

1 GULF OF MEXICO FISHERY MANAGEMENT COUNCIL

2
3 MIGRATORY SPECIES COMMITTEE

4
5 Sandestin Golf and Beach Resort Miramar Beach, Florida

6
7 June 5, 2019

8
9 **VOTING MEMBERS**

- 10 Greg Stunz.....Texas
- 11 Susan Boggs.....Alabama
- 12 Doug Boyd.....Texas
- 13 Roy Crabtree.....NMFS
- 14 Jonathan Dugas.....Louisiana
- 15 Paul Mickle (designee for Joe Spraggins).....Mississippi
- 16 Ed Swindell.....Louisiana
- 17 Lt. Mark Zanowicz.....USCG

18
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- 22 Leann Bosarge.....Mississippi
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1 The Migratory Species Committee of the Gulf of Mexico Fishery
2 Management Council convened at the Sandestin Golf and Beach
3 Resort, Miramar Beach, Florida, Wednesday morning, June 5, 2019,
4 and was called to order by Chairman Greg Stunz.

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

10 **CHAIRMAN GREG STUNZ:** We will call together the Migratory
11 Species Committee. Just to give this committee and the council
12 in general a little background, this committee doesn't often
13 meet. The last time we met was in January of 2017, but, before
14 that, it was 2009, and so that's quite some time, but, as many
15 know, some of these issues with highly migratory species are
16 becoming more relevant, and so I'm hoping and suspecting that
17 we'll probably meet more on a regular basis, and so, with that,
18 the general idea today is to hear some presentations on some
19 different management and other things going on that relate to
20 the Gulf as it relates to migratory species, but our first item
21 of business today is Adoption of the Agenda.

22
23 Has everyone had a chance to look at the agenda? Is there any
24 edits or additions or changes that anyone would like to make to
25 that agenda? Seeing none, would someone like to make a motion
26 to approve the agenda, please?

27
28 **DR. PAUL MICKLE:** So moved.

29
30 **CHAIRMAN STUNZ:** So moved by Dr. Mickle and seconded by Mr.
31 Swindell. With that, we'll consider the agenda adopted. The
32 next item of business is Approval of the Minutes. Any comments,
33 edits, suggestions, or changes to the minutes? Seeing none,
34 could I please get a motion to approve the minutes? Moved by
35 Mr. Swindell and seconded by Dr. Mickle. Seeing no discussion
36 on that, we'll consider the minutes approved.

37
38 Moving on to the next step is our Action Guide. Dr. Hollensead,
39 would you mind going over the details of today's committee
40 meeting, please?

41
42 **DR. LISA HOLLENSEAD:** Thank you, Dr. Stunz. There is a number
43 of proposed action items coming out of the Highly Migratory
44 Species Division, many of which are in the process of scoping
45 right now and receiving public comment, and so I think the
46 division decided that this would be a good time to also meet
47 with the councils, to keep everyone informed as to what they
48 have going on.

1
2 Right now, there are sort of four management items up for
3 consideration. The first is Amendment 13 and 14, and these are
4 currently out for scoping at the moment. In your background
5 materials, there is a scoping schedule, so you can see what
6 times and locations those are being conducted.

7
8 Amendment 13 is going to consider changes to the individual
9 bluefin IFQ program. This program has been going on for three
10 years now, and so, since they have three years of information
11 about that program, the division is going to be reviewing that
12 program as it is. Amendment 14 is going to look at specifically
13 the shark fishery, to explore modifying reference points and
14 increase management flexibility for that fishery.

15
16 The next item is looking at a draft regulatory amendment to
17 modify the pelagic longline bluefin for area-based and weak-hook
18 management measures, and then, lastly, there's an options paper
19 to explore approaches to conduct research and collect data in
20 those areas closed, specifically looking at HMS species and
21 collecting data on those species.

22
23 All of those materials are available as background for you, if
24 you're interested in diving in a little deeper. We will be
25 receiving sort of a summary presentation from a NMFS
26 representative, Ms. Jennifer Cudney, today, and so she'll kind
27 of give you an overview of those things, and you will have the
28 opportunity to ask questions of her about those items.

29
30 Lastly, for Other Business, which will sort of be at the end of
31 that presentation, the council has received a letter from the
32 New England Fishery Management Council. Their representative on
33 the ICCAT Advisory Panel is considering sending a letter
34 supporting certain recommendations for the management of bigeye
35 and yellowfin tuna, and it's their feeling that, if there is
36 sort of a unified voice behind that letter from the Atlantic
37 councils that that would give more support to that moving
38 forward to ICCAT, and so, Dr. Stunz, that concludes the action
39 guide, unless there is any questions.

40
41 **CHAIRMAN STUNZ:** Thank you, Dr. Hollensead, for that briefing.
42 On that letter, if, in the meantime, you have time to review it,
43 and I know, Ms. Beckwith, your council is dealing with this as
44 well, and so, when we get to that point, feel free to jump in
45 from that perspective, and I will explain that a little bit
46 better when we get to it. That will take us to -- By the way,
47 this is Tab N, if everybody is following along with us, and Tab
48 N-4, specifically, for this Agenda Item Number IV. I guess, if

1 we're ready for the presentations from the HMS staff, we're
2 ready when you are.

3
4 **SUMMARY PRESENTATION OF HMS PROPOSED ACTIONS**
5

6 **DR. JENNIFER CUDNEY:** Thank you, guys, so much for inviting us
7 to come and give a presentation to the council about some of the
8 actions that we have currently ongoing with our division.
9

10 As it was mentioned, we've got four things that are happening.
11 One is a DEIS, looking at modification of pelagic longline
12 blue-line tuna area-based and weak-hook management measures, and
13 the other three actions are currently in the scoping phase, and
14 so we're doing public hearings on the first one this summer and
15 scoping meetings on the other three, and I will get into more
16 details on the other three as we get into the presentation.
17

18 I do want to point out that there is a difference between the
19 area-based and weak-hook measures and the spatial management and
20 research action, and so one is specifically intended to look at
21 bluefin tuna areas, and so areas that were implemented to reduce
22 dead discards or interactions of bluefin tuna, and the
23 regulatory amendment for spatial management and research, on the
24 other hand, is intended to look at all HMS closed areas, and so
25 I just want to make sure that we get that distinction down
26 first, because there is some overlap in a lot of these measures.
27

28 The first one, again that area-based and weak-hook management
29 measures DEIS, this project is intended to evaluate whether
30 certain area-based and weak-hook management measures are still
31 needed to reduce bluefin tuna interactions and to meet our
32 management obligations under Magnuson and ATCA.
33

34 We are looking at four different thematic areas under this
35 project, and they include the Northeastern United States Closed
36 Area up off of Jersey, and that was closed in 1999, and there
37 are two gear-restricted areas that we're looking at, and these
38 are the Cape Hatteras Gear Restricted Area off of North Carolina
39 and the Gulf of Mexico Gear Restricted Area, which is in the
40 north-central Gulf of Mexico.
41

42 The Cape Hatteras Gear Restricted Area is effective from
43 December through April, and the Gulf of Mexico Gear Restricted
44 Areas are effective in April and May, and then, as I mentioned,
45 we're also looking at weak-hook management measures. Weak hooks
46 are required to be used in the Gulf of Mexico year-round.
47

48 The objectives of this project are to determine whether or not,

1 as I said, these measures are still needed. Specifically, we
2 are looking to streamline and simplify Atlantic HMS management
3 by potentially looking at and reducing any regulatory
4 redundancies. We are also interested in looking at -- We have
5 five different area-based alternatives, ranging from no action
6 to elimination of some of these areas.

7
8 Some of the options that we considered in this regulatory
9 amendment include looking at performance-based access,
10 modification of current spatial coverage areas, and so changing
11 boundaries of these areas, and then potentially undertaking a
12 review process.

13
14 The review process is essentially looking at a formalized
15 evaluation, where we would allow fishing into areas that were
16 previously closed for a three-year period of time and to collect
17 data and then figure out whether or not those areas are still
18 meeting their intended goals. Then, as I said, removing current
19 regulations is also one of the options.

20
21 On the far-right side of this table, you will see that we've got
22 indications that the preferred alternatives for the Northeastern
23 United States Closed Area and the Gulf of Mexico Gear Restricted
24 Area are to undertake that review process, and the preferred
25 alternative for the Cape Hatteras Gear Restricted Area is to
26 eliminate it outright.

27
28 Regarding the weak hook alternatives, we looked at three
29 different options, or alternatives, in the DEIS, and they
30 include retaining the current regulations, which is a year-round
31 requirement, looking at a seasonal requirement for weak hooks,
32 and so January through June, and this would correspond to when
33 bluefin tuna are present in the Gulf of Mexico in the greatest
34 abundance and when we're seeing the greatest number of
35 interactions with the pelagic longline fishery, and then
36 outright removal of the weak hook requirement.

37
38 For more information, you will need to go to our website, or
39 reach out to me or to Craig Cockrell with the HMS Management
40 Division, and our phone numbers are here. We are planning on
41 putting forward a rule in the next couple of weeks, and so stay
42 tuned for that. We'll do a rollout, and we'll reach out to Gulf
43 Council members at that time, and we'll certainly be open to
44 addressing any questions about this then.

45
46 The next initiative is data collection and research to support
47 the spatial fisheries management, and, again, this is one of our
48 scoping actions. With this scoping project, we are looking at

1 spatial management, which is a range of tools that are designed
2 to control adverse ecological fishing impacts. There are a
3 number of different types of spatially-managed areas, including
4 closed areas, time-area closures, controlled access areas,
5 marine monuments, which we are not looking at in this rule, and
6 gear-restricted areas.

7
8 These are all useful for different reasons, such as reducing
9 bycatch, protecting habitat, et cetera, et cetera. However,
10 these closed areas can also potentially reduce data collection
11 through fishery-dependent means, and that is often the most
12 cost-effective way to get information about these areas.

13
14 Just as an example, this is a map showing the pelagic longline
15 closed areas and gear-restricted areas that we currently have in
16 effect for that fishery, and so you can see that there's quite a
17 bit of our federal EEZ that is restricted or closed in some form
18 or fashion to just that fleet.

19
20 Since we need that fishery-dependent information, the purpose
21 and need of this project is really oriented towards figuring out
22 how to get some data for management, and so, as I said, we need
23 that scientifically-rigorous information and up-to-date research
24 for best management practices in order to ensure that the
25 original goals of the closure are still being met, and so HMS is
26 not -- They don't stay in one spot. They move around, but the
27 areas that we closed for them are static, and so this regular
28 monitoring, or getting information from these areas, is going to
29 ensure that they are situated in the best time and space for
30 those species that were intended to be protected in the first
31 place.

32
33 Potential options for this project include continuing, as no
34 action, continuing to authorize closed area research through our
35 current EFP program. We are also looking at other options that
36 include creating a standardized and streamlined EFP process that
37 would essentially authorize or take comment and authorize
38 several different types of activities to occur within the closed
39 areas, and so, if somebody wanted to do some sort of controlled
40 research fishing, then they would be able to apply for that,
41 and, because we already did the analysis on that type of work,
42 we would be able to authorize that in an expedited manner.

43
44 Other options include collecting data on closed area catch
45 through an observer program, and so basically, if want in, you
46 apply for observer coverage, or ask for observer coverage, and
47 then you would be able to get in and fish in a closed area.

48

1 Other options include a research program, where fishermen would
2 apply to get into the program under a set of controlled fishing
3 conditions, and this is mirrored off of our current shark
4 research fishery, and we also have options that include public-
5 private partnerships and NOAA-based research vessel research,
6 and then the last option that's being considered in this project
7 is performance-based closed area access, and so our gear-
8 restricted areas are currently managed using performance metrics
9 that allow folks in if they meet certain criteria on a year-to-
10 year basis.

11
12 The next steps for this project, the public comment period ends
13 on July 31, and there is an issues and options paper, and, as I
14 said, there will be scoping meetings, and I'm going to present a
15 schedule at the end of the presentation that outlines all of the
16 scoping meetings that are coming up, and we will be adding to
17 that for the meetings on the first rule that I mentioned in the
18 presentation. The contact information for our points of contact
19 on this rule are listed on this slide.

20
21 The next project is Amendment 13 to our fishery management plan,
22 and this is specific to our bluefin tuna management and is kind
23 of heavily focused on our IBQ program, but we also have other
24 things that we're looking at in here, including management of
25 the purse seine fishery and looking at management of other
26 directed categories with quotas, such as our harpoon fishery,
27 our general category fishery, and our HMS angling fishery.

28
29 The purpose for this project is that we recently completed a
30 draft three-year review of our IBQ program, and that is
31 available on our website, or, if you would like to see it in --
32 I don't know if it's available in your briefing book, and so, if
33 you do need to get that information, we can get it for you, but
34 this draft three-year review basically looked at whether or not
35 the program was meeting the stated objectives of that catch
36 share program, and it also looked at some of the standard
37 components of catch share programs, to see how the IBQ program
38 measured up. We have a lot of information that we were able to
39 use to start to explore next steps for that program.

40
41 Now, the purse seine fishery, as I said, is another thing that
42 we're looking at in this project. This fishery has been
43 inactive for several years, and so we're basically looking at
44 whether or not this fishery needs to be discontinued or phased
45 out over an extended period of time.

46
47 Then other management options include with looking at recent
48 fishery trends, and there are certain segments of the bluefin

1 fishery that have been meeting their quota, and then there are
2 others that have not, and so there's an exploration in this
3 project at different allocation schemes between these different
4 groups of fishermen, and I should also mention that looking at
5 the purse seine fishery means that there's a substantial bank of
6 quota that could be distributed to other groups there as well,
7 and so that is also a question that we will get into as we get
8 further along with that project.

9
10 Specific options for the IBQ program are looking at the quota
11 shares and allocation method and also whether or not we need
12 share allocation caps for this program or if we want to allow
13 permanent sale of shares, and then a number of other aspects of
14 the IBQ program are discussed in that scoping document.

15
16 As I said, regarding the purse seine fishery, we're looking at
17 discontinuing it, the timing of the discontinuation and then how
18 that quota is going to be reallocated, and then the general
19 category quota allocations is also something that is included,
20 along with other quota allocations across the gears and
21 categories.

22
23 Also, looking at the angling category trophy areas, we have
24 three different trophy sub-quotas that are split across the
25 angling category by geographic area, and so there is some
26 question about whether or not we want to maintain that split as
27 it currently is. There are a number of other allocation issues
28 that are presented in the scoping document, and then we,
29 finally, are looking at sort of a conglomerate of other things,
30 such as how we have greenstick gear defined in the regulations
31 and some of our other hand-gear fishery regulations.

32
33 Again, the public comment period for this project ends on July
34 31, and we have got the contact information for the points of
35 contact listed on this slide, and they are Thomas Warren and
36 Brad McHale up in our Northeast Regional Office.

37
38 Then, finally, Amendment 14 is looking at our ACLs for our shark
39 quotas, and so the purpose of this project is to manage the
40 shark fishery resources in a manner that's consistent with new
41 National Standard 1 Guideline while minimizing negative
42 socioeconomic and ecological impacts on affected fisheries.

43
44 We are needing to review the process for setting the ABCs as
45 related to OFL and the ACLs, to determine if changes are needed
46 and whether or not our associated accountability measures need
47 to also be modified. We are looking at whether we need to
48 incorporate additional management flexibility into the process

1 for setting our ABCs, and we're looking at things like ABC
2 phase-in, quota carryovers, and overfishing determinations, as
3 stated and provided in the recent National Standard 1
4 Guidelines.

5
6 These are some of the objectives that are included in that
7 project. As I said, it's all about the ABC control rules
8 looking at ACLs and looking at how we're determining our
9 acceptable levels for rebuilding success, and we're looking at
10 how to redistribute underutilized quota across the shark
11 fisheries, and then we're looking at how we can increase
12 management flexibility to account for changes in the harvest of
13 sharks by our sectors.

14
15 Some examples of some of the things that are included in this
16 scoping document by area are listed on this slide, and so, for
17 ABC control rules, we're looking at four different options, and
18 that includes no action, of course, looking at a standardized
19 option, where you have the same for all sharks or management
20 groups, because we do have some species-specific quotas, and we
21 have some group-specific quotas.

22
23 We are looking at a tiered approach, which looks at the relative
24 risk, and so, here, you might have different ABCs based on
25 whether or not that particular stock or species is particularly
26 vulnerable, whether there is information, if it's a data-poor or
27 a data-rich group or stock, et cetera.

28
29 Then one of the other things we're looking at under this is
30 whether we need a peer review process for determining the ABC
31 control rule. HMS does not have an SSC, and so this peer review
32 process would mimic some of the functions of an SSC, by giving
33 us a more peer-reviewed -- It would give us a peer review and
34 input into this particular control rule.

35
36 For the phase-in of the ABC provisions, we're looking at four
37 different options, and we are considering phase-in on any
38 reductions to the ABC or based on the stock status, and so we
39 are also looking at five different options for TACs and our
40 ACLs, and so this includes actively managing all sector ACLs or
41 establishing a reserve sector ACL, and this is very similar to
42 what we do with our bluefin tuna reserve category, where we put
43 a piece of our bluefin quota in that and then redistribute it
44 out to the other sectors based on a set of redistribution
45 criteria. Then we're also looking at ACLs with and without
46 species linkages.

47
48 Carryover ABC provisions, there are five options in the scoping

1 document for that. We're looking at distributing unused ACL to
2 the relevant sectors or distributing across all sectors and also
3 looking at options for caps on the carryover of unused ACL and
4 if those are needed.

5
6 Finally, looking at the overfishing determinations, we are
7 looking at five different options there. We're looking at
8 potential multiyear determinations, and these include annual
9 options or a three-year running average of catch levels used to
10 determine overfishing status.

11
12 The next steps for this particular project are, again, we have
13 the same comment period deadline of July 31, and our points of
14 contact on that particular rule are Ian Miller, Guy DuBeck, and
15 Karyl Brewster-Geisz.

16
17 This, as I said, I was going to show you a table of our upcoming
18 scoping meetings. What this does not include, again, are the
19 meetings for the rule looking at GRA and weak-hook measures, and
20 so those are going to be folded in, and we have a very busy
21 summer ahead of us. That's it.

22
23 **CHAIRMAN STUNZ:** All right. Thank you for those informative
24 presentations. One comment you made about the third-year review
25 that you've done on your bluefin tuna quota program, I didn't
26 see that in our briefing book, and it would be great if -- We're
27 going through some similar reviews and processes with our quota
28 system here for red snapper and other species, and that might be
29 of interest to the council, to see what's working and what's not
30 for your system there, but is there questions from the committee
31 or other council members? Tom, go ahead.

32
33 **DR. TOM FRAZER:** I thought it was a nice presentation. What I
34 wanted to ask is, in the first part of presentation, you talked
35 about kind of evaluating the area closures in the Gulf of Mexico
36 for bluefin tuna, and one of the ways that you were going to
37 figure out, perhaps, if they were effective is by doing, I
38 guess, some sort of a study to -- What I'm seeking actually is
39 clarity in how you would actually evaluate whether or not they
40 were effective or not.

41
42 **DR. CUDNEY:** What we're looking at is these areas are closed
43 right now, and we're looking at converting them into what we're
44 calling monitoring areas, and it would open up the areas to
45 fishing, and we would go ahead and collect the normal fishery-
46 dependent data that we get from our longline fleet, and so that
47 would include logbook data.

48

1 The folks have to submit set reports through their VMS, and
2 there are other data streams that we would look at from our IBQ
3 catch share online program, and so, basically, we're in massive
4 information collection mode for those areas for three years,
5 and, in order to establish a sort of safety check, because it's
6 been closed for a while and we don't actually know what would
7 happen in these areas, we would have a threshold that is set for
8 the amount of IBQ that can be used to cover landings and dead
9 discards for bluefin interactions, and so, if that threshold is
10 reached, that's an indication that maybe the area still needs to
11 be closed, and we would then do a sort of in-season action to
12 close that area again.

13
14 In the meantime, our hope is that the fleet is sufficiently
15 incentivized to avoid bluefin tuna and still harvest target
16 species, and so, once we get all of that information over a
17 three-year period of time, we would then compile our report and
18 do an evaluation of it, very similar to what we did with our
19 three-year review for the IBQ program, and then we would take a
20 follow-up action that would basically consider next steps, and
21 so it's sort of a provisional opening. As long as they don't
22 meet that threshold, we would collect the data and do our
23 evaluation and then think about what's happening next.

24
25 **DR. FRAZER:** Great. Thank you. That was very helpful.

26
27 **CHAIRMAN STUNZ:** All right. Are there other questions from the
28 committee? Martha.

29
30 **MS. MARTHA GUYAS:** I'm not on the committee, but thank you for
31 recognizing me. As far as the spatial management stuff goes, I
32 think you probably know the State of Florida has had some
33 concerns about opening the east Florida area closure there, and
34 I think we'll be probably sending you a letter to outline some
35 of our concerns with that. Thanks.

36
37 **CHAIRMAN STUNZ:** Other committee or council members? Mr.
38 Swindell.

39
40 **MR. ED SWINDELL:** I guess I'm sitting here just wondering what
41 is our council's responsibility in this Highly Migratory Species
42 Committee for this work that's being done on the federal level?

43
44 **CHAIRMAN STUNZ:** Well, obviously, they're not a species that
45 we're managing, but there is relevance to fleets and things that
46 are coming out of the Gulf. As far as how that relates to this
47 council, this, ideally, is to inform us what's going on, to
48 influence our decisions and those kinds of things, but, beyond

1 that, I don't know. Tom, maybe you could comment to that, or
2 perhaps Clay or Roy would like to see how they envision that we
3 interact with the HMS group.

4
5 **DR. FRAZER:** Sure. I mean, the council generally is in a
6 position to have a representative that sits on the HMS Advisory
7 Panel, and the purpose is to -- Although we don't manage those
8 species, those management activities certainly interact with
9 other fisheries that we do manage, and so it's a way for us to
10 exchange information and provide guidance or input where it
11 might be needed.

12
13 **CHAIRMAN STUNZ:** I have a question if no one else has a
14 question, and this is regarding your bluefin tuna quota, and I'm
15 not familiar at all with that, and I haven't looked at the
16 report, but I will when we get it, and so I assume this is for
17 non-directed bluefin tuna catch that's occurring during those
18 longline fleets, and is that right?

19
20 **DR. CUDNEY:** You're talking about the IBQ program?

21
22 **CHAIRMAN STUNZ:** Yes. Sorry.

23
24 **DR. CUDNEY:** Yes, and so the longline fishery is considered an
25 indirect bycatch type of fishery, and it's not considered a
26 directed fishery at this time, and so it is managed as a bycatch
27 quota.

28
29 **CHAIRMAN STUNZ:** Okay, and I was just wondering if -- I don't
30 want to put you on the spot, and we have little time here with
31 this committee, but is that program working? I noticed that
32 there are some share and allocation issues, it looks like, and
33 trying to cap that in certain things, but, in general, is the
34 fleet happy with that? What are your major issues, or maybe
35 there aren't, or could you comment on what is the highlights
36 from that report?

37
38 **DR. CUDNEY:** I think the fleet has done a very admirable job of
39 reducing their bluefin interactions. In some places, they have
40 reduced their interactions by as much as 80 percent. The reason
41 that we're looking at removing that Cape Hatteras Gear
42 Restricted Area, for example, is that there used to be a hotspot
43 of bluefin interactions there, and it's not there anymore.

44
45 We had implemented that as sort of a stopgap measure, because we
46 recognized that was a potential problem area, but we think that
47 the fleet has been sufficiently incentivized to avoid bluefin
48 through having to be individually accountable and basically pay

1 for their bluefin interactions on a poundage basis, and they are
2 being very careful with where they're going and how they are
3 pulling their gear.

4
5 They are communicating with each other about where they're
6 running into bluefin, and so I would say, to the end, we've been
7 pretty successful in reducing our bluefin interactions and
8 minimizing, to the extent that we can, the bycatch implications
9 on this fishery.

10
11 **CHAIRMAN STUNZ:** So the idea is that you have some level of
12 quota, if you incidentally catch a bluefin tuna, and so what
13 happens? Is there enough quota to accomplish that, or what
14 happens if -- At some point you reached that quota, obviously,
15 or you wouldn't be talking about allocations and caps and things
16 like that, I would assume, and so what happens? I mean, it's
17 sort of hard to avoid, I would imagine, and so somebody would
18 catch a bluefin tuna, theoretically, that is out of quota, or
19 how does that work?

20
21 **DR. CUDNEY:** If they catch a bluefin tuna, they have -- We think
22 of it as like a bank account, an online system, where they would
23 physically pay back the weight of that bluefin tuna, based on
24 the quota that they're given at the beginning of the year. If
25 they run out of quota, then they have the option of leasing
26 quota from another individual, and so they're not automatically
27 shut down if they exceed the amount that they are given at the
28 beginning of the year.

29
30 The reason that we're looking at reallocation under this is that
31 we have a subset of the fleet that is what we call NOVES ID
32 status, and these are folks that are not actively fishing, but
33 they are still maintaining a valid and active permit, and it's
34 not on a vessel, but it's kind of a permit in limbo, and there
35 is quota that has been allocated to those permits.

36
37 Our original intent with this program was to distribute this
38 quota to the folks that need it, and we're seeing
39 underutilization of that quota, and so we're looking at
40 redistribution, because we want to see if there are other ways
41 that we can distribute out that quota to the folks that
42 specifically need it.

43
44 **CHAIRMAN STUNZ:** Okay. The last question, I guess, is, since
45 it's underutilized, the redistribution is not causing any issues
46 within the fishery then?

47
48 **DR. CUDNEY:** We have not had a longline fleet category overage

1 since we implemented the program. Prior to this, it was a
2 problem, and Brad and Tom and the other folks in the Northeast
3 shop, Sarah McLaughlin, would have to put out rules that were
4 basically pulling quota from other categories to cover the
5 bluefin overages, but it's not a -- The longline fleet is not
6 impacting the other categories in the way that we saw prior to
7 the implementation of this management program.

8
9 **CHAIRMAN STUNZ:** Thank you. Any other questions regarding HMS?
10 Clay.

11
12 **DR. CLAY PORCH:** Thank you, Chair. I had just a comment that
13 one of the reasons we need to start working more closely with
14 HMS is, of course, sharks, since they are responsible for
15 managing sharks, and the whole concept of ecosystem-based
16 management, and, as we saw yesterday, we hear a lot from
17 fishermen complaining that sharks are becoming increasingly
18 common, and they are suffering depredation on both coasts, and
19 so I think it behooves both the South Atlantic and Gulf Council
20 to engage in that dialogue and figure out what does optimal
21 yield when you have these kind of mixed species fisheries,
22 especially when you have predators out there.

23
24 **CHAIRMAN STUNZ:** Good point, Dr. Porch. Thank you. Mr.
25 Swindell.

26
27 **MR. SWINDELL:** Is there any foreign fishery interaction that
28 you're having with the bluefin tuna and sharks, anything allowed
29 within the U.S. zone at this time, or are you aware of any
30 problem with foreign fishing?

31
32 **DR. CUDNEY:** We don't provide quota to cover any sort of foreign
33 fishing under a chartering arrangement. I myself am not
34 specifically aware of issues with the foreign fleets and bluefin
35 interactions in our waters, but that doesn't mean that they
36 don't exist, and so I can take your name and check in with Brad
37 and some of our folks, to see if that is an issue.

38
39 **MR. SWINDELL:** It's just that, at times, there have been
40 interactions with foreign fleets coming in and out of the
41 Exclusive Economic Zone of the United States, and I'm just
42 wondering if there is any there, or has any of that been allowed
43 or this particular resource to be done, and I haven't heard of
44 any, and I was just wondering if it was anywhere on the east
45 coast or in the Gulf, and so thank you.

46
47 **CHAIRMAN STUNZ:** Lieutenant Zanowicz.
48

1 **LT. MARK ZANOWICZ:** Thank you, Mr. Chairman. Just a comment to
2 that from the Coast Guard side. We do see interactions with the
3 Mexican lanchas harvesting shark in south Texas, in addition to
4 red snapper, which they primarily target, and so that's just a
5 comment on that. We do see interactions with those, and I know
6 Katie Moore is our representative on the HMS Advisory Panel, and
7 she presents on that to them, and so, typically, my
8 presentations focus more on red snapper, because that's what the
9 Gulf Council manages, but we do see interactions with the HMS
10 species as well.

11
12 **CHAIRMAN STUNZ:** Thank you. Other questions? Well, if there is
13 no other questions, thank you for that information and
14 presentations, and then we'll go ahead and move forward into our
15 next item of business, Item Number V, and that has to do with
16 this BAYS workgroup letter.

17
18 By the way, BAYS stands for bigeye, albacore, yellowfin, and
19 skipjack, if you're wondering. Some of us had to review that
20 before the letter, but, anyway, that letter is in your packet,
21 and we're preparing that draft, and I think Tom has probably the
22 best background, in terms of how this arrived, with this sort of
23 joint letter coming from several councils regarding some issues
24 with these species, and I know, Anna, your council is dealing
25 with this as well, and so feel free to jump in, but, Tom, do you
26 mind maybe giving us a little background on how we arrived at
27 this letter?

28
29

OTHER BUSINESS

DRAFT BAYS SPECIES WORKING GROUP RECOMMENDATION LETTER

30
31
32 **DR. FRAZER:** I mean, I'm certainly going to invite both Anna and
33 Martha to talk about this, because there was a recent ICCAT
34 meeting in Miami, and both of them were able to attend, but the
35 issue really has to do with some of the fishing activities that
36 negatively impact, I guess indirectly, right, things like
37 yellowfin tuna, and so that's the nature of the issue, and so,
38 Anna, if you want to go ahead and speak to what transpired in
39 the Miami meeting, that would be great.

40
41 **MS. ANNA BECKWITH:** Yes, I will be happy to. I actually led the
42 discussion for the workgroup, for the breakout group, on BAYS.
43 I think there was a specific question within -- The background
44 of this letter is that the Northeast Council actually was unable
45 to attend this meeting, and the Northeast Council -- Their
46 constituents have major concerns with yellowfin and bigeye and
47 such, and so it was requested to the Northeast Council that they
48 somehow support what came out of the BAYS working group to

1 present at the upcoming ICCAT meeting, and so that's where the
2 sort of background of the letter came out.

3
4 Specifically, someone mentioned to me that there was a question
5 on Number 5 on the letter of sort of where the group came to
6 that recommendation that the United States should consider
7 advocating for an eastern Atlantic skipjack TAC based on 2018
8 catches, and so I can speak to that specifically as well, which
9 is Number 5 is really tied to Number 3.

10
11 The last stock assessment was done in 2014, and it found that
12 skipjack tuna was neither overfished nor experiencing
13 overfishing, but this is really an attempt to cap effort until
14 the 2020 stock assessment can occur. Skipjack tuna are caught
15 on FADs, in association with yellowfin tuna and with bigeye,
16 which are really the two species of concern. Right now, we're
17 exceeding our catch on yellowfin tuna, and there is some pretty
18 significant stock concerns for bigeye, which are particularly
19 important to our pelagic longline fishery.

20
21 This is just an attempt to hold the line on effort, which has
22 been increasing. The Standing Committee on Research and
23 Statistics had actually recommended that effort and catch did
24 not exceed the 2012/2013 catch levels, but that has increased by
25 over 10 percent, and so I think the intent is just to sort of
26 hold the line while we try and negotiate some indirect efforts
27 to conserve yellowfin tuna and bigeye while maintaining skipjack
28 from growing, and so there has been some effort to control FADs.
29 It's a wonderfully complicated process, and I'm sure that, if
30 I'm missed something, Clay can probably speak to that as well,
31 but that's the basic idea behind this recommendation.

32
33 **CHAIRMAN STUNZ:** Thank you, Anna. Before we open it up for some
34 discussion, just to get some clarification, Dr. Hollensead and
35 Carrie, maybe some guidance from this committee, and, obviously,
36 you want us to look at this letter and comment on it, but if
37 there's any -- Since we don't deal with these issues often, if
38 there is things that this committee may not be aware of, or you
39 would like to see from a staff perspective in this letter, let
40 us know. I'm looking for mainly a little guidance of where you
41 all would like to see us go with that, and so feel free to
42 comment on that. If there's other questions from the committee
43 about this letter, now is the time. Dr. Simmons.

44
45 **EXECUTIVE DIRECTOR CARRIE SIMMONS:** Thank you, Mr. Chairman. I
46 think the intent is to send this letter to Chris Oliver, and I
47 would suggest that we add a little bit more information in Item
48 5, just to put it in context, because I'm not sure how closely

1 everyone is following these issues, just to provide a little bit
2 more, if we could, and we can try to capture that with the South
3 Atlantic Council and then get that back to the New England
4 Council, who has proposed this, and so that would be my
5 suggestion.

6
7 Then, if there's anything else in the letter, and we're sending
8 this on behalf of the council, that you have concerns with or
9 would like to discuss, I think now would be the appropriate
10 time, to make sure that the council is comfortable with this.
11 Thank you.

12
13 **CHAIRMAN STUNZ:** I agree with that, Carrie, to just flesh that
14 Number 5 out a little bit better, and that's certainly needed,
15 and so I don't know. Do you need a motion coming from this
16 committee to do that, or do we just want to let you guys do
17 that? Also, I don't know what the timeline is for this either,
18 in terms of review. Do we just give you some authority to do
19 that, or how do you prefer to proceed? Anna.

20
21 **MS. BECKWITH:** My suggestion to the New England Council was to
22 have this letter signed and ready for our ICCAT meeting in
23 October, which means sort of this is our chance for the Gulf
24 Council and next week for the South Atlantic Council to sign
25 onto this. By the time we get to our October meeting for IAC,
26 we are sort of setting the agenda that we will take to ICCAT,
27 and so any delay past that sort of doesn't provide the intended
28 effect.

29
30 **CHAIRMAN STUNZ:** Okay. Good. It appears there is a little
31 timing too, Tom, and I don't know who is our South Atlantic rep
32 going out there, but maybe they can provide some feedback.

33
34 **DR. FRAZER:** Martha.

35
36 **CHAIRMAN STUNZ:** Martha will be. Okay. Good. Anyway, I guess
37 -- I don't know if maybe, Clay, or Roy, are you all fine with
38 this, or do you see any issues from your offices that we would
39 need to add to this letter? Let us know, and, Carrie, I think
40 you might have had your -- Did you have one more comment? Tom.

41
42 **DR. FRAZER:** I mean, I'm not sure who is going to draft the
43 language to kind of provide a little more clarification for that
44 Item Number 5. Would that be the Northeast guys?

45
46 **MS. BECKWITH:** I suspect so, but I'm sure that they would be
47 open to suggestions, and Martha and I can certainly draft a
48 sentence or two as a suggestion and provide that to them, since

1 we were part of the IAC as well.

2

3 **DR. FRAZER:** That would be great.

4

5 **CHAIRMAN STUNZ:** Okay. Any other comments to the letter? Then
6 we'll move on, and we're in Other Business, but that also brings
7 us to any other business that isn't on the agenda. Is there any
8 other business that needs to come before this committee? Seeing
9 none, that concludes the business for this committee.

10

11 (Whereupon, the meeting adjourned on June 5, 2019.)

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