

1 GULF OF MEXICO FISHERY MANAGEMENT COUNCIL

2
3 REEF FISH MANAGEMENT COMMITTEE

4
5
6 Battle House Renaissance Mobile Mobile, Alabama

7
8 October 21, 2014

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10
11 **VOTING MEMBERS**

12 Robin Riechers Texas
13 Kevin Anson (designee for Chris Blankenship) Alabama
14 Martha Bademan (designee for Nick Wiley) Florida
15 Roy Crabtree NMFS, SERO, St. Petersburg, Florida
16 Pamela Dana Florida
17 Dale Diaz (designee for Jamie Miller) Mississippi
18 Myron Fischer (designee for Randy Pausina) Louisiana
19 John Greene Alabama
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21 Harlon Pearce Louisiana

22
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25 Doug Boyd Texas
26 Jason Brand USCG
27 Dave Donaldson GSMFC
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44
45

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46 The Reef Fish Management Committee of the Gulf of Mexico Fishery
47 Management Council convened at the Battle House Renaissance
48 Mobile, Mobile, Alabama, Tuesday morning, October 21, 2014, and

1 was called to order at 8:30 a.m. by Chairman Robin Riechers.

2
3 **ADOPTION OF AGENDA**
4

5 **CHAIRMAN ROBIN RIECHERS:** We are starting here on Tuesday
6 morning, October 21, at 8:30. We are going to have a long day
7 of Reef Fish, as it is scheduled, and so we're going to get
8 started on it on time and endeavor to finish on time, if we can.

9
10 With that, we are going to look at the agenda, Tab B, Number 1,
11 and as I understand it, there are some suggested changes to the
12 agenda, at least one of those being a presentation that was
13 skipped yesterday during Data Collection, due to Mr. Strelcheck
14 being in an airport somewhere. Mr. Anson, do you have a
15 suggestion about where to add that?

16
17 **MR. KEVIN ANSON:** Yes, I do. I would recommend that we add that
18 after present Item Number IV, Estimates of Red Snapper
19 Abundance. That would place it before discussion on the various
20 amendment dealing with red snapper, to give us a little bit
21 better context.

22
23 **CHAIRMAN RIECHERS:** You said after Item IV? I just want to make
24 sure.

25
26 **MR. ANSON:** That's correct.

27
28 **CHAIRMAN RIECHERS:** Okay and could we get -- Andy, do you know
29 the tab number on that, just so that people can reference that
30 quickly? We will get to it before we get there.

31
32 **MR. DALE DIAZ:** I would also recommend that we move Item Number
33 XIII also to after Item Number IV and whichever order you want
34 to do them.

35
36 **CHAIRMAN RIECHERS:** We have had suggestions to move Andy's
37 presentation after Item IV and then we would have Item XIII and
38 we will just make that after Andy's presentation then, if I hear
39 no objections to that. Any other changes to the minutes?
40 Hearing none, do I hear a move for adoption?

41
42 **MR. ANSON:** So moved.

43
44 **CHAIRMAN RIECHERS:** Mr. Anson moves and Mr. Diaz seconds. All
45 those in favor say aye; all those opposed same sign. The agenda
46 passes then as amended. With that, we go to Tab B, Number 2 and
47 looking for any corrections or additions to the minutes.

1 **APPROVAL OF MINUTES**

2
3 **MR. ANSON:** I have several. On page 53, line 5, change "type"
4 to "typo". On page 106, line 10, change "its" to "is" and page
5 125, line 24, change "Carter" to "Collier" and on page 132, line
6 47, change "underfished" to "overfished".
7

8 **CHAIRMAN RIECHERS:** Thank you for those changes. With those
9 changes, are there any other changes that anyone has?
10

11 **MS. MARA LEVY:** On page 96, line 1, it should, I believe "ACL is
12 divided into both recreational and commercial sectors" and so we
13 need to add "commercial" in there. Thank you.
14

15 **CHAIRMAN RIECHERS:** Since we have had several changes, do I now
16 hear movement or adoption of the minutes? A motion, please.
17 It's been moved and seconded then that the minutes be adopted as
18 amended. All those in favor say aye; all those opposed same
19 sign. The minutes are passed as amended.
20

21 With that, that takes us into the business of the day and I will
22 reference here the staff guide as far as what we're trying to
23 get done today, the Action Guide and Next Steps. I won't go
24 through those, but certainly reference those as we move through
25 the agenda today to help each of you know what it is we're
26 trying to do on each one of these items, or at least what the
27 end goal is in some respects.
28

29 With that, I think we now turn to Dr. Powers and are going to
30 have a presentation regarding Estimates of Red Snapper Abundance
31 on Alabama's Offshore Reefs and those are in Tabs B, Number 4(a)
32 and (b). Dr. Powers, where are you? He is coming. I see him.
33

34 **ESTIMATES OF RED SNAPPER ABUNDANCE ON ALABAMA'S OFFSHORE REEFS**
35 **PRESENTATION**
36

37 **DR. SEAN POWERS:** Thank you. The version I am going to give you
38 today is slightly different than what's in your briefing book.
39 It is just shorter. It's a shorter version and I didn't think
40 your agenda allowed for the hour-and-a-half or two-hour
41 discussion and presentation that we had at the SSC.
42

43 So, unfortunately, you're going to have to look at the screens a
44 little bit. The slides are just deleted and so if you are
45 looking at your laptop, you just might have to just move ahead a
46 few slides.
47

48 The purpose of this briefing to you is to talk about a different

1 approach that we've adopted in Alabama to looking at the
2 snapper, mainly the snapper resource in the short term, but the
3 reef fish resource off our coast altogether, but we will focus
4 primarily on snapper.

5
6 The program we have has several long-term goals that involve
7 ecosystem-based management of the reef fish complex and also
8 some short-term goals, which is to help the State of Alabama
9 manage their snapper resource and also inform the larger stock
10 assessment.

11
12 It's been referred to a couple of times as an assessment and
13 you'll see on the slide that it's actually referred to as an
14 estimation and we will talk about the difference between those
15 two, but essentially, if you look at the Alabama coast, we have
16 a large network of artificial reefs in pre-permitted zones that
17 really support the red snapper and other reef fish fisheries.

18
19 The coast, we have further divided that zone into two-kilometer-
20 by-two-kilometer grids and so the whole zone, both in the permit
21 zone as well as the outside the permit zone and the unstructured
22 bottom, largely unstructured bottom, is gridded. This allows us
23 to sample in a random manner and extrapolate to the whole coast
24 and that's key, is the knowledge of our universe and what
25 extrapolation we can do.

26
27 At the heart of the survey, we use multiple gears to sample the
28 entire community. We use bottom longlines to get those large
29 red snapper and those sharks that are in the system. We will
30 side scan the whole area, so we have a knowledge of the number
31 of structures in the system and then we'll drop an ROV on those
32 structures and get video counts and then we'll do vertical
33 longline or bandit gear and actually remove animals for the age
34 composition.

35
36 The key here is that we're covering it with multiple gears and
37 we know the number of structures and so our estimation routine
38 is really simple and the design of this is to keep it as simple
39 as possible. Essentially if we know the number of structures
40 and the average density or biomass on those structures, we just
41 multiply the two and we get a standing stock offshore. Age
42 composition also allows us to divide that into the different
43 ages.

44
45 This is kind of a typical type of structure, the typical type of
46 program that we've run in a normal year. We choose several
47 sites randomly and we go in there and map them and then we'll go
48 in there and sample intensively to get the estimates. The type

1 of artificial reefs we see there range quite considerably in
2 size, from large Liberty ships, like you see here on this side
3 scan mosaic, to smaller reef pyramids.

4
5 Alabama also has a lot of natural reef structure. We don't
6 think of it too much, because that reef structure is deeper.
7 Essentially once you get over sixty or seventy meters, you start
8 to get a lot of natural structure and that's going to be
9 important in our estimation, because we're going to estimate
10 biomass on artificial reefs, on natural structure, as well as on
11 the unstructured bottom habitat.

12
13 Again, what we're going to do is we're going to get density
14 estimates, age composition, and we're going to quantify the
15 number of structures and then we're going to multiply the two
16 up. Obviously there's some devil in the details on how we get
17 both of those.

18
19 If we looked at the type of artificial reef structures out there
20 that we find, a large amount of these are prefab pyramids and we
21 have larger structures and also some rock outcroppings and
22 chicken coops or, officially, chicken transport devices. Those
23 actually -- Chicken coops and pyramids probably represent the
24 majority of them.

25
26 Our estimation, again, we're trying to just estimate the number
27 of structures, the biomass on each structure, the age
28 composition on each structure, and essentially add those up. We
29 have classified them into artificial reefs and natural reefs and
30 then unstructured bottom, unstructured bottom in the reef permit
31 zone as well as unstructured bottom outside the reef permit
32 zone. We can solve for biomass or we can solve for number.

33
34 If we look at the number of structures out there and here, we've
35 stratified it by depth and so we have a shallow, mid-depth, and
36 deep zone. The shallow is sixty to 120 feet and 120 to 180 feet
37 is the mid and then plus 180 feet is the deep and you will see a
38 progression that in the shallows we don't have much natural reef
39 occurring. We have a lot of artificial reef that we've brought
40 up there to enhance that area.

41
42 Mid-depth, you start to get a little more natural reef and you
43 can see the percentages there of natural reef increasing from 2
44 percent to 10 percent and then the deep structure, we have
45 almost 98 percent natural reef and so we have a lot of natural
46 reef. That natural reef is generally too far off to be heavily
47 exploited, we believe, and so that biomass in that natural reef
48 zone is going to be very, very important for Alabama when they

1 consider management options.

2
3 Then I should mention that these structures, for example -- So,
4 shallow and mid-depth, you have close to 12,000 structures. We
5 believe that is a low, low estimate for it. We know that 22,000
6 structures out there have been planted and one of the reasons
7 that we think it's low is just because of random selection.

8
9 We really haven't hit those areas that we know have high
10 concentrations of artificial reef, particularly that zone that's
11 circled on the map, which is close to Orange Beach and we know
12 there's a tremendous amount of artificial reef habitat there, a
13 lot more than twenty per grid, but essentially we just have to
14 wait until they get randomly selected. In our scenario, we map
15 about twenty-four a year. With some additional funding, we hope
16 to increase that substantially.

17
18 Again, we side scan and we drop the ROV and we can count fish on
19 the ROV and there was a lot of discussion of how we do that at
20 the SSC meeting and there's a workshop about ROV methodology and
21 so that's very much in a state of flux right now and we're
22 trying to come to a consensus on how we use ROV and video data.

23
24 We use the ROV right now as an index. So imagine, if you will,
25 an Alabama artificial reef and you drop on the artificial reef
26 and there's hundreds of fish scattering all over the place, even
27 on a small structure.

28
29 It's impossible in one frame of an ROV video to get all of
30 those. It's also impossible to do multiple frames, because then
31 you have to worry about double counting fish. What we have
32 decided to do is a depletion-based estimate and essentially you
33 drop the ROV down first and you get an index of abundance and
34 you fish that structure and hopefully heavy enough to remove
35 enough biomass and you know how much biomass you have removed
36 and then you drop the ROV afterwards.

37
38 So that index should change. You should decrease that index and
39 so you know what the percent decline is in your ROV index and
40 you know absolutely what your removals are and so you should be
41 able to solve then for the overall biomass and that's worked a
42 lot of times.

43
44 In a lot of cases, we have such high densities of fish that with
45 just three drops or even six ten-hook vertical longline drops,
46 we simply can't deplete the local population enough to get that
47 depletion index and that's something the SSC talked a lot about,
48 is how we actually use this depletion index, but we have been

1 able to successfully do it quite a few times and usually we get
2 about 8 percent depletion and so we are going to use that 8 or 9
3 percent depletion estimation to correct our removals for the
4 total biomass.

5
6 We multiply biomass removed per structure by the depletion ratio
7 or index and then we multiply it by the number of structures and
8 we can do that in each zone. Non-structured bottom is a little
9 different. We have to decide on the total area of fish. We
10 think that area is defined -- A conservative estimate is that
11 area is defined by a seventy-five-meter circle, which is based
12 on the swim speed of a snapper and the radius to get to our
13 bait. There is a lot of details there, again, that are in the
14 presentation, the longer presentation.

15
16 If we look at where the fish are in our system, we see that red
17 snapper are much more abundant on artificial structures and
18 that's not surprising. We see this in numerous studies,
19 especially when you start thinking of it on a density.

20
21 Natural structures, we still find lots of red snapper, but
22 slightly lower catch per unit efforts and then no structure is
23 very, very small. Now, remember though that very, very small
24 number encompasses a very large area and so that's going to
25 affect it as well and so we're going to essentially take those
26 estimates and then we're going to weight them or bring them up
27 by the overall amount of structure.

28
29 An important point to note is on the artificial structures and
30 some of the natural structures we sampled that we are not
31 sampling the whole population. It looks like we're sampling
32 three to seven-year-olds, primarily, and this is what we catch
33 on those structures, anywhere -- You can see the age comp peaks
34 at about five years and then drops off and so there's two ways
35 to look at that scenario.

36
37 One is it could be heavy fishing mortality driving that
38 population down and second, it could be some ontogenetic
39 movement off the reef or it could be some of both.

40
41 Well, we think a lot of this -- This is vertical longline and we
42 think a lot of it is movement off the reef, because when we go
43 out to our bottom longline surveys, again in the exact same
44 areas, we start to catch those older fish.

45
46 The bottom longline and the vertical longline share a 15/0 hook
47 and so it's not all due to selectivity of the gear, but we find
48 lots of older individuals and this isn't the cryptic biomass

1 that we've talked about in deep waters and whether that
2 possibility exists. This is in the same strata that we're
3 sampling on artificial reef. It's just larger, older fish are
4 off reef more in our system and that's important also, because
5 when you think about where our fishermen target fish, they are
6 targeting it on the artificial reef. They are not fishing off
7 structure like the bottom longline is fished and so these older
8 fish may be less susceptible to the fishery.

9

10 A couple of notes. One is we are primarily estimating biomass
11 of age three to seven, because it's largely based on vertical
12 longline -- We are primarily estimating three to seven-year-
13 olds. We are primarily estimating the number, that age
14 composition, and the number of fish on the artificial reef. We
15 think, and we have clear evidence from the bottom longline, that
16 there is older fish, older age comp, in the population off the
17 reef as well as in the unstructured bottom, both in the permit
18 zone and away. That's all this slide is telling you.

19

20 We also do collect younger fish in the bottom trawl, but they
21 are not included and so we are going to eventually inform our
22 estimation by a recruitment index based on the trawling data or
23 I should say the trawl data and the bottom longline data are in
24 the NMFS assessment now. Two or three years ago, we had enough
25 data and we have included it because we used their same
26 methodology and so those datasets are incorporated in the
27 broader NMFS bottom longline and in the SEAMAP trawl data.

28

29 Again, remember the mode here on the vertical longline was four
30 to five-year olds and here, the mode is more on the order of
31 seven to eight-year olds, but, again, you do see a fairly rapid
32 decline after eight or nine years.

33

34 How do we derive the estimates? Again, our model is simple.
35 It's number of structures times the number of individuals in
36 each age class. We use a range of estimates, because, again, we
37 have -- We are in the beginning stages of this and we have a
38 commitment from the state to continue this for multiple years
39 and we will refine these estimates more and more, but,
40 essentially, we are not going to give a point estimation at this
41 point. We are going to give a range and how we get that range
42 is we look at the standard error associated with our point
43 estimates.

44

45 Our depletion ratio is an uncertainty right now and so we give
46 that a real large range, plus or minus 50 percent, and the
47 number of artificial structures, we are estimating between
48 10,000 and 15,000. We think that is a low, conservative number

1 right now, but until we get those grids with the larger number
2 of structures, we are going to stay with that conservative.
3
4 Number of natural units right now we have kept artificially low
5 as well. Our recent side scan survey came across two or three
6 areas with a tremendous amount of natural reef that really
7 elevated that average number and we felt that, again, because of
8 the relatively low sample size, we wanted to keep that number
9 artificially low and so we have reduced that average. Again,
10 our estimate is primarily focused on three to eight or three to
11 seven-year olds.
12
13 So what is the estimate? Essentially, if you look, this is the
14 SEDAR-31 eastern Gulf estimate for biomass of red snapper from
15 three to eight-year olds and essentially it's -- Alabama
16 accounts for anywhere from 30 to 50 percent of that estimate and
17 so if you look, most of our estimates tend to be in the
18 neighborhood of twelve to seventeen-million pounds. Again, this
19 is three to eight-year olds, but the SEDAR number I'm showing
20 you there is also three to eight-year olds and so a large amount
21 of the red snapper are off of Alabama in the eastern Gulf.
22
23 Again, if we wanted to solve for number of red snapper, we see
24 the same overall pattern, 30 to 50 percent, off those and again,
25 this is a very, very -- We have tried to limit the number of
26 parameters we are estimating. We are only estimating five or
27 six parameters here.
28
29 The graph doesn't show up and so where are the red snapper?
30 This is showing you that -- If you looked at the pie diagrams
31 that you hopefully have on your PowerPoint, it's about 60
32 percent of them are on artificial reefs and 35 percent on
33 natural reefs and the remaining 5 to 10 percent are on the
34 unstructured bottom.
35
36 That's important for us, because what our fishermen target is
37 the artificial reefs and so because those fish in the deeper
38 water, in the natural reef, aren't harvested -- They don't seem
39 as heavy of pressure and the age composition -- It seems to be
40 that the age composition, some of the older fish aren't as
41 available to the fishermen. We think those are both very
42 important things about Alabama and probably other areas that
43 aren't being picked up right now in the model.
44
45 One of the things we're looking at is can we look at within-year
46 trends. I gave you the average composite over the last three
47 years. Can we use this to look at annual patterns?
48

1 Right now, we do not have the sample size. We have increased
2 the sample size dramatically with assistance from the state and
3 the MARFIN in 2014 and 2015 and so we may be able to look at
4 before and after season. That's how our design is set up, but
5 right now, we essentially don't have enough power, resolution,
6 to look at before and after, although we can look at a CPUE
7 index.

8
9 What this shows you is in 2011, 2012, and 2013 -- This is before
10 and after and this is just catch per unit effort and we don't
11 see much of a decrease before and after sampling. In fact, we
12 don't see any statistically-significant increase in the catch
13 per unit effort, although the trend is relatively flat over the
14 years and a lot of that is because we have saturated our
15 vertical longline gear there. Essentially so many snapper are
16 on a lot of our artificial reefs that we are coming close to
17 saturating the gear and so we're talking about adding more hooks
18 to the gear to resolve that.

19
20 That's not to say we don't see a trend in the fishery. What we
21 see is if you look here in the red, in the vertical longline,
22 it's set up the same way, pre and post-season and pre and post-
23 season. In 2012, we did see essentially a year, almost a half-
24 year, decrease in the average age, which makes sense. The
25 fishermen are targeting those fish and so we should see the
26 older fish being replaced by younger fish on the reef.

27
28 The catch per unit effort tells us there's enough fish around to
29 go back and we don't see a before and after season, but we do
30 see, on the vertical longline, in at least 2011 and 2013, we do
31 see a decrease in pre and post-season in the average age and so
32 we do see an element of fishing mortality clearly there.

33
34 The bottom longline is interesting in that the bottom longline
35 shows a steady increase over time in the age, which is obviously
36 what we want to see in the rebuilding plan, is that those older
37 age classes are increasing in relative abundances. So we think
38 that is a very, very positive sign.

39
40 In summary, our simple estimation routines would predict a large
41 fraction of the eastern Gulf red snapper off of Alabama, again,
42 not probably very surprising, 30 to 45 percent. Continue the
43 refinement in the estimates as needed, particularly in the
44 depletion ratio. The SSC talked about this in a fair amount of
45 detail and then integrating these older bottom longline-captured
46 fish into our estimate is one of our goals, too, to see if we --
47 Because they are different gears fishing on different types of
48 structures, we have to look at some more selectivity issues of

1 the two gears and so it has get a little more complex than we
2 hoped for.

3
4 Overall, we think that it's a very useful survey. I talked
5 about, at the beginning, the difference between this is an
6 estimation as opposed to an assessment. This informs the state,
7 and hopefully others, into what the current standing stock is
8 and what the biomass trends are. It does not predict
9 benchmarks. It doesn't tell you what the potential for the
10 stock is the way the NMFS assessment does, but it does tell you
11 what the overall expectation for the standing stock is and it is
12 a data-driven approach to look at changes in pre versus post red
13 snapper season and so very much we think it's complementary and
14 can inform it, although, again, it's an estimation and it's not
15 an assessment. Assessment involves the production of benchmarks
16 and looking at the potential of the stock.

17
18 We also think that the way the SEAMAP in the vertical longline
19 program is increasing that we can use this approach in other
20 states, particularly if you know the number of structures and
21 you can define your universe.

22
23 It might be oil and gas platforms off of Louisiana. I have
24 talked to Gregg and it might be toppled reefs off of his system,
25 but if you know your sampling universe and you know the number
26 of structures, you can get an idea of the universe and then
27 bring this estimation up. When we talked to Clay Porch about
28 this and at the last assessment, he was very, very interested in
29 moving forward with a habitat aspect to the assessment, but,
30 essentially, very few states have enough data to inform that.
31 That's a very -- That would be very spatially explicit and
32 eventually we may become with the data there, but it's an
33 important -- I think everybody recognizes including habitat is
34 the next, one of the next, steps we want to do in the
35 assessment. With that brief overview, I will take any
36 questions.

37
38 **CHAIRMAN RIECHERS:** Any questions for Dr. Powers? I am sure we
39 have some.

40
41 **MR. CORKY PERRET:** Thank you very much for that presentation.
42 My question is relative to the trawl survey for the younger
43 fish. I assume you are trawling in those artificial reef zones
44 and not on the rubble. Otherwise, you would be having a lot of
45 gear problems, but my question is if the trawl sampling is in
46 those artificial reef zones, are you also trawling outside the
47 zones to get a comparison of number of younger fish in the
48 artificial reef zones versus on just the natural bottom?

1
2 **DR. POWERS:** Yes, we have. We have started to do some of our
3 own. We have done inside the artificial reef for the last four
4 years and you are right that we need a side scan map of the area
5 before so we can avoid structures and snags. The SEAMAP takes
6 care of outside the reef permit zone already and so we can --
7 Since we're using the same gear and when the state does it for -
8 - We are using the same vessel and we can compare our numbers to
9 SEAMAP numbers.

10
11 We do see a trend of as you increase the number of structures in
12 an area, it seems to increase the number of snapper recruits in
13 the area, but right now, that R is fairly low. It's 0.4, but
14 it's in an increasing direction and we have seen fluctuations
15 dramatically in our catch per unit effort. Essentially in 2011,
16 we saw low abundances of juveniles and in the other years, we
17 have seen relatively good abundances of juveniles.

18
19 **MR. PERRET:** Well, it came up in 2012 and 2013 and I am looking
20 at that one graph you have, but my interest was artificial reef
21 zone samples versus natural and I think you have answered that.
22 Thank you very much.

23
24 **MR. HARLON PEARCE:** Great presentation, Doctor. How do we
25 relate this to the rebuilding of the stocks? In other words,
26 we're looking at -- I am seeing that this bottom longline shows
27 we're getting a lot more older fish into the system and we're
28 doing things in a better way and can we relate this to where we
29 are in our rebuilding of the red snapper stock, what you've done
30 with this program?

31
32 **DR. POWERS:** I think the data that we gather here can inform,
33 but, like I said, already the Southeast Fisheries Science Center
34 is including our bottom longline and so it's in there from
35 Alabama, but, again, that's a relatively small area in the
36 overall assessment.

37
38 The trick for us is what is the number at these age classes we
39 want and essentially what we want to say is more in the ten-plus
40 age category and more in the -- A few in the twenty-plus
41 category and it seems like we're getting there. The ideal
42 number of that is, again, a little bit different between an
43 assessment and an estimation. The assessment has an idea of
44 what they want to get as far as those number and age classes,
45 but yes, we can relate the two. We can relate the two as far as
46 local spawning stock biomass.

47
48 **MR. JOHNNY GREENE:** Dr. Powers, great presentation. Being from

1 Alabama and seeing you guys around the docks, I can certainly
2 salute you guys for all the hard work you put into it. For
3 those of you that don't know, these guys have really put a lot
4 of effort and time in it and seeing a lot of the guys just
5 running around the docks has been incredible.

6
7 My question is when you were talking about the bottom longline,
8 was it done in comparable areas with the vertical areas or was
9 it done more offshore? Could you expand a little bit on that?
10 Maybe you said it and I missed it, but I was trying to pay
11 attention.

12
13 **DR. POWERS:** Sure, absolutely. If you look at this graph and
14 that's the key thing that we've looked at and NMFS has looked at
15 this idea, is there is this deep offshore kind of cryptic
16 biomass that's not picked up and the consensus right now, from
17 the NMFS bottom longline, is we don't see evidence for that off
18 in the deep waters, but this is actually bottom longline in the
19 exact same area.

20
21 If you look, it's all within a two-kilometer-by-two-kilometer
22 and so when we say it's three to seven-year olds, this isn't
23 necessarily on the artificial reef and then older in that same
24 area off the reef. These aren't fish that we think are
25 necessarily migrating to deeper waters. These are just fish
26 that are probably secure enough in their own self now where they
27 are spending more time off reef, but they are in the local area.

28
29 **MR. DIAZ:** Thank you, Dr. Powers. Great presentation. Whenever
30 you reference your estimation of 30 to 50 percent in the eastern
31 Gulf, where do you draw the line for the eastern Gulf?

32
33 **DR. POWERS:** We draw it where the current stock assessment draws
34 it and so that eastern Gulf, we are basing it on what the SEDAR-
35 31 did, which is, I'm pretty sure, at the River. Is that right,
36 Bonnie, or is it at the Mississippi/Louisiana border? It's at
37 the River.

38
39 **DR. ROY CRABTREE:** Sean, I've gotten emails with all kinds of
40 speculations about your findings and the assessment, but the 30
41 to 45 percent of the eastern Gulf biomass, given the
42 uncertainties of all that, that's not all that -- That doesn't
43 seem out of line or anything, would you say?

44
45 **DR. POWERS:** Yes and I mean Clay -- I don't want to speak for
46 Clay, because Clay has not reviewed that. He only gave me his
47 reaction to it and his reaction was it's not inconsistent with
48 the current stock assessment, as far as the biomass estimate.

1
2 **DR. CRABTREE:** Right and the other thing is in terms of biomass,
3 roughly half of the biomass off of Alabama was on natural bottom
4 and about half of the biomass on artificial reefs and is that
5 roughly correct?
6

7 **DR. POWERS:** Yes and it's probably more like 55 percent
8 artificial reefs and 45 percent natural, but a tremendous amount
9 is on the natural reefs, yes.
10

11 **DR. CRABTREE:** Yes and that's a little -- Based on all the
12 discussions and what I've heard in the past, you would have
13 thought all the fish off of Alabama were on artificial reefs,
14 because that's what everybody talked about, but in fact, there's
15 more natural bottom and more fish on natural bottom than --
16

17 **DR. POWERS:** I agree and I think that was one of the kind of
18 surprising things for off of this as well, is how much natural
19 reef is, because, like I said, everybody -- If you fixate on
20 that catch per unit effort graph and you see that large
21 difference between catch per unit on artificial and natural, you
22 would think, well, all of it is on artificial, but when you take
23 into account the amount of habitat, exactly.
24

25 Like I said, I think a lot of that -- That needs to be taken in
26 both counts. It was surprising, but also, if you talk to the
27 fishermen, I mean they are fishing off the artificial reefs.
28 They go to the natural reefs for other ways and so it would be
29 great, once we get more power in our sampling design, to
30 actually estimate the depletion or the F in the natural versus
31 the artificial.
32

33 **CHAIRMAN RIECHERS:** Any other questions?
34

35 **MR. BEN HARTIG:** This is an intriguing study and how do you fund
36 this?
37

38 **DR. POWERS:** I fund it from multiple sources. Right now, the
39 primary funding comes from Sportfish Restoration, with
40 additional funding from MARFIN, the Marine Fisheries Initiative,
41 out of the Southeast Fisheries.
42

43 **DR. GREGG STUNZ:** Sean, I've got a question for you and it
44 wasn't quite clear in the way that you explained it. So when
45 you look at a natural structure -- So you are weighting that for
46 the overall volume of the structure, because I saw like in your
47 summary, you say, for example, there is thirty-five fish per
48 like 750 cubic meters and so that's -- I am trying to figure out

1 how you got at that number.

2
3 **DR. POWERS:** So our natural reef is different than -- I don't
4 know if it's different, but it occurs in discreet patches,
5 discreet outcroppings, that you can actually count the number of
6 units.

7
8 Right now, one of the limitations of our model is we're assuming
9 all natural reef is the same, every unit of natural reef is the
10 same, every unit of artificial reef is the same. In reality,
11 obviously we have large structures and we have small structures
12 and so it's going to be -- It's going to fit a biomass by area
13 relationship, but we just, right now, for simplicity, we are
14 just keeping it per unit.

15
16 **DR. STUNZ:** Right and so that's what I thought. Then you're
17 saying that this is pretty conservative then in what you're
18 looking at. In other words, I am looking at maybe there is --
19 If you're saying there's thirty-five per natural, but 111 per
20 artificial, that's a big difference, when in reality there's
21 probably a lot more there, but you're just not capturing it.

22
23 **DR. POWERS:** Correct and right now we're keeping it artificially
24 low, for example, because we know that there is -- If you use
25 just the nominal average off natural reef, it would be a much,
26 much higher number of units and we think that's because we hit
27 two or three grids with a tremendous amount and that's not
28 representative.

29
30 The same thing with what we talked about with the artificial
31 reef, is that it's not representative, because we don't think we
32 hit those high areas, but that's a pitfall of random selection,
33 but obviously the advantage is we can extrapolate them.

34
35 **DR. STUNZ:** One more quick question, Sean. I am trying to
36 remember and it was like around thirty-something-thousand
37 structures that you know about and how good is that number? Is
38 there maybe 40,000 or is there less or --

39
40 **DR. POWERS:** We think the upper bounds is 22,000. I mean Marine
41 Resources has a general idea of how many they have permitted
42 over time. Right now, our average -- We are estimating that
43 it's 12,000. Now, if they put 22,000 structures out there and
44 they have lost some to hurricanes and some have been buried and
45 so we think that the number, the real number, is probably
46 between 12,000 and 22,000, but it's essentially until we get
47 more grids resolved. Dude, you miss the SSC, don't you?

48

1 **DR. STUNZ:** I know. I just miss it and I just can't get enough,
2 but actually, I was talking and I should have clarified my
3 question. On natural reefs and how confident you are you
4 captured all the natural reefs that are out there. I guess
5 that's what I'm --
6

7 **DR. POWERS:** Not very. Not yet. We have lots more grids and we
8 think that there's a lot more natural structure out there than
9 we thought. If you talk to the fishermen, that depth contour is
10 known to have natural structure, but it's just -- We didn't
11 understand how laterally impressive that feature was. We knew
12 that it kind of went along that isobath, but I think the idea of
13 how broad that area is has been surprising.
14

15 **CHAIRMAN RIECHERS:** Any other questions of Dr. Powers before we
16 move on to the SSC report? All right. Thank you, Dr. Powers.
17 I assume you're going to be around a little bit today in case we
18 need you back up for any questions? Thank you. Who is going to
19 be our SSC representative? Luiz. Okay. I noticed that Dr.
20 Shipp has snuck in the room and we are glad to be in your home
21 and welcome to our meeting again. Obviously Dr. Shipp has just
22 moved off the Council from another nine-year appointment with
23 the Council, but obviously still enjoys coming to hear us and
24 talk and I assume he's going to visit with us some later
25 tomorrow. Thank you, Dr. Shipp, for being here and welcome. Uh
26 oh. Corky is going to say something to Dr. Shipp. Bob, I am
27 sorry about this, whatever it is.
28

29 **MR. PERRET:** Hello, Dr. Shipp, but we have another former
30 Council member that was in the room a little earlier. Jane, are
31 you still here? Jane Black represented Louisiana and her last
32 meeting was in 1993 and she was here a while ago. She must have
33 found it more interesting outside, but I just wanted to say that
34 she was also here, but thank you, Robin.
35

36 **CHAIRMAN RIECHERS:** Go ahead, Luiz.
37

38 **SSC COMMENTS**

39
40 **DR. LUIZ BARBIERI:** Thank you, Mr. Chairman. The SSC discussed
41 this presentation and Sean explained earlier that he gave a
42 longer presentation, a more detailed presentation, to the SSC
43 and we had a lot of discussion about it. A couple of points I
44 want to bring up is this has a potential to provide some
45 independent estimates there of biomass and abundance off of
46 Alabama and it's very promising in that way, but it still needs
47 some fine-tuning.
48

1 Sean, during his presentation this morning, outlined some of
2 those issues that he is still working with. For all of us who
3 have been in fisheries research for most of our careers, you
4 know that work like this evolves over time and it takes some
5 time for you to sort of fine tune and adjust things to the point
6 where you are happy with the methodology and you are happy with
7 the numbers, but obviously the methodology has a lot of promise.

8
9 The main SSC concern centered around then application of the
10 depletion ratio and without going too much into the weeds,
11 because Sean already discussed with you some of his own
12 questions and issues regarding the depletion ratios that were
13 applied, one is that application of those depletion ratios
14 really requires or assumes closed populations, which in this
15 case there might be indication of some movement of fish in and
16 out of those reefs.

17
18 If you remember when Sean mentioned that during the before and
19 after sometimes he would get different numbers with large
20 numbers during the second survey and so there are some
21 correction factors there that still need to be factored in.

22
23 Another thing that the SSC discussed is that, given the
24 different sizes and configurations of reefs that were being
25 surveyed or that the estimates were expanded to, you really need
26 to have a more specific depletion estimate that applies to
27 specific sampling events and specific years and specific reef
28 types.

29
30 Another concern was comparing the numbers and the biomass
31 estimate that comes out of the actual artificial reef when we
32 are looking at some of the age composition and the weights that
33 were being applied were derived from the vertical longline,
34 which, as Sean demonstrated, has a different age composition.

35
36 Since the reefs, the artificial reefs, are actually holding, as
37 estimated, younger fish, there are relatively smaller, and you
38 end up with a correction factor there at this point he is not
39 being able to apply and so overall, I just wanted to point out
40 some of our concerns.

41
42 The SSC, as you know, is just a collection of pinheads and so we
43 really get into excruciating detail and way into the weeds, but
44 despite these comments, we do see credibility in the
45 methodology. We feel that it is consistent with the results of
46 the assessment and it just needs to have more time to mature and
47 for Sean to continue his research and continue refining it and
48 so that completes my presentation, Mr. Chairman.

1 **MR. ANSON:** Thank you, Dr. Barbieri, and I was able to listen to
2 most, if not all, of the discussion that was had during the SSC
3 meeting via webinar and so as Dr. Powers had pointed out, there
4 are certain elements of the research that he's conducting that
5 has been used in the most recent assessments as far as some new
6 indexes and such and certainly that was our desire from the
7 start.

8
9 It was one of the goals that we had, was to get statistically
10 and scientifically reliable data to kind of help move the model
11 along, if you will, and we still see that there's some
12 opportunity in there for at least adding some small parts to
13 effect change in the model and how the model interprets the data
14 and such.

15
16 So one of the things that I talked to Sean about and I think
17 we've talked briefly about is this issue of the selectivity of
18 these ages of the catch and how, as Dr. Powers had mentioned,
19 that most of the fishermen, at least off of Alabama, when they
20 catch red snapper, they are primarily fishing off of artificial
21 reefs and their fishing activities are primarily centered
22 literally above the reef and they don't drift off and get into
23 that halo or into those areas where those older fish are and so
24 that's one other thing that as the SSC looks at this data
25 hopefully and hopefully other states will be able to provide
26 some more data from artificial structures too, but to try to --
27 One other issue in the model is trying to reconcile that
28 fishery-dependent age composition data that's coming for the
29 recreational fishery and trying to realize that there might be
30 some selectivity issues there related to the effort,
31 particularly in the eastern Gulf, and that might have some
32 impact, because you may not see enough of the two to three-year
33 olds coming in because the catch the fishermen are targeting,
34 because of the regulations and the bag limits, they are trying
35 to catch the oldest that they can catch, but then there might be
36 this older segment of the population that just isn't coming in
37 because they don't fish in those areas.

38
39 So it's one of those details that as you get more data,
40 potentially, over a little bit more wider geographically larger
41 area, that maybe you can help kind of resolve that and it might
42 show some benefits in trying to, again, show that there's older
43 fish out there, larger numbers of older fish out there, which is
44 what we've all been trying to shoot for and what the model is
45 trying to shoot for as well. Thank you.

46
47 **DR. BARBIERI:** Yes, undoubtedly. I mean I think that this work
48 shows a lot of potential and it really gives a different

1 perspective than what we've been able to really look at before
2 in terms of data sources going into the assessment. I mean both
3 Sean and I served on the last assessment panel for this last
4 benchmark assessment of red snapper and discussion of the
5 inclusion of this data was really trying to include as much of
6 this information as possible, because it is something that we
7 haven't had in the past and I agree with you that continuing
8 this type of work going forward, not just off of Alabama, but
9 off of some of the other Gulf states, I think would be
10 incredibly beneficial.

11
12 You and I have talked about this and I have been talking to
13 folks in Alabama and in Mississippi and hopefully we can discuss
14 with colleagues in other states as well, to try and take
15 advantage of some of this post-Deepwater Horizon funding
16 opportunities that have come up and since we are working
17 together with NMFS in amongst ourselves in developing these into
18 a coordinated effort across the Gulf that would serve as an
19 additional source of data and so yes, by all means.

20
21 **DR. BONNIE PONWITH:** The point that you raised is an important
22 one and it's been really important to be working with Dr. Powers
23 in preparation for the last stock assessment, to find ways to
24 determine the portions of those data that had matured to the
25 point where they were ready to be incorporated and we did indeed
26 incorporate some of that information into the current stock
27 assessment and, in fact, when it comes to selectivities -- I can
28 double check my facts, but I am almost certain that for the
29 recreational fleet that we did use a dome-shaped selectivity.

30
31 I believe it was only for the bottom longline fishery itself
32 that we used a flat-top selectivity and so even to that point,
33 in the determination of the selectivities, the data bore out
34 that that pattern was the case and Dr. Powers' presentation
35 corroborates that decision and so it's very valuable to have
36 these sources of data come in to either use directly in the
37 assessment or corroborate the assumptions that are used in the
38 assessment.

39
40 **CHAIRMAN RIECHERS:** Any other questions of Luiz? Hearing none,
41 thank you and I assume you're going to be around as well if we
42 need to have you back up?

43
44 **DR. BARBIERI:** Yes, I will be around, Mr. Chairman, and I have
45 some other quick presentations throughout the day. Thank you.

46
47 **CHAIRMAN RIECHERS:** Thank you. With that, and as Andy is
48 getting up, Gregg, would you mind commenting on -- Because I

1 know we were just talking about similar states and other work
2 that's going on and I know we have some work or you have some
3 work going on off of Texas. There may be other folks who may
4 want to also comment on similar work that could be going on in
5 their states, just to update the council on kind of where it
6 stands now and when it may mature enough for us to see those
7 results.

8
9 **DR. STUNZ:** Sure. Our group is working with the Parks and
10 Wildlife Artificial Reef Program to look at artificial reefs off
11 of our region and we're seeing a lot of the similar same
12 patterns that Dr. Powers has shown and we obviously have very
13 different structures that represent quite a bit of challenge and
14 sampling and much larger oil and gas platforms and how do you
15 capture the fish on those in terms of estimating abundance, but
16 we are working hard on that.

17
18 I know the state is doing a little bit of bottom longline and we
19 have some plans to expand that as well and so while we're not
20 quite as far along as Dr. Powers, we are seeing a lot of the
21 same similar trends out in our region.

22
23 **CHAIRMAN RIECHERS:** Any other states want to comment on work
24 they may be doing in that same kind of regard, just to update
25 folks? If not, then we'll turn it over to Andy and sorry for
26 your delay yesterday, but we're glad to have you. For those
27 trying to reference that, it's Tab E-3.

28
29 **PRESENTATION ON MRIP CALIBRATION WORKSHOP SUMMARY**

30
31 **MR. ANDY STRELCHECK:** Great and so I'm going to give a
32 presentation on behalf of Dave Van Voorhees and the Office of
33 Science and Technology. He wasn't able to be here. He's out on
34 the west coast. I was a member of the calibration workshop
35 steering committee and participated in the workshop.

36
37 This presentation was originally designed for the SSC and it was
38 cut back and it wasn't cut back sufficiently and so I'm going to
39 try to breeze through as much as I can and hit the highlights,
40 for your reference, and discuss the implications of the
41 calibration.

42
43 A general outline of the presentation, I will just hit on the
44 terms of reference and the workshop itself involved some
45 background presentations and a lot of analyses related to what
46 changes in the survey design occurred and whether we could
47 determine if those changes affected the estimates.

48

1 Then the main point of the workshop was obviously to recommend
2 methods for calibration and then also develop a transition plan
3 for future MRIP changes to ensure that we can do side-by-side
4 testing and we can transition off of one methodology into
5 another methodology more smoothly than has occurred with this
6 change.

7
8 I will let you guys read the terms of reference on your own
9 time, but essentially I think the most important terms of
10 reference were two and three, which those were essentially the
11 initial determination by this working group as to whether design
12 change effects occurred.

13
14 John Foster of the Office of Science and Technology did a
15 tremendous amount of work and gave several lengthy presentations
16 walking through the changes that were observed and what impact
17 those might have on the estimates for 2013 compared to previous
18 years.

19
20 Based on that and the determination that there was in fact a
21 change and that there was an effect on the estimates, we then
22 keyed in on developing calibration approaches and broke it into
23 subgroups to discuss those calibration approaches and then
24 another subgroup focused in on what I mentioned earlier, which
25 is kind of the transitioning planning of how do you move forward
26 when you have design changes such as this occur.

27
28 Here is a laundry list of people that participated in the
29 workshop. As you can see, there was lots of state personnel.
30 Gulf States Marine Fisheries Commission was represented and NMFS
31 personnel from the Southeast.

32
33 In addition, obviously there were statistical consultants,
34 experts in survey design, that participated in the meeting as
35 well as the Office of Science and Technology, which was
36 responsible for generating the estimates. So a large group of
37 people convened in Charleston to work on the calibration
38 methods.

39
40 Just real briefly, obviously we're here because of the change in
41 the angler intercept survey. I will go through those changes,
42 but this is our main source of catch data dockside that occurs.
43 There is a sampling frame in which port agents go out and they
44 collect data from fishing trips on what is being caught, species
45 being caught, and other basic information that goes into our
46 catch estimation procedures.

47
48 In 2006, we had the National Research Council study that told us

1 that we needed to make changes to our survey and a project team
2 was developed and in 2009, they developed a new sampling method
3 and that was then further pilot tested in North Carolina in 2010
4 and 2011.

5
6 Based on that report and an independent peer review, that
7 methodology was ultimately implemented by the agency in 2013 and
8 so it went through some extensive testing and analysis before a
9 design change was ultimately implemented.

10
11 Important to note what is different, because a lot of the
12 calibration hones in on the change in temporal coverage of the
13 sampling itself. If you recall probably about a year ago, we
14 came to you in August to talk to you about red snapper estimates
15 and we showed you some graphs that I will show you here in a
16 minute that indicated we were picking up a lot more trips later
17 in the day.

18
19 The new survey design establishes blocks of sampling time in
20 which interceptors go out and collect that data and these are
21 six-hour time blocks and we were capturing obviously a lot more
22 trips, especially in the 4:00 to 8:00 P.M. window that
23 previously weren't being captured and there was a variety of
24 reasons.

25
26 It varied across states in terms of the impacts, but there was
27 quotas in terms of the number of intercepts that were conducted
28 at sites and once those quotas were met, then they could stop
29 sampling. There was also flexibility for the port agents to
30 move sites and a lot of those impacted and biased the survey
31 design and so changes were made to address those and ultimately
32 affected obviously our catch estimates moving forward.

33
34 I don't think there's really anything important there, other
35 than to note that this design change did occur in March of 2013.
36 Obviously we saw the changes not only to red snapper, but some
37 other species once those estimates starting coming in in 2013.

38
39 As I mentioned previously during the workshop, there was an
40 extensive amount of analytical work that went into evaluating
41 those design change effects and determining how they influenced
42 the catch estimates and what were the driving factors that were
43 affecting the estimates the most and that temporal coverage of
44 sampling was one of the biggest driving factors that was making
45 changes to the estimates.

46
47 This just gives you a sense of how that changed and so this is
48 off of Alabama, private boat mode, annual estimates from 2010 to

1 2013 and this is the proportion of angler trips that were
2 surveyed in each of those years. You can see in 2013 that over
3 to the right-hand side of that graph now is a lot more trips
4 that are being captured in the survey that previously weren't
5 being captured in the survey and obviously that results in a
6 change in our estimates and statistics and we have to account
7 for that, obviously, in terms of a design change effect and how
8 that then gets calibrated to the estimates back in time.

9
10 I will skip past this, but moving forward with the calibration
11 workshop, the main focus that we honed in on for calibration was
12 where the design change effects were occurring.

13
14 If you take a look at this graph, it just shows kind of the
15 temporal distribution and trips throughout an entire day and
16 there's a peak time period where most of the trips are being
17 intercepted and obviously less trips are intercepted on either
18 side of that peak.

19
20 One of the main assumptions or determinations that we had to
21 make in terms of calibration was how representative was
22 historically the peak sampling time period, which we know we
23 sampled very well, versus peak sampling time period in 2013,
24 which was being sampled as well as those wider time blocks. A
25 lot of the calibration hinges on that middle time period, the
26 middle of the day, when we know we were sampling both the
27 historic data very well as well as the more recent data.

28
29 In terms of where the calibration work landed, we did recognize
30 there was a discontinuity in the time series and that obviously
31 creates the assessment and management difficulties that we've
32 been experiencing.

33
34 We agreed that it wasn't appropriate to compare the estimates
35 from the new survey design to ACLs and management benchmarks
36 based on the old design. We also discussed that in the short
37 term that it may be important to align our estimates with the
38 old methodology, until such time that a long-term time series
39 could be adjusted to the new survey methodology.

40
41 With that said, our goal is for red snapper, with the upcoming
42 assessment, to make those adjustments to the time series
43 calibrated back in time and so the workgroup developed three
44 methodologies.

45
46 We, as I mentioned, broke out into two subgroups and three
47 methodologies were developed. The first two are the focus of
48 short-term work and the last one, the model-based approach, is a

1 longer endeavor that is going to require additional data and
2 information, but it should shed some additional light in terms
3 of the consistency and differences between the calibration
4 approaches.

5
6 The first two, ultimately the workgroup believe that these could
7 be done in a very short timescale and provide results for use in
8 red snapper and other fisheries in the near term. I will skip
9 past this and where we're at now, and I'll talk about this a
10 little bit further, is defining those criteria for the most
11 appropriate method.

12
13 We have produced some results, but we want to make sure that the
14 method that's preferred and used for calibration has been
15 thoroughly vetted and reviewed and it's undergone the scientific
16 review by the consultants and statisticians and then there's
17 been a determination made in terms of a preferred methodology,
18 based on the assumptions that go into the methodologies as well
19 as any other pros and cons or other information that can shed
20 light on the utility of the methodology.

21
22 We also had that North Carolina pilot study that we can use to
23 compare results against and give us a way of validation and
24 evaluation of the methodology and at this point, there is not a
25 preferred method that has been selected.

26
27 We do have the two methods already developed and some iterations
28 of those methods, but it's a work in progress in terms of
29 essentially landing on a preferred option.

30
31 To give you just a quick sense of what the methodologies are,
32 the first one is a simple time block ratio method. Essentially
33 if you look at those last two bullets, this is really just a
34 simple scaler and so you take the total catch estimate for MRIP
35 and divide it by the peak estimate in 2013 and then you revise
36 the time series back in time by taking that scaler and
37 multiplying by the catch estimate during that peak time period.

38
39 If you recall that graph I showed you earlier, where it showed
40 the peak distribution of sampling and landings, that obviously
41 becomes very important in terms of an assumption, that that peak
42 sampling time period is representative of catch estimates
43 currently as well as in the past.

44
45 A little bit more complex method is a method that was developed
46 that essentially takes the time of day, in terms of when
47 sampling occurred, and looks at historically how that sampling
48 was weighted and then applies that weighted sampling to the 2013

1 data and re-estimates the 2013 estimate to come up with
2 essentially a revised estimate and so it's going to back-
3 calculate the 2013 data to a different number and that
4 difference then can be applied to the historical data in order
5 to adjust the landings back in time.

6
7 I will note that at this stage the calibration only calibrates
8 data from 2004 to 2012. 2013 doesn't need to be calibrated,
9 because we were generating estimates on our MRIP at that stage.

10
11 The last approach is a model-based approach and I won't get into
12 detail of that, but this is more of a long-term effort. The
13 group believed that it was important to pursue this, but would
14 need additional data from not only 2013, but 2014 and ultimately
15 to utilize this maybe in the long term for calibrating and so we
16 essentially have set up an interim approach, but would be either
17 Method 1 or 2, or a longer-term approach, which would be Method
18 3, that evolves obviously with more time and data available.

19
20 Then from the transitioning planning standpoint, obviously one
21 of the key considerations is conducting side-by-side comparison
22 testing, to get us out of a situation like we have currently,
23 where we're having to come up with a calibration factor after
24 the fact.

25
26 Ideally, cost permitting and time permitting, we want to develop
27 those side-by-side comparisons and do it before we phase out the
28 old methodology and phase in the new methodology and so that was
29 a strong recommendation from the workgroup proceeding forward.

30
31 Some other kind of key recommendations are obviously we need to
32 do a better job in terms of outreach and education and informing
33 the council and informing managers of these upcoming changes and
34 how they're going to take place and what impact and influence
35 they might have.

36
37 With all of the work that MRIP is doing right now, it's key for
38 us to continue the peer review process and ensure that whatever
39 methods are selected and we move forward with, that those are
40 peer reviewed. If they're calibration methods, obviously we
41 continue to peer review that information until it's approved and
42 then adjust the time series accordingly and make that
43 information available to scientists and managers.

44
45 I will end with kind of where we're at now. The calibration
46 workshop, we are drafting a report and there's a first version
47 of the report circulated among members and that is under review.
48 Science and Technology has developed calibrations for red

1 snapper and red grouper, based on the first two approaches I
2 mentioned. That is currently under review with MRIP consultants
3 and they are evaluating the assumptions and determining a best
4 methodology for proceeding. Once that is selected, then results
5 will be provided for science and management.

6
7 With that said, when you get into Amendment 40, we have at least
8 taken the opportunity to go ahead and, given the preliminary
9 results, calculate the allocations based on the methodologies
10 that have been used to date and at least give you an indication
11 of what the maximum change could be.

12
13 It doesn't necessarily mean it will be the absolute change, but
14 at least it will give you an idea of the directionality of
15 change and the magnitude of the change overall that could occur,
16 but because we don't have a preferred methodology, we can't
17 obviously tell you exactly what the change in the calibration
18 will be at this stage. With that, I will take any questions.

19
20 **MR. PERRET:** Andy, obviously there is a long, long way to go
21 before you are going to be able to -- You or the representative
22 of this group is going to be able to give us any idea of the
23 magnitude of the possible differences by individual species.

24
25 Saying that, I guess the bottom line I know I want to know and
26 probably most people want to know is when will we be at point
27 where we will be able to get some sort of difference or
28 magnitude of difference by species? How far off are we from
29 that?

30
31 **MR. STRELCHECK:** I think we're within just a few weeks for
32 species like red snapper and red grouper. I would say early
33 next year for all the species that are managed by the Gulf
34 Council would be a reasonable timeframe. In terms of that
35 longer term approach and alternative calibration methods, that's
36 probably still farther down the road from that, but with the
37 existing approaches that they're taking a look at now, the next
38 few months.

39
40 **CHAIRMAN RIECHERS:** Andy, given that we have a few weeks for red
41 snapper and then a few more weeks for the other species, there's
42 also at least, and I think Gordon spoke to it last time, some
43 other changes that are going to be ongoing that also might
44 impact those estimates.

45
46 I am not putting you on the spot and if he's the better person
47 to ask, just tell me that, but do you know about those or can
48 you explain when those are going to occur, from a timing

1 perspective, and when we would expect to start seeing that?

2
3 **MR. STRELCHECK:** The major change that would be next would be a
4 change to the effort estimation, the coastal household telephone
5 survey, and how that estimates private recreational angler
6 effort. Timing-wise, I can't speak to when those changes would
7 be implemented.

8
9 We have done four or five pilot studies in various forms for
10 that work and I know, given all the work from this group and
11 prior to it with transitioning planning, that the goal will be
12 to do side-by-side comparison testing and phase that in and so
13 even if it rolls out as early as next year, it won't influence
14 management and science for at least a year or more.

15
16 **MR. PEARCE:** Good presentation, as always, Andy. I guess my
17 question is if we put all of what you just said in a big paper
18 bag and shake it up and dump it out, how will it affect any of
19 our deliberations today? Is anything you said going to be
20 usable in what we're going to be talking about in Reef Fish
21 today?

22
23 **MR. STRELCHECK:** We worked up a slide for consideration during
24 Amendment 40 and I will be happy to walk you through that. In
25 terms of whether it's usable, I think that will be up to you and
26 the council members to decide, but I think it will at least be
27 informative of the directionality of the change and the
28 magnitude of the change and give you some sense of what impact
29 or less of an impact this might have in terms of your preferred
30 alternative as well as other alternatives in the amendment.

31
32 **MR. ANSON:** Thank you, Andy, for the presentation. I just want
33 to make sure I understand when you say best calibration method
34 that you're talking about after it goes through the criteria
35 that's established by the workshop relative to statistical
36 robustness and that type of thing. Is that what you mean by
37 best?

38
39 **MR. STRELCHECK:** Yes and certainly the conversations we had at
40 the workgroup meeting, as well as after the fact, have really
41 focused in on what are the biases and assumptions you have to
42 make with each one of these approaches.

43
44 Method 1 is more of a catch-based approach and Method 2 is more
45 of an effort-based approach. Ultimately, at the end of the day,
46 both methods might be suitable, depending on decisions made, but
47 we want to obviously make sure that these assumptions and biases
48 are rigorously though through and reviewed and ultimately the

1 decision is made based on the merits of those assumptions and
2 biases, first and foremost, before presenting results and people
3 deciding based on just the results and outcome of the
4 calibration.

5
6 **MR. HARTIG:** Andy, thank you and are you seeing the same kind of
7 results in 2014, in the preliminary results from 2014? Do we
8 know that this is continuing as well, the magnitude of the
9 catches in the later timeframes?

10
11 **MR. STRELCHECK:** I have looked at some of the major species,
12 mostly in the Gulf, because we saw increases in estimates in
13 2013 and 2014. For red snapper, the increases were in line with
14 the previous year. Obviously we've had some early closures this
15 year for red grouper and greater amberjack and so I would say
16 yes, for some species, they are continuing.

17
18 **CHAIRMAN RIECHERS:** Any other questions? Hearing none and
19 seeing no hands up, we will move on now to -- It was Number XIII
20 on your item and it's Tab B, Number 19 and Dr. Ponwith.

21
22 **SEFSC COMMENTS ON RED SNAPPER ABUNDANCE GRAPH**

23
24 **DR. PONWITH:** Thank you, Mr. Chairman. If we could get the
25 presentation pulled up and that is Tab B, Number 19. The
26 history behind this is that at the council meeting, during the
27 public testimony, Ms. Thompson, who is a staff person from
28 Congressman Southerland's staff, came and gave testimony and
29 included in her testimony was a slide that was up and, of
30 course, with the three-minute timeframe being so short and some
31 technical difficulties in actually being able to see that slide,
32 because it was quite dark, it made it very, very difficult to
33 have a meaningful conversation about that slide.

34
35 The agreement was that at the close of the session is that we
36 would bring that back up again at this council meeting and talk
37 about that slide itself and our reaction to that and then
38 address any questions that the council had and so that is the
39 purpose of this presentation.

40
41 The materials that I am showing you here have been submitted to
42 the SSC for their briefing book. They went through this
43 presentation.

44
45 Dr. Barbieri gave the presentation at the SSC meeting and they
46 had a conversation about the presentation as well and I believe
47 that Dr. Barbieri, after I give this presentation to you, will
48 come and share with you the reaction of the SSC to the

1 presentation and we thought rather than just including this in
2 the briefing book and going over the reaction that it might be
3 meaningful to walk through these slides with you as well, just
4 to make sure everybody is comfortable with what we're seeing.
5 With that as the introduction, the next slide, please.

6
7 This first slide is the slide that was presented at the public
8 testimony and you will see, I think, that I just bring to your
9 attention the thing that's the most stark and that is at the
10 base of this area chart you will see red and that area of red is
11 very small and the area of blue is quite large.

12
13 This graph depicts the amount of two-plus-year-old fish that are
14 estimated to be in existence relative to the landings of two-
15 plus-old fish in numbers over time and so this was the
16 presentation that was given at the meeting and that's what
17 generated all of the concern.

18
19 So in response to that, the first thing that I would like to do
20 is a second depiction of the data and this is a combination of
21 removals, total removals versus the recreational landings, and
22 these are also of age two-year-old fish and older over time.

23
24 What you will see is that the red is what was depicted in Ms.
25 Thompson's presentation. Again, she was showing the numbers of
26 recreational landings only, but, of course, we know that
27 recreational landings aren't the only removals in the fisheries.
28 We also have removals in the commercial and we have dead
29 discards in bycatch.

30
31 So if you look at this, it's showing just the recreational
32 removals and then it's showing the total removals, so you
33 understand the gap between the two of those. Then if we go to
34 the next slide, what you're seeing is, again, the same slide
35 that shows all of the removals, the recreational, the
36 commercial, the dead discards relative to the total of age-two-
37 plus abundance. Again, the age two-plus abundance is in the
38 blue and the other colors, the green and the red, represent the
39 total removals.

40
41 So you will see that that number is still lower than what you
42 see in the blue, but it's considerably higher than that very
43 thin stripe of red that we saw at the bottom of the original
44 slide and so prior to revising the rebuilding plan, about 25
45 percent of the population abundance, in numbers, was being
46 removed every year.

47
48 Then after the revision of the rebuilding plan and ending

1 overfishing, the number of removals represented around 10 or
2 less than 10 percent of the population being removed each year
3 and so let's go to the next slide.

4
5 This one shifts from presenting the information in numbers to
6 presenting the information in biomass and so what you see here
7 is the red snapper biomass versus the total commercial and
8 recreational landings in biomass and looking at in terms of
9 biomass, you see sort of the black brackets on the left-hand
10 side of the slide.

11
12 Underneath that black bracket, you will see that prior to the
13 revision of the rebuilding plan that somewhere around 25 to 30
14 percent of the population, in terms of biomass, was being
15 removed from the population each year.

16
17 Then to the right of that vertical black line, you will see that
18 after revising that rebuilding plan and ending overfishing that
19 it's around 10 to 15 percent of the population biomass has been
20 removed per year. The thing to note is that the response of the
21 population to those changes in the fisheries management regime
22 is a very stark increase in the population biomass, which is
23 ultimately what we're trying to do. We have ended overfishing
24 and now what we're trying to do is rebuild that biomass so that
25 we're also no longer overfished.

26
27 If we go to the next slide, what we're looking at here is the
28 fraction of fish removed versus the age of two-plus abundance
29 and you see basically two lines that cross one another. The red
30 line is the abundance of two-plus-aged fish and the blue line is
31 the fraction of the fish that are removed and you can see the
32 blue line, the scale for that is over on the right-hand side.
33 We go from that 25 to 30 percent of the fish being removed on an
34 annual basis down to right around 10 or a little less than 10
35 percent being removed and the reaction of the population to that
36 is the red line going up and seeing an increase in the abundance
37 of fishes that are two and older.

38
39 If we go to the next slide, the numbers are small, I know, on
40 the bottom of those columns and what those are, they are the
41 years and these data depict patterns that we're seeing in the
42 years 2000 through 2006 and so it was sort of pre major changes
43 to the plan.

44
45 What you see is indeed we are seeing an increase in the number
46 of two-year-olds in those later years, but, unfortunately, those
47 two-year-olds are not translating to an increase in the number
48 of three-year-old and older going beyond and so basically what

1 we're seeing is those two-year-olds are either dying of natural
2 causes or are being captured by one or another of our fisheries.

3
4 If we go to the next slide, this is the difference between what
5 you are looking at -- That past slide was 2000 to 2006 and this
6 slide is 2007 to 2014, which is a much, much rosier picture and
7 so this is after the modification to the plan, revisions to the
8 rebuilding plan.

9
10 The abundance of your two-plus-year-old red snappers increased
11 from twenty-two million to twenty-nine million fish and the
12 increase of this is obviously -- You can see the number of two-
13 year-olds is stabler going down, but the most notable change in
14 this slide, in contrast to the last one, is the change in the
15 number of three-plus-year-olds. We are seeing gradually more
16 and more of those fish living to three or older going forward.

17
18 If we can go to the next slide, this is just another way of
19 depicting the numbers of fish at age two-plus and so between
20 2000 and 2006, age two and three red snapper accounted for 75
21 percent of the population abundance. I don't want you to get
22 bogged down in all the colors. The main point of this slide is
23 look at the relationship of blue to all the other colors and
24 what that is showing you is the blue are the age two-year-old
25 fish and all the other colors are ages of fish that are older
26 than two.

27
28 What we're seeing is what we want to see, which is a lower
29 proportion of those total fish being two and a higher
30 proportion, progressively, that are older than two. That's a
31 good news picture.

32
33 If we go to the next slide, this is the same type of depiction,
34 but it's showing the numbers of fish at age four and older and
35 so the green area down below are the four-year-olds and the
36 massive numbers of colors above that are five and older. Again,
37 what you're seeing is not much change in the earlier years, but
38 when those regulations went through that were put in place to
39 rebuild this stock, rebuilding is happening. We are seeing a
40 rounding out of the age structure of these fish and this is good
41 news.

42
43 We go to the next slide and it shows the age composition of the
44 stock and the upper panel is the age composition in 2000 and
45 what you will see is the age distribution is heavily skewed to
46 the left side of that graph. It's basically comprised mainly of
47 two-year-olds with a few three to six-year-olds in the family
48 and then as you get out to these older year classes, it's either

1 very nominal numbers of fishes or devoid of representation in
2 those older year classes.

3
4 Then in 2014, sort of the present status, you see a really,
5 really pronounced shift to the right in the contribution of
6 older fish to these numbers, which is very good. Ultimately,
7 our goal, in the lower panel, is the depiction of the age
8 composition we're targeting for in 2032 and that's an even
9 longer stretching out of that age contribution of the older fish
10 in the population and that's the sign, we believe, of a healthy
11 and very sustainable population.

12
13 If we go to the next slide, we can talk about our spawning
14 potential ratio. In 2000 to 2006, we saw basically no change in
15 the SPR of the population. It was rumbling along at a very,
16 very low 4.4 percent and basically that's potentially one
17 disaster away from a very bad and difficult to recover from
18 scenario for this stock.

19
20 It basically represents very low resilience to environmental
21 perturbations and then when you hit 2006, where the rebuilding
22 plan was revised, you are seeing a steady increase to our
23 current state, which is about right around 15 percent. The
24 target that we're aiming for for a fully rebuild stock right now
25 is 26 percent.

26
27 Remember the age composition that I showed you and how back in
28 2000 it was way skewed to the left and so they were really young
29 fish and very few older fish in the population.

30
31 If you go to the next slide, we will talk a little bit about why
32 that matters and so this slide shows egg production of these
33 fish and it's not only just that they're bigger and they are
34 heavier, but the bigger and heavier they are, the more
35 productive they are in terms of egg production and you see some
36 statistics on the top and that is that a five-year-old fish
37 spawns twice as often and produces fifty-eight times more fish
38 than a two-year-old.

39
40 Then to the right, you see another little factoid and that is
41 that a ten-year-old fish spawns 2.5 times as often and almost
42 250 times as many eggs for each of those spawning events as a
43 two-year-old fish does. I think the point of this slide is a
44 fish is not a fish and all these fish are not equal in their
45 contribution to the sustainability and that these older, larger
46 fish are really where your potential and your stability in the
47 population is coming from.

48

1 The last slide here addresses a question that Congressman
2 Southerland put up and it was asking if we could go to a
3 fishery-mortality-driven management regime as opposed to using
4 quotas and the bottom line is that fishing mortality is kind of
5 the root of the management regime right now.

6
7 We are looking at a mortality rate that will produce maximum
8 sustainable yield and then converting that mortality rate into a
9 quota that enables that stock to rebuild and that is the
10 presentation that was provided to the SSC.

11
12 I understand that they had some very lively conversations about
13 the presentation and before I turn the microphone over to Dr.
14 Barbieri to talk a little bit about the SSC's reaction, I just
15 wanted to make sure that we had a time to address any questions
16 that you had on the presentation.

17
18 **MR. GREENE:** Bonnie, thank you for that presentation. Looking
19 at the age composition of stock on that slide, it talks about
20 the 2000 age composition and the 2014 age composition. Well,
21 there was a lot of things changed between the years 2000 and
22 2014 and it shows in this trend.

23
24 What I am concerned about and where I'm trying to go with this
25 is in 2007 and 2008, we had very strict bag limits put in place,
26 as you well know, and the economy suffered and effort offshore
27 went down.

28
29 What I am wondering is being that the fishery has changed as
30 much as it has, where I used to run a lot of long trips and fish
31 in deeper water and catch a lot of those big fish, I am now
32 staying in real close and how is that encompassed in this whole
33 deal?

34
35 **DR. PONWITH:** That's an excellent question and, as you know, we
36 have two main categories of data with lots of subcategories
37 within each of them. One is the fishery-dependent data and
38 those are the data about the fisheries themselves, the
39 recreational fishery, the commercial fishery, the bycatch in
40 each of those, and the bycatch in the shrimp. So we look
41 closely at those as a way to recognize patterns in the way
42 people are fishing and how those may change.

43
44 The second category is the fishery-independent data. Those are
45 the data where we, either on a NOAA ship, chartered ship or
46 cooperative research with the fishing industry, go out and
47 collect data according to a scientific protocol with the
48 objective of depicting the actual status of those fishes in

1 their natural habitats in a way that isn't biased by changes in
2 fishing practices.

3
4 We go out and collect those data the same way every year, so
5 that if there are changes in the stock age structure that we
6 aren't picking up in the commercial and recreational fishery,
7 because of the way they are fishing, we would be able to see
8 that difference in the fishery-independent.

9
10 The way that would look is if the recreational fishery was
11 actually leaving older fish in the water, because they were
12 going back to the same close places, because gas was so high,
13 and fishing on really young fish, what we would see is a stark
14 contrast in the age structure of the fishery-independent
15 relative to the dependent and that would tell us that yes,
16 there's bias in the way the recreational people are fishing and
17 we need to account for that in our status of the stock, so we
18 don't misinterpret that information.

19
20 **MR. PERRET:** Thank you, Bonnie, and just relative to egg
21 production and two-year-old and five-year-old and ten-year-old
22 and so on and so forth and frequency of spawning, what about the
23 viability of the eggs of a ten-year-old versus a two-year-old
24 and that sort of thing? What percentage are viable on these
25 older fish?

26
27 **DR. PONWITH:** So it's not only the raw numbers, but you have hit
28 on a good point and that is the general case, the quality of the
29 eggs in the older fish is higher. They have a higher
30 survivability than in the younger fish and I don't have the
31 statistics off the top of my head. It's actually not -- It's
32 not constrained just to red snapper, but it's a common
33 biological feature of many stocks of fish, is that the younger
34 ones do produce eggs, but the survivability of those into older
35 stages isn't quite as high as the larger fish.

36
37 **MR. ANSON:** Thank you, Dr. Ponwith, for providing the summary
38 and thank you to your staff for putting it together and I think
39 Southeast Regional Office staff also had a hand in it and I
40 appreciate the clarity in the information and I don't see her in
41 the audience, but Ms. Thompson, I appreciate her request in the
42 data, because it does put it in a little bit different light and
43 helps to kind of address these issues or their concerns, but I
44 will have some other comments after Dr. Barbieri speaks to this
45 issue. Thank you.

46
47 **MR. DAVID WALKER:** I am not on your Reef Fish Committee, but I
48 have a question. Bonnie, where you do think that the removal --

1 You talk about the removal rate is just under 10 percent and
2 what do you think is optimum as far as the removal of the
3 abundance, total abundance?
4

5 **DR. PONWITH:** So the removal rate right now is determined by the
6 rebuilding plan and the rebuilding plan has set some goals for
7 where we want to see that stock to be rebuilt to and it is -- I
8 mean if you think about it as a bank account, it's -- By
9 protecting the principle, we are generating more interest and
10 that's kind of the same concept.
11

12 The rebuilding rate we have or the removal rate right now is the
13 rate that is going to generate growth in that biomass that will
14 bring us to the target that we've set as our definition of
15 success in terms of the biomass of this stock and in terms of 10
16 percent, that is not an uncommon removal rate for stocks with
17 this life history.
18

19 If this fish only lived to be ten years old, 10 percent would be
20 a very conservative removal rate, but with an age structure like
21 this fish has, 10 percent is pretty in the ballpark in terms if
22 you look across other rebuilding plans for stocks with a similar
23 life history.
24

25 **MS. LEANN BOSARGE:** I am not on your committee either, but the
26 Slide Number 5 that you had, Bonnie, really stood out to me in
27 the change in the slope of that rebuilding of the stock prior to
28 when we revised the rebuilding plan and then thereafter.
29

30 It's quite a dramatic increase, which is wonderful, and I just
31 wanted to note that there was something else that was
32 implemented right around that timeframe and that was a change in
33 management of the commercial sector of that fishery, which
34 essentially brought half of the red snapper fishery into an
35 accountable fishery. I think that's that probably noted in that
36 slope as well.
37

38 **MR. HARTIG:** Just one thing on the egg production. I would like
39 to see that, if you could, in a future slide for us
40 particularly, is to carry that out into some of the older ages.
41 What happens at twenty and what happens at thirty? I mean I'm
42 sure there is a point of diminishing returns and as your stock
43 reaches some sort of equilibrium, they don't spawn themselves
44 out of existence. There are dispensation that occurs and
45 spawning doesn't go on unabated.
46

47 **DR. PONWITH:** Yes, that is absolutely something that we can talk
48 about. For red snapper, when I talk to the people who are life

1 history experts, getting those fishes twelve and older is a --
2 It's sort of an inflexion point in the gains that you get in
3 terms of egg quality and egg production, but that's absolutely
4 something we can talk about in more detail.

5
6 **CHAIRMAN RIECHERS:** Any other questions? If not, we will move
7 on to Luiz and then after Luiz, just so everyone knows, we're
8 going to take a ten-minute break.

9
10 **SSC COMMENTS**

11
12 **DR. BARBIERI:** Thank you, Mr. Chairman. I don't actually have
13 any slides for this. I mean, basically, Dr. Ponwith has already
14 covered the main components of that presentation and all the
15 discussion points that were revisited during the SSC meeting and
16 so just in terms of giving you a report on how the SSC reacted
17 to this presentation, it was really reinforcement of those
18 principles that Dr. Ponwith mentioned during her presentation.

19
20 Red snapper presents some challenges. It's due to the biology
21 of the species, the life history pattern and the longevity of
22 the species and the need to rebuild the age composition and the
23 fact that when you look at the graph that Ms. Thompson
24 presented, you really have a distorted view of the success of
25 the rebuilding plan and when the plan actually started working
26 towards rebuilding the population.

27
28 There's not much else that I can say, Mr. Chairman, and I am
29 available for questions, but, in general, the SSC was very much
30 in agreement with the content of the presentation and we
31 basically -- We had Ms. Thompson there at the meeting as well
32 and so we tried to use that opportunity to reinforce and revisit
33 some of those biological and population dynamics principles that
34 we wanted to communicate to her.

35
36 **DR. PAMELA DANA:** Thank you, Luiz. I was at that SSC meeting
37 and one of the questions that we had as a council when that
38 presentation or when Melissa Thompson had presented that graph
39 during the public testimony, and then later in full council, we
40 wanted to be assured that Bonnie had the opportunity to review
41 that data and then we wanted also the assurance that the SSC had
42 gotten that same information over time, or even recently, and
43 had the opportunity to evaluate it.

44
45 So I guess my question for you is, in response to our concern,
46 is had the SSC always had this information or that data or was
47 this new data for you and if it was new, then did that change
48 anything?

1
2 **DR. BARBIERI:** No, the information was not new. I mean
3 basically the information that the Center provided to Ms.
4 Thompson is either inputs or outputs of the stock assessment
5 that several of us have participated in during this last
6 benchmark assessment and then the SSC reviews the entire
7 assessment document and so we were aware of this.
8
9 I think the difference is that the SSC is a dedicated body of
10 people to look into the weeds and to go into that level of
11 detail. It's more likely for us to be aware of those technical
12 details and it was, to some extent, understandable that Ms.
13 Thompson, with all the best intentions, really didn't have the
14 right perspective, given the fact that she's not a scientist
15 trained to look into those issues.
16
17 To the SSC, that presentation was sort of obvious, in a way,
18 because those are the principles that we already work with and
19 are familiar with and so the data we are already familiar with
20 and the principles as well and so it wasn't anything new.
21
22 **MR. ANSON:** Thank you, Dr. Barbieri. One point, I guess, Ryan,
23 relative to making any changes to the terms of reference on the
24 red snapper update, is that possible at this point in time?
25
26 **MR. RYAN RINDONE:** No, sir, it's not. Those have already been
27 approved and it's underway.
28
29 **MR. ANSON:** All right. Thank you. Dr. Barbieri, Dr. Ponwith
30 had talked about sort of the bank account terminology, I guess,
31 and looking at your bank account and you have a goal of X number
32 of dollars and you're down here and so, over time, your
33 contributions, whether it be through interests or deposits or
34 whatever, will affect the rate at which you reach your final
35 endpoint, your goal.
36
37 Some of the information that was presented here talked about SPR
38 and showed SPR on that trend line and when the new management
39 took effect in 2007, it really tightened up on the harvests and
40 here lately, as we've set buffers, it could provide even more
41 benefits as far as the stock and improvements in reaching that
42 final goal, but we've seen, in the last four to five years, I
43 mean the SPR has almost doubled relative to what it was in 2007
44 and so in terms of that bank account status, where we have the
45 end goal of 2032 currently pegged, and there was some discussion
46 at the last meeting with Dr. Patterson about whether it could be
47 termed as rebuilt now and he said maybe, but not --
48 Statistically, maybe, on one hand you could, but not in reality.

1
2 I mean could we -- Is the SSC at a point where there is some
3 more confidence in looking at the SPR issue? The council had
4 asked you all to look at it a year or so ago, a year or two ago,
5 and there wasn't, but, again, we get more data as we go through
6 time and more information about the stock and such and so what
7 I'm thinking is that, based on looking at where we've been here
8 in the last four to five years, considering that management
9 would probably continue on that same track -- Again, we have
10 buffers in place now and so that trajectory will put us hitting
11 the target well before 2032 and SPR, setting that SPR, kind of
12 defines how much we take out or we can take away from the
13 account.

14
15 Can we come off of 26 a little bit during the next assessment
16 and talk about that, do you think? Do you think there's some
17 room in there, from your perspective? I know you can't speak
18 for the SSC, but is that something that, based on this
19 information and everything and where the stock is, that that
20 could be readdressed?

21
22 **DR. BARBIERI:** Well, I mean the SSC has provided some official
23 recommendation to the council on that topic and it has to do
24 with the biology of red snapper and it's one thing that is
25 troubling, really, to speak about this from a scientific
26 perspective, because we are really not focused on the outcome,
27 how much fish are we going to get or whether -- There are
28 problems, management problems, now that need to be resolved.

29
30 I mean we apply to red snapper the same scientific principles
31 that we apply across the board, from Spanish mackerel and cobia,
32 which are shorter lived and have a higher turnover rate and
33 shorter generation times, to something like red snapper or some
34 of the deepwater groupers.

35
36 The principles are the same and therein lies the problem with
37 red snapper. It's a species that has a fairly high
38 catchability. They bite the hook really well and therefore, you
39 get a hyper stable type of index of abundance. At the same
40 time, they are -- When you look at their whole evolutionary
41 history, there is a reason why the species was selected over
42 evolutionary time to have fifty years out there of spawning
43 biomass.

44
45 It's not that really -- We are trying to rebuild the age
46 composition to the virgin stock, but we know, we expect, that
47 stock is going to be juvenessed, to some extent, due to fishing,
48 but there is a biological reason to have a number of age classes

1 out there and that's what is going to provide you with the most
2 resilient type of population structure for a fishery that's
3 sustainable over time and economically stable.

4
5 So this is just my general introduction to say that that
6 discussion between 20 and 26 percent is really a matter of
7 short-term versus long-term stability and I don't intend to step
8 into your shoes and provide management advice. From our
9 perspective, it's for a species that lives that long and has
10 that many age classes into the reproductive life span, something
11 less than 26 is really too little to prevent you from having
12 high variability in year class.

13
14 Now, in the short term, given the fact that the population is
15 rebuilding, if you want to assume that risk and use a lower bar
16 there in terms of a reference point, I mean that's possible and
17 I don't think there would be any short-term major issue that
18 would impact that population.

19
20 I don't know if I addressed your question exactly on that point
21 that you were asking, but you know looking at the reference
22 points, 20 versus 26, it's really a matter of the biology of the
23 species and the global principles on fish population dynamics
24 and fisheries management and, two, short-term versus long-term
25 stability of the fishery.

26
27 **MR. ANSON:** Thank you. You did and I think this will just be
28 something that we'll address in the future, as we get to the
29 next assessment for this species. Thank you.

30
31 **DR. STUNZ:** I am not on the committee, but, Luiz, I've sort of
32 got a question for you. When you look at the data like that was
33 presented kind of in a new light, from someone that's not an
34 assessment type, and it kind of makes me wonder, are we just --
35 Are we missing something?

36
37 You know a lot of the discussions that I've had with you and the
38 SSC, there is not a clear relationship between the stock recruit
39 relationship and that's kind of something we've talked about a
40 lot.

41
42 So then I begin to wonder, when I look at filling out these age
43 classes, and in one of the graphs, we're lumping ten-plus
44 together and so saying that there's not a big difference between
45 a fifty-year-old fish or a ten-year-old fish, sort of. In other
46 words, how important is it to fill out all those other age
47 classes? That's part of my question.

48

1 Then another question that I get a lot, which I can't seem to
2 provide a good answer, is just the sheer abundance of two-year-
3 old fish, and I know the egg quality and production, but how are
4 -- Can they just overwhelm the production of these bigger fish
5 and so, in other words, it's still a net positive benefit?
6

7 **DR. BARBIERI:** Well, the short answer is no, they cannot and not
8 to toot my own horn, but I have a couple of papers and I will
9 send you reprints of those. One is application of an individual
10 base model that looked at that exact question.
11

12 If you look at the difference in age composition and you
13 integrate into that the lifetime egg production of species, what
14 kind of age structure brings you the stability -- This is for a
15 Mid-Atlantic species that I worked a long time ago, in my
16 previous life, but that model really explores that principle of
17 if we have a whole lot of two-year-olds, does that compensate,
18 because of the sheer numbers, for the older ones?
19

20 The answer there, and that has been demonstrated in a number of
21 other papers, is that no, it doesn't, and the reason for that is
22 that invariably, when you think about fish swimming out there,
23 you are looking, and I used that example during the SSC to
24 explain to Ms. Thompson, you are looking at like dollar bills
25 out there of different denominations.
26

27 The number of bills is important, of course, but one one-
28 hundred-dollar bill is worth a hundred times that one-dollar
29 bill and so when we look at numbers only, we are missing the
30 qualitative component of why the population over evolutionary
31 time has been selected.
32

33 I mean if we just look at the biology of the species, we have
34 species that live to be five and some live to be ten and some
35 live to be thirty. There is a reason why red snapper live to be
36 over fifty and so do we need to rebuild the age composition to
37 that version stock age structure? No. The stock is going to be
38 juvenessed, but there is a balance there of how much of those
39 older classes you have there versus the younger ones.
40

41 In terms of SPR, and this was last year, I published with
42 colleagues at the Institute another paper and I will send you a
43 PDF as well that applies a general additive model and then we
44 applied an age-structured model to look at the contributions of
45 different age classes, from a reproductive stance, into that
46 estimation of SPR.
47

48 The paper actually explicitly provides a measure of how much the

1 juvenescence of the stock impacts your estimates of SPR and so
2 we don't have that work done explicitly for red snapper, but if
3 we look at the general global literature and some examples here
4 in U.S. fisheries that we have had a chance to work specifically
5 on, the answer is some balance of those older fish, to some
6 extent, is definitely needed to provide the level of population
7 stability that is needed.

8
9 **MR. JOHNNY GREENE:** Dr. Barbieri, in a long-lived fish like red
10 snapper or any other type of fish that you know of, and I guess
11 I'm just an ignorant boat captain in the room here, but when I
12 look at 2010 in the SPR scale to 2014, we basically have doubled
13 the SPR in five years and is that uncommon? Am I missing
14 something here? It seems like what's the risk? If in five
15 years we can double it, am I missing something? Maybe we need
16 to talk afterwards, but I just don't see the -- Kind of
17 following on what Kevin was talking about, it seems like there
18 is something there to be accounted for.

19
20 Obviously we reduced effort and everything else after catching a
21 whole bunch of two-year-olds for a long time and now all of a
22 sudden we've doubled it and I'm a little lost with that.

23
24 **DR. BARBIERI:** I am sorry, Mr. Greene, but I missed the
25 question.

26
27 **MR. GREENE:** Is it uncommon for a long-lived fish like red
28 snapper to double the SPR in five years?

29
30 **DR. BARBIERI:** I don't think I can answer that question, because
31 it really depends on what the management strategy is. I mean in
32 this case, it's like a response of what the rebuilding plan was
33 explicitly set up to do and so it's one of those things. I mean
34 you build a rebuilding plan that has an expected progression and
35 productivity of red snapper has been good enough that actually
36 it seems to be moving forward ahead of schedule and rebuilding
37 faster than we had originally intended and so all of this is
38 good news.

39
40 So, again, when you look at fish population dynamics, you have
41 to think about short-term dynamic processes in the population
42 versus long-term population build-up and long-term stability.
43 It's kind of like when you talk about the stock market and if we
44 talk daily or weekly or annually, it could have ups and downs
45 that are very difficult to explain, but when you look over your
46 entire retirement fund period of twenty to thirty years, you
47 have a positive rebuilding of that principle and you have
48 collection of a lot more interest over time.

1
2 Balancing that long-term perspective with the short-term
3 dynamics is going to be difficult, but that's really the
4 principle behind it.

5
6 **CHAIRMAN RIECHERS:** I think I have three folks on the list now
7 and then I think if we reach that point, we're going to take a
8 quick break.

9
10 **DR. STUNZ:** Luiz, I just have a quick follow-up and I know we're
11 going on here, but what I'm wondering about the Mid-Atlantic
12 studies you were saying and the strength of those stock-recruit
13 relationships and so, in other words, how confident are we,
14 given that there's no that strong relationship here and maybe
15 we're missing something on the productivity of red snapper, that
16 as we rebuild this many decades down the line, are we still
17 going to get that spawning rate of return that we wanted in
18 terms of recruitment? I don't know the answer to that, but I am
19 just wondering.

20
21 **DR. BARBIERI:** No and there is no guarantee. I mean basically,
22 we're just looking at Mother Nature and saying, okay, instead of
23 us trying to -- You think about a completely unfished
24 population, a virgin population out there, that's responding to
25 natural mortality only and the fish live to be fifty and there
26 is a reason why that many age classes were selected over
27 evolutionary time to be there.

28
29 Now, add to that the impact of fishing mortality and removals
30 and now we are saying that we need to have a lot less of the age
31 composition and to me, that's really nonsensical, because
32 there's a biological principle here in terms of production,
33 replacement, and removals that needs to be stabilized and
34 brought up. To me, how many age classes we need out there, it's
35 arguable and I don't know that answer, but in this case, it's
36 not necessarily a matter of -- The stock recruitment
37 relationship is not about quantity, but it's about quality and
38 stability over time. Then we can discuss this some off --

39
40 **DR. PONWITH:** Just a couple of points on a point Dr. Stunz
41 brought up, the question about the ten-plus, and inferred from
42 that that we were treating everything that was ten and older
43 sort of equivalently and in fact, that's kind of a convention
44 for depicting the age class series of these longer-lived
45 species.

46
47 If you put fifty-four columns on the graph, the graph gets
48 really long and skinny and it gets really hard to read and

1 because a lot of the action is happening right now on the left-
2 hand side of that graph, we show the graph so that the left-hand
3 side of the graph is big enough to see and then just bin
4 everything that's older than that into a bin.

5
6 The reason is even in a perfectly healthy stock, with the exact
7 age contribution, the numbers of animals you see in those
8 progressively older bins get smaller and smaller and so that's
9 just a convention of the graphing as opposed to inferring sort
10 of a value of a thirty-year-old fish relative to a ten-year-old
11 fish.

12
13 In terms of is it common to rebuild an SPR to see that sharp of
14 an increase in such a short amount of time, a lot of people have
15 asked, gosh, you know back when the SPR was around five, how
16 could we even have a fishery? How could it sustain that?

17
18 The answer is one of the interesting things about the way red
19 snapper behave is that they aren't a steady-as-you-go kind of
20 fish. They have years where they just don't produce that many
21 young and they have years where everything falls into place and
22 you get these really strong year classes.

23
24 I bet you could count on both hands the times you've heard this
25 from the stock assessment scientists, is we have a really strong
26 year class this year and that's why you're seeing these unusual
27 patterns.

28
29 Well, the trick is that the way we were fishing that fishery is
30 a year class, a very strong year class, would come and we would
31 ride that year class, basically fish very heavily on that, until
32 ultimately it was trimmed off and then we're back to that kind
33 of plodding along low level of fishing.

34
35 Well, in our rebuilding, those really, really strong year
36 classes, instead of getting cropped off, they are living. Those
37 huge pulses of fish are living to reproduce and create, if
38 conditions allow it, large pulses and so, in that scenario, you
39 wouldn't be surprised by sharp increases in the SPR, basically
40 achieving your goals to the rebuilding.

41
42 You can still have year class failures in a large population,
43 just like you can in a small population, but it's just that if
44 you have a year class failure in a population with lots of age
45 classes, that population is resilient to surviving that a little
46 more than a population that's been trimmed down to a very low
47 level.

48

1 **CHAIRMAN RIECHERS:** With that, Mr. Anson. Mr. Anson passes. We
2 will take a ten-minute break, getting us back here at about
3 10:45.

4
5 (Whereupon, a brief recess was taken.)
6

7 **CHAIRMAN RIECHERS:** I am going to ask you to take your seats
8 again or if you want to continue that conversation you are
9 having, could you maybe take it outside, please? For those who
10 are trying to keep up with tabs, and certainly we always have
11 lots of them in the B tab, but we are on -- I think we're moving
12 next to a discussion of Amendment 39 and Dr. Lasseter is going
13 to walk us through that and that will be included in Tabs B,
14 Number 5(a) and (b).
15

16 **DR. LASSETER:** Shall I begin or should I give everybody a couple
17 of minutes?
18

19 **CHAIRMAN RIECHERS:** Let me make sure I have a quorum around the
20 table and if we have a quorum, we will begin. We've got Florida
21 and we've got Louisiana and Mississippi and we've got Dr.
22 Crabtree and myself and let's go ahead and start and, again,
23 we'll ask if you're going to continue your conversation to move
24 it outside and we're going to start back up again. Thank you.
25

26 **DISCUSSION OF AMENDMENT 39 - RED SNAPPER REGIONAL MANAGEMENT**
27

28 **DR. LASSETER:** Thank you, Mr. Chair. As Robin just mentioned,
29 this is Reef Fish Amendment 39, Regional Management of
30 Recreational Red Snapper, and the presentation that will be up
31 includes all of the alternatives and actions and so we can just
32 use that, but the other tab number is for the entire document.
33

34 I see the presentation is coming up and the top of this slide
35 should say "Amendment History" and because we haven't looked at
36 this document since February, I wanted to go ahead and do a
37 little recap.
38

39 The idea of regional management was first discussed at an AP
40 meeting back in October of 2008. In August of 2012, the council
41 requested that staff go ahead and begin developing the scoping
42 document and we held the scoping workshops in January of 2013
43 and public hearings in August of 2013 and then we had the
44 document on the agenda for final action until February of 2014,
45 when the committee advised postponement of the document and put
46 off further work on it until the allocation decision for Action
47 3 was made and so we will need to discuss a potential timeline.
48

1 I think we should probably come back to this, but I will point
2 out, to go forward on this, the DEIS has not been filed and so
3 this will not be able to be in place for next year, but we could
4 talk about having this in place for 2016.

5
6 Again, the top of the slide should say "Purpose and Need" and
7 this is taken straight from the document and it addresses
8 flexibility in the management of the red snapper recreational
9 component by reorganizing the federal fishery management
10 strategy and it's referencing the different actions in the
11 document.

12
13 The purpose and need will need to be updated, as it includes the
14 phrase "developing AMs for recreational overages" and since we
15 have last looked at this, we have had the framework action go
16 final with the recreational accountability measures and so we
17 will have to update the purpose and need to reflect region-
18 specific accountability measures.

19
20 These are the actions in the document, just an overview of the
21 whole document again. Action 1 looks at the structure, the
22 structure of the program, and we had two alternatives in there,
23 the council implemented or delegation. Action 2 is defining the
24 regions. Action 3 is apportioning the quota and both the red
25 highlighted actions are ones where we're going to have to update
26 the no action as well.

27
28 Action 4 are the management measures to delegate and this action
29 pertains to delegation only and Action 5 is addressing what is
30 the 30B, what we call the 30B permit provision. Action 6 are
31 accountability measures and Action 7 would be the default
32 regulations put in place, applied, should a region opt out or
33 have its delegation suspended. Again, that one also is for
34 delegation only.

35
36 Action 1 is regional management and so our no action alternative
37 was to retain the current federal regulations for red snapper
38 Gulf-wide. Your current preferred alternative is to establish a
39 regional management program that delegates authority to a state
40 or states to establish their management measures and there are
41 some options underneath that which we'll come to on the next
42 slide. We will come back to that.

43
44 Then, finally, you have Alternative 3, which would --
45 Technically the council has the authority to go ahead and do
46 this now, but if you selected Alternative 3, this would indicate
47 the council's intent to pursue regional management and I believe
48 I want to stop here for a moment and see if -- Dr. Crabtree and

1 I spoke earlier about the summer flounder option and could you
2 discuss that potential additional alternative?

3
4 **DR. CRABTREE:** Well, it would be some sort of variant, I guess,
5 on Alternative 3, but I know there have been concerns about the
6 delegation path and I know that there was a letter about the
7 requirement for a super majority and those types of things, but
8 there are ways and there are precedents for getting to some type
9 of regional management without delegation and set up processes
10 that allow states to regulate the fisheries in their waters.

11
12 It may be more complicated to go that way, but it can be done
13 and there are precedents in the Mid-Atlantic area with summer
14 flounder and I think with a couple of other species, in fact,
15 but most notably summer flounder.

16
17 I think what you need to do at this meeting, because this has
18 been, and I don't think we've talked about this since February
19 or so, is decide are we going to continue working on this and
20 which direction do you sort of want to go to do it, but any way
21 you go with this and any variant of it still has what's been the
22 most difficult issue to decide, which is how are you going to
23 allocate fish?

24
25 But there that path that models after summer flounder that does
26 not involve delegation and so it only involves a majority vote
27 on the council to get to that and I think we could expand that
28 Alternative 3 or potentially add another alternative to it to
29 look at how that might work.

30
31 **DR. LASSETER:** Thank you and I will also add that we had
32 originally explored the idea of summer flounder. The IPT was
33 looking at that and a key distinction between their region and
34 ours is that their commission is managing or has the regulatory
35 authority, whereas the Gulf States Commission does not have that
36 comparable authority.

37
38 So it would be a modification of how they do it and try to -- We
39 would have to create different actions to work that form of
40 management into it, but we could address that if the council is
41 interested in pursuing this.

42
43 **CHAIRMAN RIECHERS:** I think we have two questions over there
44 from Myron and then Mr. Pearce.

45
46 **MR. MYRON FISCHER:** Ava, you want to go through this document
47 first and then we will come back and see what modifications we
48 want to make and would that be correct? Okay.

1
2 **MR. PEARCE:** My comments is some of the same. I want to know
3 where we put that extra alternative. Is it in Action 1 or 2 or
4 3 or 4? I am looking for some guidance, because I like the
5 alternative that you just talked about, Roy.
6

7 **CHAIRMAN RIECHERS:** Let's get Martha's question and then I think
8 we'll figure -- If you are through, Harlon. Let's get Martha's
9 question and make sure we are through there and then we'll try
10 to figure out procedurally the best way for us to march ahead
11 here.
12

13 **MS. MARTHA BADEMAN:** I guess I will hold off until we actually
14 get to modifying this.
15

16 **CHAIRMAN RIECHERS:** Unless the committee objects, I think maybe,
17 since this is -- We have brought this up and we haven't talked
18 about it in a little bit and we will walk through the whole
19 presentation and then we may want to pivot to the document, so
20 that people can see the alternatives as they are expressed in
21 the document and then have that further discussion about how we
22 might add that.
23

24 **DR. LASSETER:** Very good. Thank you, Mr. Chairman. We put
25 together this slide and this is comparing the preferred
26 alternative to the delegation option and Alternative 3, council
27 implemented, in terms of the actions and what would have to be
28 updated if the council did change its preferred alternative and,
29 of course, if we selected a new alternative to model the summer
30 flounder program and did not work it into Alternative 3, there
31 would be a different effect on the different actions as well.
32

33 I will skip this one too and come back, but basically it just
34 compares what effect would -- The work that staff is going to
35 need to do to modify the document if you select a different
36 preferred alternative.
37

38 This is the slide that shows the sunset options under Action 1
39 and so your current preferred alternative is Alternative 2 and
40 Preferred Option a, which would allow delegation to sunset after
41 five years. This is the same table from the document that just
42 shows if the council later wanted to modify and/or continue on
43 with delegation, whether or not the sunset option is in place,
44 what would be required.
45

46 Action 2 is -- If you are using your document, it starts on page
47 14 and the alternatives are provided here. Action 2 is to
48 establish the regions and your current preferred alternative is

1 3, establish the five regions representing each Gulf state.

2
3 Action 3 is apportion the quota among the regions and this is
4 the action that we do not have a preferred alternative for yet
5 and I have highlighted in red the no action.

6
7 Since you have looked at this document, we will need to update
8 the alternatives and options through 2013, including the
9 landings. In February of 2014, this alternative was just to
10 retain a Gulf-wide recreational quota. Since we now have the
11 ACT in place, the new Alternative 1 will reflect that there is a
12 buffer in place and so that's something to keep in mind as well.

13
14 Going back to the alternatives, you have Alternative 2, provide
15 several different year ranges to base the allocation on.
16 Alternative 3 provides you two years that you may wish to
17 exclude from those historical landing averages for the time
18 series and Alternative 4 -- Since the February meeting, I
19 believe we've even consulted with the Science Center since in
20 trying to establish if it's possible to create two separate ABCs
21 for the eastern and western Gulf and we have not had a
22 successful answer on that.

23
24 Finally, Alternative 5 is one of our council Boyle laws, which
25 is basing the allocation half on the longest time series and
26 half from a more recent time series and excluding the year of
27 the oil spill. May I turn this over to the council and see if
28 there is any discussion on apportioning the quota?

29
30 **CHAIRMAN RIECHERS:** I think what we're going to do is walk on
31 through the presentation and then we'll just -- I think we need
32 to pivot back to the document after that. I appreciate -- I
33 mean what you're doing is giving us the high level and then we
34 will come back and then see if there's changes that people --
35 Any changes anyone would want to make or that.

36
37 **DR. LASSETER:** Thank you and you just told me that and I forgot.
38 Okay and so moving on to Action 4, these are the management
39 measures that the council had selected preferred alternatives
40 for what the states could modify at the regional level.

41
42 This action does only apply if delegation remains the preferred
43 alternative, because if you selected the council-implemented
44 form of regional management, the council would be making these
45 decisions in a separate action and currently, all but the no
46 action, Alternative 1, are selected as preferred.

47
48 Action 5 is the for-hire permit provision and your current

1 preferred alternative is Preferred Alternative 2, to exclude the
2 provision requiring that vessels with the charter headboat reef
3 fish permit to comply with the more restrictive federal
4 regulations when fishing in state waters.

5
6 Action 6 are the post-season accountability measures adjusting
7 for regional overages and so if there are five regions with five
8 allocations, this addresses what to do when the quota -- If the
9 quota should be met or exceeded, how to handle the overage.

10
11 Alternative 1, again in red, is going to have to be updated to
12 reflect that we now have an overage adjustment that will be
13 implemented shortly. You took final action at the last meeting
14 and so your current Preferred Alternative 3 is if a region
15 exceeds the apportioned regional quota, then NMFS will reduce
16 the regional quota in the following year by the amount of the
17 regional quota overage in the prior fishing year.

18
19 Now our Alternative 1, no action, is that the whole -- 100
20 percent of the overage will be taken off of the following year's
21 quota and that was your preferred alternative in the framework
22 action. We're going to have to modify that Alternative 1 and
23 adjust the alternatives. The general sense will be whether or
24 not to apply the overage Gulf-wide or regionally specific.

25
26 There is also options that may be selected alongside
27 Alternatives 2 through 4 and your current preferred is Option b,
28 to apply the quota adjustment beginning two years after the
29 implementation of the plan. We would need to go back and rework
30 this one as well, because that is not in line with the
31 recreational AM framework action.

32
33 So here is Action 6, again. The adjustment, I wanted to point
34 out, only applies if the recreational red snapper quota is
35 exceeded and so there would be no post-season AM should the
36 quota not be met and so there would be no overage adjustment
37 unless the quota is exceeded.

38
39 We also will need to update the alternatives to reflect these
40 new AMs, as I have mentioned, and there I have provided the
41 language of what the new updated Alternative 1 would look like.
42 Also -- This is actually in an earlier part of the document and
43 the state boundaries that you have, in a previous meeting,
44 agreed on that would extend into federal waters for the purpose
45 of having regional accountability measures apply.

46
47 Finally, Action 7 are the default regulations and, again, this
48 is the other action, along with Action 4, that only applies if

1 delegation remains your preferred alternative. We would need to
2 modify or add additional action if you select the Alternative 3,
3 council-implemented regional management, or if we go towards the
4 summer flounder model. That is the end of the document and I
5 will turn it back over to Mr. Chair.

6
7 **CHAIRMAN RIECHERS:** Now I would say that we, just that you've
8 given that high-level overview with those provisions and
9 indicated some of which may have to change, based on either past
10 actions or just a desire to change them if we go with the summer
11 flounder model.

12
13 I would suggest we go to page -- It's actually page 11 where we
14 start action items, management alternatives, and then, that way,
15 we can walk through each set of management alternatives, Ava,
16 and see if someone has something they would like to do to any of
17 those.

18
19 **DR. LASSETER:** Yes and thank you, Mr. Chair. Charlotte, could
20 you put the document up?

21
22 **CHAIRMAN RIECHERS:** Certainly any questions of Ava, based on the
23 presentation, before we get into this, I will entertain any, if
24 anyone has any, before we get into the actual document and as
25 we're waiting to get the document up.

26
27 **MS. BADEMAN:** Just so that we're thinking about this as we're
28 going through the document, Ava, you had a lot of changes that
29 were suggested or changes that we have to make and are you
30 looking for motions for those kinds of things or are you ready
31 to make those changes, based on what happens? Are you in the
32 process of making those changes now?

33
34 **DR. LASSETER:** Most of them we can do on our own and the only
35 changes we would really need to discuss will be the Action 3 and
36 Action 6, the accountability measures, and then also we will
37 need to discuss if you are interested in exploring the summer
38 flounder. Primarily, we will modify the purpose and need to
39 reflect that part. We will update all of the landings going
40 through 2013 and so we don't need motions for that part.

41
42 **CHAIRMAN RIECHERS:** Okay. We now have it up on the board and so
43 the first alternative there -- Mr. Fischer.

44
45 **MR. FISCHER:** Are you looking at this time for members to submit
46 motions for Action 1?

47
48 **CHAIRMAN RIECHERS:** Yes, I think we just now went to the

1 document to make sure that we can see the full suite of options
2 or alternatives in each action and if there are any changes that
3 anyone would want to make, this would be the time, yes.

4
5 **MR. FISCHER:** Okay and I do have a motion prepared, of course
6 with assistance from staff, based on some of Roy's comments, and
7 this is new water. We are definitely starting to walk across
8 the ice right here and I don't know if staff has it prepared to
9 go on the board.

10
11 **The motion would be in Action 1 to add an Alternative 4 which**
12 **would establish a regional management program in which regions**
13 **submit proposals to NMFS describing the conservation equivalent**
14 **measures each region will adopt for the management of its**
15 **portion of the red snapper quota.**

16
17 I just want to make certain that this would follow along -- I
18 think we are having difficulty at the keyboard, but if this
19 would open the document up to where staff could get some of this
20 summer flounder equivalency language in and proceed from that
21 point.

22
23 **MR. PEARCE:** If you need a second, I will second it.

24
25 **MR. FISCHER:** Just to pause while we get it up on the board,
26 asking Ava and asking staff if this gets us in this direction
27 and I believe that was a lot of our original intent a couple of
28 years ago, because this -- Five years ago, this was modeled off
29 of summer flounder and I am just trying to take it from a
30 commission, such as the Atlantic Commission, to a council, the
31 Gulf Council, and trying to figure the differences.

32
33 **CHAIRMAN RIECHERS:** Could you read the motion again, Myron? I'm
34 sorry.

35
36 **MR. FISCHER:** In Action 1 to add an Alternative 4 which would be
37 to establish a regional management program in which regions
38 submit proposals to National Marine Fisheries Service describing
39 the conservation equivalent measures each region will adopt for
40 the management of its portion of the red snapper quota.

41
42 **CHAIRMAN RIECHERS:** Myron, let's go back to the top and go very
43 slow, please. Sorry.

44
45 **MR. FISCHER:** I am sorry too, but they might be able to cut and
46 paste it off the email.

47
48 **DR. CARRIE SIMMONS:** Okay and she can't get to her email.

1 That's the problem. I am sorry.
2
3 **MR. FISCHER:** Okay and so will --
4
5 **CHAIRMAN RIECHERS:** Myron, if you can double check that and make
6 sure it reads as you have tried to word it there.
7
8 **MR. FISCHER:** My change would be, after "measures" that "each
9 region" and not "the regions", but I think that's just grammar.
10 Moe would be proud of me, but each region. It would be "each
11 region".
12
13 **CHAIRMAN RIECHERS:** Yes, he would be proud of you. Any other --
14 Is there a second to the motion? Mr. Pearce seconds and Mr.
15 Perret had a question and Ms. Bademan had a question.
16
17 **MR. PERRET:** Myron, I may be the only one in this room, but what
18 does "conservation equivalent measures" mean?
19
20 **MR. FISCHER:** In summer flounder, and Roy could probably weigh
21 in on this, but in summer flounder, it was not only the gross
22 weight of the fish, but it had to do with the age class, if
23 different states had different size limits.
24
25 I think if we went to a unified size limit that we would still
26 have flexibility in seasons, but it may constrict a lot of the
27 discussion and calculations that would have to be gathered, but
28 it had to do with an agreed-to season based on the individual
29 parameters of season length, opening season, whether before or
30 after spawning, and size limits.
31
32 **CHAIRMAN RIECHERS:** I had Martha next, but you've got a response
33 to this? Go ahead, Roy.
34
35 **DR. CRABTREE:** Sort of the way it works with summer flounder is
36 there's a whole process set out and if this is how you want to
37 go, there will have to be a whole series of actions set up to
38 lay out the process, but essentially the states -- States can
39 combine to form a bigger region, but they, at some preset time
40 of the year, submit a plan for their proposed regulations for
41 the recreational fishery to NMFS and it goes through various
42 committees and things.
43
44 We could have it reviewed by the SSC or whatever, but at the end
45 of the day, the Fisheries Service certifies that their plan will
46 achieve the same constraint on harvest that the default season -
47 - For example, last year we had a nine-day federal season and so
48 I guess you could think of that as the default season.

1
2 Then a state -- We would have allocations and each state would
3 get a number of pounds and then the state would go in and do an
4 analysis and decide, okay, our season will be this long and our
5 bag limit will be that and here's our analysis that shows how
6 that will keep us within our allocation.

7
8 The Fisheries Service certifies all of those and then the
9 recreational vessels that are fishing are exempted from the
10 default federal regulations and are subject to the regulations
11 in the state where they are landing in, but there is a whole lot
12 of details in there that aren't in this document now, because we
13 chose the preferred of delegation and so it went down that
14 approach.

15
16 Now, if we're going to go down this approach, it will be a whole
17 series of actions that will have to come in there or some way to
18 structure the document that will flesh that out, but that's
19 essentially what the concept of conservation equivalency boils
20 down to, I think.

21
22 **CHAIRMAN RIECHERS:** I have Mr. Perret trying to follow up here,
23 Martha, and I will get to you next.

24
25 **MR. PERRET:** So basically each region would have to submit its
26 plan for opening and closing date of season and bag limit and
27 size limit and that sort of thing? Management measures by
28 region.

29
30 **DR. CRABTREE:** Yes and I think you as a council would have to
31 decide -- I mean Myron talked about the size limit and that does
32 complicate a lot of things, but you would have to decide what
33 things can the state propose, but essentially, yes, it would be
34 our season will start on this date and end on this date and this
35 will be our bag limit.

36
37 **CHAIRMAN RIECHERS:** I am going to let Martha go, because she was
38 there first, but I just saw hands from Kevin, Ava, and Harlon.
39 Did I get them all? Okay, Martha.

40
41 **MS. BADEMAN:** So my question about this is whether we're talking
42 EEZ regions or if this is EEZ and state waters? I mean in the
43 Atlantic States, it's a different ballgame, because Atlantic
44 States is a state waters thing, but I am trying to figure out
45 how this is going to work.

46
47 **DR. CRABTREE:** So we don't have all the tools that they have in
48 the Mid-Atlantic, but then they're dealing with a fishery that's

1 largely coastal, to some extent, unlike red snapper, but I think
2 when the state came in with their plan, it would be the plan
3 that would apply to all of the recreational vessels landing in
4 that state, regardless of whether they were fishing in the EEZ
5 or in state waters. In that sense, it encompasses the whole
6 thing.

7
8 The bigger complexity of this becomes what if a state decides
9 that they're not going to submit a conservation equivalency plan
10 or what if their conservation equivalency plan is rejected and
11 so I guess then they fish under some default federal season that
12 would apply to the vessels landing in that state, but you're
13 going to have to figure out what if that state then is going to
14 harvest way in excess of their allocation, because of what
15 they're doing. That would then have to come off the top of
16 everybody else's catches.

17
18 In the ASMFC, if a state did that, I think they have the
19 authority to shut down state waters, but we don't have that
20 authority with the Gulf States Commission and so presumably that
21 makes it more complicated and with some problems and hurdles to
22 overcome that they probably don't have.

23
24 **CHAIRMAN RIECHERS:** Just before I hit the other people who have
25 comments here, let's do remember that some of those provisions
26 that we've talked about here are in other actions, such as the
27 default regulations if a state was -- I mean I think they could
28 be woven in here, because they are already in here for those
29 kinds of circumstances, but with that, I turn to Kevin next.

30
31 **MR. ANSON:** I have two questions or a clarification. Going back
32 to the process, Dr. Crabtree, you were talking about and so what
33 I am taking from your discussion is that the more complex a
34 state or region may have in their plan regarding size limits,
35 bag limits, changes to what has historically been happening in
36 that state, the more potential there is for double checking the
37 numbers and having some discussion about that relative to
38 meeting the conservation goals. That could lengthen the time,
39 if will, from when they submit to when it gets approved. That's
40 my first question and is that how you see that?

41
42 **DR. CRABTREE:** Well, I think we have to set up some pretty hard
43 deadlines. States must submit their plan by such and such a
44 date and then this is how the process worked and the decision is
45 made. I think the Fisheries Service would have to probably go
46 through a rulemaking as a part of that and so we would have to
47 lay all of that out.

48

1 I mean I think you're right if a state went way outside of
2 anything that's been done in recent years that it would be
3 difficult to know how to estimate the catches and then you are
4 going to get into discussions about how much precautionary and
5 buffers and all those kinds of things, but I don't know how to
6 respond to that exactly right now, but it's just part of a lot
7 of work that will have to go into figuring all that out.

8
9 **MR. ANSON:** Then my second question is do you know, Dr.
10 Crabtree, how the summer flounder works on the Atlantic -- I
11 know you said that the Commission has the authority to shut the
12 waters down and so do they have any other triggers or buffers or
13 such for paybacks? I am just trying to think, complexity-wise,
14 if that's a good example that people could refer to or if there
15 are still some things in there that don't match up to what we've
16 discussed here in the document relative to paybacks Gulf-wide
17 that may apply to regions and such.

18
19 **DR. CRABTREE:** Well, I am fuzzy on the details of this, because
20 I haven't looked at all this in quite a while, but I think they
21 have a board, an ASMFC board, and they can find a state out of
22 compliance and when they find a state out of compliance, they
23 then write a letter to the Secretary requesting that the
24 Secretary shut down state waters, but I don't think we have that
25 recourse available.

26
27 I would suggest to you that if this is the path you want to go
28 down that you consider having someone from ASMFC, who is a
29 specialist on that management plan, come to our next council
30 meeting and lay out how it works and do a lot of background work
31 with our staff, but they can answer the questions and probably
32 tell you what has worked well and what hasn't.

33
34 **CHAIRMAN RIECHERS:** Do you want to try to clarify a point about
35 how that works, Ava?

36
37 **DR. LASSETER:** Thank you and actually, Dr. Crabtree provided
38 most of the information. Corky has asked about all states
39 having to propose a plan and that is something that I think we
40 could talk about. Are all states required to participate in
41 this or could this just be something for a state that wants to
42 participate and then otherwise there would be Gulf-wide default
43 regulations? The summer flounder model refers to them as coast-
44 wide measures and that is an action that we could possible --
45 Mara is shaking her head telling me no.

46
47 **MS. MARA LEVY:** I hesitate to get into the details of the summer
48 flounder plan, because it just sort of came up all of a sudden

1 and I don't think anybody has really looked at it, but they have
2 different things that they do and they either require all the
3 states to comply with the coast-wide measures and everyone is
4 the same or they allow these conservation equivalencies for each
5 state or region to submit them and it goes through a process
6 with technical committees and commissions and the framework
7 action that put this in place lays out the timeline for when
8 everything needs to be done and when it gets approved and when
9 it gets submitted and then within those conservation equivalency
10 options there are the default provisions that apply if a state's
11 conservation equivalency plan does not get approved.

12
13 So it's sort of similar to the delegation thing that we were
14 talking about, where everyone has the authority to do it, but if
15 someone doesn't submit a plan that's consistent with the FMP or
16 doesn't want to submit a plan, then we have these default
17 measures that we fall back on.

18
19 I think you could definitely develop a process to do this, but
20 it would be a much more rigid process that requires planning in
21 advance and the agency would have to publish a rule implementing
22 all these conservation equivalency things, but it's clearly
23 doable. The Mid-Atlantic region does do it and it would just
24 require more details.

25
26 **CHAIRMAN RIECHERS:** At least the list I have now, and I may have
27 missed someone, is Harlon next and then Martha and then Mr.
28 Brand.

29
30 **MR. PEARCE:** Thank you, Mr. Chairman. I really like this
31 option, because if we look at where we started this whole
32 process, Louisiana was looking to do something on its own,
33 whether it be a pilot or an EFP or whatever, to show how they
34 could better manage their fishery.

35
36 If we go with this option, as Mara has said and Ava, it's that
37 each state can do it or not do it, either way. You have an
38 option of the states wanting to be a part of this process or not
39 being a part of this process and so it gives Louisiana, my
40 state, a chance to step in and do what it wants to do, as it
41 wants to do it, for its fishermen. I think that this goes right
42 along the lines of how we started this whole process and I
43 really like the option.

44
45 **CHAIRMAN RIECHERS:** Corky, I think you had something you wanted
46 to say and then we're to Martha.

47
48 **MR. PERRET:** Just as a courtesy, I would like to introduce a

1 former council member, Ms. Jane Black, in the back of the room.
2 She served in the early 1990s, late 1980s and early 1990s.
3 Thank you, Robin.

4
5 **MR. PEARCE:** I guess Corky is going to want to make sure we
6 recognize him, since he won't be here next year. I think that's
7 what that is all about.

8
9 **CHAIRMAN RIECHERS:** Next we have Martha. Welcome, by the way,
10 Jane.

11
12 **MS. BADEMAN:** So in regards to this motion, a couple of people
13 around the table have mentioned Gulf States having a role in
14 this and I guess my question would be for Myron. Is that part
15 of your vision here? It's not really expressed in the motion,
16 but that's clearly how Atlantic States works, but they're the
17 ones that are running the show. That's my first question.

18
19 **MR. FISCHER:** The motion was very broad, just to get another
20 alternative on the board. I think it would take all further
21 discussion of whether it's Gulf States involved or who is the
22 governing authority, but it's just -- The motion is
23 accomplishing its goal. It's to get conversation started and
24 see what direction we're going to go into as a council as a
25 whole.

26
27 **CHAIRMAN RIECHERS:** Ava has a response to that.

28
29 **DR. LASSETER:** Again, the difference between the Atlantic States
30 Commission and the Gulf States Commission is that the Gulf
31 States doesn't have the regulatory authority and so I believe --
32 Of course, we will have to work out the details within the IPT
33 process, but that it would be the regions providing their
34 proposals to NMFS and NMFS will be reviewing them for approval
35 and if they meet the conservation equivalency standards. That's
36 all.

37
38 **CHAIRMAN RIECHERS:** Martha, a follow-up?

39
40 **MS. BADEMAN:** Just a quick one. Ava, do you know, with Atlantic
41 States, are they doing this with summer flounder annually or is
42 this an exercise they go through every couple of years?

43
44 **DR. LASSETER:** I am going to have to -- We really looked into
45 the summer flounder model right when we started this and so I
46 did know that at some time and I think Mara may be able to
47 speak.

48

1 **MS. LEVY:** I believe that it's annually and so each year they
2 decide what they're going to do, the coast-wide or the
3 conservation equivalency, and then each year they submit their
4 conservation equivalency plans, if they're going to go that
5 route.

6
7 **MR. FISCHER:** To answer Martha, Gulf States might be a very good
8 platform to work out the equivalencies and then make the
9 presentation, because the states participating -- I would
10 imagine the presentation should almost be as a whole and so once
11 it's worked out, working through Dave may be a better platform,
12 although they don't have the enforcement or the regulatory
13 authority, but to forward it to the agency for submission. I am
14 not into the details of those this motion would work, but let's
15 see if this is the direction we want to go into.

16
17 **CHAIRMAN RIECHERS:** Okay. I've got two more people on the list
18 and then we may vote this up or down. Jason.

19
20 **LCDR JASON BRAND:** I just wanted to clarify the enforcement,
21 because it's been a while since we've talked about this, if an
22 enforcement plan would be included in this plan and, if so, then
23 we would have different enforcement plans for each region or are
24 we going to go back to default to a landing-based enforcement,
25 where we only enforce it at the landing?

26
27 So if the Coast Guard comes across a rec reef fish boat, do we
28 ignore the snapper onboard, because it's a landing-based, or are
29 we going to be enforcing, in federal waters, different
30 conservation enforcement plans in each different region that the
31 Coast Guard isn't used to doing that?

32
33 **DR. LASSETER:** I actually think Dr. Crabtree can speak to this.
34 We talked about the lines and whether or not it would be
35 landings-based on the region.

36
37 **DR. CRABTREE:** I think most of it would be landings-based, but
38 we certainly could ask the state to give an enforcement plan,
39 but I think with summer flounder, because what you're allowed to
40 bring in is based on where you land, I think it's largely
41 landings-based, but I think if you're in a system where you
42 don't have inconsistent regulations in federal and state waters,
43 most of the enforcement is going to be at the dock and so I
44 don't know how big of a problem that is, but at least my vision
45 of this is it would be landings-based and so it would have to be
46 something that can be checked at the dock.

47
48 **MR. ROY WILLIAMS:** A question about this motion, Myron. Do you

1 mean this as a substitute for sector separation for Amendment 40
2 or is this how you would manage the rest of the private boats
3 and the state-licensed guideboats if Amendment 40 is approved?
4

5 **MR. FISCHER:** I think that's -- Your final statement was if
6 Amendment 40 is approved. I want to take all the amendments one
7 at a time on the merits of that one amendment and see what's in
8 it and not -- The cross discussion of one based on the other is
9 good if those either pass or fail that you're counting on, but
10 as long as we're on Amendment 39, I want to move forward with
11 Amendment 39 first, because that's the one we're working on.
12

13 **MR. WILLIAMS:** So this would apply to everybody? This would
14 apply to the charter boats as well?
15

16 **MR. FISCHER:** This would apply to the charter boats and this
17 would apply to the entire recreational fishery.
18

19 **MR. WILLIAMS:** So this would in fact be in lieu of Amendment 40
20 then?
21

22 **MR. FISCHER:** Well, yes, if it passes, but, then again, possibly
23 not. We don't know what Amendment 40 is going to do. It's two
24 different discussions.
25

26 **CHAIRMAN RIECHERS:** To that point, but let's not get too far
27 down the road of that point, because I want to either vote the
28 motion up or down.
29

30 **DR. CRABTREE:** I don't think inserting this motion into this
31 amendment implies anything about what we're going to do with
32 Amendment 40. Obviously if we do Amendment 40, it's going to
33 change this whole amendment, because it's scheduled -- If we
34 take final action on Amendment 40, that's going to change
35 things, but I don't think just adding this in as a motion should
36 be read as meaning anything about what we're next going to do
37 with Amendment 40.
38

39 **MR. GREENE:** All this sounds pretty good, but what I think we
40 need to concentrate a little bit more on here is who is going to
41 enforce this? In other words, if a region comes together and
42 submits a plan and they don't follow it, who is going to go in
43 and make them shut down and -- Who is going to be the bad guy
44 here?
45

46 If Gulf States doesn't have the authority, is that going to be
47 National Marine Fisheries? Are you going to step in and shut
48 them down and make it happen?

1
2 **DR. CRABTREE:** I mean I think the answer to that is yes and I
3 think the plan will have to have contingencies that if a state -
4 - I guess what you're saying is if a state submits the plan and
5 it's approved and then the state doesn't follow their own plan,
6 then there would have to be contingencies in there for what
7 would have to happen, but it would, in all likelihood, not
8 involve just shutting down that state. It might involve
9 shutting down on other states too in order to deal with it.

10
11 Then, at least the way we have structured all of our
12 accountability measures at this point, there are payback
13 provisions that are in there that would affect the next year's
14 quota. If a state did something like that and went over, they
15 would presumably have to pay it back, but I think all those
16 details remain to be worked out.

17
18 **MR. ANSON:** So to Johnny's question, the way I see it is that
19 there would be kind of two points or filters where you would
20 reduce the chances of that happening and one is through the plan
21 submission and all the analysis that the states would provide or
22 the regions would provide based on their size limits and bag
23 limits and length of season and such and so that could not pass
24 at that time and they would have to go back to the drawing board
25 or default to the Gulf-wide regions.

26
27 Then the second is through the paybacks that we have identified
28 at least in the action items here in this document. That could
29 be a further penalty and between those two, I would like to
30 think that there wouldn't be a chance where a region would just
31 go two times over what their allocation is. I think there would
32 be enough checks and balances in that system to try to minimize
33 that. That's my opinion.

34
35 **CHAIRMAN RIECHERS:** All right. Let's either vote this up --
36 This is just an addition to a suite of alternatives at this
37 point. All those in favor of adding this in Action 1, add an
38 Alternative 4 -- I will read it, since we were having trouble
39 putting it up, but it's to establish a regional management
40 program in which regions submit proposals to National Marine
41 Fisheries Service describing the conservation equivalent
42 measures each region will adopt for the management of its
43 portion of the red snapper quota. **All those in favor say aye;**
44 **all those opposed same sign. The motion carries.** Now we have
45 Ms. Bademan.

46
47 **MS. BADEMAN:** Well, I was just going to say if we have someone
48 from Atlantic States come and talk about they do this with

1 summer flounder, I think it would be helpful for us to
2 understand the parameters that they are working under, like
3 ACFCMA and things that we don't have, that we don't operate
4 under here at the council, so that we can understand things that
5 we, the council, would have to do or doesn't have the ability to
6 do.

7
8 **MR. FISCHER:** I would basically echo what Martha just said, is I
9 think before they come, before the meeting actually, is have the
10 staff work with the Atlantic Commission to work out the
11 differences between a commission doing it and National Marine
12 Fisheries doing it and it might be easier to present the
13 alternatives at that time, with this pre worked out.

14
15 **CHAIRMAN RIECHERS:** Thank you. I am going to turn to Kevin.
16 Kevin, how do you want to proceed? Do you want to try to work a
17 little further in this document or through this document before
18 lunch or -- We are about at the time we were set to break.

19
20 **MR. ANSON:** I think we might want to maybe take some time for
21 lunch. We did Mackerel yesterday and so theoretically we've got
22 an hour maybe tomorrow and so I think that would probably be
23 good, to go ahead as scheduled with our break.

24
25 **CHAIRMAN RIECHERS:** Okay. Then I think the break is scheduled
26 from 11:30 and so I assume we can still keep that one o'clock
27 time for re-adjournment.

28
29 **MR. ANSON:** If you agree with that.

30
31 (Whereupon, the meeting recessed at 11:35 a.m., October 21,
32 2014.)

33
34 - - -

35
36 October 21, 2014

37
38 TUESDAY AFTERNOON SESSION

39
40 - - -

41
42 The Reef Fish Management Committee of the Gulf of Mexico Fishery
43 Management Council reconvened at the Battle House Renaissance
44 Mobile, Mobile, Alabama, Tuesday afternoon, October 21, 2014,
45 and was called to order at 1:00 p.m. by Chairman Robin Riechers.

46
47 **CHAIRMAN RIECHERS:** We will reconvene the Reef Fish Committee
48 meeting and bring us out of recess. We have people scurrying to

1 their chairs. Will conversations in the back of the room -- We
2 are fixing to resume. All right, Ms. Lasseter, we're going to
3 take up, again in Action 1 -- We basically added an action
4 alternative and I am going to look to the committee to see if
5 there's anything else we need to do or would like to do in this
6 section.

7
8 **MS. BADEMAN:** Before we leave this action, I wanted to make a
9 motion, which is now on the board. For Action 1, adding an
10 alternative -- In Alternative 2 of Action 1, add two new
11 options, Option c would allow delegation to sunset after two
12 calendar years of the program and Option d would allow
13 delegation to sunset after three years and then also to make the
14 preferred alternative in this action Alternative 2, Option d,
15 the three-year sunset. If I get a second, I can explain where
16 this is coming from.

17
18 **MR. GREENE:** Second.

19
20 **MS. BADEMAN:** Okay and so this -- The five states have been
21 talking about this whole amendment and there, I guess, is some
22 discomfort, maybe, with -- I guess people would be a little more
23 comfortable with maybe the allocations that we're going to talk
24 about later if we could review those a little more frequently
25 than five years. Two years might be too soon and so I am
26 thinking maybe a preferred alternative of three years for the
27 sunset.

28
29 **CHAIRMAN RIECHERS:** Any other discussion in that regard? These
30 are fairly self-explanatory. It's just an addition of two other
31 yearly -- Different year options of review or sunset. Any other
32 discussions? Hearing none and I assume everyone has had a
33 chance to read those on the board and make sure all committee
34 members have had a chance to read those as we discussed them.
35 All right. **All those in favor of adding these and selecting the
36 new Alternative 2, Option d, which is three calendar years, as
37 the preferred say aye; all those opposed same sign. The motion
38 passes.**

39
40 I think, if there's no further actions under this section, that
41 would take us to the next action section and I'm scrolling.
42 Ava, if you know where you are already, just tell us.

43
44 **DR. LASSETER:** We would skip Action 2, I believe. We are all --
45 Everybody is comfortable with the preferred alternative of
46 establishing five regions and so picking up with Action 3, it
47 begins on page 17.

48

1 **CHAIRMAN RIECHERS:** Okay. Action 3 is the discussions regarding
2 various allocation options.

3
4 **MR. FISCHER:** This is the area that the states have struggled
5 with throughout the document and some resolution has come to the
6 surface and it's sort of a marriage of Alternative 2 and 3. It
7 could be found on Table 2.3.5, Option d, on page 20. To that, I
8 am just giving everyone a reference point where to look. Under
9 Action 3, I am prepared to make a motion, unless you want to go
10 in a different direction, sir.

11
12 **CHAIRMAN RIECHERS:** If you have a motion, we will accept it now.

13
14 **MR. FISCHER:** Okay and so we could get something on the table to
15 discuss. **To add under 2.3, Action 3, which is apportioning the**
16 **recreational red snapper quota among regions, it would be based**
17 **on Table 2.3.5, Option d. The state allocation would be the**
18 **50/50 model of 1986 to 2012 and 2006 to 2012 with omitting the**
19 **years of 2006 and 2010.**

20
21 Of course, 2010 is the oil spill and we have omitted it in many
22 of our discussions and omitting 2006 -- If you recall, this was
23 brought up earlier and it was the year after Katrina, when the
24 entire northern Gulf was devastated and marinas were nonexistent
25 and people were working out of back canals and those numbers
26 didn't fit in and as a group of -- You know we come together and
27 decided that this could be the avenue. I could read the
28 percents off. They are in the Table 2.3.5, Option d, if you
29 need the exact percents for the record.

30
31 **CHAIRMAN RIECHERS:** I think -- Ava, go ahead.

32
33 **DR. LASSETER:** I just wanted to point out that we will need to
34 update the document to reflect 2013 landings in and so the
35 proportions will be changing slightly, I would assume.

36
37 **MR. STEVEN ATRAN:** In which alternative?

38
39 **CHAIRMAN RIECHERS:** It was -- Well, I think it's Option d that
40 is shown in Table 2.3.5 and is that correct, Mr. Fischer, as I
41 understand that?

42
43 **MR. FISCHER:** Right. It's 2.3.5 and my understanding is this
44 table only went up to 2012. I don't know if going up to 2013 is
45 germane at this time.

46
47 **CHAIRMAN RIECHERS:** I think what we may need to do -- I don't
48 know whether we need to do it now, Mara, and you may address

1 this, is figure out that fits in, because obviously it's
2 Alternative 3, Option a and b and some other alternative that's
3 here that I am trying to also work through here.

4

5 **MR. FISCHER:** As Ava pointed out, it's the same thing as
6 choosing Alternative 2, Option d, with Alternative 3, Option a
7 and b. It would be the exact same motion.

8

9 **CHAIRMAN RIECHERS:** So the motion -- You can say it's as shown
10 in Table 2.3.5, but it's -- Go ahead and state what your
11 preferreds are then, Myron, so that we can --

12

13 **MR. FISCHER:** Sure and being that they are written this way, it
14 will be a handful of preferreds. It would be Preferred
15 Alternative 2, Option d, and Preferred Alternative 3, Option a
16 and b.

17

18 **CHAIRMAN RIECHERS:** It's moved and seconded. Mara, does that
19 answer your concern, as I heard you expressing it down there?

20

21 **MS. LEVY:** Yes and I think just selecting the preferreds that
22 are reflected in that table, but we need to get the motion
23 right, I think, before we move on.

24

25 **MR. FISCHER:** Right and therefore, it wouldn't be to add. These
26 are already in the document and so it's under Action 3 and it
27 would be selecting Alternative 2d and Alternative 3a and b as
28 preferreds, which is the same language.

29

30 **CHAIRMAN RIECHERS:** I will entertain -- Let's get it up on the
31 board correctly, but if there's any discussion or rationale
32 someone wants to help with here as well that already understands
33 the percentages or the motion and doesn't need it on the board,
34 necessarily. I think we're about to get there. Myron, let's
35 double check and make sure it is right on the board. I think
36 Ava is trying to work to make sure it's right as well. Any
37 other discussion regarding this? Everybody ate too much and
38 needs a nap? All right. No further discussion then? **All those**
39 **in favor of the motion say aye; all those opposed same sign.**
40 **The motion passes.**

41

42 Any other thing to do in this section? Any other motions from
43 the committee? Okay. Let's move to the next section then and,
44 Ava, you can help us.

45

46 **DR. LASSETER:** Of course, sure. Action 4, because you're
47 considering a different alternative in Action 1 -- This action
48 pertains only if you're remaining with delegation as your

1 preferred alternative and so if there's no changes -- If you're
2 not thinking of -- Mara has got her hand up.

3
4 **MS. LEVY:** Well, I don't know that that's true. I think we have
5 to think about how the new alternative that you added in Action
6 1 would play into the rest of the document, because conceivably
7 you could allow this whole conservation equivalency thing to go
8 forward and select the things that you're going to let the
9 states manage, which would fall into this list.

10
11 I don't know that it's not relevant unless you pick delegation,
12 but I think we sort of have to flesh out what that new
13 alternative means to the rest of the document.

14
15 **CHAIRMAN RIECHERS:** Well and I don't disagree with that. I
16 think part of the notion was that as Ava works with National
17 Marine Fisheries Service and discusses that new alternative that
18 at the next possible time to look at this, that's when you might
19 -- Because right now, we still have the other preferred
20 alternative, but that's when you might change some of the notion
21 of what's in here or at least that's the way I understood it,
22 but go ahead, Mara.

23
24 **MS. LEVY:** Right and I just didn't want it to be on the record
25 that this is only relevant for the delegation alternative. I
26 think it could be relevant for the other one, but I don't think
27 you necessarily have to go change anything at this point.

28
29 **MR. FISCHER:** Would it be appropriate to create an alternative
30 that's just a place mark for the issues that Ava is going to
31 come up with in the future regarding if the equivalency method
32 is going through?

33
34 **CHAIRMAN RIECHERS:** I don't know exactly. I believe in my mind
35 that most of that would be covered in these suites of
36 alternatives of things that you can change now, but certainly
37 other committee members can weigh in.

38
39 **MS. BADEMAN:** Well that's kind of what I was going to say. I
40 mean if we go down this other road with the conservation
41 equivalency, is there anyone on the committee -- Are there other
42 things that we would need to consider here or could we just give
43 Ava latitude to develop these alternatives to apply to the
44 conservation equivalency also or do a similar suite of
45 alternatives? Do you know what I'm saying? Okay.

46
47 **CHAIRMAN RIECHERS:** Well, yes, and, Ava, go ahead.

48

1 **DR. LASSETER:** I really think -- Like what Mara said, until the
2 IPT gets together and we really flesh out what actions are going
3 to be needed -- Then we will come back to this and see if
4 anything needs to be modified. I would suggest that.

5
6 **CHAIRMAN RIECHERS:** Yes and it seems that we may either reduce
7 or expand this suite of tools and that's really what we're
8 talking about and I don't know that -- It seems to me that it
9 would probably be a reduction, if anything.

10
11 **DR. CRABTREE:** I would strongly urge you to reduce what you're
12 trying to do here, particularly Alternative 6, which is the
13 closed areas, and 7, which are the sub-allocations. I regard
14 these as simply unworkable.

15
16 It's not clear to me how a NEPA analysis would be done on these
17 and I think ultimately that will prevent this thing from getting
18 done and so I just don't think that can be done in this way and
19 you are best to focus on setting the season and the bag limit,
20 really.

21
22 Size limit is straightforward enough, but it's going to create a
23 lot of problems for the stock assessments and things, but to try
24 to get into closed areas and sub-allocations -- It's not clear
25 to me where is the analysis in the NEPA document done when a
26 state goes through that process and we normally, with
27 allocations, would do an environmental impact statement and so I
28 just think that goes far beyond what we're able to do here and
29 would urge you to reconsider those.

30
31 **CHAIRMAN RIECHERS:** Any further discussion there? Hearing none,
32 Ava.

33
34 **DR. LASSETER:** Okay. Thank you. So the next action is Action
35 5, which starts on page 30. Page 30, Action 5, and this is the
36 for-hire vessels' federal permit restrictions. Your current
37 preferred alternative is Alternative 2, to exclude the provision
38 requiring that vessels with the Gulf charter headboat permits
39 comply with the federal regulations that are more restrictive.
40 Is there any discussion?

41
42 **MR. PERRET:** I am not on your committee, but 30B goes away with
43 the preferred alternative for state waters and what happens to
44 those vessels that have the federal permit if, if, a region or
45 regions decides that they want more restrictive regulations in
46 the EEZ in their region? Does 30B still apply in the EEZ?

47
48 **DR. LASSETER:** In the EEZ? 30B is only about that they cannot

1 fish in state waters.

2
3 **MR. PERRET:** More restrictive regulations. If a region places
4 more restrictive regulations in the EEZ, what happens to those
5 permit holders with 30B?

6
7 **DR. CRABTREE:** The state is more restrictive? They would have
8 to comply with the more restrictive state rule, I would think,
9 but I will tell you, frankly, I don't think this part of this
10 amendment is doable and I don't -- I mean what happens if two
11 states pull out of this decide -- So we go down the summer
12 flounder route and two states decide we don't want to submit
13 conservation plans and we're going to open our state waters up
14 year-round.

15
16 I don't see how we can then make a change that allows the
17 charter boats in those states to fish year-round in those state
18 waters, because that's going to make the harvest levels go up
19 and we're going to have to come in and take those pounds of fish
20 away from the other states that do have -- We could find
21 ourselves in a position where we're unable to constrain the
22 harvest and stay within the quota and so I think this one is
23 going to have to be relooked at in the context of how we exactly
24 do this.

25
26 If all of the states are onboard and that's what we do, then 30B
27 is moot anyway, because there is no disparity between the state
28 and federal regulations, but if we have states that don't want
29 to do this, then it seems to me you need the 30B rule in place
30 and I am afraid we run afoul with weakening our accountability
31 measures.

32
33 Last time we talked about this was before the court had ruled
34 and we had revised these things, but I think we're going to have
35 to rethink this one.

36
37 **MR. PERRET:** But if we get to this regional management and we
38 have five or four or whatever number of regions, what happens if
39 a region decides that they are going to be more restrictive in
40 the EEZ off their region? Will 30B apply to those permitted
41 vessels?

42
43 **DR. CRABTREE:** They're going to be -- They're going to have a
44 different season that's going to apply to any vessel landing
45 there and any charter boat landing there would have to comply
46 with that management regime if it was approved as a conservation
47 equivalent.

48

1 **MR. PERRET:** Well and, again, I'm not on your committee, but I
2 would certainly feel a lot more comfortable about the preferred
3 alternative if it did not only state state waters. I mean if
4 we're going to do away with 30B, we should say state and EEZ
5 waters and, again, I am not on the committee, but I think that's
6 something that needs to be discussed.

7
8 **MR. ANSON:** I was just going to add that the way I envision this
9 -- You know it goes back to the landing thing and then if states
10 are doing more restrictive in one body of water versus the
11 other. I mean we had some comments from Lieutenant Commander
12 Brand about the enforcement and such and so that potentially
13 could create some enforcement issues if you have those types of
14 things going on, but that's -- You know it goes -- If we go back
15 to this notion of if a state or region doesn't want to go
16 through with submitting a plan, then they go default back to the
17 current regulations. The current regulations are 30B.

18
19 **MR. FISCHER:** Mr. Chairman, I don't know if we have to clean up
20 any language and so I will just put it for discussion and not as
21 a motion, but on Preferred Alternative 2, if we would say
22 exclude the provision for participating states, the provision
23 requiring, would that make any difference or would that assist?

24
25 **CHAIRMAN RIECHERS:** Well, I think that would solve the issue of
26 what Dr. Crabtree spoke to. I am thinking there may not be an
27 issue here, because I think it's covered later on in the
28 document, where a state basically -- If you don't go into this
29 plan, it reverts back to the other plan and then you would still
30 have this provision, but this is -- I mean the way the whole
31 document is written, this is assuming that you're in a regional
32 management plan or you're in one of those regions. Any other
33 comments? Hearing none, we will move to the next item.

34
35 **DR. LASSETER:** Thank you, Mr. Chairman. Action 6 starts on page
36 32 and these are the post-season accountability measures
37 adjusting for regional overages and as I noted in the
38 presentation, our Alternative 1 needs to be updated to reflect
39 that there is now a Gulf-wide overage in place or there will be
40 implemented shortly from the framework action that you took
41 final action on at the last meeting.

42
43 Our no action now is -- I have it on the presentation slide. No
44 action will be while red snapper is under a rebuilding plan, if
45 the recreational red snapper quota is exceeded, deduct the full
46 amount of the overage from the recreational quota in the
47 following season.

1 The recreational ACT will be adjusted to reflect the previously
2 established percent buffer and so our no action will be Gulf-
3 wide overage adjustment and so you have, at your discretion, to
4 modify the alternatives.

5
6 I guess the real difference between them is are you going to
7 apply the overage adjustment to the regions or keeping it Gulf-
8 wide? That's the main difference between 2 and 3. Alternative
9 2 would apply Gulf-wide and 3 is the regional-specific.

10
11 **CHAIRMAN RIECHERS:** Right and so the only thing that has changed
12 is really what now is currently the status quo.

13
14 **DR. LASSETER:** Right. That changes and so as a result of that,
15 your Preferred Alternative 3 -- We would need to reword the
16 alternative. The intent is to apply the overage adjustment to
17 the region that exceeded their portion of the quota and that
18 would maintain the original intent, but it follows that the
19 overage adjustment is going to be in place as no action.

20
21 **DR. CRABTREE:** One thing that also needs to be cleared up in
22 here is now we have an annual catch target and so we would
23 deduct the -- Would we deduct the amount of the overage from
24 their annual catch target the next year?

25
26 **DR. LASSETER:** The way I understood it, and I believe I spoke
27 with Mara about this, it's on the presentation, the Action 6
28 slide. I had provided some updated Alternative 1 language that
29 does reflect the ACT and so I'm going to read it one more time.

30
31 While red snapper is under a rebuilding plan, if the
32 recreational red snapper quota is exceeded, deduct the full
33 amount of the overage from the recreational quota in the
34 following season and the recreational ACT will be adjusted to
35 reflect the previously established percent buffer and so the
36 status quo is now both that there is the overage adjustment and
37 the ACT.

38
39 **DR. CRABTREE:** So that needs to be reflected here and also, I
40 guess, Mr. Chairman, we could come back to it, but I think back
41 in the allocations that we just talked about that we're actually
42 not allocating the quotas to the state, but we're allocating the
43 annual catch target, which is a lesser amount. That's what the
44 states are managing for catch and so that language in the -- In
45 all these alternatives will have to be modified to reflect that,
46 I think.

47
48 **DR. LASSETER:** To continue on that, also on the presentation you

1 had the updated Alternative 1 provided for the allocation Action
2 3, which would be no action, retain a Gulf-wide recreational
3 quota and apply a 20 percent buffer. The 2015 ACT would be
4 4.312 million pounds.
5

6 **MR. GREENE:** So assuming that all the states are going to
7 participate is one thing, but if you have a state or two states
8 that decide not to, will their overage come off the top and then
9 the regions have to deal with it or how would that be played
10 out?
11

12 **DR. CRABTREE:** You mean so if we had a couple of states that
13 didn't participate and they opened state waters year-round and
14 so they were over, I think that what we thought -- What they
15 went over would have to come off the top the next year, because
16 I am not sure how else to work it.
17

18 **DR. LASSETER:** I believe in the recreational AM framework action
19 that that is the way that the two AMs work together, that the
20 overage adjustment comes off first and then the ACT is applied,
21 the buffer is applied.
22

23 **CHAIRMAN RIECHERS:** Any other discussion?
24

25 **MR. DALE DIAZ:** I might be missing something here, but the way I
26 am thinking about this is that there's a 20 percent buffer that
27 we have in place now and if a region was to go over, as long as
28 they didn't exceed that 20 percent buffer, they still would not
29 be in a position where they would be penalized and am I correct
30 in the way I'm thinking on that? Okay. That clears it up for
31 me a little bit.
32

33 **MR. FISCHER:** I am just seeking clarification and so if a region
34 opts out and they exceed the quota, then it comes off the top
35 and all the other regions have to sacrifice the following year?
36

37 **CHAIRMAN RIECHERS:** Well, I think that's what Roy just
38 suggested, but I don't know that that's the way it has to be.
39 It seems that's a default region by itself at that point, in
40 some respects, and based on what we just passed previously, each
41 region -- We are doing it regionally, but --
42

43 **MR. FISCHER:** Because I mean we've discussed this for a few
44 years and I think this is the first time we've heard it this
45 way, that it's always been the region that exceeds catch and it
46 comes off of their share and that was always the gist of why
47 we're doing this.
48

1 **MS. LEVY:** We would have to modify this to reflect the ACT and
2 such, but right now, the preferred alternative says that if a
3 region exceeds the regional quota that NMFS would file a
4 notification to reduce the regional quota in the following year
5 by the amount of the regional overage and that would only apply
6 if the total harvest exceeds the Gulf-wide ACL and so if one
7 region happened to go over a little, but the Gulf-wide ACL was
8 not exceeded or quota, then we wouldn't have any type of
9 payback. It's if the region goes over and that results in the
10 total going over, then that region would pay it back. That's
11 how I understand the current preferred alternative sets it up.

12
13 **MR. FISCHER:** Thank you, but, Mara, that's not what I'm
14 questioning. If it's a state opts out and blatantly goes over,
15 they don't pay that back and they are just paying their share
16 back. The other four states receive the burden and they are
17 just getting that small percentage -- Would that be correct,
18 that small percentage deducted?

19
20 **MS. LEVY:** So the region opts out and then the whole Gulf-wide
21 quota is exceeded and what would happen then? I mean I think
22 the same thing would happen. That region would get a deduction
23 on their quota and if that resulted in no federal season, then I
24 assume there would be no federal season, but beyond having no
25 federal season, I don't know what other authority there is.

26
27 **CHAIRMAN RIECHERS:** Any other discussion in this section?

28
29 **MR. DIAZ:** I believe what we need to do is I would like to see
30 us leave the preferred alternative as Alternative 3 as we have
31 it now, but not to have Option b as preferred anymore, to take
32 that off. **My motion would be to no longer consider Option b as**
33 **the preferred option.**

34
35 **CHAIRMAN RIECHERS:** It may be helpful if you -- Just for
36 readability, if you maybe stop it after "Preferred Alternative
37 3" and if you want to just push that down, just for readability
38 purposes, because what we're really doing is removing the
39 preferred off of Option b. Do I hear a second to that motion?
40 It's seconded. Dale, do you want to provide a little rationale
41 there?

42
43 **MR. DIAZ:** I believe, since the court ruling last year, that we
44 probably -- We would not have an opportunity to not act on any
45 overages in the same year. I think we're obligated at this
46 point to provide a payback if there's an overage and so it's
47 responding to the court ruling from this year.

48

1 **MR. ANSON:** To help clean up the document, could I offer a
2 substitute motion that would eliminate both Option a and Option
3 b, since they no longer apply, just eliminate them from the
4 document itself entirely?
5

6 **CHAIRMAN RIECHERS:** Do you want to make that as a substitute or
7 a friendly amendment or how do you want to do that?
8

9 **MR. ANSON:** A friendly amendment, possibly.
10

11 **CHAIRMAN RIECHERS:** Okay. Not that there truly are friendly
12 amendments, but we allow them here. The motion not is to remove
13 Options a and b in Alternative 2, 3, and 4 and you can say put
14 them in Considered but Rejected.
15

16 Any further discussion? As Dale indicated, he's doing this
17 basically because of the recent court decision and that you have
18 to go ahead and take immediate action and there's not a phase-in
19 time here to do that, as had previously been contemplated.
20

21 With no further discussion, the motion is on the board,
22 basically removing Options a and b in Alternatives 2, 3, and 4
23 and putting them in the Considered but Rejected section. It's
24 under Action 6.
25

26 **MR. ACTION:** Possibly put "In Action 6, remove --"
27

28 **CHAIRMAN RIECHERS:** All right. We've had some discussion
29 regarding this and is there any more discussion? **All those in**
30 **favor of the motion say aye; all those opposed same sign. The**
31 **motion carries.** Ava.
32

33 **DR. LASSETER:** Thank you, Mr. Chairman. Okay and moving on to -
34 - Well, one more word on Action 6. So the IPT will be updating
35 the language in these alternatives and this section accordingly.
36

37 Action 7 begins on page 36 and this establishes the default
38 regulations. It was developed to be applicable only if
39 delegation is selected and as Mara raised earlier, the IPT will
40 get together and work through the applicability of this, given
41 the new alternative and what needs to be modified, but
42 basically, this is what happens if a region opts out or has its
43 delegation suspended and we could modify it around this new
44 summer flounder model, where it would be what happens if a
45 proposal is returned and needs to be modified accordingly and so
46 I'm not sure how much work there is for the committee to do with
47 this. I think the IPT needs to get into this and bring you back
48 some new alternatives.

1
2 **CHAIRMAN RIECHERS:** Any committee discussion regarding this?
3 All right.
4
5 **DR. LASSETER:** That is the final action in the document. Going
6 forward, the IPT, again, will meet and discuss the added
7 alternative in Action 1 and see what additional actions would be
8 required for this document.
9
10 **CHAIRMAN RIECHERS:** Any other business in this document?
11
12 **DR. CRABTREE:** So we would bring this back in January to review
13 and I assume we will do another round of public hearings on
14 this, because we are fundamentally changing the whole program
15 and everything, and then I guess we will proceed from there.
16
17 **CHAIRMAN RIECHERS:** The only way I would think it fundamentally
18 changes, and this is just me and I am just talking, but the only
19 thing that fundamentally changes is if we actually attempt to
20 use the different delegation option, because it's within the
21 constructs of the other items that we used, but it's just a
22 different way to achieve those items.
23
24 **DR. CRABTREE:** Okay, but if we get to the point where we decide
25 that's how we're going to do it and make the preferred, then we
26 would presumably do more public hearings?
27
28 **CHAIRMAN RIECHERS:** I don't know. I mean that's more of a legal
29 question than is mine, Roy, but I mean I don't know that it
30 changes the suite of alternatives that we've looked at, but it's
31 just a way of getting there, in some respects, but it may
32 ultimately change it when we get other options there that I am
33 not aware of at this point.
34
35 **DR. LASSETER:** I really feel the IPT needs to meet and discuss a
36 lot of this and figure it out, but we did address, at the
37 beginning, talking about the timeline at the end and so I think
38 that it's appropriate to bring up that we could bring the
39 document to you in January. It's going to take a lot of work,
40 but, again, it would not be able to be implemented until the
41 2016 year.
42
43 **CHAIRMAN RIECHERS:** Any other questions? All right. Hearing
44 none, then I guess we move on to the next item on the agenda,
45 which is Final Action Amendment 40, Recreational Red Snapper
46 Regional Management. Hopefully everybody has found it and is
47 ready to go. A little nod of the head. It looks like it,
48 Assane, and go ahead.

1
2 **FINAL ACTION - AMENDMENT 40 - RECREATIONAL RED SNAPPER SECTOR**
3 **SEPARATION**
4 **OVERVIEW OF AMENDMENT**
5

6 **DR. ASSANE DIAGNE:** Thank you, Mr. Riechers. We are going to
7 summarize Reef Fish Amendment 40 and so we can start with the
8 first action in the tab and it starts on page 19. This first
9 action would consider the establishment of a private angling
10 component and a federal for-hire component, essentially change
11 the structure that we currently have and so the no action
12 alternative, or the status quo, would maintain the recreational
13 sector as one and we have the preferred alternative that you
14 have selected in the past, which would establish two separate
15 and distinct components within the recreational sector.

16
17 One of the components would be the private angling component and
18 the other component would be the federally-permitted for-hire
19 component. The private angling component, we have to note that
20 it would include private anglers as well as non-federally-
21 permitted for-hire operators, if you would, those that are state
22 permitted.

23
24 We also have, in the document, alternatives that would consider
25 voluntary establishment of those components, but you indicated,
26 by your preferred selection, that you would create these two
27 components for all for-hire operators. That's the first action.

28
29 **CHAIRMAN RIECHERS:** Any discussion in the first action? Seeing
30 none, go ahead and move on, Assane.

31
32 **DR. DIAGNE:** Thank you. The second action would start on page
33 23. This action considers alternative allocations of the
34 recreational quota between the two components. We have a series
35 of alternatives, a total of nine, I believe, but if we could, we
36 could just go to the Table 2.3, which is on page 27.

37
38 That gives a quick summary of the percentages that would be
39 allocated to each component as well as the equivalent in pounds,
40 based on the eleven-million-pound quota that we have right now,
41 status quo, eleven-million pounds total. We have all of the
42 alternatives here, including the preferred alternative that you
43 selected last time, and that is indicated here in bold. That is
44 the second action, Mr. Chair.

45
46 **CHAIRMAN RIECHERS:** Any discussion regarding this action?

47
48 **MS. BADEMAN:** Didn't we get an email with a different table in

1 it?

2

3 **CHAIRMAN RIECHERS:** Can you say that again?

4

5 **MS. BADEMAN:** Maybe I am looking at the wrong thing, but I
6 thought we got an email that had a different table in it.

7

8 **DR. DIAGNE:** Yes, that table -- Earlier today, when Mr.
9 Strelcheck gave his presentation, he indicated that these
10 numbers will be changing based on the calibration work and he
11 provided you with a range and so hopefully he would want to add
12 to it and explain to you a bit what's on that table.

13

14 **MR. STRELCHECK:** Can we go ahead and bring up that slide and I
15 will just walk through it real quick? As mentioned earlier this
16 morning during the MRIP calibration presentation, we have
17 results available and we don't have a preferred option selected
18 in terms of the calibration approach.

19

20 This slide summarizes the allocations in Amendment 40 if the
21 years 2004 through 2012 are not calibrated and so those should
22 be consistent with your amendment, with the exception of
23 Alternative 9, the last option, which Assane and I have
24 discussed and determined there was an error in the calculations
25 as presented in the amendment.

26

27 The third and fourth columns of this table represent the
28 calibrated allocations based on the maximum amount that the
29 allocations could change and so not knowing what the preferred
30 option is for calibration, what I wanted to give you is an idea
31 of the magnitude of change, so that you would have some sense of
32 what impact the calibration has on your allocation estimates and
33 the last column obviously shows the difference.

34

35 All of the changes would reduce the allocation for the charter
36 sector and increase the allocation for the private sector with
37 varying magnitudes, but keep in mind that this is the absolutely
38 maximum change, given the current calibration methods.

39

40 There could be some method selected that's between the values
41 presented here and the preferred or existing alternatives with
42 no calibration at this stage and so there's about a 10 percent
43 difference, roughly, in the estimates. Are there questions?

44

45 **CHAIRMAN RIECHERS:** So given that there's this uncertainty and
46 given that you're just showing us the range of uncertainty, how
47 does that impact the decision, if it were to be made, on a
48 particular preferred alternative here?

1
2 **MR. STRELCHECK:** Based on the record you've built I think at
3 this stage with previous meetings, you've focused on the
4 rationale behind the years being selected to choose your
5 preferred alternative and that would form the basis, obviously,
6 of your preferred alternative.

7
8 Obviously you are interested in what's the outcome of those
9 results and the ultimate allocations that result from that, but
10 this gives you at least an indication that once the dust settles
11 on the calibration that the results will be somewhere within
12 this bracketed range of values.

13
14 **CHAIRMAN RIECHERS:** If I am remembering right, the dust is going
15 to settle on red snapper in the next two to three weeks?

16
17 **MR. STRELCHECK:** Or sooner, yes.

18
19 **MR. FISCHER:** I think this solves one of the issues and I am
20 going to talk my way through it and tell me where I'm incorrect,
21 but so we were planning the document based on un-calibrated
22 numbers, but once implemented, the harvest will be on the new
23 MRIP protocols and so it would be the new numbers. What this
24 does is it adjusts the numbers in the document up to reflect
25 what the harvest would be in the future that we have to work
26 within.

27
28 **MR. STRELCHECK:** This is taking your time series that you had
29 looked at, 1986 through 2013, and replacing the values for 2004
30 to 2012, because that's what's been calibrated, and re-computing
31 your allocations and the calibration scales your landings during
32 that 2004 through 2012 time period up.

33
34 That will all ultimately be included in a stock assessment and
35 reflected in changes in the status of the stock and yield
36 estimates that come out of the stock assessment. In terms of
37 allocations, because you are looking at the proportional
38 difference between private and charter, we are just simply
39 looking at what's the direction of the change and how does the
40 calibration affect the amount that will be allocated between one
41 sector and another.

42
43 With the calibration, what it's indicating is that there's a
44 disproportional effect with the landings for the private sector
45 going up more so than the landings for the charter sector and
46 that's why you see the reduction in charter allocation and the
47 increase in private allocation.

1 **MR. FISCHER:** You have these as estimates and when could we
2 expect some hard numbers?
3

4 **MR. STRELCHECK:** Our expectation is a preferred approach would
5 be within the next several weeks. It could be sooner than that.
6 The consultants are reviewing the calibration results to make a
7 determination of what's the preferred method.
8

9 **MR. FISCHER:** So the numbers are calculated and you're just
10 trying to figure out what method is to be used.
11

12 **MR. STRELCHECK:** Right, yes, and that's why I presented the
13 maximum change. There is two methods, two different iterations
14 of the methods, and so there's essentially four calibrated
15 streams of landings that we've looked at and from that, I took
16 the one that had the greatest change, to give you an idea of
17 what the difference are. As I said, it could very well fall
18 somewhere in the middle of all that, but I don't know what the
19 preferred option is. That is yet to be determined.
20

21 **MR. PERRET:** So, Andy, if my mental math is right and roughly a
22 max of about 3 percent, 3 percent of that quota is 150,000
23 pounds and is that -- We're talking roughly 150,000 pounds of
24 fish one way or the other.
25

26 **DR. CRABTREE:** Andy, we expect to have these numbers finalized
27 what, in the next few weeks? So presumably, if we take final
28 action on this, staff would update these landings numbers in the
29 amendment before they submit it to us and we would use the
30 calibrated numbers here in the amendment and that's what the
31 actual percentages would be in the rule that implements it. At
32 least that's my read on what we're talking about doing.
33

34 **MR. GREENE:** If you will remember at the last meeting when I
35 changed the preferred, I kind of cautioned everybody that this
36 was coming and emphasized the fact that we look at the years and
37 not necessarily the percentages and the percentages would be
38 just whatever they were and if this is the worst case, I mean I
39 see no problem it.
40

41 I mean it's in line with what we're trying to do in Amendment 39
42 as far as the same timeframes that the states used to develop
43 their allocation and I think it also covers the allocation
44 policy set forth that the council uses and so you can bicker
45 about a few percentages here or there, but I think the overall
46 thing is that we look at the years that we've chosen and we move
47 forward with it.
48

1 **CHAIRMAN RIECHERS:** Any further discussion of either the table
2 that Andy has presented or this option as a whole?
3

4 **MR. FISCHER:** In the document, we discussed the years, but we
5 have the old percentages and should we update the percentages in
6 the document to reflect the new calculations?
7

8 **CHAIRMAN RIECHERS:** I think Dr. Crabtree just said that if we
9 adopt it that he would do that prior to publication. At least
10 that's what I thought I heard him say.
11

12 **DR. CRABTREE:** Yes and I believe your staff will do that before
13 they submit it to us. We will provide them the final numbers
14 and they will update it and then submit it to us.
15

16 **MR. FISCHER:** Thank you and so we don't need any type of motion
17 is what it appears.
18

19 **DR. PAMELA DANA:** Andy, I was under the impression from the MRIP
20 folks, over recent presentations, that their calibration method
21 wouldn't be determined for the course of -- I mean they were
22 still determining it and it wouldn't be -- It may be up to a
23 year before they had a calibration method and was I hearing them
24 wrong or --
25

26 **MR. STRELCHECK:** The reason we scheduled the calibration
27 workshop for early September was so that it would be able to
28 influence the upcoming red snapper stock assessment. They have
29 delivered the results as of October 14 and the consultants are
30 reviewing it, but the intent is to have a determination made by
31 the first of November, so that the stock assessment scientists
32 can begin using that data for the red snapper stock assessment.
33

34 In terms of calibrating all of the species, that will take a
35 little bit longer and I expect that will roll into early next
36 year, but we aren't looking at a year or two down the road for
37 this. Now, there are other methods that I discussed this
38 morning that will take longer, but in terms of this shorter-term
39 approach, we can address it within the next few weeks.
40

41 **CHAIRMAN RIECHERS:** Any other items for discussion? All right,
42 Assane, go ahead.
43

44 **DR. DIAGNE:** Thank you, Mr. Riechers. The third and final
45 action in this amendment, Action 3, is on page 31. It considers
46 separate closure provisions for these two components that would
47 be created by Reef Fish Amendment 40 and you have already
48 selected a preferred and that is Preferred Alternative 2 and

1 that is the third action.
2
3 **CHAIRMAN RIECHERS:** Any discussion of Action 3? I don't see any
4 hands and all right, Dr. Diagne.
5
6 **DR. DIAGNE:** Thank you and if there are no questions on the
7 actions, I think I am going to take a couple of minutes to talk
8 about the economic analysis in Amendment 40.
9
10 **CHAIRMAN RIECHERS:** We've got a question now and hold on.
11 Myron.
12
13 **MR. FISCHER:** I think before we go there that I would like to
14 add another action item or let me say I have heard conversation
15 of people who would like to add an action item. I don't want to
16 speak for everyone, but before we get into economic analysis, I
17 think there was some talk of a sunset provision and if this
18 would be the appropriate time. Others can make the motion or I
19 can stumble through it.
20
21 **CHAIRMAN RIECHERS:** Sure, go ahead.
22
23 **MR. FISCHER:** It's on the board, wow. Did we vote on it? Okay.
24 I will read it. Well, who made it?
25
26 **MS. BADEMAN:** I sent it to them.
27
28 **MR. FISCHER:** Okay. Martha made the motion and I will let her
29 take over.
30
31 **CHAIRMAN RIECHERS:** Go ahead, guys, one of you. If you want to
32 put a motion on the board, let's get it on the board to discuss.
33
34 **MS. BADEMAN:** Sure. I will make it. I emailed it. **My motion**
35 **is to add a new action to create a sunset provision on sector**
36 **separation with options for sunset after two, three, and five**
37 **years of the program.**
38
39 **CHAIRMAN RIECHERS:** Do I hear a second? Okay. It's seconded
40 and now Mr. Pearce.
41
42 **MR. PEARCE:** Thank you, Mr. Chairman. Would this mean we would
43 have to send this back to public hearings or this doesn't have
44 to go out to public hearings if we do this, because right now,
45 we're looking at final action at this meeting. If we pass this
46 motion, will we have to go back to the public?
47
48 **CHAIRMAN RIECHERS:** I would look to Mara regarding that. I

1 don't know. Much as I said in the last one, I am not the legal
2 counsel.

3
4 **MS. LEVY:** I will have to think about that. I mean the issue
5 also is with the NEPA document and whether we would have to
6 supplement that piece of it and so I don't have a concrete
7 answer for you right now. I mean you are adding a new action
8 that hasn't been contemplated, but it doesn't really change
9 anything other than ending the program and so I am not sure, but
10 I will look into it and get back to you.

11
12 **EXECUTIVE DIRECTOR GREGORY:** Mara, my understanding is we are
13 having public testimony this week on this and that might suffice
14 for the Magnuson Act. I mean it's up to the council's
15 discretion if they want to go out to another round of public
16 hearings, but clearly the NEPA process is different.

17
18 **MR. PEARCE:** I am in favor of this motion as long as we don't
19 have to go back out and try and finish this amendment this
20 meeting. As long as we don't have to go out, Mara, I am fine
21 with this, but if we do, I will have to worry about that.

22
23 **CHAIRMAN RIECHERS:** Maybe by full council we will have at least
24 some advice in that regard. Any other discussions? This is a
25 fairly straightforward motion regarding a sunset of the document
26 of two, three, and five years, options of two, three, and five
27 years.

28
29 **MR. FISCHER:** I think to let people comment at the podium,
30 during public testimony, I would rather see it as reworded,
31 where the two, three, and five is an a, b, and c and we choose
32 one as a preferred to stir some conversation up or we leave it
33 as it is. We've got nine other people on this committee.

34
35 **CHAIRMAN RIECHERS:** Well, you bring up a good point. If we are
36 going to not go back out for public comment, but include this in
37 the document, there will have to be a preferred that would have
38 to be chosen, either now or at full council. So certainly
39 that's true, Myron, if that's the way this would work. We can
40 wait on that advice and then make that decision, but we would
41 have to do that. Corky.

42
43 **MR. PERRET:** Obviously Myron had great training. That's exactly
44 what I wanted to say. It seems to me there should be an a, b,
45 and c and one of them should be a preferred.

46
47 **CHAIRMAN RIECHERS:** Just for simplicity, can we leave it like it
48 is, but when we bring it back up in full council, we will have

1 it as an a, b, and c? Does that matter to you guys?
2
3 **MR. DIAZ:** We will have had public testimony at that point and
4 that will have passed and so the public may not have an
5 opportunity to speak to it. That would be my concern about
6 waiting until full council.
7
8 **CHAIRMAN RIECHERS:** Can we -- Does anyone have a preferred or do
9 they just want to see if we add it first and then do that?
10 Let's do it that way. Let's add it first and then see if
11 someone wants to select a preferred.
12
13 **MR. PEARCE:** I would go with the preferred being five years, to
14 start it off, if I can get a second.
15
16 **CHAIRMAN RIECHERS:** Let's vote it in first, Harlon, and then I
17 will recognize you for that motion, if that's okay. Okay.
18 We've got Options a, b, and c, two, three, and five years,
19 basically a sunset provision. I hesitate to ask, but any
20 further discussion? **Hearing no further discussion, all those in**
21 **favor of adding this as an alternative say aye; all those**
22 **opposed same sign. The motion passes and now, Mr. Pearce, I**
23 **will recognize you.**
24
25 **MR. PEARCE:** Thank you, Mr. Chairman. I would make a motion
26 that the preferred be the five-year option.
27
28 **CHAIRMAN RIECHERS:** Do I hear a second? The motion fails for
29 lack of a second.
30
31 **MR. FISCHER:** I will take a shot. **Three years, which I guess**
32 **would be Option b, if anyone supports it.**
33
34 **CHAIRMAN RIECHERS:** That one failed and so it's off the board
35 now and so it's a motion again and it's a motion for a three-
36 year preferred option, Option b, made by Mr. Fischer and is
37 there a second?
38
39 **MR. DIAZ:** Second.
40
41 **CHAIRMAN RIECHERS:** Mr. Diaz seconds. Any further discussion
42 regarding the preferred option motion? **Hearing none, all those**
43 **in favor of the preferred option being three years, Option b,**
44 **say aye; all those opposed same sign. The motion passes.**
45
46 **MR. PEARCE:** Do we need to add a no action alternative to this
47 too or do we not?
48

1 **CHAIRMAN RIECHERS:** I'm sorry. Can you say that again, Mr.
2 Pearce?

3
4 **MR. PEARCE:** Do we need to add a no action alternative to the
5 head of this one, just to have it, or not?

6
7 **CHAIRMAN RIECHERS:** Yes, in the construct of an alternative,
8 there would have to be a no action alternative as well. Yes and
9 thank you. Any further discussion now? Now we are going to
10 turn to Assane and, Assane, what were you going to try to cover?
11 I am sorry.

12
13 **DR. DIAGNE:** I am just covering still this amendment. I am
14 going to discuss in specifics Actions 1 and 2. For those two
15 actions, as part of the usual process, we did provide detailed
16 analysis in Section 4 for all of the environment, if you would,
17 physical, administrative, social, and economics, but I guess for
18 a variety of reasons, it seems that a segment, if you would, of
19 our constituency or members do not understand the economic
20 analysis in this document and that is why I am taking just a
21 couple of minutes.

22
23 The first action essentially will do what -- It would create two
24 new components within the recreational sector and so any
25 numbers, economic numbers, in terms of impacts, as we usually
26 measure them, or economic effects, if you would, would be
27 hypothetical and would be a stretch.

28
29 We are creating two new components and so the best one could do
30 there is to discuss what could be in the future, essentially,
31 and I think the document clearly states that potential effects
32 would, for the large part, depend on the subsequent management
33 measures that would be implemented in this amendment. So for
34 Action 1, I will just leave it at that and I think the bulk of
35 the discussion or the questions have to do with the allocation
36 itself.

37
38 Since we have started this work, new research has been completed
39 and published, namely two what I consider important papers by --
40 One is Holzer and McConnell and the second one is by Dr. Abbott,
41 who spoke here before you.

42
43 Essentially, the gist of it is basing potential efficiency gains
44 on looking at the equimarginal principle, which is those two
45 curves that are typically shown to us. It does not make any
46 sense if you cannot sort out the anglers. It sounds complicated
47 like that, but essentially what they are saying is if you don't
48 have a way of attributing each resource to the one that wants to

1 pay the highest value, these benefits are highly hypothetical
2 and actually do not mean anything.

3
4 For that reason, in this allocation part of the amendment, we
5 decided to offer you reference to those papers and discuss the
6 implications and offer an extensive qualitative discussion.
7 That is one thing.

8
9 The second thing is because we are creating two new components,
10 you don't even have a baseline or a status quo allocation to
11 speak of. It doesn't exist. Right now, all we have is the
12 level of harvest by the recreational sector. We don't have a
13 status quo allocation in sector separation. We are going to
14 create an allocation for the first time.

15
16 For this and other reasons, there are no numbers, if you would,
17 as you usually see them in terms of consumer surplus and
18 producer surplus. I will take questions and maybe explain
19 further, if need be. Thank you.

20
21 **CHAIRMAN RIECHERS:** We thank you for that explanation. I guess
22 I am at least going to make one comment in that regard. I think
23 certainly within the context of us choosing these preferred
24 allocations -- That at least provides you a baseline allocation
25 where that further analysis could have been completed and
26 compared.

27
28 I understand you are suggesting that you can't tease out the
29 individuals, but I don't know that you couldn't go ahead and
30 have some dialogue about the charter sector at this level as
31 compared to the status quo level and have those comparisons as
32 well as the private recreational at this level as compared to
33 the status quo level. That's just a thought in that regard.

34
35 **DR. DIAGNE:** If I may about that thought, let's say, for
36 example, you have two fish and you have a hundred anglers.
37 Between those hundred anglers, you have one who is willing to
38 pay five-dollars per fish and you have another one who is
39 willing to pay four-dollars per fish and that's a total of nine-
40 dollars, if they are the two anglers who get the fish, but what
41 if the other ninety-eight anglers that you have remaining are
42 willing to pay fifty-cents or zero? What would be then the
43 benefit that you would realize if you throw the fish in the
44 water and release, all hundred anglers?

45
46 When you have open access, that is precisely what you have. You
47 have a hundred anglers, but you have no idea or no system by
48 which you can sort them out and go to the highest bidder and to

1 the second and to the third and fourth and the economic analysis
2 that offers benefits, an underlying assumption rests on that, on
3 the fact that you have the ability to separate the anglers by
4 willingness to pay. In short, a sorting mechanism.

5
6 The quickest way of doing that is a market. For example, when
7 you auction properties, that is what you do. The highest bidder
8 gets it and the second gets the second and so forth. What Mr.
9 Riechers is suggesting would not be also feasible, because the
10 numbers themselves have no meaning at this point.

11
12 **CHAIRMAN RIECHERS:** Any other comments for Assane? Okay. Let's
13 move on to Tab B-7(a) and (b). Mr. Greene.

14
15 **MR. GREENE:** At this point, would we need a motion to send this
16 to the Secretary of Commerce or will that happen at some other
17 time?

18
19 **CHAIRMAN RIECHERS:** You can do it now if you would like, sir.

20
21 **MR. GREENE:** I would like to make a motion, whenever you're
22 ready.

23
24 **CHAIRMAN RIECHERS:** Mr. Greene, hold on. I'm sorry. Other
25 folks down the way here are suggesting we should look at the
26 comments and maybe even the codified regs before we do that.
27 Sorry.

28
29 **COMMENTS RECEIVED**

30
31 **MS. EMILY MUEHLSTEIN:** Okay. Perfect. So the first thing that
32 I would like to do is John is going to pull up a tool that we
33 have been working on. I would like to show you it because we
34 recognize that those online comments, especially for these
35 issues like Amendment 40, where we get 2,000 comments or so,
36 it's sort of difficult to be able to read through those
37 directly.

38
39 What we've done is John created a georeferenced map of the
40 comments and so you will see it in just a minute and I just
41 wanted to show it to you guys.

42
43 Basically what we have here is a map of the United States and
44 each comment that we received between December of 2013 and
45 Tuesday of last week -- If they provided a zip code, then those
46 comments are on here by zip code and what you do, as John is
47 showing, is you would go and click on one of those dots and it
48 will bring up, in a text box, all of the comments that we got

1 from the zip code.
2
3 You can see this one is in Oklahoma and the guy even writes that
4 he lives in Oklahoma and so this is a tool that you as council
5 members and also the general public -- We are beta testing it
6 right now, but we plan, in the future, for it to be something
7 that you can use to have better access to the online comments
8 beyond just like an Excel list of what people are saying. I
9 just wanted to show you guys that. Martha, go ahead.
10
11 **MS. BADEMAN:** I just wanted to ask how -- I guess what
12 proportion of people do not give their zip code?
13
14 **MS. MUEHLSTEIN:** I think about 10 percent, but we're only beta
15 testing this right now. Moving forward, on that comment form,
16 we plan to make the zip code one of those fields that's
17 required. It hasn't been in this, which is why we don't have it
18 up on the website yet, but I just wanted to sort of show you
19 where we are with what we're doing with the comments to make it
20 easier.
21
22 **MS. BADEMAN:** Cool. I think this is a cool idea.
23
24 **MS. MUEHLSTEIN:** Thank you. Okay. So I guess I will just get
25 down to it then and if you guys are interested in looking at
26 this for Amendment 40, we can send you the link so that you can
27 play with this tool before you take your final action this week,
28 but right now, it's not up on the website. We've got a link
29 that we can give you. It's up there and it's actually at the
30 top bar. If you look on the screen, it's just:
31 "portal.gulfcouncil.org" and if you write that down, that's all
32 the comments for Amendment 40, like I mentioned, that we've
33 received since December of 2013 and all georeferenced for you.
34
35 So moving on, what I would like to do is give you a summary of
36 the written comments that we've received since the August
37 council meeting. We didn't do any other in-person hearings and
38 so all I have is those written comments.
39
40 We received both comments that were in support of the amendment
41 and also comments that were opposed to the amendment. I will
42 start by summarizing the comments that were in support of
43 Amendment 40 and so first, sector separation provides
44 accountability for 75 percent of the red snapper fishery.
45
46 Passing this amendment will allow both sectors to design data
47 programs that do a better job of counting fish. More accurate
48 data will further improve management. Amendment 40 will promote

1 fairness between those recreational fishermen who own their own
2 boats and those who don't.

3
4 Currently, individual anglers benefit from longer state seasons,
5 while charter captains and their customers are stuck at the
6 dock. With their own management plan, charter captains can plan
7 their business and their trips accordingly.

8
9 Sector separation could provide more access to recreational
10 fishermen who don't own their own boats. This is the best of a
11 bunch of bad ideas. It is fair and equitable to all. Amendment
12 40 is the first step in devising management strategies tailored
13 to each component of the red snapper fishery to address chronic
14 quota overages that threaten the rebuilding plan and status quo
15 recreational red snapper management is failing. The for-hire
16 sector is fundamentally different than the private angler sector
17 and accountability is necessary.

18
19 Moving on to the comments that we received that were in
20 opposition to Amendment 40, sector separation will lead to catch
21 shares, effectively taking publicly-owned resource away from the
22 public and giving exclusive rights to that resource to a select
23 few who will profit from it.

24
25 A recreational angler is a recreational angler regardless of how
26 they access the fishery. Sector separation will force the
27 states to adopt inconsistent regulations and so choose regional
28 management instead.

29
30 Amendment 40 would hurt tourism. This management approach would
31 reduce the possibility. Eliminate the red snapper recreational
32 season in federal waters for the private angler. This amendment
33 will not provide any accountability for anyone. Amendment 40
34 goes against the intent of the Magnuson-Stevens Act.

35
36 Without any reasonable social and economic impact study,
37 approving this amendment is arbitrary and capricious and not
38 based on the best available scientific information and this
39 action exceeds the council's statutory authority and does not
40 assess the impacts on the recreational sector.

41
42 We also received a number of other comments that were not
43 specifically for or against the amendment and I will list those
44 here. The for-hire component should be part of the commercial
45 sector. Economic impact to recreational-fishing-dependent
46 businesses would be irreparable.

47
48 Red snapper should be a game fish. Put more limits on the

1 commercial sector. Increase artificial reefs and other
2 structures. Stop the removal of rigs from the Gulf. Improve
3 upon the stock assessment process. Increase the size and bag
4 limit to eighteen-inches and four fish, to create two sixty-day
5 seasons.

6
7 Split the allocation into thirds, one-third for each sector.
8 Eliminate Section 407(d) and the council will have more
9 management options. Need better data before making such drastic
10 decisions. The problem is allocation and not sector separation.

11
12 Spend more money on data collection and stock assessments.
13 States should be made to comply and more restrictions placed on
14 the commercial sector. Incompatible state regulations have all
15 but eliminated stakeholder access to federal waters. A major
16 overhaul of red snapper management is necessary. Implement a
17 tag system and eliminate seasons.

18
19 Adopt a federal season from April through October, Friday
20 through Sunday only. Sector separation is not needed for
21 accountability in the for-hire industry. Electronic logbooks
22 can be required without it. Hail-in and hail-out requirements
23 can be put in place without it as well.

24
25 After approving Amendment 40, the council should consider new
26 management approaches that would provide year-round fishing
27 opportunities, integrate recreational fishing into management of
28 shared resources in a way that jointly promotes net benefits and
29 accountability.

30
31 Should produce credible response to the federal court reprimand
32 of illegal recreational red snapper management and be consistent
33 with advice from the council's SESSC. That concludes my summary
34 of the comments that we received since the August meeting,
35 online and both sent-in written comment.

36
37 **CHAIRMAN RIECHERS:** Thank you. Any questions of Emily? Okay.
38 Next we turn to the Codified Regulations. I don't know who is
39 going to go over them here. It just has "NMFS".

40 41 **CODIFIED REGULATIONS**

42
43 **MS. LEVY:** You have some codified text, Tab, Number 8. There
44 are just a couple of things I wanted to point out. It has the
45 overall recreational quota and then it has each component's
46 quota. It has the numbers in there based on the preferred
47 alternative and the percentages. That is going to have to be
48 modified to reflect -- Eventually, when we get the new

1 calibration numbers that Andy put up there. Those hard numbers
2 that are in there as the quotas will be changed to reflect what
3 the actual percentages ended up being, because we don't codify
4 the percentages or the years. We actually just codify the
5 quotas or the ACLs and ACTs.

6
7 Then for the accountability measure section, we are just going
8 to have to clean up the numbering a bit. When we were drafting
9 this, we made some edits and our numbering is off and so we will
10 clean that up and we're going to need to add to what's there now
11 the annual catch limits and so right now, we have what the
12 annual catch targets are, but we did not put in what the actual
13 annual catch limits are, which are the quotas, but we need to
14 indicate that in the codified text and all of that will be done
15 and cleaned up for you at full council, as well as we'll add
16 some language about the sunset provisions after three years.

17
18 Basically the component quotas will be good for a three-year
19 period and so you have a draft there, but it's going to change
20 based on what you did today and what we heard about the MRIP
21 calibration and then just some cleaning up of the numbers and
22 the adding of the actual ACL language.

23
24 **CHAIRMAN RIECHERS:** Mara, and it's going to change before full
25 council? Help me out here.

26
27 **MS. LEVY:** The numbers that are the quotas won't change before
28 full council, because what we need is the final calibration
29 workshop results and then what those final percentages, based on
30 the year sequence you chose, are going to be. It will
31 ultimately change when we publish the proposed rule. We will
32 have the right numbers in there when we publish the proposed
33 rule, but we won't know that for however long. I guess Andy
34 indicated a couple of weeks until they come up with what the
35 actual final calibration is going to be.

36
37 **CHAIRMAN RIECHERS:** Roy and I had one more question down that
38 road, but I will let you --

39
40 **DR. CRABTREE:** By full council, we will put in the language
41 addressing the sunset.

42
43 **CHAIRMAN RIECHERS:** Okay and so we're going to put in the
44 language addressing the sunset and I guess my question, Mara,
45 was, and forgive me, but I thought the whole reason we review
46 these codified regs, based on some past history, is that we see
47 the actual text as it goes. I know it wasn't us who did that
48 back when, but we've been reviewing them in order to see the

1 actual text before it goes and I don't know for how many years
2 now, but talk to us about how that's not going to be what we see
3 here.

4
5 **MS. LEVY:** Well, it will be what you see here, other than the
6 actual quotas. Generally when you deem the codified text in the
7 amendment, you give staff editorial license to make the
8 necessary changes to the document and the codified text and the
9 Chairman can re-deem the codified text as amended.

10
11 In this case, staff is going to have to amend the document
12 itself to reflect the MRIP calibration, which is going to change
13 some of those tables and the percentages and the values, and
14 staff is going to have to edit the codified text to reflect that
15 same thing.

16
17 You are looking at what the regulations are going to say. This
18 is the language that's going to be in there and when you get to
19 full council, you will have the sunset provision language, but
20 the actual hard numbers are not going to be what's in here,
21 because they are going to change in the document before you
22 submit it.

23
24 **MR. ATRAN:** If this goes through, there will be a proposed rule
25 published something like ninety days before final action is
26 taken and so there would be an opportunity for the council to
27 review what the proposed regulations, including the changes, are
28 before any final action is taken.

29
30 **MS. LEVY:** I'm not clear what you mean, because the council is
31 going to take final action and NMFS -- The document will get
32 cleaned up to reflect the current status of whatever the MRIP
33 calibration shows and the council will submit that document for
34 implementation and NMFS will then publish a proposed rule,
35 normally with the thirty-day comment period, and then NMFS will
36 publish a final rule. The proposed rule will have what the
37 quotas are going to be. We're not going to propose a quota and
38 then change it midstream. We are going to propose what the
39 actual quotas are going to be.

40
41 **MR. ATRAN:** That was all I was really getting at. The reason
42 why we review the codified regulations is to make sure they're
43 consistent with what the intent of the council was in the
44 amendment and right now, there's a few things that need to be
45 cleaned up. The proposed rule will have that cleaned-up
46 language and that will be an opportunity to make sure that it
47 does in fact reflect the council's intent. That's all I wanted
48 to say.

1
2 **CHAIRMAN RIECHERS:** Any other comments? All right, Mr. Greene.
3 I think it turns to you.

4
5 **COMMITTEE RECOMMENDATIONS**
6

7 **MR. GREENE:** I was just going to put the motion up to send it to
8 the Secretary. I think she had it ready and I believe that
9 would be it.

10
11 **CHAIRMAN RIECHERS:** I think it's -- Somehow we are a little bit
12 -- Is it to be forwarded? Are we missing something there? You
13 need to state what the amendment is, I believe. It's Amendment
14 40. Do I hear a second? Dr. Dana seconded. Any discussion?
15 **Hearing no discussion, all those in favor say aye; all those**
16 **opposed same sign. Let's have a show of hands. All those in**
17 **favor, four; all those opposed, five. The motion fails.** I
18 think that takes us to Item Number VII, IFQ Program Review, and
19 Dr. Lasseter.

20
21 **IFQ PROGRAM REVIEW**
22

23 **DR. LASSETER:** Thank you, Mr. Chairman. This is Tab B, Number 9
24 and the document is Modifications to the Red Snapper IFQ Program
25 and this a scoping document we are bringing you for Amendment
26 36. If we can begin on page 1, I will just go through the
27 document.

28
29 Introduction, bring out Amendment 26 again, which is the
30 document that established the original red snapper IFQ program
31 in the Gulf in 2007. We had discussed what is scoping, address
32 what is scoping, to help the public provide constructive
33 commentary on this.

34
35 The next section, move to the next down, there we go. A section
36 on the background of establishing the program, including the
37 problems that were identified and the range of alternatives that
38 were considered and then the conclusions from the five-year
39 review that was recently completed.

40
41 Here, we start with the original purpose and need that was
42 defined in the amendment and it reads as follows: The purpose
43 of the IFQ program proposed in this amendment is to reduce
44 overcapacity in the commercial fishery and to eliminate, to the
45 extent possible, the problems associated with derby fishing, in
46 order to assist the council in achieving OY.

47
48 We generally refer to the goals and objectives of the program as

1 that reducing overcapacity and the problems with the derby
2 fishing. Following the purpose and need are the conclusions
3 from the five-year review concerning participant consolidation
4 and overcapacity, achievement of OY, mitigating the race to
5 fish, the derby fishery and the safety at sea. There are
6 biological outcomes, social impacts, and conclusions on
7 enforcement and program administration.

8
9 Then we provide some IFQ terminology basics. In anything that
10 you wish to consider in modifying this program it is, and we
11 have Andy here to help us, very formal and the terms are used in
12 very specific and deliberate ways, which I have to remind myself
13 of continually.

14
15 Appendix A provides a more complete glossary of IFQ program
16 terms and so whenever we're -- As we're discussing this document
17 and moving forward with the IFQ program modifications, whatever
18 action you wish to take, we need to think about how it would fit
19 into the program as it exists now.

20
21 So let's go to the next page and scope of potential actions.
22 The council reviewed a list of items recently and we received
23 approval from GC that we did not need a referendum to begin
24 consideration of these modifications and so the first topic of
25 potential actions is under program eligibility requirements and
26 there were two kind of inverted suggestions.

27
28 One would further expand who could participate in the program
29 and then another one would put us back before 2012, when you
30 were required to possess a commercial reef fish permit to buy
31 shares. I have compared the two of those and so if we take a
32 look on page 8, Table 4, let's talk about that first.

33
34 So there were two suggestions and one would be Option a, to
35 restrict the future transfer of shares to only shareholder
36 accounts that hold a valid commercial reef fish permit and
37 another one, and I've just called it Option b, would be to allow
38 accounts with shares, but without a commercial reef fish permit,
39 to harvest the allocation associated with those shares. Then I
40 have just compared what the action would be for each of those
41 options in Table 4 that's provided.

42
43 Also going back to the -- This whole section, there is also an
44 analysis of public participation that was provided by Andy's
45 team, just so that you can consider and evaluate the magnitude
46 of this as an issue, if this is something that you wish to
47 address. That's the first kind of subject, is who gets to
48 participate and in what capacity they participate. What are the

1 requirements, reef fish permit requirements, for participation?

2
3 The next section, 2, begins on page 9 and it addresses inactive
4 accounts, discards, and redistribution of IFQ shares, kind of as
5 a catchall. There were several potential changes that were
6 included on the list, such as to allow closure of accounts and
7 redistribute the shares in accounts that have not been
8 activated.

9
10 In response to that, Dr. Stephen recently provided me some
11 information on the number of remaining accounts that have never
12 been activated and that's provided in Table 5. You can see now,
13 as of 2013, there remained ninety-six inactive accounts with
14 almost 80,000 pounds of total quota and so this has been
15 decreasing year by year.

16
17 We included some of this information just to provide some
18 context on some of these potential changes, these items that you
19 have discussed.

20
21 The next one was to redistribute shares from inactive accounts
22 to those with no or small shares or to new entrants and this was
23 suggested to reduce regulatory discards. Another potential
24 change suggested was to redistribute shares from inactive
25 accounts to address reduction of regulatory discards through
26 permit banks or NMFS administration and so this is just a
27 different mechanism that you may wish to consider for that
28 redistribution.

29
30 Then, finally, it was suggested that with future increases in
31 the quota consider taking some part of that and using it to
32 redistribute to new entrants and small shareholders and also I
33 didn't point out for each of these we have included a scoping
34 question guideline, to get the discussion going at scoping
35 meetings for each of these topics.

36
37 Moving on, the next section begins on page 11, Number 3, and
38 this put together from the list those items that dealt with IFQ
39 share allocation and/or vessel caps and the potential changes
40 suggested have been to establish a cap on the amount of IFQ
41 allocation that could be held by either an entity or that could
42 be landed by a vessel and the final one was to limit the amount
43 of shares or allocation that non-permitted entities could
44 possess.

45
46 Again, we have provided some background information on the
47 number of accounts by shareholding size. That's provided in
48 that section as well.

1
2 Moving on, the next section starts on page 13, Section 4, and
3 these are potential changes that address restrictions on the use
4 of shares and/or allocation, such as to establish use-it-or-
5 lose-it provisions or placing some other restrictions on the
6 sale of IFQ allocations and shares and that's very broadly
7 written with some scoping questions.

8
9 Number 5 is on the same page, at the bottom, and that would
10 address a full-retention fishery for regulatory discards,
11 addressing regulatory discards, and suggested changes were to
12 eliminate the minimum size limit for the commercial sector
13 entirely and to consider the full retention of commercially-
14 caught red snapper.

15
16 Section 6 starts on page 14 and this was suggested by Dr.
17 Crabtree I believe at the last meeting or the meeting before, a
18 potential change to withhold distribution of some portion of
19 shareholders' allocation at the beginning of the year, in the
20 event a mid-year quota reduction is expected, if the results of
21 a stock assessment are expected or something along those lines,
22 and some scoping questions for that.

23
24 The next page, we have our final list of suggested changes and
25 this pertains to enforcement for all reef fish landings and so
26 this is really looking at the negative space outside. Rather
27 than those participants in the IFQ program, the potential change
28 would be to require all vessels with a commercial reef fish
29 permit to hail in prior to landing, even if they are not in
30 possession of IFQ species.

31
32 Finally, if there is any other additional issues to address, we
33 have provided in the document space and scoping questions for
34 the public to provide feedback and additional suggestions.

35
36 Those are the topics that we have pulled together for sending
37 out to scoping. I mentioned Appendix A has the glossary of
38 terms and Appendix B, we have provided the red snapper IFQ AP
39 summary from their meeting last year in November and their
40 motions, their suggestions, have been incorporated into that
41 list that we've just reviewed.

42
43 So it's quite a short scoping document, but the next stage would
44 be if you had any additional suggestions or comments or
45 additions to the document. I will turn it back over to the
46 Chairman.

47
48 **CHAIRMAN RIECHERS:** Anybody have any comments or any additions

1 they would like to make or questions regarding any particular
2 item?

3
4 **MR. PHIL STEELE:** Andy, we've discussed -- What's the
5 possibility of expanding the scope of this document to include
6 all our IFQ programs and not just red snapper?

7
8 **CHAIRMAN RIECHERS:** Who wants to attempt to address that? It
9 looks like Kevin will take a shot.

10
11 **MR. ANSON:** Just for clarification, but do you mean all of the
12 existing IFQ programs that are currently underway?

13
14 **MR. STEELE:** Right, red snapper and our grouper tilefish.

15
16 **CHAIRMAN RIECHERS:** Where do we stand on the review time of the
17 grouper tilefish? Ava is going to be able to answer that.

18
19 **DR. LASSETER:** Andy has just created the group and we're going
20 to meet for the first time in early November to begin the five-
21 year review for the grouper tilefish IFQ program.

22
23 **CHAIRMAN RIECHERS:** So depending on when you might want to do
24 scoping, there might be a chance to include some of those
25 elements? Who are you pointing to, Ava?

26
27 **DR. LASSETER:** I'm sorry, but maybe if we let Andy comment.

28
29 **CHAIRMAN RIECHERS:** Okay, Andy. I'm sorry.

30
31 **MR. STRELCHECK:** There is certainly going to be some differences
32 between the programs, but many of the provisions that you're
33 considering, they're the same provisions, whether you're talking
34 red snapper or grouper tilefish. My concern is if you're too
35 narrow in scope and you're only revising red snapper, then we're
36 going to have to come back in and deal with grouper tilefish
37 later and hopefully as you develop this amendment, we can factor
38 in the review that's ongoing, but there's going to be
39 provisions, I think, that will need to be addressed one way or
40 another regardless of the review and to keep it open-ended to
41 include all IFQ programs would be beneficial.

42
43 **CHAIRMAN RIECHERS:** The only thing is I think there might be
44 some concern for those who have been pushing for this review to
45 have some fear about holding it up and the movement on it in
46 regards to that other stuff kind of getting pushed into it.

47
48 I think there's a way they can probably move on a simultaneous

1 track and maybe we can even, at the scoping meetings, open it up
2 for comments regarding grouper and make people aware that this
3 isn't only red snapper, but it's also grouper tilefish and you
4 might then kind of -- For those things that might be subtly
5 different, people will be aware and try to get them included
6 there and does that hold any promise?

7
8 **MR. STRELCHECK:** Yes and my main concern is we manage it under
9 one reporting system and with the exception of public
10 participation, which is a different five-year timeframe for the
11 two programs, pretty much all of the regulations mirror one
12 another with the two programs and so if you're going to make a
13 change to one program, let's make it to both programs.

14
15 **CHAIRMAN RIECHERS:** I think, David, you had your hand up and
16 then Ava or however you all want to work it out down there.

17
18 **DR. LASSETER:** In responding to Andy, actually we can add to the
19 end of the document and open it up for -- Add scoping questions
20 so that people can be contributing comments that would apply to
21 the grouper tilefish program as well.

22
23 **MR. WALKER:** I think I would like to keep the red snapper
24 separate from the grouper program if they're two different --
25 There's different parts of Magnuson that addressed red snapper
26 differently than it does the other program and so I would just
27 hate to see it delayed. I would like to see it move on out to
28 scoping just like it is and get some comment. We may get some
29 comment about the grouper IFQ, but I just don't see the need to
30 put them together at this time.

31
32 **MR. WILLIAMS:** I have a slightly different topic and has this
33 reached its --

34
35 **CHAIRMAN RIECHERS:** Let me make sure. Any other comments there?
36 I mean obviously some reservation, but maybe a way to do it
37 where it doesn't slow it up, unless we feel -- Kevin.

38
39 **MR. ANSON:** Well, kind of going on your comments, it didn't
40 sound like necessarily it would be slowed up, but it would just
41 be the council staff would explain that it is more encompassing
42 than just red snapper and that there would be some specific
43 comments to grouper tilefish and that those could be
44 incorporated in this document.

45
46 I kind of agree with Mr. Walker that we don't necessarily need
47 to slow this down, because it has been a little bit delayed in
48 my mind, as far as the red snapper IFQ review, but there are

1 lots of parallels between those two programs and certainly it
2 would be a good time to try to get as much information on both
3 at the same time.

4
5 **MR. WALKER:** I was just going to say that if we could get a
6 little time to communicate with the industry about this and when
7 it comes back up in full council, we can address it again then.

8
9 **CHAIRMAN RIECHERS:** Okay and so I think then that concludes that
10 -- Ava, were you looking for scoping locations and a possible
11 time and date or Roy -- I think this may be where Roy was going
12 to come in.

13
14 **MR. WILLIAMS:** Well, I have a topic I wanted to briefly bring
15 up, if I might, but it's in line with this. A question for Ava.
16 Have you guys given any -- Personally, I have a concern about
17 being able to get allocation into the hands of people that need
18 it and has there ever been any discussion of when somebody rents
19 a portion of the red snapper allocation that he or she be given
20 a portion of that?

21
22 In other words, if they rented 10,000 pounds, that some portion
23 of that would go to that person and that they would get to keep
24 a piece of it in perpetuity? Has there been any discussion of
25 that?

26
27 **DR. LASSETER:** I have not heard that, although I could add that
28 as a potential change within the section that does talk about
29 the cap. It would either be under the caps or the -- There are
30 a couple of places where I could pop that in.

31
32 **MR. WILLIAMS:** If I may continue, Mr. Chairman, and I don't want
33 to take up too much time here, but I will tell you that years
34 ago, in another life, I used to go to the South Atlantic Fishery
35 Management Council and we were trying to implement an ITQ
36 program for wreckfish, the deepwater sort of grouper-looking
37 thing that actually lives east of the Gulfstream in the
38 Atlantic.

39
40 A couple of us were working real hard to get John Floyd, who was
41 a member of that council, to support our wreckfish ITQ program
42 and he just kept refusing and John was the -- He was the half-
43 brother of Carroll Campbell, who was the Governor of South
44 Carolina at the time.

45
46 John said, no, and he said it's going to end up just like
47 tobacco allotments, where a South Carolina farmer has to go to
48 Chicago, Illinois to get an allocation for a tobacco allotment

1 and he said, that's just not right and I don't think he ever
2 supported the IFQ, even though we finally approved it.

3

4 I, in my lack of wisdom, said, no, that just wasn't realistic
5 and that would never happen and blah, blah, blah and I truly
6 didn't believe that it would, but it seems like it has happened
7 in red snapper now and I have a concern with the allocation
8 being separated from the fishermen.

9

10 I tend to think that if not all of it, at least most of it ought
11 to lie with the fishermen and I am interested in some way to try
12 to work some of that allocation back into the hands of the
13 fishermen, because it's going other places and it's going there
14 to my chagrin. I don't like it and so that's what I have and
15 thank you.

16

17 **DR. CRABTREE:** Part of that came about because we allow people
18 to own shares without having to own a permit and a vessel,
19 right? So if there was interest, we could add, into the scoping
20 document -- Do we have one in there that would reinstate a -- I
21 see the motion on the board, but it's for future shares and do
22 we have one that would require every shareholder to have a
23 permit and a vessel?

24

25 **DR. LASSETER:** Yes.

26

27 **DR. CRABTREE:** Would that kind of address some of your concerns,
28 Roy, because that would --

29

30 **MR. WILLIAMS:** Yes, I think that would help, but truly, I am
31 kind of thinking that some small fisherman that has to go out
32 and rent some allocation, maybe he ought to be able to keep a
33 little piece of it for himself in perpetuity, until he gets to
34 the point where he doesn't want to fish anymore and then he's
35 going to have to rent it and he's going to have to start losing
36 it.

37

38 **DR. CRABTREE:** I think you could do that. I mean you could say
39 to rent, to lease, so much allocation that you have to also sell
40 that person a share, but it would drive up the cost of leasing.
41 Of course, they would get some shares out of it, but I think if
42 you're interested --

43

44 **MR. WILLIAMS:** I don't think it would affect the cost of leasing
45 at all. I think the market determines the cost of leasing.
46 Admittedly, it would be a burden, but I would defer to what the
47 economists say on that, but I think the market controls that.

48

1 **DR. CRABTREE:** This is a scoping document and so you could add
2 something like that in it or just look for more input on how to
3 address the general problem that you raise.

4
5 **DR. LASSETER:** I will jump in and add there is a section on use-
6 it-or-lose-it and I think that would be the appropriate place
7 and, again, what I mentioned in the beginning, the idea of the
8 problems that we want to fix, that we may want to fix, we will
9 have to figure out a way to do it given the structure of the
10 program and Dr. Jessica Stephen can definitely talk to us more
11 about that at another meeting.

12
13 It's difficult to track allocation and where it goes and so
14 people may sell their allocation and then that allocation may
15 actually transfer through several different people's accounts.
16 Whose allocation was it and how much -- Maybe that one person
17 buys from two different people and whose allocation are they
18 actually fishing on a given day? This is way on down the line,
19 but we will have to make that bridge between what we want to do
20 and figuring out how to implement it.

21
22 **CHAIRMAN RIECHERS:** Okay. Any other discussion on this topic?

23
24 **MS. BOSARGE:** Ava, I just had a quick question. You had talked
25 about some of those inactive accounts and right before that, you
26 had been speaking to the issue of accounts that had never been
27 activated, but when we look at Table 5, just for clarification,
28 the inactive accounts listed there, those are accounts that were
29 not used in that twelve-month or calendar year prior, right?
30 It's not accounts that have never been activated, right?

31
32 **DR. LASSETER:** I believe that those ninety-six accounts, as of
33 2013, have not ever been activated and there is a very small
34 amount of quota in each one of them and it's also my
35 understanding -- Up until recently, NMFS has been very active in
36 trying to track down the owners of these accounts and resolve
37 it.

38
39 I have heard recently that the commercial fishermen have taken
40 an initiative to track down some of these people and negotiate
41 buying the shares and so the number has been decreasing. We
42 have gone from 173 in the first year of the program down to
43 ninety-six, but those are accounts that have never been
44 activated and Andy can correct me if I'm wrong.

45
46 **MR. WALKER:** I was going to say a lot of these things, some of
47 the things are being complained about, was the original Red
48 Snapper Ad Hoc Committee had asked for the use-it-or-lose-it and

1 also had asked for not open to the public and after five years,
2 it was open to the public and that created some problems and
3 also, the fishermen can -- They can buy or lease right now and
4 that's what I was wanting to get at about that, is
5 substantially-dependent fishermen. They were part of this panel
6 to help develop this and it was industry and so I just think a
7 lot of the things the original ad hoc committee had asked for,
8 those are some of that are -- When you get back out to scoping,
9 maybe that can be addressed.

10
11 **CHAIRMAN RIECHERS:** All right, Ava, what was your end result
12 here? Do you have a suggested timeframe for these scoping
13 meetings and do you want us to choose locations or what's the
14 plan?

15
16 **DR. LASSETER:** If you feel it's appropriate, you could go ahead
17 and select locations and have us send it out. We are getting
18 into the holiday season and we will have to get back to on
19 timeline. I don't know if it could be feasible before the
20 January meeting. Maybe we can give you more feedback on that at
21 full council. Let me talk with Dr. Simmons.

22
23 **CHAIRMAN RIECHERS:** Do we want to try to select locations here
24 now or do you all want to get feedback from individuals on where
25 those locations would be or what's the pleasure of the state
26 folks who typically try to give locations here? Dale is ready
27 and let's go with Mississippi.

28
29 **MR. DIAZ:** Ava, I believe, to my knowledge, most of the
30 commercial fishermen in Mississippi operate out of Pascagoula
31 and so if you could have it in Pascagoula. Thank you.

32
33 **CHAIRMAN RIECHERS:** Kevin.

34
35 **MR. ANSON:** I was going to suggest Mobile, but that's just a hop
36 and skip away from Pascagoula, but I will say Mobile for now.

37
38 **CHAIRMAN RIECHERS:** We've got Mobile. Louisiana?

39
40 **MR. FISCHER:** Mobile, Louisiana?

41
42 **CHAIRMAN RIECHERS:** We've got Mobile from Alabama and what would
43 Louisiana like to do? I'm sorry.

44
45 **MR. FISCHER:** Kenner/St. Rose, in the airport area.

46
47 **CHAIRMAN RIECHERS:** Florida?
48

1 **MS. BADEMAN:** Panama City and then we're thinking maybe St.
2 Petersburg. That way it's kind of central to folks in Madeira
3 Beach and Cortez.

4
5 **CHAIRMAN RIECHERS:** If Buddy wouldn't mind -- Buddy, where
6 should we hold them in Texas? Do you want to go on the island
7 or do you want to come off the island?

8
9 **MR. BUDDY GUINDON:** On the island. That's where most of the
10 commercial fishermen are.

11
12 **CHAIRMAN RIECHERS:** Well, right. So something on Galveston and
13 we probably need to go down the coast somewhere and where would
14 you --

15
16 **MR. GUINDON:** Port Aransas.

17
18 **CHAIRMAN RIECHERS:** Port Aransas and so Galveston and Port
19 Aransas. **Basically that's the motion to hold scoping meetings**
20 **in those locations and so we will go ahead and I will make that**
21 **motion and Dale will second, to ensure that we have it as a**
22 **committee motion.** Any discussions regarding that? Obviously if
23 we need to make any changes to locations at full council, we can
24 do that. **We probably don't need much discussion on this and so**
25 **all those in favor of that motion say aye; all those opposed**
26 **same sign. The motion carries.**

27
28 Ava, if you could, just think about the possibility of timing
29 and not that you have to have that completely solidified, but at
30 least the thought about when it might occur. Do you have
31 another item?

32
33 **DR. LASSETER:** Thank you, Mr. Chairman. Yes, I will get back
34 with you for full council on the timing and then the last item
35 for this was -- This also goes back to the program
36 participation. With the red snapper program, as of January 1,
37 2012, all shares are available to the public for purchase.

38
39 However, a control rule was put in place notifying the public
40 that their future participation was not guaranteed and we just
41 wanted to get some guidance whether you wanted to address the
42 public sale of the grouper tilefish IFQ shares as well, because
43 they go open for public sale on January 1, 2015.

44
45 **CHAIRMAN RIECHERS:** Any other discussion here? All right. It
46 sounds and looks as if we might need a ten-minute break here and
47 so let's take a ten-minute break or close to that and try to be
48 back in here by 3:10.

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

3
4 **CHAIRMAN RIECHERS:** If we could, could we start taking our
5 seats? We are going to pick back up with Item Number VIII, Tab
6 B, Number 16 and B-17(a) and (b) and then eventually we will get
7 to B-18.

8
9 I believe Dr. Barbieri will be leading this charge here and
10 we're actually -- If the committee will indulge me, after this
11 we're going to go ahead and assuming Luiz can stand that long
12 and be battered by questions that long, we are going to move on
13 and also move up his hogfish presentation and then he also has
14 the last item before Other Business and we will probably do that
15 as well. He has a plane to catch tomorrow morning and just -- I
16 think we're going to finish everything this afternoon, but just
17 to make sure that we get all of his stuff covered before we
18 adjourn. If the committee indulges me, I will make that happen
19 for him and so with that, Luiz, if you will, get us started.

20
21 **DR. BARBIERI:** Thank you, Mr. Chairman. I don't know where our
22 first presentation is and, Charlotte, are you going to be
23 advancing from there? Mr. Chairman, you want to start with the
24 gag projections then?

25
26 **CHAIRMAN RIECHERS:** Yes, that was our next item on the agenda.
27 Yes, sir.

28
29 **GAG OFL AND ABC SSC RECOMMENDATIONS**

30
31 **DR. BARBIERI:** To refresh your memories about where we are with
32 this process, we had a benchmark stock assessment of Gulf gag
33 that was completed very early this year and the assessment was
34 reviewed by the CIE and reviewed by the SSC, but at our March
35 meeting, SSC meeting, we did not have at that time the PDFs, the
36 probability density functions, to estimate what the OFL and ABC
37 was going to be for gag, given the fact that we didn't have our
38 P* method applied.

39
40 After the March meeting, we requested the Center to put together
41 those PDFs and bring us those projections, which we reviewed, I
42 think it was back in July, if I remember correctly. Then at
43 that point, we realized that the West Florida Shelf was being
44 bombarded with a massive, very large and intense, red tide event
45 that seemed to have similar characteristics to what we had seen
46 a few years back in 2005.

47
48 The SSC at that point decided that the best course of action was

1 to ask for an additional set of projections to be produced that
2 would take into account different scenarios for this red tide
3 event, for the impact of mortality of this red tide event.

4
5 What I am going to present today are these last set of
6 projections and walk you through the whole process of how that
7 integrated some scenarios of red tide mortality and then
8 present, finally, what recommendations came out of the SSC
9 meeting regarding OFL and ABC for gag.

10
11 This is really just the little introduction that I just gave you
12 that you have in writing of what the situation was and then the
13 fact that we evaluated a red tide mortality in the past that was
14 a 2005 event that was very strong as well and the episodic red
15 tide mortality rate for that event and that we associated with
16 that assessment update was an instantaneous mortality rate of
17 0.68. That would be a natural mortality episodic for that year
18 that was associated with the gag population.

19
20 We evaluated a range then of episodic instantaneous mortality
21 rates for 2014 that represent these multipliers of the 2005
22 event and so the event started sometime in June, to become this
23 intense, and it has progressed over time.

24
25 It's not over yet and it has broken up, encompassing vast,
26 massive areas of the West Florida Shelf and fairly intense in
27 nature and because the event is not complete and we don't have
28 really any way to measure what impact would be in terms of
29 mortality, what these projections are doing is providing them
30 these multipliers and whether there was no mortality at all
31 versus a quarter, half, three-quarters, one and so on of that
32 level of mortality that was estimated in 2005 and so basically,
33 the question is are we having, in 2014, a mortality event that
34 is as intense as the 2005 year, the one multiplier, more, or
35 less?

36
37 The projections were developed according to that scheme there
38 and so the projection methods -- I don't need to go into too
39 much detail here and these are primarily technical in nature,
40 but we made some assumptions about selectivity patterns and
41 retention patterns and the relative fishing intensity among
42 fleets and all of those decisions had been already made by the
43 SSC back in July and chosen as the scenarios that are going to
44 be used to project forward.

45
46 Then we had the range of episodic mortality rates that I just
47 went over with you and then a PDF, a probability density
48 function, of the overfishing limit, which in this case for gag

1 is yield at Fmax was created for each of those mortality
2 scenarios by combining the two projections from those two
3 scenarios that were produced in terms of retention and
4 selectivity patterns.

5
6 This was done with a P* of 0.41, which was when the SSC applied
7 their ABC control rule and we came up with a P* of 0.41 to set
8 up the buffer between OFL and ABC. Right?

9
10 The Center also produced, besides the OFL and ABC yield streams,
11 they also provided optimum yield yield streams and those are
12 equal to the yield at 75 percent of Fmax. There you have, in
13 front of you, a number of plots, the curves, that represent the
14 trajectory of spawning stock biomass, SSB, and yields from 2000
15 forward, as estimated by the assessment, and then projecting
16 into the future, from 2014 onwards, depending on a variable
17 level of red tide mortality intensity.

18
19 I trust that you have those plots there, that figure in front of
20 you, so you can actually follow the colors and see what the
21 different scenarios are, but that just goes into more detail to
22 look at some of the -- Also the different retention and the
23 other selectivity functions that were used as well.

24
25 Then eventually a projection, a set of projections, using the
26 two scenarios that had been selected by the SSC was put together
27 and combined into a single PDF, a single probability density
28 function, for them to apply -- For us to apply the ABC control
29 rule, that P* value. You can see then what the trajectory of
30 yields have been, as estimated by the assessment, from 2000
31 onward and then the different scenarios that incorporate those
32 different levels of red tide mortality.

33
34 The multiplier of one, which I think is orange or red, is giving
35 you the impact of what would be expected if the red tide in 2014
36 is assumed to be of the same magnitude as the mortality that we
37 suffered, gag suffered, back in 2005 and then the other
38 multipliers are fractions of that or slight increases.

39
40 Then we get to this other table here, which you don't have to
41 concern yourselves about too much, other than to look at this
42 Table E, red tide mortality equals one times the 2005 natural
43 mortality event impact.

44
45 Basically, the SSC discussed this issue in detail and I actually
46 gave a short presentation to the SSC and I approached our FWC
47 Research Institute Red Tide Program, which has a very extensive
48 sampling program over the West Florida Shelf and works in

1 combination with the USF College of Marine Science, using
2 satellite imagery to actually measure the size and intensity of
3 this event and after all those discussions, we actually
4 concluded that the most likely scenario for the impact of the
5 2014 mortality event is that it was of similar magnitude and
6 perhaps not yet, but when you consider that it's not finished
7 yet and it's going to continue happening over the next few
8 months, that most likely is going to turn out to be of equal or
9 slightly higher intensity than what happened in 2005 and with
10 that in mind, we used the one multiplier and the SSC recommended
11 then an estimate of OFL and ABC for gag just for 2015 and this
12 is very important.

13
14 Given all the uncertainties that we have now about the magnitude
15 of the event and about the age composition of the fish that were
16 impacted by the red tide event, we decided that we would not
17 provide you with a longer -- Usually we provide you with three
18 to five years of projections, yield streams, to give you OFL and
19 ABC for the different stocks after assessments for multiple
20 years.

21
22 In this case, we are requesting that you accept our projection
23 just for 2015 and that we come back next year, after we have
24 more information about the impact of this event, and we
25 recalculate what the impacts were and how they impacted then the
26 projections and give you updated projections next year, for
27 2016.

28
29 With that, the recommendation of the SSC was a yield of 3.31
30 million pounds for OFL and 3.07 for ABC for the year 2015 and we
31 are going to continue monitoring this event and we're going to
32 do some additional analysis next year and bring you back a fresh
33 set of projections after we have more information and that, Mr.
34 Chairman, I think completes my presentation on gag. All of this
35 is pretty much what I had already presented or discussed and I
36 am available for questions.

37
38 **CHAIRMAN RIECHERS:** Thank you, Luiz. Any questions regarding
39 the OFL yield streams and any of the other parts of that
40 presentation?

41
42 **DR. CRABTREE:** Luiz, I am still struggling to understand the
43 scientific analysis that you used to get to the one times
44 multiplier and all I really see in the report that's solid is
45 that it was 50 to 75 percent of the 2005 event, yet you didn't
46 go with a multiplier of 0.5 or 0.75 or something in the middle
47 and so I heard you say you looked at a few things and then you
48 just decided one times, but it seems to me that's pretty weak

1 and so can you explain to us more about the actual science that
2 indicated to you that the 1.0 was the actual multiplier?

3
4 **DR. BARBIERI:** Yes and the science behind it, to tell the truth,
5 is not really something that I have here to put in front of you,
6 but if you go to the FWC website and you Google or you search
7 there for "red tide events", we have a center for monitoring and
8 forecast of red tides in cooperation with the University of
9 South Florida and we have a number of products there that are
10 produced in terms of satellite imagery and plots that show the
11 size, the intensity, and the duration of the events.

12
13 Since I am not a red tide expert myself and since we don't have,
14 in the SSC, any red tide experts, I actually decided to consult
15 with Dr. Alina Corcoran, who heads our Red Tide Research Program
16 for the Institute and works with that center for prediction of
17 red tides and I asked her to exercise her best scientific
18 judgment based on what she knows about red tide impact based on
19 what she learned from the 2005 event and compare the size, the
20 magnitude, and the duration of the event with that event and
21 give me her best scientific judgment on what this event most
22 likely, since we don't know what it is -- You know it's really
23 based on likelihoods and what's the likelihood that it's going
24 to be the same, less, or higher.

25
26 Given all this level of uncertainty, we did not feel that we
27 would be prepared to give you long-term projections and so we
28 are giving just one year, for 2014, with the idea that if there
29 is any course correction that's needed that we can address that
30 next spring and provide you with a better informed set of
31 projections.

32
33 **DR. CRABTREE:** I get that and I'm not questioning the number of
34 years you gave us, but I see here, and it's in the report, that
35 you did consult with Dr. Alina Corcoran, but it says that what
36 she gave you was that it was 50 to 75 percent of the 2005 level.

37
38 Somehow the SSC went from 50 to 75 to 100 percent and I don't
39 see any science, anything in here, that explains how you go to
40 that and that's my problem with it. Not the number of years,
41 but how did you go from science advice of 50 to 75 to it became
42 100 percent?

43
44 **DR. BARBIERI:** Right and the discussion was based on the actual
45 duration of the event and that Alina did not feel comfortable
46 providing any future prognosis on the event into, for example,
47 these next few months.

48

1 She said up until now, if I were to measure this up to now, I
2 would measure those in terms of 0.5 to 0.75 of the 2005 event,
3 but let me remind you that the event is not over and that
4 oceanographic conditions a little south of Tampa Bay were
5 actually indicating -- Shaping up for the event to be continuing
6 and so she didn't feel comfortable providing any hard number,
7 but the SSC, based on that discussion, decided to go with the
8 assumption that it would be equal to the 2005 event.

9
10 **DR. CRABTREE:** Okay and I won't belabor the point, but it seems
11 to me at that point there was a lot of uncertainty and you just
12 didn't know and it seems to me at that point you essentially
13 made a policy call, which I think is really beyond your role and
14 so I don't know what the council will want to do with it, but it
15 does concern me a little bit that in the face of this kind of
16 uncertainty, I think really how to deal with that is more
17 appropriately decided by the council. That's just my feelings
18 on it.

19
20 **CHAIRMAN RIECHERS:** We've got Dr. Dana and then I will pivot to
21 Steve. Do you have something about this particular item before
22 Dr. Dana has a question?

23
24 **MR. ATRAN:** One other thing I think Luiz didn't mention was that
25 the SSC had enough uncertainty that they considered not making
26 any new ABC recommendation. There is on the books right now a
27 scheduled increase in ABC or ACL to go up to 3.12 million pounds
28 next year and so there would be a change if nothing is done and
29 the SSC thought about maybe letting that go through and not
30 making any recommendation until more information is known about
31 the red tide event next year, but they felt uncomfortable
32 leaving it at that point, because that would be de facto making
33 a recommendation based upon an old stock assessment.

34
35 What they ended up doing was looking at the various projections.
36 This projection, which assumed the red tide event this year is
37 equal to the 2005 event, resulted in ABCs and OFLs which were
38 the closest to what the previous assessment had recommended and
39 that was part of the reason why the SSC chose that particular
40 ABC.

41
42 **DR. CRABTREE:** I get all of that and I understand, I think, what
43 they did. My point is I think that is a decision that the
44 council should have made. I don't disagree and I think they
45 came to the right place and I don't really have a problem with
46 that catch level recommendation, but I think we got into some
47 gray areas here between science and policy and I think, by and
48 large, these were decisions that were better left to the

1 council.

2
3 **DR. BARBIERI:** To that point, if I may, Mr. Riechers. To that
4 point, Dr. Crabtree, I -- There is something about risk and
5 there is something about trying to account for the amount of
6 scientific uncertainty, which in this case -- I mean, to me, it
7 would be different if the SSC had made a judgment call based on
8 a precautionary approach versus a judgment call based on the
9 amount of scientific information we do not have in front of us
10 now.

11
12 I think the question for the committee to face was do we have
13 smaller uncertainty, and therefore need a smaller buffer, or do
14 we have larger uncertainty, and therefore need a larger buffer?
15 Just philosophically, that was the guiding principle that the
16 SSC --

17
18 **DR. CRABTREE:** Well, I understand that and had you somehow
19 incorporated this and quantified the uncertainty and then
20 applied the council's risk decisions, that would be one thing,
21 but I don't see that that's what was done here, because I don't
22 see that anybody really quantified the uncertainty in any way
23 and so it seems to me it was largely a decision about how
24 conservative to be, which I think are decisions that are more
25 appropriately made by the council.

26
27 **CHAIRMAN RIECHERS:** All right and if we may proceed, Dr. Dana
28 and then Kevin.

29
30 **DR. DANA:** Obviously I am not a scientist, but I appreciated Dr.
31 Crabtree bringing up that point, because I did attend the SSC
32 meeting and followed the discussion on this and I know Kevin was
33 -- I think you were on the line at that time and there was --
34 The SSC very much, I thought, was very scientific about how it
35 approached the 0.5 and 0.75 with where they wanted to go, given
36 the red tide incident, but then over just a long discussion and
37 input and based on the report from the gal on the red tide, it
38 slowly evolved into the one point and it seemed -- Again, I am
39 not a scientist, but it seemed a little bit random how it just
40 all of a sudden got to the one point and so I appreciate you
41 bringing it up, because it did seem, just going from what was
42 purely science-based to something that was more conservative-
43 based on top of the science.

44
45 **MR. ANSON:** I may have missed it and I was part of that webinar
46 listening in for certain parts and certainly I spent more time
47 listening to the red snapper discussion and not the gag, but
48 when I was on the webinar, I thought there was some discussion

1 on some field observations for mortality and trying to, again,
2 look at the two different events and compare what was actually
3 observed in the field as far as observed mortalities during the
4 2005 event as well as the 2014 in those similar areas where
5 there was those concentrations that were documented and such.
6 Was there not some of that information that may have helped you
7 all down the rationale that you ended up with?

8
9 **DR. BARBIERI:** Yes, it would. That would have helped us a lot,
10 but remember that -- This is just a technical methodological
11 approach, but the idea of going out there, in an area as large
12 as the West Florida Shelf and trying to actually quantify the
13 number of bodies that are out there that belong to whatever
14 species and the age composition of those and when you consider
15 the animals are dead and fish are preyed upon and they sink and
16 you name it and so basically the science around measuring these
17 types of episodic events has evolved over time to be focused on
18 looking at monitoring indices of abundance.

19
20 For the 2009 gag update, we actually had the indices before and
21 after the event to measure how much there was a decrease in
22 abundance and we used that decrease in abundance as the scaler
23 then to measure what the impact of the event had been. In this
24 case, we really won't have that data until probably the next two
25 or three years that actually evaluates what level was the stock
26 before and after, in terms of indices of abundance.

27
28 So it's really more of the committee applying its best
29 scientific judgment in a case that it cannot really be properly
30 quantified and there will be discussions about whether
31 scientific information needs to be always quantifiable or not,
32 because there is different types of advice. Some are
33 quantitative and some are not that can provide guidance and so
34 the committee actually had to use that, because it didn't have
35 those measures.

36
37 **DR. PONWITH:** To the issue of whether this is science or policy,
38 what I'm hearing from the report is that there is a red tide
39 event expert opinion that was sought on the scale of this event,
40 the geographic and the intensity of scale of this event relative
41 to the 2005 event and that the feedback was that it's, at this
42 point, at 50 to 75 percent of the intensity and geographic
43 scope, but then there's that "but" and the "but" is it's not
44 over yet.

45
46 So what I am interpreting, based on the presentation here, is
47 not that this is a policy call on managing risk, but it is, at
48 this point in time, it scales to 50 to 75 percent and it's not

1 over and the real question is how much longer is this going to
2 last and is it going to grow or is it going to shrink?

3
4 To me, that's the question that's being answered by the SSC in
5 their recommendation of scaling this from 75 to a 1.0, as
6 opposed to asking a question about what our tolerance for risk
7 is. That's just my perception of the presentation thus far.

8
9 If we knew when this was going to end and whether it would grow
10 before it ends or shrinks before it ends, we would be in a
11 better position to make a quantitative assessment of how this
12 scales, in its entirety, against the 2005, but, unfortunately,
13 we don't have that luxury.

14
15 **CHAIRMAN RIECHERS:** I think, just from a practical standpoint, I
16 think what we need to do here is decide whether we want to move
17 forward with a framework action and if we then want to think
18 about some scalers that are different than the 1.0 that were
19 used here, we actually have that information available to us and
20 those can be options in the document and then we can -- That's
21 part of that policy call that, Roy, you're suggesting, is if we
22 do believe that, based on the current information that we have
23 at this time, that it should be a different scaler than that,
24 that could be our preferred option. I think, at least as I'm
25 understanding where we need to head, but you're thinking it's
26 different and so help us out.

27
28 **DR. CRABTREE:** They have given you a catch level recommendation,
29 which you cannot exceed. If you disagree with what they did,
30 you've got to go back to the SSC and ask for them to revisit
31 this issue.

32
33 **CHAIRMAN RIECHERS:** So they didn't go further in the analysis
34 they did, which we have in front of us on the board, but what
35 they did is in their motion they went to a point where we have
36 to go back to them.

37
38 **DR. BARBIERI:** Mr. Chairman, Dr. Crabtree is correct. Although
39 we do have here the table, all these different options, the
40 table right there with different options, the SSC made that
41 recommendation there associated with the one times the 2005
42 event and so if you want to go with something over here, that
43 the event was less than 2005 and therefore would supersede that
44 recommendation, that's going to have to go back to the SSC, but
45 I think it would be instructive for the committee to have that
46 input from you, if you feel that that's a matter of risk.

47
48 **MS. BADEMAN:** Let me throw an idea out here and I don't know how

1 feasible this is and so we have an SSC meeting again in January,
2 right? The next time the council would see any kind of
3 framework action would be at our January/February council
4 meeting, whenever that is. Is it possible to have the SSC look
5 at this again in January and see what's changed and potentially
6 at least have the possibility of recommending a new OFL or ABC,
7 if it's warranted?
8

9 **CHAIRMAN RIECHERS:** It certainly makes some sense to me. I
10 don't know who is managing that SSC agenda at this point, but,
11 Steve, do we think we would have room for that discussion?
12

13 **MR. ATRAN:** We could make room. We are looking at several
14 reviews of stock assessments in January, but I mean we can just
15 add a day to the meeting if necessary. We can cover whatever
16 you want covered at the January meeting.
17

18 **CHAIRMAN RIECHERS:** So it seems to me that what we might could
19 do is make a motion from this group to begin the framework
20 action, but also realizing that it's going to be supplemented or
21 it may change associated with, again, review of the extent and
22 the length of that event, as compared to the previous event.
23

24 You can review that again to give you some notion of where it
25 stands now as compared to the last time you reviewed it and then
26 either bring us back options, if there is some question there,
27 or, again, your recommendation can come forward, but that seems
28 to me, that way, that we would have another chance to look at
29 the extent of that and make your best determination based on
30 that.
31

32 **DR. BARBIERI:** Right, Mr. Chairman, and I mean in that case,
33 what we would do is use the data -- I think in this case we used
34 the data through late September, right, because we met October 1
35 and 2, and we use those same assessments, the satellite imagery,
36 the point sampling of water samples for cell counts, and all the
37 other measures of red tide intensity between October and
38 December to see if there is any expansion of the event or any
39 difference in the perception that we have thus far and bring it
40 back to you in January or February, yes.
41

42 **CHAIRMAN RIECHERS:** I think if we can -- I mean they will put it
43 on their agenda and so I think the only other thing we may need
44 is if we want to begin that framework action, so that we see a
45 draft of that at our January meeting. Would someone like to put
46 that in the form of a motion?
47

48 **MR. ANSON:** I will make a motion that we instruct staff to

1 develop a framework action that looks at setting the ACL based
2 on the table that's provided in the SSC report, Table E, for
3 2015. This would be for 2015.

4
5 **CHAIRMAN RIECHERS:** I am going to suggest, Kevin, that in order
6 not to get into the issue that Dr. Crabtree was raising and
7 since they're going to review it again, setting the ACL based on
8 a review by the SSC of the current extent of the event at their
9 next meeting, something like that. Does that --

10
11 **MR. ANSON:** I just thought that it would be interchangeable.
12 Once they came back, then it would just simply -- We would bring
13 it back up and then we would replace, based on the SSC's current
14 recommendation at that time. I thought everything would be
15 relatively done and then all you could do is reinsert the new
16 language, if in fact it changed, but I could be wrong.

17
18 **CHAIRMAN RIECHERS:** I will let Roy see if he can help us here.

19
20 **DR. CRABTREE:** Well, I mean the trouble we have now is so we get
21 an ABC recommendation for 2015 and I don't see how we can get it
22 in place in 2015. We are going to release quota to the IFQ
23 fishery by the end of the year and I don't know how to take it
24 back and so it seems to me, barring something we would have to
25 figure out, we're looking at setting the TAC for 2016 here,
26 which ought to be factored into it, and now we have an ABC
27 that's lower than our catch level for next year and so somehow
28 this needs to be better reconciled in terms of what we can do
29 and what's possible and I guess the SSC could help us with that,
30 but it's not clear to me exactly how that's going to work out.

31
32 I think one thing that everybody needs to bear in mind as we
33 manage these IFQ fisheries is that if we're going to make catch
34 level reductions, we've got to get them done before the calendar
35 year starts. Otherwise, it's hard to do.

36
37 **MR. ANSON:** I may be wrong, but I thought previously, when we've
38 talked about these IFQ fisheries and talking about releasing
39 quota, that we could release a partial at the beginning of the
40 year and then with the assumption that by the middle of the
41 year, six months, we could release whatever was the balance,
42 depending upon whatever we had to do and whatever action was
43 needed.

44
45 **DR. CRABTREE:** Well, you recall that in the scoping document we
46 put some language in there to allow us to deal with these kinds
47 of situations, but unless Mara tells me we have something on the
48 books that lets us do that, I'm not sure and we do interim rules

1 sometimes for this kind of thing, but, as best I can tell,
2 there's no overfishing here and so we can't do an interim rule
3 and I'm not particularly comfortable with an emergency rule here
4 and so I don't know, unless Mara has something to add to that.

5
6 Now, my understanding, and Steve or Luiz, the difference we're
7 talking about is 3.19 is the quota for next year if we do
8 nothing and they have recommended 3.07 and is that correct,
9 Steve?

10
11 **MR. ATRAN:** I think it's 3.12, but it is slightly lower. The
12 ABC recommendation is slightly lower than what --

13
14 **DR. CRABTREE:** Okay and so we're talking 3.12 or 3.07. From a
15 practical standpoint, given the uncertainties of the
16 recreational fishery, I think that has no real significance to
17 us, but it's just when we go back to them, I think we're really
18 talking about what do we set this for for 2016 on.

19
20 **MR. ANSON:** Then based on that, I will change my motion to say
21 "2016".

22
23 **CHAIRMAN RIECHERS:** I'm sorry, but go ahead and -- It's for
24 FY16?

25
26 **MR. ANSON:** Yes, for calendar year 2016, yes.

27
28 **CHAIRMAN RIECHERS:** Yes and actually, this really seems more of
29 a timing issue than it does what they did issue, because, either
30 way, we wouldn't have been able to make an adjustment by
31 January, by the end of the year.

32
33 **DR. CRABTREE:** Right, but if we're not going to make an
34 adjustment until 2016 and we're going to leave 2015 on the
35 books, they've got a lot more time to figure out what this red
36 tide does and then revisit this whole thing and perhaps give us
37 a much stronger scientific record to support the decision.

38
39 **CHAIRMAN RIECHERS:** Sure, for 2016, but, like I said, still,
40 from this standpoint about whether we should have done policy or
41 not for 2015, it doesn't matter at this point. Not in October.
42 I mean we wouldn't have had time, no matter what.

43
44 **MR. ANSON:** So based on Dr. Crabtree's comments, I will go ahead
45 and I will withdraw my motion, because we've got time to set
46 this up for 2016. It's when we come back to January from the
47 SSC's comments that potentially we could alter or do something
48 for 2015 or need to do something for 2015 and so I will withdraw

1 my motion.

2
3 **MR. GREENE:** It seems like this would be -- I know that there
4 was talk -- In the past, we've used emergency rules to do
5 different things and I know we were warned against that, but I
6 think this is exactly what an emergency rule is set in place to
7 do.

8
9 When you have a fishery that's going down and I know you're
10 going to cringe when I say it, but I don't know how else to do
11 anything before 2015 and I don't know if anybody wants to take a
12 stab at it, but it seems like it's the only option we have
13 before us.

14
15 **MR. DIAZ:** My comments also is directed to what Dr. Crabtree
16 said a minute ago. He said he wouldn't feel comfortable with an
17 emergency rule and I'm not sure that's the right thing in this
18 situation, but, in my mind, when we lost the court case on the
19 emergency rule before, the judge basically didn't like the idea
20 that there was a set of circumstances that she thought we could
21 foresee.

22
23 This, to me, is a whole different thing. I don't think we can
24 predict red tides and I don't think we knew the extent or the
25 magnitude or the duration of this red tide, to the point where I
26 don't think that applies. In my mind, an emergency rule is
27 something that I believe I would feel comfortable with, from
28 what I know about it at this point. So do you have any comments
29 on that, Dr. Crabtree?

30
31 **DR. CRABTREE:** Well, a couple. I mean we're talking I think
32 50,000 pounds here and so the -- We have some awkward situations
33 in the construct of the statute. So we get a new catch level
34 recommendation at the end of the year and we can't surely, under
35 any reasonable construct of the statute, be expected to
36 instantly implement those management measures.

37
38 When you look at the statute, when you're notified that a stock
39 is undergoing overfishing, you have two years to take some
40 action on it. Now, in this case, we're not undergoing
41 overfishing, but there's a need to adjust the catch levels, but
42 surely there has to be some recognized period of time it takes
43 us to do that.

44
45 The other thing, with respect to an emergency rule, is I don't
46 think we can get an emergency rule done before the end of the
47 year and so I am not sure even that solves the problem and so I
48 wouldn't go down that path.

1
2 I would rather go back to the SSC and ask them to better
3 evaluate this and ask them, in light of all of this, to reassess
4 the ABC for 2015, just to keep the record clear for next year,
5 and then what do you recommend we do in 2016, but given that
6 it's a very small amount of fish and there is no evidence of
7 overfishing or anything, I don't think we need to go down that
8 emergency rule path, because this isn't enough, it seems to me,
9 that it raises us to that level of concern.

10
11 **MR. ATRAN:** One possibility might be to convene the SSC via
12 webinar sometime before the end of the year just to review their
13 ABC recommendations for 2015 and see if they want to change
14 that.

15
16 My understanding is right now the quandary is that the ABC
17 recommendation is less than what the commercial quota and IFQ
18 distribution is going to be. There is no guarantee that they
19 would go back to the 3.12 million or higher ABC that's currently
20 on the books, but if they were to do that, that would solve the
21 problem of trying to figure out how much IFQ to release.

22
23 **CHAIRMAN RIECHERS:** We had a motion and we've withdrawn the
24 motion. As I understand it, it's going to be -- It can be
25 placed back for review and I don't know that we need a motion to
26 do that, but we can have the SSC review this again.

27
28 **MR. ANSON:** So I wonder, do we need a motion to ask the SSC to
29 review the 2015 ABC recommendation based on the -- Do we need to
30 make that motion?

31
32 **CHAIRMAN RIECHERS:** It seems it certainly wouldn't hurt to go
33 ahead and make a motion with it that they review 2015 and
34 subsequent years, based on the extent -- You don't have to say
35 all that, but so that they go ahead and review that, but it
36 seems to me that right now what we have though is their current
37 recommendation that we still have to do a framework action for
38 and am I wrong about that, Steve?

39
40 **MR. ATRAN:** With the current recommendation, we would have to do
41 a framework action. If they were to withdraw this ABC
42 recommendation and just say go with what's currently on the
43 books, we wouldn't have to do anything.

44
45 **CHAIRMAN RIECHERS:** Martha, help us.

46
47 **MS. BADEMAN:** I mean in my mind, let's see what happens when the
48 SSC meets again and then we can go from there. If we need to do

1 a framework and we need to do it in a hurry, we can do it then.
2 If we have a little more time and we're not looking at changing
3 anything until 2016, then we have a little more time, but that's
4 just me.

5
6 **CHAIRMAN RIECHERS:** It sounds like that apparently is about the
7 will of the committee at this moment in time, from what I'm able
8 to tell. So we do have a motion on the board and let me make
9 sure I get a second. Do I have a second for that? It's moving
10 around a little bit here and let's make sure we get it. Do you
11 want to try to help there?

12
13 **MR. ANSON:** This is the motion. **The motion is to have the SSC**
14 **review the 2015 through --** Does it go through 2019, Dr.
15 Barbieri, the projections, or 2018?

16
17 **DR. BARBIERI:** No and right now, we only made a recommendation
18 for 2015.

19
20 **MR. ANSON:** Okay and so then just to review the 2015 ABC again,
21 using or with the latest red tide information for the January
22 SSC meeting.

23
24 **CHAIRMAN RIECHERS:** Do I have a second? I've got a second.

25
26 **MS. BADEMAN:** So if it's appropriate when the SSC meets, if the
27 red tide is done and you guys feel comfortable, I think it would
28 be appropriate to project further past 2015 and then we can get
29 rolling there for 2016 also. I don't know if that needs to be
30 part of this motion or not, but --

31
32 **DR. CRABTREE:** We need to be clear to them that from a practical
33 standpoint we need an ABC for 2016, because 2015 is already here
34 and we don't have a way to change it for that. What they gave
35 us is fundamentally not any different than where we are now, but
36 I think it's just a matter of recognizing the practical
37 realities of what we can do. Dr. Barbieri will convey these
38 concerns back to them.

39
40 **DR. BARBIERI:** I sure will, Dr. Crabtree, but just to explain
41 the SSC's thought process about providing just 2015 and perhaps
42 we are not aware of the timing issues on when our catch level
43 recommendations come to the council and when they become
44 effective, really implementation of catch levels for the
45 industry, but the idea was if we waited until sometime spring of
46 2015 to have the data in place to evaluate all of this in more
47 detail, we could actually just request a new set of projections
48 for 2016 and beyond next summer. That we would come back to you

1 in June and provide you with a fresh set of projections.

2
3 **DR. CRABTREE:** Well that's pushing us pretty hard, because you
4 give these in June and then we only have two meetings and it's
5 going to be a rush to get through the whole rulemaking and why
6 do we need new projections? The whole question seems to be
7 about the magnitude of the red tide event and you already have
8 the projections and so it's just is this multiplier appropriate
9 and I'm not sure why we would need the Center to rerun the
10 projections.

11
12 **DR. BARBIERI:** Right, but there are a lot of components there, I
13 mean keeping in mind that stock assessments, which we already
14 have, have a fairly high amount of uncertainty. It's
15 retrospective in nature and so you're looking at data from the
16 past that of course we know about.

17
18 When you talk about projections, you are talking about the
19 future, right, and so uncertainty is increased quite a bit,
20 because it's like if we ask for the weather pattern next month,
21 most weather forecast places will not provide that to you and
22 it's just impossible.

23
24 Now, tomorrow or the next day is much easier, right, because you
25 have information to basically inform that advice and so here the
26 idea was what we had in front of us at our early October meeting
27 really did not give us the sense to provide long term. You know
28 each year that we add to that yield stream, in terms of a
29 projection forecast, increases the uncertainty that that number
30 is going to prevent overfishing and so we felt that it would be
31 best for us to provide just 2015 and come back next year, after
32 we have more information about the true impact of the red tide,
33 and update that.

34
35 **DR. CRABTREE:** That's all fine, but it would be good to have
36 that done before June and try to get that before the council a
37 meeting ahead of that, so we have time to get this all done,
38 because it's hard for us to get even frameworks done and we
39 would end up essentially voting this up in August, which puts us
40 in a rush. I suppose we could do it, if that was the best we
41 could timing-wise, but --

42
43 **CHAIRMAN RIECHERS:** For the sake of moving us on, I am going to
44 get a vote on this motion and I would suggest that this whole
45 timing issue is something that we need to work out between the
46 Southeast Center and Doug and our staff, Steve and you guys.
47 You all figure out the appropriate timing for that to get to the
48 SSC and for it to get to us, so that we have enough time to take

1 those actions. Any discussion on the motion? **All those in**
2 **favor of the motion say aye; all those opposed same sign. The**
3 **motion carries.** I think the next thing on the agenda, as I am
4 whispering to Steve, are ACL and ACT control rule
5 recommendations.

6
7 **ACL/ACT CONTROL RULE RECOMMENDATIONS**
8

9 **MR. ATRAN:** I had prepared some recommendations for ACTs based
10 upon our ACL/ACT control rule and I could go through those if
11 you want, but given that you are returning the ABC
12 recommendation to the SSC for further revisions, or at least
13 revisit it, it may not be worthwhile going through those at this
14 time. I will leave it up to the committee what you want me to
15 do.

16
17 **CHAIRMAN RIECHERS:** I will, as Committee Chair, assume the role
18 of assuming the committee doesn't want to go through those right
19 now, since we're sending it back, and we can go through those at
20 the next time that we get together regarding this.

21
22 All right. So with that that, I believe that then takes us to
23 Item Number X and that would be the Hogfish Benchmark Assessment
24 and Dr. Barbieri.

25
26 **HOGFISH BENCHMARK ASSESSMENT OFL AND ABC**
27 **SSC RECOMMENDATIONS**
28

29 **DR. BARBIERI:** Thank you, Mr. Chairman. We have another short
30 PowerPoint to present you with the SSC review and comments
31 regarding the stock assessment of hogfish in the Southeastern
32 U.S. This was conducted under the SEDAR process, but with the
33 analytical leadership coming out of the FWC, given our interest
34 in this fishery, which is primarily a Florida Keys fishery and
35 southwest Florida.

36
37 This assessment was conducted over the entire distributional
38 range of hogfish and that would include areas from the Gulf and
39 the South Atlantic and there you have a map of the Southeast
40 U.S., where you can see the distributional range of hogfish and
41 the fact that genetic analysis has supported identification of
42 three separate genetic stocks of hogfish. That was very
43 surprising to all of us, given the proximity of the stock and
44 the fact that they spawn pelagic eggs and they get transported
45 by currents and settle in different areas, but one way or the
46 other, we have a genetic stock here along the West Florida
47 Shelf, which we're going to call the west Florida stock.

1 We have another stock that goes from the Florida Keys through
2 southeast Florida that we are calling the Keys/Southeast Florida
3 stock and then we have a portion of the stock that has its own
4 complete genetic signature up there in Georgia and North
5 Carolina and has been disjunct from this other stock here for
6 long enough to be considered a different population.

7
8 The majority of the fishery is actually off the coast of
9 Florida, but we integrated landings from this entire
10 distributional range and for the purposes of this presentation
11 here, I am going to be focused only on this Cluster 1, which is
12 the west Florida stock, which is under the Gulf Council's
13 management of responsibility.

14
15 The SSC, the Gulf SSC, after discussion, decided to delegate
16 this portion of the southeast Florida and Keys and southeast
17 Florida mainland to the South Atlantic Council and so the South
18 Atlantic Council's SSC is going to review the other part of the
19 stock assessment at the end of this month and so we're going to
20 be focused right there on the west Florida portion of the stock.

21
22 In terms of the data, just to position you, this is a much
23 abbreviated version of the assessment that gives you just a
24 general overview. We have a full report hopefully in your
25 briefing book if you want to look into more details about the
26 assessment, but the assessment period was really using data just
27 from 1986 through 2012 and data coming from before 1986 was
28 deemed unreliable and too much noise and not enough signal there
29 to support a quantitative stock assessment and so we did not
30 include the earlier data into the assessment. By the way, there
31 you can see the relative size of the different landings of
32 hogfish from those three different areas.

33
34 Commercial landings and you have here the catch distribution of
35 commercial landings over time for the different areas. The west
36 Florida stock is in yellow there and keep in mind that although
37 we have this data here from the earlier time period, that was
38 not integrated really into the assessment and then here, you can
39 see a distribution of landings by the different types of gear
40 used by the commercial fishery.

41
42 In terms of recreational landings, you can see for the West
43 Florida Shelf here very noisy recreational landings information
44 on hogfish and there are two gears that are used, hook and line
45 and spearfishing, and just to give you a measure of scale, the
46 West Florida Shelf recreational fishery is at a level of
47 magnitude that is much, much smaller than the Florida Keys and
48 the east Florida fisheries for hogfish.

1
2 That's why I put here the 30,000 in terms of number of
3 individuals for the West Florida Shelf versus 500,000 there from
4 the Florida Keys, just to give you an idea of the magnitude of
5 those recreational fisheries for hogfish.

6
7 The assessment had a very positive outcome for the west Florida
8 stock and a summary here of the indices of abundance for
9 commercial and recreational fleets as well as some of the
10 fishery-independent indices of abundance and all of them,
11 despite some noise, show a general tendency of a positive trend
12 in direction of the stock that has been increasing over time and
13 so not surprisingly, the assessment for the West Florida Shelf
14 portion of the stock turned out to be very positive, with a not
15 overfished and not undergoing overfishing stock status
16 determination.

17
18 A few points to inform you about, that the SSC rejected the MSY
19 estimate that had been provided by the assessment. This was in
20 concurrence with the CIE reviewers, the three panel of
21 international reviewers that also reviewed this assessment, and
22 the fact that the stock recruitment relationship was not really
23 informative enough to allow direct estimation of MSY and we are
24 then adopting SPR-based reference points in accordance with your
25 fishery management plan.

26
27 For hogfish, we are using an SPR of 30 percent reference point
28 and we requested a three-year OFL and ABC yield stream
29 projections, just like what we discussed for gag. You know
30 those projections were not ready at the time the SSC reviewed
31 this assessment and so we applied our ABC control rule and came
32 up with a P* value of 0.4, of 40 percent, for ABC and we are
33 going to then receive, at our next meeting, projections of ABC
34 at that level and projections of OFL at a 50 percent probability
35 there of 0.5, a P*.

36
37 We actually identified a value of CV for that PDF that allows
38 what we consider to be a more realistic shape for the
39 probability density function that would give us better
40 accounting of the uncertainty associated with the assessment and
41 provide us more realistic yield streams.

42
43 That's the outcome, Mr. Chairman, of the assessment. We will
44 return after our January meeting with recommendations on OFL and
45 ABC and I am available for questions.

46
47 **MR. PERRET:** Luiz, there was quite a bit of discussion and you
48 had an excellent presentation on the red tide and the potential

1 impact or influence on the gag population. The geography of
2 hogfish seems to be in the same area, but I hear absolutely
3 nothing mentioned about red tide on this species. Did red tide
4 not impact the hogfish population?
5

6 **DR. BARBIERI:** That is an excellent question, because the short
7 answer is no, we don't know. We do find some bodies of hogfish
8 out there and some of the surveys of reefs out there where you
9 normally find hogfish don't seem to have them there and so it is
10 quite possible that they are being impacted by the red tide
11 event as well.
12

13 We did not see, when you look back at the indices of abundance,
14 we did not see a very pronounced decline in abundance, both in
15 commercial and in recreational indices, and the fishery-
16 independent indices of abundance says as well as a result of
17 that 2005 event and so the assumption is that they were not as
18 impacted back then as some of the groupers were and so this is
19 not something that we have been very concerned about, but I do
20 agree it's a good point.
21

22 **CHAIRMAN RIECHERS:** Any other comments or questions?
23

24 **MR. ANSON:** I don't know if this is necessarily to Luiz, but in
25 our action guide for Reef Fish, it says if the committee has any
26 special instructions to the SSC, such as requesting a constant
27 catch ABC, they can be made at this time, but then it says, on
28 the last slide of Dr. Barbieri's presentation, the SSC requested
29 that three-year OFL and ABC yield stream projections be
30 developed and so is that something that we've already requested
31 that you were just passing on to that or is that something that
32 came from the SSC that was requested to FWRI staff or --
33

34 **DR. BARBIERI:** No and I mean we assumed that you would need
35 those projections and we are going to be putting those together
36 for you. I mean if you have a specific timeframe that you would
37 like to see those projections take, how many years you would
38 like to see them, please let us know, but the idea is to come up
39 with those three-year projections at this point and using a P*
40 of 0.4.
41

42 **CHAIRMAN RIECHERS:** Any other comments or questions?
43

44 **MS. BADEMAN:** This isn't necessarily a Luiz question, but we do
45 have this other stock that occurs partly in our jurisdiction and
46 is shared with the South Atlantic Council and when are we going
47 to see that? I know the SSC on the South Atlantic still needs
48 to review that and I think -- At least my understanding is

1 someone is going to have to take some action based on what
2 happened in that assessment, or that part of the assessment, and
3 so I am just curious about if there is a plan and what is it for
4 dealing with that part of the stock?

5

6 **CHAIRMAN RIECHERS:** Luiz, have you got some info there?

7

8 **DR. BARBIERI:** Yes, Martha. The South Atlantic SSC, and I'm a
9 member of that committee as well, is going to be meeting next
10 week and of course we have this assessment as part of our agenda
11 as well and the idea is that given the fact that that is a
12 separate stock that we can provide an independent set of stock
13 status determination and yield streams, catch level
14 recommendations, of OFL and ABC just for the other area that
15 will be handled by the South Atlantic Council. Does that answer
16 your question?

17

18 There is no need to reconcile the two. It's basically what our
19 recommendation has been and that would be good to have your
20 input and discussion as well, that the SSC basically, after we
21 saw that genetic distinction of the population groups, we
22 thought to leave the Keys and southeast Florida to the South
23 Atlantic Council and we would provide you with catch level
24 recommendations for the West Florida Shelf portion of the stock.

25

26 **MS. BADEMAN:** Yes and I understand that you guys are going to do
27 that, but when it comes time to make the management decisions,
28 it will be, I presume, both councils that are at least taking
29 part in it, because it is a joint stock, but maybe I'm wrong.

30

31 **CHAIRMAN RIECHERS:** Anyone have comments in that regard,
32 regarding the joint stock, the other cluster that has been
33 discussed here, and how to proceed or -- It seems like the SSC
34 is going to meet there as well and so I assume, maybe when we
35 get the report back on this, we would have some level of
36 reporting back on that and the South Atlantic Council will be
37 receiving that as well, I would assume. I think obviously some
38 of that discussion may occur at the next meeting. That's kind
39 of what I'm hearing.

40

41 I don't think we have any necessarily action items here. This
42 was the briefing and the projections will be coming back and you
43 guys will be looking at it at your next meeting. Luiz, you've
44 been up there for quite a while now and we could go ahead and
45 take the next report or we can go ahead and finish you up, based
46 on Item Number XIV. That just concluded the other Reef Fish SSC
47 summary.

48

1 **DR. BARBIERI:** That report, Mr. Chairman, is extremely brief.
2 It's not going to take even five minutes. Even with me up here
3 and my tendency to be a little verbose, it's not going to go
4 that way, or so I've been told.

5
6 **CHAIRMAN RIECHERS:** If you feel okay, we'll let you finish. I
7 just wanted to give you the option. You've been up there for
8 quite a while now.

9
10 **DR. BARBIERI:** I feel okay and thank you, sir. I had a brownie
11 and a cup of coffee during the break to sort of replenish my
12 energy and be ready for this undertaking.

13
14 **CHAIRMAN RIECHERS:** We will turn to B-16, for those trying to
15 find that.

16
17 **OTHER REEF FISH SSC SUMMARY**

18
19 **DR. BARBIERI:** Basically this is just a very brief update on the
20 ABC control rule discussions of potential modifications for our
21 ABC control rule and an update on what's going to be happening
22 in terms of the next National SSC Meeting, which is scheduled
23 for February of 2015.

24
25 ABC Control Rule Next Steps, this is just to update you. You
26 may remember that the SSC Chair, Dr. Patterson, was here at your
27 last meeting and gave a presentation on the SSC report and that
28 encompassed some discussions, a report on the discussions that
29 the SSC has been having over the last year or so in evaluating
30 refinements to our existing ABC control rule or your ABC control
31 rule and evaluating different methods that could be used to
32 perhaps take better account of the full set of uncertainties
33 that we see in these assessments.

34
35 The three methods that we have been discussing is application of
36 the Ralston et al. 2011 method that has been used the Pacific
37 Council and I think the North Pacific uses a variable
38 implementation of that same method and that assigns a level, a
39 coefficient of variation, to your PDF and assumes some different
40 scenarios there.

41
42 Another one is basically instead of going with an ABC buffer
43 between OFL and ABC, we would be going for an ACT-type catch
44 level recommendation that would be based on optimum yield and
45 then the third one is what we have in place right now and we
46 discussed the fact that your discussion of this issue last time
47 considered it premature to begin developing an options paper and
48 that more discussion of this issue is necessary that can flesh

1 out some of the discussion and provide a more thorough set of
2 options that we can put in front of you and the SSC then took in
3 this recommendation that we're going to start putting together.

4
5 Working with Chairman Patterson, we are going to start putting
6 together a white paper, a document, that summarizes these three
7 methods, the pros and cons, and provides you some more detail on
8 those evaluations and bring it back to you sometime next year,
9 hopefully by summer.

10
11 Then the next slide is that quick update on the agenda topics
12 that are being discussed for the National SSC Meeting, which is
13 now planned for February 23 through 25 in Honolulu, Hawaii. We
14 have been very fortunate to not really find a lot of problems
15 getting volunteers to attend this meeting. We have plenty of
16 interest from the committee in participating.

17
18 The themes being considered are climate change and how can we
19 integrate climate change and ecosystem conditions into ABC
20 considerations and this is still a process in place.

21
22 We haven't really completely finalized what the agenda will be,
23 but that's basically what most of the other SSCs seem to be
24 going with and our SSC wasn't very excited about this, because
25 the effects of climate change here have not been very pronounced
26 and we still have some challenges with our ABC control rule that
27 perhaps application of this more climatic factors may not be as
28 easily accomplished here as they would be further north, but the
29 red tide event and those ecosystem-level impacts are interesting
30 and I think that this will be a productive meeting. There is
31 just those two quick updates, Mr. Chairman, and I will be glad
32 to address any questions, if any.

33
34 **CHAIRMAN RIECHERS:** Thank you for those updates. Does anyone
35 have any questions? The only thing I'm hearing in my ear is
36 Gregg is trying to volunteer to go to the Honolulu meeting,
37 Kevin. Any questions? Hearing none, thank you very much for
38 all of that and I'm glad we could get you finished up today.
39 With that, that now moves us to, I believe, Tab B, Number 10 and
40 Mr. Atran.

41
42 **FINAL ACTION - RED GROUPEr BAG LIMIT AND ACCOUNTABILITY MEASURES**
43 **FRAMEWORK ACTION**

44
45 **MR. ATRAN:** This is actually Agenda Item Number IX, but in the
46 briefing book, it's Tab Number B-10 and this is the Red Grouper
47 Recreational Management Measures Framework Action. Just as a
48 reminder, the council asked staff to develop a framework action

1 as a result of accountability measures being triggered on red
2 grouper, on the recreational fishery for red grouper, because of
3 the ACL having been exceeded last year, or in 2012.

4
5 As a result, in 2013, there was an automatic reduction in the
6 bag limit from four fish to three red grouper within the four-
7 fish aggregate and there was a closure originally projected for
8 this year of September 16. It was more recently extended to
9 October 4 when some of the catch data for 2014 became available.

10
11 However, what we were asked was to come up with some options to
12 allow the season to be extended. We tried to put together a
13 framework action that was ready for you to take final action on
14 at this meeting, so that if you did take final action that we
15 could get it implemented early next year, in time to have an
16 effect on next year's season, but just to let you know, some of
17 the discussion -- Although we believe all the information is in
18 here that you need, some of the discussion is a little rough and
19 we may need editorial license to clean it up.

20
21 There are three actions in here and they're all related to each
22 other. One has to do with adjusting the bag limit for red
23 grouper and another one has to do with modifying or eliminating
24 that automatic provision that reduces the bag limit if the ACL
25 is exceeded and then the third one has to do with having a fixed
26 closed season or modifying the fixed closed season sometime in
27 the middle of the year, in order to try to get more fishing days
28 toward the end of the year.

29
30 That third one also has a couple of tables that show the results
31 of combining bag limits with various closed seasons and so
32 Action 1 is on page 16 of the document and that's red grouper
33 bag limits. The alternatives are very simple.

34
35 Since we have an aggregate bag limit of four fish, we can't go
36 with a red grouper bag limit higher than four fish, unless we
37 remove it from the aggregate. The alternatives are either to
38 have four fish, three fish, two fish, or one fish for the red
39 grouper bag limit. As I said, that's fairly simple and at
40 various times, we've had all of those bag limits in place for
41 red grouper. There is a table in there that shows the dates
42 when the bag limit was changed and I won't go through it. It's
43 been jumping around quite a bit.

44
45 The next action, Action 2, which is on the next page, page 17,
46 deals with this automatic closure, which was an accountability
47 measure. What we have right now is if the ACL is exceeded, the
48 following year the closure will be based upon when the ACT is

1 reached and the bag limit will be reduced by one fish. If you
2 stay within the ACL, then we go back to using the closure based
3 upon when the ACL is reached and the bag limit would go back up
4 to four fish.

5
6 Because of this bouncing around and because the bag limit
7 reduction did not get implemented until May of this year,
8 because of the delay in getting the final landings data from the
9 previous year, the bag limit reduction has had only a limited
10 impact, that automatic reduction, and so the council asked that
11 we add an alternative to the options paper that you looked at
12 before that would eliminate that automatic reduction
13 accountability measure.

14
15 We have now four alternatives. We previously had three.
16 Alternative 1 is no action and we leave that automatic reduction
17 in place. If the ACL is exceeded, there is a temporary
18 reduction the following year from four fish to three fish. If
19 it's exceeded a consecutive second time, then we go to two fish,
20 but we won't go below two fish. Then if the ACL is not
21 exceeded, we would revert back to four fish the following year.

22
23 Alternative 2 retains that automatic reduction, but it extends
24 it to allow the bag limit to go down to as low as one fish.
25 Other than that, it's still that automatic and it's still
26 temporary for one year.

27
28 Alternative 3 addresses whether that bag limit reduction should
29 be temporary or permanent. In my mind, when Amendment 32 was
30 put together, that automatic bag limit, I was thinking, should
31 have been permanent or until the council decides to change it,
32 but it got interpreted to be a temporary measure and so the
33 question is if there is an automatic bag limit reduction
34 triggered as a result of the ACL being exceeded, should it be
35 temporary or should it be permanent?

36
37 If you don't adopt Alternative 3 at all, it continues to be
38 temporary. If you adopt Alternative 3, Option a, it would still
39 be temporary, but when the bag limit goes back up as a result of
40 staying within the ACL, it wouldn't go all the way back up to
41 four fish or whatever the default is. It would go up by one bag
42 limit at a time.

43
44 If we had say two years of exceeding the ACL and we went from
45 four fish to three fish and then three fish to two fish and then
46 we stayed within the ACL, status quo is that we would go back to
47 four fish.

48

1 Alternative 3, Option a, we would only go back up from two fish
2 to three fish and then we would have to wait a year to go up to
3 four fish. Option b would make that permanent. We would stay
4 at whatever bag limit the reduction implemented unless the
5 council requested a framework action to go back.

6
7 Then Alternative 4 would just eliminate this bag limit
8 accountability measure altogether. I think the feeling of the
9 council was that it was a rather complicated system and it
10 didn't seem to be having the effect that was intended and so
11 perhaps it wasn't worth leaving on the books.

12
13 Action 3 is the closed seasons and we began with a series of
14 options or alternatives that would have modified the red grouper
15 closed season to basically revolve around the peak red grouper
16 spawning season, which is March through May.

17
18 When the Reef Fish AP reviewed this, they selected a bag limit
19 and closed season combination that would give the most fishing
20 days, but they also asked that rather than look at a spawning
21 season closure that we look at a time of the year closure when
22 the highest catches were going on for red grouper, in order to
23 get a little bit more bang for the buck. Have a shorter closed
24 season in order to get more fishing days.

25
26 In the case of red grouper, a spawning season closure is not
27 going to provide very much protection relative to some other
28 time of the year. Unlike gag, which forms spawning aggregations
29 that can be targeted by the fishermen so they can increase their
30 fishing pressure on the stock, red grouper don't form those
31 spawning aggregations and so there is no increase in CPUE during
32 spawning season and so it makes sense to have the season closure
33 when you can get the most effective results in terms of reducing
34 the catch rates.

35
36 We have Alternative 1 is no action and it would leave the red
37 grouper in with the current shallow-water grouper closed season
38 of February and March, which was based upon the gag peak
39 spawning season, and it would only apply it in waters beyond the
40 twenty-fathom depth contour or beyond a boundary line, a point-
41 to-point boundary line, that approximates that twenty-fathom
42 depth contour.

43
44 Alternative 2 would also leave this February/March closed season
45 in effect, but, for red grouper, it would apply the closed
46 season to all waters, regardless of depth, and so it would be a
47 little bit more constraining than the no action.

1 The remaining alternatives would remove red grouper from the
2 shallow-water grouper closed season and would establish a
3 completely separate closed season for red grouper.

4
5 Alternative 3 would close it from February through April, which
6 catches the tail-end of gag and about two-thirds of the peak
7 season for red grouper spawning. Alternative 4 would be March
8 through April, which, as I said before, is the peak spawning
9 season for red grouper, and then Alternative 5 is the new one.
10 It would close the season for the month of July, which is a
11 period when the highest catch rates are occurring for red
12 grouper.

13
14 All three of these also have two options. You can either apply
15 that closed season only beyond twenty fathoms, which, as I said,
16 is what we currently apply to shallow-water grouper, or you
17 could apply it to all federal waters, which would give you a
18 little bit more effect on trying to reduce the catch rates.

19
20 Alternative 6 would eliminate any fixed closed season for red
21 grouper and just allow the season to go from January 1 until the
22 ACL or ACT is projected to be reached.

23
24 The next two pages, on page 20 and page 21, are a set of tables
25 that try to estimate how long the season would be open under
26 various combinations of bag limits and closed seasons. We cover
27 each of the bag limit alternatives that are being considered as
28 well as each of these alternatives and the suboptions within
29 each alternative.

30
31 If you would go down to a one-fish bag limit, you wouldn't have
32 to worry about having a closure. There would not be either an
33 ACL or an ACT closure, but what we've heard from our Reef Fish
34 AP and from most of the fishermen who have commented on this, is
35 that they don't want to go to a one-fish bag limit.

36
37 Under a two-fish bag limit, if you look at the first table,
38 which estimates how long it would take to reach the ACT, you can
39 see that there are some combinations that will get you into
40 December with the potential of not having any closure at all.
41 The one that's highlighted, which is the Reef Fish AP's
42 recommendation, but they made it before we added the July closed
43 season, estimates that the ACT closure would occur sometime
44 between December 11 or not at all and it would give 283 to 304
45 fishing days.

46
47 By the way, the reason why we've got a range is because the
48 Regional Office folks used three different methods to try to

1 estimate how long the season would be and each method gave a
2 little bit different result and so we just gave the range of
3 results here.

4
5 If you look at the other highlighted option, below the yellow
6 one -- It's green and it doesn't show up very well on the
7 screen, but this is the July closed season effective in all
8 waters and this would be projected to allow the ACT to go to
9 December 28 or not at all and would give 330 to 334 days of
10 fishing. That, with the options that are currently in the
11 alternatives, would give some of the longest seasons of any of
12 these alternatives.

13
14 If you look at the next table, which is very similar to the one
15 we just looked at, only it looks at how long it would take to
16 reach the ACL, you can see that we have some additional options
17 where we could potentially go the full season without reaching
18 our ACL, even if we had a three-fish bag limit.

19
20 All of the three-fish bag limit options that would potentially
21 allow us to go the full year would involve having the fixed
22 closed season that applies in all water depths instead of just
23 beyond twenty fathoms.

24
25 One issue, however, if you go with a season that has a high
26 probability that you will not get an ACL closure, you also have
27 a fairly high likelihood that you are not going to fill the
28 recreational ACL and so you would have to make a decision on how
29 you want to balance giving the fishermen as much fish as you can
30 to catch versus trying to make sure that the ACL does not get
31 reached. Because if it gets exceeded, then you have the more
32 restrictive ACT closure the following year rather than the ACL.

33
34 Basically that's it and I would suggest that for Actions 1 and
35 3, which are the bag limit and closed seasons, that you refer to
36 these tables for what combination of bag limit and closed season
37 you want and then for Action 2, decide whether you want to keep
38 the accountability measure for the automatic bag limit reduction
39 or eliminate it and if you want to keep it, do you want to make
40 modifications to it? I just went very quickly through this and
41 so if anybody has any questions, I will try to answer them.

42
43 **CHAIRMAN RIECHERS:** Any questions of Steve regarding the
44 alternatives at this point? I think before we think about
45 selecting preferreds or anything like that that we want to hear
46 the public testimony that we have coming up here. Mr. Boyd.

47
48 **MR. DOUG BOYD:** Thank you, Mr. Chairman, and I am not on your

1 committee, but, Steve, when is the spawning period for these
2 fish?

3
4 **MR. ATRAN:** For red grouper, the peak is March, April, and May.
5 I am not sure what the full spawning season is, but that's when
6 the peak occurs.

7
8 **CHAIRMAN RIECHERS:** Okay. Emily, I think we have you up next
9 for public comments.

10
11 **COMMENTS RECEIVED**
12

13 **MS. MUEHLSTEIN:** Thank you, Mr. Chair. Despite our best
14 efforts, we really didn't get very many comments on this
15 amendment at all. We produced a video and a guide like we
16 usually do with framework actions and we had 151 views of that
17 video, but we only got about three comments and none of them
18 were online comments. They were sent in via email.

19
20 Those comments suggested that we reduce the bag limit or enact a
21 slot limit during spawning season and they also suggested that
22 closed seasons hurt tourism and increase fishing pressure on
23 other species and there was a suggestion that we maintain a
24 three-grouper bag limit and a year-round season, if possible.

25
26 We decided to also hold a webinar public hearing, since we don't
27 usually do in-person public hearings for framework actions. We
28 decided to go ahead and do this because we recognized that it
29 was an issue that would affect people pretty directly and only
30 three members of the public attended that webinar public hearing
31 and one person commented and that person's main point -- She was
32 from southern Florida and she said that she represented a group
33 of boaters in her local area and she mentioned that she would
34 rather have a lower bag limit than a shorter season, but warned
35 that any bag limit below two would not be economically feasible
36 for her fishing trips and so sort of overall, the comment that
37 we received was that they would rather have open seasons and a
38 small bag limit, if there had to be some sort of tradeoff.
39 That's it.

40
41 **CHAIRMAN RIECHERS:** Okay. I am a little confused, because we
42 have Codified Regulations in here as well, without having
43 preferred options and so I don't know if that's a --

44
45 **MS. LEVY:** So they were drafted to show you the potential
46 sections that would need to be changed if you pick preferreds
47 here and we go to full council and if you do pick preferreds, I
48 can talk about those sections and what the implications would

1 be.

2
3 **CHAIRMAN RIECHERS:** Okay and so that takes us back to the
4 different actions in the document. There is the three actions
5 and the first one is the red grouper bag limit, Action 1, 2.1.
6 I think that's on page 16 of the document and so I would
7 entertain any discussion regarding preferred alternatives.
8

9 **MS. BADEMAN:** I will start the party here. **I will make a**
10 **motion, to get us started, to select Alternative 3 as the**
11 **preferred alternative.**
12

13 **CHAIRMAN RIECHERS:** Mr. Greene seconds it sounds like or it
14 looked like. Any discussion regarding that, Martha?
15

16 **MS. BADEMAN:** I know the council hasn't heard much about this,
17 but I've been contacted by a lot of folks in southwest Florida
18 and in other areas of Florida that support a two-fish bag limit
19 and the idea really is to get more days.
20

21 **DR. DANA:** I will probably end up voting for this; however, it's
22 going to be important to me to hear public testimony tomorrow as
23 to what people feel about going to two rather than three.
24

25 **CHAIRMAN RIECHERS:** No and certainly obviously because this is a
26 document that we might be picking preferreds and hearing public
27 testimony and then possibly finalizing, I think public
28 testimony, as you suggest, will be very important to this and
29 that's assuming we want to go forward with that. We don't have
30 to go on that timetable though. Our guide suggests that if we
31 don't go on that timetable that anything we do in January won't
32 have much impact for the current 2015 season and so any other
33 discussion regarding the preferred alternative? **Hearing none,**
34 **all those in favor of the preferred alternative being the two**
35 **fish per person per day, say aye; all those opposed same sign.**
36 **The motion passes.**
37

38 That takes us on now to the bag limit reductions, the
39 accountability measure portion of this. Are there any
40 suggestions as opposed to the status quo?
41

42 **MS. BADEMAN:** **I will offer another motion for Action 2, to**
43 **select Alternative 4 as the preferred alternative.**
44

45 **CHAIRMAN RIECHERS:** It's been moved and seconded that
46 Alternative 4 be the preferred alternative, basically
47 eliminating the bag limit reduction. A little rationale, Ms.
48 Bademan?

1
2 **MS. BADEMAN:** Sure. If we go down to two, as is preferred in
3 the previous option, then the part in Alternative 1 here, where
4 the minimum red grouper bag limit is two fish anyway, and so
5 that would kind of be moot.

6
7 The other thing is this bag limit reduction is really confusing
8 to people, especially since it goes up and down the way that
9 rule is written now. From a state perspective, it's difficult
10 for our commission to change our state limit in a timely fashion
11 to match up with this and so it just adds to the confusion and
12 so if we go with a two-fish bag limit across the board,
13 hopefully that will solve some of these issues.

14
15 **CHAIRMAN RIECHERS:** Any other discussion? It's fairly
16 straightforward in what we're trying to do and certainly
17 justification regarding that with a two-fish bag limit and less
18 of a need, as well as the difficulty in this and the confusion
19 that it has caused. **Hearing no further discussion then, all**
20 **those in favor say aye; all those opposed same sign. The motion**
21 **passes.** That takes us to the next item, the closed season. Any
22 suggestions here? Ms. Bademan?

23
24 **MS. BADEMAN:** I don't know if I'm ready to make a motion on this
25 one. I'm interested in hearing what people have to say. I have
26 heard from some folks that may be interested in a spawning
27 season closure, but I haven't really heard from all that many
28 people, to be honest, about if they want a closure and when it
29 should be and so this is definitely something I'm interested in
30 hearing about in public comment and from other folks around the
31 table, if anybody has anything to say on this one.

32
33 **CHAIRMAN RIECHERS:** If I am reading the tables right below, with
34 the two-fish bag limit, we are in the neighborhood of 267 to 306
35 days and is that right, on the second table?

36
37 **MR. ATRAN:** If you leave the current closed season.

38
39 **CHAIRMAN RIECHERS:** Right, if we leave the current closed
40 season.

41
42 **MR. ATRAN:** That's correct. If you don't change the current
43 closed season, we are looking at a projected ACL being reached
44 sometime between November 23 and the end of the year and you
45 would get 267 to 306 fishing days. I also want to emphasize
46 that these are estimates and any actual projections would have
47 to be redone at the time that the season is determined.

1 **CHAIRMAN RIECHERS:** So it sounds like there isn't any movement,
2 unless I see someone else wanting to proffer a different motion.
3 Right now, a status quo closure would stay in place. Okay.
4 With no further action then on this document, do you want to --
5 Should we wait, Mara, to just go over the codified regulations?
6

7 **MS. LEVY:** Yes and since you haven't picked preferreds and
8 you're not going to recommend submission, you can wait and we
9 can go over the codified regulations at full council.

10
11 They are in the briefing book and they indicate the sections
12 that would be modified based on different selections here and
13 there are notes that explain that and so if you want to look at
14 it before full council, I encourage you to do that.

15
16 **CHAIRMAN RIECHERS:** I assume before we want to make motions to
17 send to the Secretary and decide whether we want to do final
18 that we want to hear public testimony. I am seeing nodding of
19 heads in that regard and so okay. I think that concludes the
20 business under this section, unless you have anything else, Mr.
21 Atran.

22
23 **MR. ATRAN:** I meant to point something out on the catch rates
24 for red grouper. I don't think it's going to change anything on
25 your decisions right now, but in the beginning of the document,
26 if I can find it, on page 7 -- I really didn't realize this
27 until I put this table together, Table 1.1 on page 7. It shows,
28 for the past four years, what the catch levels have been and
29 what they've been in terms of percentage of the catch level.

30
31 If you look in 2010 and 2011, we were catching around 600,000
32 pounds on the recreational side and then in 2012, it nearly
33 tripled and then it stayed high in 2013, when we exceeded the
34 ACL.

35
36 That's pretty strongly correlated with when we put in the very
37 restrictive gag measures in order to get the gag rebuilding plan
38 into effect and so, in all likelihood, this increase that we've
39 seen the last couple of years in red grouper is due to effort
40 shifting from people who could no longer fish for gag, because
41 of the short season.

42
43 **CHAIRMAN RIECHERS:** It could be part of that substitution
44 effect, yes. Absolutely. I think that takes us to Item Number
45 XI, Options Paper - Greater Amberjack ACL/ACT, and Dr.
46 Froeschke. It's Tab B, Number 13 and 13(a) and (b).

47
48 **OPTIONS PAPER - GREATER AMBERJACK ACL/ACT**

1
2 **DR. JOHN FROESCHKE:** I have prepared a short presentation that
3 I'm hoping will facilitate the discussion of the document. I
4 realize it's late and so I hope you all have the energy for
5 something new. It was emailed out earlier today.

6
7 While that's getting pulled up, to refresh your memory, this --
8 You all first saw this options paper last time. The genesis of
9 this paper is the most recent stock assessment on greater
10 amberjack, which indicated that the stock is overfished and
11 experiencing overfishing and so we're going to need to revise
12 the ABC and ACLs and consider some management options to
13 constrain catch.

14
15 I will just kind of give you a brief update on what we've done
16 since last time. Andy Strelcheck and his group have created the
17 decision tools that you remember from Amendment 35, which enable
18 exploration of different season lengths, closed seasons, minimum
19 size limits, and the various management tools that you are
20 working with and the impact on the season length.

21
22 They have updated those and expanded them and they are bigger
23 and better than ever and I have provided some of the analysis in
24 the document. The decision tools are available in Tab B-13(a)
25 and (b). There is one for the recreational and one for the
26 commercial. If there are specific questions about that, then I
27 will drag Andy up here, but we are working on those.

28
29 I am just going to run you through the three actions in this and
30 kind of give you a heads-up about where we're at. The current
31 ABC is the 1.78 million pounds and the SSC recommendation is the
32 1.72 million pounds for 2015 and that's the reason that we have
33 to revise it.

34
35 The document considers options to revise the ABCs, sector ACLs
36 and ACTs for both the commercial and the recreational sectors.
37 Where we're at right now, we have a minimum size limit of thirty
38 inches fork length and we considered changing that in Amendment
39 35, but didn't. We implemented a closed season of June 1
40 through July 31 and in Amendment 35, we implemented this 2,000-
41 pound commercial trip limit.

42
43 Just what I kind of just went over, what's new, we have some
44 additional management options for your consideration and we have
45 the analysis of the season lengths and we've updated the SPR and
46 yield per recruit analyses and we have the decision tools, both
47 on the recreational and commercial data.

1 Just a little bit of history here, but the first action is to
2 revise the ABC, ACL, and ACTs. Option 1 here in the status quo.
3 Obviously that's where we're at 2014 and, again, that's over.
4 The ABC exceeds the current SSC recommendation of 1.72 million
5 pounds and the chart on the bottom kind of gives you the brief
6 history of the historical stock biomass, indicating that we've
7 been below or fairly low relative to historical levels and quite
8 stable for a long period of time and so we haven't been
9 particularly successful in rebuilding this stock.

10
11 We have three options with some sub-options. Option 2 is to
12 adopt the ABC schedule recommended by the SSC and that includes
13 recommendations through 2018 and it's essentially a small step-
14 down in 2015 and then increases in 2016, 2017, and 2018 and
15 that's based on the projected rebuilding of the stock.

16
17 In terms of the ACT, three sub-options and you will see these
18 for the next ones as well. The no ACT buffer and so essentially
19 the ACT would be equal to the ACL and, alternatively, we could
20 apply the ACL/ACT control rule, which results in a commercial
21 buffer of 15 percent and a recreational of 13 and,
22 alternatively, just a static 20 percent buffer between the ACL
23 and ACT for 2015 through 2018.

24
25 Just a little bit of history and we talked about this last time,
26 but I think it's important. This is a complicated graph, but I
27 will try and go briefly through this. What this shows is the
28 projected yields through time, based on previous stock
29 assessments, along with the realized landings, to help kind of
30 frame this.

31
32 So one of the earliest stock assessments, this green, showed we
33 were near this two-million pounds, perhaps, and that we were
34 projected to rebuild to nearly eight-million pounds of yield by
35 2011 and we obviously didn't achieve that.

36
37 This purple is kind of similar trajectory, although the slope is
38 a little flatter. Again, we are right around this two-million
39 pounds and below here, the slope flattens and then this blue,
40 dashed line is the most recent stock assessment. This Y-
41 intercept around two-million pounds, very stable, indicates that
42 we're about the same spot, but our estimates of the productivity
43 of the stock have decreased with each subsequent stock
44 assessment, although this is the first stock assessment based on
45 SS3 and they do feel more confident about that.

46
47 The black line here is the realized landings and so you will
48 notice that none of these landings really achieved what the

1 stock assessments projected we had caught and so there is some
2 concern that it might be overly optimistic and given the failure
3 to rebuild the stock, that maybe some other options, perhaps
4 more conservative, should be considered and so the IPT has
5 developed some of those for your consideration.

6
7 Option 3, it first looks, for 2015, identical to Option 2. The
8 difference is the increases in 2016, 2017, and 2018 would not
9 occur and it would be a static, steady catch for those periods
10 and so for 2015, it would be identical and then these three same
11 sub-options for your consideration.

12
13 Option 4 was added to the amendment based on the failure to meet
14 the ten-year rebuilding plan and essentially would set the
15 sector ACLs at zero, based on the stock is overfished and
16 experiencing overfishing. This would obviously provide the
17 greatest likelihood of rebuilding.

18
19 Action 2 considers recreational management measures. There are
20 two of them for your consideration. One is changing the
21 recreational minimum size limit. If you recall, we considered
22 this in Amendment 35 as well. We are currently at thirty inches
23 here.

24
25 The concern, perhaps, is that most of the females don't achieve
26 reproductive maturity until somewhere greater than thirty-three
27 inches or something. I have a chart I will show you in just a
28 moment. This would do two things. It would allow a greater
29 proportion of the stock to reproduce at least once before being
30 recruited to the fishery and it would also likely reduce catch,
31 because fewer of them would be, obviously, retained. The caveat
32 is that some additional animals would be lost to dead discards.

33
34 I am going to skip ahead one slide. There was a mis-order and
35 so this chart on the left, what you will see on the X-axis along
36 here is the fork length of the females, in inches. The black
37 dots are the individual animals, based on work from Debra Murie
38 at the University of Florida. The black dots -- So it's either
39 one is it was reproductively mature or zero, it wasn't.

40
41 This blue-shaded line here represents the logistic fit and so,
42 on the Y-axis here, what this represents is a probability to the
43 individual animals reproductively mature at a given length and
44 so a good benchmark is a 50 percent probability of an animal
45 being mature. At thirty inches, we're here and then I've put
46 the probabilities corresponding to the management alternatives
47 in the table on the right.

48

1 An estimate here is this is the best fit, the lower confidence
2 limit of zero and upper confidence of 0.23 and so where we are
3 now, it's a high proportion of reproductively-immature animals
4 are subject to harvest.

5
6 This sort of 50 percent would be somewhere between this thirty-
7 two to thirty-four-inch range. The thirty-six inch is the
8 commercial limit right now, if you wanted to do something more
9 consistently, which would also allow almost all of the females
10 to attain reproductive maturity before subject to harvest.

11
12 The second action, Action 2, is modifying the recreational
13 closed season. We currently have a fixed closed season between
14 June 1 and July 31 and there is some alternatives. We have
15 three other -- January 1 until the ACT is harvested.
16 Alternative 3 is March 1 to May 31, which would be consistent
17 with the commercial closure, and then the Option 4 would be a
18 split season of a closure between January 1 and May 31 and
19 November 1 and December 31.

20
21 The question is what will this combination of measures have on
22 season length and that's where the decision tool is useful and
23 it's an Excel spreadsheet and you can use it and interact with
24 it. It's in the briefing book and it explores lots of different
25 options.

26
27 I put this summary table up here for your consideration and what
28 it does is on the top, it has the various ACT options from
29 Action 1 and the column on the left has the various management
30 measures from Action 2, including the closed seasons and the
31 size limits, and then the tables, the coloration, corresponds to
32 the greener values of the longer estimated season and the reds
33 are the shorter.

34
35 You can kind of pick what management season length you're
36 targeting and you can gravitate to these. The general patterns
37 are somewhat intuitive, but the larger size limits get you more
38 days and the closed season, the current one of June 1 to July
39 31, that's the highest peak intensity and so having a closed
40 season during that period is going to get you the longest
41 projected season length. If there are specific ways -- We can
42 manipulate this lots of different ways, but that's the general
43 idea.

44
45 Action 3 deals with the commercial trip limits. If you recall
46 in Amendment 35, we implemented a 2,000-pound trip limit as one
47 way to slow the harvest and extend the season and the options
48 before you are four. One is to maintain the current and two is

1 to reduce that to a 1,500 and three is 1,000 and four is 500
2 pounds.

3
4 One thing that's complicated in the current stock assessment is
5 the management measures that were implemented in Amendment 35,
6 namely the trip limit and the season length, those data are not
7 included in the current amberjack assessment and so the effect
8 of those, if any, isn't being realized and so it's sort of a
9 difficult situation to understand what we have, although looking
10 at the data that's in the document from these, the 2,000-pound
11 trip limit does work.

12
13 The intended effect was to remove a small number of trips
14 catching very large poundages of amberjack and so if you were to
15 do that further, you would obviously constrain the catch and
16 extend the season.

17
18 There is a second decision tool, if you will, based on the
19 commercial. This is a little simpler than the recreational. It
20 essentially has your various ACT options on the top, just like
21 before, and then the various trip limits that you might consider
22 and then the corresponding effect on season length, going from a
23 yellow-shaded to the longer seasons in green, and so obviously
24 the smallest trip limits gives you the longest season, at the
25 effect of it may change the way the fishery is prosecuted.

26
27 Sort of the timeline, where we're at here is the draft options
28 paper stage. What we're looking from from you all is if the
29 range of alternatives or options is reasonable or if there are
30 additional options you would like to see modified, changed,
31 added, or deleted. We would love to have that input.

32
33 The plan is by the January meeting to have a draft document for
34 your review. You could select preferred alternatives at that
35 time, with final action occurring in the April meeting. Are
36 there questions?

37
38 **MR. PEARCE:** John, thank you and when you come back to the
39 commercial management measures and the trip limit, one of the
40 discussions we were having is a lot of the boats land gutted
41 weight and I would love to be able to see us put that into the
42 document, if we could, as a way to manage it as gutted weight
43 rather than whole weight, but that's some questions I've been
44 asked by the fishermen.

45
46 **DR. FROESCHKE:** Okay. When we had a meeting recently, this
47 actually came up and we realized that there was a problem with
48 that and so there is a conversion and we can see if we can make

1 that more clear to the anglers and so I'm going to have to talk
2 with you about what's the best way to do that.

3
4 **CHAIRMAN RIECHERS:** Mr. Anson or, Mr. Atran, do you have a
5 clarification or some help there?
6

7 **MR. ATRAN:** Yes and on the gutted weight, it's -- This actually
8 started with the grouper and I'm not sure why it extended to
9 greater amberjack, but with grouper, there were two different
10 conversion factors being used by NMFS. The people who monitored
11 the commercial landings were using a conversion factor of 1.18
12 and the Science Center, for the stock assessments, were using a
13 conversion factor of 1.05.
14

15 Since the commercial landings were in gutted weight, it got
16 confusing to convert them to whole weight and not know which
17 conversion factor was being used and so with the groupers at
18 least, we decided to stick to gutted weight. I'm not sure if
19 the same thing happened with greater amberjack or not, but
20 that's what happened with grouper.
21

22 **DR. FROESCHKE:** With greater amberjack, the problem was that the
23 commercial fishermen land it in pounds of gutted weight and the
24 trip limit is in pounds of whole weight and so it was very
25 difficult to know when they were at or over the trip limit and
26 so you actually get about 1,900 pounds of gutted weight, which
27 would be equivalent to a 2,000-pound whole weight. We have
28 clarified that. The Regional Office put out a notice to
29 hopefully clear this up, but it is a good point and we probably
30 could put the conversion in here and make that in both units, if
31 that was helpful.
32

33 **MR. ANSON:** I don't have necessarily anything else to add to the
34 document. Again, the decision tools that the Southeast Regional
35 Office staff had created are very helpful and just one thing I
36 would like for you to check on, Dr. Froeschke, is on Table
37 1.5.2, which is a summary of recent annual recreational landings
38 relative to management targets. Your ACT and ACL might need to
39 be swapped for 2011. The ACT is larger than the ACL and so just
40 check on that. Thank you.
41

42 **DR. FROESCHKE:** No problem. Happy to do it.
43

44 **MS. BOSARGE:** Just a technical question on the commercial side.
45 We don't target amberjack and so on the reporting, how are these
46 commercial landings reported? I don't know who this question
47 should go to. Maybe somebody around the table can answer it.
48

1 Trip tickets on a monthly basis, is this part of the electronic
2 dealer reporting that's going to go up weekly to NOAA or NMFS or
3 whoever? I am wondering that because I'm wondering, is there
4 any way that we can monitor this better? Trip limits are one
5 option, but how are we monitoring it and is there a more
6 efficient way to cut it off before we get -- Because we've had
7 some significant overages on the commercial side and so I would
8 like to hear a little more about that.

9
10 **CHAIRMAN RIECHERS:** It looks like Bonnie is going to try to
11 answer that.

12
13 **DR. PONWITH:** As of the 6th of August, the regulation went into
14 effect that federal dealers are required to report their
15 landings on a weekly basis and so that information gets put
16 right into the commercial landings system and enables us to do
17 exactly what you said, to not only monitor what has been caught
18 already, but to use that really timely data to generate the
19 projections going forward of when we think we're going to hit
20 it. It puts us in the best shape so far in being able to be
21 more precise in estimating when those ACLs are going to be hit.

22
23 **MR. PERRET:** I think, John, didn't the 2,000-pound limit get
24 implemented at the end of 2013 and so it's only been in for one
25 full year now and they went over by 11 percent or something like
26 that? I still think any fishery that goes over should be made
27 to pay back the following year. I don't care what type of
28 fishery it is, but I do hope that will what Bonnie says and with
29 this 2,000-pound limit or whatever the limit turns out to be,
30 that we will have a much -- Even though we're over by 10 or 11
31 percent, it's a lot closer than we've been in a lot of fisheries
32 that still we need to improve upon it.

33
34 **CHAIRMAN RIECHERS:** Leann has another question for you, Bonnie,
35 I believe.

36
37 **MS. BOSARGE:** I think Corky just touched on it. What I was
38 hoping to hear from Bonnie, and I think this is what you were
39 trying to say, is hopefully for this next season we will be able
40 to do some more precise in-season monitoring with the type of
41 data collection we're going to have now and hopefully that may
42 remedy part of the situation as well, at least on the commercial
43 side.

44
45 **CHAIRMAN RIECHERS:** Could you either repeat that or -- She shook
46 her head? Okay. All right. Again, let's -- I will just do one
47 more call here for any changes or additional options in these
48 suites of options or things that might not be included in here

1 as an option that you've heard something about or want to have
2 included in here for them to analyze.

3
4 **DR. CRABTREE:** After discussing the ABCs and catch levels in
5 alternatives in Action 1, Mara has convinced me that we probably
6 ought to make sure that we have projections for each of these
7 and I think at least for one of the scenarios that holds the
8 catches at the 2015 level, Option 3, I don't think we have
9 projections with those.

10
11 I think this is probably contrary to my opinion at the last
12 meeting, but we have gotten a lot of public comment on these
13 and, based on advice of counsel, I think we probably ought to
14 ask for additional projections, to make sure we have those for
15 all of these, John. I don't think it takes too much effort for
16 the Center to do that, but I think it would strengthen our basis
17 for making selections on these.

18
19 **DR. FROESCHKE:** I agree and I think even for Option 2 that we
20 would need to update it, because I think it assumed that there
21 was not an overage in 2014 and so I think all of that is going
22 to need to be updated, based on the current landings.

23
24 **DR. CRABTREE:** All right. I would suggest we go ahead and ask
25 for that.

26
27 **DR. FROESCHKE:** Do we need a motion or something to make that
28 happen?

29
30 **CHAIRMAN RIECHERS:** Go ahead, Bonnie.

31
32 **DR. PONWITH:** At the very least, it would be good to get some
33 written direction so that there is just very precise
34 understanding of what you need, so that we don't spin our
35 wheels.

36
37 **DR. CRABTREE:** If I could, Mr. Chairman, I would make a motion
38 that we direct staff to request updated projections from the
39 Science Center for the options in Action 1. How is that, John?

40
41 **DR. FROESCHKE:** Are you talking probability of rebuilding kind
42 of projections?

43
44 **DR. CRABTREE:** I am talking mostly just projections to show how
45 long it would take us to rebuild under these scenarios, so that
46 we can compare one option with the other and how much quicker
47 would this get us there.

48

1 **DR. FROESCHKE:** Right. That's what I thought you meant.
2

3 **CHAIRMAN RIECHERS:** Do I have a second, please? I will second
4 it, if no one else will. Okay. Any other discussion? We had a
5 little bit of discussion leading into the motion here. **Seeing**
6 **no hands, all those in favor of the motion say aye; all those**
7 **opposed same sign. The motion carries.** Any other business, Dr.
8 Froeschke?
9

10 **DR. FROESCHKE:** Any thoughts on the size limit? If you just
11 look at the table, maybe one option -- I mean the thirty-three
12 would be kind of the closest to the 50th percentile, but we don't
13 have that in there.
14

15 **MR. FISCHER:** I do think, and I've always stated that we should
16 be increasing the size limit. I would like to see the size
17 limit going possibly as far as thirty-four inches, but possibly
18 doing it in a stepped approach and I don't think we have a
19 stepped approach in the discussion, where we go to thirty-two
20 for a year or two and step up.
21

22 However, with all that said, with that caveat, I might change my
23 entire view on this down the road if data indicates differently
24 and in a couple of years, there may be different data coming
25 out, but I've always believed that we're harvesting immature
26 fish and therefore, we will never get out of the box. We could
27 create all the seasonal closures and everything we want and as
28 long as we let the anglers harvest immature fish, we will be in
29 this situation.
30

31 **CHAIRMAN RIECHERS:** The only thing I will -- Do you want to make
32 a motion that you look at a stepped option of an increased
33 minimum size limit?
34

35 **MR. FISCHER:** Sure. **I move that we look at that approach of a**
36 **stepped increase from thirty-two and then up thirty-four.** They
37 are very fast-growing fish and we might only have to stay at
38 thirty-two for one season.
39

40 **CHAIRMAN RIECHERS:** Do I hear a second for that, to explore that
41 option?
42

43 **MR. ANSON:** Second for discussion, yes.
44

45 **CHAIRMAN RIECHERS:** Mr. Anson seconds for discussion. We had a
46 little bit of the discussion and rationale before and anyone
47 else want to add to that?
48

1 **DR. FROESCHKE:** One thing to think about, given the rate of
2 growth of this fish, is you could almost achieve this same thing
3 by just manipulating the time of year the closed season
4 occurred, because they may grow two inches in two months in the
5 summer.

6
7 **MS. LEVY:** Just to clarify, what this would do would add an
8 alternative, when we come back with a draft document, that would
9 have a minimum size limit of thirty-two inches for one year and
10 then an increase to thirty-four inches indefinitely, just so
11 that staff knows what to write in terms of the alternative?

12
13 **CHAIRMAN RIECHERS:** David, I had you and I'm sorry and I don't
14 know if it was on this or you had another item when you had your
15 hand up earlier, but --

16
17 **MR. WALKER:** Thank you, Mr. Chairman. I thought that the Reef
18 Fish AP was pretty broad variety of experts from all over the
19 Gulf Coast and they voted in support of a sixteen to four to go
20 to a thirty-four inch. Go from thirty inches to thirty-four
21 inches and it was to give them a year-round season and give the
22 chance for the fish, the sexually-mature fish, to spawn.

23
24 We discussed that, where you increase them from increments of
25 one-inch each year over a period of time. That came up for
26 discussion, but they voted in favor of going on to the thirty-
27 four inch and as far as that, there was also some discussion,
28 kind of on the side, about maybe you ought to have recreational
29 and commercial both at thirty-four inches and it would be easier
30 on enforcement and so I think that the thirty-four inches was a
31 pretty good idea.

32
33 It seems like it would make it a little harder on enforcement to
34 increase it each year like that, but it's just an opinion that
35 they kind of went on with the AP and they all moved in favor of
36 the thirty-four inch, but I definitely think some kind of
37 increase, whether you work it one inch at a time or go to four
38 inches, it will help, in the long run.

39
40 **DR. CRABTREE:** My worry with the steps is going to be that many
41 more regulatory changes we make and that many more times we're
42 going to have to go to the states and ask them to make the same
43 change and we're not doing too great at that right now and my
44 worry is that that just gets us more off sync and then that's
45 going to create all kinds of compliance problems and confusion.

46
47 **MR. FISCHER:** I don't have heartburn either way. I was actually
48 trying to see if it was a south Florida issue. Louisiana has no

1 problem jumping straight to thirty-four and so unless Martha has
2 something to say, I could withdraw or we could just vote it
3 down.

4
5 **MS. BADEMAN:** I'm okay with adding this. If we do have a
6 stepped approach, it would be helpful, I think, if we had a
7 schedule of when it was going to increase. Then we could do,
8 from the state level, one round of rulemaking and say the size
9 limit is going to be X for this year and then X for this year
10 and whatever, but I'm okay with adding it and looking at it. I
11 don't know where I will end up in the end, but right now, I'm
12 okay with this.

13
14 **DR. DANA:** It may change tomorrow in public testimony, but I
15 have heard, in the previous testimonies, the last couple of
16 meetings, a support for an increase in the size to thirty-four
17 from the recreational side, if it's going to allow for a longer
18 season and more ability for the fish to rebound.

19
20 **CHAIRMAN RIECHERS:** I will just remind everyone this is just
21 adding an alternative and this isn't making it a preferred, but
22 obviously we don't want to add things we really don't want to
23 consider.

24
25 **MR. DIAZ:** My comment could be now or after, but I have had a
26 few comments from fishermen that they would be okay in our area
27 to go to thirty-four, but that's only a couple and I would like
28 to hear what happens at public testimony tomorrow, but I would
29 also like to have available to us, at some point in time, the
30 portion of the females that are mature at thirty-three inches.
31 Right now, I agree with Myron that I don't like for us to fish
32 on immature females.

33
34 Thirty-two is 0.45 and thirty-four is 0.85 and so I'm assuming
35 thirty-three is going to fall somewhere close in the middle of
36 that, but I would like to see it as something that maybe we
37 could consider. Thirty-three, I'm sure, would give us over the
38 50 percent mark, which we usually try to hit, and so I'm
39 interested in that.

40
41 **DR. FROESCHKE:** I can have that for you by full council, no
42 problem.

43
44 **CHAIRMAN RIECHERS:** Okay. Let's vote this either up or down.

45
46 **MR. ATRAN:** Just so we're clear on what the motion is, since
47 you've been talking about this and saying this is to add an
48 alternative, that's not what it says. It just says to have

1 staff look at this and so you might want to change that to say
2 "motion to add an alternative to look at a stepped option".

3
4 **CHAIRMAN RIECHERS:** I may have misspoke and do you want -- I
5 assumed it was -- We were asking for alternatives and that's
6 what I assumed it was, but maybe I'm wrong.

7
8 **MR. FISCHER:** That's correct. It would just be to add an
9 alternative, but, like I say, if it doesn't have support, then
10 let's not worry about the analysis. I was just bringing it up
11 and it might help other regions.

12
13 **CHAIRMAN RIECHERS:** We will either have an option here in
14 committee to vote it up here in a moment or at full council and
15 so are we ready to vote on the motion? **All those in favor of**
16 **the motion say aye; all those opposed. The motion carries.**

17
18 You had mentioned thirty-three, John, and I noticed it wasn't in
19 there as well, but we have thirty-two and thirty-four and so we
20 can get there and basically if you bring the info that Dale is
21 talking about, I think we then have the information that we
22 would need, if we wanted to go there.

23
24 With that, I think that concludes the business of this item and
25 I think that takes us to Item Number XII, but we are also past
26 our time, Chairman Anson, and what would you like to do?

27
28 **DISCUSSION - AMENDMENT 28 - ALLOCATION OF RED SNAPPER**

29
30 **MR. ANSON:** I would like to try to maybe finish it. I will give
31 you some background on this. The motion that was made at a
32 previous meeting regarding Amendment 28 wasn't very clear and I
33 don't know if, Doug or Dr. Simmons, if you can provide some more
34 information, but it essentially just said that the council would
35 not look at Amendment 28 again until regional management moved
36 forward and so what does that mean? Regional management kind of
37 got put back on the front burner and so I am sorry. It's sector
38 separation. I am sorry.

39
40 Sector separation was moving forward and on the agenda and being
41 discussed and so, again, without a more clear motion, I just
42 took it to mean that we could bring it up at this time and add
43 it to the other red snapper amendments and so if the council
44 wants to give some other direction, whether it's temporary for
45 this meeting, just to kind of take it off the agenda or give
46 some sort of date certain. I don't know what we would like to
47 do.

1 **CHAIRMAN RIECHERS:** Dale, you had your hand up or wanted to say
2 something?

3
4 **MR. DIAZ:** Well, I mean what I remember from the discussion is
5 we had said that we would postpone it until we had taken some
6 action on Amendment 40, whether we vote it up or vote it down or
7 table it to some date forward. Once we take an action on
8 Amendment 40, then this is something that could be brought up at
9 that time. To me, I really don't think it's appropriate to
10 discuss it until after we clear Amendment 40 on probably
11 Thursday and then at that point, we will have, in my mind, have
12 met the intent of the motion. That's the way I recall it and
13 the way I understand it.

14
15 **CHAIRMAN RIECHERS:** Any other discussion regarding that? It
16 seems like that's the will of the committee then and so at this
17 point, as we near the end of the day here, that leaves us only
18 Other Business. As far as I know, there wasn't anyone who
19 actually said they had other business when we set up the agenda,
20 but is there anything that would come before this committee
21 under Other Business? Mr. Chairman, this committee stands
22 adjourned.

23
24 (Whereupon, the meeting adjourned at 5:35 p.m., October 21,
25 2014.)

26
27 - - -
28

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3 PAGE 52: Motion in Action 1 to add an Alternative 4 which would
4 establish a regional management program in which regions submit
5 proposals to National Marine Fisheries Service describing the
6 conservation equivalent measures each region will adopt for the
7 management of its portion of the red snapper quota. The motion
8 carried on page 61.
9
10 PAGE 63: Motion in Alternative 2 of Action 1 to add two new
11 options. Option c would allow delegation to sunset after two
12 calendar years of the program and Option d would allow
13 delegation to sunset after three years and then also to make the
14 preferred alternative in Action 1 Alternative 2, Option d, the
15 three-year sunset. The motion carried on page 63.
16
17 PAGE 64: Motion to make Alternative 2, Option d, and
18 Alternative 3, Option a and b the preferred alternative in
19 Action 3. The motion carried on page 65.
20
21 PAGE 72: Motion in Action 6 to remove Options a and b in
22 Alternatives 2, 3, and 4 and put them in the Considered but
23 Rejected section. The motion carried on page 73.
24
25 PAGE 80: Motion to add a new action to create a sunset
26 provision on sector separation with options for sunset after
27 Option a: two; Option b: three; and Option c: five years of the
28 program. The motion carried on page 82.
29
30 PAGE 82: Motion that the preferred option be Option b, three
31 years. The motion carried on page 82.
32
33 PAGE 91: Motion to forward Amendment 40 to the Secretary of
34 Commerce. The motion failed on page 91.
35
36 PAGE 101: Motion to hold scoping meetings on the IFQ Program
37 Review in Pascagoula, Mississippi; Mobile, Alabama; Kenner/St.
38 Rose, Louisiana; Panama City, Florida; St. Petersburg, Florida;
39 Galveston, Texas; and Port Aransas, Texas. The motion carried
40 on page 101.
41
42 PAGE 116: Motion to have the SSC review the 2015 ABC again with
43 the latest red tide information for the January SSC meeting.
44 The motion carried on page 118.
45
46 PAGE 131: Motion in Action 1 to select Alternative 3 as the
47 preferred alternative. The motion carried on page 131.
48

1 PAGE 131: Motion in Action 2 to select Alternative 4 as the
2 preferred alternative. The motion carried on page 132.
3
4 PAGE 141: Motion to direct staff to request updated projections
5 from the Science Center for the options in Action 1. The motion
6 carried on page 142.
7
8 PAGE 142: Motion to look at an approach of a stepped increase
9 from thirty-two and then up thirty-four inches. The motion
10 carried on page 145.

11
12

- - -