

1 GULF OF MEXICO FISHERY MANAGEMENT COUNCIL

2
3 REEF FISH MANAGEMENT COMMITTEE

4
5 Marriott Beachside Hotel Key West, Florida

6
7 JUNE 9-10, 2015

8
9 June 9, 2015

10
11 **VOTING MEMBERS**

12 John Greene.....Alabama
13 Martha Bademan (designee for Nick Wiley).....Florida
14 Doug Boyd.....Texas
15 Roy Crabtree.....NMFS, SERO, St. Petersburg, Florida
16 Dale Diaz (designee for Jamie Miller).....Mississippi
17 Myron Fischer (designee for Randy Pausina).....Louisiana
18 Campo Matens.....Louisiana
19 Lance Robinson (designee for Robin Riechers).....Texas
20 David Walker.....Alabama
21 Roy Williams.....Florida

22
23 **NON-VOTING MEMBERS**

24 Kevin Anson.....Alabama
25 Leann Bosarge.....Mississippi
26 Jason Brand.....USCG
27 Pamela Dana.....Florida
28 Dave Donaldson.....GSMFC
29 Harlon Pearce.....Louisiana
30 Corky Perret.....Mississippi
31 John Sanchez.....Florida
32 Greg Stunz.....Texas

33
34 **STAFF**

35 Steven Atran.....Senior Fishery Biologist
36 Assane Diagne.....Economist
37 John Froeschke.....Fishery Biologist/Statistician
38 Doug Gregory.....Executive Director
39 Karen Hoak.....Administrative and Financial Assistant
40 Morgan Kilgour.....Fishery Biologist
41 Ava Lasseter.....Anthropologist
42 Mara Levy.....NOAA General Counsel
43 Emily Muehlstein.....Fisheries Outreach Specialist
44 Charlene Ponce.....Public Information Officer
45 Ryan Rindone.....Fishery Biologist/SEDAR Liaison
46 Bernadine Roy.....Office Manager
47 Charlotte Schiaffo.....Research & Human Resource Librarian
48 Carrie Simmons.....Deputy Director

- 1
- 2 **OTHER PARTICIPANTS**
- 3 Pam Anderson.....Panama City Beach, FL
- 4 Adam Bailey.....NMFS SERO
- 5 Luiz Barbieri.....GMFMC SSC
- 6 Steve Branstetter.....NMFS
- 7 Shane Cantrell.....CFA, Galveston, TX
- 8 Michael Drexler.....Ocean Conservancy, St. Petersburg, FL
- 9 Lauren Eliopoulos.....St. Petersburg, FL
- 10 Martin Fisher.....FL
- 11 Sue Gerhart.....NMFS
- 12 Richard Gomez.....Key West, FL
- 13 Ken Haddad.....American Sportfishing Association, FL
- 14 Tom Haugen.....Newport, FL
- 15 Frank Helies.....GSAFF, Tampa, FL
- 16 Scott Hickman.....Galveston, TX
- 17 Van Hubbard.....Placida, FL
- 18 Judy Jamison.....FL
- 19 Gary Jennings.....Windermere, FL
- 20 Walter Keithly.....LA
- 21 Bill Kelly.....FKCFA
- 22 Mike Larkin.....SERO
- 23 Kelly Lucas.....MDMR
- 24 Kristen McConnell.....EDF, Austin, TX
- 25 Matt McPherson.....SEFSC
- 26 Bart Niquet.....Lynn Haven, FL
- 27 Kelli O'Donnell.....NMFS, Summerland Key, FL
- 28 Larry Peruso.....
- 29 Bonnie Ponwith.....SEFSC
- 30 Clay Porch.....SEFSC
- 31 George Sedberry.....NOAA
- 32 Rick Turner.....Marathon, FL
- 33 Russell Underwood.....Lynn Haven, FL
- 34 Tom Wheatley.....Pew, Tampa, FL
- 35 Daniel Willard.....Austin, TX
- 36 Johnny Williams.....Alvin, TX

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39
40 The Reef Fish Management Committee of the Gulf of Mexico Fishery
41 Management Council convened at the Marriott Beachside Hotel, Key
42 West, Florida, Tuesday morning, June 9, 2015, and was called to
43 order at 9:00 a.m. by Chairman Johnny Greene.

44
45 **ADOPTION OF AGENDA**
46 **APPROVAL OF MINUTES**
47 **ACTION GUIDE AND NEXT STEPS**
48

1 **CHAIRMAN JOHNNY GREENE:** Good morning and with that, I am going
2 to call the Reef Fish Committee together. All members are
3 present and the first item is the Adoption of the Agenda. Is
4 there any additions to the agenda? Seeing no additions, we will
5 call for an adoption of the agenda.
6

7 **MR. ROY WILLIAMS:** Move to adopt the agenda as written.
8

9 **CHAIRMAN GREENE:** The motion has been adopted and seconded. The
10 next item is Approval of Minutes. Any corrections to the
11 minutes? Seeing none, is there a motion to --
12

13 **MR. WILLIAMS:** Motion to adopt the minutes.
14

15 **CHAIRMAN GREENE:** Thank you, sir. Is there a second? Thank
16 you. I appreciate it. Item III is basically your Action Guide
17 and Next Steps, Tab B, Number 3, which is for your information.
18 The next thing will be the Options Paper on Joint South Florida
19 Management and Dr. Simmons.
20

21 **OPTIONS PAPER - JOINT SOUTH FLORIDA MANAGEMENT**
22 **BACKGROUND ON SOUTH FLORIDA ISSUES**
23

24 **DR. CARRIE SIMMONS:** Thank you, Mr. Chair, and good morning. I
25 think that Ms. Bademan is going to start with a short
26 presentation to the committee.
27

28 **CHAIRMAN GREENE:** Okay. Ms. Bademan, are you ready?
29

30 **MS. MARTHA BADEMAN:** We are going to be talking a lot about
31 South Florida issues at this meeting. I know not all of us have
32 been with this topic the last few years as it has moved through
33 the subcommittee that's been working on these issues and so I
34 wanted to just give a quick overview about where we've been and
35 where the committee has been trying -- The options that the
36 committee is looking at before we dive into this today and then
37 dive into it again on Thursday with the South Atlantic Council
38 and so that's just my point here.
39

40 It's a little unorthodox for a council member probably to be
41 giving this presentation, but Florida FWC held the scoping
42 meetings on some of these issues and so I thought I would let
43 you guys know things that we heard and the issues that we
44 identified and then we can go from there.
45

46 This committee was formed in reaction to a motion that was made
47 at the South Atlantic Council the last time the two councils met
48 jointly in Key West and that was in 2011. It was quite a ways

1 ago, but basically the South Atlantic Council asked that the
2 Gulf Council and NMFS form this ad hoc joint committee to come
3 up with a plan for South Florida fisheries and part of what this
4 committee discussed was potentially delegating management of
5 some species to the State of Florida.

6
7 Since that time, we kind of got ourselves organized in 2013 and
8 we formed a subcommittee. The subcommittee members from this
9 council at this point are myself, Pam, John Sanchez, and Roy
10 Williams. This committee has met a number of times in the Keys
11 and we've come up with a suite of options and alternatives for
12 some of the management problems I'm going to talk about in a
13 minute and then, of course, we will be meeting this week jointly
14 with the South Atlantic Council to kind of choose a path
15 forward.

16
17 The reason why this committee was even formed is there's a lot
18 of confusion and frustration with the jurisdictional boundaries
19 and regulations in the Florida Keys. We have the South Atlantic
20 Council regulations and we have Gulf Council regulations and we
21 have Florida FWC. There are sanctuary regulations on top of
22 that in some areas and national parks and state parks. It is
23 very confusing. Depending on where you are, you could be
24 subject to two or maybe three or four different sets of
25 regulations, depending on where you are fishing and where you
26 are landing your fish.

27
28 At the scoping meetings that FWC held, John was there and we had
29 a representative from the South Atlantic Council, Ben Hartig,
30 and then myself and Jessica McCawley were there from FWC.

31
32 Some of the big things that we heard were people really wanted
33 to see some consistency between state and federal rules and then
34 also some -- There was a desire to see something different for
35 South Florida because people felt that the ecosystems and the
36 fisheries here are unique and there are a number of fisheries
37 that are South Florida centric, so to speak, and they wanted to
38 see some kind of action taken there.

39
40 The South Atlantic Council has been going through a visioning
41 process the last few years and they have heard similar concerns
42 about the inconsistencies with regulations between state and
43 federal waters and then also between the two councils.

44
45 Just to give you an idea of some of the regulatory boundaries
46 and complexities here, the orange line down the middle of the
47 Keys that follows US1 is the Gulf and Atlantic boundary for
48 state waters.

1
2 You can see the federal waters of the Gulf in green and the
3 Atlantic is kind of a purple color and then on top of that we
4 have many different smaller management zones. The Sanctuary is
5 the purple dotted lines and we've got the Tortugas has special
6 management and the Everglades National Park and Biscayne
7 National Park. Depending on where you are, you have got a lot
8 of regulations to follow and different regulations in different
9 areas.

10
11 Some of the ideas that we've heard from the public at the
12 scoping meetings that were held and other meetings, one would be
13 to develop some kind of regional management for South Florida
14 centric species. These would be species like yellowtail
15 snapper, mutton snapper, and black grouper.

16
17 Some folks wanted to see some kind of just regional management
18 for the Keys and South Florida in general. One of the
19 suggestions we heard was to have a regional fishery management
20 plan that the councils put together that is similar to what the
21 Caribbean has done for islands. I guess for different areas or
22 different islands they have different fishery management plans
23 that are specific to that locality's needs.

24
25 One of the ideas we heard was to just place all the Keys under
26 the jurisdiction of one council, whether it's South Atlantic or
27 the Gulf. We also heard suggestions to just not even think
28 about lines and special regions, but just manage the species as
29 a whole and not necessarily split into two councils or
30 jurisdictions, but just manage yellowtail snapper as a whole and
31 not Gulf Council managing and South Atlantic managing and FWC
32 managing.

33
34 The committee has taken up a number of the species that were
35 brought up at these meetings. The big focus I think of the
36 document that we're going to talk about today or the documents,
37 I should say, are yellowtail snapper, mutton snapper, and then
38 groupers.

39
40 There are some pretty big discrepancies in grouper regulations
41 between the two councils and FWC and there are some unique
42 issues to yellowtail snapper and mutton snapper that I will talk
43 about as well.

44
45 With yellowtail snapper, some of the concerns that we've heard
46 is that this stock should be managed as a single unit. It's one
47 stock and right now in the Atlantic and Gulf we have similar
48 regulations, but we have separate quotas and a few years ago we

1 ran into a situation where the fishery was going to close I
2 think on the Atlantic side but stay open in the Gulf. This was
3 the commercial fishery and there was a lot of confusion about
4 that.

5
6 One of the ideas was to transfer management authority to the
7 state. Changing the fishing year was an option. That
8 potentially could minimize disruption, should there be a quota
9 closure. We have heard suggestions to do a spawning season
10 closure and then we've also heard concerns about the circle hook
11 requirement and yellowtail snapper.

12
13 This fishery operates a little bit different than some of the
14 other reef fisheries. We will talk more about that later and so
15 there has been some suggestions to remove that requirement for
16 yellowtail snapper.

17
18 For mutton snapper, the big concern that we hear in the Keys is
19 that spawning fish need some protection. The aggregations are
20 fished pretty hard at certain times of the year and so we've
21 heard ideas about a spawning season closure or just lowering bag
22 limits.

23
24 Grouper is a big concern down here. The inconsistencies between
25 Atlantic and Gulf federal waters, there is differences in size
26 limits and there is differences in the seasonal closures and
27 then there is also differences in the bag limits that are pretty
28 different and very confusing.

29
30 On the Atlantic side, there is a lot of angst about the closure
31 that they have from January through April. That's peak grouper
32 season down here and that closure was put in place originally to
33 protect gag grouper, which is not a highly abundant species down
34 this way. It kind of shifts more to black grouper and so that's
35 been another topic that the committee has been trying to tackle.

36
37 This slide basically outlines some of the things that we'll talk
38 about today and so one of which would be delegation. That would
39 be one option to look at for some of these problems and another
40 option could be to set a joint ABC and ACL for some of these
41 species, to eliminate some of the issues where you have one side
42 closing and the other side staying open for a single stock.

43
44 Changing recreational bag limits and trip limits for mutton
45 snapper and somehow trying to tackle the shallow-water grouper
46 issues, black grouper in particular, and the circle hook
47 requirements for yellowtail snapper and then setting some
48 uniform accountability measures.

1
2 I wanted to just throw this map in here. I think this may be my
3 last slide. This illustrates some of the regions that we'll
4 talk about, that Doug will talk about or Carrie will talk about,
5 when we go through this document.

6
7 There is a couple of actions that have areas associated with
8 them. The one that talks about Shark Point is the one that has
9 the red and I think gray hash lines and then the Monroe County
10 line is just north of that and then south of 28 is the yellow
11 and so I just wanted to throw that in there so you have a
12 visual.

13
14 One thing we'll have to think about on Thursday and today as
15 well is that the two councils, when they have talked about this
16 separately, have taken different approaches. The South Atlantic
17 has been -- They have been interested in using this document as
18 a vehicle to handle problems that extend beyond South Florida
19 and just broader issues that they see, including some of their
20 shallow water grouper closures not exclusive to South Florida.

21
22 The reason why they've kind of taken this approach is if you
23 change something for South Florida, it affects what's going on
24 further north of that, whereas in the Gulf -- I think here the
25 interest has been in keeping the focus on the amendment and
26 solely with South Florida and so at some point we will have to
27 deal with this issue and I don't know if it's here in committee
28 or I'm sure we will talk about it here on Thursday, but just
29 something else to keep on your radar as we're going through this
30 document and I will stop there, because I have probably talked
31 too much as it is. If anybody has any questions, I am sure
32 either I can answer them or Carrie or Doug or council staff
33 that's been working on this process. Thank you.

34
35 **CHAIRMAN GREENE:** Thank you. Any questions? Okay. Seeing
36 none, I guess we will move to the next item, which would be
37 Review of Options Paper, Tab B, Number 4(b), and Dr. Simmons.

38
39 **REVIEW OF OPTIONS PAPER**

40
41 **DR. SIMMONS:** Thank you, Mr. Chairman. Good morning again to
42 everyone and so I am planning to walk through the options paper.
43 What you will notice is the actions and alternatives have not
44 changed from the last time the council reviewed them. At your
45 March meeting, I think Ryan walked you through those actions and
46 alternatives.

47
48 We have lots of questions. The IPT has lots of questions about

1 the actions and alternatives currently drafted in the document.
2 I think Ms. Bademan has provided a nice background bit of
3 information for the committee about where we are currently and
4 so I will just try to tell you some of the differences and the
5 changes we've made in the discussion.

6
7 Before I get into that and not to confuse you too much, we do
8 have another tab, Tab B, Number 4(c), that has a proposed
9 restructured actions and alternatives. Now, the South Florida
10 Committee has not seen that, but staff did take it upon
11 themselves to put that together just so that the committees,
12 both the South Atlantic and the Gulf, had something to look at
13 prior to the joint meeting.

14
15 This really came out because of the concerns at our last council
16 meeting about some of the overlapping actions that we had,
17 especially for the grouper species, and not being specific on
18 the sectors in the information that we had in there, what sector
19 it was applying to, and potentially not being specific on if it
20 was just off of Monroe County and if we were establishing a
21 certain South Florida area or -- There was a lot of muddy water
22 and so we were just trying to put something down on paper.

23
24 If there is anything in there that the committees like or think
25 would be better or bits and pieces that we may be able to
26 replace in the current draft document, that's what that is for,
27 but, again, the South Florida Committee has not had a chance to
28 see that yet.

29
30 It is new. There is not the exact same actions and alternatives
31 that are in the current draft options paper. They are similar.
32 We tried to capture what we thought was the goal of the South
33 Florida Committee, but we have removed a lot of the extraneous -
34 - What we felt was extraneous options and alternatives that were
35 outside of the South Florida goals and objectives.

36
37 We may be kind of going back and forth between those two
38 documents and hopefully that's not going to be too confusing,
39 but that's why staff has done that and also NOAA GC -- It was
40 Shepherd Grimes that's been participating in our meetings and he
41 has expressed some concern just about structure and the way the
42 document was set up and so, again, this is just a proposal and
43 you may not like any of it, but it's there for you to review and
44 see if there is anything that we can use.

45
46 Now I will start walking through Tab B, Number 4(b). As I
47 mentioned, Martha has provided some nice background. Starting
48 on page 2 and 3, we have expanded these tables for regulations.

1 We have included the shallow-water grouper species that were not
2 there at the last draft that you reviewed.

3
4 You can see from these tables the recreational differences in
5 regulations are primarily the bag limits and the closed seasons
6 among the Gulf, the South Atlantic, and the State of Florida
7 waters. Then the commercial, the primary differences are the
8 size limits and those closed seasons for the groupers that Ms.
9 Bademan was talking about with the January to April closures.

10
11 The joint council committee has met three times and this is what
12 we have so far is the actions and alternatives in front of you.
13 One of the major changes or decisions that we would like the
14 councils to really talk about and flesh out at this joint
15 meeting on Thursday is delegation and that is delegation of
16 management to Florida FWC for yellowtail snapper, mutton
17 snapper, and recreational black grouper. These three species
18 are primarily caught and landed off the State of Florida.

19
20 Staff added some information about delegation. I don't know
21 that Ms. Levy has had a chance to review what we put in there
22 about delegation requirements, but delegation to Florida FWC
23 would require the agreement of them to accept responsibility of
24 management of these species throughout their range or it could
25 be limited to waters off the State of Florida, which is
26 currently what the South Florida Committee is proposing.

27
28 Our understanding is that delegation, this authority to the
29 states, would require a three-quarters majority vote of the
30 voting members of each council and more of that is listed in
31 Appendix B of the current draft options paper.

32
33 We have updated the purpose and need and it's on page 7. We may
34 want to come back to this after we've gotten into the actions
35 and alternatives a little bit more. Just remind me to do that
36 and so let's start on page 8 with Action 1.

37
38 This action would partially delegate commercial and/or
39 recreational management of yellowtail snapper to the State of
40 Florida for federal waters adjacent to the State of Florida.
41 Alternative 1 is no action, do not delegate. Alternative 2
42 would determine specific recreational management items for
43 delegation to the State of Florida. Alternative 3 would
44 determine specific commercial management items for delegation to
45 the State of Florida.

46
47 This action, this structure, is set up similarly for mutton
48 snapper and for recreational black grouper and so that's the

1 same similar structure that we have throughout.

2
3 The idea with delegation currently, the preference of the South
4 Florida Committee is that the councils would remain responsible
5 for establishing and implementing the acceptable biological
6 catches, the annual catch limits, and the accountability
7 measures and that the existing permit requirements in the Gulf
8 and the South Atlantic would remain in effect.

9
10 The green that you see under Alternative 1, the SAFMC, is the
11 South Atlantic Council's Snapper Grouper AP recommendation.
12 They did get a chance to review this document and I think it was
13 after the March meeting. Our Reef Fish AP looked at this
14 document last July. It was in a really early stage and so I did
15 not include their recommendations.

16
17 We can circulate their recommendations to the council if you
18 would like, but they selected similar no action on many of these
19 actions and alternatives before you. They didn't think a lot of
20 the current actions, management actions, were necessary, but, in
21 all fairness, they have not seen this revised options paper. We
22 thought it wasn't quite ready yet and we were repopulating our
23 Reef Fish AP at the time and so that's why the Gulf AP hasn't
24 reviewed it again.

25
26 As you can see, we have lots of yellow here. We have lots of
27 questions about, for example, under Option 2d and 3d what minor
28 modifications to existing allowable gear means. Specifically,
29 what waters we're referring to and if we want to establish a
30 South Florida area. With that, I will stop and see if there's
31 some questions about Action 1.

32
33 **DR. ROY CRABTREE:** It says that councils remain responsible for
34 ACLs and accountability measures and that means if there was a
35 quota closure that would not be delegated?

36
37 **DR. SIMMONS:** I think the intent was that the councils would set
38 those and then the State of Florida would establish management
39 measures that would ensure that we stay within those ACLs and
40 those quotas is my understanding.

41
42 **DR. CRABTREE:** But if the quota was hit anyway, would the State
43 of Florida then close the fishery in state and federal waters?
44 Would the closure authority be delegated?

45
46 **MS. BADEMAN:** I don't think that's part of this.

47
48 **DR. CRABTREE:** So we could still end up in a situation where

1 federal waters are closed and state waters remain open?

2
3 **MS. BADEMAN:** On the commercial side, we are set up so that
4 doesn't happen. On recreational, I guess that's a potential. I
5 think our goal would be to set up the regulations though so that
6 we don't get in a situation where we have quota closures, but
7 for commercial, we require the reef fish and snapper grouper
8 permits to fish that fishery in state waters and we require them
9 to abide by federal closures.

10
11 **MR. JOHN SANCHEZ:** I am not on the Reef Fish Committee, but I'm
12 part of the South Florida working group and so I don't know
13 where that puts me in this and so I don't know, but this thing
14 is evolving very slowly and it kind of makes sense that -- At
15 least I would support maybe delegation of the recreational
16 fishery for mutton, yellowtail, and black grouper to the state
17 and then, because of the permits and such, let the existing
18 federal management prevail for commercial and that would be my
19 two-cents.

20
21 **MR. WILLIAMS:** Johnny or Carrie, are you looking for motions as
22 we go along or do you want to go through the whole thing and
23 then come back or do you care?

24
25 **DR. SIMMONS:** I think it would be helpful to have motions as we
26 go along and to have something in front of us at the joint
27 meeting on Thursday. I think that would be a good idea. If we
28 want to go back and forth -- We might not be there yet as far as
29 if there's anything you want to use in the other proposed
30 actions, but I can go through that if there is something in
31 there that you wanted to use.

32
33 **MR. WILLIAMS:** Are you through with your presentation on Action
34 1 then and could I proffer a motion?

35
36 **CHAIRMAN GREENE:** Absolutely.

37
38 **MR. WILLIAMS:** I would move then, given Mr. Sanchez's comments,
39 that the committee approve Alternatives 2a, 2b, and 2c, which
40 are size limits, seasons, and bag limits for yellowtail snapper,
41 to delegate those to the State of Florida.

42
43 **CHAIRMAN GREENE:** We have a motion on the floor and is there a
44 second?

45
46 **MS. BADEMAN:** You are making these preferred alternatives,
47 right?

48

1 **MR. WILLIAMS:** Yes, preferred alternatives.
2
3 **CHAIRMAN GREENE:** Mr. Williams, is the motion correct on the
4 board? Okay. Any further discussion?
5
6 **MR. SANCHEZ:** Just for purposes of discussion, we do have the I
7 guess newly created Tab B, Number 4(c) and I don't know if we
8 should -- I don't want to add to the confusion, but kind of that
9 seems like a cleaned-up version of this and I don't know if we
10 should address that at the same time, just to keep this thing
11 going. If we're going to present this to the South Atlantic
12 Council tomorrow, at least they will know where we stand on this
13 newly created document as well.
14
15 **MS. BADEMAN:** I have an idea about that. I don't know if you
16 have looked at the restructured document, but basically it lumps
17 yellowtail, mutton, and black together for the delegation. My
18 suggestion I think would be maybe for us to get through the
19 delegation actions on those individually first and then if we
20 come to the same decision on all of them, then maybe move
21 forward with the lumped together version, but if we end up in
22 different places on different species, then that option wouldn't
23 work, but if it does, then yes, let's lump it together. Does
24 that make sense?
25
26 **MR. CORKY PERRET:** The action that's taken today won't go before
27 our full council and so will these actions be presented as
28 committee recommendations tomorrow or how do we handle that?
29
30 **DR. SIMMONS:** Yes, the plan is to put these in a report and it
31 may be a slightly different format than our committee reports
32 with what the South Atlantic Committee has made motions on
33 regarding this document and then on Thursday we are going to sit
34 down and go through it. Both councils will be at the table on
35 Thursday.
36
37 **MR. PERRET:** But with today's modifications by committee.
38
39 **DR. SIMMONS:** With those recommendations in the committee report
40 or decision document on Thursday, yes, from both councils, from
41 both committees.
42
43 **MR. PERRET:** Once you get finished this one, I want to make a
44 suggestion on your purpose and need, which you asked for input
45 on. I thought we were going to go through the document and
46 start, but I've got something I want to comment on relative to
47 the purpose and need.
48

1 **CHAIRMAN GREENE:** Thank you. We have a motion on the floor and
2 is there any opposition to the motion? Seeing none, the motion
3 carries. Moving on to the next item, but first Mr. Sanchez.

4
5 **MR. SANCHEZ:** Just a quick question. So I understand what we're
6 I guess walking into tomorrow, are they, the South Atlantic
7 Council, going to see this today or tomorrow and have the same
8 exercise that we're kind of going through right now, so to
9 speak, so that when we do get together we are kind of at least
10 on the same page in terms of having reviewed this stuff?

11
12 **DR. SIMMONS:** Yes, that is the plan. I am planning to go over
13 after lunch and go to their Executive Committee and try to help
14 Mr. Waugh go through this and try to get some recommendations
15 that are similar from their council so that we're on the same
16 page. Our joint session is on Thursday.

17
18 **EXECUTIVE DIRECTOR DOUG GREGORY:** If you look at the bottom of
19 each action and in this case, on the top of page 10 are three
20 council action items that are highlighted that are close to the,
21 I guess, questions that are being asked of the South Atlantic
22 Council. You can see where I think they were going and these
23 are not identical to the questions that are being asked of the
24 South Atlantic Council, but they are close.

25
26 **MS. BADEMAN:** I was just going to address maybe some of those or
27 try to get the conversation started on those IPT comments and so
28 the first one is about whether or not, if delegation occurs for
29 this species, the State of Florida would have to submit a
30 management plan. Can you talk about that, Mara, if that's a
31 requirement or if it just -- How would that work?

32
33 **MS. MARA LEVY:** It seems to me if you delegated then Florida
34 does what they want as long as it's consistent with the FMP.
35 When we were talking about delegation in Amendment 39, the whole
36 idea was the states do what they want as long as it's consistent
37 with the FMP and if it's not consistent, the statute provides
38 that you get notice that you're not consistent anymore and then
39 the delegation ends up being rescinded if you don't become
40 consistent, but I don't think that you would want to have to
41 submit a plan. That seems to be contrary to the idea of
42 delegation.

43
44 **MR. DAVID WALKER:** I was just going to ask Martha if you've had
45 any public comment on this yet.

46
47 **MS. BADEMAN:** We've had a lot and so we have -- I think we've
48 heard probably both. Well, actually, probably -- This was just

1 a recreational action that we talked about and I think there's a
2 fair amount of support for doing some delegation here for
3 yellowtail snapper and so I know there's some on the commercial
4 side that were maybe less supportive of delegation for various
5 reasons, but from what we've heard, I think there is support for
6 this from the public. I am hoping that we will have some
7 comment on it at some point in public comment, but yes.

8
9 **MR. WALKER:** That's just what I was -- I was interested in
10 hearing public comment from the Gulf.

11
12 **MR. WILLIAMS:** I just want to note I did not move Alternative 3,
13 delegation of the commercial fishery. Mr. Kelly has already
14 spoken against this and my belief is that there will probably be
15 five votes against delegating commercial to the State of Florida
16 and I really just don't want to make staff go through all the
17 analyses on it if it's not going anywhere and I don't think it's
18 going to go anywhere. That is why I moved Alternative 2. I
19 believe we can muster the necessary votes to get delegation of
20 the recreational fishery and so that's it.

21
22 **MS. BADEMAN:** I will keep working down the IPT list here. The
23 second note is about clarifying if this would pertain to waters
24 adjacent to the State of Florida or throughout the Gulf and
25 South Atlantic jurisdictions.

26
27 I think the committee's intent was for this to be just off of
28 Florida and so adjacent to the State of Florida. I think that's
29 where we were going with that and then the Options 2d and 3d
30 about minor modifications to existing allowable gear, I think
31 the purpose of that was to deal with the circle hook issue and
32 so I guess if we address that elsewhere in the document that we
33 could definitely remove those options and it probably would be
34 worth clarifying them if we do keep them in here.

35
36 **MR. WILLIAMS:** I would move that Options 2d and 3d be moved to
37 the Considered but Rejected.

38
39 **CHAIRMAN GREENE:** We have a motion coming up on the board and it
40 has been seconded. Let's get the motion up and make sure it's
41 correct the way you want it, Mr. Williams.

42
43 **MR. WILLIAMS:** It's 2d and 3d. Yes, that's correct.

44
45 **CHAIRMAN GREENE:** We have a motion on the floor and it's been
46 seconded. Is there any further discussion from anybody? Okay.
47 **Any opposition to the motion on the board? I didn't see any and**
48 **the motion carries.** That sends us back to Mr. Williams.

1
2 **MR. WILLIAMS:** Following up on the IPT note here, the second
3 note, I would move that these actions pertain to the waters
4 adjacent to the State of Florida, that the delegation apply to
5 the waters adjacent to the State of Florida.
6

7 **CHAIRMAN GREENE:** We have a motion going up on the board and
8 it's been seconded by Ms. Bademan. Mr. Williams, is that your
9 motion?

10
11 **MR. WILLIAMS:** Yes.
12

13 **CHAIRMAN GREENE:** Okay. Any discussion?
14

15 **DR. SIMMONS:** Just so staff is crystal clear here, there are
16 very low landings, recreational landings, it looks like off of
17 South Carolina and so any bag limit or size limit changes the
18 State of Florida makes, those potentially would not apply and
19 the South Atlantic Council could change those bag limits and
20 size limits for yellowtail snapper in their FMP and that would -
21 - The State of Florida's regulations would not apply to South
22 Carolina, correct?
23

24 **MR. WILLIAMS:** That is my intent, yes.
25

26 **MS. BADEMAN:** I think that makes sense. It would be kind of
27 weird for Florida to be regulating what's going on off of the
28 other states.
29

30 **CHAIRMAN GREENE:** Okay. Any further discussion?
31

32 **MR. DOUG BOYD:** Just a question about the word "adjacent". What
33 does that mean in this context? Does that mean that Alabama is
34 adjacent? I am not arguing with it, but I am just concerned
35 about the definition. Do we need to be a little more specific
36 about what that means? Martha can address that, I guess.
37

38 **MS. BADEMAN:** Well, I mean I think what we're getting at here is
39 federal waters adjacent to the State of Florida and so off of
40 state waters and definitely not Alabama.
41

42 **CHAIRMAN GREENE:** Okay. Everybody is good? Okay. That gets us
43 through the second one and now we're down to the third IPT note.
44

45 **MS. BADEMAN:** I just talked to Carrie about this and suggested
46 to remove the language regarding the first IPT note about
47 submitting a management plan if delegation occurs. **I would move**
48 **to remove language from the discussion document pertaining to**

1 the document and the discussion. Is that --
2
3 **DR. SIMMONS:** Sorry. Right now, the South Atlantic Council --
4 You know they do a lot of things by motion whereas you guys can
5 just give staff direction and so I think it would be helpful
6 just to have a motion because the South Florida Committee put
7 this in there at the last meeting that it's not necessary,
8 according to the National Marine Fisheries Service, for the
9 State of Florida to do this under delegation, just so we're
10 clear it's going to be removed from the discussion of the
11 document.
12
13 So we would be removing from the discussion the requirement for
14 the State of Florida to submit a management plan for yellowtail
15 snapper.
16
17 **MS. BADEMAN:** Because we're going to talk about this again with
18 the other species, should we just say about delegation and not
19 specifically for yellowtail snapper? Carrie, when she teed up
20 that motion, she made it specifically about yellowtail snapper.
21 We're going to talk about delegation again for two other species
22 and so my suggestion would be to just make it general and just
23 remove the discussion of the management plans from the document
24 that pertain to delegation.
25
26 **CHAIRMAN GREENE:** We have a motion going up on the board and
27 let's make sure we get it as you wish.
28
29 **EXECUTIVE DIRECTOR GREGORY:** I have a question. Do we really
30 need a motion on that if General Counsel has told us that it
31 didn't really make sense? That seems to be good enough guidance
32 for the IPT to not work on that anymore, but a motion is fine.
33
34 **DR. SIMMONS:** I am just trying to be complete because of the
35 differences in the way the councils operate and the fact that
36 the South Florida Committee put that in there.
37
38 **MS. BADEMAN:** Whatever makes it go easier on Thursday. I will
39 suggest though that after "remove the discussion of the" to
40 stick "State of Florida submitting management plans" and so it
41 would be "remove the discussion of the State of Florida
42 submitting management plans". I think that makes it a little
43 bit more clear.
44
45 **CHAIRMAN GREENE:** Ms. Bademan, is that your motion? Is it
46 correct?
47
48 **MS. BADEMAN:** Yes.

1
2 **CHAIRMAN GREENE:** Do we have a second for this motion?

3
4 **MR. WILLIAMS:** Second.

5
6 **CHAIRMAN GREENE:** It's seconded by Mr. Williams. Any further
7 discussion? **Seeing none, any objection to this motion? The**
8 **motion carries.** That gets us through that and so I guess we'll
9 go back to Dr. Simmons at this point.

10
11 **DR. SIMMONS:** Thank you, Mr. Chair. We will go to Action 2 and
12 it starts on page 11.

13
14 **EXECUTIVE DIRECTOR GREGORY:** Excuse me, Carrie, but shouldn't
15 they at least look at or possibly address those council actions
16 that are similar to the ones the South Atlantic Council is going
17 to be reviewing today, the ones on page 10 there?

18
19 **DR. SIMMONS:** I think we did.

20
21 **EXECUTIVE DIRECTOR GREGORY:** Okay.

22
23 **DR. SIMMONS:** If there is something that you -- They picked a
24 preferred and they removed 2d and 3d. Action 2 would establish
25 and consolidate the acceptable biological catches and annual
26 catch limits for yellowtail snapper.

27
28 Alternative 1 is the no action alternative. It would maintain
29 the current commercial and recreational annual catch limits for
30 yellowtail snapper based on the South Atlantic Council's fishery
31 management plan and the total or stock ACL for yellowtail
32 snapper in the Gulf, based on the Gulf's management plan.

33
34 Alternative 2 would manage yellowtail snapper as a single unit
35 with an overall multijurisdictional ABC and annual catch limit
36 instead of apportioning that ABC like we do currently with the
37 South Atlantic Council, based on those historical landings.

38
39 Alternative 3 would use both councils' agreed upon ABC for
40 yellowtail snapper and then allocate commercial and recreational
41 ACLs and so this would be another big decision for the Gulf
42 Council, because we don't currently have sector ACLs established
43 for yellowtail snapper.

44
45 Then there is a series of options as far as establishing those
46 sector allocations or ACLs based on historical landings. Option
47 a would use the formula of the ratio of 50 percent of the
48 landings from 1993 to 2008 and 50 percent of the landings from

1 2009 to 2013. Option 3b would base sector allocations on
2 average landings from 2009 to 2013 and Option c would base
3 sector allocations on average landings from 2004 to 2013.

4
5 When the Joint South Florida Committee was talking about this,
6 the idea was that this Action 2 could stand alone or it could be
7 combined with delegation and so you can go with delegation and
8 choose not to establish sector ACLs and manage it overall, but
9 since we have -- It looks like we're going towards delegating
10 just recreational management measures and I think we would have
11 to think a little bit more about exactly how that would work and
12 we may need to establish sector ACLs now and so with that, I
13 will stop.

14
15 **MR. WILLIAMS:** A question for Carrie. If we approve Alternative
16 2, then we also need to approve some portion of Alternative 3,
17 correct?

18
19 **DR. SIMMONS:** I think if we're looking at delegating just
20 recreational management measures, I think we would need to move
21 forward with that and go ahead and set those alternatives up
22 that way, yes.

23
24 **MR. WILLIAMS:** I would like to get to the point too where we
25 have one commercial quota on yellowtail snapper, so that we
26 don't run into the situation that we almost ran into where one
27 council was closing and the other council was going to stay
28 open. Whatever one of these would do that or two of these -- I
29 was thinking Alternatives 2 and maybe 3a we could get there, but
30 that's where I would like to end up.

31
32 **CHAIRMAN GREENE:** Okay. Mr. Gregory, did you have a comment to
33 that point?

34
35 **EXECUTIVE DIRECTOR GREGORY:** That will work and we talked about
36 -- I am confused how the South Atlantic operates now, but maybe
37 Roy Crabtree could help us. We talked about combining ACLs so
38 that the fishery did not close until the overall ACL from both
39 councils combined would close and I don't know if that would be
40 just commercial ACL or commercial and recreational.

41
42 For instance, would the councils want to say the recreational
43 has met their sector allocation, but the commercial guys have
44 not and would we not close the recreational sector until the
45 overall ACL is met? There is two different ways of doing that.
46 You could look at it as a combined commercial ACL and a combined
47 recreational ACL or a combined overall ACL, where nothing closes
48 until the overall is closed.

1
2 I don't know what the South Atlantic Council does now. At one
3 point in the discussion I think Gregg said they have sector
4 allocations only for data collection purposes, but I think in
5 the past the commercial guys were being closed but not the
6 recreational.

7
8 **MS. BADEMAN:** Yes, that's right. I think they do have sector-
9 specific closures, because when this happened, it was going to
10 be for commercial only and recreational I guess had not bumped
11 up against their catch limit and so think you're right. I think
12 you could do it either way, but that seems to be the way that
13 they're operating now.

14
15 **DR. CRABTREE:** We have separate ACLs for the recreational and
16 commercial fishery and I think, although I am not positive, the
17 commercial ACL is if they catch the ACL that you close them. I
18 think the recreational is different and that if they go over
19 their ACL you do something the next year, shorten the season or
20 something like that, in order to try to prevent it from going
21 over again.

22
23 If you go to a single ACL that includes commercial and
24 recreational, you are going to have to change the accountability
25 measures. Otherwise, you could hit the single ACL and close the
26 commercial guys and the recreational just keep fishing, even
27 though they're already over. I think that's going to be a
28 problem. It seems to me with the way we're going that you're
29 going to need to have separate ACLs for the two commercial and
30 recreational fisheries to make this work.

31
32 **MR. WILLIAMS:** In that case, we wouldn't want Alternative 2 and
33 we would want something in Alternative 3 which provides for
34 separate ACLs. Is that right, Carrie or Martha?

35
36 **DR. SIMMONS:** I think the way the South Florida Committee talked
37 about this is selecting both Alternative 2 and 3 and so 3 would
38 apportion the sector ACLs, but then 2 would add those
39 recreational ACLs and the commercial ACLs back together for both
40 the Gulf and South Atlantic and so you have a combined
41 recreational and commercial ACL. I mean -- I'm sorry. Combined
42 Gulf and South Atlantic recreational ACL and combined -- You
43 know what I mean. Gulf and South Atlantic commercial ACL.

44
45 **MR. WILLIAMS:** I would be prepared to offer a motion if the
46 discussion is over. **I would move that we approve -- In Action 2**
47 **that we approve Alternative 2 and Alternative 3a.**

48

1 **CHAIRMAN GREENE:** Ms. Bademan, are you seconding? Okay. Let's
2 make sure we get the motion on the board correct.

3
4 **MR. WILLIAMS:** I guess it would be preferred alternative and
5 that our preferred alternative be Alternative 2 and Alternative
6 3a.

7
8 **MS. BADEMAN:** I am going to support this motion. I think this
9 solves the commercial quota problem that we had a few years ago
10 or potentially had, I think, and then with Alternative 2 and
11 then Alternative 3 would give us a means to do separate
12 accountability measures and separate closures for the respective
13 sectors and so I am comfortable with this.

14
15 **DR. CRABTREE:** I am kind of confused, I guess, now. My read is
16 Alternative 2 says you're going to have a single ACL that
17 combines the recreational catches and the commercial and so it's
18 one combined ACL, but Alternative 3a says you're going to have
19 separate ACLs based on that allocation. It doesn't seem to me
20 that you combine 2 with 3. It seems they are different things,
21 to me.

22
23 **MR. WILLIAMS:** The context of that I believe was that we were
24 going to combine the Gulf and the South Atlantic into an overall
25 -- Each council was going to give some ACL in order to provide
26 one overall ACL and then split between commercial and
27 recreational. I see how you read it and I read it that way
28 initially too, but I think the intent is simply that each
29 council is going to donate some to an overall ACL which will
30 then be split recreationally and commercially.

31
32 **DR. CRABTREE:** Isn't that what Alternative 3 does? It sets up a
33 single -- It allocates it and then you have an ACL for the
34 recreational and an ACL for the commercial that is for both the
35 Gulf and the South Atlantic.

36
37 **MS. BADEMAN:** I think I see what Roy is saying and would it help
38 in Alternative 2 -- To me, it seems that Alternative 2 gives you
39 the single ABC and then I guess, the way it's written now, an
40 ACL also and then Alternative 3 splits that ABC into your sector
41 ACLs. I mean would it help in Alternative 2 to just make it
42 pertain to the ABC, a single ABC, and not a single ACL? I am
43 trying to figure this out.

44
45 **EXECUTIVE DIRECTOR GREGORY:** I think we need to recall that
46 there has only been three meetings of the joint council
47 committees and this is a rough options paper, in other words.
48 The discussion here clarifies the direction people are thinking

1 and that's what we need. That's what we want from the councils.

2
3 The fact that Alternative 2 can be read one way and not the
4 other way is not unexpected, but with the discussion, we have
5 got clarification that the intent is to have a
6 multijurisdictional commercial ACL and a multijurisdictional
7 recreational ACL and so this is helpful, but don't get hung up
8 on anything that's unclear. We need to clarify it. That's the
9 purpose of this meeting.

10
11 **MR. STEVEN ATRAN:** I think a minor change in the wording of
12 Alternatives 2 and 3 might clarify the intent. On Alternative
13 2, if you were to insert the word "stock" before annual catch
14 limit, so it says "the combined multijurisdictional allowable
15 biological catch and stock annual catch limit", and then in
16 Alternative 3, add the word "sector" in front of ACL so it would
17 say "allocate the commercial and recreational sector ACLs".

18
19 The National Standard Guidelines recognize both a stock-wide ACL
20 and individual sector ACLs and that would clarify what you are
21 talking about, although I think Dr. Crabtree is correct. My
22 reading on this is that with Alternative 3 it's not necessary to
23 have Alternative 2 as well.

24
25 **MR. WILLIAMS:** Given that advice of Dr. Crabtree and Mr. Atran,
26 I would ask if the seconder would agree to just remove
27 Alternative 2 and the motion only address approval of 3a as the
28 preferred alternative.

29
30 **MS. LEVY:** I understand that you are trying to sort of frame
31 what the committee thinks is the best course of action, but I
32 would just ask you to consider whether we're at the point that
33 the committee should actually be picking preferred alternatives,
34 meaning we have sort of an options paper and we're trying to
35 figure out the structure and we're trying to figure out what
36 alternatives and actions are supposed to be in there and we are
37 not quite sure what some of the alternatives mean at this point.

38
39 I mean I know you want to present something to the full council
40 and maybe the way to do it is say this is how we're thinking we
41 want to go with the delegation and having separate ACLs for the
42 sectors, but in terms of picking particular preferreds, it just
43 seems a little premature.

44
45 **CHAIRMAN GREENE:** Ms. Levy, yesterday when we were in Data
46 Collection, we were trying to do the same thing and we were
47 looking at potential preferreds and does that help you with what
48 we're trying to do?

1
2 **MS. LEVY:** I mean you can frame it that way. I am just a little
3 bit concerned when we're talking about what things mean and we
4 don't have a clear idea about what the alternatives mean and we
5 don't really have an analysis about what these allocations mean
6 that you're going down the path of saying this is our preferred
7 alternative.

8
9 If you want to frame it some other way in the discussion that
10 just shows what your intent is, and I don't know if this is
11 helping council staff decide how this document should be
12 structured and maybe it is, but I just wanted to put that out
13 there.

14
15 **CHAIRMAN GREENE:** I mean we could potential preferred
16 endorsement. I am just trying to -- I think the intent is we're
17 just trying to show what direction we're going and I think
18 people are kind of struggling with how we do that. Anybody want
19 to weigh in?

20
21 **DR. CRABTREE:** I mean it seems to me -- I am not quite sure why
22 we need to show which way we're going on a preferred here. This
23 is an allocation thing and so there is that formula, but why is
24 that the -- Why should that be the allocation? Why is that fair
25 and equitable?

26
27 I look at the table later on and we're talking about 7 percent,
28 depending on which one -- Hell, we would argue for three or four
29 years about 7 percent of the red snapper fishery and here we're
30 -- I kind of am with Mara. We are making an allocation decision
31 and I am not sure why -- Is that currently the South Atlantic
32 Council's allocation or what is their allocation, because they
33 already have one. I mean if we just wanted to endorse the South
34 Atlantic Council's allocation and apply it across, that would be
35 one thing, but it's not clear to me if one of these is actually
36 the South Atlantic.

37
38 **EXECUTIVE DIRECTOR GREGORY:** First off, it's important to get
39 direction, because let's say the two councils this week decide
40 they want to delegate recreational yellowtail, mutton, and black
41 grouper to the State of Florida.

42
43 Then we can take out other actions that are in here related to
44 mutton snapper and we can just leave it up to the State of
45 Florida to decide what to do on the recreational side and so it
46 is important to get some direction there.

47
48 The allocation formula, the South Atlantic Council had an

1 allocation formula that was -- Say it had a ten-year period and
2 50 percent of the ten-year period and then 50 percent of the
3 last four years of that same ten-year period and so staff at one
4 point pointed out that was doubling counting those last four
5 years.

6
7 At the joint committee meeting, the South Atlantic Council
8 people said yes, we really don't want to do that and so they
9 decided to divide the formula so it's 50 percent of the last say
10 six -- The previous six years and 50 percent of the last four
11 years, so you're not double counting years. The formula, the 50
12 percent, if you want to call it a Bow-Tie Formula, is different
13 here than what the South Atlantic currently has, but this new
14 formula so far has the endorsement of the South Atlantic Council
15 and that joint committee, since there has been no objections to
16 it from the South Atlantic Council and they have looked at this
17 document more than we have.

18
19 **MR. WALKER:** I am not really prepared to vote on this in support
20 of this. I would like to hear more public input and I don't
21 want to get the cart ahead of the horse here on this.

22
23 **CHAIRMAN GREENE:** Mr. Williams, did you have something?
24

25 **MR. WILLIAMS:** Under what Dr. Crabtree has suggested, we just --
26 We don't want to make any -- You are suggesting that we just
27 accept this as is and make no changes and go to the South
28 Atlantic with that, but we don't want to add any new
29 alternatives or delete any alternatives and just leave the rest
30 of it as is?

31
32 **DR. CRABTREE:** That's up to you if you want to add new
33 alternatives or change the alternatives. My concern is about
34 choosing the preferred, because I can't really tell -- I mean
35 the way this is structured when you look at the no action,
36 status quo, it doesn't even say what the current allocation is
37 in the South Atlantic and so we're choosing a new allocation,
38 but I can't tell how different what we're choosing is from
39 what's currently on the book for the South Atlantic Council.

40
41 I heard what Doug said about the formula, but that doesn't tell
42 me how much we're actually changing what their allocation is and
43 so my concern is just selecting a preferred at this point
44 without really knowing what we're changing from.

45
46 **MR. WILLIAMS:** Mr. Chairman, I would like to withdraw my motion,
47 if the seconder would agree to it.
48

1 **CHAIRMAN GREENE:** The seconder agrees and the motion has been
2 **withdrawn.** Now, I think we had one previous that we had
3 selected a preferred and is that correct? I would have to look
4 at the previous motions. Okay. Just making sure.

5
6 **MS. BADEMAN:** Before we leave Action 2 -- I guess I need to do
7 **this in a motion, but based on the IPT note, I would move that**
8 **we clarify that this action pertains to the whole Gulf and South**
9 **Atlantic Council jurisdictions.** If I get a second, I can
10 explain that.

11
12 **MR. WILLIAMS:** Second.

13
14 **CHAIRMAN GREENE:** We have a motion going on the board. It's
15 been seconded by Mr. Williams. Ms. Bademan, make sure it's
16 correct.

17
18 **MS. BADEMAN:** **Action 2 would be the action there.** The idea here
19 is this is one stock of fish that just happens to span two
20 councils. The vast majority of it is in Florida, but there are
21 some peppering of yellowtail snapper in other states and I think
22 it just makes sense to just do this as one lump stock ABC and
23 ACL, if that's the way we want to go, rather than trying to
24 split it out between states. That is where I am coming from.

25
26 **CHAIRMAN GREENE:** We have a motion on the floor and it's been
27 seconded and we've had some discussion. Any further discussion?
28 **Seeing no more discussion, is there any opposition to the motion**
29 **on the floor? Seeing none, the motion carries.**

30
31 **EXECUTIVE DIRECTOR GREGORY:** The South Atlantic Council
32 Committee is going to be addressing the basic question of do you
33 want to keep Action 2 in the document or do you want to move it
34 to Considered and Rejected. I think if we address that that
35 we'll be having a motion similar to what the South Atlantic is
36 looking at today. I am looking at their decision document and
37 trying to see where we can come out to where they're working on.

38
39 **MS. BADEMAN:** I mean I think we need to keep considering this.
40 I mean it makes a lot of sense. I wouldn't want to rule this
41 out at this point at least. You know maybe this isn't the road
42 we end up going down, but I don't want to remove it. That's
43 just my two-cents.

44
45 **CHAIRMAN GREENE:** Any other committee members have an opinion?

46
47 **MR. WILLIAMS:** I would move then, given Doug's comments, I would
48 move that we keep Action 2 in the document.

1 **EXECUTIVE DIRECTOR GREGORY:** The exact wording in the South
2 Atlantic Council's decision document is consider approving
3 Action 2 alternatives for detailed analysis after staff receives
4 IPT requested clarifications. This is where the two councils
5 operate differently and that's why some of this seems odd to you
6 all, because we don't do things that way.

7
8 The original purpose or the original intent was for the two
9 council committees to address these items and come together and
10 combine their motions to see where there was agreement or
11 disagreement.

12
13 **CHAIRMAN GREENE:** Thank you. We have a motion and it fails for
14 lack of a second. With that, we will go back to Dr. Simmons.

15
16 **DR. SIMMONS:** Thank you, Mr. Chair. Action 3 starts on page 15.
17 This is partial delegation of commercial and recreational
18 management of mutton snapper to the State of Florida. Again,
19 it's in federal waters adjacent to the State of Florida and so
20 this is the exact same structure that you just reviewed in
21 Action 1 for yellowtail snapper.

22
23 **CHAIRMAN GREENE:** Okay. Any discussion about mutton snapper?

24
25 **MR. WILLIAMS:** Given -- I am trying to figure out -- Given Dr.
26 Crabtree's earlier comments that we're not seeking preferreds
27 here, I mean I want to -- I guess the thing to do then would
28 probably be for me to make a motion that we move Alternative 3
29 to Considered but Rejected. Is that appropriate? There is
30 nobody here to give -- Carrie, do you --

31
32 **DR. SIMMONS:** If that's the direction the committee feels they
33 want to go.

34
35 **MR. WILLIAMS:** All right. That is my motion.

36
37 **MR. DALE DIAZ:** Roy, at the end of the day, I don't know how all
38 of this is going to work out, but we are going to have some
39 public testimony tomorrow and I was kind of hoping that when we
40 got public testimony that we would have a few commercial
41 fishermen, and we are in south Florida, give us some testimony
42 and see what they're thinking on these different species.

43
44 At the end of the day, I might could support your motion, but
45 right now, I would prefer to leave it in there until after we
46 hear public testimony.

47
48 **CHAIRMAN GREENE:** Fair enough. Go ahead, Ms. Bademan.

1
2 **MS. BADEMAN:** I don't know if this motion has a second, but I
3 agree with Dale.
4
5 **CHAIRMAN GREENE:** Okay. There is a motion on the floor and
6 seeing no second, it fails. We will move on. Go ahead, Mr.
7 Williams.
8
9 **MR. WILLIAMS:** Then I've got one other motion and that would be
10 to move Options 2d and 3d to Considered but Rejected. This is
11 what we did with yellowtail snapper.
12
13 **CHAIRMAN GREENE:** We have a motion going on the board and it's
14 been seconded by Ms. Bademan.
15
16 **MR. WILLIAMS:** 2d and 3d to Considered but Rejected.
17
18 **CHAIRMAN GREENE:** Mr. Williams, is that your motion?
19
20 **MR. WILLIAMS:** Yes.
21
22 **CHAIRMAN GREENE:** What action was it?
23
24 **MR. WILLIAMS:** Action 3.
25
26 **CHAIRMAN GREENE:** Okay. Any further discussion about this
27 particular item? **Seeing no more discussion, any opposition to**
28 **the motion? Seeing none, the motion carries.** Dr. Simmons.
29
30 **MR. WILLIAMS:** Before we go on, do we need to go through the
31 rest of these IPT notes again or is that understood from what we
32 did in the first one that they're going to pertain here too?
33
34 **DR. SIMMONS:** I think just the clarification on the waters. Is
35 this throughout the Gulf and South Atlantic Councils'
36 jurisdictions or just off the State of Florida? If we could get
37 some clarification on that and then while I have the mic, I just
38 want to point out that I know this document needs a lot of work,
39 but because we have nested actions in here and if the councils
40 decide to delegate to the State of Florida and it's all these
41 recreational management measures, later on in the document, when
42 we get to the mutton snapper recreational management measures
43 and the closed season grouper closures and bag limits and size
44 limits, those -- We may not need to consider those anymore if
45 we're going to delegate those species to the State of Florida.
46
47 I think that's what staff is looking to do. We have thirteen
48 actions in here right now and I know they need a lot of work,

1 but maybe some of this other stuff would fall out and I think
2 that's why it's a bit premature, but we are looking for some
3 direction to take to the joint meeting and also to let staff
4 know what potentially could be removed as we move forward.

5
6 **CHAIRMAN GREENE:** Thank you. Is there any further comments?
7 That's a good point.

8
9 **MR. WILLIAMS:** I think we still have to address the second IPT
10 note and clarify that our intention is that this action apply to
11 the waters adjacent to the State of Florida.

12
13 **MS. BADEMAN:** Do we need a motion for that and do that? **I will**
14 **make a motion that Action 3 apply to waters adjacent to the**
15 **State of Florida.**

16
17 **MR. WILLIAMS:** Second.

18
19 **CHAIRMAN GREENE:** We have a motion and a second. I know there
20 was some discussion earlier about adjacent from Mr. Boyd and so
21 we will try to make sure we get it worded correctly. Mr. Atran,
22 did you have anything?

23
24 **MR. ATRAN:** I am not sure if it was this equivalent motion from
25 Action 1 or not, but I have in my notes that it was the
26 understanding that the previous action would apply to all three
27 species.

28
29 **MS. BADEMAN:** I think that was the one about the management
30 plans.

31
32 **CHAIRMAN GREENE:** Okay. I think staff has got it worked out
33 now. We have a motion on the board and is it correct as
34 written? If the maker of the motion is good with it, the
35 seconder is fine and is there any further discussion about this
36 topic? **Is there any opposition to the motion? Seeing none, the**
37 **motion carries.** Dr. Simmons.

38
39 **DR. SIMMONS:** Thank you, Mr. Chair. Action 4 starts on page 18
40 and this, again, is the same structure we just reviewed for
41 yellowtail snapper and the same alternatives and even the sector
42 ACLs, the years that are going to be used, and the methods are
43 all the same as currently drafted.

44
45 **MS. BADEMAN:** **Based on that, I would make a motion that Action 4**
46 **apply throughout the Gulf and South Atlantic Council**
47 **jurisdictions.**

1 **MR. WILLIAMS:** Second.
2
3 **CHAIRMAN GREENE:** We have a motion going on the board and it's
4 been seconded by Mr. Williams. Ms. Bademan, your motion on the
5 board is correct?
6
7 **MS. BADEMAN:** Yes.
8
9 **CHAIRMAN GREENE:** Any further discussion? **Seeing none, any**
10 **opposition to this motion? The motion carries.** Dr. Simmons.
11
12 **DR. SIMMONS:** Thank you, Mr. Chair. Action 5 starts on page 21
13 to modify mutton snapper recreational bag limits in the Gulf and
14 South Atlantic Council. This action came about, as Ms. Bademan
15 mentioned, because the public had expressed concerns regarding
16 fishing effort on the spawning aggregations.
17
18 I think later on we'll be getting some information about the
19 mutton snapper stock assessment and some recommendations from
20 our SSC and I think we will be looking at -- In talking to Mr.
21 Atran, we're going to be looking at reducing our catch levels, I
22 think, for mutton snapper in the next three years and so despite
23 the fact that it is a healthy stock and it's not overfished, I
24 think we are still looking at reduced catch levels.
25
26 Recent landings from 2011 to 2013 revealed really that there are
27 very low recreational landings in the Gulf of Mexico. There
28 were only about seventy-two trips in the Gulf that landed mutton
29 snapper and so the analysis in this action really pertains
30 primarily to the South Atlantic Council and there is some new
31 information in the document from the last time that you reviewed
32 it regarding that and so we'll start with Alternative 1, no
33 action, mutton snapper is part of the aggregate ten snapper bag
34 limit in the Gulf of Mexico, the South Atlantic, and the State
35 of Florida. Table 9 shows the species composition of those
36 aggregates and they are different between the Gulf and South
37 Atlantic Council.
38
39 Alternative 2 would remove mutton snapper from the recreational
40 aggregate bag limit and change the bag limit for mutton snapper
41 during the regular season, which is July to April, and then also
42 there's a change during the spawning season, which is May to
43 June, a step-down in bag limit.
44
45 Option 2a would reduce it to ten fish per person per day and not
46 reduce it, but it would establish a ten fish per person per day
47 currently in the regular season, specifically though for mutton
48 snapper, and then reduce it to two during the spawning season.

1 Option 2b is five fish during the regular season and two fish
2 during the spawning season and four fish in the regular season
3 and then two fish during the spawning season.

4
5 The differences between Alternative 2 and Alternative 3 is
6 Alternative 2 would remove mutton snapper from the aggregate and
7 Alternative 3 would retain it within the aggregate bag limit and
8 then there's the same suboptions under each of those.

9
10 Really, if you just look at the Option 2a and 3a with the
11 tables, you get a similar percent reduction during the spawning
12 season. I think it's about 20 to 22 percent, but Dr. Larkin is
13 here and he can help me answer any questions. He completed the
14 analysis for this action.

15
16 **CHAIRMAN GREENE:** Thank you. Is there discussion?

17
18 **DR. CRABTREE:** Okay, but if we delegate recreational mutton
19 snapper to Florida, then this whole action would just go. Now
20 let me ask you a hypothetical. I think I heard you say that
21 even though the mutton snapper assessment indicates we're not
22 overfished that we could end up with some reductions in the
23 annual catch limit.

24
25 We would do that as a council and set the catch limit, but we've
26 delegated the management measures to Florida and so we wouldn't
27 do anything else. Let's say hypothetically we hit the catch
28 limit one year and that means something has to happen the next
29 year to prevent us from going over and so we could close it, I
30 guess, but we've delegated all that to Florida and so I guess
31 for this to work at that point the council would then ask
32 Florida to make some change to try and reduce the catches and
33 stay within the accountability measure, whether it's closed
34 season or whatever? I am just trying -- Because we have never
35 done this before and I am trying to think through how it would
36 work.

37
38 I guess at that point we would notify Florida that we went over
39 the catch limit and Florida needs to take actions to reduce the
40 harvest by this amount and I guess if Florida then said no,
41 we're not going to do that, we would rescind the delegation and
42 do it as a council. Is that kind of how everyone --
43 Particularly Martha, is that kind of how you see it working,
44 just so we would understand how the accountability measures
45 would work?

46
47 **MS. BADEMAN:** I think that's how -- That's kind of my
48 understanding of how it would work. If we went over in a year

1 one thing that I guess would be a positive in delegation is our
2 commission can change the rules a lot more quickly than we could
3 through the council process and so if we did need to make a big
4 change, we could do it relatively quickly, in a meeting or two
5 at the state level. Yes, I think that would seem appropriate if
6 you guys sent us a letter notifying us in some way that we need
7 to make some changes.

8

9 **CHAIRMAN GREENE:** Thank you. Any further discussion?

10

11 **MR. SANCHEZ:** I just wanted to mention it and I've said this
12 before, but in speaking with a lot of the local fishermen,
13 particularly here in Key West, they have mentioned that they
14 perceive mutton snapper to be compromised and they've seen
15 reduced size in the fish as opposed to historical catches and
16 they, even though the assessment says that it's maybe not
17 warranted and not in jeopardy, they are asking for us to be
18 proactive in this and get ahead of this and saying that they do
19 need some help and there is no reason to have a ten fish bag
20 limit during the spawn, where a boat with six guys can come back
21 to the dock, in some instances repeatedly, with sixty fish.
22 It's just excessive and it's needless.

23

24 They have mentioned to me on more than one occasion that they
25 would like to see something more akin to a four or five fish bag
26 limit and not a closure during the spawn, because it would
27 impact the business, but definitely a reduction in bag during
28 the spawn to something like two fish. Like a four and two I
29 think they would applaud that effort, for the most part, the
30 people who are seeing this fishery diminish.

31

32 **CHAIRMAN GREENE:** Thank you. Any further discussion? Okay and
33 seeing none, Dr. Simmons.

34

35 **DR. SIMMONS:** Thank you, Mr. Chair. On to Action 6, modify the
36 mutton snapper commercial trip limit in the Gulf and South
37 Atlantic, this starts on page 26. Right now, we have six
38 alternatives and so we would like to try to see if we can
39 whittle these down a little bit.

40

41 Alternative 1 is the no action alternative. Alternative 2 would
42 establish a commercial trip for mutton snapper during the
43 regular season, which is July through April in the Gulf of
44 Mexico and South Atlantic. It would be the recreational bag
45 limit and Option 2a is the ten fish per person per day limit and
46 2b is some higher bag limit or trip limit, which if we leave
47 this in here, staff needs to know what that would be.

48

1 Just for your information, we have updated the discussion
2 regarding 2a, the ten fish per person per day. That would be
3 approximately eighty-eight pounds whole weight in the Gulf and
4 eighty-one pounds whole weight in the South Atlantic.

5
6 Alternative 3 would be specify commercial trip limit for mutton
7 snapper during the spawning season of May and June in the Gulf
8 and South Atlantic and then it's establishing those same bag
9 limits that we're looking at for the recreational sector of two,
10 five, and ten and then 3d is no bag or trip limit.

11
12 Alternative 4 would specify a commercial trip limit for mutton
13 identical to the recreational bag limit during the spawning
14 season in the Gulf of Mexico and I guess assuming whatever we do
15 in Action 5 and then the South Atlantic Council as well,
16 although the South Atlantic currently has a ten mutton snapper
17 per day or ten mutton snapper per trip limit during the spawning
18 season only, whereas the Gulf does not.

19
20 Alternatives 5 and 6 look at a gear type trip limit and these
21 were recently added, I think in January, as far as the document
22 goes by the South Florida Committee. This would specify the
23 same similar trip limits as in Alternative 3, but it's by gear
24 type for the hand line sector during the spawning season and so
25 you're looking at two, five and ten or some other trip limit
26 and, again, we need some information there about what that would
27 be.

28
29 Then Alternative 6 would specify a commercial trip limit for the
30 longline sector during the spawning season of May and June in
31 the Gulf and South Atlantic Council. Option 6a would be a 500
32 pound whole weight or 450 pounds gutted weight trip limit and
33 then Option 6b is some other trip limit.

34
35 Again, there are some new tables, Table 14 and 15, that shows
36 landings from 2004 to 2013 by gear type for the Gulf and South
37 Atlantic. As you can see, Table 17 shows the estimated
38 increases and decreases that you would get from changing these
39 trip limits.

40
41 Commercial landings are highest during the spawning season and
42 it looks like into the month of July as well. In addition,
43 commercial landings of mutton snapper in the South Atlantic are
44 highest then too, despite the ten fish per person per day bag
45 limit currently. With that, I will stop, but there are several
46 IPT questions regarding this action.

47
48 **CHAIRMAN GREENE:** Okay. Staff is looking for a little direction

1 here.

2
3 **DR. CRABTREE:** Some of this seems to get a little squirrely if
4 we delegate the recreational fishery, for example Alternative 4,
5 where we set the trip limit equal to the recreational bag limit.
6 We just delegated that to Florida and so they are changing that.

7
8 Then if we were to select one of these lower trip limits of two
9 or five fish per day and Florida decided to stay where they are,
10 we could have a commercial limit that was actually lower than
11 the recreational trip limit and so there are some weird things
12 that can happen here because one part of the fishery is
13 delegated and not the other and we don't really know what
14 Florida would decide to do with it.

15
16 **CHAIRMAN GREENE:** I guess that's assuming that we do delegate it
17 and I guess if we decide not to delegate it, then we have to
18 have something to fall back on and so I understand where you're
19 coming from. It almost seems like we need to decide if we're
20 going to delegate it or not and then move through it from there,
21 but I am sure glad I didn't have to put this document together.
22 Committee, any direction here? Staff is asking for something to
23 move on and I don't really know which way to lead you.

24
25 **MR. WILLIAMS:** I think Dr. Crabtree made a good point on
26 Alternative 4. If we delegate recreational bag limits to
27 Florida, then Alternative 4 just doesn't make any sense anymore.
28 **I am going to move that Alternative 4 be moved to the Considered
29 but Rejected.**

30
31 **CHAIRMAN GREENE:** We have a motion on the floor and it's going
32 on the board now and it's been seconded by Ms. Bademan.

33
34 **MS. BADEMAN:** On this one, if we end up not delegating and you
35 still wanted to do an option like this, you could just name the
36 same bag limits for commercial and recreational in the action
37 and so no big deal.

38
39 **CHAIRMAN GREENE:** Any other discussion? **Any opposition to the
40 motion on the board? The motion on the board is correct and
41 seeing no opposition, the motion carries.** It seems like we're
42 putting a lot of emphasis that Florida will delegate this stuff
43 and so I certainly understand where we're going here. Okay, Dr.
44 Simmons.

45
46 **DR. SIMMONS:** Thank you, Mr. Chair. There are several options
47 under here that say some other higher trip limit and some other
48 bag limit and could we get some recommendations there or try to

1 consolidate these even more? I guess the question we have is do
2 we want to limit or establish a commercial trip limit during the
3 regular season and the spawning season? Right now, the South
4 Atlantic Council only has a commercial trip limit and it is that
5 ten mutton snapper per day or ten mutton snapper per trip during
6 the spawning season.

7
8 I guess is that an alternative we want to keep in or just
9 consider the spawning season? Staff, if you look at the
10 proposed restructuring, did consolidate or have a proposal here
11 where we just looked at the gear types and it was focused just
12 on the spawning season. That's on page 5 of Tab B, Number 4(c)
13 and so I don't know if there's any way we could consolidate
14 these any more than we already have moving forward.

15
16 **MR. WALKER:** I don't know if John has had any communication, but
17 I would like to hear public testimony on this as well. They
18 have concerns and they know more about their fishery here.

19
20 **MS. BADEMAN:** I am comfortable with that and maybe they can --
21 Where we do have the some other bag or trip limit, we can get
22 some suggestions there for some reasonable options.

23
24 **CHAIRMAN GREENE:** I agree and as Mr. Sanchez noted about
25 yellowtail, the industry had some ideas and hopefully the
26 industry will come forward with something on mutton snapper as
27 well. Any further discussion?

28
29 **MR. WILLIAMS:** Just a question for Carrie. Carrie, do you
30 recall what fraction of the mutton snapper catch came out of the
31 South Atlantic area of jurisdiction? Was it over 90 percent, do
32 you recall? You don't know? Okay.

33
34 **MR. ATRAN:** I don't know what the actual catches are, but I was
35 just looking at the apportionment and mutton snapper -- The Gulf
36 gets 18 percent of the apportionment.

37
38 **MS. BADEMAN:** Look at page 31.

39
40 **DR. SIMMONS:** I think we've been landing around 200,000 pounds
41 commercially and a couple hundred pounds recreationally annually
42 in the Gulf. It's primarily commercial landings in the Gulf of
43 Mexico.

44
45 **CHAIRMAN GREENE:** Any further discussion? Seeing none, Dr.
46 Simmons.

47
48 **DR. SIMMONS:** Again, this action would pertain to the Gulf and

1 South Atlantic Councils' jurisdictions or just the State of
2 Florida? There are some landings I think off the Carolinas and
3 maybe Georgia commercially.

4

5 **CHAIRMAN GREENE:** Committee?

6

7 **MS. BADEMAN:** I think the simplest approach is just to apply it
8 to the whole Gulf and South Atlantic. I don't know if any other
9 states have heartburn with that, but it seems to be easier. I
10 can't imagine that they're -- I mean since the majority of
11 landings are Florida and this is a Florida-centric species -- I
12 mean if you happen to encounter them in other states, but I
13 would think it's kind of more of an incidental thing, where they
14 are not going to blow it out one day and just catch a zillion
15 mutton snapper. **With that, I will make a motion to apply Action
16 6 throughout the Gulf and South Atlantic jurisdictions.**

17

18 **CHAIRMAN GREENE:** We have a motion going on the board and it's
19 been seconded by Mr. Williams. Any further discussion about the
20 motion on the board? **Seeing none, any opposition to the motion?
21 The motion carries.** Dr. Simmons.

22

23 **DR. SIMMONS:** Thank you, Mr. Chair. We will move on to Action
24 7. This is the partial delegation of recreational management of
25 black grouper to the State of Florida. The South Florida
26 Committee discussed the commercial delegation, but because of
27 the IFQ program in the Gulf of Mexico, it was decided that it
28 would be only reasonable to look at delegation of recreational
29 management for black grouper.

30

31 **CHAIRMAN GREENE:** Any discussion on black grouper? Seeing no
32 discussion, Ms. Bademan.

33

34 **MS. BADEMAN:** To get to some of the IPT concerns here, I will
35 make a motion that Action 7 apply to waters adjacent to the
36 State of Florida.

37

38 **MR. WILLIAMS:** Second.

39

40 **CHAIRMAN GREENE:** We have a motion going on the board and we
41 will make sure we get it correct. It's been seconded by Mr.
42 Williams. I believe the motion is worded correctly. Ms.
43 Bademan, you're fine with that motion? Okay. Any discussion
44 about the motion on the floor? **Seeing none, any opposition to
45 the motion? Seeing none, the motion carries.**

46

47 **MR. WILLIAMS:** I would also move that in Action 7 that
48 Alternative 2d be moved to Considered but Rejected.

1
2 **MR. DIAZ:** Second.

3
4 **CHAIRMAN GREENE:** We have a motion going on the board. It's
5 seconded by Mr. Diaz. I believe the motion is correct. Any
6 discussion? **Seeing no discussion, any opposition to the motion**
7 **on the board? Seeing none, the motion carries.** Anything on the
8 IPT list? Okay. Dr. Simmons.

9
10 **DR. SIMMONS:** Thank you, Mr. Chair. Again, if you delegate the
11 recreational management for black grouper to the State of
12 Florida, there are some later actions that we could potentially
13 consolidate or could be removed from the document, because I
14 mentioned earlier this document is nested with a lot of the
15 actions. We will go to Action 8 on page 37, establish and
16 consolidate ABCs and ACLs for black grouper.

17
18 These are the same actions and alternatives as we looked at in
19 Action 2 for yellowtail snapper and 4 for mutton snapper, except
20 for Option 3a. It wasn't in the others because we have -- In
21 the Gulf, we have a sector apportionment that was established in
22 the Generic Amendment for black grouper and we don't have actual
23 quotas or ACLs based on those apportionments, because black
24 grouper is part of the shallow-water grouper component. It's
25 one of the major species in there that has been assessed.

26
27 Because of that, even though we have this difference in
28 alternatives, Option 3a, staff is thinking that this could be
29 very complicated and difficult to move forward with analysis on
30 until we establish those sector-specific ACLs the way it's
31 currently set up, because it is part of that shallow-water
32 grouper aggregate.

33
34 **CHAIRMAN GREENE:** Any discussion on black grouper? Seeing no
35 discussion, I guess we will move on, Dr. Simmons.

36
37 **DR. SIMMONS:** So we will leave it in for now. We may not be
38 able to do that one. We will have to really think about that.

39
40 **MS. LEVY:** Just a question. So right now in the Gulf, we have
41 black grouper part of the other for purposes of the IFQ, right?
42 Is the intent here to somehow tease out what's required for that
43 and then have another recreational allocation? Like how is that
44 going to work? Do you have to remove black grouper from the
45 other shallow-water grouper to do this commercial/recreational
46 allocation to actually delegate? I am just curious. What's the
47 -- Have you all thought about how you're going to do that?
48

1 **DR. SIMMONS:** I think we'll just have to look at historical
2 landings. I guess because of the IFQ program we have a default
3 allocation in the Gulf between recreational and commercial, but
4 because of that program, I am not exactly sure -- We will have
5 to look at some historical landings and essentially pull black
6 grouper out of the recreational shallow-water grouper aggregate.
7 We do have a stock assessment for black grouper.

8
9 **MS. BADEMAN:** I mean we should be able to do that for
10 recreational. We have species-specific landings and we do its
11 own assessment.

12
13 **CHAIRMAN GREENE:** I am sorry, but I didn't hear what you said.

14
15 **MS. BADEMAN:** We should be able to that. I mean we have
16 recreational data specifically on black grouper and it's not
17 like it's aggregated and we do an assessment for black grouper.

18
19 **CHAIRMAN GREENE:** Thank you. Any further discussion? It seems
20 kind of complicated. Okay, Dr. Simmons.

21
22 **DR. SIMMONS:** Thank you. We will go on to Action 9, which is
23 modify shallow-water grouper species compositions and seasonal
24 closures in the Gulf and South Atlantic. These actions -- I
25 think what has happened is there's a lot of stuff that's been
26 added in from the joint committee, but we haven't really had a
27 chance to look at it altogether and I think we have essentially
28 right now two actions together. We have species composition and
29 seasonal closures in one action and so I think we could
30 potentially separate those.

31
32 Then the other question staff has is I'm not sure we need to
33 change the species compositions to move forward with this. They
34 are slightly different in the Gulf than they are in the South
35 Atlantic.

36
37 At this point, I think it would also be good for us to look at
38 what staff has proposed for some of these actions as far as
39 trying to really get at the objectives of what we thought the
40 South Florida Committee may want to focus on, but I will try to
41 quickly run through these alternatives. Right now, I think
42 they're a little bit confusing, because we're looking at
43 specific areas that are kind of woven into the actions and
44 alternatives, plus we have species composition in some and
45 seasonal closures in others.

46
47 Alternative 1 is the no action alternative to retain the
48 existing shallow-water grouper species composition and seasonal

1 closures in both councils. Alternative 2 would remove the
2 shallow-water grouper closure for all grouper species in the
3 Gulf and South Atlantic Council and Option 2a would be from the
4 Dade/Monroe County line on the east coast of Florida to Shark
5 Point on the west coast of Monroe County, Florida.

6
7 Option 2b was throughout each council's jurisdiction. At the
8 last meeting, the Gulf Council suggested moving this alternative
9 or this option to Considered but Rejected, but the South
10 Atlantic Council hasn't done that yet, because it was outside
11 the scope, we thought, of the objectives of this document. That
12 hasn't occurred until the South Atlantic completes that.

13
14 Alternative 3 looks at establishing similar or identical
15 regulations for the shallow-water grouper species compositions
16 and it would be for a specific area from the Dade/Monroe County
17 line on the east coast of Florida to Shark Point on the west
18 coast of Florida and then you would be adopting the Gulf
19 shallow-water grouper species composition and adopting the South
20 Atlantic shallow-water grouper species composition or specifying
21 a new and identical shallow-water species composition for the
22 Gulf and South Atlantic.

23
24 At the IPT meetings, we haven't had a whole lot for this
25 amendment, but this alternative seems fairly impractical,
26 because many of the species the South Atlantic Council has in
27 their shallow-water grouper aggregate the Gulf rarely encounters
28 and I think it was in 2010 and 2011 that we took many of those
29 species out of our FMP, like the coney, graysby, some of those
30 species. This seems difficult and cumbersome as currently
31 drafted.

32
33 Alternative 4 would establish identical regulations for shallow-
34 water grouper seasonal closures in the Gulf and South Atlantic
35 from the Dade/Monroe County line on the east coast to Shark
36 Point on the west coast and Option 4a would adopt seasonal
37 closures for the Gulf and South Atlantic using the Gulf seasonal
38 closures, which are February and March, fishing outside of
39 twenty fathoms.

40
41 4b would adopt the South Atlantic shallow-water grouper seasonal
42 closures for the Gulf and South Atlantic, which I believe it's
43 that current four-month closure of January through April, and 4c
44 would establish some new seasonal closures for the shallow-water
45 grouper.

46
47 Alternative 5 was removed by you guys or as considered outside
48 the scope of South Florida. However, the South Atlantic Council

1 has not done the same and then Alternative 6 would modify the
2 shallow-water grouper seasonal closure off Monroe County to
3 allow harvest of other shallow-water grouper species and only
4 close harvest of gag.

5
6 **MR. SANCHEZ:** The concerns I've been hearing here is that if gag
7 was the genesis of the shallow-water grouper closure and gag is
8 warranted and requires further protection that we should focus
9 and protect gag uniformly throughout its range, but for an area,
10 perhaps, such as has been kicked around, like Miami/Dade/Shark
11 Point south, get rid of the shallow-water grouper closure,
12 because it's really having a tremendous impact on the
13 charterboat fleet here and recreational fishermen who are closed
14 again on species of grouper that do not seem to be compromised
15 and are accessible and are more available in this more temperate
16 southern climate.

17
18 Broomtails, reds, blacks, all of these things and so that's one
19 of the biggest things that was brought up in this South Florida
20 management thing to my attention, was that has had a tremendous,
21 tremendous impact on them economically speaking.

22
23 **CHAIRMAN GREENE:** Any more discussion?

24
25 **DR. CRABTREE:** On the shallow-water grouper closure in the South
26 Atlantic, that was not done just because of gag. There was a
27 gag issue there, but it was done as a spawning aggregation
28 closure for all shallow-water grouper because they aggregate to
29 spawn and we had a lot of testimony from fishermen, and continue
30 to get it, that basically says we shouldn't be fishing on
31 spawning fish and we shouldn't be fishing on spawning
32 aggregations.

33
34 There were some issues with gag, but it was broader than that
35 and it was sort of a blanket decision to protect spawning
36 aggregations that the council made and that's why they included
37 all these species in it.

38
39 There were some issues with gag and now there have been some
40 issues with red grouper and there were concerns that if we close
41 it to everything except one species or only to one species that
42 you would have a lot of discard issues and those kinds of
43 things, but it's more complicated than to just paint it as a gag
44 measure.

45
46 **CHAIRMAN GREENE:** Thank you. Any further discussion? I know
47 there is a lot of notes going on around the table and I'm trying
48 to give everybody a second.

1
2 **MR. WILLIAMS:** A follow-up to Dr. Crabtree. But, Roy, Monroe
3 County is affected by this gag closure and they really don't
4 catch them down here is what we've heard, right? I mean that's
5 really a difficult --
6

7 **DR. CRABTREE:** That's true, but they catch an awful lot of other
8 grouper species down there and they do aggregate to spawn and
9 there are a lot of aggregation sites that don't have fish
10 anymore and that measure, like I said, a lot of that was to
11 protect spawning aggregations and relieve fishing pressure on
12 it.
13

14 Now, at the time that was put in place, it was before the first
15 black grouper assessment was done and so we didn't know what the
16 status of black grouper was, but they catch a number of other
17 grouper species down in South Florida and black grouper do
18 aggregate to spawn and they aggregate during those wintertime
19 months.
20

21 **CHAIRMAN GREENE:** Okay. Good conversation and any more
22 discussion on the closures? Okay. Seeing no more discussion, I
23 guess we'll go back to Dr. Simmons.
24

25 **DR. SIMMONS:** I guess it doesn't have to be at committee,
26 because I know this is a lot to think about, but I mean staff is
27 going to have a really hard time writing up this action as it's
28 currently drafted and so I mean essentially, like I said before,
29 I think this is potentially two actions and if there's anything
30 in that proposed restructured that we could look at that we
31 could use and maybe focus on moving forward -- I mean do we
32 really think we could change the species compositions? Is that
33 something we really want to start tackling and adding species
34 back in or asking the South Atlantic Council to take some of
35 these species out? It seems quite cumbersome and is that really
36 something we want to pursue?
37

38 **DR. CRABTREE:** I do think this action is beyond the scope of
39 this amendment and probably shouldn't have been put in here,
40 because when you start talking about putting species in or out
41 and changing the composition of these species groupings, that is
42 much broader than just a South Florida issue and to some extent
43 -- I mean I know the shallow-water grouper closure was very
44 controversial down in the Keys and yes, we now know that it
45 appears that black grouper are in good shape, but it is a
46 measure that applies throughout the South Atlantic and there are
47 a lot of grouper catches all the way up to North Carolina and I
48 think it's going to be hard to explain to folks why we would get

1 rid of the closure just off Monroe County and not in other areas
2 of the South Atlantic and so I am not completely convinced any
3 of the stuff in this action ought to be in here, but I do think
4 changing the species composition probably is beyond the scope of
5 this document, but I will leave it up to you guys.

6
7 **CHAIRMAN GREENE:** Okay. Thanks a lot. Any more discussion?

8
9 **MR. WILLIAMS:** Carrie, would you like us to get rid of the
10 species composition alternatives?

11
12 **DR. SIMMONS:** I mean if it's not something the council wants us
13 to look at. We're looking at like -- I think Ryan calculated
14 130 options or something like that we're supposed to be
15 analyzing for this document and if it's not something that you
16 guys are interested in doing, then yes, we would like you guys
17 to take it out.

18
19 **CHAIRMAN GREENE:** Thank you. That was certainly a whole lot.

20
21 **MR. WILLIAMS:** We don't necessarily have to do it today. We
22 could talk some more and try to work it out before the full
23 council meets on this.

24
25 **MS. BADEMAN:** I think Carrie made some points that maybe we
26 should split this up and I do maybe think we could conference
27 and try to figure something out. It is complicated and it's a
28 lot to take in at once and maybe by the end of the week we can
29 come to a solution between the committee meeting and the full
30 council. I don't know, but we do need to -- I think it is
31 something that we need to address, because this a major hang-up
32 that people down here have.

33
34 **CHAIRMAN GREENE:** I agree. Mr. Sanchez, you're on that
35 committee and do you share the same thoughts as Ms. Bademan
36 does?

37
38 **MR. SANCHEZ:** Yes and I think we're going to drop back and punt
39 and talk about it amongst ourselves a little bit and see if we
40 can't figure a way through this. Right now, this second, I have
41 no idea.

42
43 **CHAIRMAN GREENE:** Fair enough. Okay. Any further discussion?
44 Okay, Dr. Simmons.

45
46 **DR. SIMMONS:** Thank you. Moving on then, we will go to Action
47 10 on page 46 to modify the black grouper fishery closures and
48 bag limits. Again, black grouper is part of the shallow-water

1 grouper aggregate that we essentially just talked about in
2 Action 9, yet we kind of have it pulled out here, based on the
3 discussion at the South Florida meetings, and we also have
4 closures and bag limits mixed in again here for this action.

5
6 Alternative 1 is do not modify black grouper recreational
7 closures in the Gulf or recreational and commercial closures in
8 the South Atlantic and maintain the current seasonal bag limits
9 in both the Gulf and South Atlantic for black grouper.

10
11 Alternative 2 would remove black grouper from the shallow-water
12 closures of the recreational seasons in the Gulf and both the
13 recreational and commercial seasons in the South Atlantic and
14 this alternative is similar to Alternative 4 and 5, but
15 Alternative 4 would remove it from the aggregate and change the
16 seasonal closures in federal waters off of Florida only. That's
17 Alternative 4.

18
19 Alternative 5 would do the same, but it would be in federal
20 waters off of Monroe County and that would be for the same
21 seasonal closures.

22
23 Alternative 3, going backwards, would establish a recreational
24 season closure for black grouper in the Gulf and South Atlantic
25 with multiple months as options, using similar months that the
26 South Atlantic Council currently has, excluding April.

27
28 Alternative 6, you suggested to remove this from the document at
29 the last meeting because you thought it wasn't necessary to
30 remove black grouper from the aggregate grouper bag limits.
31 Alternative 7 would remove black grouper from the South Atlantic
32 aggregate bag limit. They have not done the same.

33
34 Alternative 8 would establish a recreational bag limit for black
35 grouper. It could be one fish or two fish or three fish or four
36 fish or apply this bag limit only to the following areas and so
37 you have off of Monroe County, in federal waters off of Florida,
38 or in federal waters of the Gulf and South Atlantic. That,
39 again, was removed or suggested in a motion to be removed by the
40 Gulf Council at the last meeting.

41
42 Alternative 9 would modify the commercial seasonal closure for
43 black grouper in the Gulf of Mexico and South Atlantic and they
44 have January, February, and March. This was added in by the
45 South Atlantic Council and I think at the last meeting it wasn't
46 supported by the Gulf.

47
48 Again, I think this action is very confusing. I think we're

1 mixing some things and I think it overlaps with Action 9 and I
2 think staff needs to know, again, what are the objectives here
3 with these actions and what are we trying to achieve and do we
4 want to make these changes to a specific area or region and are
5 these closures only going to apply to the recreational sector?
6 It seems like the South Atlantic Council wants to consider them
7 applying to the commercial sector, even though the Gulf has an
8 IFQ program in place.

9
10 **CHAIRMAN GREENE:** Okay. I am looking for some direction here.
11 Does anybody want to offer up anything? Okay. Seeing no
12 discussion, Dr. Simmons.

13
14 **DR. SIMMONS:** Okay and so everyone is going to think about it
15 and by Thursday staff is going to have something, right, because
16 we can't get this into a public hearing draft for the councils
17 to look at without some direction. I mean some of these
18 alternatives really don't make sense now, right now, what we
19 have in front of everyone and so we will definitely need some
20 guidance by Thursday.

21
22 Action 11 would look at harmonizing bag limits and size limits
23 for species in the shallow-water grouper complex in federal
24 waters adjacent to Monroe County, Florida. This was added I
25 think and then modified by the South Atlantic Council at their
26 April meeting.

27
28 Alternative 1 is retain the current bag and size limits for
29 species in the shallow-water grouper complex in federal waters
30 adjacent to Monroe County and Alternative 2 is harmonize the bag
31 limits for species in the shallow-water grouper aggregate in
32 federal waters adjacent to Monroe County.

33
34 Alternative 3 is harmonize size limits for species included in
35 the shallow-water grouper aggregate in federal waters adjacent
36 to Monroe County. Again, these overlap with what we have in
37 Actions 9 and 10.

38
39 I guess staff was really not sure. I mean there are several
40 species and they differ that are in the shallow-water grouper
41 aggregate and so do you just want us to focus on where those bag
42 limits are different and bring back a range of alternatives or
43 do you just want us to focus on where those size limits are
44 different and bring back a range of alternatives?

45
46 I mean here is where it might help to look at the proposed
47 restructured actions and alternatives, which would be Action 7
48 with the bag limits. We focused on recreational, just because

1 the Gulf Council and the IFQ program in the Gulf.

2
3 Action 6 would standardize seasonal closures for black grouper
4 and I guess, in thinking about that, we would certainly need
5 some advice and some feedback moving forward on how you want to
6 handle this action as well.

7
8 **CHAIRMAN GREENE:** Staff is asking for some direction here and
9 it's certainly complicated, but does anybody want to offer up
10 some ideas? We are trying to find something here on the bag
11 limits and size limits and staff is asking for some direction
12 and does anybody want to help out? Okay. Maybe we will get
13 some public --

14
15 **MR. WILLIAMS:** Well, I don't want to remove anything here. Let
16 me ask Carrie what she recommends that we do here, because I
17 don't know what to do.

18
19 **DR. SIMMONS:** I think you could split the action and focus on
20 bag limits, size limits, and closed seasons and then also do you
21 -- I mean as far as the Gulf is concerned, don't we just want to
22 focus on the recreational sector and see where those differences
23 are or if we're delegating to the State of Florida, do we just
24 want to focus on where the differences in the commercial
25 regulations are? But we're not delegating grouper to the State
26 of Florida.

27
28 **MS. BADEMAN:** I mean I think it makes sense to split some of
29 these out and split up the bag limits and closures and I feel
30 like the commercial issues are South Atlantic issues, at least
31 at this point, because we don't have a commercial grouper
32 closure. I would tend to leave that one alone and maybe the
33 South Atlantic has a solution that they're working on when they
34 cover this today. I mean we're going to have to make a decision
35 sooner or later, but if they can come up with something that
36 works for their fishermen, then I don't want to block that by
37 taking that out either and so that's my two-cents.

38
39 **CHAIRMAN GREENE:** Okay. It seems like there is some will to
40 separate out the bag limit for the recreational and the size
41 limit, but not wanting to take any options off the table, but we
42 certainly need to give staff a little direction and I think
43 everybody wants to do that, but it's such a confusing topic.

44
45 **EXECUTIVE DIRECTOR GREGORY:** This is a good point to look at the
46 restructured document and part of the problem here is this
47 action and some of the others are actually combining different
48 actions into one and there is no way, going through the NEPA

1 process, we're going to be able to do that, because you can't
2 have alternatives that aren't alternatives to one another.
3 We're not saying size limit or bag limit or season. Those are
4 three separate actions and so in the restructured document, we
5 addressed them separately and looked at alternatives for each
6 action, season alternatives, bag limit alternatives, size limit
7 alternatives.

8
9 With some guidance from NOAA General Counsel or the Regional
10 Office, as far as trying to alleviate the confusion in South
11 Florida with differing regulations, let's just -- For instance,
12 gag grouper has a twenty-four-inch size limit on the Atlantic
13 side and a twenty-two-inch size limit on the Gulf side.

14
15 Currently, a fisherman can go to the Gulf federal waters and
16 catch a twenty-two-inch fish and bring it back to land and
17 transit state waters and so the simple thing is does the South
18 Atlantic want to reduce their size limit to twenty-two or do we
19 want to increase ours to twenty-four? I would like to hope we
20 wouldn't have to get into looking at a whole range of other size
21 limits that aren't on the books, because the purpose of this
22 effort is to bring things together and not to completely
23 reevaluate it.

24
25 There may be exceptions if the biology dictates otherwise, but
26 take a look at the items in the restructured document. To us,
27 that's the way to move forward and that's part of the problem
28 with the other actions, is we've got different actions combined
29 into one and they have to be separated at some point.

30
31 **CHAIRMAN GREENE:** So how do we take the restructured document
32 and merge it in with this?

33
34 **EXECUTIVE DIRECTOR GREGORY:** In this instance, you could -- Let
35 me pull it up. You could look at Action 8 in the restructured
36 document on size limits and Action 7 on bag limits and Action 6
37 on closures and see if they are along the lines of what
38 harmonize means for you and if so, just take those three actions
39 and replace that with the harmonized action and I so move.

40
41 **CHAIRMAN GREENE:** I understand what you're saying, but we're
42 trying to figure out how to get there from here. It's 10:55 and
43 why don't we take about a ten-minute break and let's kind of get
44 our heads around which way we need to go and get back at 11:05
45 so we can get back to work. We started late and we've got a lot
46 to do. With that, we'll take a ten-minute break.

47
48 (Whereupon, a brief recess was taken.)

1
2 **CHAIRMAN GREENE:** With that, we're going to get started with the
3 Reef Fish Committee. Please carry your conversations outside.
4 I am going to go ahead and recognize Mr. Williams. He has a
5 motion he would like to present.
6

7 **MR. WILLIAMS:** Thank you, Mr. Chairman. We've talked about this
8 extensively during the break and we think that for now the best
9 thing that we can do is to remove Actions 10 and 11 from the
10 options paper and replace them with the proposed Actions 6, 7,
11 and 8 in the restructured document. **I am going to offer a**
12 **motion that we remove Actions 10 and 11 in the options paper and**
13 **replace them with Actions 6, 7, and 8 in the restructured**
14 **document.**
15

16 **CHAIRMAN GREENE:** We have a motion going on the board and let's
17 make sure it's worded correctly. Okay, Mr. Williams, is that
18 your motion?
19

20 **MR. WILLIAMS:** Yes.
21

22 **CHAIRMAN GREENE:** Okay. Is there a second for this motion?
23 It's seconded by Ms. Bademan and is there discussion?
24

25 **MR. WILLIAMS:** We continued to discuss whether to apply this
26 only to the South Florida area or whether to apply it throughout
27 the jurisdictions and we never settled that and so for now, I
28 believe it only applies in the South Florida area in the
29 replacement options and so that's something we will continue to
30 work on though.
31

32 **MS. LEVY:** I was actually going to raise that point, because
33 when you read the restructured document, it refers back to a --
34 For these actions, it talks about in the South Florida
35 management area and in the restructured document, Action 3 is
36 where you're picking what the South Florida management area is
37 and so you can't just add it wholesale without either picking
38 this or kind of modifying it to reflect that you haven't made
39 that decision, I guess, because if you just cut and paste the
40 language, you're going to refer to a management area that you
41 haven't established yet, if you look at Action 3 in the
42 restructured document.
43

44 **CHAIRMAN GREENE:** Okay and so I think it's pretty clear what our
45 intent is and is it okay to ask for editorial license to make
46 sure we do that at this point, because we're trying to get
47 somewhere from here. I understand there is probably some
48 technicalities, as you just pointed out, on your end, but is

1 that something that can be easily changed or no?
2

3 **MS. LEVY:** Well, I guess what is the intent, because you say
4 South Florida and is it as to be determined in the future, I
5 guess, what South Florida means?
6

7 **DR. SIMMONS:** I think Mara is bringing up a good point, but
8 could we just add into the report that this is going to be
9 further discussed at the joint meeting on Thursday if we're
10 going to establish a South Florida area or not, just to try to
11 get some of these actions and alternatives straightened out a
12 little bit and that we will discuss with the joint councils
13 whether or not we're going to establish the South Florida area
14 and where that area is?
15

16 **MS. BADEMAN:** I think replacing 10 and 11 with these other three
17 actions from the restructured document -- I agree it's not
18 perfect right now and there is some bugs we need to work out,
19 but this at least starts the discussion and I think it probably
20 puts us in a little bit better place.
21

22 If you look at Action 11 in the main document now, it's
23 extremely vague and at least this gives us something to look at
24 and so it's a discussion point with the South Atlantic.
25

26 **CHAIRMAN GREENE:** I understand and everybody is good with this
27 and understands the intent of what we're trying to do? Okay.
28 Any further discussion? We have a motion on the floor and it
29 has been seconded. **Any opposition to the motion? Seeing none,**
30 **the motion carries.** Dr. Simmons.
31

32 **DR. SIMMONS:** Thank you, Mr. Chair. We will add that to the
33 report no problem and Action 12 starts on page 51 and this looks
34 at changes to the circle hook requirement in the Gulf and South
35 Atlantic Councils' jurisdictions.
36

37 I think this action got started because the yellowtail snapper
38 commercial fishermen requested that circle hooks no longer be a
39 requirement in the Gulf, to match the South Atlantic Council's
40 regulations. Now we have several alternatives in here that look
41 at multiple species and we have also put in both the
42 recreational and the commercial sector in here.
43

44 This is a lot of alternatives right now. We are looking at more
45 than just yellowtail snapper. Alternative 1 is the no action
46 alternative and it would retain the current hook requirements in
47 the EEZ of the Gulf and South Atlantic Councils. Alternative 2
48 would look at removing the requirement to use circle hooks when

1 fishing with natural bait for yellowtail snapper in the EEZ off
2 the Gulf of Mexico and we have suboptions for the recreational
3 and the commercial sector. I think that was the crux of some of
4 the public comment originally.

5
6 Alternative 3 would remove the requirement to use circle hooks
7 when fishing with natural bait for yellowtail snapper south of
8 the 28 degrees North latitude line and approximately around the
9 Tampa area, the St. Petersburg area, in the EEZ of the Gulf of
10 Mexico and, again, for the recreational and commercial sector.

11
12 Alternative 4 would require the use of circle hooks when fishing
13 with natural bait for all snapper grouper species south of the
14 28 degrees North latitude line and so I think that's an
15 alternative that the South Atlantic Council has added back in
16 this document to look at.

17
18 Alternative 5 would remove the requirement to use circle hooks
19 when fishing with natural bait for all species in the snapper
20 grouper complex north of 28 degrees North latitude in the EEZ of
21 the South Atlantic. Again, it has it for the commercial and the
22 recreational sector.

23
24 Alternative 6 would remove the requirement to use circle hooks
25 when fishing with natural bait for yellowtail snapper in federal
26 waters from the Dade/Monroe County line on the east coast to
27 Shark Point on the west coast and, again, it has it for each
28 sector. With that, I will stop there.

29
30 **CHAIRMAN GREENE:** Okay. Any discussion? Circle hooks and j-
31 hooks seems to be a pretty hot topic.

32
33 **MS. LEVY:** Just a question. Does the South Atlantic have a
34 circle hook requirement? I'm sorry I don't know the answer to
35 that, because when I read what the description of Alternative 1
36 is, it just mentions the Gulf of Mexico as being applicable.

37
38 **MS. BADEMAN:** I can help with that. They do, but it's north of
39 28 and apparently -- I think the reason why some of these
40 actions are in here, like Alternative 4, is there are some
41 council members that are interested in extending that
42 requirement south and so there's all kinds of options that are a
43 little bit wild, but yes, they do, but it's just not -- It
44 starts -- The requirement is north of like the Cape Canaveral
45 area and so not close to the Keys.

46
47 **MS. LEVY:** Just a suggestion. I know some of these no actions
48 have a lot of moving pieces and so we have tables, but for ones

1 that are very specific, it would be helpful to actually say what
2 the status quo is, if you could say it in a sentence. Thanks.

3
4 **CHAIRMAN GREENE:** Okay. Thank you.

5
6 **MR. DIAZ:** I just want to make a comment. I wasn't able to hear
7 the comments at the public hearings so far, but I did hear
8 Martha talk about the comments they had got from the meetings
9 she had went to and I heard things like trying to shoot for
10 consistency and eliminate inconsistencies and so I mean this is
11 kind of going in the opposite direction.

12
13 I do understand there is some folks that want to do that and
14 then we certainly need to hear from law enforcement and
15 depending on what way we go with this, I could see this being
16 some law enforcement challenges, depending on which option we
17 select. Thank you.

18
19 **CHAIRMAN GREENE:** I understand. I saw a hand down at the other
20 end of the table and forgive me, but I couldn't see who --
21 Martha, I'm sorry.

22
23 **MS. BADEMAN:** I imagine that Captain Kelly and some of the folks
24 from this area will talk about this in public comment, but the
25 yellowtail snapper fishery, the commercial fishery in
26 particular, fishes quite differently than other reef fish
27 species. They are using different gears and they are using
28 light tackle a lot of times and so I will let them talk about it
29 in public comment and make their argument for dealing with this,
30 but I think we will have enforcement also at the meeting on
31 Thursday. I think there will be some FWC folks.

32
33 **CHAIRMAN GREENE:** Thank you.

34
35 **MR. WALKER:** I was just going to add that with circle hooks I
36 think you have less -- We would have less fish mortality using
37 the circle hooks and one thing with the natural bait and is it
38 just anything that's non-artificial and is that the definition
39 they're using of natural bait? Is it cut bait or live bait or
40 is it anything that's not artificial? Okay.

41
42 **EXECUTIVE DIRECTOR GREGORY:** I will be real quick, but the South
43 Atlantic Council did away with the requirement to use circle
44 hooks south of 28 degrees latitude because of a study that was
45 done in the Gulf comparing circle hooks and j-hooks and that
46 study was later refuted at a SEDAR, but when the industry came
47 to us and said we want to have the similar thing and to be able
48 to use j-hooks for our yellowtail fishing, we on staff said

1 circle hooks, like David said, circle hooks work and so we don't
2 want to just do away with circle hook requirements for all reef
3 fish, but this option is designed for the commercial fishery
4 only to not require circle hooks, but still to require circle
5 hooks for the rest of the reef fish and for the recreational
6 sector that we have now.

7
8 **CHAIRMAN GREENE:** Thank you. Any further discussion? Okay.
9 Knowing we got a late start, I wanted to get through that
10 particular action and I know that accountability measures are
11 following and so I guess I will ask Dr. Simmons a question. Of
12 the remaining action items left, is there any one in particular
13 that you need clarity on, because we need to kind of move on.

14
15 **DR. SIMMONS:** I was just going to suggest we can come back to
16 the accountability measures after the joint meeting and after we
17 have a better understanding of earlier sections and actions in
18 the document, but it might be good to get some information from
19 Mr. Perret on the purpose and need quickly. He had some
20 suggestions earlier.

21
22 **CHAIRMAN GREENE:** Good call. I think we'll go back to the
23 purpose and need at the front of the page and as soon as Mr.
24 Perret is ready with his words of wisdom, we will move on.

25
26 **MR. PERRET:** The first sentence, and I know we're all for
27 simplifying fisheries management, but it seems like any time we
28 try to simplify, we just kind of compound issues, but just some
29 suggested language change.

30
31 The purpose of this amendment is to provide consistent fishery
32 management for reef fish species unique to South Florida or
33 something like that. I like "consistent" better than "simplify"
34 and on the second paragraph, to me it's starting out the need
35 for the amendment is to decrease the public's burden and the
36 need for this amendment is to increase the public's -- To assist
37 the public or increase the public's awareness of varying
38 different regulations or something like that, just some language
39 or suggested change, but the first comment was the one on the
40 consistency rather than simplicity.

41
42 **CHAIRMAN GREENE:** Okay. Duly noted and I think staff has made a
43 note of that and I'm sure they will change it accordingly. With
44 that, unless there is any opposition, we're going to leave that
45 section and move on to our next agenda item, which would be the
46 SSC Review of Alternative Red Snapper MSY Proxies. That leads
47 into SSC Comments and Tab B, Number 5 and, Dr. Barbieri, if
48 you're ready.

1
2 **SSC REVIEW OF ALTERNATIVE RED SNAPPER MSY PROXIES**
3 **SSC COMMENTS**
4

5 **DR. LUIZ BARBIERI:** There is actually a brief presentation
6 that's to be posted there that summarizes some of the SSC
7 discussion points and recommendations to the council.
8

9 **CHAIRMAN GREENE:** We will try to find that presentation and get
10 it up there. Okay. This was emailed out at 11:41 this morning
11 if you're struggling to find it. Go ahead, Dr. Barbieri.
12

13 **DR. BARBIERI:** Mr. Chairman, given the situation with the
14 schedule, I am going to try to go through this as fast as
15 possible. I am going to be around pretty much all week,
16 bouncing between the two councils, and so if there are any
17 additional questions or more detailed explanations, I can always
18 come back and revisit the issue when you have more time.
19

20 Regarding the alternative red snapper MSY proxies, this is some
21 background information that hopefully you have in front of you
22 and I don't have to read all of this, but the council has
23 requested an analysis from the Center that looks at different
24 alternative values of MSY proxies for red snapper.
25

26 As you know, the current rebuilding plan is working with a 26
27 percent SPR proxy, but the council, given the results of the
28 last assessment, the council is looking at exploring some other
29 options as well and so the SSC received a presentation from the
30 Science Center and it was a very detailed, thorough, complete
31 presentation that looked at the outcomes really of all the
32 different SPR values being used and some other options in terms
33 of MSY estimates and after reviewing all of that and having some
34 extensive discussion, the written report that's part of your
35 briefing book actually has a lot of detailed information on that
36 presentation and the SSC discussion.
37

38 The SSC did not really find any other reason to depart from the
39 current recommendation of staying with the 26 percent SPR as a
40 rebuilding target for red snapper and so I will pause there, Mr.
41 Chairman, in case there are some questions regarding this item.
42

43 **CHAIRMAN GREENE:** Thank you. Any questions?
44

45 **MR. KEVIN ANSON:** Insufficient biological evidence for a better
46 MSY proxy, so we had -- The council had talked about this before
47 and you had come up and talked about SPR and kind of SPR and
48 what it means and what it doesn't mean, I guess, but it comes

1 down to risk I think is what the gist of it was and so
2 insufficient biological evidence for a better MSY proxy, but how
3 about insufficient -- I mean a different MSY proxy. I guess is
4 there a different explanation of this in terms of, again, just
5 the risk and what it entails and what it doesn't entail?

6
7 **DR. BARBIERI:** Yes and the SSC's position here is really based
8 on the life history and the population structure of red snapper
9 and if you look at the literature, and this is not just
10 globally, but involving all the other MSY proxies that you have
11 adopted for all the other species that you manage, I don't think
12 there is one species there in that package that is below a 30
13 percent SPR with the exception of red snapper.

14
15 When you look at the body of evidence, research, that is used
16 for the last twenty or thirty years, 30 percent -- Most of the
17 SPR proxies vary between 20 and 60 percent, depending on the
18 life history characteristics of the species. For something like
19 red snapper that lives to be over fifty years old and needs a
20 lot of age classes there in the population, 30 percent is the
21 value that we think is the minimum that could be used and
22 guarantee long-term stability of the stock and resilience in
23 terms of the ability to withstand impacts, environmental
24 variability, or some issues.

25
26 You are right that you as the council, in terms of assessing
27 risk, could depart from this recommendation and use something
28 different. As your body of scientific advisors, we are
29 basically telling you it's something that involves a level of
30 risk that we feel is higher than it would be for rebuilding the
31 stock to a sustainable level.

32
33 **MR. DIAZ:** Thank you, Dr. Barbieri. I am going to try to ask a
34 question, because I am trying to get something straight and I
35 might even have a hard time asking the question. We used to use
36 a process called MSY link and if we used MSY link today, the SPR
37 would be 23 percent, if I read the paper correctly, but we're
38 using a new method now, because it's better than MSY link. I
39 believe even at your meeting you all made a motion to not use
40 MSY link anymore, but in the new method that we're using, are we
41 now at a higher standard than what we would have been at with
42 MSY link? I am just trying to get that straight and can you
43 help me out with that?

44
45 **DR. BARBIERI:** Sure and we might have to ask at some point for
46 Clay Porch to step up and discuss in more detail the MSY link or
47 the analysis that the Center conducted, but the use of an SPR
48 proxy is really something that you do when you don't have an MSY

1 estimate.

2
3 When you conduct the assessment and you go through the model
4 process, the model can either estimate a valid -- Come up with a
5 valid estimate of the stock recruitment relationship and if
6 that's the case and the value that comes out of that estimate of
7 the model result is approved through the SEDAR process and
8 approved or accepted by the SSC, that means that you have an
9 actual direct MSY estimate and you don't need to use a proxy in
10 that case.

11
12 In the case of red snapper, because the model wasn't really able
13 to come up with a valid estimate of steepness and therefore
14 couldn't estimate the stock recruitment relationship, the MSY
15 estimate was not really accepted by the assessment panel, by the
16 SEDAR review panel, and by the SSC and so at this point, there
17 is no valid, scientifically-accepted estimate of MSY for red
18 snapper.

19
20 This is why we are using a proxy to substitute for using the MSY
21 estimate and now what the proxy is doing is basically putting
22 aside some amount of spawning biomass and saying, okay, if we
23 keep this spawning biomass out there, let's expect that on
24 average over time the stock will remain sustainable, given the
25 levels of fishing and natural mortality.

26
27 This is really the approach that we are going with here and I
28 know that there have been some alternative analyses conducted by
29 the Center that at this point is looking at different ways to
30 perhaps provide an alternative to an MSY target, but at this
31 point what we have coming out of the assessment is not having a
32 valid MSY estimate and we have to use the proxy. Did that
33 address your question?

34
35 **MR. DIAZ:** I think partially, but still is the standard that you
36 all are recommending now any -- Is it a higher standard or a
37 more stringent standard?

38
39 **DR. BARBIERI:** No, it's not. Now, remember that the rebuilding
40 plan that has been in place and that's the rebuilding plan that
41 you're following right now assumes a target of 26 percent SPR
42 and so this recommendation is not any different than what the
43 SSC has recommended for the last several years. This is
44 basically recommending that you stay on course with the existing
45 rebuilding plan and the existing rebuilding target and so
46 nothing different, no higher standard by any means.

47
48 **MR. CAMPO MATENS:** Luiz, thank you very much and, as you know, I

1 was there in New Orleans when this was discussed. I think it's
2 obvious on the face of it that as you move up and down this SPR
3 scale that risk changes. My curiosity is, is there any way to
4 quantify that risk, should we move up or down the SPR scale?
5

6 **DR. BARBIERI:** I don't know how that could be done. I mean
7 ideally you would have the actual estimate of the risk
8 associated with each one of those probability of overfishing or
9 not rebuilding the stock or not having some level of non-
10 sustainable fishing, but we don't have those results, that
11 analysis, completed and so unfortunately we cannot assign
12 specific risk values to those SPR proxies.
13

14 **MR. MATENS:** Let me follow up on this. So if this council
15 recommended going to an SPR of anything less than 26, we would
16 be accepting risk blind and is that a correct statement?
17

18 **DR. BARBIERI:** I'm sorry. Can you repeat the last statement?
19

20 **MR. MATENS:** If we started to move down on the SPR scale to 24
21 or 22 or 20 or anything else, we would be accepting increased
22 risk, but we would be blind as to how much risk we would be
23 accepting and is that a correct statement?
24

25 **DR. BARBIERI:** Yes.
26

27 **CHAIRMAN GREENE:** Go ahead, Dr. Stunz.
28

29 **DR. GREG STUNZ:** Thanks for letting me address your committee.
30 Luiz, I've got a question on the same lines as Camp. In the
31 motion, there is insufficient biological evidence, but if we
32 were to go, as Camp suggested, down to 23, is there biological
33 evidence that that's better or worse than 26 or really what I'm
34 asking is is there biological evidence that 26 is as good or
35 better than the others?
36

37 **DR. BARBIERI:** No. Now, the way that this works between the
38 scientific advice, and I think that this needs to be made clear,
39 this is not the SSC telling the council manage the stock this
40 way. I like to use analogies and so in this case, it's like
41 risk, for example, of smoking.
42

43 You can ask a doctor and say, listen, I like to smoke and I love
44 to smoke and I had an uncle who died at age ninety-five and he
45 smoked all his life and so can you tell me that it's okay to
46 smoke and the doctor is going to tell you, well, no, I can't do
47 that.
48

1 You have to assume that risk and you don't know what the risk
2 is, but the science over time has shown that smoking increases
3 the probability of you dying earlier or not living as long or
4 not being as healthy and so we still don't know what the actual
5 different risk levels are, but looking at the body of scientific
6 evidence over time and the doctor is not telling you don't
7 smoke. You still have the freedom to smoke if you want to, but
8 you know you're going to be assuming risk that's higher and that
9 the scientific evidence indicates that that risk is based on
10 previous studies or case studies.

11
12 No, we can't at this point. We just don't have the tools at
13 this point to quantify what the difference would be between 20,
14 23, 26, or 30 or any other, but based on the state of the
15 science on this, we know that the lower the SPR for a species
16 like red snapper, the higher the risk you're going to be
17 assuming. Did that answer your question?

18
19 **DR. STUNZ:** That answered it and I completely understand the
20 analogy. I am just worried that -- Let's say, for the sake of
21 argument, the SPR was in fact at 23 and not 26, just
22 hypothetically. Would this motion read the same thing,
23 essentially? Would there still be insufficient biological
24 evidence to remain the same in terms of if the yield was 23 SPR?

25
26 I guess what I'm asking is I'm not seeing evidence that 26 is
27 necessarily better than 23 and it's just we don't know and
28 you're just assuming a little bit more risk.

29
30 **DR. BARBIERI:** Right. I mean you just have a body of evidence
31 that looks at life history and population dynamics of stocks.
32 Longevity is one of those and sexual maturity and egg production
33 and a whole number of different factors and over time you can
34 compile all of those and look at those different examples and in
35 a situation like red snapper, to tell the truth, and you look at
36 what the South Atlantic has adopted for this same species, the
37 recommendation from the SSC was actually to use 40 percent,
38 given the longevity of the stock, but the council decided to
39 assume 30 and has been using that.

40
41 26 is close enough to 30 that since you had this already on the
42 books we decided that let's just go with 26, but we just don't
43 feel that anything lower than 26 would be advisable to you.
44 It's not a matter of right or wrong, but it's just we wouldn't
45 advise you to do that.

46
47 **MS. LEANN BOSARGE:** I am not on this committee, but, Luiz, you
48 said a lot and I'm trying to take it all in. You mentioned the

1 proxies, the MSY proxies, that we use for all the other fish
2 that we manage and can you repeat that? Did you say that this
3 is the lowest? Do we have some that are similar to this or what
4 do we normally do on those?
5

6 **DR. BARBIERI:** I have to rely on staff to look at the record,
7 but my recollection is that there is no other species in the
8 snapper grouper management plan that is lower than 30 percent
9 other than red snapper. Steven, is that the case?
10

11 **MR. ATRAN:** That is correct. Red snapper is at 26 percent and
12 the majority of our other reef fish are at 30 percent and I
13 believe we have a couple of species, goliath grouper and maybe
14 one other, where we went to 40 percent, but generally most of
15 the recommendations have been to set SPR somewhere between 30
16 and 40 percent.
17

18 **MR. SANCHEZ:** I have a question for anyone and probably Roy. I
19 remember -- I guess if we adjust the SPR, doesn't that affect
20 the rebuilding timeframe?
21

22 **DR. CRABTREE:** I think you would have to revise the rebuilding
23 plan and reevaluate rebuilding timelines and I think what the
24 Center looked at was that you would recover in ten years or less
25 at those lower SPRs, so that if you started the rebuilding plan
26 in 2016 or something that it would end in 2026 rather than 2032.
27

28 Back to the question of the 30 percent. We have looked at this
29 nationwide and this is one of the lowest SPR, meaning most
30 aggressive, reference points used in the entire country and so
31 you know the argument for going lower than 26 percent is awfully
32 difficult to make, because what we know about fish like this is
33 in most cases the appropriate SPRs are 30 percent or even 40
34 percent or higher, in some cases. I think it's a tough lift to
35 make to try and reduce the reference point here.
36

37 **MR. ANSON:** I understand where red snapper is relative to other
38 fish that the agency manages and I didn't participate in any of
39 the conversation in this last SSC meeting, but you know relative
40 to this body of knowledge that we have for red snapper and red
41 snapper is one of the species that we have the most information
42 on and relative to other snapper or reef fish fisheries in the
43 world, it hands down will top any of the other fish when you
44 make those comparisons.
45

46 I understand the relationship between having a full range of age
47 classes and such as it relates to risk, but you know some of the
48 information that we have available here as of late, ten of the

1 top twenty years for recruitment the SPR were 5 percent or less
2 and so you know there is a lot of the I guess book knowledge
3 that we need to try to kind of correlate with our actual
4 knowledge in data that we have for the species.

5
6 Just kind of make sure that we're moving the book knowledge and
7 understanding, I guess, with the science, because with the more
8 science and the more data we have, we should be able to make a
9 little bit better judgement call and be able to kind of minimize
10 that risk that we take or we put into the analysis as such and
11 the decision making and so that's all I'm trying to make a
12 point, is that as we go through time and we accumulate more and
13 more information, we should have a much better understanding of
14 what the fish does and what the fish needs biologically and then
15 we can make those decisions in a bit of a better sound
16 environment I guess is what I'm trying to say. Thank you, Dr.
17 Barbieri.

18
19 **DR. BONNIE PONWITH:** So I appreciate your comments, Chairman
20 Anson, and you're right that when the SPR for this stock was at
21 very low levels that we did occasionally see spikes in
22 recruitment and that's one of the idiosyncrasies of this
23 species. That can still happen and it leads us to understand
24 that environmental factors and other things that aren't totally
25 quantified or well understood are influencing those recruitment
26 patterns.

27
28 It is not necessarily the spikes that we're worried about when
29 we contemplate what is the right SPR to protect the long-term
30 vitality of this stock. It's those spikes that go in the other
31 direction that become worrisome and so you're right that we've
32 seen spikes upward in recruitment and the concern is how low can
33 you set that level and still be able to recover from recruitment
34 failures, if you had a series of those year after year, and
35 that's the flip side of that risk coin or that recruitment coin.

36
37 **MR. ANSON:** Just to follow up on that, again going back to my
38 comment about the body of knowledge that we have, is not only on
39 the science side we're getting better in capturing those
40 signals, but on the management side in being able to track what
41 the Fs are or what the human removals are. We're getting much
42 better at that as well and so they're kind of converging, I
43 think, to a point.

44
45 **MR. WALKER:** Luiz, we've got the eastern and the western Gulf
46 and I guess the SPR is increasing in the west and it's
47 decreasing in the eastern Gulf and how is the biomass doing with
48 that?

1
2 **DR. BARBIERI:** The biomasses are increasing on both sides of the
3 Gulf. Now, the prognosis, when you look at the long-term
4 projections, is different between what has happened in the east
5 and the west, but the SSC looked at those analyses and discussed
6 some of those issues, but right now the reference point that we
7 have and the way that you have been managing the stock is Gulf-
8 wide and so we really did not go beyond that Gulf-wide SPR
9 level, because you know you don't have anything right now
10 looking at managing those two stocks separately or portions of
11 the stock separately.

12
13 **MR. WALKER:** So the SPR is lower in the eastern Gulf and the
14 recruitment -- We have four years now that we're at low
15 recruitment and I'm just kind of worried about the recruitment
16 and when we might hopefully get some numbers we can appreciate.

17
18 **CHAIRMAN ANSON:** Any more questions for Dr. Barbieri? Okay.

19
20 **SSC REVIEW OF THE EFFECT OF RECALIBRATED RECREATIONAL REMOVALS**
21 **AND RECREATIONAL SELECTIVITY ON ESTIMATES OF OFL, ABC, AND MSY**
22 **FOR GULF RED SNAPPER**
23

24 **DR. BARBIERI:** With that, Mr. Chairman, I'm going to just move
25 on then to the next item, which was to Review the Effect of
26 Recalibrated Recreational Removals and Recreational Selectivity
27 on Estimates of OFL, ABC, and MSY for Gulf Red Snapper.

28
29 You may remember an analysis was presented to you on this that
30 was looking at some options for reallocation and the impact of
31 those reallocations, reallocation options, on the catch level
32 recommendations that come out of the assessment as well as the
33 potential impact of the new recalibration of the recreational
34 survey estimates.

35
36 In that case, the SSC, after looking at that analysis, agrees
37 that yes, the reallocation and the recalibration of the
38 recreational estimates would cause a change in the estimates of
39 OFL and ABC for red snapper and so it's something that would
40 prompt re-estimation of those quantities, in case you want to go
41 that way.

42
43 We didn't go any further into more detail on this and basically
44 just looked at this as a way to provide some feedback on the
45 question of if there are these reallocation options and the
46 impact of the recreational survey recalibration and whether this
47 would impact OFL and ABC and our conclusion was that yes, it
48 would and so we have to revisit those figures. I will pause

1 again, Mr. Chairman.

2
3 **CHAIRMAN GREENE:** Any questions? Seeing no questions, we can
4 continue on.

5
6 **SSC REVIEW OF GAG INDICES OF ABUNDANCE**

7
8 **DR. BARBIERI:** Thank you and moving on, another item that we
9 reviewed was the indices of abundance, an update on the indices
10 of abundance for Gulf gag since the last assessment. You
11 requested the Center -- I guess you had a lot of public input,
12 stakeholder requests, to look into the situation with gag, given
13 the outcome of the last assessment.

14
15 The Center then updated those indices of abundance and the
16 fishery-dependent indices were updated through 2013 and the
17 fishery-independent through 2014 and the SSC, looking at that,
18 noticed that the trends, all the indices actually, agree and
19 having the trends going in a downward direction and that
20 suggested there are issues there going on with gag abundance
21 that may not have been captured by the last assessment.

22
23 Based on that, the SSC recommends caution on your part in
24 setting up ACL and ACT for gag, because there are some red flags
25 out there that indicate that this stock may not be in as good
26 abundance as was estimated by the assessment, the last
27 assessment. Again, Mr. Chairman, I will pause for any
28 questions.

29
30 **CHAIRMAN GREENE:** Thank you. Any questions? Seeing none,
31 continue on, please.

32
33 **MR. ATRAN:** At this point, there is a gag options paper for
34 adjusting ACL and I could either go over that now or you could
35 have Dr. Barbieri just go through the complete SSC report and
36 then we could come back to that.

37
38 **CHAIRMAN GREENE:** What's the pleasure of the committee? I guess
39 we'll just go on through the report and then we'll come back to
40 the options paper as you noted, if that would be okay with Dr.
41 Barbieri.

42
43 **REMAINDER OF THE SSC REPORT**

44
45 **DR. BARBIERI:** Okay and so moving on to the mutton snapper OFL
46 and ABC recommendations that came out of the projections from
47 the last assessment, I believe that you have received already a
48 report that provides stock status and catch level

1 recommendations for mutton snapper.

2
3 The stock was found to be not overfished and not undergoing
4 overfishing and the SSC applied its ABC control rule and
5 developed projections for mutton snapper using a P^* of 30
6 percent for ABC and 50 percent for OFL and I have a table there
7 that should be also in detail in your written report from the
8 SSC that sets catch level recommendations for OFL and ABC from
9 2016 to 2020 and those values are presented both in landed
10 numbers and weights and discards.

11
12 This one is really just a brief overview of what's presented in
13 detail in your report in case there are any questions or
14 comments that you would like to make.

15
16 **CHAIRMAN GREENE:** Any questions on this?

17
18 **MR. WILLIAMS:** Luiz, these yield streams apply to the mutton
19 snapper population as a whole, right, the Gulf and the South
20 Atlantic and not just the South Atlantic? Okay.

21
22 **DR. SIMMONS:** Just a quick question, Dr. Barbieri. I didn't get
23 a chance to read the whole assessment. What were some major
24 indications or when you guys were working on the stock
25 assessment of why the projections are so much lower than they
26 have been in the previous assessment? Were there recruitment
27 problems or major changes in catches or just can you give us a
28 quick synopsis?

29
30 **DR. BARBIERI:** Right and that's a good question and I should
31 actually have pointed this out, because this is an issue that
32 came up when we were discussing this with the South Atlantic
33 Council as well and the issue is that the last assessment used
34 an older model, so to speak, the ASAP model, that wasn't really
35 able to explicitly take into account some of the selectivity
36 functions, some of the issues really, that capture those issues
37 of the fishery as properly as this one does.

38
39 This update uses a more up-to-date version of the model that
40 better estimates the selectivities and because of that, the
41 productivity of our estimates or the productivity of the stock
42 have actually changed and so you're going to see that the
43 estimates of MSY between this assessment and the last one are
44 different, but that doesn't reflect in any way changes in
45 productivity of the stock.

46
47 It's just the way that this newer model can actually account for
48 all the issues more explicitly and capture the dynamics of the

1 stock better and so these estimates are more reflective of the
2 actual abundance levels in the productivity of the stock out
3 there.

4
5 In the case of your question about bad recruitment, there wasn't
6 any really indication that there are any negative trends in
7 recruitment or a decrease in productivity of the stock that we
8 could tell. It's really something that had to do with the
9 modeling approach and how those estimates came up.

10
11 **CHAIRMAN GREENE:** Thank you. Any other comments?

12
13 **MR. WILLIAMS:** Just one. I am pleased to see that in these
14 mutton snapper projections and ABC recommendations that it
15 actually increases over time. Most of what we look at they go
16 down as the years -- Do you know why that is?

17
18 **DR. BARBIERI:** In this case, it's because the stock, as it is
19 right now, it is not way above that biomass at MSY and so even
20 though the stock is not overfished, by using this projection,
21 you are actually allowing the biomass of the stock to increase
22 further and given what's coming out of the recruitment estimates
23 that are being used for the projections, the projection of the
24 stock to be more productive or higher abundance as we go into
25 the future.

26
27 **CHAIRMAN GREENE:** Okay. Thank you. Any other questions? Okay,
28 Dr. Barbieri.

29
30 **DR. BARBIERI:** Another quick report on the hogfish assessment
31 results and recommendations of OFL and ABC yield streams for the
32 hogfish stock. You may remember that the assessment actually
33 was conducted for three separate stocks that had been found to
34 be separate genetic units, biological units.

35
36 There is small stock up in North Carolina that didn't really
37 have enough data to be assessed properly and there is a
38 southeast Florida/Florida Keys portion of the stock that is
39 really managed by the South Atlantic Council and then there is
40 the west central Florida portion of the stock that is under the
41 council's jurisdiction.

42
43 This portion of the stock, the assessment came out as not
44 overfished and not undergoing overfishing. The SSC applied its
45 control rule and came up with a P* of 40 percent and recommended
46 three-year projections at 50 percent for OFL, as we
47 traditionally do, and at 40 percent for ABC. Yes, Mr. Williams,
48 in this case we have a situation where the projections show that

1 the stock is actually at a higher abundance level now and that
2 going into the future the yield streams show decreasing trends
3 in OFL and ABC.

4
5 Basically, because the biomass, the current biomass of the
6 stock, is very high, you are above the biomass of MSY and so
7 since the OFL and ABC are based on MSY, they actually provide
8 you a trajectory that fishes the stock down to that level and so
9 the SSC discussed this and there were some suggestions from some
10 members that we provide you with a constant catch projection
11 scenario that would avoid you having decreasing catches over
12 time, but because there are different ways to accomplish this,
13 to get to that constant catch, and because we didn't know what
14 you wanted to do in terms of how to manage this stock and
15 whether you wanted to work with constant catches or not, we
16 decided to forego that part and present this to you and if you
17 actually would like to see a constant catch scenario, we will
18 bring it back to you at your next meeting.

19
20 **CHAIRMAN GREENE:** Thank you. Any more comments?

21
22 **EXECUTIVE DIRECTOR GREGORY:** Thank you, Dr. Barbieri, and what
23 are the three ways of doing constant catch, I mean if the
24 council wants that and they've been asking that in past stock
25 assessments?

26
27 **DR. BARBIERI:** Well, there is different ways for you to either
28 calculate what the constant catch would be. Either you use an
29 average of those three years or you can use different scenarios
30 there to come up with that and so we discussed that and felt
31 that, in looking at all those options, if you want to go that
32 way that we can provide you with an additional recommendation.
33 In this case it wouldn't be the Center. In this case, it would
34 be FWC to put together an options paper that would have
35 different options there of how you could address this.

36
37 **EXECUTIVE DIRECTOR GREGORY:** I think I seem to remember to do it
38 the way we were doing it in the beginning requires a lot of
39 iterative analyses to find out what is that constant catch that
40 meets the same sort of protection that the declining does and at
41 one point in one stock, Clay I think just averaged the three
42 year projections and found that that was very close to the more
43 difficult and time consuming iterative approach and so if we
44 could get guidance that that is an appropriate way of us
45 implementing constant catch, then we don't have to go back and
46 forth to the SSC.

47
48 **DR. BARBIERI:** That's fine. I mean one thing that we can do is

1 we can work with the Center in developing a white paper that
2 would look -- An analysis summarized for you or for the SSC to
3 review of different ways of achieving that constant catch and
4 then have the SSC review that and provide you some
5 recommendation.

6
7 One last thing that I forgot to say about the last slide is that
8 keep in mind that this portion of the stock that's managed by
9 the Gulf Council is actually not overfished and not undergoing
10 overfishing, but there is a portion of the stock that is the
11 southeast Florida/Florida Keys portion that is overfished and
12 undergoing overfishing and so in that case, there is a
13 rebuilding plan that's going to be presented this afternoon to
14 the South Atlantic Council.

15
16 Now, there is a small portion of that biological unit that
17 actually falls under the Gulf Council's jurisdiction and so
18 staff actually felt that it would be good to bring this to your
19 attention so that you can keep an eye on the rebuilding
20 strategies that are being used by the South Atlantic Council,
21 since that portion of the stock there that's managed by the
22 South Atlantic is in your jurisdiction. Did I present this
23 correctly, Steven?

24
25 **MR. ATRAN:** That's correct and that was one thing I was going to
26 bring up. I am not sure -- We've got a small slice, as you
27 said, and I don't know what the percentage is, of the South
28 Florida/Keys Hogfish stock that's overfished that extends into
29 the council's jurisdiction and then we've got most of the
30 hogfish that are a separate stock in the Gulf that are doing
31 fine and they are not overfished or undergoing overfishing.

32
33 One of the things we need to figure out is how we're going to
34 deal with that slice of the South Atlantic stock that extends
35 into our jurisdiction and I don't know if that's something
36 that's going to be discussed at the Joint South Florida meeting
37 or not. If it is, maybe we might want to hold off on making any
38 decisions until after that joint meeting.

39
40 **MR. WILLIAMS:** Luiz, does the South Florida/Keys stock -- Is
41 there a discontinuity in its distribution from the Keys into
42 northwest Florida? If so, how far up does it go?

43
44 **DR. BARBIERI:** The separation?

45
46 **MR. WILLIAMS:** Yes.

47
48 **DR. BARBIERI:** I mean there is basically a little tip turning

1 around, over here actually, into the Gulf, very small, and then
2 the other portion is really off of the Tampa Bay area, Charlotte
3 Harbor area, the west central Florida.

4
5 **MR. WILLIAMS:** So is our portion of the Keys stock principally
6 Monroe County, would you say?

7
8 **DR. BARBIERI:** Yes and so it's a very small proportion of the
9 stock of that unit, biological unit, that kind of spills into
10 the Gulf Council's jurisdiction, very small. Of course, the
11 South Atlantic Council will be considering this afternoon
12 different rebuilding strategies for that stock and I will be
13 giving a presentation to them on different scenarios that they
14 may consider for rebuilding the stock at different probabilities
15 of rebuilding and achieving either faster or longer rebuilding
16 timeframes.

17
18 **CHAIRMAN GREENE:** Okay. Thank you. Any other discussion? We
19 are behind schedule and I believe the intent of the Chair,
20 Chairman Anson, is to make probably an hour long lunch. We have
21 two additional items within this section and so at this point
22 I'm going to back up. Item Number VII, which would be Review of
23 Options Paper and Decision Spreadsheet, Tab B, Number 6(a), (b),
24 and (c). Mr. Atran, if you can quickly run us through this.

25
26 **OPTIONS PAPER - FRAMEWORK ACTION TO SET GAG ACL AND RECREATIONAL**
27 **SEASON**
28 **REVIEW OF OPTIONS PAPER AND DECISION SPREADSHEET**

29
30 **MR. ATRAN:** Okay. We have prepared an options paper and as you
31 know, we do have ACL recommendations now from the SSC and we
32 also have concerns that the results of the stock assessment may
33 have painted a somewhat optimistic picture of where we're going
34 right now with gag.

35
36 Although the assessment said that the stock is neither
37 overfished nor undergoing overfishing, anecdotal information
38 from fishermen have suggested that the abundance appears to be
39 down in the most recent years and so we requested an analysis of
40 CPUE indices through 2014. The assessment only went through
41 2012 and the results did show that CPUE indices are down in the
42 last few years.

43
44 The SSC recommended being precautionary in how you set the ACL
45 for gag going forward and our Reef Fish AP had also previously
46 recommended a precautionary approach for the same reasons and so
47 we've got two actions in this options paper.

1 One action is where to set the ACL for the next few years and
2 then the other action is where to set the recreational fishing
3 season or seasons, if you want to have a split season. We have
4 some projections that were made with a decision tool, a
5 spreadsheet, that the Regional Office put together thanks to
6 Mike Larkin.

7
8 We have some estimates of how long the seasons would be under
9 different combinations of ACLs and various approaches to setting
10 the season. Just very quickly to go over the Action 1
11 alternatives, which is the ACL itself, Alternative 1 is no
12 action. We are currently at a stock-wide ACL of 3.12 million
13 pounds and we do have ACTs for both the commercial and the
14 recreational sector.

15
16 The recreational sector has an ACL of 1.93 million pounds and an
17 ACT of 1.708 million pounds. On the commercial side, their ACL
18 is 1.217 million pounds and that normally would be their quota,
19 but when the current ACLs were adopted, there was some concern
20 from the previous stock assessment that because of the low
21 amount of IFQ shares that were going to be distributed for gag
22 that there would be a significant amount of discard mortality
23 from vessels that would have to throw back their gag because
24 they don't have sufficient allocation to keep them and that
25 wasn't accounted for in the stock assessment.

26
27 We had an ACT for the commercial sector and right now it's 0.939
28 million pounds. That is also their quota for gag. This latest
29 stock assessment did take into account discards during any
30 closed season or because of a lack of quota shares and so we no
31 longer need an ACT on the commercial side.

32
33 All of the other alternatives other than status quo do not have
34 an ACT on the commercial side and only the recreational side and
35 so the ACL would become the quota on the commercial side.

36
37 Alternative 2 is a precautionary approach. It would set the ACL
38 at 3.80 million pounds. I am not going to go through all the
39 other numbers. You can read them. This was recommended by the
40 council at the last meeting. It is midway between status quo
41 and the next lowest ACL that we previously had.

42
43 Alternative 3 would set ACL and ACT based upon the long-term
44 projected optimum yield, equilibrium optimum yield. In theory,
45 we could set the ACL at this level and never have to change it
46 again, because we would always be catching below our MSY level,
47 even given fluctuations. In reality, there is a lot of
48 uncertainty with these long-range projections and chances are

1 the equilibrium OY estimate will change with the next stock
2 assessment, but 4.46 million pounds is our current estimate of
3 what the long-term equilibrium would be.

4
5 Alternative 4 was an attempt to try to set a constant catch
6 based upon the yield projections that we had. As you heard on
7 the discussions just dealing with hogfish, we didn't have a
8 constant catch projection for the three years that the SSC was
9 looking at, which was 2015 through 2017, and so if you wanted to
10 do a constant catch ACL, it would have to be at the lowest ABC
11 of those three year periods, which would be 4.57 million pounds.
12 You could maintain that going forward.

13
14 Alternative 5 has a separate ACL for each of the three years,
15 2015, 2016, and 2017, based upon the specific ABC that was
16 recommended for each of those years by the SSC. 2015 you can
17 forget about. There is no way we can get regulatory action in
18 place before the end of the year and so we're really looking at
19 where to set the ABC and any seasons for 2016 and 2017 and if
20 there is no update to the ABCs, the ACLs would remain at the
21 terminal point going forward.

22
23 Those are the actions as far as ACL and then Action 2 dealt with
24 changes to the recreational gag fishing seasons and under all of
25 these alternatives, it looks like we could have a longer season
26 than we currently have, even the conservative ones.

27
28 Alternative 1 is no action. We have a recreational gag season
29 that opens on July 1 and it closes on July 3 and then it's
30 closed from the 3rd until the end of the year. That's 147 days,
31 unless it's shortened due to a projection that the ACT will be
32 reached sooner and it doesn't appear that we're going to be
33 reached any sooner than that.

34
35 Alternative 2 deals only with that December 3rd to the 31st closed
36 season. That is a fixed closed season, but it's really not
37 necessary, because if NMFS projects that the season needs to be
38 closed on a certain date, they will close it on that date.
39 Alternative 2 would remove that fixed closed season in December
40 and either allow the season to run until the end of the year or
41 until the ACT is projected to be reached.

42
43 Alternative 3 and 4 would remove all of the existing closed
44 seasons other than the February/March closure, which is dealt
45 with in the options, and then determine how you want to set up
46 an open season for the recreational gag season.

47
48 Alternative 3 would open the season on January 1 and then it

1 would run through until the date when the ACT is projected to be
2 reached with certain behaviors for that February/March closed
3 season. Alternative 4 would try to adjust the season so that at
4 least in the first year of implementation it would be open
5 through December 31 and then we would back calculate what the
6 opening date would need to be in order to be able to take it
7 through December 31.

8
9 The options are similar in Alternatives 3 and 4 and they deal
10 with how we're going to deal with the February and March closed
11 season or partial closure now on shallow-water grouper.
12 Currently for shallow-water grouper during those two months the
13 season on those fish is closed shoreward of twenty fathoms --
14 Excuse me. It's closed beyond twenty fathoms, but it's open
15 shoreward of twenty fathoms.

16
17 Option a, 3a and 4a, would retain that for gag so that if those
18 months fall within what would otherwise be an open season for
19 gag that it would be open only shoreward of twenty fathoms and
20 it would be closed along with the other shallow-water grouper
21 beyond twenty fathoms.

22
23 Option 3b would remove that twenty-fathom closure only for gag
24 and if gag is open during February or March, it would be open in
25 all waters, regardless of depth. Then Option c would close the
26 gag to all waters, regardless of depth, during those two seasons
27 and so both shoreward and seaward of the twenty-fathom boundary
28 gag would be closed during February and March.

29
30 Now, this gives us -- For Alternatives 3 and 4, we have three
31 options and then five actions as far as ACLs and so toward the
32 end of the document, on pages 11 and 12, are tables where we put
33 out the results of the decision spreadsheet to project what the
34 seasons would be under every combination of ACL alternative and
35 how you wanted to treat the twenty-fathom closure.

36
37 For example, we've got Table 2.2.1 up on the screen right now
38 and this deals with Action 2, Alternative 3. That's the one
39 that says open on January 1 and go until the ACT is projected to
40 be reached. If you leave the twenty-fathom closure in effect as
41 is, which means during February and March, you could still fish
42 for gag shoreward of twenty fathoms, but it would be closed
43 further offshore.

44
45 Then the projection is that you could fish from January 1
46 through August 15, or 227 days. Then, likewise, under each of
47 the other ACL alternatives are how long the season would be.
48 Alternative 5, which is the least restrictive alternative, you

1 wouldn't have any closure and you would have a year-round
2 fishery under that twenty-fathom effect.

3
4 Alternative 3b allows gag fishing in both offshore and seaward
5 of twenty fathoms and, again, each of the alternatives has an
6 estimate of how long the season would be, running from 222 days
7 to 363 days. Then if you were to have a fixed closed season for
8 gag regardless of what the depth of water, which is Alternative
9 3c, then under the most restrictive alternatives, the status quo
10 or that precautionary alternative that we added at the last
11 meeting, there would be a closure either August 28, under
12 Alternative 1, under status quo, or mid-November, November 18,
13 under Alternative 2. Under any of the other alternatives, there
14 would be no closure and the season would be open year-round.

15
16 Then Alternative 4 options, which is the next table, it's set up
17 pretty much the same way, except, as I said, we tried to
18 compute, at least in the initial year, when the opening date
19 would have to be in order to remain open through the 31st.

20
21 We are not projecting that that opening date would be
22 reestablished or recalculated every year. Once it's established
23 for the first year, that would stay in effect and then there may
24 or may not be closure toward the end of the year, depending upon
25 the quota for that year and the fishing pressure.

26
27 Again, since under this set of alternatives February and March
28 would be closed for gag anyway, under Alternatives 1 and 2, you
29 have the same season under both of those. Excuse me. Yes, you
30 would. Under Alternative 1, regardless of whether the twenty-
31 fathom closure is in effect or you're allowed to fish throughout
32 the waters, because the season is closed, it would still be June
33 21 through December 31, or 191 days.

34
35 Option 4c is actually a split season. You would open in January
36 and then close for February and March and then open again in
37 April until either the end of the year or until the ACT is
38 reached and so under Alternative 1, the most restrictive, you
39 would have the January opening and then, in order to get an
40 opening that would last through the end of December, you would
41 leave it closed until July 5 and it would open July 5 through
42 the end of the year for 211 days.

43
44 I won't go through the other numbers. You can read the numbers
45 on here. Obviously as you go from Alternative 1, which is most
46 restrictive, to Alternative 5, the least restrictive, you get
47 more days fishing and then as you go from either having a
48 partial closure, no closure, or a total closure, that also

1 affects how many total days you would get if the season is open
2 in February and March.

3
4 The only other thing I would like to say about these estimates
5 is they are -- They have to be considered preliminary. They are
6 based upon the most recent information we have about what the
7 catch rates have been during each of the seasons. In the case
8 of March, February and March, we had to go back to I believe it
9 was 2009 to find some seasons when the recreational season was
10 open during that period and so we're getting a little bit of old
11 data that's being used to estimate these seasons.

12
13 Whatever combination of alternatives is adopted, the Center will
14 need to recalculate exactly what the seasons would be, but this
15 is our best estimate as of right now.

16
17 **CHAIRMAN GREENE:** Thank you, Steven. Anybody got any questions?

18
19 **MS. BADEMAN:** Just a quick one. In the Excel sheet, it looks
20 like the last year of data that you used is 2013 and is 2014
21 available? Could we use that for the later -- If you go to the
22 top of the document, Wave 4 through 6 is based on 2013 and could
23 we use 2014 in here, just so that we have more recent
24 information, at least before this is finalized? I realize it
25 may not have been available before.

26
27 **MR. ATRAN:** I think Mike Larkin can answer that for you.

28
29 **DR. MIKE LARKIN:** It was because that was the most recent year,
30 2013, where we have landings for all three years in Waves 4, 5,
31 and 6. 2014 we did not have that and I can't remember off the
32 top of my head what the closures were in 2014, but that's why we
33 didn't use those landings or maybe they were too preliminary at
34 the time that we made this spreadsheet, but I think there was
35 additional closures in 2014. No? Then I guess this goes back
36 to the issue of it was just preliminary at that time for 4, 5,
37 and 6.

38
39 **CHAIRMAN GREENE:** Thank you. Anybody else? Okay.

40
41 **MR. ATRAN:** Our intent is to bring back a framework action for
42 final action at the next council meeting and hopefully we will
43 be able to do that. You don't have to select preferred
44 alternatives at this meeting, but if you can, it would allow us
45 to focus on certain sets of alternatives, but, like I said, we
46 can bring you back a framework action with no preferred
47 alternatives if that's what you would rather have us do.

48

1 **MS. BADEMAN:** At least with the season at this point -- I mean
2 this is the first time people are really seeing this and I think
3 we should at least wait until full council.
4

5 **CHAIRMAN GREENE:** Okay. I certainly don't have a problem with
6 that. Anybody else? Okay. Chairman Anson, do you want me to
7 continue? It is now 12:20 and do you want to try to get this
8 decision document, Tab B, Number 14, under Item VIII out of the
9 way or what is your pleasure?

10 **MR. ANSON:** I think we ought to break for lunch, Johnny.

11 **CHAIRMAN GREENE:** Okay. What time do we need to be back?

12 **MR. ANSON:** Let's try to be back at 1:30.

13 (Whereupon, the meeting recessed at 12:20 p.m., June 9, 2015.)

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16
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19 - - -

20
21 June 9, 2015

22
23 TUESDAY AFTERNOON SESSION

24
25 - - -

26
27 The Reef Fish Management Committee of the Gulf of Mexico Fishery
28 Management Council reconvened at the Marriott Beachside Hotel,
29 Key West, Florida, Tuesday afternoon, June 9, 2015, and was
30 called to order at 1:40 p.m. by Chairman Johnny Greene.

31
32 **CHAIRMAN GREENE:** Let's go ahead and get started. We're already
33 starting off about ten or fifteen minutes late and so, Dr.
34 Simmons, if you'll go ahead and start off hogfish, B-14.

35
36 **HOGFISH AND MUTTON SNAPPER OFL AND ABC**
37 **HOGFISH DECISION DOCUMENT**
38

39 **DR. SIMMONS:** Yes and I will just quickly go through B-14. We
40 worked on this a little bit with the South Atlantic Council
41 staff. As Dr. Barbieri mentioned, the South Atlantic Council is
42 working on an amendment for the East Florida/Florida Keys stock
43 based on the genetic evidence that the South Atlantic and Gulf
44 SSC recommendation. They are treating hogfish as three stocks.
45 We heard that this morning and they're going to be looking at a
46 rebuilding plan for this particular stock, the East
47 Florida/Florida Keys stock.
48

1 We share some of the jurisdictional area by both councils for
2 this stock and the SSC considered the information, the best
3 available science, for the OFLs and ABCs and they did indicate
4 that the stock is undergoing overfishing and is overfished.

5
6 The rebuilding provisions that are specified in Magnuson to
7 rebuild within ten years, you can look on page 2 of the decision
8 document, where the council is considering action. Those are
9 the OFLs and ABCs for a ten-year rebuilding plan that the South
10 Atlantic SSC recommended and the Gulf SSC concurred with.

11
12 My understanding is that the South Atlantic Council does things
13 a little bit differently. They could choose to rebuild in a
14 quicker time period and so within seven years and so these OFLs
15 and ABCs could change slightly based on that rebuilding time and
16 also they could change the level of risk, I guess, that they're
17 willing to accept.

18
19 Right now, we don't have the final numbers I guess from them,
20 but these are the numbers that cannot be exceeded, the ABCs that
21 cannot be exceeded, for this stock currently and so one of the
22 things we're looking at is how to manage this stock. As Dr.
23 Barbieri mentioned, most of this is in the South Atlantic's
24 jurisdiction. I think landings from 2004 to 2012, between 4 and
25 13 percent has been estimated to come from the Gulf Council's
26 jurisdiction for hogfish for this particular stock.

27
28 This just looks at different ways to manage it. If we go to
29 page 3, the South Atlantic Council is considered to be the true
30 lead and they feel like this may miss some of this portion of
31 the stock unless we essentially give them these fish and maybe
32 set up a management boundary based on the geographic range of
33 this particular stock.

34
35 We could also delegate management of hogfish for the Gulf
36 Council to the South Atlantic Council and we could also delegate
37 -- Both the Gulf and South Atlantic could delegate management of
38 this stock to the State of Florida and we could consider putting
39 it in the South Florida Amendment.

40
41 One problem with that though is the rebuilding plan and the
42 State of Florida would have to come up with a rebuilding plan
43 for that in order for that to be accomplished and so one of the
44 options that I think the South Atlantic Council is really
45 seriously considering is establishing a -- Have this
46 multijurisdictional ABC after we get the finalized numbers and
47 then the Gulf would adopt some recreational and commercial
48 management measures in a defined area and that area could be the

1 Monroe County line on the west coast of Florida to the council
2 boundary and we could have the rebuilding plans set up for that
3 specific area or it could be the Shark Point, which is about 25
4 degrees, 23 minutes North latitude on the west coast, to the
5 council boundary.

6
7 These are things to think about. The other thing we could do is
8 establish a jurisdictional apportionment for this stock, based
9 on historical landings, which is what we're currently doing for
10 mutton snapper and for yellowtail snapper between the Gulf and
11 South Atlantic. However, this is a very small stock and so
12 after we did that, you are probably dealing with a very small
13 apportionment and having to come up with a rebuilding plan could
14 be quite cumbersome if we do it that way.

15
16 These are just things to think about when we're moving forward
17 and getting ready for our joint meeting on Thursday. If you go
18 to page 5 of the decision document, Action 1 looks at modifying
19 the Gulf reef fish and South Atlantic snapper grouper management
20 plans to define the geographic range for this East Florida Keys
21 stock and they essentially are going to modify their management
22 unit to I guess define these areas and so I guess we would focus
23 on Alternative 3 and think about if we want to set up a
24 boundary, use our current council boundary, establish the
25 Monroe/Collier County line, or the Shark Point line. We would
26 take their regulations and they would establish a rebuilding
27 plan and we would say where those would be applied.

28
29 **CHAIRMAN GREENE:** Thank you. Any comments by the committee on
30 this hogfish document?

31
32 **MS. BADEMAN:** Do we need to do anything with this now or this is
33 just a heads-up for Thursday?

34
35 **CHAIRMAN GREENE:** Well, I don't know. Part of the hogfish quota
36 that was exceeding the ACL, I thought maybe that was getting at
37 this, but I may be incorrect. Dr. Simmons, is there anything
38 that we need to do with this document right now before Thursday
39 or what is your advice?

40
41 **DR. SIMMONS:** If you have some ideas or something in mind on how
42 you would like to move forward, that would probably be good to
43 put it down, so we have something in front of us for Thursday.
44 If we're not there yet, just think about it and that would be
45 great as well.

46
47 **DR. CRABTREE:** Given how little of this east Florida stock is
48 really in our jurisdiction, it seems to me what the best thing

1 to do would be for us to modify our management unit to just
2 include the west Florida stock and then we just don't manage
3 that east Florida south and then the Secretary could designate
4 the South Atlantic Council as managing that south Florida stock
5 and let it be their problem.

6
7 It's kind of like when we took Nassau grouper out of our FMU and
8 then we just turned it over and let the South Atlantic Council
9 manage it. That seems, to me, to be the easiest thing to do, is
10 just let them have it.

11
12 **CHAIRMAN GREENE:** Sounds good.

13
14 **MS. BADEMAN:** So would that be -- Well, that's not really -- I
15 hear what you're saying, Roy, and I think it makes sense, but it
16 doesn't really seem to be one of the options on the list and do
17 we need to add that as an option to our list here, just so that
18 we can tee that up on Thursday? It's not really delegation, I
19 guess.

20
21 **DR. CRABTREE:** A council cannot delegate to another council.
22 Delegation can only be to a state, but I think that's the
23 general idea behind Number 2, but it's not a delegation under
24 the statute.

25
26 **EXECUTIVE DIRECTOR GREGORY:** When you said Number 2, do you mean
27 Alternative 2?

28
29 **DR. CRABTREE:** I am looking at options for management authority
30 on page 3. It's just not worded properly. It's not a
31 delegation.

32
33 **EXECUTIVE DIRECTOR GREGORY:** Okay and so we would need a
34 boundary of what that South Florida stock is to some extent,
35 wouldn't we? Until we have that, either we just draw an
36 arbitrary line like the option on page 5 or 6 has.

37
38 **DR. CRABTREE:** I think you're right that we would have to have a
39 line and I guess what this talks about is the Monroe/Collier
40 line and so anything south of that is the east Florida stock and
41 anything north is the west coast stock and it seems to me that
42 when we defined our west coast stock in the FMP that we would
43 define it that way and then when the Secretary wrote the letter
44 to the South Atlantic saying you're going to manage this east
45 Florida stock, it would define it as it means any fish below
46 this, because you would have to have some operational way to
47 tell.

48

1 **DR. SIMMONS:** Okay. I think that would be good and so the
2 correct language would be the Gulf Council wouldn't delegate,
3 but they would remove this stock from our FMU and that's what we
4 would --

5
6 **DR. CRABTREE:** Well, it's not in our FMU. I mean what we have
7 now is just hogfish and so we're going to have to change our FMU
8 to define the stocks and the South Atlantic is going to have to
9 change theirs to separately define the south Florida and then
10 their whatever it's called, Carolina.

11
12 We're all going to have to change and respecify the stocks in it
13 and then we just wouldn't add this South Florida stock to our
14 FMU and then NMFS would just delegate the South Atlantic Council
15 as managing that south Florida stock throughout its range, which
16 we would just have to define as geographically means this. I
17 think that all works, but I would have to ask Mara to think it
18 all through.

19
20 **MS. BADEMAN:** I was just going to say whatever line we settle on
21 here, I feel like it should be the same line that we use -- If
22 we use a line for some of the South Florida actions, a couple of
23 them were at least potentially area-specific.

24
25 **DR. CRABTREE:** Does the assessment say where the break is? I
26 mean we would need to look at that, because if the assessment
27 indicates this is the stock boundary, then that's probably where
28 it would need to be.

29
30 **CHAIRMAN GREENE:** Good point. Go ahead, Mr. Williams.

31
32 **MR. WILLIAMS:** I was wondering if we ought to approve a motion
33 here, just a general motion, that does -- A motion about what
34 Roy has talked about in order to have this teed up for the
35 meeting on Thursday to just move through it a little faster. Do
36 you think that if we approved a motion to remove hogfish from
37 our management unit in South Florida that might make it go a
38 little faster?

39
40 **CHAIRMAN GREENE:** Would that require a framework or what is the
41 necessary vehicle?

42
43 **DR. CRABTREE:** I think you need a plan amendment to add things
44 to the fishery management unit and so we would be removing
45 hogfish from our fishery management unit and then we would be
46 adding -- Is it called the west coast stock of hogfish? I guess
47 whatever it is, we would remove hogfish and add the west coast
48 stock of hogfish to our management unit. I guess it would be to

1 add the west coast hogfish stock to the management unit.
2
3 **CHAIRMAN GREENE:** We've got a motion we're trying to get on the
4 board.
5
6 **MR. ATRAN:** If you want to be accurate with what Florida uses,
7 say the West Florida Shelf stock.
8
9 **CHAIRMAN GREENE:** Okay. I'm not sure who the maker of the
10 motion was, but --
11
12 **DR. CRABTREE:** I don't think you need "southwest Florida" in
13 there and just remove hogfish from the Gulf FMU and add the West
14 Florida Shelf hogfish stock. Then I guess you could say the
15 council's intent is to allow the South Atlantic Council to
16 manage the southeast Florida stock, if you wanted to be clear
17 with it. So it's the council's intent --
18
19 **DR. SIMMONS:** Dr. Crabtree, shouldn't we say to remove the --
20 Should it be East Florida/Florida Keys hogfish from the Gulf
21 FMU?
22
23 **DR. CRABTREE:** That's not in the Gulf FMU. Only hogfish is in
24 the FMU, right?
25
26 **DR. SIMMONS:** Couldn't we just modify the geographic range and
27 define the stocks in our current FMU and not -- We have to
28 remove it in order to give it to the South Atlantic? I see what
29 you're saying.
30
31 **DR. CRABTREE:** What we need to do right now is just get our
32 intent down and then you guys figure out exactly how to word it
33 and how to do it, but I think I would add to this motion that
34 it's our intent to allow the South Atlantic Council to manage
35 the East Florida/Florida Keys stock. I think that captures what
36 we're trying to do. Now, exactly how you word all of it and do
37 it is something that I think staff will have to figure out.
38
39 **MR. WILLIAMS:** That's your motion and I'm going to second it.
40
41 **DR. CRABTREE:** Okay. **I make that motion.**
42
43 **CHAIRMAN GREENE:** Thank you. Mr. Williams seconds it. Okay.
44 **Any objection to the motion on the board? Seeing no objections,**
45 **the motion carries.** Anything else we need to do before we leave
46 this document?
47
48 **EXECUTIVE DIRECTOR GREGORY:** Roy, what would be the problem with

1 just saying we agree to go along with the rebuilding plan the
2 South Atlantic Council implements for hogfish in the South
3 Florida area for our jurisdiction?

4
5 **DR. CRABTREE:** You can, but then you're going to have to modify
6 your plan and put in place a rebuilding plan and put all those
7 things in, I think. I think you can do it that way, but it just
8 seems like it would be more complicated.

9
10 **EXECUTIVE DIRECTOR GREGORY:** I mean that's what we're doing with
11 the other species.

12
13 **DR. CRABTREE:** Look how complicated that has become.

14
15 **EXECUTIVE DIRECTOR GREGORY:** Touché.

16
17 **CHAIRMAN GREENE:** Anything else? I see Mr. Boyd pointing and,
18 Dr. Simmons, does that give you everything you need?

19
20 **DR. SIMMONS:** Yes, thank you.

21
22 **CHAIRMAN GREENE:** With that, we're going to wrap up the hogfish
23 and move into the next agenda item, which is going to be Updated
24 Draft Amendment 28, Red Snapper Allocation, Tab B, Number 7, and
25 this would be Dr. Diagne.

26
27 **UPDATED DRAFT AMENDMENT 28 - RED SNAPPER ALLOCATION**

28
29 **DR. DIAGNE:** Thank you, Mr. Chair, and good afternoon. As
30 mentioned, the updated amendment for red snapper allocation is
31 available at Tab B, Number 7. Let me first mention that the
32 draft EIS was filed on May 29 and the comment period will run
33 until July 20.

34
35 Essentially for this update, we simply reflected your choice of
36 a preferred alternative, which as you recall is now Preferred
37 Alternative 8. The other things that we've done in this
38 document was to explicitly state the ACLs and ACT when
39 applicable for the commercial and recreational sectors,
40 recognizing the fact also that you approved the Amendment 40 and
41 so we had to indicate on this document the ACLs and ACTs for the
42 two components that were established.

43
44 The document still includes the nine alternatives that were
45 discussed and apart from the modifications that I just
46 mentioned, it is essentially the same document. I think that
47 will be a very short review of this updated draft DEIS for
48 Amendment 28. Thank you.

1
2 **CHAIRMAN GREENE:** Okay. We are on Draft Amendment 28 and does
3 anybody have anything they want to offer or change? Any
4 discussion?

5
6 **MR. MYRON FISCHER:** What is our schedule and schedule for
7 completion?

8
9 **DR. CRABTREE:** We published the DEIS and that comment period
10 began on June 20 and runs through July 20 and so it seems to me
11 you could take final action on this in August.

12
13 **CHAIRMAN GREENE:** Okay. Anybody else? Seeing no hands, I guess
14 we'll move on to the next agenda item, Draft Framework Action to
15 Allow National Marine Fisheries Service to Withhold a Portion of
16 the Commercial Red Snapper Quota in 2016, Review Draft Framework
17 Action, Tab B, Number 8, and Dr. Diagne.

18
19 **DRAFT FRAMEWORK ACTION TO ALLOW NMFS TO WITHHOLD A PORTION OF**
20 **THE COMMERCIAL RED SNAPPER QUOTA IN 2016**
21 **REVIEW DRAFT FRAMEWORK ACTION**
22

23 **DR. DIAGNE:** Thank you. For this framework action, as you
24 recall, should you take final action for 28 as scheduled at the
25 next council meeting, there is a likelihood that Amendment 28
26 will be implemented after the first of the year and so to allow
27 the council to make the adjustments, we were directed to prepare
28 this framework action, which essentially would retain a portion
29 of the commercial red snapper quota to allow you to make the
30 adjustments based on your preferred alternatives in Amendment
31 28.

32
33 This is a very simple framework action. It has one action. It
34 has status quo and under status quo, on January 1, 2016, we
35 would essentially distribute 100 percent of the commercial red
36 snapper quota to shareholders.

37
38 Alternative 2 here would retain up to 34.7 percent of the
39 commercial quota. The exact percentage will be determined as
40 soon as you take final action on 28. If I may, I would ask you
41 to look at the table on page 12, which is Table 2.2, and over
42 there, the percentages that would have to be withheld based on
43 the alternatives that we have are indicated relative to the
44 status quo.

45
46 Alternative 2 is written as stated because under Alternative 6,
47 even though it is not your preferred, but the maximum that could
48 possibly result from Amendment 28 is 34.7 percent of the

1 commercial quota relative to status quo and so that is why the
2 alternative is written as such, to be consistent with 28, if you
3 would, but as soon as you take final action for 28, we will know
4 the exact percentage and based on your preferred alternative, we
5 would have to retain 4.9 percent of the commercial quota to
6 allow you the flexibility of making the adjustments to the
7 quotas after January 1, 2016, meaning have the allocation, the
8 new allocations, be effective during 2016, rather than waiting
9 until 2017. Again, it's a simple one action framework action
10 and having those percentages to allow that flexibility. Thank
11 you.

12
13 **CHAIRMAN GREENE:** Thank you, Dr. Diagne. Does everybody
14 understand what's going on and any questions or comments?

15
16 **MR. WALKER:** I was just kind of wondering why you're holding
17 back 34.7 when the preferred alternative is nowhere near that
18 right now. It just seems kind of a large amount to hold back.

19
20 **DR. DIAGNE:** Yes, Mr. Walker. The alternative says to withhold
21 up to 34.7 and that is simply written like that to be consistent
22 with 28. Even though your preferred alternative is Preferred
23 Alternative 8, let's say 4.9 percent, if we were to write this
24 alternative and say, for example, withhold up to 10 percent of
25 the commercial quota and then in August the council decided to
26 change its mind and picked Alternative 6, then we wouldn't be in
27 a position of being able to make the adjustment and so to be
28 consistent with Amendment 28, we had to recognize the maximum
29 that the council could potentially withhold, but, again, the
30 rest of the alternative indicates that the exact percentage will
31 be determined as soon as you take final action on 28 and as of
32 today, that would be 4.9 percent.

33
34 **MS. BADEMAN:** Let's pretend we approve Amendment 28 and we do
35 reallocate something. Assane, would we actually then go to this
36 document and put the exact percentage in there as a council or
37 is that something that you would do automatically as staff?

38
39 **DR. DIAGNE:** The way in which the alternative is written, that
40 would be done automatically, because it says that the exact
41 percentage would be determined based on your preferred
42 alternative.

43
44 **MS. BOSARGE:** Assane, I just wondered -- Obviously this is a
45 very streamlined document, but do we know at what speed the
46 commercial sector reaches that quota? In other words, in June
47 of that year have they caught 75 percent of their quota? It
48 seems like it's fairly -- I won't say evenly distributed

1 throughout the year, but I am just wondering what that speed
2 looks like.

3
4 **DR. DIAGNE:** I would have to look at the landing records let's
5 say online, on the website, that are provided, but it depends on
6 the year. Let's say, for example, you would have to consider
7 the fluctuations of the variations in price and when is Lent,
8 for example. Those sorts of things would have an impact on the
9 speed of harvest.

10
11 **CHAIRMAN GREENE:** Any other comments?

12
13 **MR. ANSON:** Assane, I stepped out for a little bit and didn't
14 hear the whole presentation, but this is -- There is a trigger
15 in here to withhold the 34.7 percent on the assumption of 28 and
16 so just throwing out some hypotheticals here and what if the
17 council doesn't move forward with 28 and make a decision so that
18 it would impact the 2016 allocations?

19
20 I mean there is nothing in here that says pending decision by
21 the council by such and such a date and if not that 100 percent
22 gets released and that type of thing. I guess I was trying to
23 see what the thought process was on that.

24
25 **DR. DIAGNE:** Thank you, Mr. Anson. I think on page 11 of the
26 framework action we state that the amount withheld would be
27 added to the 2016 recreational red snapper quota once the
28 Secretary approves Amendment 28 for implementation. That is the
29 first part.

30
31 The second part is the amount withheld would be returned to IFQ
32 shareholders if the council elects to not pursue 28 or if the
33 Secretary disapproves 28.

34
35 **MS. LEVY:** I think that the plan is to, if you are looking to
36 take final action on 28 at the next meeting, to do that first
37 and once you've done that, then take final action on this
38 framework. You are not meant to take final action today on the
39 framework or do anything with it at this point.

40
41 **CHAIRMAN GREENE:** If we approve it in August for final action,
42 will the Secretary approve it before December 31?

43
44 **MS. LEVY:** It's a framework action and so it doesn't have
45 secretarial approval, per se. It just goes through the NMFS
46 regulatory process and so there is no FMP amendment approval
47 process and so that's why the Fisheries Service can implement
48 the framework before January 1 to withhold that piece of the

1 quota even though they might not be able to implement Amendment
2 28 before the first of the year. This would be able to get
3 implemented before the first of the year.

4
5 **CHAIRMAN GREENE:** Okay and so I kind of see it as an A and B
6 thing or a trigger. So we're going to have this set up before
7 28 is approved by the Secretary and if it is approved, then we
8 have the mechanism to withhold the fish. If it's not approved,
9 for whatever reason, then 100 percent is redistributed and is
10 that correct?

11
12 **MS. LEVY:** Right and so the Fisheries Service would withhold the
13 amount that's necessary to implement Amendment 28 and if it's
14 approved, it would go to the recreational sector, because that's
15 what Amendment 28 would do. If it were disapproved, then the
16 Fisheries Service would release the rest of that back to the
17 commercial sector.

18
19 **CHAIRMAN GREENE:** When would that happen? Upon the Secretary's
20 findings that's when that would happen?

21
22 **MS. LEVY:** Right, February probably or in the beginning of year
23 if you take final action in August.

24
25 **CHAIRMAN GREENE:** Okay. Fair enough. Is everybody good with
26 all of that? Any more discussion? I don't see any more hands
27 and so I guess that wraps up Agenda Item Number X. Next is
28 Revised Alternatives, Amendment 39, Regional Management of
29 Recreational Red Snapper, Tab B, Number 9, and Dr. Lasseter.

30
31 **REVISED ALTERNATIVES - AMENDMENT 39 - REGIONAL MANAGEMENT OF**
32 **RECREATIONAL RED SNAPPER**

33
34 **DR. AVA LASSETER:** Thank you, Mr. Chairman. We have brought the
35 document to you for your review and further discussion. The
36 plan is to bring you the complete document to the August meeting
37 and we will have filed the DEIS before then. We had guidance
38 from you at the previous meeting that you were considering
39 taking final action after that time and so if we had the DEIS
40 filed before the August meeting, you could potentially take
41 final action in October.

42
43 We will review the actions and alternatives here and provide you
44 opportunity for discussion after each one. Again, this is Tab
45 B, Number 9 and Action 1 begins on page 8 and your current
46 preferred alternative for this action is Alternative 3 and this
47 would be to establish regional management using the conservation
48 equivalency proposals that each region would be submitting to

1 NMFS for review.

2
3 Your other alternatives -- Alternative 2 was your previous
4 preferred, which was delegation, and then you also have
5 Alternative 4, which would incorporate an additional review of
6 your conservational equivalency proposals before reaching NMFS,
7 through a technical review committee.

8
9 Then, finally, we have Alternative 5 with some options for a
10 sunset on regional management. Is there any discussion on this
11 action?

12
13 **CHAIRMAN GREENE:** Anybody got any discussion? I am not seeing
14 any discussion, Dr. Lasseter.

15
16 **DR. LASSETER:** I will just point out that we've put on page 13,
17 in this Action 1, the CEP timeline that you reviewed at the last
18 meeting and so it's now in the document. Moving on to Action 2,
19 it begins on page 16 and this addresses how regional management
20 would work together with sector separation.

21
22 I am going to request that we go on to page 19 to discuss
23 Alternatives 1, 2, and 4 and then we'll come back to Alternative
24 3. This just visualizes it a little easier. Alternative 1
25 would be no action and so it would retain current federal
26 management of recreational red snapper for the years 2015 to
27 2017. Separate ACLs will be established for the federal for-
28 hire and the private angling components and so you can see in
29 the top there the recreational ACL for these three years will be
30 divided into two component ACLs. Under Alternative 1, from 2018
31 onward, the recreational ACL would be managed as a whole.

32
33 Alternative 2 is shown in the middle of the page and this
34 alternative would essentially extend separate management of the
35 two components of the recreational sector and thus, this
36 amendment of regional management would apply to the private
37 angling component only and you can see in the visualization that
38 the recreational ACL would be divided into two component ACLs
39 and then the private angling component ACL would be divided into
40 regional ACLs and I used the current preferred alternative of
41 five established regions to show each state as a region
42 receiving its own regional ACL.

43
44 Then Alternative 4 would end sector separation at the time of
45 implementing regional management. Therefore, this document
46 would apply to the entire recreational sector and so under
47 Alternative 4, the recreational ACL, which is our quota, would
48 be divided into five regional ACLs for our preferred alternative

1 of five regions at present and so each one of those regional
2 ACLs would cover both the private anglers and charter vessels
3 within that state.

4
5 Let's go back to Alternative 3 and this one just got a little
6 too unwieldy to even draw a visualization and so I wanted to
7 explain a little bit about this first. This is your volunteer
8 option that you requested for states or regions to continue
9 sector separation at the regional level or not.

10
11 The previous version, the alternatives you saw had each state as
12 an option under this alternative. We have removed those states
13 as options from the council's decision, for the council to
14 decide which states would do that, and we have moved that
15 decision to within part of the region's conservation equivalency
16 plan or their delegated management measures that they would be
17 proposing, whichever alternative remains as preferred.

18
19 Under Alternative 3, sector separation would be extended and
20 states and regions would decide if they choose to manage
21 separately their private angling and for-hire components of the
22 recreational sector or if they will manage only their private
23 anglers.

24
25 The reason this gets a little more complicated is because we
26 could have up to ten ACLs. We could have a regional ACL, a
27 regional and component -- Component ACLs for each region. We
28 would need to calculate how to divide each of those component
29 allocations at the regional level, based on the equation used in
30 sector separation, which was an average Gulf-wide, or using each
31 state's regional proportion of landings for each of those
32 components.

33
34 You can see how this gets a little bit tricky and we would need
35 to figure out how we would calculate each of the regional
36 components, either using the sector separation Gulf-wide
37 allocation or that state's proportion. I am going to turn it
38 over for any questions, because I think that was a mouthful and
39 a little confusing.

40
41 **MR. DIAZ:** Thank you, Ava. I appreciate that explanation. If
42 under Alternative 3 a state decided to do something other than
43 the percentages from Amendment 40, would that cause some issues
44 where it might trigger some NEPA -- Can you talk about that a
45 little bit?

46
47 **DR. LASSETER:** A state or region would not be able -- If they
48 declare their intent to manage both components, that state or

1 region would not be able to decide independently what proportion
2 of their regional quota they would assign to each component.

3
4 In working through this alternative, the IPT is still figuring
5 out how to calculate these regional component ACLs and in terms
6 of which would come first. Do we divide the component into
7 component quotas first or do we divide it into regional
8 components first and then have to make the adjustment back to
9 the federal for-hire component for those regions that are
10 managing their private anglers only? I am not sure if I
11 answered the question.

12
13 **CHAIRMAN GREENE:** Okay. Any other discussion? Anybody?

14
15 **MR. LANCE ROBINSON:** Ava, a question. Alternative 3, that
16 assumes Amendment 40 continues in perpetuity?

17
18 **DR. LASSETER:** Okay and so Alternative 3, if we look at the --
19 There is a little table on 2.2.1 and so yes, Alternative 3,
20 under regional management, applies to the private angling and
21 for-hire components, but they would be managed under separate
22 component ACLs and so yes, Alternative 3 would extend sector
23 separation. Sector separation remains, but individual regions
24 would decide whether or not they will manage both the components
25 within their region or will manage only the private angling.

26
27 **MR. ANSON:** Going back to our discussion about the August
28 timing, do we not need to select a preferred at this point, Mr.
29 Chair or Ava?

30
31 **DR. LASSETER:** It's always advisable to have a preferred.
32 However, I will point out that we have not written the effects
33 analysis for this yet and we also did not intend to be bringing
34 the complete document to this meeting and so we put together as
35 much of it as we could and so I will actually defer to Mara.
36 Since we don't have the effects analysis, I am not sure if it's
37 better to have the preferred or not.

38
39 **MS. LEVY:** I always advise that you have an analysis of effects
40 before you pick preferreds, but sometimes you decide you want to
41 let people know what you're thinking and so it's really up to
42 you.

43
44 **MR. WILLIAMS:** Ava, would you refresh my memory? Did the
45 council add Alternative 3 or did you guys add it? Did we add
46 this at a previous meeting?

47
48 **DR. LASSETER:** The council requested an alternative that allowed

1 a voluntary option for the states or regions to do sector
2 separation and so this is the voluntary states that wanted to
3 manage the separate sectors could do so and other regions would
4 not be obligated to do so.

5
6 **CHAIRMAN GREENE:** Any more discussion?

7
8 **MS. BADEMAN:** Just to say that based on everything Ava said
9 about Alternative 3, it looks like we're still missing a piece
10 of the puzzle with that alternative anyway. It sounds like
11 there's a lot that still needs to be worked out, which is -- I
12 am not saying anything about you, but just before we -- If
13 that's the direction people are interested in going, I think we
14 need to figure out what exactly that means.

15
16 **CHAIRMAN GREENE:** Well, I agree, because if you have one state
17 that wants to do it and four others that don't or vice versa,
18 that's going to really weigh in to that cause and effect type of
19 situation and I imagine that's going to be a tremendous
20 workload, but any other discussion? Okay. Seeing no more
21 hands, I guess we will wrap up Amendment 39.

22
23 **DR. LASSETER:** I'm sorry, but I will carry on with the next
24 action.

25
26 **CHAIRMAN GREENE:** I'm sorry. Go ahead.

27
28 **DR. LASSETER:** That is the only action that we do not have a
29 preferred alternative for. Action 3 is on page 20 and your
30 current preferred alternative is to establish five regions
31 representing each Gulf state, which may voluntarily form multi-
32 state regions with adjacent states. You did change this to this
33 preferred alternative at your last meeting. Previously, each
34 region was going to be its own state, but this does allow each
35 region the opportunity to join together with adjacent states.

36
37 I am just going to move on if there is no questions about that
38 one. Action 4 begins on page 23 and Action 4 would modify the
39 federal minimum size limit. Your current preferred alternative
40 is 3, to reduce the federal minimum size limit to fifteen inches
41 total length. I am going to stop here for a question.

42
43 **MS. LEVY:** I just have a question about the intent of this
44 action as it relates to Action 1, which is what the states are
45 allowed to modify, because this action says we're going to
46 change the federal minimum size limit to fifteen inches and
47 Alternative 1 says that states will provide size, bag, and
48 season in their conservation equivalency plan.

1
2 Is the intent to still allow states to choose a size that is not
3 fifteen inches and this would then just become the default if
4 they don't have their conservation equivalency plan or is the
5 intent to establish this fifteen-inch size limit and take that
6 out of what the states are allowed to change?

7
8 **CHAIRMAN GREENE:** Good question. Anybody want to weigh in?

9
10 **MR. FISCHER:** I was going back and reading, but I think this
11 originally we were not going to include size limits, but
12 presently the states have different size limits in their
13 regulations in state waters and we realized to accommodate all
14 states that we would lower it to what the lowest is.

15
16 I don't remember what discussions took place thereafter about
17 increasing size limits, because I know if we increase size
18 limits that that could have an effect on quota and so I am going
19 by memory, but I thought we put it established at a minimum of
20 fifteen inches and whether we were going to allow the plan to go
21 forward and allow other states -- It looks like a contradiction
22 to have other size limits. Thank you all for defaulting this to
23 me, but I don't have that pure answer of what the concept was at
24 this stage, three or four years later. That would have to go
25 back and just have a quick show of hands or Kevin looks like he
26 can really enlighten us right now. Either that or he was
27 mocking me for my lack of ability to answer this.

28
29 Where we are, we went back and forth on it and we do have in one
30 alternative a minimum size of fifteen inches in Action Item 1
31 that does state that bag limits could be adjusted.

32
33 **MS. LEVY:** The reason I bring it up is because I think that from
34 discussions that I've heard is that staff is reading it
35 different ways, but the way that I read it, as it is currently
36 written, under Action 1, under the conservation equivalency
37 plans, states can pick a size limit and it's not necessarily
38 fifteen inches.

39
40 However, we would modify the federal under Action 4, which would
41 then end up being the default. That's the way I read it and
42 that's the way I would advise staff to analyze it if they have
43 to do an analysis for the next version. If that's incorrect and
44 that's not how you want the analysis to be, to think about that
45 and come back and let staff know, so that they don't come
46 forward with this analysis that then is completely off base.

47
48 **MR. FISCHER:** If the council goes with a default of fifteen

1 inches, should we continue to have the phrase in Action Item 1
2 that states bag limits?

3

4 **MS. LEVY:** Do you mean size limits in Action 1?

5

6 **MR. FISCHER:** Excuse me. Size limits.

7

8 **MS. LEVY:** Well, I guess that depends on whether the intent is
9 to allow the states to pick a different size limit. If that's
10 still the intent and the fifteen inches is just for the default
11 federal regulations, then that's how I read that. If the intent
12 is to have that non-negotiable, states must have a fifteen-inch
13 size limit in their conservation equivalency plan, then we need
14 to change the wording of Action 1.

15

16 **MR. FISCHER:** Are you clear, Johnny?

17

18 **CHAIRMAN GREENE:** I am just trying to lead you, man. I ain't
19 trying to sway you one way or the other.

20

21 **MR. FISCHER:** If you think it's something the committee should
22 discuss, that's fine. Otherwise, maybe staff has all the
23 information they need to move forward.

24

25 **CHAIRMAN GREENE:** Okay. Anybody got any other discussion on the
26 fifteen-inch size limit? Okay. Seeing none, I guess --

27

28 **MR. WILLIAMS:** Does Ava understand what --

29

30 **DR. LASSETER:** My understanding is in line with Mara's. That's
31 the way we've approached it here. You would be modifying the
32 federal size limit and that will remain in the default
33 regulations, which will apply if your conservation equivalency
34 plan is not in effect, or delegation, depending on the track we
35 go.

36

37 While the size limits are available for modification in Action
38 1, we have had a lot of discussion about the problems with
39 regions modifying that and the implications that could create
40 for the stock assessment and so I would think at the regional
41 level, in developing your CEPs, you would want to think
42 carefully about your size limit and I am not sure what the
43 intent is. Are the regions intending to -- That are at sixteen
44 inches now, do you prefer to stay there? I don't have much
45 feedback from the regions on that.

46

47 I am going to, if there is no further discussion, move on to
48 Action 5, which starts on page 25. This is the closures in the

1 Gulf EEZ. We did remove the one alternative similar to the
2 earlier action that had options for each state, because it would
3 not be appropriate for the council to decide for each state what
4 should or should not happen.

5
6 The preferred alternative is Number 2, a region may establish
7 closed areas within the EEZ adjacent to their region in which
8 the recreational harvest of red snapper is prohibited. It's not
9 necessary to select an option in addition to the alternative,
10 but there are options that are available and I will turn -- This
11 action has created some confusion and I think Dr. Crabtree has
12 expressed some concern about this and so I will open this up for
13 discussion.

14
15 **CHAIRMAN GREENE:** Discussion?

16
17 **MR. PERRET:** Out of curiosity, if we have regional management
18 and so we're delegating to the states to do certain things with
19 this fishery and if a state should decide to close its area, the
20 EEZ, off their state, who is then responsible for law
21 enforcement? Is it the state? Is it the state and the federal
22 government or who will be the fish cops?

23
24 **DR. LASSETER:** Is that directed to me? Maybe I can ask
25 Commander Brand, but my understanding also is that -- I wouldn't
26 think that enforcement would change. We may need additional
27 enforcement, but let me turn it over to Commander Brand.

28
29 **MR. PERRET:** Remember, it's only if the state decides to close
30 its EEZ.

31
32 **DR. CRABTREE:** Remember that is isn't delegation anymore and so
33 if that's what the state wants to do, they're going to come to
34 you as a council and ask you to do it and you're going to have
35 to go through a framework or something to do it and then it's
36 going to be a federal closure and it will be enforced by the
37 same parties that enforce things now. I still maintain this is
38 kind of a crazy action, but --

39
40 **MR. WILLIAMS:** Could somebody give me the -- I don't recall why
41 we stuck this in there. Is this coming from one of the larger
42 states like Texas or Florida with a long north/south coastline
43 or do you recall, Ava, or does anybody recall how we ended up
44 with this?

45
46 **DR. LASSETER:** In the first version of the document that we had,
47 the way we had it structured was in one action there was several
48 alternatives and in each alternative -- I think we had eight

1 alternatives and each alternative, if selected, would allow the
2 regions to enact that change at the regional level and so we had
3 one for bag limit and we had one for size limits and we had one
4 for the season dates.

5
6 Those are the ones that the IPT had started with, because those
7 are the traditional management tools, management measures. The
8 council and committees then added some additional alternatives
9 and we ended up with everything selected as preferred in that
10 action.

11
12 One of those was to allow a state or region to close the EEZ
13 adjacent to its region. Originally it said allow a region to
14 close the EEZ adjacent to its region only to vessels fishing
15 from that state. Ms. Levy determined that that would pose a
16 problem with National Standard 4, because we could not have
17 closures applying just to residents of a particular state when
18 it would be open to fishers of other states.

19
20 We did have to remove that and so the intent was that -- This
21 alternative was promulgated first by Mr. Riechers to allow them
22 to have the season open and closed in state and federal waters
23 as worked best for them, but in changing the wording and having
24 to remove this only applying to vessels within your region, the
25 implication of this is if a region does close the EEZ adjacent
26 to their region, no recreational vessels from any state can fish
27 for red snapper in that area.

28
29 As we have been reworking this -- We revised this document, the
30 document structure, and this alternative, this idea, needed to
31 be analyzed separately. It was something different and we have
32 already analyzed the bag limit and size limit and seasons
33 through different amendments and so those could be included in
34 Amendment 1. We have regulations for those in place and those
35 are the things that the regions can identify for modification in
36 their CEPs. Here, we're just looking at the spatial closure in
37 a separate action independently.

38
39 **LCDR JASON BRAND:** This area closure would be probably a little
40 easier if we determined how many areas they could close, because
41 if a particular region could close numerous areas within an EEZ,
42 it makes it nearly impossible to enforce that, especially when
43 you're only dealing with the harvest of red snapper, because the
44 person could just state that they caught it in an open area next
45 to the closed area and so trying to be a little bit more
46 specific in these closures would help us.

47
48 **CHAIRMAN GREENE:** I certainly concur.

1
2 **MR. DIAZ:** Either Dr. Crabtree or Dr. Lasseter -- Roy, you just
3 made a statement that I just haven't read in this document and
4 so I mean if what you're saying is accurate, we probably ought
5 to put it in the document, but -- I read through this thing and
6 I might have missed it and so correct me if I'm wrong, but it
7 looks like the authority is given to the region to close that
8 area adjacent to their state and so I just didn't see it.

9
10 If we do indeed have to come back to the council to close an
11 area adjacent to the state, I mean that needs to be really clear
12 and is it in the document, Ava?

13
14 **DR. LASSETER:** I think Dr. Crabtree was responding to Corky's
15 comment about delegation. Corky referred to delegation and our
16 current preferred alternative is the conservation equivalency
17 plan, but I am going to let Mara speak.

18
19 **MS. LEVY:** I think this whole closure thing has been confusing
20 from the beginning and it's gotten even more confusing when you
21 throw in the idea of conservation equivalency plans. It's one
22 thing if you have a delegation and the council is delegating
23 certain authority to the states to do X, Y, and Z, including
24 potential closures.

25
26 It's another thing when you have the states proposing
27 conservation equivalency plans and I am not sure that we've
28 thought through very carefully how you would propose a closure
29 and how we would implement that in the regulations.

30
31 With bag limits, size limits, and season, we're sort of saying,
32 I guess out front, that we have this default -- I mean I guess
33 we would have to take your plans and put out a notice as to what
34 the closures were, but I don't think we've fully thought through
35 how that would work for the conservation equivalency plan, which
36 I think was Dr. Crabtree's sort of instinct to say the council
37 would have to do something with respect to the closure. If
38 you're really interested in going down this road, I think we
39 would have to think more about how that would be accomplished
40 and what the process would be.

41
42 **MS. BADEMAN:** For what it's worth, I think we should continue to
43 look at this. The last time we talked about this action, I was
44 under the impression that if a state wanted to break up their
45 state into regions, like a north or south or whatever, that we
46 wouldn't need this, but the way Alternative 2 is written and
47 described in the document, we would need Preferred Alternative 2
48 in order to do that and so I am definitely still interested in

1 pursuing this and ironing out details as to how a state would
2 need to go about doing this.

3
4 **MR. ANSON:** I am hearing two different things from Mara and Dr.
5 Crabtree relative to this particular action. I hear from Mara
6 that it's the process that we've got to nail down, but the end
7 result we can still achieve, but yet I hear from Dr. Crabtree
8 that he's unsure of the end result and whether or not that can
9 be implemented.

10
11 I am a little confused here as what guidance or what you all are
12 saying. Dr. Crabtree, you just don't see how it's possible to
13 shut down a portion of the EEZ off a state or --

14
15 **DR. CRABTREE:** No, I see how it's possible, but I think it's
16 going to require a NEPA analysis and a rulemaking, right? That
17 will mean essentially a framework action that the council would
18 have to approve to do it, unless they can come up with some
19 other way to get there.

20
21 **MR. ANSON:** Okay. I just misunderstood what you were saying
22 then.

23
24 **MS. LEVY:** I think the attempt to try and define these different
25 options in here was so that we could do a NEPA analysis on these
26 type of alternatives and hopefully have the ultimate analysis in
27 such a way that if the state did want to close something that we
28 would have analyzed it, but with the possibility that we may not
29 always capture that and so it might require further analysis and
30 further NEPA -- The NEPA part we were trying to take care of,
31 but not entirely sure that it would cover everything.

32
33 Then, like I said, I don't think we've fully thought through
34 what the regulatory process is for the closure piece of it and
35 so I think there's just more process that needs to be thought
36 about about how this would happen.

37
38 **DR. CRABTREE:** When you look at some of the alternatives that
39 are on there, I mean how could you analyze what would happen if
40 you allowed harvest within twenty nautical miles? I don't think
41 there is any analytical basis for how you would calculate a
42 conservation equivalency on that.

43
44 I mean we have data on state water harvest and EEZ harvest, but
45 we don't have anything outside of that and so it's just very
46 complicated and hard for me to figure out exactly how this would
47 work, Kevin.

48

1 **CHAIRMAN GREENE:** Any other discussion? I have one question.
2 How would this affect the stock assessments when you look at
3 areas opened and closed and fishing and effort and different
4 things? Would that have an impact on the stock assessment as
5 well?
6

7 **DR. CRABTREE:** I would think it certainly could, because you
8 potentially are changing the selectivities and the size fish
9 that are being caught. If you confine all the harvest to within
10 nine nautical miles, you are going to catch smaller fish, but
11 exactly how that would happen, I don't know.
12

13 **CHAIRMAN GREENE:** Thank you. Any more comments relative to
14 Action 5? Okay, Dr. Lasseter.
15

16 **DR. LASSETER:** Moving on to Action 6, it begins on page 28 and
17 you do have preferred alternatives selected here, Preferred
18 Alternative 5 and 6, Options a and b, which would be to
19 apportion -- I'm sorry, but this action is apportioning the
20 recreational ACL, the quota, among the regions and the Preferred
21 Alternative 5 would apportion the recreational sector ACL or
22 component ACLs, if appropriate, among the regions based on 50
23 percent -- Based on half of the average historical landings for
24 the longest time series, 1986 to 2013 is from the previous
25 version, and 50 percent of average historical landings for the
26 years 2006 to 2013. We did not change these alternatives to
27 include 2014 and we did leave 2013.
28

29 Then also Preferred Alternative 6 is in calculating the regional
30 apportionments above, exclude the years 2006 and 2010 landings
31 from that calculation. In Amendment 40, only one of those years
32 is excluded. 2010 is excluded and 2006 is not excluded from the
33 sector separation equation.
34

35 I will add also on Alternative 8 here that at the last council
36 meeting you passed a motion to formally include this alternative
37 in the document and we have provided the analysis for the
38 resulting apportionments and they're in Table 2.6.6 on page 32.
39 That's for Alternative 8.
40

41 This alternative would apportion the recreational sector ACL
42 such that each region's initial allocation provides for an
43 equivalent number of fishing days and you can see it really
44 shifts the allocation towards the east from the west and so I
45 will turn it over to the committee for discussion.
46

47 **CHAIRMAN GREENE:** Is there committee discussion?
48

1 **MS. BADEMAN:** Just a question. I know last time when we talked
2 about this document that we had at least some preliminary
3 estimates of what this would look like in terms of days and is
4 it possible to get something like that for all of these
5 alternatives? I know it's a lot, because there is a lot of
6 tables and alternatives in here, but I think it would help put
7 this into context.

8
9 **DR. LASSETER:** I think with the -- I'm sorry, but I'm not really
10 able to answer that question. I know the analysis was provided
11 to me by the SERO and so I could get back with you on that and
12 see if we could get an estimate of days.

13
14 **CHAIRMAN GREENE:** Any other discussion?

15
16 **DR. CRABTREE:** One thing I think you're going to need in the
17 document -- I mean it's apparent from looking at that table and
18 things that the current preferred alternative for state-by-state
19 allocations shifts fish to the western Gulf relative to what has
20 been going on for the last few years and somewhere I think
21 you're going to have to explain why is it that you want to shift
22 fish to the western Gulf and I don't know that there's really
23 anything in here that gets at that, but why is it fair and
24 equitable to do that, because you know you can look at the table
25 with those percentages that things would have to change to give
26 you an equal number of days and it's pretty apparent that, all
27 things equal, Texas and Louisiana are going to get substantially
28 longer seasons than Alabama and Florida. I think you're going
29 to need to explain why it is that's a good outcome and what
30 you're trying to do.

31
32 **CHAIRMAN GREENE:** Thank you. Any discussion? Okay.

33
34 **MR. FISCHER:** Sure, Roy, and the authors of this would have to
35 incorporate that language, but it should be the same language
36 that was used in Amendment 40, because we shifted the current
37 catch of recreational, the for-hire versus private, and what it
38 was in the last couple of years, we shifted that back to the
39 for-hire sector and so it would be the same type of language.

40
41 **DR. CRABTREE:** Except it's a different situation. In that case,
42 that shift had occurred in the last few years because of the
43 more lenient state seasons and the fact that the federally-
44 permitted vessels aren't allowed to fish in state waters and so
45 their season was getting shorter and the private catch was going
46 up because of all the state water catches and the council
47 concluded that that wasn't fair and equitable and they shifted
48 that back a little bit to provide what was determined to be fair

1 and equitable access for anglers who fish on for-hire vessels
2 and so that was the rationale there. I don't see how that
3 rationale applies here, because this is a different situation.
4

5 **MR. FISCHER:** Sure and it may not be the exact rationale, but it
6 does include historical catch and historical catch is what
7 drives most all of our amendments. It also weighs 50 percent to
8 the more recent years and so it does look like it's a fair
9 weighting.

10
11 **DR. CRABTREE:** I understand that, but that doesn't get to the
12 essence of the question of -- So your intent is to shift the
13 fishery more towards the western Gulf and I guess what I'm
14 getting from you is it's because you believe somehow the western
15 Gulf has lost out over time and you want to shift it back some,
16 but I don't think there's anything that reflects any of that in
17 the document and I am not trying to second guess why you're
18 doing it or whether it's the right thing to do or not the right
19 thing to do.

20
21 That's something you're going to have to figure out, but I
22 really don't think there is anything in here that addresses it,
23 because I don't think we really had numbers that showed it so
24 much until this particular analysis was done, but clearly I
25 think fishers in Alabama and Florida will see it differently
26 than how fishermen in Louisiana and Texas may see it.

27
28 **MR. ANSON:** Even though Lance is here, he probably was not part
29 of the conversation and comments that Robin had given when we
30 had some of this discussion meetings ago and so speaking for
31 Robin, some of the points that he had made was that there was --
32 Because of the seasons being designated in the summertime versus
33 the historical, that was outside of their peak fishing activity
34 for their headboat/charterboat fleets and they had more of a
35 winter fishery and so that excluded that effort from having
36 access when the seasons went to the summertime.

37
38 He also mentioned something about weather and that weather is a
39 little bit more windy and less conducive to fishing during the
40 summertime, whereas in the eastern Gulf the weather is much
41 calmer and so those were some of the points that he had brought
42 up and I am just repeating them here to add and to give to
43 staff.

44
45 **CHAIRMAN GREENE:** Okay. Any more discussion? Okay, Dr.
46 Lasseter.

47
48 **DR. LASSETER:** Thank you, Mr. Chairman. Moving on to our final

1 action in the document, Action 7 begins on page 33 and this
2 action addresses post-season accountability measures and your
3 current preferred alternative is to -- If the combined
4 recreational landings exceed the recreational sector ACL, so the
5 overall quota, reduce in the following year the regional ACL of
6 any region that exceeded its regional ACL by the full amount of
7 the region's overage in the prior fishing year. The
8 recreational ACTs will be adjusted to reflect the buffer
9 thereafter.

10
11 Then you have Alternative 3 would apply the overage adjustment
12 to the component ACL, to the component that exceeds its
13 component ACL. Alternative 4 combines the two and would apply
14 the overage adjustment to the regional component that exceeds
15 its regional component ACL and so it's the most specific to
16 whichever area or component has exceeded its part of the quota.
17 Any discussion on this action?

18
19 **CHAIRMAN GREENE:** I am not seeing any, but I have one question.
20 Under Preferred Alternative 2, while red snapper are overfished,
21 and then in parentheses you have "based on the most recent
22 Status of U.S. Fisheries Report to Congress" and how often does
23 that happen? Is that a yearly or monthly or biannually or how
24 does that work?

25
26 **DR. LASSETER:** This is an annual report and this language was
27 put in to reflect the language that was used in the alternatives
28 for the framework action that established the accountability
29 measures and so that is how -- It's to clarify how NMFS will be
30 determining whether or not snapper are overfished. They will
31 use that report that comes out and it is an annual report and I
32 can't remember when it actually comes out. Maybe one of NMFS
33 staff knows for sure.

34
35 **CHAIRMAN GREENE:** Thank you. Any other discussion? I am not
36 seeing anybody. Go ahead, Dr. Lasseter.

37
38 **DR. LASSETER:** That completes the actions in this amendment and
39 the IPT is just looking for some guidance for your intended
40 direction and timeline for the amendment. Is it still your
41 intent that we should have the DEIS analysis all complete before
42 the next council meeting or what would you like us to do?

43
44 **CHAIRMAN GREENE:** Okay. Staff is asking us for some direction
45 and has anybody got anything they want to offer?

46
47 **MR. ANSON:** I mean we're two months away from the next meeting,
48 Ava, and is that something doable or is staff going to just be

1 that overwhelmed and taxed in trying to deal with everything
2 else that it's impossible and maybe October is better?

3
4 I mean I would like to move it along and keep it on track as
5 quick as possible. I am not on your committee, but I am just
6 adding my two-cents and so I just was curious to know the
7 workload issue and such relative to the next meeting and having
8 it accomplished before then.

9
10 **DR. LASSETER:** After the last council meeting, it was our
11 understanding for the August timeline and so we have made
12 writing assignments and we do expect to have it completed. Then
13 we were requested to bring this back for discussion and so we
14 were more wanting to check in with you.

15
16 Now in reviewing some of these actions and alternatives, it does
17 sound like we need to flesh some things out and bring them back
18 to you and so I think it would be best for us to bring it to you
19 in August. I am concerned about our workload and not so much
20 with this amendment, but it's all of the other ones together,
21 but right now we have the writing assignments out and we were
22 planning to bring this to you in August, unless you would rather
23 have us work on something else.

24
25 **CHAIRMAN GREENE:** Okay. Anybody else want to offer staff any
26 more direction or guidance? I am not seeing any and I guess we
27 will move on. Chairman Anson, that concludes what we have on
28 the agenda for today. No? Wait a minute. We've got a fifteen-
29 minute break there and then two more items. Okay. Before we
30 start Amendment 36, we are ahead of schedule and why don't we go
31 ahead and take a fifteen-minute break and we will pick back up
32 with Amendment 36 about ten minutes after three.

33
34 (Whereupon, a brief recess was taken.)

35
36 **CHAIRMAN GREENE:** Go ahead, Mr. Atran.

37
38 **MR. ATRAN:** I just wanted to say a couple of quick things about
39 mutton snapper and hogfish. Since we do have stock assessments
40 and we have new ABCs on those, although the committee hasn't
41 made any motions -- I don't know if the council will, but we
42 will have to start on some regulatory actions to implement ACLs
43 based upon those new ABCs.

44
45 In the case of mutton snapper, that should be fairly
46 straightforward. In the case of hogfish, because we are
47 defining a new stock basically, the West Florida Shelf stock,
48 we're probably going to need a plan amendment, because we're

1 going to define a new stock and probably new status
2 determination criteria and so hogfish will probably require a
3 full plan amendment and mutton snapper we can implement new ACLs
4 via a framework action and whether the council makes a motion or
5 not to begin those actions, we have to do it anyway and so we
6 probably will begin the process.

7
8 **CHAIRMAN GREENE:** Okay and so I think I heard staff asking us
9 for a motion for a hogfish plan amendment.

10
11 **MS. LEVY:** You did make the prior motion to remove the hogfish
12 from the FMU and put the new one in and we talked about that we
13 would decide how that would happen and yes, it needs to be a
14 plan amendment, but I think you sort of covered what you want to
15 do with the hogfish, but maybe not.

16
17 **MS. BADEMAN:** I think we have to add the catch limits in there
18 too for the Western Shelf stock and so would we do that in the
19 same document or would we want to do that in a separate
20 document?

21
22 **MS. LEVY:** My vision, and we didn't talk about the details
23 because we said we would have to work it out, was that you do a
24 plan amendment and you need to add the stock and then you need
25 to have all the things that go with it, which is the status
26 determination criteria and the ACLs and the AMs and all of that
27 stuff.

28
29 **CHAIRMAN GREENE:** Okay. Yes, we are looking for a motion.

30
31 **MS. BADEMAN:** I will move that the committee recommend that the
32 council initiate a plan amendment to change management for
33 hogfish and that would include breaking up the stock and setting
34 ACLs, among other things.

35
36 **CHAIRMAN GREENE:** Let's help her get it on the board. We
37 probably need a little help with the --

38
39 **MS. BADEMAN:** Change the regulations or management.

40
41 **MR. ATRAN:** To define the West Florida --

42
43 **MS. BADEMAN:** To define the West Florida stock of hogfish.

44
45 **MR. ATRAN:** With associated --

46
47 **MS. BADEMAN:** With associated management.

48

1 **MR. ATRAN:** Instead of saying "to change the regulations for
2 hogfish", say "to define a West Florida Shelf hogfish stock with
3 associated status determination criteria and ACLs".
4

5 **CHAIRMAN GREENE:** Ms. Bademan, is that your motion? Is there a
6 second for this motion?
7

8 **MR. DIAZ:** Second.
9

10 **CHAIRMAN GREENE:** It's seconded by Mr. Diaz. We've had
11 discussion. **Is there any opposition to the motion? Seeing no**
12 **opposition, the motion carries.** Mr. Atran, does that complete
13 what you needed?
14

15 **MR. ATRAN:** Yes and as I said, I don't think it really needs a
16 motion, but we are also going to begin work on a framework
17 action to implement ACL adjustments for our apportionment of the
18 mutton snapper stock and that would be 18 percent of the ABC.
19

20 **CHAIRMAN GREENE:** Okay. That brings us back to where we were
21 before the break, which would be Item Number XII, Scoping
22 Summaries, Amendment 36, Red Snapper IFQ Modifications, Tab B,
23 Number 10(a). The first item is Scoping Workshop Summaries and
24 then followed by Committee Recommendations and so with that, I
25 will turn it to Dr. Lasseter.
26

27 **SCOPING SUMMARIES - AMENDMENT 36 - RED SNAPPER IFQ MODIFICATIONS**
28

29 **DR. LASSETER:** Apologies, but actually I should have made that a
30 little more clear. The Tab B, Number 10(a) is the scoping
31 document, which you have seen several times. We have put that
32 in for background information and the Tab B, Number 10(b) is the
33 scoping workshop summary document, which was also included in
34 your briefing book last time.
35

36 Just before the last council meeting, we finished the scoping
37 summaries and so you weren't afforded much time to review them
38 and so we did put them in the document again, but we did provide
39 the summaries at the last meeting.
40

41 Unfortunately, we ran out of time in both committee and full
42 council at the last meeting to fully address the items from the
43 scoping document and so what we're looking to do today is to
44 review all of those items from the scoping document and get some
45 guidance as to which of those items we should retain and develop
46 in an options paper and which items we should remove from
47 further consideration.
48

1 There is a worksheet up here for us to work through and a couple
2 of notes first. Just a quick refresh on some of the IFQ program
3 terms. Whenever we are talking about a share here, we are
4 talking about a percentage of the red snapper commercial quota.
5 Allocation, IFQ allocation, refers to the pounds of red snapper
6 that are represented by those shares and so allocation is an
7 annual allotment of pounds that corresponds with the shares,
8 which is a proportion of the quota. Share is always proportion
9 and allocation is always pounds.

10
11 Another point is as we go through this list, because there is so
12 many, there is like twenty-five items, I would suggest, rather
13 than make a motion for each item, if there is any item on each
14 of these pages that the committee wishes to remove that you make
15 a motion just to remove that item and then staff will assume
16 that the items that remain will remain for further development
17 into an options paper. I think that will just make it go a
18 little smoother.

19
20 Let's begin on the first page. These are each grouped together
21 thematically in categories and so these three items addressed
22 program eligibility.

23
24 I'm sorry, but one more point here. The red text -- We are
25 looking for two decisions to be made, whether or not to develop
26 each of them in the options paper, each of the items, and,
27 again, there would be a motion to remove them, and any text
28 highlighted in red are questions the IPT has for the committee
29 to help us further understand your rationale and help us develop
30 the range of alternatives that would be appropriate to that
31 potential action.

32
33 For this one, we have three items that address program
34 eligibility and they pertain to possession of a commercial reef
35 fish permit and so the first one would restrict future transfer
36 of shares to only shareholder accounts that hold a valid
37 commercial reef fish permit.

38
39 This was a provision that for the first five years of the
40 program only holders of a commercial reef fish permit could buy
41 shares and after five years, it opened up to any resident alien,
42 U.S. citizen, et cetera, could buy and participate in the
43 program.

44
45 The next item is to allow accounts with shares, but without a
46 commercial reef fish permit, to harvest the allocation
47 associated with those shares and since this was initially put on
48 this list, the council has expressed its intent in a motion not

1 to pursue intersector trading and so I think that should be a
2 consideration for this item.

3
4 Then, finally, on this page, limit the amount of shares and/or
5 allocation that non-permitted IFQ accounts may possess,
6 referring to IFQ shareholder accounts that are not associated
7 with a commercial reef fish permit.

8
9 This third item would really relate if you did not take action
10 on the first one. It would be more applicable and so if you did
11 allow anybody in the public to participate in buying shares, did
12 you want to put a limit on the amount that those non-permitted
13 shareholders could possess? Are there any questions on the
14 three of these?

15
16 **MR. WILLIAMS:** No questions, but are we going to do motions?
17 Are you ready for motions? Do you want us to work from this
18 document as opposed to from the amendment?

19
20 **DR. LASSETER:** I put this together to simplify what's in the
21 amendment and so it includes all of the items on the left. It's
22 just a little easier to work through, but I believe we're going
23 to have to switch over to a motions page.

24
25 **MR. WILLIAMS:** I would like to restrict future transfer to only
26 shareholder accounts that hold a valid commercial reef fish
27 permit and I would offer that as a motion.

28
29 **CHAIRMAN GREENE:** We are going to get a motion up on the board
30 here. She is getting it up there now.

31
32 **DR. LASSETER:** I think the motion would be to retain the item to
33 restrict transfer, because any of these items that you are going
34 to retain in the document we are going to create into an action
35 with alternatives and so you're not making a decision here on
36 what you want to ultimately do. You are expressing which
37 actions you would like us to develop.

38
39 **MR. WILLIAMS:** Gotcha. Thank you.

40
41 **CHAIRMAN GREENE:** We have a motion on the board and is there a
42 second to the motion? There is a second. It's been pretty well
43 laid out and is there any further discussion?

44
45 **MR. WALKER:** Let me ask something. Some of the industry that
46 doesn't like this, I would kind of like to hear what they have -
47 - Maybe we can get this going here and hear what they have to
48 say in testimony. I know some of them have a little heartburn

1 over it and so I think this should be like this, but it's
2 something we need to hash out and get a start here in this
3 committee for sure.

4
5 **CHAIRMAN GREENE:** Thank you, Mr. Walker. Anyone else? Okay.
6 Seeing none, we have a motion on the floor and it's been
7 seconded. **Any opposition to the motion? Seeing none, the**
8 **motion carries.**

9
10 **DR. LASSETER:** Are there any further motions to address the
11 items on this page?

12
13 **MS. LEVY:** I am not sure if I heard this right, but, Ava, in the
14 beginning did you say that you wanted to identify things to be
15 removed? I just want -- If we're going to identify things to
16 stay in, if you don't identify it as staying in, then staff is
17 going to assume you want to remove it and so you've either got
18 to be consistent and identify things you want to remove, so that
19 they know what stays, or identify things you want to stay so
20 they know what to remove and so before you move on, if you don't
21 identify anything else on this particular page that you want to
22 stay in, I think staff's assumption would be that you want to
23 remove it and so I just want to make sure that we're all on the
24 same page about what we're identifying and what will happen in
25 the options paper stage based on what feedback you give.

26
27 **CHAIRMAN GREENE:** Thank you.

28
29 **MR. WALKER:** I think we have a chance to bring this back up in
30 full council too and I mean I have a motion of things to keep,
31 but we're working on things to delete and I guess either way,
32 whatever the pleasure is.

33
34 **CHAIRMAN GREENE:** The last motion was to keep an item in the
35 document and so if you have some stuff pertaining to the first
36 page to keep, then go ahead at this time if you wish.

37
38 **MR. WILLIAMS:** Just to clarify with Ava, if we approve the first
39 one, but don't approve the second two, they just go away and we
40 won't see those again?

41
42 **DR. LASSETER:** I might have been confusing. My original
43 suggestion had been to make motions only for those to remove and
44 I just thought that perhaps I wasn't clear and so you carried on
45 with you motion and either way we want to do it. We've got one
46 motion now with one to retain and as long as I just understand
47 for the other two -- We don't need to make twenty-five motions
48 to remove or retain, but let's just kind of pick one format for

1 each page. So is there anything people want to -- Let me turn
2 it over.

3
4 **MR. PERRET:** I think the first one -- Roy, your motion passed,
5 right, or has it been voted on? Okay. So the second box, if
6 we've got people with shares but without the reef fish permit,
7 if a motion is not made, then what happens to those shares?

8
9 **DR. LASSETER:** I'm sorry, but if a motion?

10
11 **MR. PERRET:** I can't make a motion and I'm not on the committee,
12 but it allows the council shares, but without a commercial reef
13 fish permit to harvest the allocation associated with those
14 shares and so if you don't make a motion to support that, what
15 happens to those shares?

16
17 **MR. DIAZ:** They can trade them, but they can't harvest them.

18
19 **MR. PERRET:** Are they going to be able to trade them, but they
20 can't harvest them?

21
22 **DR. LASSETER:** I guess I was confused what you meant by the
23 motion. What this says -- If this was to go forward in the
24 document and it passed, it would essentially allow anybody
25 without a commercial reef fish permit to buy and sell and
26 participate in the IFQ program and land those fish.

27
28 The whole program would be affected by doing this and this is
29 also a form of intersector trading, which you had expressed,
30 since we put this in, that you weren't interested in pursuing
31 and so this is a problematic one.

32
33 **MR. PERRET:** Obviously I am missing something. I am hearing
34 they will be able to trade the shares and that's not in here.
35 All I'm doing is reading what's in the box and the box says
36 nothing about trading and all it says is accounts with shares
37 but without the reef fish permit to harvest the allocation
38 associated with those shares and so if a motion is not made to
39 accept that, where does it say the shares can be traded or
40 whatever with them?

41
42 **DR. LASSETER:** Currently, right now, anybody without a
43 commercial reef fish permit can buy and sell shares and transfer
44 the allocation. They just cannot land it and so if this
45 remained in the document, this would further expand program
46 participation and allow anybody who buys and sells shares,
47 because that is currently allowed, to also land the allocation
48 associated with those shares without a commercial reef fish

1 permit.

2

3 **MS. BADEMAN:** I was trying to help Corky and so like this -- If
4 we move this forward, this second box here, me, Martha Bademan,
5 who does not have a commercial reef fish permit, I could buy up
6 a bunch of allocation and I am going to go commercial fish for
7 red snapper without a reef fish permit. That's what this is
8 letting me do.

9

10 Right now, I could buy or lease, but I wouldn't be able to fish
11 it. This would allow me to actually fish it, which, by the way,
12 I am not interested in. I will just throw that out there.

13

14 **MR. DOUG BOYD:** I have a question. Is this -- These different
15 boxes, are we, in effect, voting to remove to the Considered but
16 Rejected several of the items that are in the amendment or in
17 the document? Is that what this is, a summary of those, and
18 that's what we're removing?

19

20 **DR. LASSETER:** You had a scoping document. We don't have a
21 Considered but Rejected. We're not that far along yet. You had
22 a scoping document with a bunch of different items for us to go
23 out and get feedback on and for the council to consider whether
24 it was interested in pursuing these modifications.

25

26 Now we've brought you all of those items. We've had the scoping
27 summaries and we are looking for direction from you which of
28 these items staff should work up into a draft options paper and
29 start developing some alternatives and start developing some
30 discussion. Which of these are you interested in evaluating
31 further and which of these can you remove from consideration?

32

33 Those that you remove from the scoping document stage I don't
34 think need to go in a Considered but Rejected section at this
35 point. These are just loose ideas.

36

37 **MR. WALKER:** Ava, do you think if you just developed an options
38 paper and then brought it to us and then maybe we could remove
39 them and use them all and then we could remove them at the next
40 meeting?

41

42 **CHAIRMAN GREENE:** That's what she is trying to do, in effect.

43

44 **DR. LASSETER:** Please, no.

45

46 **MR. WALKER:** From scoping and the five-year review of what they
47 have recommended.

48

1 **MS. LEVY:** Staff can develop whatever types of things the
2 council decides it's interested in pursuing, but if you know now
3 that there's no way that you want to let people commercial
4 harvest red snapper without a commercial reef fish permit, then
5 tell them that, so they don't have to develop it.

6
7 If you really think that you're going to consider that and let
8 folks actually fish their shares and allocation with no reef
9 fish permit, then okay and I am just using that as an example,
10 but for any of these if there's a resounding we don't want to do
11 that, then it's much better to let staff know now so you have a
12 simpler options paper and staff doesn't have to spend a lot of
13 time developing things that you already know are not things that
14 you want to pursue.

15
16 **DR. LASSETER:** I don't know if you noticed that scoping document
17 and it was rather confusing. You had a lot of items in there
18 and a lot of things to discuss. At the options paper stage,
19 it's going to be a little more complex as well, which is why
20 we're trying to narrow down your scope and focus of what you
21 want to pursue in this action.

22
23 **CHAIRMAN GREENE:** My question would be with the Amendment 30B
24 and not allowing people to fish in state waters, I guess you
25 have just went around that with this particular item, if I am
26 reading it correctly and I think I am. I think Martha was spot
27 on with what she said earlier. However, Mr. Matens would like
28 to make a point.

29
30 **MR. MATENS:** I have a procedural question and then I may have a
31 motion. Ava, is it your understanding that if we pass, which we
32 did, Roy's motion on the very first box and moved to the next
33 page, will we have deleted the next two boxes or do they remain
34 in the document?

35
36 **DR. LASSETER:** Since you -- My original advice was to remove
37 items and we are only going to remove those items that you tell
38 us to remove.

39
40 **MR. MATENS:** Thank you. **In that case, I move that we delete the**
41 **item that reads "allow commercial shares without a commercial**
42 **reef permit to harvest the allocation associated with those**
43 **shares".**

44
45 **MR. WILLIAMS:** Second.

46
47 **CHAIRMAN GREENE:** You have a motion and it's been seconded.
48 Let's make sure we get the motion on the board. Mr. Matens, is

1 that your motion?

2

3 **MR. MATENS:** Yes, sir, it is.

4

5 **CHAIRMAN GREENE:** Any discussion? **Seeing no discussion, any**
6 **opposition to this motion? Seeing no opposition, the motion**
7 **carries.** We still have some other items on the first page and
8 does anybody wish to go there?

9

10 **DR. STEVE BRANSTETTER:** As I read this, it seems to me that
11 Number 3 is very different than Number 1. Number 1 talks about
12 restricting future transfer of shares, but Number 3 talks about
13 people who already have them and so I think those are two very
14 different concepts that need to be -- I don't think of them as
15 well, if you keep 1 that you get rid of 3.

16

17 **CHAIRMAN GREENE:** Thank you. Mr. Boyd, did you have a comment?

18

19 **MR. BOYD:** Yes, I've got just a procedural question for Ava.
20 Are any of these items that we have on here going to modify or
21 delete something that is already in the IFQ program in an
22 amendment that's already been processed and approved by the
23 council?

24

25 **DR. LASSETER:** All of these are your suggested changes to the
26 existing red snapper IFQ program. We have only finished scoping
27 these items and we haven't started the actual amendment and so
28 we're trying to decide what changes to the IFQ program the
29 council is interested in evaluating and potentially making those
30 modifications.

31

32 **CHAIRMAN GREENE:** Basically we're looking for ideas to put in an
33 options paper. Basically, it's a what are you interested in and
34 what are you not interested in kind of a thing is the way I
35 understand it. We still have -- Any more comments or
36 discussion?

37

38 **MR. MATENS:** Let me see if I can help clear up this third item.
39 As I understand this third item, those people that hold those
40 IFQs that don't have a reef permit, if the first box goes
41 through, they are restricted to either holding them and not
42 using them or selling them to someone who has a reef permit and
43 so it doesn't put them out of business.

44

45 They can sell them and they can't use them anyway themselves and
46 I, for one, am uncomfortable about having these reef permits
47 become financial instruments, but I think that this would allow
48 those people that have bought them or acquired them to be able

1 to get out of them and not lose whatever capital they have in
2 them and I would be for limiting the amount that they can
3 possess. Let's see what's a reasonable amount.

4
5 **CHAIRMAN GREENE:** Okay.

6
7 **MR. MATENS:** Please forgive me. You guys may remember I did go
8 to LSU. **Accordingly, I move that we accept the language in the**
9 **third box to limit the amount of shares/allocation non-permitted**
10 **IFQ accounts may possess.**

11
12 **DR. LASSETER:** Perhaps if there is no -- Never mind.

13
14 **MR. PERRET:** It seems like if you want to limit the amount that
15 you certainly have to have some options. A could be 10 percent
16 and B could be 20 percent and C could be 5 percent and D could
17 be 1 percent. I mean just limiting it, I mean we're limiting it
18 to what?

19
20 **MR. MATENS:** To that point, Corky, I agree with you and I think
21 staff needs to give us some idea of what's reasonable here.

22
23 **DR. LASSETER:** That would be included in the options paper.

24
25 **DR. BRANSTETTER:** Corky, to your point, think of these as
26 actions and then staff will develop alternatives to go under
27 them.

28
29 **CHAIRMAN GREENE:** We have a motion on the floor and does the
30 motion read as you wish?

31
32 **MR. MATENS:** Yes.

33
34 **CHAIRMAN GREENE:** The motion has been seconded. Any further
35 discussion? **Seeing no discussion, any objection to the motion?**
36 **The motion carries.** Dr. Lasseter.

37
38 **DR. LASSETER:** If we could move to the next page, so there is
39 two items for consideration here and they both address a full
40 retention fishery. The intent would be to reduce regulatory
41 discards and the first item for consideration is to eliminate
42 the commercial red snapper minimum size limit and the second
43 option or item is to consider the full retention of
44 commercially-caught red snapper.

45
46 **MR. WALKER:** I would like to make the motion that we keep both
47 of those in the document. A lot of people would like to remove
48 the size limit and there's some discussion of a fully retention

1 and I would like to hear more discussion on that and so I would
2 like to keep it in there.

3
4 **CHAIRMAN GREENE:** Mr. Walker is making a motion and let's make
5 sure we get it up on the board. Essentially you're wanting to
6 keep both items.

7
8 **MR. WALKER:** Yes, I would like to keep both of these items, to
9 eliminate the commercial red snapper size limit and consider
10 full retention of commercially-caught red snapper.

11
12 **CHAIRMAN GREENE:** Let's get the motion on the board and see if
13 there's a second before we go down the road. Mr. Walker, does
14 that read as you wish?

15
16 **MR. WALKER:** Yes.

17
18 **CHAIRMAN GREENE:** Okay. Is there a second to this motion?
19 Seeing no second, the motion fails for lack of a second.

20
21 **MR. WILLIAMS:** I would be in favor of considering the full
22 retention of commercially-caught red snapper. I would move that
23 we retain that portion of it.

24
25 **CHAIRMAN GREENE:** We have a motion on the floor. Mr. Williams,
26 is that your motion? Do we have a second for this motion?
27 It's seconded by Mr. Walker.

28
29 **DR. BRANSTETTER:** Both of these have bullets beside them that
30 say "could reduce and eliminate regulatory discards and may not
31 be possible, given limited quantities of IFQ allocation" and the
32 first box to eliminate the snapper size limit, I don't think
33 that's true that it may not be possible, because if you
34 eliminate the size limit, you're going to catch until you run
35 out of allocation and then you can't land anymore, but the
36 second one you cannot do full retention, because when you do run
37 out of allocation, you are building into a regulation here that
38 says you've got to keep on keeping fish and I don't think that's
39 logistically possible.

40
41 **MR. DIAZ:** I agree with some of what Dr. Branstetter said, but I
42 did attend the public hearing and I do remember the commercial
43 folks that were at the public hearing, they did not think it was
44 possible to do a full retention. They thought it would be an
45 enforcement nightmare and the folks that were at the public
46 hearing I attended, if I remember correct, they were completely
47 against that one.

48

1 I would be more willing to leave in the size limit and explore
2 that a little bit further and see if that's possible. I don't
3 know at this point, but the full retention, if we was going to
4 save some staff time, I would be in favor of knocking that out,
5 to save some staff time. Thanks.

6
7 **MR. WILLIAMS:** I was going to say I am not -- Well, first off, I
8 am not in favor of eliminating the minimum size limit, because I
9 think we're going exactly the wrong direction. The recreational
10 fishery has increased the size of the fish it has targeted and
11 increased the size and increased their yield per recruit and
12 buoyed everybody's catches up or the total allowable catches up
13 because of it and this would be going exactly the wrong way.

14
15 On the second one, I don't think full retention is actually
16 practicable at this time, but I think it will be at some point
17 in the future. There are people experimenting with cameras
18 onboard their vessels to look at the possibility of full
19 retention and so I will admit I don't think it's practicable at
20 this time, but I think the day will come when it is and so I'm
21 just in favor of leaving it in for now.

22
23 **MS. BADEMAN:** I guess a point and a question. One, I don't
24 think this is feasible and I agree with you right now, Roy, but
25 my question is how do you do a full retention fishery while
26 maintaining a minimum size limit?

27
28 **MR. WILLIAMS:** I withdraw my motion.

29
30 **CHAIRMAN GREENE:** I guess we're back to square one here and so,
31 all right, does anybody else wish to weigh in on the second page
32 of this?

33
34 **MR. SANCHEZ:** Just seeing the way this is evolving, it seems
35 like this program has been successful and it has worked and it
36 stays within its limits and now we're going to try to
37 micromanage it and tell these folks who should and shouldn't
38 have these things, instead of letting economy and capitalism
39 take shape.

40
41 You might end up consolidating these shares into the hands of
42 just a few people and then the consumer is going to be the
43 loser, because once only a few control it, the price has got
44 nowhere to go but up and this thing is just so -- I don't know,
45 but it's so troubling that this whole building shakes every now
46 and then.

47
48 **CHAIRMAN GREENE:** All right. Dr. Lasseter, I guess we will

1 continue on.

2
3 **DR. LASSETER:** Okay and ironically, since there was not a motion
4 that passed to remove them and the motion failed to retain them,
5 right now we have them both left in the document. Shall I go
6 on?

7
8 **MR. WILLIAMS:** I thought they were both coming out. I thought
9 we were eliminating both of them.

10
11 **DR. LASSETER:** So I can interpret that since the motion failed
12 to retain them that I am going to interpret that to remove them?

13
14 **CHAIRMAN GREENE:** That is my understanding. That is correct.

15
16 **DR. LASSETER:** That sounds wonderful. Okay. Let's move to the
17 next page. These two items would address caps on the amount of
18 allocation that can be held. Currently, the red snapper program
19 does have a cap on the amount of shares that an entity can
20 possess and this would address a cap on the amount of
21 allocation. The grouper/tilefish program does have an
22 allocation cap and it's very high and nobody has ever approached
23 it. That is just background info.

24
25 The first one would be a cap on the amount of allocation that
26 may be held by an entity and we would interpret the entity as
27 either the shareholder or in the vessel account. Then the
28 second one would establish a cap on the amount of allocation
29 that can be landed by a single vessel.

30
31 For both of these, the IPT is not sure what the intent is of the
32 cap and what is the practice or behavior that you're trying to
33 modify. Is there a need for a cap? We are looking for a little
34 more guidance on, if you wish to retain these items, what is it
35 that you're trying to achieve.

36
37 **CHAIRMAN GREENE:** Okay, committee.

38
39 **MR. WILLIAMS:** My recollection is in the original red snapper
40 IFQ program that we adopted that we considered something like
41 this, but I think the final decision was it wasn't enforceable
42 anyway and people could just create a new entity and so there is
43 really no practical way to make it work and so my recollection
44 is we eliminated it.

45
46 **MS. LEVY:** I mean I will just say that, as Ava said, the
47 grouper/tilefish program has a share and an allocation cap and
48 they do keep track of allocation distributions and things like

1 that and so I'm sure they're tracking it to make sure that
2 nobody is reaching the cap and so I think it's enforceable and
3 you could do it if you wanted to.

4
5 **MR. WILLIAMS:** Why can't you just create a new corporation then?
6 Just create a new corporation and hold whatever else you want to
7 buy in that.

8
9 **MS. LEVY:** Because as we track shares, we track allocations and
10 it drills down into who owns the corporations and the percentage
11 ownership and the IFQ program tracks all of that and so you
12 can't have like ten corporations then say each one is separate.
13 They drill down to the actual ownership percentage in those
14 corporations.

15
16 **DR. BRANSTETTER:** Mara is right and I am getting a text here
17 from Jessica back in the office and they can track this, Roy,
18 because they are tracking at the human level. An entity can be
19 human or account and so it's how you want to address this in the
20 future, but they can track it, because they are tracking it at
21 the human level.

22
23 **MS. BOSARGE:** In the positive light, I can see where in the
24 future hopefully we will continue to rebuild the red snapper
25 population and so as that happens and the quota increases,
26 hopefully, for everybody, then your share percentage may stay
27 the same, the number of shares that you have, but the number of
28 pounds of fish that go along with that share is hopefully going
29 to increase if we do our job right.

30
31 I see where this can cause a problem in the future that as
32 somebody that owns a certain share continues to be accountable
33 and fish properly and by the rules that they almost end up being
34 punished by this allocation cap, this number of pounds, and that
35 they wouldn't get their certain percentage to go fish as it
36 rebuilds, but I could be looking at it wrong and I don't know.

37
38 **MR. FISCHER:** Leann, I don't think it's meant to dictate by
39 pounds. I think it's always been by percentage and so as the
40 total allocation goes up, their individual percent stays the
41 same, but their quota goes up, but I will let the creator of the
42 document further fill you in, but I believe we are not talking
43 about pounds, but percentage.

44
45 **DR. LASSETER:** These are with allocation and so pounds.

46
47 **MS. BOSARGE:** So allocation is in pounds and shares are in
48 percent. The percent would stay the same, but there is going to

1 be a cap on their number of pounds if their allocation is
2 capped, right? So that quota could keep going up and they keep
3 their same percent of the total quota, but because there's a cap
4 on the actual pounds that they can receive, it's going to stop
5 at some point.

6
7 **MR. WILLIAMS:** I would move to strike both of these on this
8 page, both of the caps, to strike both of the caps that are
9 referred to on this page.

10
11 **CHAIRMAN GREENE:** Okay. The motion has been seconded and we'll
12 get it up here on the board in just a second and make sure it
13 reads correctly. Mr. Fischer, do you have discussion to this
14 motion?

15
16 **MR. FISCHER:** Yes and I was going to ask Roy and even if it were
17 in percent and not in allocation, in pounds, because the wise
18 authors who did this -- We're in the five-year review and who
19 did this nine years ago had foreseen the possibility of --

20
21 **MR. WILLIAMS:** I might go with that, Myron. I'm still not sure
22 what it serves, what purpose it would serve, but I wouldn't be
23 really strongly opposed to that, but I think Leann makes a good
24 point on the allocation portion of it, because Ava said
25 allocation is pounds.

26
27 **CHAIRMAN GREENE:** Any further discussion?

28
29 **MS. LEVY:** I was just looking at the regulations for the
30 grouper/tilefish and I think the way they've done their
31 allocation cap is they link it to the share cap and so it's the
32 allocation associated with the share cap and so it's linked in
33 that way, just to let you know.

34
35 **CHAIRMAN GREENE:** I hear some rumbling from down the table, but
36 I don't see a hand and so we have a motion on the board and is
37 it written the way you wish, Mr. Williams?

38
39 **MR. WILLIAMS:** Yes and hold on a second. Kevin and I were just
40 talking if we restructured it or if the options paper -- If we
41 retain this, then the options paper could perhaps restructure it
42 the way that Myron referenced it, as the way that the
43 grouper/tilefish IFQ is done. Now I am less -- I might vote
44 against my own motion.

45
46 **CHAIRMAN GREENE:** Okay. Do you wish to withdraw your motion?

47
48 **MR. WILLIAMS:** Yes, I would like to, if it would be all right

1 with my seconder, that the cap that is established be the
2 allocation associated with the cap on shares and would that be
3 okay with you? Is that right, Mara, and did I say it correctly?
4 It would be the allocation that's associated with -- That we cap
5 the allocation associated with the share cap.

6
7 **MS. LEVY:** I mean I think you could just leave the idea of an
8 allocation cap in there and then staff can come back with some
9 alternatives and they can structure it -- We can go back to
10 Amendment 29 and see how grouper/tilefish did their allocation
11 cap.

12
13 **MR. WILLIAMS:** I would like to withdraw my motion then with that
14 understanding, if Dale agrees to it.

15
16 **CHAIRMAN GREENE:** The seconder agrees and the motion is
17 withdrawn. Mr. Walker, did you have your hand up?

18
19 **MR. WALKER:** Yes, I was just going to say the -- Not your
20 allocation, but your shares for snapper, I think it's like 6
21 percent, where tilefish is in the teens or something, I think,
22 and so I mean it's -- What the concern was from some of the
23 people in the industry was, and I know it was just one
24 particular vessel, was leasing more fish, and I am not sure what
25 his shares were, but he was leasing a lot of fish and he was
26 catching 200,000 or 300,000 pounds and some people didn't think
27 that was -- Something to consider and anyway, that's where that
28 came from. It was people worried about one vessel catching too
29 many fish, too much allocation, and not these shares.

30
31 **DR. LASSETER:** My understanding is if you do leave these two in
32 that one of the alternatives we would develop would be something
33 to mirror the grouper/tilefish program allocation cap and how
34 that's structured.

35
36 **MR. WILLIAMS:** Yes.

37
38 **DR. LASSETER:** Okay. Then it sounds like we can go on to the
39 next page. This page addresses accounts that have never been
40 activated and the first three items all begin with the same
41 phrase, "only for accounts that have never been activated in the
42 current system".

43
44 The item is to propose closing those accounts and redistributing
45 the shares within those accounts that have never been activated
46 and then there's three options that have been considered. Do
47 that if those accounts are not active by a specified date, and
48 we could provide you some alternatives with dates, or to

1 redistribute the shares to those with no or small shares or to
2 new entrants and this would be as a purpose to reduce regulatory
3 discards.

4
5 Third, again, to reduce the regulatory discards, use that quota
6 from those inactive accounts to distribute through quota banks
7 or have NMFS administer the distribution in some way and so it's
8 closing the accounts, potentially by a specific date, and then a
9 couple of options as to what could be done with those inactive
10 shares and then, finally, at the bottom it's an item of in the
11 event of future increases to the commercial red snapper quota,
12 consider alternatives to redistribute those quota increases to
13 new entrants and small shareholders. I will add that the idea
14 of new entrants and small shareholders will have to be defined
15 and fleshed out.

16
17 **CHAIRMAN GREENE:** Thank you. Any comments or desires to do
18 anything on this particular page? Okay. Seeing none, I guess
19 we will continue on.

20
21 **DR. LASSETER:** Moving on, there is only one item on this page
22 and this concerned enforcement and it was one recommended by the
23 Law Enforcement AP, I believe, and it would require all vessels
24 with a commercial reef fish permit to hail in prior to landing,
25 even if they are not in possession of IFQ species.

26
27 The idea is that there are commercial boats that do not
28 participate in fishing any of the IFQ species and so they would
29 not be hailing out and hailing in. To improve enforcement, what
30 if those vessels did have IFQ species onboard and just had not
31 hailed in or were not part of the program?

32
33 They could be landing in their regular spots, which are not
34 approved landing sites, where law enforcement would not be
35 notified and they would be less likely to be checked and so this
36 is an idea to improve enforcement for all reef fish landings,
37 but especially for the IFQ species.

38
39 **MR. WALKER:** I think this is a good one to keep in. A lot of
40 people are worried about people that didn't have any IFQ shares
41 and they wouldn't have the restrictions and they could unload at
42 nighttime or different times and I think everybody was in
43 support of that, of this staying in the document.

44
45 **CHAIRMAN GREENE:** Thank you for that. Anybody else wish to
46 weigh in?

47
48 **MS. BADEMAN:** I agree with David and so are we looking for a

1 motion to retain or are you happy just with that input?

2
3 **DR. LASSETER:** Unless there is a motion to remove it, we are
4 going to keep it.

5
6 **CHAIRMAN GREENE:** I think everybody has kind of got that down.
7 Okay, Dr. Lasseter.

8
9 **DR. LASSETER:** Okay. This next page is a confusing page. Here
10 we have lots of questions and lots of items and all of these
11 pertain to requirements for the use of how shares and/or
12 allocation are used and they pertain to the transferability of
13 shares and allocation.

14
15 For the first item, establish use it or lose it provisions, this
16 was an action in Amendment 26, but it had a different meaning
17 than how it's widely being used now and we would strongly
18 recommend that -- Not that you don't consider requirements for
19 the use of shares and allocation, but that we not use the
20 expression "use-it-or-lose-it". It's become confusing.

21
22 For some of these other items, what we're looking for is some
23 direction as to what you were trying to achieve, what the
24 committee is interested in achieving or what behavior they are
25 interested in modifying.

26
27 After the use-it-or-lose-it provisions, we have restrict ability
28 for shareholders not actively engaged in fishing to transfer
29 those shares and allocation to other shareholders. For this
30 item, there is a couple of issues. With the IFQ system, it does
31 not track -- It tracks the transfers of allocation, but it does
32 not identify, when allocation is ultimately landed, who that
33 original shareholder's account that it came from.

34
35 Then another red question in here is the IPT would like some
36 discussion on how the committee would define "actively engaged
37 in fishing" and I will turn it over for some discussion.

38
39 **CHAIRMAN GREENE:** Okay and as you said, this page is confusing
40 and so maybe we'll just back up and take them one block at a
41 time. Does anybody wish to weigh in on a use-it-or-lose-it
42 provision? Okay. The next thing that she was asking for or the
43 next category is restrict ability of shareholders not actively
44 engaged in fishing to transfer shares and has anybody got
45 anything? Okay. I guess we will just take these one at a time.
46 Mr. Walker, did you have your hand up?

47
48 **MR. WALKER:** I would like to hear some testimony on the restrict

1 ability of shares and actively engaged.
2
3 **CHAIRMAN GREENE:** Okay. So noted. Anybody else? Okay, Dr.
4 Lasseter.
5
6 **DR. LASSETER:** The next item is to place restrictions on the
7 transfer of IFQ allocations and shares and we would like some
8 more guidance on what type of restrictions you would wish to
9 consider and what is the goal of these restrictions? What is
10 the practice or behavior of fishermen that you are trying to
11 address with restrictions on transferability?
12
13 **CHAIRMAN GREENE:** Anybody?
14
15 **MR. WILLIAMS:** Where did this one come from? Did this come from
16 scoping? Is this something that was suggested in scoping?
17
18 **DR. LASSETER:** Most of these items came from council discussion
19 and we have heard council discussion about people who are
20 shareholders who are -- We hear the expression a lot of not
21 "actively engaged in fishing", but when you actually look at the
22 structure of the program, that's not so clear to define and so
23 while these all came from council discussion, that's also why
24 the IPT needs some more feedback about what is the specific
25 behavior or problem that you're trying to address in placing
26 restrictions on transferability and that will help us, if this
27 item remains, to define alternatives.
28
29 **DR. CRABTREE:** I am assuming, because I hear about this a lot,
30 is the issue of people who are shareholders and don't own a
31 vessel and just lease shares and make their income off of
32 leasing their shares, but don't ever fish themselves. I am
33 assuming that's kind of what this is trying to get at. I can't
34 think of what else it is.
35
36 **MR. WILLIAMS:** That would be my guess to, but we addressed that
37 in our very first -- Way back on the first page. We wanted an
38 alternative to require shares to be held by a reef fish permit
39 holder.
40
41 **DR. CRABTREE:** So every shareholder would have to have a reef
42 fish permit and get a vessel then?
43
44 **MR. WILLIAMS:** That's what would be in the options paper, yes.
45 I think we ought to just take this one out. I think we've
46 addressed it elsewhere. **I am going to move that we eliminate,**
47 **quote, place restrictions on the transfer of IFQ allocations and**
48 **shares.**

1
2 **CHAIRMAN GREENE:** Let's get the motion on the board and are you
3 seconding it? Mr. Walker seconds the motion. Is there
4 discussion while they are getting it on the board?
5
6 **DR. CRABTREE:** When I am looking at the -- I am sorry I missed
7 the discussion then, but you said you had an item that was
8 restrict future transfer of shares to accounts that have a reef
9 fish permit and limit the amount of shares/allocation that non-
10 permitted IFQ accounts may possess and so I guess that one -- If
11 you said non-permitted accounts can't possess any shares, then
12 yes, that seems to do it.
13
14 **MR. FISCHER:** Roy, where are we if the first item doesn't pass?
15
16 **MR. WILLIAMS:** One would assume that if that didn't pass that
17 this probably wouldn't either. I mean if it's important to you
18 guys to leave it in, I will leave it in, but I just don't -- As
19 it asks out here what practice or behavior is to be restricted,
20 I guess Ava would understand from the discussion here what the
21 practice is. It's the people that own shares but don't own a
22 reef fish permit that we're trying to control.
23
24 **MR. MATENS:** I guess I would like clarification for myself. How
25 does this apply or not apply to a shareholder that may or may
26 not own a boat but doesn't fish at all and all of his shares are
27 rented out? Can someone answer that question?
28
29 **MR. WILLIAMS:** Well, in my opinion, he or she would be
30 constrained by that very first page, by the alternatives on the
31 first page. That's the way I think about it. This could be a
32 backup, I suppose. You could do the same thing here if Ava -- I
33 guess Ava understands the context of the discussion that's going
34 on here and so probably that's what she would pick up on. I
35 would also point out that I never got a second and so I don't
36 have to -- Did I?
37
38 **CHAIRMAN GREENE:** Yes, Mr. Walker seconded. We have a motion on
39 the floor and is there any more discussion? Any further
40 discussion? **Any opposition to the motion? Hold your hands up**
41 **if you're in opposition. I see three. All in favor of the**
42 **motion raise your hand. Three to three and the motion tied and**
43 **so it fails.**
44
45 **MR. BOYD:** A procedural question. If an item is deleted from
46 this list and at some time in the discussion and in the
47 document, whatever amendment we're going to do, somebody wants
48 to put one of these items back in, it could be put back in and

1 is that a correct statement?
2

3 **DR. LASSETER:** My understanding is that just failed and so we
4 are keeping it in the document and was that your question?
5

6 **MR. BOYD:** No. My question is a procedural question for the
7 future. We're going to -- You're going to develop a document
8 out of this and we're going in and we're going to eventually
9 select preferreds and we will vote on those. At some point in
10 time if a council member wants to add one of these back in or
11 something else, they could do that, couldn't they?
12

13 **DR. LASSETER:** Absolutely. Our next stage is an options paper
14 and so once we expand on these and give you some discussion, you
15 may want to remove more of these and you may want to tweak them
16 and absolutely that will be the logical next step.
17

18 **MS. LEVY:** If the discussion of this use-it-or-lose-it -- If
19 everyone agrees that it's somewhat accomplished by what we did
20 on page 1, we can keep it in there, but I think what will happen
21 when staff goes back to write the options paper is it's the same
22 thing, right, and so we would likely combine it into whatever
23 action is appropriate to address that, because I don't think we
24 want duplicative actions that say pretty much exactly the same
25 thing.
26

27 **CHAIRMAN GREENE:** Thank you. All right. With that, we're going
28 to move on, Dr. Lasseter, and we've got a couple more items. We
29 still have a presentation, but we have failed to get through
30 Amendment 36 in our last couple of attempts and we will get
31 through it today and so let's continue on, Dr. Lasseter.
32

33 **DR. LASSETER:** Actually, I am still -- What I understand right
34 now is that all of these have remained in the document.
35

36 **MR. WILLIAMS:** What do you mean by rollover provision? Does
37 that mean roll over any unused allocation from this year to next
38 year?
39

40 **DR. LASSETER:** I apologize. I realize we just got through the
41 first three and let's take up that one. Item Number 4 here says
42 to adopt a rollover provision for unused IFQ allocation that
43 idea is for IFQ allocation -- At present at the end of the year,
44 it disappears. Anything not used disappears and the shareholder
45 gets the next year's allocation by January 1.
46

47 This would allow some amount of unused IFQ allocation to be used
48 in the following year and we have received some feedback from

1 NMFS that this could be problematic for monitoring annual sector
2 ACLs and then I also wanted to point out that the quota will be
3 decreasing over the next three years. We do have a decreasing
4 yield stream and so I'm not sure how that -- If it could create
5 problems for the ACL.
6

7 **MR. WILLIAMS:** I move that we strike the fourth box to adopt a
8 rollover provision for unused IFQ allocation.
9

10 **CHAIRMAN GREENE:** We have a motion on the floor and it's been
11 seconded and we're getting it on the board and I saw a hand. Do
12 you have a comment to this motion? Go ahead, Mr. Diaz.
13

14 **MR. DIAZ:** I am just trying to recall and it seems like when we
15 discussed National Standard 1, 3, and 7 the other day that there
16 was some provision in there to allow to roll over unused ACLs
17 and so I mean if I am not mistaken on that, there may be a
18 mechanism to do it in the future that doesn't exist today,
19 although I know I'm talking about potential passage of
20 legislation, but I do think that may be on the horizon.
21

22 **DR. CRABTREE:** The problem is that you can't exceed the ABC and
23 I think we have normally set the quotas at the ABC and so if you
24 carry over unused quota to the next year, that would then put
25 you above the ABC and so it seems like to do that that you would
26 have to go back to the SSC somehow and ask them for a new ABC.
27

28 The other thing I see here is that if we were going to go down
29 this path with this commercial fishery, we were over a million
30 pounds under quota on the recreational side last year and it
31 sure seems like to me if we're going to try to carry over
32 uncaught quota that we would need to look at doing that for both
33 sectors and not just one, but I think that's the problem with
34 it, is figuring out how to do it without going over the ABC.
35

36 **MS. BOSARGE:** There may be another way to do this without a
37 rollover provision. What the people in Mississippi at our
38 scoping meeting were speaking of is when we -- Where they had an
39 issue was when we had an increasing quota at the end of the year
40 one year -- I don't remember and was it 2013, maybe, where we
41 had an increase and so essentially what happened is that quota
42 got shoved down to the commercial sector in the third quarter of
43 the year and then you kind of ended up with a lot of that derby-
44 style fishing or something like that and they were wondering if
45 that comes up again, is there any way, instead of shoving all
46 that at us in the third quarter of the year, can some of it be
47 transferred to us after January 1?
48

1 I mean maybe there is other ways to alleviate the problem they
2 were looking at and I will just throw it out there that that's
3 what they were talking about in Mississippi.

4
5 **MR. WALKER:** I was just going to add with talking about the
6 rollover, it's a small percentage that's not harvested every
7 year. I think it was around 1 percent last year and it could be
8 only 1 percent that could probably roll over.

9
10 **DR. CRABTREE:** Listening to Leann, it seems to me the most
11 straightforward way to deal with that would be don't increase
12 the quota until the first quarter and that would effectively
13 mean the catches didn't go up until the first quarter and so
14 they would probably go up more than they otherwise would have,
15 but that's kind of a problem we created by our timing on raising
16 the quotas.

17
18 **CHAIRMAN GREENE:** Thank you. We have a motion on the floor and
19 we've had good discussion on it. **Is there any opposition to the**
20 **motion? Seeing no opposition, the motion carries.** Dr.
21 Lasseter.

22
23 **DR. LASSETER:** Thank you, Mr. Chairman. The final item on this
24 page is to consider adopting a lease-to-own provision, such that
25 an entity buying, leasing, annual allocation earn some credit
26 toward possession of those IFQ shares. Is there any discussion?

27
28 **MR. WILLIAMS:** This was my item and I will tell you that I've
29 had far more complaints about it than I have had -- In fact, I
30 don't think I've had any compliments about it. Despite that, I
31 still like the idea of it and so I'm not going to make a motion
32 to eliminate it.

33
34 **DR. CRABTREE:** Can you explain at least to me what "earned some
35 credit" means? We don't have credit accounts and I'm not quite
36 sure that means.

37
38 **MR. WILLIAMS:** It would mean that a person who has to go out and
39 lease allocation every year would be given some small portion of
40 that share and so if I had to go out and lease -- Make up a
41 number. 1 percent, which might be 100,000 pounds every year,
42 because I am new to the business and I don't have the money to
43 go lay down to buy that allocation and I can't get a bank to
44 loan me any money on it, but I would be given some small portion
45 of that and it would transfer from the owner to me. After ten
46 or twenty years, I would have a real share and so that's what it
47 attempts to do.

48

1 **DR. CRABTREE:** So effectively when you lease quota to somebody,
2 you have to sell them a certain amount of shares that go along
3 with it?

4

5 **MR. WILLIAMS:** You could look at it that way, sure.

6

7 **MR. WALKER:** I would like to see it removed. I think it's just
8 going to cause the discards to go up. I mean if someone is
9 going to find out there's a control date that's going to be set
10 forward that this could happen then I think a lot of leasing
11 would stop and people would just go catch them themselves so
12 they don't end up losing them.

13

14 **MR. ANSON:** I am not on the committee, but I mean there aren't
15 any alternatives as to how that necessarily would work and I
16 think staff might be able to come back with some options that
17 could be attractive to shareholders and attractive to those that
18 want to lease and there might be some ways you set it up that
19 you could work that and it would be beneficial to the resource
20 and beneficial to the fishermen.

21

22 **MR. WALKER:** I would like to hear some comment. We could get
23 some public comment.

24

25 **MR. MATENS:** I am in concurrence with Kevin's opinion. I think
26 this has value and we should try to move forward with fleshing
27 it out.

28

29 **CHAIRMAN GREENE:** Okay. I don't see any more hands and no
30 motion to take it out and so we will move on to the last item.

31

32 **DR. LASSETER:** I just want to clarify on the previous page. So
33 I understand shareholders who don't own a vessel and make income
34 off leasing shares is what you're trying to address and so what
35 type of restrictions -- We will bring you alternatives, but we
36 have the -- The item specifies restrictions on transfers of
37 allocations and shares and is there anything more specific you
38 could provide in terms of the types or we'll just come up with
39 stuff if that's what you want to have us start with or is there
40 something you're thinking of? Is there some idea you have?

41

42 **MR. PERRET:** It seems to me you're back on the second part of
43 that box and I have been trying to figure out what happened to
44 that. Did we leave it in or take it out? It's still in? Well,
45 why, if an individual is a shareholder and may even own boats,
46 but never sets foot on the boat, do we want to restrict that
47 person from carrying on his business activities?

48

1 He may not be the guy that is actively fishing and I guess I
2 would throw out if I own a charter boat, but I don't ever set
3 foot on the charter boat and I let somebody run it for me, what
4 are we trying to do there if I own a boat, but I don't go out on
5 it?

6
7 **DR. LASSETER:** That's what I want to know. What are you trying
8 to do there?

9
10 **MR. PERRET:** I want to know why is it in there? I guess if I
11 was on the committee, I would move to take it out, but it seems
12 to me we've got people that own vessels and they own shares and
13 they've got quota and the whole bit and they follow the rules,
14 but they don't ever set foot on a boat. Some of them are my age
15 and older and so they can't go out anymore.

16
17 **CHAIRMAN GREENE:** Anybody else? Anything else you want to add?
18 Okay, Dr. Lasseter, does that complete --

19
20 **DR. LASSETER:** We will bring something back. Again, I am not
21 clear on transfers of allocation, shares, but we will see what
22 we can do. Let's move on to the next one in the interest of
23 time and, yay, this is our last one. This item is actually
24 related to the framework action that Dr. Diagne just presented a
25 while ago, which is to withhold distribution of some portion of
26 a shareholder's allocation at the beginning of the year if a
27 mid-year quota reduction is expected.

28
29 There is a one action framework action that was just reviewed
30 that would withhold some amount of quota, depending on what
31 alternative passes in Amendment 28, and the framework action is
32 only valid for the one year and to make such a withholding
33 permanent would require an action and a full plan amendment.

34
35 If that type of action that's under consideration in the
36 framework action is something you wish to make permanent, then
37 you would want to retain it here and we could further develop
38 it.

39
40 **DR. CRABTREE:** I think we need this, because we have had this
41 come up on a couple of occasions. I think it was a problem when
42 we needed to reduce the TAC on gag and it's going to be a
43 problem on any of these species if we get an assessment and we
44 need to make some reduction or if you decide you want to adjust
45 the allocation and we run into these timing kind of issues and
46 so I think this is -- It's a difficulty that's inherent in these
47 IFQ programs and so I think we need this to give us the
48 flexibility to do this.

1
2 **CHAIRMAN GREENE:** Okay. Any other comments? Okay, Dr.
3 Lasseter.

4
5 **DR. LASSETER:** If there are no further comments on the items in
6 here, then we will move forward. Perhaps we could talk timeline
7 and what is your intention? The next step would be an options
8 paper. Any comments on timeline?

9
10 **CHAIRMAN GREENE:** When do you think you -- When is your schedule
11 -- I mean you all have got a lot to do, but when is --

12
13 **DR. LASSETER:** October. Originally, I think at the last
14 meeting, I told you August, but now I am concerned with
15 Amendment 39 and we have several other documents we're working
16 on.

17
18 **CHAIRMAN GREENE:** Any committee objection to October before this
19 comes back as an options paper? Seeing none, that sounds fine
20 to me. Dr. Lasseter, does that complete your --

21
22 **DR. LASSETER:** It does and thank you very much.

23
24 **CHAIRMAN GREENE:** With that, the next and final item for today
25 is Grouper/Tilefish IFQ Five-Year Review, Overview of Studies,
26 Tab B, Number 11(a) and I am not sure if the individuals are
27 here to do that, McPherson and Peruso.

28
29 **GROUPE R TILEFISH IFQ FIVE-YEAR REVIEW**
30 **OVERVIEW OF STUDIES**

31
32 **MR. MATT MCPHERSON:** Good afternoon. My name is Matt McPherson
33 and I am the Director of the Social Sciences Research Group at
34 the Southeast Fisheries Science Center. I would just like to
35 take the opportunity to introduce myself, because I've only been
36 with the Science Center for about six months. I'm an
37 anthropologist and I was leading a similar group at the
38 Northeast Fisheries Science Center, but was very happy to have
39 the opportunity to come south and I am looking forward to
40 meeting everyone as well as I appreciate the opportunity to
41 address the council today.

42
43 As most of you know, our group focuses on gathering social and
44 economic data and conducting research to inform the fisheries
45 management process and today we want to tell you about work that
46 we're doing in support of the five-year review of the
47 grouper/tilefish IFQ program. We are doing this work in
48 partnership, very close partnership, with SERO and this council.

1
2 I just want to spent a couple of minutes myself setting this up
3 by discussing the proposed national guidelines for five-year
4 reviews before handing this off to economists Larry Peruso and
5 Walter Keithly, who will talk about the more specific plans and
6 activities that we've conducted to date.

7
8 The Office of Sustainable Fisheries is finalizing a guidance
9 document for five and seven-year reviews of catch share programs
10 and this document does things like identify key components of
11 the review process and how the review document should be set up
12 and what kinds of questions and issues should be addressed and
13 the guidance is still a work in progress, but as part of the
14 process of developing this guidance, they are going to be
15 seeking input from the councils, but they are also using a
16 number of different references, which I won't read, but you can
17 see them on this slide that include MSA, NOAA catch share
18 policies, and other things, other studies.

19
20 The key components of this process include the review plan, the
21 review team, and interim reports and these are all things that
22 have been done to date, in preparation for the grouper/tilefish
23 IFQ review. We have been able to benefit from the experience of
24 having done the red snapper five-year ITQ review and so the
25 review plan was, in this case, established before the end of the
26 fifth year and we are asking, by presenting this plan right now
27 for the council to review, to begin to review our plans before
28 it's finalized and before we initiate significant work towards
29 the implementation of this plan.

30
31 We have a team, as I mentioned, that includes the council, the
32 Regional Office, the Science Center, and the Office of Law
33 Enforcement and we benefit from different interim reports that
34 have been done along the way, including annual reports that have
35 been done by SERO as well as different reports that include
36 information on performance that have been done by headquarters
37 and they focus in particular on the economic performance of
38 catch share fisheries.

39
40 There is a review team that is responsible for compiling data,
41 for conducting the analyses, and for writing the report. The
42 plans are that drafts of the report will be made available to
43 the council and to advisory groups like the SSC and different
44 advisory panels and before the report is finalized, the feedback
45 from all these groups will be incorporated into the report and
46 there will be a final review before the report is considered
47 final that will include, again, the council, the Regional
48 Office, the Science Center, Office of Law Enforcement, and

1 General Counsel.

2
3 The approach to this report, the purpose would be to describe
4 and analyze the effects that have taken place since the baseline
5 time period to incorporate different references and other
6 relevant findings, when possible. There is not any length
7 restriction to this report.

8
9 Also on the use of standardized indicators and there are a
10 number of standardized indicators that have already been
11 developed and are already being reported on for the different
12 catch share fisheries across the country and eventually they
13 want to take a holistic approach to these kinds of reviews. For
14 example, if two or more programs are found to have a significant
15 interdependency, joint reviews may be completed after the
16 initial review is done.

17
18 Here is just some information about what the structure of the
19 review document would include and I am not going to read all of
20 these to you, but it has things like the purpose and need of the
21 review, history of management, sort of the goals and objectives,
22 introductory type information, as well as an evaluation of the
23 biological, ecological, social, and administrative effects in
24 comparison to the goals and the objectives of the program. It
25 will see how the performance of the program actually compares to
26 its original goals and objectives.

27
28 The analysis components, again, include things like goals and
29 objectives, the eligibility requirements, how transferability is
30 working, how the quota is performing in comparison to the ACLs,
31 whether there is a need for accumulation limits and caps, cost
32 recovery, data collection. There is a wide range of things that
33 are potentially included in this report.

34
35 Even though this guidance is still in the review process, the
36 five-year grouper/tilefish ITQ review that we're planning is
37 very closely aligned with this national guidance and so when
38 that national guidance comes out, there shouldn't be too many
39 surprises for us in terms of the plans and the information that
40 we're going to already have available for the grouper/tilefish
41 five-year ITQ review. With that, I will turn it over to Larry,
42 who will talk to you more specifically about the plans that we
43 have for the review.

44
45 **MR. LARRY PERUSO:** Good afternoon. My name is Larry Peruso and
46 I'm an economist at the Science Center and I'm going to go ahead
47 and show some of our ongoing projects and proposed projects that
48 are related to the five-year grouper/tilefish IFQ program

1 review.

2
3 First, a little background on how we set this up. About a year
4 or so ago, we applied for some funding from the Office of
5 Science and Technology at NMFS for their catch share program and
6 our idea was to offer up a suite of proposals that would look at
7 the specific objectives of the grouper/tilefish IFQ program and
8 these included reducing overcapacity, increasing technical
9 efficiency, harvest efficiency, profitability, mitigating and
10 preventing race to fish, but we also wanted to look to see if
11 any of the anticipated benefits were realized.

12
13 This includes market stability; elimination of quota closures;
14 crew safety at sea; balance of social, economic, and biological
15 benefits and also reducing bycatch and associated bycatch
16 mortality.

17
18 These, in general, were the projects that we offered up. We
19 wanted to look at the attitudes and perceptions of stakeholders
20 of the IFQ program and we wanted to look at the effects of the
21 program on fishing communities and we also wanted to assess the
22 efficiency of the quota balancing mechanisms that are specific
23 to the grouper/tilefish IFQ program.

24
25 We wanted to look at changes in fishermen behavior and we wanted
26 to evaluate changes in fleet capacity in the technical
27 efficiency, harvest efficiency, of the fleet. We wanted to look
28 at changes in prices and also changes in market power.

29
30 I would like to say that even though this suite of the programs
31 that were funded by NMFS was specific to the objectives of the
32 grouper/tilefish IFQ, they're sufficient to also address a range
33 of those analyses that Matt just presented to you from the
34 national guidance.

35
36 The first suite that we're looking at is we wanted to evaluate
37 the perceptions and attitudes of stakeholders. We have
38 completed what I would call a survey of participants of the IFQ
39 program and that includes shareholders, non-shareholders who
40 purchase allocation, and, to a lesser extent, people who left
41 the IFQ program. This has been completed and we expect to have
42 results to be presented at the January meeting. Dr. Keithly
43 will show you some example of this and so I won't go too much
44 into this.

45
46 We are also in the process of finalizing surveys for the dealer
47 processing sector and also captains and crew. This hopefully
48 will be completed by the end of the year and an interesting

1 aspect of these surveys is that we have significant contribution
2 from industry, not only with reviewing documents, but they are
3 also helping set contacts and follow up some things of that
4 nature and so they're very much a part of this process.

5
6 We have an ongoing community survey that is looking at pre and
7 post changes in the IFQ at the community level. This includes
8 ethnographic interviews with key informants in the communities
9 and also ground truthing these interviews with existing
10 quantitative data that we have, for example, through logbook and
11 trip ticket data collections.

12
13 The communities that we're looking and, again, this is ongoing
14 right now, but Madeira Beach, Cortez, the Panhandle,
15 Apalachicola, Louisiana, Galveston, and Freeport.

16
17 Just a little background on the share categories. There is five
18 share categories and red grouper, gag grouper, other shallow-
19 water grouper, deepwater grouper, and tilefish. There are
20 thirteen to eighteen species, five of which were removed in
21 2012. Again, what's interesting about this program is that
22 there is flexibility measures. There is a red grouper multiuse
23 and a gag multiuse and that was suspended because of the stock
24 status of the gag, but it is geared back up for 2016.

25
26 There is also shallow-water grouper and deepwater grouper
27 flexibility. Shallow-water grouper, scamp, can be landed under
28 deepwater grouper and deepwater grouper, warsaw grouper, and
29 speckled hind can be landed under the other shallow-water
30 groupers. 10 percent overage for accounts with shares and once
31 per year per share category.

32
33 The first project that we're working on this, and this is with
34 Quinn Weninger and Rejesh Singh of Iowa State University, is to
35 look at these quota balancing mechanisms with actual harvest and
36 discard levels and so we wondered are these flexibility
37 provisions effective in meeting the stated goals of reducing
38 bycatch mortality and discards.

39
40 We will empirically estimate the harvest technology and separate
41 longlines and vertical lines and so we'll be able to look at it
42 in separate gears and we will do policy simulations to assess
43 fishing behavior and responses and economic benefit and costs
44 associated with the flexibility provisions.

45
46 This is important not just for the grouper/tilefish program
47 itself, but at a national level, because really these things
48 haven't been looked at a theoretical point of view and our

1 contractors are going to do a theoretical study, but use the
2 grouper/tilefish IFQ as a case study.

3
4 We want to look at are these post-harvest trading, are they
5 efficient? Are these multiuse allocations efficient and also to
6 be able to say something about whether they're meeting the
7 management objectives that were designed by imposing these
8 flexibility measures.

9
10 The next project is also with Quinn Weninger at Iowa State and
11 we want to look at the changes in fisher behavior before and
12 after the IFQ implementation and so this is a model of fishing
13 behavior across space, time, and depth and this is interesting
14 because it's a continuous model and it's not like the discreet
15 choice models that you may be familiar with that you have to pic
16 the area rather than being able to look at it continuously and
17 there is also a production model built in.

18
19 We have put in realistic properties of the stock with abundances
20 that vary across space and time. There is individually fished
21 and share portfolios of the reef fish stock that are estimated
22 using observed behavior of fishers and we use a description of
23 reef fish ecology and identify costly targeting for discard
24 avoidance and so this a bioeconomic modeling approach that
25 incorporates random harvest.

26
27 It will be able to talk to us about things before and after and
28 did the harvest portfolios change? Did the fishing location
29 change? Did revenues go up? Did costs go down? Did
30 profitability increase? It will also tell us things about fleet
31 structure and harvest efficiency of the fleet.

32
33 The next one, and this should be familiar from the red snapper
34 review, and once again contracting with Danielle Solis to look
35 at the capacity and technical efficiency of the fleet and did it
36 change before and after the IFQ implementation.

37
38 Again, this is what's called a stochastic distance frontier
39 framework and in other words, you're looking at a frontier and
40 if you're on the frontier, you're efficient and the distance
41 that you're off of the frontier measures inefficiency. The nice
42 thing about stochastic distance frontier is that you're able to
43 incorporate the randomness of fishing, weather patterns and
44 stock variations and things like that. We will be looking at
45 measures of fishing capacity, capacity utilization,
46 overcapacity, and technical efficiency changes.

47
48 Some of the proposed projects that we're going to look into to

1 adhere to the guidance that just was referenced by Matt, on
2 accumulation caps we're going to look at summation of data
3 collection to determine the caps and changes in market power.
4 That could be at the entity level accumulation, but also we want
5 to look at are there labor monopsony type issues going on and
6 also, an idea of what the literature is calling share cropping
7 as far as are people able to purchase shares and get into the
8 fishery.

9
10 Technical efficiency will also be brought into this to look at
11 share and allocation caps. We will also look at cost recovery,
12 summation of collecting cost recovery fees. Is the 3 percent
13 fee appropriate? Does it cover NMFS incremental costs? Also
14 we'll analyze the compliance with respect to the cost recovery
15 fees.

16
17 Lastly, we will be looking at monitoring and enforcement and it
18 will be a summation of seizures, types of non-compliance, and
19 rates of compliance. That's all I have and were there any
20 questions? Walter Keithly is going to come up and discuss some
21 of the surveys that I talked about at first and show you some
22 examples of what we have out in the field. If there is anything
23 particular to the projects that I just described, I could answer
24 those questions now if you would like.

25
26 **CHAIRMAN GREENE:** Thank you. Any questions? I am not seeing
27 anybody and thank you.

28
29 **SURVEYS FOR THE REVIEW**

30
31 **WALTER KEITHLY:** Thank you. Most of you know me and I'm going
32 to keep this very short, because I was just informed that I'm
33 holding up two-for-one beers and the end of the day and so mine
34 is going to be very quick. As Larry mentioned, I am helping
35 National Marine Fisheries Service in a couple of different
36 areas.

37
38 One thing that wasn't mentioned is that I've got a contract to
39 help look at the influence of the IFQ program on prices of the
40 products. Now, we often hear that IFQs lead to higher prices
41 and so forth because they're able to space out their fishing
42 activities and so forth and not bring everything in at once. I
43 am involved in that, but also I'm involved in what I'm about to
44 show you just very briefly on some of the survey work that has
45 been done and we will be doing over the next six to eight
46 months.

47
48 again, one aspect of this five-year review is we have three

1 different surveys going on, a participant survey, those that own
2 the shares and what are they doing and we'll get into a little
3 bit more detail on that. Again, I'm going to keep everything
4 brief and those of you that have had the fortune or probably the
5 misfortune of being on the council long enough may remember me
6 from the red snapper IFQ and basically the participant survey I
7 will talk about largely followed what we did for red snapper,
8 other than it's much more complicated, because we were dealing
9 with one species when we did red snapper and now we're dealing
10 with several different species in deepwater grouper and shallow-
11 water grouper and so forth and so it's a much more longer
12 survey, but it basically followed the same format that the red
13 snapper survey followed, other than learning from some of the
14 mistakes on the red snapper survey that we fixed.

15
16 Also, a somewhat unique aspect, as far as I know, is we're also
17 doing a survey of the dealer processors, the grouper/tilefish
18 dealers or primarily dealers, but a few processors in there and
19 as far as I know, that's a relatively new concept and I don't
20 know of any other studies that have been done and I may be wrong
21 on that, but, again, we did not do that on the red snapper.

22
23 In red snapper, we simply looked at participants, the
24 shareholders, and now we're also going to be looking at the
25 dealers and the processors and their attitudes and so forth on
26 the IFQ program.

27
28 Finally, as Larry mentioned, we're going to be doing a labor
29 survey, that of crewmembers primarily, looking to see their
30 opinions of the IFQ program and whether it has benefitted them.

31
32 The first survey, as I mentioned, was that of participants.
33 That's been completed. It was conducted in 2014 and it's a
34 combination of telephone surveys, a web-based survey, primarily
35 telephone and web-based survey, and mail surveys. We're going
36 to look at just a little bit of details on that.

37
38 Again, following pretty much the red snapper survey, participant
39 survey, that was conducted, there is six different sections to
40 the participant survey, again shareholders and so forth. It's
41 your basic background information that you do in any of these
42 surveys, but also with this one, we realized some people held
43 many accounts and we needed to sort it out and make sure we
44 weren't double counting.

45
46 The second section is the attitudes and perceptions, again, and
47 the question of whether they voted on the referendum and their
48 attitudes and whether they were in favor of the IFQ program when

1 it was initiated and whether we've had any changes in attitudes
2 over the last five years of the program. Satisfaction with the
3 program, including what they considered to be the most positive
4 impacts of the program as well as the negative impacts of the
5 program.

6
7 The outcomes, in several different layers we looked at the
8 outcomes, in terms of increased or decreased profitability,
9 whether there was increased flexibility in the fishery and so
10 forth. I won't get into any detail and whether there was change
11 or consolidation. Again, Section 2 was generally simply looking
12 at opinions of the shareholders.

13
14 Section 3 was a socioeconomic assessment of the grouper/tilefish
15 IFQ program and it largely dealt with investments and
16 disinvestments in the fishery among shareholders as a result, at
17 least as they saw being the result, of the grouper/tilefish IFQ
18 program.

19
20 We looked at investments and disinvestments and we also looked
21 at the ability to maintain crewmembers and the skill of the
22 crewmembers and plans on what they planned to do in the near
23 term, the next five years or so, in terms of whether increasing
24 the number of shares, increasing purchases of allocation and so
25 forth.

26
27 Transfer of grouper/tilefish allocation and shares, again we
28 looked at why they had bought or sold shares or allocation and
29 so why did you either buy or sell the shares or allocation and
30 what they considered to be a fair market price for the shares
31 and allocation. It was often very different, as you might
32 expect, from what they actually pay, but we looked at that and
33 some other basic issues.

34
35 Section 5, which I really had nothing to do with, is more
36 sociological information on the social wellbeing and demographic
37 information among the shareholders, including their perceptions
38 of fishing in general, whether it's just a job or more than a
39 job and issues on income and family size and so forth. It's
40 much expanded really from the red snapper survey and it's pretty
41 much a new section that was not in the red snapper survey.
42 Finally, we have information, which is basically --

43
44 **CHAIRMAN GREENE:** We have a question for you from Ms. Bosarge.

45
46 **MS. BOSARGE:** Before we get too far away from it, I was
47 interested in that Section 4. When you're asking about the
48 transfer and you said buy or sell and I just want to make sure,

1 do you mean buying or selling shares or are you talking about
2 the leasing of allocation?

3
4 **DR. KEITHLY:** Both. Now, again, on the next survey I'm going to
5 talk about, we go into a lot of detail on whether to call it
6 buying or selling or selling allocation or leasing it. You know
7 the fishermen, we have input from a group of fishermen and some
8 of them say the term they use is selling allocation. They sell
9 it for a one-year period, generally.

10
11 **MS. BOSARGE:** So it's all focused on the allocation and not the
12 ownership of the shares, the long-term ownership, and, in other
13 words, somebody getting into or out of the IFQ program?

14
15 **DR. KEITHLY:** No, that would be selling of the share.

16
17 **MS. BOSARGE:** Right and are you asking about that?

18
19 **DR. KEITHLY:** By selling just a one-year allocation or a certain
20 amount of fish for a one-time catch, that would be allocation
21 that you're selling.

22
23 **MS. BOSARGE:** Right and so you don't you ask about the share,
24 the long-term --

25
26 **DR. KEITHLY:** Yes, we asked about both the shares and the
27 allocation. The other information is basically at the request
28 of the Regional Office and a number of questions were asked
29 regarding customer service and what the shareholders felt about
30 the satisfaction with the online system and what improvements
31 could be made and landing notification and so forth and what
32 improvements could be made there.

33
34 Just real quickly, just a few basic statistics and let me back
35 up and say QuanTech -- The lab hired QuanTech to do the study
36 and they're a consulting firm up in Virginia or Maryland and
37 basically they went about collecting this data in a number of
38 different ways. The first way is through a web-based survey.
39 Fishermen could respond or shareholders could respond through
40 the web-based survey or questionnaires were mailed to the
41 shareholders.

42
43 Finally, there were some phone calls made and that just kind of
44 gives you a percentage. Again, as you can see, if you look down
45 at the very bottom, about 997 participants, shareholders, were
46 contacted or attempted to be contacted. That was basically the
47 universe and paper surveys, 199 of them were completed and web-
48 based was 132.

1
2 To make a long story short, we had about a 33 percent response
3 rate, which given the length of the survey -- Again, it was much
4 longer than the red snapper survey, due to looking at the
5 different combinations of species and so forth -- The red
6 snapper survey, if I recall correctly, had about a 45 percent
7 completion rate and this was a little bit lower, but I think a
8 lot of it was due to two factors. One, it was a much longer
9 survey and the second was it was not as new as the red snapper.
10 Basically, a 33 percent, about one-third rate, which is pretty
11 acceptable, given the length of the survey and so forth.

12
13 Again, just a couple of basic questions. QuanTech, who I
14 mentioned, was contracted to do the survey and they did a very
15 preliminary analysis on some of the results and, again, did you
16 vote on the IFQ referendum, 112 said yes and 152 said no. That
17 may look a little large, that 42 percent said yes, but if you
18 remember, the referendum was only those that averaged 8,000
19 pounds and I think it was 330, roughly, much less than the total
20 number that had reported grouper/tilefish landings, but, again,
21 this survey that we did encompassed everyone who owned shares.

22
23 Were you in favor of the IFQ program at the time of
24 implementation in 2010, 38 percent said yes and another 43
25 percent said no and there some undecided and so forth and so
26 just keep that yes there at 38 percent and 44 percent, roughly.

27
28 Five years later, the no stayed roughly the same, but the yes,
29 those that are in favor of it now, had increased from about 38
30 percent to 45 percent and so there does seem to be some
31 increased acceptance to it. Now, again, all we have is some
32 very, very preliminary results given to us by QuanTech and I
33 suspect that when we did into it -- Larry and I will be working
34 on this and hopefully getting a report out by about next
35 January.

36
37 What we're going to find out is those who are in favor of it are
38 those that have larger shares and it's the same thing with the
39 red snapper. I have very little doubt that you're going to find
40 a more favorable opinion of the grouper/tilefish IFQ program
41 based on the share size that the individual owns or entity.

42
43 Again, just participant satisfaction with the grouper/tilefish
44 IFQ program, about a third are highly unsatisfied and, again, I
45 suspect it's going to be those that have small shares,
46 relatively small shares, and going up to highly satisfied, about
47 20 percent, and satisfied was another 20 percent and so roughly
48 40 percent of the participants that responded to the survey are

1 satisfied or highly satisfied with the program.

2
3 Moving on, again, I have the study that QuanTech has done and
4 just some very preliminary information and I didn't ask Dr.
5 Peruso if that was available to the public. If it is, I will be
6 glad to give it to anybody that may want it at this stage. I
7 have to talk to him and see if it is available.

8
9 Again, two other surveys I've mentioned, the dealer and labor
10 surveys, you can read that, but basically it's just looking at
11 the performance in these two sectors and, again, as far as I
12 know, there has not been any dealer surveys conducted with any
13 of the IFQ programs and so it's going to be -- Hopefully it's
14 going to be interesting and have some useful results.

15
16 Again, the dealer surveys match pretty much the same as with the
17 participant survey and, again, we have not gone down the field
18 with it yet. It's up and we've gone to the Federal Register and
19 we're on about the third iteration of it now and hopefully it
20 will be going to OMB in the next thirty to sixty days and after
21 that gets back, it will go into the field and largely it will be
22 more in-person surveys than the participant study was and,
23 again, with a thousand participants, it's tough to get them in
24 the field, but with the dealer survey, at least with larger
25 dealers, there will be a lot of in-person interviews, but there
26 will also be some mail surveys and so forth sent out.

27
28 Again, just gathering some opinions by the dealers on their
29 acceptance and impressions of the grouper/tilefish IFQ program,
30 but also looking to see how the IFQ program has changed their
31 business in terms of the infrastructure and equipment, including
32 vessels, whether they've bought or sold vessels as a result of
33 it, and other capital equipment.

34
35 Section 4 is one of the more interesting ones and so I'm just
36 going to skip down to it, because I know time is short, but
37 really it's beginning to look at vertical integration and the
38 influence vertical integration has on dealers that also have
39 shares and how do they use these shares to enhance their
40 business operations or change their business operations or have
41 they?

42
43 Do they lease or actually, I shouldn't say lease, but give the
44 allocation to fishermen with restrictions that they have to
45 provide the dealers back with their catch and questions of that
46 nature and, again, pre and post -- Going back to Section 2 for a
47 minute, pre and post IFQ operations and asking a number of
48 issues in terms of whether it has changed employment or whether

1 they can relate that change in employment in their operation to
2 the IFQ and changes in production costs and changes even in
3 product forms that are being produced as a result of the IFQ
4 system and outlets that it's being sold to.

5
6 Then just, finally, on this section, opinions regarding the
7 grouper/tilefish IFQ program and, again, it's opinion based and
8 do you think that the IFQ program has resulted in an increase in
9 price, and that's just one example, that you pay the fishermen?
10 Has it led to increased stability in the fishery? Again, I'm
11 not going to get into detail.

12
13 We're on I think the third iteration of this and I assume I can
14 give it out if anybody has a strong interest on it at this point
15 in time.

16
17 Finally, the labor study. As far as I know, there hasn't been
18 any survey of the crews in any other IFQ fisheries and, again,
19 this grouper/tilefish is much more expanded in that it has both
20 that dealer survey and the crew survey and both studies simply
21 look at the participants of that being the shareholders.

22
23 We had one draft of this and I shouldn't say we're behind on it
24 and I'm still hoping to get everything finished this year. It
25 will be largely an in-the-field survey method. It's tough to
26 get information on crewmembers. National Marine Fisheries
27 Service does not have any strong databases on location of
28 crewmembers and so forth and it's going to be in the field
29 sampling, opportunistic sampling, and then what we sociologists
30 call a snowballing effect. You ask about other people they
31 might know that are also crewmembers.

32
33 Again, just looking to see whether the grouper/tilefish IFQ
34 program has led to significant changes in income and economic
35 factors and wellbeing and I will leave it at that of the
36 crewmembers. Again, we had just one draft of that at this stage
37 and I believe Larry is working with another university on that.
38 That's where we stand on the different surveys at this point and
39 any questions?

40
41 **MR. PERRET:** Your forty-odd percent that was highly unsatisfied,
42 what was their biggest gripe or complaint?

43
44 **DR. KEITHLY:** Again, as I mentioned, all we have gotten is the
45 basic ten-page survey results from QuanTech. They conducted the
46 survey and I have not looked in detail what the biggest gripe
47 is. Again, if it follows the red snapper, what you will see is
48 that their satisfaction with the program is directly related to

1 the share that they hold. Those with larger shares are going to
2 be more satisfied with the program and that's how it was with
3 red snapper and I have not looked at grouper yet, but certainly
4 we ought to expect that same thing.

5
6 I should mention that's what kind of interesting and before
7 somebody asks me the question, I will throw it out. If you
8 remember the referendum that was taken, I forget what -- It was,
9 what, an 80 percent vote on that of people in favor of the
10 program, but you've got to remember it's just the larger
11 shareholders or actually they weren't shareholders at the time,
12 but the larger -- Those with higher historical catches that
13 voted on that initial referendum and so while 80 percent were in
14 favor, based on that initial referendum, that was just a sample
15 of the fishermen and the sample being truncated towards the
16 larger fishermen.

17
18 **MS. BOSARGE:** It sounds like a very in-depth survey and I love
19 your comments about getting to the crewmen. That's spot on and
20 you've got to go to the dock and then one will lead you to the
21 other, but I did have a question.

22
23 We have had some issues in the past where we were trying to
24 collect some more economic data on the red snapper commercial
25 sector and what Doctors Agar and Carter ran into, and I don't
26 want to put words in their mouth, is that the data that they had
27 was mainly on leasing of allocation. In other words, the price
28 when allocation, just for that one year, is transferred from one
29 owner to another or whatever.

30
31 It didn't have a lot of actual dollar values on sale of the
32 shares, permanent sale, permanent transfer, and what it actually
33 was bought or sold for, along with they didn't have a lot of
34 data on market value, retail market value, the end of the chain,
35 for red snapper and substitutes for red snapper.

36
37 In this, it seems like it's an excellent survey to capture some
38 of that information and we could maybe multitask here and
39 provide a benefit in another way that we may need in the future
40 and is there any opportunity to maybe somehow include questions
41 that would give us that kind of feedback?

42
43 **DR. KEITHLY:** Again, I actually did the survey on the red
44 snapper and it's been four or five years ago now and so I'm
45 having a tough time recollecting. You are only going to get
46 information on the sale price of shares amongst those that sell
47 their shares and that, as I recall, was rather limited at the
48 time.

1
2 If you do the survey again, you may find some increased shares
3 being sold and I believe it's in the NMFS annual report what the
4 share price -- I am almost positive that they collect that
5 information and that they have the price of shares or the
6 estimated price.

7
8 Now, the problem is -- Well, I will leave it at that. The
9 retail price is just tough to come by. It's not in this survey
10 and the people that we're asking, for the most part, would not
11 know anyway unless they had a retail outlet. On the dealer
12 survey, we do have some questions on who they are selling to and
13 what percentage of their product is going retail or so forth,
14 but unless they are selling it retail, they are just selling it
15 to somebody else and it may go two or three times up the chain
16 before it gets to retail.

17
18 We will not have any real information on retail price and,
19 unfortunately, NMFS has never collected -- Well, I shouldn't say
20 that. They used to collect retail prices going back, and I will
21 show my age, about thirty years ago now on shrimp and a few
22 other species, but over the years they -- They found it very
23 expensive to collect that information and it was relatively
24 small sample sizes and so forth and there was a question of the
25 representativeness of those retail sales and so they stopped
26 collecting it, but as far as I know, there is no other place you
27 can get the retail data.

28
29 **MS. BOSARGE:** We are hearing a lot more buying and selling of
30 shares going on when we listen to our public testimony, in the
31 red snapper IFQ anyway, and so maybe if we could try and capture
32 some of that data with a dollar value attached to it and a
33 specific time that it happened, then in the future it could
34 prove useful to us. It's just food for thought.

35
36 **DR. KEITHLY:** Thank you. I will keep it in mind. Any other
37 questions? No? Okay. Thank you.

38
39 **CHAIRMAN GREENE:** Mr. Walker has one more for you.

40
41 **MR. WALKER:** I was just going to say -- I was going to just kind
42 of remind some of the council members that we had some people
43 that weren't too thrilled about the IFQ to begin with and I
44 suspect of it, with some of the testimony -- I remember going to
45 a scoping meeting one time and the gentleman said that I don't
46 want any IFQs and he said I caught over 100,000 pounds every
47 year and I sold all my fish for cash and I have no record and I
48 don't think the lady -- She said, sir, you do understand you're

1 testifying to the federal government and he never came back to
2 another meeting, but I suspect there were some of those people
3 that were angry about it.

4
5 **DR. KEITHLY:** There's no doubt about it. If you don't have
6 records -- Let me put it this way. I think that over the years,
7 due to a number of issues, federal payments due to hurricanes
8 and so forth and the expectation of IFQs, as well as the logbook
9 system that NMFS has set up and has done a much better job in
10 recent years, it has led to much better records among the
11 fishermen, I think, though there still may be some that evade on
12 it.

13
14 **CHAIRMAN GREENE:** Thank you. Anybody else?

15
16 **MR. MATENS:** Walter, you have been involved in red snapper for a
17 long time and I was just curious whether you had any opinion
18 about the economic efficiency of the allocation?

19
20 **DR. KEITHLY:** About the what? I'm sorry.

21
22 **MR. MATENS:** The recreational/commercial allocation.

23
24 **DR. KEITHLY:** No. I have opinions, but I am not going to state
25 them. It's the school of hard knocks on that question.

26
27 **CHAIRMAN GREENE:** Okay. Thank you. Anything else? With that,
28 we are done with today's portion of the agenda.

29
30 (Whereupon, the meeting recessed at 5:20 p.m., June 9, 2015.)

31
32 - - -

33
34 June 10, 2015

35
36 WEDNESDAY MORNING SESSION

37
38 - - -

39
40 The Reef Fish Management Committee of the Gulf of Mexico Fishery
41 Management Council reconvened at the Marriott Beachside Hotel,
42 Key West, Florida, Wednesday morning, June 10, 2015, and was
43 called to order at 8:35 a.m. by Chairman Johnny Greene.

44
45 **CHAIRMAN GREENE:** We have a quorum of our committee here and
46 we're ready to go. We are going to start off with our Report of
47 the Ad Hoc Red Snapper Charter For-Hire AP, Tab B, Number 12,
48 and so, Dr. Lasseter, if you're ready, we will start and that's

1 Tab B, Number 10, correct?
2

3 **REPORT OF THE AD HOC RED SNAPPER CHARTER FOR-HIRE AP**
4

5 **DR. LASSETER:** It's actually Tab B, Number 12 and on the screen
6 is the report, but just the motions, just so that you can see
7 them and the audience can see them up on the screen as well and
8 so this is the same report, just with the text cut out and just
9 the motions.

10
11 The Ad Hoc Red Snapper Charter For-Hire AP met and we had a very
12 productive meeting. Altogether there is twenty-five motions
13 that they agreed upon to address your charge towards the design
14 and implementation of flexible measures for the management of
15 red snapper by the charter for-hire fleet.

16
17 I can go through some of these and these are also for potential
18 management measures to be included in Amendment 41 and so as
19 we're reviewing these, if the committee could give us any
20 guidance on anything that should or should not be elaborated on
21 in further developing Amendment 41.

22
23 They discussed data collection first and staff provided them
24 with some information on the progress and the status of the
25 Generic Charter Vessel Reporting Amendment. They also addressed
26 the sunset of sector separation and made a couple of motions in
27 regards to that, to recommend that the council extend the sunset
28 of Amendment 40 for two years and to recommend the council
29 remove the charter for-hire component from Amendment 39.

30
31 Then they started discussing something that a group of them had
32 coined permit fishing quotas, or PFQs, and this idea is similar
33 to IFQs except there is no transferability and that the quota is
34 attached to the permit instead of attached to the individual and
35 that seemed to be important to many members of the group that
36 transferability of whatever kind of quota was distributed not be
37 permitted.

38
39 They did recommend that the council develop a plan for
40 allocation-based management for the charter for-hire component
41 that can include, but not be limited to, such items as PFQs,
42 permit fishing quotas, tags, cooperatives, and angler management
43 organizations.

44
45 Then they passed another motion to provide the council with a
46 definition of how they were defining PFQs, which included a reef
47 fish permit-based allotment that remains attached to the permit
48 and not the individual and that no transferability, leasing, or

1 selling of the allocation be allowed and that fish must be
2 landed by the vessel that the permit is attached to and that
3 PFQs would allow for an annual opt-in to participate in the
4 federal red snapper fishery. We had a SERO staff in attendance
5 that described a similar program to PFQs that's used in the
6 Pacific bluefin tuna longline fleet.

7
8 Then they addressed moving forward with Amendment 41 and that it
9 should have a review incorporated into it and they also
10 addressed what the purpose would be and so I will read that one.
11 It's to recommend to the council that the purpose of Amendment
12 41 is to increase flexibility for permit holders, to decrease
13 management uncertainty, and increase accountability to catch
14 limits. A long-term goal is to have a year-round fishery that
15 is totally accountable.

16
17 Next, the AP began discussing qualifications for the
18 participants in this plan and they recommended that it be open
19 to all federal charter for-hire reef fish permit holders and
20 they recommended that the plan be structured so that permit
21 holders who intend to participate in an allocation-based
22 management plan annually opt in to the program and the purpose
23 of this was to identify the user groups for that year.

24
25 Then the third recommendation under the qualifiers was to
26 recommend the council consider how the cost of any new program
27 will be shared between the charter for-hire industry and NMFS
28 under the opt-in scenario.

29
30 Next, they discussed tags as a way of validating fish under a
31 potential new management plan and they ended up recommending
32 that all participating vessels in the management plan use
33 carcass tags that could be validated for law enforcement, which
34 will be distributed at the beginning of the year. Tags will
35 expire at the end of the year and this will be to validate all
36 fish harvested under this plan.

37
38 Next, they discussed how they would distribute allocation fairly
39 amongst the participants and they noted their intent to not
40 exclude anyone and the motions they passed were to recommend the
41 council pursue allocation options that include all federal
42 charter for-hire reef fish permit holders and to recommend that
43 all participants in the management plan report using electronic
44 logbooks with dockside validation.

45
46 An additional recommendation to that was that opt-in
47 participants are subject to dockside intercepts and validated
48 landings by local or federal law enforcement at any time.

1
2 Some of the participants noted that under the MRIP dockside
3 intercept component that operators are allowed to refuse
4 inspection and so that was the intent of this motion, was that
5 the participants should not be able to refuse inspection.
6
7 Then an additional motion was as a qualifier to participate the
8 participant must meet all licensing requirements for his or her
9 state of operation. There was discussion here pertaining to
10 that each state had different requirements in addition to the
11 federal requirements for a vessel to operate from that state.
12
13 Discussion then turned to the issue of dual-permitted vessels
14 and how to address their participation and after implementation
15 of the plan, the AP recommended that there be no intersector
16 trading permitted, that is between commercial and recreational,
17 and they also recommended that any allocation granted to a
18 permitted vessel may only be used during charter for-hire trips.
19
20 Next, the AP discussed allocating the quota among the charter
21 vessels and to approach how to allocate, they recommended that
22 an allocation tier level be established and be based on permit
23 capacity, but not be any greater than the approved passenger
24 capacity for that vessel and then they also recommended that the
25 council consider the following allocation scenario to divide
26 quota among participating vessels and that would be that a six-
27 passenger vessel would receive one allocation or one share and
28 multi-passenger vessels with a COI with a permit capacity from
29 seven to twenty-four would receive two allocations or shares and
30 then multi-passenger vessels with a COI of greater than twenty-
31 four, and so twenty-five or more, would receive three allocation
32 or shares.
33
34 They also recommended that the timeframe from Amendment 40, the
35 equation that we used for allocating the components of the
36 recreational sector, also be used by the council for
37 apportioning the quota between the charter boats and headboats,
38 which you will hear the headboat report next by Dr. Diagne.
39
40 Again, they requested to be convened to continue developing the
41 program as soon as possible and they -- An earlier motion, they
42 recommended a suite of management approaches be explored in the
43 document and that would be appropriate for us to evaluate
44 various management approaches, but they did recommend that their
45 preferred management plan was the use of the permit fishing
46 quotas, PFQs, with tags as a validation tool.
47
48 Then, wrapping up, they addressed the idea of stacking or

1 marrying reef fish permits and passed a motion to both define
2 that and clarify their intent. The AP recommends that the
3 council not allow stacking or consolidating of reef fish
4 permits, defined as stacking meaning putting multiple permits on
5 one vessel so that the landing history might be attached, and
6 consolidation of charter permits is defined as consolidating two
7 or more permits to one permit which contains the catch history
8 of both permits.

9
10 Then their final was to recommend to the council to allow the
11 participant in the program to opt in at the level of allocation
12 the participant chooses, up to the maximum amount of the
13 participant's allocation. This motion was driven by that some
14 charter boats that may opt in to participate may not be as
15 heavily vested or have access to red snapper as much as other
16 vessels in other areas and they may not choose to receive all of
17 the allocation that they might otherwise receive.

18
19 It was a lot of motions, twenty-five in total, and so we have a
20 lot to work with. Staff has a lot to work with for developing
21 Amendment 41 and so I would like to see if there's any
22 discussion on the motions. Are there any of these management
23 measures you expressly want included or do not want included and
24 if we could discuss a timeline, that would be appreciated.
25 Thank you.

26
27 **MR. HARLON PEARCE:** Ava, thanks for the report and I'm sorry I
28 got on a little late. I had to leave my house. I had DSL
29 problems and so I moved and got in just in time for the end of
30 your testimony, but the three take-aways that I took from this
31 AP, which they did an excellent job and I have to applaud them
32 for the work that they've done, both in the headboat and the
33 charter for-hire AP, because they really were pretty specific
34 about what they really wanted.

35
36 Three of the take-aways I looked at was that, first off, that
37 they want electronic logbooks for sure, which I think we've
38 known for a while, but this just continues to validate that
39 thought process that they want real-time monitoring.

40
41 The second take-away is that they want to be out of Amendment 39
42 and be on their own and then, lastly, they would like us to
43 stretch the Amendment 40 sunset for at least two years to give
44 them a little more time to make sure that all the kinks are out
45 of their program so that the council at that time can really
46 discuss what should happen with that sunset in 40 and what we
47 should do with it or not do with it.

48

1 I think those are real strong take-aways, other than all the
2 other motions that were made made a whole lot of sense and so I
3 want to thank the APs for a job well done and Ava for a job well
4 done and hopefully at the council we can help the charter for-
5 hire industry and the headboat industry move ahead into the
6 future.

7
8 **CHAIRMAN GREENE:** Thank you for that, Harlon. We appreciate it.
9 Any other discussion?

10
11 **MR. WILLIAMS:** Regarding those motions about data collection and
12 electronic logbooks, we received a press release last week or
13 the week before last of three or three-and-a-half million
14 dollars that NMFS has received to do this kind of work and will
15 this -- Can anybody tell me how that will solve this problem
16 right here that they're referencing, the need for being
17 accountable and being able to record their information in some
18 kind of a flexible system?

19
20 **MR. PEARCE:** I think I can help with that, Roy. We have worked
21 very hard to try and get this volunteer VMS program off the
22 ground. That grant proposal represents the work that we've
23 done. The grant proposal will outfit 350 vessels with VMS. It
24 will have data points that are in line with MRIP and the
25 validation for the program will be done by MRIP.

26
27 There is a statistician hired that MRIP wants to be hired that
28 will begin to calibrate for the first time volunteer data right
29 along with MRIP and so this is very important step in the
30 development of a real-time program for the charter vessels and I
31 think it's important, because it gives us time to -- It's sort
32 of a precursor to whatever we do in the future. It will prove
33 up or prove down VMS and it will do a lot of positive things,
34 but it will get the charter fleet ready to go and understanding
35 what we need to do for them to be in the real-time world.

36
37 I think that it's a two-year program and so it fits perfectly
38 with developing the electronic reporting amendment that we're
39 doing at the council now and so I do believe that all of this is
40 very timely and working very well together and I am very glad to
41 see that the charter guys are very interested in this, but this
42 will be a wonderful grant proposal and it's just perfect for
43 what we need right now for the charter vessels.

44
45 **MR. WILLIAMS:** Thanks, Harlon.

46
47 **CHAIRMAN GREENE:** Thank you. Any other discussion? Dr. Stunz.

48

1 **DR. STUNZ:** Thank you, Mr. Chair, for letting me address your
2 committee and I just wanted to follow up on some of Harlon's
3 comments. I think the proposal he was just discussing is a
4 great start, but I am not sure it covers the entire fleet, which
5 I think that's going to be very important that we have everybody
6 reporting.

7
8 Some lessons learned in work in other similar pilots are that it
9 needs to cover everyone and some of the things going on now is
10 we have a good support or at least recommendation that it needs
11 to be mandatory and that doesn't necessarily mean that if it's
12 mandatory that you're going to get everyone to report, but I
13 think we need to start that way.

14
15 It needs to probably be tied to the reef fish permitting in some
16 way, to ensure that you're getting the good news, unlike some of
17 the other pilots going on in the pure private recreational. I
18 think these guys are a manageable group and that this can be
19 done, but when you start having people maybe not reporting or
20 other issues going on, particularly in the validation realm, it
21 can be problematic and so for this to succeed, I think we need
22 to really think long and hard about it and think about some of
23 these validation and mandatory and making sure every person and
24 every permit is doing this.

25
26 **MR. PEARCE:** Mr. Chairman, Dr. Stunz, I agree completely with
27 what you're saying. You know it was just going to be impossible
28 to really get everybody involved in this first program that
29 we're doing.

30
31 You and I were involved in Seattle two or three years ago and I
32 guess time flies so fast that I'm not sure how long ago it was,
33 but this thought process actually started with our discussions
34 two or three years ago in Seattle with NFWF and with everyone
35 else. That's where all these thought processes came from and I
36 agree with what you're saying about people maybe not reporting
37 or not doing this and doing that, but that's what this program
38 is going to prove up.

39
40 If I'm a charter boat sitting out there right now, I am telling
41 myself I had better make this work. If I want to change my
42 industry into the future and I want to do our job correctly in
43 the future, I better make this work and so this is giving them
44 the opportunity to make sure everybody reports.

45
46 If I'm a charter boat that's got a guy next to me that's giving
47 me trouble, you better get on his butt, because we've got to
48 make sure that this will work or not work and that's what this

1 program is going to prove up and it's going to prove just how
2 sincere the charter vessels are for moving their fishery into
3 the future.

4
5 Maybe they aren't. Maybe they don't want to, but at least we'll
6 get some really clear ideas from this grant what the real world
7 is all about and I agree that it's not a complete fishery, but
8 it's enough of a fishery and MRIP is involved, which is really
9 wonderful, and calibrating it with MRIP and all these things are
10 positive moves and it's up to the charter boats to make sure
11 it's not a negative move.

12
13 **CHAIRMAN GREENE:** Thank you, Mr. Pearce. Mr. Anson.

14
15 **MR. ANSON:** Thank you, Mr. Greene. Ava, I know it's the last
16 motion and it could have been the last item taken up during the
17 meeting, but they made a recommendation to the council to opt in
18 or opt out or to find a level of participation and did they have
19 any discussion as to what would happen to the allocation or
20 share that would be remaining? Would they have that go into a
21 general pool and that be -- Again, they probably just ran out of
22 time, but I'm just curious if any discussion had occurred
23 regarding that topic.

24
25 **DR. LASSETER:** I don't remember off the top of my head and I
26 apologize if there was a discussion about a pool, but a lot of
27 these motions were -- The group was really trying to build
28 consensus amongst everybody and so that's where some of those
29 motions came from, was just that they're wanting to not leave
30 anybody out and they're wanting to be inclusive and so I think
31 that was the sense from the group and the drive for these
32 motions.

33
34 **CHAIRMAN GREENE:** Kevin, I'm sorry and I was writing a note, but
35 I was the council representative there and what was the question
36 you were asking?

37
38 **MR. ANSON:** Just realizing that it could have been the end of
39 the day and it may not have been really the charge of the group
40 at the time, but if there was any discussion that came about
41 relative to the last recommendation to the council that's listed
42 on the report to allow the participant in the program to opt in
43 and define the level of participation relative to their share at
44 their vessel size or the permit size and I'm just curious to
45 know what would happen to those shares and would they just go
46 into a general pool and randomly be distributed or how would
47 that --

48

1 **CHAIRMAN GREENE:** Well, I was there and I remember this, because
2 I was really taken by all the work that was done by all the AP
3 members. I think we did a good job populating that AP and I
4 think everybody was engaged and given ample opportunity to speak
5 and share differences if they had any, but this particular item
6 that you're asking about, the opt in or opt out, came from
7 Captain Ed Walker out of Florida and he had a really neat deal,
8 because his comment was in my part of the Gulf, I don't need a
9 whole lot of red snapper and so if I just say, well, I am not
10 going to -- Instead of getting a large number of fish, I only
11 need thirty or forty snapper and that would probably get me
12 through the whole year and so I am going to declare that amount
13 and leave the remainder of mine in the pool to be divided up by
14 the other vessels who need them.

15
16 I think this was one of those things that you look at where you
17 have people in South Florida who don't need red snapper, where
18 potentially in our area you may not need grouper and so if there
19 was something down the road that was grouper driven, perhaps
20 people who wouldn't need grouper wouldn't take as many or so on
21 and so forth.

22
23 It was a neat idea and concept, because I guess there's a lot of
24 people in this part of the State of Florida who don't need as
25 many and they were just going to take what they thought they
26 would need and leave the remainder for others to be divided up
27 equally and spread out throughout the fishery. Any further
28 discussion?

29
30 **MR. WILLIAMS:** What's the next step here, either Johnny or Ava?
31 Are we going to have them meet again or is it time to begin
32 preparing an options paper or where do we go from here?

33
34 **DR. LASSETER:** The next step would be we would develop a draft
35 options paper and we would request guidance as to when we should
36 bring that back to you and so staff could work on that and the
37 AP requested to be reconvened to continue developing this and I
38 think it would be more beneficial if that occurred after an
39 options paper had been developed, to allow them to comment on
40 that.

41
42 **CHAIRMAN GREENE:** My opinion would be that there is a sunset
43 provision in here and so any way to move this forward as quickly
44 as possible should be, but I understand what you're saying about
45 the development of an options paper. Any other discussion? Not
46 seeing any and, Dr. Stunz, I want to go back to a comment you
47 made earlier about electronic logbooks and mandatory reporting.

48

1 I agree with you and I think it should be 100 percent, but with
2 the grant the way it went down and getting the funding and
3 getting 350 vessels in the program, you know it's going to take
4 a while for Amendment 41 to be developed and so while it's being
5 developed, I think that the 350 vessels scattered throughout the
6 Gulf everywhere and everybody who wants one would be able to get
7 one would be a good way for those people to take in -- I have
8 never used one, and ELB, and I've never been a part of one and I
9 would like to have the opportunity to learn how to use one
10 that's not mandatory and that there wouldn't be implications if
11 I messed up or if I was not sure how to use the equipment.

12
13 I think that while Amendment 41 is being developed, and I think
14 it's the intent that everyone wants to go to mandatory
15 implementation for them, this would be a great way for it to
16 build industry support amongst the users and allow them to kind
17 of say, hey, I really liked this, but I didn't like that and
18 potentially work back and forth with the developers of the
19 software and try to get it right so that whenever Amendment 41
20 does come online that everybody is ready and everybody knows
21 what is expected of them and at least that's the way I see it.
22 I don't know if that gives you any direction, but go ahead, Dr.
23 Stunz.

24
25 **DR. STUNZ:** Johnny, I agree 100 percent with you and maybe I
26 wasn't as clear and I was aware that 350 in VMS isn't going to
27 cover everyone, but I don't know that it's necessary that
28 everyone have a VMS.

29
30 I mean there's obviously going to be guys that don't want that
31 or maybe don't have the capacity to do that and so I think that
32 there is availability for multiple reporting options and I just
33 don't think it should be -- Everyone should report at some level
34 and if you want to argue that VMS might be the gold standard,
35 because you know they're out and you know what is going on --
36 There are some issues with that right now in terms of the
37 reporting side of that, the actual catch reporting.

38
39 In other words, I think some thought needs to go into exactly
40 how that would work by this group and others, but everybody
41 should have at least an opportunity and my opinion would be a
42 mandatory reporting through some type of mechanism.

43
44 **CHAIRMAN GREENE:** I agree and I would encourage that if there's
45 any other types of programs out there that would like to be
46 tested or moved forward that that ability come forward in some
47 way somehow to be presented to other people and have multiple
48 types of stuff tested at the same time, so that whenever it does

1 happen everybody is ready and people can talk amongst themselves
2 and say, hey, I like this part of this program or this part of
3 this program, but I really didn't like this and I really didn't
4 like that.

5
6 I don't see any attempt to try to go any one direction.
7 However, this seems to be the only direction moving at this
8 time, if that makes sense to you. Mr. Pearce, go ahead.

9
10 **MR. PEARCE:** Dr. Stunz, I agree with you. I think that we've
11 got plenty of time to develop those different thought processes
12 as to what equipment or what gear will be used. It's just very
13 important to me that they want to do it in the first place, as a
14 charter industry, and that they're moving ahead or trying to
15 create a business plan for themselves.

16
17 I do agree that there will be other options as we move down this
18 path and like Johnny said, I think this was the one that we
19 could get and grab pretty quickly and so we're going to do that,
20 but I completely agree with you that we have to sort of source
21 out and look at what the better options for or what options a
22 particular charter vessel wants to use for his particular boat,
23 but in this program, we're going to try the VMS idea and I think
24 it's good that we're doing the gold standard, because we're
25 going to see if it's too far or not far enough or if we've got
26 to back up a little bit.

27
28 It's just going to give us some real ideas of what works and
29 doesn't work in that VMS idea and if the need to simplify is
30 there or if we need to look at different things like your
31 iSnapper, that's perfect. I mean that's not a problem at all.
32 I just think that this is a great start and that as we move down
33 this path of electronic reporting that it's just a wonderful
34 deal.

35
36 **CHAIRMAN GREENE:** Thank you, Mr. Pearce. Any more discussion?

37
38 **MR. WILLIAMS:** Mr. Chairman, would it be appropriate to offer a
39 motion to begin development of an options paper for Amendment
40 41?

41
42 **CHAIRMAN GREENE:** Yes, sir, I believe it would.

43
44 **MR. WILLIAMS:** I would like to do so then and I would move that
45 we direct staff to begin developing an options paper for Reef
46 Fish Amendment 41 including consideration of the motions from
47 the advisory panel, from the Charter For-Hire Advisory Panel.

48

1 **CHAIRMAN GREENE:** I am not sure if we need this motion or not.
2 Staff, do we need a motion to continue forward?

3
4 **DR. LASSETER:** No, we don't need a motion to continue forward.
5 You have already passed motions to initiate development, but
6 what I see in this motion is the end part, that you are
7 recommending that we include the motions from the AP, and so
8 that's useful.

9
10 **CHAIRMAN GREENE:** Thank you for that clarification. We have a
11 motion on the board and, Mr. Williams, does it read as you wish?

12
13 **MR. WILLIAMS:** Yes.

14
15 **CHAIRMAN GREENE:** Is there a second to the motion? Second by
16 Mr. Walker. **Is there any opposition to this motion? Seeing no**
17 **opposition, the motion carries.** Okay, Dr. Lasseter, does that
18 complete everything you had for this?

19
20 **DR. LASSETER:** It does and we are going to plan to bring the
21 options paper to you in August.

22
23 **CHAIRMAN GREENE:** Thank you very much. Okay. Moving along to
24 the next agenda item, which would be the Ad Hoc Reef Fish
25 Headboat AP, Dr. Diagne.

26
27 **REPORT OF THE AD HOC REEF FISH HEADBOAT AP**

28
29 **DR. DIAGNE:** Thank you, Mr. Chair. Good morning. The meeting
30 was well attended and also very productive. The AP made a total
31 of ten motions and I will just summarize the major points that
32 they discussed.

33
34 If you recall, the Headboat AP is a reef fish AP. It's a Reef
35 Fish Headboat AP and so one of the first issues that was
36 discussed was what species would be included in the plan that
37 would be developed in Amendment 42. The AP discussed that and
38 would like to consider the possibility of including what we call
39 the six major reef fish species, meaning gag, red grouper, red
40 snapper, greater amberjack, triggerfish, and black grouper.
41 They would like to explore the idea of including all of those
42 six species in the plan moving forward.

43
44 Subsequent discussions reaffirmed their desire to have the
45 headboat as a standalone component and essentially they passed a
46 motion specific to that, that headboats be acknowledged as a
47 standalone component of the recreational sector. This would
48 include all vessels with federal for-hire reef fish permits that

1 participate in the Southeast Region Headboat Survey and to be
2 more specific, they defined what is meant by headboat in this
3 sense in the Southeast Survey.

4
5 In terms of the management approach, or approaches plural, to be
6 considered in Amendment 42, the AP discussed traditional
7 management approaches and looked at what is available and
8 essentially indicated that they are interested in allocation-
9 based management approaches and that would cover also some of
10 the ideas mentioned by Dr. Lasseter, including PFQs, tags, et
11 cetera.

12
13 Further, discussing the issue of allocation-based management,
14 they also expressed a desire to at least explore opportunities
15 for transferability, but they were very clear in indicating that
16 that transferability would not include intersector trading, if
17 it were to be considered.

18
19 In terms of discussing monitoring, VMS was discussed and the AP
20 passed a motion indicating that they would recommend to the
21 council that enforcement tools for monitoring include VMS, tags,
22 and electronic logbooks.

23
24 Of course, these things come at a cost, but the AP expressed a
25 willingness to bear some of the cost, if you will, and indicated
26 that the council should, if it so chooses, consider how
27 management costs could be shared between the agency and the
28 headboat component.

29
30 Essentially this meeting provided a lot of elements, if you
31 would, that could be considered during the development of
32 Amendment 42 and throughout the discussions, references were
33 made to the headboat EFP that we have still going and some of
34 the major successes of the program were highlighted and the AP
35 passed a motion to recommend that the council considers the key
36 features of the headboat EFP when designing this allocation-
37 based management program for the headboat sector and, in
38 closing, they also requested the opportunity to meet again and
39 further assist in the development of Amendment 42 and that is, I
40 think, the summary of their recommendations. Thank you.

41
42 **CHAIRMAN GREENE:** Thank you, Dr. Diagne. Mr. Pearce.

43
44 **MR. PEARCE:** Assane, good report and thank you and, again, I've
45 got to applaud the Headboat AP for doing really a wonderful job
46 and some of the take-aways I got from this is that, first off,
47 they want to be a standalone component of the recreational
48 sector and that falls right in line with some of our data

1 collection discussions that we had a couple of days ago that
2 possibly the headboat electronic reporting should move
3 independent of the charter for-hire, to make sure it moves on
4 its own, so to speak, and they also want to be part of the
5 Amendment 40 thought process as a subsector of the fishery when
6 it comes to the allocation-based idea of it.

7
8 Those are all important thought processes and some of the things
9 that I was impressed with also was, of course, they want VMS,
10 which they are saying they want daily reporting, which is very
11 important when it looks at real-time data, but all of a sudden
12 the word "tags" come up and they want to use tags to improve
13 enforcement and so I think that's an important step into the
14 future to understand how this fishery will grow and how it fill
15 fit into the allocations and stay accountable and do their job
16 correctly and make it a lot easier for enforcement to do their
17 jobs, but all told, I think both of these APs have done a
18 wonderful job and sort of independently done their own thing and
19 so I believe they've done a great job and I've got to applaud
20 them both and I hope that the council as we move into the future
21 takes their considerations and runs with them, because I think
22 they are very important. Thank you.

23
24 **CHAIRMAN GREENE:** Thank you. Any further discussion?

25
26 **MR. WILLIAMS:** What is the next step in this, Assane? Where do
27 you go from here?

28
29 **DR. DIAGNE:** Yes, Mr. Williams, and the next step is for us to
30 prepare a draft options paper and we would try to prepare it as
31 soon as possible and bring it back, let's say, for example, for
32 the August meeting, if permitted.

33
34 **CHAIRMAN GREENE:** Thank you. Any further discussion?

35
36 **MS. LEVY:** Just a question. Assane, you mentioned the idea of
37 looking at transferability, but not intersector trading. Are
38 they referring to trading between commercial and recreational or
39 -- Because this would then divide the recreational into headboat
40 and charter and so was it no intersector trading between anyone
41 or no commercial/recreational or -- Do you understand what I am
42 trying to say?

43
44 **DR. DIAGNE:** Yes, Ms. Levy. I think their main concern was
45 basically between recreational and commercial and some
46 discussions about dually-permitted vessels, essentially, and so
47 no trading between the recreational and the commercial.

48

1 **CHAIRMAN GREENE:** Thank you. Any other discussion? Okay.
2 Seeing no further discussion, I guess that wraps up the Reef
3 Fish Committee. There was no other business noted and if
4 there's no other business to come before this committee, we are
5 adjourned.

6
7 (Whereupon, the meeting adjourned at 9:10 a.m., June 10, 2015.)

8
9 - - -

10

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5 yellowtail snapper, to delegate those to the State of Florida as
6 the preferred alternative. The motion carried on page 12.
7
8 PAGE 14: Motion that Options 2d and 3d be moved to the
9 Considered but Rejected. The motion carried on page 14.
10
11 PAGE 15: Motion to remove the discussion of the State of
12 Florida submitting management plans. The motion carried on page
13 16.
14
15 PAGE 23: Motion in Action 2 to clarify that the action pertains
16 to the whole Gulf and South Atlantic Council jurisdictions. The
17 motion carried on page 24.
18
19 PAGE 26: Motion to move Action 2d and 3d to Considered but
20 Rejected in Action 3. The motion carried on page 26.
21
22 PAGE 27: Motion that Action 3 apply to waters adjacent to the
23 State of Florida. The motion carried on page 27.
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25 PAGE 27: Motion that Action 4 apply throughout the Gulf and
26 South Atlantic Council jurisdictions. The motion carried on
27 page 28.
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29 PAGE 32: Motion that Alternative 4 in Action 6 be moved to
30 Considered but Rejected. The motion carried on page 32.
31
32 PAGE 34: Motion to apply Action 6 throughout the Gulf and South
33 Atlantic jurisdictions. The motion carried on page 34.
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35 PAGE 34: Motion that Action 7 apply to waters adjacent to the
36 State of Florida. The motion carried on page 34.
37
38 PAGE 34: Motion that in Action 7 that Alternative 2d be moved
39 to Considered but Rejected. The motion carried on page 34.
40
41 PAGE 45: Motion to remove Actions 10 and 11 in the options
42 paper and replace them with Actions 6, 7, and 8 in the
43 restructured document. The motion carried on page 46.
44
45 PAGE 74: Motion to remove hogfish from the Gulf FMU and add the
46 West Florida Shelf hogfish stock. It is the council's intent to
47 allow the South Atlantic Council to manage the East
48 Florida/Florida Keys stock. The motion carried on page 74.

1
2 PAGE 95: Motion that the council initiate a plan amendment to
3 define a West Florida Shelf hogfish stock with associated status
4 determination criteria and ACLs. The motion carried on page 96.
5
6 PAGE 98: Motion to retain the item to restrict transfer. The
7 motion carried on page 99.
8
9 PAGE 102: Motion to delete the item that reads "allow
10 commercial shares without a commercial reef permit to harvest
11 the allocation associated with those shares". The motion
12 carried on page 103.
13
14 PAGE 104: Motion to accept the language in the third box to
15 limit the amount of shares/allocation non-permitted IFQ accounts
16 may possess. The motion carried on page 104.
17
18 PAGE 113: Motion to eliminate "place restrictions on the
19 transfer of IFQ allocations and shares". The motion failed on
20 page 114.
21
22 PAGE 116: Motion to strike the fourth box to adopt a rollover
23 provision for unused IFQ allocation. The motion carried on page
24 117.
25
26 PAGE 145: Motion to direct staff to begin developing an options
27 paper for Reef Fish Amendment 41 including consideration of the
28 motions from the Charter For-Hire Advisory Panel. The motion
29 carried on page 146.

30
31

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