fair point that the very early life -- There's some big spatial distribution differences between gag and red grouper that may influence their vulnerability to red tide, and so that's a fair point, but I think the point here was that younger ages being, you know, all the ages prior to harvest kind of thing, and so, you know, ages-two through five, that kind of thing, as well.

MR. WALKER: Thank you.

DR. ALLEN: But thank you.

CHAIRMAN FRAZER: Mr. Anson.

MR. ANSON: Thank you, Dr. Allen, for the presentation. I can go read this, but I'm just curious if you could describe the platoon kind of exercise, or computations. How -- Is that determined through lengths provided, fishery-independent, or fishery-dependent information, and does the model kind of assume that? Does that change year to year, for certain geographic areas? Do you have much information about that?

DR. ALLEN: I don't know that I can speak to the very specific case here of exactly what they did in the platoons, but, in general, it could be used -- You could get data from fishery-dependent or independent sources, but the idea of this is that you take the largest fish , and you actually -- The largest fish, medium-growing fish, and smaller, slower-growing fish, the smaller fish of any given age, and the model basically tracks their growth through time, with each of those kind of sub-cohorts having a different growth rate.

What it tries to do is more explicitly deal with variation in size-at-age than we typically do, and so that's the general approach of the platoon approach, and I think there's advantages to that for accounting for size-at-age, and the variability in size-at-age, because each of those platoons can then be subjected to their own mortality rate, for example, depending on when they recruit to the fishery, because fast-growing fish are going to recruit earlier in life than slow-growing fish.

That's kind of the general overview of what this approach does, but I will mention that I don't know if they're going to use the

platoon approach for this red grouper. That's still to be determined, but we had a good discussion about it and think it's a good option for accounting for size-at-age distribution, you know, for fish stocks.

MR. ANSON: Thank you for the information.

DR. ALLEN: Absolutely.

CHAIRMAN FRAZER: Dr. Allen, if I could just follow-up on that. I mean, it's a good question, right, because, as you pointed out, the assessment is essentially age-based, right, and so, in order to do the platoon analysis -- I mean, it's a biologically-rich approach, and so you always have to, I guess, determine, you know, or decide, whether you're going to spend that much energy on collecting that data, as we heard earlier, right, and there's only -- There's not unlimited resources, and we've already cut back, for example, on some reproductive sampling, and so I don't know how much biological sampling is involved, and I'm actually looking at John, if he might provide some insight over here to the platoon stuff.

DR. ALLEN: Thank you, Tom.

CHAIRMAN FRAZER: John.

DR. WALKER: Thank you. I mean, to be able to -- The routine ageing that we would have would be able to give that information, and the platoon would be the fish that are within a cohort, and so it's generally the routine information we get.

It might be, because you're probably then partitioning growth into some finer resolution, that you might need larger sample sizes to get the same precision, but probably the way it works is that almost the same data we're already collecting, and it's just a different way of looking at it and saying -- It's exactly as Mike explained, that you might get those kind of growth dynamics when you get good or bad year classes. Thanks.

CHAIRMAN FRAZER: I appreciate that. I was just trying to make sure you didn't need a lot more biological data to actually make it happen, and so, anyway, thanks, Mike, for that.

DR. ALLEN: Thank you for that, and thank you for that clarification, John.

CHAIRMAN FRAZER: Any other questions for Dr. Allen? All right. I'm not seeing any. Dr. Allen, thank you very much for the presentation. We'll look forward to hearing what you have to say tomorrow.

DR. ALLEN: Okay. Sounds good. Thank you all.

CHAIRMAN FRAZER: All right, and so, we've already dealt with Agenda Item Number IX, and we will plan on keeping the recreational initiative on the schedule tomorrow, as it says on the agenda, but I think we can go ahead with Agenda Item Number XI, and that would be a Presentation on the Recreational Red Snapper Accountability Measures, Tab B, Number 11 in your briefing materials, and we'll let Ms. Gardiner come on up, and we'll give her a few minutes to get settled.

PRESENTATION: RECREATIONAL RED SNAPPER ACCOUNTABILITY MEASURES

MS. GARDINER: All right. Good afternoon, everyone. I'll start with the action guide, and so I'll be going through a presentation today on red snapper recreational accountability measures. This action came about in April of 2024, when the council directed staff to begin work on a document to reconsider recreational accountability measures for the private angling component.

Discussions at the council meeting focused on the state-specific landings compared to their respective annual catch limits, or ACLs, with particular consideration of the payback provisions implemented under Reef Fish Amendment 50A. Therein, it is specified that the state's ACL in a fishing year will be reduced pound-for-pound by any overage of that state's ACL in the previous fishing year.

The council requested a document exploring additional flexibility within the accountability measure that may allow for minor state-specific ACL overages while remaining under the overall private recreational ACL.

I'll present the state landings against their ACLs and how the paybacks have been applied in the past, and the committee should review the information that is presented, ask questions, and provide feedback on timing and next steps.

While the presentation gets pulled up, like I mentioned in the action guide, this action came about in April of 2024, with a motion. We haven't started developing that document yet. We

haven't started developing that document yet.

I wanted to kind of bring this back to the committee to prompt some discussion about perhaps what the direction we want to go in, and have some additional considerations, and take a look at the landings and the payback overages compared with the ACLs since the calibrations have been implemented, and there's lots of information coming in the tables in the next few slides.

I'm hoping that, at today's presentation, we can talk through some of these things and then, in the spring, eventually develop an IPT to really draft out these alternatives and work on requesting an analysis to bring a document back to the committee and the council.

I kind of summarized this in the action guide, and so I won't read this verbatim, but, as of 2020, Amendment 50A went through, which implemented the state-specific accountability measures. In-season accountability measures would close the season for the remainder of the year when harvest is projected to reach the component ACL. Post-season accountability measures are these payback overages that I kind of summarized, but meaning pound-for-pound in the overage, and so the subsequent year ACL would be reduced for the amount of the overage, as most of you are aware.

For reference, I wanted to put up season duration in days here, just for comparison, to have the information provided, in case for some reason we wanted to take a look at it, and so nothing really to discuss on this slide, but just for reference here.

Before I start walking through these tables, I kind of want to walk through, column-by-column, what staff was able to put together and develop, so that we are able to compare these as more of an apples-to-apples comparison. When I was trying to compile state landing data, versus state ACLs, I was digging through some of the databases that we have publicly available and realized, very quickly, that we don't have anywhere that lists all this information all in one space concisely to provide an apples-to-apples comparison.

I was hoping, by compiling these tables, and working with the states individually, we were going to be able to put a table together for each state to really lay this out. In the first column, we see year. The second column is the recreational ACL, and then, subsequently, the allocated private ACL, and these are rounded to the nearest thousand, and so these aren't going to be to the specific number, but we've rounded these for ease here.

In the third column, we have the state-specific ACL, in CHTS units, or that is the fourth, I guess. In the fifth column, we have the adjusted ACL, if there was a payback that occurred in the previous year, again in CHTS units. In the sixth column, we have the state-specific landings, in their state units, and so, for Florida, it would be SRFS.

Then, in the last column, we have the landings that are then calibrated as of 2023, since the calibration went through into CHTS units, and so from 2020, all the way to 2022, and the last column doesn't have that calibration applied, because that wasn't implemented until 2023.

This table layout is going to be consistent across all the states presented, but I wanted to provide a blanket overview of what we're looking at and how that can be applied, and then, any year that there's an asterisk on landings that are calibrated, then we see that there is a -- The state ACL was exceeded, and it triggered a payback in the subsequent year. For some states, we don't have final landings data for 2024, which is why, in some of these, you'll see that it's unavailable, as of right now, as it was still preliminary.

So, for Florida, we see, in 2023, there was a slight overage that resulted in a payback and a reduction of the ACL in 2024. Again, Alabama has the same table structure, but Alabama landings are in Snapper Check units, and so we observed an overage in 2023, which resulted in a slight decrease in the ACL in 2024, and then the preliminary landings for 2024 are available in Snapper Check units and then also calibrated into CHTS units, as seen here.

For Mississippi, we have all the landings listed in Tails 'n Scales units, and we had an overage that occurred in 2023 and 2024, which subsequently will lower the ACL in 2024 and 2025.

For Louisiana, we have our landings in LA Creel units, and we've overages in 2021 and 2024, and we can see the payback that was allocated in 2022, or adjusted the ACL in 2022, for that overage in 2021, and, lastly, we have Texas landings in Texas Creel units, with an overage observed in 2020.

These tables really just provide a concise way to look at all of the landings information, and ACL data in the appropriate units, and then hopefully with the appropriate conversions and calibrations applied all in one place, so we can kind of have an

apples-to-apples comparison and have the discussion about paybacks and accountability measures in the next slide.

Like I mentioned at the beginning of the presentation, my hope for this was to kind of present this landings data and then prompt some discussion among states to see the direction in which we want to go for these addressing flexibility and accountability measures.

I put together a few thinking points, to trigger some of this discussion, such as that, you know, since 2020, all of the Gulf states, at least once, have had a minor overage, which resulted in a payback, but the Gulf-wide private recreational ACL has not been exceeded since 50A was implemented, recognizing there are some caveats with that, and then the calibration that went through, and we can't back-calibrate the data before 2023, since it wasn't implemented until then, but that may change some of the landing information, but that's mostly a moot point at this point, since we don't back-calibrate that.

What I think I'm hoping folks will consider is, you know, what ACL are we using to trigger this payback provision, and so our current status quo is the state-specific ACL, and so that triggers that payback overage, and that's what we're currently doing, but additional flexibility.

Are we looking at using the total private angler ACL that would trigger that accountability measure, or are we looking at total recreational ACL to trigger that accountability measure, and are including for-hire folks in this total ACL component, and so that's something I'm hoping that the committee can weigh-in on a little bit, and just some additional pros and cons of the benefits of adding flexibility into these accountability measures and potentially the cons of adding flexibility into these accountability measures.

Without putting too much thought into it, I think, you know, a first thought of a pro would be that it may allow the states some flexibility for what I like to call an oopsie overage, without having penalty for the following year, and maintaining landings below the ACL, but I think maybe a con, from the management perspective, is that it may allow for this interstate trading, or an intentional overage if you know another state isn't going to reach their ACL, and so I think that might defeat the purpose of managing to the state ACL entirely and requiring states to manage to their respective ACLs, as outlined in Amendment 50A.

Implementing some flexibility here, does interstate trading will kind of negate that state-specific ACL, but, you know, that may be a pro for some states, so that we can land more fish in certain years without having the penalty of an accountability measure when we're not exceeding the total ACL.

That's kind of my first thoughts, without putting too much thought into it, but I'm hoping to prompt some discussion from folks, to really start the conversation, and then outline where we want this action and document to go in the future. Thank you.

CHAIRMAN FRAZER: Thank you, Ms. Gardiner, for that presentation. I'll open the floor for discussion. Dr. Banks.

DR. BANKS: Can you remind me -- If the for-hire side goes over the accountability measure, does it come off just their section, or does it come off all of the rec quota?

MS. GARDINER: Thank you. It's just their ACL.

DR. BANKS: Thank you.

CHAIRMAN FRAZER: Go ahead, Mr. Geeslin.

MR. GEESLIN: Thank you. Thank you, Mr. Chair. A very timely topic, Sarah, and I appreciate the information here. I would suggest that, and I would also acknowledge that the state directors have conversed, and talked over this concept, on multiple occasions, and I would suggest that there is a certain level of consensus that we would manage to the total private angler ACL and manage as to the overage as the entire sector of the fishery and look at ways to cover overages from underages from other respective states.

You kind of articulated that in that last slide, and so I think there's support for that. I think there's some questions as to, you know, the mechanisms of that, and the details, and, you know, acting in good faith to adhere to each of our exempted fishing permits, and each of the Amendment 50s, but I just wanted to throw that out there, and I'm looking at my other colleagues from other states to maybe chime-in there, too.

CHAIRMAN FRAZER: Dr. Sweetman.

DR. SWEETMAN: Thank you, Mr. Chair. We have talked about this

quite a bit with the other Gulf states here, and so I'll just lend my perspective here. There's definitely a mechanism set up where this could happen. There's a similar mechanism in the South Atlantic, as it relates to quota transfers for Spanish mackerel, which is actually in rule, that perhaps could be followed here, but, I mean, I'm certainly open to exploring some of this, when we're seeing that the total ACL is not being exceeded, but I do think that there probably need to be some guardrails that need to be discussed a little bit further here.

Maybe some sort of a cap, in terms of a payback, and just one broad concern I think that I have here, which is why I think guardrails are somewhat required, and we all work very well right now with our respective Gulf states, and I hope that continues in the future, but there's no telling what that'll look like under a different administration, a different governor, and so there may be some times where we're forced to do some things where we're not exactly aligned there, and so that's kind of why I'm highlighting that.

I think some guardrails need to be put in place, in order for this to be functional, from the perspective that we're talking about, and so I'll leave it there for discussion.

CHAIRMAN FRAZER: Mr. Schieble.

MR. SCHIEBLE: I agree with what both Dakus and C.J. said. You know, we've been working through this, as state directors, for some time now, in meetings separately, to try to come up with the best resolution here, and I think, you know, exactly what C.J. said.

The current makeup of the state directors, we all seem to work together as a pretty good team right now, because -- You can tell, by looking at this presentation, the states are striving to find that optimal fishing structure for each of their individual angler groups.

You know, different season and bag limits are included in those reports back there. That's why you see different lengths of season, and duration, and, speaking for Louisiana, we're still trying to find that optimal target, and it doesn't seem to be the same each year. There's different avidity by the anglers, which is fine. That's part of what recreational angling is, and we're shooting at that to try to achieve that optimal goal.

Yes, guardrails would be important, and I would suggest, and I don't know if this needs to be motions, or how we're going to go about this, since it's just a presentation, but maybe something that limits the percent of these individual state ACLs, as to what you could increase, and so 10 percent of a state's ACL overage could be moved, or whatever.

You know, certain limits to the amount of an individual state's ACL that could be increased each year. I don't know how to phrase that. Maybe I could use a little help.

Second, I would like to see included in this a carryover provision. I think that would be an equal offer, so to speak, or counterpoint to overages being shifted around. Then it would also allow a certain percentage of a state's ACL underage to be carried over to the next year, which would offset some of that potential transfer another state would need for their overage. If this requires motions, let me know, and I'll try to attempt to make them, but we could also do this included when the document comes around, and make motions at that point, and so I don't know how.

EXECUTIVE DIRECTOR SIMMONS: Thank you, Mr. Chair. I would just suggest we talk about it right now, and then, maybe at Full Council, we try to get at least some bullets, or something on the board, to direct us.

CHAIRMAN FRAZER: Thanks, Carrie. Dr. Sweetman.

DR. SWEETMAN: Just another kind of guardrail that I was thinking about. We certainly don't want serial repeat overages here, and so I think, in some capacity we would have to look at, you know, if it's happening more than once in, you know, X amount of years, then that state would be required to pay it back, and so we don't want repeat offenders on this, just take advantage of it, and so another guardrail maybe for discussion.

CHAIRMAN FRAZER: Mr. Strelcheck.

MR. STRELCHECK: I might need John or Carrie or Ryan to weigh-in, and so, when we did Amendment 50, we did allow for underages to be carried over, but we would need to adjust the ABC control rule in order to do that.

My other comment, right, is I agree with, you know, the guardrails. I think there's some good ideas that have already been floated, and I think the states have done a good job of managing toward

their quotas, and small overages, obviously, you know, aren't going to affect the overall status of the stock, especially if you have underages in other areas.

You know, the one concern I have, obviously, with carrying over underages is, if a stock is in decline or, you know, being depleted, right, it's kind of a false positive. You're not exceeding your ACL, and so, therefore, you know, we're going to carry over more fish, to go out and then catch what limited fish are out there to begin with, right, and so that's just kind of the challenge with, obviously, carryover, when the fish population might be in decline, and the catch limits and everything haven't been caught up with stock assessment results.

CHAIRMAN FRAZER: Mr. Anson.

MR. ANSON: I agree with everything that's been said. I think there ought to be some limits discussed, as far as the initial document, you know, so a state doesn't become a habitual offender, if you will, and then, just of the ideas that were proposed here, as far as the private recreational ACL, I would just make a comment, or a suggestion, that we do not include the entire private recreational ACL to be considered, and just the -- I mean, yes, the -- Just the private recreational ACL, not the private -- Not the recreational ACL. I'm confusing myself here, and so I'm sure you all are confused too, and so just so we don't include the for-hire sector, is what I was trying to say, and so if we can take that off the -- Is my recommendation.

CHAIRMAN FRAZER: You don't get a second chance at that. Mr. Schieble.

MR. SCHIEBLE: Real quick, and Kevin kind of summed it up, but, also, to Andy's comment. I think you'd have to have a maximum allowable carryover percentage of a state's individual ACL, and so it wouldn't be the same across-the-board for everybody.

It would be like 5 percent of Louisiana's ACL would be allowed to be carried over, in total, and so, if we underfished four years in a row, you wouldn't have 5 percent plus 5 percent, but, you know, you wouldn't have 20 percent being rolled over. You would still only have that five subsequently carried, and so you wouldn't blow over the ABC total for the Gulf-wide, I guess, and just thoughts.

CHAIRMAN FRAZER: That's a really good point, Chris. Rick.

MR. RICK BURRIS: I'll echo what the other states have said, and I agree with Kevin on the private rec only, being that each state is allocated a different amount. I would say that this would obviously benefit Mississippi, because a little bit of landings go a long way for our state.

I would like to point out that I think there's a mistake on 2024. From our calculations, we had 64,529 pounds of Tails 'n Scales snapper to be landed, and we did not go over in 2024, but I'll be happy to talk with you afterwards and take a look at those numbers. 64,529 pounds in Tails 'n Scales in 2024. That is what our ACL was, and we landed 60,004 pounds, and so we still left 4,000 pounds of fish on the table.

CHAIRMAN FRAZER: I'll let you all work that out, Rick. I guess, when I'm looking at the table, you know, currently there's 60,000 pounds in Tails 'n Scales, and you think you had 64,000?

MR. BURRIS: We caught 60,000 pounds. We were able to fish this. Our ACL was adjusted with 64,529 pounds, and so we did not go over that that year. We just need to readjust that.

CHAIRMAN FRAZER: Sure. All right. Mr. Rindone.

MR. RINDONE: Rick, what were your 2023 landings?

MR. BURRIS: 80,719 pounds.

MR. RINDONE: So, when we apply the calibration ratio to that 0.384 for 2023, that's where that 210,396 comes from, and then that results -- After that's applied to the revised Mississippi ACL for 2024, in now the CHTS units, it's 163,691, and then you apply the overage adjustment, and you get 116,985 pounds, in CHTS units, and then that's converted, using the new 2024 calibration of 0.503, and that gets then adjusted to a Tails 'n Scales ACL of 58,843.

CHAIRMAN FRAZER: So Ryan, and Rick, I'm going to let you guys talk about this offline. It's a little in the weeds for this discussion. All right. Dr. Banks.

DR. BANKS: So I just had a -- This is probably for all of the state directors, but have you guys discussed, if multiple states go over, and that pushes us over the total ACL, how the payback would go into effect, and would each state then make that, or would that come as a haircut?

CHAIRMAN FRAZER: Okay. Mara, and then Mr. Geeslin.

MS. LEVY: I was just going to say I heard -- Maybe we can clarify at Full Council, but I heard a couple of ways to address this, one which was just doing it through the accountability measures, and kind of like linking it to the total private angling ACL, and not having the paybacks necessarily unless you go over that, which then allows that overage potential by different states, as long as you don't go over the total private, but I also heard C.J. mention like an official like regulatory -- Like what the South Atlantic does with some of the migratory pelagics, where you can actually trade quota, right, between the states, but there's a process, right, which is much more formal.

I think it would just be helpful to be clear about what you're looking to do here. Are you looking to just address it through the AMs, or are you looking through that formal trade that you could do, which would probably be a little more prescriptive, but you could also, you know -- Again, you would be more prescriptive, and so you would have more control.

CHAIRMAN FRAZER: So, real quickly, I just want to make sure that I get Kesley's question answered right, and I think Dakus is going to do that. So, Dakus, go ahead.

MR. GEESLIN: Well, at least I'll attempt to. You know, Chris hit on this. Our current cohort of, you know, state directors works very well, and I think, to Dr. Banks' point, the fundamental, you know, acting in good faith, and spirit, and in-season monitoring -- You know, you're trying to manage up to, and, at some point, it's an art.

You're trying to manage up to and near that ACL, but, as we have discussed, I mean, and it's -- You know, a condition of our management, state management, is, when you are predicted to go -- To reach that ACL, and then you shut down the fishery. I think, in that particular scenario, there may need to be some discussion about, you know, if, in that scenario, where you have three states go over, that cause the total ACL to be exceeded, then there may need to be some proportional payback from those, independent from those specific states, to pay back the next year. I can see that as being a reasonable approach, in that particular scenario, but that particular example hasn't been discussed to that depth.

CHAIRMAN FRAZER: Dr. Banks.

DR. BANKS: Thank you. I'm just trying to think of like worst=case scenario. You all work very well together, and we applaud you for that, but, at some point, there will be somebody that doesn't allow you off your, air quotes, leash.

CHAIRMAN FRAZER: Fair deal. I mean, as so many things that we deal with, right, there's these unintended consequences, and that's come up a number of times today. I think there's -- Hopefully Ms. Gardiner is collecting enough information to help start to draft the document, and we'll get certainly more discussion, perhaps, in Full Council, but I just want to make sure I don't cut anybody out. Dr. Sweetman.

DR. SWEETMAN: Just to respond to Mara, fair point about the more formalized regulatory process. I think I was just trying to -- I wasn't trying to be prescriptive. I was just trying to give options for how this could happen, and so I think, because this is a document that staff is ultimately going to develop, that could be a mechanism. Yes, you're right that it is a more formalized prescriptive rulemaking item, as opposed to modifying what we've done in 50A, and so I'm just trying to give different pathways to get there, basically.

CHAIRMAN FRAZER: Mara.

MS. LEVY: Yes, and that's fine. I was just suggesting that, by the end of the council meeting, you be clear if you want staff to pursue both of those things or we're going to focus on one.

CHAIRMAN FRAZER: Good comment. Mr. Schieble and then Mr. Dugas.

MR. SCHIEBLE: To that point, I would like to see that included, some language to where you could have specific allocation trading, interstate I guess would be the word, included within the document. An action, I don't know if that would be necessary, but I wouldn't dismiss it.

CHAIRMAN FRAZER: Okay. We're just compiling suggestions for staff, at the moment. Mr. Dugas.

MR. DUGAS: Thank you, Mr. Chair. I appreciate how the states are trying to figure things out, and work together, and I'm going to call it rob Peter to pay Paul. What amazes me, in my six years here, is how we can just simply go from one side of the Gulf to the other side of the Gulf, grab some red snapper, and bring them on the other side, and pay something back. I don't understand why

we're not fishing where the biomass is for the accountability in that area. I just wanted to put that on the record.

CHAIRMAN FRAZER: Duly noted. Duly noted, Mr. Chairman. All right. Is there any further discussion? Sarah, do have everything that you need at this point to make a good start?

MS. GARDINER: I'll do my best.

CHAIRMAN FRAZER: Dr. Sweetman to close us out on this topic.

DR. SWEETMAN: Just, Sarah, to help, it's CMP Amendment 20B where that was put in place for Spanish mackerel.

CHAIRMAN FRAZER: Sarah, thank you very much for the presentation. We have, Mr. Chairman -- What do -- We have the update, Andy's update on gag grouper.

OTHER BUSINESS
SERO UPDATE ON 2024 RECREATIONAL GAG LANDINGS

MR. STRELCHECK: All right. I don't have a presentation, but I just want to acknowledge, and thank, C.J. and Jessica McCauley and Luiz Barbieri, because we did have a chance to talk with them before the council meeting.

What I'm going to talk about, and I'm going to caveat that information is preliminary. We usually don't have final landings for our species until April, and that also includes the State Reef Fish Survey that generates gag landings. The State Reef Fish Survey in part relies on dockside intercepts from the Marine Recreational Information Program, and not solely, and just in part, and so any changes, or shifts, in data from the MRIP program will also then affect State Reef Fish survey estimates.

With that said, just kind of general round numbers. Total landings have been reported to-date, and preliminary are 270,000 pounds, approximately, which I'll get the ACL here in a minute. Of that, about 160,000 is State Reef Fish Survey landings. 4,000, a little over 4,000, is headboat landings. A little less than 400 is Louisiana Creel, and then the remainder is MRIP charter landings.

Based on that, we have exceeded the annual catch limit, and we would have to pay that back, and that's why I, obviously, want to caveat this as preliminary, because we're not at a point where we've determined the exact overage, but it's, I think, over 100,000

pounds in exceedance.

The catch limit for 2025 is going to go up to 399,000 pounds. The catch target will be 319,000 pounds, and so we would deduct whatever the final overage is from those amounts and then project the season based on those revised catch limits, and so we'll have more information in April.

I don't know at that point, because the council meeting is in early April, if the landings will be finalized at that point, or close to final, but we'll continue to work with the State of Florida on the finalization of the landings and the projection of the season, and then the season projections would be sometime thereafter, and so I'm happy to answer any questions.

CHAIRMAN FRAZER: Thanks, Andy, for that overview. Any questions with regard to gag? Captain Walker.

MR. WALKER: So I was trying to do the math, real quick. 319,000 minus 270,000, and it doesn't come out with much left to fish, right, and so, you know, we're --

DR. SWEETMAN: (Dr. Sweetman's comment is not audible on the recording.)

MR. WALKER: Okay, and so do you have an estimate of, minus the overage, what our ACL might be this year, or is it too preliminary to predict that?

MR. STRELCHECK: It would not be, obviously, final, but let me just look through my emails, real quick, because I did have that information, and so one second.

DR. SWEETMAN: The ACL is 399,000, right?

CHAIRMAN FRAZER: Ed, that is what I'm thinking, right, and so without the overage, right, and so you've got an ACL of about 399,000, and an ACT of about 319,000. Whatever that overage ends up coming to be, after there's some preliminary data, right, that would be the new ACL, and the new ACT, and so you're looking at 299,000 pounds, and 216,000, thereabouts, or 219,000, whatever it is, right? Andy.

MR. STRELCHECK: Yes, and, just to be a little more exact, so, right now, based on the preliminary data, a little over 291,000 pounds for the catch limit, and a little over 211,000 pounds for

the catch target.

CHAIRMAN FRAZER: All right. Are there any more questions for Mr. Strelcheck? Dr. Sweetman.

DR. SWEETMAN: I just want to emphasize once again, and Andy stated it, but these numbers are preliminary. They will likely change. Some of our staff at FWC will continue to work with Andy's group and the MRIP folks. We've identified some anomalous potential data points and whatnot.

This is kind of the standardized process that we go through, and why these numbers are not finalized right now, and so TBD for what the final numbers are going to look like, but, yes, we'll continue to work with our federal partners here.

CHAIRMAN FRAZER: Any more thoughts or questions with regard to preliminary numbers? I am not seeing any. Mr. Chairman, I think I've run out of agenda items for the Reef Fish Committee today.

MR. DUGAS: Thank you, Dr. Frazer. Yes, we'll reconvene Reef Fish in the morning, but what I would like to do is take a short ten-minute break and give Mr. Burris time to prepare for the Law Enforcement Committee, if we can wrap that up this afternoon. A ten-minute break.

(Whereupon, the meeting recessed on January 28, 2025.)

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January 29, 2025

WEDNESDAY MORNING SESSION

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The Reef Fish Committee of the Gulf of Mexico Fishery Management Council reconvened at The Renaissance New Orleans Pere Marquette in New Orleans, Louisiana on Wednesday morning, January 29, 2025, and was called to order by Chairman Tom Frazer.

CHAIRMAN FRAZER: We'll pick up with Agenda Item Number X, which is the Recreational Initiative, and we'll start off with the action guide, and Dr. Birdsong will lead us through that next. Max.

RECREATIONAL INITIATIVE

DR. MAX BIRDSONG: Thank you, Mr. Chair. Good morning, everyone. Doctors Willy Goldsmith and Andrew Loftus will review the progress made thus far on the council's recreational initiative. To date, the recreational initiative has held two working group meetings, the first in October 2024 in Tampa, Florida, and the second in January 2025 in New Orleans, Louisiana.

Following the summary of the working group meetings, council staff, myself, will provide a summary of two separate public engagement sessions held to-date. Lastly, Mr. Robert Hilliard, a recreational working group member, will give an overview of the group's progress.

The committee should review the information presented, ask questions, and provide any feedback prior to the last meeting scheduled for February 19 and 20 in Tampa, Florida.

CHAIRMAN FRAZER: All right. Thank you, Dr. Birdsong, and so we'll pick up with the presentation on the recreational initiative progress. That will be Tab B, Number 10(a)(i) in your briefing materials, and we've got Dr. Goldsmith and Mr. Loftus to lead us through that. It's all yours.

DR. WILLY GOLDSMITH: Great. Thank you, Dr. Frazer. Good morning, everybody. My name is Willy Goldsmith, here with my colleague Andrew Loftus this morning. We're thrilled to be with you here all today to provide an update on the recreational initiative. I've been working with the steering committee and working group for the better part of the last year on this initiative, and I look forward to giving an update today and hearing your feedback, and so we'll get right to it.

Just as a brief reminder about what the recreational initiative is, this is an effort to engage the recreational community, first off to review and evaluate past and current management strategies for reef fish in the Gulf, as well as to think about potential innovative strategies that could be applied in the future.

To inform this thinking, we have selected a total of five focal species, reef fish species of key interest in the recreational community, to examine some of these past and ongoing challenges, and also evaluate new approaches, and these are gag grouper, red snapper, greater amberjack, red grouper, and gray triggerfish.

Just to briefly review, these are the seven items with which the

recreational initiative is tasked. They include developing and revising goals and objectives for recreational management, reviewing the status of these five federally-managed focal reef species in the Gulf, as well as reviewing management measures and accountability measures for each of those five species, evaluating and considering the potential application of harvest control rules for setting bag, size, and season limits for Gulf reef fish, considering approaches for addressing variability and uncertainty in recreational catch estimates, and, lastly, really thinking about exploring innovative new management strategies to increase angler satisfaction and maintain stock health.

At the core of this initiative are two main bodies that are working in concert with one another. First off, we have the steering committee. This is a six-member committee that meets monthly. It includes leadership from the Gulf Council, from NOAA Fisheries, and the Gulf States Marine Fisheries Commission, as well as Captain Ed Walker and Michael McDermott from the Gulf Council to provide a recreational perspective from the Gulf Council.

This group works to develop and refine agendas for each of the working group meetings, as well as to think through development of background materials and really help guide the entire process of the recreational initiative.

Then really at the core of this effort is a twelve-member working group, comprised of recreational fisheries representatives from across the Gulf. This group was selected through an application process last summer. We're glad to have Bob Hilliard here today, and he's a working group member, to provide his perspective on how the initiative has gone thus far, and he'll actually be providing just some brief feedback after our description of each of the first two working group meetings.

This group is tasked with reviewing management successes and failures, advising the council on potential novel management measures, and really thinking about potential novel approaches and new ideas for Gulf reef fish management, as opposed to really reacting to proposed or past regulatory decisions from the council. Again, as I mentioned, this is a twelve-member group and works to reach consensus on key priorities and issues to approach.

Here is a brief update on our timeline. Our first working group meeting was held back in October, as Dr. Birdsong mentioned, and each of our working group meetings is followed up with a virtual public engagement session, where we provide a summary of the

previous meeting and solicit public feedback.

Our first of those input sessions was on November 18. Our second working group meeting was just a few weeks ago, also here in New Orleans, followed up by our second virtual public input session. We're here, of course, today providing an update to you all.

Our third and final working group meeting will be in a few weeks in Tampa, followed by our third and final public input session, and then we'll be back with you all in Gulf Shores, Alabama in April to present our final findings and recommendations from the working group and steering committee.

Okay, and we're now just going to provide a brief summary of some of the key findings and takeaways from each of the first two working group meetings, and, again, we'll pause after each summary to hear from Bob Hilliard and his perspective as a working group member.

The first meeting was held back in October, at Gulf Council Headquarters in Tampa, and this meeting was really focused on hearing from the working group their views on goals and objectives for recreational fisheries management for reef species in the Gulf, really providing an opportunity for them to think back about what's gone well, and maybe where there were major challenges in the past, and really offer initial thoughts, kind of unfettered thoughts, on what they would like to see the council consider moving forward when it comes to managing reef fish species.

The first day was really providing a broad overview of the recreational initiative as well as hearing perspectives from both NOAA Fisheries and the Gulf Council on recreational management and challenges, as well as past efforts to engage with the recreational reef fish community here in the Gulf, and the afternoon consisted of two breakout sessions, during which the working group members discussed what they viewed as past challenges, as well as some successes to potentially build upon moving forward.

I'm not going to walk through each of these bullet points in detail, but I did just want to highlight some of the major themes that emerged during these breakout sessions that really served as a springboard for our development of a goal and vision for recreational fisheries management in the Gulf.

So, first off, we heard about challenges related to engagement and education. In particular, there is a perceived disconnect between

stock status and regulations, often, and really a view of the need to engage effectively with the recreational community, in the absence of a crisis, and so thinking through ways to be more proactive in engaging and educating, as opposed to after something happens to which folks are having issues with.

The second major challenge we heard was related to access and equity, the view that Gulf-wide management, at a complete Gulf level, doesn't necessarily meet more local level needs of various fisheries.

There is dissatisfaction with intra-annual regulatory instability, as well as the perception that only being able to harvest one species at a time in this reef fish complex could increase pressure on one species, or also potentially divert pressure, and really concentrate it elsewhere, and so one example we heard about was off the west coast of Florida. Closure of the gag grouper season inshore would then increase pressure on hogfish.

We also heard this sort of paradoxical issue that has resonated across the working group meetings, where there's often a misalignment between stock rebuilding and management, and so, in what might be considered to be a management success of a quickly-rebuilding stock, there's often low angler satisfaction, as ACLs can be exceeded and result in increasingly restrictive management measures, and so certainly an interesting challenge that emerged during this discussion.

Here are just a few more of the key challenges we heard, again related to that rebuilding challenge. We heard legal constraints related to the Magnuson-Stevens Act, related to data and assessments. We heard the need for a unified and integrated data collection scheme across states in the Gulf, as well as the timeline between stock assessments and management, with the terminal year of stock assessments often proceeding by several years, the management decisions that come from them.

Then, outside of kind of the science policy legal framework for kind of some broader recreational issues, we heard about increased effort and efficiencies. The working group mentioned the growing size of the recreational sector in the Gulf, as well as its increased efficiency, lowering of the learning curve, through technology and social media, leading to increased catch rates, or the perception of increased catch rates, and thereby just presenting another challenge for effective management.

Lastly, the working group mentioned climate and ecosystem impacts, including depredation from sharks and marine mammals, as well as some environmental changes, such as changing water temperature patterns, which could impact fish distribution and fishery-dependent data.

All this being said, there were some successes that the working group identified to potentially build upon. These included past efforts related to engagement and education from the Gulf Council, including outreach at community events and the Marine Resource Education Program, or MREP, although potentially trying to distill that information down further for the more casual angler.

Related to assessments and management, state management for red snapper, through Amendment 50A, was viewed as a big win that allowed for more local-scale management measures, as well as the council's utilization of more nimble activities besides amendments for responding to the changes in stock status and management, and there was also the recognition that, while a lot of attention is given to a handful of species for which there are challenges, there are numerous species that have healthy stocks and liberal regulations, as you can see listed here.

That was most of our conversation during the first day, and, during the second day of the first working group meeting, the group was really tasked with thinking through a vision for recreational reef fish management, and so what would the group like to see reef fish management look like, moving forward.

On the left, you'll see a list of key themes that emerged during this discussion, and there was a development of a vision that included a sustainable recreational fishery that is based on trusted data, offers predictable and reliable access, engages and empowers anglers in management, maximizes angler satisfaction, and accommodates growth and regional flexibility, and so that was sort of the north star this group identified for kind of the hallmark of a successful reef fish management system in the Gulf.

This is just sort of a schematic sketching out each of six goals that were identified by the working group to potentially help achieve this vision, which were related to data, establishment of trust, the development of predictable and reliable access, again that regional flexibility issue, increasing community engagement, and maximizing angler satisfaction, even as there continues to be growth in the recreational sector, and increased efficiency.

I'm now going to pass it over to Bob Hilliard, who's going to provide his perspective on some of these conversations during the first working group meeting, and then, from there, we'll go to Andy Loftus to discuss Working Group Meeting 2, and so, Bob, the floor is yours.

MR. BOB HILLIARD: Good morning. Thanks for having me. A little bit about myself, to start. I'm a private recreational spear fisherman and angler out of Clearwater, Florida. I'm retired engineer, program manager, and I've been fishing and diving the west-central Florida Gulf since the 1970s, and so I've seen a lot of increase in pressure, population, and the technology changes that have gone on over the years.

A little bit about the group. It's a good cross-section of people from all five states, the private rec, rec-for-hire, support industries, and fishing-related support groups, and so it's a good cross-sectional group.

In the first meeting, a couple things that everybody agreed on is there's a lack of trust in the stuff that's getting reported and transparency on why things are being done. Being part of the group though, I found out a lot of this information is available. You just have to know where to look, but that trust issue is there.

I know a lot of the private recreational folks don't like the data, and they don't want to supply the data either, and so it's kind of a double-edged sword there.

The second thing everybody agreed on was that the Gulf is too large and varied for one set of rules. We need to get down to a regional management of the species, and the Gulf is very dynamic, rapidly changing, and so waiting on full-stock assessments really doesn't work, a lot of times. We've got red tides, climate issues, things like that that happen quickly, and so that's something we need to try to help out on. Anyway, that's all I've got on that one, on the first group.

MR. ANDREW LOFTUS: Great. Thanks, Bob. I'm going to talk a little bit about Working Group Meeting 2, which just took place a few weeks ago here in New Orleans.

The objectives of Working Group Meeting 2, and, if you remember Working Group Meeting 1, that Willy just talked about, it was really kind of a -- I won't quite say free-form, but it was trying to get people's concepts and ideas and thoughts about what they

wanted the fisheries to look like Gulf-wide and everything else.

Working Group Meeting 2 dug down a lot more into the weeds, trying to basically use these five focal species that we had as an example and bringing people up-to-speed about what the status of those stocks were, looking at how it was being managed, looking at the recreational management measures that were in place for those five species, and then looking at the performance and efficacy of recreational accountability measures. It was really information intensive, if you will, and I'll show you a couple examples of that in a minute.

Just real quick, to look at the agenda, we had presentations on recreational data in the Gulf of Mexico, the federal management process and its role and the role of the Gulf Council in that management process, what accountability measures were, and how they were applied, changes in landings and discards over time, and management overviews for focal species. As you can see, there was a lot of information that was presented to the working group in a very compressed time frame, and so it was, again, very information-intensive.

All the while, we were trying to engage the working group, as much as possible, in getting their thoughts and ideas. We didn't want this just to be, you know, a presentation, if you will, for two days.

This is an example of the data, and I encourage you actually to go back in your briefing books and look at these data, and, by the way, all of the materials that we provide, at any of the working group meetings, are available on the council's recreational initiative website.

This slide, for example, is there, as are the ones for the other four other focal species that we're talking about, and, the more you look at this slide, the more you really realize how much data really is in there, and kudos to the Gulf Council staff for finding a way to present a ton of information in one graphic.

This is the type of information that we were providing to the working group and that they were using to help inform themselves about what was the history of the management and what were the management processes in place and things like that at the time, and so, again, I encourage you to go back into your briefing books, or on the council website, and look at these slides, because they really are quite fascinating.

Then we also had species-specific breakout sessions, using the five focal species that we have talked about before, and, for each of the five species, we asked the working group members these core questions of what are the benefits and challenges stemming from the management decisions that were outlined in the presentations? What management decisions or outcomes have been the greatest source of angler dissatisfaction, and then, from an angler perspective, how well have accountability measures in place been performing? Are there any elements of federal management that have been going well? Then what management strategies do you think would have contributed the most to achieving desired outcomes that were identified in the first working group meeting?

We're trying to tie all the working group meetings together in one continuous process, and so we did ask them to reflect on what they said in Working Group Meeting 1 and what strategies could have achieved those outcomes that they had identified.

Broad messages that we heard in the Working Group Meeting 2, for seasons, and, again, I emphasize, and I'll say this probably a couple more times, but these are all general outcomes. You know, they're consensus. Not everybody agreed to these, but these are general outcomes.

Generally, for the charter boat and the tackle industry, they need something open across all fisheries, all reef fish fisheries, all the time, and, in some cases that's true for the anglers too, but, from a business perspective, both the industry and charter need to have something all the time for their customers to go after.

For the average private angler, more overlap in seasons enables the opportunity to harvest multiple species and potentially reduce discards. There are a lot of times, of course, that, you know, discards of fish are regulatory discards, and people are catching them, and they can't retain any, and so it adds up to the recreational discard mortality.

Then in general, again generally, for-hire preferred predictable seasons, whereas private anglers tend to prefer longer seasons, even if they’re not predictable. I mean, I think, obviously, everybody would like predictable, long seasons, but, in having to choose between those, this is kind of in general what we heard from the working group members.

In terms of accountability measures, flexibility for post-season

accountability measures was preferred. Is there any way to distribute paybacks across multiple years, rather than doing paybacks in one season, and then we heard quite a bit about the better messaging was needed on the potential impact that management decisions will have on the fishery. In other words, where are we going? What if the stock is completely rebuilt? What does that look like for the fishery? Things like that.

Then, again, kind of the theme that we heard from the Workgroup Meeting 1, there was some regional and sector considerations. There was interest in exploring different opportunities for finer-scale management, where the data was available, for example the eastern and western Gulf, for particular species. Then there was interest in looking at perhaps different seasons, different season preferences for the for-hire and the private.

Then some mechanics of both the sub-ACLs and different management regimes that might look -- What they would look like under shared ACLs, and so these are just kind of some broad messages that we heard.

A species-specific discussion that we had, and, again, this is just a summary of what we heard. There's quite a bit more that's in the Working Group Meeting 2 summary, and that is right now drafted, but isn't finished yet for publication, but, within a couple of weeks, it will be available.

In general, we heard that there was relative satisfaction with fishing opportunities since the state management was implemented, although there are some concerns about state allocations and localized depletion of stocks, in some cases.

There's relative satisfaction, and a keyword there is “relative”, I suppose, with the state data collection programs, but, of course, there was quite a bit of concern, particularly from some states, about the recalibration efforts between the MRIP and the state data programs, and, as you know, there are some cases where some state quotas were cut dramatically, and other states went up during that recalibration.

There are some concerns about the lack of information on discards and concerns that the data programs across the states need to be better aligned, and then sector separation did cause consternation, but it seems to be that some of this -- When state management was implemented, it seemed to alleviate some of that consternation, and it didn't go away completely, but it alleviated

it, to some degree.

For gag and red grouper, some key messages that we heard are sources of dissatisfaction with gag, and it was the September season. The fishery isn't open when the water is cool, and fish are inshore and readily accessible. Of course, a gag payback, due to the accountability measures in 2024, wasn't well received, and there was a perceived disconnect between the science and the real-time observation, whereas anglers seemed to be seeing a lot of fish inshore, yet the fishery was closed down.

Again, regional flexibility came up in the gag and red grouper, and most catch is in Florida, and there was some discussion about a differential management approach under council authority for Florida, versus other states that only may catch red and gag grouper incidentally.

Then, of course, is there a possibility for finer-scale management within Florida, and there was quite a bit of discussion about whether we have the data capabilities to do that or not.

Gray triggerfish and greater amberjack, generally the trips don't land these as target species. They're only a preference as they overlap with other seasons for red snapper and other species, to allow for multispecies trips. The current triggerfish regulations are not constraining. Changing fishing behavior for red snapper, using, for example, bigger bait, et cetera, resulted in less triggerfish landed, in some cases.

In terms of greater amberjack, regional differences between the east and the west Gulf of Mexico amberjack fisheries, and is that -- Is there a possibility for some regional management to occur there?

There was some discussion about using vessel limits for amberjack, where there would be a number of fish per vessel, perhaps scaled to the number of anglers onboard. It might, you know, be possible to at least extend the season, if that were to occur. There's some concern about the misidentification and the harvest of juvenile amberjack that might be constraining rebuilding, and then some concern about the impact of habitat loss, for example sargassum and artificial reefs, that need to be considered, not only in the assessment, but in the rebuilding plans and so forth.

That was a real quick summary of what we heard. Again, the summary for this meeting is going to be available in a couple of weeks,

but I'm going to turn it back over to Bob and have him give his perspective on Workgroup Meeting 2.

MR. HILLIARD: Thanks, Andy. The education of the five species, the management history, and the biology of those fish, was very valuable for myself, and I think it was for the rest of the group, too. There were a lot of things I didn't know that I thought I knew.

One of the things is we need more transparency into the management plans and practices, to make them more public, make the public more aware of the reasons for limits, and the seasons, why we're picking those certain seasons for the fish, why there are reductions, and then the if-when-type scenarios. If we reduce the bag limits, or seasons, what eventually will happen? If we do this now, eventually we'll get more, either bag limit or more season, and so that's one of the things that needs to be improved on.

The average private angler is, I guess, pretty much ignorant on the process of what goes on. Their livelihood is not tied to the fish, but their satisfaction, their money, and time is, and so that's one thing we need to make sure we keep in front of everybody, and the average private angler is just frustrated with what's going on.

One thing we need, and we agreed on, was a uniform data collection system, reporting system. We want to see season flexibility, hopefully, for weather conditions, things like that. If we get blown out for several days, on a short season, especially like gag, and you have fifteen days, and several of those days were not fishable, especially with smaller boats.

Sector separation is causing some concern. People think it's just our fish, and not certain groups, and so why are we separating private anglers from rec-for-hire people.

The short seasons are shifting pressure off to other species, too. In west-central Florida, since we can't harvest, or shoot, gags, we shift to hogs and mangrove snapper, and so they're getting more pressure.

Angling methods for hogfish are being developed, and they're getting a lot better. I've only caught a few, but I still like to go shoot them, and so that's basically what I have got from the first two meetings, but I’m happy to answer any questions.

DR. GOLDSMITH: Great. Thanks, Bob, and so I think the next slide is just basically is there any questions? Sorry. Workgroup Meeting 3, which is February 19 and 20, back in Tampa, and this is the last of the workgroup meetings.

The purpose of that will be really to explore the innovative management strategies and really to tap into the workgroup members' minds, if you will, now that we've gone through the first two workgroups.

The first one was setting out goals and objectives and things like that, and the second one was really providing some information, and really a deep dive into the information in a quick timeframe, but pulling all of that together, and I think we've got the entire second day is devoted pretty much to the workgroup working together to develop what their recommendations are for management strategies.

We do have somebody coming down from the Mid-Atlantic Council to talk about their recreational initiative, and the reforms that they put in place over the last couple years, pros and cons of that, data requirements of that, applied examples, those types of things, and so that will be very informative.

Then we're going to talk about some other thoughts, and concepts, that have come about over the last say decade or so, from various groups and organizations, about perhaps what could be done differently, and then, you know, in the end, come out with some very solid consensus recommendations from the workgroup on what they would like to see changed or how they would like to see the fisheries better managed, the recreational reef fisheries in the Gulf of Mexico.

I think that's it now. The next slide is just a -- Yes, the next steps. Workgroup consensus recommendations, third and final public input session, and I should have mentioned that.

Rather than having public comment during the workgroup meetings, we decided a better way to -- A better way to collect their input, that would provide more opportunity for the public to provide input, is to have a separate public input session, and so, after each of the workgroup meetings, I think within a week or so, or maybe two weeks or so, we have a dedicated public input online virtual session where people can come in and participate.

Dr. Birdsong is going to talk about that a little bit more, and so we're going to have the third of those sessions after the last workgroup meeting, and then the final recommendations, and the report, will be presented at the April council meeting. Now I think it's the discussion, io to the next slide, please. There we go. Are there any questions for us, before we go to Dr. Birdsong?

CHAIRMAN FRAZER: All right, Dr. Goldsmith, and what I was thinking of is that, given the public engagement summary is probably relevant, and germane to your information that you provided, maybe we could go through that first, and hold questions, if that would be good. All right, and so, if we go to the public engagement, that would be at Tab B, Number 10(b) in your briefing materials. Max, I think -- Are you going to lead that?

DR. BIRDSONG: Yes, absolutely. Can we pull up the presentation, Bernie? So I'll just briefly round out by giving an overview of the public input sessions so far. We've had two sessions, one after each workgroup meeting, as Andy said.

The first one was in November. We had fourteen commenters online for that, with about twenty-five to thirty people on the webinar, and then, at our second input session, we had ten commenters, with also twenty-five to thirty people on the webinar.

With these sessions, we provided updates on the recreational initiative progress during these workgroup meetings, keeping the public up-to-date on what's been discussed, and then gathered their feedback on what's gone on so far. The following slides just summarize the challenges and the proposed solutions identified during these public input sessions.

One of the key challenges brought up was data issues. No mandatory self-reporting, leading to inconsistent and unreliable data. MRIP and retrospective data systems fail to reflect real-time conditions. Stock assessments often misalign with angler observations, eroding trust, as we heard from Bob.

Self-reported data lacks robust validation, reducing its credibility for decision-making, and data gaps hinder adaptive strategies, like split seasons. Also, there's skepticism over discard mortality estimates, raising concerns about data accuracy.

Another key challenge highlighted was discards and bycatch. Misaligned seasons lead to high discard mortality. Released fish are often preyed upon by sharks or dolphins. Bycatch of non-

target species remains high, due to overlapping fishing efforts.

Seasonal closures disrupt the ability to target species effectively, causing waste. Lack of adaptive management exacerbates discard issues in mixed-species fisheries, and anglers express frustration over wasted catches and its impact on stock assessments.

Another challenge was season mismanagement. There was a lot of talk about seasons and how short fishing seasons concentrate effort, increasing discard rates, and overlap between fishing seasons and spawning periods raise sustainability concerns.

We also heard some remarks about environmental and technological pressures, degraded nearshore habitats, due to water quality issues, forcing anglers to go further and further offshore, and then advancing fishing technologies intensify pressure on offshore stocks.

The technical language and complicated rules deter casual anglers, and lack of transparency and user-friendly communication creates frustration. Bob alluded to this, and it's just -- You know, it's hard to understand what's going on sometimes, and so kind of breaking through these complex regulations is helpful, and then we heard a lot about transparency issues.

People are pretty upset. Stakeholders desire third-party audits of scientific data, and the stakes are pretty high for these folks. Errors in stock assessments harm livelihoods and erode public trust management.

Now on to some of the strategies and solutions proposed during these public input sessions. Better data practices, such as deploying biologists on private fishing trips to gather accurate discard data, validate self-reporting systems, through robust phone apps and technology, and then we heard, quite often, the idea of including diver-provided data, such as video evidence for stock assessments. Oftentimes, what they saw under the water they said was different than what they hear from us.

Then faster assessments, and automate and accelerate internal stock assessments to reduce lag, base regulations on more recent data for adaptive management, and then regulatory adjustments as solutions, and so implementing multispecies bag limits, aligning fishing seasons across species, to minimize bycatch and discards, maybe a harvest tag system to control fishing effort and get more

reliable data, and then exploring regional management approaches to address local stock conditions and fishing practices.

Also, the idea of multiyear ACLs, to smooth out data spikes and improve consistency, and this would also allow for minor overages without immediate penalties.

Then environmental strategies as another solution, maybe collaborating with agencies to address pollution and restore habitat, and also enhancing water quality, to reduce the need to go further and further offshore.

Then education and outreach was brought up often as a solution, simplifying complex management concepts using social media and public outreach, fostering trust by explaining fishery processes, and encouraging compliance, and then build understanding of the connection between regulations and sustainability.

This is just a slide kind of combining all that in one place, the challenges and solutions, and these are the common themes between the two public input sessions that we had, and that is it. Thank you.

CHAIRMAN FRAZER: All right. Thank you, Dr. Birdsong. I appreciate everybody's contributions here and the overview of the workgroups, as well as the public engagement summary, and so I think we're going to go ahead and open it up to the council now for any questions that they might have with regard to the initiative's progress, and so the floor is open. Dr. Sweetman.

DR. SWEETMAN: Thank you, everyone, for the presentation. It was great, and clearly you all are doing some pretty good work up there. My question relates to the discussion around the table for red and gag grouper and the thought process about the flexible regulations within Florida, basically. Can you all expand upon that a little bit?

MR. HILLIARD: The discussions that came up was that red and gag grouper are 95 percent a Florida species, and so let's try to do a regional control of that fishery, instead of just doing federal management for the entire Gulf. Make Mississippi and Alabama have just a bycatch-type limit, so that it's not constrained there.

DR. GOLDSMITH: Just to add to that, in general, Mr. Strelcheck and Dr. Simmons challenged the working group to -- I think their words were to come up with some game-changing ideas and think

outside the box. You know, many of us who are working with fisheries a lot, and then data a lot, think, well, maybe that solution can't work, because we don't have the data.

Well, we're asking the workgroup not to be constrained by those, what can't be done, but throw out some of the things that might be possibilities, what they would like to see happen, and then challenge the council to come back and see what potential solutions could be made from that.

CHAIRMAN FRAZER: All right. Thank you. Ms. Muehlstein has some input here.

MS. EMILY MUEHLSTEIN: Just to sort of more granularly address your question, C.J., and so there were sort of two ideas that was presented. The one that Mr. Hilliard said was that, since gag is a primary species mostly in Florida, that angler satisfaction in the other regions would dramatically increase if the council considered something like a one-fish-per-vessel limit, for the off chance that they happen to catch one, right, and these were guys from Louisiana and Alabama, who aren't catching or targeting them regularly, presuming that it would be maybe 2 percent of the overall ACL, if there was an allowance for one-fish-per-vessel year-round, so that like once-in-a-lifetime opportunity that you catch one, you get to keep one, right?

We were kind of trying to contextualize this, about how do you increase angler satisfaction, and that was one of those things that just seemed like a really easy checkbox for them.

Regarding the sort of more specific management within the State of Florida, the conversation actually sort of revolved around biomass-based management for gag, right, and so some of the conversations were that, you know, there's a lot of people, maybe in the Tampa Bay area, and so you could manage that differently than somewhere like the Big Bend, where they felt like they had more fish, and less people, and so it was -- You know, that was sort of the idea that they began to come up with.

Now, those were conversations that were sort of had in the breakout groups, and so I don't think that they're -- You know, that they're well articulated probably in the meeting summary, or will be, but I just wanted to give you some context.

CHAIRMAN FRAZER: All right. We've got a number of folks. Mr. Geeslin.

MR. GEESLIN: Thank you, Mr. Chair. I guess this is for Willy or Andrew. Looking through the materials, I see on -- For the agenda teed-up for your third meeting, I see a harvest tag item there, and it doesn't appear that that has been a topic of discussion necessarily for the committee. I'm wondering just where that originated from, how that got on the agenda, what the genesis is of that harvest tag item?

MR. LOFTUS: So you're referring to the discussion item by Julia Beaty at the Mid-Atlantic Council, or the alternative measures? In the steering committee, we talked about, you know, different thoughts, and ideas, that had been presented previously, by a number of different organizations and groups and things like that, and we thought it would be valuable in discussing what -- You know, having the workgroup, when they were discussing what they would like to see in the future, have knowledge of what had been proposed in the past by other groups. Not advocating one or the other, but here's what some groups have proposed, and include that in the discussions.

MR. GEESLIN: So, if I'm hearing you right, and I completely understand throwing out different options, and what may have been suggested in the past by different groups, organizations, whatnot, but it seems like you're at Meeting 3. You're trying to drive down into some recommendations, right? It seems like the harvest tag discussion may have -- In my mind, that may have been more appropriate for a Meeting 1 or 2, if you're really trying to drill down into some meaningful recommendations coming out of the group, just procedurally-wise.

DR. GOLDSMITH: I'll respond to that. I think -- So I'm going to ask Andy Strelcheck to chime-in as well, but I think part of that also stems from those first two meetings were really focused on thinking about, you know, what are some of the major challenges, and what are some of the, you know, things that, at a more conceptual level, folks would like to see, and, given the conversations around data.

The idea here is, knowing the diversity of the workgroup, and kind of their perspectives and expertise, recognizing the data challenges, are there ways that there might be possibilities of improving that data, at least for some species? It's kind of more just providing a suite of tools that are available and then seeing what might stick, given those priorities and goals, but, Andy Strelcheck, if --

CHAIRMAN FRAZER: Andy, to that point.

MR. STRELCHECK: Yes, and so thanks, Willy, and thanks, Dakus, for the question, and, you know, I generally agree, Dakus, right? The more time we can spend on those conversations, the better.

As Willy was pointing out, like things have been kind of sequentially building on one another, right, and so we wanted to make sure that the group had a solid foundation for goals and objectives. We then wanted to kind of talk through challenges, and what's working, what's not working.

The Meeting 3 is really tiering off of past efforts, right, that have not gotten a lot of traction, for one reason or another, with the idea that we're going to go through all those, and hear from the workgroup, and maybe we'll get a thumbs-up, and maybe we'll get a thumbs-down, and maybe we'll get some input like this is a workable idea for one reef fish species, but we wouldn't want to use it for other species, right, and so our hope is that we can have the group kind of build some consensus, and provide some feedback into the council, in terms of the direction we want to take and what might be some workable solutions that we haven't necessarily considered around this table before.

CHAIRMAN FRAZER: Okay. Thanks, Andy. We've got a number of folks on the list here, but I think Ms. Muehlstein wanted to follow-up with a couple of comments on this issue.

MS. MUEHLSTEIN: Yes, and, Dakus, I just wanted to give you a little bit more information, too. So, at this third workgroup meeting, and I don't know if you have seen the full agenda, but one of the items is to break up these alternative management strategies, and there's a list of one, two, three, four, five, six, seven, eight, I think nine, eight or nine, things that we're going to be talking about.

I think the idea is that harvest tags was one of those things that have come out of previous efforts, and so it's really us trying to provide them a full suite of what we know has existed before, and so that's just one of the nine, and then we're also asking for anything extra as well, and so hopefully that gives you a little more context on why that's in there.

CHAIRMAN FRAZER: All right. Thanks, Emily. We have -- Next on the list is Dr. Overton.

DR. ANTHONY OVERTON: Thank you for the presentation, Bob. I appreciate your perspective. One of the themes that I was gathering, as I was looking through the conclusions, was kind of trust, transparency, and complexity, and so those things kind of run together for me.

I guess my question is was there any discussion on how, you know, the trust can be strengthened, or we become more transparent, or the complexity be presented in such a way so it's not complex? I'm just trying to figure out how to, you know, improve those three aspects.

MR. HILLIARD: Being part of the group, I've found out that a lot of that information is available. You just have to know where to look. Getting onto the distribution of websites, or distribution for some of the information, I've been forwarding a lot of the information onto Facebook groups, and things that I'm a member of, spearfishing groups, fishing groups out there, but it's just not out there if you don't go look.

Bringing up the thing about recommendations for future things, I've got a whole list of ideas. I had a few myself, but then I went out on social media, and, after people stop hating you, and they come up with some good ideas, and so we will be bringing that up at the third meeting, and hopefully come up with some good ideas.

DR. OVERTON: Okay, great, and I think that that would be appropriate for the Education and Outreach Committee here, to kind of hear the feedback and see what changes we can make to kind of, you know, address some of the concerns and ways we present things. Thank you.

CHAIRMAN FRAZER: Dr. Goldsmith.

DR. GOLDSMITH: Dr. Overton, just a note. On slide 28 in this presentation, in the backup materials, is kind of a more built-out version of the vision, goals, and objectives, and you'll see, under the engagement and education piece, there are a number of objectives there that are intended to help achieve that broader goal of engagement and education, and so I think that's hopefully a start to consider.

DR. OVERTON: Thank you.

CHAIRMAN FRAZER: Mr. Anson, did I see a hand up earlier? No? You're good. Go ahead, Mr. Schieble.

MR. SCHIEBLE: Thank you, Mr. Chair, and I appreciate the presentation and information from you guys. I missed the second meeting. I was unable to attend that one virtually as well, and so this may have been brought up or not, but under the Modernizing Fish Act, the National Academy of Science report came out and listed those twelve recommendations, or initiatives, that they had in there.

One of those was the harvest tags that Dakus brought up, but, also, they talked about the potential for evaluating carryover provisions in management, and I would like to see that maybe also addressed during the third meeting a little bit. I think that's important, especially with the conversations we had yesterday, as well as looking into -- You know, one of the recommendations was evaluating tradeoff between bias and precision and catch forecast.

You guys kind of addressed that, and you also talked about the need for interagency work with that data, to attain that, and I think we've sort of achieved some of that already, among a few of the Gulf states, with the LA Creel program, and its effort survey being implemented in two other states. It's kind of coming to a common currency among the states for data reporting, and so hopefully that will help with some of those issues that you saw from recreational anglers and their concerns over how data is so different regionally.

Then, also, the optimal yield discussion involving stakeholders. That may be something hopefully you guys are thinking about including in the third meeting as well.

CHAIRMAN FRAZER: Dr. Simmons.

EXECUTIVE DIRECTOR SIMMONS: Thank you, Mr. Chair. We originally were going to consider the optimum yield discussion, but, because there was so much time spent, I think, on the National Recreational Summit, and I believe that was the name of it, a year-and-a-half ago, on optimum yield, we were not going to go through that at great length at this meeting, but we can certainly try to cover it.

CHAIRMAN FRAZER: Dr. Walter.

DR. WALTER: Thank you, and we're excited to see this initiative,

and a lot of the ideas here. I know that they merge well with a lot of the work that we've been working on proposing, and that our staff have been doing, and particularly some of the fisheries ecosystem issues that we had proposed as sort of draft ones might be ones that are responsive here, and so I would say that might be worth thinking about the council prioritizing some of those, to blend some of the quantitative background that might support some of these ideas.

I'm thinking optimum yield was one of them, in particular, which might require either quantitative work to be able to help better define it and then fit it in with much of the stakeholder feedback that we're getting here.

My other comment is that there's initiatives in other regions that I think probably need to be considered here, particularly in the South Atlantic with the exempted fishing permit fleets that are exploring things like a fifteen-fish total aggregate bag limit and testing other things that are actually going to go on the water and evaluate angler satisfaction with alternative management strategies.

That may provide actual data to be able to inform some of these, that would then say, yes, this led to satisfaction, and this didn't, and so we might be able to learn something, given that that's also a reef fish fishery.

The other aspect that is going on in the South Atlantic is a management strategy evaluation, specifically for the reef fish fishery, and I think that there's going to be things that can be learned from that. I wouldn't say it would necessarily apply here, but I think you learn by seeing what goes on in other regions, regardless of whether those are things that you would want to adopt or not, and you learn how they perform before putting it on the water.

Lastly, I think this is something that I know that our social sciences research group has been particularly keen on evaluating. We've hired a new recreational fisheries economist who's keen to begin to be able to provide better service to understanding the economics of recreational fisheries, and I think these play very well into a lot of the objectives here, and how you quantify things that are non-yield based benefits to fishermen, and so I think opportunity, in particular, is one of those non-yield-based benefits that's harder to quantify, but it’s certainly something that is of high value to anglers, and we look forward to working

together more on this. Thanks.

CHAIRMAN FRAZER: Dr. Sweetman.

DR. SWEETMAN: I appreciate those comments, Dr. Walter. I would just offer up the exempted fishing permits in the South Atlantic. They're under my shop here at FWC, and so, if that is of interest to the recreational initiative working group here, to get a presentation on that or something, I would be happy to help facilitate that.

CHAIRMAN FRAZER: All right. I've got a couple thoughts, actually. So, you know, I appreciate all the work that has been done by the group, and probably everybody has a fuller appreciation of the complexity of managing recreational fisheries in the Gulf of Mexico.

You know, when I think about what the vision looks like, and kind of the expectations, or what I consider the wants, right, and, you know, we want some predictability, some stability, but we also want maximum flexibility. Those are often competing needs, right, and then, when I look at kind of the challenges, and the solutions, you know, the solutions, in particular, require effort, time, and monetary resources, right?

What I would ask is, when you're considering solutions, and to provide a better, I guess, fishing environment, or anchor satisfaction, whatever the end goal might be, there are new and novel ways, perhaps, to think about how we might acquire the necessary resources to, you know, collect more data, get more granular data.

In the current environment, that's a pretty tricky thing to do, and so I don't want to -- Again, I appreciate all of the input. I think it's pretty spot-on. It captures a lot of the conversations that have been taking place around this table for many, many years, but there's another part to that, right, and that part is actually making sure that we have the resources to do the job that we're supposed to do. Dr. Goldsmith.

DR. GOLDSMITH: Dr. Frazer, thank you for that input, and I think one thing we're certainly going to focus on, particular on day two of the second meeting, or of this third meeting, excuse me, is thinking through not just the prioritization but also the feasibility, and so thinking about the time horizon, you know, the relatively needed resources, and the feasibility of it, and so

trying to weigh and balance all of that with how pressing folks view issues to be and what's kind of urgent, that needs to be done now, that might be more low-hanging fruit than kind of longer-term, bigger lifts. We'll certainly be considering that as we think through potential approaches.

CHAIRMAN FRAZER: I appreciate that, you know, and I would hope that the focus wouldn't be just on the constraints, right? Thinking forward about, you know, how do you get creative with regard to enhancing the resources that you need to do the job. Dr. Walter.

DR. WALTER: Thanks. I would like to tie another theme together that meshes with the work that our group has been doing with the councils to develop basically a re-envisioning of how we're going to provide science and management advice.

We'll be talking to the SEDAR Steering Committee, coming up in February, with a more fleshed-out proposal, what we were talking about with key stocks, and doing stock assessments, and then punctuating those with something like interim approaches to provide the recency of management advice, so that you have the stock assessment, but then, maybe every three years, you update that and then develop the regulatory frameworks for more rapid updating of ACLs and ABCs, to be responsive to exactly the things that have been pointed out here, that the advice is perhaps a little stale when it finally hits the water.

Now, one of the problems with that is you can have it faster, but that comes at the expense of being inclusive and transparent. We can't spin up the full SEDAR process to provide a very quick interim approach, and so there's going to have to be a tradeoff there, and I think that's where we're going to need to get some buy-in to allowing the Science Center to do those updates quickly, not have them go through the full SEDAR stakeholder inclusive process, determine what the minimum level of SSC and council review of it is to accept it, and then allow the agency to implement it.

If that's the goal, there's going to have to be, well, how much can you then let the agency just do, and then -- As opposed to going through our full process, which is one of the reasons it's taken so long to do a stock assessment, is because there's about twenty-two public webinars that get scheduled, a whole lot of meetings, and they last and last and last.

That's great for inclusiveness and participation. It's not great

for having that advice match what's going on in the water, and so, as we work together to better build out what that schedule of assessments and management advice provision looks like, we're going to have to ask for -- That you would trust us with being able to do these things outside of SEDAR. That's the only way to get some of these, the throughput and recency of advice. Thanks.

CHAIRMAN FRAZER: Mr. Frady.

MR. FRADY: Thank you, gentlemen, so much for all your feedback on this initiative. After reading your upcoming -- I'm glad Dakus and everybody has been bringing up the point about looking at different ways to manage this fishery.

After looking through the upcoming agenda, I've noticed there's a few words where they use the word "trust". You know, we're trying to get control of the harvest rates, but the data -- A lot of people don't trust it, but one thing I don't see, and I'm wondering have you all even thought about this, is looking at an incentivized data collection system, where actual people, anglers, are incentivized by wanting to provide data, because, I mean, I've heard of data being, you know, 10 percent effective, and I know the expense to try to get data.

I know the difference between census data versus survey data, but I'm more inclined to say what can we do to encourage the people who fish, and incentivize them to want to give data. You know, I know you can't give them money for every report they do, but, I mean, with the advance of AI technology nowadays, and, you know, many industries use this technology, and it's being used right now up on measuring striped bass up in the Northeast.

I think there's more tools in the toolbox that we can use that might be effective going forward, and I would like to see -- Or get some feedback on that. Have you all considered incentivizing the angler for doing it, whether it be somehow they get fish to catch, a little bump in fish later on in the season, or something, and just anything out of the box, because we're going to continue to have people moving to our coast in the next twenty years, and there's only so many fish we can catch. The better we engage our citizens, to get them involved to provide data, I think it can create a win-win. Thank you.

CHAIRMAN FRAZER: Looking around the table, again, I'm not seeing a lot more hands, C.J., real quick.

DR. SWEETMAN: Yes, and just real quick. I appreciate the comments, Troy. Honestly, like that -- Everything that you just said there aligns with the rationale and justification for the exempted fishing permits that we're doing in the South Atlantic.

We've incentivized them, through various opportunities, whether it's additional harvest opportunities, even incentives along the lines for like raffles and things like that, but, also, a major part of that is we've developed an app for them to report their data directly to us, for us to utilize them there, and so, basically, we're trying to incentivize them in order to give us the information directly, so we can get some better data for management.

CHAIRMAN FRAZER: Mr. Strelcheck.

MR. STRELCHECK: Just to add to that, certainly I commend FWC, and the projects they put together, and, you know, I think the vision, the hope for that, and kind of what's been transpiring, is get people used to something new, and different, but in a pilot phase, right, and test something out. If it doesn't work, well, we've only failed during the pilot phase.

If it's a success, and we get buy-in, then that's something we can move forward with kind of full-time management, and so I agree. I think there is a little bit of a nexus here with -- There are a lot of nexuses here with the recreational initiative and some of the things that we can continue to look at.

The other thing I'll mention, and I appreciate Troy's comments, right, and data constantly comes up as, you know, an issue around trust, right, and it's been interesting, with the rec initiative, because, you know, we talked about state and regional management, and the trust that's been built with that, but, in the same sense, as they're also talking about localized depletion, and some of the things that are optimizing opportunities, but not necessarily in line with maybe maximum sustainable yield, right, and so we're learning a lot, I think, from the social aspects of the workgroup as well, in terms of where that sweet spot is in terms of the, you know, recreational goals, and benefits, and where to land on that.

I think the other challenge for us, and Dr. Walter alluded to it a little bit, is, you know, we're trying to reform the SEDAR process, make it a little more streamlined, greater throughput.

You know, I think, a lot of times, we have challenges with stock

assessments because they're so complicated. There's so many data points. There's so many things that you can attack, and tease apart, and say this is wrong, or this is the outcome that should have been, because you used the wrong data.

Trying to come up with kind of better ways to convey that scientific information, simpler formats, potentially simpler assessments, like an interim analysis that shows, okay, abundance indices are going up, and so that's a good thing, or abundance indices are going down, and we need to cut back on things, right, and so definitely I think some opportunities, even on the science side, and I appreciated Bob's comments, and others, about how we can build that trust through better communication on the data.

CHAIRMAN FRAZER: All right. Carrie.

EXECUTIVE DIRECTOR SIMMONS: Thank you, Mr. Chair. I just wanted to let the council know that we are going to, and the public, that we are going to have a special comment session on the final outcomes from this effort, and we have yet to kind of figure out exactly how we're going to do that, but that is our plan for April.

I'll be working with leadership to figure out how we're going to do that, but that is in the plans for April, and then I just wanted to thank the consultants, and Mr. Hilliard, for being here, and our staff. We've, you know, done a lot of tremendous work, as well as Mr. Strelcheck and his staff, for getting everything together over the holidays for this January workgroup meeting. It was kind of a tough pull, and so thank you.

CHAIRMAN FRAZER: Again, I just want to say that I'm appreciative of all the comments that were provided by the council members, right, and, again, I hope that the consultants, and the workgroup members, take that as, you know, constructive comments, rather than kind of defensive reactions to what you've done so far.

I think what you're seeing is a lot of people care, right? They care about what they do, right, and they want to make things better, as well, and so, as you move forward, again, I'm encouraged by the charge to think bold, right, to think outside of the box, and I think you'll get a pretty decent reception from this group. All right. Thank you for being here.

Mr. Chairman, unless there is any other business to come before the Reef Fish Committee, I think I'll turn it back to you.

MR. DUGAS: Thank you, Dr. Frazer, and thank you, everyone, for working hard on the rec initiative group. We are going to take a fifteen-minute break and come back to start Full Council. Thank you.

(Whereupon, the meeting adjourned on January 29, 2025.)

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