

GULF OF MEXICO FISHERY MANAGEMENT COUNCIL
 SUSTAINABLE FISHERIES COMMITTEE

Naples Grand Beach Resort Naples, Florida

June 5, 2017

VOTING MEMBERS

- 10 David Walker.....Alabama
- 11 Patrick Banks.....Louisiana
- 12 Roy Crabtree.....NMFS, SERO, St. Petersburg, Florida
- 13 Dale Diaz.....Mississippi
- 14 Tom Frazer.....Florida
- 15 John Sanchez.....Florida
- 16 Greg Stunz.....Texas
- 17 Ed Swindell.....Louisiana

NON-VOTING MEMBERS

- 20 Kevin Anson.....Alabama
- 21 Leann Bosarge.....Mississippi
- 22 Doug Boyd.....Texas
- 23 Glenn Constant.....USFWS
- 24 Pamela Dana.....Florida
- 25 LCDR Leo Danaher.....USCG
- 26 Dave Donaldson.....GSMFC
- 27 John Greene.....Alabama
- 28 Martha Guyas (designee for Nick Wiley).....Florida
- 29 Campo Matens.....Louisiana
- 30 Paul Mickle (designee for Jamie Miller).....Mississippi
- 31 Lance Robinson (designee for Robin Riechers).....Texas

STAFF

- 34 Steven Atran.....Senior Fishery Biologist
- 35 Matt Freeman.....Economist
- 36 Douglas Gregory.....Executive Director
- 37 Morgan Kilgour.....Fishery Biologist
- 38 Mara Levy.....NOAA General Counsel
- 39 Jessica Matos.....Administrative Assistant
- 40 Emily Muehlstein.....Public Information Officer
- 41 Ryan Rindone.....Fishery Biologist/SEDAR Liaison
- 42 Bernadine Roy.....Office Manager
- 43 Carrie Simmons.....Deputy Director

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- 47 Eric Brazer.....Gulf Reef Fish Shareholders Alliance
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2 Susan Gerhart.....NMFS
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8 Rich Malinowski.....NMFS
9 Bonnie Ponwith.....SEFSC
10 Betty Staugler.....Sea Grant
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1 The Sustainable Fisheries Committee of the Gulf of Mexico
2 Fishery Management Council convened at the Naples Grand Beach
3 Resort, Naples, Florida, Monday morning, June 5, 2017, and was
4 called to order by Chairman David Walker.

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

10 **CHAIRMAN DAVID WALKER:** I would like to call to order the
11 Sustainable Fisheries Committee. Members are Greg Stunz,
12 Patrick Banks, Roy Crabtree, Dale Diaz, Tom Frazer, John
13 Sanchez, Ed Swindell, and the staff person is Mr. Atran.

14
15 The first item of business is Adoption of the Agenda, Tab E,
16 Number 1. Are there any changes or additions to the agenda?
17 Seeing none, the agenda is approved.

18
19 The next item of business is Approval of the April 2017 Minutes,
20 Tab E, Number 2. Any changes or revisions to the minutes? The
21 minutes are approved. We're on to the Action Guide and Next
22 Steps, Tab E, Number 3, and Mr. Atran.

23
24 **MR. STEVEN ATRAN:** We just have three items on the agenda. The
25 first is we're going to receive a presentation from Florida Sea
26 Grant on their activities with respect to barotrauma in fish.

27
28 That will be given by Captain Betty Staugler, and that will lead
29 into my discussion of a preliminary options paper on a framework
30 action to require possession of descending devices or venting
31 tools onboard fishing vessels possessing reef fish. Then Ryan
32 will be reviewing an options paper for potentially allowing a
33 carryover of unharvested red snapper quota, and I'm not sure if
34 it's red snapper or all species in general.

35
36 The presentation doesn't require any action on your part. It's
37 just informational input. On the descending tool and venting
38 tool options paper, we are asking for guidance on if you want us
39 to proceed or if you want any changes to the options paper.
40 Then it's the same with the carryover of uncaught quota. We'll
41 be asking for some guidance on how to proceed with that, and
42 that's pretty much it.

43
44 **CHAIRMAN WALKER:** Okay. Does anybody have any comments or
45 questions? Seeing none, we're going to move on to the Florida
46 Sea Grant Presentation on Barotrauma, Tab E, Number 4, and
47 Captain Betty Staugler.

1 **FLORIDA SEA GRANT PRESENTATION ON BAROTRAUMA**

2
3 **CAPTAIN BETTY STAUGLER:** I am going to briefly describe two
4 surveys, stakeholder surveys, that were conducted through the
5 University of Florida to get at stakeholder knowledge,
6 perceptions, and intentions related to barotrauma mitigation.

7
8 The first survey was conducted by Florida Sea Grant back in
9 2014, and it was done via email. We used a random sample of
10 recreational anglers from the Florida fishing license database.
11 That could have included guides, but we did not break that out
12 as an independent sector, and so they are aggregated together.
13 It was done for the Gulf and Atlantic as a whole, and we did try
14 to piece out and see if there were any regional differences in
15 the data, but we did not find anything that stuck out, and so
16 the analysis was done for the entire state of Florida.

17
18 The second survey was done by U.S. Fisheries and Aquatic
19 Sciences, under the direction of Dr. Kai Lorenzen, and that
20 survey was completed for the Gulf Council. It was also focused
21 on Florida, and it included both the Gulf and the Atlantic, and
22 it was parceled out for commercial fishers, recreational
23 anglers, and guides, and so those are all analyzed separately.
24 The surveys went out in late 2015 and 2016, and, in some cases,
25 the demographics, where there were differences in the Gulf and
26 the Atlantic, they were pulled out in the manuscript, but the
27 bulk of the analysis is combined for the State of Florida.

28
29 The Florida Sea Grant barotrauma survey, the objectives were to
30 develop a better understanding of anglers' understanding
31 regarding the science of barotrauma, if they could recognize
32 those, whether they were aware of the different barotrauma
33 mitigation tools, whether they were using any tools to mitigate
34 barotrauma, and then we wanted to see what kind of gaps in
35 information, as extension agents, we could fill in through
36 education and outreach and how they preferred to receive their
37 education. This survey is published as a Florida Sea Grant
38 document, which is available for download on our Florida Sea
39 Grant website.

40
41 The Fisheries and Aquatic Barotrauma survey, that is currently
42 in manuscript, submitted to *Fisheries Science*, and the
43 objectives of that study were to predict and explain fisher
44 intentions to use venting tools and/or descending devices based
45 on this theory of planned behavior, which looked at attitudes
46 towards a method, subjective norms, or the perceived social
47 pressure to use barotrauma mitigation, and then perceived
48 controls, which was confidence in their level of ability to use

1 the devices.

2
3 My mode of operation is to go through the Florida Sea Grant
4 survey first and show you the results. Where there is some
5 overlapping information with the Fisheries and Aquatic Sciences
6 survey, I will interject those, and then I will finish up with
7 the Fisheries and Aquatic Science survey.

8
9 With the Sea Grant survey, or actually with both surveys, we had
10 a series of introductory questions aimed at paring down the
11 sample size to only those who would potentially experience
12 barotrauma. Then, from there, we asked them if they had
13 experienced barotrauma while out fishing, and we avoided the use
14 of the term "barotrauma". We referred to it as floaters, or
15 fish that couldn't get back down, so that we wouldn't
16 intentionally alienate people who may not be familiar with the
17 term.

18
19 When we asked that question, 71 percent of our respondents said
20 that they did experience barotrauma, and that was pretty
21 consistent with the Fisheries and Aquatic Sciences survey, in
22 which 69 percent of recreational anglers and 67 percent of
23 commercial fishers also indicated they had experienced
24 barotrauma.

25
26 Next, we wanted to see if respondents were able to recognize the
27 signs of barotrauma, and so the table on the bottom shows where
28 we asked them to -- It was a true or false question to let us
29 know which were visible signs of barotrauma, and, in general,
30 respondents were able to identify those signs, the most notable
31 one being the organs sticking out the mouth, and we didn't tell
32 them what the organ was, because we wanted to know if they knew
33 what that organ was. You can see here that only 34 percent of
34 respondents did know what that organ was.

35
36 The next question was do you use any type of gear or device to
37 help floaters return back down to depth, and 89 percent said
38 they did. The Fisheries and Aquatic Sciences survey limited
39 their responses to in the last year, and 77 to 80 percent of
40 respondents said they had used barotrauma mitigation in the last
41 year.

42
43 For the 11 percent on the Sea Grant survey that said they did
44 not use any gear, we asked them why, and 47 percent said they
45 were not aware of any gear or devices that helped fish return to
46 depth, and then there were a variety of other reasons.

47
48 Next, we asked them if they used a venting tool, and this went

1 to the 89 percent that did do something, and 92 percent said
2 that they did use a venting tool, and that was pretty consistent
3 with the Fisheries and Aquatic Sciences survey.

4
5 We then wanted to know if they were using the venting tool
6 correctly, and so we asked them a couple of questions to get at
7 that. This question that you see up here asks them to select
8 the option that best described how to use a venting tool, and
9 the correct answer is highlighted in the yellowish-orange, and
10 only 51 percent were able to accurately select the option.

11
12 What I don't have up here is a heat map that we showed them that
13 asked them to put a mouse clicker on the fish where you would
14 insert the needle, and 63 percent were able to accurately
15 describe or select where you would insert that needle, and so
16 lots of outreach opportunities.

17
18 Then we asked them how confident they were that they were
19 correctly venting the fish and how confident they were that
20 venting helped the fish survive, and you see some fairly good
21 confidence, but not overconfidence, in both of these responses.

22
23 The last question that we asked pertaining to venting tools was
24 if respondents felt that they needed more information on the
25 proper use of venting tools, and this went to all respondents
26 who practice barotrauma mitigation, regardless of whether they
27 vented or descended, and 63 percent indicated that they felt
28 that they needed more information.

29
30 The next question asked if they used descending gear or
31 recompression gear to help floaters return to depth, and 9
32 percent indicated that they did, and so there was 1 percent
33 overlap with respondents using both gear. In the Fisheries and
34 Aquatic Sciences survey, 14 to 27 percent used descending gear,
35 and there was 46 percent overlap with the gear.

36
37 For those 91 percent that indicated that they didn't use
38 descending gear, we asked they why, and you see the two most
39 commonly-selected responses were that they were already venting
40 fish or that they didn't know what the fish descenders were.

41
42 In terms of confidence that they were properly descending fish
43 and that the gear was helping their fish survive, there was some
44 pretty good confidence, and, again, we asked if they needed more
45 information, and, again, this went to all respondents who did
46 something, and 70 percent indicated that they felt that they
47 needed more information.

1 We then asked what preferred methods that they would use to
2 receive information, and so this is for venting tools, and we
3 had asked them a whole litany of -- We gave them a whole litany
4 of choices, from word of mouth to traditional workshops to
5 fishing expos, and these were the top four that were selected.
6 This is for descending gear, and you see the same four selected.

7
8 We're now onto the Fisheries and Aquatic Sciences survey, and
9 recall that, with this, we are using the three variables to
10 predict and explain the use of barotrauma mitigation, and so
11 we're starting out with attitude, and for this, respondents were
12 given five statements, and they were asked to select their level
13 of agreement with the statements, and you can see, on the first
14 two statements, there is pretty good level of agreement, and
15 these had to do with use of a venting tool or descending gear
16 helps a fish return to depth and that it will improve survival
17 of the fish.

18
19 Where there was a little bit of divergence was in the last three
20 statements, and these had to do with ease of use and the expense
21 of the equipment, with those respondents preferring venting
22 tools indicating that they disagreed that venting tools were
23 difficult to use or took a lot of time or were expensive,
24 whereas those respondents that were using descending gear were a
25 little bit more on the fence regarding those three items.

26
27 Now we're on to perceived control, and perceived control is kind
28 of that social pressure that respondents would experience, more
29 of those external factors, if you will, and so six questions, or
30 six statements, were provided. I am confident in -- Sorry. I
31 am too far.

32
33 These are social norms. Six statements were provided, and these
34 were fishers like me use venting tools, other fishers expect me
35 to use venting tools, fisheries managers expect me to use
36 venting tools, and other fishers think venting tools can improve
37 the survival of fish, and I feel social pressure to use venting
38 tools, and then the same statements for descending gear.

39
40 Again, they were asked to pick their level of agreement, and you
41 can see here that respondents felt more subjective norms
42 associated with venting tools than they did for descending gear.

43
44 In terms of perceived controls, this got at their confidence in
45 their ability to use the tools, and you see some pretty good
46 confidence, on the bar on the left-hand side, they are pretty
47 confident in their ability to use, and this was pretty
48 consistent with the Sea Grant survey, except for the tools were

1 flipped, in that there was more confidence in using the
2 descending tools in the Sea Grant survey and more confidence in
3 using the venting tools in the Fisheries and Aquatic Sciences
4 survey.

5
6 Where there was quite a bit of divergence though was under the
7 third bar over, where they were asked if they felt that they
8 needed more information on how to use venting tools properly and
9 descending tools properly, and you see here that 6 to 17 percent
10 indicated that they needed more information on venting tools,
11 and 9 to 21 percent indicated they needed more information on
12 descending gear, whereas, in the Sea Grant survey, you may
13 recall that it was 63 percent that needed more information on
14 venting tools and 70 percent needed more information on
15 descending gear.

16
17 Part of the reason for the divergence in those two studies could
18 be that, in this particular study, only those who currently
19 vented were asked that question, whereas, in the Sea Grant
20 survey, all respondents who practice barotrauma mitigation were
21 asked the question, and so we would have gotten some respondents
22 who used descending devices who were responding to the venting
23 tool question in the Sea Grant survey.

24
25 Next, respondents were provided two statements that got at
26 intention to use devices, and so those statements said, the next
27 time I experience barotrauma, I intend to vent, or, the next
28 time I experience barotrauma, I intend to use descending
29 devices, and 81 to 86 percent of respondents said they intend to
30 vent the next time they experience barotrauma, and 20 to 27
31 percent intend to use descending devices.

32
33 Here, you're looking at multiple linear regression showing the
34 relative ability of attitudes, subjective norms, and perceived
35 controls to predict the intention to use venting tools or
36 descending gear across sectors, and you see, where I have it
37 outlined, these subjective norms indicate -- The subjective
38 norms predicted the highest intention, or the highest increase
39 in intention, to use both venting tools and descending gear
40 across sectors, and it was always a strong predictor of
41 intentions.

42
43 This is some sources of fisheries information that was collected
44 in the fisheries and aquatic sciences survey, and you see
45 they're pretty similar to the Sea Grant survey, except for those
46 word-of-mouth sources. Other anglers, boat captains, and tackle
47 shops came out kind of strong in this survey, where they weren't
48 as high in the Sea Grant survey.

1
2 The last question that was asked got at attitudes towards
3 regulations, and, again, they were provided with four statements
4 and asked to provide their level of agreement, and what you see
5 here is that there's -- Most respondents were fairly neutral to
6 slightly agreeable towards regulations in regards to barotrauma
7 mitigation, although they were slightly in disagreement in
8 regards to a regulation that would require a specific barotrauma
9 mitigation tool, and so it would appear as though more choice
10 may be preferred.

11
12 There is lots of additional findings, and I'm not going to go
13 through this, but I just wanted to make sure that you guys had
14 this. It was stuff that I pulled out of the manuscript that got
15 into some of the discard rates and also that there was a
16 perception that more fishers were using the barotrauma
17 mitigation when it was required.

18
19 Real quickly, some take-home messages are, in general,
20 respondents are pretty familiar with the signs of barotrauma,
21 but there's lots of educational opportunities in regards to the
22 proper use of some of these devices. Emphasizing barotrauma
23 mitigation as a social norm is predicted to have the greatest
24 impact on barotrauma mitigation, and those can be reinforced
25 through opinion leaders or fisheries forums and different
26 regulations.

27
28 We do think anglers may be overconfident in their ability to use
29 barotrauma mitigation, and so some outreach efforts may be
30 needed, and, of course, we, from the survey, recognize that
31 fishing magazines, TV shows, websites, and YouTube videos are a
32 popular place for respondents to get information and that
33 reintroduction of a requirement would probably be opposed by a
34 very small minority of fishers, and so that is it.

35
36 **CHAIRMAN WALKER:** Thank you, Captain. Is there any comments or
37 questions?

38
39 **DR. GREG STUNZ:** Thank you, Captain. That was a very
40 informative presentation, and I just have a comment as much as a
41 question. Other groups, and I don't know if you're familiar,
42 but Andy Loftis has been doing a lot of work along the South
43 Atlantic and over into the Gulf. It's very nice complementary
44 work to what you guys are doing here, and so that's a good
45 thing.

46
47 I mean, I think, at least my opinion, coming from the scientific
48 perspective, is what I'm hearing from you is this is well

1 accepted in the fishery. We've got the science that shows that
2 there really is value to doing this, in terms of reducing
3 discard mortality, and so I guess my point, sort of to this
4 group and the council, based off of your presentation, is this -
5 - Unlike a lot of the stuff we deal with this, this is a real
6 win/win deal, and it represents a way to really outreach in a
7 positive way to all the constituents on ways to -- I mean,
8 everybody wants to reduce discard mortality, and so, anyway, I
9 enjoyed your presentation, and I think it fits really well into
10 some of the discussions that we'll have here in a little while.

11

12 **CAPTAIN STAUGLER:** Thank you.

13

14 **CHAIRMAN WALKER:** Martha.

15

16 **MS. MARTHA GUYAS:** Along those lines, thank you for the
17 presentation. Our agency is also interested in this topic, and
18 we're going to be doing a survey this summer, where we're
19 issuing various descending devices to folks and surveying them
20 on their use and what the barriers are that they encounter when
21 they're using that device, and so, when that information is all
22 compiled and we have results, we'll be happy to share that, and
23 hopefully that can help the council's decision as they're trying
24 to consider how to move forward with this as well.

25

26 **CHAIRMAN WALKER:** Captain Johnny.

27

28 **MR. JOHNNY GREENE:** Thank you. That was a very good
29 presentation. One of the things that I hear on the water a lot,
30 on the VHF radio and around the docks, is that, in regards to
31 venting fish, and maybe Dr. Stunz or yourself could kind of draw
32 some attention to this, but that is that why should I vent the
33 fish? I talk to divers all the time, and we vent them, and they
34 show up and they dive on the wreck and there's hundreds of red
35 snapper laying on the bottom all around the reef.

36

37 Now, I am not a diver. I don't like jumping over the side and
38 lowering myself down the food chain. However, if anybody is
39 brave enough to go down there and could speak to that, I think
40 it would certainly help out, because I've heard that more than
41 once, and, normally, I will hear something and let it go, but
42 when you start hearing something ten or twelve or fifteen or
43 twenty times getting repeated, I feel like it needs to have some
44 attention drawn to that, and so that's just a comment, and, if
45 anybody would like to speak to that, I would certainly welcome
46 that.

47

48 **CHAIRMAN WALKER:** Camp.

1
2 **MR. CAMP MATENS:** Thank you, Mr. Chairman. Thank you very much.
3 I really had two comments, but now I have three. I am a diver,
4 and maybe it's just because I can't get to the bottom, because
5 it's too deep, but I don't see a bunch of snapper on the bottom.
6 It's too muddy anyway.

7
8 The first question is when there was a small group of people
9 that indicated that these descending devices were too expensive,
10 how expensive did they think that they were?

11
12 **CAPTAIN STAUGLER:** I don't know that I can specifically answer
13 that, but they're certainly more expensive than venting tools,
14 and especially when you get into the Seaqualizer. That tends to
15 be the one that maybe is more preferred by a lot of fishers, but
16 it is probably at the higher end of cost.

17
18 **MR. MATENS:** Okay. Greg may know the answer to this. I don't
19 think they're that expensive. I mean, the ice costs more than
20 the device, and so I'm not too sure how -- A little education
21 there might be helpful. Greg, do you want to respond to that
22 now?

23
24 **DR. STUNZ:** If it's okay with Mr. Chairman.

25
26 **CHAIRMAN WALKER:** Yes.

27
28 **DR. STUNZ:** Okay. Camp, to respond to your question, we talk
29 around this table, or we have been a lot, about the Seaqualizer,
30 because we had recommended that, and, relatively speaking, it is
31 expensive. It's fifty-dollars, but, in the cost of an offshore
32 trip, that's really inexpensive, but the Captain put some great
33 pictures in here of much lower-cost devices, and there is
34 Shelton descender hooks, which are literally a reverse safety
35 pin, that are less than five-bucks. They don't quite work as
36 good, but they still get the job done. I guess an expense thing
37 is probably not a good argument. They're basically nothing
38 compared to the cost of the trip.

39
40 **MR. MATENS:** I wasn't trying to lead you guys into anything, but
41 that's what I think. My wife and I are on Social Security, and
42 it's kind of like dove hunting. The shells are the cheapest
43 thing of the trip.

44
45 The other comment that I had was, and maybe I was misinformed
46 and I didn't understand, but I was under the impression that
47 mortality due to barotrauma was significantly greater at a depth
48 of 150 or 180 feet and that, above that, it wasn't that great,

1 but most of these guys are reporting fishing at ninety feet or
2 less, and I know that they know what barotrauma is. You can see
3 it, and can you help me with that, please?
4

5 **CAPTAIN STAUGLER:** Well, I think you're absolutely correct. In
6 the Gulf of Mexico, most respondents were saying that they were
7 fishing at ninety feet or less and that they were rarely
8 experiencing barotrauma in this survey, and you certainly can
9 experience barotrauma in ninety or less feet. In the Atlantic,
10 they were fishing in deeper depths and experiencing it probably
11 more often. What that discrepancy is, I don't know that I can
12 explain.
13

14 **MR. MATENS:** Thank you, ma'am.
15

16 **CHAIRMAN WALKER:** Any other comments or questions? Captain
17 Johnny.
18

19 **MR. GREENE:** I'm sorry, and I'm not on your committee, but one
20 more question. Me and Mr. Fischer have had this conversation
21 several times, that just because we're fishing in 200 feet of
22 water, it's 200 feet from the surface down to the bottom, and
23 that doesn't necessarily mean that we're fishing on the bottom.
24 Was there any conversation about that in any of your
25 discussions?
26

27 **CAPTAIN STAUGLER:** No.
28

29 **CHAIRMAN WALKER:** Okay. Any more comments or questions? Thank
30 you. I guess we will move on to the next options paper here,
31 Framework Action to Require Possession of Descending Devices or
32 Venting Tools Onboard Vessels Possessing Reef Fish, Tab E,
33 Number 5. Mr. Atran.
34

35 **OPTIONS PAPER - FRAMEWORK ACTION TO REQUIRE POSSESSION OF**
36 **DESCENDING DEVICES OR VENTING TOOLS ONBOARD VESSELS POSSESSING**
37 **REEF FISH**
38

39 **MR. ATRAN:** Just to give you a little bit of background, in
40 2008, the council did require venting tools as part of our Reef
41 Fish Amendment 28. It was part of a suite of regulations to try
42 to reduce release mortality, and it included the requirement to
43 use non-stainless steel circle hooks when using natural bait and
44 a requirement to possess and use venting tools and dehooking
45 devices.
46

47 We ran into a problem with the requirement to use venting tools,
48 not just to possess them, and a lot of folks felt that they were

1 being required to use those tools even when it wasn't necessary
2 to decompress the fish. Also, descending devices were really
3 just starting to come on the market, starting to generate
4 interest about that time, and folks felt that the requirement to
5 use venting tools interfered with their desire to use a
6 descending device. It would just increase the stress on the
7 fish to use both types of methods.

8
9 In 2013, the council removed the requirement to use venting
10 tools. It just took it off the books completely. Now, since
11 that time, we have gotten some additional information. Some new
12 studies have been published on both venting tools and descending
13 devices.

14
15 Dr. Stunz gave a presentation at the last council meeting, and
16 the general view is that both of these methods can be useful in
17 helping increase survival of fish, and so the council asked
18 staff to start putting together an action to either require or
19 recommend that these devices be used, and this options paper is
20 our first go at trying to present you with something, based upon
21 what you have asked.

22
23 The purpose and need that we have right now for this options
24 paper states that the purpose of this action is to suggest ways
25 in which management can encourage the use of venting tools and
26 descender devices while giving fishermen the flexibility to
27 decide if and when they are appropriate to use.

28
29 The need is to reduce discard mortality, to the extent
30 practicable, through the use of devices intended to increase the
31 survival of released fish, thereby minimizing bycatch or
32 minimizing mortality of such bycatch. What we're trying to do
33 is get back to having fishermen use some sort of device, but
34 give them the flexibility to decide which device and when it's
35 appropriate to use.

36
37 What we've got right now for alternatives in this options paper,
38 and, like I said, this is just a first crack at trying to put
39 something together, and it's on page 4, and Alternative 1 is no
40 action, do not require or recommend venting tools or descending
41 devices be present onboard vessels where reef fish are present.

42
43 Alternative 2 would not require. It would establish a policy
44 that the council recommends vessels fishing for reef fish
45 possess either descending tools or venting tools onboard.
46 Alternative 3 is a requirement, and, because it's hard to
47 determine if a vessel is fishing for reef fish, but it's easy to
48 determine if reef fish are onboard the vessel, this requires

1 that vessels, where reef fish are onboard, possess, and then
2 there's a number of sub-options. Option a would only require
3 venting tools. Option b would only require descending devices.
4 Option c would require either venting tools or descending
5 devices, and Option d would require that both of them be
6 onboard.

7
8 Then, because most of the descending devices that I have seen --
9 They need to be rigged. They need to be hooked up to a rod-and-
10 reel or somehow rigged to return the fish to depth, and I added
11 a provision that descending devices should be rigged and ready
12 for use while fishing is occurring. Otherwise, if they are just
13 stocked away and they have to be set up, that's additional
14 surface time for the fish and additional stress, and so just
15 trying to add a provision that would make the descending devices
16 a little bit more effective.

17
18 Then Alternative 4 states to develop an outreach program in
19 conjunction with the Sea Grant programs to educate fishermen on
20 the availability and correct use of venting tools and descending
21 devices, including best handling techniques to minimize stress
22 to the fish, and you have seen, in this presentation, that Sea
23 Grant has been working on that. This would get the council a
24 little bit more involved with that, and Alternative 4 could be
25 adopted concurrently with either Alternative 2 or Alternative 3
26 in here.

27
28 Basically, Alternative 1 is no action. Alternative 2 is
29 establish a policy that we recommend, but don't require these
30 devices, and Alternative 3 would require the devices. Then
31 there are some options as to which devices to require.
32 Alternative 4 would, in conjunction with one of the other
33 alternatives, work with Sea Grant on developing an outreach
34 program on the proper use of these devices and proper ways to
35 minimize handling stress on the fish.

36
37 Then, just to give you an idea of what we're talking about on
38 release mortality, at the bottom of that page is a table in
39 which I included the release mortality rates that have been used
40 in some of our recent stock assessments, and so you can see that
41 vermilion snapper is assumed to have an overall 15 percent
42 release mortality, gray triggerfish is 5 percent, and then, if
43 you look at greater amberjack and red snapper, you can see there
44 is two sets of release mortalities.

45
46 During that period when venting tools were required, from 2008
47 to 2013, the stock assessments credited the requirement with
48 reducing the release mortality, and so, with greater amberjack,

1 the stock assessments assumed there was a 10 percent release
2 mortality during the period when venting tools were required and
3 a 22 percent release mortality when they were not required, and
4 then the same thing with red snapper. A lower release mortality
5 was assumed when they were required and a higher release
6 mortality when they were not required.

7
8 Before anybody asks, I am not sure exactly how the assessments
9 arrived at these numbers. I would have to go back and look into
10 the stock assessments to find out how they were derived, but
11 they did credit the use of venting tools with better survival of
12 the fish.

13
14 This is where we stand right now, and I also have some
15 appendices in here to provide some background information on
16 some of the studies on both venting tools and descending devices
17 that have been published recently and also a couple of
18 appendices just giving some examples of some of these devices,
19 and, as far as I could determine, what the costs would be.

20
21 Under descending devices, one device is a milk crate that's
22 rigged and weighted so that it would be upside down when it's
23 lowered into the water, and the fish would be in the box until
24 it's lowered to a depth where it's able to swim out on its own.
25 Under costs, that could be as little as six-dollars if you just
26 use a cheap milk crate that you buy at the hardware store, or
27 maybe even have in the house and rig it, versus one online store
28 was selling these things already rigged, and I believe it was
29 around twenty-dollars or so for the whole thing already rigged
30 to go.

31
32 That's just to show you that there are a number of alternatives
33 available. One thing that I did find, when I was trying to look
34 at what's available on venting tools, is that there don't seem
35 to be as many brands, as many models, available today as there
36 were back in 2008, when we first required them. I don't know if
37 that's because there were too many and they outcompeted each
38 other or because the demand for them dropped once we removed our
39 requirement, but there just don't seem to be as many on the
40 market right now as there used to be.

41
42 **CHAIRMAN WALKER:** Any questions? Dale.

43
44 **MR. DALE DIAZ:** I've just got a comment. As I was reading
45 through the document, I think the document is well put together,
46 and I tried to think, you know, are there some other
47 alternatives that need to be added, or some that need to be
48 removed, and I think it covers everything the way it is.

1
2 I strongly believe Alternative 4 is a good thing for us to do,
3 whenever we get to the point where we're ready to do something,
4 and so, I mean, we can discuss that more as we work our way
5 through this document. I have come to like YouTube videos. I
6 mostly use them trying to be a handyman around the house, but I
7 think a YouTube video could go with all of those other types. I
8 mean, we could have how you get to it from a magazine article.
9 If we have some education on the website, we could have a link
10 to a YouTube video, or we could just have those links available
11 for everything.

12
13 I guess the whole reason that I wanted to raise my hand is what
14 would be the plan of action for this document? I know it's an
15 options paper at this point, but we did have some regulations in
16 force previously, and so are we thinking about taking this out
17 to public comment once we think it's ready to go for public
18 comment? Are we going to do some other alternative method
19 before we move it forward? What is kind of the next step?
20 Thank you.

21
22 **CHAIRMAN WALKER:** Mr. Atran.

23
24 **MR. ATRAN:** We haven't done scoping meetings on this. I think
25 we do have this on our website, and folks can comment if they
26 want. My thought was that, if you ask us to further develop it,
27 we have an IPT set up. It hasn't met yet, but we could get
28 together and decide what we need to do and try to expand this
29 into a draft framework action and bring that back to you.

30
31 One question in my mind, and I don't know if this is a legal
32 question or a procedural question, is, if you decide to go the
33 route of recommending devices rather than requiring them, then
34 that means there would not be any regulation implemented. If
35 that's the case, would we want to continue with the framework
36 action, or would we just discontinue it and work on developing
37 whatever the formal policy is going to be?

38
39 **CHAIRMAN WALKER:** Okay. I see your hand up, Greg.

40
41 **DR. STUNZ:** Well, yes, and a couple of things, and Steven really
42 hit on the point that I was going to make. I guess, first, I
43 certainly am in favor of moving this forward, however we proceed
44 that we think is appropriate. I think Dale had a good point
45 that -- I am a little bit conflicted, in a way, on Alternative
46 3.

47
48 Alternative 4, I think that's a no-brainer, especially in light

1 of the presentation that we just saw, and a lot of other groups,
2 and I could cite three or four works that -- Sean Powers' group
3 out of Dauphin Island has shown that there is a lot of room for
4 education here, particularly with venting.

5
6 The part that I'm conflicted a little bit about is the venting
7 versus the descending, and maybe that's where Dale -- Let this
8 go to public comment and see what the public says, but the
9 science shows that venting works. There is no question about
10 that. We don't detect a difference in using descending devices,
11 but that's if it's done properly, and that's a big caveat, and
12 so that gets back to Alternative 4 as well.

13
14 The other thing I guess I would say is that we probably want to
15 build in flexibility, because descending devices don't work on
16 all vessels, like headboats, for example, where the pop-and-drop
17 method is most efficient and better if it's done, but then we
18 have the whole situation of -- A perfect example is just this
19 past weekend.

20
21 We were out fishing in less than a hundred feet of water, and we
22 didn't have to do anything to any fish that was released, and
23 they looked very -- They returned to depth very easily and very
24 strong, and so we somehow have to build in that flexibility into
25 this, and that gets back to this how do you require it, but then
26 we don't want to put in something that no one is going to use.

27
28 That is sort of the conflicting part of how do we structure
29 this, and one way might be to go forward and see how well it's
30 used and do some of that work, and, if it's not, maybe we put a
31 little more teeth in it or something. I don't know, but those,
32 to me, are going to be some of the challenges, but, overall, I
33 certainly support moving forward.

34
35 **CHAIRMAN WALKER:** Can we scroll back down to the alternatives?
36 I think we have Tom and then we have Dr. Crabtree.

37
38 **DR. TOM FRAZER:** Thank you, Mr. Chair. I just have a couple of
39 thoughts. I certainly enjoyed the presentation, and one of the
40 things that I thought about, after listening to that, is that
41 there's a lot of social pressure to use these tools, and so
42 education is important.

43
44 The other part of me says, prior to this committee meeting, we
45 said, well, we're trying to reduce regulations, and so, if the
46 social pressure is kind of putting enough emphasis on people
47 using the tools that we don't need a regulation, that's
48 something to think about.

1
2 Then the other thing that Steven pointed out was, if you're
3 actually using the tools and there's a rule, then you're going
4 to account for that in the stock assessments, and you're
5 potentially going to have more access to fish, and so these are
6 just things that I'm weighing in my own mind. With a rule, you
7 potentially have more access to fish. Without the rule, you
8 don't have a regulation, and you're letting people kind of
9 monitor themselves, and so, as we get to the final decision here
10 later in the week, maybe people will think about those two
11 things and the tradeoffs.

12
13 **CHAIRMAN WALKER:** Dr. Crabtree.

14
15 **DR. ROY CRABTREE:** Good morning. I would say that, for this
16 document, unless you choose Alternative 3, you don't need the
17 document. You can establish a policy or an outreach program
18 just through a motion, and so, if you decide at some point that
19 you're not going to require these through regulations, then you
20 wouldn't need to do any more in the document.

21
22 One thing that we ought to think of as we look at this is there
23 are a lot of restoration activities proposed in the Gulf that
24 include reducing discard mortality with descending tools. Some
25 of those proposals include purchasing and distributing tools to
26 fishermen.

27
28 Restoration monies, generally speaking, cannot be used to
29 purchase devices already required in the regulations, and, so,
30 if we did require this through regulations, it might preclude
31 using those funds to buy these and give them to fishermen, but I
32 think that restoration monies could be used to set up an
33 outreach program and work in that sense, but that's something to
34 think about.

35
36 **CHAIRMAN WALKER:** Martha.

37
38 **MS. GUYAS:** Thanks for recognizing me, because I'm not on this
39 committee. I think it's been said a couple of times about how
40 outreach is going to be really important to this, no matter what
41 we do, and the one thing that's kind of been in the back of my
42 mind, as I've been thinking about this, is how we define
43 descending devices, so that it works for enforcement and they
44 know what they're looking at, but it also allows for some
45 innovation, as, I guess, more devices are developed. Steven,
46 can you talk about that and what you guys are talking about?

47
48 **MR. ATRAN:** I was a little bit concerned about how we define

1 both venting tools and descending devices, because, as far as I
2 know, we don't have any regulation or anything on the books that
3 has a formal definition, and I've seen fishermen just pick up a
4 fish hook and say this is my venting device, and obviously it's
5 not.

6
7 On page 5, and it's part of the discussion, and I haven't made
8 it part of an action, I suggested some language for how to
9 define a venting tool and a descending device. I'm sure these
10 both need some wordsmithing before they would really be good,
11 but I was trying to make sure that, if you're using a venting
12 tool, you actually are using a hollowed-out needle that can
13 serve the purpose that we intend it to be used, and the same
14 with a descending device, that you're using something that would
15 actually be effective at returning the fish to depth.

16
17 **CHAIRMAN WALKER:** Lance, to that point, and I think, Dr.
18 Crabtree, you had a comment.

19
20 **MR. LANCE ROBINSON:** Just to Dr. Crabtree's comment, and, again,
21 to Dr. Frazer's point, and I don't know if this goes to Bonnie
22 or Roy, but, in the event that the council makes a
23 recommendation, how does that factor -- How does the use of that
24 factor into any stock assessment and into the discard mortality
25 if it's just a recommendation?

26
27 **DR. BONNIE PONWITH:** We would have to take a look at that and
28 make some decisions, and it's probably going to require expert
29 input, as opposed to quantitative, because here is the thing.
30 If you have a descending device, you can go out and do studies
31 and actually evaluate its effectiveness, and you can control
32 that for the depth, and you can control it for temperature, and
33 you can control that for how effectively an individual fisher
34 used that device, and so you can test all of that. It takes
35 time and it takes money, but it's doable.

36
37 To me, the real uncertainty comes in when the -- We have already
38 discussed -- Steven did a good job of discussing the requirement
39 to have possession or to use, and so the real question is to
40 what extent that someone possesses this on their vessels do they
41 use it, and you will end up having to make decisions about
42 whether you used it because you didn't think it needed to, or,
43 if it did -- There is a lot of judgment calls to be made, and I
44 think what we would have to do is use expert opinion and set up
45 contingency tables for what the differential mortality rates
46 would look like if 100 percent of the people who had them used
47 them, and used them correctly, versus what the other bookend
48 would be and then come up with some way to credit.

1
2 I will tell you that it will be difficult, but I think, in this
3 situation, where it's a recommendation, we'll have to take a
4 look at that and make some decisions.

5
6 **CHAIRMAN WALKER:** Dr. Crabtree.

7
8 **DR. CRABTREE:** I don't think, from the assessment point of view,
9 it would make a difference whether we required them or just
10 promoted them through outreach. The real question is how
11 widespread is their use in the fishery and how effective are
12 they. You're going to have to answer that question whether you
13 require them or not, and so I don't think that fundamentally
14 changes the question.

15
16 **CHAIRMAN WALKER:** Martha.

17
18 **MS. GUYAS:** I guess, if we move forward with the regulatory
19 route, I would just like to make sure that law enforcement gets
20 a chance to review whatever we come up with here, to make sure
21 that we come up with something that works for them.

22
23 **CHAIRMAN WALKER:** Madam Chair.

24
25 **MS. LEANN BOSARGE:** Thank you, sir. I'm not on your committee,
26 but this brought -- In the outreach and education portion, it
27 made me think about something that we have to keep onboard on
28 our commercial vessels, and I emailed it to staff. It can be
29 actually very helpful, because it has a lot of pictures. A
30 picture is worth a thousand words, and maybe, if we go down the
31 route of requiring these, we may want to do something like this
32 for our venting and descending tools, since it sounds like some
33 of the people want some more education.

34
35 Obviously what we have to keep onboard is in reference to sea
36 turtles, and staff has got it up for you. It's what to do in
37 order to help resuscitate that sea turtle and make sure that he
38 or she survives, and we are required to have this onboard our
39 vessels. We have to have this placard. Maybe something like
40 this could be done for venting tools or descending devices that
41 could be a requirement to have onboard both commercial and
42 recreational vessels, if we go down this route. That's just an
43 observation or an idea.

44
45 **CHAIRMAN WALKER:** Ed.

46
47 **MR. ED SWINDELL:** Do we have any idea of how in the world would
48 you quantify the amount of red snapper that are caught within

1 the ninety-foot or even a hundred-foot depth, versus outside of
2 the hundred-foot depth? Do we have that kind of information?

3
4 I guess I get worried about, if we're going to require something
5 on a vessel, and the vessel that is fishing for red snapper
6 never goes out far enough to have one, to effectively need to
7 have one, because a fish doesn't need venting if he's not
8 fishing greater than ninety-foot or a hundred-foot depth. That
9 would give me some -- I don't know that I would want to require
10 it is all I'm saying. Thank you.

11
12 **CHAIRMAN WALKER:** Good point. Dave.

13
14 **MR. DAVE DONALDSON:** Thank you, Mr. Chair, for recognizing me.
15 I'm not on this committee, but we're talking about establishing
16 a policy or actually passing a requirement, and, Greg or Steven
17 or anyone, is there any indication, through the studies you guys
18 have done, of what the percentage of fishermen would utilize it
19 if there wasn't a regulation to do it? Does there seem to be
20 widespread acceptance in the fishing population to utilize this?
21 I know the Sea Grant kind of touched on that, and I was just
22 curious.

23
24 **CHAIRMAN WALKER:** We need to wrap it up, but go ahead, Greg.

25
26 **DR. STUNZ:** Dave, that's an interesting question. I think those
27 that are aware of it are more than willing to use it, but what
28 I'm discovering -- Even the boat that I sat on this weekend
29 wasn't well aware of what this is about, and so it's just a real
30 education type of thing.

31
32 To Leann, and I know Ed's point, there is a lot of groups that
33 I'm aware of now that are working on exactly what you're talking
34 about and videos, to Dale's point, and brochures and things to
35 help just get that out, but I guess the point that I had, kind
36 of to Roy's question, which troubled me a little bit, is we
37 certainly wouldn't want to defer any type of restoration
38 activity, but, Roy, do you know -- I mean, are those activities
39 -- Could that just be a timing thing? In other words, that
40 RESTORE activity funded before this ever became a regulation? I
41 don't know what the timeline on something like this document
42 would be.

43
44 **DR. CRABTREE:** Well, I suppose that we could wait until the
45 restoration money is used and purchases and all of that and then
46 come in after that and revisit the requirement, but, how the
47 timing would work out, I don't know. I guess it could be a
48 timing issue.

1
2 **CHAIRMAN WALKER:** Okay. Due to time, I am going to wrap it up.
3 There was a lot of good discussion here. Thank you, Mr. Atran.
4 We're going to move on to Options Paper of Carryover of
5 Unharvested Quota, and this is going to be Tab E, Number 6, and
6 this is going to be Ryan.

7
8 **OPTIONS PAPER - CARRYOVER OF UNHARVESTED QUOTA**
9

10 **MR. RYAN RINDONE:** We will start with the -- The background on
11 this is that there are several fishery management councils
12 throughout the country that have carryover provisions that are
13 in place for different species, or have in the past, and the
14 general idea is that some amount of fish has -- There is some
15 amount of foregone yield from a previous fishing year that you
16 can then roll over to the next year.

17
18 It seems pretty straightforward. The IPT has found out that
19 it's just about anything but straightforward, and so you guys
20 will get a little taste of that as we're moving through this.

21
22 What we have established is the purpose and need for this
23 document is to consider incorporating provisions into our ABC
24 control rule to allow for carryover of uncaught ACLs,
25 appropriate adjustments to any quota carried over, and to modify
26 the framework procedure to allow us to do all of this in a
27 timely fashion, and the need is to incorporate the flexibility
28 allowed under the revised National Standard 1 Guidelines, which
29 talk about being able to carryover fish.

30
31 I know we're a little tight on time, and so I'm going to breeze
32 through some of this a little bit more quickly and try and spend
33 time on the things that I think you guys will probably the most
34 time on, and so we'll start with Action 1, which is on PDF page
35 9.

36
37 What Action 1 does is it talks about the eligibility of species
38 for inclusion in the carryover provision, and so Alternative 1
39 would not establish any carryover provision at all, and so, if
40 you were to select Alternative 1 in Action 1, the rest of the
41 document, except for some of the framework provision stuff,
42 would effectively be null.

43
44 Alternative 2 would apply a carryover provision to harvest the
45 unused portion of the ACL for any managed finfish species except
46 those which are currently in a rebuilding plan, and, if you look
47 at Table 2.1.1, which is on page 12, you can see the species
48 that would be excluded under each of the presented alternatives.

1 For Alternative 2, it would exclude gray triggerfish, greater
2 amberjack, and red snapper.

3
4 Alternative 3, similar to Alternative 2, would exclude any
5 species that did not have its fishing year closed because the
6 ACL was met or projected to be met, and so, if the season stayed
7 open throughout the duration that it was supposed to, then there
8 would be no carryover the following year. Does that make sense?
9 Okay. There is a long list of species in Table 2.1.1 that would
10 be kicked out for that one.

11
12 Alternative 4 would exclude species that are managed under a
13 stock ACL, meaning that we don't have recreational and
14 commercial allocations. It's just one stock ACL, and, when it's
15 caught, it's caught. More of our data-poor species and some
16 species that we haven't assessed before are in that one, and
17 then some species we do have assessments on, like cobia,
18 hogfish, lane snapper, Spanish, yellowtail, et cetera.

19
20 Alternative 5 would exclude any species that we do not currently
21 have an accepted peer-reviewed stock assessment, and, again,
22 this gets more into our data-poor species. Then Alternative 6
23 would exclude any species that we manage via apportionment with
24 an adjacent fishery management council, which for us is the
25 South Atlantic Council, and so we only have a few of those,
26 that's black grouper, mutton snapper, and yellowtail snapper.

27
28 Now, IFQ species are not explicitly listed in Action 1 because
29 there are different alternatives that exclude different IFQ
30 species, and so that's why that was left out explicitly from
31 Action 1. Any questions on Action 1 before we go on to Action
32 2? If there is anything you guys would like to see added, taken
33 away, or changed, please speak up.

34
35 **DR. CARRIE SIMMONS:** Are you going to go through the SSC
36 comments as well?

37
38 **MR. RINDONE:** I can do that concurrently or after or what's your
39 pleasure?

40
41 **CHAIRMAN WALKER:** Would the committee like to wait until we're
42 finished for the SSC comments as well, due to time constraints?
43 Let's just move on. Let's get all the comments, the SSC
44 comments as well, when you're done.

45
46 **MR. RINDONE:** Okay. For Action 2, Action 2 establishes
47 parameters for applying carryover provisions to species managed
48 under IFQ programs, and Alternative 1 would not establish any

1 parameters. Basically, if there's anything left over at the end
2 of a fishing year, it would be eligible for carryover to the
3 following year, contingent on whatever is selected in Action 1.

4
5 Alternative 2 says that there has to be less than 2 percent of
6 the total commercial ACL for a species remaining for there to be
7 carryover for the next year. Alternative 3 says 5 percent, and
8 Alternative 4 says 8 percent. Now, unlike Action 1, where you
9 could select multiple alternatives, you can only select one
10 alternative in Action 2.

11
12 To give you an idea of what you guys are looking at, as far as
13 the amount of ACL remaining in a given year, Table 2.2.2, which
14 is on page 18, shows you the different IFQ programs that we have
15 in the Gulf for fishing years 2014 through 2016, and it shows
16 you the ACL, the landings, what was left over, and what was left
17 over as a percentage of the ACL.

18
19 Within programs for those three years, it can vary pretty
20 widely, and sometimes there's a lot left over and sometimes
21 there is not much, and so it's something for you guys to think
22 about with respect to Action 2. Is there any questions?

23
24 **CHAIRMAN WALKER:** Kevin.

25
26 **MR. KEVIN ANSON:** Thank you, Mr. Chair. I'm not on your
27 committee, but, Ryan, why -- I think I know you might not be
28 able to select more than one alternative, but is that for
29 administration purposes, just to make it easier, one percentage?

30
31 **MR. RINDONE:** That's just the way that we wrote it this time
32 around, yes. I mean, if you guys want it to be explicit to the
33 program, I guess that we could do that.

34
35 **CHAIRMAN WALKER:** Martha.

36
37 **MS. GUYAS:** I am trying to think about how this logistically
38 would work. Would the unused quota go back to the people that
39 didn't fish that quota?

40
41 **MR. RINDONE:** Right now, it would go back -- It would be carried
42 over to the following fishing year and then be distributed
43 across shareholders, based on their share allocation. It
44 wouldn't necessarily go back to a specific shareholder.

45
46 This is obviously something that you guys would need to discuss
47 on how to do this. It's really your pleasure, the best way that
48 you would want to do this, because this is not currently part of

1 the IFQ program.

2

3 **CHAIRMAN WALKER:** Go ahead.

4

5 **MS. BOSARGE:** I will apologize, because this is my cursory
6 reading of this document right now. I didn't get to read it
7 before the meeting, but, for the IFQ species, we're going to --
8 We have some options that will let us carry forward a certain
9 percentage of the unused quota, but, in that first action item,
10 we just carry -- Once we decide which species we're going to do
11 it for, as long as they're not in a rebuilding plan or this or
12 that, you carry the whole thing forward, but, on IFQ species,
13 you only carry a very small percentage, or is there an action
14 later that addresses that?

15

16 **MR. RINDONE:** There is action later. Because this whole process
17 is as complex as it ended up being, we chip away at a little bit
18 with each action, and so you kind of do have to go through all
19 of them to get a good idea of how the whole thing is organized.
20 It would be a nightmare to try to do all of this in one shot,
21 and so each action chips away at a little bit more of how we
22 manage fisheries in the Gulf, because everything is so diverse.

23

24 The first action eliminates species right off the bat. We're
25 not even going to consider these, because we have determined
26 that we don't want to for X, Y, and Z. Action 2, this is how
27 we're going to deal with IFQ stuff, and you guys can obviously
28 change what we've proposed to whatever you think is more
29 appropriate.

30

31 Action 3 establishes like a fixed buffer between the ABC and the
32 OFL, to make sure that the ABC doesn't get raised to some degree
33 close to the OFL or, if you guys want to maintain some sort of
34 uncertainty buffer there. Action 4 makes adjustments to how
35 much is going to be carried over to the following year, and
36 we'll see more about that there. Then Action 5 is what makes
37 the whole process timely and not take so long that we miss the
38 opportunity to carry it over in the first place. We're just
39 chipping away at a little bit of what needs to be done with each
40 action.

41

42 **CHAIRMAN WALKER:** Ms. Gerhart.

43

44 **MS. SUSAN GERHART:** Just to clarify, if the council chooses an
45 alternative in Action 1 that already eliminates IFQ species,
46 then this action would not be necessary any longer.

47

48 **MR. RINDONE:** That's correct. Now, there would be a couple that

1 you would probably need to select to make that happen. I will
2 give you an example. Again, this is just an example. If gag
3 were to be eliminated, it would involve selecting Alternative 3.
4 For red snapper to be eliminated, it would be Alternative 2 and
5 like that.

6
7 If a species season isn't closed, because the ACL for that
8 fishing season wasn't met, then there wouldn't be a carryover
9 the next year for Alternative 3, and then the rebuilding plan
10 one is pretty straightforward, and so shallow-water groupers
11 would be a little bit more complicated, because some of them we
12 don't have a peer-reviewed stock assessment for.

13
14 If you were to select that we don't want to do carryover for
15 anything with a peer-reviewed stock assessment, some of those
16 wouldn't be eligible, and that would make that a little more
17 hairy, and so --

18
19 **CHAIRMAN WALKER:** Tom.

20
21 **DR. FRAZER:** Thank you, Mr. Chair. Ryan, I guess, if you work
22 through a scenario like in let's say Alternative 4 in this
23 Action 2, with regard to red grouper, where you had like 42
24 percent below your thing -- What is the practical kind of
25 implication of that?

26
27 **MR. RINDONE:** The intent of -- Like the way the National
28 Standard 1 Guidelines talk about doing a carryover, and the way
29 that other councils have done carryover in the past, if you're
30 leaving a ton of fish in the water, year after year, it's not
31 necessary to carry this huge chunk of fish over to the following
32 fishing year.

33
34 Now, the SSC had talked about that. They were like, well, there
35 could be a variety of reasons why there's a lot being left over,
36 and then, all of a sudden, there might not be as much left over,
37 and that's always something that you guys could revisit if you
38 found it appropriate to do so, but, as a standard practice, if
39 you're leaving 30 or 40 percent in the water, rolling that
40 massive poundage over to the next year is likely not going to
41 result in it being caught, unless there is something unforeseen
42 that's causing that underage in the first place.

43
44 In most cases in the Gulf, the reason why there is so much left
45 over has more to do with effort and direct targeting of certain
46 species, especially for our reef fish species, than it does with
47 something that we're not predicting. Now, occasionally, we have
48 environmental things that may cause a species to not be as

1 prevalent for a year or two, but, again, if it's chronic, if
2 it's all the time that there's a large amount left, it's more
3 than likely going to be effort related.

4
5 **CHAIRMAN WALKER:** Okay. We're running out of time here, but,
6 Mara, go ahead.

7
8 **MS. MARA LEVY:** Just for this particular action, the whole
9 reason for this is for the council to say that we're only going
10 to do carryover for IFQ if there is this percentage that was
11 left, to specifically address that question, that you're not
12 going to do it if there's 40 percent of the red grouper quota
13 left. This is getting at it's only going to happen as long as
14 the portion that's left is less than 2 percent, less than 5
15 percent, less than 10 percent, to make a judgment call about
16 when it's too much to carryover for IFQ species.

17
18 **CHAIRMAN WALKER:** Mr. Rindone, continue.

19
20 **MR. RINDONE:** Yes, sir. All right. We'll go straight to Action
21 3, and this establishes a fixed buffer between the ABC and the
22 OFL, and so, by modifying the ABC control rule to include this
23 carryover provision, essentially what happens is, when you carry
24 those fish over to the following fishing year, you are changing
25 the ABC. Then that will subsequently change the ACL and tick,
26 tick, tick down the line.

27
28 The way that it's designed right now is that let's say the
29 private angler season is closed for a particular species, or for
30 red snapper, since that's the only that we have a private angler
31 component for. Let's say their season is closed and there was
32 some left over that could be carried over to the following year.

33
34 The ABC would be adjusted, as would the ACL, but that carryover
35 amount would go directly to the private anglers and not to the
36 commercial or the for-hire. Now, the reason that it's
37 component-specific like that, or sector-specific, it's just
38 recreational and commercial, is you have differences in how and
39 where in the size of fish that are caught by the recreational
40 and commercial sectors and between the private anglers and the
41 for-hire components.

42
43 One fish for one may be different, in terms of length, weight,
44 and age, than one fish for another, and so, to make that
45 carryover as accurately accountable in the stock assessment as
46 possible, and to make sure that we don't mess something up along
47 the way, the quota can only be carried over to the sector or
48 sector component or commercial zone or smallest visible unit

1 from whence it came, and that's -- Does that make sense to
2 everybody?

3
4 That is one of -- I call it control rule, but it's not a control
5 rule in the way that we normally use that term, but it grounds
6 this process, and that's written into the discussion.

7
8 By establishing a fixed buffer between the ABC and the OFL
9 though, it helps account for, again, a little bit more
10 uncertainty, if you guys think that that's appropriate.
11 Alternative 1 would not establish a buffer between the ABC and
12 the OFL, which means that the ABC could be increased up to and
13 equal to the OFL, which we don't do for many things.

14
15 Alternative 2 would say that the ABC cannot be any greater than
16 95 percent of the OFL. Alternative 3 is 90 percent, and
17 Alternative 4 is 85 percent. These are obviously arbitrary, but
18 we recognize that, but it does give you guys like a fixed amount
19 that you can work with. Are there any questions? These
20 percentages can be adjusted if you guys think they should be
21 adjusted.

22
23 Seeing no flailing hands, Action 4 would create adjustments to
24 the carryover provision, and so this helps account for things
25 like management uncertainty, natural mortality, et cetera, and
26 so Alternative 1 would not establish any adjustments, and so any
27 amount that is deemed available to be carried over for a species
28 that qualifies in Action 1 gets to be carried over.

29
30 Now, the National Standard Guidelines suggest that you guys
31 should take into account natural mortality when considering
32 carryover, and, if you're not going to, you need to provide fine
33 justification as to why you're not going to consider natural
34 mortality for a species.

35
36 Alternative 2 would reduce the amount of the unused portion of
37 the ACL to be carried over by the mean natural mortality rate of
38 the subject species as used in the most recent accepted
39 quantitative stock assessment.

40
41 If there is not an accepted quantitative stock assessment on the
42 book, then, by default, Alternative 2 wouldn't apply to that
43 species, because we don't have something to go off of, but, for
44 many of the species that we actively manage, we have something
45 on the books.

46
47 Alternative 3 would reduce the amount of the unused portion of
48 the ACL to be carried over by some management uncertainty

1 amount, and we have arbitrary values of 5, 10, and 15 percent in
2 there, and this just says that you guys recognize what you're
3 doing and you know there are probably some things that you don't
4 know about what's happening, we'll say effort or what's going on
5 in the environment, that you just haven't had a recent stock
6 assessment to account for yet, and so, to be a little more
7 conservative, you're going to reduce the amount to be carried
8 over just a little bit more to be safe, and that's essentially
9 what Alternative 3 does. You can select both Alternative 2 and
10 3, and you can propose different percentages for Alternative 3
11 as well.

12
13 **CHAIRMAN WALKER:** Mara.

14
15 **MS. LEVY:** I heard the words "these are arbitrary" a couple of
16 times, and so, as you go down this road, the alternatives that
17 are put in Action 3 and some of Action 4, I would suggest that
18 we think of percentages that are reasonable for a particular
19 purpose, meaning there is the table after Action 3, for the
20 fixed buffer, that talks about, or at least shows, what some of
21 the buffers are for different species between the OFL and the
22 ABC.

23
24 It might be reasonable to look at that and see an average or
25 maybe we would look at potentially different buffers for
26 different species, and I don't know, but I don't want to move
27 down the road too far leaving in alternatives and options that
28 really don't have any particular basis, and so I would just
29 think about how to come up with percentages that might be linked
30 to something, and I could even see the natural mortality rate or
31 the reduction for this Action 4.

32
33 I mean, we don't know the natural mortality rate for all
34 species, but we do know then for some, and maybe there is a way
35 to come up with a range of things for Alternative 3 that kind of
36 take that knowledge into account. I don't know, but I just
37 suggest that we think about that some more.

38
39 **CHAIRMAN WALKER:** Mr. Rindone.

40
41 **MR. RINDONE:** That's a good point, and one of the things that we
42 did look at was to -- If you look at Table 2.3.1 in Action 3,
43 and it's on page 20, you can see the percent difference between
44 the ABC and the OFL for all the species that we deal with, and,
45 like for the deepwater grouper complex, there is no difference
46 between the ABC and the OFL, and we don't have an OFL defined
47 for the shallow-water grouper complex, but, for the rest of
48 them, you can see what the percent differences are there, and

1 they can vary pretty widely.

2
3 The most narrow is Spanish mackerel, which is 1.74 percent, and
4 the current OFL of 11.5 million pounds is not being harvested,
5 by about 40 percent, 45 percent or so, something like that, and
6 so that's a lot of Spanish that get left over.

7
8 One of the probably more subject species to all of us, red
9 snapper, only has a seven-and-a-half percent buffer between the
10 ABC and the OFL, and so that would be something for you guys to
11 think about, if red snapper is something that you want to be
12 considered for this. Again, we can adjust these percentages for
13 the management uncertainty and the ABC buffers however you guys
14 would like to entertain, and we can look at those options.

15
16 **CHAIRMAN WALKER:** Continue on.

17
18 **MR. RINDONE:** Anything else for Action 4, which is the
19 adjustments? Okay. Action 5 modifies the framework procedures
20 for the FMPs. Alternative 2 helps us pull all of this carryover
21 stuff off in a timely fashion, and it allows us to use the
22 closed framework procedure to adjust the ABC, ACL, ACT, and
23 quota for a species, sub-species, species group, sector, or
24 component of a sector to allow for the carryover of the unused
25 ACL, as determined by the ABC control rule.

26
27 This is really explicit, but the purpose of this is so that,
28 once the harvest from the previous year is known, and whatever
29 amount is available to be carried over is also known, then the
30 Regional Office can just go forward with making that adjustment
31 to the ABC and everything else down the line and put those
32 carried-over fish where they need to go and then issue a notice.

33
34 **CHAIRMAN WALKER:** Dale.

35
36 **MR. DIAZ:** Timing-wise, I mean, we don't get final numbers -- We
37 didn't get final numbers on stuff really until, what, May of
38 this year. Effectively, there is going to be a lag time of a
39 full year, or, in May, when we get final numbers, are we going
40 to apply it then and it will be an in-season type of thing? Do
41 you understand what I am asking about?

42
43 **MR. RINDONE:** That's the idea, and so we've used preliminary
44 landings to make these sorts of adjustments in the past, and we
45 are not precluded from doing that. Obviously using final,
46 final, final landings would be preferable, but, to make this
47 more timely, and you guys had indicated, when we all had a Q&A
48 session at a previous council meeting of how you wanted this

1 done, you said to the following fishing year from the previous
2 fishing year. You didn't want there to be long delays between
3 when the fish were not caught and then when they could be caught
4 in the future.

5
6 The following year means that we have to use preliminary
7 landings data, and so there is some uncertainty with that.
8 Maybe that's something that you think about when we're talking
9 about adjustments to the amount to be carried over.

10
11 **MR. DIAZ:** We could deal with that in Action 3, where there was
12 the Alternatives a, b, and c with 5 percent, 10 percent, and 15
13 percent? Okay. Thank you.

14
15 **CHAIRMAN WALKER:** Okay. Continue on.

16
17 **MR. RINDONE:** Okay. Alternative 3 modifies the abbreviated
18 framework procedure for Reef Fish, CMP, Red Drum, and Coral,
19 basically everything, to allow specification of ABCs recommended
20 by the SSC based on a new stock assessment, and so, instead of
21 what we do currently, which takes a little bit longer, staff and
22 the Regional Office can use the abbreviated framework procedure
23 to update or to specify a new ABC based on a new stock
24 assessment.

25
26 Alternative 4 would revise the framework procedures for
27 everything, to be consistent in terminology and format, and
28 include changes to the standard framework procedure for Red
29 Drum, Coral, and Lobster, regarding accountability measures, and
30 you can see those changes highlighted down there in yellow, and
31 it talks about implementation or changes to in-season and post-
32 season accountability measures, and it just makes them
33 equivalent across the board.

34
35 For Action 5, you guys can pick Alternatives 2, 3, and/or 4 as
36 preferred. Again, just real quick, Alternative 2 makes the
37 carryover stuff timely, Alternative 3 allows the use of the
38 abbreviated framework procedure to specify ABC after an accepted
39 stock assessment, and Alternative 4 makes all the framework
40 procedures for the FMPs consistent with respect to
41 implementation or changes to in-season and post-season
42 accountability measures. Are there questions on the boring
43 action? Okay.

44
45 **CHAIRMAN WALKER:** Madam Chair.

46
47 **MS. BOSARGE:** We are a little bit over time, but you've been
48 doing good keeping them in line as best you can here, but we've

1 already gone through our break time, and so, if it's okay with
2 you, Mr. Chair, could we save the SSC discussion for Full
3 Council during your committee report and maybe take it up then,
4 because I have a feeling that's probably going to spur some more
5 questions as we go through, and we'll have a little more time
6 then.

7

8 **CHAIRMAN WALKER:** Yes, that's fine. Dale.

9

10 **MR. DIAZ:** Are we adjourning our committee? Before we do that -
11 - Well, if we're going to take it back up at Full Council,
12 there's a couple of things that I think we ought to probably
13 discuss about this document, but I also think, maybe at Full
14 Council, we should come back and give a little bit more guidance
15 to Mr. Atran about where we want to go with that other document.
16 I think it would be good to just give the staff a clear path
17 forward on that. If we can just take that up at Full Council, I
18 would appreciate it. Thank you.

19

20 **CHAIRMAN WALKER:** Madam Chair.

21

22 **MS. BOSARGE:** Yes, and that was actually the other reason why I
23 wanted to leave those SSC comments, because we need some
24 direction for them, and, as long as we have some sort of
25 unfinished business in that committee report, we won't fly right
26 through it and cruise on to the next one. We will stop and have
27 some discussion and tie up these loose ends that we need to tie
28 up.

29

30 **CHAIRMAN WALKER:** Madam Chair, the Sustainable Fisheries
31 Committee stands adjourned.

32

33 (Whereupon, the meeting adjourned on June 5, 2017.)

34

35

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