

1 GULF OF MEXICO FISHERY MANAGEMENT COUNCIL

2
3 REEF FISH MANAGEMENT COMMITTEE

4
5 Renaissance Battle House Mobile, Alabama

6
7 October 23, 2018

8
9 **VOTING MEMBERS**

- 10 Kevin Anson (designee for Scott Bannon).....Alabama
- 11 Patrick Banks.....Louisiana
- 12 Susan Boggs.....Alabama
- 13 Leann Bosarge.....Mississippi
- 14 Doug Boyd.....Texas
- 15 Roy Crabtree.....NMFS
- 16 Dale Diaz.....Mississippi
- 17 Jonathan Dugas.....Louisiana
- 18 Tom Frazer.....Florida
- 19 Martha Guyas (designee for Jessica McCawley).....Florida
- 20 Paul Mickle (designee for Joe Spraggins).....Mississippi
- 21 Robin Riechers.....Texas
- 22 John Sanchez.....Florida
- 23 Greg Stunz.....Texas
- 24 Ed Swindell.....Louisiana

25
26 **NON-VOTING MEMBERS**

- 27 Dave Donaldson.....GSMFC
- 28 Lt Mark Zanowicz.....USCG

29
30 **STAFF**

- 31 Assane Diagne.....Economist
- 32 Matt Freeman.....Economist
- 33 John Froeschke.....Deputy Director
- 34 Beth Hager.....Administrative Officer
- 35 Karen Hoak.....Administrative & Financial Assistant
- 36 Morgan Kilgour.....Fishery Biologist
- 37 Ava Lasseter.....Anthropologist
- 38 Mara Levy.....NOAA General Counsel
- 39 Emily Muehlstein.....Public Information Officer
- 40 Ryan Rindone.....Fishery Biologist & SEDAR Liaison
- 41 Bernadine Roy.....Office Manager
- 42 Carrie Simmons.....Executive Director

43
44 **OTHER PARTICIPANTS**

- 45 Luiz Barbieri.....GMFMC SSC
- 46 Avery Bates.....Organized Seafood Association of Alabama, AL
- 47 Glenn Delaney.....Southern Shrimp Alliance, Washington, D.C.
- 48 Marcus Drymon.....

1 Megan Fleming.....MDMR, MS
2 Traci Floyd.....MDMR, MS
3 Troy Frady.....AL
4 Susan Gerhart.....NMFS
5 Tim Griner.....SAFMC
6 Larry Huntley.....Pensacola, FL
7 Rich Malinowski.....NOAA SERO
8 Bart Niquet.....Lynn Haven, FL
9 Clay Porch.....SEFSC
10 Kellie Ralston.....ASA
11 Chris Schieble.....LA
12 Clarence Seymour.....Ocean Springs, MS
13 LaDon Swann.....MS
14 Mark Tryon.....Gulf Breeze, FL
15 David Walker.....AL

16
17
18

- - -

TABLE OF MOTIONS

PAGE 25: Motion in Action 2 to add a new alternative for allocation used for apportioning the private angling ACL of Alabama 28 percent, Florida 72.74 percent, Louisiana 18.5 percent, Mississippi 3.55 percent, Texas 7.21 percent, for a total of 100 percent. [The motion carried on page 34.](#)

PAGE 39: Motion in Action 1 of each state amendment to remove Option 2g and create a new action to allow NMFS to implement closures in the EEZ through a framework. [The motion carried on page 41.](#)

PAGE 44: Motion in Action 1 of each state amendment to remove Options 2e and 2f. [The motion carried on page 44.](#)

PAGE 50: Motion in Action 1 of Florida's amendment to make Alternative 2, Options 2a, 2c, and 2d the preferred. [The motion carried on page 51.](#)

PAGE 53: Motion in Action 2 to move Option 2b to Considered but Rejected in all five state amendments. [The motion carried on page 54.](#)

PAGE 54: Motion in Action 2 to make Alternative 2, as modified, the preferred in all five state plan amendments. [The motion carried on page 56.](#)

PAGE 57: Motion to take Amendment 50: State Management Program for Recreational Red Snapper, and individual state amendments out for public hearing. [The motion carried on page 57.](#)

PAGE 70: Motion in Objective 1 to reword as follows: "To prevent overfishing and rebuild overfished stocks." [The motion carried on page 72.](#)

PAGE 76: Motion to combine Objectives 2 and 7 to read: "To maintain robust fishery reporting and data collection systems for monitoring the reef fish fishery." [The motion carried on page 77.](#)

PAGE 79: Motion to reword Objective 3 as follows: "To conserve and protect reef fish habitats." [The motion carried on page 79.](#)

PAGE 80: Motion to re-word Objective 4, as follows: "To minimize conflicts between user groups", add a new objective "To minimize and reduce dead discards," and to eliminate Objective 6. [The motion carried on page 81.](#)

1
2 [PAGE 82](#): Motion to remove Objectives 5, 9, 11, and 16 and
3 replace with an objective that defines OY. Objective: "To
4 manage Gulf stocks at OY as defined in MSA." [The motion carried](#)
5 [on page 85](#).

6
7 [PAGE 86](#): Motion to reword Objective 10 as follows: "To
8 encourage and periodically review research on the efficacy of
9 artificial reefs for management purposes." [The motion carried](#)
10 [on page 91](#).

11
12 [PAGE 92](#): Motion to remove Objectives 14 and 18 and reword
13 Objective 12, as follows: "To promote stability in the fishery
14 by allowing for enhanced fisher flexibility and increasing
15 fishing opportunities to the extent practicable." [The motion](#)
16 [carried on page 96](#).

17
18 [PAGE 98](#): Motion in Action 5 to move Alternatives 4 and 5 to
19 Considered but Rejected. [The motion carried on page 98](#).

20
21 [PAGE 124](#): Motion in Action 5 to move Alternatives 4 and 5 to
22 Considered but Rejected. [The motion carried on page 124](#).

23
24 - - -
25

1 The Reef Fish Management Committee of the Gulf of Mexico Fishery
2 Management Council convened at the Renaissance Battle House,
3 Mobile Alabama, Tuesday morning, October 23, 2018, and was
4 called to order by Chairman Martha Guyas.

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

10 **CHAIRMAN MARTHA GUYAS:** The Reef Fish Committee is everybody,
11 and so we don't really need to go through the list, I don't
12 think, but we have an agenda, which is Tab B-1. Are there any
13 additions or changes to the agenda? Seeing none, is there a
14 motion to adopt the agenda as written? So moved from John
15 Sanchez and second by Greg Stunz. Okay. Thanks. Any
16 opposition? Seeing none, the agenda is approved. Next, we have
17 the minutes, and those are Tab B-2. Any changes to the minutes?
18 Mara.

19
20 **MS. MARA LEVY:** Thank you. I just saw a couple of things. On
21 page 31, line 20, change "pointing" to "point", and, on page
22 129, line 42, change the first "and" to "in". Thanks.

23
24 **CHAIRMAN GUYAS:** Okay, and so we're going to need a motion to
25 approve the minutes as amended. John Sanchez, thank you for
26 that motion, and I need a second. This is the warm-up. These
27 are the easy ones. Okay. Second by Chris. Thank you. Any
28 opposition to that motion? The motion carries.

29
30 Next, we have our Action Guide and Next Steps. I liked how Dale
31 did this yesterday, where we kind of hit them right before we
32 talked about the subject, and so let's maybe do that and give
33 that a try, and then that would take us to the Review of Reef
34 Fish Landings. I assume, Sue, you're going to take us through
35 those?

36
37 **REVIEW OF REEF FISH LANDINGS**
38

39 **MS. SUSAN GERHART:** Thank you. First, we have the commercial
40 landings. The two species that we're showing there, but are not
41 part of IFQ or one of the stock complexes, are gray triggerfish
42 and amberjack, and they both closed this year. Gray triggerfish
43 closed just at the beginning of this month, and amberjack has
44 been closed since April.

45
46 You can see that there is a little bit of an overage there on
47 the amberjack side, and they do have a payback on that,
48 regardless of the stock status, and so that will be paid back.

1 We also have the 2017 landings right below that, just for
2 comparison.

3
4 On the next page, the recreational landings, we only have
5 through Wave 2, and so they are fairly preliminary for this
6 year. You can see what we have there. Triggerfish is at 60
7 percent, but remember they were closed for June and July. We do
8 not have red snapper for-hire landings yet, because that started
9 in Wave 3, and we don't have Wave 3 right now.

10
11 Below those landings, we have a table showing the private
12 angling landings for red snapper through the EFPs that the
13 states are doing, and these are as reported through the states.
14 They are mostly final. Texas still is open in state waters, but
15 the other states are all closed. The Texas date for closure
16 shows their closure of federal waters date.

17
18 As you can see, we had some close to or slightly over the
19 quotas. The Florida quota has been updated since I sent this
20 over. They have given us a final report, and they have landed
21 just over two-million pounds, and this is through -- I got this
22 yesterday, actually, I think it was, and that's 113 percent of
23 their ACL, and so they are over. They will have a payback.
24 Remember we have an increase in the quota that is in rulemaking
25 right now, and so that will take care of some of that overage
26 and some of that payback, but there will be a little bit of
27 payback, we expect, and we'll be finalizing that later.

28
29 At the bottom of that page, amberjack is set out separately in
30 these landings, because they are in a different fishing year.
31 If you will recall, amberjack starts now on August 1, and so
32 obviously we don't have any landings for this year yet, because
33 that's in Wave 5, and so the preliminary landings for last year
34 we do not have. We only have the January/February and
35 March/April landings, and March/April was the closure, and so
36 you can see that, for last year, there is very low landings,
37 only 16.5 percent of the ACL.

38
39 Then the last page shows the stock landings, and these are -- We
40 have quite a few of these stock ACLs that do not have the
41 commercial or the recreational allocations. I am only showing
42 gray snapper because you do have a gray snapper amendment coming
43 to you later today to look at, and so I thought that it might be
44 of interest. Last year, we landed 81 percent of the stock ACL,
45 and this year we have not landed that much, but, again, remember
46 that the recreational landings are only for Wave 1 and Wave 2,
47 and so we don't have any landings since April that are included
48 in this here. Any questions? That completes my report, Ms.

1 Chair.

2

3 **CHAIRMAN GUYAS:** Okay. Questions for Sue? Kevin.

4

5 **MR. ANSON:** Sue, I thought the recreational landings had been up
6 through June for a month-and-a-half or two now, and is that not
7 the case, at least for gray triggerfish, and not red snapper,
8 but for gray triggerfish and amberjack?

9

10 **MS. GERHART:** We have some landings. We have the LA Creel
11 landings, and so there are numbers that are on our website
12 because of that, and I didn't include them here, because I
13 thought it was a little bit confusing for the red snapper, but,
14 yes, we do have some landings, but we do not have the MRIP
15 landings. We may have some headboat landings as well, I
16 believe.

17

18 **CHAIRMAN GUYAS:** I guess, along those lines, Wave 3 has been out
19 there for a while, at least on the MRIP website, and when do you
20 think you will know what happened in Wave 3? Then Wave 4 is out
21 now too, I guess, since we in Florida have final landings.

22

23 **MS. GERHART:** I just had a message this morning saying that we
24 expect it next week sometime, and I think we're going to get
25 Wave 3 and 4 both at the same time, and I see Clay walking in,
26 because he would be the better one to answer that question, but
27 that's what we were told, is that they would be -- Now, they do
28 come from S&T earlier, but then I think we've explained before
29 that the Science Center does some adjustments for weights, and
30 so there is a two-step process to get those recreational
31 landings.

32

33 **CHAIRMAN GUYAS:** Do you care to add anything to that, Dr. Porch?
34 Welcome. Good morning.

35

36 **DR. CLAY PORCH:** Sorry. Mobile traffic is worse than I thought.
37 We do actually change the weighting calculations from what MRIP
38 historically has done, although I think now we should be close
39 to the same page. The idea was they were going to start doing
40 something similar to what we did and maintain that on the
41 website, so we would have the same numbers, and so I can check,
42 but I thought they had already taken those steps.

43

44 **CHAIRMAN GUYAS:** Any other questions? Okay. Thank you, Sue. I
45 think that takes us to our first amendment of the day then, and
46 that would be Draft Amendment 50, the state management, and I
47 guess this is what I consider the omnibus amendment. It
48 includes all the main stuff, and so do we want to go through the

1 action guide for that first?

2
3 **DRAFT AMENDMENT 50: STATE MANAGEMENT PROGRAM FOR RECREATIONAL**
4 **RED SNAPPER AND INDIVIDUAL STATE AMENDMENTS**
5 **LAW ENFORCEMENT TECHNICAL COMMITTEE MEETING COMMENTS**
6

7 **DR. AVA LASSETER:** If I may, actually, why don't we hit the law
8 enforcement comments, because that's not included in the action
9 guide, and then the action guide items will help us focus on how
10 we're going to review the documents.

11
12 Apologies that you don't quite have this yet in your briefing
13 book. We just had the Law Enforcement Technical Committee
14 meeting with the Gulf States Commission meeting last week, and
15 we're in the final parts of going back and forth and compiling
16 the whole report, and the state management section is complete,
17 and so I have this on the screen now, and shortly we'll be
18 sending the entire report.

19
20 During the Law Enforcement Technical Committee, the LETC, last
21 week, staff addressed the previous meeting's discussion
22 regarding some of the questions about how state management would
23 work in terms of enforcement, and one of their questions was
24 where enforcement would primarily occur, and, as we've discussed
25 here with the council, the idea is that enforcement is largely
26 carried out dockside or within state waters, with the idea being
27 that each state would be having potentially separate seasons or
28 other regulations. In the EEZ, you could be potentially fishing
29 and landing -- Going back to a different state.

30
31 The LETC members had some concern about the way that they have
32 their funds for enforcement in different pockets and what can be
33 used where, and so I don't feel that this really affects the
34 council's discussion, or is going to impact you as a body here,
35 but they did craft a consensus statement here, which I will read
36 out, and then they are going to be communicating with the state
37 directors about this issue, but, again, this is really as far as
38 their pockets of funding and what they would have available and
39 how they will use funds for enforcement.

40
41 The second paragraph here is their statement, which says the
42 dockside enforcement component for red snapper is in direct
43 conflict with the JEA contracts' requirement that for federal
44 purposes red snapper must be enforced within the EEZ. This is
45 due in part to the appropriations bill that specified that
46 federal dollars cannot be used for reef fish enforcement within
47 nine nautical miles. Thus, it is not possible to simply change
48 the JEA contract. If enforcement is able to enforce red snapper

1 within state waters using JEA funds, this issue would be
2 resolved.

3
4 NOAA GC informed the LETC that use of JEA funds would not run
5 afoul of the appropriations act if they have federal nexus and
6 people acknowledge that they caught the fish in federal waters.
7 However, FWC has been directed not to claim JEA boardings for
8 enforcing red snapper within state waters, and the other states
9 were in consensus about this, and this just ended up FWC
10 speaking up at this point.

11
12 In recognition that it would be inappropriate for them to be
13 requesting the council to contact Congress on their behalf, the
14 LETC members are requesting that their state directors
15 communicate with the appropriations staff regarding this
16 priority, and so I will pause there for a moment and see if
17 there is any questions.

18
19 **CHAIRMAN GUYAS:** Dave.

20
21 **MR. DAVE DONALDSON:** Thank you, Madam Chair. I'm not on your
22 committee, but just a -- Not a question, but just a point.
23 Myself and the two other executive directors of the interstate
24 commissions are going to be up in D.C. next week, and I've got
25 the statement from the LETC, and we're going to meet with the
26 new appropriations staff, and I will convey this issue as well
27 as the state directors, and so it's an issue, and it should be
28 fairly easy to resolve, hopefully.

29
30 **CHAIRMAN GUYAS:** Okay. Great. Robin.

31
32 **MR. ROBIN RIECHERS:** In the past, I know we've -- It's not
33 necessarily directed directly at this, but, under the JEA
34 agreements, we've also done quite a bit of TED work and
35 certification of BRDs and those sorts of things, and a lot of
36 that is coming at dockside as well, and I'm not certain how
37 that's been charged, but I'm guessing some of it has been
38 charged under JEA, and so someone else may know, but it just
39 seems to me that we may be saying in one case that we can't use
40 those funds and in another we can, or maybe that is just a
41 switch of interpretation just recently, and so maybe some
42 clarification on that by somebody.

43
44 **CHAIRMAN GUYAS:** Roy.

45
46 **DR. ROY CRABTREE:** Well, I suspect that may reflect the
47 different acts that the rules are under. The TED rules are
48 under the Endangered Species Act, and so there is no state and

1 federal waters. The federal law applies in state waters as
2 well, and so I can check into this when I get back to the
3 office, but Magnuson would be the only one that would have the
4 nine-mile boundary issue.

5
6 **CHAIRMAN GUYAS:** Mara.

7
8 **MS. LEVY:** The appropriations act that this is referring to, it
9 was specific to reef fish, and so it's not even just Magnuson.
10 The appropriations act language was specific to the Gulf Reef
11 Fish FMP management activities under that.

12
13 **CHAIRMAN GUYAS:** Kevin.

14
15 **MR. KEVIN ANSON:** I wonder, going on the point that Robin
16 brought up, and, I mean, it's a nuanced question, I guess,
17 because they say dockside enforcement, yet they only really talk
18 about, from what I can gather, on-the-water enforcement, and so
19 what is JEA and the interaction there, and, again, I'm not
20 familiar with it either, Robin, but the interaction there of
21 actually dockside enforcement, because there is some -- As I
22 understand it, there has been some JEA activities or charges
23 applied to enforcing regulations dockside for reef fish for
24 commercial and recreational and that type of thing. Other
25 questions are out there, and I don't know if we can have the
26 expertise or such, and I don't know, but Roy has got his
27 microphone lit up.

28
29 **CHAIRMAN GUYAS:** Roy, did you want to speak, or are you just
30 leaving it on?

31
32 **DR. CRABTREE:** No, it just happened to be on, but I will talk to
33 NOAA Law Enforcement. This came up last week, and it was the
34 first time I had -- On the one hand, this is state management of
35 red snapper, and the rules you're going to be enforcing are
36 going to be state rules, and so one could argue that JEA money
37 shouldn't be used for that. Of course, it's state rules that
38 are integral to implementing the federal rebuilding program, and
39 so I can see both sides of it, but I will have to sit down with
40 the enforcement folks and the attorneys and hash this out.

41
42 **CHAIRMAN GUYAS:** Okay, and so maybe we can get an update on that
43 when we talk about this next time. Are we ready to move into
44 the amendment, Ava?

45
46 **DR. LASSETER:** Yes.

47
48 **CHAIRMAN GUYAS:** Okay.

1
2 **REVIEW OF AMENDMENT**
3

4 **DR. LASSETER:** Thank you, Madam Chair. We will go to the action
5 guide first, just to review what we have covered there. Just
6 returning to the Law Enforcement Committee briefly, there were
7 no other further recommendations or comments regarding the
8 amendments.
9

10 Looking at the action guide, I am going to go through the
11 amendments and review the existing preferred alternatives, and
12 this will be your opportunity to modify them as you see fit as
13 well as the individual state amendments, and so there is two
14 actions in the program and then two actions in each individual
15 state amendment, but we'll just use one for the time being.
16

17 Some of the issues I've got highlighted to raise with you is
18 addressing whether or not the sunset that is embedded in
19 Alternative 3 of Action 1, that that does reflect your intent
20 for that alternative, and so I will raise that for discussion.
21

22 Then, in Action 2 of the individual state amendments, and this
23 is the quota adjustments, the overage and underage adjustments,
24 when you added the carryover aspect of it and you modified the
25 language, that kind of removed the understanding that it would
26 only be an overage adjustment if the total ACL is exceeded, and
27 so we want to review those alternatives with you and make sure
28 that we have captured what you intended. Is there a new
29 alternative that you wanted to add there?
30

31 Then, finally, there is an option there that we don't feel is
32 necessary, and this is kind of a holdover from 39. It was
33 originally crafted to provide us a reasonable range of
34 alternatives, something to compare against, but nobody is going
35 to select it, and we're not sure if it's really so reasonable
36 after all, and so you may want to just clean up the document and
37 remove that.
38

39 Then we'll just go ahead and touch on it now, since we have the
40 document, the action guide, open right here. After completing
41 the review of the amendments, if you do feel it's ready for
42 public hearings, we have scheduled public hearings, and the
43 locations that you requested at the last meeting are provided
44 there with the dates, and Kathy, our travel coordinator, has
45 coordinated with the state people, in order to ensure that we
46 will have state council member representation at these meetings,
47 and we have probably some additional council members that will
48 sit in on some of these as well, and so those are set up and

1 ready to go if you're ready to send this out for those.

2
3 **CHAIRMAN GUYAS:** Since we have the public hearing locations on
4 there, the first one on the list, of course, is Panama City.
5 Obviously, they just went through a major hurricane situation,
6 and so I guess that one is kind of TBA. I think council staff
7 is trying to make it happen if they can, but we may not be able
8 to do that, but also remember, for Florida, FWC was going to add
9 some meetings, and so we already have one in Destin, and that's
10 not all that far from Panama City, but we were also planning on
11 having one in Tallahassee, and so, if people are displaced and
12 they're over there, then they would be able to get to that
13 meeting fairly easily.

14
15 Once we have all of those meetings scheduled and finalized, we
16 can share them with you all for advertising, if you want, and
17 not advertising in the Federal Register, but just letting people
18 know about them.

19
20 **DR. LASSETER:** Great. Thank you. Okay. If there is nothing
21 further, we'll go ahead and move into Action 1 of the program
22 amendment. The program amendment is Tab B, Number 5(a), and,
23 again, these are the two actions that establish the ability for
24 the individual state amendments to enact a state management
25 program.

26
27 Action 1 begins on page 14, and we have now turned this Action
28 1.1 -- I will briefly note that, at the last meeting, you
29 requested that we add an action that would enable the
30 Alternative 4, the whether you have the option for having one or
31 both components in, and so that's now going to be Action 1.2,
32 and so we'll get to that after we get through this initial
33 action.

34
35 Action 1.1 is components of the recreational sector to include
36 in state management programs. Alternative 1, of course, is our
37 no action. We stay with what we have now, Gulf-wide federal
38 management of recreational red snapper. Your current preferred
39 alternative is Number 2, and this would apply state management
40 programs to the private angling component only.

41
42 Alternative 3 would apply state management when a state gets an
43 approved state management program to both its private angling
44 and federal for-hire components. Finally, Alternative 4 would
45 allow each state to decide, when it's in the process of getting
46 its program approved, whether it would manage its private
47 angling component only or to manage both components, and, in
48 order to make this work -- We are providing you an alternative

1 way to make this work even cleaner, and that's the Action 1.2.
2 Let me pause there for just a moment, and then I'm going to
3 raise the Alternative 3 issue.

4

5 **CHAIRMAN GUYAS:** Go ahead, Robin.

6

7 **MR. RIECHERS:** Ava, in a past document, and it has changed in
8 the last two or maybe three times we've seen this document, we
9 used to have sub-titles where we dealt with the sunset
10 provision, whether it was sunsetted or not, and I just want you
11 to explain now, in all of the alternatives, how the sunset
12 provision is being handled.

13

14 **DR. LASSETER:** Thank you. That actually leads us right into my
15 question about Alternative 3, and so that's perfect. Okay. In
16 Amendment 39, way back when, when it was called regional
17 management, there was an action with an alternative that would
18 apply a sunset to regional management, and I don't remember if
19 that was selected as preferred or not at the time of final
20 action.

21

22 When you began this amendment, and I believe it was Mr. Banks
23 that made the initial motion, the initial motion included a
24 sunset, and so, essentially, when we were coming back to develop
25 state management, it was going to be a pilot program, and so all
26 of the alternatives had worked in that three-year period, which
27 happened to coincide with the end of sector separation.

28

29 Originally, this action was -- Embedded in them was a sunset,
30 and then, at about two meetings ago, and correct me if I'm
31 wrong, Dr. Crabtree made a motion to modify and remove the
32 sunset from Alternative 2 and Alternative 4. That was because
33 either one of those could have the private angling component
34 only going forward, and so it was not removed from Alternative
35 3, and so that is the issue here that we want to bring up with
36 you, that this is the only alternative that still has a sunset
37 on state management included, and so that is a little odd at
38 this point, that it's been removed from the other alternatives
39 and not here, and so should the alternative be modified to
40 remove the sunset or to make some other modification?

41

42 Right now, the way it's written, in the very last sentence is
43 the sunset. The state management plan will end when the
44 separate private angling and federal for-hire ACLs will expire,
45 and, again, that was because this would have been three years
46 for state management, and it was also the remaining years that
47 sector separation would be in place, and so they were going to
48 coincide at the same time, and so I will turn it over there for

1 discussion.

2
3 **MR. RIECHERS:** Well, it is a separate discussion, but they are
4 kind of interweaved, and so I wanted to make sure that we were
5 kind of understanding it, or at least I am understanding it,
6 completely. When we say, in Alternative 3, state management
7 plans will end when the separate private angling and federal
8 for-hire ACLs expire, we are basically locking in -- Are we
9 locking in the sector separation, moving through time? I am
10 trying to understand the interplay between 39 and here, because
11 I don't think I've been completely clear on it, and so I'm
12 trying to understand it.

13
14 **DR. LASSETER:** Right now, under this alternative, sector
15 separation ends in 2022, and, if you also pick this alternative,
16 state management ends in 2022, because that would have been the
17 three years from when this amendment, Amendment 50, started, and
18 so, under Alternative 3, both sector separation end in 2022, and
19 that's already on the books, and, if a state management plan
20 goes forward and is approved through the actions of this
21 amendment, following this amendment's implementation, it would
22 end, coincidentally, at the same time that sector separation
23 does. There was a separate motion that is overlapping with what
24 is the ending of sector separation, and, yes, we invite -- If
25 you would like to modify that.

26
27 **MR. RIECHERS:** I may come back to it at Full Council, because
28 I'm not certain that if we go into this that we truly want to --
29 I mean, I understand the sunset, and I understand the provisions
30 and the reasons why. We can revisit something at any time, but
31 I'm not certain, after going through this, though we do want to
32 guarantee a re-look at allocations and so forth and think about
33 that, I'm not certain we want to be starting a document the
34 moment this one ends in January, hopefully, to start a new
35 amendment that would deal with this same issue for the next
36 three years, because that's basically what it takes us, and so I
37 think we may even need to rethink these dates or rethink the way
38 this is set up, to maybe create sub-options of some different
39 years, and I realize that's kind of where we came from, and Dr.
40 Crabtree was trying to make a motion, and I'm not trying to
41 delay the amendment, but I think we really need to deal with the
42 issue of years, because 2022 will be on us before we truly even
43 get much started here.

44
45 **CHAIRMAN GUYAS:** Go ahead, Mara.

46
47 **MS. LEVY:** Well, so, just to clarify, the only alternative here
48 that would end the state management is Alternative 3. Under

1 Preferred Alternative 2 and Alternative 4, those remove the
2 sector separation sunset. They do not sunset state management,
3 and so they keep in place sector separation, because, in
4 Alternative 2, you're only managing the private sector, and so
5 you have to keep in place sector separation for that to go
6 forward, and, in Alternative 4, you're giving the choice, and so
7 there might be some states that only manage the private angling
8 component, and so you have to keep sector separation in place to
9 make that workable.

10
11 Alternative 3, we never changed at the last meeting, because you
12 didn't have to change it to make it workable. You could remove
13 the sunset on state management, and it would still be workable,
14 because, even if sector separation went away, then they would be
15 combined and the state would be managing it, because it requires
16 you to manage both.

17
18 **CHAIRMAN GUYAS:** Okay. Clear as mud. We're talking about two
19 different sunsets, but they're kind of the same but not. Okay.
20 Any other thoughts on this or interest, I guess, in adding or
21 removing sunsets to any of these alternatives at this point?
22 Are we ready to move on?

23
24 **DR. LASSETER:** If there is nothing further on Action 1.1, let's
25 move to Action 1.2, which is the new sub-action, which begins on
26 page 18. This action addresses a mechanism to implement
27 optional state management of federal for-hire vessels, and so,
28 by optional state management, we're talking about this action is
29 only applicable if Alternative 4 is selected in Action 1.

30
31 We discussed some of the implications of one state managing both
32 components bordering a state managing only the private angling,
33 and so what would we do with the federal for-hire vessels?
34 Under the current preferred alternative with private angling
35 only, when all five states are participating, or Alternative 3
36 as well, when all five states are participating and have their
37 active management programs in place and are managing the same
38 components, then the EEZ is essentially open, if you will. It's
39 not closed. The states regulate access to the EEZ by their
40 state regulations, and so, again, when everybody is
41 participating with the same components, it's clean, if you will.

42
43 The problem comes in when maybe one state isn't finished with
44 its program yet, for any of many reasons, and all five states
45 are not having active state management programs at the same time
46 with the same components. Then NMFS is going to need to use
47 boundary lines in the EEZ between states and specify when red
48 snapper may be harvested in each of those areas adjacent to the

1 state waters off of each state, and that's kind of messy, but,
2 ideally, that would be short-term, because everybody would be
3 coming on with an approved state management program.

4
5 If you choose Alternative 4, it's most likely that you will
6 never get to that clean state, because one state will manage
7 private angling only and another state would manage both
8 components, and so we would always have that situation of
9 needing to use lines. If you choose Alternative 4, your no
10 action in Alternative 1 becomes the use of those boundary lines,
11 so that NMFS could establish areas in federal waters that those
12 state vessels that are not managing their federal for-hire
13 component would be able to fish in the EEZ.

14
15 Alternative 1 here, again, only applies if Alternative 4 is
16 selected in Action 1. State management areas are defined by
17 boundaries that extend outward from each state into federal
18 waters of the Gulf, which you can see in the Figure 1.1.1.

19
20 If a state is managing the federal for-hire component, the
21 owners or operators of federally-permitted vessels fishing for
22 or possessing red snapper within that state's management area
23 must follow the regulations specify to that state's management
24 program.

25
26 For the other states, if a state is not managing the federal
27 for-hire component, the owners or operators of federally-
28 permitted vessels fishing for or possessing red snapper within
29 that state's management area must follow the federal default
30 regulations, which would be consistent for all states that are
31 not participating with their federal for-hire component, and so
32 there would be one season for all of those states.

33
34 The use of lines becomes the no action, and here we have
35 provided you an alternative to that, which we briefly presented
36 at the last meeting, is this idea of an endorsement, because,
37 again, having those lines in the water has negative, unintended
38 consequences to vessels that are fishing in a bordering state,
39 right, and that's really not ideal, and so the alternative to
40 that would be to establish a state-specific red snapper
41 endorsement to the Gulf reef fish charter/headboat permit to
42 fish for or possess red snapper in federal waters of the Gulf.

43
44 A vessel with an endorsement for a state with an approved state
45 management plan that includes the federal for-hire component
46 must follow the regulations specific to the state program for
47 which the endorsement is issued. A vessel with an endorsement
48 for a state without an approved state management plan that

1 includes the federal for-hire component must follow the federal
2 default regulations, and, if a vessel, charter/for-hire vessel,
3 does not get an endorsement -- They're not required to if they
4 do not intend to fish for red snapper.

5
6 Under Alternative 2 are some options that address transferring
7 permits, because, as we know, commercial and the
8 charter/headboat permits, people buy and sell them and transfer
9 them around the Gulf, and so this is to address would you want -
10 - If a permit is transferred, to require the new holder of that
11 permit to wait until the next year to get an endorsement, which
12 would prohibit them to be able to then fish in a different
13 season than maybe what that permit had been used for earlier in
14 the season, or would you be okay with having a permit, if it's
15 transferred, to go ahead and get a new endorsement for even that
16 year and let that permit go ahead and be able to be fished under
17 that state's season?

18
19 Of course, if a permit is transferred within the same state,
20 either one of these options -- Well, actually, it would have an
21 effect under Option a and not under Option b. Some permits
22 could be transferred within a state, and so they wouldn't be
23 necessarily starting in a different season.

24
25 Let me read the language for these options. This is your first
26 time seeing this. Option a is a charter/headboat permit for
27 Gulf reef fish with a red snapper endorsement may be used to
28 land red snapper in one state per fishing year. If an
29 endorsement is associated with a permit that is transferred, an
30 endorsement for a different state will not be issued to the
31 transferred permit until the following fishing year. If you've
32 got an endorsement on that permit in one year, you can't get
33 another one for a different state until the beginning of the
34 next year, if it's transferred.

35
36 Option b is -- Again, it's the same beginning part. A
37 charter/headboat permit for Gulf reef fish with a red snapper
38 endorsement may be used to land red snapper in one state per
39 fishing year unless the permit is transferred. If a permit with
40 an associated endorsement is transferred during the fishing
41 year, a new endorsement may be issued, upon request, for a
42 different state. I will pause there for discussion of these
43 alternatives.

44
45 **CHAIRMAN GUYAS:** Any questions or comments on this? Roy.

46
47 **DR. CRABTREE:** It's a lot of complexity, and there is no effects
48 analysis yet, I don't think, and so there is more work that will

1 have to go with it, but this is a whole layer of complexity,
2 because we have that Alternative 4 that the states could choose
3 in and choose out, which I don't think we're even seriously
4 considering doing at this point, and so an option would be to
5 take Alternative 4 out of the document, and then we could take
6 all of this out of the document and potentially save some time.

7
8 If Ava says that's not going to save time, then okay, but a lot
9 of this is already written, but I think it's going to confuse
10 the public and get them wound around the axle of things that I
11 don't really think we're seriously considering doing at this
12 point, and so it's just something you ought to think about.

13
14 **MR. RIECHERS:** I would say that, while we certainly have not
15 forwarded Alternative 4 as the preferred in the last two
16 meetings, they have been very close votes on both of those, and
17 so I think there is still consideration of Alternative 4.

18
19 This was in reaction to actually trying to solve some of the
20 discussion that has come up the last two meetings regarding how
21 you might put this in place if a state chose to both have their
22 charter/for-hire in or out, because of you all's discussion
23 about people crossing lines and those sorts of things.

24
25 It is a little bit complicated, but it's also not terribly
26 complicated. Basically, we have a situation where they get an
27 endorsement, and then, under Option a, it's not transferable to
28 another state, and, under Option b, it is transferable to
29 another state if it's transferred within the year, and so it's -
30 - Admittedly, I understand it creates some extra work on trying
31 to describe that in the documents moving forward, but it may not
32 be as complex as we're making it here.

33
34 **DR. LASSETER:** Just to respond to Dr. Crabtree, we have already
35 got several of the effects sections drafted, and so I'm not
36 concerned about the effects.

37
38 **CHAIRMAN GUYAS:** Other thoughts on this one? Yes.

39
40 **LT. MARK ZANOWICZ:** Thank you. How does this compare to the way
41 that the private angler vessels are going to be managed?

42
43 **DR. LASSETER:** This action is specific to involving the for-
44 hire. I don't believe that they would be affected. Now, this
45 Alternative 1 would become the default, what happens under
46 Action 1.1, and, again, you have only got those lines in the
47 water until everybody is onboard, and so, yes, it's complicated
48 only when we don't have everybody onboard yet, and, ideally, we

1 are. Everybody is going forward with this, but, by the nature
2 of the way just the documents are set up with separate
3 amendments, we've got to craft it as if we only had maybe one
4 coming on at a time, and so, yes, as Mr. Riechers said, it's not
5 as complicated as it seems, but we do have to let you know this
6 part, and so the lines in the water does make some kind of
7 sticky issues for enforcement, potentially, but it's just until
8 everybody comes onboard, and then it cleans up a lot.

9
10 **CHAIRMAN GUYAS:** The lines in the water, if we went with
11 Alternative 1 here, would only apply to federal for-hire, right?

12
13 **DR. LASSETER:** It would apply to federal for-hire, but it also
14 applies until all five states come onboard under your preferred
15 alternative in Action 1, and so we do have the lines, but, once
16 everybody is active, then that's not an issue.

17
18 **LT. ZANOWICZ:** I guess, to be more specific, with this
19 amendment, we have endorsements for for-hire vessels, to
20 distinguish which state they're going to be landing in and
21 associated with, but there is no way, necessarily, in federal
22 waters to associate what state a private angler vessel will be
23 associated with, at least in my understanding, but any
24 clarification would be helpful.

25
26 **DR. LASSETER:** Right. Ideally, they could be fishing -- When
27 all five states are active, they could be fishing anywhere in
28 the EEZ, and then they would just be coming back to their state.
29 We would have the lines in the water, because we don't have a
30 mechanism to create an endorsement for the private vessels, and
31 so that's why the endorsement is not an option for the private
32 vessels. We would need to just use the lines, but, again,
33 hopefully that's not going to be an issue. Hopefully everybody
34 is going to come onboard, and that will make it cleaner.

35
36 **CHAIRMAN GUYAS:** Go ahead. I see you, Paul. I will get to you.

37
38 **LT. ZANOWICZ:** I guess I just mean, even if all states are
39 online for private anglers, when they're fishing in the EEZ, how
40 do you know which regulations to apply to them, from which
41 state?

42
43 **DR. LASSETER:** Essentially, you don't. Enforcement is going to
44 be carried out primarily dockside within state waters, and that
45 was some of the discussion with the Law Enforcement Technical
46 Committee last week. I believe that they are currently
47 enforcing red snapper beyond nine miles, per this appropriations
48 act and the JEA funds, that whole issue, and that is going to be

1 a shift, and I'm going to pause there. I may be misspeaking.

2
3 **CHAIRMAN GUYAS:** Paul, is your comment relative to this? I know
4 you've been waiting, but now I have a bunch of other hands.

5
6 **DR. PAUL MICKLE:** I would like to weigh-in, but no. Circling
7 back to pretty much -- Action 1 is something we have chewed on
8 for quite a while. In Action 1.2, looking at these different
9 things and what we've talked about as far as allocation on the
10 private side, we have put a lot of time in, but Mississippi, of
11 course, is a unique state, and I'm trying to figure out if this
12 Alternative 2 in Action 1.2 is a viable option, if it's good for
13 the state, but, without allocation discussions on the federal
14 for-hire side, it's very difficult to understand if Alternative
15 2 would be a good thing for I'm assuming most of the states,
16 because, if we do the endorsement, or if we go down that road of
17 endorsement, and we don't understand the allocations associated
18 with each state, we don't really understand if that will impact
19 and potentially shorten our seasons by a huge factor or not.

20
21 I think scenarios of Alabama captains fishing and being able to
22 transfer into Mississippi and still fish their artificial reef
23 system while landing in Mississippi, with all the utilizations
24 that our harbors have, that would be a good thing, but I don't
25 really understand if we could ever get the allocation to make
26 that work, because the other scenario of, if the allocations on
27 the federal for-hire side are very restrictive in certain
28 regions of the Gulf, and those allocation discussions we are --
29 I don't even remember that we've talked much about them at all,
30 at least at this point, of understanding if those types of
31 scenarios can work of federal for-hire captains fishing their
32 historical grounds on those border areas while still being able
33 to transfer endorsements in different states.

34
35 That scenario, I would like to get some information on, or at
36 least some discussion on if that's a viable option, but, without
37 allocation discussions on the federal for-hire side, we've just
38 barely stepped down that road, and it's very difficult to know
39 if these are good things or bad things, in my opinion, but I
40 would love some discussion or argumentative discussion I would
41 enjoy. Thank you.

42
43 **CHAIRMAN GUYAS:** All right. I've got Mara, and then I have Roy.

44
45 **MS. LEVY:** Thank you. Just to respond to the enforcement
46 question, I think we've talked about this before. To the extent
47 that the EEZ is open and every state is participating and that
48 private anglers are to abide by the regulations in the state in

1 which they are landing, we would write the federal regulations
2 in such a way that there's a maximum, right, and so, if you're
3 in the EEZ and you're a private angler and you have ten red
4 snapper onboard, but there is no state that legally allows you
5 to land ten red snapper, you would be in violation, and we would
6 try to draft the federal regulations to make that a federal
7 nexus, right?

8
9 You have to have a license from a state that's open. If you
10 only have a license from Florida, and Florida is closed, then
11 presumably you can't land there and you are in violation in the
12 EEZ, and so there is no specific -- Like you won't be able to
13 necessarily identify where they are going if they have more than
14 one license, but there should be a bound on what most folks can
15 do.

16
17 **CHAIRMAN GUYAS:** Roy, did you want to add -- Mara, what happens
18 in that case where there is license exemptions? Like there's a
19 number of situations in Florida where they don't necessarily --
20 They need to have a license, and they would need to have the
21 Gulf Reef Fish Survey if they are fishing red snapper, but I
22 assume other states are in the same boat with exemptions, that
23 they have some exemptions for licenses.

24
25 **MS. LEVY:** So you mean there are people that can possess and
26 land red snapper in Florida that don't need any type of license
27 or permit from Florida?

28
29 **CHAIRMAN GUYAS:** They don't need to have a license. They need
30 to participate in the Gulf Reef Fish Survey, but some people --
31 Like if you're over sixty-five, for example, you're exempted
32 from having to buy a recreational fishing license. Children
33 under sixteen don't have to have a fishing license, and children
34 don't have to have the Gulf Reef Fish Survey. They don't have
35 to participate in that, because it's a household survey, and
36 people don't want us calling their seven-year-old, or mailing
37 stuff to their seven-year-old. An adult, presumably, is going
38 to respond on their behalf and will be fishing with them, but
39 just head-nods that there are situations in other states where
40 there would be no license, permit, endorsement in hand where
41 they could legally be fishing for red snapper and land those
42 fish.

43
44 **MS. LEVY:** Well, then that's probably going to create a
45 situation in which you can't really enforce the season, right?
46 I mean, to the extent you can't identify where the people can
47 legally land, then you're not going to be able to enforce,
48 necessarily, a season.

1
2 You should still be able to enforce sort of a maximum bag limit,
3 right, because, again, it would be the most generous of where
4 the person could land, and, if you don't know where they're
5 going to land, you just have to go with the most generous state,
6 I guess, and so I think that complicates things, to the extent
7 that there are people that can legally possess red snapper in
8 state waters if they don't need anything to identify that, other
9 than like an age or something. That would be fairly
10 complicated, I would think, for law enforcement, but I would let
11 them comment on that.

12
13 **CHAIRMAN GUYAS:** I've got John and then Roy.

14
15 **MR. JOHN SANCHEZ:** Thank you. Just listening to this
16 discussion, I have, I guess, a fundamental concern of how are we
17 going to effectively manage a federal fishery with dockside
18 enforcement, and it just doesn't make sense, but, beyond that, I
19 also have concerns with the recent hurricane events in Florida.

20
21 There may be some folks that need to transfer their permits to
22 other states, because their whole life has been uprooted, and I
23 would not like to be creating possible situations where it makes
24 that more difficult.

25
26 **CHAIRMAN GUYAS:** Roy.

27
28 **DR. CRABTREE:** Just, realistically, this program is going to be
29 enforced at the dock, which means we're not going to rely a lot
30 on Coast Guard and at-sea enforcement. At least it has the
31 advantage now of, at the dock, you can unequivocally say if
32 someone is legal or not, whereas, prior to the EFPs, if state
33 waters were open and federal waters were closed, you couldn't
34 necessarily tell where the fish came from at the dock, but, I
35 mean, that's just a consequence of this program. There are a
36 lot of ambiguities that are going to make at-sea enforcement
37 difficult.

38
39 To the extent that what I have in a chat here says that, at this
40 time, no JEA funds can be used to pay for enforcement of Gulf
41 reef fish in state waters, then the dockside enforcement
42 responsibility is going to fall to the states, and so that's
43 part of what each state is agreeing to take on in this program
44 by accepting the delegation.

45
46 **CHAIRMAN GUYAS:** Okay. Any other discussion on this action?
47 Leann.

48

1 **MS. LEANN BOSARGE:** So, how big of a percentage of the private
2 angling public are landing at private docks and they have no
3 enforcement, essentially, at that point? How is that going to
4 work, I guess? If it's only dockside enforcement, but you can't
5 enforce it unless you land at a public dock, then those
6 individuals have no enforcement?

7
8 **DR. CRABTREE:** Well, I wouldn't say that. Once they're in state
9 waters, then I think it's unambiguous what they're allowed to
10 have, and they could be stopped in state waters, but I can't
11 tell you how many cases are made on the water in state waters
12 versus after they're at the dock and pulling their fish out.

13
14 I would guess, if they're at a private dock filleting their
15 fish, they're not likely to be checked, but they may well be
16 checked pulling into their dock, but we would have to ask the
17 state law enforcement guys to give us a sense of how much of
18 those kinds of things are happening, but we have similar
19 problems with that with redfish and seatrout and a whole host of
20 things with private access points.

21
22 **DR. LASSETER:** Perhaps I could add to that. We are saying
23 dockside, but Dr. Crabtree touched on this. It is within state
24 waters, and so coming in your passes and whatnot, and the law
25 enforcement even pointed this out, that perhaps we shouldn't be
26 using the term "landing" so much as "possession", and I think
27 that that's the way the rules are being written up as well, is
28 being in possession of red snapper at any time coming up to
29 landing once you're in state waters, and so that might help.

30
31 **CHAIRMAN GUYAS:** All right. Anything else on Action 1.2 for the
32 time being? Okay. Let's keep moving then.

33
34 **DR. LASSETER:** Okay. Action 2 begins on page 20, and this is
35 apportioning the recreational ACL, and you have heard these
36 alternatives several times, and so I will go through them
37 quickly.

38
39 Alternative 1 is no action, don't establish an allocation.
40 Alternative 2 provides us three different time series years and
41 then time series to use of landings and then one that is that
42 50/50, like what was used in sector separation, of a longer time
43 period and a shorter time period.

44
45 Alternative 3 provides three options for excluding a particular
46 year of landings from the preceding alternatives' time series,
47 due to various environmental events. Alternative 4 would
48 allocate based on each state's best ten years, the average of

1 the best ten years, from the years 1986 to 2015, excluding the
2 year 2010, and, of course, it's separate for the private angling
3 and federal for-hire component.

4
5 Alternative 5 moves away from landings and introduces the use of
6 trips, the number of recreational trips, and a measure of
7 biomass, and so you would select one of 5a to 5c and one of 5d
8 to 5f, and so the first three are selection of time series for
9 trips instead of landings, and they otherwise reflect the
10 Options 2a to 2c, and then d through f provide different
11 weightings of each biomass and trips, and so you can see those
12 assemblages. There are tables throughout the rest of this
13 section that can show you how they break down, each of these
14 break down.

15
16 Your preferred alternative is currently Preferred Alternative 6,
17 which applies only to the private angling ACL, and so it is now
18 consistent with your preferred alternative in Action 1.1, and
19 this would apportion the private angling ACL among the states
20 based on the allocations used in the EFPs that are in place for
21 2018 and 2019. I will pause there to see if there's any
22 discussion.

23
24 **CHAIRMAN GUYAS:** Kevin.

25
26 **MR. ANSON:** Obviously we've had lots of discussion about this
27 topic, allocation, for this amendment. Allocation is very
28 contentious, and it was mentioned at the last meeting that the
29 states would be trying to get together to have another
30 discussion, kind of offline, and we did that after the August
31 meeting, and so I would like to offer another alternative, or a
32 motion to establish a new alternative. Staff, if you can bring
33 that up.

34
35 **The motion is, in Action 2 of Amendment 50A, add a new**
36 **alternative, and the percentages are provided by state. Alabama**
37 **28 percent, Florida 42.74 percent, Louisiana 18.5, Mississippi**
38 **3.55, Texas 7.21, for a total of 100 percent.**

39
40 **CHAIRMAN GUYAS:** Okay. Is there a second?

41
42 **MR. ANSON:** For clarity, I think I would like to add "to add a
43 **new alternative for allocation. Use for apportioning the**
44 **private angling ACL". That's my motion.**

45
46 **CHAIRMAN GUYAS:** All right. Is there a second to this motion?
47 It's seconded by Robin. Do you want to describe --
48

1 **MR. ANSON:** Yes, and so, again, the state directors and staff
2 for the five Gulf states met a few weeks after the August
3 council meeting, and we talked about the percentages and
4 allocation and the document and the alternatives, as they
5 currently exist, and it's been made -- At least from me, from
6 Alabama's perspective, going into the EFPs, we took the spirit
7 of the language that encouraged development of the EFPs, and we
8 took the language of the spirit that Senator Shelby included in
9 that bill to heart, and there was a lot of emphasis on
10 artificial reefs and using artificial reefs that states had for
11 looking at ways to manage the fishery, the red snapper fishery,
12 within each of the states, and so Alabama approached the EFP
13 utilizing information that it has collected from a fishery-
14 independent survey of artificial reef habitat off of Alabama,
15 and 95 percent of the red snapper landed in Alabama come from
16 artificial habitat.

17
18 Based on that information that we had from a time series of
19 about seven years, we came up with a number of pounds that we
20 thought would be sufficient under, again, the spirit of the
21 language that was kind of was the genesis, the nexus, for the
22 EFP.

23
24 Under that scenario, the percentage that we ended up with
25 resulted in a low percentage, based on a lot of the time series,
26 the combination of biomass and time series that are offered in
27 all of the alternatives currently, but, in order for the EFPs to
28 get traction, to get off the ground, we were willing to go ahead
29 and offer the 25.3 percent, or 25.4 percent, I believe it was,
30 in order to get the EFPs approved and a consensus for approval.

31
32 We had our discussions, and there was some frank discussions
33 about the process, as to how we ended up with the percentages
34 that were allocated in the EFP, and we ended up with percentages
35 that, for the most part, reflect historical percentages for most
36 of the states that are in line, or nearly all the states that
37 are in line, with ranges and percentages that are currently
38 offered in the alternatives.

39
40 At the end of the day, it is a numbers game, and each state was
41 kind of looking at what was in it for them and what was kind of
42 in their best interest, and we ended up with percentage of
43 number that we felt fairly good about, and so I offer this
44 motion, again, based on the results of the discussion at that
45 meeting.

46
47 **CHAIRMAN GUYAS:** Roy.

48

1 **DR. CRABTREE:** I guess what I would ask is all five states in
2 agreement with this?
3
4 **MR. ANSON:** Well, all five states are here, and I don't want to
5 speak for them, but, for brevity, I will say that four of the
6 five states were onboard, but certainly when we go to vote on
7 the motion there might be some semblance as to which state may
8 not be onboard.
9
10 **DR. CRABTREE:** So, even though there was discussion, we still
11 don't have consensus?
12
13 **MR. ANSON:** Again, I will wait until final vote of the motion to
14 determine if there is final consensus or not.
15
16 **CHAIRMAN GUYAS:** Yes, there is not consensus. Florida is not
17 supportive of this motion. Chris.
18
19 **MR. CHRIS SCHIEBLE:** I can say that Louisiana is in support of
20 the motion, even though we're essentially taking a six-tenths of
21 a percent hit compared to the current allocation from the EFP
22 that we have agreed to, in the interest of moving this forward,
23 so that our anglers have the ability to fish when these exempted
24 fishing permits do run out, and getting state management in
25 place, and we're willing to take that hit.
26
27 **CHAIRMAN GUYAS:** Anybody else care to comment? Are we ready to
28 vote? I see a hand down there. Ed.
29
30 **MR. ED SWINDELL:** Thank you, Madam Chair. As you all know, I
31 have not been listening much to the last two months of
32 discussion, and my chemotherapy treatment was on Tuesdays when
33 you had discussions on this, and I am concerned about the five
34 states getting together outside of the council realm to have
35 these discussions. Have you run this by our SSC, by any chance,
36 to see how they agree or disagree with this analysis? Thank
37 you.
38
39 **CHAIRMAN GUYAS:** Robin.
40
41 **MR. RIECHERS:** Well, Ed, I can't speak -- We haven't, as far as
42 I know, run this by the SSC, except for the whole document, but
43 I'm not certain that an allocation discussion is necessarily in
44 the realm of the SSC's discussion purview, though they certainly
45 can weigh-in.
46
47 I think, if they're going to look at it, they should look at it
48 in terms of biomass, and they should look at it in terms of

1 historical catches, and they should look at it in terms of the
2 changing allocations and distribution of anglers, and they
3 should look at it in the number of trips. There are a lot of
4 factors that weigh into these allocations discussions.

5
6 Certainly, while I wish we could walk away with a complete
7 consensus, and maybe someday we'll get there, part of the
8 rationale here further is that, as we look at the eastern Gulf
9 and the western Gulf, we do expect to see some gains. If you're
10 going to see gains, you would probably expect to see them in the
11 eastern Gulf, and that was part of our rationale, is that, as
12 those percentages and gains occur, then that's where we re-look
13 at some of these allocations in the future, and that's where
14 some adjustments might be able to be made.

15
16 It's a difficult allocation question, because, no matter which
17 percentages you choose -- There has been shifting percentages,
18 and there have been shifting percentages across the five states,
19 and there has been shifting percentages between different
20 sectors. If they were all stable, and had been stable through
21 time, and we weren't talking about fairness and equity in 2018,
22 but had maybe started that conversation in 2010, it would have
23 looked different than it looks today, and so it's just a
24 difficult situation, but I certainly support the motion at this
25 point.

26
27 **CHAIRMAN GUYAS:** Roy.

28
29 **DR. CRABTREE:** A couple of things, and then I want to try and
30 understand the rationale for some of this. I guess this year
31 that Alabama had a twenty-eight-day season, and so the shortest
32 season, and Texas had an eighty-two-day season, and state waters
33 open year-round, and so the longest season of anyone.

34
35 Florida had a forty-day season, and, really, it seems to me, we
36 ought to go over the landings before we get too into the
37 allocation discussion, but Florida had an overrun of 13 percent
38 of their quota, which they will have to pay back next year, and
39 so it appears to me that mostly what you're doing here is taking
40 some fish away from Florida and giving it to Alabama, and I
41 could see some reasoning for wanting to keep the Alabama and
42 Florida seasons similar, but it does seem to me that Florida's
43 season will likely be a little shorter next year, and Alabama's
44 season, as short as it was, in part because of decisions made by
45 the State of Alabama, and that was to have weekends-only fishing
46 for a large part of the season, and every analysis I have ever
47 seen indicates that effort is higher on weekends, and, if you go
48 with weekends-only fishing, you can't have as many days as if

1 you went straight through like Florida did.

2
3 I am not sure, and I would like to see an analysis of it, but
4 I'm not sure that the current EFP allocation wouldn't allow
5 Florida and Alabama to have approximately the same length
6 season.

7
8 The part of this that I find most confusing is shifting more
9 allocation to Texas. Texas already has the longest season of
10 any state in the Gulf, and so why in the world would you shift
11 more fish to Texas when the problem you have are these short
12 seasons in Florida and Alabama, and that I don't follow at all
13 how that makes sense, and so I'm struggling here to figure out
14 the fairness and equity, because, if our goal here is to try and
15 help the shortest season states get a little more, that's one
16 thing, but I don't understand shifting fish to Texas when they
17 already have the longest season.

18
19 **CHAIRMAN GUYAS:** Kevin.

20
21 **MR. ANSON:** Well, I thought the goal here was to try to provide
22 as much opportunity and flexibility to the states and ultimately
23 to the fishermen to provide the best and most access to the
24 resource off of their state. I mean, if we're trying to get a
25 certain amount of days, I don't know, but that ship has long
26 since sailed, for a certain state to have X number of days.

27
28 We did talk about that, obviously, during our discussions,
29 during the state directors meeting, but also during previous
30 council meetings. We talked about seasons, and we talked about
31 allocation, and we talked about ACLs and ACTs, and it's
32 ultimately trying to look at number of days, but, in order to
33 try to get as much consensus amongst all the states -- I look at
34 the EFPs as kind of state management version one.

35
36 It was an opportunity for people to get comfortable with the
37 idea of the states managing the red snapper in the Gulf, and, so
38 far, things like okay. We've got a short timeframe to do
39 version one in, and version two is going to be slightly
40 different, but it's using information that we've gathered off of
41 version one of the EFPs, and, if we were able to come with these
42 percentages the first time around, maybe we wouldn't be having
43 version two, but we have a finite time period to work with the
44 EFP, and, if we look at the option of going back to status quo
45 prior to the EFPs, it's not going to be very good.

46
47 I mean, you want to talk about problem with days, we're going to
48 have a problem with days and a problem with the access to the

1 federal fishery off of a lot of states, and so it was just
2 something that -- Again, we're trying to get to a point that we
3 can find some consensus and try to move to that next step,
4 because, right now, the next step is back to where we were.

5
6 **DR. CRABTREE:** Well, if I could, I mean, you're not -- A big
7 part of allocations is they have to be fair and equitable, and
8 so what you have to look at is are you providing fair and
9 equitable access to the resource, I guess amongst the different
10 states that you're allocating?

11
12 I can see how shifting some fish that have states that have very
13 long seasons to the states that have short seasons would add
14 some equity, and, in that sense, it might be seen as providing
15 more fairness and being more equitable, but, in fact, one of the
16 things this does is it shifts allocation from the state with the
17 second-shortest season to the state with the longest season, and
18 I haven't heard you give any rationale for that, and so that's
19 part of what I'm struggling here with.

20
21 I think, if there was some desire to have some more equity
22 between Alabama and Florida, we could look at what would it take
23 to do that, but that's not what has happened here, and I think
24 the biggest risk to this program, in the long run, is you have
25 got very large disparities in the seasons among the five states.

26
27 The western Gulf states have significantly longer seasons than
28 the east does. Mississippi had seventy-six days, Louisiana had
29 sixty-three, Texas had eighty-two, Florida had forty, and
30 Alabama had twenty-eight, and Florida is going to come down,
31 because they've got payback.

32
33 Now, there is a TAC increase that may offset that, and so they
34 may be pretty close to where they were, but, to the extent that
35 our constituents see people in some states having much more
36 access to the fishery than the people in other states, that's
37 going to ultimately result in some discontent, and I know you've
38 heard it already, and I've heard it already, when we first did
39 the EFPs, about number of days between Florida and Alabama, but
40 I still don't get the sense of why we would be shifting more
41 fish to the state with the longest season, and I don't mean to
42 pick on Texas, Robin, but it's just the fact. Texas has, by
43 far, the longest season of anyone, and yet we're shifting them
44 even more fish, and that I just don't get.

45
46 **MR. RIECHERS:** Yes, and Texas hasn't changed its landings
47 system, and so at least we're the one with the standard landings
48 system here, as we try to look at both historical allocations

1 and also now looking at accounting for those allocations.

2
3 When you look at biomass, Roy, which, of course, should be part
4 of the purview of the Southeast Center as well, and certainly a
5 focus of the Southeast Center, when we've looked at this
6 assessment in the past, the western Gulf, and you have said it
7 around this table a few meetings ago, is actually subsidizing
8 the eastern Gulf, and so, when you think about fishing
9 opportunity, and when you think about the level of biomass, and
10 when you think about how that fishery stock is and the amount of
11 fishing pressure that's going on in both Texas and Louisiana, as
12 opposed to Florida and Alabama, there are some justifications to
13 have that percentage move, if you want to look at it that way.

14
15 You are looking at it just from a days standpoint, and I
16 understand that. That's a discussion point around this table,
17 certainly, but there is also another way to look at that, and
18 that is the biomass and possible -- Another alternative here is
19 to think about splitting the eastern and western Gulf and
20 managing it as two stock units, which would give us very
21 different results than possibly even this.

22
23 I think, while you're wanting to look at it just in days of
24 access, there are other ways to look at it as well, and
25 certainly that is the purview of the council as we try to work
26 through this.

27
28 **DR. CRABTREE:** We could. I mean, there are other ways to look
29 at it, and I think you could split the Gulf into an east and
30 west and manage them as two separate stocks. I think the
31 science would support that, but that's not what you're doing.

32
33 I think you could make an argument that the west has more fish,
34 and their fish are in better shape, and so shift more there, but
35 that's not what you're doing here, really. You're shifting some
36 fish to Texas, but Louisiana has got a lot of biomass in the
37 western Gulf too, and you're actually shifting fish away from
38 Louisiana, and so it doesn't seem to me that you're consistently
39 following any real thread that I can pick up here, and that's my
40 difficulty with it, and that's just what I don't get.

41
42 I don't necessarily object to adding it in as an alternative,
43 but I don't follow the logic of making the shifts from the
44 current preferred to this one, because there seem to be just too
45 many inconsistencies in how it's done, and, as I look at these
46 inconsistencies, what strikes me is some of this was done just
47 to buy a vote, and that's not the way we need to do things.

48

1 **CHAIRMAN GUYAS:** All right. John has been waiting patiently
2 over here, and so I'm going to recognize John and then go to
3 you, Robin.

4
5 **MR. SANCHEZ:** Thank you. I look at this and I have concerns. I
6 mean, I listened to the arguments back and forth, which you've
7 heard for several years now, and then there is -- You know, we
8 have all the biomass, and then you have basically 365 days to
9 fish, and I'm talking about Texas. You have the greatest bag
10 limit, yet you don't count the fish. You know, you don't have
11 the landings, and so either you have all the fish and you're not
12 counting them, or your fishermen aren't catching them, and which
13 one is it?

14
15 **MR. RIECHERS:** John, I can respond to the counting of fish,
16 because you know we are, and I have shared the opportunity for
17 you to come and look at our program anytime you would like to,
18 and you have never taken me up on it.

19
20 As far as inconsistencies, Roy, I mean, the simple fact of the
21 matter is that Preferred Alternative 6, as it stands right now,
22 we weren't given any guidelines, and we have stated this around
23 this table before. There are at least four different methods
24 that were used, and you could probably argue five, but Louisiana
25 and Texas were very similar in their approach to getting to
26 their EFP number, and, at the end of the day, there were
27 percentages left, and the Regional Director chose where those
28 percentages went.

29
30 When you talk about inconsistencies and fairness and those sorts
31 of things, we can't ignore that fact as well, but, beyond that,
32 I would say we need to vote this up or down and include it in
33 the document or not.

34
35 **CHAIRMAN GUYAS:** On that note, are we ready to vote? Is there
36 any other comments? Go ahead, Dale.

37
38 **MR. DALE DIAZ:** I do just want to make one comment. One, this
39 is a motion to add it to the document, and it's not to make it
40 the preferred. These are tough discussions, and I'm trying to
41 sit here and figure out -- I have always hoped that there would
42 be consensus, and the document is getting real close to where
43 we've got to push this out as a final, and so, I mean, the EFPs,
44 in my opinion, are wildly successful, and I think we need to
45 find a way to make these EFPs work, and this is the toughest
46 decision that we've got to make. Thank you.

47
48 **CHAIRMAN GUYAS:** Roy.

1
2 **DR. CRABTREE:** Just one more thing, and then -- I mean, I will
3 vote for the motion, and I'm not opposed to adding this into the
4 document, but I do want to make one more point. So, when you
5 look at the historical shares for Alabama, and there are some
6 tables in here that look at various timelines, and they are
7 generally in the 34 to 35 percent range, but those are shares
8 based on MRIP landings, and Alabama is now using Snapper Check,
9 which I believe, Kevin, is consistently giving catches of about
10 half of the MRIP landings, and is that approximately correct?

11
12 **MR. ANSON:** To the old MRIP way, yes.

13
14 **DR. CRABTREE:** Right, and so, when you look at the historical
15 shares in here, they are not in the same currency as Snapper
16 Check, and, if you were to apply Snapper Check, the historical
17 share would be smaller, and the other point I have to make is
18 some of the reasons these short seasons are occurring are
19 because of all the artificial reef deployment that's going on.

20
21 If states choose to engage in programs like putting out more and
22 more artificial reefs that cause the catch rates to go up,
23 they're going to shorten their seasons, and then when you come
24 in asking for more fish, because we need a longer season, you're
25 essentially asking other states to supplement your artificial
26 reef program, and that's a lot of what is happening, and it's
27 not just Alabama.

28
29 It's Florida as well, but that's a lot of the reason that we see
30 seventy-plus percent of the recreational catch coming out of
31 about a hundred miles of coast up in the northern Gulf, and, at
32 some point, we've got to recognize that we can't just create a
33 new higher quota. If we want more days, we've got to have
34 reduced catch rates, and we need to start thinking more clearly
35 about some of the management programs we have and their impact
36 on catch rates and the fact that they may be shortening up the
37 seasons.

38
39 **CHAIRMAN GUYAS:** Paul.

40
41 **DR. MICKLE:** The states have, many times, gotten together and
42 talked about catch rates. It's very much on our radar, and we
43 shared a lot about it just last month, and it's very much in our
44 focus of how we can control catch rates, but this is a motion,
45 and, like Dale said, it's just to create a new alternative, and
46 it's something that has sparked more discussion.

47
48 We have a preferred alternative, but, I mean, my executive

1 director told me to help out in any way I can in providing
2 quantitative justification for the allocations decisions, and I
3 am real proud of Mississippi DMR for -- We did a lot of side
4 analysis to come up with biomass landings ratios the last couple
5 of months, and we couldn't do it, but we got real close, but,
6 again, I would like to point out that Mississippi's percentage
7 didn't change at all between Alternative 6 and this potential
8 Alternative 7, and so I'm going to support the motion, but,
9 again, we've got to keep our eye on what passes the legal smell
10 test, so to speak, and move forward on a successful allocation
11 discussion, but it is good discussion, and I appreciate it from
12 all of you. Thank you.

13

14 **CHAIRMAN GUYAS:** Tom.

15

16 **DR. TOM FRAZER:** I just wanted to think about what is guiding us
17 here, what are we trying to respond to, and the one thing that
18 we can be sure of is that, when we look at our objectives in our
19 reef fish management plan, Number 18 very specifically says to
20 increase the number of days available to recreational fishermen,
21 and so that's something to consider for all of those states.

22

23 **CHAIRMAN GUYAS:** All right. Are we ready? We've got a motion
24 on the board to add this new alternative to Action 2. Let's do
25 this by show of hands. **All those in support of the motion,**
26 **please raise your hand; all those opposed, please raise your**
27 **hand. The motion carries ten to two.** What else do we have on
28 this one?

29

30 **DR. LASSETER:** For this action, if there is no more discussion
31 on Action 2, allocating the ACL, we will move on to the next
32 action, and so, just to remind you of the framework here, in
33 this program amendment, you do have two more subsequent sections
34 which reflect the actions that are in the individual state
35 amendments. We're actually going to call up the individual
36 state amendments, and we'll use Louisiana's, which is Tab B,
37 Number 5(b), but I just wanted to remind you of the structure of
38 all of this.

39

40 This program amendment will have the complete Action 1.1 and 1.2
41 now as well and Action 2, with the corresponding effects section
42 in Chapter 4. For the other two actions that are in the
43 individual state amendments, those actions are included here,
44 but this is not where you would make the decision, and so the
45 discussion of the effects is more broad, and it would reflect
46 whatever decisions are made in the individual state amendments.

47

48 Then, in each individual state amendment, those effects are

1 specific to that state, and so let's move to -- We will use
2 Louisiana's amendment, and Action 1 begins on page 6. Action 1
3 addresses the authority structure for state management, and,
4 essentially, this is delegation, or conservation equivalency.

5
6 Alternative 1 is no action, and, again, you are retaining
7 current federal regulations, and you are not adopting an
8 authority structure to enact state management. Again, each one
9 of these -- We're going to use Louisiana's amendment here, but
10 each of the state amendments do have some difference in the
11 alternatives that are selected as preferred, and so I provided
12 you a chart last time, a table, that shows what preferreds are
13 in each document, but we can also go through each amendment
14 here.

15
16 For Louisiana's preferred, Louisiana has selected Preferred
17 Alternative 2, and the council has voted to allow Louisiana to
18 pursue delegation. Then there are some options provided, and
19 Louisiana has selected as preferred a through d, and we'll go
20 through all of them.

21
22 Option 2a is to include alongside delegating the season to add
23 the bag limit. 2b would allow the state, here Louisiana, to
24 modify the prohibition on for-hire vessel captains and crew from
25 retaining a bag limit, if they should choose to do so, and
26 Options c and d would delegate the minimum size limit within a
27 range of fourteen to eighteen inches total length and the
28 ability to establish a maximum size limit used in conjunction to
29 essentially establish a slot limit.

30
31 The remaining options, 2e is requirements for live-release
32 devices, 2f is requirements for harvest gear, and 2g is use of
33 area or depth-specific regulations. The documents discuss -- In
34 Louisiana's case, these are not selected as preferred, but we
35 probably want to discuss this a little bit more, but the e and f
36 -- These documents are only talking about delegating red snapper
37 management, and so, if a state wanted to require possession of a
38 live-release device, that's something that could be enforced
39 essentially dockside, and you would not need the delegated
40 authority. By delegating it, you are then introducing -- If
41 you're delegating it for the use of, then you're requiring some
42 on-the-water enforcement, and that's not how this is set up.

43
44 If a state wanted to make a requirement, rather than making it a
45 requirement for use, it could be a requirement to be possessed,
46 and that could be enforced dockside. The same thing for the
47 harvest gear.

1 Finally, Option 2g, the use of area or depth-specific
2 regulations, I believe only one state right now has this
3 selected as preferred, and this is Texas, and we're asking for
4 some more specific -- For Texas to specify what they would like
5 to do with this, and Robin did discuss this at the last meeting.
6 If we could get more guidance if you really want this worked
7 into the document, so that it could be analyzed. In order to do
8 the regulatory analysis, the effects analysis, it would need to
9 be specified in the document and then analyzed specifically.

10
11 Just to delegate openly being able to do area or depth-specific
12 regulations, it has been determined to be too broad, but, with
13 some of the specifics that you started getting at at the last
14 meeting, I am getting guidance that this is a direction that
15 could be pursued.

16
17 **MR. RIECHERS:** It is interesting that we come back to this
18 meeting and this is the first I've heard about the more guidance
19 section, and so certainly at the last meeting I shared with you
20 what we were trying to achieve. If we need some parameters on
21 that, I will be happy to discuss those more, but Roy mentioned
22 this to me the other day, and, of course, I think I used the
23 example, and, if it wasn't the last meeting, it was previous
24 meetings, and Roy agreed that that may be the way to do it.

25
26 In a discussion yesterday, but, again, at this meeting, where we
27 can use something very similar to the shrimp closure model, and
28 so there are certainly some models out there where we have used
29 this kind of opening and closing before, and that we can do it
30 again, and, if you need me to help create the verbiage to get
31 this past that and get it into the document, please tell me
32 that, so we can get it done.

33
34 **CHAIRMAN GUYAS:** Roy.

35
36 **DR. CRABTREE:** I think there is a way to do it. It would not be
37 a delegation though. It would be setting up a framework to
38 allow NMFS to open and close these areas, and so the Texas
39 closure has actually specific dates in the regs, but I think in
40 the past they weren't as specific, and, if different dates were
41 used, you could do it that way.

42
43 Then the Fisheries Service sends a notice to the Federal
44 Register and it closes, and so one thing we would need to narrow
45 this down is that we're talking about the EEZ off the particular
46 state and not slices or fractions of it, the whole EEZ, and then
47 it would be good if we could get some kind of bounds about when
48 would it open, and I guess because, at least with Texas, they're

1 not sure when their season is going to be, that, when we put
2 this in place, I guess we would close the EEZ off of Texas until
3 Texas asked us to open it, and then we would open it. Then,
4 when Texas asked us to close it, we would close it.

5
6 The more bounds we can put on that, the better we can analyze
7 it. I would think, the descending device stuff, we ought to
8 just take out of this, and I don't think that needs to be in
9 here at all. If states want to require people to have
10 descending devices, they can do that under their state
11 authority, but that's how I think the depth regulations thing
12 would have to go, is a rule published in the Federal Register.

13
14 Now, bear in mind that if the state closes the EEZ off of that
15 state that it's closed to all recreational fishermen, regardless
16 of what state they are coming from, all private recreational
17 fishermen, and so you can see how, if this became something
18 every state wanted to do, we would have a mess on our hands,
19 because, in a lot of states, fishermen commonly fish off the
20 other states' EEZs, but that is, mechanically, I think, how we
21 could work it, and it will be a challenge to analyze it, but we
22 will need to figure it out, but to the extent, Robin, you can
23 put bounds on what the timing might be and how it would go, that
24 would be useful.

25
26 **CHAIRMAN GUYAS:** Go ahead, Robin.

27
28 **MR. RIECHERS:** We will attempt to put some bounds on it. We're
29 trying to have those discussions in the next couple of months,
30 because we're considering -- Given the way the EFP was set up,
31 we didn't have time to do it in the past, but we did discuss
32 with our folks the possible shifting of that June 1 season, and
33 so I will try to get some bounds, but I will add that, in the
34 shrimp closure notion, there is both the ability to shift the
35 frontend and the backend, based on biology, and so, however we
36 characterized that in the past, it's the same sort of shifting,
37 but I understand, if you want to try to keep it within a certain
38 parameter of days, that we can look at that as well.

39
40 **CHAIRMAN GUYAS:** Okay, and so, germane to that, I want to come
41 back to talking about this topic when we discuss the Florida
42 plan, but I want to let Ava finish going through the
43 alternatives before we start tweaking individual plans. I'm
44 sorry, John. Go ahead.

45
46 **MR. SANCHEZ:** A quick question. How are we going to enforce
47 depth-specific regulations dockside? I am just curious.

1 **DR. LASSETER:** I can speak to that. This part of the document
2 has been consistent for several meetings, that these final three
3 options would not allow dockside enforcement, and, if you use
4 these, you are then talking about lines in the water and a more
5 complicated enforcement, and so, as written, and as is written
6 in the document, they couldn't be done, and that's why we're
7 suggesting to remove those ones about the harvest gear and just
8 have it be possession of.

9
10 **CHAIRMAN GUYAS:** Mara.

11
12 **MS. LEVY:** At the risk of making this more complicated, in an
13 attempt to make it easier, with respect to the area and depth-
14 specific regulations, what we were talking about with respect to
15 Texas requesting a closure and then potentially Florida doing
16 something similar, I mean, I think my suggestion is -- Like Roy
17 mentioned, it's not a delegation anymore, right? We're not
18 delegating the authority for the state to open or close, in the
19 sense that they're going to put the notice out and it's going to
20 happen.

21
22 What we're saying is we're going to establish a framework that
23 allows a state to request that NMFS close the EEZ for this
24 particular purpose, for red snapper, and I think it would
25 actually make more sense if it was its own action, right,
26 because it's not -- It doesn't fit well in the delegation
27 anymore, and we're going to have to explain how that process is
28 going to occur.

29
30 I mean, I don't think it's going to be complicated, but we're
31 going to have to explain that the state would do this and NMFS
32 would do that, and then, for example, to the extent we know that
33 it's going to be the entire EEZ off of Texas, that that's what
34 they are anticipating, we could analyze that.

35
36 If we had bounds on potential openings and closings, that would
37 make the analysis more specific, but, to the extent we don't
38 have that, we can assume that they could request it at any time,
39 and we would have to analyze it like that. It's like I'm trying
40 to get it ready for like actually having to do the effects
41 analysis, but it's just awkward to have that type of thing under
42 a delegation now.

43
44 **CHAIRMAN GUYAS:** Okay, and so I want to come back to this when
45 we talk about the Florida plan, and I already mentioned that.
46 Is there any other comments on this right now? If not, I'm
47 going to let Ava -- Go ahead.

1 **DR. CRABTREE:** I think Mara is right, and so do we need a motion
2 to move this out of the delegation and put it into a separate
3 action, because it's not a delegation, and that's the way it
4 reads now, and so another action. **I will make a motion that we**
5 **remove the -- What is it called in there?**

6
7 **DR. LASSETER:** Option 2g, the use of area or depth-specific
8 regulations.

9
10 **DR. CRABTREE:** Yes, that we remove Option 2g, use of area or
11 depth-specific regulations out of this action and create a
12 separate action that sets up a framework to allow the states to
13 request that NMFS implement closures.

14
15 **CHAIRMAN GUYAS:** Let's try to get that on the board, and then I
16 think we're going to need to make it clear in the motion that
17 your intention here is that it's for all five documents, and is
18 that correct, Dr. Crabtree?

19
20 **DR. CRABTREE:** Yes.

21
22 **CHAIRMAN GUYAS:** Okay. Let's give staff a minute.

23
24 **DR. MICKLE:** While they're getting that on the board, I had a
25 question for Mara. You ended your statement saying it doesn't
26 fit in Action 2.1, Action 1, now, and so is it because, if all
27 the states have this option as a preferred, it would fit into
28 delegation? Is that why it's not fitting under delegation now,
29 or is there another reason? I couldn't quite understand that.

30
31 **MS. LEVY:** It doesn't really seem to me to be a delegation. It
32 seems that the council is setting up a framework that allows a
33 particular state to request that the agency then publish a
34 temporary rule to implement the closure, and so, at that point,
35 we're doing a federal temporary rule to say this part of the EEZ
36 is closed or open, and the council is basically saying, NMFS,
37 you do this if all these things happen, that the state requests
38 this of you and -- I mean, you sort of set up the parameters,
39 and, if it's a very simple parameter, Texas requests that the
40 closure happen, then the agency does it, but that's a little bit
41 different than a delegation, and so it seems to not fit as well
42 under that.

43
44 I mean, I guess we could potentially leave it in the list of
45 delegations and then explain in the text how it would operate
46 and how it would be different, but it just seemed potentially
47 cleaner to have it as its own action.

1 **CHAIRMAN GUYAS:** I wanted to read the motion, and then I will
2 recognize you, Chris, since we've got it on the board now. **Our**
3 **motion is, in Action 2 of the individual state amendments, to**
4 **remove Option 2g and to create a new action to allow NMFS to**
5 **implement closures in the EEZ through a framework. Option 2g is**
6 **use of area or depth-specific regulations.** Now that I've read
7 that, I think we still need a second. Does anybody want to
8 second this motion? We have a second. Okay. Go ahead, Chris.

9
10 **MR. SCHIEBLE:** Just for semantics purposes, does this get
11 automatically implemented in the Amendment 50 overall? We'll
12 see that get integrated into that section of it? We're talking
13 about the individual state plans right now, but the overall
14 Amendment 50 gets this as well?

15
16 **DR. LASSETER:** Of course, and so this would be a new action
17 added into each of the individual amendments, and then, in the
18 program amendment, that is not where you take the action, but
19 there is a section called the discussion section that lays it
20 out, of course. Anything you do in the individual state
21 amendments is going to have to be addressed thoroughly and
22 analyzed in the program, which is an EIS, an environmental
23 impact statement.

24
25 **CHAIRMAN GUYAS:** Kevin.

26
27 **MR. ANSON:** Ava, looking at time then, timeline for getting this
28 potentially new action implemented in the documents, what is
29 your sense on getting it done and ready for January?

30
31 **DR. LASSETER:** We will do our best. If I could even just have a
32 few more minutes to kind of think this through, but let me let
33 Mara perhaps answer.

34
35 **MS. LEVY:** Regardless of whether we make it a new action, we
36 have to address what 2g means, and this was just a mechanism
37 that I was suggesting to separate it from the rest of the stuff
38 and address it, and so, I mean, I understand that it may be a
39 little more work, because we have to set up the new action, but
40 we should be explaining what this means and how the state would
41 request it and what the bounds on the state requests are and
42 that NMFS would implement it, and it might be a little bit
43 different for each state amendment, because, for example, Robin
44 was talking about Texas having the whole EEZ closed for a
45 particular amount of time, and Martha and Florida may have a
46 different idea about how they would want to do this, and we
47 could lay that out in each state amendment, so that we could
48 analyze what the potential impacts were for what each state was

1 thinking.

2
3 Right now, none of the other states have this as a preferred. I
4 mean, I'm not saying that, and it would be in your document as
5 an action, but also to be clear that these closures would apply
6 in the EEZ to everybody, right, and so, to the extent the
7 council is going to allow this to happen, if the EEZ off of
8 Texas is closed, it's closed to everybody. It doesn't matter
9 where you intend to land, and so that just needs to be clear.

10
11 **MR. ANSON:** I was simply asking, since this is kind of new
12 discussion, I guess, and it's kind of a lot more elaborate than
13 the discussions had at this point, in trying to keep the eye on
14 the prize, so to speak, of trying to get something passed and
15 done, so it can be in place for the 2020 fishing season, and I'm
16 just trying to feel that out, and so thank you.

17
18 **CHAIRMAN GUYAS:** Okay. Is there other discussion on this
19 motion? Once we vote this, we're going to take a break, and so
20 that may be motivation for some to let's just vote on this.
21 Susan.

22
23 **MS. SUSAN BOGGS:** Mara, would you please clarify? You said to
24 be closed that the EEZ would be closed to everyone, and would
25 that include the charter/for-hire headboats off that state?

26
27 **MS. LEVY:** No, I mean to the extent that the state is managing a
28 certain component, right, and so, in this case, under the
29 preferred, it would only be the private angling component.

30
31 **CHAIRMAN GUYAS:** Okay. Are we good? **Is there any opposition to**
32 **this motion? Seeing none, the motion carries.** Let's take a
33 break.

34
35 **DR. FRAZER:** Let's come back in fifteen minutes, at 10:25.

36
37 (Whereupon, a brief recess was taken.)

38
39 **CHAIRMAN GUYAS:** I am going to turn it over to Ava. We still
40 have some things to go through in Action 1.

41
42 **DR. LASSETER:** Okay. Thank you. Let's pick back up with these
43 final three options, 2e through 2g. In light of the discussion
44 and the motion that just carried, and this is not something that
45 we -- It's not really ideal, but staff is going to try to craft
46 an outline of what this might look like, the Option 2g
47 substitute action, because we're going to need some guidance
48 from each of the states as to what would be considered, what you

1 want to be considered, so that we can go ahead and flesh it out
2 and analyze it for the public hearings, and so you will get to
3 take a look at the potential new action during Full Council.

4
5 Coming back to 2e and 2f, these are the other ones where
6 delegating is more problematic, because delegating these for the
7 use of would be requiring on-the-water enforcement. You have to
8 establish the areas to which those regulations would apply.

9
10 What would be more simple is, if a state wanted to create
11 regulations like this specific for red snapper, just go ahead
12 and make them possession, possession of a release device or the
13 particular harvest gear, and then those could be enforced
14 dockside, and then we're not bringing up the issue with having
15 to establish lines within which the areas that these would be
16 required.

17
18 We would strongly encourage you to remove these e and f from
19 consideration in the amendments and to just adopt these types of
20 regulations for your state. You really don't need them to be
21 delegated, and so is there any discussion on those?

22
23 **CHAIRMAN GUYAS:** Roy.

24
25 **DR. CRABTREE:** Let's assume that, in the overarching amendment,
26 we decide we're not going to include the for-hire vessels in
27 this, and so, if that's the decision made in the overarching,
28 wouldn't that mean we would take Option 2b out of this, because
29 2b is regulating for-hire vessels, and, if we're going to leave
30 the for-hire out, then that would be left out too, right?

31
32 **MS. LEVY:** Sorry. I just walked in, but are you talking about
33 removing it completely? I mean, to the extent there is still
34 the option to have for-hire vessels, you --

35
36 **DR. CRABTREE:** No, I'm just saying we couldn't -- Unless we
37 decide we're going to manage the for-hire vessels as part of
38 this. If we make the decision we're not, then we couldn't
39 choose that as a preferred, and I don't care if we take it out
40 or not.

41
42 **MS. LEVY:** We couldn't implement it as a preferred, meaning,
43 yes, it would have to go with the decision that you're actually
44 able to manage the for-hire, I would think.

45
46 **CHAIRMAN GUYAS:** Okay, and so Ava has laid out a little bit of
47 discussion on Options 2e and 2f, and then also 2b just came up
48 here. I will say that, or at least when our commission

1 discussed this, there was interest that they had in potentially
2 requiring some kind of use of descending devices or venting
3 tools or whatever tool we haven't thought of yet, but, if there
4 is a way to do that without delegation, that that would probably
5 cover us, and so I will just put that out there.

6
7 Any other thoughts on those specific options? So nobody wants
8 to remove any of those options that we just talked about, 2e or
9 2f or potentially 2b? Okay. We'll just leave it as-is then.

10
11 **DR. LASSETER:** Okay. Thank you. The final alternative here is
12 Alternative 3, which would use the concept of conservation
13 equivalency as the authority structure, and so, in contrast to
14 delegation, conservation equivalency, for this alternative to be
15 selected and for the amendment to go final, it would only
16 require a simple majority vote, whereas that is one of the
17 differences in delegation. Delegation does require a three-
18 quarters majority vote of voting members of the council.

19
20 Conservation equivalency, also in contrast, the states would
21 submit a plan, either every year or every other year. You can
22 see in the text all the requirements of what would go into that
23 plan, but, essentially, under conservation equivalency,
24 management is -- It stays with the council and NMFS, and the
25 states are enabled to, through this process, somewhat more
26 similar to the EFPs, in the sense that you wrote a proposal and
27 submitted it and turned it in, although it would be going
28 through a different process to enact state management for your
29 state.

30
31 Then the options there, 3a and 3b, this goes back to Amendment
32 39, where there would be potentially an additional step in the
33 submission and review of these conservation equivalency plans.
34 Option 3a, the plan would be submitted directly to NMFS for
35 review, whereas, under Option 3b, the plan will first be
36 submitted to a technical review committee, which, during
37 discussions of Amendment 39, the council had determined that
38 this review committee would be made up of representatives from
39 each of the five states, the state directors from each of the
40 five states, and so, basically, it's another level of everybody
41 coming to agreement on what each other are doing, a cooperative
42 structure.

43
44 Those are the alternatives for Action 1. Now, this is just a
45 Louisiana amendment. Did we want to go through both actions in
46 Louisiana? Do you want to look at the other individual state
47 amendments? The preferreds are differing now amongst the
48 amendments, and so let me pause there for a moment.

1
2 **CHAIRMAN GUYAS:** Roy.

3
4 **DR. CRABTREE:** I want to, if I could, just back up a second to
5 **Alternative 2**, and I want to make a motion to remove **Option 2e**,
6 **requirements for live-release devices (e.g., descending**
7 **devices)**, to remove that from all five state documents. If I
8 can get a second, I will explain why.

9
10 **CHAIRMAN GUYAS:** It's seconded by John Sanchez. Let's let staff
11 get this on the board. While they're doing that, do you want to
12 explain your rationale?
13

14 **DR. CRABTREE:** **The motion would also include 2f.** These aren't
15 things that need to be delegated. If you were going to do this,
16 it would have to be through a framework process, where you
17 request that NMFS publishes a rule to require these. Generally,
18 these are things that you're mostly going to want to require the
19 vessels to have onboard. The states can already do that.

20
21 If they want to require you have to have descending devices
22 onboard to land red snapper, they can do that themselves, or if
23 they want to require certain types of hooks and other things,
24 but I don't think we can delegate a requirement like that. I
25 think we would have to have some sort of rule in place in the
26 EEZ doing them, and it just seems unnecessary to me, and we're
27 running out of time. We need to get these amendments done, and
28 so that's my motion.

29
30 **CHAIRMAN GUYAS:** Okay. Any discussion on that motion? Is there
31 any opposition to this motion? Let me read it, just to be sure
32 we've got the right thing here, before we vote. **In Action 2 of**
33 **each state amendment, to remove Options 2e and 2f, and this is,**
34 **of course, the live-release device and requirements for harvest**
35 **gear.** Okay. **Now is there any opposition to this motion?**
36 **Seeing none, the motion carries.**

37
38 Okay. I think we're at the point where we can go through
39 individual -- See if individual states want to talk about their
40 plans specifically. While we have Louisiana's up, Chris, or
41 anyone from Louisiana, do you have any changes to this action?
42 Okay. No. Any other states want to discuss theirs
43 specifically? I want to discuss Florida's, but I just want to
44 make sure that everybody else is okay. Kevin.

45
46 **MR. ANSON:** The amendment in total, or just Action 1 in the
47 amendment?
48

1 **CHAIRMAN GUYAS:** I think just Action 1 right now. All right.
2 Well, let me say a couple of things about what happened at our
3 last commission meeting. Our commissioners discussed state
4 management and potential options for delegation, and so they
5 came to a couple of decisions, the first being that, when we're
6 talking about state management for Florida, we are specifically
7 talking about private anglers and not including federal for-
8 hire.

9
10 They also discussed wanting the options for delegation including
11 the bag limits, minimum size limit, and maximum size limit.
12 They discussed wanting to be able to use the descending devices
13 as a tool, and it sounds like we could do that without the
14 delegation process, based on the last action that we just took,
15 and then, relative to the discussion we had earlier about depth-
16 specific regulations, one of the tools that they wanted to
17 retain in their toolbox for state management would be the
18 ability to have seasonal closures beyond twenty or thirty
19 fathoms. They wouldn't necessarily do that, but it would be a
20 tool in the toolbox if they wanted to restrict the area where
21 people could fish, potentially to stretch out the season, and so
22 that's kind of what happened, in a nutshell, at our meeting.

23
24 Since I'm the Chair, I'm not going to put out any motions right
25 now, but I may in Full Council, unless somebody wants to step up
26 and make some motions here.

27
28 **DR. CRABTREE:** Before we leave it, when we get to final action,
29 it's the state amendments themselves that actually have the
30 delegations now, and so, when we do the roll call vote on the
31 state amendments, it will have to pass with 75 percent of the
32 council, which means there will have to be thirteen yes votes in
33 order to pass this, and, even if somebody is not here, it's
34 thirteen yes votes are required, and so it's not three-quarters
35 of the members present. It's three-quarters of the council.

36
37 If we can't muster thirteen votes in support of them, we would
38 have to fall back on the conservation equivalency, which could
39 be done with a simple majority of votes, and so that's how it
40 will go when we get to the voting.

41
42 **CHAIRMAN GUYAS:** Kevin.

43
44 **MR. ANSON:** Just so I understand, the overarching amendment, 50A
45 I guess it's called, that doesn't require the two-thirds vote?

46
47 **DR. CRABTREE:** No, that doesn't delegate anything. It just
48 allocates and sets up the structure, and so I think the

1 overarching amendment could pass with just a majority. Of
2 course, I think that our goal is to pass all of this unanimously
3 and get everybody onboard with it, because I'm worried, if we
4 don't get to that, then it's going to unravel on us, but only
5 the amendments that have the actual delegation action in it
6 require the three-quarters.

7
8
9

CHAIRMAN GUYAS: Robin.

10 **MR. RIECHERS:** Roy, I'm assuming that is because of a particular
11 thing in Magnuson, and I don't remember whether it's Magnuson or
12 whether it's the SOPPs that allows us to operate on a majority
13 basis no matter who -- Or the numbers around the table. As I am
14 recalling, I don't even think there is a quorum level that is
15 specified, but it's just whomever is there at the start of the
16 meeting, is what I am recalling. Is there tension there, or is
17 one of them SOPPs and one of them statute?

18

19 **DR. CRABTREE:** Well, the provision in the statute -- If you have
20 a copy of the statute, it's on page 112, but the provision on
21 delegation says it applies only if the council approves the
22 delegation of management of a fishery to the state by a three-
23 quarters majority vote of the voting members of the council. I
24 think, for most things, somewhere else in the statute, it says
25 we operate by a majority vote, and it may be of members present,
26 and I would have to defer to Mara on that, but, in the language
27 here, it says Congress clearly intended that you have to have
28 three-quarters of the members of the council vote in favor of
29 this to do it.

30

31 **CHAIRMAN GUYAS:** Robin and then Mara.

32

33 **MR. RIECHERS:** Well, I'm hoping we do, but I think it may come
34 down to then the definition of "voting members", if voting
35 members is applied in another -- Like I said, I don't know the
36 wording anymore. I haven't looked at it in a while, but, like
37 you, Roy, I want to make sure that hopefully we cross the
38 threshold with everyone voting unanimously for all of them, and
39 I suspect, as I have said all along, they're going to have to be
40 bundled in one motion, so that that helps ensure that, but, just
41 because we have had some folks who have had some absences, I'm
42 also just wanting to make sure we understand what our guidelines
43 are here as we reach points of having to vote here in a few
44 months.

45

46 **DR. CRABTREE:** We have seventeen voting members on the council,
47 and that's all clearly set in the statute. Three-quarters of
48 seventeen is 12.75 members, and so you have to get thirteen yes

1 votes.

2
3 **MR. RIECHERS:** Yes, and I just think we need to look at the
4 other part of the statute that deals with the voting members at
5 a particular meeting, just to make sure. I'm not saying you're
6 not right, Roy, but I'm just saying let's make sure.

7
8 **CHAIRMAN GUYAS:** Mara, do you want to weigh-in on that?

9
10 **MS. LEVY:** Right, and so there's the general part of the statute
11 relating to councils and transactions of business, and that part
12 says the majority of the voting members of any council shall
13 constitute a quorum, but one or more of such members designated
14 by the council may hold hearings. All decisions of any council
15 shall be by majority of vote of the voting members present and
16 voting, and so the language there is very clearly present and
17 voting, whereas the language in the delegation section is very
18 clearly three-quarters majority vote of the voting members.

19
20 **CHAIRMAN GUYAS:** I think we are, at this point, ready to move on
21 to Action 2, unless there is -- I'm sorry. Leann.

22
23 **MS. BOSARGE:** I was just trying to think about this
24 logistically, like on a year-by-year basis, and so our quotas
25 change, a lot of times, from year-to-year. Sometimes we do a
26 constant catch scenario, but so I guess there is a couple of
27 states that did run over a little bit this time, and so what if
28 we were in this real-world scenario instead of the EFP?

29
30 NMFS would divvy up the ACL state-by-state, and then the states
31 themselves would back off whatever payback, or does NMFS back
32 the payback off ahead of time? I am just trying to think about
33 how the landings come in from a time-wise perspective and how we
34 make sure that, especially if we start doing these carry-
35 forwards and we're reducing the scientific buffer, and we're
36 getting really close to OFL, if we have any landings that come
37 in late, and everybody is pushing up against their quotas, which
38 is what you want to do, right? You want to hit the quota on the
39 mark, but how do we make sure the whole thing hasn't been
40 exceeded?

41
42 I am not going to pick on anybody, but especially if some states
43 are going to fish until the very end of the year, and do you see
44 what I'm saying? Like I know Texas is going to have landings
45 coming in through December 31, and so when will their final
46 landings be in the next year, to make sure that the whole pie
47 hasn't been exceeded?

48

1 **DR. CRABTREE:** Well, we usually get Texas landings, I think,
2 Robin, in March or so of the next year, and so we won't know
3 what they caught until then. I believe we have all of the other
4 states' landings now, and so we can tell -- Right now, it looks
5 like Alabama went over by a little bit and Florida went over by
6 a little bit, and so they will have a payback applied, and they
7 could figure that out basically now.

8
9 Texas doesn't have a payback in their EFP, but we won't know if
10 they went over or not until next year, and so we won't know with
11 certainty if we went over the overall quota or not until next
12 year. We also don't have the for-hire landings yet for Wave 4,
13 and so we don't know what was caught there either at this time.

14
15 **MS. BOSARGE:** I guess I am kind of thinking about this as you're
16 pushing out quota, and other states may go down this state-water
17 season path too, but I would have guessed, Robin, that you're
18 going to fish right through. Like January 1, you're going to
19 keep fishing in state waters. That seems like it's your goal,
20 is to have some federal-water season and then a longer state-
21 water season, where the catch rates are lower.

22
23 For 2019, is that quota -- If you push it out, and you give it
24 out, how do you pull it back if you find out that we actually
25 need a payback? How is it all going to transpire if there is
26 year-round fishing?

27
28 **DR. CRABTREE:** My understanding, at this point, is Texas doesn't
29 have a payback, and so they aren't going to pay anything back.

30
31 **MS. BOSARGE:** Not under the EFP, but, under this, the only way I
32 see this working, is if every state has to be accountable for
33 its quota and there has to be some kind of payback. That's what
34 keeps everybody honest.

35
36 **DR. CRABTREE:** Well, I mean, that would be the states'
37 responsibility under a delegation, to figure out if they have to
38 pay it back and how they're going to do it and calculate it and
39 pay it back. We are delegating the management of this fishery
40 to the states, and it's going to be their responsibility to do
41 that and execute it.

42
43 Now, if we determine that they are not doing that properly, and
44 so they're not consistent with the FMP, then we could rescind
45 the delegation. Maybe Mara is going to tell me that I'm wrong
46 though.

47
48 **CHAIRMAN GUYAS:** Mara.

1
2 **MS. LEVY:** Well, so it strikes me as what we do now, but we
3 would be dividing it up amongst the states, meaning if we have
4 the -- Which we were getting to next, I guess, was the overage
5 adjustments and carryover stuff, right, and so, if those are
6 adopted for each state, then that would require, at some point
7 when we know the landings early in the year, to decide -- I
8 mean, if you had to wait until early in the year to decide which
9 state went over and which state went under, and we're going to
10 have, in the federal regulations codified, the overall ACL and
11 the overall catch limits.

12
13 It seems like we would address it potentially like we do now
14 with accountability measures, meaning we could publish something
15 saying, for this year, these are the adjusted quotas that the
16 states are managing to, right, and, if we don't know that right
17 at the beginning of the year and you started your season, then
18 you might need to adjust the end of your season if your quota
19 isn't what you thought it would be.

20
21 I mean, it doesn't seem much different than what we do now with
22 seasons that start January 1, but we don't know all the landings
23 and whether there is a payback until after the season starts.
24 It just means that you may need to adjust where the end is, but
25 I don't think we have written the regulations yet for how to
26 implement that, the second action that's in this document and
27 the state amendment document. I guess that's how I envisioned
28 it working, but, if somebody else has another way, I am totally
29 open to that.

30
31 **CHAIRMAN GUYAS:** Tom.

32
33 **DR. FRAZER:** Just to follow-up, I guess, the simple question
34 really is who is policing the catch from year-to-year, and is
35 that right, and how do you know that, and what Mara is saying is
36 that you're going to do it the way that you normally would,
37 right?

38
39 NMFS will ultimately get the numbers, and they will make an
40 adjustment, if necessary, either prior to the season, if they
41 have the data, or in mid-season, if they don't have the data
42 until mid-season.

43
44 **MS. LEVY:** Right, and so, I mean, I think NMFS would overall be
45 monitoring what the states are reporting. The states are going
46 to be getting their own landings, right? They all have their
47 own systems, and they would be telling NMFS what their landings
48 are and what their final totals are, but, in my mind, we would

1 have codified the total ACL, and then we would have each state's
2 allocation, and you could do a temporary rule, like we do when
3 we do adjustments, and, once you know a state went over, you
4 would adjust their quota for that year, and they would be
5 managing towards that quota. You may not know that on January
6 1. You may not know it until March, but, once you know it, the
7 state is still supposed to then stay within their adjusted quota
8 for the whole year.

9
10 **CHAIRMAN GUYAS:** Okay. Robin.

11
12 **MR. RIECHERS:** Leann, for our purposes, just understand that,
13 obviously, once we take on this delegation or conservation
14 equivalency, however it turns out, our goal, obviously, is to
15 stay within those parameters. I mean, that's the agreement
16 we're all making. Within that first three months, if you found
17 that you were over, then it's not quite like it is when we ship
18 out IFQ quota and people have it in their account and you are
19 trying to -- I mean, that then becomes a discussion that we
20 have, and we try to figure out ways to either reduce the
21 projected season days or however you might do that.

22
23 I mean, I think there is still an opportunity, as you move
24 through that window of time, because let's face it. I mean,
25 whether it's Texas, or whether it's waves coming out of MRIP,
26 whether it's even the self-reported landings data on these
27 websites, you go through a QA/QC, and there are things that
28 sometimes you find later on that you didn't know when you
29 immediately looked at that data, and so that's just part of the
30 whole process of data cleaning that we have to go through.

31
32 Texas does it with our waves, and MRIP does it, and even the
33 self-reported data will do it to some degree, and it's a little
34 harder to do on that data, because it's self-reported, and the
35 only thing you can really do is look for way outlandish
36 outliers, in that respect.

37
38 **CHAIRMAN GUYAS:** Okay. John.

39
40 **MR. SANCHEZ:** Thank you. **Yes, before we leave this, I would**
41 **like to make a motion unique to the Florida plan that, in Action**
42 **1 of the Florida plan, we select Alternative 2 as the preferred,**
43 **with Options 2a, 2c, and 2d being the preferred alternatives.**

44
45 **CHAIRMAN GUYAS:** All right. We'll give staff a minute to get
46 that on the board. In the meantime, is there a second for this
47 motion? Somebody needs to second. Leann, thank you. Okay. We
48 kind of have it on the board now, and I know staff is still

1 working on the language below.

2
3 **The motion is, in Action 1, to make Alternative 2, Options 2a,**
4 **2c, and 2d the preferred, and this is specific to the Florida**
5 **plan, and I will add that as well.**
6

7 That was part of your language. I will say this would be
8 consistent with what the Florida Fish and Wildlife Commission
9 discussed at their meeting. Most of the other options from this
10 alternative we just cut out, and the only one that's still there
11 that wouldn't be a preferred is 2b, and that one is the
12 prohibition on for-hire vessel captains and crew from retaining
13 a bag limit, but I can tell you that the commission's intent
14 would not be to manage federal for-hire. Any discussion on
15 this?

16
17 **MR. SANCHEZ:** Did we get a second?

18
19 **CHAIRMAN GUYAS:** Yes, we got a second from Leann. **Is there any**
20 **opposition to this motion? Seeing none, the motion carries.**
21

22 Is there anything else on Action 1 for any of the plans? If
23 not, I think we're ready for Action 2.

24
25 **DR. LASSETER:** Thank you. Action 2 begins on page 13 in the
26 Louisiana document, and Action 2 addresses post-season quota
27 adjustment. We have a couple of things to talk about here.
28 First of all, Alternative 1 is our no action, and, currently,
29 there is a post-season accountability measure in place that
30 applies when the red snapper is overfished.

31
32 As we started thinking through how to develop the regulations
33 towards this, and in the context of individual states going
34 forward separately, some may be -- Based on something that could
35 happen in the future and somebody's delegation is rescinded, or
36 the CEP is not approved, this alternative essentially remains in
37 place.

38
39 Preferred Alternative 2 would add an overage adjustment or an
40 underage assessment, if we have the carryover, and so that's a
41 separate issue that I'm going to come to. Alternative 1
42 essentially remains in place. We're not replacing Alternative 1
43 with Alternative 2, and I wanted to clarify that, and so there
44 is an overage adjustment that would remain in place that only
45 applies when red snapper is overfished, by which the entire
46 recreational overage would be deducted from the total
47 recreational ACL.

1 Now Louisiana has it as preferred, Alternative 2. Alternative 2
2 for each of the states would add a state-specific quota
3 adjustment, and I believe it was two meetings ago that you added
4 that this would not just be an overage adjustment, a payback,
5 but it would also be a carryover, and so it would be specific to
6 each state whether that state's landings are over or under an
7 adjustment would be made.

8
9 Again, this would be in addition to the underlying AM. The
10 post-season AM would remain in place when the entire
11 recreational sector ACL is exceeded. Preferred Alternative 2
12 would apply regardless if the ACL is exceeded. You get an
13 overage adjustment and you get an underage adjustment, depending
14 on what your state's landings are, and so I wanted to highlight
15 that and see if there's any discussion on that.

16
17 Okay. Seeing none, there is two options here as well, and so
18 this is a throwback to Amendment 39, which, when we crafted this
19 as an overage adjustment, red snapper was considered overfished,
20 and we were in quite a different situation at the time.

21
22 Also, when it was developed, we did not have the separate
23 sectors at the time, and we crafted separate options here to
24 enable an analysis of the implications of doing something one
25 way or the other, but, really, when we look at Louisiana's
26 Preferred Option a, it would apply the overage adjustment, if it
27 was managing both components, and it would apply only to the
28 component that exceeds, or was under for the carryover, its
29 applicable ACL.

30
31 That seems a fair way to do it, and all the states that have
32 selected a preferred option have selected this. The Option 2b,
33 which was originally drafted to provide a comparison to another
34 way to do it, comes off as unfair. If Louisiana was to have
35 both its private angling and a federal for-hire ACL, the
36 adjustment would be applied equally to both components, and
37 we're proposing to you, asking, if you would be interested in
38 just removing it. We're not concerned at this time of needing
39 this extra analytical tool to compare, and, if you did remove
40 Option 2b, we would work Option 2a into the alternative itself.

41
42 Again, nobody has selected Option 2b. The text has discussed
43 how it's unfair, and the analysis now notes that as well, and we
44 just don't know that it's really serving the purpose that we had
45 originally included it for, and so is there any discussion on
46 potentially removing Option 2b?

47
48 **CHAIRMAN GUYAS:** Chris.

1
2 **MR. SCHIEBLE:** Since we already have selected a preferred,
3 Option 2a, I don't see an issue with removing this, and I don't
4 know if anybody has any other comments, but it seems to me that
5 the preferred option would be retained.
6
7 **CHAIRMAN GUYAS:** So do you want to make that a motion?
8
9 **MR. SCHIEBLE:** This is the Louisiana-only plan, correct, that
10 we're talking about right now?
11
12 **CHAIRMAN GUYAS:** It could be, but it could be all five as well.
13 I think this is an issue for all of them, and nobody has chosen
14 it as a preferred.
15
16 **MR. SCHIEBLE:** You don't have a preferred in yours for this, do
17 you, in Florida? So we'll make it for Louisiana only.
18
19 **CHAIRMAN GUYAS:** Okay. We don't have a preferred in Florida,
20 but I can tell you, if we did have a preferred, it would not be
21 either one of the options, and so I will put that out there.
22 Sue.
23
24 **MS. GERHART:** I think what we do is, if you did a motion for
25 other than Florida, for all five, if there is a preferred there,
26 it would be rolled into the alternative, and so we would add the
27 language from Preferred Option 2a up into Alternative 2, which
28 is also preferred, and it would be carried over that way.
29
30 **MR. SCHIEBLE:** Okay. **I will make the motion to move it into**
31 **Preferred Option 2a.**
32
33 **DR. LASSETER:** Option 2a is the only one that is selected as
34 preferred, and so what we're suggesting is to remove Option 2b.
35 None of the state amendments have selected that as preferred,
36 and we don't see any state selecting that as preferred, because
37 it could be argued to be unfair by applying an overage
38 adjustment or carryover to a state that did not respectively
39 earn that, and so we would propose removing Option 2b from all
40 five amendments.
41
42 **MR. SCHIEBLE:** All right. **Can we make it Considered but**
43 **Rejected for all state amendments?**
44
45 **DR. LASSETER:** Exactly. It would be moved to Considered but
46 Rejected, exactly.
47
48 **CHAIRMAN GUYAS:** I think, Chris, if you wanted to make a motion,

1 the motion you could make would be something along the lines of,
2 in Action 2, remove Option 2b to Considered but Rejected in all
3 five plans, and I think, if a state objects to that, then we
4 will hear about it in the discussion of the motion.

5
6 **MR. SCHIEBLE:** I concur. Thank you.

7
8 **CHAIRMAN GUYAS:** All right, and so we're getting it on the
9 board. Is there a second to this motion? I saw a hand over
10 there. Paul, thank you. **We've got, in Action 2, to move Option**
11 **2b to Considered but Rejected in all plan amendments.** I think
12 we know what we mean there. Any discussion on this? Mara.

13
14 **MS. LEVY:** Just to make sure we're all on the same page, this,
15 to me, means that Option 2a automatically gets incorporated into
16 Alternative 2, meaning that's the way it has to be. You have to
17 do it based on the component -- Well, I guess, to the extent
18 we're only managing one component, it doesn't matter, but, to
19 the extent that there is still the option to manage both, Option
20 2a basically gets folded into the alternative, because that's
21 how you would have to do it, is component-specific, and I just
22 want to make sure everyone understands what would happen if you
23 got rid of 2b.

24
25 **CHAIRMAN GUYAS:** Okay. Does everybody understand? Are there
26 comments or questions about that? 2a gets incorporated into the
27 main Alternative 2 paragraph, and it only really matters if we
28 end up managing for-hire and private anglers as a part of state
29 management. Okay. Any other discussion on this? **Is there any**
30 **opposition to this motion? Seeing none, the motion carries.**
31 Leann.

32
33 **MS. BOSARGE:** So I may step on some toes, but I would like to
34 make a motion that in Action 2 that Alternative 2 be the
35 preferred alternative in all five state plans. It already is in
36 some of them, but not in all of them, and I kind of went into
37 this a little bit when -- Well, let me make sure I get a second
38 before I delve on and on here.

39
40 **CHAIRMAN GUYAS:** Is there a second for this motion? Second by
41 Susan. I assume you mean the new Alternative 2 that includes
42 now 2a as well? Okay.

43
44 **MS. BOSARGE:** So I talked a little at the last meeting that
45 eventually -- We had a little bit of non-compliance, and then
46 that eventually became non-compliance in all five states, which
47 I'm not saying is a bad thing or a good thing, but that is the
48 road we went down, because, if one state is playing by a little

1 bit different rules and it helps their anglers, it gives their
2 anglers more access in some way, or it's seen by the
3 stakeholders to be favorable, then it makes sense that the other
4 states would want to follow suit and do that for their anglers
5 too, and so, if all five states don't play by the same rule
6 here, then it's going to be seen as unfair to some anglers,
7 right?

8
9 What is the incentive to make sure that you make changes to the
10 next year's season to stay within that quota if there is no
11 penalty for not staying within the quota, when, in fact, if you
12 overrun your quota, the next time we go through an allocation
13 discussion, you're going to be better off, right, because your
14 landings were higher, and so there's almost an incentive to
15 overrun your quota, from that perspective, and so the only way
16 that I see this working, and we don't go back in that same boat
17 where we start this non-compliance or NMFS is having to find
18 somebody out of -- I don't know if you said compliance or
19 whatever it was, but I don't want to go down that road.

20
21 I think this keeps everybody honest, and we're all playing by
22 the same set of rules, and so I know I'm throwing a motion out
23 there that affects more than just my state, but I can see where
24 also, if we have to do this on a state-by-state basis, it's
25 pretty hard for a state to throw out a motion that says, yes,
26 I'm going to penalize my anglers if I don't get it right, and so
27 I thought it might be easier if we just had all five states in
28 one motion, and so that's my two-cents.

29
30 **CHAIRMAN GUYAS:** Okay. Other discussion on this? Ava has
31 offered that we have a table that shows who has chosen what as
32 preferreds or what preferreds are in each document, and do you
33 all want to see that before we vote on this? Okay, and so let's
34 get that up on the board, if we can. Go ahead, Dale.

35
36 **MR. DIAZ:** Just some discussion while she's pulling that up. If
37 I understand this correctly, under Alternative 1, you also
38 wouldn't get to count a carryover the following year, if you was
39 to have an underage, and so it does seem to me like Preferred
40 Alternative 2 that Leann is suggesting does have that added
41 benefit, that, if a state is under in Preferred Alternative 2,
42 they've got the option to carry it over, and so there is that
43 positive effect for a state to consider. Thank you.

44
45 **CHAIRMAN GUYAS:** Mara.

46
47 **MS. LEVY:** Just to that particular point, just that the
48 carryover piece of this is contingent on you finalizing and

1 implementing the amendment that you're working on to add the
2 carryover procedure to the ABC control rule, and so it says
3 "according to council procedures", and that's what that is
4 getting at. We actually have to set up the process for the
5 carryover in that other amendment, and then it could be
6 applicable to each state through this.

7
8 **CHAIRMAN GUYAS:** Okay. Is there discussion on this? Are you
9 all ready to vote? Sue.

10
11 **MS. GERHART:** Your previous motion actually modified Alternative
12 2 not to have options, and so I would recommend maybe to change
13 the motion to say Alternative 2 as modified, the preferred,
14 rather than Option 2a in there.

15
16 **CHAIRMAN GUYAS:** Leann, I think that was your intent. Are you
17 good with that?

18
19 **MS. BOSARGE:** Yes, ma'am, I am.

20
21 **CHAIRMAN GUYAS:** All right. **If there aren't any other comments,**
22 **is there any opposition to this motion? If so, please raise**
23 **your hand. Seeing none, the motion carries.** I will turn it
24 back over to Ava.

25
26 **DR. LASSETER:** Thank you. As we mentioned, we're going to work
27 on trying to put something together for Full Council regarding
28 this new action. Otherwise, that completes all of the review of
29 the amendments. Would the committee like to discuss
30 recommending approval of the amendments for public hearings?

31
32 **CHAIRMAN GUYAS:** Kevin.

33
34 **MR. ANSON:** I guess, Ava, do we have all -- Are there all
35 preferreds now selected for each of the action items in both the
36 overarching as well as -- I think all the individual ones now
37 have preferreds, but the overarching one has preferreds selected
38 for each?

39
40 **DR. LASSETER:** Correct. I'm sorry. The new action, you did not
41 select a preferred, for the new sub-action, the 1.2, but you do
42 have one for the Action 1.1 and then the Action 2 allocation,
43 yes.

44
45 **CHAIRMAN GUYAS:** Then, also, when we get to Full Council, we'll
46 have the new area and depth option in there, and that will be in
47 the individual ones. Okay. Dale.

48

1 **MR. DIAZ:** Do you need a motion to send it out for public
2 hearings? **I would make that motion to make the arrangements to**
3 **send this out for public hearings.**

4

5 **MR. ANSON:** Second.

6

7 **CHAIRMAN GUYAS:** Okay. It's seconded by Kevin. Robin was just
8 asking about Panama City and what's going on with that, and did
9 you want to speak to that? Go ahead, Tom.

10

11 **DR. FRAZER:** I think it's important, before we send something
12 that identifies Panama City on December 3 as a meeting location,
13 that we have discussion, probably internally and with the folks
14 in Florida, to determine which is perhaps a better alternative
15 location, if necessary.

16

17 **CHAIRMAN GUYAS:** Yes, and if you guys are okay with us doing
18 that offline, it probably would be a lot easier. We'll see who
19 we can get ahold of. Carrie.

20

21 **EXECUTIVE DIRECTOR SIMMONS:** Thank you, Madam Chair. We have
22 reached out to you before this meeting, because we haven't been
23 able to get ahold of the hotel where we were planning to hold
24 this public hearing in December, and I think they have no
25 electricity right now, or at least the phone lines are down, and
26 so, to my knowledge, before we left for the meeting, we weren't
27 able to get ahold of anybody regarding that meeting. My
28 suggestion is either we don't hold it, or we could try to have
29 something in Tallahassee, perhaps, but, right now, we can't get
30 ahold of anyone.

31

32 **CHAIRMAN GUYAS:** On the FWC list, there is going to be
33 Pensacola, Tallahassee, Crystal River, I think, and Key West,
34 and so we can -- If we can't make Panama City or Panama City
35 Beach happen, we can talk and figure out if the council wants to
36 pick up one of those.

37

38 **EXECUTIVE DIRECTOR SIMMONS:** We just have to get that settled, I
39 guess, before the end of the first week in November, which is
40 not this week, but next week, and so as soon as possible, but
41 all the other locations are going to be on our website soon, if
42 they're not up there already, and the dates, except the Panama
43 City one right now.

44

45 **CHAIRMAN GUYAS:** Okay. We've got a motion on the board. Any
46 more discussion on this? **Any opposition to this motion? Seeing**
47 **none, the motion carries.** I think we're done with state
48 management for the time being. No, we're not. Mara.

1
2 **MS. LEVY:** Thank you. Well, I just encourage the states -- So
3 the new action that we're adding to address a procedure to allow
4 a state to request an area closure, essentially, if there are
5 states that are thinking about picking the action item in that
6 alternative as the preferred, meaning I envisioned it as
7 potentially two actions, the no action and allowing it.

8
9 For any state that is considering wanting to choose the allowing
10 it as their preferred, to think about what that means. What
11 would be your intent to do, so that we can then write that in
12 the discussion about that particular state's intent and how they
13 intend to use it, so that we can analyze the potential impacts
14 of what you may be considering doing.

15
16 I am not saying it needs to be like super specific, but, if you
17 have an idea that you want a -- Like Florida wants a closure
18 from a certain fathom out, that's helpful, because then we can
19 say Florida's intent is to consider doing twenty-fathom or
20 thirty-fathom closures for a particular part of the season, and
21 that will help us analyze it and also let the council know what
22 they are basically giving the state permission to do, like what
23 they're giving NMFS permission to do at the request of the
24 state.

25
26 If you have no intent as a state to choose that as your
27 preferred, and you just pick the no action, that's easy, but, if
28 you do intend to want to pick that, again, I would encourage you
29 to think about how you would use it, so that we can know more
30 information about that and actually write the analysis.

31
32 **CHAIRMAN GUYAS:** Yes, and I'm hoping that, once we come back at
33 Full Council and we have a draft action in front of us, maybe to
34 have a little bit of discussion about that, at least on the
35 Florida end, since we have an idea of what we want. Okay. All
36 right.

37
38 I think now we're really done with state management, at least
39 for the day, and we can move on to the reef fish management
40 objectives. It's a little early to break for lunch, don't you
41 think? Okay.

42
43 **REVIEW OF REEF FISH MANAGEMENT OBJECTIVES**

44
45 **DR. MATT FREEMAN:** Okay, and so, on the agenda guide, for the
46 review of the reef fish management objectives, I will be
47 providing an overview of relevant amendments and some context
48 for the Reef Fish FMP objectives, and then I would ask that the

1 committee discuss the extent to which the objectives have been
2 achieved, whether any objectives should be modified or removed,
3 and if any new objectives should be added.

4
5 Just as a note, admin handed everyone a, quote, cheat sheet,
6 which is page 2 of the white paper, simply so that you can view
7 all the Reef Fish FMP objectives at once as we go through the
8 presentation, and so if we can go to the next slide.

9
10 Again, this was a request from the Reef Fish Committee at the
11 last council meeting, asking for this analysis of the FMP
12 objectives, and this step is consistent with NMFS policy
13 directives and procedural directives related to allocation.
14 Again, the previous discussion related to red snapper
15 reallocation.

16
17 As a note, in addition to any of our amendments aligning with
18 our objectives, in this case if we're specifically thinking
19 about red snapper reallocation, the council's fishery allocation
20 policy also states that any allocation and reallocations must be
21 consistent with the Gulf Council's principles for allocation,
22 and so there's that as well.

23
24 As we go through the eighteen objectives, again, the main focus
25 for each of them will be whether to retain them as worded or
26 modify them or remove them.

27
28 Objective 1 is to rebuild the declining fish stocks wherever
29 they occur within the fishery. I will make note again that this
30 presentation is an overview of some bullet points, and obviously
31 the white paper goes in much more depth, in terms of what has
32 been included in previous amendments to align with these
33 objectives.

34
35 This is included in the original Reef Fish FMP, and, currently,
36 we have red snapper and gray triggerfish in rebuilding plans,
37 and there is potential to develop a rebuilding plan for gray
38 snapper, and that is because the status determination criteria
39 is going to be defined in Reef Fish Amendment 51, and so there
40 may be a rebuilding plan coming forward.

41
42 The interdisciplinary planning team, or IPT, again wanted to
43 pose the question to the committee of if this objective should
44 be retained, or does the committee feel that it's been achieved
45 and should be removed? I will pause for any questions or
46 comments before we move to the next objective.

47
48 **CHAIRMAN GUYAS:** Leann.

1
2 **MS. BOSARGE:** Were we intending to list all species there that
3 were under rebuilding?
4
5 **DR. FREEMAN:** Just making sure that I understood the question
6 correctly, but all of the species are in the fishery management
7 unit. These are the only ones that are currently in rebuilding
8 plans.
9
10 **MS. BOSARGE:** Is amberjack in that fishery management unit?
11
12 **DR. FREEMAN:** Sorry. It is supposed to be greater amberjack. I
13 apologize.
14
15 **CHAIRMAN GUYAS:** Okay. Are there any comments on this
16 objective? I am thinking that it would probably be helpful to
17 go through slide-by-slide, and then at some point we'll have to
18 look at them as a whole, because some of them relate to each
19 other, and have some more discussion. We can at least maybe get
20 through all of them before lunch and then come back and discuss.
21
22 **DR. FREEMAN:** Thank you. Martha brings up a good point. As I
23 go through the presentation, the objectives will, in general, be
24 in numerical order. There are a few slides where some of the
25 objectives come early, and that's where the IPT saw some
26 overlap, and so I believe it's in three instances that we tried
27 to provide those two objectives, one right after the other, so
28 you can see the similarities and the overlap there.
29
30 Objective 2 is to establish a fishery reporting system for
31 monitoring the reef fish fishery. This is also included in the
32 original Reef Fish FMP. Since that time, we have established
33 commercial, dealer, and recreational reporting programs, and
34 also to note that many permits include mandatory reporting
35 requirements. This is an example where the IPT wanted to note
36 that there does appear to be some redundancy with Objective 7,
37 and we'll go ahead and look at the next slide, which is
38 Objective 7.
39
40 Objective 7 is to re-specify the reporting requirements
41 necessary to establish a database for monitoring the reef fish
42 fishery and evaluating management actions. This was included in
43 Reef Fish Amendment 1, and, as you will note, with the second
44 ITP comment, at the time of implementation, Reef Fish Amendment
45 1, in terms of the wording, was essentially noting that
46 Objective 2 had not been achieved, and so they decided to add a
47 new objective, I guess in essence to highlight that fact.
48

1 Again, our IPT comment here, as well as, again, there is
2 redundancy with Objective 2, and so that may be something that
3 the committee would like to address, either now or at the end of
4 the presentation. Mr. Anson.

5
6 **MR. ANSON:** I see these kind of as independent things, myself.
7 I mean, in one respect, Objective 2 is to establish a fishery
8 reporting system for monitoring the reef fish fishery, and so
9 that's landings and catch rates and that type of thing, but
10 Objective 7 is to re-specify the reporting requirements
11 necessary to establish a database, and so a reporting
12 requirement may not necessarily come from the fishermen. It may
13 come from reports that are developed post-data collection, for
14 instance, through an assessment or through some analysis and
15 such.

16
17 Then, secondarily, it says in evaluating management actions, and
18 so is there a certain way that we process the data and come up
19 with a recommendation and then implement that management action
20 and then likewise re-analyze the information that was collected
21 to come up with the original outcome and see what impact that
22 had?

23
24 That's the way I kind of see Number 7 as, is it's kind of --
25 It's kind of a check against how we are conducting business and
26 what is the outcome and such, and so, yes, they're intertwined,
27 but it's almost a stand-alone, in my mind that, if in fact
28 that's what it's intended to do, was to actually kind of grade
29 how our performance was, that ought to be kept in there, or
30 something along those lines.

31
32 That would further add that do we have a system in place that
33 actually is doing that, and that might be something that needs
34 to be addressed, is do we have mechanisms in place that are
35 actually analyzing or looking at that data in that way and then
36 coming back and re-evaluating management and such, and so it may
37 not be possible, for resource limitations and such, but that
38 might be something and a way to look at that.

39
40 **CHAIRMAN GUYAS:** One of the things that we're doing with all
41 these is we need to discuss whether they have been achieved. If
42 we have objectives that we think are not achievable, I think we
43 probably should edit them, and we don't have to do that right
44 this second, but I'm just putting that out there. Mara.

45
46 **MS. LEVY:** So it's noted in the slide of the second IPT comment,
47 that, at the time of implementation, that Reef Fish Amendment 1
48 was essentially noting that Objective 2 had not been achieved,

1 and so it might be helpful for you to know more about what that
2 said, and so I'll just read it, whether it's helpful or not.

3
4 Management measures specified in the FMP to establish a database
5 for management have not been successfully implemented.
6 Statistical data for many species have been aggregated into
7 genus or family groups, which has made it impossible to assess
8 the conditions of specific stocks adequately. Biological
9 profile data are needed throughout the Gulf of Mexico on a
10 continuing basis.

11
12 The present system of opportunistic dockside sampling of the
13 commercial catch is not providing a representative
14 characterization, and so that's just so you have more of an idea
15 of I think what they were getting at.

16
17 **MR. FREEMAN:** Just to add, what Mara was reading from, that is
18 provided in the white paper. That, in particular, is on page
19 10, and so I tried to provide context in the white paper, some
20 of the phrasing, when any new objective was implemented. Again,
21 the white paper is Tab B-6(b).

22
23 Seeing no other questions, we will move forward. We will now
24 look at Objective 3, which is to conserve and increase fish
25 habitats in appropriate areas and to provide protection for
26 juveniles while protecting existing and new habitats.

27
28 Again, this one was included in the original Reef Fish FMP. Two
29 of our bullet points, in terms of items, were, to achieve this
30 objective, it includes establishing marine reserves as well as
31 gear restrictions, both in reserves and in HAPCs, and we have
32 also established a target reduction goal for juvenile red
33 snapper mortality, and so, again, I think a question for the
34 committee is if this objective should be retained. In essence,
35 if it's been achieved. I will pause, if there's any questions
36 or discussion.

37
38 **CHAIRMAN GUYAS:** Robin.

39
40 **MR. RIECHERS:** I don't know, and this is obviously -- As we walk
41 through this, there may be folks who want a couple of shots at
42 this, to think about this one, or some of these, but I think we
43 would have a pretty tough time suggesting we wouldn't want to
44 retain "conserve and increase reef fish habitat in appropriate
45 areas and to provide protection for juveniles while protecting
46 existing and new habitat", and so I suggest we retain that one.

47
48 **CHAIRMAN GUYAS:** Yes, I would tend to agree with that. This is

1 one of the things that we are supposed to be doing under MSA,
2 and so essential fish habitat and all that. Are there other
3 comments on Objective 3? Okay.

4
5 **DR. FREEMAN:** Moving forward to Objective 4, which is to
6 minimize conflicts between user groups of the resource and
7 conflicts for space, this one was also included in the original
8 Reef Fish FMP. Since that time, we have established gear
9 restrictions and placed requirements on sales of Gulf reef fish.
10 In particular, that is related to Amendment 11 between permitted
11 dealers and permitted vessels.

12
13 The IPT questions here is that there appears to be some
14 redundancy with Objective 6, which is to reduce user conflicts
15 and nearshore fishing mortality, and, again, whether or not this
16 objective has been achieved and if it should be retained.

17
18 **MR. RIECHERS:** I think, given some of our previous discussions
19 today, it's hard to suggest we have completely achieved this
20 objective, but I guess what I'm trying to figure out is are we
21 looking at aspirational goals here at this point, as we go
22 through this list?

23
24 I am trying to figure out if it might be worthwhile for us just
25 to go through the list and you bring up the points, and then, at
26 some point, if there is that redundancy and those other issues
27 that we want to try to maybe move and clarify, it almost helps
28 us to go through the list and come back to it then with any
29 other information we may have.

30
31 That's just a procedural question that I am trying to get at, is
32 if you all are looking for hands on every one of them to say yes
33 or no, or whether you're really wanting to kind of go through
34 this and let us look at it and then figure out if there are ways
35 that we can combine some of these goals and make some changes to
36 them or what you're really looking for here. I wasn't the maker
37 of the motion, and so I am not completely certain that I am sure
38 that -- I remember some of the discussion about it last time,
39 but I'm just trying to figure out where you all want to go.

40
41 **DR. FREEMAN:** Certainly. Given the timing of this, it's
42 probable that we might go through the presentation and then pick
43 up right after lunch, and then, if the committee would like to
44 discuss any modifications, that may be appropriate, and I will
45 defer to the Chair.

46
47 **CHAIRMAN GUYAS:** I think that makes sense, and so our charge
48 here is to look at each of these objectives, and we need to

1 discuss whether they have been achieved, or do we need to modify
2 them, or do we need to remove them, or are there things that we
3 are missing, and so I'm thinking, at this point, we can just go
4 through the presentation and go through questions as they pop up
5 and maybe flag some things to come back to, but probably we'll
6 have more substantive discussion after lunch, and so don't
7 everybody go get fried chicken and burritos where you're going
8 to be taking naps, because this is going to be really fun, and
9 you're going to want to have all the energy.

10
11 **DR. FREEMAN:** Thank you for that, Martha. All right, and so
12 Objective 6 is to reduce user conflicts and nearshore fishing
13 mortality. I will note that this was included, again, in Reef
14 Fish Amendment 1, and there was an action in that amendment that
15 was titled "User Group Conflict Resolution", and the status quo
16 was adopted. There is some additional information in the white
17 paper, in terms of the council's rationale for adopting that
18 status quo.

19
20 Related to that objective, we have had amendments that have
21 established gear restrictions and established stressed area
22 boundaries. The IPT comments, again, are that there is some
23 redundancy with Objective 4, and the IPT was also hoping that
24 the committee may consider clarification on the wording of
25 "nearshore", as the council only manages the EEZ, or the federal
26 waters.

27
28 Moving forward, unless there is any questions, for Objective 5,
29 the primary objective and definition of optimum yield for the
30 reef fish fishery management plan is to stabilize long-term
31 population levels of all reef fish species by establishing a
32 certain survival rate of biomass into the stock of spawning age
33 to achieve at least 20 percent SPR.

34
35 This was initially included in Reef Fish Amendment 1, and then
36 it was modified in Reef Fish Amendment 3, and there was an
37 insertion of the words "definition of optimum yield", and it
38 replaced "SSBR" with "spawning potential ratio" in that
39 objective.

40
41 Since that time, there have been amendments that have set MSY
42 and MSY proxies and OY and MFMT and MSST for multiple species in
43 the fishery management unit. One of the questions from the ITP
44 is, is this still intended to serve as the primary objective of
45 the Reef Fish Fishery Management Plan, because that is how the
46 objective is worded.

47
48 An IPT comment is that the optimum yield definition in this

1 objective is inconsistent with optimum yield as defined for
2 several of our reef fish species, and so, again, that will be
3 food for thought that we can discuss later. If there are no
4 other questions, we'll move forward.

5
6 Objective 8 is to revise the definitions of the fishery
7 management unit and fishery to reflect the current species
8 composition of the reef fish fishery. This was included in Reef
9 Fish Amendment 1. Since the original Reef Fish FMP, reef fish
10 species have been added as well as removed from the FMU through
11 multiple amendments. Again, the IPT question posed to the
12 committee is if this objective should be retained or has it been
13 achieved. Any questions?

14
15 Objective 9 is to revise the definition of optimum yield to
16 allow specification at the species level. This was included in
17 Reef Fish Amendment 1. Since then, we have set optimum yield
18 for multiple species. Optimum yield is also the focus of
19 National Standard 1, and National Standard 1 Guidelines state
20 that councils must include in their FMPs and FMP amendments
21 optimum yield at the stock, stock complex, or fishery level, and
22 so the IPT question, again, posed is if this objective should be
23 retained, or does the committee feel that it's been achieved?
24 Any questions?

25
26 Objective 10 is to encourage research on the effects of
27 artificial reefs, and this is also included in Reef Fish
28 Amendment 1. It's listed in the council's updated list of
29 fishery monitoring and research priorities for 2015 to 2019. I
30 will also note that it is listed in SEDAR 52 as well for future
31 research, and we do have two council documents related to the
32 effects of artificial reefs. Again, more of that information is
33 provided in the white paper. Again, the IPT question is if the
34 objective has been -- If it should be retained or if it has been
35 achieved.

36
37 Objective 11 is to maximize the net socioeconomic benefits from
38 the reef fish fishery. This was included in Reef Fish Amendment
39 1, and it initially read "to maximize net economic benefits",
40 and, at the April 2014 council meeting, the word "economic" was
41 changed to "socioeconomic".

42
43 We do have analysis in our amendments related to the RIR in
44 Chapter 4. It would be direct and indirect effects on the
45 economic environment as well as on the social environment. The
46 IPT comment here is that there is redundancy with Objective 16,
47 which is to optimize, to the extent practicable and allowed by
48 law, net benefits from the fishery.

1
2 I will note here that the council, and you will hear me mention
3 this on a few other slides, but the council did make a motion
4 and approve this modification at the April 2014 council, and it
5 still needs this modification, in terms of the wording needs to
6 be placed into one of our plan amendments. It's a procedural
7 step, and so, going forward, it will need to be placed into an
8 amendment. Are there any questions on that? I don't know if
9 Mara wanted to add anything. Okay.

10
11 Objective 16 is to optimize, to the extent practicable and
12 allowed by law, net benefits from the fishery. This was
13 included in Reef Fish Amendment 15, and the IPT comment is that
14 there appears to be some redundancy with Objective 11. Another
15 comment from the IPT is that, if we are to retain this
16 objective, they would make the suggestion that the word
17 "maximize" would be more consistent with the language in
18 National Standard 1 Guidelines as well as Executive Order 12866.
19 Any comments?

20
21 Objective 12 is to increase the stability of the red snapper
22 fishery, in terms of fishing patterns and markets, and this was
23 also included in Reef Fish Amendment 15. For the commercial
24 sector, we have established the IFQ program for red snapper. In
25 the recreational sector, we've had sector separation, and that
26 was in Amendments 40 and 45, and also state management, and so,
27 again, one of the general comments from the IPT is if this
28 objective should be retained or if the committee feels that it
29 has been achieved.

30
31 Objective 13 is to avoid, to the extent practicable, the derby-
32 type fishing seasons. This was also included in Reef Fish
33 Amendment 15. Again, for the commercial sector, we have IFQ
34 programs both for red snapper, but also for grouper and
35 tilefish.

36
37 On the recreational sector side, we have sector separation as
38 well as state management. The IPT comment is that there is some
39 redundancy with Objective 12, with the exception that Objective
40 12 is red snapper specific, whereas, the way Objective 13 is
41 phrased, it would be for all managed reef fish.

42
43 Objective 14 is to promote flexibility for the fishermen and
44 their fishing operations, and this was also included in Reef
45 Fish Amendment 15. On the commercial sector, again, we have our
46 IFQ programs. On the recreational sector, we have state
47 management, which is under development, which Dr. Lasseter just
48 presented on. For commercial and recreational sectors, one

1 example is our amendment that removed venting regulations.
2 Again, the generic IPT comment here is whether this objective
3 should be retained or if the committee feels that it has been
4 achieved.

5
6 Objective 15 is to provide for cost-effective and enforceable
7 management of the fishery, and this was also included in Reef
8 Fish Amendment 15. Since this objective, we have had amendments
9 that have established commercial reef fish vessel permits,
10 required electronic VMS with hail-out requirement, and
11 established approved landing sites for all IFQ programs in the
12 commercial reef fish fisheries. Again, the generic IPT
13 comment/question is whether the committee feels that this
14 objective should be retained or if the committee feels that it
15 has been achieved.

16
17 Objective 17 is to reduce the harvesting capacity of the red
18 snapper fleet in an equitable manner, utilizing demonstrated
19 historical dependence on the red snapper resource as a
20 criterion. This was also included in Reef Fish Amendment 15.
21 On the commercial sector side, we have our IFQ programs as well
22 as limited access permits. On the recreational sector side, we
23 have required for-hire vessels fishing for reef fish to have
24 federal for-hire permits, and, again, these are just a few of
25 the bullet points from the white paper.

26
27 One question from the IPT for the committee is if the committee
28 would consider clarifying if the objective was intended only for
29 the commercial sector as well as the general question of whether
30 or not the committee feels that this objective has been achieved
31 or if the objective should be retained.

32
33 Objective 18 is to maximize the available days to recreational
34 fishermen. This was discussed and voted on at the April 2014
35 council meeting during development of Amendment 28. Some
36 examples here is that we've had amendments that have decreased
37 recreational sector and for-hire captain/crew bag limits,
38 increased the minimum size limit for fish for the recreational
39 sector, established sector separation, and, more recently, we've
40 had the state red snapper management EFP.

41
42 The IPT comment here is that specification of applicable
43 constraints to this objective or insertion of "to the extent
44 practicable" may provide additional clarification for guiding
45 management. There was another objective that I mentioned
46 earlier this one as well, and it was voted on by the Full
47 Council at the April 2014 council meeting. We will still need
48 to place this objective in a plan amendment moving forward

1 though.

2
3 Lastly, the overall goal of the FMP, which was in Reef Fish
4 Amendment 1, which was to manage the reef fish fishery of the
5 United States within the waters of the Gulf of Mexico Fishery
6 Management Council jurisdiction to obtain the greatest overall
7 benefit to the nation with particular reference to food
8 production and recreational opportunities on the basis of the
9 maximum sustainable yield as modified by relevant ecological,
10 economic, or social factors.

11
12 The IPT comment here was to change the word "modify" to
13 "reduce", in order to make it more consistent with National
14 Standard 1 Guidelines.

15
16 This morning, during our break, I went through the minutes of
17 the April 2014 Full Council, and the council actually did
18 already make a motion and vote for this modification, and so,
19 again, it would simply need to be placed in a plan amendment,
20 but this actually already addresses the IPT comment, and that
21 was the last slide of the presentation, and so I will pause and
22 defer over to Martha, unless there is any questions.

23
24 **CHAIRMAN GUYAS:** I guess, before we break, questions or
25 comments? Mara, I see you want to put your hand up. Go ahead.

26
27 **MS. LEVY:** Well, I thought it may be helpful -- So the National
28 Standard Guidelines, before it gets into -- Each National
29 Standard has these general guidelines, and one of the things it
30 addresses is fishery management objectives, and so it may be
31 helpful for me just to read a piece of it, which says how
32 objectives are defined is important to the management process.
33 Objectives should address the problems of a particular fishery.
34 The objectives should be clear stated, practicably attainable,
35 framed in terms of definable events and measurable benefits, and
36 based upon a comprehensive rather than a fragmentary approach to
37 the problems addressed. An FMP should make a clear distinction
38 between objectives and the management measures chosen to achieve
39 them. The objectives of each FMP provide the context within
40 which the Secretary will judge the consistency of the FMP's
41 conservation and management measures with the National
42 Standards.

43
44 They're really supposed to be the driving force behind the
45 management measures that get proposed by the council, and they
46 are referred to specifically in National Standard 4, which is
47 the allocation National Standard, and that is, I think, why it's
48 sort of incorporated in this discussion, is they are very

1 important to allocation decisions, because your allocation
2 decisions are supposed to be consistent with achieving the
3 objectives you have identified in the FMP.

4
5 **CHAIRMAN GUYAS:** Okay. Anything else before we break? If not,
6 I will turn it over to the Chair.

7
8 **DR. FRAZER:** All right. We'll see you all at 1:30.

9
10 (Whereupon, the meeting recessed for lunch on October 23, 2018.)

11
12 - - -

13
14 October 23, 2018

15
16 TUESDAY AFTERNOON SESSION

17
18 - - -

19
20 The Reef Fish Management Committee of the Gulf of Mexico Fishery
21 Management Council reconvened at the Renaissance Battle House,
22 Mobile Alabama, Tuesday afternoon, October 23, 2018, and was
23 called to order by Chairman Martha Guyas.

24
25 **CHAIRMAN GUYAS:** While Matt is checking on the presentation,
26 we've gone through the presentation and had kind of the birds-
27 eye view of all these objectives, and so now I think what we
28 will do is walk through them and spend a little more time on
29 each one, and then we can start doing some editing and answering
30 those questions, whether they're attainable and measurable, if
31 they've been achieved, whether we should remove any of them or
32 change them in some way, and if we need to add any new
33 objectives, and so I'm going to turn it back over to Matt.

34
35 **DR. FREEMAN:** Thank you, Martha. One thing I did mention
36 earlier that I would like for the council to be aware of is, at
37 the last SSC meeting, the SSC did show interest in seeing this
38 presentation, potentially in January, and, along those lines,
39 hopefully offering some suggestions to the committee, in terms
40 of metrics for the committee to think about going forward about
41 -- So they could look at whether or not they're being achieved
42 and things like that.

43
44 Again, we will go through the objectives, simply just focusing
45 on the titles and seeing if the committee has any thoughts in
46 terms of retaining them as-is, any modifications, or removing
47 them, or even adding new objectives.

1 Again, the first objective was to rebuild the declining fish
2 stocks wherever they occur within the fishery, and so are there
3 any thoughts on that objective?
4

5 **CHAIRMAN GUYAS:** I assume, if there are no comments, that we
6 like it and we don't need to make any changes. Matt mentioned
7 it already, but we have the handout that has all of them listed,
8 and then we also have the B-6(b), which is the white paper that
9 has more details about these, and so, if you still have
10 questions about them, let's talk about those now. Okay, and so
11 I'm going to assume -- Kevin.
12

13 **MR. ANSON:** I guess I don't know how much work it will entail to
14 make just minor editorial changes to these, but I guess I just
15 don't like the wording of "to rebuild the declining fish
16 stocks", but I would rather just say "to rebuild declining fish
17 stocks", and so that would be my recommendation, but, if it's
18 too much work, because it's in multiple documents or it's going
19 to trickle on through elsewhere, I would just as soon leave it
20 alone.
21

22 **DR. FREEMAN:** Sure. No, this would be perfect. Again, when I
23 refer to modifying objectives, that can be just removing
24 language, anything for clarification, simplifying objectives,
25 and we can potentially, and, if I'm wrong, Mara can correct me,
26 but I think we can potentially sort of bundle all of these into
27 a plan amendment, assuming Full Council accepts all these
28 changes, and so a motion would be helpful, if that's your
29 thoughts.
30

31 **MR. ANSON:** My motion would be to, in Objective 1, to remove
32 "the" after "rebuild".
33

34 **DR. FREEMAN:** Kevin, I was going to say the other possibility
35 would be just simply to reword Objective 1 to say --
36

37 **CHAIRMAN GUYAS:** What you want it to say.
38

39 **DR. FREEMAN:** Right.
40

41 **MR. ANSON:** All right. Then I will say, in Objective 1, to
42 reword as follows, and then remove that next sentence, remove
43 "Objective 1:" and then remove "the", the first "the". Thank
44 you.
45

46 **CHAIRMAN GUYAS:** All right. I think we've got Kevin's motion on
47 the board, which would change Objective 1 to rebuild declining
48 fish stocks wherever they occur within the fishery. Can I have

1 a second for this motion? It's seconded by Paul. Roy.
2
3 **DR. CRABTREE:** Well, it's kind of an odd objective, to me,
4 because red snapper is not a declining fish stock. It's a
5 growing fish stock, but we're legally required to rebuild it,
6 because it's not rebuilt, and so we don't just rebuild declining
7 fish stocks. We rebuild any stock that was overfished, and you
8 rebuild stocks throughout their range. You don't rebuild a
9 stock where it occurs in the fishery, and I'm not quite even
10 sure what that really even means. That's just something to
11 think about.
12
13 **CHAIRMAN GUYAS:** Yes, and I'm glad you brought that up. I guess
14 the impetus for this discussion is red snapper, of course, but
15 these are also fishery management objectives for the entire reef
16 fish fishery, and so we kind of need to think about it in two
17 different ways.
18
19 While this may not be applicable to red snapper right now, it
20 could be in the future, and it's certainly applicable to other
21 things, other species, that are being rebuilt. Roy, to get to
22 your point, are you suggesting deleting "wherever they occur in
23 the fishery", or just swapping that out with "within their
24 range", or what are you looking for here?
25
26 **DR. CRABTREE:** Well, I don't know that I -- I mean, we're
27 required to rebuild overfished stocks. That is a requirement of
28 the statute, and so, if we wanted to have an objective that was
29 to rebuild depleted stocks or something along those lines, but
30 it's just -- You know, I read it, and I understand what they
31 meant, and I bet this was written twenty years ago, but it's
32 oddly worded in the way it's phrased, to me.
33
34 **CHAIRMAN GUYAS:** Kevin.
35
36 **MR. ANSON:** Kind of thinking about that, and I'm just kind of
37 talking right now, to rebuild or maintain fish stocks in the
38 fishery, for starters, I guess, and we would probably need
39 another second, for discussion.
40
41 **CHAIRMAN GUYAS:** I think, Paul, you were the seconder. Are you
42 okay with the direction we're going with this?
43
44 **DR. MICKLE:** Yes, somewhat. Sure. Yes, I'm fine with the
45 amendment.
46
47 **MR. ANSON:** If you can remove "wherever they occur within",
48 remove that. There you go.

1
2 **CHAIRMAN GUYAS:** Okay, and so now we've got -- It would read: To
3 rebuild or maintain the fish stocks in the fishery. Tom. We're
4 going to wordsmith this to death. It's going to be awesome.
5
6 **DR. FRAZER:** Yes, we're going to try. Maybe we can say "to
7 maintain viable fish stocks throughout their range and rebuild
8 specific stocks, when needed", or something along those lines,
9 because, for the most part, we're hoping to maintain viable fish
10 stocks, right, and only would we rebuild them if we had to, and
11 that is already, as Roy pointed out, mandated. The agency would
12 tell us we have to do that, and so I think I would put the
13 maintenance first and the rebuild as the second part of the
14 sentence.
15
16 **CHAIRMAN GUYAS:** Roy.
17
18 **DR. CRABTREE:** What about saying to prevent overfishing and
19 rebuild overfished stocks?
20
21 **DR. FRAZER:** Perfect.
22
23 **CHAIRMAN GUYAS:** Love it.
24
25 **DR. CRABTREE:** That's right out of the statute.
26
27 **MR. ANSON:** It pays to have folks listening in on the other
28 side. Thank you.
29
30 **CHAIRMAN GUYAS:** All right. Any other revisions or thoughts or
31 snide comments on this one?
32
33 **MR. ANSON:** If I can, I agree with that change.
34
35 **CHAIRMAN GUYAS:** Yes, and so this is going to be interesting,
36 because I feel like it's probably better if we're all
37 collaborating around the table on this, but, at some point,
38 we'll have to get a motion and a second, and we may have to, I
39 guess, check in once in a while to make sure the original motion
40 maker and seconder are okay. All right. Is there any
41 opposition to -- Let's get it on the board, I guess. **Now we**
42 **have the Objective 1 reworded as follows: To prevent overfishing**
43 **and rebuild overfished stocks. Is there any opposition to this**
44 **wording, this motion, for Objective 1? That motion carries, and**
45 **we have one down.** Just kidding, because Robin has a comment.
46
47 **MR. RIECHERS:** Well, I guess I'm trying to figure out what --
48 Not to create a pun here, but what is the objective of this

1 exercise? I mean, I thought what we were doing was reviewing
2 these in accordance with the discussion regarding the
3 allocation, or I thought that's how the motion was made in the
4 last meeting, and is that -- Am I recalling that correctly, that
5 that was kind of the vein of some of this discussion?
6

7 **DR. FREEMAN:** At least in terms of -- It was a request, and the
8 request was simply to provide the analysis of the Reef Fish
9 Fishery Management Plan objectives. Then it said in terms of
10 background information, context, and relevant amendments, as
11 well as the extent to which the council has achieved those
12 objectives, and so that was the context of the recommendation
13 itself.
14

15 **MR. RIECHERS:** Okay, and so that's been done, and then the IPT
16 raised some questions along the way, because the review paper
17 basically did that in your summary, and so I'm just trying to
18 figure out -- Is it really our goal to go through every one of
19 these and reword them, realizing that the discussion where they
20 came from, because, even if you look at the discussion
21 underneath that one, now that we've reworded it, and there may
22 be discussion elements that you would want to change as well, or
23 was this -- Have we met the purpose of what the motion did,
24 number one, and, number two, now that we have it summarized, is
25 there a way that we could go through and group some of these,
26 because there are some clear groupings.
27

28 You had two or three, or maybe four, that dealt with OY, and,
29 when you think about even that, there are some underneath that
30 dealing with maximizing benefits, socioeconomic benefits, cost-
31 effective measures, derby fishery issues, where you're talking
32 about inefficiencies, and I'm just wondering whether there is --
33 I am trying to figure out how we get our arms around what our
34 end result needs to be here, and I'm thinking there may be some
35 efficiency in grouping them and really looking at them in that
36 context, as opposed to 1 through 18 or something like that.
37

38 **DR. FREEMAN:** At least to take a little bit of guidance from the
39 procedural directives, and this might help a little bit, on page
40 1 of the white paper, the second procedural directive, for
41 instance, does note that having updated and measurable
42 objectives help clarify decisions about tradeoffs, and so I
43 think, as applicable, if the committee -- What objectives that
44 they think need to be updated, in essence, if they're measurable
45 as we go forward and potentially look at reallocation, again
46 keeping in mind that this is applicable to other reef fish as
47 well.
48

1 **MR. RIECHERS:** To place in our next management plan? I mean, is
2 that the goal, is to create a new set of objectives going into
3 the next management plan?
4

5 **MS. LEVY:** Well, I think you're right that it started out as a
6 discussion with respect to allocation decisions related to red
7 snapper, but the allocation decision is supposed to consider the
8 objectives that you have in your FMP, and so the idea was look
9 at the objectives that are there and then have you met them?
10 Are you still trying to meet them? Are there different
11 objectives, because it's been a long time since maybe some of
12 these have been really looked at, and so that then you could
13 incorporate that into the allocation-type decision and
14 discussion you're going to have.
15

16 I think, ultimately, or maybe the plan would have been to then
17 take whatever you do with the objectives and put it in the FMP
18 amendment that's going to deal with allocation, and it doesn't
19 have to do that. You can update the objectives, and we could
20 incorporate them in another FMP amendment, but I think that's
21 where we were going and how it was linked to the allocation,
22 and, in the guidelines that I read from before, there was
23 another paragraph that says, to reflect the changing needs of
24 the fishery over time, councils should reassess their FMP's
25 management objectives on a regular basis, and so I think it goes
26 to both that and the allocation decision, particularly with
27 respect to red snapper that you were having, and the policy and
28 the guidance on creating these triggers, right, and so all of
29 those go together with looking at the objectives, but it's just
30 that we started originally with the red snapper thing.
31

32 **MR. RIECHERS:** I am just -- My concern is that, if we walk
33 through eighteen of these one-by-one and we just tweak the
34 verbiage without thinking about how we can merge some of them, I
35 just think we're going to end up rewording them, just like we
36 did Number 1, and that may fit Magnuson today, or our thought
37 processes, and we're going to get rid of a couple, probably,
38 and, in some reflection, they're going to all be aspirational
39 goals, and so, I mean, I don't think there's many that we're
40 going to get rid of here. We're going to be at some level of
41 still attempting to achieve them, but I will let you all
42 continue, and I will try to help where I can.
43

44 **CHAIRMAN GUYAS:** I think we'll try to consider those ones that
45 could get grouped together, kind of how Matt had set up the
46 presentation, and so we can do that, but I know this is painful,
47 believe me, and I hate wordsmithing in a group, but we have to
48 do this if we're going to move forward with this stuff, and so

1 this is going to suck, the next couple of hours, but everybody
2 ate a light lunch and they're awake, and it's going to go faster
3 than it would if we were all taking naps.

4
5 **DR. FREEMAN:** Thank you for that intro, Martha.

6
7 **CHAIRMAN GUYAS:** Roy.

8
9 **DR. CRABTREE:** Maybe what we need is to get a smaller sub-
10 committee to kind of work on this and go through it. Carrie
11 says no. Never mind.

12
13 **EXECUTIVE DIRECTOR SIMMONS:** I thought we tried that in was it
14 2013, and that didn't work out too well.

15
16 **DR. CRABTREE:** We had a Reef Fish Committee meeting, a special
17 Reef Fish Committee, but it was still, I think, the whole
18 council.

19
20 **CHAIRMAN GUYAS:** I remember that being quite painful, and so
21 let's see how far we can get. How about that? Do you want to
22 move on to the next one?

23
24 **DR. FREEMAN:** Sure. All right, and so we'll move to Objective
25 2, which, again, Objective 2 and Objective 7 did have some
26 overlap, and I know there was some discussion prior to lunch,
27 and Objective 2 is to establish a fishery reporting system for
28 monitoring the reef fish fishery, and you will note, at the
29 bottom of this slide, as well as the committee members who have
30 the little handout, but I do note, at the bottom of the slide,
31 that Objective 7 is to re-specify the reporting requirements
32 necessary to establish a database for monitoring the reef fish
33 fishery and evaluating management actions, and so I will leave
34 it open to the committee, if there's anything that they want to
35 change, or they may want to merge these objectives into a super
36 objective, or however you see fit.

37
38 **CHAIRMAN GUYAS:** Susan.

39
40 **MS. BOGGS:** I like Matt's idea. Let's combine the two. Does
41 that help, Robin?

42
43 **CHAIRMAN GUYAS:** I think, and let me know if this is okay with
44 you, but I think, if everybody can kind of get onboard with
45 general concepts, like let's combine 2 and 7, then perhaps we
46 can let staff do the wordsmithing, and that will make this go a
47 little bit faster, if we can kind of get around some general
48 concepts, and are you okay with that, or do you want specific

1 language from us?

2

3 **DR. FREEMAN:** Specific language would be helpful, because I
4 would be curious what parts to retain in the merging, and so
5 that would actually help us.

6

7 **CHAIRMAN GUYAS:** Okay, and so let's talk about these two. Greg.

8

9 **DR. STUNZ:** Maybe I can help, since this is sort of related to
10 the Data Collection Committee. I agree that combining Number 2
11 and 7 -- Combine those, and I think, basically, we said to
12 maintain a fishery reporting system for monitoring reef fish
13 would account for that, since we're already doing that. I mean,
14 you could say maintain a robust, if we really wanted to get
15 aspirational, but that would combine those two, and it would
16 capture the intent of Number 7.

17

18 **CHAIRMAN GUYAS:** Robin.

19

20 **MR. RIECHERS:** Number 7 was a re-write of 2 when it came online,
21 and so, I mean, it makes sense that we basically combine those
22 two, because those were basically -- 7 clearly states that it
23 was a re-write of the original one.

24

25 **DR. STUNZ:** Martha, if I may, I didn't phrase it -- Do you need
26 a motion on that?

27

28 **CHAIRMAN GUYAS:** Yes.

29

30 **DR. STUNZ:** Okay, and so I will move that we combine objectives
31 -- Did Susan make that motion? Did she?

32

33 **CHAIRMAN GUYAS:** No.

34

35 **DR. STUNZ:** Okay, and so I move to combine Objective 2 and 7 to
36 read -- If you just copy that Number 2 objective there and
37 replace the word "establish" with "maintain", and I don't know,
38 but do you all want robust fishery reporting? The only reason I
39 said "robust" is because the Number 7 talks about monitoring and
40 management actions and all kinds of stuff like that, but I'm
41 okay either way. I will just leave it with that, and so that's
42 my motion.

43

44 **CHAIRMAN GUYAS:** All right. We've got a motion on the board to
45 combine these two have a new objective that reads: To maintain a
46 robust fishery reporting system for monitoring the reef fish
47 fishery. Is there a second to this motion? It's seconded by
48 Susan. Okay. Any other discussion on this motion? Leann.

1
2 **MS. BOSARGE:** Since we're going to nitpick it, Greg, do you want
3 to put that word "database" somewhere in there, because that was
4 the part of 7 that Kevin was speaking to earlier, that one of
5 them -- That 2 really was talking about the reporting system,
6 and then that 7 was almost establishing that database that you
7 use to monitor and evaluate the fishery, and so do you want to
8 put "database" somewhere in there?
9
10 **DR. STUNZ:** I am perfectly fine with that, Leann, if you have a
11 suggestion, or would you say something like "to maintain a
12 robust fishery reporting and data collection systems for
13 monitoring the --" Does that work?
14
15 **CHAIRMAN GUYAS:** Does that work for you, Susan, since you're the
16 seconder?
17
18 **MS. BOGGS:** Well, I was re-reading this, and do we need to keep
19 something in there, because 7 was kind of the re-write about the
20 evaluation and management portion, evaluating management
21 actions?
22
23 **DR. STUNZ:** I am fine with adding that, if someone wants to add
24 it. In my mind, if you don't, the word "system" could imply
25 that it would include all of that, Susan, but, if you want to
26 add something, I am fine with taking a friendly motion or
27 whatever to add that, or amendment to add that in.
28
29 **CHAIRMAN GUYAS:** Okay, and so you're okay, Susan? Okay.
30 Anything else on this one? Mara, did I see your hand sneaking
31 up? Okay. Go ahead.
32
33 **MS. LEVY:** I am just wondering if it should say to maintain
34 robust fishery reporting and data collection systems, and take
35 out the "a" and make "systems" plural.
36
37 **CHAIRMAN GUYAS:** Okay. I saw some head-nods approving that, I
38 think. Anything else on this one? Are we ready to vote? Okay.
39 **Any opposition to this motion? Seeing none, the motion carries.**
40
41 **DR. FREEMAN:** There's three down. I will give admin just one
42 second. Objective 3 is to conserve and increase reef fish
43 habitats in appropriate areas and to provide protection for
44 juveniles while protecting existing and new habitats. Is there
45 any discussion about whether this has been achieved or if the
46 wording needs any tweaking or clarification? I will pause there
47 for committee input.
48

1 **MR. RIECHERS:** I was waiting for Kevin. He was fixing to go,
2 but I do have a question in mind, and while I hate to bring this
3 up, because my colleague to my right may want to suggest that
4 there is not a way to merge these two, but I would wonder
5 whether we couldn't merge Number 3 and Number 10, bringing in
6 the artificial reef notion in underneath this as a habitat and
7 structure.

8
9 Now, I would also say that I'm not certain that Number 10 really
10 needs to be left anymore, because, frankly, it's encourage
11 research, and I think there's been a lot of research and effort
12 in detailing the questions regarding artificial reefs, and I
13 want to say there was a pretty large symposium a couple of years
14 ago now.

15
16 **DR. FREEMAN:** Just to add to Robin's point, it is included in
17 our five-year research priorities as well.

18
19 **CHAIRMAN GUYAS:** Roy.

20
21 **DR. CRABTREE:** What I would like to see us do with respect to --
22 I mean, assuming that the increase reef fish habitats means
23 artificial reefs, I think we've got to start reflecting some
24 balance in artificial reefs, and I think we really need to have
25 an objective to think about them in terms of the totality of
26 their impact on the fishery and the fact that they are driving
27 up catch rates and they are causing quotas to be caught more
28 quickly.

29
30 In many places in the Gulf, we probably have more of them that
31 we ought to have, and it seems to me that, historically, and
32 probably when this was written, it was just the notion that more
33 of them is better, and they're great things, and so I don't know
34 how to word it, but I would like to see us -- If we're going to
35 say something about artificial reefs and those types of things,
36 to ensure that it reflects our goal of achieving some balance
37 and make sure that we're looking at it in the context of our
38 other management objectives, like longer seasons and those types
39 of things.

40
41 **CHAIRMAN GUYAS:** Robin.

42
43 **MR. RIECHERS:** Just so as not to complicate this one, and this
44 is one we did discuss prior to lunch, at this point -- If you
45 want to shift it and make that a switch-in, because then you're
46 just going to create tension in this particular item, but I
47 would say we just adopt this one as-is, and then, Roy, if you
48 want to deal with your artificial reef one, then we can take it

1 up under the artificial reef one. That way, we at least just
2 focus on habitat here.
3
4 **CHAIRMAN GUYAS:** Tom.
5
6 **DR. FRAZER:** I kind of agree with Robin, but I would be inclined
7 just to generalize and shorten this one to just simply say
8 something like to conserve and protect reef fish habitats and
9 leave it at that.
10
11 **CHAIRMAN GUYAS:** Is that a motion?
12
13 **DR. FRAZER:** Yes, it is.
14
15 **CHAIRMAN GUYAS:** Excellent.
16
17 **MR. RIECHERS:** Second.
18
19 **CHAIRMAN GUYAS:** Can you read it again for admin staff?
20
21 **DR. FRAZER:** The motion is to re-word Objective 3 to read: To
22 conserve and protect reef fish habitats.
23
24 **CHAIRMAN GUYAS:** Robin, you seconded that? Okay. While it's
25 going up on the board, any other discussion? Mr. Swindell.
26
27 **MR. SWINDELL:** As I read this motion, I get a little concerned
28 about the artificial reefs of oil rigs in the Gulf of Mexico off
29 the State of Louisiana. Just how are we going to conserve and
30 increase and protect those structures from being removed, as the
31 oil company has to eventually remove many of them? Thank you.
32
33 **CHAIRMAN GUYAS:** I think we'll come back to artificial reefs
34 directly when we come around to Objective 10. That one is
35 specifically about artificial reefs. I think that was the
36 intention here, and this just speaks to habitat in more general
37 terms. Other thoughts on this? All right. **Is there any**
38 **opposition to this motion, which reads: To re-word Objective 3**
39 **as follows: To conserve and protect reef fish habitats? Seeing**
40 **no objection, the motion carries.**
41
42 **DR. FREEMAN:** Moving forward, Objectives 4 and 6 could
43 potentially have some merging. Objective 4 is to minimize
44 conflicts between user groups of the resource and conflicts for
45 space. Objective 6 is to reduce user conflicts and nearshore
46 fishing mortality. If we're discussing sort of the two
47 together, the sub-component related to Objective 6 from the IPT
48 as well was clarification on the wording of "nearshore".

1
2 **CHAIRMAN GUYAS:** Okay. Thoughts on these two, I guess? Kevin,
3 did I see your hand go up?
4
5 **MR. ANSON:** I was, I guess, thinking of just modifying 4, and I
6 was going to suggest eliminating Number 6, because to reduce
7 user conflicts kind of is already described in minimizing
8 conflicts between user groups of the resource and conflicts for
9 space, which could be reworded, maybe, and then the nearshore
10 fishing mortality -- Again, I have a hard time finding out what
11 that means, defining "nearshore", and shouldn't we want to try
12 to reduce or minimize mortality in the fishery wherever it
13 occurs? That is what I am thinking right now. No motion.
14
15 **CHAIRMAN GUYAS:** Tom.
16
17 **DR. FRAZER:** Just perhaps, to try to move this along, I agree
18 that 4 and 6 are somewhat redundant of one another, and we might
19 simply re-word Number 4 to minimize user conflicts, or conflicts
20 between user groups, and leave that as it is, and then maybe
21 have a second, or a follow-up, objective that says to minimize
22 or reduce discards, or dead discards.
23
24 **CHAIRMAN GUYAS:** Was that a motion?
25
26 **DR. FRAZER:** Yes, it is.
27
28 **CHAIRMAN GUYAS:** Let me see if I can restate what you're doing
29 here. So we would get rid of 6, and Objective 4 would be to
30 minimize conflicts between user groups, and then we would have
31 another objective to say to minimize or reduce dead discards.
32
33 **DR. FRAZER:** Correct.
34
35 **CHAIRMAN GUYAS:** Okay. Let's see if we can get all of that on
36 the board. 4 would be to minimize conflicts between user
37 groups, and we've got that, and then there would be a new
38 objective to minimize or reduce dead discards, and then 6 goes
39 away. Delete 6. I think we've got it on the board. Okay. Is
40 there a second for this motion?
41
42 **MR. DIAZ:** Second.
43
44 **CHAIRMAN GUYAS:** Seconded by Dale. All right. Discussion on
45 this? Currently, the new component here is the dead discards
46 angle. Everything else is more or less already in the
47 objectives. Sue.
48

1 **MS. GERHART:** Could you explain what you think the difference is
2 between "minimize" and "reduce"?
3

4 **DR. FRAZER:** In the first part of that, I think we always want
5 to try to minimize any type of conflicts, right, and so, at this
6 point, we know that we have, in many fisheries, a high number of
7 dead discards, and we certainly want to reduce them, but I don't
8 know if we'll quite get to minimizing them, but just the effort
9 would be to reduce them at this point.

10

11 **CHAIRMAN GUYAS:** Sue.

12

13 **MS. GERHART:** To make sure I'm clear, you want to minimize
14 discards and reduce dead discards? Is that what you're saying?
15 Minimize discards altogether, as possible, and then reduce the
16 what's left?

17

18 **DR. FRAZER:** That's correct, yes.

19

20 **MS. GERHART:** Okay. Thank you.

21

22 **CHAIRMAN GUYAS:** Did I get a second for this? I forget. No, I
23 don't think I did. Okay. Is there a second for this motion?
24 Excellent. Thank you, Leann. Other comments on this? Tom.

25

26 **DR. FRAZER:** I just want to make sure the wording is right here.
27 To re-word Objective as follows: To minimize conflicts between
28 user groups. Add a new objective to minimize and reduce dead
29 discards. Sorry. I just wanted to make sure it was right.

30

31 **CHAIRMAN GUYAS:** Okay. Anything else on this one? All right.
32 **Is there any opposition to this motion? Seeing none, the motion**
33 **carries.** I think we're now on to 5.

34

35 **DR. FREEMAN:** Objective 5, again, the primary objective and
36 definition of optimum yield for the Reef Fish Fishery Management
37 Plan is to stabilize long-term population levels of all reef
38 fish species by establishing a certain survival rate of biomass
39 into the stock of spawning age to achieve at least 20 percent
40 spawning potential ratio.

41

42 From the IPT, the question was, for the committee, is if this is
43 still intended to serve as the primary objective of the FMP,
44 because that's how the objective is worded, and the comment was
45 that, currently, the OY definition, as written into the
46 objective, is inconsistent with OY as defined for several reef
47 fish species in some of our amendments. I will pause there for
48 discussion.

1
2 **CHAIRMAN GUYAS:** Roy.

3
4 **DR. CRABTREE:** This one makes little sense to me, and I don't
5 think we use 20 percent SPR for anything anymore, and we haven't
6 in a long time, and so I'm not -- I guess we ought to have an
7 objective that makes some reference to optimum yield somehow,
8 but I don't see much in this one that I would want to retain.

9
10 **CHAIRMAN GUYAS:** Tom.

11
12 **DR. FRAZER:** I agree with Roy, and I would suggest that we just
13 delete this, for two reasons. One is the definition, as given,
14 is not consistent to where it occurs in other places, and, two,
15 I'm not sure we could ever evaluate objectively whether we have
16 achieved it or not at this point.

17
18 **CHAIRMAN GUYAS:** I think that's -- If we want to do that, we may
19 also want to consider deleting Objective 9, which says to revise
20 the definition of optimum yield to allow specification at the
21 species level. I'm just throwing that out there. Greg, I saw
22 your hand.

23
24 **DR. STUNZ:** I was just going to recommend too that -- 5 doesn't
25 make sense to me either. In fact, I'm not even sure that the
26 definitions are completely correct. I do agree with Roy that we
27 probably need to have some objective that deals with optimum
28 yield, and, in fact, the definition we just had in some earlier
29 discussion about what it is, maximum sustainable yield reduced
30 by those variety of factors, and I think that would be more
31 appropriate.

32
33 **I would move to get rid of 5 and Number 9 and then replace that**
34 **with a more generic definition of we seek to achieve the optimum**
35 **sustainable yield.**

36
37 One other thing. The whole business about all the different
38 proxies and things and the spawning potential -- We address that
39 in other documents as well, and so I don't think that it's
40 appropriate here either.

41
42 **CHAIRMAN GUYAS:** Clay.

43
44 **DR. PORCH:** Thank you, Chair. I would also point out that 11
45 and 16 are wrapped up in definitions of optimum yield too, and
46 so you might want to consider wrapping all of those up together.

47
48 **CHAIRMAN GUYAS:** That's a good point. Okay. This one is going

1 to be fun. Greg, do you want to give it a shot?
2
3 **DR. STUNZ:** I think I -- Please jump in if I -- I will make a
4 motion to remove Number 5, Number 9 and -- Clay, which were
5 those? What were the other ones?
6
7 **DR. PORCH:** (Dr. Porch's response is not audible on the
8 recording.)
9
10 **DR. STUNZ:** 16 and 17?
11
12 **MR. RIECHERS:** 11 and 17.
13
14 **DR. STUNZ:** 11 and 17. Sorry. We'll let it get up there and
15 make sure that we get all of those. Okay. So remove those, and
16 is that all the ones that you saw there, Clay? I am just making
17 sure that we can move this along if there is any others that we
18 need to add.
19
20 Then replace with an objective that defines optimum sustainable
21 yield, and I'm struggling with what that objective would say,
22 and somebody feel free to jump in, but something like we seek to
23 manage Gulf stocks to seek optimum sustainable yield, which is -
24 - Do you want me to keep going? We seek to manage Gulf stocks
25 at optimum sustainable yield, which is defined as -- Someone
26 help me here with the real definition. It's MSY as reduced by
27 social and economic or whatever -- I don't recall what that
28 definition is. I can't remember the exact, but I should know
29 that, and someone feel free to wordsmith it.
30
31 What I'm basically saying is that we get rid of all those
32 objectives that are encompassed under the idea that we manage
33 stocks to optimum sustainable yield, which is defined -- I can
34 look up optimum sustainable yield real quick. It's not MSY. I
35 mean, we can use MSY in that definition, but --
36
37 **CHAIRMAN GUYAS:** We want OY.
38
39 **DR. FREEMAN:** I was just saying that our overall goal did have
40 that language for MSY, as far as reduced by relevant ecological,
41 economic, or social factors. I think that was the part you
42 wanted.
43
44 **DR. STUNZ:** That's the one. Right.
45
46 **CHAIRMAN GUYAS:** I think Mara is going to help us out too,
47 maybe.
48

1 **MS. LEVY:** I don't know that you want to put the whole
2 definition from -- I mean, the Magnuson Act defines "optimum",
3 with respect to yield from a fishery, and it's got an a, b, and
4 c, meaning it's not just that, and I don't know if you want your
5 objective to be optimum yield as described in the Magnuson Act.
6 I mean, I guess you can, but it just seems like a lot to put in
7 an objective.

8
9 The other comment I have is I am not sure that Objective 11 is
10 necessarily wrapped in optimum yield. I mean, I think it's
11 related, but that specifically says to maximize net
12 socioeconomic benefits from the fishery, and so I guess it's
13 kind of related to the optimum yield providing the greatest
14 overall benefit to the nation, but I am not sure that it's
15 exactly the same.

16
17 **CHAIRMAN GUYAS:** Tom.

18
19 **DR. FRAZER:** I mean, the reason that I suggested that we just
20 omit it, or reduce it, is because, if you look at the goal,
21 which kind of supersedes the objectives, that is kind of the
22 definition right there. The language in our goal is almost
23 identical to that in the Magnuson Act itself, but you could
24 simply say to manage Gulf stocks at OY, as defined in Magnuson.

25
26 **DR. STUNZ:** I agree with that. That's fine, or just omit that
27 last part altogether, whichever is cleaner. I do feel though
28 that Number 11 does still capture what we're trying to do here,
29 and so I would still be in favor of removing 11.

30
31 **CHAIRMAN GUYAS:** Okay, and so, Greg, I think we've got all the
32 remove part of the motion. Do you want to keep the new
33 objective here, or do you want to capture this thought in the
34 overall goal of the FMP? I think that's what Tom was
35 suggesting.

36
37 **DR. STUNZ:** Tom, you were saying get rid of that whole second
38 half?

39
40 **CHAIRMAN GUYAS:** Is that what you're saying, Tom?

41
42 **DR. FRAZER:** Yes, I am saying to manage Gulf fish stocks at OY,
43 as defined in the Magnuson Act.

44
45 **CHAIRMAN GUYAS:** Okay.

46
47 **DR. STUNZ:** Yes, that's fine.

48

1 **CHAIRMAN GUYAS:** So we would just then delete everything after
2 "OY" in that objective and say "as in the Magnuson Act"? Okay.
3 Let's get that on the board. While that's happening, is there a
4 second for this motion? It's seconded by Tom.

5
6 **DR. STUNZ:** The question still, Martha, was about removing 11,
7 and I still think that 11 -- **In my mind, 11 is captured in**
8 **optimum sustainable yield, and so I'm still in favor of removing**
9 **11 and keeping it in the motion.**

10
11 **CHAIRMAN GUYAS:** Okay. The motion would remove all four of
12 those objectives, 5, 9, 11, and 16, and then we would add this
13 new objective about OY. Is everybody on the same page? All
14 right. Are there other comments on this motion? All right.
15 Let's vote then. **Any opposition to this motion? Seeing none,**
16 **the motion carries.** We just checked off a bunch of them. I
17 think the next one we're on is 8. Yes.

18
19 **DR. FREEMAN:** Objective 8, again, is to revise the definitions
20 of the fishery management unit and fishery to reflect the
21 current species composition of the reef fish fishery. The
22 question coming from the IPT was if this objective has been
23 achieved or if it should be retained. Again, we had the note
24 that, since the original Reef Fish FMP, we've had reef fish
25 species that have been added as well as removed from the FMU,
26 through multiple amendments.

27
28 **CHAIRMAN GUYAS:** Leann.

29
30 **MS. BOSARGE:** I would say you just have to leave that one alone.
31 I mean, if there's one thing constant, it's change. You never
32 know what fishermen may decide to target in the future, and you
33 might need to pull something in or get something out. I mean,
34 who knows, but I think we need to just leave that one there.
35 That's something that will always be on our radar.

36
37 **CHAIRMAN GUYAS:** Other thoughts on this one? If I don't hear
38 anything else, then I'm assuming that we move on and we keep
39 this one as it is. Is that where everybody is at? Okey-dokey.
40 Then the next one, I think, is 10.

41
42 **DR. FREEMAN:** All right, and so Objective 10 is to encourage
43 research on the effects of artificial reefs, and I know there
44 has been some discussion, and so I will go ahead and turn it
45 over to the committee for that.

46
47 **CHAIRMAN GUYAS:** Okay. Roy, I know you had some thoughts on
48 this one. Do you want to offer a suggestion?

1
2 **DR. CRABTREE:** Yes, and so I would like -- I mean, encouraging
3 research, I think, is fine. There remain a lot of questions
4 about artificial reefs, in terms of how much they increase
5 productivity, if they do, and those kinds of things, but I would
6 like to see something in there that reflects a desire to balance
7 the positive side of artificial reefs, which is enhanced fishing
8 opportunities for fishermen, with the potential downside of
9 increased catch rates and shorter fishing seasons.

10
11 I don't believe, in the past, we have given that adequate
12 attention, and I don't think we've achieved much of a balance
13 there. I am not sure how to word that, but I would like to see
14 something added to this to reflect -- They obviously make great
15 fishing spots, but they cause quotas to be caught faster.

16
17 **CHAIRMAN GUYAS:** Okay. I've got Kevin and then Greg and Clay.

18
19 **MR. ANSON:** Well, I, in one hand, can kind of see, Roy, your
20 comment regarding the new language, but, I mean, we deal with
21 that process of collecting data and analyses of data and such,
22 and so I guess, if that additional language will be added, I
23 would like to add a little bit more on putting emphasis on the
24 process by which artificial reef data, or data that is derived
25 from artificial reefs, is analyzed and utilized in the science
26 side, or the assessment side, of the equation.

27
28 I just feel sometimes maybe that there isn't enough analysis or
29 enough stepping away by those that are in the process of looking
30 at the data and then running it through maybe an assessment and
31 realizing what impact that might have, and so I think, in total,
32 yes, if you look at that and say, yes, what are the benefits,
33 what are the attractions of it, but, in total, in looking at
34 that in the normal day-to-day going/gone that the agency has to
35 do to come out with ABC, I think that would all -- If we can
36 lump all of that together, I think that would be great.

37
38 **CHAIRMAN GUYAS:** Greg.

39
40 **DR. STUNZ:** I think I might have a motion, and this will be the
41 last motion I make on these, to maybe capture your idea, Kevin,
42 and hopefully it makes Roy comfortable. I think -- Could I see
43 those objectives? Let me look on here, because I need to see
44 what it is. **I move to change Number 10 to encourage research on**
45 **the efficacy of artificial reefs as a management tool.**

46
47 We're not discouraging any research or anything like that, but
48 we're encouraging that research to address some of these issues

1 that Roy is bringing up, but also the positive and potential
2 negative sides as well, and I don't know, but does that capture
3 your thoughts, Kevin? If not, I am happy to take a
4 modification.

5

6 **CHAIRMAN GUYAS:** Go ahead, Kevin.

7

8 **MR. ANSON:** Is that your motion then, Greg, to encourage
9 research on the efficacy of artificial reefs as a management
10 tool?

11

12 **DR. STUNZ:** That's it.

13

14 **MR. ANSON:** I think that could work.

15

16 **CHAIRMAN GUYAS:** Do you want to second that, Kevin?

17

18 **MR. ANSON:** I will second it.

19

20 **CHAIRMAN GUYAS:** Okay. I've got a line here. Next, I had Clay,
21 and then I have Ed after that.

22

23 **DR. PORCH:** The amendment that's proposed would work for me,
24 too. My concern was, although there has been a lot of work done
25 on artificial reefs, the essential question remains relatively
26 unanswered, and that is how much do artificial reefs draw away
27 from natural populations versus new production, and there is a
28 couple of projects going on to help answer that, but what we
29 really need is to measure what fraction of those fish in
30 artificial reefs really were drawn from natural populations
31 versus what is occurring there that would not exist otherwise if
32 those artificial reefs weren't there, and obviously there is a
33 spatial component.

34

35 Some places where you put artificial reefs, we can see them
36 pulling fish off of natural reefs, just because they like the
37 high structure, but, in other places, it may be that no fish
38 would have ever settled there or otherwise traveled there,
39 except that there were artificial reefs, and so that's the kind
40 of key research that needs to be done, and I wouldn't want to
41 discourage that, because, if we can answer those questions, we
42 can do things like create artificial reef fishing zones, where
43 you might be able to fish year-round, if we think that's just
44 gravy new production, and we're not there yet, but that's where
45 we need to be, and so this would work for that. You could even
46 be a little more specific, but this would still work.

47

48 **CHAIRMAN GUYAS:** Ed.

1
2 **MR. SWINDELL:** The problem I have here is with the word
3 "encourage". We're doing a fishery management plan to encourage
4 research? We've got to have something more specific, I think,
5 rather than just to encourage. I don't know how you're doing it
6 within the fishery management plan. What are you doing in the
7 plan that would encourage the research?

8
9 I don't know how to word it. I think research on the artificial
10 reef issue is very important, for a number of reasons,
11 especially for reef fish, but I don't know how you do it within
12 a plan, to just say "encourage". I don't know what we're doing
13 to help encourage. Thank you.

14
15 **CHAIRMAN GUYAS:** That's a good point. Greg.

16
17 **DR. STUNZ:** I just used the word "encourage" because that's what
18 was in there, and I suppose we could use "develop" or something
19 like that, maybe. To answer your question, Ed, in a variety of
20 documents and FMPs and other things, there is sections in there
21 about the data needs or data gaps and that sort of thing, and so
22 there is some options in the process, whether it's the actual
23 stock assessment process or the actual FMP, where you can put in
24 what the data needs or where we're lacking to make our decision,
25 but I am not stuck on the word "encourage", if someone else has
26 a better suggestion, or I am fine with "develop" or whatever.

27
28 **CHAIRMAN GUYAS:** Ed.

29
30 **MR. SWINDELL:** I don't know if we could change "encourage" to
31 "establish", because then you have to, as a fixed point, or
32 fixed sums or a fixed program, that establishes research, but I
33 just don't know what to do with the right wording. I'm sorry.

34
35 **CHAIRMAN GUYAS:** Robin.

36
37 **MR. RIECHERS:** Well, I suspect this isn't going to be the last
38 time that we see these pulled together, and so, at a first
39 blush, this keeps the notion of the research protocols or needs.
40 Whether or not it ends up being an objective under an FMP, and
41 Ed brings up a good point that this might not actually be a --
42 There may not be an action that the council itself takes to
43 achieve that objective in any way, and so maybe there is a re-
44 wording, but, at this point, I will support it as-is, just so
45 that we kind of keep it in there, Ed.

46
47 To your other point that you made a moment ago, we all -- Kind
48 of embedded in this is also the notion of how we maybe delay

1 removals or think about the removals that are ongoing as we
2 think about artificial reef habitat across the Gulf, but this at
3 least keeps it in this whole framework as we're discussing this
4 further over whatever course of meetings it is.

5

6 **CHAIRMAN GUYAS:** Paul.

7

8 **DR. MICKLE:** It's important to have language like this in,
9 because academics can cite this in their proposals. I mean, if
10 I was an academic, and I used to be one, this is catnip for
11 something I would like to submit. You know, you're citing an
12 FMP where they're encouraging research, because, like Robin
13 said, removal of certain structures and things, but you have to
14 have the research to show that would actually decrease
15 production, and so let's put the cart behind the horse and say
16 this is strong language. "Encourage" is strong enough, because
17 that's what an academic can cite, and that's what they run with
18 to chase monies that we don't have to come up with, and so I'm
19 in favor of the motion.

20

21 **CHAIRMAN GUYAS:** Kevin.

22

23 **MR. ANSON:** I am still in favor of the motion, but I did listen
24 to Ed, and I listened to what Robin was saying, and maybe to
25 kind of pull it full circle, so that we can still keep it out
26 there for folks to kind of latch onto, if you will, in the
27 research community, to kind of bolster their proposals, but yet
28 be able to be a point where we can kind of have some control of
29 that or use of that is maybe -- Greg, I am looking at you now,
30 because you were the maker of the motion, but to encourage and
31 periodically review research on the efficacy of artificial reefs
32 as a management tool.

33

34 **CHAIRMAN GUYAS:** Okay, and so the suggestion here would be to
35 add "and periodically review" after "encourage", and so move
36 that "research" after "review".

37

38 **MR. ANSON:** Yes, to encourage and periodically review research.

39

40 **CHAIRMAN GUYAS:** Leann.

41

42 **MS. BOSARGE:** I like the path that this is going down with the
43 periodically review, but, if we're going to go that route as a
44 management tool, I think that we need to somewhere get that word
45 "balancing" in that Dr. Crabtree was talking about, as a
46 management tool, and I'm not sure what you would put in there,
47 but something like -- Because you want to make sure that, if we
48 are encouraging the reefs, that it's still at the same time

1 balancing the other objectives, which one of them is to maximize
2 days to anglers, and so we need to make sure that we encourage
3 this in an approach that balances with our other objectives, to
4 make sure that we're looking at both sides of it, and I do like
5 that aspect.

6

7 **CHAIRMAN GUYAS:** Kevin.

8

9 **MR. ANSON:** Well, I kind of looked at it as a management tool to
10 kind of encompass everything that we would do relative to the
11 specific fish that is under the microscope, if you will, and so
12 Roy pointed out the issues with red snapper, in that, yes, they
13 provide a home for them, and there are some questions of whether
14 or not they are attracting those fish from other locations, but
15 it's also making them easier for folks to go fish them, and so
16 what impact would that have, and so I just kind of looked at it
17 as a management tool, or managing people, or managing fish, so
18 that it would be included in there, but, if you need something
19 more specific, that could be fine, too.

20

21 **CHAIRMAN GUYAS:** Greg.

22

23 **DR. STUNZ:** As the maker of the motion, that's why, Leann, I
24 chose that word "efficacy" in there, was because that sort of
25 charges us to decide, well, is it having our desired outcome.
26 Well, hypothetically, that desired outcome is something we would
27 all decide, whether that is drawing in fish or producing more
28 fish, and that review would allow us to assess that, and so, at
29 least in my mind, that encompasses what you're saying right now.

30

31 **MS. BOSARGE:** So do you think it encompasses that piece though
32 where it's not just the efficacy of does it draw fish from one
33 area or does it produce fish, but rather -- Even if it produces
34 fish, does it outweigh the rate at which they're killed, because
35 they are easier to target?

36

37 **DR. STUNZ:** Well, I think, as an evaluation as a management
38 tool, that would be something that would be analyzed in whatever
39 documents or whatever consideration we would be having of what
40 the effect of those are. In other words, I think, stated
41 broadly, as it is now, it would encompass any positive or
42 negative issues which we might encounter from artificial reefs.

43

44 **CHAIRMAN GUYAS:** Okay. Anything else on this one? It sounds
45 like -- Go ahead, Carrie.

46

47 **EXECUTIVE DIRECTOR SIMMONS:** I see where we're saying
48 "management tool", but maybe we want to "for management

1 purposes", and I'm not really sure. The states, I think, are
2 putting artificial reefs out there, but I don't know if the
3 council is directly involved with that. On management of reef
4 fish stocks, or for management of reef fish stocks, I'm just
5 sure about the word "tool".
6

7 **DR. STUNZ:** I thought this would be kind of easy, but -- Are you
8 saying so management -- Let's see. For management purposes is
9 what you're saying? Okay. That would work. So it should say
10 "of artificial reefs for management purposes" in that last line
11 there. Artificial reefs for management -- Yes. Replace "as a"
12 with "for".
13

14 **CHAIRMAN GUYAS:** Leann.
15

16 **MS. BOSARGE:** I was just saying I like that. I give it a
17 thumbs-up.
18

19 **CHAIRMAN GUYAS:** Very good. Okay. Is everybody comfortable
20 with this? I think we've had some good discussion on it. All
21 right. Is there any opposition to this motion? Now we are at -
22 - **The motion would be reworded to say: Encourage and**
23 **periodically review research on the efficacy of artificial reefs**
24 **for management purposes. Any opposition? Seeing none, the**
25 **motion carries.** We are now on Objective 12.
26

27 **DR. FREEMAN:** Okay. Objective 12 is to increase the stability
28 of the red snapper fishery, in terms of fishing patterns and
29 markets. I will pause there, or, actually, if you don't mind,
30 let me proceed just one slide ahead. There was an IPT comment
31 with Objective 13, which was to avoid, to the extent
32 practicable, the derby-type fishing seasons, and the IPT comment
33 there was that they saw some redundancy or overlap with
34 Objective 12, with the exception that Objective 12 is red-
35 snapper-specific, and so keeping in mind that both of those deal
36 with fishing patterns and markets and seasons.
37

38 **CHAIRMAN GUYAS:** Okay. Do we think 12 and 13 overlap? Do we
39 think we need a red-snapper-specific objective in our Reef Fish
40 Management Plan, or do we want to be more broad? Susan.
41

42 **MS. BOGGS:** Well, I would think you would want to be a little
43 more broad, because I think the intent, with all our species, is
44 to get out of the derby fishery and to increase the stability,
45 and I don't think it necessarily is specific to red snapper,
46 and, as long as we're looking at 12 and 13, I might also
47 consider 14 and 18 to maybe go along with that as well.
48

1 **CHAIRMAN GUYAS:** Okay, and so 14 is to promote flexibility for
2 the fishermen in their fishing operations, and 18 is to maximize
3 the available days to recreational fishermen, for anybody that
4 doesn't have their paper handy. How do we want to handle 12?
5 Then, as we discuss this one, we may end up tackling some of the
6 other ones, maybe. Kevin.

7
8 **MR. ANSON:** Perhaps -- Maybe say to promote the stability of
9 fishing seasons, or fisheries, depending upon what you want to
10 do with it, but fishing seasons with -- I hate to say it, but
11 with emphasis on flexibility to fishermen and maximizing
12 available days.

13
14 **CHAIRMAN GUYAS:** Would the days part be specific to recreational
15 fishermen?

16
17 **MR. ANSON:** No, maximizing days across-the-board.

18
19 **CHAIRMAN GUYAS:** Okay. Then are you intending just to modify 12
20 here, or are you wanting to delete some of these other ones that
21 we talked about?

22
23 **MR. ANSON:** I guess I was thinking of removing Objective 13, 14,
24 and 18 and modifying Number 12. That would be to promote
25 stability, and then "in fishing seasons" after "stability", and
26 then "to fishermen". Yes, I think that's it.

27
28 **CHAIRMAN GUYAS:** Okay. Kevin's motion is to remove Objectives
29 13, 14, and 18 and reword Objective 12 as follows: To promote
30 stability in fishing seasons with emphasis on flexibility to
31 fishermen and maximizing available days. Is there a second for
32 this motion? Seconded by Susan. Is there discussion? Go
33 ahead.

34
35 **DR. FREEMAN:** Just one comment, since we are sort of merging
36 multiple objectives. One of the IPT comments from Objective 18,
37 which is to maximize available days to recreational fishermen,
38 and the IPT had a suggestion, which was to insert sort of a
39 caveat, like at the end of your motion, like a comma and then
40 "to the extent practicable", and so I just wanted to bring that
41 comment to the committee's attention.

42
43 **MR. ANSON:** That's fine, just to make it clear. I mean, we
44 would be limited, I think, by Magnuson and by what we could or
45 couldn't do, but that's fine, if you wanted to add "to the
46 extent practicable".

47
48 **CHAIRMAN GUYAS:** All right. Other comments on this one? Leann.

1
2 **MS. BOSARGE:** I am not sure what exactly my comment is just yet,
3 but there's something I am just wanting to tweak on that. I
4 like "to promote stability". I think that is for any species,
5 any sector, right, and we all want stability. I like that, and
6 I'm not sure about "in fishing seasons", just generally
7 speaking. I mean, I'm trying to think of it from a somewhat
8 commercial perspective, especially like IFQ species. It's not a
9 season, per se. That management system gives us stability, and
10 so we like the stability, in general, in a fishery, and so I'm
11 not sure about the seasons, and I like the emphasis on
12 flexibility. I think that's definitely -- No matter what stock
13 of fish we're looking at or what type of angler, we all want
14 flexibility. I am just not sure about -- I get the maximizing
15 days for recreational anglers, but I just don't know if it fits
16 in with this, right along with this.

17
18 **CHAIRMAN GUYAS:** I think Matt is going to help, and then I see
19 Kevin and Tom.

20
21 **DR. FREEMAN:** Leann, regarding your concern on the commercial
22 side, looking at some of the previous language, would it help to
23 say "to promote stability in fishing seasons and markets", or if
24 we added something along those lines?

25
26 **CHAIRMAN GUYAS:** : Go ahead, Leann, and then we'll go through
27 the list. Susan, I've got you, too.

28
29 **MS. BOSARGE:** I mean, you can. I guess, every once in a while,
30 we get into the market side of the house, but not really too
31 often. Maybe it's mackerel sometimes we do, but that's about
32 it, where we're actually setting a season, and the market kind
33 of drives itself in the IFQ species. Anyway, I guess I'm just
34 having trouble rolling the maximizing available days into this.
35 It almost kind of makes me feel like the whole thing is geared
36 toward one side of the fishery. I almost feel like that should
37 be stand-alone, maybe.

38
39 **CHAIRMAN GUYAS:** Go ahead, Kevin.

40
41 **MR. ANSON:** I know why you brought this up, Leann. You didn't
42 think that I could create a motion on the fly. Is that what
43 you're getting at? "To the extent practicable" is a good
44 addition, in my mind, because, and it may not be what the IPT
45 was thinking, but, in my mind, that covers those fisheries that
46 don't have to worry about these things, and so the IFQ fishery,
47 for instance. They have stability. They have flexibility for
48 their fishermen, for the participants at least in that.

1
2 I mean, they are kind of walled off, if you will, from this
3 particular objective, because they have already got a lot of
4 those things already included, and so that's kind of what I was
5 thinking. It's not necessarily just recreational, because there
6 is other fish that commercial fishermen harvest that are not in
7 an IFQ, and so they want to try to maximize their access to
8 them, and they want to have as much flexibility in how they fish
9 for them, and so that's kind of the way I was thinking of this.

10
11 **CHAIRMAN GUYAS:** Tom.

12
13 **DR. FRAZER:** I thought I would just take a stab at maybe trying
14 to capture Leann's concern here, and I will read this before we
15 put it on the board, but maybe something like to promote
16 stability in a fishery by allowing for enhanced fisher
17 flexibility and increasing the number of available days on the
18 water, to the extent practicable. Does that get it?

19
20 **MS. BOSARGE:** I not going to nitpick it. I guess that it's just
21 that commercial side that says you don't want to be out there
22 365 days a year to catch your ten pounds, or 10,000 pounds. You
23 want to go out and catch it as fast as possible, and so I guess
24 that's just -- When I see that maximizing the number of days, it
25 just -- Anyway, it conflicts in my brain, and, when I see that,
26 then I think, okay, this objective is for the recreational
27 sector, but I know the top part is really for both. Sorry.
28 It's just me. I am going to let it go.

29
30 **CHAIRMAN GUYAS:** Let me work through the rest of the list, and
31 then we can maybe discuss whether we want to make that change
32 that you just suggested, and so I have Susan next.

33
34 **MS. BOGGS:** Tom actually captured my change to promote stability
35 in the fishery, with emphasis.

36
37 **CHAIRMAN GUYAS:** Okay. Leann, are you good? Okay. Dale.

38
39 **MR. DIAZ:** I was going to suggest replacing "available days"
40 with the words "fishing opportunities".

41
42 **CHAIRMAN GUYAS:** Kevin, are you good with that, because this is
43 your motion?

44
45 **MR. ANSON:** I am good, but we never got a second, and so -- Or I
46 don't think we did, but I'm good with it.

47
48 **CHAIRMAN GUYAS:** We've been working this one on the fly. Let's

1 see if we can get it semi-close. Okay. We've got a second.
2 Tom, you had some suggestions here that Susan liked, and have we
3 incorporated this in here? No.

4
5 **DR. FRAZER:** I'm going to give it another stab, and I'm just
6 going to read it, and I think I will capture what Dale had as
7 well. Maybe I can propose an alternative motion, or a
8 substitute motion, and would that be okay?

9
10 **CHAIRMAN GUYAS:** Kevin is saying yes, and so --

11
12 **DR. FRAZER:** All right. **The wording is as follows: To promote**
13 **stability in the fishery by allowing for enhanced fisher**
14 **flexibility and increasing fishing opportunities, and we can add**
15 **"to the extent practicable" if you want.**

16
17 **CHAIRMAN GUYAS:** Okay. You would keep the part about removing
18 13, 14, and 18?

19
20 **DR. FRAZER:** Yes.

21
22 **CHAIRMAN GUYAS:** This would be the new 12? Okay. **Our**
23 **substitute motion is to remove Objectives 13, 14, and 18 and re-**
24 **word Objective 12 as follows: To promote stability in the**
25 **fishery by allowing for enhanced flexibility and increasing**
26 **fishing opportunities, to the extent practicable.** Is there a
27 second for this motion? It's seconded by Susan. Is there
28 discussion of the substitute? Mara.

29
30 **MS. LEVY:** Well, just a comment. So, I mean, for the past few
31 of these, we've been taking these very specific objectives and
32 we've been getting rid of them and then putting in a much
33 broader, more ambiguous objective, and so I guess my question
34 would be, for something like this, how are you knowing whether
35 you are achieving it?

36
37 Like what do you exactly mean by stability and enhanced
38 flexibility and even fishing opportunities? Does that mean
39 days, or does it not mean days, and it doesn't matter to me what
40 it means, but I guess I'm just wondering how, five years from
41 now, we're going to look at this objective and decide whether
42 you have made any progress in achieving it.

43
44 **CHAIRMAN GUYAS:** Tom.

45
46 **DR. FRAZER:** I appreciate that, and I think, in the directions,
47 you're supposed to be as specific as possible to the fishery,
48 but, in this particular case, I'm trying to move this process

1 along, but with the wording that allows the council some
2 flexibility as well, right, because fishing opportunities in one
3 sector may in fact be an increase of the number of days
4 available on the water, but I think, as a council, we probably
5 can use some discretion in that regard, and so I'm not as
6 worried about it, I think.

7
8 **CHAIRMAN GUYAS:** I would just add, since we've broadened this so
9 that it's fishing opportunities rather than recreational days,
10 fishing opportunities on the commercial side is most likely not
11 days. It's pounds. Kevin.

12
13 **MR. ANSON:** Tom, did you have a word between "enhanced" and
14 "flexibility" when you were reading the original, when you were
15 dictating it?

16
17 **DR. FRAZER:** Fisher flexibility. Thank you.

18
19 **CHAIRMAN GUYAS:** Other discussion on the substitute?

20
21 **LT. ZANOWICZ:** Thanks. One of the things that I liked about
22 Objective 13 was it talks about avoiding derby-type fishing
23 seasons. For the Coast Guard, derby-type fishing seasons
24 present a pretty big safety-of-life-at-sea concern, and I think
25 removing the phrase "derby-type fishing seasons" from the
26 objective and replacing it with the current text kind of dilutes
27 that message a bit, and so I at least just wanted to bring that
28 up for consideration.

29
30 **CHAIRMAN GUYAS:** Okay. Tom.

31
32 **DR. FRAZER:** I am happy to exclude 13, Objective 13, from the
33 list and leave it as a stand-alone.

34
35 **CHAIRMAN GUYAS:** Is the seconder okay with that? Yes. Okay.
36 So now it would just remove 14 and 18 and re-word 12. Other
37 comments on the substitute? Are we ready to vote on this? I
38 think we are. **Is there any opposition to this motion? Seeing**
39 **none, the motion carries.** That takes us to 13.

40
41 **DR. FREEMAN:** Objective 13, as just mentioned, is to avoid, to
42 the extent practicable, the derby-type fishing seasons, and so
43 if the committee has any thoughts on, again, just retaining it
44 as-is or any modifications to the language. I will pause there.

45
46 **CHAIRMAN GUYAS:** Any desire to change this one? It doesn't look
47 like it. Okay. Well, 15 then.

48

1 **DR. FREEMAN:** Objective 15 is to provide for cost-effective and
2 enforceable management of the fishery, and this was a general
3 IPT comment, just asking if the committee felt that this had
4 been achieved or whether to retain the objective as-is.

5
6 **CHAIRMAN GUYAS:** Robin.

7
8 **MR. RIECHERS:** Well, obviously, I think it's an objective we
9 probably would want to maintain. I think what this obviously
10 points out though, as we make other decisions, is there is going
11 to be tension between objectives, and so we're just going to
12 have to recognize that, because some of the things we end up
13 choosing to do, to promote more flexibility, for instance, may
14 make enforceability harder. It may make it cost a little more,
15 but certainly that is an overarching goal of ours, is to be both
16 cost-effective and create cost-effective and enforceable
17 management, and so I would say we leave it as-is at this time.

18
19 **CHAIRMAN GUYAS:** Is everybody in agreement with that? Kevin,
20 are you thinking about changing it?

21
22 **MR. ANSON:** I guess how would we evaluate cost-effective? What
23 is the threshold there? I know, obviously, the agency has money
24 to spend, and a finite amount of that money, and so they would
25 try to do things the most cost-effective, but there is no other
26 -- Most of this stuff is done in-house, and there isn't any
27 other competition.

28
29 I mean, how do we determine what cost-effective is, and so maybe
30 another way to do it may be to just say "to provide for
31 enforceable management of the fishery while doing it the
32 cheapest way". I mean, I'm just struggling to try to figure out
33 how we would rate cost-effective or be able to determine what
34 that is.

35
36 **CHAIRMAN GUYAS:** Roy.

37
38 **DR. CRABTREE:** Well, while it sounds good when you read it, in
39 my experience, councils have rarely shown any interest in being
40 cost-effective, and being enforceable has never been that high
41 on their list of things either.

42
43 **CHAIRMAN GUYAS:** All right. Do we keep it, do we modify it, or
44 do we let it go? Go ahead, Roy.

45
46 **DR. CRABTREE:** My inclination would be -- I don't think this is
47 really a high-priority objective of this council, and so I would
48 be more inclined to get rid of it.

1
2 **CHAIRMAN GUYAS:** Is that a motion? All right. Leann.
3
4 **MS. BOSARGE:** The bleacher section over here says to keep it.
5
6 **CHAIRMAN GUYAS:** Okay. Unless somebody is willing to offer a
7 motion to modify it or delete it, it's going to stay. Now would
8 be the time. Okay. Now 17. This is the last one, for real, I
9 think, or maybe not. Matt is looking at me like --
10
11 **DR. FREEMAN:** Just if there is any concern about the last
12 objective, I am more than happy to bring this yearly to the
13 council, and we can review this every -- All right, and so
14 Objective 17 is to reduce the harvesting capacity of the red
15 snapper fleet in an equitable manner utilizing demonstrated
16 historical dependence on the red snapper resource as the
17 criterion.
18
19 The IPT questions, the first was for clarification. Was the
20 objective intended only for the commercial sector or for
21 commercial and recreational? Then, given that, should the
22 objective be retained as-is or has it been achieved? I will
23 pause there for discussion.
24
25 **CHAIRMAN GUYAS:** Roy.
26
27 **DR. CRABTREE:** I am pretty sure when this was put together that
28 it was looking at the commercial fishery, and I would say, with
29 the IFQ program, we have achieved it. I haven't ever heard
30 anyone show an interest in reducing the harvest capacity of the
31 recreational fishery. I suppose you could argue we have reduced
32 capacity a little in the for-hire fishery, just through
33 attrition, but I don't know that that's ever been an objective
34 of this council, to reduce recreational capacity, and so, to me,
35 this is one that we have pretty much achieved with the IFQs.
36
37 **CHAIRMAN GUYAS:** Okay, and so what's your pleasure? Tom.
38
39 **DR. FRAZER:** I will make a motion to omit this objective.
40
41 **CHAIRMAN GUYAS:** All right, and so we've got a motion to remove
42 Objective 17. Is there a second for this motion? Second by
43 John Sanchez. Is there further discussion? **Seeing none, is**
44 **there any opposition to this motion? No opposition.**
45
46 We are done with our current list of objectives, but we still
47 have the goal, and then we can circle and see if there is
48 anything that we have missed or we want to add.

1
2 **DR. FREEMAN:** Okay. As a reminder, the overall goal of the FMP
3 -- There is one modification, as I mentioned earlier, that I
4 found in the minutes from the April 2014 council meeting, and so
5 we will still need to -- It was voted on and approved, but we'll
6 need to still put it in a plan amendment, but it reads: To
7 manage the reef fish fishery of the United States within the
8 waters of the Gulf of Mexico Fishery Management Council
9 jurisdiction to attain the greatest overall benefit to the
10 nation, with particular reference to food production and
11 recreational opportunities, on the basis of the maximum
12 sustainable yield, as reduced by relevant ecological, economic,
13 or social factors. I would open that up, if the committee has
14 any thoughts on that.

15
16 **CHAIRMAN GUYAS:** Okay. Any comments on the overall goal? Are
17 we still comfortable with this, with that modified --

18
19 **DR. FREEMAN:** Just to add that the language currently reads
20 fairly close to a portion of the Magnuson-Stevens Act, and so I
21 will leave that with you.

22
23 **CHAIRMAN GUYAS:** Kevin.

24
25 **MR. ANSON:** Looking at the IPT comment, they recommend to change
26 the word "modified" to "reduced", to make it consistent, and I
27 think Mara would probably like that, but I will just go ahead
28 and make a motion then to replace "modified" with "reduced".

29
30 **DR. FREEMAN:** Kevin, sorry, but that IPT comment, as I
31 mentioned, had been addressed, actually. It was in the minutes
32 from the April 2014 council, but it just never got put into a
33 plan amendment, and so that word has already been changed. We
34 simply just need to put -- Probably when we address all of these
35 other things, we will put it into a plan amendment, and so no
36 motion, at least for that, is needed right now.

37
38 **CHAIRMAN GUYAS:** Okay. Anything else on the goal? Okay. Are
39 there objectives that we need to add to this that we haven't
40 already added? I think it's probably going to be easier to look
41 at that question once we look at the revised list and take some
42 time to think on it and see what we missed, but I think we did
43 pretty good, I'm not going to lie, and admin staff for keeping
44 up with all of this, the group edits, and so thank you. Do you
45 want to take a break?

46
47 **DR. FRAZER:** Sure. We're going to take a break. We will come
48 back in fifteen minutes at 3:20.

1
2 (Whereupon, a brief recess was taken.)
3

4 **CHAIRMAN GUYAS:** Our next item is gray snapper, and, John, I
5 think you're going to do the presentation, and do you want to
6 also give us a little bit of guidance from the action guide
7 about what we're doing today?
8

9 **ESTABLISH GRAY SNAPPER STATUS DETERMINATION CRITERIA, REFERENCE**
10 **POINTS, and MODIFY ANNUAL CATCH LIMITS**
11

12 **DR. JOHN FROESCHKE:** Yes, and so there are a few parts to this.
13 One, you're going to be looking at a gray snapper plan
14 amendment, and this is going to be based, in part, on the
15 results from the stock assessment that you reviewed a couple of
16 meetings ago. As part of the amendment, we'll be defining
17 status determination criteria for gray snapper, and you've
18 looked at this in Reef Fish Amendment 48 before. If you recall,
19 it's a very confusing sort of set of terms and things, and so I
20 have a presentation, and I'm going to go over some of that,
21 which will hopefully grease the skids for this.
22

23 We do have -- Emily has prepared a little infographic that we've
24 worked on for some time to try to help the conversation about
25 how to talk about the status determination criteria. Ryan, Mr.
26 Rindone, has prepared what he has called a hot sheet, which is
27 just sort of a little one-page biological summary of gray
28 snapper, since we've done very little management on that species
29 at the council, and so we have that, and then, lastly, we have
30 the draft document, and it's five actions, four of which are
31 SDC-related.
32

33 One, the final action, is related to modifying the ACLs, based
34 on the stock assessment, and so the things I will be asking as
35 part of that -- There is one SDC that we do have a definition,
36 and so, if we're satisfied with that, we may not even need to
37 include it as an action. The other part is to get your feedback
38 on the range of alternatives for the ACLs and those sorts of
39 things and then talk about timeline of what sort of document --
40 It is a plan amendment, and so we would probably need to do
41 public hearings and that sort of thing in some form or fashion,
42 and so what kind of document do you want to see in January.
43

44 **CHAIRMAN GUYAS:** Okay, and so we'll start with your presentation
45 about the status determination criteria.
46

47 **DR. FROESCHKE:** Sure. As this is getting started, we prepared
48 this presentation to help describe this. As part of the

1 preparation, we realized that, even amongst staff, there is a
2 lot of confusion about how to talk about this and what it means,
3 and so this is meant to be a high-level view to inform the
4 discussions as we go through the document.

5
6 Relative to gray snapper, we do hope to get some mileage out of
7 this, because, in January, you will likely be seeing Reef Fish
8 48 again, which is more of the broad, sweeping amendment to set
9 these, and so, for those of you who aren't familiar with this,
10 status determination criteria essentially are the metrics that
11 we use in fishery management to assess stock condition, meaning
12 determining overfished status or overfishing.

13
14 It's part of the council responsibilities through the FMP
15 management to set these criteria for each managed stock and to
16 do this in a measurable and objective way, and so that seems
17 really easy, but the real question, and perhaps what you're
18 interested in, is how many fish can you catch, and so that's
19 where it gets a little more difficult, because you have to
20 digest all this acronym soup into some level of fishing harvest
21 that you can do in hopefully a predictable way, and so what I've
22 tried to do is just set up a little set of boxes here to try to
23 distill some of these terms into groups, if you will, and things
24 that we would consider long-term, and these are values that
25 likely come based on a stock assessment, and they typically
26 don't change year-to-year.

27
28 These are some of the ones that I will come back to, and then,
29 these short-term ones, these are the kinds of things that we
30 often talk about in a management context, the OFLs and the ABCs
31 and the ACLs and things, and these often result from a stock
32 assessment, but they aren't necessarily a status determination
33 criteria, although OFL could be, and then this bottom box is
34 what I will call the evaluation criteria, and so this references
35 to the long-term metrics, the MSY and the fishing mortality and
36 the biomass and the OY, and so those are the long-term metrics.

37
38 Again, we think those are kind of constant, or we assume them to
39 be, and so, relative to this overfishing and overfished status,
40 we use these evaluation criteria. The MFMT, or maximum fishing
41 mortality threshold, is going to be the threshold of whatever
42 value is defined, which essentially means, if your fishing
43 mortality exceeds that value, then you're overfishing.

44
45 The minimum stock size threshold is a value that delineates
46 between overfished and not, and this level is typically set some
47 level below the biomass at MSY to allow some sort of ability for
48 the stock to fluctuate around an MSY level without requiring a

1 rebuilding plan or being considered overfished every time there
2 is a little bit of a variation.

3
4 Just to kind of start, most of this SDC you can think of
5 starting from the top, based on MSY, maximum sustainable yield,
6 although we don't manage to this, per se. This value, largely
7 from a stock assessment, does drive a lot of our derived
8 calculations that ultimately come down to either something like
9 a long-term value, like the OY, or more of an annual level,
10 something like an ACL.

11
12 We kind of think of this as the largest long-term average catch
13 that can be sustainably harvested year after year without
14 depleting the stock. A lot of collective fisheries management
15 experience has told us that MSY, harvesting at that level, is
16 typically not sustainable, because there is a lot of uncertainty
17 and things, and, if you're too close to that or you exceed that,
18 you can deplete the stock.

19
20 A big problem with this is this "maximum" in the sustainable
21 yield part. We don't really know what point that is. In
22 practice, it's really hard to find it without exceeding it, and,
23 once you've exceeded it, it can be difficult to get back to a
24 level that you would consider sustainable.

25
26 A second part of this is more of a nuanced part, but the MSY is
27 very difficult to estimate as part of a stock assessment
28 process. Age-structured stock assessments that we're doing with
29 Stock Synthesis and things, you have to know quite a bit about
30 the biology and the fishery and things.

31
32 A principal assumption is that the model, the stock assessment
33 model, can develop some statistical relationship between the
34 size of the spawning stock population and the recruitment
35 strength, and, for various reasons, sampling, just the
36 variability and things, we often don't have the data to identify
37 this relationship with very much certainty.

38
39 This is not unique to the Southeast. This is a very common
40 problem, and, to deal with this, we typically use MSY proxies,
41 such as SPR, or spawning potential ratio, we often call it,
42 which is more reliably calculated, based on the kinds of data
43 that we generally are working with, and so I will give you just
44 a little, brief summary of what is spawning potential ratio.

45
46 Essentially, it's a ratio, not surprisingly, and the top box
47 there is the egg production of the stock at the size that you
48 have, essentially a stock size that's been reduced because of

1 fishing, divided by the production, eggs, on a virgin, unfished
2 stock, and whatever this ratio is would be your SPR ratio, and
3 what this does is the SPR management target tries to hit a
4 value, a ratio, that we assume is sustainable in the long term.

5
6 The ratio, obviously, can range between zero and one, zero
7 meaning that you would have no eggs and you would have,
8 obviously, a collapsed stock. An SPR of one, which would mean
9 you would have the same egg production as the unfished stocks,
10 which you could only have with no fishing, and so the realistic
11 values are obviously somewhere in between.

12
13 Like I said, SPR is typically used when you can't estimate MSY
14 directly from the stock assessment, and, in our case, that's
15 almost always the case. For example, red snapper, we use an SPR
16 of 26 percent, and so that's, again, very typical, and so how do
17 you pick an SPR ratio that is reasonable?

18
19 Again, this can be informed by the biology of the species that
20 you're dealing with. Long-lived, slow-growing species, for
21 example goliath grouper or something like that, typically SPR is
22 much higher, in the 40 to 60 percent range, meaning that you're
23 going to have a larger spawning stock size in order to hit that
24 level. Something that grows faster, you can fish them harder,
25 and so the spawning stock size can be smaller relative to the
26 unfished stock size, something 25 to 35 percent, and we know
27 that red snapper is a very productive species, and, again, it's
28 fairly aggressively managed at 26.

29
30 In our region, 30 percent, and worldwide, is a fairly reasonable
31 range, sort of a default, if you will, SPR, and we've used that
32 for a number of Gulf stocks, and so just be thinking about that
33 as we kind of go through the presentation and later into the
34 document.

35
36 The next thing I want to talk about are these thresholds, and
37 the maximum -- I am going to talk about two, the maximum fishing
38 mortality threshold and then the minimum stock size threshold.
39 I know it looks like some of the axes on the bottom got cut off,
40 but, if you look at these charts, and I am going to start with
41 the MFMT, which references the chart in my left panel, and focus
42 on the black line.

43
44 What that essentially is, it represents the harvest or the yield
45 that you would get at various levels of fishing mortality on the
46 left panel and biomass on the right panel, and so, obviously, if
47 you think about biomass at zero biomass, or no biomass, you
48 could have no sustainable harvest, and so your yield would be

1 zero.

2
3 At a very large virgin biomass, you would have a large biomass,
4 but you couldn't sustainably harvest fish without depleting the
5 stock, and so, obviously, what you're looking for is some sweet
6 spot in the middle.

7
8 What I have done is placed a green dot on the apex of that
9 curve, which corresponds to the yield, the maximum yield, if you
10 will, and, if you drill down, what you would see is the fishing
11 mortality that corresponds to that maximum yield, which is a
12 bluish, dashed line, and we have identified that as MFMT, the
13 maximum fishing mortality. A fishing mortality to the right of
14 that, you would be considered overfishing, and, if you jump over
15 to the panel on the right, the biomass one that would
16 correspond, and, again, it would be the top there, at the apex.

17
18 However, we know that biomass is a long-term kind of metric.
19 There is some fluctuation, or variability, both in our ability
20 to measure that value, and we know that can vary through time,
21 and so, if we were to set the MSST at that value, every time you
22 were even one pound below the MSY level, you would be overfished
23 and doing rebuilding plans, which is not practical, in a
24 management sense, and so the question is -- It's reasonable to
25 set a value, this overfished threshold, at some level below
26 that, which is indicative of that red dashed line, but the
27 question is how far below that you want to go.

28
29 The farther you go, in terms of lower biomass, it means that
30 it's less likely that you will be doing rebuilding plans based
31 on natural fluctuations alone, and that's good. The problem is
32 if you set it too far below. By the time you would actually get
33 to an overfished condition, you are way down on your biomass,
34 and so it's going to be a much more aggressive rebuilding plan,
35 longer and more foregone yield and those kinds of things. That
36 is sort of the balance, and the alternatives in the document
37 that are concerned with MSST will kind of give you that
38 spectrum.

39
40 **CHAIRMAN GUYAS:** Leann.

41
42 **MS. BOSARGE:** That graph on the right, that is if you had your
43 MSST, and that's where -- That red line kind of represents an
44 MSST at 70 percent of BMSY, where it's intersecting there? Is
45 that what represents? Right now, we have it set for some stocks
46 at 50, and so it would be even further to the left, to represent
47 what we've done in recent times?

48

1 **DR. FROESCHKE:** Yes, that's correct, and so the way that we have
2 kind of thought about this is the minimum that you can set it at
3 is 50 percent, and, in Reef Fish Amendment 44, that's what we
4 just -- That's what you've done recently for setting the stock.

5
6 The range, the way that the SSC has often done this, or
7 recommended it, is one minus M, we call it, where you take the
8 natural mortality rate for a stock, one minus that, and then you
9 take that as the upper bound, and so, for gray snapper, for
10 example, the natural mortality rate is 0.15, and so the upper
11 value would be 0.85. In the alternatives in the document, we
12 have a range between 0.5 and 0.85. Does that make sense?

13
14 **MS. BOSARGE:** Yes, and I'm just looking at how far you fish it
15 down if you put that red line even further to the left.

16
17 **DR. FROESCHKE:** Yes, that's the point, or that's the whole
18 concept, is that -- In practicality, that curve may not be
19 symmetrical like that. This is a conceptual example, but the
20 point is valid that, the farther down you get before you ask for
21 help, the longer it's going to take you to dig out of a hole.

22
23 The other point I wanted to make about this is just to reiterate
24 the point that the dots sort of move in opposite directions, and
25 so, on the biomass panel, a virgin fishery would start with the
26 dot all the way on the far right, with a maximum, and you would
27 have no yield and a very high biomass.

28
29 On the fishing mortality panel, you would start at no fishing
30 mortality, and so the dot would be all the way on the left, at
31 minimum fishing mortality and no yield. As you fish one down,
32 the biomass goes down, and the fishing mortality goes up, and
33 the idea is to try to find the sweet spot that you can harvest
34 sustainably and get as much yield as you can. It seems pretty
35 easy until you try to do it.

36
37 This is part of the infographic that Emily and Camilla from our
38 staff have produced, and so, ideally, it kind of just goes back
39 to that previous panel. In a perfect world, you could set the
40 MSST right at the apex of that curve, although we know, as we've
41 just discussed, that that doesn't really work in a perfect
42 world, because there's just so much uncertainty, and so the MSST
43 -- We typically do set that at some level to allow for this
44 fluctuation and uncertainty, and, the lower you set it, the
45 harder it is to rebuild, although you are less likely to be
46 rebuilding it, unless you really need to.

47
48 The last part of this I think is more conceptually difficult for

1 me to think about, is this optimum yield, and we kind of talked
2 about this some already today, but, this optimum yield, what it
3 tries to do is account for these uncertainties in a way that
4 accounts for economic, social, and biological factors. It
5 doesn't necessarily do it in a prescriptive way, and so what
6 I've tried to do is illustrate on this curve how the fishing
7 mortality and the biomass would respond.

8
9 If you look at the fishing mortality, where the MFMT is, and
10 we've discussed that it's at FMSY, and so the OY is reduced
11 based on socioeconomic factors, and so, as a factor of reducing
12 the fishing mortality, it must be reduced, and so it's going to
13 be on the lower side of the curve.

14
15 Likewise, the biomass -- When you reduce the fishing mortality
16 relative to MSY, you're going to increase the biomass, and so
17 the biomass is going to be on the other side of the curve, and
18 so, if you were fishing at optimum yield, you would have a
19 biomass that's greater than the MSY biomass, and you would have
20 a fishing mortality that's less than the MSY fishing mortality,
21 and so, again, they respond in opposite ways.

22
23 Just to kind of put this together in what we're trying to do,
24 this is sort of a cartoon of an output that you might see in a
25 stock assessment, and these panels -- The way that you can think
26 of these, there is two metrics, the stock size or the biomass on
27 the X-axis there and then the fishing mortality, and, in the
28 middle is those solid black lines. We have labeled them as
29 MSST, which is the vertical line that goes up, and, again,
30 that's the line that you will define, and, if the stock size is
31 above that, you would be not considered overfished, and so you
32 would be in the green. Below that, you would perhaps be in that
33 yellow panel.

34
35 On the vertical axis, the Y-axis, there is the fishing
36 mortality, and, again, if you're above that maximum fishing
37 mortality threshold, you're going to be overfishing, and so, if
38 you look at it panel-by-panel, where you want to be is the
39 bottom-right, where you have a large biomass and you're not
40 overfished, and your fishing mortality is below the MFMT.

41
42 Likewise, in the upper-left, you have both a low biomass, and so
43 being overfished, and you are overfishing, because you would be
44 above that, and then the other two. If you kind of think about
45 this, how a fishery would develop, a virgin fishery, you would
46 start over in the green panel. Likely fishing effort might
47 increase rapidly, and so you might move up to the top one as you
48 deplete the stock.

1
2 You would be both in the red box, overfished and overfishing,
3 and you would enact management measures to reduce the fishing
4 mortality, which would get you in the bottom box, because you
5 are probably still overfished. Then, hopefully, as you reduce
6 them enough, then the biomass should increase and get you back
7 to the green, and so that's sort of -- If you look at a stock
8 assessment model result, these plots sort of track through time,
9 and that's often what we see in the cases where there is an
10 overfishing or overfished situation happening. Again, part of
11 the SDC is where to define both those MFMT and the MSST for gray
12 snapper, and that's what we'll be talking about.

13
14 The last part of this is, once we have those values, we can
15 develop that into harvest projections for the stock. This is
16 where we get something perhaps more common to the things we
17 always talk about, overfishing, ABC, ACL, and things like that,
18 and so, from the stock assessment, based on an MSY proxy -- Once
19 we define that, we can get a projection of OFL and ABC
20 recommendations from the SSC, based on the stock assessment.

21
22 Once we have that, you, the council, can set the ACLs and,
23 optionally, the ACTs, and, again, these are -- We start from the
24 top and reduce them down, based on uncertainty and other
25 factors, and so, generally, the OFL is reduced to the ABC for
26 scientific uncertainty, and the ABC is reduced to the ACL or,
27 optionally, ACT, for management kinds of reasons.

28
29 Just a little bit of where are we relative to these SDCs, again,
30 it's a requirement to establish these values for managed stocks,
31 and the way I've described this is typically we have defined SDC
32 on stocks that have an accepted stock assessment, and so we have
33 fifteen species with stock assessments, and now we have gray
34 snapper that was recently assessed for the first time.

35
36 For seven of the stocks, we have MSY, and seven we have defined
37 MSST values. The MFMT was defined in the 1999 document, and so
38 we have a definition of that for F 30 percent SPR, and then OY
39 has been defined for six stocks, and it's not defined for gray
40 snapper.

41
42 Just a quick primer on the actions in the document, Action 1
43 will be this MSY proxy that we'll be talking about, a couple of
44 options for that, as well as options for the MFMT, if you would
45 like to change it, and then we have the MSST and the OY, and
46 then Action 5 -- There is alternatives and options based on how
47 you might define the MSY proxies and things, and so, today, you
48 don't have to select preferreds or anything like that.

1
2 Mostly we're looking for if the range of alternatives is
3 satisfactory to you, and I might ask you about the MFMT, if
4 you're satisfied with that, and perhaps we could remove that and
5 then be thinking about the ACLs and the implications, and so
6 that's what I have.

7
8 **CHAIRMAN GUYAS:** Okay. Are there questions for John? Leann.

9
10 **MS. BOSARGE:** John, will you back up to Slide 14, the one with
11 all the pretty colors? Yes, that one. The OFL comes out of the
12 stock assessment, but how do we get the OFL? That comes from
13 the MSY proxy?

14
15 **DR. FROESCHKE:** Yes, and, if I get too far, Clay can correct me,
16 but, once you have an MSY proxy and a fishing mortality, based
17 on the condition of the stock that you know, you can compute
18 that and get projections, and so you have -- Typically, the
19 projections from the stock assessment assume a fixed fishing
20 mortality. They try to hit some target fishing mortality, and
21 we can calculate the acceptable yield for a given fishing
22 mortality, and so that's the OFL. I can keep going, if you
23 want.

24
25 **MS. BOSARGE:** I am sorry. I didn't get it. Like I can drill
26 down to ABC and ACL. I know, once you have your OFL, you apply
27 an ABC control rule to it, and you get ABC, and then we have
28 rules that say is the ACL equal to the ABC or is there some
29 buffer, and I know how to get to the ACT. Tell me again. OFL,
30 where does the -- How is that produced by the stock assessment,
31 because that's produced by the stock assessment, right? Okay,
32 and so what proxy or what numbers are used to get OFL? How does
33 that get estimated?

34
35 **DR. FROESCHKE:** Okay. The assessment will give you an estimate
36 of the biomass of the stock, and you can calculate the fishing
37 mortality. You have a target fishing mortality, based on your
38 MFMT. Once you know those, you can estimate that, okay, this is
39 the size of my spawning stock, and this is my target fishing
40 mortality. From there, you can solve for X and get the
41 allowable yield, given that.

42
43 If you think about a rebuilding stock, the way it increases, as
44 the stock size increases, you can harvest more fish, but
45 maintain the same fishing mortality. That's why, as the stock
46 grows, you can get more fish, but you're not overfishing. From
47 there, we have a control rule, and so that gives you your OFL.
48 From there, we apply the P^* and all that.

1
2 **CHAIRMAN GUYAS:** Does that make more sense? Okay. Other
3 questions for John or anything to add? We've got a couple other
4 helpful documents that we can, I think, walk through that will
5 help with this discussion and get us ready for the actual
6 options paper. Clay.

7
8 **DR. PORCH:** I will just add something to it. As John mentioned,
9 one of the tricky parts here is getting a handle on that long-
10 term spawner-recruit relationship, for a variety of reasons,
11 environmental variations, uncertainty in the data, and it's
12 really hard to estimate, and, not only that, it probably changes
13 through time, as environmental conditions change through time.

14
15 The consequence of that is we tend to go to these SPR metrics,
16 as John mentioned, and so we have really a proxy for MFMT and a
17 proxy for FMSY, and that's this F at SPR 30 percent or
18 something.

19
20 The problem is, once we go to long-term concepts like MSY and
21 MSST, again we have to make some assumption about recruitment,
22 and so what we have tended to do, because we don't know the
23 spawner-recruit relationship, is assume recent levels of
24 recruitment will persist into the near-term, but the consequence
25 of that is, when we compute MSY, making that same assumption,
26 people, one, interpret it as saying there is no spawner-recruit
27 relationship, which we're not actually saying in the assessment.

28
29 We're saying we don't know what it is, and so we're just going
30 to assume short-term recruitment will persist in the near-term,
31 yet we turn around and compute an MSY value, making that same
32 assumption that those recent recruitments will persist forever
33 and ever, and so what happens with each assessment -- Even if
34 the MFMT didn't change, you're going to start getting different
35 estimates of MSY, because you're making different assumptions
36 about recruitment. The recent recruitment window is rolling
37 forward, and so it's a challenge.

38
39 I know it's difficult to explain, but the gist of it is that we
40 don't really know what the long-term statistics are and what MSY
41 is and what MSST is, and so we're giving you an estimate based
42 on short-term assumptions about recruitment, and so it will
43 change with every assessment, until eventually we find there is
44 a stable stock-recruitment relationship, but, again, that may
45 never happen, because the environment changes fairly
46 substantially in the Gulf and in many places.

47
48 **CHAIRMAN GUYAS:** Okay. Are there other questions for Dr.

1 Froeschke on the presentation? If not, let's talk about that
2 infographic that Emily made. Some pieces of it were in the
3 presentation, but I think there is parts that were not, and so,
4 Emily, are you going to walk us through that?

5
6 **MS. EMILY MUEHLSTEIN:** I certainly will. You're right that John
7 did preview that infographic for us a little bit, and I do sort
8 of want to caveat this discussion with this has been in
9 development for about half-a-year now. We have brought it both
10 to our SSC and then to our interdisciplinary plan team, to sort
11 of go over it, and I thought I would be at an advantage, because
12 I'm not exactly a native to this stuff.

13
14 I don't have a degree in fisheries science, and so I was hoping
15 that that would help me develop a visual tool to explain this to
16 folks that are sitting in my position, where we have a lot of
17 intersection with fisheries science, but maybe just don't come
18 from that background.

19
20 It turns out that that might or might not be true, that it might
21 have been helpful and it might not. I didn't realize that a lot
22 of these terms are actually somewhat controversial, and so what
23 happened was, as we developed this tool, I found out that not
24 everybody, even folks who have done this forever, have the same
25 idea and the same understanding of these terms.

26
27 With that said, this may not be a perfect tool, but we have put
28 it through many iterations, and so I think the two things that
29 this tool really focuses on is understanding where the minimum
30 stock size threshold is and the MFMT, and so, basically, he
31 already showed you the stock status, which is up on the top-
32 left, and you will notice that the fishing mortality is
33 increasing on the Y-axis, and also sitting right on that Y-axis
34 is that maximum fishing mortality threshold, and, again, as Clay
35 and John both mentioned, this is sort of more of a short-term
36 thing. This isn't a long-term value, but, obviously, if the
37 fishing mortality goes over that threshold that you set, you are
38 overfishing, and so this is the overfishing criteria.

39
40 Then, if you look on your X-axis, as you move along to the
41 right, you have an increasing stock size, and that relates very
42 closely to your minimum stock size threshold. If your stock
43 size is smaller, which would be sort of closer to the middle
44 here, then you can be considered to be overfished, and, if you
45 are above that threshold, then you are not overfished, because
46 your stock size is big enough, and so that's hopefully just
47 going to be kind of a quick reference point for you guys, so you
48 can understand where those thresholds fit and how they relate to

1 stock size and fishing mortality, and then, again, how that
2 relates to our definition of the stock status.

3
4 Moving to the top-right panel, we look at the MSST, which is the
5 minimum stock size threshold, and I think this is an important
6 one, and I know John had focused on this with a different-
7 looking graphic as well, but, as Leann had mentioned, we have
8 some stocks that the MSST is set at that 50 percent of BMSY,
9 and, as you can see, as you move along the X-axis, we have
10 increasing biomass, and so we can set our threshold at any of
11 these different markers, and, the farther you go towards the
12 right of the graphic, the bigger your biomass becomes.

13
14 Now it's important to note that, yes, you can set it very low,
15 but, if you do set this threshold low, and we do happen to cross
16 over that threshold and get into the area where we are
17 considered to be overfished, then it's going to be harder and
18 harder to rebuild from that period, and so you do have that
19 leeway to figure out how big you want your stock size to be when
20 you set that threshold, but understand that, when you're doing
21 that, if you do reach that -- If you do go past that threshold
22 and you're overfished, it would take longer, or it would take
23 some larger measures, in order to rebuild the stock.

24
25 Then what we haven't seen is, if you go to the bottom-half of
26 this graphic, is this is focusing more on our maximum fishing
27 mortality threshold, and, as you can see, there is two thick,
28 black lines here. At the top, we're focusing on the stock size,
29 and, at the bottom, we're focusing on the fishing mortality, and
30 what that black line aims to do is sort of trace either one of
31 those values sort of through the regular kind of curve of what
32 happens in a fishery, and so you will see, at the bottom, we
33 have an unexploited fishery, and, in an unexploited fishery,
34 presumably our stock size is really high and our fishing
35 mortality is really low.

36
37 As you follow it through, we get to development of a fishery,
38 which presumably drops down the stock size and increases the
39 fishing mortality. That goes to a state of fully exploited,
40 where a stock size gets smaller, and our mortality gets higher,
41 and then we reach this sort of critical mass of overexploited,
42 and our stock size really drops low, and then we get to that
43 point where you could look at that fishing mortality, where the
44 curve kind of starts to turn around, and so you could still have
45 the same amount of effort, but the amount of fish that are
46 coming out of the water starts to decrease, because there is
47 less fish to actually catch, and so your fishing mortality
48 starts to decline at this point.

1
2 Then, if a fishery collapses, that means that our mortality is
3 going down, because we're at that point where we're not catching
4 fish because they're not there, and then, as we recover, our
5 fishing mortality can then start to increase again, along with
6 the stock size, and hopefully you reach some sort of equilibrium
7 value.

8
9 That brings us all the way over to the right here, in these red,
10 green, and yellow lines. At the top, it's going to show you the
11 biomass at those different yields, either at our optimum yield
12 or at our MSY, and then there is also a line here that shows
13 where your MSST would be set in this case.

14
15 Then, down on the fishing mortality, it will show you what your
16 fishing mortality is at MSY, at the maximum fishing mortality
17 threshold, and then your fishing mortality at optimum yield, and
18 so then, on the back of this graphic, we just have some kind of
19 quick definitions of what these terms mean, and we tried to do
20 our best to put them in more plain English than you might find
21 in a Fisheries 101 primer, and so this is really -- This tool is
22 used as a reference point, hopefully, for you guys, as you start
23 to make these decisions.

24
25 As I look through the gray snapper document that you're looking
26 at, it occurs to me that we might need to give you a little bit
27 of information about MSY and how it relates to the spawning
28 potential ratio, and it looks like we also might need to talk a
29 little bit more about our maximum fishing mortality threshold
30 and how that relates to our SPR, and so I think we can stay
31 tuned for a potential future infographic, even though I don't
32 really want to volunteer myself for this project, but I
33 recognize that those gaps are in this tool right now, and so
34 hopefully that's helpful.

35
36 **CHAIRMAN GUYAS:** Yes, I think it is. I appreciate the effort,
37 and I can see how it took you six months to work through a lot
38 of the kinks. Does anybody have questions for Emily about this?

39
40 **DR. FRAZER:** I just want to say that both the presentation that
41 John gave and the infographic that Emily created were pretty
42 spectacular, and I thought you guys did a wonderful job on that.
43 Thank you.

44
45 **CHAIRMAN GUYAS:** Leann.

46
47 **MS. BOSARGE:** Yes, and I was just going to echo that. Emily did
48 a great job. Thank goodness she has thick skin, because I

1 remember when she presented this, and scientists have a great
2 attention to detail, right, and so she presented it to the SSC,
3 and I just got a kick out of it, because they made sure that the
4 fish were -- You needed enough big fish and little fish in the
5 pictures for each different stock status, and the fish need to
6 be pointed the right way, and are they swimming up, like things
7 are good, or are they swimming down, like things are bad, and it
8 was wonderful. It was very entertaining, and so thanks to
9 everybody.

10
11 **CHAIRMAN GUYAS:** So one other thing I was going to say about
12 this, and probably the presentation too, since these are really
13 general, and it may be helpful to put them somewhere handy on
14 the website, where we can find them and refer back to them,
15 other than just the briefing book. That would be awesome.
16 Carrie.

17
18 **EXECUTIVE DIRECTOR SIMMONS:** Thank you. I just wanted to say
19 it's too bad that Mr. Dyskow is not here. He's been asking me
20 for this for a while, as well as Ms. Bosarge, and so maybe we'll
21 have to practice it again, give it to him at lunch or something,
22 and I'm not sure, but we have been working really hard on this,
23 and so I hope it was helpful. Thank you.

24
25 **CHAIRMAN GUYAS:** Okay. I think the next handy item on our list
26 for gray snapper is the hot sheet. Ryan, do you want to talk
27 about this?

28
29 **MR. RYAN RINDONE:** Sure. I would be happy to. So we've been
30 doing these things as kind of an informational sort of thing for
31 you guys, just for some quick familiarization of some of the
32 most important -- Well, opinionatedly important things, about
33 these different species.

34
35 It's supposed to be like a 10,000-foot view, and gray snapper
36 are one of the species that we have in the Gulf that you can
37 find just about everywhere, and so they take a couple of years
38 to reach -- For 50 percent of them to reach sexual maturity,
39 but, based on the research, they don't really start making
40 meaningful contributions to reproduction until sexually-mature
41 individuals are just about twelve inches long.

42
43 They can live up to thirty-two years, but, based on the data, we
44 used a max age of twenty-eight years in SEDAR 51, and I couldn't
45 believe this maximum observed weight, which is almost forty-nine
46 pounds. That sucker had to be huge.

47
48 Max length is up to thirty-five inches, and some of you guys

1 know Captain Ed Walker, and Captain Ed sent me a picture of a
2 mango that he caught a couple of months ago that was just a hair
3 under thirty inches, and it was fat. It was an impressive-
4 looking fish.

5
6 Discard mortality for the recreational fleet is pretty low.
7 It's estimated at about 6.9 percent, and it's 14 percent for the
8 commercial hand-line and 66 percent for commercial longline,
9 but, when you're looking at that, it's important to remember
10 that the very large majority of gray snapper are landed by the
11 recreational sector, and you can see, in the table in the lower-
12 right there, what the landings are through 2016, just to give
13 you an idea of what the general trend is there.

14
15 Gray snapper are found throughout the northern and southern
16 Atlantic, from Brazil to Bermuda, and throughout the Gulf of
17 Mexico and the Caribbean. They spawn in the summertime, and
18 they are most easy to catch, typically, in the summertime.
19 Other than that, they are historically pretty line shy, and the
20 larvae spend about a month -- The gray snapper spend about a
21 month in the larval phase, floating around as plankton, and
22 then, as juveniles, they settle into nearshore estuaries,
23 seagrass beds, and, as they get a little bit larger, shallow
24 reefs. They continue to grow offshore to other structure as
25 they get larger, and they're often structure or reef-associated.

26
27 Our current size limit on them is twelve inches total length,
28 and this size limit is -- You guys can correct me, but I think
29 it's the same also for Mississippi, Alabama, and Louisiana, and
30 Texas, I don't believe, has a size limit on gray snapper, and
31 Florida has a ten-inch size limit. The size limit of gray
32 snapper at twelve inches is just about a pound, and they're
33 roughly four years old, and, historically, the season on them
34 has been open year-round.

35
36 **CHAIRMAN GUYAS:** All right. Are there questions for Ryan? All
37 right. Let's move on to the document itself. John, are you
38 going to take us through that?

39
40 **DR. FROESCHKE:** Yes. The document is B-7(d). Again, this is
41 based on the stock assessment that was completed earlier this
42 year, and so what I want to do is just walk you through, since
43 it's the first time you've seen this document, and it is a plan
44 amendment, and there are a few things that I want to kind of
45 orient you to.

46
47 If you go to page 5, at least on the numbers at the bottom of
48 the page, which, again, has a -- We put a table in, and we try

1 to put these in there and sort of just summarize the landings.
2 A couple of points about this. The landings, by and large, are
3 fairly stable. About 90 percent of them come from the
4 recreational sector, and about 10 percent from the commercial.
5 There have been a few years recently that have kind of been
6 trending up, at least in the recreational sector.

7
8 We implemented ACLs for these, for gray snapper, in the generic
9 amendment in 2011, and it was implemented in 2012, and it has
10 exceeded the ACL one time in 2016, just by a little bit.

11
12 If you will scroll down to the next table, Table 1.1.2, a couple
13 of things here to look at. This M estimate, if you recall, this
14 is the natural mortality estimate, and this is going to reflect
15 in one of the alternatives in the MFMT estimate, and so the
16 natural mortality is 0.15, estimated in the stock assessment,
17 and, if you go down one line, you will see the steepness value,
18 and this goes back to the need for the SPR and the MSY proxy.
19 Essentially, the steepness of one implies that recruitment is
20 independent from the stock size, which we know, in the long-
21 term, is not true, but that's what we're using for right now,
22 and this is just because we don't have enough data, in certain
23 cases, to estimate that reliably.

24
25 If you go down just a few more lines, you will see this F
26 current divided by MFMT equals 1.2, and the status essentially
27 is overfishing, and so, based on the stock assessment, we think
28 that overfishing is occurring. In the bottom two lines, what
29 you will see is -- We had a lot of discussion at the SSC meeting
30 about this, and so there were various definitions of MSST, which
31 you will be defining. Using the one minus M, the stock would be
32 considered overfished. Using the MSST at 50 percent, like was
33 done in Reef Fish 44 for several other stocks, it would not be,
34 and so that sort of brackets the range of alternatives, and
35 that's how we came up with those.

36
37 The purpose need for this 1.2 is just below this, and, again,
38 it's essentially to establish these SDC criteria for gray
39 snapper where we don't have them and consider modification of
40 the MFMT, which we do have a definition, and then to modify the
41 ACL, ABC and ACL, values, as the projections and the
42 recommendations from the SSC exceed or -- The current ACL
43 exceeds what the recommendations from the SSC were, and so we
44 need to change that.

45
46 I won't drag you through too much. If you do have time to look
47 through the history of management, you will see it's short
48 relative to gray snapper. If you go to Action 1, 2.1, on page

1 8, the way the document is structured, it's the four SDC
2 actions, and then the last action is the ACLs.

3
4 For this one, we do not have an MSY proxy, and so Alternative 1
5 would be to not establish one. Alternative 2 would be to
6 establish the MSY proxy, which is the yield when fishing at an
7 SPR of 30 percent, or F 30 percent SPR. Again, this is fairly
8 typical for what we do for our other stocks. Alternative 3
9 would be the same, but it would be F 40 percent.

10
11 The way you can think about these two is essentially Alternative
12 2 -- You are going to have a smaller spawning stock, but you're
13 going to have a larger yield, at least in the short term, and
14 so, typically, you would expect to see higher harvestable yields
15 on Alternative 2 relative to Alternative 3.

16
17 Alternative 4 is sort of added on, and it could be selected in
18 addition to either Alternative 2 or Alternative 3, and it
19 essentially notes that, because we're using a proxy, that this
20 value may change as we get new values as output from a stock
21 assessment, and so, by selecting Alternative 4, it would allow
22 us to update the MSY proxy, based on the SSC recommendations,
23 without having to do a plan amendment. That is the general
24 concept, is for your consideration about how we might automate
25 this a little bit more in the future, and so I will stop there,
26 if there are questions.

27
28 **CHAIRMAN GUYAS:** All right. Are there questions for John?
29 Leann.

30
31 **MS. BOSARGE:** John, I apologize, and this is not my fishery, and
32 so it's not my area of expertise, as far as the history on it.
33 Do you think, before we get into the devil is in the details,
34 could you just back up a little bit? I mean, I know we've got a
35 stock assessment that, based on the metrics they were using,
36 we're overfished, right? Yes. Okay, but tell me what happened
37 before then. Was that the first stock assessment? Did we have
38 one before then? How has this fishery been prosecuted? I mean,
39 what are we seeing? Give me that 30,000-foot view before we
40 delve into setting numbers.

41
42 **DR. FROESCHKE:** Okay. Regionally, the fishery primarily -- Most
43 of the landings occur in Florida. Most of the landings are
44 recreational. It's targeted both inshore, as the juveniles, and
45 then offshore, which is the larger ones, and it's pretty
46 important for both of those sectors, or both of those
47 components.

48

1 Originally, there has been very little done in management from
2 the federal level on this species. The ACLs were -- What we
3 have on the books now was implemented in the Generic ACL
4 Amendment in 2011, and so they were in place in 2012. They were
5 done using Tier 3a of the ABC control rule, which, essentially,
6 they took the average landings from 1999 through 2008, and the
7 OFL was the mean plus two standard deviations, and the ABC was
8 the mean plus one standard deviation.

9
10 That is sort of the default way our Tier 3a of our control rule
11 is, and that's really all we had until 2016. We never exceeded
12 the ACL, and it did only just by a touch in that, and so there
13 really hasn't been any management need to address this stock.
14 Then, in 2016, we got an assessment.

15
16 The other thing I will add, just while I am blabbing here, is
17 the assessment results themselves, and Dr. Barbieri can jump in
18 if he wants to, were very what I would consider unusual, in that
19 the assessment indicated that the stock has been overfishing for
20 almost every year for forty years, but it's not overfished, at
21 least by -- It may or may not be overfished, and, if it is, it's
22 just barely overfished. The other part of that is, based on the
23 recommendations for harvest from the SSC, the stock is likely to
24 be above MSY levels, or BMSY levels, fairly quickly, regardless
25 of how we do it, and so it doesn't seem like we're going to need
26 a rebuilding plan, as far as I can tell.

27
28 **CHAIRMAN GUYAS:** Okay. Other questions for John? Then the
29 other thing we need to think about with this action is are we
30 happy with the range of alternatives that staff has provided us?
31 Do we feel like we need to add or delete the alternatives here?

32
33 **DR. FROESCHKE:** Let me give you a little more background on how
34 those were -- If that's helpful.

35
36 **CHAIRMAN GUYAS:** Hang on. Ed, go ahead.

37
38 **MR. SWINDELL:** Is there any -- You had such a red tide along the
39 Florida coast, and I assume this is one place where this stock
40 is concentrated, and has there been any effect of the red tide
41 on this stock of fish?

42
43 **CHAIRMAN GUYAS:** Luiz is shaking his head no, but do you want to
44 come up and talk about that?

45
46 **DR. LUIZ BARBIERI:** We just don't know, really. We expect that,
47 yes, we had a variety of stocks in southwest Florida that were
48 impacted, from Tampa Bay down to Charlotte Harbor and further

1 south a little bit, dozens of stocks, but the way that we
2 evaluate the actual impact is by following over time the indices
3 of abundance. We look at abundance of the stock, and we have
4 standard monitoring programs in place, because, when you try to
5 just evaluate dead fish in the water, or by the shoreline, so
6 many get lost or sunk or blown away or eaten by scavengers that
7 you don't actually get a good measure.

8
9 We have to do this a few months afterwards, to see where the
10 stock abundance level is relative to that same time period in
11 years prior, and so we don't know yet what the impact is, and
12 that's why I was shaking my head.

13
14 **CHAIRMAN GUYAS:** Do you want to talk about the --

15
16 **DR. FROESCHKE:** It just occurred to me that I didn't give you
17 really very much information about how those proxies were
18 selected, and so I thought I would do that. If you recall, a
19 few meetings ago, Dr. Porch and his staff gave us some
20 additional analysis on red snapper and looked at a range of SPR
21 values that might be appropriate for that stock.

22
23 As part of the analysis of that, they kind of came up with a way
24 to do that to generate a lower bound on what SPR might maximize
25 yield per recruit, and, based on their analysis from that, they
26 decided they -- It looked like about 23 percent was about as low
27 as you could go, and so we kind of used that as an original
28 starting point for the SPR, and then some other work by Hartford
29 and colleagues have looked at gonochoristic species and things,
30 and 40 percent would be about the upper bound, and so we started
31 at a range between say 23 or 24 and 40 percent.

32
33 The SSC reviewed the analysis relative to gray snapper on this
34 at their July meeting, I think, and they looked at it. The
35 evidence wasn't particularly clear, and their recommendation was
36 that not to select an SPR value below 30 percent. They didn't
37 feel like there was evidence to support something lower than
38 that, and so that's how we got to this 30 to 40 percent range,
39 and so, obviously, you could pick either of those, or you could
40 pick something in between.

41
42 **CHAIRMAN GUYAS:** Okay. I think that was helpful. Given that
43 information, is there any desire to change the alternatives here
44 or suggestions for additions or anything like that? I don't see
45 anybody willing to do that. Any other questions on this action
46 before we move on? Clay.

47
48 **DR. PORCH:** Not so much a question, but just to answer that

1 question posed by the SSC of how could the stock be undergoing
2 overfishing for so many years and yet -- Or be overfished for so
3 many years, and the problem is, the way MSST is defined, it
4 actually is well below the level that would correspond to the
5 equilibrium value if you were overfishing, because we actually
6 built in a buffer.

7
8 If you used MSST as 50 percent of the biomass at MSY, say, you
9 could fish just below, or just higher, than the FMSY, right, and
10 the stock is not going to be depleted below MSST, and so you
11 won't call it overfished. It's because the definition of --
12 We're calling MSST the overfished level, but it's really -- It's
13 not completely congruent with the way that we're defining
14 overfishing.

15
16 MSST is not the long-term biomass if you fish at the overfishing
17 level. It's a biomass below that, because we built in a buffer,
18 and that's why that happened, and so you could be overfishing
19 for many years and still not get below MSST, especially if it's
20 50 percent of the biomass at MSY, and so just to make sure
21 that's clear.

22
23 Other than that, I think the 30 percent spawning potential ratio
24 is defensible. If it were me, I probably would have set it to
25 the same thing as red snapper, more like 26 percent, but I think
26 the logic is still sound. There is some gray area there, and
27 the F 30 percent is not unreasonable. 40 percent probably is a
28 bit high.

29
30 **CHAIRMAN GUYAS:** All right. Is everybody all right here? Let's
31 go on to Action 2 then.

32
33 **DR. FROESCHKE:** Action 2 addresses the maximum fishing mortality
34 threshold, and so this is the one SDC that there isn't an
35 existing definition, and this was based on the Generic
36 Sustainable Fisheries Act Amendment of 1999, and it set the MFMT
37 equal to 30 percent SPR for all reef fish species, which
38 includes gray snapper.

39
40 You could accept that and eliminate this action from the
41 document if you wanted to. The definition for MFMT of F 40
42 percent would be, obviously, more conservative, and it would
43 make sense to, if you selected 30 percent SPR in Action 1, to go
44 with a similar recommendation in Alternative 2 here.

45
46 The other part of this, in case it was too straightforward, is
47 the MFMT is calculated in two ways. In the current situation,
48 we have a stock assessment that produces an estimate of fishing

1 mortality, and so we can measure that relative to the MFMT.

2
3 In years in between stock assessments, the metric is the OFL,
4 and so, if we exceed the OFL, then you're overfishing, and so
5 the MFMT in years in between stock assessments would be -- The
6 OFL would be the MFMT, and so, again, we have two alternatives.
7 The no action would be the F 30 percent, and Alternative 2 would
8 be the F 40 percent, which would give you a lower yield than
9 Alternative 1.

10
11 **CHAIRMAN GUYAS:** Are there questions about Action 2? If not,
12 we're going to keep rolling, so that we can stay on schedule.
13 Go ahead, Clay.

14
15 **DR. PORCH:** Sorry, but I just really want to emphasize that
16 Action 1 and 2 are not independent. What we're actually doing
17 in the assessment is specifying a proxy for MFMT, and then the
18 proxy for MSY is just a consequence of that, and so it's kind of
19 backwards to have Action 1 and then Action 2. It's really -- In
20 Action 2, what we're doing in the assessment process is
21 approving a proxy for MFMT, and then we calculate the
22 corresponding MSY proxy.

23
24 **DR. FROESCHKE:** Okay. We could even flip those in the next
25 version of the document, if you wanted to. Then Action 3 is
26 this MSST threshold for gray snapper. Again, this is the area
27 that Dr. Porch just spoke of.

28
29 The SSC talked a long time about this. The way they originally
30 did the assessment was based on the 0.5 times BMSY, which is
31 Alternative 4, and the SSC recommendation was the one minus M,
32 which is Alternative 2, and so, if you think in percentages, the
33 Alternative 2 is 0.85, Alternative 3 is 0.75, and Alternative 4
34 is 0.5.

35
36 Obviously, the lower the value, the larger the buffer, and the
37 way the gray snapper assessment worked out, in that table that I
38 showed you earlier, based on Alternative 2, the stock would
39 likely be overfished. In Alternative 4, it would not.
40 Alternative 3 is somewhere in the middle, and I'm not sure, but
41 that's not to say that that should inform your decision-making,
42 but that was sort of the reason why that table in the front is
43 ambiguous as to whether the stock is overfished or not, because
44 we don't have a definition.

45
46 **CHAIRMAN GUYAS:** All right. Are there questions on Action 3?
47 Okay. Let's keep going.

48

1 **DR. FROESCHKE:** Okay. Action 4 is optimum yield for gray
2 snapper. We've had a lot of meetings in-house and with NMFS
3 staff and things in trying to hash out OY. It turns out, in
4 practice, the way that we've done it for other stocks, this has
5 been some scalar of the FMSY proxy, and so we really have just
6 two alternatives here.

7
8 Alternative 1 would be not to establish an OY, and then
9 Alternative 2 would be setting OY for gray snapper at the long-
10 term yield that implicitly accounts for relevant economic,
11 social, and ecological factors by fishing at either 50 percent,
12 75 percent, or 90 percent of the FMSY proxy.

13
14 Obviously, the higher you go -- At 90 percent, you're going to
15 get a larger yield relative to OY than at the 50 percent. If
16 you are interested in what have we done before, there is a
17 Table, Table 2.4.1, and it's on page 14 of the document, if you
18 just scroll down, and you can look at some -- I think there was
19 six other stocks, and so gag is 75 percent of Fmax, and red
20 grouper is 75 percent FMSY, and that's kind of a typical range
21 of alternatives. That is sort of to inform your thinking, and,
22 again, you don't have to select a preferred at this time, but I
23 wanted to just give you the range and let you think about it.

24
25 **CHAIRMAN GUYAS:** Any discussion on Action 4? Leann.

26
27 **MS. BOSARGE:** John, and you may have said it, but I missed it.
28 Why did we go as low as 50 percent there for an OY? Have we
29 done that on anything else? Did you just tell me that? I
30 thought I heard you say seventy-something percent? It just
31 seems like 50 is pretty low.

32
33 **DR. FROESCHKE:** I don't know that we've gone that low for other
34 stocks in the past. I don't recall exactly why we selected that
35 one. I could look it up, if it's something that you think is
36 not reasonable, and we could certainly delete it, if you give us
37 that guidance.

38
39 **MS. BOSARGE:** I was just thinking about it from a practical
40 standpoint, if I was looking at this and going, okay, well, the
41 science says that this is the maximum sustainable yield, but
42 they're saying they only want to catch about half of it, and
43 what factors would lead you down quite that far, I guess was
44 what I was wondering.

45
46 **CHAIRMAN GUYAS:** Roy.

47
48 **DR. CRABTREE:** The yields that you would actually harvest don't

1 track that, exactly, and so, for example, if you chose 75
2 percent of FMSY that you were going to fish, the biomass would,
3 on average, actually be higher than BMSY, and the yield would be
4 higher. It would probably be 90 percent of MSY. Now, I agree
5 that 50 percent is kind of low, but those percent reductions in
6 F don't translate into reductions in yield.

7
8 **CHAIRMAN GUYAS:** Any other discussion on this one? Okay. We
9 will leave it for now and move on.

10
11 **DR. FROESCHKE:** Yes, and that's part of what informed our staff
12 discussions, is that OY doesn't track to that, and so what we do
13 is ACLs on an annual basis, and so it's hard to -- It was
14 confusing to me how we would move toward OY if we weren't there,
15 when we were really tracking towards an ACL.

16
17 Okay. Action 5, which actually considers the harvest levels,
18 and there's a couple of things to think about, and so we have
19 some different alternatives, obviously, that correspond to the
20 MSY proxy that you might select in Action 1, and that is either
21 the F 30 percent or F 40 percent.

22
23 Then the other part is whether you want to use an ACT for the
24 stock or not, and so, currently, we do have an ACT. However,
25 there are no accountability measures for the ACT, and so, in
26 reality, it doesn't serve a purpose for the way the stock is
27 currently managed. We could use it, I suppose, or we could just
28 remove it, and so I will just kind of start through this.

29
30 Alternative 1 would retain the ACL as 2.42 million pounds.
31 Again, this was established in the Generic ACL Amendment, but
32 this exceeds the current recommendation for ABC from the SSC.
33 Alternative 2 is based on the yield stream recommended by the
34 SSC. They gave us yield stream recommendations for 2019 through
35 2021 and beyond for both the F 30 percent and the F 40 percent,
36 and so the F 30 percent SPR is Alternative 2, and the
37 corresponding yields and ACLs are in the table.

38
39 For example, the ACL in 2019 would be 2.27 million pounds, which
40 would be a modest reduction from the current ACL of 2.42 million
41 pounds, and it would increase about 30,000 pounds a year for
42 each year.

43
44 Alternative 3 would also -- Well, Alternative 2, I will say,
45 does not establish an ACT. Alternative 3 is the same structure.
46 It would not establish an ACT, and so it's essentially -- It's
47 the same as Alternative 2 in structure. However, it's based on
48 the F 40 percent SPR instead of the F 30 percent, and so you can

1 see that the yields for each year corresponding are reduced.
2 The other thing I will say about those is the ACL is set equal
3 to the ABC.

4
5 Now what I will do is skip down to Alternatives 4 and 5.
6 Alternative 4, again, sort of maps to this F 30 percent SPR
7 proxy, and so the first three columns in there are the same as
8 Alternative 2. The difference is, in this one, we've added an
9 additional column, which is the ACT. We applied the ACL control
10 rule, which resulted in an 11 percent buffer, and so we would
11 establish an ACT that is 11 percent below the ACL. You would
12 have to think about if you wanted to do that and how the
13 accountability measures would work.

14
15 Then Alternative 5 is essentially the same. It has the ACT, but
16 it's based on the F 40 percent SPR proxy, and so, again, what
17 you are seeing is the lower values relative to Alternative 4.
18 Any questions on that?

19
20 **CHAIRMAN GUYAS:** Roy.

21
22 **DR. CRABTREE:** If we're going to base the accountability
23 measures off of the ACL, then the ACT is pointless here, right?

24
25 **DR. FROESCHKE:** Yes. In the way that it currently is, it
26 doesn't serve a purpose.

27
28 **DR. CRABTREE:** All right.

29
30 **CHAIRMAN GUYAS:** Other questions or comments on Action 5? Okay.
31 I think we're done with this for right now, and is that right?
32 This will come back to us in January?

33
34 **DR. FROESCHKE:** Yes, and so I just wanted to clarify that the
35 accountability measures for this are currently based on the ACL,
36 and so, yes. For January, just some feedback on if you would
37 like us to bring a public hearing draft or an updated draft, if
38 you have some feedback on things that you would like us to work
39 on.

40
41 **CHAIRMAN GUYAS:** Carrie, go ahead.

42
43 **EXECUTIVE DIRECTOR SIMMONS:** Thank you, Madam Chair. I would
44 just ask -- If the council doesn't think they are interested in
45 setting an ACT, it seems to me that it might simplify the
46 document to consider removing those alternatives. If they did
47 want to do that, then also think about how the accountability
48 measures would be set up. We would need to know that

1 information by Full Council.

2
3 **CHAIRMAN GUYAS:** Okay, and so any thoughts on that now, or do
4 you want to take it up on Wednesday or Thursday, whenever we
5 come back to this? Roy.

6
7 **DR. CRABTREE:** Well, I haven't heard any interest in changing
8 the AMS to reflect using the ACT, and so, unless you guys want
9 to do that, I would say take the ACT out. There is no point in
10 setting it if it doesn't do anything.

11
12 **CHAIRMAN GUYAS:** I would agree with that. Do you want to make a
13 motion to that effect and see where it goes?

14
15 **DR. CRABTREE:** Well, help me. How would the motion be -- Do I
16 just move to take the ACTs out, or are there specific -- So it
17 would be take Alternatives 4 and 5 out, in their entirety?

18
19 **CHAIRMAN GUYAS:** Yes.

20
21 **DR. CRABTREE:** All right. **I move that we remove Action 5,**
22 **Alternatives 4 and 5, to Considered but Rejected.**

23
24 **CHAIRMAN GUYAS:** Do we have a second? Thank you. All right.
25 We had a second from Ed. Any discussion on this? Does
26 everybody understand what we're doing? We're taking the ACTs
27 off the table here. **Any opposition to this motion? Seeing**
28 **none, the motion carries.**

29
30 Okay. Anything else on this one? Okay. Cool. Let's move on
31 then to our presentation about the Great Red Snapper Count and
32 Dr. Drymon.

33
34 **PRESENTATION: THE GREAT RED SNAPPER COUNT**

35
36 **DR. MARCUS DRYMON:** It's good to see so many faces. Good
37 afternoon. For those of you whom I don't know, my name is
38 Marcus Drymon, and I'm one of a few dozen collaborators,
39 principal investigators, on this project, led by Dr. Stunz. Of
40 course, the project is estimating absolute abundance of red
41 snapper in the Gulf of Mexico, something we've been referring to
42 as the Great Red Snapper Count.

43
44 What I have prepared for you today is a brief, more brief,
45 version, a less-elaborate version, of what was just presented to
46 the SSC earlier this month, where we had lots of good discussion
47 and lots questions, and so I'm looking forward to any questions
48 that you guys may have about this. Feel free to jump in and ask

1 questions as I'm going, or wait until the end, either way.

2
3 I thought a good way to step through this would be with respect
4 to the five milestones outlined for this project, and so the
5 project began in August of last year, and it's scheduled to end
6 next summer, and so that puts us about halfway through the
7 project.

8
9 The five milestones that we have outlined are shown here.
10 Number 1 is data mining and habitat mapping, Number 2 is
11 calibration and validation, followed by sampling, analysis of
12 results, and final estimates, or conclusions, if you will, and
13 so, today, I am really going to be focusing on these first three
14 milestones. That's where we are with respect to progress on
15 this project.

16
17 Starting off with data mining and habitat mapping, and this is a
18 really important aspect of this study, and I just want to remind
19 everyone that one of the specific stipulations of this award was
20 that the funds not be used just for habitat mapping, and so,
21 really, our first order of business was to sit down and gather
22 all of the datasets that had already been collected and use
23 those, with the idea of choosing stratified random sampling
24 locations.

25
26 This was a really important task, because we were doing a Gulf-
27 wide effort, and we wanted to make sure that all of the PIs were
28 sampling according to the same blueprint, if you will, and so,
29 to do that, we compiled data sources, both fishery-dependent and
30 fishery-independent data sources, and then combined those with a
31 series of environmental variables, things like temperature,
32 salinity, distance to artificial reefs, distance to natural hard
33 bottom, things like that, and we put that into a statistical
34 framework, and that then generated a list of artificial and
35 natural stations that we would be sampling across all of the
36 regions in the Gulf, and so let's take a look at what this looks
37 like.

38
39 Here we have a map of the entire Gulf. Hopefully you can see
40 about fourteen or fifteen data series, and so each of those
41 acronyms represents a different gear type, a fishery-dependent
42 or a fishery-independent gear type, and so the "CA" stands for
43 camera, and "LL" stands for bottom longline. "VL" stands for
44 vertical longline. "OB" is the observer program, et cetera.

45
46 Then a lot of these data were collected by National Marine
47 Fisheries as part of the congressional supplemental sampling
48 program, and all of that is detailed there with those little

1 dots, but what you can see is, by simply combining all of the
2 datasets that we had access to, we had really nice coverage of
3 sampling across the entire Gulf of Mexico, and so this was the
4 first step in really defining the universe that we would be
5 sampling.

6
7 We combined these probabilities, and this is either, yes, we
8 caught it, or, yes, this series caught a red snapper, or, no,
9 they didn't. We combined those with various predictors, things
10 like submerged aquatic vegetation, distance to natural hard
11 bottom, things like that, to generate a probability map, and so
12 the map you're looking at now, that brightest yellow color means
13 there is a 100 percent probability that you will detect at least
14 one red snapper in that grid cell.

15
16 For example, the area due south of where we are right now,
17 Mobile Bay, Alabama, you can see there is very high probability
18 of detecting at least one fish. Conversely, the areas that are
19 dark navy, around the southwest coast of Florida there, those
20 areas have an extremely low probability of detecting red
21 snapper, and, again, this is a statistical output based on all
22 of the previously collected data combined with those
23 environmental covariates.

24
25 This gives us a probability presence, and the next step was to
26 stratify the area that we're sampling, and so, anytime you are
27 making a stratified, randomized survey, an important step in
28 that process is delineating different strata, and so these were
29 delineated based on a high/low threshold, and so, specifically,
30 the darker is highest probability down to the lighter, which is
31 low probability.

32
33 At this point, we have kind of examined the data frame that
34 we'll be looking at, and, from that universe, a series of both
35 natural habitat and artificial habitat stations could be
36 selected, and that's what we see here, locations of the natural
37 habitat sampling stations, and then overlaid with artificial
38 habitat, shown here, and so this was a first critical step in
39 designing the sampling plan, if you will. This gives us a list
40 of stations for each of these four regions where we would be
41 conducting the sampling for the remainder of the study period,
42 and, again, this phase of the project has been completed.

43
44 Step 2, or Milestone 2, relates to calibration and validation,
45 very similar concepts, and this phase has been mostly completed.
46 We list it as ongoing, but primarily it's been done, and the
47 goal here is simply to ensure accurate estimates of fish density
48 and abundance, and so, for example, with direct counts, it's

1 important to calibrate different gear types, simply to make sure
2 that you can add these estimates and that you're actually adding
3 and comparing apples to apples.

4
5 For example, Doctors Patterson and Boswell in Florida did a
6 series of calibration trials to calibrate bioacoustics with ROV,
7 or remotely-operated vehicle, in essence making sure that
8 estimates that come from these two different gear types can be
9 combined in a meaningful and accurate way.

10
11 Since there is not one single method used to count these fish
12 across the Gulf of Mexico, it's important to make sure that all
13 of these approaches that we take are lining up in a way that
14 makes sense, and so that's what this portion of the project is
15 about. That has been completed off the coast of Florida, by
16 Will and Kevin, and Doctors Murawski and Patterson have also
17 calibrated towed cameras with the ROV, and so the remotely-
18 operated vehicle is simply an underwater camera that we use to
19 count these fish, but you can also have a slightly different
20 kind of camera, known as a towed camera, which gets towed behind
21 a boat. It's simply a way to be able to count fish over a much
22 larger expanse, and so those have been calibrated, again, in
23 Florida, as well as Doctors Stunz and Rooker off the coast of
24 Texas.

25
26 Basically, before we start the actual effort of counting all
27 these fish, again, just making sure that our estimates are going
28 to be meaningful, and so I want to show you what these gear
29 types look like. It's always helpful for me to visualize them.

30
31 In the western Gulf of Mexico, in that top panel there, you can
32 see an example of a remotely-operated vehicle, and just below
33 that is a towed camera, and then, similarly, in the eastern Gulf
34 of Mexico, an ROV there on the top, and the towed camera there
35 on the bottom, and so, again, conducting calibrations with both
36 of those gear types at the same time.

37
38 Validation, this primarily pertains to the mark-recapture
39 portion of this study, and so, in other words, before we start
40 this effort across the entire Gulf of Mexico, making sure that
41 we have validated it in certain small pockets. Dr. Patterson
42 has tagged nearly a thousand fish already off the coast of
43 Florida, and, here in Alabama, we've done similar efforts in
44 2016 and in 2017.

45
46 Essentially, once those data have been collected, putting those
47 inputs into the model and seeing if those outputs make sense,
48 things along those lines, and so, once that section has been

1 completed, the entire Gulf-wide snapper tagging effort will
2 start in 2019, and this is something that we spoke about at
3 length amongst all the investigators, and we decided to wait
4 until the spring of 2019, to give ourselves a little bit more
5 time to validate these studies, one, but, most importantly,
6 given some of the changes that we had this current year with the
7 five Gulf states and their individual EFPs, we wanted to give
8 that some time to kind of settle out and see if there are any
9 unexpected hiccups we might expect from that before we started
10 the Gulf-wide tagging study, and so that will start here in the
11 spring of next year.

12
13 Then the actual sampling part, where we're collecting data, and
14 so, of course, we have defined the area that we're sampling over
15 in Milestone 1, and we've done a series of calibrations and
16 validations as part of Milestone 2, to make sure these gears are
17 giving us estimates that we can combine, and to make sure the
18 estimates we get in smaller portions of the Gulf are making
19 sense, but we have also been actively collecting data on
20 research cruises.

21
22 In the eastern Gulf of Mexico, there have been several multiday
23 cruises completed off of Florida, Alabama, and Mississippi using
24 a combination of these gear types, ROV, the towed camera, C-
25 BASS, and bioacoustics. We've also been doing some depletion
26 work, and that's another method we're using to count these fish.
27 Those efforts have focused primarily in Alabama, using both
28 vertical and bottom longlines.

29
30 That's the eastern Gulf. Now, in the western Gulf of Mexico,
31 it's very similar. Cruises have been completed off of
32 Louisiana, by Dr. Cowan, and by Doctors Stunz, Rooker, and Wells
33 off the Texas coast, again using the towed camera and the
34 remotely-operated vehicle.

35
36 Stakeholder engagement, this is one aspect that I am
37 particularly pleased with. This has been done by my shop, and
38 our intention is to make every step of this process extremely
39 transparent and readily available to anybody who is interested,
40 and so the approach we've taken is to develop a series of what
41 are called whiteboard videos. They are sixty to ninety-second
42 kind of cartoons, if you will, and each of those videos has an
43 accompanying fact sheet.

44
45 We have completed three of those, and the feedback that we've
46 gotten has been pretty good, and so we're pleased with that. In
47 the middle of June, and so just a few months ago, we had kind of
48 a large-scale media blast, where we alerted newspapers, all the

1 Sea Grant officers, individual Gulf of Mexico state agencies,
2 universities, et cetera, et cetera, so that our intention is to
3 shotgun blast these materials as widely as possible, and so
4 we're pleased with the way that's gone so far.

5
6 Which brings us up to the current date. Later this month, in
7 fact in just a couple of weeks, early November it looks like,
8 we'll be having a regional leadership meeting at the Harte
9 Research Institute in Corpus Christi, where we'll sit down and
10 talk about what's been going on for the first year of this
11 project in-person. These face-to-face meetings are very
12 important, but, as well, it gives the quantitative team a chance
13 to sit down and crunch through some of the numbers we have
14 already and see where the gaps are and where we need to focus
15 additional efforts for sampling in the spring of 2019, on our
16 way to finishing this up.

17
18 Then, of course, as I mentioned, in the spring of 2019, we will
19 start this Gulf-wide mark-recapture high-reward tagging program.
20 The scale and scope of this program is pretty large, as you can
21 see, 15,000 tags across the entire Gulf, and so we're looking
22 forward to starting that, and we hope that this angler
23 engagement process will help spread that word for anglers, for
24 their participation, once we get that thing started in the
25 spring. With that, I am open to any questions you guys have.

26
27 **CHAIRMAN GUYAS:** All right. Thank you for your presentation.
28 Paul, go ahead.

29
30 **DR. MICKLE:** Hi, Dr. Drymon. It's always great to see a
31 Mississippi scientist at council, and I appreciate that. I have
32 a couple of questions. I see, on one of the early slides, on
33 your five milestones, you said there was analysis, but it's not
34 in the actual slide. Who is doing the analysis? I am assuming
35 it's a multi-abundance analysis, using all the different data
36 types, to look at abundance indices and all these different ways
37 of looking at it, and is it being shopped in the \$10 million
38 group of Great Red Snapper Count, or is it just data handed to
39 the Southeast Science Center?

40
41 **DR. DRYMON:** Great question. It's good to see you, too. We
42 live close to each other, yet we don't ever see each other, and
43 so go figure, but that \$10 million was a one-stop shop. There
44 is eighteen of us, and there is regular old fish guys, like me,
45 and then there is really, really smart guys on the project that
46 do all the analysis, and so there is a specific analysis team,
47 and they're the ones that take care of the data.

48

1 Once all these data are collected, this analysis team has
2 specific expertise. For example, in depletion methods, Dr.
3 Hoenig has a history of literature that he has developed on
4 depletion methods, and so he's the one that will be analyzing
5 the depletion portion of the study, and so that's the
6 quantitative team that we're talking about. They're the ones
7 that will actually be doing all of the analysis, and that's
8 absolutely part of this same project.

9
10 **CHAIRMAN GUYAS:** Paul, did you have a follow-up?

11
12 **DR. MICKLE:** Thank you. You see it's presently on the timeline,
13 and I assume the analysis part will continue to be on the
14 timeline, and I know that's a tricky part of it. I just -- My
15 question is -- My last question will be the award period is the
16 dates posted on this slide here, and when is the actual wrap-up
17 that it's time to use the abundance metrics that we hopefully
18 are trying to acquire from this endeavor? Thank you.

19
20 **DR. DRYMON:** The SSC asked the exact same question, and, of
21 course, that's a very reasonable question, and our intention is
22 to finish this project by the end of July of next year. That
23 said, you will notice the tagging, the Gulf-wide tagging,
24 doesn't even truly start until the spring, and I have listed --
25 I went to this slide here so you can see these two publications.

26
27 They describe some of the validation work that we've done off
28 the coast of Alabama, and I mention that because we started
29 tagging in 2016. Here we are in 2018, and we are getting
30 several returns still from 2016, and so it's the type of thing
31 where that component of the analysis, the large-scale, mark-
32 recapture, high-dollar tag reward, that will not be complete by
33 the time -- But that portion, that particular method, is just
34 one of many methods used to inform the abundance estimate, and
35 so, kind of dancing around that answer, but the intention is to
36 have the estimate ready by the end of the project period, end of
37 July of 2019, with additional refinements, and hopefully a
38 shrinking of the variance around that abundance estimate, to
39 come after.

40
41 **CHAIRMAN GUYAS:** Okay. Greg.

42
43 **DR. STUNZ:** Martha, thank you. I would just quickly add to
44 that, to your question, Paul. We will have these data available
45 for that stock assessment coming up in 2020. We will package
46 these up for Clay and his group and hopefully facilitate it
47 through that data collection workshop process for that
48 assessment, and so that's the intention.

1
2 **CHAIRMAN GUYAS:** Clay.
3
4 **DR. PORCH:** This is for both Marcus and Greg. I think the total
5 price tag on this comes closer to \$12 million, with matching
6 funds, or so. If we did this sort of work independently, for
7 instance, we would use up the entire Southeast Fisheries Science
8 Center budget to do four species.
9
10 I wonder if your -- I mean, if we ended up taking over these
11 sorts of activities, and, obviously, we couldn't afford it on
12 current funds, and my question is, as you have been doing this,
13 have you found ways that we could maybe do this in a more
14 multispecies construct and maybe slim down the price a bit?
15
16 **DR. DRYMON:** I will start with that, Greg, if you don't mind,
17 and the answer is absolutely. Of course, a lot of the price for
18 a project of this scale is the ship time, especially the large,
19 seagoing vessels that we use to tow some of these towed cameras,
20 and so the data that's being collected, of course, is multiple
21 species.
22
23 I mean, there is lots of species that are collected through
24 those cameras. Once that data is collected, that's really the
25 expensive part. Of course, analyzing the videos is very time
26 consuming and expensive, but that data will already have been
27 collected, and so there is certainly a value-added savings to be
28 realized there.
29
30 In addition, combining multiple approaches off the same vessel,
31 and so kind of combining depletion methods with mark-recapture
32 tagging and bioacoustics on the same platform would be an
33 additional way to save money, and I think -- Well, I will leave
34 it there, and, Greg, if you want to add to that.
35
36 **DR. STUNZ:** Thank you. I will briefly add to that a little bit
37 too, Clay. A requirement for this project is abundance
38 estimation by region, by depth, by habitat type. That is what I
39 am talking about being available for that upcoming stock
40 assessment.
41
42 As many of you are probably well aware, we're collecting hours
43 of videos, miles of videos, along pipelines and that kind of
44 thing, and that includes the whole suite of species that we see.
45
46 Unfortunately, in time to make this, we're not going to have the
47 ability to analyze that data, to provide it in the time that we
48 need to, and so we have -- The intention is to continue

1 analyzing that data, and there is way more information well
2 outside of just snapper abundance that we're collecting here
3 that will be beneficial for who knows what in the future that
4 we'll have, and so, anyway, there is a lot of other positive
5 benefits that come out of this, but, as you know, Clay, very
6 well too, we obviously -- This is sort of the one-time shot of
7 looking at this over a two-year period. Obviously, things
8 change, and it's important to continue this type of work, at
9 least at a lower level, to look at those trends over time.

10
11 **DR. DRYMON:** If I could just follow up quickly with that again,
12 just to completely answer Clay's question. A lot of that
13 calibration and validation aspect of this study is really a one-
14 time thing, and so, once these gears are calibrated -- For
15 example, we'll talk about the bottom longline.

16
17 Once we've done these depletion studies, we can then calibrate
18 that to a single individual bottom longline set. Those bottom
19 longlines are already being conducted by National Marine
20 Fisheries on their annual resource survey cruises, and so this
21 work will help inform those surveys to a fuller extent later
22 down the road, and so you can take the catch data from a
23 particular survey, and, once that calibration has been refined,
24 you could say, well, a relative abundance of X equals an
25 absolute abundance of Y, if you have this calibration. I mean,
26 theoretically.

27
28 **CHAIRMAN GUYAS:** All right. I've got Susan and then Kevin.

29
30 **MS. BOGGS:** Thank you. I have a question related to the
31 tagging. The program ends July 31, 2019, but you're going to do
32 the tagging in the spring of 2019. From a fisherman's
33 perspective, a charter boat captain operator perspective, there
34 is a lot of tagging programs out there, and one of the issues we
35 run into is we want to help with the research, but, when you go
36 to call the number on the tag, or email the number on the tag,
37 it's non-responsive, and so is there going to be a continuing
38 response to this after July 31?

39
40 **DR. DRYMON:** Great question, and the answer is absolutely. I
41 agree with you that that is a problem. You call that number,
42 and the graduate student has already finished up his project,
43 and he's not there anymore, and this is nothing like that.

44
45 We have built into the database, into the hotline and the
46 website and the ways that these tags will be reported,
47 perpetuities, such that, when a tag is caught the year after, or
48 the year after, that those tag returns can be included, to help

1 refine those estimates, and so that is absolutely part of this
2 project, and a good question, and a reasonable concern.

3

4 **CHAIRMAN GUYAS:** Kevin.

5

6 **MR. ANSON:** Thank you, Dr. Drymon, and thanks for coming.
7 Following-up, or talking a little bit more, on the mark-
8 recapture tagging on your slide here, you say it's ongoing, and
9 so you mention the 900 fish that were tagged by Dr. Patterson in
10 2018 and then the fish in 2016 and 2017.

11

12 Those fish are actually going to be used? Were they used in
13 kind of the validation of the method, or is all of the sample
14 stratification -- Was that exact as to the way it was decided
15 upon for this group, because the research started, at least the
16 2016 and 2017 started, before the project.

17

18 **DR. DRYMON:** Another really good question. The stuff Will is
19 doing is slightly different, in that it will be used a little
20 bit more directly for this current estimate, because he can
21 incorporate that sample design that we constructed as part of
22 Objective 1.

23

24 The work that we did in 2016 and 2017 here off of our coast was
25 really important in validating the method and understanding what
26 the variability around our estimates would be, but the way in
27 which we selected those reefs and the sampling design, the
28 original survey design, was slightly different, and so they will
29 be used, but we will be dumping a whole lot more tags still off
30 of our coast here, and so none of that data is being tossed out
31 in any way. They are just helping refine how we survey moving
32 forward and in slightly different ways.

33

34 **MR. ANSON:** Thank you.

35

36 **CHAIRMAN GUYAS:** Okay. Leann, go ahead.

37

38 **MS. BOSARGE:** Very informative presentation, thanks. It's good
39 to see you. I had a question on Slide 7 about what the
40 different colors meant. I wasn't sure if that was just like
41 divisions, if you took the whole survey group and divided them
42 up into regions. There seems to be a north/south line there off
43 of Louisiana, maybe, or Texas, and what were those?

44

45 **DR. DRYMON:** Great question. This is a continuous picture of
46 probability, with the yellows being you're definitely going to
47 see a fish, and the blues is you're not going to see a fish.
48 Taking that a step further, we need to stratify, and so a random

1 scattering of sampling locations across this map might mean
2 that, by random chance, we dump more effort into that area off
3 of Texas than we do off of Florida or Alabama or whatever.

4
5 These are stratifications. These are saying, okay, these are
6 predetermined bins, based on probability of occurrence, and
7 applying a threshold of high, medium, and low. Then the
8 stations were allocated in each of those strata, and so it's a
9 way to ensure that -- Because, if you think about it, sampling
10 across the entire Gulf of Mexico, if you just did it randomly,
11 you may have an uneven or unequal distribution of sampling, and
12 so this is just one step, prior to getting here or here, to
13 ensure that we're sampling relative to the probability of these
14 fish in the universe, and does that make sense, a little bit?
15 Greg, if you can elaborate on that.

16
17 **CHAIRMAN GUYAS:** Greg, go ahead.

18
19 **DR. STUNZ:** Leann, I will follow-up just a little bit. Part of
20 the request of the funding of this was also this estimate
21 provide an overall number of snapper, but it had to include
22 specific or regional breakdowns and by depth and by habitat, and
23 so, by gridding off these regions like this, we can randomly do
24 that in those areas.

25
26 Now, those areas you're saying, like off of Texas, and it looks
27 like they're off the states, and it largely goes that, but they
28 are ecologically distinct regions as well, but they just happen
29 to match up pretty nicely with the states, in some cases, and in
30 some cases not. Those are just -- If you look at the ecological
31 and substrate structure of the bottom, they match up nicely to a
32 regional difference like that.

33
34 **DR. DRYMON:** I will follow that up by just saying it's almost a
35 little misleading for me just to show you this map and this map
36 without including the dozens of other maps that are the steps in
37 between. Like Greg is saying, the ecological boundaries,
38 because, if you just glanced at this, you would think that we
39 just drew these lines according to state boundaries, but it's a
40 combination of sediment types and things like that, and, again,
41 that was all part of the data mining step, to get all of that
42 information, and so I can see where this harder to understand,
43 without seeing all the other maps, to perceive this.

44
45 **CHAIRMAN GUYAS:** All right. I think we've got to move on at
46 this point, but thank you for your presentation. If you're
47 going to be around, I would encourage folks to come chat with
48 you, if they have other questions. Luiz, are you ready to give

1 your SSC report?

2
3 **DR. FRAZER:** I realize that we're supposed to end at about five,
4 but, given Dr. Barbieri's well-earned reputation for delivering
5 an expeditious and efficient presentation, we will allow him to
6 continue.

7
8 **SSC SUMMARY REPORT**

9
10 **DR. BARBIERI:** Thank you, Mr. Chairman, and I was initially
11 worried about having a boring presentation to give you, but then
12 I realized, by some of your discussions today, your tolerance
13 level seems to be pretty high, and so I understand that you're
14 going to be able to bear with me through one more.

15
16 This is going to be a combination of several topics, and I will
17 try to go through this as fast as I can, and so you just heard
18 the presentation from Dr. Drymon, and this some of the other
19 topics there that were left over from our report that I did not
20 discuss with you during my previous presentations.

21
22 I put the Great Red Snapper Count as the first one, just because
23 I knew that, by design, this was immediately following Dr.
24 Drymon's presentation, and the SSC had a lot of questions, and
25 we really appreciate his attending our meeting and giving us a
26 presentation that was very thorough and complete. We had a lot
27 of questions and a lot of suggestions and recommendations, but,
28 overall, we felt that the planning and design of this study was
29 following basic methodological requirements for this type of
30 study, and so we had no major concerns, and we congratulate the
31 group for the progress that they have made so far, and we're
32 going to -- As they get more results, we would like to be
33 updated as well.

34
35 Next, we're going to discuss the best scientific information
36 available. I want to thank Ms. Levy. Ms. Levy came to our
37 meeting in Tampa and gave us a very good presentation, and she
38 was able to bear with us for a lot of questions from the SSC and
39 help clarify a lot of the issues that we had regarding best
40 scientific information available.

41
42 Obviously, that's a very important component of the council
43 process for everything that involves scientific advice, that is
44 supposed to be based on the best scientific information
45 available, and it appears specifically in the Magnuson-Stevens
46 Act, and, of course, in the National Standard Guidelines Number
47 2, which is specific about this topic.

48

1 NMFS has been developing a draft document. You may have seen it
2 before, but we sure have, and we've had a couple of
3 presentations from NMFS S&T to discuss the content of this
4 document. It's being finalized, and we hope that we're going to
5 get a chance to look at the final product as well and see what's
6 there.

7
8 What we saw so far was helpful in helping us understand how that
9 framework fits with the job that the SSC has to do in reviewing
10 scientific products and providing you advice on stock status and
11 catch, and so the main guidance that Ms. Levy was able to
12 clarify and present to us was, when judging the best scientific
13 information available, that we should do so in a very specific
14 way, in reference to the specific management advice that we
15 would be providing to you, especially when we do this in the
16 form of a motion.

17
18 In the past, we had some situations where stock assessments that
19 we reviewed and we felt that, for stock status determination,
20 that the assessment was reflecting the best scientific
21 information available, but we were not really happy with the
22 projections.

23
24 There was some methodological issue or lack of data or
25 information that was used for the projections that the SSC did
26 not feel met the criteria for best scientific information
27 available, and so we actually would make different motions about
28 the assessment itself, if we find ourselves in this situation,
29 and identify that as BSIA, and then make a different motion and
30 say, even though we found the assessment to be BSIA, the
31 projections did not meet our criteria, and so we did not support
32 these projections being used for catch advice.

33
34 Instead of having, for every assessment, that we actually make a
35 motion and say that we find this to be a valid assessment and
36 it's best scientific information available and then we make a
37 separate motion to say that it's valid for scientific advice,
38 and that is unnecessary, and she clarified that, and now we
39 understand it.

40
41 The issue that the courts are very deferential to the
42 determination of best scientific information available, because
43 it's a highly technical issue, and the committee has a
44 membership that is well prepared to evaluate those issues.
45 However, they cannot ignore, when they see conflicting
46 information, if it's not explained clearly in the documentation
47 and be very specific, and it's very difficult for them to really
48 ignore that information, and so it creates confusion, really, in

1 documenting and having a clear record of our recommendation to
2 you unless we make that very clear and specific to the
3 management advice that we are presenting.

4
5 Then she helped us also have this discussion about the fact that
6 sometimes we get, I would say, a little concerned about
7 overstepping our bounds and stepping on toes as far as
8 management is concerned, and she helped us with the discussion
9 and understanding that, at times, we can actually make
10 recommendations to you that involve direct management measures,
11 as long as we focus those clearly on the technical issues that
12 we have to review. I will pause there, Madam Chair, if there
13 are any questions, but just a quick overview and a thank you to
14 Ms. Levy for helping us go through this process.

15
16 **CHAIRMAN GUYAS:** Okay. Are there questions for Dr. Barbieri on
17 this? Kevin.

18
19 **MR. ANSON:** I don't know, necessarily, if he needs to be here.
20 Last time I did that, he went to the seat and came back up, and
21 so I will just say stay there for a second, Luiz. We have been
22 talking here at this meeting about terms of reference and timing
23 of terms of reference relative to the SEDAR process and
24 assessments and such and that the council will have a chance to
25 review the terms of reference, but, primarily, it's going to be
26 kind of the staff, and so I'm just wondering if there's a
27 template that should be created that would just kind of cover
28 issues like this, to make sure that questions or the terms are
29 explicit in the way that it's been explained now and there is an
30 understanding, because membership turns over, not only on the
31 council, but also on the staff, potentially, as well as SSC
32 membership, and I don't know how frequent these types of
33 discussions are going to be had among members, and I just -- I
34 keep going back to the gray triggerfish review and the advice
35 that came from the SSC and how that created some problems, at
36 least problems in my eyes, and so I'm just wondering if this is
37 something to consider, I guess, Dr. Simmons, as you start
38 developing that and those first terms of reference that are
39 going to be used for these upcoming assessments. That's all.
40 Thank you.

41
42 **EXECUTIVE DIRECTOR SIMMONS:** We will work with the Science
43 Center to do that, especially as this process changes with your
44 new steps moving forward, and so we typically get those from the
45 SEDAR coordinator. We work with our staff, and try to work with
46 the Science Center staff, and it goes before the SSC, and then
47 trying to have that feedback loop, and so we'll continue to work
48 on that, but sometimes its outside and after the terms of

1 reference have been completed, and I think that's what this
2 presentation was trying to address.

3
4 **DR. BARBIERI:** Correct. If there are no other questions then, I
5 will move on to the next item, in the interest of time. This is
6 really related, and Mr. Anson and I have discussed this in the
7 past, because there have been questions from the committee
8 sometimes that come to the SSC, where the SSC is trying to
9 provide information to you, and sometimes it's difficult for us
10 to clearly present some of the issues to you, where sometimes we
11 fail to understand, more explicitly, what you're asking or the
12 boundaries of our role versus yours, and so this was really a
13 discussion that ensued after the cobia, and remember at the last
14 meeting that we had that discussion about cobia and how the SSC
15 advice to you was phrased.

16
17 We wanted to continue the discussion, because we felt that some
18 measures should be taken to improve communication between us and
19 you, so we can serve you better, and so the recommendation is to
20 continue working with staff, and the staff, I have to say, do a
21 wonderful job communicating with us about the presentations and
22 about the agenda and the content of what we need to do after
23 each one of these meetings, but perhaps having more detail in
24 the SOW and having feedback, perhaps, from the Council Chair and
25 the SSC Chair on the content of the SOW, just to make sure that,
26 when that topic gets to the SSC, it's very clearly articulated
27 and that we capture exactly what you are asking for.

28
29 We also recommended that some of the management actions
30 explicitly that are in your documents -- That this perhaps can
31 be put, copied, into our SSC meeting scope of work, so that we
32 can see what your main objectives are, in terms of management
33 actions, and we can have a more clear understanding of how we
34 frame our advice to you.

35
36 Our SSC Chair also actually volunteered to develop a short,
37 brief document talking about procedures for discussion within
38 the SSC and then trying to make assignments to specific members,
39 and so have members that are assigned to different topics or
40 different species to help facilitate the process of capturing
41 everything that needs to be captured for that analysis and the
42 subsequent advice to you. Dr. Simmons, I hope I captured
43 properly what we had discussed at the meeting, and I will pause
44 there, Madam Chair.

45
46 **CHAIRMAN GUYAS:** Are there questions on this one? I was at that
47 meeting, and I thought it was actually a really good discussion,
48 and so I thought it was really useful. Okay. Let's keep going

1 then.

2
3 **DR. BARBIERI:** Thank you. Now the next issue is the red grouper
4 interim analysis, and you remember that, at the last meeting in
5 Corpus --

6
7 **CHAIRMAN GUYAS:** Hold on, Luiz. Leann.

8
9 **MS. BOSARGE:** I was just going to follow-up on that, too. So I
10 attended a lot of the SSC meetings when I was chair of the
11 council, and so now I'm back to that other lovely role, where
12 I'm just kind of in the bleachers, right, and I do like it, but,
13 anyway, I wasn't at the last SSC meeting, and so I was just
14 reading the summary report, and I guess, having been at the
15 meetings a couple of times in a row, it was a lot different
16 reading the report than being there, and so I don't know if you
17 get to review the report or not, but we get the motions, but
18 what I seemed to get the most from, when I was physically at the
19 meeting, was really that discussion.

20
21 Once a motion went up on the board, that's when you really get
22 into the meat of the discussion and the debate of, well, is it
23 this or is it that, and I think making sure that a lot of that
24 meat on the bone ends up in that summary report is really
25 important for us as council members, to get the most out of what
26 you all said in that meeting, and I think, maybe sometimes, some
27 of that meat is missing.

28
29 **DR. BARBIERI:** That's a very good point, and we're going to try
30 to be more attentive to that. To be perfectly honest with you,
31 here, staff, and now it's Dr. Froeschke, and it used to be Mr.
32 Atran, do a really good job putting together that first version
33 of the SSC report and then distributing that to the whole
34 committee.

35
36 First, it comes to the chair and vice chair, and then to the
37 whole committee, and all of us can add or subtract from that and
38 edit from that presentation, from that report. The problem is,
39 after the meeting, to be perfectly honest, as we go back to our
40 day jobs, and everybody is busy with a multitude of things,
41 usually the number of corrections that are provided by the
42 committee are few and far between.

43
44 We usually rely on the staff to capture most of it, and I think
45 that these procedures that our current SSC Chair is suggesting
46 will help us to be more attentive and to make sure that we have
47 a report that is more complete and that captures more of that
48 discussion.

1
2 **CHAIRMAN GUYAS:** Okay. Now I think we're ready for red grouper.

3
4 **DR. BARBIERI:** Okay. Red grouper, you may remember that, at the
5 last meeting in Corpus, I talked to you about this process that
6 has been in developing the interim analysis, which is designed
7 to occur between regular stock assessments and actually provide
8 us and you with harvest recommendations that are based on more
9 current conditions than perhaps what was in the terminal year of
10 the assessment itself, and so this allows the Science Center to
11 update that catch advice based on -- The yield streams that are
12 produced from the assessments in response to a number of either
13 unpredictable events, issues with recruitment that can be too
14 high or too low, and then there is environmental disasters,
15 manmade disasters, a whole multitude of changes and conditions
16 that could be impacting stocks in between assessments, and this
17 process allows us to handle that on a more up-to-date situation.

18
19 For red grouper, this interim analysis, in a nutshell, not going
20 too much into the weeds here, but the analysis is using two
21 basic sets of criteria to update the informational content of
22 the outputs of the assessment, and so one is indices of
23 abundance or a specific index of abundance, and so, if abundance
24 goes high or goes low, that can be captured in the subsequent
25 catch advice that is coming out of the interim analysis, and the
26 other one is a harvest control rule, which is basically a
27 process to try to bring some continuity in the catch advice that
28 came out of the last assessment going forward, and so you have
29 some continuity in applying that going forward from the last
30 assessment, and so you can see the equation there.

31
32 What I really wanted to bring to your attention is that beta
33 parameter there, which is a scalar that is going to be adjusting
34 responsiveness of the harvest control rule, and so this little
35 equation is put together so that you can actually basically, in
36 this process, assign, indirectly, weights to different types of
37 data that are being used to update your assessment outputs. It
38 can be harvest control rule, so it's more ABC heavy, or it can
39 be more of the index of abundance and that case.

40
41 I went through that explanation there basically because the
42 presentation that we received from the Science Center is
43 considering, and they presented this to the SSC, different
44 values of that parameter beta.

45
46 The effect of beta, that beta parameter, what you have there,
47 and I cannot read well from here, but for the different color
48 lines, but you have the indices of abundance, the original index

1 of abundance that was used in the assessment, and I think that's
2 the gray line, and is -- That's the ABC, the catch advice, is
3 the gray line, and the index of abundance, I believe, is the red
4 one. No, that's the harvest control rule ABC, and then you have
5 the two indices, the one that was used in the assessment and the
6 one that's estimated through the model.

7
8 When you look at that low beta, you are tracking more, and so
9 the graph on the left is tracking more closely the index.
10 Remember that you are looking at the index and the harvest
11 control rule for the ABC, and a high beta value will get you to
12 track more the ABC recommendation coming out of the assessment,
13 and so the values of this the SSC considered and how much would
14 you use the informational content coming out of the index or
15 informational content coming out of the harvest control rule and
16 the ABC to what we felt was more justifiable in providing the
17 advice.

18
19 Then, again, the effect of SEDAR 42, which is basically whether
20 you consider the ABC that was produced out of SEDAR 42, that
21 last assessment, more heavily or not, if you don't use it as
22 much, because you don't feel that that advice was actually in
23 good alignment with the reality, as we saw it.

24
25 Those are two issues that the Science Center, when they did this
26 analysis, they put in front of us to look at, how much we want
27 to weigh the index and how much we want to weigh the ABC that
28 came out of SEDAR 42.

29
30 Here is the question that was posed to the SSC, or questions.
31 Can we recommend the use of this approach for setting 2019 catch
32 levels for red grouper? If yes, should we use the SEDAR 42
33 results? Should we include those ABC values that came out of
34 SEDAR 42 explicitly in this or not? Then what level of beta we
35 would recommend to be used, and you can see different values of
36 beta there in that little table, going from one to nine, and
37 then the ABC that you would have produced from this interim
38 analysis for 2019 with and without using the SEDAR 42.

39
40 The SSC had a lot of discussion about this, and our
41 recommendations were, number one, we felt that the analysis was
42 really well done and well thought out. The process is very
43 attractive, and I think that this is a good way to implement
44 this type of interim analysis, and this should speed up the
45 throughput of catch advice that we provide to you and have a
46 better alignment of what comes out of these assessments and
47 their actual conditions on the ground, in terms of the fishery.

48

1 The SSC recommended continuation of the MSE evaluation of the
2 interim analysis approach, and we believe that this is going in
3 the right direction. However, because this analysis that was
4 put before us was really not as well documented, and let me put
5 it like this, but we didn't have a full report to review, where
6 you can look at all the diagnostics, and you can look at the
7 fits to different types of data going in and have more explicit
8 documentation of the details of that analysis, and the SSC felt
9 uncomfortable actually accepting this catch level recommendation
10 coming out of this as an actual ABC.

11
12 It felt it wouldn't fit into the way that we usually apply our
13 ABC control rule, and so -- However, we felt that the catch
14 advice coming out of it may not be considered an ABC itself
15 formally, but it could be considered a catch level advice that
16 is different than what the last ABC was. It's now updated with
17 the information from the index, and so it actually would
18 represent more an ACL than an ABC, and so, basically, it would
19 be something not as complex and complete as what an ABC would
20 provide, but more of a catch level, in that case, ABC.

21
22 That explanation about the SEDAR 42 and the beta value is
23 because we had to account for those things in this advice, and
24 you can see there the different values of landings, in millions
25 of pounds, with different values of beta and different values of
26 -- A different use of SEDAR 42 without explicitly accounting for
27 SEDAR 42, and so our recommendation was to use this 4.6 million
28 pounds as an updated ACL, or catch level, for the red grouper
29 analysis, and we based this recommendation on this interim
30 analysis conducted not including the SEDAR 42 assessment and
31 using a beta of one.

32
33 Just for comparison of where we are now, or have been recently,
34 relative to this new advice, I put there the ACL in 2017 and
35 what was it supposed to be if we used the projection that came
36 out of SEDAR 42 and then the actual value of landings, if you
37 combine commercial and recreational landings for red grouper,
38 and so the actual landings were 4.2 million pounds, although the
39 advice had been for 10.7 million pounds. The SSC felt that that
40 advice of 4.6 would be more in line, coming out of this
41 analysis, with the current conditions of the population and the
42 fishery. I will pause there, Madam Chair.

43
44 **CHAIRMAN GUYAS:** Okay. I think we need to have a little bit of
45 discussion on this, and, if you have questions for Luiz, let's
46 talk about those, but I just want to reiterate what the SSC did
47 here. I mean, we asked them -- We asked for this interim
48 analysis, and they have looked at it now, and they have provided

1 us some advice.

2
3 This is different than what we normally get when we get some
4 kind of catch limit advice, because this is the ACL rather than
5 the ABC, and so we have flexibility here to do what we may do,
6 and we're not necessarily locked into moving forward with this,
7 which may be good, because, with this being an IFQ fishery, and
8 this is a catch level recommendation for next year, and it's
9 already October, and so we may need to weigh that, in terms of
10 how we move forward here, and so does anybody want to jump in on
11 this? Leann.

12
13 **MS. BOSARGE:** I just wanted to say thank you. I didn't get to
14 listen into this discussion, but, just reading the report, there
15 seemed to be a motion and substitute motion and some other
16 things, and so I would venture to guess that was a nice debate
17 that went on, and probably not an easy one, because you don't
18 have an assessment, and we're kind of asking you to take some
19 leaps that you don't usually take.

20
21 You usually have a lot more information at your disposal, and I
22 just wanted to say thank you for giving us some sort of catch
23 level advice. If it was that hard for you, you can imagine how
24 hard it would be for us, with not all of us even having PhDs, to
25 try and figure out what to do with those quotas, when we know we
26 have some issues, and so I just wanted to say thank you.

27
28 **DR. BARBIERI:** Madam Chair, if I may, yes. So this is something
29 that -- I mean, that's what we're here for, right, is to be able
30 to provide you with this type of review and advice, but
31 sometimes -- Since January, we've been having trouble really
32 understanding what we are asking for and what we could provide.
33 Even this discussion was very, very extended about ABC.

34
35 I mean, to be perfectly honest, I was on the side of considering
36 this, advice that would meet the bar for an ABC, but a lot of
37 people on the committee, and that was the consensus of the
38 group, that, if we provide an ABC, we really don't allow you to
39 exceed that, if you see that as appropriate, and so we did not
40 want to constrain your ability to have more flexibility in
41 setting this catch level, and so we decided to go with the
42 recommendation straight for an ACL instead of an ABC.

43
44 **CHAIRMAN GUYAS:** John.

45
46 **MR. SANCHEZ:** I would suggest, in the future, we give Luiz one
47 of these and a chair right there.

48

1 **CHAIRMAN GUYAS:** All right. Kevin.

2
3 **MR. ANSON:** I am just curious, Luiz. Have you all talked about
4 taking this format, the math part, and applying it to other
5 species? I mean, gag is kind of in a similar boat, and maybe
6 not as pronounced as red grouper, and have you all thought about
7 that? Is the Science Center willing to look at it and just kind
8 of test it and see if it's applicable?

9
10 **DR. BARBIERI:** Just to refresh your memory, in Corpus, Dr. Porch
11 actually gave a little presentation about this interim analysis,
12 and this is something that the agency has been looking at on a
13 national level, development of this interim analysis, as part of
14 this more responsive and timely stock assessment advice.

15
16 Our Science Center has been developing this process for a while
17 and has come to us as an SSC several times to discuss a few
18 things, and it's just a matter of implementing this going into
19 the future. I mean, they're in the process of doing exactly
20 that, and I will defer to Dr. Porch to explain in more detail,
21 but I think the idea is to have this process that we would have
22 stock assessments whatever many years apart, but then have this
23 interim analysis done to sort of turn the crank and align
24 current conditions to -- Sometimes our terminal years are so far
25 behind that went into an assessment that the catch advice is not
26 as well aligned.

27
28 **DR. PORCH:** Yes, that's exactly right. Wherever we have decent
29 fishery-independent surveys, we would like to replace our
30 projections, these three to five-year projections, with annual
31 updates, these sort of interim assessments. I like the idea of
32 using more recent, real data rather than just trying to make
33 projections into the future. As the old Danish proverb goes,
34 predictions are difficult, especially when they're about the
35 future, and so, if you can use real data, to the extent
36 possible, it would be much better.

37
38 The other thing I wanted to add is, as Luiz was explaining, this
39 is a relatively straightforward calculation. In the example of
40 red grouper, for instance, there is a couple of ways to do it,
41 but, essentially, the red grouper assessment predicted the
42 indices would do one thing, but then, when we look at the real
43 data, they did something else, and it's just taken a ratio to --
44 It's a relatively simple algebraic manipulation, and so it's
45 very straightforward and easy to review. We don't need a book
46 to describe it. It's basically going to reduce, at least the
47 annual assessments, to a couple-page document.

1 **CHAIRMAN GUYAS:** Mara.
2
3 **MS. LEVY:** So a question. If the intent is to do an annual
4 update, I guess, have you -- Maybe I missed this, but have you
5 thought about the timing? Meaning, it would have to be early
6 enough in the year before that any change could be implemented.
7
8 Like, for example, for this, implementing something for 2019 for
9 red grouper, when you're getting it at an October meeting, is
10 not -- It's not going to happen, and so I guess I am just
11 wondering if there was a discussion about any timing. If these
12 are going to become regular, it would have to be a beginning of
13 the year type of thing, and I don't know if that works, in terms
14 of when you get the data.
15
16 **DR. PORCH:** There is always going to be some sort of time lag.
17 For instance, if the survey that we're relying on is done in the
18 fall, then you don't get the most recent data until sometime
19 shortly after the fall, and so it might be into the winter, and
20 so then your ACL advice might apply for the following year, and
21 there may be some adjustments that we can make on that, but the
22 bottom line is you're still going to get closer to real-time
23 data than we are right now.
24
25 **CHAIRMAN GUYAS:** Mara brought up something that I was going to
26 ask, which is more the process of this, in terms of red grouper.
27 It is October, and the ACL recommendation here is for 2019. I
28 think that provision for the IFQ program that allows quota to be
29 held back -- Is that in effect now? I am trying to figure out
30 if this is something that we can even do, because, obviously,
31 this has been a concern for a number of stakeholders, and I
32 think people have been interested in the council taking action,
33 and so I think it would be helpful to know if this is even
34 something that we can entertain at this point.
35
36 **MS. LEVY:** I don't think it's doable for 2019. I mean, that
37 provision is in effect, but it anticipates, in my mind, that the
38 council has taken final action on something, but NMFS just can't
39 implement it in time. There isn't even a document before the
40 council to do this, and so we would be -- NMFS would be holding
41 back quota based on speculation that the council might, at some
42 future meeting in early 2019, take final action, and I don't
43 feel like that was the intent when it was discussed. I felt
44 like it was a -- It was going to happen, but the time to
45 implement it just wasn't going to work out before the end of the
46 year.
47
48 **CHAIRMAN GUYAS:** Okay. I am going to get Kevin and then Carrie.

1
2 **MR. ANSON:** I can't recall -- Programmatically then, going
3 forward, are we going to establish a framework action, or are
4 they kind of -- They just run it through the crank and it kind
5 of automatically goes through that process and kind of
6 streamlines it, so we don't have to physically bring it to the
7 council, necessarily, or other than maybe just the Science
8 Center runs the number, and the number says one thing, and,
9 because it says that thing, they produce a document that the
10 council reviews and the council says, yes, this is it, and then
11 the agency just goes ahead and implements that, the distribution
12 and such, or whatever they're going to need to do to try to
13 match what the advice is now saying, and is that -- I am just
14 trying to look ahead to see how we can get it so it's
15 streamlined and so it doesn't have to go through a protracted
16 thing every time it's done, because it sounds like there will be
17 multiple species that are done in the future, the not-too-
18 distant future, and we'll have other species that are in the
19 same boat.

20
21 **CHAIRMAN GUYAS:** Luiz.

22
23 **DR. BARBIERI:** That's a good point, and I don't want to speak
24 for Clay, but, in terms of not reinventing the wheel, and I know
25 that the Northwest Pacific Council has fresh catch advice that
26 comes out annually, and so how do they schedule those? It might
27 be interesting to see what process they put in place, because
28 every year they update those. They have actual annual updates
29 for a whole variety of species.

30
31 Actually, I was in New England, and this was maybe a couple of
32 years ago, serving as a reviewer for thirty stock assessments in
33 one -- It was thirty smaller analyses that were done, more
34 simplistic analyses, but they were really to provide catch
35 advice, and we all got together for a week, and it was geek-fest
36 galore, to go over thirty stock assessments, and advice came out
37 for those thirty stocks, and so there are other places in the
38 country that are using this process, and I think we are
39 basically going through some of the growing pains of having this
40 interim analysis development and implementation in our region.

41
42 **CHAIRMAN GUYAS:** Yes, and so I think maybe that's food for
43 thought and something that we could think about, but I need to
44 recognize Dr. Simmons. I'm sorry I skipped you there.

45
46 **EXECUTIVE DIRECTOR SIMMONS:** I guess I will bring up something
47 that we haven't talked a whole lot about, but this was a motion
48 from the SSC. There has been a lot of resources that were put

1 into looking at this, and there's been a lot of concern about
2 red grouper, and I think we've talked about it at various SSC
3 meetings, many various SSC meetings, over the last year, and so
4 I guess I would just ask -- I was looking at the schedule for
5 red grouper.

6
7 We are in a standard assessment, and the terminal year of data
8 in that is 2017, and we're not going to get the results of that
9 to the SSC, it looks like, until mid-2019, and they make their
10 recommendations, and that goes to the council towards the end of
11 2019, and we couldn't do anything with management until mid-
12 2020.

13
14 I guess, if the state of the red grouper is in this shape,
15 should the council ask for an emergency or interim rule to
16 reduce catches until we get the results of the standard
17 assessment?

18
19 **CHAIRMAN GUYAS:** Leann.

20
21 **MS. BOSARGE:** A follow-up to that, because, Carrie, you kind of
22 hinted at what I was thinking. I am hoping that we're going to
23 hear some public testimony, number one, from our fishermen, to
24 tell us what do you think. How urgent is it? Do we need to do
25 that or not?

26
27 Then the second question is, if we wanted to do that, if we did
28 want to take some action this year, so it would have effect for
29 the 2019 calendar year and season, do we have to have a special
30 meeting in order to do that, or how does that work,
31 logistically?

32
33 **CHAIRMAN GUYAS:** I think Roy or Mara can jump in and, one,
34 explain what the hurdles are for an emergency rule, or an
35 interim rule, and answer Leann's questions. Do we meet the
36 criteria here?

37
38 **MS. LEVY:** I have a hard time seeing what the emergency is,
39 meaning this isn't new information such that we didn't talk
40 about before that people were identifying issues with red
41 grouper, and they're not catching the ACL as it is, and so
42 you're putting an emergency rule in to lower a catch level
43 that's not being harvested. That doesn't make a lot of sense,
44 to me, in terms of the emergency nature. I apologize, but I
45 didn't hear your question, Leann, if you had another question
46 besides that one.

47
48 **MS. BOSARGE:** Well, I was just saying, if we did want to

1 implement something, would we have to have a special meeting in
2 order to do that?

3
4 **MS. LEVY:** If you wanted to implement it before the end of the
5 year, you're saying? I mean, I guess you could hold a special
6 meeting and put together a framework action and take final
7 action on it for this particular purpose, but I don't know that
8 -- Again, I don't know how worthwhile it is, given that folks
9 aren't actually harvesting what they are allowed to anyway, but
10 that would be up to you.

11
12 **CHAIRMAN GUYAS:** Roy.

13
14 **DR. CRABTREE:** If I could, well, you couldn't do an interim
15 rule, because I haven't seen anything that determines we're
16 overfishing. I tend to agree with Mara that an emergency rule
17 would be a stretch, and so we have that provision to withhold a
18 portion of the catch, but that's not a -- Is that not effective
19 yet, or is it?

20
21 **MS. LEVY:** No, it is.

22
23 **DR. CRABTREE:** It is effective?

24
25 **MS. LEVY:** It's effective, but we don't have anything indicating
26 that we should be withholding it.

27
28 **DR. CRABTREE:** But if we had a meeting, an emergency meeting,
29 and we brought in a quick framework, and I don't know if we
30 could do an abbreviated framework with this or not, but, if we
31 came in and voted something up, then we could use the withhold
32 provision in it and withhold until we could get it done.

33
34 Given where we are, in October, and the holidays and the
35 requirements to notice it, and we would have to get a document
36 put together in time to do it, and it's a lot to try and do, but
37 that's really the only way I see, at the moment, that we could
38 do this. We would need to vote something up before the end of
39 the year, so that we could hold back and not release the IFQ
40 quota to the fishery, and then we could get a rule done.

41
42 **CHAIRMAN GUYAS:** Tom.

43
44 **DR. FRAZER:** I mean, I just want to make a quick comment here.
45 I think there's been a lot of discussion about this particular
46 issue, and I think that we probably will have follow it up in
47 Full Council, after some thought is given, but, in the interest
48 of time, I think we'll move on at this point. Thanks, Luiz.

1
2 **DR. BARBIERI:** Thank you, Mr. Chairman. That's just the last
3 topic overview for you. Two other things that the SSC reviewed
4 and discussed is we are -- Or you are in the process of
5 developing the monitoring and research priorities for the 2020
6 to 2025 time period, and so the new plan is due in October of
7 next year, and Dr. Kilgour came and gave us a presentation and
8 an overview of what we had seen before, when we had developed it
9 before, and we worked with you in developing it.

10
11 We would like to have a draft of a new document put together by
12 mid-2019 for the SSC then to go and comment on that for you.
13 One of the specific questions that came up of the SSC, or
14 suggestions, was to include more outreach and socioeconomics
15 into this plan, to expand it beyond just the typical biological
16 data collection and research and monitoring, to something that
17 is more inclusive, given some of the needs that have been
18 recently identified.

19
20 To that point, we also had a brief discussion of the Something
21 is Fishy red grouper questionnaire that Ms. Muehlstein posted on
22 the web and collected some great information on. It's a really
23 interesting process, to collect data that way, in terms of
24 stakeholder engagement and getting public input on the condition
25 of the fisheries and the perceptions of industry of how the
26 stock is doing.

27
28 The SSC felt that it's a great engagement tool that was used,
29 and we encourage continued use of this approach and expansion of
30 this approach going into the future. It was really something
31 that we felt, if Ms. Muehlstein starts working more with the
32 stock assessment folks, we can probably start setting up a
33 process for that data to be used more directly into the
34 assessment process and also to inform, perhaps, or create these
35 fishery reports that give you a better idea of how things are
36 out there from a stakeholder perspective, beyond what you
37 already get from your AP. That, Madam Chair, concludes my
38 report.

39
40 **CHAIRMAN GUYAS:** Thank you, Luiz. I think we will hold off
41 additional questions, because you will be around tomorrow,
42 right, if people have questions? Okay. Cool. We just have one
43 quick thing left on our agenda, and I don't think we have any
44 Other Business.

45
46 **STATUS OF CONVENING THE AD HOC REEF FISH HEADBOAT AND RED**
47 **SNAPPER CHARTER/FOR-HIRE APs**
48

1 **EXECUTIVE DIRECTOR SIMMONS:** Thank you, Madam Chair. Very
2 quickly, and this is in our Action Guide and Next Steps, but
3 just to remind you that we are going to convene the Ad Hoc
4 Headboat AP. That is scheduled for Tuesday, December 11, and
5 the Ad Hoc Red Snapper Charter/For-Hire AP is scheduled for
6 Wednesday, December 12. We did get a quorum for those, and we
7 have also scheduled an Ad Hoc Red Snapper and Grouper-Tilefish
8 IFQ AP. That is November 7, and those are all planned to be in
9 our new office in Tampa.

10
11 **CHAIRMAN GUYAS:** Okay. I think, with that, that brings us to
12 the end of the Reef Fish Committee.

13
14 (Whereupon, the meeting adjourned on October 23, 2018.)

15
16

- - -