

1 GULF OF MEXICO FISHERY MANAGEMENT COUNCIL
2
3 SUSTAINABLE FISHERIES COMMITTEE
4

5 Hyatt Centric New Orleans, Louisiana
6

7 January 29, 2018
8

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13 Roy Crabtree.....NMFS
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21
22
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30

1 The Sustainable Fisheries Committee of the Gulf of Mexico
2 Fishery Management Council convened at the Hyatt Centric, New
3 Orleans, Louisiana, Monday afternoon, January 29, 2018, and was
4 called to order by Chairman Paul Mickle.
5

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

10 **CHAIRMAN PAUL MICKLE:** I would like to convene the Sustainable
11 Fisheries Committee, and we have a lengthy agenda, and I would
12 like to -- Let me read the new members in, as I need to with the
13 new formation of the committee. The Sustainable Fisheries
14 Committee is made up of myself, Dr. Stunz, Mr. Anson, Dr.
15 Crabtree, Mr. Diaz, Mr. Constant, Mr. Donaldson, Dr. Frazer, Mr.
16 Matens, and Mr. Swindell. Let's move on to the agenda. Are
17 there any changes to the agenda? Is there a motion to approve
18 the agenda? Mr. Atran.
19

20 **MR. STEVEN ATRAN:** I put in the briefing book a brief summary of
21 the National SSC Meeting in San Diego that was held two weeks
22 ago. If time permits, I would like to briefly go over that. If
23 not, it's in the briefing book for you to look over.
24

25 **CHAIRMAN MICKLE:** Thank you, Mr. Atran. Let me make a quick
26 note. Thank you. All right. We have a motion, and is there a
27 second on the agenda? We have a second. Any opposition? So
28 moved. Moving on, let's go to the Approval of the Minutes.
29 It's Tab E, Number 2.
30

31 **MR. DALE DIAZ:** Mr. Chair, I make a motion that we approve the
32 minutes.
33

34 **CHAIRMAN MICKLE:** It's seconded by Mr. Matens. Any opposition?
35 So moved. The motion carries. Let's go ahead and get into Item
36 Number III on the agenda, the Action Guide and Next Steps, Tab
37 E, Number 3, and Mr. Atran.
38

39 **MR. ATRAN:** Thank you, Mr. Chairman. As you said, we have a
40 very busy agenda. I think it's the busiest we've had since we
41 formed this committee, and Agenda Item IV, Review of Mackerel
42 Landings and Bag Limit Analysis, NMFS will go over those
43 landings and review any changes in landings since the bag limit
44 was changed from two to three persons per day, as of May 11,
45 2017. This is for information only. There is no action
46 required by the committee.
47

48 Agenda Item V is an options paper on carryover of unharvested

1 quota. The primary purpose of this is to get a review on the
2 SSC report on some simulation analysis that was done with red
3 snapper and king mackerel of how periodic unharvest might affect
4 either sustaining the king mackerel or the rebuilding plan for
5 red snapper.

6
7 Also, it's not on the action guide, but we've had some staff
8 discussions about perhaps trying to find ways to simplify some
9 of the ranges of alternatives, and so I think we would like to
10 maybe go through the alternatives and see if the committee is
11 interested in making some changes to those.

12
13 Agenda Item VI is Public Hearing Draft of Amendment 49,
14 Modifications to the Sea Turtle Release Gear and Framework
15 Procedure for the Reef Fish Fishery. At this point, we have an
16 amendment that we feel is just about ready to go to public
17 hearings, and we would like the committee to recommend preferred
18 alternatives, and, if you have any other modifications, and
19 hopefully nothing major, suggest those and recommend whether or
20 not to go ahead and hold public hearings on Amendment 49. This
21 would be a webinar public hearing for this amendment. If we go
22 ahead as we anticipate, we would be bringing a final draft to
23 the council to review and approve at the next council meeting in
24 April.

25
26 Agenda Item VII, Draft Policy and Outreach on Descending Devices
27 and Venting Tools, as you may remember, or may not remember, at
28 the last council meeting, the council decided not to go forward,
29 at least at this time, with an amendment to require the use of
30 descending devices and/or venting tools, but, instead, to adopt
31 a policy encouraging their use and to develop an outreach
32 program, and so we have those draft policy and outreach program
33 documents in the briefing book for you to review.

34
35 Also, at the request of the council, we drafted a letter in
36 regard to the National Resource Damage Assessment Program, the
37 NRDA, in support of the distribution, use, and research for
38 descender devices, and so we're asking you to review that letter
39 and let us know if you would approve that letter being sent out.

40
41 Agenda Item VIII is a Review of Ecosystem Approaches to Fishery
42 Management by the Gulf Council and Other Regional Approaches,
43 and that will be a review of what other councils are doing, as
44 far as ecosystem approaches to fishery management, versus what
45 we're doing, and the committee has asked whether or not to
46 recommend initiating a fishery ecosystem plan or a policy for
47 the council to consider at a further meeting.

48

1 The staff will also briefly update the committee on the
2 Ecosystem-Based Fishery Management Regional Roadmap progress and
3 provide a timeline for the council on that.

4
5 Agenda Item IX is Reef Fish Charter/For-Hire Permit Transfers
6 and Potential Management Actions. This is an action that the
7 council requested staff begin to develop some documentation for
8 regarding an issue of some reef fish charter vessel operators or
9 owners temporarily transferring their permits when the federal
10 season is closed, in order to try to get around the requirement
11 that federally-permitted vessels not fish in either federal or
12 state waters when the federal season is closed. We do want to
13 consider, if warranted, if we need to proceed with some action,
14 and, if so, what potential management measures might be
15 appropriate.

16
17 Agenda Item X, Environmental Assessment and Exempted Fishing
18 Permits for Lionfish Trap Testing in the Gulf and South
19 Atlantic, NOAA staff will review an application for an exempted
20 fishing permit for lionfish trap testing in the Gulf and the
21 South Atlantic, and that will include an environmental
22 assessment, which has already been prepared for that. The
23 committee should review this information and vote whether or not
24 to recommend to the Full Council to recommend that NMFS approve
25 this EFP or whether more information is needed.

26
27 Agenda Item Number XI, Discussion on Dead Zone Regarding the
28 RESTORE Act, this had to be postponed from an earlier meeting,
29 because Mr. Constant was unable to make that meeting, and so
30 hopefully we can get the presentation this time. This was the
31 result of, in 2017, having an extremely large red tide, the
32 largest ever -- Excuse me. Hypoxic zone off of Louisiana, the
33 largest that has ever been recorded, and so we're asking Mr.
34 Constant to lead a discussion on potential efforts by the U.S.
35 Fish and Wildlife Service to address the issue through their
36 Natural Resource Damage Assessment Program.

37
38 This doesn't require any action by the council. However, if the
39 council wishes, they may choose to recommend that we draft a
40 letter regarding the use of RESTORE Act funds on this particular
41 issue.

42
43 Then, finally, under Other Business, as I indicated before, if
44 time permits, the National SSC Meeting was held in San Diego two
45 weeks ago, and I attended, along with three members of our SSC,
46 and there will be a comprehensive report forthcoming sometime
47 later this year, but I just had a very brief summary of my
48 impressions of that meeting and on the main theme, which was

1 management strategy evaluations. Thank you, Mr. Chairman.

2
3 **CHAIRMAN MICKLE:** Thank you, Mr. Atran. All right. Just to
4 look at the agenda and what our large plate is today, it looks
5 like Mr. Atran was kind enough to provide me some time allotment
6 windows, to try to keep on track. We are a little bit ahead of
7 schedule, but we would like to shoot for a target recess of
8 11:30, with our midday break, and so let's go ahead and jump
9 straight into Item Number IV, Review of Mackerel Landings and
10 Bag Limit Analysis. That's from SERO, and I would assume that's
11 Susan Gerhart.

12
13 **REVIEW OF MACKEREL LANDINGS AND BAG LIMIT ANALYSIS**

14
15 **MS. SUSAN GERHART:** Thank you, Mr. Chair. If we look at Tab E-
16 4, we have the king mackerel landings, starting with the
17 commercial. The first table is this year's landings, and we did
18 open the Western Zone on July 1 and closed on October 7, at 98
19 percent of the quota.

20
21 The Northern Zone opened on October 1. If you recall, that
22 season was changed from July 1 to October 1 about a year ago.
23 That one is still open, and it's about 88 percent, but my
24 understanding, from talking to several of the fishermen, is that
25 most of the fish have moved south now, and so they don't expect
26 to catch a whole lot more.

27
28 The southern hook-and-line is just getting started, because the
29 fish are just getting there, and they've caught about half of
30 the quota so far, and then the gillnet, at the time that we
31 submitted this for the briefing book, they had not started
32 fishing. The opening is the day after Martin Luther King, which
33 is January 16 this year, and they chose to wait a couple of days
34 before starting, because of weather and other concerns.

35
36 Recall that this is a small fleet, and so they work together to
37 determine when to fish. They have caught 88 percent of the
38 quota at this point, and, as is usual, the fleet got together
39 and chose two boats to go out and fish the rest of the quota,
40 which Mr. Kelly told me earlier that they expect to do on
41 Wednesday of this week. After that, if they are finished
42 fishing and the quota is met, we will shut them down.

43
44 The second table is last year's landings. Because this isn't a
45 January through December, we have completed landings for last
46 year now. We only closed the Western and Southern hook-and-line
47 Zones, and the Northern Zone did not reach a high enough quota
48 for us to close, and the gillnetters -- Again, they generally

1 stop fishing when they reach about 85 percent of the quota, and,
2 at some point, they decided not to go out and catch the rest of
3 the quota, and so that one never closed either.

4
5 If you go to the next page, we show the recreational landings
6 for this year and last year. Again, the recreational season
7 started on July 1, and so we only have two waves of data that
8 incorporate this year. Last year is mostly complete, and there
9 was only 44 percent of the quota that was caught for the
10 recreational sector last year.

11
12 Just to point out that Spanish and cobia are not included on
13 here, and those are stock ACLs, and the quotas for those have
14 not been met.

15
16 The council also requested an analysis of a change in landings,
17 due to the increase in the bag limit. The bag limit was two
18 fish per person per day, and it was increased to three, and that
19 was effective in May of last year, and so we only have three
20 waves of landings with the higher bag limit to compare, and so
21 the first table shows simply the landings by wave, and you can
22 see for every wave, this year, or for 2017, was lower than those
23 in 2016, with the lower bag limit, and so increasing the bag
24 limit -- Now, we did have 2016 was a rather high landings year,
25 and so 2017 is back to a little bit more normal.

26
27 We also looked at the proportion of trips landing the bag limit
28 of two fish versus three fish. In 2016, we had 12 percent
29 landing the two-fish bag limit and about 5.6 percent were
30 actually landing three, even though that wasn't the legal bag
31 limit in 2016. In 2017, we saw a decrease in the number landing
32 the two fish, but about the same number landing the three fish,
33 even though it was legal in 2017, or most of 2017. That is the
34 extent of the analysis that we have, if you have any questions.

35
36 **CHAIRMAN MICKLE:** Thank you, Susan. Are there any questions or
37 comments? Mr. Anson.

38
39 **MR. KEVIN ANSON:** Sue, the proportion of trips landing king
40 mackerel, that's of trips with king mackerel, correct?

41
42 **MS. GERHART:** Yes, that's correct.

43
44 **MR. ANSON:** Thank you.

45
46 **CHAIRMAN MICKLE:** Mr. Diaz.

47
48 **MR. DIAZ:** Thank you for that report, Ms. Gerhart. I have got

1 about twenty notes on my page, and you actually covered almost
2 all of them, and so I think you did a very good job, but what
3 strikes me, when I read through this, is the commercial side
4 last year, for 2016/2017, basically it was a typical year. They
5 generally catch most of their quota, or right up close to it.
6 It looks to me like 2017/2018 is shaping up to be a typical
7 year. They are probably going to do about like they have been.

8
9 I want to stress the recreational landings. For 2016/2017, we
10 left almost 3.5 million pounds unharvested, and Ms. Gerhart said
11 that was a heavy harvesting year, and I think that's playing
12 out, in the way Waves 4 and 5 are comparing from 2016/2017 and
13 2017/2018, the way that plays out so far. The three-fish bag
14 limit has, so far, in just those two waves, and I know that's
15 early and it's not a lot of data, but it's not really showing
16 anything, that that's making much of a difference.

17
18 I know there is a lot of people at the table that don't agree
19 with me, but it does bother me, and I'm not sure it's in the
20 best interest of the nation to leave so many fish unharvested.
21 I am not proposing to do anything, but I like us to review these
22 things, because we can reflect on them and see where we're at.

23
24 Like I said, I just don't think it's in the greatest interest of
25 the nation to leave that many fish unharvested. At some point
26 in time, we're going to have to really evaluate what the proper
27 thing to do with king mackerel is. Thank you, Mr. Chair.

28
29 **CHAIRMAN MICKLE:** Thank you, Mr. Diaz. Robin.

30
31 **MR. ROBIN RIECHERS:** I just wanted to make a note, for the
32 council, that, last week, our commission took action to actually
33 move from a two-fish to a three-fish bag limit in state waters,
34 which obviously many of the fish are caught there, and we will
35 do that as quickly as we can, so that it will be in place for
36 much of the rest of the season this year. That goes into effect
37 twenty days after it's filed with the Secretary of the State,
38 and so I don't know the exact date of that at this point in
39 time, but it will be in effect, and then we will pick it up for
40 our season next year as well.

41
42 **CHAIRMAN MICKLE:** To that point, Robin, the Mississippi DMR has
43 it on their agendas as well coming up at their meeting in
44 February, and so, after the outcome of that, we'll increase to a
45 three-fish bag limit and go to the Secretary and move on
46 forward, and so just to voice that here with everybody. Is
47 there any other discussion with these landings? Roy.

48

1 **DR. ROY CRABTREE:** Martha, has Florida gone up to three fish?
2

3 **MS. MARTHA GUYAS:** Yes, we have. I think it went into effect
4 around the same time as the federal rule, I think. It's been so
5 long since we did that rulemaking.
6

7 **CHAIRMAN MICKLE:** Any other discussion? I hate to do this, but
8 when was the last stock assessment, and when is the next one? I
9 hate to drag that thing back up. We seem to get stuck on it,
10 but could we just return, at Full Council maybe, with a quick
11 drop-in of when the last one was and when the next one is?
12

13 Just a little chatter on the docks, but we don't get the
14 landings we quite did recreationally, because, most of the time,
15 they are floating out stinger hooks out the back of the boat,
16 and they're just not getting them like they used to, but, again,
17 that's nothing to drive anything with, but, again, it seems to
18 be a somewhat targeted fishery on the recreational side during
19 tournaments.
20

21 It's tournament-driven, at least in our little slice of the
22 Gulf, but you've just got to keep your eye on it and just make
23 sure that the resource is there. The gear type targeting from
24 commercial to recreational is very different as well, and so
25 that's all. Any other discussion, before we move on? All
26 right. Let's move on to Item Number V, which is an Options
27 Paper for Carryover of Unharvested Quota, Tab E, Number 5, and
28 Mr. Atran.
29

30 **OPTIONS PAPER - CARRYOVER OF UNHARVESTED QUOTA**

31

32 **MR. ATRAN:** Thank you. If Dr. Lorenzen is ready with his
33 presentation of the SSC review of simulations, I think it would
34 be helpful to go over that first, because that deals directly
35 with the alternatives that are in Action 1 of the options paper.
36

37 **CHAIRMAN MICKLE:** Sure. No problem. That would be Tab B,
38 Number 11. Dr. Lorenzen, are you ready? Thank you. We have
39 got the presentation pulled up. This was emailed to council
40 members, if you're looking for it, and it is on the updated
41 file, I thought, or that's where I found it anyway. Go ahead,
42 Kai.
43

44 **SSC REVIEW OF SIMULATIONS**

45

46 **DR. KAI LORENZEN:** The scope of work, what we were asked for
47 here was to review the simulations provided by the Southeast
48 Fisheries Science Center of the effects of carryover unused ACL

1 for red snapper and king mackerel and to review the draft
2 generic amendment and comment on the scientific basis for the
3 alternatives in the amendment.

4
5 I want to briefly show you a few outputs of those analyses, and
6 the first one is for red snapper, and there was an initial
7 analysis done that was looking at the percentage of unharvested
8 quota that can be carried over without negatively impacting the
9 red snapper rebuilding plan, and, in short, the result of that
10 was that carryover of up to 20 percent did not affect the
11 rebuilding schedule.

12
13 Then the more detailed request that was presented at the SSC
14 webinar in October was fleet-specific carryover events that are
15 consecutive carryover that are discounted for natural mortality
16 and carryover caps at 95 percent of the OFL. The goal was to
17 demonstrate how those scenarios would impact on the rebuilding
18 plan.

19
20 What they did was basically run with the last stock assessment
21 base model that came out of the benchmark assessment in 2014
22 with updated landings data to 2016 projections, beginning in
23 2017, and so they provided these simulations with sort of two
24 projection scenarios here. It was basically, using F rebuild,
25 the fishing mortality rate under the rebuilding plan, but also
26 running one with F SPR of 26 percent, which is relevant to
27 defining the overfishing limit. Then they had different ways of
28 adjusting for M and applying the OFL cap or not applying the OFL
29 cap.

30
31 To give you an idea of how the actual underages were set up, on
32 the left-hand side in this table, you can see -- They basically
33 forced certain underages into the model at different times, and
34 you can see, for example, in 2017, there was an assumed 20
35 percent underage in the private recreational sector, and then,
36 in 2018, there was an underage of 20 percent in the recreational
37 for-hire and so on, and so this is basically what goes into that
38 simulation as the underage scenarios.

39
40 Going to the results, there is a projected -- This is the
41 projected yield for the rebuilding scenario, and then you have
42 the various carryover scenarios here, and so you have the
43 triangles are the yields applying the cap, and the circles are
44 not applying the cap, and so you can see the underages
45 occurring.

46
47 Then, in the following years, the carryover is occurring, and
48 you can see that, overall, the OFL cap had a fairly major effect

1 on the carryover yield, and so the OFL cap basically capped the
2 carryover relatively low. The M adjustments had relatively
3 little effect, and that's to be expected, because the natural
4 mortality rate of red snapper is very low.

5
6 The fact that you are seeing this -- This was a question that
7 was brought up in the SSC, the fact that you're seeing those
8 variations getting larger, and this is really driven by the
9 inputs to the model, and so the greatest overall underages were
10 put into the model in the later parts of that time series, and
11 so this doesn't imply that, as we go along in time, those
12 variations will get larger. This is simply what was put into
13 the model.

14
15 This is what shows the rebuilding of the SPR, and you can see,
16 again, there is the rebuilding projection without underages and
17 carryover. That's at the bottom, and then you can see the
18 rebuilding under those various carryover scenarios, and you can
19 see that, in all the carryover scenarios here, rebuilding, in
20 fact, is not only on the same timeframe, but it may occur
21 slightly more rapidly.

22
23 The reason for that is that, since the stock is increasing quite
24 rapidly overall, and so we're in a situation where, essentially,
25 when you leave the fish in the water, growth and their
26 reproductive contributions sort of outweigh the effect of
27 mortality, and so, if you keep the fish in the water a little
28 longer, which you do, not through the carryover, but through the
29 fact that you have an underage to start with, you end up with a
30 situation that rebuilding actually happens slightly faster.

31
32 You can see that none of these scenarios cause problems for the
33 rebuilding schedule. Some allow somewhat faster rebuilding,
34 and, basically, you have a tradeoff here. The scenarios that
35 leave the most fish in the water, and so the ones where you have
36 an OFL cap, give you the fastest rebuilding, and so there is a
37 bit of a tradeoff, but none of these scenarios would cause a
38 problem for maintaining that rebuilding timeline.

39
40 The analysts pointed out important assumptions and caveats. The
41 first one here is this is not meant to be for management advice.
42 It's somewhat hypothetical, and there are a lot of assumptions
43 that have to be made in setting these things up. Basically,
44 they're saying that it should be expected to hold for underages
45 up to about 20 percent, but they haven't tested really extreme
46 underages.

47
48 It only applies if the carryover is applied to the fleet in

1 which the underage occurred, and the reason for that is that the
2 fleets have different selectivities, and so, if you apply an
3 underage in one fleet to another fleet, you're dealing with the
4 fact that those are actually catching fish at somewhat different
5 ages and with different growth and mortality and so on.

6
7 Also, very importantly, the same approach is not expected to
8 hold for an overage and subsequent underage. Remember that all
9 they simulated is underages. They have not looked at what
10 happens when you throw overages into the mix.

11
12 There was a second study on Gulf of Mexico king mackerel, and
13 it's basically the same questions, and I am not going to go
14 through the details of the results of this, but I want to give
15 you a quick overview.

16
17 The important thing to remember here is that the Gulf of Mexico
18 king mackerel is not overfished and not undergoing overfishing,
19 and neither the commercial nor the recreational sector land
20 their allocated catch, typically, which means there is a sort of
21 fairly routine underage, but that occurs because people just
22 don't fish so hard for it, and so, basically, if you take that
23 underage and you carry it over, it's quite unlikely that, in the
24 next year, that would all be taken, because, generally, the
25 fishery is not taking its allotted catch.

26
27 The simulation scenario that Dr. Schirripa provided actually
28 assumed that the stock would be fished at the limit, and so at F
29 SPR 30, except when the underages or the carryover occur, but it
30 basically assumed an increase in fishing pressure on this stock
31 to the maximum level of the F SPR 30.

32
33 Basically, the result here was that carryover, under these
34 assumptions, had no effect on the future status of the Gulf of
35 Mexico king mackerel stock, and so, basically, what the
36 simulations have shown is that the carryover, according to the
37 provisions that are in the draft generic amendment, are unlikely
38 to impact negatively on the rebuilding timeline of red snapper
39 or the status of king mackerel.

40
41 None of the alternatives explored resulted in the lengthening of
42 the rebuilding timeline for red snapper, and some tradeoffs are
43 evident between catch levels and the speed of rebuilding, but
44 it's very unclear how generalizable these results are. Remember
45 that we have basically case studies for two fisheries here, one
46 that is rebuilding and typically fished at F rebuild, below the
47 F SPR at 26 percent, and the other that also tends to be
48 underfished, most of the time.

1
2 The question is how does this apply to stocks with different
3 life histories and to fisheries that may be overexploited, and
4 so it's somewhat unclear, and so there were some general
5 comments from the SSC.

6
7 One was that carryover is likely to be appropriate and effective
8 only when the underage has occurred due to regulatory actions or
9 if you have something like the buffer or for some reason you
10 closed that fishery early. Then it's a reasonable assumption
11 that those fish that were not harvested will remain and one can
12 carry that over. It would be particularly problematic if the
13 underage had occurred due to stock decline. We will come to red
14 grouper tomorrow, where that seems to be happening. There is an
15 underage, but it's probably related to reduced stock levels, and
16 so that is, obviously, a situation where you wouldn't want to
17 carry over.

18
19 The scientific information that we have available, which is sort
20 of limited simulation scenarios for two fisheries, does not
21 provide a strong basis for choosing between the alternatives set
22 out in the draft document or for generalizing performance to
23 other fisheries, and it's very important to note that the same
24 procedures can't be used for carryover of overages, or payback
25 provisions, and they may be problematic when we have a mixture
26 of underages and overages in the timeline, which was not
27 explored.

28
29 Finally, one comment is that one alternative to that proposed
30 framework, which is somewhat complex, is it might involve things
31 like actually rerunning projections with updated catches, and
32 so, all of this, what we're discussing here, is in the situation
33 where we have projections that were run at the end of the stock
34 assessment for multiple years and then we set the ABCs based on
35 that.

36
37 Then we enter into these carryover provisions, but, also, one
38 could, in principle, of course, update projections with more
39 recent landings, which would then account for all the processes
40 that are happening, the growth and the mortality and so on, but
41 it would involve an additional step, and so, rather than just
42 getting the catches and going into the carryover, it would
43 involve then going back to the Science Center or the Regional
44 Office and rerunning those projections. That would give you
45 slightly better estimates of what will be available in the
46 following years, but it requires more effort. Thank you.

47
48 **CHAIRMAN MICKLE:** Thank you, Dr. Lorenzen. Are there any

1 questions for Kai? Steven.

2
3 **MR. ATRAN:** Not a question, but just a clarification. You
4 mentioned, with the red snapper review, that none of the
5 simulations included overages, and I believe that was the same
6 for the king mackerel simulations.

7
8 **DR. LORENZEN:** Correct.

9
10 **MR. ATRAN:** Thank you.

11
12 **CHAIRMAN MICKLE:** Anything else? Thank you, Kai. Now we can
13 swing back to the options paper, and is that correct, and it's
14 Tab E, Number 5.

15
16 **REVIEW OF OPTIONS PAPER**

17
18 **MR. ATRAN:** That's correct. It is titled "Carryover Provisions
19 and Framework Modifications". It's still in a draft form. If
20 the council approves it, we're going to try to come back with a
21 completed amendment for your review in April, and that will
22 depend upon what we can do. The primary author of this is out
23 on paternity leave at the moment, but I think the rest of us can
24 probably handle it.

25
26 This has five actions in the document, and, if we can go to
27 Action 1, which is on page 9, it's titled "Eligibility for a
28 Carryover Provision for Managed Finfish Species in the Gulf of
29 Mexico", and this deals with which species would or would not be
30 allowed to have ACL underage adjustments. The wording is a
31 little bit confusing. We are thinking that perhaps we could
32 simplify some of the wording on here, and we also had some staff
33 suggestions on some of these alternatives.

34
35 Alternative 1, no action, says that we will not have an underage
36 carryover for any species. If you wanted to adopt that, then
37 this options paper is dead, and there is no need to proceed with
38 it. We always have the no action alternative.

39
40 Alternative 2 would allow underage carryovers except for those
41 stocks that are currently in a rebuilding plan. As I said, I
42 wanted to get the results of the simulations, which had
43 indicated that, in those simulations, underage carryovers were
44 not going to have much of an effect on the rebuilding plan.
45 Again, as I said, that only included simulating underharvests
46 and not overharvests.

47
48 We do have some staff saying that perhaps this should be

1 removed, and I think perhaps an alternative would be to say
2 that, instead of excluding stocks in a rebuilding plan -- I will
3 stop there, but, at any rate, based upon the analysis, this may
4 not be a necessary alternative.

5
6 Alternative 3 would not allow stocks to have carryovers if there
7 was not an ACL closure, if we just got to the end of the fishing
8 year and the fishermen simply didn't catch their total amount.
9 The reason for that is because we don't know why they didn't
10 catch their total amount. Is it because the stock is in decline
11 or simply because they didn't put out enough effort to catch it?

12
13 Irregardless, Alternative 3 would not allow a carryover for
14 stocks that did not have an ACL closure. We do have a staff
15 suggestion that it be revised slightly to state that this would
16 only apply to non-IFQ species, and we have a separate action
17 that deals with the IFQ species.

18
19 Alternative 4 would exclude stocks that do not have sector
20 allocations. It would only apply to stocks that are managed
21 under a stock ACL, and that means that there is no recreational
22 and commercial allocations. It's just a single stock ACL. We
23 really don't see why this should make a difference, plus I
24 believe most of the stocks covered under Alternative 4 would be
25 covered under Alternative 3, and so staff is recommending that
26 Alternative 4 be removed from the document or moved to
27 Considered but Rejected.

28
29 Alternative 5 would exclude any stocks from carryover that were
30 not based on a quantitative stock assessment. Basically, that's
31 our data-poor stocks in which we did set ACLs, but they were
32 based either on Tier 3 of our ABC control rule, which just bases
33 it on what the average catch was over a ten-year period, plus or
34 minus some adjustment, or based upon the methods used in the
35 data-limited methods toolkit, which we applied to several stocks
36 under SEDAR 49 and ended up with an ABC recommendation only for
37 one of them, lane snapper.

38
39 These are not really based upon a strong knowledge of the life
40 history of the stock, and so these are only approximations of
41 what we think should be the OFL and the ABC, and they may or may
42 not be accurate, and so this alternative would say don't have
43 any carryovers on these stocks, and then Alternative 6 would
44 exclude stocks which are being managed through an apportionment
45 with an adjacent fishery management council, in this case,
46 obviously, the South Atlantic Council.

47
48 If we have a transboundary stock and we've split it up, since

1 this action would involve changing the ABC -- We can't change an
2 ABC without getting the other council involved, and so we're
3 recommending that Alternative 6 -- That that not be allowed to
4 be a carryover.

5
6 Basically, the only alternative that staff is definitely
7 recommending be removed is Alternative 3 and that you perhaps
8 consider Alternative 2 for removal, based upon the results of
9 the simulation analysis. I will stop there, if anybody has any
10 questions.

11
12 **CHAIRMAN MICKLE:** Are there questions or comments?

13
14 **DR. GREG STUNZ:** Steven, when I was reading through this, it is
15 kind of confusing trying to figure out exactly what the
16 differences are between all these alternatives, but could we
17 combine some of these, to streamline this? For example, 5 and 6
18 are almost the same, other than you just put those two
19 exceptions into one alternative, I guess, is what I'm seeing.

20
21 **MR. ATRAN:** Certainly you could combine them. I think the idea
22 was to try to give you a discreet list of possible exceptions,
23 and, if you're interested, about three pages onward, Table 2.1.1
24 lists those stocks that would be affected by each of these
25 alternatives, and there is quite a bit of overlap, and so, in
26 the case of -- You said combine Alternatives 5 and 6, and
27 Alternative 6 would only apply to black grouper, mutton snapper,
28 and yellowtail snapper. None of those are listed under
29 Alternative 5, and so that would be giving you a larger universe
30 of stocks that would be excluded from carryovers.

31
32 **CHAIRMAN MICKLE:** Mr. Diaz.

33
34 **MR. DIAZ:** Just a comment. If we happen to choose the one for
35 data-poor stocks, the actual title of this paper includes red
36 drum, and so we have to take that out of the title, also.

37
38 **CHAIRMAN MICKLE:** Mr. Atran.

39
40 **MR. ATRAN:** Could you repeat that, please?

41
42 **MR. DIAZ:** I was just saying that Number 5 deals with data-poor
43 stocks, including those, and the title of this paper actually
44 has red drum mentioned in the options paper name, and so I was
45 just pointing that out.

46
47 **CHAIRMAN MICKLE:** Mr. Atran.

48

1 **MR. ATRAN:** At the moment, we don't allow any harvest of red
2 drum in federal waters, and so I'm not sure that, either way, it
3 would affect the red drum harvest.

4
5 **CHAIRMAN MICKLE:** Ms. Levy.

6
7 **MS. LEVY:** Just to the point about combining them, I think the
8 issue with combining them is that it doesn't then allow you to
9 consider and address the specific needs to exclude or not
10 exclude a certain group, and so 5 is looking at basically
11 applying the carryover only to those that have peer-reviewed
12 stock assessments, whereas Alternative 6 is then applying it to
13 everything except those managed by species that are apportioned
14 over more than one council, and so they're very distinct, and
15 you can have separate decisions yes or no on either of those,
16 and, if you combine them, then you're basically having to make a
17 decision about all of it at one time, even though there are very
18 different reasons for including or excluding them.

19
20 **CHAIRMAN MICKLE:** Any other discussion? Mr. Anson.

21
22 **MR. ANSON:** Steven mentioned a couple of alternatives that staff
23 had recommended for removal, to streamline the document, and one
24 of those was Alternative 4, if I remember correctly, and I am
25 trying to read that one, to understand the removal for that one,
26 and except those which are currently managed under a stock ACL,
27 and so, Steven, can you elaborate a little bit more as to why
28 staff chose that, because Dr. Lorenzen mentioned something that
29 it would probably be better to kind of keep those species in
30 there that have sector allocations, because then it would be
31 more efficient in applying that overage, or underage, to that
32 particular sector.

33
34 **CHAIRMAN MICKLE:** Mr. Atran.

35
36 **MR. ATRAN:** One reason is that most of the stocks covered in
37 Alternative 4 are also covered in Alternative 3, and so it's a
38 little bit duplicate, and, also, the primary difference here is
39 we're talking about, where we have sector allocations, an
40 underage would only apply to the specific sector that
41 underharvested its quota.

42
43 Where we don't have sector allocations, you could still end up
44 with, perhaps, a fishery that is closed early, because the
45 entire ACL is met early, but, if that turns out to be an
46 incorrect assessment, there is really -- I don't see the reason
47 why you would want to have that be any different from just
48 looking at an individual sector.

1
2 You get a fishery that's being fished by the combined
3 recreational fishery sectors, and, if you carryover the
4 underharvest, then the combined fishery gets the benefit of the
5 carryover, rather than just one sector, and so I wasn't -- I
6 didn't see the reasoning for excluding those specific stocks,
7 but, as I said, the other reason is that there's a lot of
8 overlap, if you look at that table that was up on the screen
9 before, between Alternatives 3 and 4, and so perhaps we don't
10 need both of those alternatives.

11
12 **CHAIRMAN MICKLE:** Any other discussions? Is there a timeline
13 that we're shooting for on this one, on this paper? Do I need
14 to encourage the group in any way or form? Mr. Schieble.

15
16 **MR. CHRIS SCHIEBLE:** I am going to need a little help from the
17 Chairman here. We're not on the committee, but are we able to
18 make a motion for another alternative, not being on the
19 committee?

20
21 **CHAIRMAN MICKLE:** Not until Full Council, is my understanding,
22 and is that correct?

23
24 **MS. LEANN BOSARGE:** At Full Council, you could make that motion,
25 but, if you want to have discussion, you are more than welcome
26 to chime in, if the Chairman will allow, and have some
27 discussion, and so I guess people would have something to think
28 about between now and Full Council.

29
30 **MR. SCHIEBLE:** Well, I sent our request to council, in an email,
31 and so it's listed there, but I can pretty much tell you exactly
32 what we're thinking here. We're looking for an Alternative 7 to
33 be added, if possible, and it would basically just state the
34 carryover of unused portion of any managed reef finfish species
35 and coastal pelagic, period.

36
37 **CHAIRMAN MICKLE:** That's a suggested motion, but, again, we have
38 to wait until Full Council for a non-committee member to make a
39 motion, but, again, if there is anyone inclined to entertain the
40 motion, I wouldn't be opposed, if it's brought by, just
41 following protocol, a committee member. Dr. Frazer.

42
43 **DR. TOM FRAZER:** Thanks, Paul. If it's okay, I would just like
44 a little clarification on why you might want that.

45
46 **CHAIRMAN MICKLE:** Chris.

47
48 **MR. SCHIEBLE:** Well, it seems like, when looking at that list of

1 species, that, if we don't combine some of the existing
2 alternatives, that some will be left out, and that would cover
3 the majority of what we need.

4

5 **CHAIRMAN MICKLE:** Dr. Crabtree.

6

7 **DR. CRABTREE:** I think the point is there are good reasons to
8 leave some species out. If you have a species, for example red
9 grouper, and they can't catch the ACL. The fishermen are all
10 telling us that the stock is in decline, and we're going to see
11 abundance indices this week that confirm the stock has declined,
12 and so why would we take a species where they can't catch the
13 quota to begin with and then carry, potentially, millions of
14 pounds over and add it to the next year's quota? It just
15 doesn't really make sense.

16

17 I don't think it necessarily hurts anything, because they
18 probably wouldn't catch it again the next year, but where this
19 came from was when we had a fishery that was closed, and red
20 snapper was a lot of it, where we have that 20 percent buffer,
21 or we closed it too early and left fish out there. In that
22 case, it makes sense to carry it over, and king mackerel is
23 another good example, with the recreational fishery. It really
24 doesn't make a lot of sense to carry that underage over and add
25 it to the next year, because they can't even catch the quota
26 they already have.

27

28 I will come back to Alternative 4, because I tend to agree with
29 Steve that I don't think we need that one in there. **I will make
30 a motion to move Alternative 4 to the Considered but Rejected.**

31

32 **CHAIRMAN MICKLE:** All right. The motion is, in Action 1, to
33 move Alternative 4 to Considered but Rejected. Do I have a
34 second? It's seconded by Dr. Frazer. **Is there any opposition?
35 The motion carries.**

36

37 Is there any additional discussion on the carryover of
38 unharvested quota of non-IFQ finfish species? Mr. Atran.

39

40 **MR. ATRAN:** Thank you. One other thing on Action 1, before we
41 get totally out of it. As I indicated, we think we can probably
42 come up with some less confusing wording for the alternatives in
43 Action 1, and so I assume that we would have editorial license
44 to revise them, as long as we don't change the intent?

45

46 **CHAIRMAN MICKLE:** Is there any opposition for staff to have that
47 liberty? Okay. That seems concurrent with the group. Thank
48 you.

1
2 **MR. ATRAN:** Thank you. Action 2, as I said earlier, we have a
3 separate action.
4

5 **MS. BOSARGE:** Mr. Atran, can I interrupt you for just a second?
6 Sorry. Our lunch with the Admiral is actually scheduled for
7 like four minutes from now, just a couple of minutes from now.
8 As long as you all were done with that Action 1, if it's okay
9 with the Chairman, could we break now for our lunch?

10
11 **CHAIRMAN MICKLE:** My question is to Mr. Atran. Can Action 2 be
12 pulled off in four minutes?
13

14 **MR. ATRAN:** Probably not.
15

16 **CHAIRMAN MICKLE:** I had to ask. All right.
17

18 **MS. BOSARGE:** That sounds great then. We're going to break now
19 for lunch, and I don't want to keep the Admiral waiting, and so
20 we will break for lunch. We are scheduled to have lunch from
21 11:15 to 12:45, and so I will see you all back here at 12:45.
22 Thank you.
23

24 (Whereupon, the meeting recessed for lunch on January 29, 2018.)
25

26 - - -
27

28 January 29, 2018
29

30 MONDAY AFTERNOON SESSION
31

32 - - -
33

34 The Sustainable Fisheries Committee of the Gulf of Mexico
35 Fishery Management Council reconvened at the Hyatt Centric, New
36 Orleans, Louisiana, Monday afternoon, January 29, 2018, and was
37 called to order by Chairman Paul Mickle.
38

39 **CHAIRMAN MICKLE:** I think, when we broke for lunch, we had
40 completed Action 1. Is that true, Mr. Atran?
41

42 **MR. ATRAN:** Yes, that is correct, unless anybody has something
43 further they want to say.
44

45 **CHAIRMAN MICKLE:** I think there was some further discussion, but
46 we had agreed that, at Full Council, it would flesh itself out,
47 and so let's continue on to Action 2 within Tab E, Number 5, to
48 resume where we were with carryover.

1
2 **MR. ATRAN:** Thank you, Mr. Chairman. Action 1 was set up so
3 that you can choose multiple preferred alternatives, if you
4 want. Action 2, which is parameters for applying the carryover
5 provision to species managed under IFQ programs, is designed so
6 that you can only select one preferred alternative.

7
8 What this action does is it only allows carryovers if there is a
9 relatively small amount of underage to carry over. If the
10 underage exceeds a certain amount, then there is no carryover.
11 What it says in the discussion is that, in the past, IFQ
12 programs typically have some underage, but it has ranged from as
13 little as a half-a-percent to as much as 55.98 percent, and that
14 was for the other shallow-water grouper category in 2014, and so
15 we can see some rather substantial underages, at times, in this
16 fishery.

17
18 Alternative 1 is the no action alternative. It does not
19 establish parameters for applying the carryover provision, as
20 outlined in Action 1, to species managed under IFQ programs in
21 the Gulf. I believe that means that IFQ species would be
22 treated exactly the same as the non-IFQ species, unless that
23 alternative that would exclude them is adopted in Action 1, in
24 which case there would be no carryover at all. That is my
25 interpretation of this.

26
27 Alternative 2 and Alternative 3 and Alternative 4 are all
28 identical, except that Alternative 2 would allow a carryover
29 only if the underage from the commercial ACL amounts to less
30 than 2 percent of the commercial ACL. Alternative 3 would allow
31 the underage carryover only if it's less than 5 percent, and
32 Alternative 4 would allow the carryover only if it's less than
33 10 percent. Mr. Chairman.

34
35 **CHAIRMAN MICKLE:** Is there any discussion? Dale.

36
37 **MR. DIAZ:** Steven, when I read the discussion, I see that the AP
38 made a comment that they did not favor this action at all, but
39 part of the rationale is it says that the Reef Fish AP thought
40 that, if a shareholder couldn't harvest their allocation in a
41 fishing year, it was unlikely that they would be able to harvest
42 it in the following year.

43
44 If there was a -- Say we did a small carryover, and the
45 carryover would go to that entire commercial sector and then be
46 divided up there from there, and so we wouldn't be dealing with
47 it on a shareholder basis. We would be dealing with it across
48 the whole commercial sector, and so can you elaborate on that

1 any?

2
3 **MR. ATRAN:** I believe you're correct. My understanding, and, if
4 there are any fishermen here who are fishing under IFQs, maybe
5 they could correct me, but my understanding is that the
6 fishermen who fish under IFQs will try to spread out their catch
7 so that they still have fish to catch at the end of the year,
8 and, as a result, if they overestimate their needs, they may end
9 up with a slight underharvest of their IFQs.

10
11 As this is written, I believe you're correct that that
12 individual fisherman doesn't benefit from his underage, but it
13 just would go into the pool and then be distributed among all
14 fishermen.

15
16 **CHAIRMAN MICKLE:** Any other discussion? Ms. Bosarge.

17
18 **MS. BOSARGE:** I do remember, in Mississippi, during the public
19 hearing that we had a while back that was geared towards
20 commercial, that that was one of the things that they were
21 actually interested in, was having some sort of carry forward or
22 rollover provision for their fishery. I remember they were
23 really interested in that, and so I'm not sure, but it might be
24 something that we want to delve into further with our
25 stakeholders and see.

26
27 **CHAIRMAN MICKLE:** Mr. Diaz.

28
29 **MR. DIAZ:** At this point, I am in favor of leaving it in, and,
30 over time, as we flesh this document out, see what kind of
31 public testimony we have on it, and so I think the range of
32 alternatives is reasonable.

33
34 **CHAIRMAN MICKLE:** Any other discussion? All right. Moving on.

35
36 **MR. ATRAN:** The next action is Action 3, and it's on page 19.
37 It's establishment of a fixed buffer between the acceptable
38 biological catch and the overfishing limit under the carryover
39 provision. As I'm sure that you're aware, when there is a full
40 stock assessment, the SSC determines the OFL from the stock
41 assessment, and then it determines how much to reduce that to
42 create an ABC from the ABC control rule.

43
44 The alternatives, other than the no action alternative here,
45 which says don't establish a fixed buffer, would state that
46 there should be some minimum between the OFL and the ABC of
47 either -- Under Alternative 2, the ABC cannot exceed 95 percent
48 of the OFL. Under Alternative 3, it's 90 percent, or

1 Alternative 4 is 85 percent.

2
3 One of the complicating factors is that our current ABC control
4 rule frequently results in a buffer that's less than 5 percent,
5 and so, if we're going to have something that says we always
6 have to have at least a 5 percent or 10 percent or 15 percent
7 buffer, in many cases, that would probably override the ABC
8 control rule, and so this seems to be in conflict with our
9 current ABC control rule.

10
11 We are supposed to get back to making revisions to that later in
12 the year, but, as of right now, it's in conflict, and it may be
13 that the best thing to do at this time is to take this out of
14 the document.

15
16 **CHAIRMAN MICKLE:** Thank you, Mr. Atran. I agree. **I think it's**
17 **in conflict, and I think I will make a motion now that we look**
18 **at Action 3 as Considered but Rejected.**

19
20 **MR. DIAZ:** I will second that.

21
22 **CHAIRMAN MICKLE:** Any discussions? Does everybody understand
23 the conflict that is occurring? Ms. Levy.

24
25 **MS. LEVY:** I sort of view this whole carryover system that is
26 being contemplated here as amending the ABC control rule, such
27 that you can carry over a portion of the unused quota, thereby
28 automatically increasing an ABC, potentially, by some amount and
29 doing that -- You're setting up a system whereby the SSC is okay
30 with that process, and so it's automated, and it just happens.

31
32 I don't see it in conflict with the ABC control rule. I feel
33 like, by this amendment, we would be modifying the ABC control
34 rule to allow for this whole process. It seems reasonable, to
35 me, to consider some sort of buffer, at least at this stage.

36
37 Are you going to say then that you're going to allow the
38 carryover so that you have an ABC that's up to or equal to the
39 OFL and you're going to allow all of that to be carried over,
40 and, if that's true, granted, some of the buffers now are less
41 than 5 percent, but some of them aren't, and how close, as a
42 policy matter, do you want that ABC to get to the OFL when
43 you're carrying over this unused quota, as we've been calling
44 it?

45
46 **CHAIRMAN MICKLE:** As a question, how many species would fall
47 into this scenario of these Alternatives 2 through 4 of this
48 carryover provision? Do we know, ballpark? Is it the majority

1 or the minority?

2
3 **MR. ATRAN:** I don't know off the top of my head, but, of the
4 stocks where we have done stock assessments and used the ABC
5 control rule, I think -- I suspect it's the majority of the
6 species to which we have applied the ABC control rule, and, in
7 some cases, the SSC has deviated from the control rule, because
8 they think that the ABC is being set too close, and I know they
9 did that with gag, and they have done it with a couple of other
10 species.

11
12 **CHAIRMAN MICKLE:** Ms. Levy.

13
14 **MS. LEVY:** I believe, if you look at Table 2.3.1, it has a
15 comparison of the percent difference between OFL and ABC for
16 stocks which would be affected by this amendment, and so you can
17 see what the current differences are, and there are a few that
18 are less than 5 percent, but it doesn't look like the majority
19 are, and so you just might want to take a look at that.

20
21 **CHAIRMAN MICKLE:** Any other discussion? We have a motion on the
22 floor. Mr. Diaz.

23
24 **MR. DIAZ:** The motion on the floor, I guess we could either
25 withdraw it or -- I did second the motion, but, based on the
26 discussion at this point, I would be in favor of just leaving it
27 in, until we flesh all of this out, and so I'm going to be
28 voting against the motion on the floor.

29
30 **CHAIRMAN MICKLE:** All right, and so we had a motion that worked
31 and then a vote switch, and so -- I would like to get more
32 discussion, but maybe we should revisit this at Full Council. **I**
33 **will withdraw my motion.** All right, and so let's keep moving
34 on. We're heading toward Action 4, Mr. Atran.

35
36 **MR. ATRAN:** Thank you. Action 4 is adjustments to the carryover
37 provision. Under this action, other than for the Alternative 1
38 -- Alternative 1 would allow the entire ACL underage to be
39 carried forward. Alternatives 2 and 3 would only allow a
40 portion of the underharvest to be carried forward.

41
42 Alternative 2 would reduce the amount of unused ACL by the mean
43 natural mortality rate of the subject species. Basically, that
44 is applying the formula that we've been using, the old formula
45 that we've been using, for setting MSST, where we say one minus
46 M, and we multiply that by the amount of underage.

47
48 In a species such as red snapper, which has a natural mortality

1 rate of 0.09, you would be setting the carryover at 91 percent
2 of the underage, and then, depending upon the mortality rate,
3 that would affect the carryover.

4
5 That was when we felt that there might be some issues with fish
6 that are unharvested dying anyway from natural causes before
7 they have a chance to be caught in the next year, and so perhaps
8 that ought to be taken into account. The simulation analysis
9 that NMFS does seems to indicate that that's not really an
10 issue.

11
12 Alternative 3 would simply set a fixed proportion of the
13 underage to be carried over, and there are three options.
14 Option 3a would reduce it by 5 percent, Option 3b would reduce
15 it by 10 percent, and Option 3c would reduce it by 15 percent.
16 In other words, you would be carrying over 95 percent, 90
17 percent, or 85 percent of the underage, depending upon which
18 option is selected, and this is one of the actions that staff
19 has recommended be moved to Considered but Rejected.

20
21 **CHAIRMAN MICKLE:** Dr. Stunz.

22
23 **DR. STUNZ:** I was just going to say that it seems like we're
24 splitting hairs here just a little bit, and, based on Dr.
25 Lorenzen's presentation, and, also, I don't know -- Steven,
26 maybe you can shed some light on this, but the fact that they're
27 in the water is also contributing as well, but it's not quite
28 factored in here either, but I would be in favor of removing
29 this.

30
31 **CHAIRMAN MICKLE:** Ms. Levy.

32
33 **MS. LEVY:** Just when you're thinking about this, I guess one
34 question I had, based on the comment about using natural
35 mortality rate as a reduction, is I understood the presentation,
36 but, to me, it said it was red-snapper-specific, and that has a
37 very low natural mortality rate, and so I assume there might be
38 other stocks that would be included in this process that might
39 have higher natural mortality rates, and so, to kind of just
40 dismiss it based on the presentation as something that you don't
41 want to consider, I'm a little bit hesitant about that.

42
43 If there are other reasons why it's not appropriate or you
44 wouldn't want to consider it, then I think you should discuss
45 those, because the presentation, to me, was very narrowly
46 focused.

47
48 **CHAIRMAN MICKLE:** Mr. Atran.

1
2 **MR. ATRAN:** The alternative would apply to all the species
3 covered under this amendment, but I just selected red snapper as
4 one example, and it does have one of the lowest natural
5 mortality rates of the stocks that we manage. I believe greater
6 amberjack has a natural mortality rate of 0.25, if I remember
7 correctly, and so, in that case, the formula would result in 75
8 percent of the underage being carried over.

9
10 **CHAIRMAN MICKLE:** Dr. Porch.

11
12 **DR. CLAY PORCH:** Just to point out that this might be a little
13 more complicated than it needs to be. You're, effectively, kind
14 of double-counting natural mortality, and I'm not sure what the
15 -- Particularly Alternative 2, I am not sure what the motivation
16 for that is.

17
18 I think there are some comments in that report that my staff put
19 together on the carrying over the underages for king mackerel
20 and red snapper, where one of the requests was to somehow
21 discount for natural mortality, and I guess this is related to
22 that, but it's really not necessary, and, again, it's
23 effectively double-counting natural mortality, because, when we
24 go our projections, we're accounting for the natural mortality
25 already.

26
27 **CHAIRMAN MICKLE:** Any other discussion? Mr. Anson.

28
29 **MR. ANSON:** Just I guess to follow-up on Clay's point, so I
30 understand it, but I understand, in the initial ABC or OFL
31 calculation that that mortality for that year will be assessed,
32 but, if you're talking about taking those pounds that would have
33 been harvested in that year and then taking them in the next
34 year, there is going to be some natural mortality in those
35 pounds, I think was the intent, and you're saying that's not an
36 appropriate way to calculate that?

37
38 **CHAIRMAN MICKLE:** Dr. Porch.

39
40 **DR. PORCH:** Right. You don't need to do that. When we update
41 the projections, it's actually already accounting for all of
42 that, and so there is no real reason to do that. I think the
43 key point is that, as long as the cumulative landings over the
44 years that you're interested in are less than the cumulative ABC
45 in every year, then the stock will do as well or better than it
46 would have if you had been taking the ABC all along.

47
48 **CHAIRMAN MICKLE:** Dr. Lorenzen.

1
2 **DR. LORENZEN:** I have a comment on this, because this was
3 something that confused me as well, but I think the issue of
4 double-counting the natural mortality would arise if you did in
5 fact update the projections, but I think, here, we're looking at
6 a scenario where we have projections in place for multiple
7 years, and we are just doing the carryover and not updating the
8 projections, in which case I believe it would be appropriate to
9 discount for natural mortality.

10
11 **CHAIRMAN MICKLE:** Dr. Porch.

12
13 **DR. PORCH:** It's still true though that, if you're taking the
14 same total amount of catch, but you take it later -- In other
15 words, if you take less at first and take more later, as long as
16 that cumulative sum stays less than the cumulative sum of the
17 ABC, the stock is going to do as well or better than it would
18 have before. It is always better to take less now and then take
19 more later, because the stock has an opportunity to grow.

20
21 You might be able to come up with some weird counterexamples,
22 and I haven't been able to think of one yet, but I think the
23 exception happens when you get new information, like we have
24 with red grouper, which says the projections maybe were too
25 optimistic, and so that's a completely different case, where now
26 we get new information that is like updating the assessment, and
27 it says the original assessment was too optimistic.

28
29 **CHAIRMAN MICKLE:** Mr. Anson.

30
31 **MR. ANSON:** Just a minor point for clarity and consistency. In
32 Alternative 2, it talks about most recent accepted quantitative
33 stock assessment, and I'm just wondering if we should add "peer
34 reviewed" after "quantitative", to make it consistent with other
35 mentions or references to assessment in the document.

36
37 **CHAIRMAN MICKLE:** Dr. Stunz.

38
39 **DR. STUNZ:** Steven, I have a question for you. You said staff's
40 recommendation on this action was to remove, but was the basis
41 for that what we've just been talking about here with Clay and
42 the double-counting of the mortality, or was their reasoning
43 again? I'm sorry, but I didn't quite catch that.

44
45 **MR. ATRAN:** Part of it had to do with Clay's statement about
46 double-counting natural mortality, and the other part had to do
47 with the simulation runs seemed to indicate that the natural
48 mortality rate was not really going to be much of a factor, at

1 least for the two species that were looked at, red snapper and
2 king mackerel.

3

4 **CHAIRMAN MICKLE:** Dr. Stunz.

5

6 **DR. STUNZ:** I was going to say, if that's the will of the
7 committee, I am fine making a motion to move this action to
8 Considered but Rejected.

9

10 **CHAIRMAN MICKLE:** We have a motion. Is there a second? It's
11 seconded by Dr. Frazer. Is there any opposition? Madam Chair.

12

13 **MS. BOSARGE:** Clay, I have a question. Can we do the math and
14 guide me through it? If you, you being the scientist, tell the
15 fishermen that you can kill a hundred fish this season, and they
16 only kill ninety fish, and so you have ten left to carry over,
17 but say that particular species has a 10 percent natural
18 mortality, and so one of those ten is going to die,
19 theoretically, before we get a chance to catch them the next
20 year. If, the next year, we still go kill ten, because that was
21 our carry-forward, the ten, plus there is one that died, we
22 really killed one too many, right?

23

24 **DR. PORCH:** That's if there is nothing coming in behind them,
25 but, the next year, you have the new recruits coming into the
26 fishery as well. If you were just looking at one age class of
27 fish and following it, I can see where your logic is going, but
28 we're looking at a population that adds members to it each year,
29 and so, the next year, you have the incoming fish as well to
30 account for.

31

32 **CHAIRMAN MICKLE:** All right. Dr. Frazer.

33

34 **DR. FRAZER:** Thanks. I am intrigued by this idea that, if you
35 look at the cumulative landings, as long as they're less than
36 the cumulative ABC, then you're probably in good shape, and I
37 don't think it's relevant, necessarily, to this action item, but
38 I think, in Full Council, maybe we can come back and talk about
39 it in Action Item 1, because we might be able to write a more
40 general alternative to this one, and so I'm just reminding
41 myself to bring this back.

42

43 **CHAIRMAN MICKLE:** All right. Is there any other discussion
44 toward the motion on the floor? We do have a second. All
45 right. **Is there any opposition to the motion? The motion**
46 **carries.** Can we move on to Action 5? Mr. Atran.

47

48 **MR. ATRAN:** Thanks, Mr. Chairman. Action 5 is modifying the

1 framework procedure that we have in, I guess, all of our FMPs
2 for making changes in order to incorporate these underharvest
3 carryovers. Alternative 1 says don't modify the framework
4 procedure. We can't do the underharvest carryover without doing
5 a modification.

6
7 Alternative 2 would modify the closed framework. Now, just as a
8 reminder, we have I think it's three types of framework
9 procedures that we can do. Closed frameworks are procedures
10 that are done automatically when certain conditions are met.
11 For example, a quota closure is done automatically when the
12 quota is met or projected to be met, and there is no action
13 needed by the council once they have decided what the quota
14 should be. That's a closed framework procedure.

15
16 The abbreviated documentation process is a certain number of
17 procedures that can be done without as extensive of an analysis
18 as would be required through a full framework procedure. These
19 are some of the more routine items that don't have a major
20 impact on the stock, and those have been previously defined in
21 the abbreviated framework procedure, and so Alternative 3 would
22 make a modification to that.

23
24 Alternative 4 is for everything else that we can do through a
25 framework procedure, and we can already, through the open
26 process -- I believe we can do these overage adjustments, but
27 that is the most time-consuming method to use, and so, as I
28 said, Alternative 1 would not make any modifications to the
29 framework procedures.

30
31 Alternative 2 would modify the framework procedure, and it would
32 modify that item within the closed framework procedure. The
33 other items say what other conditions can be done, and this
34 would adjust the ABC, ACL, ACT, and quota for species,
35 subspecies, species groups, sectors, or components of a sector
36 to allow for the carryover of unused ACL, as determined by the
37 ABC control rule, and so this is authorizing -- I don't know if
38 maybe we need to specify that it's a temporary adjustment, but
39 this would authorize an automatic adjustment if the conditions
40 are met.

41
42 Alternative 3, which is the abbreviated documentation process,
43 all it does is it adds "ABC" where you see it highlighted.
44 Specification of MSY, OY, and associated management parameters,
45 where the new values are calculated based on previously-approved
46 specifications, and that just means that, if MSY was estimated
47 to be a certain value in one stock assessment, and the next
48 stock assessment MSY calculated the same way, but with different

1 data, and it comes out a little bit different, then that new MSY
2 can be used automatically and it doesn't require action to
3 change it. To this, the ABC would be added. Again, my thinking
4 is perhaps that ought to be specified as a one-year ABC or a
5 temporary ABC, as opposed to a permanent change.

6
7 Then Alternative 4, which is to modify the standard process, it
8 lists items that can be done that are not considered routine or
9 significant, but they can be adjusted under the standard
10 documentation process, and that includes implementation or
11 changes to in-season accountability measures for closures and
12 closure procedures and trip limit implementation or change,
13 designation of an existing limited access privilege program,
14 implementation of gear restrictions, and then the next paragraph
15 would be implementation of post-season accountability measures,
16 and I am not going to read the whole thing.

17
18 This is actually not specific to allowing ABC adjustments,
19 because, as I said, that is already allowed under the standard
20 documentation process. This alternative is in here in order to
21 make sure that our framework procedure is consistent among all
22 our different FMPs, and it would make it consistent among the
23 Reef Fish, Coastal Pelagics, Red Drum, Coral, Spiny Lobster, and
24 Shrimp FMPs, and so this is more of a housekeeping item than
25 anything else, or at least that's my interpretation.

26
27 The council can choose multiple alternatives in here. They
28 don't have to choose just one, and so, if you only want to allow
29 the closed procedure, you could select just that, and you may
30 want to select Alternative 4 also, in order to do this
31 terminology adjustment. If you want to allow any of the
32 procedures to be used, then you can make 2, 3, and 4 all
33 preferred alternatives.

34
35 **CHAIRMAN MICKLE:** Is there discussion with Action 5? Ms. Levy.

36
37 **MS. LEVY:** I just wanted to clarify. The piece of it that is
38 set up to change the closed framework, adjust the ABC, ACL, ACT,
39 that is specific to automating whatever you choose to do in this
40 amendment, in terms of the carryover procedure, and so it
41 doesn't have to come back to the council. You have selected all
42 the parameters, this percentage at this time, and it would just
43 be a matter of doing it through a rulemaking.

44
45 You can add that it's temporary, or one year, but I think the
46 fact that it says "as determined by the ABC control rule" says
47 that, because we're setting up a carryover procedure that's a
48 one time unless redone type of thing, and so it would be like a

1 temporary rule, probably like we do for the closures and stuff.

2
3 The one down below, the adding the ABC to the abbreviated
4 documentation process, that's not about applying this control
5 rule. That's about having the ability to adjust the ABC based
6 on adjustments to MSY and OY under this abbreviated process the
7 same way, and so you wouldn't necessarily have to do the regular
8 documentation piece, but it's not limited to like a year. It's
9 if you update the MSY and the OY values, and that translates to
10 updating the ABC, that you could do that through the abbreviated
11 process.

12
13 **CHAIRMAN MICKLE:** All right. Any other discussion? Does that
14 complete this -- Ms. Gerhart.

15
16 **MS. GERHART:** I just wanted to point out that this is including
17 the CMP and Spiny Lobster FMPs, changes to those framework
18 procedures, and those are joint FMPs with the South Atlantic
19 Council, and so they would have to -- I don't know that we can
20 do this in a generic Gulf -- It would have to go to the South
21 Atlantic. The whole amendment will have to go to the South
22 Atlantic for approval, because it affects those FMPs that we're
23 joint with.

24
25 **CHAIRMAN MICKLE:** All right. Thank you. I think that wraps it
26 up for Agenda Item V, the Options Paper for Carryover of
27 Unharvested Quota. We will move on to Item Number VI, Public
28 Hearing Draft of Amendment 49, Modifications to the Sea Turtle
29 Release Gear and Framework Procedure for the Reef Fish Fishery.
30 This is Tab E, Number 6, and Dr. Simmons.

31
32 **PUBLIC HEARING DRAFT - AMENDMENT 49 - MODIFICATIONS TO THE SEA**
33 **TURTLE RELEASE GEAR AND FRAMEWORK PROCEDURE FOR THE REEF FISH**
34 **FISHERY**

35
36 **DR. CARRIE SIMMONS:** Thank you, Mr. Chairman. I will be very
37 quick. I am going to review Tab E, Number 6, and I also want to
38 go over the Law Enforcement Technical Committee comments. They
39 were very brief on this document, and so I would like to start
40 with that, if that's okay with the committee.

41
42 Staff reviewed this document by webinar, and the Law Enforcement
43 Committee made a couple of recommendations. They made no formal
44 motions on it. However, they suggested this is -- I am reading
45 from Tab E, Number 11. I started with the law enforcement
46 recommendations, and it's on page 3.

47
48 They asked that we add some more specifications about the new

1 gears that are pictured for this document, and they also
2 suggested that we add website links, so that the manufacturer
3 information could be provided for those gear types, and so I am
4 going to talk about those things as I go through the document.

5
6 We have tried to accommodate that, but we did not put the
7 website links in. One of the reasons that we decided not to do
8 that was because some of these gears can be made by the
9 fishermen, and there aren't website links for them, and, in
10 other cases, we didn't want to endorse a certain type or style.
11 These are just examples of these new gears that we're adding
12 into the regulations to provide flexibility to the fishery. I
13 can stop there and see if there is any questions about the law
14 enforcement comments.

15
16 **CHAIRMAN MICKLE:** Are there questions? All right. Continue.

17
18 **DR. SIMMONS:** I will go back to the Tab E, Number 6. I will
19 start on page 10 with the purpose and need, and, again, this
20 document is primarily administrative. It impacts the commercial
21 and charter/headboat reef fish permit holders, and it's based on
22 the 2015 release protocols technical memo from the Science
23 Center.

24
25 The purpose is to allow the use of three new sea turtle release
26 gear types and streamline the process for allowing commercial
27 and charter/headboat reef fish permit holders to use additional
28 sea turtle and other protected species release gear types and
29 handling procedures after they are approved by the Science
30 Center.

31
32 The need is to provide flexibility to participants in the
33 federal commercial and charter/headboat reef fish fishery in
34 complying with the regulations and to develop the process that
35 allows changes in the release gear requirements and handling
36 procedures for sea turtles and other protected species to be
37 implemented more quickly. I will stop and see if there is any
38 feedback on the purpose and need.

39
40 **CHAIRMAN MICKLE:** Is there feedback? All right.

41
42 **DR. SIMMONS:** Okay, and so let's go to Action 1. We have two
43 alternatives, and it's on page 12. Alternative 1 is the no
44 action alternative. It would not modify the regulations to
45 allow the use of these newly-improved sea turtle release gears.
46 Alternative 2 would modify the regulations for vessels with
47 commercial or charter vessel/headboat Gulf reef fish permits to
48 allow the use of the new collapsible hoop net, the dehooking

1 device, and the small sea turtle hoist to release incidentally-
2 hooked sea turtles.

3
4 We did try to add some more information in about those new
5 gears, or devices, and so, if you go down a little bit, to page
6 13, this shows the collapsible hoop net, and this is just an
7 example, again, of the net. Then it shows how it collapses on
8 itself, if you go to the next figure.

9
10 Then the other device is the small sea turtle hoist, and there
11 is a photograph there, an example, and then, if you go down a
12 little bit further, there is a diagram, and so we've put some
13 numbers in there and some more information in there, and we will
14 continue to work with the Science Center on providing additional
15 information about building these new devices, but this is where
16 we are right now.

17
18 Just to let you know, these two new devices -- Where do they
19 currently stand in the current regulations, because, again, this
20 is just providing more flexibility, based on what is currently
21 required. If we could go to Appendix A, and I am jumping around
22 on you, but, this collapsible hoop net and small sea turtle
23 hoist, these are more compact. They would replace or could be
24 used in place of the dip net for both types or sizes of
25 freeboard height that is currently required, and so you could
26 carry these instead of the current dip net. I will stop there
27 and see if there's any questions or if you need more
28 information.

29
30 **CHAIRMAN MICKLE:** Mr. Diaz.

31
32 **MR. DIAZ:** I believe we're trying to move this document, so we
33 could do something with it the next meeting or two, and I would
34 like to move that, in Action 1, that we make Alternative 2 the
35 preferred.

36
37 **CHAIRMAN MICKLE:** While they are drawing it up, we have Action
38 1, Alternative 2 as the preferred as the motion. While they're
39 drawing it up, do we have a second? It's seconded by Dr. Stunz.
40 **With that, is there any opposition? The motion carries.**

41
42 **DR. SIMMONS:** I had some more information about that dehooker.
43 Do you want me to go through that really quickly, just for the
44 public at least?

45
46 **CHAIRMAN MICKLE:** Please.

47
48 **DR. SIMMONS:** There is other dehookers that are currently

1 allowed, like we have in the appendix there. The new one, they
2 are suggesting it is more appropriate for removing a range of
3 hook sizes, and it can be used for removing the lightly-embedded
4 hooks up to 10/0 in size. It can be used in place of the short-
5 handled dehooker for external hooks and the short-handled
6 dehooker for internal hooks, and there are some devices
7 currently in that appendix that will cover both, and so you only
8 have to carry one. There is a photograph of that on page 16.
9 If there are no questions, I will move to Action 2.

10

11 **CHAIRMAN MICKLE:** Please.

12

13 **DR. SIMMONS:** Okay. Action 2 is just -- It would modify our
14 reef fish framework procedure, and, again, this is just
15 streamlining the process, so we don't have to go through a full
16 plan amendment the next time we make these types of changes.
17 Alternative 2, compared to the no action alternative, would
18 allow changes to the release gear and handling requirements for
19 sea turtles and other protected resources under the abbreviated
20 document process of the open framework procedure.

21

22 Again, the purpose is just, in the future, that we can move a
23 little quicker on this and streamline the process to provide
24 more flexibility to the council and the industry, and so, if you
25 go to page 20, it just highlights those changes that we would
26 make if you select Alternative 2 as the preferred.

27

28 **CHAIRMAN MICKLE:** Is there discussion? Dr. Crabtree.

29

30 **DR. CRABTREE:** I will move that we select Alternative 2a and b
31 as the preferred.

32

33 **CHAIRMAN MICKLE:** We have a motion and a second. This is Action
34 2, Alternative 2a and b. I will let them get it up there. Mr.
35 Diaz.

36

37 **MR. DIAZ:** I would just like to add that I think moving in this
38 direction is a good thing to do, because these gears are
39 approved through a process that's already in place, and so we're
40 not really approving the gears every time. This is stuff that
41 is done through National Marine Fisheries Service, and so this
42 is something where the gear can be out there for the end user to
43 have access to it quicker, and it should be something that helps
44 to protect the targeted species quicker, and it should have a
45 positive effect on the resource. Thank you, Dr. Mickle.

46

47 **CHAIRMAN MICKLE:** Johnny Greene.

48

1 **MR. JOHNNY GREENE:** I'm not on your committee, but I deal with
2 this stuff on a daily basis, and this may seem kind of mind-
3 numbing to some of us at the table, and I understand why, but
4 this is stuff that we have to carry on the boat.

5
6 Personally, my dip net is about ten feet in length, and it
7 becomes cumbersome to store it, and you're on a Coast Guard boat
8 with ten or twelve people a day, and trying to get a ten-foot
9 pole out and hitting somebody in the head when you've having to
10 deal with things, and not to mention the full duffle-bag of
11 materials that goes along with it, from PVC collars and
12 couplings from inch-and-a-half to three inch, the pliers, the
13 specific line cutters, all of the stuff that goes with it.

14
15 I mean, it's a full duffle-bag, and so anything that we can do
16 to mitigate the process I think would be very beneficial,
17 because it is challenging sometimes to keep up with it, and so,
18 while it seems like it's kind of a technicality type of thing
19 that we have to go through, it will relieve some, and so I
20 understand that there's a reason why.

21
22 I can't remember, for the life of me, why we had to have this
23 stuff to begin with, but it's required, and we have to have it,
24 and it's one of those things, and so, with that being said, when
25 we come to Full Council, I will be in full support of this.

26
27 **CHAIRMAN MICKLE:** Thank you. Any other discussion on Action 2?
28 All right.

29
30 **DR. SIMMONS:** Just to tie things up, we decided, at the last
31 meeting, that we would just hold a webinar public hearing on
32 this document, and then we will post a YouTube video with the
33 preferred alternatives. We'll collect online comments and
34 report those out to the council and prepare this document for
35 final action in April.

36
37 **CHAIRMAN MICKLE:** Okay. Does anybody have any opposition to
38 that? Okay. Thank you, Dr. Simmons. We need to vote on the
39 motion on the floor. It has been seconded. **Is there any**
40 **opposition to the motion in Action 2 to make Alternative 2,**
41 **Options a and b, the preferred? With no opposition, the motion**
42 **passes.**

43
44 With that, we will move on to Item VII on the agenda, which is
45 Draft Policy and Outreach for Descending Devices and Venting
46 Tools, Tab E, 7(a) and (b) and (c) and Tab E, Number 11. This
47 is Mr. Atran.

1 **DRAFT POLICY AND OUTREACH - DESCENDING DEVICES AND VENTING TOOLS**
2 **DRAFT POLICY**

3
4 **MR. ATRAN:** Thank you, Mr. Chairman. At the last council
5 meeting, the council looked at an options paper that staff was
6 developing to either require venting or descending tools under
7 certain conditions, and, after discussion, the council decided
8 not to proceed with that amendment. I believe part of the issue
9 was that -- I forget the name of the program, but there was a
10 program that was giving out free descending devices that would
11 be hampered if we made it a requirement rather than just a
12 recommendation.

13
14 The council directed staff instead to draft a policy on the use
15 of venting tools and devices, descending devices, and also
16 develop an outreach plan for these devices and also to draft a
17 letter encouraging programs such as what I just discussed for
18 instructing fishermen on the proper use of such devices.

19
20 We have got three documents that are in your briefing book, and
21 the first one, which is Tab E, Number 7(a), is the draft council
22 policy on the use of venting tools and descending devices. Now,
23 I wasn't sure how extensive you wanted to get into this policy
24 statement. I have seen it two ways, one where it's very brief,
25 just a couple of sentences, and that's the policy statement.
26 I've seen others where there is a very involved discussion as to
27 what the policy is and why it is, and so I kind of did it both
28 ways in one document.

29
30 We started with the policy statement as just a two-sentence
31 policy, and it states that the Gulf of Mexico Fishery Management
32 Council encourages the use of venting tools or descending
33 devices, as appropriate, when releasing fish. The purpose of
34 this policy is to maximize the likelihood of survival of
35 released fish.

36
37 Then a little bit more expansion on the purpose. Fish that
38 survive being caught and released contribute to the spawning
39 stock biomass and are available to be caught again. This policy
40 helps to achieve the objective of National Standard 9 of the
41 Magnuson-Stevens Fishery Conservation and Management Act, which
42 states that conservation and management measures shall, to the
43 extent practicable, a, minimize bycatch, and, b, to the extent
44 that bycatch cannot be avoided, minimize the mortality of such
45 bycatch.

46
47 Then the rest of this document is background material. Most of
48 this, I took out of that draft options paper that the council

1 decided not to proceed with, providing a lot of background
2 information about the efficacy of these different devices. I
3 did add a little bit of information on exactly what barotrauma
4 is and why it's of concern to us. Obviously, it's when the
5 gases expand inside the fish's abdominal cavity and it's unable
6 to control itself and get back down without some assistance, and
7 that's the brief answer.

8
9 I also went to see where we had some information about how
10 successful venting and descending devices are, and I'm sure
11 there's a lot more information than what I came up with, but I
12 was trying to be brief. We had some information from a couple
13 of our SEDAR stock assessments, the greater amberjack assessment
14 from 2014, and that was SEDAR 33, and the red snapper assessment
15 from 2013, which was SEDAR 31.

16
17 In those assessments, that was -- Those assessments covered a
18 period when venting was required and then not required, and so
19 both of those regulations, or lack of regulations, were in
20 effect over the period covered by the stock assessment, and so
21 the assessment scientists evaluated the information that was
22 available on survival of fish, of these species caught from
23 various depths, and they had two different release mortality
24 rates that they used, depending on whether the fish was caught
25 during a time when venting was required versus being caught at a
26 time when venting wasn't required.

27
28 For greater amberjack, if you go to the table on the bottom of
29 page 2, SEDAR 33, which was for greater amberjack, concluded
30 that, overall, release mortality was about 10 percent for
31 greater amberjack when they were vented, versus 22 percent
32 without venting, and so it was a considerable improvement when
33 venting was properly used, which I think is an important
34 consideration.

35
36 For red snapper, there was a little bit more detailed
37 information, because the survival of the fish was depth-
38 dependent, and, in general, the recreational sector catches red
39 snapper in shallower water than the commercial sector, and so we
40 had two sets of release mortality, depending upon whether you
41 were talking about recreational or commercial fishing.

42
43 For recreational, the stock assessment said that release
44 mortality was about 10 percent to 11 percent with venting,
45 versus 21 to 22 percent without venting. For the commercial
46 sector, it was 55 to 88 percent with venting, versus 74 to 95
47 percent without venting, and so it's a considerable improvement
48 for the recreational sector, at least. It's still a pretty

1 good-sized improvement on the commercial sector, although they
2 are pretty big numbers even with the improvement.

3
4 If we can go to the next table on the next page, we don't have
5 any local information on the effectiveness of descending
6 devices, and, by the way, I hope everyone knows what I'm talking
7 about, and I think everybody here does, but descending devices
8 have been used, and I believe they are required -- Well,
9 actually, I don't know if they're required or not, but they are
10 used out on the west coast, and the Pacific Fishery Management
11 Council, in their documentation, has reported how well these
12 work at improving survival rates for some of their rockfish,
13 some of their bottom species, and they reported it by depth
14 intervals.

15
16 There is three species that they reported, the canary rockfish,
17 the yelloweye rockfish, and cowcod, which I think that's also a
18 rockfish, and what they found was -- They called surface
19 mortality a fish that was released without the use of descending
20 devices, but was caught from one of these depths, what the
21 survival was, and you can see, if we just look at the canary
22 rockfish, if it was caught in shallow depths of ten fathoms or
23 less and released, just released at the surface, they said that
24 there was a mortality rate of about 21 percent. As they went to
25 deeper waters, it got larger, and, below thirty fathoms, there
26 was 100 percent mortality of ones that were released at the
27 surface.

28
29 When descending devices were used, right near the surface, there
30 wasn't that much of a difference. It was 20 percent versus 21
31 percent, but, as they went deeper, at ten to twenty fathoms,
32 they were still getting 20 percent release mortality instead of
33 37 percent. Then, at twenty to thirty fathoms, they were
34 getting still 20 percent release mortality instead of 53
35 percent.

36
37 At thirty to fifty fathoms, remember, at this depths, we were
38 getting 100 percent mortality without the descending devices,
39 and they said 33 percent with the descending devices, and, below
40 fifty fathoms, it was 31 percent. Those bottom two categories,
41 I have seen some other documentation from the Pacific Council
42 that is using slightly different numbers, but it was still --
43 Their mortality at those deeper depths was still in the 30 to 40
44 percent range, but the numbers might have deviated slightly from
45 this.

46
47 Below a hundred fathoms, they were still reporting 100 percent
48 mortality, even when the descending devices were used, but, if

1 you look at this table, you can see there's a fairly dramatic
2 change, especially at the deeper depths, on the survival of
3 these fish when they're brought to the surface and then
4 released, and so the descending devices do seem to be very
5 effective, particularly at the deeper depths.

6
7 The other thing that's in this document, if we scroll down a
8 little bit more, to where the venting tool and descending device
9 paragraphs are, and it's at the bottom of this page, and I had a
10 -- Because we don't really have a definition -- I am not sure if
11 there's a definition for venting tool in the regulations. I
12 know there isn't for a descending device, and people are still
13 getting these things wrong.

14
15 It was just a couple of weeks ago that I was asked to respond to
16 an email that we received from somebody asking if it was okay to
17 use a fish hook to puncture the stomach sticking out of the
18 fish's mouth as a venting tool, and the answer is no.

19
20 I tried my hand at coming up with a fairly generalized
21 description of what a venting tool is and what a descending
22 device is, and I showed that to the Law Enforcement Technical
23 Committee, and they had some minor editorial suggestions, which
24 are incorporated into those two paragraphs that I have.

25
26 Most of it had to do with eliminating unnecessary verbiage. For
27 the venting tool, I finished with saying a device that is not
28 hollow, such as an ice pick, is not a venting tool, and I
29 originally said, although it may be possible to use such a
30 device to vent a fish, in the absence of a venting tool.

31
32 The Law Enforcement Technical Committee suggested that we remove
33 that particular wording, "although it may be possible", because
34 that's not part of a definition, and it might produce some sort
35 of a loophole, and so we took that out, and then, on descending
36 devices, I had some wording that it's an instrument that can
37 return a fish to depth with minimum injury to the fish. The
38 fish should not be returned to the bottom, but to a depth
39 sufficient for the fish to be able to recover.

40
41 They suggested just simplifying that to say a descending device
42 is an instrument that must release fish at a depth sufficient
43 for the fish to be able to recover, and so those were the two
44 changes from my original wording to what the Law Enforcement
45 Technical Committee had suggested.

46
47 Actually, that was all that the Law Enforcement Technical
48 Committee had to say on this, and so I'm not going to go over

1 the committee report in detail. Do you want to discuss this, or
2 should we just go on to talking about the outreach program that
3 Emily has put together?
4

5 **CHAIRMAN MICKLE:** I think we should discuss it a little bit,
6 just to keep the eye on the prize. Go ahead, Dr. Stunz.
7

8 **DR. STUNZ:** Thanks, Mr. Chairman, and thanks, Steven, for
9 putting this together. I like the policy, and you were sort of
10 asking a question, I think, in the beginning about whether it's
11 just really short, brief thing or more substantive, and I like
12 what you have got here. I mean, it starts off brief, and then
13 you back it up with some other things, for those that want to
14 read further beyond why did we arrive at this particular policy.
15

16 I would add a couple of suggestions and just some points to the
17 comments that you made. There is a lot of new, recent
18 literature, and I know this is a pretty dense Sustainable
19 Fisheries agenda today, and so I would be happy to work with you
20 offline, Steven, to get you some of that information, as it is
21 particular to red snapper, clearly showing that it's working
22 real similar to the rockfish table that you had there and that
23 kind of thing. I am forgetting, and there was one other point
24 that I wanted to make, but I will go ahead and stop, if someone
25 else has something, and I will think of what it is here in a
26 minute.
27

28 **CHAIRMAN MICKLE:** Any other discussion? All right. Mr. Anson.
29

30 **MR. ANSON:** I'm curious. Is this policy statement -- How will
31 this be advertised? Is this something that is going to be on
32 the website, or is it going to be at the bottom of publications
33 that we create? I am just wondering, because people still have
34 confusion as to what a venting tool is, and so we might want to
35 flesh that out, or add a short description, if this policy
36 statement is going to be kind of separated from the rest of the
37 document anywhere else.
38

39 **MR. ATRAN:** I think maybe that, in part, is getting into the
40 outreach program, but, yes, certainly it would be on our
41 website, and I'm not sure exactly how else. That might be
42 something we might want to discuss after I review the outreach
43 program.
44

45 **CHAIRMAN MICKLE:** Dr. Stunz.
46

47 **DR. STUNZ:** I thought of what my other thing was as well. Just
48 as a general comment, obviously, at the last meeting in October,

1 three or four months ago or whenever it was, and I think we made
2 a lot of progress, and I know it was the holidays, but I am
3 still skeptical, a little bit, about we're just now developing
4 this policy, and the season is going to be here right after our
5 next meeting. Is this policy really doing anything to help us
6 out, in terms of reducing the discard rate, and that's what I
7 don't know, and that's why I wanted a little more teeth of an
8 amendment or something, but I think -- At least I am willing to
9 see where this goes, at least at this point, but that was my
10 other point.

11
12 Steven, related to this, I do have another question for you
13 regarding -- If you could scroll back to that Table 2.1.1 for
14 amberjack and red snapper and looking at the release rate from
15 these different fisheries, and do we have -- I keep finding
16 myself having to go back in other documents, and sometimes
17 they're not even completely consistent, about what is the
18 discard -- What is the actual rate, and not the mortality coming
19 from that, but the discard rate, for example, from the
20 recreational fishery, and I don't know if we break it out by
21 for-hire and private, and I'm not real sure, but then, in the
22 commercial fishery.

23
24 I mean, these are the mortality rates from what is discarded,
25 but what would be useful, and I'm not telling you to include it
26 in this policy statement, but it would be very useful, for the
27 discussions around this topic here, of what percentage of the
28 fish are discarded in those particular sectors, and is that
29 summarized anywhere, do you know, in a table?

30
31 It's in different documents, but in a nice table like this of
32 what -- If you're getting 10 percent release mortality, 10
33 percent of what? How many were actually released? That's what
34 I was trying to get at.

35
36 **MR. ATRAN:** Let me ask Dr. Porch if I'm correct that, on the
37 MRIP numbers, isn't that Type B2 catches, fish that are caught
38 and released?

39
40 **CHAIRMAN MICKLE:** Dr. Porch.

41
42 **DR. PORCH:** Yes, B2 is the total number released alive, and then
43 those are discounted by the assumed release mortality rate.

44
45 **CHAIRMAN MICKLE:** Dr. Stunz.

46
47 **DR. STUNZ:** That's what I'm looking for, and, if we need a
48 motion, Mr. Chairman, tell me or not, or maybe at the next

1 meeting, where we actually have just a nice table, like you've
2 got right here, with what those actual discards are. For
3 example, in the private recreational fishery, how many fish are
4 discarded?

5
6 **MR. ATRAN:** I think, for those parts of the Gulf that are still
7 covered under the MRIP program, and those species, we can give
8 you how many Type B2 discards there are versus what the total
9 catch is. That would not, at least for the most recent years,
10 would not include Louisiana, and it wouldn't include Texas for
11 any years.

12
13 **DR. STUNZ:** I guess, as the first cut, could we just see what we
14 have? Maybe that's part of, when I go digging through these
15 documents and trying to find that, that I am struggling a little
16 bit, and it would be interesting to know what bang for our buck
17 are we getting when you have these other estimated release
18 mortality rates and how many are actually being released. Even
19 if it's not complete, it would still be informative, and maybe
20 we can go from there at the next meeting.

21
22 **MR. ATRAN:** If you want, at least for these two species,
23 assuming I have time to get on the website, I can probably dig
24 that number off of the MRIP website in time for the Full Council
25 meeting.

26
27 **DR. STUNZ:** That's fine. I mean, amberjack is great, but red
28 snapper is mainly what I am referring to here, and that would be
29 good.

30
31 **CHAIRMAN MICKLE:** It sounds like a motion is not needed for the
32 request, and so it's just a staff request made on the floor, and
33 so, with that, it sounds like we're going to see something at
34 Full Council. Mr. Matens.

35
36 **MR. CAMP MATENS:** Thank you, sir. Another item that I am
37 curious about, and I remembered from previous meetings, is that,
38 at 150 feet, there was some sort of break point between
39 barotrauma without using a venting device. Where I'm going with
40 that is that it would be silly to use a venting device at twenty
41 feet, but is there a number at which point we would want to
42 recommend a venting device, a depth, and I seem to remember 150
43 feet, which is -- These numbers, twenty to thirty fathoms, spans
44 that, and, Steven, do you know anything about that?

45
46 **MR. ATRAN:** Well, it increases continuously as you go deeper,
47 but it seemed as though -- I believe 120 feet was the point at
48 which it really got to be low survival rates, and that seems to

1 be supported by these rockfish surface mortality numbers and
2 also, to a lesser extent, because we don't know the exact depths
3 by the red snapper commercial versus recreational release
4 mortality rates.

5
6 It would take a little bit of digging. Some of the species, the
7 SEDAR documentation does have the estimated mortality rates by
8 depth, but I don't have that with me, and I couldn't get it for
9 you in time for this meeting, but, as I recall, in the
10 literature that I have seen, it generally considers 120 feet to
11 be about the breakpoint.

12
13 **CHAIRMAN MICKLE:** Dr. Stunz.

14
15 **DR. STUNZ:** That's what I was going to say. I offered to talk
16 with Steven offline, to not bog it down, but, since you brought
17 it up, I want to go there, because it is an important point, at
18 least in my eyes. It is, in the western Gulf of Mexico at
19 least, 150 to 180 feet is when you -- When you get beyond that,
20 you're talking about dead fish.

21
22 I think, in this policy document, we could do some things,
23 Steven, like say that, say, well, if you're going to keep fish
24 and you're fishing beyond 150 let's say, or we'll come up with
25 whatever depth that is that's appropriate, then maybe that's the
26 fish you want to keep, but, if you're fishing shallower than
27 that, that's where the descending devices really shine and can
28 really improve your discard mortality rate.

29
30 That refined data is now available, and so that would be very
31 useful to have in that policy for those that really want to know
32 where -- If an angler doesn't want to kill fish, then how can
33 they fish in a wise manner to decrease that discard mortality
34 rate?

35
36 **CHAIRMAN MICKLE:** Mr. Anson.

37
38 **MR. ANSON:** We may have had some discussion during this
39 committee meeting or during Outreach and Education, but one
40 thing that I think we've talked about before is -- It is an
41 education, and 120 feet of water that you're fishing in isn't
42 120 feet where you caught the fish, and so there is going to
43 have to be some education, at least in this table format, to
44 make sure that it is at 120 feet that the fish is caught and not
45 at forty feet down in 120 feet of water.

46
47 At 120 feet, you need to use the venting tool, because, if you
48 catch the fish in thirty or forty feet of water, that fish

1 probably doesn't need a venting tool, and so it's all part of
2 that education and outreach thing that we'll need to kind of
3 sort out.

4
5 **CHAIRMAN MICKLE:** Yes, I agree completely. The education part
6 is expensive, we all know, but it's so valuable, and it kind of
7 catches fire again when the education really takes hold. It
8 starts getting passed down, and it becomes more efficient, but
9 it's just that initial -- It's a large financial and time
10 commitment to get it going.

11
12 Even when I talk to some of the captains who have fished for
13 thirty and forty years, a lot of them don't even fish near the
14 bottom anymore, and that's part of that education aspect of you
15 don't need to fish all the way to the bottom. You can fish
16 halfway, or whatever depth that the bite is on, and you can
17 still decrease -- There's lots and lots of little things that
18 you can do to decrease barotrauma. Camp.

19
20 **MR. MATENS:** To that point, of course, where I fish, we fish a
21 lot of rigs, and my personal experience is the more desirable
22 fish are not on the bottom.

23
24 **CHAIRMAN MICKLE:** That's what I have found, yes. Agreed. All
25 right. Any other discussion? Are we going to move on to E-
26 7(b), the outreach plan?

27
28 **PROPOSED OUTREACH PLAN**
29

30 **MR. ATRAN:** Tab E, Number 7(b) is an outline for a proposed
31 outreach plan for a venting and descending policy that Emily
32 Muehlstein put together, and I think this probably still needs
33 to be fleshed out a little bit more. This is just a general
34 overview of how that outreach program would work.

35
36 Traditional communications methodologies, this would probably be
37 an answer to how are we going to get information about our
38 policy out to the fishing public, and she lists a website, and
39 the website would include a best practices page with descending
40 and venting information, and that gets directly into what Dr.
41 Stunz was talking about a minute ago.

42
43 Perhaps have a slideshow on the home page that might give more
44 information or instructions for how to properly vent or use
45 descending devices, and, as I said, include in the policies and
46 procedures, which would be what we just went over.

47
48 There would also be a press release that would be sent out to

1 our press release contact list, the listserv, and published on
2 our website, and it would also be put into our newsletter
3 article, and the newsletter also goes out on the listserv and is
4 published on the website.

5
6 There is also what she calls Web 2.0 communication
7 methodologies, and that is using other types of social media and
8 putting a blog that would be promoted on Twitter and on
9 Facebook, and these blogs would include a link to the website
10 with the slideshow, and, again, sent as a newsletter article,
11 and then the third part of this is network utilization via
12 direct contact.

13
14 Rather than try to put together our own fully-formed outreach
15 program from scratch, make use of where other organizations
16 already have such programs going, and one source might be to use
17 our Outreach and Education Technical Committee, in order to get
18 direct contact from each member for cross-promotion, so that we
19 could put our policies and our information on their websites and
20 their social media and vice versa. That is something that Ms.
21 Muehlstein said that she would discuss at the annual Outreach
22 and Education Meeting.

23
24 Sea Grant is another source of communication, and, again,
25 direct contact with our Sea Grant state partners for cross-
26 promotion and attending the Sea Grant meetings, the Gulf States
27 Sea Grant meetings, to ask for cross-promotion.

28
29 Another one would be to look at agencies that already have some
30 program, the Sanctuary programs, the Southeast Regional Office,
31 and the state agencies, where those agencies already have an
32 outreach, as far as venting and descending devices and best
33 practices. Again, we would use some cross-promotion there.
34 Then work with the NGOs, through direct contact, to enhance
35 their outreach programs, and, again, some cross-promotion.

36
37 **CHAIRMAN MICKLE:** Ms. Bosarge.

38
39 **MS. BOSARGE:** Thanks. I was looking at that network
40 utilization, and I think that that Outreach and Education
41 Technical Committee is going to be a really valuable asset for
42 this particular enterprise, and you mentioned, because it's a
43 very well-connected group, and that's our AP, and I am
44 wondering, Steven, when is their annual meeting? I was just
45 wondering if it might happen prior to red snapper season for
46 recreational anglers, so that we could have that push coincide,
47 hopefully, with that.

48

1 **EXECUTIVE DIRECTOR DOUG GREGORY:** That meeting has not been
2 scheduled. If there is a particular time -- If you want it
3 scheduled before June --

4
5 **MS. BOSARGE:** Well, that's great. I am glad that it hasn't been
6 scheduled yet. We can get it when we need it.

7
8 **EXECUTIVE DIRECTOR GREGORY:** Right.

9
10 **MS. BOSARGE:** Sounds great. Thanks.

11
12 **CHAIRMAN MICKLE:** Dr. Stunz.

13
14 **DR. STUNZ:** Well, sort of to Chairwoman Bosarge's point, what
15 would be useful -- This sounds like a good plan, Steven, and I
16 would like to see some timelines for these milestones that
17 you've got listed here. Like, for example, when will the
18 website -- Personally, I am not going to hold you to these exact
19 timelines, if you put something there, but just some general
20 sort of structure, so we know when they can expect to see some
21 of these things.

22
23 Then I would also add, at the bottom there, when you talk about
24 other networks, the agencies that have actually funded to do
25 this work, which has been Sea Grant, the National Marine
26 Fisheries Service, through NOAA's variety of programs, and
27 several others, including NFWF, they will have resources and
28 things. I mean, obviously, they want to promote the work that
29 they funded and the implications of that.

30
31 Then my last question that I have is just more of a
32 philosophical question for maybe the committee and the council
33 as we proceed down there, and I guess, at this point, maybe
34 after this next snapper season, and that is so how do we know if
35 we're effective?

36
37 Let's say this campaign is the best we could have hoped for and
38 every vessel is using descender devices, and it's working great,
39 or let's say nobody uses it and no one pays attention to it, and
40 I don't have a good feeling now of how are we going to gauge the
41 success on this.

42
43 What I am hoping is maybe, in some of the outreach plans, maybe
44 there is some -- It's still kind of touchy-feely, but maybe
45 there is some surveys or something about how likely were you to
46 use this before, or how likely are you now, or did you use it,
47 and I guess what I'm getting at is, if we don't have teeth in an
48 amendment that requires something like this, how do we know how

1 good we're doing with this policy?

2

3 **CHAIRMAN MICKLE:** Ms. Guyas and then Mr. Gregory.

4

5 **MS. GUYAS:** I guess, to feed off of that, I've got a couple of
6 other suggestions to add to this list that somewhat feed into, I
7 think, where Greg is going.

8

9 One thing that I think that I would like to see is the council
10 doing some kind of partnership or something with these grant
11 recipients that are getting these devices and distributing them.
12 I mean, that should be a priority, I think, if we're going to do
13 some kind of outreach. We need to be working with those people
14 and trying to reach the people that they are giving devices to.

15

16 Then that may be a way to measure their use and see what they
17 think about them. Is it working for them? In what situations
18 does it work and what does it not? We have done some of that
19 within our agency, and we're certainly happy to help be part of
20 this effort and be at the table through the technical committee.

21

22 I will mention one other thing that has been helpful to us, I
23 think, is we have created a bunch of YouTube videos about how to
24 use some of these different devices, and that seems to be easy
25 for people. I mean, if they get one, they can watch it, and
26 that's how people learn how to do things these days, is they go
27 to YouTube and watch a couple of videos, and then they figure it
28 out from there.

29

30 It also would probably be a good idea to -- I know that there
31 are other partners out there that would want to work with the
32 council on this, probably, like maybe some recreational fishing
33 industry folks. They may be willing to get involved here and
34 have ideas about how to get our message out there. We wouldn't
35 necessarily get that feedback from the technical committee, but
36 those are people that we probably need to be talking to.

37

38 If we can get into publications like *Florida Sportsmen* and
39 *Louisiana Sportsmen*, those sorts of magazines, and that's what
40 people are reading to kind of figure out what they're going to
41 be up to the next month or so when they're planning their
42 fishing trip, and so that would be awesome to tap into those
43 kinds of resources. Thanks.

44

45 **CHAIRMAN MICKLE:** Thank you. Mr. Gregory.

46

47 **EXECUTIVE DIRECTOR GREGORY:** Thank you. I just wanted to point
48 out that a good example, again, is Florida Sea Grant. They have

1 done surveys to ask people if they're using devices and what are
2 the barriers to using devices and that sort of thing. In
3 conversation with the RESTORE people, and we certainly intend to
4 put it in a letter in support of that program, and we have told
5 them that measuring the effectiveness of these devices is a
6 critical part of it and not just to give them out and forget
7 about it.

8
9 We are aware of those needs, and any research organization that
10 is working with these devices are, I would hope, surveying and
11 trying to determine the effectiveness, but, if you've been
12 involved in these stock assessments, you've got to understand
13 how difficult it is to take the actual research data and
14 translate it into a value of effectiveness that has minimal
15 uncertainty.

16
17 When we first did stock assessments in the 1980s, the late
18 1980s, we took the existing literature, and it hasn't changed
19 much. You get down around ninety feet or a hundred feet, the
20 survival becomes much less, and I think in red snapper, or reef
21 fish, we assumed an original 20 percent release mortality, and
22 that pretty well has stuck.

23
24 It's hard to translate all of that into a definitive release
25 mortality that you can put into a stock assessment, but that's
26 certainly the goal of what everybody is trying to do here,
27 because that produces more fish, if it works, and, if it does
28 work, we want those more fish to appear in the stock
29 assessments, and so we clearly are all on the same page on this.

30
31 **CHAIRMAN MICKLE:** Thank you. Mr. Anson.

32
33 **MR. ANSON:** Just to follow up on Martha's comment earlier,
34 Martha, I think the SeaQualizer folks are doing a follow-up
35 survey with the folks that received the SeaQualizer, and I was
36 asked a questionnaire about a year after I received mine.

37
38 I will make a comment, just to throw it out there, and we can
39 talk about it in the future, but one thing, I guess, that I feel
40 like we're having a little difficulty is kind of reaching out to
41 those folks that are kind of on the fringe, if you will, that
42 maybe don't go fishing hardcore all the time, and they just fish
43 occasionally, and they may go out with their friends every
44 little bit.

45
46 Seeing that there is some money available through RESTORE that
47 normally isn't available for these types of things, and I am not
48 suggesting necessarily for this one, but trying to recruit

1 someone who is kind of a well-known figure that might cross the
2 divide, if you will, of fishermen, some sort of a public
3 personality that maybe we can hire, or maybe through a
4 partnership can hire, to do a PSA, if you will, but to have
5 somebody that is not considered to be a fisherman or engaged in
6 the hobby, but they could do a YouTube video or something like
7 that that would be entertainment value into and of itself, let
8 alone the actual message of the venting and the benefits of
9 venting, to try to get more people kind of hemmed into --
10 Regional management is more than just fishing.

11
12 There is some science, and there is other things, but there
13 might be an opportunity in there, if we have some money, some
14 extra money, that would be able to hire somebody that would have
15 a little bit more face recognition and would probably have a
16 little bit more of a chance to bring some more people in that
17 normally wouldn't want to or be interested in the topic.

18
19 **CHAIRMAN MICKLE:** Glenn Constant.

20
21 **MR. GLENN CONSTANT:** I think, to your point, Doug, the process
22 right now is, in the Natural Resource Damage Assessment, the
23 selection process for prioritizing projects is ongoing. I know
24 they're talking about those things, and they're interested in
25 what kinds of metrics, and certainly input from this body would
26 be welcome.

27
28 There is going to be public input, and so, even when these
29 projects come out, there will be preferred alternatives and then
30 other alternatives that will, I guess, go through the public
31 process and then ultimately, with input from bodies like this,
32 alter the projects accordingly, and so there is not -- It's not
33 going to be final when this list comes out, and so I would maybe
34 have something ready, in terms of input.

35
36 I guess, to your point, Kevin, the second round of funding is
37 not far into the future as well, and so having something maybe
38 in the way of project planning or project design, to reach out
39 to those folks, might be something to consider.

40
41 **CHAIRMAN MICKLE:** Thank you for that. Mr. Swindell.

42
43 **MR. SWINDELL:** Listening to all of this conversation brings back
44 to my memory that I think one of the best places to go to help
45 this whole thing get to the core of fishing and barotrauma and
46 so forth improvement is with vessel owners.

47
48 I mean, people that go fishing for snapper are on somebody's

1 boat. They don't do it by themselves, and so Sea Grant and the
2 technical committees and all these other people, they need to be
3 talking to people that have vessels. These are the people that
4 will have the equipment, and these are the people that should be
5 taught how to use it.

6
7 It's not the individual that -- An individual fisherman goes out
8 with a -- A friend goes out with somebody on a boat, and he
9 doesn't know -- Is it important for him to know how to use it
10 and what equipment and so forth, or is the person on the vessel
11 that always is out there fishing for snapper?

12
13 I think that we need to get a little more work done to the
14 people that own vessels that go offshore fishing, and I don't
15 know how to do it. I don't know how to identify them and so
16 forth, but I'm just saying that it's vessel people, people that
17 have vessels that are using their vessel to go offshore fishing,
18 and they are bringing friends with them to go fishing. These
19 are the people that need to be aware of what to do with this
20 equipment, and it's a lot less cumbersome than trying to deal
21 with all fishermen that have licenses to go offshore fishing.
22 Thank you.

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

25
26 **MS. BOSARGE:** I think we have a pretty good contact with Yamaha.
27 Maybe we could kind of lean on them some too, and I'm sure they
28 have a contact list for their customer base. Maybe they could
29 push some stuff out too, and we could reach out to those sorts
30 of groups.

31
32 I think that would be good, and then, Mr. Constant, yes, if you
33 would keep us apprised of when those public comment periods are
34 going to be, and I think, as a council, we can give some formal
35 feedback and comment that way, to hopefully encompass some of
36 Greg's comments about don't just push them out and we would
37 really like to see some sort of measure of success and things
38 like that through the RESTORE Act.

39
40 **CHAIRMAN MICKLE:** Mr. Swindell.

41
42 **MR. SWINDELL:** I think things like marina operators. They know
43 who is going offshore. That's a good group of people for us to
44 nail down, to say, hey, people, help us here with this fishery
45 resource. Get your people that are going offshore to help with
46 that, the vessel sales people and vessel repair clubs or
47 whatever, vessel operations.

48

1 I just keep coming back to trying to get information from
2 recreational fishermen and all is difficult, because there are
3 so many of them out there. If you could concentrate on the
4 group and the vessel owners and operators or whatever, if you
5 can get him to understand how important this is and spend more
6 time getting Sea Grant and other people to pay attention to
7 that, to see if we can get information to them. Go to marinas,
8 and go down to the marinas and sit there, and, if you see a big
9 boat going offshore, take the time to see if you can get his
10 time to talk to him. Thank you.

11
12 **CHAIRMAN MICKLE:** Glenn Constant.

13
14 **MR. CONSTANT:** Do we have some sort of idea on what we would
15 want them to measure, in terms of success? I mean, is there
16 something that exists that we could get to them today, because I
17 don't know that we need to wait until public hearings. We could
18 probably get it to them sooner.

19
20 **CHAIRMAN MICKLE:** Dr. Stunz is going to jump in here, but, yes,
21 understanding the success is not just using devices, but using
22 them correctly, and that should be a metric that we should not
23 lose sight of.

24
25 **DR. STUNZ:** Right, and I really see this as two different
26 avenues to both Mr. Swindell's and Mr. Constant's points. I
27 think the easy battle is getting people to use these things and
28 the awareness and the outreach and that sort of thing.

29
30 In fact, many groups have already done that. There has been
31 surveys, and there is all these good videos that Martha is
32 talking about that really show, for example -- Many anglers
33 don't know about them, but, when they are told about them, they
34 really want to use them, and the American Sportfishing Society,
35 with a bunch of partners, like Yamaha and others, have
36 distributed thousands of these across the Gulf and the South
37 Atlantic, and so all of that is very positive.

38
39 Of course, even our own AP, which we're going to hear, based on
40 their report, this is something they really want, and so that
41 part is easy, and that buy-in is an easy sell. Where I am
42 struggling with this -- The science is solid as well, that, at
43 certain depths, this has real utility, but, where I am
44 struggling, is where does the numbers end up with Clay, for
45 example, and his shop?

46
47 When they really begin to start saying, okay, how did we really
48 reduce the discard mortality if these are in the fishery, and

1 that's the disconnect. That's the effectiveness that I am most
2 interested in, and I know that we can show effectiveness of
3 angler willingness to use it. In fact, we already have.

4
5 That's why I was wanting these numbers that I asked you about,
6 about what is the total discard rate among all these different
7 sectors of the fishery, so we can really know, if we reduced the
8 mortality by X percent, how many fish are we really saving kind
9 of thing, and so that's the -- I think that's going to be the
10 difficult part for us, is that, if it's being used and it's
11 positive, which I think it will be, how does Clay really get to
12 that building that into the assessment, so that, ideally, those
13 using this fishery can get some credit for those reductions in
14 mortality?

15
16 **CHAIRMAN MICKLE:** Robin.

17
18 **MR. ROBIN RIECHERS:** I am not on your committee, but thank you
19 for recognizing me. I am going to follow-up on what Glenn was,
20 I think, trying to say and maybe help him in expressing to
21 everyone kind of what the needs are going to be. RESTORE, as I
22 understand it, won't have another bucket open until 2019, to be
23 advertised in 2018, and so, if you want a plan going into 2019,
24 you're going to need to have that proposal ready and available
25 to them to start reviewing whenever they open up for application
26 again.

27
28 I think what he was referring to though was Natural Resource
29 Damage Assessment, which, as I understand it, they're going to
30 be a region-wide restoration plan coming out sometime in 2018.
31 As part of that plan, there could be a consideration of these
32 kinds of tools, possibly, but what they're going to need is some
33 notion of what the lift is going to be if you do this, and so
34 you're going to have to create that write-up and provide it to
35 them now, so that it could possibly be in the draft plan, and
36 then it will get published, and then it could go to a final
37 plan, possibly, that makes the cut of alternatives there.

38
39 I think what he was asking is, if we get -- I think we've got
40 the workings of it right here, but, if we can basically pull
41 that together and feed that to the group that's working on the
42 region-wide restoration plan now, we may be one step ahead in
43 getting it into the plan early, as opposed to waiting in the
44 public comment period and trying to push it forward. That's
45 kind of where I know it -- Glenn, do you have anything different
46 on those time tables?

47
48 **CHAIRMAN MICKLE:** Mr. Constant.

1
2 **MR. CONSTANT:** No, I think that's right, and I would just point
3 out that it's actually the Open Ocean Trustee Implementation
4 Group, and that's just a detail, but I think the timelines are
5 about what you mentioned.
6

7 The other thing is the second restoration planning effort, which
8 I am not sure if that's 2019 or 2020, but this 2017 restoration
9 plan that's about to come out, which will have some
10 consideration for descender devices and other mortality-
11 reduction proposals, is going to -- There is an option to get
12 that into this 2017, but, also, to kind of stake a claim of need
13 if it doesn't necessarily make it into this plan, that the
14 priorities for the subsequent planning cycles really should
15 reflect the council's interest in that regard, and so it's kind
16 of coming on the same timeline, even though it's two separate
17 issues.
18

19 **CHAIRMAN MICKLE:** Mr. Gregory.
20

21 **EXECUTIVE DIRECTOR GREGORY:** I just wanted to make the committee
22 aware that we have met with the Open Oceans people, and we've
23 been in regular contact with them, and, in your briefing book,
24 under Tab E, Number 7(c), is a draft letter that, if the council
25 approves it, we're sending to the Open Oceans people as a
26 preliminary effort to say, hey, we want you to do this, and
27 we're onboard, and we'll write you a strong support letter when
28 needed.
29

30 **DRAFT LETTER IN SUPPORT OF FUNDING DESCENDING DEVICE**
31 **DISTRIBUTION**
32

33 **CHAIRMAN MICKLE:** Great lead-in. Yes, let's move on to the next
34 one and bring that letter up. Like Mr. Gregory said, Tab E,
35 Number 7(c) is the letter.
36

37 **EXECUTIVE DIRECTOR GREGORY:** We are telling them that we want to
38 be a part of this. We want to be an active player with them on
39 this, and we're just pushing that regard as much as we can.
40

41 **CHAIRMAN MICKLE:** It looks like we need a motion. Dr. Stunz.
42

43 **DR. STUNZ:** I guess I need to know what the motion -- I'm fine
44 with this letter, but a motion to forward this along is the
45 motion you need? **Then I will make the motion that we forward**
46 **the letter to the Open Ocean Trustee Implementation Group**
47 **regarding the use of descending devices and venting tools to**
48 **reduce discard mortality to increase survival of released fish.**

1
2 **CHAIRMAN MICKLE:** We have a motion on the board. Is there any
3 discussion? Do we have a second? We have a second. **Any**
4 **opposition? The motion carries.** All right. The last item for
5 Item VII is the Law Enforcement Technical Committee Comments,
6 Tab E, Number 11. Mr. Atran.

7
8 **MR. ATRAN:** I had already pointed out some editorial suggestions
9 that the Law Enforcement Technical Committee had under the
10 definition of a venting tool and a descending device, which have
11 been incorporated into the discussion that's in the policy
12 statement. At some point, if anybody has any further discussion
13 on that, let me know. They were intended to be broad enough to
14 encompass a wide variety of devices, but still prohibit things
15 like using a fishing hook as a venting tool.

16
17 **CHAIRMAN MICKLE:** Understood. Is there any discussion? All
18 right. With that, I guess we're a little bit earlier, but we're
19 staying on track a little bit, and so, with permission from
20 Madam Chair to take a break, and I will turn it over to you.

21
22 **MS. BOSARGE:** I think that's a good idea. Let's take a break,
23 and we will start back up at 2:30.

24
25 (Whereupon, a brief recess was taken.)

26
27 **CHAIRMAN MICKLE:** Let's go ahead and move into Item Number VIII
28 on the agenda, Ecosystem Approaches for Fisheries Management by
29 the Gulf of Mexico and Other Regional Approaches. Dr. Kilgour.

30
31 **REVIEW OF EAFM BY THE GULF COUNCIL AND OTHER REGIONAL APPROACHES**

32
33 **DR. MORGAN KILGOUR:** Thank you, Mr. Chair. I have a
34 presentation that pretty much goes through the white paper that
35 is Tab E, Number 8(a), and this has been an effort that was
36 basically funded by the CRP grant, and also it's something that
37 we needed to do, as a council, and I have attended several
38 ecosystem workshops and meetings over the past year to kind of
39 culminate in this analysis or basically summary of the regional
40 approaches for fishery ecosystem management in other areas and
41 also to look and see what the Gulf Council has been successful
42 in implementing ecosystem management in.

43
44 I am happy to take questions as we go along, and I'm hoping to
45 get through this in the short amount of time that I was
46 allotted, and I'm a little happy that we are ahead of schedule,
47 because this got away from me.

1 Ecosystem management is a big -- It's been a big push nationwide
2 from NMFS to come up with some ecosystem-based fishery
3 management, and the little infographic on the right kind of goes
4 through what is single-species management, and ecosystem
5 approaches to fisheries management include a single species, its
6 environment, potentially other interacting species. Ecosystem-
7 based fisheries management is looking at multiple species in
8 their environment when you're making management decisions to
9 ecosystem-based management, which is the whole enchilada.

10
11 Right now, the Gulf Council has been very successful at doing
12 ecosystem approaches to fisheries management. The one thing
13 that sets us apart from other councils is we're the only council
14 that is not in the development process of a fishery ecosystem
15 plan or policy, which would elevate it to ecosystem-based
16 fisheries management.

17
18 The requirements in Magnuson-Stevens for councils are to
19 integrate ecosystem considerations into fishery conservation and
20 management actions, to minimize the impacts of fishing on
21 ecosystems, and it also authorizes NOAA Fisheries to provide
22 technical advice and assistance to develop and design an EBFM
23 program.

24
25 Before I get into what other regions are doing, I kind of wanted
26 to talk about what a fishery ecosystem plan is. It's not
27 prescriptive, and it does not have management teeth. Meaning,
28 when you have a plan, it doesn't convey management action. It's
29 kind of a guiding principles and best practices document on how
30 do we incorporate ecosystem components into our management.

31
32 There have been several approaches, and each council has
33 tailored their plans and policies to what is specifically needed
34 by their region, and NOAA has some guidance also on what an
35 ecosystem plan is that can be pulled from as well.

36
37 I am going to briefly go through what other regions are doing
38 for ecosystem management. The New England Fishery Management
39 Council has initiated the development of a fishery ecosystem
40 plan, where they have outlined the purpose and objectives, and
41 they are having staff and partners run simulated management
42 strategy evaluations to bring back to the council. Their
43 ecosystem plan is going to focus on the Georges Bank ecosystem.

44
45 The Mid-Atlantic has developed an ecosystem approach to
46 fisheries management policy. When you look at the document,
47 it's not very clear to me what the difference between the policy
48 and an ecosystem plan is, but they conducted a series of

1 workshops on forage fish, climate change, species interactions,
2 and ecosystem-level habitat workshops. They developed this
3 policy where they are also developing an unmanaged forage fish
4 species omnibus amendment, which is the same as a generic
5 amendment for us.

6
7 The South Atlantic has completed a fishery ecosystem plan, and
8 they're working on a new one. The first ecosystem plan that
9 they completed is very similar to our existing coral management
10 plan. The new issues that they are investigating are forage
11 fish actions, methodologies for completing an FEP, and they're
12 looking at several different avenues on that, and they have
13 already established preliminary priorities.

14
15 The Caribbean Fishery Management Council has initiated the
16 development of a fishery ecosystem plan. They have an outline
17 and a strategy, and I think the intent is to eventually move
18 towards island-based fishery ecosystem plans.

19
20 The North Pacific has completed one fishery ecosystem plan and
21 is initiating a second one. It's a policy and planning
22 document, and it's guidance. It identifies information and data
23 gaps, and it identifies sources of uncertainty and refines
24 management tools, and so they have an Aleutian Island ecosystem
25 plan, and now they're working on the Bering Sea ecosystem plan.

26
27 The Pacific Fishery Management Council has completed an FEP, and
28 it's the California Current FEP. It's an informational
29 document. One thing the Pacific plan outlines is that, every
30 year, at the March meeting, they look at what is the state of
31 the California current and kind of develop how the ecosystem
32 initiatives are working in that region once a year, every year.

33
34 The Western Pacific, they have basically island-based fishery
35 ecosystem plans, where they look at each individual island as an
36 ecosystem, and they manage the single species within that
37 ecosystem plan.

38
39 The Gulf Council has done a lot on ecosystem management. From
40 2004 to I think about 2010, there was an ecosystem grant that
41 had a series of ecosystem workshops around the Gulf looking at
42 ecosystem information and trying to get public input on
43 ecosystem priorities. It's my understanding that those were not
44 very well attended. Of those nine workshops, I think a total of
45 forty to fifty people total showed up.

46
47 There was a four-council initiative, working with NMFS, to
48 develop an attitudes and values survey, and that was presented

1 in 2007. There were also a series of ecosystem modeling
2 workshops, where they were trying to come up with an overarching
3 ecosystem model to kind of use as a management strategy
4 evaluation, and, ongoing, we comment on ecosystem-related
5 products and policies, including the ecosystem roadmap that was
6 a national policy developed in I believe it was 2016, and the
7 Gulf of Mexico IEA, or the Gulf of Mexico Ecosystem Status
8 Report. The Gulf Council has also started incorporating red
9 tide events and the impacts of red tides on reef fish stock
10 assessments, and the Gulf Council had an Ecosystem SSC for ten
11 years.

12
13 FMP-specific management measures for reef fish, it incorporates
14 other fisheries, and it includes habitat information. There is
15 the development of the stressed area, multispecies aggregates,
16 how other fisheries may affect management benchmarks, such as
17 bycatch reduction devices of juvenile red snapper in the shrimp
18 fishery. Adjust harvest level to respond to environmental
19 events and establishment of marine reserves.

20
21 Shrimp and spiny lobster have a lot of the same overarching
22 themes of incorporating other fisheries, looking at
23 environmental parameters, and so, for shrimp in particular, the
24 OY in Shrimp Amendment -- I am not going to say which amendment,
25 and I should know this, but the aggregate OY was developed based
26 on other benchmarks, and so it wasn't just catch per unit effort
27 in the shrimp fishery, but it was also what are the thresholds
28 on the shrimp fishery, such as sea turtle bycatch and juvenile
29 red snapper bycatch. Those were big components of how the
30 aggregate OY was developed.

31
32 Spiny lobster, there is also the discussion of external
33 recruitment, and there is also the low landings trigger that was
34 developed in Regulatory Amendment 4, where, if landings don't
35 meet a certain threshold two years in a row, go back and
36 reevaluate, because it must mean that environmental conditions -
37 - Not must mean, but it could mean that environmental conditions
38 have changed, and so management measures need to be reevaluated.

39
40 Coral, all of the coral amendments and the FMP are multispecies
41 amendments, and there are habitat areas of particular concern.
42 Again, it's similar to the South Atlantic's first FEP, and
43 coastal migratory pelagics is a joint plan, based on species
44 ranges, and migratory pattern changes have resulted in changes
45 of management boundaries.

46
47 Ecosystem-based fisheries management is not increasing
48 complexity, and so one of the things that these ecosystem plans

1 have is basically a best practices document that -- What does
2 the council want to see as going forward on the science side of
3 things, so that perhaps NMFS can better tailor their strategies
4 to better aid management decisions.

5
6 It can be having somebody come and talk about long-term gradual
7 shifts in carrying capacity, strong trophic linkages, major
8 shifts in population dynamics, and all of these things are areas
9 for the ecosystem-based fishery management approach.

10
11 There are lots of items that address ecosystem policies, and the
12 Gulf Council is one of the few councils that has the ecosystem
13 status report not once, but also an updated ecosystem status
14 report.

15
16 We have the National Ecosystem-Based Fishery Management Policy,
17 and, in that, it said that we need to develop regional plans,
18 and so, right now, all of the other councils have their FEP or
19 draft FEP documents that these regional plans are pulling from,
20 and the Gulf Council, and I'm the council staff representative,
21 we're working together to look at those ecosystem plans, but,
22 really, it's Science-Center-driven regional plan, because we
23 don't have a clear document outlining what the Gulf Council's
24 ecosystem policies are.

25
26 About that plan, these regional plans are under development, and
27 this is the very tiny timeline, but I just wanted to highlight
28 that, hopefully, there is a regional plan sometime in the July
29 to August region, and those are not hard-and-fast deadlines.
30 This is a pretty significant undertaking by one Southeast
31 Fisheries Science Center staff member, at this time, looking at
32 the Gulf, and they have divided the Southeast Region into the
33 three different councils, and so each staff member pulled one
34 council.

35
36 She is working very hard on that, and she's asked for a lot of
37 input from the Southeast Regional Office and from the council
38 staff to provide her with input on the roadmap, but there should
39 be a draft that would be ready to present to the Gulf Council
40 hopefully by the August council meeting, but, again, this is not
41 a hard-and-fast deadline. These are hopeful deadlines. I think
42 that's about it, and I tried to go really quickly, because I
43 think I was slotted for fifteen minutes, and so I'm happy to
44 take any questions.

45
46 **CHAIRMAN MICKLE:** Questions or discussion? Ms. Bosarge.

47
48 **MS. BOSARGE:** Dr. Kilgour, I am hoping that, as that plan is

1 developed, it can be somewhat proactive and forward-looking,
2 and, in that, I am hoping that maybe we can have some
3 information on what our region can expect when we start to see
4 more impacts from climate change.

5
6 I think we are kind of unique, versus the east coast or the west
7 coast, where it's a north/south coastline, and they're seeing
8 the results already. They are seeing species move north or move
9 south, based on changes in temperature and things like that, and
10 so maybe -- I think that would be something that would be very
11 helpful for the council to have a better understanding of, so
12 that as we start to see changes, we might be able to understand
13 what is driving them, before they show up in our fisheries, and
14 so that would be interesting.

15
16 **CHAIRMAN MICKLE:** Dr. Kilgour.

17
18 **DR. KILGOUR:** I think that is definitely part of what the
19 regional plan is, but I can tell you right now that how that's
20 being developed right now is based on what are current -- In my
21 understanding of reading the document, what are current projects
22 that the Southeast Science Center and partners working on that
23 address ecosystem management.

24
25 It's not necessarily a Gulf-Council-driven document, because we
26 don't have an ecosystem plan, and so one of the things in the
27 action guide that I was asking for is does the council want to
28 develop some type of formal ecosystem plan, where we outline
29 that these are things that are important to council management
30 and should be discussed, as appropriate, when available, so that
31 not only do we have a clear direction of where the council wants
32 to go towards implementing information into management measures,
33 but we can also -- It also gives the Science Center a clear
34 direction of what types of things would really benefit
35 management that we can do in-house.

36
37 Right now, there seems to be a little bit of a disconnect
38 between the two, and it shouldn't be that way, but they're
39 slammed over there, just as we are over here, and so, if we
40 develop something in partnership, that could be more -- We're
41 working on it, and we're getting a lot better, but that's one
42 question.

43
44 Does the council want to come up with some type of document or
45 plan or any type of policy statement or something eventually, or
46 do we want to wait for the regional plan to come out and then
47 comment on that? Both are perfectly acceptable.

1 **CHAIRMAN MICKLE:** Mr. Anson.

2
3 **MR. ANSON:** I think my take on that would be to wait for the
4 Science Center and see what their comments are, not knowing how
5 intensive it's going to be to run the models or the analysis
6 that we or the Science Center deems is important. I mean,
7 that's going to be, I think, a critical factor.

8
9 We don't want to get into a situation, necessarily, that we're
10 slowing down the process, particularly since this isn't
11 prescriptive, as you said, and so I guess we've got to kind of
12 ally what our needs and wants are relative to what the resources
13 are, and the resources are financial and human, and we're in an
14 environment where it seems like we won't be seeing any dramatic
15 increase, and so we've got to kind of work within our means, and
16 that might be limited, I guess, as to what we could do.

17
18 **CHAIRMAN MICKLE:** Madam Chair.

19
20 **MS. BOSARGE:** I think I concur with you, Kevin. I think that
21 was spot-on. Thank you.

22
23 **CHAIRMAN MICKLE:** Dr. Frazer.

24
25 **DR. FRAZER:** Thank you, Paul. We just had a discussion earlier
26 in the day about potentially having a special SSC that has to
27 deal specifically with ecosystem-related issues, and I think
28 you're right that we probably don't have to have a plan, but
29 maybe we could encourage the staff, at this time, to develop
30 some time of a white paper or a document that might lay out what
31 a plan might look like or why would we want to pursue these
32 types of things and what are the advantages, because I don't
33 think that's too big of a lift, actually.

34
35 **CHAIRMAN MICKLE:** That directed request toward a specialized
36 group would outline kind of the directives, which would drive
37 what we think is important in the Gulf, from the specialists
38 that are in this fledging little committee, but understanding
39 what ecosystem assessments could possibly entail, especially in
40 the Gulf, is truly terrifying to me, when you think about how
41 complicated our web is, our food web, and the variabilities we
42 see within our region of the Gulf.

43
44 There was some real fascinating work, just to put it in the
45 perspective of how many different things there are to talk about
46 when we start saying the "E" word. In the Mid-Atlantic, they
47 did an analysis looking at a recruitment of certain species
48 during wet years and dry years, and they saw such a large

1 influence and low mortality in the young age classes, and
2 recruitment was so much higher in certain discharges of each
3 year that it was really impacting what's going on in the
4 fishery.

5
6 When you would have a really wet year, two to three years later,
7 you would have this beautiful recruitment class, or cohort, come
8 through the fishery, and it was so dependable that they actually
9 have started grabbing onto that, and I have always wanted to
10 take that to my commission, as we've had some really wet years,
11 and some species do really well, and some really don't, and so
12 to identify that and keep that in mind, to kind of go toward
13 management. That's one little tiny piece of what ecosystem
14 management could possibly entail, is wet versus dry, and that's
15 just estuarine production causing variability in recruitment,
16 and so that's just one tiny little thing when we start getting
17 into the "E" word. Dr. Frazer.

18
19 **DR. FRAZER:** Along those lines, one of the things that we
20 struggle with, I think, is that we deal with stock assessments
21 and things that take place in five-year timeframes, if we're
22 lucky, and we're always getting kind of tagged a little bit for
23 not being able to be responsive enough to things that happen in
24 the environment that might allow us to make a quick decision for
25 the betterment of the people that are trying to exploit the
26 resources.

27
28 In some cases, if you have a red tide, for example, you might
29 push it down a little bit, but, if you're able to identify a
30 really good recruitment year, for example, you might be able to
31 allow people to access more fish, and so I like the idea of the
32 ecosystem plans potentially providing some flexibility in the
33 management process.

34
35 **CHAIRMAN MICKLE:** Agreed. Dr. Kilgour.

36
37 **DR. KILGOUR:** That would be something that you would identify in
38 an ecosystem plan. I don't think I stressed very well that an
39 ecosystem plan does not mean an ecosystem model. It means what
40 are things that are important, and it can be in the level of a
41 single species, and red tide is very important for groupers, and
42 so, for groupers, we would really like you to incorporate red
43 tide events into the stock assessment.

44
45 It could be something very direct like that, or it could be
46 broader statements. It could also be somebody from the
47 Southeast Science Center coming to present that this is the
48 state of the Gulf once a year, and we had a really bad hypoxia

1 year, and we had a big red tide event, something like that, to
2 just notify the council that these are things that are going on
3 that are going to show up in your stocks.

4
5 They could say that we had a really great recruitment year and
6 the conditions were perfect, and so it's something that -- That
7 could be outlined in an ecosystem plan, but I really want to
8 stress that an ecosystem plan, or ecosystem-based management, is
9 not necessarily an ecosystem model. That is one small component
10 to it. It could be a lot more flexible and a lot more
11 informative for the council than a specific model that the
12 inputs really dictate what the outputs are.

13
14 **CHAIRMAN MICKLE:** Agreed. I agree with that statement, and it's
15 not truly an ecosystem model, but, without proper scientific
16 understanding about these ecosystem variations, they can sneak
17 their way in, and we're going to approach the tipping point.

18
19 When we have an ecological tipping point occur within a certain
20 parameter of temperature, like Ms. Bosarge said, or nutrient
21 loads or anything like that, at what quantitative stage do you
22 identify that as important enough to address in a stock
23 assessment? That is the very delicate thing that we need to
24 understand if we move forward in this. Even though it's not an
25 ecosystem model, it has the impact on models and accounting for
26 that in the model. Dr. Stunz.

27
28 **DR. STUNZ:** Morgan, after your presentation, and correct me if
29 this isn't right, but it seems like we're going a lot of the
30 components that would be in the FEP, but just they haven't been
31 formalized into an FEP, and I don't know if that's correct or
32 not, but, in just reading through this -- Maybe that would help,
33 in terms of just sort of seeing where we're going with this,
34 because where I struggle with this, and I am an ecologist and I
35 understand this, but I still -- Now, sitting around this
36 management table, I struggle a little to figure out how does
37 this really inform us in management advice when we need a yield
38 stream for red snapper, let's say?

39
40 How does it really all come together, and you provided some
41 examples of what others are doing, but maybe, as we continue
42 this discussion, having some real concrete examples of, well,
43 here is something exactly that we could do in the Gulf, and this
44 is how it would sort of play out, would at least help me, and I
45 don't know about others, to look at the bigger picture of how
46 does this all come together in our day-to-day operations of
47 doing allocations and how many fish can we catch this year and
48 that sort of thing. I feel, based upon what you have shown

1 here, that we're probably doing a lot of this, but we just
2 haven't really structured it into this FEP that you are talking
3 about.

4

5 **CHAIRMAN MICKLE:** Mr. Anson.

6

7 **MR. ANSON:** I suspect that we'll start out kind of slow, and
8 it's kind of an emerging science. I mean, you've got to get
9 folks that will get into the data maybe a little bit more and
10 look at it on a little bit different level and try to look at
11 some interactions and such of different parameters.

12

13 At least initially, I just see it as being a guide, but it won't
14 be a definitive guide. It won't be something that says here is
15 a smoking gun and then we incorporate that into an assessment or
16 something directly, because, even with a red tide event, not
17 every red tide event is the same.

18

19 You may have the same satellite image with the same
20 concentration of cells that you did the previous time, but some
21 other factors may be affecting what the recruitment for red
22 grouper is. It may not be the same recruitment level, and so
23 you may not get the same mortalities as you did in the previous
24 event, and so you have to get out there in the field and kind of
25 evaluate that, and then, over time, as we get more information,
26 it will help, I guess, resolve or help us feel more confident in
27 that particular piece of information, and maybe that will take
28 us to the next step, to actually incorporate some of that data
29 directly into an assessment and produce outcomes or management
30 decisions.

31

32 **CHAIRMAN MICKLE:** Dr. Kilgour.

33

34 **DR. KILGOUR:** Just as a side note, we were really lucky that we
35 got that red tide as a fishing fleet on our stock assessment,
36 but I want to highlight that that was primarily done by a post-
37 doc, and so, without the need, the direct need, outlined that
38 this is a council need and that we need to start incorporating
39 these things and we want them in our stock assessments, it's
40 really hard for stock assessment scientists to incorporate
41 those.

42

43 I mean, they're stressed to the max, and so, without those post-
44 docs or those things that the Science Center can point to as
45 these are direct management actions that they want information
46 on, it's really hard for them to get those post-docs and the
47 funding to fund those types of positions to give you the
48 information that you want.

1
2 **CHAIRMAN MICKLE:** Is there any other discussion? Dr. Kilgour.
3
4 **DR. KILGOUR:** As usual, I am clear as mud, but I had a couple of
5 different things go around the table. It would be a little bit
6 -- If the committee could tell me if they want some type of
7 informal document after this roadmap, regional roadmap, comes
8 out to say these are the things that you could include in a
9 fishery ecosystem plan, or is that way too far ahead of time and
10 you will wait to see the ecosystem plan? Either way is fine,
11 but I just want to know how to prioritize.
12
13 **CHAIRMAN MICKLE:** My question to you is, when you say "they",
14 who are you talking about?
15
16 **DR. KILGOUR:** That is the Science Center, who is coming up with
17 the regional plan.
18
19 **CHAIRMAN MICKLE:** Got you. I was just confused. Dr. Frazer
20 made a suggestion that we ping the special SSC for -- That would
21 be interesting to see there, but it sounds like you all are
22 slammed, and everybody is slammed, and any guidance on which
23 route to go? I think I am definitely in support of getting some
24 requests from the specialized group on how to proceed forward,
25 but I am not quite sure which group. Ms. Bosarge.
26
27 **MS. BOSARGE:** The regional plan, the draft, is going to be out
28 sometime mid-year, I guess it looks like, according to that
29 slide, June to August. When that draft comes out, would it be
30 productive to have that be on the agenda for the SSC to look at,
31 and we have that new Special Ecosystem SSC, and we could pull in
32 that expertise and try and get some feedback from them. Would
33 that be a productive exercise?
34
35 **CHAIRMAN MICKLE:** It's a good first test for that new group.
36 Dr. Kilgour.
37
38 **DR. KILGOUR:** One last comment. I just wanted to note that that
39 Special Ecosystem SSC is not an ecosystem scientist SSC, and
40 it's an ecosystem modeler SSC, which means that there is going
41 to be a heavy emphasis on ecosystem models and not necessarily
42 the management and how do we make ecosystem science available
43 for management outside of a model, and so I just wanted to
44 highlight that the Standing SSC will have those ecosystem
45 scientists and that expertise, but the modeling component is,
46 hopefully, going to be incorporating ecosystem modelers, and so
47 they're not mutually exclusive.
48

1 **CHAIRMAN MICKLE:** Agreed. Dr. Frazer, I've got you, but, again,
2 at this point, aren't we trying to figure out the nuts-and-bolts
3 of what actually would be important on the ecosystem to actually
4 look at and then bring the management in on the backside, after
5 initial probing from this group? Dr. Frazer.

6
7 **DR. FRAZER:** I guess what I was thinking -- I mean, I don't want
8 to move ahead just to charge blindly ahead here, but what I'm
9 trying to think about is can we work on some type of a guiding
10 document that might help us better understand how ecosystem
11 types of information might be incorporated into the management
12 process, and then we can start to think about what a plan might
13 look like.

14
15 I am not advocating that we create a plan at this point, but
16 just an information document. That's one thing, and then I
17 would also say I'm not sure that this special SSC, the Ecosystem
18 SSC, is all ecosystem modelers. I think there might be some
19 discussion about that when we get to Full Council, and I think
20 that's what Robin was talking about.

21
22 **CHAIRMAN MICKLE:** Thank you. Robin.

23
24 **MR. RIECHERS:** I am just curious, because we've had this
25 discussion around the table before, and John or you may recall
26 the details, when we had some of that extra money. Where did we
27 end that process? Did we have a document that kind of outlined
28 some of the things you're talking about now? I was kind of
29 recalling we might have had something like that.

30
31 **DR. KILGOUR:** We do, and I think it's near 200 or 300 pages, but
32 it's basically the synopsis of those workshops, but it didn't --
33 The Ecosystem SSC was charged with developing a fishery
34 ecosystem plan. A strawman plan was never even developed, and I
35 think they worked on it several times, and they got to a point,
36 and it just never progressed farther.

37
38 That ecosystem money that initiated the establishment of that
39 Ecosystem SSC and had all those workshops, there is a report
40 that has all of that information in it, but it didn't end in any
41 type of outline document, that I am aware of that, we could use
42 as an ecosystem plan. That was the intent, but I don't think it
43 ever made it that far.

44
45 **CHAIRMAN MICKLE:** Robin.

46
47 **MR. RIECHERS:** I am not on your committee, and so I apologize
48 for taking up the time, but I think, if we go back to that

1 document, in response to your question, Tom, I think that would
2 actually be able to be part of that whole notion of here is a
3 quick summary document of the kinds of things that we could be
4 looking at and the things that we would want to consider, and we
5 might be able to get from Point A to Point B pretty quickly with
6 not a whole lot of work, which I think is one of the troublesome
7 parts of this conversation.

8
9 While we would love to say charge ahead, I think part of the
10 problem is, when you're struggling to get assessments and other
11 things, like we struggle to get, it's hard to say let's go take
12 on this squishy thing that's even going to be harder to get our
13 arms around and difficult for us to really incorporate into the
14 current system. I think that's kind of the difficulty, but I
15 think we may have a document that will help us move down that
16 road a lot quicker.

17
18 **CHAIRMAN MICKLE:** Dr. Porch.

19
20 **DR. PORCH:** Thanks. I just wanted to reaffirm the Center's
21 interest in going down this path, and, in fact, we have staff
22 working with Dr. Kilgour on the ecosystem-based fishery
23 management roadmap.

24
25 Like many of you, we're very reticent about going down the path
26 of these complicated ecosystem models at this point. We've got
27 a lot of basic information that we need to collect first, and we
28 certainly wouldn't advocate, any time soon, using them for
29 management advice, but what we can do is cut out some bite-sized
30 chunks, identify some drivers that are really important, and
31 study them closer.

32
33 You could do things like -- Someone already mentioned the red
34 tide, which we are using in some of our assessments. Things
35 like menhaden, if you allowed them to increase in abundance
36 above their current MSY, would that increase the MSY of some of
37 the other stocks? That sort of thing.

38
39 I think there are some concrete things that we can do that would
40 be really exciting, but we just need to work together. The Gulf
41 has a lot of expertise, and the Center can't do it by itself,
42 and the councils can't do it by themselves, but, if we put
43 together some teams that really focus on some of these fairly
44 obvious drivers, I think we can make a lot of progress.

45
46 **CHAIRMAN MICKLE:** Mr. Anson.

47
48 **MR. ANSON:** To Dr. Porch's point, it sounds like, from that last

1 example you gave of Gulf menhaden, it's going to be much broader
2 than just taking in scientific observations and such and that
3 you're trying to assess tradeoffs then of how species are
4 managed, in that, if you put the gas pedal on one species, it's
5 going to affect other species.

6
7 That sounds like it's even opening up twofold or threefold in
8 complexity, potentially, as far as, again, the analysis of the
9 information and then the value of that relative to its -- It's
10 not prescriptive information, and so I get a little concerned, I
11 guess, when you talk about that and menhaden, and, again, if we
12 loosen or restrict harvest and see what the benefit to other
13 species would be.

14
15 **CHAIRMAN MICKLE:** Dr. Porch.

16
17 **DR. PORCH:** I would say it can get complicated, in some cases,
18 but it doesn't have to be. There may be some really obvious
19 drivers, and we may be able to identify some key factors that we
20 should consider, just like with the red tide. The complicated
21 part is figuring out how some measure of red tide intensity
22 translates into mortality, but, when you do that work, it's not
23 that complicated to incorporate into a stock assessment.

24
25 In fact, we have already, and that's not to say that there is
26 not always room for improvement, but I think there is things
27 that you can identify that are important drivers in the system
28 besides fishing, and we find a way to incorporate them in our
29 management advice.

30
31 **CHAIRMAN MICKLE:** Any other discussion? All right. Dr.
32 Kilgour, do you have what you need, or would you like a motion?

33
34 **DR. KILGOUR:** I think I have that, eventually, you would like
35 some type of strawman document to look at, but this will happen
36 after the regional roadmap is presented to the council, and I
37 can work with Dr. Karnauskas, who is developing that for us,
38 with coming up with some type of brief strawman-type document to
39 show to you after that is given to the council, and is that what
40 I am understanding? It's some type of very brief strawman
41 document, and these are the things that you could include, after
42 you see the regional plan, or no? I am getting mixed messages.

43
44 **CHAIRMAN MICKLE:** A motion would resolve that. Can I ask for a
45 motion, just to move things along, so we can keep moving down
46 the agenda? Dr. Frazer.

47
48 **DR. FRAZER:** I will take a stab at a motion here. **The motion is**

1 to direct staff to develop a document that outlines the
2 component parts of a fishery ecosystem plan after the roadmap.
3 Again, I am not trying to forge right ahead, and so whatever
4 works in your schedule and is convenient for staff is fine for
5 me.

6
7 **CHAIRMAN MICKLE:** Is this the motion? Do we want to specify
8 within the motion after the -- What was it? I do have a second
9 from Dr. Stunz. Is there any discussion to this motion? Ms.
10 Bosarge.

11
12 **MS. BOSARGE:** Morgan, can we use the document that we already
13 have that Robin was referencing, or do you have to create
14 another one?

15
16 **DR. KILGOUR:** I won't necessarily be creating a whole new
17 document. I will pull heavily from that, but I would want to
18 shorten that up a lot and just pull the highlights, if that's
19 acceptable, and perhaps incorporate new information that we have
20 since that document was written.

21
22 **CHAIRMAN MICKLE:** Dr. Stunz, to that point.

23
24 **DR. STUNZ:** I just have a quick question to Leann's point.
25 Robin was mentioning like this 200-page document, and is that
26 the same one, because I was envisioning a little more of a
27 hands-on -- More of a summary tool that allows us to get our
28 hands around it and not get lost in a huge document.

29
30 **CHAIRMAN MICKLE:** All right. We have a motion, and we have a
31 second, and we've had discussion. **Is there any opposition to**
32 **the motion on the board? The motion carries.**

33
34 **DR. KILGOUR:** Thank you.

35
36 **CHAIRMAN MICKLE:** Thank you. All right. We are going to move
37 on to Item Number IX, Reef Charter/For-Hire Permit Transfers and
38 Potential Management Actions, Tab B, Number 9, and Dr. Diagne.

39
40 **REEF FISH CHARTER/FOR-HIRE PERMIT TRANSFERS AND POTENTIAL**
41 **MANAGEMENT ACTIONS**
42 **PRESENTATION**
43

44 **DR. ASSANE DIAGNE:** Thank you. There is a document in the
45 briefing book, and that would be Tab B, Number 9(a), but we have
46 prepared a short presentation to support the discussions. Just
47 a little bit of background, by way of introductions. Here, we
48 have the major regulatory actions of interest to us.

1
2 One would be Amendment 25/17, which established the indefinite
3 limited access on reef fish for-hire permits. The second
4 element of note would be Amendment 30B, which, of course, would
5 prevent federal for-hire reef fish permits to fish in state
6 waters when federal waters are closed. The third element of
7 note would be Amendment 40, which split the recreational red
8 snapper quota into a private angling component and a federal
9 for-hire component.

10
11 The last point here that we would like to note is the fact that
12 individual states have been establishing their own season in
13 state waters for red snapper recreational fishing, and, here,
14 just as a reminder, we have the various seasons for the
15 individual states as well as the federal red snapper
16 recreational season. Starting in 2015, we have the two seasons,
17 one for the private angling component and the second one for the
18 federal for-hire component.

19
20 As we just mentioned, federal for-hire reef fish vessels cannot
21 fish for red snapper, to be specific, in state waters when the
22 federal waters are closed, and that is a result of Amendment
23 30B. During council discussions, it was noted that the
24 regulations that we have may provide incentives for
25 strategically transferring one's permit to be able to fish
26 during the state seasons and then moving to the federal seasons
27 and so on and so forth.

28
29 In response to that, the council requested that we look into
30 this a little further, to see whether we could identify patterns
31 that would suggest that such a behavior was taking place.

32
33 Just as a reminder, here we have limited access, an indefinite
34 one, and so it's normal, natural attrition, if you would, of the
35 number of permits. It is very mild, and, on average, we lose
36 about let's say twenty-five or twenty-six permits a year.

37
38 If you know look at the transfers, not too many permits have
39 been transferred. It's about 200, and I have the exact number,
40 but it's 220 or so are transferred, on average, per year, for
41 the time interval that we have here. This is on an annual
42 basis, but, to try to pick up on a potential trend, then we went
43 and looked at the transfers on a monthly basis.

44
45 We did two things. The first thing we have done is essentially
46 to take the time series and decompose it to try to pick up two
47 signals. The first signal would be the time trend, which we
48 have in the second box here, and the second box -- The first box

1 is just the observed time series, and the second one below is
2 the time trend, and we see a generally-increasing time trend.

3
4 The third one picks up the seasonality, and, here we have one
5 peak, and that peak corresponds to the month of May.
6 Essentially, that would make sense, because people would like to
7 have their transfers completed before the federal red snapper
8 season, which traditionally begins on June 1. Finally, the very
9 last panel at the bottom, that is simply the unknowns, I guess,
10 plus the random component.

11
12 The second thing that we tried to do was to look at the
13 effective dates of the transfers and see whether we would
14 identify a pattern here, and the red lines are the beginning of
15 the red snapper seasons.

16
17 If, for example, we had a lot of points before the red line,
18 meaning before the start of the red snapper season, and then a
19 lot of points after the season, meaning that folks would
20 transfer their permits before the season and after the season,
21 in some type of a systematic pattern, then we would think that
22 we were able to capture this, but, at this point, looking at
23 this chart, there is really no indication that there is a
24 systematic pattern that would suggest a strategic transferring
25 of the permits before the season and after the season to take
26 advantage of state and federal seasons.

27
28 In a nutshell, these were the analyses that we conducted, and we
29 will now offer some conclusions. What we can say now is that we
30 were not able to identify any pattern that would suggest that
31 federal for-hire reef fish permit owners strategically
32 transferred their permits pre and post the federal season to
33 take advantage of both seasons, and, again, this does not really
34 suggest that such a behavior does not exist, but what we can say
35 for sure is that, at this point, we were not able to identify
36 it.

37
38 Another element to consider is that the permit that we have is a
39 reef fish permit. It is not a red snapper permit. If one
40 wanted to transfer their permit to take advantage of the red
41 snapper season in federal and state waters, that operator would
42 also forego all of the other reef fish that we manage in federal
43 waters, and I mean by that that you would have to forego the
44 greater amberjack, the gray triggerfish, et cetera, and I am not
45 sure that that is a tradeoff that would be worthwhile.

46
47 Another thing that we can consider is the fact that perhaps a
48 fleet owner can easily do this by simply dedicating a vessel, or

1 a couple of vessels, to fishing in state waters and dedicating
2 the remainder of the fleet to fishing in federal waters.

3
4 Finally, our regulatory landscape is changing very rapidly, and
5 any number of things that are under consideration should be able
6 to, essentially, shut down this practice if it existed, and, by
7 that, I am thinking about state management, depending on the
8 direction that it goes, and the implementation of the electronic
9 reporting for charter/for-hire, and that would also put,
10 definitely, a stop to this, if it existed, and, finally, the
11 potential for further development of Amendment 41 and 42, if the
12 council decided to proceed.

13
14 Should the council think that there is something there, which we
15 haven't been able to identify, we would be listening for some
16 suggestions, and then we will, I guess, go to the next step.
17 Thank you for the short presentation, and that's what we have.

18
19 **CHAIRMAN MICKLE:** Robin.

20
21 **MR. RIECHERS:** Assane, I certainly appreciate the analysis, and
22 clearly we can see that, from 2008 and 2009, we were in the
23 neighborhood of 15 percent, and it jumped up to about 18
24 percent, or seventeen-and-a-half, on average, for four or five
25 years, and now we're up, the last three years, into the 20
26 percent range, and so something has caused an increase, which
27 may or may not be anything associated with transferring for
28 purposes of state and federal, but I guess my question is, from
29 the analysis you did, is there any way to identify, by vessel,
30 the comings and goings of a permit, either with a unique permit
31 number or with a unique vessel ID number, because that's really
32 what we're getting at, I think, is are you transferring it away,
33 transferring it back, and next season transferring it away and
34 transferring it back.

35
36 I thought, maybe in a previous analysis in the last six months,
37 you all presented something that said that you did detect some
38 of that, but it was a very small amount, but I may be wrong.

39
40 **DR. DIAGNE:** Yes, and let me take the first point first.
41 Looking at the percentage, you are absolutely correct that it
42 picks up, but that is mainly a result of the fact that the
43 number of permits itself is shrinking, and so it's more or less
44 the same number of transfers, but on a smaller base than the
45 percentage will show an upward trend.

46
47 In the second part, yes, that is what we thought, and then we
48 went ahead and looked a little further into it. Essentially,

1 what you suggested, that is what we tried to do here, because
2 these are the effective dates of the transfers, by permits, of
3 all of the permits that were transferred at least four times.
4 All of the transfers are here, and so, should we have a bunch of
5 points to the left and to the right of a specific line, which
6 indicates the red snapper season, the start of it, then
7 definitely we would have concluded that there is strategic
8 behavior to transferring those.

9
10 Again, it is possible that someone out there is doing this, but,
11 based on our analysis of the data, we cannot really conclude
12 that it is at the level of widespread behavior, meaning that
13 would go towards policy.

14
15 **CHAIRMAN MICKLE:** Robin, to that point?

16
17 **MR. RIECHERS:** I will ask it a different way then. Assane, of
18 the two-hundred-and-twenty-something that occur each year, did
19 you all go in and look -- I mean, I appreciate the big scatter
20 plot, but did you go in and look at vessels that transferred
21 multiple times during this yearly time series that we have here?

22
23 **DR. DIAGNE:** Yes, and these are vessels that transferred --
24 These are permits that were transferred more than three times,
25 but, now, if you wanted to, let's say, for example, look at the
26 destination, if that is what you're getting at, of the
27 transfers, and let's say, for example, the permit from Vessel A
28 went to Vessel B and came back, that would be, I guess, a much
29 more difficult undertaking, because the entities themselves
30 change, and, by that, I mean that a permit can leave from Entity
31 A to Entity B, but Entity B is just a corporation with the owner
32 and let's say a relative or a spouse or a partner of that,
33 something of that nature.

34
35 Had we picked up a trend of note, then perhaps that would be
36 worth looking at that, but, based on the trend that we picked
37 up, the seasonality, the trend, and, here, the effective date,
38 it seems to me that that is not something that would yield
39 anything, but, as a council, if you direct us to essentially
40 look at each and every transfer, in terms of the origin and the
41 destination, we could certainly, I guess, spend the time and
42 also do that.

43
44 **CHAIRMAN MICKLE:** Mr. Boyd.

45
46 **MR. DOUG BOYD:** Thank you, Mr. Chairman. I'm not on the
47 committee, but I do have a question for Assane. The real proof
48 would be in observations. Law enforcement, I would assume,

1 knows the vessels that are going out during the red snapper
2 season that are federally permitted. Did you ask law
3 enforcement if they also observed, on the water, those same
4 vessels fishing in state waters in the off seasons?
5

6 **DR. DIAGNE:** I believe that the issue here was discussed by Mr.
7 Atran, Steven, during the Law Enforcement Committee, and they
8 did not really suggest anything of that nature. That's all the
9 information that I have.

10
11 **MR. BOYD:** Thank you.

12
13 **CHAIRMAN MICKLE:** I've got Dr. Stunz and then Mr. Anson and then
14 Mr. Sanchez.

15
16 **DR. STUNZ:** Sort of both to Robin's and Doug's points, there is
17 probably a lot of reasons that you transfer a permit, obviously,
18 and we have no way of knowing why, and, even if you knew, you
19 would have to rely on that they're telling you the truth, I
20 guess, and things.

21
22 You never really know for sure, but I am wondering if some of
23 what we're trying to tease out of this is being lost in the
24 whole reasons for transferring permits, and you made one example
25 of they're not willing to give up other reef species just for
26 red snapper, but, if you looked at it on a state-by-state basis,
27 where you only have red snapper, such as the western Gulf, you
28 might begin to see that pattern.

29
30 I am not telling you to go back at this point, because there is
31 a lot of moving parts in this whole thing now, but is there --
32 Have you looked at it on a state-by-state transfer basis, and
33 also one last thing, before I finish. Related to the point, but
34 I'm sure the fleet knows who potentially might be fishing in the
35 federal season and then switching it out and fishing in the
36 state seasons as well.

37
38 **CHAIRMAN MICKLE:** Mr. Anson.

39
40 **MR. ANSON:** I guess I wanted to get some more clarification, but
41 it's to Dr. Stunz's comment and Robin's comment. I guess I
42 understand what you're saying, Dr. Diagne, about the timing
43 doesn't appear to match up, necessarily, but, to Dr. Stunz's
44 comment that it might be different, the fishery might be
45 different from state to state, and then you mentioned that all
46 of the permit transfers here were for permits that were
47 transferred three or more times in a year, and is that correct?
48

1 **DR. DIAGNE:** More than three times.
2
3 **MR. ANSON:** What is a transfer? What constitutes a transfer?
4 Is it each time the permit is transferred? If a vessel had the
5 permit, let's say, in February and then transferred to another
6 vessel, that is one transfer, right? Then take that second
7 vessel and transferred it back to the original vessel, and that
8 would just be two transfers, correct?
9
10 **DR. DIAGNE:** Yes, and, with permission, I will address his point
11 first. Essentially, you will have a transfer every time there
12 is a change in the vessel and the permit holder relationship.
13 It could be that the permit holder becomes a corporation of some
14 sort, or vice versa. It could be that it goes to a different
15 vessel and so on. Every time there is any type of change, it is
16 recorded as a transfer, and, in terms of showing the effective
17 dates here, we requested, from the Permits Office, all of the
18 transfers, essentially, and we looked at the effective dates of
19 those.
20
21 It was too many to put on a chart, and so those that were
22 transferred less than three times in this time period, which was
23 2008 to 2016, we figured that we could drop those and look at
24 the other part.
25
26 As far as looking at the transfers by state, no, we didn't go to
27 that step, and, if we were to do that, I guess it will be mostly
28 for certain states, because some of the states have a very
29 limited number of permits. Again, this is akin to proving that
30 someone is innocent, and you can't do it. The only thing you
31 can say, at the end of the day, is I do not have evidence to
32 convict them, if I could use that analogy.
33
34 We can look at this, I guess permit-by-permit, and, if, as a
35 council, you direct us to do so, we certainly will do our best
36 to further investigate this, but, at this point, it seems to me
37 that we may find a case here and there, but it doesn't, at
38 least, indicate yet that this is calling for a major, wholesale
39 change.
40
41 **CHAIRMAN MICKLE:** Mr. Sanchez.
42
43 **MR. JOHN SANCHEZ:** Thank you, and I would just want to mention,
44 I guess, what we've heard for years too, is that the same
45 industry has asked repeatedly for electronic logbooks, and that
46 would certainly show where they're fishing and where they're not
47 fishing, and it might shed some light on this, although this
48 seems to say what folks may be concerned about isn't really

1 happening on any grand scale, but the logbooks, I think, would
2 tell us.

3

4 **CHAIRMAN MICKLE:** Dr. Shipp.

5

6 **DR. BOB SHIPP:** Assane, I am still uncertain what constitutes a
7 transfer. What kind of paperwork is involved, and how
8 complicated is it to affect a transfer?

9

10 **DR. DIAGNE:** I think I will rely on Ms. Gerhart or Dr. Stephen
11 or Ms. Levy to explain more about the paperwork, but I think it
12 takes about three weeks to a month to do it, and you have to
13 submit the paperwork to NMFS to signify a change in one of these
14 relationships.

15

16 **CHAIRMAN MICKLE:** Susan.

17

18 **MS. GERHART:** The paperwork that is filled out for a transfer is
19 very similar to the application that you fill out for the
20 permit. It's just, essentially, the same thing, and what we've
21 always given as guidance is to allow at least thirty days for
22 the processing of an application or a transfer.

23

24 **CHAIRMAN MICKLE:** Thank you. Mr. Anson.

25

26 **MR. ANSON:** Dr. Diagne, do you have any sense as to what
27 percentage of those transfers were transfers that were done less
28 than three times in a year?

29

30 **DR. DIAGNE:** Yes, and, for the permit transfers, 31 percent of
31 the permits were transferred once in the time period that we
32 looked at. 27 percent of the permits were transferred twice,
33 and 18 percent of the permits were transferred three times, and
34 so if you took, I guess, the sum of that, essentially, 76
35 percent of the permits were transferred three times or less
36 during the time interval that we looked at, and we are talking
37 about a total of 982 unique permits during that time interval.

38

39 **CHAIRMAN MICKLE:** Dave Donaldson.

40

41 **MR. DAVE DONALDSON:** Kevin, you mentioned per year, but it's
42 actually from 2008 through 2016.

43

44 **DR. DIAGNE:** Yes, correct.

45

46 **MR. DONALDSON:** So it's more than a year.

47

48 **CHAIRMAN MICKLE:** Mr. Diaz.

1
2 **MR. DIAZ:** I think Dr. Diagne -- From what I can see of his
3 analysis, it's a pretty good analysis, and one key thing he said
4 is it doesn't appear to be happening on a large scale, but I
5 don't doubt that it is happening on a small scale, and I did
6 read through all of the public comments that are posted on our
7 website, and it's mentioned at least one time in our public
8 comments, somebody saying that somebody transferred a permit to
9 fish in state waters.

10
11 The only reason that I mention that is this the type of thing
12 where the public could probably help law enforcement a lot, by
13 giving them some tips and some real-life names of people that,
14 if they really think it's happening, if they could tip law
15 enforcement off and let law enforcement look into it, and that
16 might be a way that something could be done about it. I don't
17 know where to go from here with this. Thank you, Mr. Chairman.

18
19 **CHAIRMAN MICKLE:** Mr. Anson.

20
21 **MR. ANSON:** It was brought up a couple of meetings ago, and I
22 don't know if it's going to be a permanent change in how the
23 Service looks at these permits, but I thought, for this last
24 fishing year, you made the announcement that anybody who had
25 their vessel associated with a permit, that vessel would be
26 considered a charter vessel for the remainder of the year,
27 regardless of whether or not they had the permit on it, and is
28 that going to be a permanent change, because that could help
29 clean up some of this stuff.

30
31 **CHAIRMAN MICKLE:** Mr. Diaz.

32
33 **MR. DIAZ:** I think the significant thing there, Kevin, and they
34 can correct me if I'm wrong, but what I think they said is that,
35 if they transferred the permit, they couldn't fish in federal
36 waters again that year, but if they transferred the permit to
37 fish in state waters, I don't know that there is a federal
38 violation there, and so I think the violation would only occur
39 if they went back out into federal waters.

40
41 **DR. DIAGNE:** Also, we have to keep in mind that the transfers
42 can straddle multiple calendar years. If my purpose is to fish
43 let's say from June 1 to July 15, which has been, at times, the
44 federal for-hire season, then I can do that and transfer my
45 permit and fish in state waters for the remainder of the year
46 and wait, presumably, until May 20 of the following calendar
47 year to re-transfer, and so then, looking on a year-by-year
48 basis, is not going to be helpful, also.

1
2 **CHAIRMAN MICKLE:** Any other discussion? All right. I guess we
3 will move on to the -- Is there anything else, Dr. Diagne, on
4 that? Okay. Let's go ahead and move on to Item IX, the Law
5 Enforcement Technical Committee Comments, from Mr. Atran.

6
7 **LAW ENFORCEMENT TECHNICAL COMMITTEE COMMENTS**

8
9 **MR. ATRAN:** The Law Enforcement Technical Committee reviewed
10 this issue, back in October, and they didn't have Assane's very
11 good presentation or any written material. It was mainly a
12 discussion among the staff and the members of the Law
13 Enforcement Technical Committee.

14
15 We did indicate that one of the options that we had come up with
16 for addressing this problem, if there is a problem, would be to
17 limit the number of times that a permit could be transferred in
18 a year. The Law Enforcement Technical Committee members felt
19 that that would be an enforceable option, and they couldn't come
20 up with any other alternatives themselves, and so that's the
21 only thing that we had.

22
23 There was a couple of other items that were pointed out, and one
24 of the committee members noted that there's another issue that
25 exists for dual-permitted vessels, those that have both a
26 commercial and a for-hire permit on them, and those vessels,
27 when they have two permits, are limited to a maximum of four
28 crew members when they are operating as a commercial vessel.

29
30 If there is more than four aboard, it's considered a charter
31 vessel, but, once they have transferred their charter vessel
32 permit off to another vessel, then that is no longer considered
33 to be a dual-permitted vessel, and they are no longer subject to
34 the maximum crew size when fishing commercially. I don't know
35 if that really is an issue or not, but it is a change for the
36 vessel.

37
38 The other thing that was noted is that staff, and I think this
39 was NOAA staff, was giving some numbers out about how many
40 mackerel permits were transferred as well as how many reef fish
41 permits, and it's a similar percentage of permits for both the
42 coastal migratory pelagics and for the reef fish, and there was
43 no explanation as to why the mackerel permits should have the
44 same percentage of transfers, since that fishery has not been
45 subject to a quota closure. That was a bit of confusion, but
46 those were the main items that came out of the Law Enforcement
47 Technical Committee discussion.

1 **CHAIRMAN MICKLE:** Thank you, Mr. Atran. Is there any discussion
2 on that? Thank you. Let's move on to Item X, Environmental
3 Assessment and Exempted Fishing Permits for Lionfish Trap
4 Testing in the Gulf and South Atlantic, and Ms. Gerhart.

5
6 **ENVIRONMENTAL ASSESSMENT AND EXEMPTED FISHING PERMITS FOR**
7 **LIONFISH TRAP TESTING IN THE GULF AND SOUTH ATLANTIC**
8 **PRESENTATION ON PROGRAMMATIC LIONFISH EA**
9

10 **MS. GERHART:** Thank you. We have gotten three applications for
11 exempted fishing permits relative to using traps to fish for
12 lionfish in federal waters, and we wanted to talk about those
13 three requests as well as an environmental assessment that our
14 staff has been putting together to analyze the impacts.

15
16 The exempted fishing permits that have been applied for are
17 requesting authorization to test a different variety of traps,
18 and I will show you those different traps in a moment. They are
19 covering different areas throughout the Southeast, and this is
20 not just the Gulf, but also the South Atlantic, and they are
21 primarily in deep water, outside of where recreational divers
22 would be spearfishing for lionfish.

23
24 The three applications that we received, the first was from the
25 Florida Keys Commercial Fishermen's Association, and you've
26 heard about this exempted fishing permit application already
27 from Mr. Bill Kelly. They are requesting 400 traps, and there
28 is actually four areas with four different types of traps and
29 twenty-five of each trap.

30
31 Keys Fisheries is looking to test a couple of different types of
32 traps. They have two areas that they are looking at. We are
33 still getting some more information for this application, but we
34 believe they're looking at 1,500 traps, and it may be 3,000
35 traps, because there are two areas, and we weren't clear if it
36 was a total of 1,500 or 1,500 in each.

37
38 Then Reefsavers has also put in a request, and they have five
39 different areas that they are going to fish in throughout the
40 Gulf and South Atlantic, and it's a total of 5,000 traps for the
41 second year of the program.

42
43 The purpose is, like I said, mostly they are to test
44 effectiveness of the gear. There are different trap types, and
45 they also are looking to deplete lionfish in deeper water, where
46 spearfishing cannot go in there to do that, and there is also an
47 impetus to develop a commercial fishery for lionfish in the Gulf
48 and South Atlantic, and most of these have some sort of aspect

1 that promotes lionfish to consumers.

2
3 These are the different trap types that are being proposed. The
4 first one is the basic spiny lobster trap, wooden trap, with a
5 modified throat on it to prevent some of the bycatch. Number 2
6 on this slide is a wire lobster trap, and Number 3 is a sea bass
7 pot, and Number 4 is a wire fish trap, or a pinfish trap, and
8 then Number 5 is what we often call the Gittings Trap, because
9 Dr. Steve Gittings at NOS has developed this trap, but it's a
10 collapsible FAD-based trap, and you have seen this on previous
11 presentations as well.

12
13 Here are the various locations that these are being proposed
14 for. First of all, the one labeled as EFP Number 1, which is in
15 orange up off the coast of North Carolina, that is a South
16 Atlantic EFP that's already been granted, and it involves
17 modified Maine lobster traps.

18
19 EFP Number 2, which is in yellow, there are four areas, and
20 those are the Florida Keys Commercial Fishermen's areas, one off
21 of South Carolina, one off the east coast of Florida, the
22 Florida Keys, and then off the Tampa Bay area.

23
24 EFP Number 3 is Keys Fisheries, and that is in blue, and you see
25 that in southwest Florida, there is the two areas that they
26 would be using. Then the Reefsavers isn't quite correct on this
27 map. There are actually five areas with 500 traps or so at
28 each, one off of Louisiana, off of Alabama, Pensacola, Tampa,
29 Jacksonville, and South Carolina. That's six areas and not
30 five.

31
32 The environmental assessment that we're working on is designed
33 to look at these applications as a whole, because we don't want
34 to continually manage through exempted fishing permits. We want
35 to see how these will impact as a whole, as well as look at
36 potential effort for future EFP applications. We want to look
37 at impacts on various parts of the environment, just as we would
38 in any other environmental assessment, and then look at
39 mitigation conditions that we could set for the EFPs, to make
40 them appropriate.

41
42 Our impacts analysis considers four actions. The first is the
43 types of traps that will be allowed, the second is the locations
44 that they will be allowed to fish in, the third is the number of
45 traps per area that will be allowed, and fourth is whether these
46 traps would use bait or not. Of course, the impacts that we're
47 looking at include those of bycatch, entanglement, particularly
48 of protected resources, and then habitat impacts from the effect

1 of the traps.

2
3 Some of the potential mitigations that we're looking at, in
4 terms of trap types are, for example, for lobster traps, they
5 are required to have a certificate for each trap, and so one of
6 the mitigations would be to require that only traps that have
7 that certification, those certificates, would be allowed to be
8 used, and so no additional lobster traps would be added out into
9 the environment. The same thing is true for black sea bass pots
10 as well.

11
12 The locations, some of the closures, for example, there is a sea
13 bass closure for black sea bass pots on the east coast, and
14 there are also closed areas for Bryde's whale and for right
15 whales, and then, in the Florida Keys National Marine Sanctuary,
16 we're looking at a depth restriction as well. They have to be
17 deeper than a certain level.

18
19 We're also looking at determining how many traps per year and
20 the number of traps per area that could be put out without
21 having significant impacts on the environment. Then, of course,
22 the bait question is whether fish attracting devices are enough
23 or if bait would be allowed as well.

24
25 The process for this is that we would first -- What we did first
26 was to work with the applicants, to make sure they had a
27 complete application, all the parts that are required for an
28 exempted fishing permit application, and now we're bringing it
29 before the council, and those three applications are in your
30 briefing book for you to make a recommendation to NMFS whether
31 to approve or disapprove these EFPs.

32
33 We will also, shortly, put out a Federal Register notice with a
34 thirty-day, potentially down to fifteen-day, comment period. I
35 put thirty-day, but it can go anywhere from fifteen to forty-
36 five days, but that's for the public to comment on these
37 applications as well. We will put out one Federal Register
38 notice for all three at the same time.

39
40 Once we have had all the input from the council and from the
41 public, we will complete the EA and make the decisions on the
42 mitigation factors and then issue the EFPs to the applicants, if
43 they are approved.

44
45 We are aiming for an April 1 approval time, and that's because
46 most of these guys are using lobster traps, and they are using
47 lobster vessels, and the fishing season for lobster ends at the
48 end of March, and so the exempted fishing permit would allow

1 them to fish with those traps outside of the regular lobster
2 season for lionfish only. All of these EFP applications are
3 only going to be looking at catching lionfish. That is the
4 quick and dirty of those.

5
6 Now, we do have, in the audience, Mr. Kelly, who is one of the
7 applicants, and is Mr. Glass here from Reefsavers? No, but Bill
8 Kelly is here, and so the other two applicants are not here,
9 but, if you have questions for Mr. Kelly, and I know you've
10 asked him questions before, but, if you have any further
11 questions, and, if you have questions on the other applications,
12 I can do my best to answer those as well.

13
14 **CHAIRMAN MICKLE:** Mr. Swindell.

15
16 **MR. SWINDELL:** Thank you, Mr. Chairman. I assume that the traps
17 have the typical escape hatch, biodegradable, on all of the
18 traps, and I assume these are not just traps that are going to
19 keep lionfish in forever and ever while they sit on the bottom,
20 should they be lost, and is that correct?

21
22 **MS. GERHART:** Yes, all of the traps have the same configuration
23 as they would legally, with the exception that they are doing
24 some changes in terms of the throat size, to reduce the bycatch.

25
26 **CHAIRMAN MICKLE:** Dr. Stunz.

27
28 **DR. STUNZ:** Sue, I've got a question for you on that process and
29 timeline slide that you had. What is the requirement for the
30 follow-up of the EFP? They go out and do the study, but are
31 they required to send a report to you guys?

32
33 I am just wondering, and it would be nice to know what the
34 effectiveness was or how well they were used and that sort of
35 thing, and then a follow-up question to that is I noticed that
36 you were talking about some design with multiple replicate areas
37 with different types of experimental traps, and are these groups
38 required to work with your Science Center or other scientists
39 for valid study design and that sort of thing, so we can draw
40 appropriate conclusions?

41
42 **MS. GERHART:** We do request that any EFP applicants or anyone
43 that receives an EFP does supply a report to us at the end of
44 that time. Part of what we have done in helping them design
45 these applications, or complete these applications, was to make
46 sure that they had a fairly good design as part of what they're
47 going to do, in terms of the comparison of the trap types, and
48 so that was a beforehand thing, rather than a during.

1
2 **CHAIRMAN MICKLE:** Susan, a quick question. With the two-year
3 EFPs, is there a year-end report halfway through, to see if
4 everything is still on the rails?
5
6 **MS. GERHART:** It's not standard, but we could require that. If
7 that's the council's suggestion, we'll take that into
8 consideration.
9
10 **CHAIRMAN MICKLE:** Mr. Anson.
11
12 **MR. ANSON:** Sue, will the vessels that will be deploying and
13 retrieving these traps, will they also have commercial permits,
14 or is the requirement not to have a commercial permit associated
15 with the vessel?
16
17 **MS. GERHART:** I believe most of the ones that are going to be
18 using the lobster traps will have the commercial permits, and I
19 am not sure with the black sea bass pots, because we don't use
20 black sea bass pots in the Gulf. They're used in the South
21 Atlantic, and I'm not entirely sure how that's going to work,
22 and so there may have to be an exemption for that as well.
23
24 **CHAIRMAN MICKLE:** Is there any other discussion? Ms. Bosarge.
25
26 **MS. BOSARGE:** I was looking at your map, and it's a little hard
27 to tell exactly where these things are at, but I was a little
28 concerned. On the side, it says depth range sixty-five feet to
29 500, and EFP Number 1 is 110 to 140 foot, and EFP Number 2 is
30 sixty-five to 300 feet, and then Number 3 is 150 to 300 feet.
31
32 I am not a lionfish expert by any means, but they are associated
33 with structure, right? Okay, and so I'm assuming these traps
34 are going to be somewhat close to coral, but not in coral, and I
35 am thinking about this from the perspective of the shrimp fleet.
36 We don't want anything to do with coral, and so, if the traps
37 are in the coral, we're not going to have an issue with it,
38 because we're not going to be around them, but where are they
39 going to put them down at? Are we going to have some
40 interactions between the shrimp fleet and these traps? Are they
41 going to only be in areas with coral, or are they going to be on
42 open bottom at times, right outside the coral, or where are they
43 going to be?
44
45 **MS. GERHART:** Well, I don't think the intention is to put them
46 on the coral. That wouldn't be something that we would want
47 them to do, because that would be impacts there. Obviously, if
48 you're working down in the Keys, they are going to be nearby

1 coral, and it's near structure, and so it doesn't necessarily
2 have to be coral, but there is structure.

3
4 I imagine that there are possibilities, just like with any other
5 traps that may be out there, that there could be interactions
6 between fisheries, but we're looking at the numbers that we
7 think are appropriate to have for testing, but not so many that
8 it's a lot of traps that are out there.

9
10 **MS. BOSARGE:** So we don't really have any distinct information
11 on where the traps are going to be dropped?

12
13 **MS. GERHART:** We do have coordinates in each of those
14 applications of where the traps will be. I am not sure that I
15 can answer it better than that.

16
17 **MS. BOSARGE:** I will get with staff offline and see if maybe
18 they can put some of that information in and overlay it with
19 some shrimp trawl tracks and just make sure that we're not going
20 to be real close to each other, because fishermen tend to get a
21 little frustrated in those situations.

22
23 **CHAIRMAN MICKLE:** Mr. Anson.

24
25 **MR. ANSON:** I assume, if the EFPs are approved, and if there
26 aren't any apparent mitigation issues or anything that would
27 have to be taken, that this could become an allowable gear and
28 an allowable fishery, and so it will be expanded, and I guess
29 I'm -- For our part of the Gulf, the entity that supplied the
30 EFP related to Photo Number 5, we were just concerned about
31 those, because they are relatively light, and, during storms,
32 they may not be retrieved, and so there is quite of few of them
33 that are listed, at least in total.

34
35 I know each individual site will be less than that, but I am
36 just concerned about that, because they will have to be
37 physically picked up before any storms and such, and just the
38 logistics of that could be difficult.

39
40 **CHAIRMAN MICKLE:** Dr. Crabtree.

41
42 **DR. CRABTREE:** Well, I mean, where I see this going is, if we
43 can identify types of traps that are effective at catching
44 lionfish and have acceptable bycatch levels, and if we can
45 figure out places where you can put them that don't have
46 interactions with other types of fishing gears and problems, we
47 would get to a point where we exempt those types of traps from
48 the overall fish trap prohibition and allow these guys to go out

1 and commercially fish for lionfish.

2
3 Then the question becomes how many of those traps do we want to
4 have, and we don't know that yet, because that's going to depend
5 on how many interactions are there and how much bycatch is
6 there, and we clearly have a problem with lionfish, and if we
7 can, to some extent, reduce the population and keep it smaller
8 than it otherwise might be, I think that's a positive thing,
9 and, if fishermen can do this and make money off it, that's a
10 positive thing for the economy, and it's positive for food
11 production, in terms of getting lionfish on the tables.

12
13 The question is just can you do that and keep the undesirable
14 parts of this, habitat damage and interactions with other
15 fisheries and ropes going to the surface, all those kinds of
16 things, bycatch, and can you do that in a way that the benefits
17 outweigh the consequences of it, and I don't know the answer to
18 that.

19
20 We don't have enough budget in the government to go out and
21 collect these things, and the only practical way that I see that
22 we can do it is that we produce a market for them. We're pretty
23 good at overfishing things, and what we need to do is overfish
24 lionfish and depress the population.

25
26 **CHAIRMAN MICKLE:** Ms. Levy.

27
28 **MS. LEVY:** Thanks, and so I just wanted to make sure that
29 everyone is clear. When we're talking about potentially, in the
30 future, exempting them from the trap prohibition and setting up
31 -- That would be the council's function, right, and so, right
32 now, we're talking about NMFS approving EFPs to go out and test
33 these things, but, ultimately, if there is a decision that there
34 is going to be an exemption from the trap prohibition and
35 there's going to be some sort of allowance for these things,
36 then that's going to be a council decision, and so that's not
37 something that is just going to happen automatically.

38
39 **CHAIRMAN MICKLE:** Ms. Bosarge.

40
41 **MS. BOSARGE:** Then my other question was the 400 traps from the
42 Florida Keys Commercial Fishermen -- I was a little familiar
43 with that, because it's been brought to our attention before,
44 but why so many more traps for the other two, the 1,500 and the
45 5,000? What was the -- Are they testing a lot more types of
46 traps with those, and, therefore, we need --

47
48 **CHAIRMAN MICKLE:** Susan.

1
2 **MS. GERHART:** I think they have six different areas, first of
3 all, and I believe that one is using just the two types of
4 traps, or maybe just the Gittings type of trap, and so they just
5 want to get a good sample size in those six different areas, to
6 see how that works.

7
8 **CHAIRMAN MICKLE:** Ms. Levy.

9
10 **MS. LEVY:** Just so that might be what's being requested in the
11 application, but I think NMFS is still in the process of doing
12 their environmental assessment analysis and things like that,
13 and so it could be that the request is for 5,000 traps, but that
14 NMFS decides that a more appropriate level is X amount of traps.
15 I think that's the maximum, and so there could be a level below
16 which it's still testing and that NMFS would feel comfortable
17 authorizing that might not be 5,000.

18
19 **CHAIRMAN MICKLE:** Dr. Crabtree.

20
21 **DR. CRABTREE:** While 5,000 may sound like a lot of traps, put it
22 in the context of the lobster fishery, and I think they're
23 fishing around 450,000 traps, and I suspect there are a couple
24 million blue crab traps in the water, but I don't really know
25 the number, and then you have a whole other set of stone crab
26 pots, and so, if you put it in the context of how many traps are
27 out there legally fishing in other fisheries, it's a pretty
28 small number.

29
30 **CHAIRMAN MICKLE:** Susan.

31
32 **MS. GERHART:** One thing I wanted to point out is, in our
33 environmental assessment, although we're looking at the numbers
34 that these three applications are proposing, we will actually
35 analyze the impacts of a larger number of traps, so that, if we
36 do have additional applications in the future that are doing
37 different types of testing, because we don't want to do the same
38 type of testing over and over, but, if we get another
39 application that looks at a different type of testing, we would
40 have that covered through this environmental assessment as well.

41
42 **CHAIRMAN MICKLE:** Ms. Bosarge.

43
44 **MS. BOSARGE:** Don't get me wrong. I am not like adamantly
45 opposed to this or anything. I think it's a great EFP to come
46 before us, and it solves a multitude of problems at once, and it
47 hopefully provides some benefit to the consumer, and so I am
48 excited about that, but I just want to make sure that we ask all

1 the tough questions upfront and make sure that we resolve any
2 conflict that may be there before they arise, and that's all.

3
4 **CHAIRMAN MICKLE:** I think it's a great program, but I just want
5 to make sure that the findings are scientifically viable to
6 approach some of the questions and concerns that we've talked
7 about today. With that, do we have the letter to -- Are you
8 finished, Susan? Okay.

9
10 We have the letter to bring up here, and it's Tab E, Number
11 10(b). Any discussion on the letter presented? All right. I
12 guess we will proceed to Tab E, Number 10(c), (d), and (e), the
13 actual permits themselves. Susan, are we going to present these
14 in tandem or separately?

15
16 **LIONFISH EXEMPTED FISHING PERMITS**

17
18 **MS. GERHART:** These were included in the briefing book for you
19 all to review and present questions, but I wasn't going to go
20 through them in any more detail.

21
22 **CHAIRMAN MICKLE:** I was just checking. Thank you. Ms. Bosarge.

23
24 **MS. BOSARGE:** I was just going to say that we do have Bill Kelly
25 in the audience, and I didn't know if maybe, since he is one of
26 the authors of the application, if he wanted to add anything to
27 this discussion or if he any pertinent information that might be
28 relevant, or are we doing well?

29
30 **CHAIRMAN MICKLE:** Are there any questions for Mr. Kelly? It
31 sounds like he has something to approach with. Mr. Kelly.

32
33 **MR. BILL KELLY:** Madam Chair and council members, thank you so
34 very much. I would like to clarify a couple of points here.
35 Number one, we are not pursuing a commercial fishery in any
36 shape or form here. Our goal is to eliminate lionfish.

37
38 The concept of our program is proof of concept that we can come
39 up with a device that will very efficiently harvest lionfish and
40 diminish those numbers. We already, to some extent, know what
41 device works best, but we want to see if we can improve on that.
42 We can take a standard wire and wood lobster trap and annihilate
43 lionfish. We're already in the process of doing that.

44
45 I have over thirty fishermen in the Florida Keys that are
46 lobster fishermen that are catching over 10,000 pounds of
47 lionfish each year in an eight-month season. I have one
48 fishermen, down south of Pulley Ridge, that has caught 8,000

1 pounds of lionfish in the four weeks that he's been fishing
2 following Hurricane Irma.

3
4 They were a third-of-a-pound apiece, on average, because they're
5 spawning right now, and so we're talking 24,000 lionfish, and we
6 already sell them. There is no limits on the catch, no size
7 limits or no nothing, and we get \$5.50 to \$6.25 a pound, but
8 what we have is we have problems.

9
10 They are filling our lobster traps so fast, in certain areas,
11 that we can't catch lobsters. I would much rather than have a
12 \$10.25 a pound lobster in my trap, and a whole bunch of them,
13 than a bunch of juvenile lionfish that I might be getting \$5.50
14 a pound for, and so that's problematic.

15
16 Like I said, we already know we can catch them, and we're doing
17 a fantastic job of it. What we're trying to do is make room for
18 the lobsters and help our marine environment for indigenous
19 species, like maybe groupers and cobia, acquire a taste for
20 them, because they've got the right mouth morphology.

21
22 Again, our intent is proof of concept, and we would then take
23 that to each of the coastal states who have invasive species
24 mitigation programs and funding, and I have already been
25 approached by several major department stores and so forth that
26 have flown in their vice presidents to talk with us, offering
27 very healthy donations to our project if we would give them
28 exclusive rights to the sale of those lionfish, and that's
29 something that we would do.

30
31 Anything that we would catch under this testing program would be
32 sold, and the fishermen would receive a per diem for their
33 activities, generally speaking pulling these traps twice a
34 month, and the proceeds and revenue generated from the sale of
35 those fish would go back into each state's mitigation fund to
36 cover the expenses and help pay for the program.

37
38 It's pretty simplistic there, and it also provides for a very
39 high-profile educational process and community awareness,
40 through Johnson Communications, a guy named Pete Johnson, and he
41 was IGFA Public Relations Counsel, one of the largest databases
42 in the world of indoor and outdoor sports writers and so forth.

43
44 We have worked it out with Mel Bell and Dr. Marcel Reichert at
45 the South Carolina Department of Natural Resources to do
46 necropsies and so forth, and our biggest hurdle has been
47 acquiring a permit to test in our own backyard in the Florida
48 Keys National Marine Sanctuary. There has been a change of

1 management down there, a sweeping change, and we now expect that
2 we would receive approval from that.

3
4 Both councils have already endorsed this program, and we think
5 we can be very efficient at it, and that's our goals and
6 objectives. A new wire mesh fish trap fishery in the Gulf of
7 Mexico or in the South Atlantic, absolutely not. The use of 100
8 traps per location, four design locations, and the other thing
9 that -- Just a final comment here is we would incorporate, on a
10 number of these traps, a device designed by Brent Rader at R3
11 Digital Designs that does minute computer work for the federal
12 government by contract, as an outside contractor.

13
14 He can take a standard five-by-seven lobster funnel, plastic
15 funnel, and he'll put an optical camera recognition device in
16 that funnel that costs less than two-bucks to make. It's
17 smaller than the one in your iPhone. He will make that funnel
18 for under thirty-bucks, and it's battery operated.

19
20 A lionfish swims up, and the optical camera device opens the
21 door, and it lets the lionfish in. If a porgy swims up, it
22 won't happen. If a grunt swims up, it won't happen, and so it
23 virtually eliminates bycatch. Rader and R3 Digital Sciences has
24 already received some NOAA funding to test that device, but they
25 want to see the long-haul. They want to see deepwater exposure,
26 and they want to see what rapid pulling and recovery from trap-
27 hauling devices and so forth will do to that equipment, and
28 that's part of our testing program.

29
30 We have had extensive discussions regionally here with Dr.
31 Crabtree and staff, and we have talked with Joann Delaney that
32 handles permitting for the marine sanctuaries and so forth, and
33 we have said, look, this is really dragging out here. We're in
34 our fifth year of trying to do this.

35
36 We had a million-dollars in sponsor in line to finance this
37 project, but it's growing old, and so we've asked them if they
38 couldn't please accelerate this process. We would like to see
39 some sense of resolve between the National Marine Sanctuary and
40 NOAA by the end of March, or we may reconsider things and pull
41 our permit request. Thank you.

42
43 **CHAIRMAN MICKLE:** Thank you, Mr. Kelly. Robin.

44
45 **MR. RIECHERS:** This is really to NMFS. Mr. Glass, in his
46 application, there is some difference between the numbers that
47 he has on his cover sheet, and even then it's different than
48 what he has in the back of his proposal as well, and so I'm

1 assuming, in your presentation, you all have consulted with him
2 and pared that down to the 5,000 in question, or made sure
3 that's the right number?

4
5 **MS. GERHART:** Yes, that's correct. That number that was in
6 there was much larger, and we have worked with him to define
7 that and the locations as well.

8
9 **CHAIRMAN MICKLE:** Any other discussion? Mr. Diaz.

10
11 **MR. DIAZ:** I am going to try to throw a motion out there and
12 just see where it goes. **Motion to recommend to National Marine**
13 **Fisheries Service to move forward with the implementation of the**
14 **three lionfish EFP requests and to add a one-year update report**
15 **to the requirements for the EFPs.**

16
17 **CHAIRMAN MICKLE:** Madam Chair.

18
19 **MS. BOSARGE:** This is a question for Mara. Mara, we usually
20 vote, and we have it on the schedule for Thursday to vote on
21 exempted fishing permits, in general, and so do we want to make
22 this motion now, because we're essentially voting on the
23 exempted fishing permit with this motion, or is this supposed to
24 happen on Thursday? Does it matter?

25
26 **MS. LEVY:** Well, basically, it's a committee motion, and so I
27 don't think it -- It's going to go to Full Council anyway, and
28 so I don't really think it matters.

29
30 **CHAIRMAN MICKLE:** All right. The motion on the board is to
31 recommend that NMFS move forward with the implementation of the
32 three lionfish EFPs and to add a one-year update report to the
33 requirements of the EFPs. I know the EFP process is highly
34 standardized, and does that report need standardization, or
35 could it be just a full data query on kind of the permits that
36 my little state issues is kind of what you've caught, and the
37 summary statistics is -- Just an inquiry and what that annual
38 report would be. Susan.

39
40 **MS. GERHART:** We don't have a standard form for those reports,
41 but we can work it out with the applicants what we would want
42 them to have.

43
44 **CHAIRMAN MICKLE:** Sure. Just checking.

45
46 **MS. GERHART:** If you want to talk to us later about suggestions,
47 that would be great.

48

1 **CHAIRMAN MICKLE:** All right. Terrific. Mr. Sanchez, are you
2 seconding or wanting to contribute? Okay. A second by Mr.
3 Sanchez. Mr. Diaz.

4
5 **MR. DIAZ:** I just want to say that I totally agree with what Dr.
6 Crabtree said earlier, and I do have a few things that I guess
7 that I am concerned about, but I have faith that National Marine
8 Fisheries Service is going to do the best they can when they put
9 these EFPs together to try to work out whatever kinks they can,
10 but some good points were made, and it gave me a little bit of
11 pause.

12
13 Leann made a good one, because it's hard for shrimpers to see
14 small buoys at nighttime, particularly, and I do worry about
15 habitat damage and those types of things, but I do think this
16 problem is big enough that we need to be a little bold, and, all
17 in all, I think us moving forward with these EFPs is the right
18 thing to do for the other resources. Thank you.

19
20 **CHAIRMAN MICKLE:** All right. Any further discussion? We have a
21 motion, and we have a second. **Is there opposition? The motion**
22 **passes.**

23
24 With that conclusion, Susan, is that all that was presented in
25 that? All right, and so, moving on to Item XI, Discussion on
26 Dead Zone Regarding RESTORE Act Activities, Tab E, Number 10,
27 and Mr. Glenn Constant.

28
29 **DISCUSSION ON DEAD ZONE REGARDING RESTORE ACT ACTIVITIES**

30
31 **MR. CONSTANT:** Thank you. Just for clarity, it's listed as
32 RESTORE activities, and I think this was a follow-up to a
33 discussion that we had about how we could help the council find
34 influence in directing the sources of funding available through
35 Deepwater Horizon to take care of the issues with the dead zone
36 and hypoxia, and so it won't just be RESTORE, but I think it
37 also includes the National Resource Damage Assessment, and it
38 maybe more appropriately includes that pot of money.

39
40 For the Fish and Wildlife Service and DOI, when we started
41 thinking about how we would address hypoxia, in the context of
42 deepwater funding, it made sense to us to go through an
43 organization that had a direct connection to the -- That was
44 very strongly connected to the needs at the national scale, and
45 it's such a huge issue, dealing with the entire Mississippi
46 River Basin and the Atchafalaya River Basin, that we decided the
47 right way to do that was through the Gulf of Mexico Alliance.

1 If you're not familiar with GOMA, the acronym, they're a
2 501(c)(3) nonprofit that was formed in 2004. The governors of
3 the five Gulf states coordinated this alliance to deal with
4 issues leading to a healthy Gulf, and so that fit right along
5 with the mission and expectations for our Gulf restoration
6 program.

7
8 I think Laura Bowie, who is the Executive Director, wanted to be
9 here today, and she could give you a much better accounting of
10 what GOMA's role is and how closely they are connected to the
11 national effort, but she wasn't able to be here, and she also
12 asked me to pass on that she would be willing to come and speak
13 to the council at the next meeting, or any other meeting.

14
15 That national effort is an EPA-led group called the Gulf of
16 Mexico Watershed Nutrient Reduction Task Force, and the task
17 force has Gulf hypoxia action plans that they update, and I
18 think the last one was in 2008, but it has updates recently, and
19 so you can see the umbrella plan at that national large scale
20 and their intent. Mostly, it's nutrient reduction.

21
22 The way they implement and step down those national goals, it's
23 through state nutrient reduction plans, and so all the states in
24 the watershed have or are in the process of having and
25 developing nutrient reduction plans.

26
27 According to Laura and the folks at GOMA, when we asked what's
28 the most important place right now that you think the council
29 could lend support to influence real, meaningful assistance to
30 reducing the dead zone and hypoxia in the Gulf, their
31 recommendation was that these step-down plans, because of the
32 local nature of the plans at the state level and the more local
33 level and their pertinence to those kinds of tasks that are
34 variable regionally -- When you look at what it is that is
35 needed in the northern parts of those drainages, it's a lot
36 different than in the southern parts of those drainages, and so
37 there is a value in advancing those state level and local level
38 plans to accommodate those national goals.

39
40 Her recommendation was that, much like the barotrauma letter of
41 support that was considered today, that we suggest the council
42 consider writing letters of support to Ms. Laurie Rounds, who is
43 the Open Ocean Trustee Chair, as well as to the Gulf Coast
44 Ecosystem Restoration Council, and that would be Mr. Scott
45 Pruitt, who is the Council Chair, or his designee, in support of
46 the furthering development of the state action plans. That is
47 our recommendation today. If that suits the council, we will
48 take that back to Laura, and she can help us detail what that

1 looks like from therein.

2
3 **CHAIRMAN MICKLE:** Thank you, Mr. Constant. Is there discussion?
4 Ms. Bosarge.

5
6 **MS. BOSARGE:** I just wanted to thank Mr. Constant for all his
7 efforts. As you know, I brought my newspaper article to the
8 last council meeting about the dead zone and how this year's
9 dead zone was the largest on record thus far, and I know how you
10 all love my pet projects, but anyway.

11
12 He followed up, and I said, look, this has got to be a once-in-
13 a-lifetime opportunity that we actually have enough money,
14 coming through BP and that horrible event that happened, that
15 maybe we could actually address the dead zone in some meaningful
16 way and have it mitigated or reduced somehow.

17
18 Glenn was very kind, and he followed up immediately, and he
19 helped to try and get us the information that we would need to
20 write letters to the right people and say the right things in
21 the letter, ask for very specific things of this is what we
22 would like to see you do, and I think one of the comments he
23 made is that, if you write the letter to the correct person and
24 then say, hey, in your next round of proposals, where you
25 actually go out and you're asking stakeholders to submit
26 proposals for some project, tell them that you want that to be a
27 priority. You want those types of proposals to be submitted.

28
29 In other words, proposals that would somehow reduce or mitigate
30 the dead zone, and that's a great, specific ask to tell these
31 people, so that you actually garner proposals that will address
32 what you want to address, and he helped us understand all of the
33 spaghetti that is this BP funding, and we won't even get into
34 that graph.

35
36 I am hoping that the council will be okay maybe writing some of
37 these letters, and we can't make anything happen, but we can
38 essentially say, hey, we are the Gulf Council, and we manage the
39 resources in federal waters of the Gulf of Mexico, and this is
40 important to us, and we hope it will be important to you and
41 please continue to focus on this.

42
43 The tough part is that a lot of this, obviously, comes from
44 upstream. It's runoff, nutrient runoff, further up the
45 Mississippi River, and then it comes out down here in our
46 backyard, and so there has to be a coordination outside of just
47 our Gulf region. There has to be that coordination, and those
48 plans are in place further upstream. The plans have been

1 written to mitigate that nutrient runoff, but the problem is
2 they don't have the money to fund them, and so it is affecting
3 us.

4
5 Anyway, I hope that -- I am not going to put a motion on the
6 board, because it's my policy to try not to make motions, as
7 Chairman, but I would like some feedback from the council. Are
8 you amenable to writing those types of letters and voicing our
9 support for mitigation of the dead zone?

10
11 **CHAIRMAN MICKLE:** Dr. Stunz.

12
13 **DR. STUNZ:** I am certainly supportive of that, but one thing,
14 Leann, that I wanted to bring up to the group related to this,
15 and it goes along with sort of our ecosystem and this FEP
16 discussion that we had earlier with Morgan, but a group of
17 scientists from NOAA, from NMFS, and then NOS, at Stennis, was
18 putting together -- It was called this Fisheries Monitoring
19 Workgroup and Workshop, and it was specifically to understand
20 hypoxia better.

21
22 They contacted me about -- They were looking for academic
23 scientists, I guess, that were somehow linked to the council,
24 and I had a schedule conflict, and I referred Tom, and I think
25 he had the same, and so I don't think either of us attended, but
26 they're having another one, and, Doug, I can let you and your
27 staff more when I know details of what it was about, but it's
28 exactly what you're saying, to somehow bring more awareness to
29 the dead zone, and they sort of put out a survey, and they were
30 wondering if we, around this table, really look at the dead zone
31 directly and how it affects fisheries and some questions like
32 that.

33
34 I don't really know how it links up with Clay's group or Roy or
35 anything like that, and so I wish -- Maybe I will try to get
36 some more details between now and Full Council, but there is
37 some other sort of side activities going on that sort of
38 dovetail together to what you're talking about here.

39
40 **MS. BOSARGE:** Anything that comes up like that, if you would
41 inform Doug or myself or staff, but we would love to know about
42 those sorts of things, and I did a little bit of research on it,
43 and I can see where a lot of the funds that have been thrown at
44 the dead zone thus far are to study it and research it, and
45 that's great, and I understand that. You need to know what
46 you're up against before you try and solve the problem, but I do
47 hope that we can direct some funds at actually reducing nutrient
48 runoff, which we know that's part of the dead zone problem.

1
2 Yes, we can research some, but I actually want to stop the stuff
3 from going in the river, and so I hope that we can get to that
4 point where the funds will actually be directed at that, because
5 that seems like the end game, and so, the letter. Are we okay
6 with letters or not?

7
8 **CHAIRMAN MICKLE:** To open it up and to focus the conversation,
9 is there opposition to council staff drafting a letter for our
10 support in funding dead zone reduction proposals? Mr. Matens.

11
12 **MR. MATENS:** Thank you, Dr. Mickle. There are very few people
13 here that don't know what a sticky-wicket this is. I am looking
14 at my friend, Dave Donaldson. This is the farming states of the
15 Midwest and their farming practices, and none of us on the Gulf
16 States put any, to speak of, put any amount of fertilized
17 nutrients into this water.

18
19 Louisiana has been working on this for a long time, and I am all
20 for a letter from an organization like this that is broader than
21 just poor old Louisiana here, or poor old Texas. We take the
22 hit. We have the dead zone, and so I'm all for it, and I
23 certainly think it's a great idea, and, from my personal
24 perspective, the more definitive the letter is, the better.

25
26 Not just what are you guys going to do, but, if we can come up
27 with some ideas, and Glenn might be a help there, of things that
28 we think should be done, whether we control them or not, let's
29 go out there and do that. I don't know how many of you guys
30 have dove in the dead zone, but there are no fish. It's just
31 that simple, and so thank you very much.

32
33 **CHAIRMAN MICKLE:** Thank you, Mr. Matens. It's certainly an
34 issue in Mississippi, and I hear it from the commercial and
35 recreational sector, that the dead zone impacts the fisheries on
36 many different levels, but I want to emphasize the importance of
37 understanding the scientific side of the dead zone.

38
39 We have had some wetter years than last year. In 2011, the
40 great flood of 2011, when the Mississippi River was flooded all
41 the way up to St. Louis, the dead zone wasn't as big back then,
42 and so I don't know what literature is out there to
43 understanding it, and so let's keep it in parallel with
44 understand the dead zone as well as throwing money at the
45 reduction of nutrient loads.

46
47 Are there any other discussions or opposition for requesting to
48 staff to draft this letter of support? All right. We will move

1 on. Any other overall discussion on the dead zone or questions
2 for Mr. Constant? All right.

3
4 To move us along, that brings us to our last agenda item, which
5 is Other Business, and we do have one item on Other Business
6 addressing the National SSC Discussion. Mr. Atran brought that
7 up this morning, and, circling back, Mr. Atran.

8
9 **OTHER BUSINESS**
10 **NATIONAL SSC SUMMARY**

11
12 **MR. ATRAN:** Thank you, Mr. Chairman. Two weeks ago, we held a -
13 - Not us, but there was a National SSC Workshop that was held in
14 San Francisco. That is actually the old name. This is the
15 sixth one of these that's been held, and that's what it used to
16 be called. Somewhere along the way, they changed the name to
17 the National Meeting of the Scientific Coordination Subcommittee
18 of the Council Coordinating Committee. National SSC Meeting is
19 a little bit shorter than that.

20
21 I attended it, as did three of our SSC members. A fourth member
22 who was scheduled to attend had to cancel out, because he had
23 the flu, but we had very good representation. Joe Powers, David
24 Griffith, and Bob Gill were the SSC members who attended.

25
26 The overriding theme of this meeting was discussing management
27 strategy evaluation, or MSE, as a method to come up with
28 management approaches, and I am somewhat of a neophyte on MSE,
29 and it's not quite what I thought it was, and it's not quite
30 apparently what anybody thinks it is.

31
32 Even though there was a definition put up on the screen early in
33 the presentation, over all three days, the question kept
34 recurring of what do we mean by MSE, but, basically, it's a way
35 of evaluating multiple scenarios, management scenarios, to
36 examine the tradeoffs, the pluses and minuses, and it's also a
37 way to deal with uncertainty by using all of these simulations
38 and looking at a reasonable scope of possible variations in
39 those scenarios.

40
41 You don't want to get into too many uncertainties and too wide
42 of a scope, or it can become unmanageable. One of the councils
43 indicated that they had one MSE approach where they ended up
44 with around 200 scenarios, which is probably too many.

45
46 Basically, it's a reiterative process, somewhat similar to
47 adaptive management, for those of you who are familiar with
48 that. It involves specifying management objectives and coming

1 up with some quantifiable measures for how successful you are in
2 meeting those objectives, identifying management options,
3 evaluating the performance of each option across a range of
4 objectives, and accounting for uncertainty, and that's where the
5 model simulations come in.

6
7 Then it's communicating the results to decision makers and
8 stakeholders, and, based on communicating those results, that
9 may call for a reevaluation of the objectives and then repeat
10 the cycle until a solution comes up that everybody can live
11 with. It's not intended to come up with the optimal solution,
12 but rather something where everyone agrees that the tradeoffs
13 are reasonable.

14
15 One of the large emphasis is the involvement of stakeholders.
16 There was a strong emphasis that they should be much of what is
17 the driving force behind this. A lot of what at least what I
18 thought of as management strategy evaluation, and I think what a
19 lot of other people thought, which is just to do the
20 simulations, look at the results, make adjustments and do more
21 simulations and so forth, that's kind of leaving the
22 stakeholders out of it, and, as envisioned at this workshop,
23 that's not a full MSE.

24
25 They said you can call this an MSE Lite or a Desktop MSE, but
26 it's not the full project. The full project should have heavy
27 evaluation from stakeholders, and this involves not just the
28 people who show up at meetings like this, but also what they
29 refer to as the invisible stakeholder, the fishermen and the
30 others who have an interest in the resource, but they never come
31 to these meetings.

32
33 It was suggested that this is a major role that the social
34 scientists can play in identifying who these people are and
35 coming up with ways to reach out to them to get them involved in
36 the process, and so, when you look at what I just mentioned, as
37 far as the points that make up an MSE evaluation, I think we're
38 pretty much doing all of that, but we're not doing it in a
39 coordinated manner that the MSE approach follows, and so NMFS is
40 in the process of hiring an MSE specialist for each of the
41 Science Centers.

42
43 In the future, they are going to be promoting this approach more
44 and more as a basis for management. Now, even though they're
45 hiring them at the Science Center, MSE, by itself, is not
46 strictly a scientific process. It combines the scientific
47 evaluation with the stakeholder process, to try to come up with
48 management solutions, and I think that's where it differs from

1 what we're currently doing, where we have the scientific
2 process, but then our stakeholder involvement is more or less
3 limited to just holding public hearings, usually toward the end
4 of the process, to ask people to pick from which alternatives we
5 present to where they want.

6
7 The MSE process would get stakeholders involved at every step
8 along the way, and so, in the interest of time, that's all I'm
9 really going to say about this. There was a lot presented, and
10 much of it ended up being over my head.

11
12 There was some interesting examples of where MSE is being used,
13 and we're planning to use it in the coral reefs for identifying
14 potential habitat areas of particular concern, and we've also
15 used what would probably be called the MSE Lite on some other
16 things, like evaluating red tide issues with red grouper and a
17 few other things like that, but I believe that, as we go along,
18 we are going to get more involved in the MSE process.

19
20 There will be a more comprehensive report, and it will be
21 produced by the Pacific Fishery Management Council, who were the
22 hosts for this meeting, and that should come out sometime later
23 this year, and so, basically, that was my overview of what I
24 came away with from the meeting without getting into a lot of
25 details. Thank you, Mr. Chairman.

26
27 **CHAIRMAN MICKLE:** Is there discussion? All right. Is there any
28 other business to come before this committee? With that, I will
29 conclude the Sustainable Fisheries Committee.

30
31 (Whereupon, the meeting adjourned on January 29, 2018.)

32
33

- - -