

GULF OF MEXICO FISHERY MANAGEMENT COUNCIL

REEF FISH MANAGEMENT COMMITTEE

Gold Nugget Casino Hotel Biloxi, Mississippi

March 31, 2015

VOTING MEMBERS

- John Greene.....Alabama
- Martha Bademan (designee for Nick Wiley).....Florida
- Doug Boyd.....Texas
- Roy Crabtree.....NMFS, SERO, St. Petersburg, Florida
- Myron Fischer (designee for Randy Pausina).....Louisiana
- Dale Diaz (designee for Jamie Miller).....Mississippi
- Campo Matens.....Louisiana
- Lance Robinson (designee for Robin Riechers).....Texas
- David Walker.....Alabama
- Roy Williams.....Florida

NON-VOTING MEMBERS

- Kevin Anson.....Alabama
- Leann Bosarge.....Mississippi
- Jason Brand.....USCG
- Pamela Dana.....Florida
- Dave Donaldson.....GSMFC
- Harlon Pearce.....Louisiana
- Corky Perret.....Mississippi
- John Sanchez.....Florida
- Greg Stunz.....Texas

STAFF

- Steven Atran.....Senior Fishery Biologist
- Assane Diagne.....Economist
- John Froeschke.....Fishery Biologist/Statistician
- Doug Gregory.....Executive Director
- Karen Hoak.....Administrative and Financial Assistant
- Ava Lasseter.....Anthropologist
- Mara Levy.....NOAA General Counsel
- Cathy Readinger.....Administrative Officer
- Ryan Rindone.....Fishery Biologist/SEDAR Liaison
- Bernadine Roy.....Office Manager
- Charlotte Schiaffo.....Research & Human Resource Librarian
- Bryan Schoonard.....GIS Analyst

OTHER PARTICIPANTS

- Josh Abbott.....Arizona State University, AZ
- Billy Archer.....Panama City Beach, FL

- 1 Steve Branstetter.....NMFS
- 2 Eric Brazer.....Reef Fish Shareholder's Alliance
- 3 Gary Bryant.....
- 4 Dean Cox.....Santa Rosa Beach, FL
- 5 Brian Swindle Deliverance.....Wilmer, AL
- 6 Martin Fisher.....FL
- 7 Chuck Guilford.....FL
- 8 Betty Harder.....FL
- 9 Ben Hartig.....SAFMC
- 10 Roy Howard.....Mobile, AL
- 11 Gary Jarvis.....Destin, FL
- 12 Joe Jewell.....Biloxi, MS
- 13 Bill Kelly.....FKCFA, FL
- 14 Tommy Land.....Mobile, AL
- 15 Bart Niquet.....Lynn Haven, FL
- 16 Will Patterson.....GMFMC SSC
- 17 Randy Pausina.....LA
- 18 Bonnie Ponwith.....SEFSC
- 19 Tracy Redding.....Foley, AL
- 20 Tom Steber.....Orange Beach, AL
- 21 Andy Strelcheck.....NMFS
- 22 Ed Swindell.....Hammond, LA
- 23 Russell Underwood.....Lynn Haven, FL
- 24 Mike Whitfield.....Lynn Haven, FL
- 25 Bob Zales.....Panama City, FL
- 26 Jim Zurbrick.....Steinhatchee, FL

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30 The Reef Fish Management Committee of the Gulf of Mexico Fishery
31 Management Council convened at the Golden Nugget Casino Hotel,
32 Biloxi, Mississippi, Tuesday morning, March 31, 2015, and was
33 called to order at 8:30 a.m. by Chairman Johnny Greene.

34
35
36

ADOPTION OF AGENDA

37 **CHAIRMAN JOHNNY GREENE:** Good morning. We will go ahead and
38 call the Reef Fish Committee to session. All members are
39 present. With that, we will start with the Adoption of the
40 Agenda.

41

42 I have had a request by Lieutenant Commander Jason Brand to move
43 the discussion of Amendment 39 and the Options Paper for Joint
44 South Florida Management up in the schedule and so we will move
45 Items X and XI to fall in after Item V and that way, we can get
46 into some of the LEAP comments that we missed yesterday and
47 accommodate Mr. Brand, as he has to leave earlier today than
48 scheduled. With that, if anybody has anything else with the

1 agenda and seeing none, an adoption of the agenda, does anybody
2 want to --

3

4 **MR. ROY WILLIAMS:** So moved.

5

6 **CHAIRMAN GREENE:** It's been moved by Mr. Williams.

7

8 **MR. DOUG BOYD:** Second.

9

10

APPROVAL OF MINUTES

11

ACTION GUIDE AND NEXT STEPS

12

13 **CHAIRMAN GREENE:** Seconded by Mr. Boyd. With that, we will go
14 to Approval of the Minutes, Tab B, Number 2. Any corrections?
15 Seeing no corrections, any opposition to approval of the
16 minutes? Seeing no opposition, we will move into Number III,
17 Action Guide and Next Steps, Tab B, Number 3.

18

19 It's there for your review and thanks to the staff for
20 continually putting this together. It certainly helps me, if
21 nobody else, and so with that, we will go to Agenda Item Number
22 IV, which will be Recreational Red Snapper Season Projection,
23 Tab B, Number 4, by Andy Strelcheck.

24

25 There was an updated one that was emailed to you all at three
26 o'clock yesterday afternoon and so it is there for your review.
27 Mr. Strelcheck, if you're ready.

28

29

RECREATIONAL RED SNAPPER SEASON PROJECTION

30

31 **MR. ANDY STRELCHECK:** Good morning, council members. This is a
32 presentation summarizing our preliminary 2015 red snapper
33 projections. Just to get everyone oriented, these are
34 preliminary projections. MRIP typically finalizes their
35 landings from the prior fishing season in April and so we're
36 coming up on that time where we'll have final estimates that
37 have been error checked and cleaned up.

38

39 Also, Texas landings I understand have been delivered to the
40 Southeast Fisheries Science Center for the high-use wave from
41 last year. We, at the time we started these projections, did
42 not have that data incorporated and so that will be something
43 else that will be added to future projections for finalizing the
44 season.

45

46 Based on the March 3 meeting that you held, the ACL Gulf-wide is
47 going to be a little over seven-million pounds and reducing that
48 for the 20 percent buffer associated with the catch target,

1 we're looking at a Gulf-wide catch target of 5.6 million pounds.

2
3 Then if Amendment 40 is implemented, you can see how that catch
4 target would be allocated between the federal for-hire sector
5 and the private sector and we have a footnote there indicating
6 that the Headboat Collaborative allotment would be removed from
7 the for-hire component when computing the season length and the
8 same is true for the Gulf-wide estimates that we're presenting
9 if Amendment 40 is not approved.

10
11 State season lengths have an effect on the federal season
12 length. At this point, what we asked was for the states to
13 provide information on what they expected their season would be,
14 if they had made decisions. If decisions had not been made, we
15 asked for them to provide us with the assumption that they would
16 like to include in our analysis.

17
18 As you can see, Florida has recommended a seventy-day season and
19 Alabama asked that we assume a consistent federal and state
20 season. Mississippi asked that we analyze the season to be
21 similar to last year and then Louisiana and Texas, Texas is open
22 year-round and Louisiana opened March 20.

23
24 Data sources, I won't get into great detail about the data
25 sources, but you can see we have four different datasets that
26 we're deriving landings and catch rate information from. Those
27 have data from 2004 to 2014 and we are restricting the analysis
28 to that timeframe because that's largely when the rebuilding of
29 the stock has occurred in the most recent ten years. For
30 average weights, we are using aggregated data that's been
31 derived from our Science Center annual catch limit dataset.

32
33 This is hard to read and I won't go into great detail, but with
34 any projections that we produced in previous years, we look at a
35 range of potential scenarios for projecting out the season
36 length and I will show you some of the challenges we faced this
37 year with the projections, but if you look carefully at this
38 table, you can see some of the differences in terms of what we
39 use for catch rates or average weights across the four scenarios
40 considered and some of these hold catch rates or average weights
41 constant and some of them increase average weights while holding
42 average weights or catch rates constant for other sectors.

43
44 It's a mixture or a hybrid approach of various different
45 scenarios and typically we like to project average weights and
46 catch rates using regression models and because of some of the
47 data this year, we found some of the results unrealistic and so
48 we decided to use more recent data from the most recent fishing

1 year as a predictor of this year's season.

2
3 As you can see, there is a very strong relationship over time,
4 during the main portion of the rebuilding plan, where average
5 weight is increasing as the stock rebuilds. I will point out
6 that for the for-hire sector, in particular charter, you still
7 have a very strong relationship between average weight and year.

8
9 For private and headboat, you can see that the average weights
10 are tailing off a little bit and so our fits to the average
11 weights are actually higher than estimates in more recent years
12 and so this is one of the reasons why we wanted to consider this
13 hybrid approach of looking at what if we project average weights
14 versus what if we actually use the most recent average weight as
15 a predictor of future season length.

16
17 With catch rates, this was a little bit of a surprise to us, but
18 the main take-home that we see with the catch rates is that for
19 for-hire and headboat, which are the graphics on the left or
20 right-side of this screen, you can see that the trending is
21 fairly flat at this point in both for-hire charter as well as
22 headboat or it has tailed off from some of the peaks.

23
24 In the private sector, what we continue to see with the
25 estimates is an increasing rate of catch and these catch rates
26 are in numbers of fish and it is occurring both in the eastern
27 Gulf and the western Gulf and in the eastern Gulf, obviously we
28 had MRIP. We had modifications to MRIP in 2013 and 2014, as
29 you're aware, of the recalibration of those estimates.

30
31 In the eastern Gulf though, you can see that in 2013 and 2014
32 the points still remain very high and those are data points that
33 are derived from Louisiana Creel and from Texas Parks and
34 Wildlife and so they're independent of the MRIP estimates and
35 indicate a similar increasing trend in the eastern versus
36 western Gulf, although the catch rates themselves are
37 considerably lower in the western Gulf.

38
39 Here are some of the challenges that we faced with this year's
40 projections and why we decided to use 2014 data or 2014 with
41 projected average weight data as ways of estimating the season
42 length, but if you look at that graph on the left, I believe
43 that's for-hire data from the eastern Gulf and you can see that
44 the trend is -- We're getting a decent fit in terms of the model
45 itself and there are some explanatory variables, but what it's
46 indicating is that that for-hire catch rates are declining at a
47 very steep rate and we didn't find this to be a very realistic
48 outcome for the model, especially since the catch rates

1 themselves appear to be trending sideways.

2
3 We opted not to use these regression fits, even though we fit
4 the models similar to this in years past and the same is true
5 for the private sector.

6
7 If you look at the estimates on the left-hand graphic, you can
8 see that the private estimates in the eastern Gulf of Mexico are
9 increasing at a very rapid rate, especially in the most recent
10 years, and if we project forward that catch rate into 2015, you
11 are, I think, getting about a 60 percent increase in the catch
12 rate just based on that projection and, once again, we really
13 struggled with understanding why that would be the case and why
14 there would be this huge increase in catch rate occurring based
15 on these model fits.

16
17 We did run estimates based on all of these model fits and
18 obviously the effect of higher or lower catch rates would be a
19 longer or shorter season and so we do have sensitivity runs for
20 that, but those aren't going to be presented today.

21
22 In terms of the scenarios that we did investigate, they were
23 fairly consistent for the for-hire sector and a little bit more
24 variable for the private sector. Here we show sector separation
25 with compatible and non-compatible regulations as well as if
26 sector separation is not implemented with compatible and non-
27 compatible regulations.

28
29 The for-hire season ranges from forty to forty-six days and the
30 private season ranges anywhere from nine to approximately
31 sixteen days. If sector separation isn't implemented, you can
32 see on the right-hand side of the graphics that the season
33 ranges from a little over ten days upwards of around twenty-one
34 days.

35
36 One of the questions I've been asked already is why aren't the
37 state season lengths affecting the federal season length more
38 and one of the main ways that we estimate seasons going forward
39 is based on using catch rate data out of season from the prior
40 fishing year and carrying that forward and it has worked fairly
41 well for us.

42
43 Well, in 2014, the out-of-season catch rates for especially MRIP
44 were fairly low for Mississippi, Florida, and Alabama and so
45 even though Florida's season has been extended now from fifty-
46 four days or fifty-two days last year now to seventy days, it is
47 not having a huge influence on the season length, federal season
48 length, because those catch rates are considerably lower than

1 estimated than what's occurring in the federal season and so
2 that difference in catch rates is driving the outcomes of the
3 season lengths and the private catch rates are considerably
4 higher than the for-hire catch rates and, as a result, the
5 private season has to be shorter in order to compensate for
6 those higher catch rates and so they are catching more fish more
7 quickly, resulting in less fishing days.

8
9 This just graphically shows the outcomes from the previous
10 graphic and so the for-hire season is on the left assuming
11 sector separation and the private season in the middle and then
12 if no sector separation is implemented, the overall season
13 length for all sectors on the right graphic. With that, I will
14 take any questions.

15
16 **CHAIRMAN GREENE:** Thank you, Andy. Has anybody got any
17 questions?

18
19 **MR. CORKY PERRET:** Thank you, Andy. Excellent job. I am just
20 trying to understand the one decrease and in your graphs
21 relative to catch per day and numbers and that chart in the
22 easts is -- All the other graphs are going up and that one is
23 going down.

24
25 Again, I'm trying to figure out what's the explanation of that
26 and we've got several people in the east, I'm sure, that may
27 have an opinion that it's correct or incorrect or whatever, but
28 what did you figure out on that thing? That one. Then if you
29 go to the graph ahead of that one, it shows all the different --
30 That one.

31
32 You know we had the drop in 2010, I guess, in the for-hire west
33 and then it came back up, but consistently the lines seem to be
34 going up, other than that one east for-hire and I am just trying
35 to figure out why.

36
37 **MR. STRELCHECK:** I didn't talk about it, but you see the red and
38 blue lines at the top of the graphic and one of the things that
39 we're now able to do with MRIP is partition out landings based
40 on days within the wave that we're sampling and we asked MRIP to
41 look into that, even though we had a nine-day season, and try to
42 distinguish between for-hire landings occurring within the June
43 1 through June 9 timeframe versus the rest of the wave, because
44 Florida was open on either side of that as well as openings off
45 of other states.

46
47 The bottom line is I think one of the issues we're facing with
48 2014 data, which could be an effect for 2015 and beyond, is

1 short seasons and it's hard to estimate a good catch rate. We
2 have more data for prior fishing years and the catch rates
3 themselves I think are better estimated and so we might just
4 have some sampling variability here based on the estimation.

5
6 **CHAIRMAN GREENE:** Any further questions? Okay, seeing none, I
7 guess we will move into Agenda Item -- Go ahead, Mr. Strelcheck.

8
9 **MR. STRELCHECK:** Just real quick, just for the council's
10 awareness, as I said, these are preliminary estimates and we
11 will finalize these estimates and announce a season in May, as
12 soon as possible.

13
14 We also will produce a report and so you didn't have a report
15 for this meeting, but each year we produce a report and Dr. Nick
16 Farmer will be working on that and I just want to acknowledge
17 his efforts, because he was the one who put all of this analysis
18 together and so I just wanted to make you aware of that and we
19 will post that report to our website when it's available.

20
21 **MR. STEVEN ATRAN:** Do you know what the timeline is for the
22 review and approval of Amendment 40? Will that have been
23 completed by May?

24
25 **MR. STRELCHECK:** April 16 will be the decision date for review
26 and approval of Amendment 40 and Roy might correct me that our
27 goal would be to announce the season length at the time of the
28 TAC increase.

29
30 **DR. ROY CRABTREE:** Yes, I think the plan is that the season
31 would be in the final rule that raises the TAC. Is that right,
32 Steve?

33
34 **DR. STEVE BRANSTETTER:** Yes.

35
36 **CHAIRMAN GREENE:** Okay. Anything else?

37
38 **MS. MARTHA BADEMAN:** On that note, do we have an idea of when
39 that TAC increase will be finalized?

40
41 **DR. BRANSTETTER:** The proposed rule for that filed today and it
42 will publish on April 1. The target is to have the final rule
43 published by May 1.

44
45 **EXECUTIVE DIRECTOR DOUG GREGORY:** Andy and Roy, if at all
46 possible, if there is no structural obstacle to this, I would
47 like to have our quantitative staff person involved in your
48 discussions in doing the analyses, the statistical analyses and

1 stuff like that. That would be helpful to us if we can do that.

2
3 **MR. STRELCHECK:** Yes, that's fine. We would be happy to involve
4 him.

5
6 **CHAIRMAN GREENE:** Okay. Anybody else? Okay. We will go ahead
7 and move to Agenda Item Number V, Headboat Collaborative Report,
8 Tab B, Number 5, and it shows Abbot/Strelcheck and I don't know
9 who is going to give that presentation.

10
11 **HEADBOAT COLLABORATIVE REPORT**

12
13 **MR. STRELCHECK:** I think the plan will be for me to give the
14 first presentation, followed by Josh. The last meeting, you had
15 asked for an update on the Headboat Collaborative Program. The
16 last time we had updated you was back in June, when you were
17 meeting in Key West.

18
19 Some of this same information will be contained in this
20 presentation, but we felt it was important to reiterate. As I
21 mentioned, Josh Abbot will be presenting after me. He is going
22 to focus more on some of the social science and economic work
23 that is ongoing and some preliminary analyses that are being
24 conducted.

25
26 I am going to focus primarily on the administration and data
27 sampling and landings estimates that we derived from the
28 program, as well as some of the hurdles we faced and some of the
29 changes that we've made for 2015.

30
31 Just as background for council members that maybe weren't around
32 when this was being considered, a group of headboat captains
33 submitted an exempted fishing permit for a two-year pilot study
34 and that was originally approved by the council in April of
35 2012. NMFS approved it in August of 2013 and implementation
36 began January 1, 2014.

37
38 The goals of the program, there is three primary goals outlined
39 in the exempted fishing permit. The first was to assess an
40 allocation-based management program to see if we could better
41 achieve both conservation and economic goals and objectives.

42
43 The second was to evaluate a new method for electronic data
44 reporting, especially the real-time aspects of data reporting,
45 and then the third, which will be more of Josh's focus, will be
46 the socioeconomic work to assess the impacts of such a program
47 and comparative analysis with vessels not participating in the
48 program.

1
2 The exempted fishing permit itself is valid for two years and so
3 we're in the second year of the pilot program. It requires the
4 exempted fishing permit to be prominently displayed onboard the
5 vessel for enforcement purposes and it must be presented for
6 inspection to law enforcement.

7
8 Vessels that participate in the program cannot join or leave the
9 program mid-year and so we restricted them to participating in
10 both the headboat program as well as the general red snapper
11 recreational season and that as well as the gag fishing season
12 and so there was limits placed on their participation in both.
13 They can only participate in the headboat program.

14
15 What's exempted? The two primary exemptions are exemptions from
16 recreational seasonal closures as well as the closure of gag
17 when the catch target is estimated to be reached, which is
18 December 3 each year. They are not exempted from size and bag
19 limits and the 120-foot closure for shallow-water grouper or
20 restrictions placed on red snapper in the Magnuson Act related
21 to prohibiting harvest when the overall red snapper quota is
22 met.

23
24 The vessels themselves could fish as early as January 1 and if
25 we do not determine that the quota for red snapper has been met,
26 then they can continue to fish until such time that the quota is
27 met.

28
29 To give you an idea of where the vessels were located, we had
30 seventeen vessels participating in the program and we note down
31 at the bottom that additional vessels could be added in 2015 and
32 there was actually two additional vessels that entered the
33 program in 2015, bringing the total up to nineteen vessels.
34 Overall, it's a very good distribution of the vessels
35 participating in the current Southeast Headboat Survey, from St.
36 Petersburg, Florida all the way to Port Aransas, Texas.

37
38 Calculations of quota, the exempted fishing permit, when it was
39 submitted to us, laid out how the quota would be estimated for
40 the collaborative to receive and it based those calculations on
41 2011 recreational landings. At the time, if you recall, this
42 was approved in 2012 and so the collaborative wanted to use 2011
43 as their starting point and they wanted to receive the same
44 percentage under the program as they did in 2011, so that it
45 wouldn't have any adverse effects on other sectors and they
46 would just be harvesting the same proportion that they had
47 harvested in the prior fishing year.

1 When you do all those calculations, the estimates of the quota
2 were about 2.83 percent for gag of the overall quota and 5.3
3 percent for red snapper and you can see the corresponding quota
4 amounts in both pounds and numbers of fish that resulted from
5 that.

6
7 January 1, a quota was distributed to the Headboat Collaborative
8 manager. Susan and Randy Boggs are the managers for the program
9 and all of the quota is placed into their online account and
10 that quota is then parsed out to the seventeen participating
11 vessels, based on decisions they've reached on how to allocate
12 the quota and it was largely based on landings history for the
13 distribution of quota.

14
15 Our role, from an agency standpoint, was to drop the allotted
16 quota into the headboat manager's account and then they made
17 decisions about how to divvy that up among the vessels.

18
19 The program itself does allow for transfer of quota allocation
20 and so, as I just indicated, the headboat manager can send quota
21 to the participating vessels. The vessels can also return the
22 quota to the headboat manager or the headboat manager can pull
23 it out of vessel accounts.

24
25 Also there is transfers between vessels and so it allows for
26 greater flexibility in terms of using quota throughout the
27 fishing year and I will get into some of the transfer statistics
28 that we saw during the first year of the program later.

29
30 With regard to program requirements, they were required to have
31 a VMS onboard the vessel for tracking purposes. They had to
32 land at an approved landing location. The Southeast Headboat
33 Survey now has weekly reporting requirements. They were held to
34 a higher standard and required to report daily.

35
36 There was also dockside validation and we programmed with our
37 electronic system that when a notification was sent to the
38 agency that that could be emailed to port agents and law
39 enforcement officers so that they could meet vessels at the dock
40 and do additional validation work.

41
42 The headboat participants also agreed to -- These were self-
43 imposed restrictions and not anything we placed upon them in the
44 exempted fishing permit, but holdback. At the beginning of the
45 year, only 95 percent of their quota was allotted to the
46 participating vessels and that was intended to prevent any quota
47 overruns that might occur and they wanted to protect against any
48 overages.

1
2 They also established a tag system and there is a picture of the
3 tags in the lower-right corner. These are tags that could be
4 affixed to the fish itself or, if the fish was filleted, dropped
5 into a zip-lock bag and the participant could take it with them.
6 It had some specific identifiers on it, so that if they were
7 stopped by enforcement they would be able to distinguish that
8 those fish were caught on a collaborative vessel, even if the
9 red snapper season or gag season was not open. The costs for
10 the tags were approximately twenty-five cents per tag and that
11 was paid all by the collaborative members.

12
13 From a reporting standpoint, for those of you familiar with the
14 individual fishing quota program, it's very similar
15 requirements. They had a tablet-based VMS unit that submits
16 both hail-outs and as well as hail-in notifications. The hail-
17 in notification has to come in one hour in advance of landing
18 and that landing notification specifies a pre-approved landing
19 notification to help with enforcement purposes.

20
21 Data is then submitted through the Southeast Fisheries Science
22 Center's e-logbook program and then ultimately funneled back to
23 the Regional Office, where we can debit allocation from vessel
24 accounts and track quota usage throughout the fishing year.

25
26 In the upper-right corner is our website, for those not familiar
27 with it, but at any point in time, you can go to this website
28 and see the quota that's been used to date. The website itself
29 for the headboat will track in numbers of fish, but we also
30 have, under additional information, estimates of the poundage
31 that's been landed based on dockside sampling that occurs and we
32 track the weights that are reported throughout the fishing year.

33
34 My staff did a tremendous amount of auditing of data and
35 tracking trips from start to finish, ensuring that trips were
36 reported in a timely fashion, identifying where we were having
37 problems with notifications coming in and out, and I will talk a
38 little bit more about that in terms of the results.

39
40 Dockside sampling, we had sampling occurring in Florida,
41 Alabama, and Texas, both through our Southeast Headboat Survey
42 as well as some contract work through the Fish and Wildlife
43 Commission. I already mentioned the email notifications that
44 they were receiving and they used existing methodologies to
45 conduct this sampling and biological sampling for red snapper
46 and gag, in particular, the average weights was important as
47 well as validating the number of fish that were being reported
48 for each of the fishing trips.

1
2 This just gives you a sense of the trips that were occurring.
3 It's fairly similar to what we would expect, whether you're
4 fishing with or without a collaborative program, where the peak
5 is during the summer months, with the most amount of trips.

6
7 The green line indicates trips that landed red snapper or gag or
8 the blue line represents all trips taken by headboat vessels and
9 so you can see that there's a difference between those two
10 values. There were a lot of boats participating in the program
11 that conducted near-shore or inshore trips, short half-day
12 trips, and those were occurring in state waters and the
13 exemption only applied to landings outside of state waters and
14 in federal waters.

15
16 There was a lot of trips reported that did not report catch of
17 red snapper or gag and we did validate many of those trips as
18 well, to indicate that there were no fish reported when those
19 trips came in.

20
21 Here is the total number of fish that were landed per month and
22 you can see the influence of 407(d) with red snapper. By mid-
23 August, that's when we get landings data for the June wave of
24 landings and so the collaborative members obviously were
25 concerned that the quota would be met and they were trying to
26 use up their quota before the middle of August.

27
28 The quota was not met and so you do see a small number of
29 landings that occurred after that time, but there is definitely
30 a build-up from January through the summer months in terms of
31 landings.

32
33 With gag grouper, you see very much our seasonal trend, where
34 catch rates are higher around the spring months, spawning
35 season, and then also drop during the summer or late fall and
36 then pick back up in the late winter months.

37
38 This is just a reiteration of 407(d) and so I want to talk
39 briefly about how we monitored landings in terms of average
40 weights and pounds landed. Converting fish to pounds, we did
41 have to come up with a preseason estimate of the average weight
42 and we based this on the Southeast Headboat Survey.

43
44 In-season was based on a combination of headboat survey data as
45 well as that work that was being conducted by the Florida Fish
46 and Wildlife Commission and we were able to get average weight
47 data for headboat vessels per month by region and then we
48 updated those average weights every fifteen to thirty days. The

1 early portion of the year, it was on monthly intervals and when
2 we got into the core summer months, we were updating every
3 fifteen days.

4
5 I won't go through all of this, but you can see some of the
6 comparisons between in-season versus pre-season average weights.
7 I think the bottom line, if you look at the total, there was a
8 little over 3 percent difference, 3 percent lower average
9 weight, than we estimated prior to the season for red snapper
10 and about a 1 percent higher average weight for gag that we
11 estimated in-season versus preseason and so the estimates were
12 very close and in line with our projected estimates prior to the
13 season.

14
15 That's important, because keep in mind we had -- When we
16 allocate the quota, we back calculate from pounds to numbers of
17 fish and then distribute the numbers of fish and that conversion
18 is dependent on the average weight that's used.

19
20 Here you can see quota usage by the collaborative, the preseason
21 versus in-season estimates. Both of those lines are below the
22 allotted quota. Approximately 96 percent of the quota was
23 landed in terms of pounds. A higher percentage was landed in
24 terms of numbers of fish, but they came very close to landing
25 their total allotment.

26
27 For gag, the estimates are almost on top of one another.
28 Average weights were very close and you can see that they only
29 landed a little over 50 percent of the allotted quota for the
30 fishing year.

31
32 Here is just another depiction of those average weights over
33 time with the dashed line representing what we estimated and
34 then the in-season estimates, which you can see are bouncing
35 above and below that line and so we felt very confident that
36 those in-season estimates and preseason estimates were matching
37 very well.

38
39 Regarding allocation transfers, there were thirty-one vessel-to-
40 vessel transfers, three transfer for gag, totaling forty-nine
41 fish, and then twenty-eight transfers for red snapper, totaling
42 over 3,000 fish. We do ask for information in the system on the
43 reasons for the trade and the most common reasons were bartering
44 and so trading between gag and red snapper.

45
46 There were some that were sold, as well as many just no
47 comments, where we didn't get information provided to us. A
48 majority of the transfers were occurring between vessels within

1 the same operating region.

2
3 Reporting compliance, for validation we were upwards of 20
4 percent for validating trips. We did have some trips with
5 discrepancies, but overall, it was a very small proportion of
6 the trips and generally those discrepancies were one to two fish
7 and actually were one or two fish above or below what was
8 reported on the landing notification.

9
10 All of those discrepancies were corrected working with the port
11 agent as well as the participating vessel to fix the reported
12 landings and the port agents themselves worked closely with the
13 headboat participants and would count fish side-by-side with
14 captain or crew to make sure that the estimates agreed with one
15 another when we compared them to the notification.

16
17 This is all in our report, but discrepancies occurred for a
18 variety of reasons. We did have, especially early in the year,
19 captains mates unfamiliar with the new software for reporting
20 and there were misidentification issues and red snapper we
21 recorded as red porgy in a couple of instances or a mis-entry,
22 for that matter. Transposing numbers and just common data entry
23 issues that we were facing.

24
25 For compliance, we did have a small percentage of trips that
26 didn't either submit hail-outs or hail-ins or e-logbooks were
27 late and they weren't coming in on the daily basis. A lot of
28 those were related to some technical challenges that we faced.

29
30 This is a new software and VMS and it connects with Bluetooth,
31 as someone mentioned yesterday, and sometimes the connections
32 themselves were failing or the data was being stored in the
33 unit, but not being submitted to the agency.

34
35 There was obviously a learning curve as well, with captains
36 understanding that if they're participating in the program they
37 have a daily reporting requirement and not a weekly reporting
38 requirement and so that resulted in many of the trips being
39 reported late and then also when they got busy during the
40 fishing season, running trip after trip after trip, trips were
41 just missed. There was forgetfulness and there was people just
42 forgetting to report.

43
44 We did ask for some feedback directly from enforcement and port
45 agents and they did indicate that it was very helpful for them
46 to prioritize sampling by receiving the hail-out and hail-in
47 notifications. The hail-ins especially were allowing them to
48 have an expectation of what the fish were coming in on that

1 trip.

2
3 They also felt like the relationship between the captains and
4 the participating vessel was very good and they would, I guess,
5 like to set up procedures with the vessels to allow for better
6 prioritization and sampling in the future so that they can
7 minimize the disruptions working with those captains and so they
8 have some ideas in terms of how that could be done more
9 smoothly.

10
11 Then, as I have mentioned, there was a learning curve with
12 captains. We did have some technical problems and there were
13 some data connectivity issues with data being passed from one
14 system to the next.

15
16 There was, on occasion, failures or time lags in terms of when
17 data could be uploaded and then with the sampling, especially,
18 for instance, late in the fishing season for red snapper, when
19 not as many trips are being made, we ran into some problems
20 where the biological samples weren't sufficient by region or by
21 month to come up with a good average weight and so we had to use
22 proxies from prior months or aggregate data, pool data, in order
23 to better estimate average weights for time periods when we had
24 insufficient samples.

25
26 What did work? The weight estimation obviously was very
27 effective and VMS allowed for a tremendous amount of auditing on
28 the backend to verify and validate trips and there was obviously
29 a near real-time deduction of landings, so we could accurately
30 monitor the quota very close to the limit.

31
32 Allocation transfers did allow some added flexibility among
33 participants and for red snapper, because we have met the quota
34 in mid-August every year, this was the first year where we not
35 only didn't meet the quota, but we were below the catch target
36 and these participating vessels were able to fish year-round.

37
38 Briefly, moving forward, we have two new additional vessels, the
39 America 2 out of Orange Beach, Alabama and the New Buccaneer out
40 of Galveston, Texas.

41
42 The computation for how the quota is allocated changed because
43 of the MRIP calibration. It has a much bigger influence on red
44 snapper than it does gag, but if you look at the red snapper
45 quota allocation that we released January 1, it is lower than
46 last year, despite having two new additional vessels. That will
47 change and be revised with the new TAC increase, but the main
48 reason for the quota going down is because the 2011 landings for

1 red snapper increased under the MRIP calibration. With that, I
2 will take any questions.

3
4 **CHAIRMAN GREENE:** I have a question before we get started. I
5 don't see anybody waving their hand right this second, but it
6 seems to me, in reviewing information and preparing for the
7 meeting, that the average size of the red snapper the headboats
8 were catching ended up being smaller than what was originally
9 projected and is that correct?

10
11 **MR. STRELCHECK:** Yes, it was slightly smaller and a little less
12 than 3 percent difference or a little more than 3 percent
13 difference.

14
15 **CHAIRMAN GREENE:** By using the real-time information they turned
16 in, did that equal more days for them? Was there a calibration?
17 Did you say, okay, the fish are smaller and so we averaged this
18 and we assumed you were going to do that and was there any
19 ability to do that in this program or is it basically it is what
20 it is?

21
22 **MR. STRELCHECK:** No, but we do factor that into then how we
23 allocate out the amount of quota they receive for 2015, based on
24 the average weight information we had for 2014.

25
26 **CHAIRMAN GREENE:** Okay, but nothing was done in season and it
27 was basically at the end of the year?

28
29 **MR. STRELCHECK:** The only flexibility that -- I won't say the
30 only, but flexibility that was provided is I talked about that 5
31 percent holdback early on that was self-imposed.

32
33 At some point during the season, the Headboat Collaborative
34 manager reached out to us and asked for how the average weights
35 and sizes were tracking for each vessel and based on that
36 information, if it was tracking at or below the preseason
37 estimate. Then that remaining 5 percent of quota was released
38 to those vessels. If it was tracking above it, then quota was
39 held back and not released and so it did give them flexibility
40 to fish more of the quota and not have it all held back at the
41 end of the year.

42
43 **MR. HARLAN PEARCE:** I am not on your committee, but, Andy,
44 excellent presentation. I was trying to see where problems
45 might develop with the VMS system, but it seems like everything
46 worked and we had a predicable learning curve that you had to go
47 through with the captains and with data transfers.

48

1 In your opinion, what else -- What could we do better than this?
2 How could we improve on the Headboat Collaborative Program?

3
4 Is there anything that we can do differently than we did that
5 would make it better or just more of this learning curve
6 situation and more boots on the ground? What can we do to make
7 it better than it is and not that it's not good now. It is, but
8 I am just trying to see what could be a better process.

9
10 **MR. STRELCHECK:** I think overall the program itself worked
11 extremely well. It was in line with our expectations. There
12 were some glitches and some challenges, especially on the
13 electronic data reporting side, but those were not necessarily
14 unforeseen, given that it was a new technology being used with
15 these captains that weren't familiar with it.

16
17 As I mentioned in one of my latter slides, we used the Southeast
18 Headboat Survey and had that data pulled into our system and we
19 would like to have kind of more of a direct connection with that
20 data flowing to our system, because it will reduce processing
21 time for us on the backend and allow for more real-time
22 updating, similar to the IFQ program, but overall, I think the -
23 - We have learned a lot.

24
25 I think one of the big challenges that we didn't expect is that
26 headboats run a lot of trips and they report a lot of fish and
27 they use a lot of different captains and crew and so each time
28 that a new captain or crew steps on that boat, they have to
29 familiarize themselves with the program requirements and at
30 times we felt like we had done a lot of outreach to work with
31 captains and then came to find out a new captain or a substitute
32 captain was fishing the boat that day and so we had to then work
33 with that captain, but VMS itself had very good reporting
34 requirements.

35
36 We have had some connectivity issues with VMS that we would like
37 to get more streamlined and resolved, but overall I think we're
38 very satisfied with the first-year results.

39
40 **MR. PEARCE:** Just as a quick follow-up, any program like this
41 will help us as we move towards a mandatory reporting system for
42 the for-hire sector down the road with the amendment we're
43 working on right now and so it's very good to see a program like
44 this or any other program that comes along that kind of walks
45 down the right path to get to -- So when we do develop this
46 mandatory program, we have already had all the pitfalls and
47 we've already had the problems and we know where we are and so
48 situations like this are clearly great for us developing our

1 programs in the future. Thank you.

2
3 **MS. BADEMAN:** Thank you, Andy. I just have one question. You
4 said that for red snapper there was a 5 percent holdback when
5 they were doling out the allocation, but it looked like 98.9
6 percent was landed and was that a function of just some of these
7 issues that they had or was some of that holdback eventually
8 released? I am just curious.

9
10 **MR. STRELCHECK:** Yes and that's what I was just mentioning, is
11 that the holdback was released. I don't remember when, but
12 sometime mid-year we provided in-season average weights and
13 determined whether or not each particular vessel was tracking at
14 or below their preseason average weights and if they were, then
15 that additional quota was released to that vessel and that was
16 independent of us. That was the headboat manager's decision,
17 working with those captains.

18
19 **MR. PERRET:** Andy, as you were speaking, I was following along
20 there and also looking at B-5, the Headboat Collaborative paper.
21 In particular, Table 6, average landings, that's for red
22 snapper, and for the Florida west coast, one month it's almost
23 ten pounds down to two pounds for another month, but an average
24 of 6.15 pounds per fish.

25
26 Number one, I assume some of those monthly sample sizes were
27 very small, but 6.1 versus 4.4 for the Panhandle area, that's a
28 1.7 pound difference and I've got some thoughts about as to why
29 that difference and what are yours on that 1.75 pound per fish
30 difference?

31
32 **MR. STRELCHECK:** You tossed me an easy one and I appreciate
33 that. We have five boats that are fishing off of west Florida
34 between Clearwater and Tarpon Springs. Most of those boats fish
35 fairly close to shore and don't even encounter red snapper or
36 occasionally will get into red snapper, but one is an overnight,
37 offshore vessel that's participating in the program and that
38 vessel in particular catches larger, heavier red snapper.

39
40 In fact, when we estimated the number of fish the collaborative
41 was going to get, that particular vessel had a higher average
42 weight preseason than the other four vessels in the Clearwater
43 area and so we took that into consideration, knowing that it
44 operates differently.

45
46 **MR. MYRON FISCHER:** Andy, this may not be a question directed to
47 you and Mr. Boggs may have to answer sometime when he comes to
48 the mic, but on the transfer of shares, is there any fees or any

1 charges or any capital recoup by the person giving their shares
2 or those receiving the shares from them?

3
4 **MR. STRELCHECK:** No, not under the pilot program. If this was
5 implemented and it was a mandatory program, we have requirements
6 under the Magnuson Act to recover up to 3 percent for cost
7 recovery associated with administration, research, and
8 enforcement. At this point, under the pilot program, no
9 requirements exist for recouping costs.

10
11 **MR. FISCHER:** So there is no selling of shares? If two boats
12 get together, it's just gifting?

13
14 **MR. STRELCHECK:** There is no shares to begin with. There is no
15 percentage of the quota. Yes, they were allotted a percentage,
16 but they are essentially allotted individual fish and so if a
17 business transaction occurred with sale of fish that were
18 allotted to them, then that occurred independent of the program.
19 We didn't track that information. All we were tracking was
20 whether transactions were occurring and where they were going.

21
22 **MR. WILLIAMS:** Very nice presentation, Andy, and I have two
23 questions. One is did you say that they only caught a little
24 more than 50 percent of the gag allocation, but that went the
25 whole year, right, and they weren't cut off -- They could
26 continue even after red snapper -- Well, red snapper wasn't cut
27 off either and so any reason as to -- There was no reason for
28 them not to catch the full gag allocation caused by you guys,
29 right? They just didn't catch it?

30
31 **MR. STRELCHECK:** Yes and you know I didn't show obviously on an
32 individual boat or vessel level, but some vessels are going to
33 come a lot closer to catching their allotment than others. My
34 suspicions are twofold. One is 2011 might be a little bit of an
35 unusual year in terms of landings and so they might have
36 received a little bit more quota that year compared to previous
37 years that they were harvesting and so they were receiving a
38 higher percentage.

39
40 The other thing is we have a gag assessment that indicates that
41 the population is rebounding and improving, but we're also
42 hearing from fishermen that are indicating that the health of
43 the stock isn't as good as maybe our stock assessment shows and
44 so this could be reflective of just the health of the population
45 as a whole as well.

46
47 **MR. WILLIAMS:** Thank you and then my second question is did you
48 say they were given 42,000 red snapper for 2015? Did I get that

1 right, approximately? They were given --

2

3 **MR. STRELCHECK:** I am looking up the number right now.

4

5 **MR. WILLIAMS:** They were given fewer for 2015 than they were for
6 2014?

7

8 **MR. STRELCHECK:** Yes and so 55,000 last year and I don't recall
9 what the number is, but it is less than that for this year.

10

11 **MR. WILLIAMS:** I didn't understand why it was less. Is that
12 because the average weight is higher?

13

14 **MR. STRELCHECK:** If you look at the graphic on the screen, 2011
15 Collaborative Headboat vessel landings remain the same and they
16 don't change, because those are part of the Southeast Headboat
17 Survey.

18

19 The denominator, which is the 2011 total recreational landings,
20 increases substantially because of the new MRIP calibrated
21 estimates and so the percentage that's then allocated to the
22 program is reduced by a certain fraction and applied then to the
23 quota and ultimately they receive less pounds and less fish.

24

25 **MR. WILLIAMS:** If you guys approve the quota increase that the
26 council requested, will their allocation go up if that goes up?

27

28 **MR. STRELCHECK:** Yes and I didn't provide the estimate, but I
29 want to say it's estimated there are about 215,000 pounds right
30 now and it would be close to 275,000 or 280,000 pounds with that
31 quota increase and we would release that at whatever time that
32 quota increase goes into place, similar to what we do for the
33 IFQ programs.

34

35 **MR. KEVIN ANSON:** Thank you, Andy, for the presentation. The
36 703 validations that you indicated were conducted, were those
37 specific to the Headboat Collaborative Program or do those also
38 include the validations or the interviews that are conducted by
39 Beaufort?

40

41 **MR. STRELCHECK:** Those are specific to vessels participating in
42 the program. They include sampling that's conducted directly by
43 the Southeast Fisheries Science Center as well as some contract
44 work done through the Fish and Wildlife Commission.

45

46 They were integrated into normal kind of daily sampling
47 activities and so a combination of boats participating in the
48 program as well as those that aren't participating in the

1 program.

2
3 **MR. ANSON:** You made a comment to improvements to the dockside
4 sampling program, whereby separating the fish would be conducted
5 this year. Is that because there is two different forms and
6 it's easier to do one form and fill out the form and then go
7 back to the rest of the fish? I am just concerned that the
8 other fish are not going to be sampled, the other species.

9
10 **MR. STRELCHECK:** No, certainly we placed some priority on
11 getting average weights and sizes for red snapper and gag, but
12 the sampling protocols allow for sampling of all the species
13 that are coming off of that vessel.

14
15 What we wanted to do for the validations though is try to
16 prioritize those. As you well know, when a headboat gets back
17 to the dock, everyone is scrambling and people are getting off
18 the boat and so we've worked with the captains and crew to come
19 up with processes where we can quickly -- The port agents can
20 quickly come onboard and count the fish and determine quantity
21 of fish being landed and then have those as comparison for the
22 hail-in notification that was made.

23
24 I think it was a process that has evolved some over time and
25 we've just tried to be more efficient, but certainly from a
26 prioritization standpoint, the survey is much broader than the
27 Headboat Collaborative Program. There is sixty additional
28 vessels that participate and those are also being sampled in
29 conjunction with Headboat Collaborative vessels.

30
31 **MR. BOYD:** Andy, thank you. A question about the quota. When
32 the quota is distributed to the Cooperative, is it distributed
33 further by boat or by captain?

34
35 **MR. STRELCHECK:** The headboat manager receives the quota
36 allotment at the beginning of the fishing year and then it's
37 distributed to the vessel accounts or vessels participating in
38 the program thereafter and so we had one headboat collaborative
39 manager account and seventeen vessel accounts associated with
40 the program. It's very similar to the IFQ program, in that you
41 have a shareholder account that actually gets a portion of the
42 quota and then it funnels from there to vessel accounts
43 underneath that shareholder account. In this instance, there
44 were seventeen vessel accounts.

45
46 **MR. BOYD:** Once it's distributed and if there is a trade or a
47 barter between two different vessels, is there any weighting
48 that's given to vessels who catch a higher average weight fish

1 versus a lower average weight fish and the number of tags they
2 transfer?

3
4 **MR. STRELCHECK:** We talked about that at the beginning of the
5 program, recognizing that could be potentially an issue,
6 especially if you have a dramatic shift from someone that lands
7 really large fish to small fish or vice versa. We didn't impose
8 that, because we wanted to see how the program would operate
9 independent of that.

10
11 The way we account for it is through our sampling dockside and
12 so if quota is transferred between vessels and there is
13 differences in those average weights, those would be picked up
14 then with our sampling, because keep in mind the average weights
15 are estimated on a regional basis and we have four regions that
16 we're operating under in the program.

17
18 Those will inflate or deflate the landings estimates based on
19 those changes in average weight and my understanding is that
20 when a transfer occurs that the captains work amongst themselves
21 or vessel owners to also transfer the corresponding tags to one
22 another.

23
24 **MR. BOYD:** Were there any transfers between regions, like
25 Florida and Texas?

26
27 **MR. STRELCHECK:** There was thirty-one transfers and, of those,
28 twenty-three were within the same region and so the remaining
29 eight were between regions. I would have to look up where those
30 transfers occurred, but it certainly could be between Texas and
31 Florida.

32
33 **MR. BOYD:** Thank you. I was just using that as an example, but
34 thank you.

35
36 **MR. PERRET:** I was going to ask about transfers and you said
37 there were twenty-three and do we have any idea relative to what
38 was the compensation of a transfer, price per fish or anything
39 like that, price per pound?

40
41 **MR. STRELCHECK:** I would have to go back, but I don't believe we
42 were collecting price information. Certainly when there was
43 barter that were indicated, twenty gag were being transferred
44 for twenty red snapper, they were swapping fish at that point. I
45 will check, but I don't recall if we collected price
46 information.

47
48 **MR. ATRAN:** Were participating vessels required to hail in on

1 all trips, including the ones where they did not catch red
2 snapper or gag?

3
4 **MR. STRELCHECK:** Yes and that was partly why you saw that big
5 difference between trips and actual trips reported in
6 collaborative species. The only exemptions were if they
7 declared out of the fishery and out of the fishery would include
8 things like dolphin cruises inshore or sightseeing trips or they
9 are going to have maintenance at the boatyard and are pulling
10 the boat out of the water. They could declare, through the VMS,
11 out of the fishery. For any other trips that headed offshore,
12 we required them to hail out and then hail in with no catch.

13
14 **DR. GREG STUNZ:** Andy, I've got just a general question. Is
15 there any indication -- In a program like this, does it help
16 with discards or are they the same or do you just assume they're
17 the same? I was just wondering about fishing during off times
18 and if that might offset some discards.

19
20 **MR. STRELCHECK:** I will look back at Dr. Abbot and I believe he
21 will be discussing a little bit of that in the next
22 presentation. He's going to talk more directly about that. I
23 will add that we do have a draft report in the briefing book
24 which provides much greater detail.

25
26 We will be working to finalize that report, but certainly if you
27 have any comments, feel free to share those with us. Jessica
28 Stephen on my staff and several other staff members put in a lot
29 of time and effort to prepare that report and we would
30 appreciate any comments that you have on it.

31
32 **CHAIRMAN GREENE:** Anything else? I guess the next part will be
33 Josh Abbot. If you're ready, come on up and we will get
34 everything ready.

35
36 **DR. JOSH ABBOT:** My apologies. I had to set up a laptop here so
37 I could see the slides. It's a little small and dim up there.
38 Just a quick work of personal introduction. My name is Josh
39 Abbot and I am an Associate Professor at Arizona State
40 University and I am a fisheries economist there.

41
42 I have worked for about ten years in fisheries and I have
43 authored a number of peer-reviewed publications in this area,
44 working in both the Gulf of Mexico, but also in places such as
45 Alaska and the U.S. Great Lakes and other places. I have worked
46 with a number of NMFS colleagues as well as academic colleagues.

47
48 My research really focuses on looking at the evaluation of

1 policy changes in fisheries, including things such as this
2 headboat EFP, and I am listed in the EFP as the researcher of
3 record for the socioeconomic portion of this research.

4
5 As we think about how to evaluate a program, a policy change, a
6 policy experiment, if you will, like this EFP, we really have to
7 think about what is the ideal comparison when we're trying to
8 think of -- You know we create a policy change and in this case,
9 really the relevant question is what happened under the EFP
10 relative to what would have happened?

11
12 Of course, we only observe one run of history and so we're
13 always having to sort of use the data that we have in hand to
14 try to predict that what would have happened in the absence of
15 the program and in this case, it's a little bit of an open
16 question as to what is the relevant sort of baseline that we
17 want to use from the data.

18
19 We had a rather unusual season of nine days and that's sort of
20 unprecedented in the historical record and one school of thought
21 would be that we should use what would have happened to the Gulf
22 Headboat Collaborative vessels if they had been subject to that
23 nine-day season.

24
25 Another sort of relevant baseline would be what would have
26 happened to those vessels if they had had management similar to
27 in previous years and so you will see a little bit of both kinds
28 of -- Economists would call these counterfactual, sort of
29 different baseline scenarios, as I go through this analysis.

30
31 I just want to be really clear that at this point this is still
32 very preliminary. The data have just come in from this last
33 season in many ways and so we're still slicing and dicing data
34 here, but the comparisons that you're going to see here are
35 going to be really of two different types.

36
37 I will start with some comparisons between Gulf Headboat
38 Collaborative vessels versus non-GHC vessels, kind of looking
39 before and after the 2013 versus 2014 seasons, sort of looking
40 at how trends varied between those that were subject to the
41 program versus those that were outside of it.

42
43 Then I will also do some comparisons of just the GHC vessels
44 between the 2014 EFP season and then previous years, but neither
45 comparison here should really be considered the causal effect of
46 this EFP without some further scrutiny and there is a lot of
47 sort of rigorous analysis that's ongoing trying to hammer this
48 down a little more finely.

1
2 In terms of available data, the data that I am working with here
3 are the 2003 through 2014 logbook data for the vessels owned by
4 GHC members and so I have in my possession those data for those
5 vessels that are inside the program.

6
7 As a comparison, what you will see today are aggregated 2003 to
8 2014 logbook data by region and year and so this is broken out
9 across the categories that you see there, northwest Florida,
10 southwest Florida, Alabama, Louisiana, Mississippi, and Texas.
11 Those data are, of course, censored to protect confidentiality,
12 but this allows me to make some comparisons to vessels that are
13 not in the Headboat Collaborative in a sort of year/region
14 context.

15
16 I also have, newly, some disaggregated data at the regional
17 scale that would allow more fine-level comparisons and that will
18 be reflected in ongoing analysis.

19
20 In addition, there is some new data that were gathered
21 underneath the research here and in the winter and the spring of
22 2014, I surveyed vessel owners in the GHC, asking them questions
23 about their pricing and getting data on their costs, for example
24 on fuel, and as well as some expectations about their business
25 strategy going forward under the EFP. How did they expect this
26 to alter their decision making, the way that they conduct their
27 businesses, for example?

28
29 We are in the process now of getting a second round of surveys
30 out, asking retrospectively about the 2014 season, about costs
31 and revenues and pricing data for that year, which will allow us
32 to make much more fine predictions or findings about the impacts
33 on revenues, profits, et cetera.

34
35 In addition, there are surveys of the Gulf Headboat
36 Collaborative customers and these were two-page surveys that
37 were administered on both trips under the EFP and trips not
38 under the EFP, in order to get the broadest swath, the most
39 representative sample, we possibly could.

40
41 These are basically designed to create a sample for a follow-up
42 survey, but in the process we gathered a lot of information on
43 income, gender, a lot of demographic information, as well as
44 some information on the location, where these people are coming
45 from.

46
47 In the process, these respondents also voluntarily supplied
48 their email, which gives us the ability to use those emails for

1 a follow-up internet survey, which is what you see there as Item
2 VI, which is an online customer survey, which is currently in
3 development and we'll be pretesting that survey very soon and
4 then deploying it using the 2015 survey pool.

5
6 The idea from this is to use the individuals that supplied their
7 email to deploy a survey instrument that asks them structured
8 questions that are very commonly used in economics and in
9 marketing research to really evaluate their willingness to pay
10 and to fish under a more flexible system, such as this EFP.
11 This is really the part of the research endeavor that will help
12 supply information on how much additional value, how much angler
13 value, is created by this more flexible program and potentially
14 provide some policy guidance going forward for if such a program
15 were extended, what would be the value to consumers, as well as
16 these values that we can show for the Headboat Collaborative
17 owners themselves.

18
19 Just a really quick view here and each little dot on this map
20 represents a unique zip code that came from those angler surveys
21 and we found that there were forty-eight states represented, as
22 well as a handful of foreign countries that are not shown on the
23 map and Alaska was actually included in there as well, but, as
24 you can see, there is a very heavy preponderance of customers
25 that come from the east U.S., but also a number from the western
26 United States as well. The sort of sparseness reflects the fact
27 that the west is just not as densely settled.

28
29 Now, moving on to some comparisons, this first set of
30 comparisons that I will show is comparing Gulf Headboat
31 Collaborative vessels versus non-GHC vessels and looking at them
32 through time. Because of the aggregation of the data that I
33 currently have, this is going to be looking at region and year
34 comparisons and so this is going to be relatively aggregated.

35
36 If you look at the number of total trips, these are total trips
37 whether EFP species were retained or not and so these are all
38 trips taken. The red line is giving you the non-GHC vessels and
39 you can think about this as sort of the control group, in some
40 sense, and then the blue line are the GHC vessels.

41
42 The main sort of thing to note here is that between 2013 and
43 2014, the number of trips actually went up a little bit for the
44 non-GHC boats, by a little below 6 percent, whereas the number
45 of trips actually stayed relatively constant for vessels within
46 the collaborative.

47
48 There doesn't seem to be really an increase in total trips for

1 collaborative vessels and, if anything, it looks like the
2 vessels that were outside the collaborative actually had a
3 little bit of an increase and so we don't see a decrease in
4 trips for the non-GHC boats as a result of this program,
5 necessarily.

6
7 If you look at the number of total angler days, and so this is
8 sort of multiplying the length of the trip as reported in the
9 Beaufort survey times the number of anglers on the boat and then
10 looking at this in an aggregate way, you will see that basically
11 angler days have trended up and they've been trending up in the
12 fishery for the last few years, with the exception of 2010, for
13 obvious reasons. By and large, we really don't see a blip or a
14 change in this trend as a result of the EFP.

15
16 However, if you start looking at the number of red snapper trips
17 and what I mean here are trips on which a red snapper was
18 retained, any trip that retained red snapper, you actually see
19 that the number of trips for vessels under the collaborative
20 went up by 161 percent. You can see that here.

21
22 The number of trips on which a red snapper was retained went up
23 by 160 percent, roughly, whereas the number of trips with red
24 snapper on them for the non-GHC vessels went down by 28 percent
25 and under a nine-day season with the buffer that was in place,
26 that 28 percent was -- I think the cause of that decline for the
27 non-GHC boats is fairly clear.

28
29 If you look at these two data series, they sort of roughly look
30 to parallel each other and they sort of go up and down roughly
31 proportionally over time and so if you were to sort of think
32 that if the GHC boats were themselves subject to the same
33 management as the non-GHC boats in 2014, then they may very well
34 have experienced a similar 28 percent decline and that's what
35 you see there, which would indicate that there is really about
36 189 percent. That's adding the 161 and 28 percent.

37
38 There was really a 189 percent increase in trips, red snapper
39 trips, for GHC vessels relative to what would have likely
40 occurred if they had been subject to the same nine-day season.

41
42 Now if you look at landings, you see a very similar outcome here
43 and, in fact, there is a 59 percent reduction in red snapper
44 landings for non-GHC boats and about an 82 percent increase in
45 red snapper landings for GHC vessels and what I would just have
46 you note here is that you have this 161 percent increase in
47 trips for the GHC, but an 82 percent increase in landings and so
48 there is roughly twice the increase in trips as there are

1 landings.

2
3 You see very similar trends for gag. Relative to 2013, the non-
4 GHC boats were down by 34 percent in terms of the number of
5 trips, whereas the number of trips increased by 74 percent for
6 GHC vessels over that same time period.

7
8 Landings were a bit more muted. You see about a 6 percent
9 reduction in trips for non-GHC vessels relative to a 56 percent
10 increase in landings for gag over that same period and so we are
11 seeing relatively similar trends for gag as we saw for red
12 snapper.

13
14 Just sort of a summary of this particular part of the
15 presentation. Overall, we have seen stable trips for the Gulf
16 Headboat Collaborative versus about a 6 percent increase for the
17 non-GHC and so, overall, it's stable trips for the GHC vessels
18 versus a slight increase for non-GHC and very similar trends in
19 angler days across the two groups that don't seem to be markedly
20 changed from previous years.

21
22 The big notable changes here are these large increases in red
23 snapper trips and large increases in landings for the GHC boats
24 versus large reductions in both for the non-GHC. We see a very
25 similar, but more muted pattern, for gag as well.

26
27 Moving on to what I think are some maybe more enlightening
28 comparisons, if you just look across GHC vessels only and look
29 at them through time and so you're going to see now a number of
30 comparisons from 2014, the year of the EFP, versus previous
31 years. This will probably be sort of a comparison of how have
32 things changed relative to management as it was in 2012 and 2013
33 and in recent years.

34
35 The first thing I want to talk about is allocation of trips and
36 landings over time and this is a graph that shows in red the
37 2014 weekly trips by EFP vessels and these are all trips and not
38 just trips in which EFP species were retained.

39
40 If you look at this, the gray area there is sort of the envelope
41 of recent years, from 2009 forward, and you can kind of see that
42 the red line basically stays within that envelope of past trips
43 and if you look at the sort of dotted blue line in there, that's
44 2013 and if you look at it, you will see that, by and large, the
45 overall timing of trips hasn't changed dramatically and overall,
46 this is -- If you run statistical tests on it, by and large the
47 distribution of trips hasn't markedly changed overall.

48

1 However, if you look at trips retaining red snapper, the red
2 line here is the cumulative number of trips on which red snapper
3 were retained and if you compare that to the black line that has
4 "495" next to it, that's relative to the 2013 season.

5
6 As you can see, we have just a little less than 1,300 trips
7 where red snapper was retained and if you look at the breakdown
8 here, about 31 percent of all trips occurred before the
9 beginning of the open season for red snapper and so fully a
10 third of red snapper trips under the EFP were taken before the
11 June 1 season.

12
13 Only about 10 percent, the 9.6 percent you see there, were
14 actually caught in the nine-day season. I'm sorry. Not catch,
15 but trips. 9.6 percent of trips were pursued during that nine-
16 day season and then 59 percent of trips were conducted after the
17 ending of the open season for red snapper.

18
19 If you sort of look at the amplitude, the steepness, of that red
20 line, you will see that during the actual open season, or the
21 traditional summer season for red snapper, you will see that
22 overall the pace of trips was certainly increasing at that time,
23 but it was a bit slower than in past years.

24
25 Fishermen shifted some of their trips to an earlier or later
26 season and didn't fish quite as many trips during the summer as
27 they had in the past years.

28
29 If you look at landings, you see a very similar pattern here and
30 you will see, as Andy reported, just shy of 55,000 red snapper
31 landed, compared to the 30,000 in 2013, and if you look at the
32 breakdown of landings here, you get about a third, again, landed
33 before the beginning of the open season and about 11 percent
34 actually landed during the open season for red snapper and then
35 52 percent landed after and so you see a real spreading of both
36 landings and red snapper trips here.

37
38 If you look at gag, we see about 48 percent of trips retaining
39 gag that were actually prosecuted before the beginning of the
40 gag season and then we see about exactly the same amount in
41 number of trips that were produced after that point. Again, we
42 see a real evening out of trips on which gag were retained, as
43 reflected by the sort of relatively straight red line that you
44 see on the graph.

45
46 If you look at the cumulative number of landed gag relative to
47 historically, over half of landed gag under the EFP were landed
48 before the beginning of the open season and then about 33

1 percent were landed during the season itself and then about 8.7
2 percent landed in December at the end of the gag season, after
3 the open season for gag.

4
5 If you sort of look at this from an overall perspective as
6 access to all EFP species and what you're seeing in gray there
7 are the respective seasons for red snapper and gag, the number
8 of anglers on trips that retained red snapper -- People on trips
9 that retained either one of these EFP species, gag or red
10 snapper, effectively doubled in 2014 relative to all recent pre-
11 EFP years and so in terms of access to these two species,
12 effectively twice as many anglers were on trips that had access
13 to these species relative to these same boats in previous years.

14
15 Another sort of interesting fact is that you've achieved in 2014
16 the same number of anglers retaining EFP species around the
17 middle of the season. Around Week 25 of the season, you had as
18 many people on boats retaining red snapper as you had in the
19 previous year, in 2013.

20
21 If you look at this in terms of the probability of EFP species
22 trips being prosecuted, what you basically see is -- This is
23 very small and I apologize for the smallness of this, but if you
24 look at the left graph, you are looking at trips retaining red
25 snapper and the proportion of trips retaining red snapper.

26
27 What you will see is that during the derby, the middle bar
28 there, the proportion of trips that retained red snapper did go
29 up a bit, but you also see, before and after, a relatively even
30 distribution of sort of trips that were devoted to the retention
31 of red snapper. Then for gag, you actually see a higher
32 proportion of trips retaining gag at the end of the season.

33
34 The summary here is that the number and overall seasonal
35 distribution of trips didn't change much in 2014 if you look at
36 the just overall picture of overall trips. However, the
37 landings and the trips of EFP species are much more evenly
38 spread across the year.

39
40 There is now substantial winter and spring fishing for both red
41 snapper and gag under the program and one interesting thing to
42 note is that there is little red snapper fishing after July. As
43 Andy noted, that's mostly due to anticipation or an expectation
44 that the fishery would be closed due to 407(d) and so it will be
45 interesting to see if in this coming year if we see a similar
46 type of trend.

47
48 There are substantial increases in the number of customers on

1 EFP-retaining trips and that's partially driven by the larger
2 2014 allocation, but the really important thing to note here is
3 that the plurality of the red snapper and the gag season, gag
4 trips and landings, actually occurred outside of the respective
5 open seasons. As you saw, both trips and landings of red
6 snapper, only about 10 percent were occurring inside that nine-
7 day season.

8
9 If we look at landings per customer, this is really looking at
10 how are vessels allocating landed fish per customer and a really
11 important thing to note here is that -- If you look at the left-
12 hand graph, you're looking at red snapper per angler and there
13 was an 82 percent increase in the number of red snapper per
14 angler if in that divisor of anglers you include all anglers
15 that got on an EFP member boat during the year.

16
17 Those 2014 increases, that increase in landings rate can be
18 explained entirely on the basis of the fact that there was an 82
19 percent increase in total landings for red snapper by EFP
20 vessels, but the important thing here is that the trips -- Even
21 though landings went up by 82 percent, trips retaining EFP
22 species have increased by an even greater fraction, an even
23 greater proportion.

24
25 For example, red snapper landings went up by 82 percent and the
26 number of trips on which red snapper were retained went up by
27 161 percent. This raises an interesting question about how our
28 EFP member vessels are sort of closing this gap while staying
29 within their allocations. There is a lot more trips and more
30 fish, but not as many fish as the increase in trips.

31
32 The answer to this is that the number of red snapper retained
33 per angler on those trips that are red snapper trips has
34 actually declined substantially in 2014 and so if you look at
35 this figure, the baseline is at zero and 2013 is your baseline
36 and then if you look at the final blue bar to the right, that
37 reflects that there was, on average, about a 0.4 per angler
38 reduction in red snapper landed and so almost half of red
39 snapper, on average, less fish retained by these boats and
40 that's a level that really hasn't been seen since about 2006.

41
42 Gag, you see a very small reduction, but sort of within the
43 historical range. That's actually about 0.02 fish. That's a
44 very small reduction.

45
46 If you look at all landed fish per angler though, and so if
47 you're just looking at the total landings of all fish by anglers
48 on these EFP trips, you actually see that there is really no

1 change. Effectively the number of fish per angler that
2 fishermen are bringing in has stayed basically constant and so
3 where are the sort of extra fish coming from?
4

5 We have fewer red snapper, but overall landings per angler have
6 stayed the same and where are these fish coming from? It's
7 coming from non-EFP reef fish and so the other reef fish under
8 the FMP that are not under the EFP, not red snapper and not gag.
9 We actually see about a half a fish extra per angler retention
10 on EFP trips and so about half a snapper less per angler and
11 about a half another reef fish per angler per trip.
12

13 The summary here on this is headboat owners have actually spread
14 their allocations of red snapper over a larger number of anglers
15 and they have done this by reducing retention per angler on red
16 snapper trips and I will talk about how they managed that in a
17 second.
18

19 There is some anecdotal evidence that some boats are actually
20 limiting customers to one red snapper on these special out-of-
21 season snapper trips and doing that in exchange for retaining
22 some other species, as we saw.
23

24 The overall number of reef fish and fish per angler has actually
25 remained stable and so fishermen are still bringing in roughly
26 the same stringers they had before, but there is just about half
27 a red snapper less per angler now.
28

29 One interesting thing we've noted that may have some impact on
30 revenues and profits, and we're still looking in this, are
31 changes in trip duration and I will just briefly note that if we
32 look at the historical record, in 2014, EFP vessels took an
33 unprecedentedly large number of full-day trips, as opposed to
34 half-day trips.
35

36 The probability of a trip being a full-day trip went up by 0.17
37 in 2014, which put the overall probability of taking a full-day
38 trip at about 60 percent relative to previous years, where it's
39 been between 24 and 48 percent. Full-day trips have gone up and
40 there is some evidence anecdotally, talking to fishermen, that
41 they are, in some sense, taking their red snapper and moving
42 them towards these longer trips.
43

44 The economics of this need to be worked out, but there is some
45 evidence that these may be lower cost trips, because you
46 effectively are getting a full day of fishing and spending less
47 time than you would going back and forth from the grounds and
48 going back and forth from port and spending less on fuel, et

1 cetera.

2
3 I mentioned that landings per angler had gone down and it's
4 important to sort of understand why and one potential reason
5 would be that discards could have gone up and what I want to
6 show now is that discards have not in fact gone up and, in fact,
7 they've gone down.

8
9 Just a really simple little formula here. I am going to talk
10 about discards per angler hour, which the way -- The reason why
11 I want to talk about this is this effectively how much discard
12 is generated per hour of the angler experience and so it's
13 discards per unit of service rendered in this industry.

14
15 That is really composed of two pieces. There is the discard
16 rate, which is discards divided by catch. That's what we
17 commonly think of when we think about discards and then we
18 multiply that by catch per angler hour, which is basically CPUE,
19 and you get discards per angler hour. I am just going to
20 quickly walk you through how these two statistics have evolved
21 over time.

22
23 If you look at red snapper discard rates in 2014, they are
24 actually down 36 percent relative to 2013 and that's a level
25 that hasn't been seen since 2006. This is discards per unit of
26 catch and so we're seeing the overall discard rate go down
27 substantially this year.

28
29 If you look at red snapper CPUE, and so this is the catch per
30 angler hour, the second part of that, you will see that the
31 actual catch per angler hour has gone down by about 11 percent
32 and so, in essence, there is sort of two different things going
33 on. We have a lower discard rate and we have a lower catch rate
34 per angler hour going on in this fishery relative to
35 historically and, again, that 2014 level of CPUE is roughly
36 comparable to 2006.

37
38 If you look at this from the perspective of that breakdown that
39 I set up, the discard rate is about 64 percent of 2013 levels
40 and the catch per angler hour is about 89 percent and that
41 leaves us with a discard per angler hour that's about 57 percent
42 of 2013 levels and so we're just a little bit north of half the
43 rate of discards per hour of service provided in this industry.

44
45 If we look at gag, just very quickly, we're down about 24
46 percent in discard rates. If you look at gag CPUE, CPUE is down
47 about 46 percent relative to 2013 and so from this overall
48 breakdown, that implies that discards per angler hour, again

1 discards per hour of service provided in this industry, are
2 about -- Those are about 41 percent of the levels that they were
3 in 2013 and so they're down about 59 percent.

4
5 The summary here is discard per unit of angler effort had fallen
6 dramatically since 2013. Red snapper, discards are down 43
7 percent and for gag, they are down 59 percent and those reduced
8 discards have been achieved, as I showed you, through increasing
9 the proportion of EFP catch that's actually landed and so
10 increasing -- Sort of reducing the discard rate on landings, but
11 also reducing the amount of catch under the EFP per unit effort
12 and so there's two different things going on here that have
13 reduced the overall discards per angler hour.

14
15 In conclusion, there is some strong preliminary evidence here
16 that relative to recent seasons the EFP has dramatically spread
17 out the allocation of the EFP species across the season. It has
18 provided many more anglers with the opportunity to fish for EFP
19 species. As we saw, we have roughly doubled the number of
20 fishermen that are now on trips that retain EFP species.

21
22 It has reduced the discards of EFP species by any metric and it
23 has allocated landings of EFP species over a broader population
24 of anglers and I can say that because we know that there are
25 lower landings per angler, which implies that we are now
26 spreading the same number of fish over a greater number of
27 anglers.

28
29 It has also increased the share of non-EFP reef fish species and
30 landings relative to in previous derby seasons and so we're
31 seeing sort of a more mixed stringer coming in, on average, from
32 anglers, with a little less red snapper on it, but more of
33 something else.

34
35 In terms of changes in revenues and profits, this is a subject
36 of ongoing research and really the cost and revenue data for
37 2014, which we are currently gathering, will be critical in
38 answering these questions, but sort of at a very preliminary
39 stage now, looking at the indicators I have shown you, there is
40 little obvious evidence of overall increases in customer demand.

41
42 We don't see a notable increase in number of trips or number of
43 anglers per trip or anything like that on EFP boats. However,
44 what we do see are out-of-season trips are now of a higher
45 potential quality, because now these trips that are outside of
46 the open season for red snapper or gag have the potential to
47 retain red snapper or gag on them and so these potentially could
48 command a higher price. We do not have evidence yet of whether

1 they have commanded a higher price or not.

2
3 We also see the shift towards more day trips in the data and
4 this could potentially enhance net revenues. Day trips command
5 a higher fee relative to a half-day trip and they have, per hour
6 of fishing, a much lower fuel cost and so we will be working out
7 the numbers on this, but it looks like this could be a major
8 source of increased revenues for the sector.

9
10 Ongoing research, as we bring in the more disaggregated data for
11 the non-GHC boats, we have the weekly data that we'll be using,
12 the confidential data. We will be working towards a more
13 rigorous treatment of the sort of counterfactual scenario for
14 the GHC boats of what if they hadn't been in the program and
15 what would we have likely seen from them if they had been
16 subject to the nine-day season and so we'll be working to
17 produce a more statistically rigorous estimate there.

18
19 Also I will be working to look at do we see changes in trip
20 taking behavior with respect to weather? Does this sort of give
21 more flexibility to work outside of -- If you have a bad weather
22 day and if you have rough seas, does this pilot program create
23 some ability for fishermen to not go fishing under those
24 conditions?

25
26 We will also be rolling out a pretest of the online angler
27 survey using the 2014 data here shortly and the idea is that
28 this will actually allow us to estimate angler value and not
29 just the value of extra revenues or profits that would be
30 gathered by the sector from a program such as this, but also
31 potential gains to the consumer of a more valuable fishing
32 experience, a higher quality fishing experience, outside of the
33 usual seasons. Thank you.

34
35 **CHAIRMAN GREENE:** Thank you, Dr. Abbot. That was a good
36 presentation and are there any questions?

37
38 **MR. PERRET:** I have one question. Thank you very much for that
39 presentation. When we implement various management measures,
40 depending on what they are, we get all sort of feedback from
41 Chambers and so on and so forth about the economic impact that
42 we're creating.

43
44 When you showed the map of the United States of all the dots
45 from where all the fishermen came from, it seems to me that
46 would be an excellent source of information relative to the
47 economic impact of this fishery and is there any survey work
48 going on or do you plan to do anything like that?

1
2 I mean California and Idaho and Montana and all over the United
3 States, that's quite an economic impact relative to the people
4 coming and hotel rooms and all that and is any of that research
5 or any survey of that type going on?

6
7 **DR. ABBOT:** That map that I actually showed you reflected
8 respondents to that two-page survey of customers and, as I said,
9 we will actually be following up shortly with those customers
10 that provided their emails and doing a survey that actually has
11 them compare fishing, where they are looking only under the
12 traditional management structure and season versus fishing in
13 the other, and eliciting from them, effectively, how much more
14 they would pay for that extra flexibility.

15
16 That will be sort of the measure of economic impact and that
17 survey will be administered to that full population that you've
18 seen and therefore will reflect that broad geographic coverage.

19
20 **MR. BOYD:** Thank you, Dr. Abbot. A couple of questions. On
21 that same map, did you analyze where each of those zip codes --
22 When they traveled, where they traveled to? For instance, did
23 most of them go to Florida or Texas or Alabama or Louisiana?

24
25 **DR. ABBOT:** That analysis is ongoing and it's certainly in the
26 queue for things that we will be looking at. We have the data,
27 because we know -- In the survey, we actually know which boat
28 someone took a trip on and so we can look at where people came
29 from relative to where they actually fished and so that will be
30 an important part of the analysis going forward, but I, at this
31 time, can't tell you specifically where people that fish in
32 Florida tend to come from relative to people in Texas. I have
33 some anecdotal rough idea, but it's not firmly founded at this
34 point.

35
36 **MR. BOYD:** But you will be able to report that?

37
38 **DR. ABBOT:** Absolutely.

39
40 **MR. BOYD:** Okay and another question. Did you evaluate the
41 costs per trip to the customer pre-EFP and during the EFP?

42
43 **DR. ABBOT:** I have gathered data from pre-EFP. We surveyed
44 every vessel and recovered -- We the pricing flyers, trip
45 flyers, and so we know the price of every trip for every vessel
46 pre-EFP and we are now gathering that data for post-EFP and as a
47 sort of an additional piece of validation, so that we're not
48 just using the things that are reported by vessel owners, we

1 also, in the two-page survey, ask people what they paid for the
2 trip per angler and so we have an independent source of
3 information there to validate the pricing information and so
4 yes, we have pre and post price data.

5
6 **MR. BOYD:** Do you find that the cost went up or down for the
7 customer?

8
9 **DR. ABBOT:** As I said, we are currently gathering and verifying
10 the information for the 2014 season. We, early on and
11 throughout the season, were talking to headboat captains and
12 asking them about their pricing.

13
14 There is some evidence that maybe some prices went up a little
15 bit and many other operations seem to be holding the prices
16 relatively constant or kind of increasing them at roughly the
17 rate that they had been increasing, basically sort of rate of
18 inflation, over the past few years. The hard data to verify
19 that is still being gathered, because the 2014 season only ended
20 a couple of months ago.

21
22 **MR. BOYD:** One more question. When a trip was taken and a
23 person wanted to catch a snapper, did you find that there was an
24 additional cost for that fish or that tag or was that a part of
25 the original fee that they paid to get on the boat?

26
27 **DR. ABBOT:** This is a case where there is a lot of
28 heterogeneity, it seems, across different operations under the
29 EFP and as well as some variation through time, where different
30 things were being tried.

31
32 There is some evidence that on a couple of boat that there may
33 have been -- We did ask this question on the two-page survey,
34 did you pay an additional fee for red snapper. We see that
35 there were a small proportion that reported yes and the
36 overwhelming proportion said no and that the red snapper was
37 actually included in the trip, as it has been historically, but
38 there does seem to be some experimentation with some vessels
39 trying one thing and some vessels trying another and I don't
40 think that has stabilized as of yet.

41
42 **MR. CAMPO MATENS:** Dr. Abbot, thank you. I have a two-part
43 question. The first question is what was the -- What definition
44 did you use for a vessel that's not in this group and the second
45 question is how many of those vessels were there?

46
47 **DR. ABBOT:** The definition of a -- I think I can put this in
48 presentation mode. I actually have a slide that could be

1 helpful for this. The definition of a non-GHC vessel, for the
2 purposes of this study, was we took the universe of vessels that
3 were listed under the Gulf Headboat Collaborative and then we
4 looked at all vessels covered under the Beaufort Headboat Survey
5 and those that were not in the collaborative, those were our
6 population of non-GHC vessels. It's all vessels under the
7 Beaufort Survey that were not in the collaborative.

8
9 As you can see, and I am having a hard time reading the slide
10 from this distance, but there is seventeen vessels in the EFP
11 and there is roughly -- I am going to not remember the exact
12 number of vessels that were present in 2014, but it's in the low
13 seventies and so the difference is your non-GHC vessels.

14
15 **MR. PEARCE:** Dr. Abbot, thanks for your presentation. I am not
16 a derby fishing kind of guy. I really don't like the days-at-
17 sea approach to what we do here and what you've just explained
18 and went over gives us the opportunity to stretch out those days
19 and also what I really like about it is that one of my pet
20 peeves is that we need to give more access to the non-boat
21 owning public.

22
23 What you have showed us now shows me that you are giving more
24 days to the non-boat owning public with this process and that
25 probably catching red snapper is not necessarily everything on
26 their agenda, but it's one reason that they're going to go on
27 those days, because we have less snapper caught, which verifies
28 some of my other thoughts that snapper is not the only reason
29 people go fishing.

30
31 Besides that, your summary said there is really not too many
32 downsides, but if we extrapolated this to all seventy of these
33 headboats, how would that work? Do you think it would work the
34 same if we moved it out to all the headboats? That is my
35 question.

36
37 **DR. ABBOT:** I think it's a challenging question to answer on the
38 basis of one year of data, but what I will say is that if you
39 looked at some of the earlier slides where you looked at the
40 overall number of trips and the overall number of angler days on
41 those non-GHC boats, the boats that were outside the program, in
42 2014, we really don't see any noticeable big shift in business
43 in any meaningful sense, which suggests that for a relatively
44 sizeable fraction of the industry to have been in a different,
45 more flexible program, we still don't really see any preliminary
46 evidence, at least, that customers were captured or moved from
47 one group to the other.

48

1 The data will tell, but my initial speculation here is that I
2 think that you would see things that would be rather similar,
3 but I am going to hedge that quite a bit.

4

5 **MR. PEARCE:** Thanks for trying.

6

7 **MR. ATRAN:** I really just have a comment. On your graphs
8 showing how the landings per angler changed over time, you might
9 want to, in a subsequent version of this or in the paper that
10 comes out, make sure you also note when the bag limits changed.
11 Both gag and red snapper have quite a history of bag limit
12 changes over time.

13

14 **DR. STUNZ:** Nice presentation and I was wondering if maybe you
15 could expand a little bit on the discard reductions. Please
16 correct me if I'm wrong, but you estimated the discards from
17 model estimates or was there someone empirically observing the
18 number of discards?

19

20 The reason I am asking that question is you were saying some
21 vessels would restrict red snapper to one fish, for example, and
22 then they would allow them to continue fishing to try to catch
23 other things and so it kind of makes sense that the discards
24 would remain the same as it would under normal fishing
25 circumstances, or potentially be even more if they are
26 continuing to target other things in the same areas as red
27 snapper.

28

29 **DR. ABBOT:** Just a little bit more detail on what went into
30 those estimates that you saw. Those were regression-based
31 estimates, where every year I had a different indicator variable
32 in there to capture the sort of mean discard rate in that year.

33

34 Now, I did include some controls and if you look in the legend
35 of the individual plots, you will see sort of what the controls
36 were included, but basically I included what are called vessel
37 fixed effects to control for the fact that certain vessels, just
38 because of their geography or because of the particular nature
39 of their clientele, habitat, et cetera, are going to be likely
40 to have different encounter rates, different discard rates.

41

42 What I wanted to really show you was a comparison of how if you
43 follow the same vessels in 2013 versus 2014 what happened to
44 their discard rates and so the estimate there is not occurring
45 just because we're sort of reshuffling trips across vessels,
46 some of which maybe had better discard rates than others, but
47 it's actually saying within individual boats we saw these big
48 decreases.

1
2 There is sort of a two-fold thing going on in terms of those
3 discard rates though. We see that overall there is that
4 reduction in discards per fish landed, but to get the dramatic
5 reductions that we're seeing in discards per angler, or discards
6 per angler hour fished, you actually have to have not just a
7 reduced discard rate per unit of catch, but you also had to
8 reduce the encounter rate. You had to have lower catch of EFP
9 species per angler hour.

10
11 There is some anecdotal evidence that captains were minding this
12 and that they were being mindful of the fact that any fish that
13 they brought on beyond the two-fish limit that they would be
14 forced to discard and so they tried to move away from
15 concentrations of -- If you're really getting a whole lot of
16 snapper, you might back off a little bit and go catch something
17 else and so there's sort of a mixture of those things going on
18 in the data. Does that help answer your question?

19
20 **DR. STUNZ:** Yes, thanks.

21
22 **CHAIRMAN GREENE:** Next I've got Mr. Walker and then Ms. Bosarge
23 and then we're going to go Kevin Anson and then we're going to
24 take a break and so, Ms. Bosarge.

25
26 **MS. LEANN BOSARGE:** I thought your presentation was very
27 interesting and I am glad that we're collecting all this data
28 that hopefully on the economic side we can use later to evaluate
29 this program versus status quo management. That's excellent.

30
31 I was very interested in the percentages you gave on the 82
32 percent increase in red snapper landed versus 161 percent
33 increase in trips run under this new management strategy and so
34 is it fair to say that under this new management strategy that
35 you essentially are getting more bang for your buck per red
36 snapper? In other words, this strategy versus the status quo
37 management in fact doubles the amount of access that you're
38 granting to the public for these red snapper.

39
40 **DR. ABBOT:** I think it depends on how you measure access, but if
41 you are thinking about access as having the opportunity to bring
42 home at least one red snapper on a trip, and so being on a trip
43 that retains red snapper, then yes, that has doubled since 2013.

44
45 You have to somehow still make the math work and you still have
46 to stay within the allocation and so the overall number of fish
47 that are caught per angler that are on those trips is down, but
48 more anglers are getting those fish and so that same -- The fish

1 are being spread over more anglers and so, yes, there are more
2 opportunities in that sense.

3
4 **MR. DAVID WALKER:** I enjoyed your presentation and I would just
5 like to say on the discards -- I was real interested in the
6 discard rates going down and it just seems to me that this pilot
7 program could be encouraging stewardship and then these discard
8 rates being reduced could be taken into the stock assessment
9 somehow and maybe these fish given back and maybe they could be
10 used in other pilot programs. It seems good when you're
11 reducing discards and encouraging stewardship.

12
13 **DR. ABBOT:** I don't think I have any comment there, but --

14
15 **MR. WALKER:** It was more of a comment.

16
17 **DR. ABBOT:** I will defer to my stock assessment colleagues.

18
19 **CHAIRMAN GREENE:** Mr. Anson, did you have anything you wanted to
20 go over? We are going to take a -- Mr. Anson has got something
21 he wants to do, but after that, we're going to take a very firm
22 ten-minute break. I get the feeling we're running behind and I
23 don't want to get in that situation.

24
25 **MR. ANSON:** Thank you, Johnny. I just want to recognize Mr. Ed
26 Swindell. Mr. Swindell, thank you. Ed was one of the original
27 -- As I am told, he was one of the original council members and
28 he is back on the list for Louisiana, top on the list, for
29 nomination for the ad hoc seat and so good luck to you in the
30 nomination process, Mr. Swindell, and welcome to another council
31 meeting. We will be back in ten minutes. Thank you.

32
33 (Whereupon, a brief recess was taken.)

34
35 **CHAIRMAN GREENE:** We are going to go ahead and move into Action
36 Item Number X, Amendment 39, Regional Management. We're going
37 to start on Proposed Process for Reviewing State Management
38 Plans, Tab B, Number 10(a). Dr. Lasseter is going to walk us
39 through that document. I am being corrected here.

40
41 **REVISED DRAFT AMENDMENT 39 - REGIONAL MANAGEMENT OF RECREATIONAL**
42 **RED SNAPPER**
43 **PROPOSED PROCESS FOR REVIEWING STATE MANAGEMENT PLANS**

44
45 **MR. ATRAN:** Tab B, Number 10(a) is a proposed process for
46 reviewing state management plans and somebody from NMFS is
47 supposed to walk us through that first.

48

1 **CHAIRMAN GREENE:** Okay. Tab B-10(a), is somebody from NMFS
2 going to walk us through that?

3
4 **DR. AVA LASSETER:** Actually, if I may interrupt for just a
5 moment, Mr. Chairman, that will be Dr. Branstetter, who I don't
6 see quite in the room, but if I could go ahead and just
7 introduce the document and say a few words, I am sure he will be
8 back momentarily.

9
10 This is an updated draft actions and alternatives and it is Tab
11 B, Number 10(b), Regional Management of Recreational Red
12 Snapper. The IPT has restructured the actions and alternatives
13 again and I have highlighted in red here the structure of them
14 now and so first we're addressing in Action 1 the form of
15 regional management. We are considering delegation and the
16 conservation equivalency approach.

17
18 Then Action 2 addresses how regional management and sector
19 separation, if it goes forward, would work together or not for
20 the next three years. Action 3 is familiar. You've seen it
21 before and it's establishing the regions.

22
23 We have created a new Action 4 which is for modifying the
24 federal minimum size limit. Action 5 is looking at spatial
25 issues in the Gulf, closures in the EEZ, and 6 will be our
26 allocation action apportioning the quota and then, finally, our
27 Action 7 will be post-season accountability measures specific to
28 the program.

29
30 This is the same document that you have. I have just cut out
31 sections and identified the page number for each section that
32 we're on. Section 1.2 is on page 4 and this is our purpose and
33 need and we have tweaked the wording a little bit to update for
34 the new actions and alternatives.

35
36 Now the purpose of this action is to provide flexibility in the
37 management of the red snapper recreational component in the reef
38 fish fishery by restructuring the federal fishery management
39 strategy to allow for the regional variation of regulations and
40 developing AMs for recreational overages to better account for
41 biological, social, and economic differences among the regions
42 in the Gulf. I wanted to open it up for any comments or
43 feedback on the purpose and need before I move on.

44
45 Hearing none, we will move into our first action and that will
46 be the regional management. I also want to make a comment that
47 as we're going through this, this is a rather restructured
48 document with new alternatives.

1
2 We have provided quite a bit of the discussion comparing the
3 alternatives in this chapter, but the IPT has not had a chance
4 to develop any analysis for these actions and alternatives and
5 so I don't think that our concern at this time is identifying
6 preferred alternatives, but rather to examine the content of the
7 actions and alternatives for completion for everything that you
8 may want to consider under regional management at this time.

9
10 For this action, we have the alternatives for the delegation,
11 which you've heard quite a bit about, and the two alternatives
12 for developing conservation-equivalent proposals, measures, for
13 the different regions.

14
15 Your current preferred alternative is 3, which would have the
16 regions submit proposals directly to NMFS, as opposed to
17 Alternative 4, which would have an added review layer of having
18 a technical review committee. I would like to turn this over to
19 Dr. Branstetter for a moment. NMFS has prepared a little
20 explanation on how the process of a conservation equivalency
21 would work through their system.

22
23 **DR. BRANSTETTER:** Thank you. This is Tab B-10(a) in the
24 briefing book. It's a very brief outline of what we are
25 initially proposing for the way that the states would submit a
26 plan.

27
28 The timeline is on or about July 1, the states would provide
29 NMFS with some kind of a preliminary plan. You wouldn't be able
30 to have much in-season data in there, but you would be able to
31 at least provide something that we could look at. That would
32 allow time for us to have a back and forth with the states and
33 it especially would raise any high-level concerns that you are
34 proposing something that's been outside the scope of what's been
35 analyzed within Amendment 39, that you want to have a ten fish
36 bag limit or you want to have something that's outside the
37 scope.

38
39 That would require additional NEPA analyses and the way we are
40 looking at that right now is that the states would have to
41 prepare that documentation with assistance from our office.

42
43 No later than September 1, the state would need to submit their
44 finalized plan to the regional office for review and within a
45 month -- This just says October 1, but by October 1, we would
46 get back to you with any recommendations we have for changing
47 anything or whether this is not going to be approvable and you
48 would have at least until October 15 -- The states would have

1 until October 15 to make a revision in addressing the concerns
2 raised by our office.

3
4 Then by November 1, we would provide you final notification that
5 we have approved the plan and we would then publish a notice in
6 the Federal Register identifying that your plan has been
7 approved and that you are now operating under that plan for the
8 following fishing year.

9
10 I won't go through the detail here of what the contents of the
11 plan are. Basically it's a point of contact. You would need to
12 provide enough analysis to allow us to understand where you're
13 coming from with how the seasons and bag limits were derived and
14 provide descriptions of in-season monitoring programs.

15
16 As I mentioned earlier, if there is any other NEPA documentation
17 that might be required, then that would need to be included in
18 there, in your final submissions. I will be glad to answer any
19 questions if I can, but this is very preliminary at our point
20 right now.

21
22 **MR. FISCHER:** Steve, I just want to make certain when a state
23 submits a plan and they put like their framework and their
24 flexibility -- What we're trying to make certain is that the
25 states still have the ability or the regions have the ability to
26 adjust framework items such as bag limit or constrict days to
27 extend their season or is it hardcore when we submit the
28 document and it has to be extremely specified and no deviations?
29 We would like the flexibility of stretching the season if it has
30 to take in an event coming up and maybe constrain the bag limits
31 or do whatever measures we feel and it would still be under the
32 regional allocation.

33
34 **DR. BRANSTETTER:** I don't know that we've thought that far
35 through, but once it's published in the Federal Register, that's
36 what it would be, but if your plan comes in with a reasonable
37 range of flexible ideas that, okay, we haven't reached our
38 allocation and we want to increase our bag limit within the
39 program.

40
41 **DR. CRABTREE:** I guess specifically, Myron, is what you're
42 getting at is that you want potentially your plan to be you're
43 going to open on such and such a date and then close when your
44 quota is caught and is that what you're getting at?

45
46 **MR. FISCHER:** That's correct and then possibly a plan like
47 mackerel has, where you have a reduced head count to try to
48 extend the season, but so we would open on a date and monitor

1 our catch, monitor our quota, and make certain we close the
2 season and it won't be a date certain, but it's going to be when
3 the quota is approached and then it's closed, rather than a date
4 certain.

5
6 **DR. CRABTREE:** It might be able to work that your plan is that
7 you're going to fish at such and such a bag limit and then when
8 you hit this trigger, your bag limit will be reduced and then
9 you will close when the quota is caught.

10
11 **MR. FISCHER:** That's probably not the way we would go. We would
12 keep it at a constant bag limit, but we just wanted to know
13 where the flexibilities lie.

14
15 **DR. CRABTREE:** I think that we could probably do that as long as
16 you demonstrate that it's going to work and you have the
17 wherewithal to do it. I think we'll just have to work the
18 details out.

19
20 **MR. PERRET:** Myron has got a good point or take it the other
21 way, Roy. Weather events, we have these horrendous storms and
22 heaven forbid we ever have another one and a region's season
23 opens on whatever date and then, because of weather events or
24 something to that effect, manmade disaster, and we don't want
25 another one of them, but things happen and if there is no
26 fishing for X number of days and there is nowhere near the quota
27 caught for that region, it seems like there should be allowances
28 for that region to be able to modify their proposal to allow for
29 harvest once the region reopens or things get back to normal.

30
31 **DR. CRABTREE:** If you had real-time quota tracking capability
32 and were going to start fishing and then fish until the quota
33 was caught and then close it, that would, it seems to me,
34 accommodate that, but I don't know how many states are actually
35 going to have that.

36
37 Remember we -- The way to have the maximum amount of flexibility
38 in doing this is through a delegation and we decided we, at
39 least for now, aren't going down that path, which means that
40 we've got to publish Federal Register notices and make changes
41 and all that and so we can try to build some of that kind of
42 flexibility in there, but if a state is operating on a projected
43 season of so many days and they're still using something like
44 MRIP, I guess it depends on what the weather event was and
45 everything, but we really wouldn't have a way, under the current
46 data collection system, to know how much did the weather event
47 really impact catches until right now, over two months after the
48 fact.

1
2 Now, if it's something like Katrina, that's pretty clear of not
3 much fishing, but we've had other tropical storms where we have
4 in fact extended the season because of some weather event and
5 ended up going over because it didn't really affect the catches
6 as much as we thought and so we just need to be careful with it.

7
8 **MS. BADEMAN:** Just to follow up on that, if a state doesn't have
9 basically real-time catch information, they would have to -- I
10 mean I think what you kind of just alluded to with Corky was
11 they would more or less need to set their season framework ahead
12 of time and it wouldn't be just we'll close when the quota is
13 met?

14
15 **DR. CRABTREE:** Well, if you don't have an ability to track the
16 quota, I don't know how you could do it that way and so it seems
17 like -- All I can think of is what all the states have done so
18 far and that is you set a season that, based on your analysis,
19 should keep you within your quota. I am open to other ideas,
20 but I am not quite sure how else to do it.

21
22 **CHAIRMAN GREENE:** I don't see any more hands up and so I guess
23 we'll go back to Dr. Lasseter now.

24
25 **REVIEW OF DRAFT AMENDMENT**

26
27 **DR. LASSETER:** Thank you, Mr. Chairman. Let's switch back to
28 the document draft, the Tab B, Number 10(b). Carrying on, as I
29 said, our Action 1, your current preferred alternative is 3,
30 which would just have proposals be submitted directly to NMFS
31 describing their CE measures and then NMFS would carry on the
32 rest of the process.

33
34 I am sorry, but I wanted to add one thing. During the Law
35 Enforcement Committee meeting, Steven Atran did not provide the
36 AP's comments in regards to this document and so he is going to
37 provide them as we go along through these actions and if he
38 notes that there is one for the action, he will go ahead and
39 speak up and if not, we will cover all of those comments at the
40 end of the review of the alternatives and actions.

41
42 Action 2 starts on page 15 and this is regional management and
43 how it would work together with sector separation. If sector
44 separation is not implemented, this action will be moot and will
45 be removed.

46
47 Our first alternative is to retain the current federal
48 management and here is where we have as status quo for the years

1 2015 through 2017 to establish the separate quotas for the
2 components of the recreational sector.

3
4 Alternative 2 would be to extend the separate management of both
5 components and have this amendment apply only to the private
6 angling component. Alternative 3 would extend also the separate
7 management and apply the actions of regional management to both
8 components for the regions below and then this is where you have
9 your alternatives, your options, for each of the states.

10
11 Then, finally, Alternative 4 would end sector separation, the
12 separate management of the components, at the same time of
13 implementing Amendment 39, at which time both components of the
14 recreational sector would be managed under the actions of this
15 amendment.

16
17 To clarify this, we have a table here, which is on page 16. If
18 you read them down the columns, it clarifies what happens under
19 each of the alternatives for the components of the recreational
20 sector.

21
22 Under Alternative 1 in the regional management document, it
23 establishes the separate quotas for the three years as specified
24 by the sunset in Amendment 40. Under Alternative 1, sector
25 separation still ends at the time of the sunset, the end of
26 2017.

27
28 Under Alternative 2, regional management applies to the private
29 angling component and so under Alternative 2, sector separation
30 is extended and the sunset is removed and the for-hire
31 component's management will be established in Amendments 41 and
32 42.

33
34 Then the same thing under Alternative 3. Regional management
35 applies to the private angling and for-hire components in those
36 regions that are selected. Those regions would manage both
37 components of the recreational sector and regions not selected
38 would manage only their private angling component.

39
40 Then, finally, the Alternative 4 -- Under Alternative 4,
41 regional management applies to the entire recreational sector
42 managed under a single quota and sector separation ends when it
43 is implemented. Let me come back up to the alternatives and I
44 will turn it over for discussion.

45
46 **CHAIRMAN GREENE:** Any discussion on this?

47
48 **DR. LASSETER:** Hearing none, we will move on. Action 3 starts

1 on page 18 and this is an action you've seen before. This is
2 establishing the regions for management and your current
3 preferred alternative is Number 4, to establish the five regions
4 representing each Gulf state. You do have other alternatives to
5 establish east and west regions, where Mississippi goes with one
6 or the other, east or west, or to establish the five regions
7 independently, but they may voluntarily form larger, multistate
8 regions with adjacent states. Any discussion on this action?

9
10 Hearing none, we will move on to Action 4. In the last version,
11 when you say this in January -- In the last iteration, the
12 minimum size limit was still incorporated in part of another
13 action. It was within several alternatives.

14
15 In order to analyze this more thoroughly, we have removed it and
16 placed it in its own action and so you have selected a preferred
17 alternative that is identified as Alternative 3, which is to
18 reduce the federal minimum size limit to fifteen inches total
19 length, but you also have Alternative 2, which would be reducing
20 to fourteen, or 4 increases to seventeen and 5 increases to
21 eighteen and these are also the bounds that were available for
22 consideration under the previous version. A state or region
23 could determine their own minimum size limit within this range
24 and so that's how we have established this range and I will turn
25 it over now for any comment or discussion.

26
27 **CHAIRMAN GREENE:** Any discussion?

28
29 **MS. MARA LEVY:** I just wanted to note that with this particular
30 action, when we're talking about Action 1 and either the
31 delegation or the conservation equivalency, we talk about having
32 the default regulations, which are the current size, bag, and
33 season.

34
35 Just note that if you change this here and change the federal
36 size limit then this new size limit becomes that default
37 regulation, because right now it's sixteen and so that's what's
38 in the document for Action 1. This would change that and I just
39 wanted that to be clear.

40
41 **CHAIRMAN GREENE:** Thank you. Any further discussion?

42
43 **DR. CRABTREE:** Just one thing that you need to think about is we
44 just increased the TAC and a sizeable amount of the TAC increase
45 was due to a shift in the selectivities towards larger fish in
46 the recreational fishery.

47
48 When you start lowering the minimum size limit, you are

1 potentially changing the selectivity in the recreational fishery
2 again. I doubt that lowering it from sixteen to fifteen would
3 have much impact at all, but I don't know and so you just need
4 to be aware that these kinds of changes potentially impact the
5 TAC increases you have and we added alternatives into Amendment
6 28 that look at reallocating some of the fish based on a shift
7 in selectivity and so you need to make sure you think that
8 through and analyze it, because it could have unintended
9 consequences down the road.

10
11 **CHAIRMAN GREENE:** Good point. Any further discussion?
12

13 **MR. WILLIAMS:** Roy, we have had people in the audience suggest
14 going to a full retention fishery, which would lower the size
15 limit even more. Have any of those -- Those things have not
16 been analyzed, have they, the effect of say no size limit at all
17 and the full retention fishery?
18

19 **DR. CRABTREE:** I have heard people talk about full retention,
20 but more in the commercial fishery. I don't know that that has
21 been analyzed. I don't know how you could do full retention in
22 the recreational fishery. You would have to get everybody to
23 quit fishing when the season is closed, because they couldn't
24 retain the fish, and, frankly, I don't know how you would ever
25 get to full retention in the commercial fishery, because some
26 people don't have enough quota and they're going to have
27 discards because they don't have quota.
28

29 I don't think that's been analyzed very much. I suspect that
30 not many recreational fishermen are keeping fifteen or sixteen-
31 inch fish right now and they're bringing in bigger fish than
32 that and I think the data all indicates that and so I'm not sure
33 that lowering the size limit here does anything from a practical
34 standpoint, but I don't know what would happen if you went to
35 full retention.
36

37 You would have to measure the negative side of bringing in small
38 fish, and so you would lose yield per recruit, versus the plus
39 side of fewer dead discards, which is overall good and I don't
40 know that that's been fully looked at.
41

42 **MR. ATRAN:** Just to that point, about a year or so ago, and I
43 forget exactly when, we had the Science Center do some analysis
44 on slot limits, which included going to lower minimum size
45 limits, and I think it included a no minimum size limit option.
46 It was either that or a size limit that was so small that it
47 would be equivalent to that.
48

1 The results of that analysis indicated that we could get an
2 extended season by lowering the size limit. However, it would
3 also result in reducing the SPR and so it was a double-edged
4 sword.

5
6 **CHAIRMAN GREENE:** Thank you, Mr. Atran. Any further discussion?

7
8 **MR. FISCHER:** Yes, Mr. Chairman, and I understand that at this
9 meeting we are going to add any alternatives and make certain
10 that our options are correct and the next meeting we will be
11 choosing our preferreds and so, to that, I am not going to have
12 a long debate on it. All I will do is recall that we have to
13 remember that 51 percent of this fishery is the commercial
14 industry that has a thirteen-inch size limit.

15
16 Secondly, when the sixteen-inch limit was put in, you could
17 barely catch fish that size and today's anglers are telling us
18 they are catching big fish and so I am not too certain that we
19 will have a drastic shift to a smaller fish in the fishery if we
20 make a change just to one inch down.

21
22 **CHAIRMAN GREENE:** Thank you for your comment. Dr. Lasseter.

23
24 **DR. LASSETER:** Thank you, Mr. Chairman, and I just wanted to
25 make a comment for Mr. Williams. In the Amendment 36, which
26 we'll be reviewing shortly, we did take the item out for
27 scoping, a full retention fishery. I will be providing some
28 feedback. There is no analysis, but we have feedback from the
29 IFQ participants in regards to that and so I will address that
30 soon, this afternoon.

31
32 Let's move on to Action 5, which starts on page 23. This is a
33 completely new action and the idea behind this is to change the
34 metric that we are using for the recreational season and so
35 rather than it being temporal, this proposes to make it spatial
36 and uses Texas as the example of -- It has a year-round state
37 water season and so what if we extended a kind of parallel
38 boundary to shore from which people were allowed to fish and
39 that distance from shore could be dependent on quota
40 availability and projected landings. That's kind of the idea
41 behind it.

42
43 The Alternative 1, the no action, is we still have our same
44 closure, which is a temporal closure, and in consultation with
45 Mara before, we will -- The IPT will have to tweak the language
46 of this no action alternative to ensure that it's actually
47 reflecting the no action.

48

1 I have labeled Alternative 2 as the preferred because this is
2 the original preferred alternative from the version you saw back
3 in January of 2014 and this would allow a region to establish
4 closed areas within the EEZ adjacent to the region in which the
5 recreational harvest of red snapper is prohibited.

6
7 Then there are three options that we've provided to allow areas
8 of the Gulf EEZ to be closed year-round, Option a. Option b is
9 areas of the Gulf EEZ could be closed for up to six months of
10 the year or Option c is no more than 50 percent of the area of a
11 region's EEZ, that part adjacent to their state, could be closed
12 during the year.

13
14 Alternative 3 would -- Again, it's getting away from the idea of
15 the closed temporal season and moving towards spatial and so a
16 selected region may establish closed areas within the EEZ
17 adjacent to the region in which the recreational harvest of red
18 snapper is prohibited. In this one, we pick which states. The
19 council would decide which states would want to employ this
20 provision and which ones would not choose to participate.

21
22 Then, finally, Alternative 4 would establish at what extent from
23 shore would this Gulf-wide boundary be, shoreward of which the
24 recreational harvest of red snapper is permitted.

25
26 We have thrown out there just some broad options for discussion
27 of ten nautical miles, twenty nautical miles, or Options c and d
28 would use a depth metric and so using the twenty-fathom curve or
29 the thirty-fathom curve we've thrown out. I will add that in
30 order to be analyzing the complete range of alternatives that we
31 will be adding the official state/federal line of nine nautical
32 miles for Florida and Texas as an additional option.

33
34 I think this is very new and I am not sure how clearly I just
35 explained it and so I'm going to turn it over for questions and
36 see what you think.

37
38 **CHAIRMAN GREENE:** Any discussion on this new action?

39
40 **MR. PERRET:** Just relative to Alternative 4, has our law
41 enforcement people provided any input relative to how difficult
42 it's going to be to enforce additional lines relative to fathom
43 and/or nautical miles? I mean that's a heck of a burden on
44 fishermen as well as law enforcement.

45
46 **DR. LASSETER:** Actually, I believe the Law Enforcement AP does
47 have comments on that and I am going to turn it over to Steven,
48 because I think it actually relates to boundaries more broadly.

1
2 **MR. ATRAN:** I was going to go over the law enforcement comments
3 once we had completed the review of the amendment, but the law
4 enforcement looked at an earlier version of this paper and so
5 some of their comments don't match the action items that are in
6 the Law Enforcement AP and so I was just going to do an overall
7 summary when Ava is through, but if you want, I can address this
8 specific item or if you would rather wait for the overall
9 report, I can do that.

10
11 As far as closed areas go, they did comment and had some
12 concern. Most of the regulations, like bag limits and size
13 limits, can be enforced either on the water or at the dock, when
14 the boat lands. Closed areas are strictly an on-the-water
15 enforcement issue and that makes it a little bit more difficult
16 to enforce.

17
18 The AP was concerned that if states were allowed to set up an
19 unlimited number of closed areas that it would complicate
20 enforcement and so they did have concerns about this.

21
22 **MS. LEVY:** Ava, I apologize if you went over this and I didn't
23 hear it, but the one comment that I would make is that the IPT
24 goes back and looks at this action is to restructure what the no
25 action is versus the preferreds, because I think what we don't
26 want to do is remove the federal fixed closed season, because,
27 again, that's the default, right?

28
29 If we remove it, then the default is we open on January 1 and we
30 close whenever we think the quota is going to be met. We can
31 think about restructuring this as maybe the no action is to not
32 allow these other EEZ closures and then tier off of that, but I
33 just wanted to note that piece.

34
35 **DR. CRABTREE:** I do think this is a real enforcement problem. I
36 get calls all the time about the current three-mile and nine-
37 mile boundaries and people going over the line and I don't think
38 it's really enforceable and I think this greatly complicates the
39 document.

40
41 I won't make a motion, because I've tried that at past meetings
42 and always lost, but I again would probably advise you not to go
43 down this path and to remove this action, because I don't think
44 it's very workable.

45
46 **CHAIRMAN GREENE:** Any further comments or discussion?

47
48 **LCDR JASON BRAND:** Just one more thing to add to the

1 enforceability is if you have a combination of closed areas out
2 to 200 miles, that eats up the state resources to do that, but
3 then at the same time, they are going to need additional people
4 checking dockside inspections when they land the catch and so
5 now you have increase the requirements on the landing
6 inspections as well as the offshore.

7
8 **CHAIRMAN GREENE:** All right. Any further discussion? Seeing
9 none, Dr. Lasseter.

10
11 **DR. LASSETER:** Thank you, Mr. Chairman. Action 6 begins on page
12 26 and this is apportioning the recreational quota among the
13 regions and your first alternative is, of course, no action and
14 you do not divide the quota.

15
16 Alternative 2 would apportion the quota based on the longest
17 time series, 1986 to 2013. Alternative 3 backs off ten years
18 from that and Alternative 4 backs off ten more years and so we
19 have our most recent time series for this document under
20 consideration. Alternative 4 would be apportion the
21 recreational quota based on the average of historical landings
22 for the years 2006 to 2013.

23
24 Your current preferred alternative mirrors very closely the
25 alternatives, the allocations, selected in Amendment 40 and so
26 here your Preferred Alternative 5 is to apportion the
27 recreational quota, or component quotas, because of course it's
28 going to depend on what you decide in Action 2, among the
29 regions selected in Action 3 based on 50 percent of the longest
30 time series and 50 percent of average historical landings from
31 the shortest time series.

32
33 You have also selected Preferred Alternative 6, both Preferred
34 Option a and b, which is to exclude the landings from those two
35 years from the allocation formula.

36
37 **MR. DALE DIAZ:** Before you move on, you've got a new proposed
38 Alternative 8 and I was just wondering, have you all figured out
39 how many days that would actually be? It's to apportion the
40 recreational quota amongst the regions selected in Action 3,
41 such that each region's allocation provides an equivalent amount
42 of fishing days. Have you all figured out what that might be,
43 based on this year's season?

44
45 **DR. LASSETER:** Thank you, Mr. Diaz, for the lead-in. Yes, we
46 have. Let me just touch on Alternative 7 real quick. This is
47 our biological alternative, which would be to establish the
48 eastern and western quotas divided at the Mississippi river

1 based on regional biogeographical differences in the stock
2 assessment.

3
4 Then we've added this proposed Alternative 8, which was
5 mentioned in discussion at the last council meeting. I did not
6 actually -- I left it proposed only because there wasn't a
7 formal motion, but I am assuming that it's okay that we add it
8 in for inclusion.

9
10 This, as Dale just read out, would be to calculate the
11 apportionment based on giving each of the states the same amount
12 of days and Andy Strelcheck has actually done some work on this
13 and I am going to ask him to speak to this alternative.

14
15 **MR. STRELCHECK:** Dale, based on the projections I just
16 presented, there was four scenarios that are being considered
17 and so we don't have a preferred run at this point identified in
18 terms of setting the season length, but under the current
19 Amendment 39 allocation, Florida would receive approximately 38
20 percent. To have the same state season for all states, theirs
21 would need to be increased between to 45 to 54 percent and so it
22 would have to go up.

23
24 For Alabama, their received thirty-one-and-a-half percent under
25 Amendment 39 and theirs would have to go up to between 34 and 41
26 percent. Mississippi is a little over 3 percent and based on
27 the calculations, your allocation would go down by approximately
28 2 percent.

29
30 Louisiana is at fifteen-and-a-half percent under regional
31 management and it would drop to between six and eight percent
32 and Texas is at twelve percent under regional management and it
33 would decrease to between four and five percent in order to have
34 the same season length for all states in the Gulf of Mexico,
35 based on our preliminary 2015 projections.

36
37 **DR. CRABTREE:** Andy, have you looked at, under the current
38 preferred alternative allocation, which is Preferred 5 and 6,
39 what that would give us in terms of the number of days the
40 season would be expected to be off of the respective states?

41
42 **MR. STRELCHECK:** Under the preferred, I don't have the exact
43 numbers in front of me, but the season lengths were on the order
44 of sixteen to twenty-one days, from my earlier presentation.
45 Under those allocations, the Texas and Louisiana, the kind of
46 western Gulf states, would be on the order of fifty days, in
47 terms of season lengths, and the eastern Gulf states,
48 particularly Alabama and Florida, would be more in the range of

1 twelve to fifteen days.

2
3 They would lose days relative to an overall Gulf-wide average
4 season length and the Louisiana/Texas season would grow
5 considerably longer and that's all being dictated by big
6 differences in catch rates in the eastern versus western Gulf.

7
8 **DR. CRABTREE:** So that allocation in there now would essentially
9 reallocate catch to the western Gulf from the eastern Gulf
10 relative to what recent catches have been and is that fair to
11 say?

12
13 **MR. STRELCHECK:** I don't think that's entirely true, but yes,
14 there would certainly be some shifting toward the western Gulf.

15
16 **CHAIRMAN GREENE:** Thank you. Any further discussion?

17
18 **MR. FISCHER:** Not on this subject, but I have something after we
19 finish with Andy.

20
21 **CHAIRMAN GREENE:** Okay. I believe we are done with Mr.
22 Strelcheck, Mr. Fischer, if you would like to proceed.

23
24 **MR. FISCHER:** I would like to add one alternative and I can read
25 it and I think staff will put it up. **It's to add an alternative**
26 **to Action 6 to apportion the recreational quota among the**
27 **regions selected in Action 3.** As we select those regions, if we
28 choose Alternative 2 or 3, which would be dividing the Gulf in
29 half, based on 50 percent of the average historical landings in
30 the formula in the Reef Fish Amendment and 50 percent from the
31 years -- The recent and historical years and then 50 percent
32 would be based on the regional biogeographical differences in
33 the stock, using the stock assessment.

34
35 Where this differs from 7 in here is, first, in our discussions
36 -- Let me put it on the floor and if we get a second, I will
37 explain.

38
39 **CHAIRMAN GREENE:** Mr. Fischer has a motion that he has got on
40 the board and is there a second?

41
42 **MR. MATENS:** Second.

43
44 **CHAIRMAN GREENE:** It's seconded by Mr. Matens.

45
46 **MR. FISCHER:** Thank you and Alternative 7 divides the east/west
47 right through the center of Louisiana and we would have -- It
48 would be confusion. We would have anglers that could fish both

1 halves and we felt moving it over to one of the state
2 boundaries, either the Louisiana/Mississippi or
3 Mississippi/Alabama boundary, where we could keep the boundary
4 on state lines. We were using the same criteria in Alternative
5 7, but just entering in some of the historic data, so the states
6 that are catching fish in these latter years are credited in
7 getting that historic catch.

8
9 **CHAIRMAN GREENE:** I have a motion on the floor and is there any
10 further discussion?

11
12 **MR. WILLIAMS:** I am sorry, Myron, but I don't entirely
13 understand. 50 percent based on regional biogeographical
14 differences in the stock used in stock assessments and could you
15 elaborate a little more on what means?

16
17 **MR. FISCHER:** Sure, Roy, and it may be discussed earlier in the
18 document, but stock assessment -- It doesn't calculate an ABC,
19 but it does calculate the percentage of fish in the eastern and
20 western Gulf. For that, I would have to defer to Will or
21 someone on the SSC to further explain it, but we do -- What
22 you're doing is you're basically harvesting where the fish are.

23
24 In Florida, you harvest your oranges in the orchard that has the
25 oranges and you don't go to the one that doesn't have oranges
26 and so you're allowing those with the fish to harvest more while
27 the other areas rebuild.

28
29 **CHAIRMAN GREENE:** Any further discussion?

30
31 **DR. CRABTREE:** I think we can ask the Center and the SSC to look
32 at this, but I am not -- I don't know how much of a problem the
33 Center -- The assessment divides the Gulf at the river, but my
34 sense, from this, is you're not talking necessarily about
35 dividing things at the river, but dividing it somewhere else and
36 so I don't know how much of a problem that is to come out with
37 this and then, of course, if you divide the Gulf, the TACs are
38 really dependent on how the recruitments are distributed between
39 the eastern and western Gulf and so I guess we could put this
40 in, but how workable it is -- Right now, the preferred
41 alternative is to establish five regions and so it seems, to me,
42 this doesn't work if that's what we're going to do, because you
43 can't use the assessment to divide it up into two regions.

44
45 **DR. BONNIE PONWITH:** Dr. Crabtree is correct that if -- Right
46 now, based on what we understand about the stock, the behavior
47 of the population on the west of the -- Using the river as the
48 dividing line and west of the river is different than on the

1 east of the river and you could take a look at those differences
2 and use that as a scientific justification for establishing
3 separate stock assessments for those two regions and then basing
4 management based on those two separate stock assessments.

5
6 Using state lines as a biological marker doesn't hold in terms
7 of what would be scientifically supportable and those can be
8 management allocations, but in terms of the stock, the line, if
9 you were going to place one, would be the Mississippi River.

10
11 **CHAIRMAN GREENE:** Thank you. Any further discussion? Okay. We
12 have a motion on the floor and it's been seconded and I guess
13 we'll take it to a vote. **All those in favor of this please**
14 **raise your hand; all those opposed please raise your hand. The**
15 **motion passes.** Anything else before we move back to Dr.
16 Lassetter? Okay, Dr. Lassetter.

17
18 **DR. LASSETTER:** Thank you, Mr. Chairman. The vote passed five to
19 two. Let's move on to the next action, which is Action 7,
20 beginning on page 31. This action addressed post-season
21 accountability measures and so your status quo, Alternative 1,
22 has changed since we initially had this, because of the red
23 snapper framework action which put in place using an ACT and the
24 overage adjustment. In the event that the quota is exceeded in
25 one year, the following year the overage will be deducted from
26 the quota. That is your no action, status quo.

27
28 Alternative 2 is your preferred, current preferred, alternative.
29 Preferred Alternative 2 would -- All of these are essentially
30 overage adjustments and Alternative 2 is while red snapper are
31 overfished, and so it's only under the condition that red
32 snapper are still considered overfished, if the combined
33 landings exceed the quota, reduce in the following year the
34 quota of any region that has exceeded its portion of the
35 recreational quota.

36
37 Alternative 3 would tailor the overage adjustment to the
38 component, either for-hire or private angling, that exceeds its
39 quota and so, of course, this alternative would not be
40 applicable if sector separation is not implemented.

41
42 Then, finally, Alternative 4 combines both of them so that the
43 overage adjustment would be specific to both or either or, the
44 component that has exceeded its part of the quota or the region.

45
46 Now, for all of these alternatives, there is no overage
47 adjustment if the quota is not exceeded and so these are only
48 triggered in the event that the quota is exceeded and I wanted

1 to clarify that and I will turn it over to Mr. Chairman for any
2 comments or questions.

3
4 **CHAIRMAN GREENE:** Any discussion on Action 7? Seeing none, Dr.
5 Lasseter.

6
7 **DR. LASSETER:** Thank you and moving right along, this is not an
8 action, but we had one remaining preferred alternative from the
9 previous draft, from January of 2014, that addressed what's
10 known as the 30B permit provision, that the for-hire vessels
11 must fish under the more restrictive federal regulations.

12
13 Your preferred alternative at the time was to exclude this
14 provision requiring the vessels to comply with the more
15 restrictive and in the discussion for this, it made it clear
16 that for those states or regions that were consistent with
17 regional management, whether that was delegation or now if it
18 was under conservation equivalency, there would be no need for
19 this, because that state or region would either have decided
20 they are managing both for-hire and private angling and so there
21 is no difference between state and federal regulations between
22 the waters or they would not be managing the for-hire component,
23 which would then be managed in a separate management plan.

24
25 We don't see that Preferred Alternative 2 has any applicability.
26 I believe it was Mr. Perret that added a proposed Alternative 3,
27 and we did not vote on this, that for those regions actively
28 participating in regional management to exclude the provision,
29 but, again, in essence, that is the same as Alternative 2,
30 Preferred Alternative 2.

31
32 If you are participating and you're active, there is no
33 difference within regional management anymore of a different
34 regulation for state waters and federal waters. This is really
35 moot under Amendment 39, but we still had it on the books and so
36 I wanted to call it to your attention.

37
38 **MS. LEVY:** I also want to note that keeping that provision in
39 there is important for the concept of the conservation
40 equivalency and the default regulations and so if the state has
41 a plan and it's an approved plan and there's a conservation
42 equivalent, then in effect what that does is it waives the more
43 restrictive requirements for everybody that might be in the
44 federal regulations and you follow the state plan, but if there
45 is no plan, then we have to have the default regulations and
46 then we don't waive those for people that are subject to them.

47
48 It works in concert with either having the conservation

1 equivalency approved or not and then having the default
2 regulations and so my advice would be to remove this from the
3 document, because, as Ava explained, if you have the
4 conservation equivalency, then those stricter regulations don't
5 apply to people that are operating under that state's plan.

6
7 **MR. DIAZ:** Based off of our attorney's advice, I would move that
8 we move this section to the considered but rejected section of
9 the document.

10
11 **CHAIRMAN GREENE:** We have a motion to move this to considered
12 but rejected. It's seconded by Mr. Williams and is there any
13 comments on this? **All those in favor please raise your hand;**
14 **all those opposed. The motion carries.** Dr. Crabtree, did you
15 have a comment? He passes. Okay, Dr. Lasseter, does that wrap
16 you up?

17
18 **DR. LASSETER:** I believe that does. I would just like to turn
19 it out to the group for a moment and are there any other issues
20 or concerns with regional management, with the actions or
21 alternatives in here? Is there anything to include or add?
22 Okay.

23
24 Then I wanted to briefly talk about the timeline for this. We
25 have now the actions and alternatives and the IPT does need to
26 get together and rework some of the language in some of these
27 and then we can begin developing the analysis, the Chapters 3
28 and 4.

29
30 I am not sure what our workload is at this moment for what we
31 could get back by the next meeting and I am looking at my boss.
32 Perhaps we could bring this up again in full council of whether
33 we could get something for the next meeting or the following.
34 He is just looking at me blankly. Okay and I would like to
35 bring up the discussion of the timing in full council, when we
36 kind of get a better sense of what is going to come back for the
37 next meeting. Thank you.

38
39 **CHAIRMAN GREENE:** Thank you.

40
41 **DR. CRABTREE:** It seems, to me, the largest things you've got to
42 deal with here has to do with the allocation and justifying how
43 the allocation is fair and equitable and appropriate and I don't
44 think there is very much in the document of that now, but that's
45 obviously the single biggest decision in here, is how you
46 allocate.

47
48 As we've seen today, it has big impacts on fishing opportunities

1 and where and so if you decide that do want to shift trips
2 towards the western Gulf, that is fine, but you've got to
3 explain why that's fair and why that's equitable and why you
4 want to do that and so I think that's the biggest thing that
5 really needs to be fleshed out in the document and I also think
6 trying to figure out how the area closure action of it is going
7 to work and getting those alternatives straightened out needs to
8 be done as well.

9
10 **CHAIRMAN GREENE:** Okay. Thank you, Dr. Crabtree. With that,
11 we're going to turn it to Mr. Atran and he's going to go through
12 the LEAP comments at this time.

13
14 **MR. ANSON:** Johnny, it's 11:30 and that's when you have your
15 scheduled lunch break and do you want to get started on the next
16 item or do you want to just take lunch? Will it take just a
17 couple of minutes? Okay.

18
19 **LAW ENFORCEMENT ADVISORY PANEL COMMENTS**

20
21 **MR. ATRAN:** I just have a few comments from the Law Enforcement
22 AP. There were some other folks around the table who were at
23 the meeting and if they want to fill in some other things, but I
24 just wanted to highlight a few things that the AP said.

25
26 I can't really attach their comments to a specific action
27 number, because of the reorganization of the document, but I
28 already went over their comments about concerns about closed
29 areas offshore.

30
31 Under the regional management and sector separation, although
32 there is no sector-specific regulations in this document, the
33 perception is that under sector separation we would get sector-
34 specific regulations and the AP expressed some concern that that
35 would complicate enforcement and put an additional workload on
36 enforcement to have to enforce two different sets of
37 regulations.

38
39 They suggested that there be a cost recovery fee placed on the
40 for-hire sector to account for increased costs of enforcement
41 and administration due to sector separation and then on the
42 dividing up of the Gulf into multiple regions for management,
43 and this is something that the council has talked about, is for
44 a vessel that's fishing offshore of a state, but the vessel is
45 from another state, whose regulations should that vessel be
46 required to adhere to?

47
48 I think in the document right now it says that if a vessel is in

1 the EEZ that it would be subject to whatever the most lenient
2 regulations are, but then when it lands, it would have to be in
3 accordance with the regulations for the state where it lands in.

4
5 The Law Enforcement AP felt that that was kind of complicated
6 and they felt that there should be what they called hard lines.
7 In other words, if you're fishing off of say Alabama, even if
8 you're in the EEZ, you would have to abide by Alabama's
9 regulations and they went so far as to suggest that even extend
10 that to permitting requirements and so you would need the
11 appropriate Alabama permit, either a resident or a non-resident
12 permit, even if you're in the EEZ.

13
14 Then if you crossed a boundary to land somewhere else, say in
15 Florida, you would need the appropriate licenses to land in
16 Florida as well and the one exception, possibly, would be a
17 transit provision, which I think most states already have, that
18 says if you're crossing through a region, as long as you don't
19 stop, you won't be cited for having fish that would be illegal
20 for that region.

21
22 There was at least one or two AP members who suggested that even
23 that was a loophole that perhaps they would like to see closed
24 and that if the vessel is in a region at all off of a state,
25 whether it's in the EEZ or in state waters, it would be subject
26 to the state regulations, including permitting requirements.

27
28 That's really about all I had to say. One other thing that they
29 mentioned is they appreciated the opportunity to look at this
30 amendment while it's still in a fairly early stage of
31 development, along with the South Florida joint amendment that
32 we'll be looking at later. In both cases, they asked for an
33 opportunity to review the amendment again before final action is
34 taken by the council.

35
36 **CHAIRMAN GREENE:** Thank you and is there any discussion on Mr.
37 Atran's comments? Seeing none, I guess we will move on into
38 lunch and we will pick back up with the Joint South Florida
39 Management Program after lunch and what time do we need to
40 return, Chairman Anson?

41
42 **MR. ANSON:** One o'clock.

43
44 **CHAIRMAN GREENE:** We will be back at one o'clock.

45
46 (Whereupon, the meeting recessed at 11:30 a.m., March 31, 2015.)

47
48 - - -

1
2 March 31, 2015
3

4 TUESDAY AFTERNOON SESSION
5

6 - - -
7

8 The Reef Fish Management Committee of the Gulf of Mexico Fishery
9 Management Council reconvened at the Golden Nugget Casino Hotel,
10 Biloxi, Mississippi, Tuesday afternoon, March 31, 2015, and was
11 called to order at 1:00 p.m. by Chairman Johnny Greene.
12

13 **CHAIRMAN GREENE:** We are going to start on Item Number XI,
14 Options Paper on Joint South Florida Management, Tab B, Number
15 11. With that, we will pass it over to Mr. Rindone.
16

17 **OPTIONS PAPER - JOINT SOUTH FLORIDA MANAGEMENT**
18

19 **MR. RYAN RINDONE:** Thank you, Mr. Chairman. Just as a preface
20 for this document, this is a joint effort between the Gulf and
21 the South Atlantic to try to come to agreement on management for
22 a few different species that have their biological epicenters,
23 if you will, in the south Florida region, which, for the purpose
24 of this document, is being referred to as those waters that
25 occur south of 28 degrees north latitude and so say south of
26 Cape Canaveral and Tampa Bay and with most of that focus really
27 being in Monroe County.
28

29 **EXECUTIVE DIRECTOR GREGORY:** Ryan, do you want to put the flow
30 chart up first or do you have a place to put up the flow chart?
31

32 **MR. RINDONE:** We can put that up, sure.
33

34 **EXECUTIVE DIRECTOR GREGORY:** I mean as an overall kind of
35 conceptual thing.
36

37 **MR. RINDONE:** That's really the biggest area of focus for this
38 particular document and so Carrie and I worked on this flow
39 chart for you guys, to try to help you visualize what the
40 councils need to try to accomplish with respect to the document.
41

42 Right now, there is a fair amount of duplication in terms of the
43 things that are being offered as management options. One of the
44 big things that's being proposed is delegation of certain
45 management measures to the State of Florida. However, you will
46 see in parts of the document that on top of that we have very
47 specific changes to management for species like mutton snapper
48 and black grouper that seem to overlap the management authority

1 that's being discussed for delegation to the state.

2
3 You guys would need to try to decide do you want to do
4 multijurisdictional ABCs and ACLs for some of these species or
5 all of them or do you want to delegate some of those management
6 measures, with the exception of setting the ABCs and ACLs, to
7 the State of Florida or do you want to do a combination of both?

8
9 If you delegate to the state, do you want to delegate
10 recreational management measures or just commercial or both and
11 like for yellowtail snapper and for mutton snapper, we don't
12 currently have sector ACLs for those species and so is that
13 something that needs to be established? Is that something the
14 council is comfortable taking on? Because it is something that
15 would require additional allocation discussions, since right now
16 they are just stock-wide ACLs. All of this is trying to
17 converge on the goal of consistent management measures.

18
19 If you guys are ready, we will start going through this thing
20 and I will make sure to remind you of which actions there are
21 multiple alternatives which can be chosen and how the selection
22 of some alternatives might affect your ability to select certain
23 alternatives in other actions.

24
25 The first action listed in here is partial delegation of
26 commercial and/or recreational management of yellowtail to the
27 State of Florida and this is just for federal waters adjacent to
28 the state and so this would not affect the management of
29 yellowtail say off of Texas, where we've seen small, but
30 increasing, landings of yellowtail starting to occur. This is
31 just for federal waters adjacent to the State of Florida.

32
33 The first action, of course, is no action and Alternative 2
34 focuses on determining specific recreational management items
35 for delegation to the state, including size limits, seasons, bag
36 limits, and minor modifications to existing allowable gear.

37
38 The IPT has struggled a little bit with defining what these
39 minor modifications are and what that actually means and so this
40 is definitely something for you guys to think about, in terms of
41 what do you think should be permissible?

42
43 Kind of mirroring the recreational options, if you look at
44 Alternative 3, you have this consideration of similar management
45 measures for the commercial fishery for yellowtail and so in
46 this action you could pick either Alternative 2 or Alternative 3
47 or both, depending on what made the most sense.

48

1 Now, this is one of those delegation options and for yellowtail,
2 there is no another action in there that talks about the
3 committee's desire to do something more specific with yellowtail
4 and so this is an exception to that and so does anybody have any
5 questions with Action 1?
6

7 **MR. WILLIAMS:** In the case of yellowtail snapper, how different
8 are we in regulations right now between the Gulf and the South
9 Atlantic? Where are the rubs that we would be delegating to
10 Florida or through some other mechanism to solve?
11

12 **MR. RINDONE:** Give me just a second to pull that up, but I am
13 like 99 percent certain our size limits are the same and the
14 only thing that -- Go ahead, Martha.
15

16 **MS. BADEMAN:** The regulations are basically the same. The issue
17 is we had, a couple of years ago, where we had one part of -- I
18 think the South Atlantic closed and the Gulf -- Or was it going
19 to close and the Gulf was going to stay open, just because of
20 that quota split?
21

22 **MR. WILLIAMS:** I asked that question and that's my recollection
23 too, but we had also talked about using a joint ACL between -- I
24 guess taking whatever ACL -- It's just one stock of yellowtail
25 snapper and nobody is suggesting that it's two stocks of
26 yellowtail snapper.
27

28 **MR. RINDONE:** Correct.
29

30 **MR. WILLIAMS:** Most of it is captured in the South Atlantic area
31 of jurisdiction is my recollection and we only catch a small
32 part of it, don't we? Is that right, Doug? Do you remember?
33

34 **EXECUTIVE DIRECTOR GREGORY:** Right.
35

36 **MR. RINDONE:** The majority of fish are caught in South Atlantic
37 waters and of the Gulf landings, the lion's share of Gulf
38 landings are commercial landings.
39

40 **MR. WILLIAMS:** We had also talked about splitting -- Somehow we
41 were each going to contribute a portion of the ACL to it and
42 this was another potential solution.
43

44 **MR. RINDONE:** That had actually kind of come off the table. If
45 we go -- If you want to take a peek at Action 2, the
46 multijurisdictional ACL that Roy is referencing is actually
47 Alternative 2 of Action 2, which talks about establishing and
48 consolidating ABCs and ACLs for yellowtail.

1
2 This would create an overall combined multijurisdictional ABC
3 and ACL and this would be for the entire stock and so this would
4 include all waters in the Gulf and in the South Atlantic's
5 jurisdictions.

6
7 The benefits of doing it this way help address part of the
8 concern that brought up about including yellowtail in the
9 document in the first place, which Martha started talking about,
10 which was when the South Atlantic was going to close, but the
11 Gulf was still going to be open, because the Gulf ACL hadn't
12 been caught yet.

13
14 The design for Alternative 2 would be that the fishery as a
15 whole, recreational and commercial, would stay open until such a
16 time that the ACL was met or projected to be met and if you look
17 at Alternative 3, and this is another one where you can choose
18 more than one alternative, Alternative 3 would establish sectors
19 for yellowtail snapper based on one of the options listed there
20 and this would allow the seasons, the recreational and
21 commercial seasons, to be based on whatever that allocation was,
22 but that allocation would be regional and it wouldn't just be
23 for the Gulf or the South Atlantic, but it would be for
24 everything.

25
26 Those recreational and commercial seasons would be based on
27 those ACLs, but, again, under a multijurisdictional ACL setup,
28 you wouldn't close either sector unless the whole thing was met
29 or projected to be met.

30
31 **EXECUTIVE DIRECTOR GREGORY:** My understanding is that with
32 delegation the ABCs and ACLs are not going to be delegated to
33 Florida, if that's chosen. A joint ABC and ACL could be looked
34 at as an alternative to delegation for yellowtail, in that it
35 solves the problem straightforwardly and simply or it can be
36 done in addition to delegating, since we're not delegating the
37 ACLs.

38
39 **MR. RINDONE:** Correct and so that could allow --

40
41 **EXECUTIVE DIRECTOR GREGORY:** If you want to delegate other
42 management to Florida, even though we have no problems with
43 contradicting regulations, then they can go together or you can
44 just do the jurisdictional ABC and not do the delegating and so
45 that's why we did the flow chart, because you can mix and match
46 some of these and some of these if you choose Action 1, you may
47 not do some actions later in the document. I think the document
48 still needs some work as far as trying to simplify it, if we

1 can, and bring out some of these alternatives.

2
3 **MR. RINDONE:** Any choices that you guys make will certainly help
4 staff in terms of streamlining the document, which currently is
5 hefty. There is a lot of stuff in here and there's a lot of
6 different options and so making decisions as far as whether you
7 want to delegate some things to the state -- Again, that does
8 not include ABCs and ACLs, but if you want to delegate some
9 things, then that should be left in there and if not, then we
10 should consider removing that.

11
12 **MR. WILLIAMS:** Do we now use a joint ABC for yellowtail snapper?

13
14 **EXECUTIVE DIRECTOR GREGORY:** We have a joint ABC, but not a
15 joint ACL. In other words, the two quotas are separate, but the
16 overall ABC is the same, I think in an agreement between the two
17 SSCs and the councils.

18
19 **MR. WILLIAMS:** Doug, would it be simpler to do something like
20 that, to just -- If we take that ABC and then if we have a joint
21 ACL -- We could do that. We could have just a joint ACL and
22 then do we have to partition it between commercial and
23 recreational?

24
25 **MR. RINDONE:** Yes.

26
27 **EXECUTIVE DIRECTOR GREGORY:** The South Atlantic Council told us
28 that the only -- If we wanted to do a joint ABC, we would have
29 to go along with sector allocations like they did. They told us
30 that that's the only way they would agree to it, but otherwise,
31 we don't have sector allocations and whether we have to or not
32 is -- You can understand if you have a joint ABC that it would
33 be simpler if you have the same allocation for both.

34
35 The South Atlantic said, and, Ben, please speak up if I say
36 something wrong, but I remember being told that they did it for
37 data collection purposes only, but then later on in the
38 document, they're talking about keeping track and limiting
39 people to their allocation and so that's a major decision for
40 the council, if they want to create sector allocations.

41
42 **MR. RINDONE:** For yellowtail and mutton for the options that are
43 listed, Options 3a, 3b, and 3c, those are the same in both of
44 those and the variance between what the recreational side would
45 get and what the commercial side would get is not too
46 dramatically different, but for black grouper, as you guys will
47 see, there are some big differences, depending on which years
48 you choose.

1
2 If that's a route that you guys want to go down, it's definitely
3 something to think about. Are there any other questions as far
4 as this portion of the yellowtail discussion? Again, remember
5 this is a situation where you can choose to delegate some things
6 to the state and you can do that multijurisdictional ACL, which
7 in the case of yellowtail, the multijurisdictional thing
8 addresses the lion's share of what the concern was with
9 yellowtail and so the rest of it is more or less icing on the
10 cake.

11
12 **MR. WILLIAMS:** The only other issue in this, in this minor
13 modifications to existing gear, was the issue of circle hooks.
14 There is a requirement for circle hooks and they would like to
15 get rid of that, right, because it interferes with the way the
16 fish --

17
18 **MR. RINDONE:** It is and that's something that we address in
19 actually the very last action and I can elaborate more on that
20 then if you like. Do you want to go ahead and move forward?
21 Again, be thinking about any -- If there is a part of this that
22 you guys prefer or a part of it that just really doesn't taste
23 good, anything that you can do to help us get some guidance on
24 what we need to add or especially what we can cut out would be
25 tremendous.

26
27 **MR. ATRAN:** Do you want me to do the law enforcement comments as
28 we go along?

29
30 **MR. RINDONE:** Yes, Steven. I'm sorry.

31
32 **MR. ATRAN:** Action 1, they did have a comment, although it fits
33 in better with that last action on circle hooks with regard to
34 that minor modifications to existing allowable gear. I was
35 concerned that they might have an enforcement issue with an
36 exemption from circle hooks for one particular species, but the
37 Law Enforcement AP said that they didn't have a problem with
38 that and they already have species-specific gear restrictions on
39 other stocks, such as sheepshead and grouper.

40
41 They did have a more generalized comment that says from a
42 general perspective that exceptions add complexity and therefore
43 difficulty to enforcement of specific regulations and so
44 basically they're saying the more regulations, the more complex,
45 the more difficult the enforcement, but nothing specific about
46 the circle hook exemption.

47
48 On consolidating the ABCs and ACLs, they did not feel that there

1 was an enforcement issue, but we weren't thinking in terms that
2 consolidation might eliminate the situation where the stock is
3 open in one area and closed in another area. If they had
4 realized that, I think they may have said that it would ease
5 enforcement to be able to have a consolidated ACL, but they
6 weren't aware of that and so they didn't say anything about
7 enforcement issues on Action 2.

8
9 **CHAIRMAN GREENE:** Any comments relative to that? Seeing none,
10 Mr. Rindone.

11
12 **MR. RINDONE:** Thank you, Mr. Chair. Action 3 talks about
13 partial delegation of commercial or recreational management of
14 mutton to the State of Florida and, again, this is just for
15 waters off of Florida and similar actions as were just talked
16 about for yellowtail, where you're looking at recreational
17 management measures being delegated to the state in Alternative
18 2 and commercial management items being delegated to the state
19 in Alternative 3.

20
21 Again, minor modifications to existing allowable gear is
22 something to think about and what does that actually mean and as
23 far as the circle hooks were concerned, that was one idea that
24 was proffered, but that doesn't mean that's the only thing and
25 an important thing to remember with delegation of these
26 management items is that, as it's laid out in the document, if
27 the State of Florida were to want to modify any management
28 measures, they would have to present a plan to do so to both
29 councils, who would have to sign off on it.

30
31 Again, that adds a considerable level of effort into the
32 process, since both councils would have to meet and agree on any
33 management changes and I don't know if it's possible for the
34 approving body to be NMFS or if that's something that the
35 council would desire or if they would like to maintain a hand on
36 that, but that's also something to think about.

37
38 **MR. WILLIAMS:** One other question, Ryan. Do you know, off the
39 top of your head, where the mutton snapper are captured, Gulf
40 versus South Atlantic?

41
42 **MR. RINDONE:** There is a high-liner fleet that goes out of
43 Pinellas County that travels south that catches a fair amount of
44 mutton, but a great deal of the mutton snapper are actually
45 caught in South Atlantic waters and so the majority of the
46 regional ABC is partitioned to the South Atlantic's jurisdiction
47 and management control and the smaller portion comes to us.

48

1 Again, most of our landings, the Gulf landings, are commercial
2 for mutton and a lot of it is attributed to that traveling fleet
3 from Pinellas. Are there other questions?
4

5 With mutton, you will see that the committee has considered some
6 other actions to address size limits and bag limits in and out
7 of the spawning season and that kind of duplicates the effort of
8 trying to delegate size limits or bag limits or commercial trip
9 limits to the State of Florida.

10
11 If we're going to go through the effort of creating these new
12 management measures to try to look after mutton during the
13 spawning season, then maybe that's what needs to happen and not
14 delegate those things to the state, as opposed to considering
15 changing all those regulations for mutton and then delegating it
16 to the state, which then can request to change them again later
17 on. That's one of those areas where we have duplication of
18 effort in the document that you guys need to consider.

19
20 **MS. LEVY:** Just a question. Would the actions in 5 and 6 apply
21 to mutton everywhere or how would it work? I don't know where
22 this is caught and is this mostly caught off the coast of
23 Florida? If it's caught other places, then if you delegate off
24 of Florida, but you change things for other places, I am just
25 sort of wondering how they interact.

26
27 **MR. RINDONE:** The spawning behavior is thought to be the same
28 regardless of where they're caught, in terms of when they
29 actually spawn. It's a May-June season, but better than 97
30 percent of the landings, I think is what I remember from the
31 document, are off the State of Florida and the vast share of
32 those occur in this south Florida region that we've been talking
33 about.

34
35 **MS. LEVY:** If the decision was actually to delegate the things
36 that are being looked at being changed in Action 5 and 6, then I
37 assume that only those areas where the delegation isn't active
38 you would actually be changing that, right, because then Florida
39 would be deciding those issues if you delegated the
40 responsibility to them.

41
42 It's sort of like one annuls the other, at least off of Florida.
43 If you delegate it, you're annulling what you end up doing in 5
44 and 6 if you've delegated that off the State of Florida.

45
46 **MR. RINDONE:** That's correct. Actions 5 and 6 would apply
47 regionally throughout the Gulf and the Atlantic and then any
48 changes a state made would only be for waters adjacent to the

1 state and so that would create conflicting regulations outside
2 of federal waters adjacent to the State of Florida and this is
3 one of those issues that I keep bringing up, where you have
4 duplication of effort. This is one of those situations where it
5 really ought to be an either/or sort of thing.

6
7 **MR. BEN HARTIG:** I mean you're calling it a duplication of
8 effort and basically as we went through this and we had public
9 hearings and we saw we had a number of comments about how people
10 -- How they wanted to change management for -- I will just talk
11 about mutttons, because mutttons is right here.

12
13 I mean essentially what we did was go ahead and take these
14 specific modifications the public wanted to see and put them
15 into this document. Yes, I think what you're talking about,
16 duplication of effort, we could delegate it to the State of
17 Florida and then Florida could do the regulations for mutton and
18 is that what you're talking about as duplication? I may not be
19 clear on what you're talking about as duplication of effort.

20
21 **MR. RINDONE:** For Actions 5 and 6, that would apply to
22 everything through the Gulf and the Atlantic, whereas for Action
23 3, which is what we're looking at right now, that's partial
24 delegation of just those management items listed to the waters
25 adjacent to the state.

26
27 What Mara was talking about was that if we go forward with any
28 of the options in Actions 5 and 6 and then the State of Florida
29 then submits a plan to change those regulations at a later date,
30 that change would only occur for federal waters off of Florida.

31
32 The federal waters outside of Florida, and so Georgia, South
33 Carolina, North Carolina, and Alabama to Texas, would be under
34 whatever current regulations exist at the time for those
35 species.

36
37 **MR. HARTIG:** No, I understand that part. I still don't think
38 I'm clear, Ryan, about where we are duplicating effort.

39
40 **MR. RINDONE:** Because if you're going to go through the effort
41 of making the changes that the committee discussed for Actions 5
42 and 6, which address a lot of the public concern that we heard,
43 it just -- From the IPT's point of view, why at that point, when
44 you've made all the changes that you want to see made, would you
45 then hand over management so that it could be changed again and
46 it just seems like one action contradicts the other action if
47 you have fixed all of your problems, so to speak.

1 **MS. BADEMAN:** I think those are in there now because we haven't
2 done that yet. I mean down the road if the -- Once the two
3 councils meet and they choose some preferreds, then there is
4 probably going to be some actions that we can chuck, in my
5 opinion, but I think some of those things need to be in there
6 for right now, because they are things that we have heard from
7 people.

8
9 This is kind of a choose-your-own adventure. Your first choices
10 in the first few actions kind of set the tone for the rest of
11 the document and what needs to be done in the rest of the
12 document, in my opinion.

13
14 **MS. LEVY:** Just one more question. Ryan, I heard you talk about
15 Florida submitting a plan and are you talking about under the
16 delegation that they would be submitting some sort of plan? If
17 we delegate it, then the federal regulations go away and as long
18 as whatever they do is consistent with the FMP, they wouldn't be
19 submitting anything and so I just wanted to clarify what that
20 was getting at.

21
22 **MR. RINDONE:** This was something that was introduced to the
23 committee and the committee favored the idea of having the state
24 offer some sort of plan for what they intended to do as far as
25 any changes they wanted to make to the councils and then the
26 councils would either approve or disapprove those changes.

27
28 This was introduced at the last meeting and it was asked to be
29 incorporated into the document. Now, if it's not something that
30 can be done under delegating, then obviously that would need to
31 be changed.

32
33 **MS. BADEMAN:** I don't know if I quite remember that
34 conversation. I am kind of wondering if we were talking about
35 how in the South Atlantic, like when blue runner was removed
36 from management -- The State of Florida, we sent a letter to the
37 council and said if you're going to pull this out of federal
38 management, just so you know, here's what we're planning to do
39 and it was not any kind of formal plan. I think it just gave
40 the council some reassurance that we were going to be managing
41 at a level that they would be, I guess, comfortable with. I am
42 guessing, but I would have to go back and rehash that
43 conversation and I don't know. I would have to go back through
44 the minutes.

45
46 **MR. RINDONE:** How it's written in there right now is for the
47 state to submit a plan for approval by the councils and if
48 that's not something that the councils want and it's not

1 something that they want to deal with, then they just need to
2 make that clear, but that's what was presented to the committee
3 and that's something that the committee wanted put in there for
4 consideration.

5
6 **EXECUTIVE DIRECTOR GREGORY:** The original purpose of all of this
7 was to address issues of conflicting regulations in south
8 Florida and I am concerned that with Actions 5 and 6 we're
9 talking about the entire Gulf of Mexico and the entire South
10 Atlantic region and we've lost focus on addressing south Florida
11 issues.

12
13 The other concern I have about the mutton snapper thing is I
14 know there is a public desire to restrict some harvest on the
15 spawning aggregations that occur primarily along the Florida
16 Keys or in south Florida, but the mutton snapper population,
17 according to the stock assessment, is healthy and some of these
18 seem to be extreme alternatives to be considering for a
19 population that's not overfished and that's actually at or above
20 BMSY. That's just two things.

21
22 If the council so desires and asks us to focus more strictly on
23 the issues with south Florida and not broaden the alternatives
24 or the scope of this document beyond that -- I think that's
25 where we're getting somewhat wrapped around the axle.

26
27 **MR. HARTIG:** Doug, I mean basically I think the last mutton
28 snapper assessment that has just come out doesn't paint quite as
29 rosy a picture of muttons, but the other point about whether or
30 not this is getting out of the south Florida realm, I mean still
31 you talk about the entire Gulf with muttons and it's still only
32 3 percent of the catch that occurs outside of Florida and so
33 that's a relatively small portion of the catch that we can allow
34 to be prosecuted however the Gulf sees fit outside of the
35 Florida issue.

36
37 I mean we're not trying to make regulations for the rest of the
38 Gulf, but we're just trying to make regulations to deal with the
39 south Florida issue. I mean if you want a ten fish mutton bag
40 limit outside of Florida, I don't have a problem with that, but
41 what we've got from the public is that the bag limit is too high
42 for mutton snappers across the board.

43
44 Frankly, mutton snapper is one of those species that fell
45 through the cracks when we did management of bag limits and
46 everything through time and I mean you've been involved through
47 this whole process and you understand that and so I think it's
48 just a realization by the public to say, hey, if we're talking

1 about fifteen a fish and you're talking about a ten fish bag
2 limit, you're talking about 150 pounds of fish and that's really
3 a commercial level of harvest and I think the people just really
4 want to get back to a more reasonable recreational harvest level
5 of five fish.

6
7 I didn't see much objection to that at any of the hearings we
8 had and we heard it in multiple areas and so that part of it I
9 haven't had a problem with, but as far as really trying to get
10 away from south Florida, I don't think we are in this particular
11 one.

12
13 Now, I will agree with you there is a couple of other actions,
14 when we talk about warsaw and speckled hind, that does get out
15 of the realm of the south Florida issues and so that's just my
16 perspective.

17
18 **EXECUTIVE DIRECTOR GREGORY:** I apologize and I don't intend to
19 get into a debate, but the thing that concerned me -- I agree
20 with everything you said about the recreational harvest, but in
21 Action 6 we're talking about a commercial trip limit for mutton
22 of ten fish per person per day and a commercial trip limit of
23 mutton during the spawning season of two fish or five fish per
24 person per day. I mean that seems to go beyond the scope of,
25 throughout the Gulf of Mexico, the scope of what the purpose of
26 what we were trying to do originally and that's all.

27
28 **MR. RINDONE:** Just to cover where the landings actually come
29 from, and this is using the years 2008 to 2012 as a reference,
30 99.9 percent of mutton snapper recreational landings are off the
31 State of Florida and 97.5 of commercial landings are off of
32 Florida and of that two-and-a-half percent that are not off of
33 Florida, 2.4 of that 2.5 percent are off of North and South
34 Carolina. In the Gulf anyway, all the mutton are caught off of
35 Florida, pretty much.

36
37 This is an excellent example of if it's better to delegate this
38 to the state than it is to go through the process of
39 establishing new regulations for mutton and then let the State
40 of Florida address the best way to deal with the public's
41 concerns with too much harvest or too little harvest or whatever
42 it might be for mutton.

43
44 This is an opportunity to allow that to happen and so this is
45 one of those areas where you guys need to at least consider is
46 this a one or the other sort of thing or is there a benefit to
47 establishing say a multijurisdictional ACL and then delegating
48 it to the state. These are your options and I realize it puts

1 an awful lot of options on the table at one time, but this is
2 one of those areas where the problem with mutton is pretty
3 easily identified.

4
5 There is concerns about overharvest during the spawning season
6 and if that's something that the state can put a lid on, then
7 delegation might be an option or you guys could do it through
8 some other action.

9
10 **MR. HARTIG:** The commercial trip limits look ludicrous and the
11 reason they do is because when we had the discussions about
12 mutton snapper trip limits, there were some options put up and
13 they are still in this document, which they shouldn't be. I
14 think the decision was made that we shouldn't have a commercial
15 trip limit for mutton snapper, because of that longline fishery
16 that occurs in the Gulf.

17
18 You have small landings that occur throughout the state from
19 commercial landings, mostly from the hook and line sector, and
20 then you have the longline sector that on occasion has large
21 trips and so trying to have a trip limit that encompasses both
22 was problematic and so really I think what we really ought to do
23 is just remove the commercial trip limit, so you don't
24 unnecessarily impact that longline fishery from that Pinellas
25 County area.

26
27 **CHAIRMAN GREENE:** Any further comments? Mr. Rindone.

28
29 **MR. RINDONE:** Thank you, Mr. Chair. We've talked a little bit
30 more about, again, looking at a multijurisdictional ABC and ACL
31 for mutton, similar to what we did for yellowtail snapper, and
32 this would operate under the same premise as it would for
33 yellowtail, where you would have to establish sector ACLs, which
34 we don't currently have for mutton, but none of the -- Neither
35 sector, recreational or commercial, would close unless the ACL
36 was met or projected to be met and that would be regional.

37
38 We just heard that a very large proportion of the landings come
39 from the State of Florida and so that helps consolidate where
40 that universe of effort is and, Steven, if you want to weigh in
41 on the law enforcement for mutton.

42
43 **MR. ATRAN:** No, the law enforcement didn't have any comments on
44 either Action 3 or Action 4, other than the generic comment that
45 adding exceptions to gear restrictions increases complexity.
46 They did have comments on the next two actions, when we get to
47 those.

48

1 **CHAIRMAN GREENE:** Any other comments? Go ahead, Mr. Rindone.
2

3 **MR. RINDONE:** Okay and thank you, Mr. Chair. Number 5, if you
4 would, please. There is a lot of analysis that's in the full
5 document and I'm trying to use the decision document, since we
6 have a limited window of time to talk about this and so, please,
7 if there's something that jumps out at you and you want to know
8 more information, I can almost guarantee we have it.
9

10 Action 5 looks at modifying the recreational bag limit of mutton
11 and this is in both the Gulf and the South Atlantic and so
12 Alternative 2 would modify the recreational aggregate bag limit
13 and change the recreational bag limit for mutton snapper during
14 the regular season, which is July through April, and the
15 spawning season.
16

17 So it would continue with -- In Option 2, it would continue with
18 the ten fish per person per day allowance in the regular season,
19 but it would reduce that to two fish per person per day during
20 the spawning season and then Option 2b would further reduce the
21 regular season bag limit to five with the two fish bag limit
22 during the spawning season and then Option 2c would be four fish
23 with two fish during the spawning season.
24

25 Again, this is something also that if you guys want to delegate
26 management of the bag limits for mutton to the State of Florida,
27 this is something that the state could institute as well.
28

29 Alternative 3 would retain mutton within the aggregate ten
30 snapper bag limit in both basins, but would specify bag limits
31 for mutton within the recreational bag limit during the regular
32 season, similar to the number of gag that you can take or red
33 grouper or what have you for the shallow-water grouper aggregate
34 bag limits for the recreational fishery.
35

36 This would be, again, broken up by the regular season, July to
37 April, and the spawning season, which is May and June, and
38 Options 3a through 3c are similar to those for Alternative 2, in
39 that it's ten fish during the regular season and two fish during
40 the spawning season for 3a and five fish during the regular
41 season and two fish for 3b and then four fish during the regular
42 season and two fish during the spawning season for 3c. Are
43 there any questions about Action 5?
44

45 **CHAIRMAN GREENE:** Seeing none, will go to Mr. Atran.
46

47 **MR. ATRAN:** The Law Enforcement AP did have a comment. They
48 thought that having a bag limit that changes at different times

1 of the year would create confusion among the public.

2
3 **CHAIRMAN GREENE:** That's it for that and any questions? Mr.
4 Rindone.

5
6 **MR. RINDONE:** Thank you, Mr. Chair. Action 6 would examine the
7 commercial trip limits for mutton snapper in the Gulf and the
8 South Atlantic and currently the commercial sector in the South
9 Atlantic is restricted to ten mutton snapper per day or per
10 trip, whichever is more restrictive, and there is no bag or trip
11 limit in the commercial sector for the Gulf or the South
12 Atlantic from July through April and May and June in the Gulf,
13 there is still no trip limit.

14
15 Alternative 2 would establish a commercial trip limit for mutton
16 during the regular season in the Gulf and the South Atlantic of
17 -- We have two options. We have ten fish per person per day or
18 something higher than that.

19
20 Alternative 3 would specify a trip limit during the spawning
21 season, which is May and June, on both sides and we have options
22 here for two fish, five fish, and ten fish per person per day or
23 no bag or trip limit whatsoever.

24
25 Alternative 4 would specify a commercial trip limit for mutton
26 that is identical to the recreational bag limit during the
27 spawning season, which is May and June, in the Gulf and the
28 South Atlantic. With this one, if the recreational bag limit
29 happens to change, it would, by default, change the commercial
30 bag limit if this were selected as preferred.

31
32 Alternative 5 would specify a commercial trip limit for the hand
33 line sector of the commercial fishery during the spawning season
34 on both sides and we have options here, again, of two, five, and
35 ten fish per person per day and the options that are in blue
36 were added by the South Atlantic or suggested by the South
37 Atlantic at the previous South Atlantic Council meeting and so
38 just as a note for the things that are in blue, these are things
39 for you guys to improve the inclusion of or not. They voted to
40 have these things put in and these would be things that you guys
41 would need to vote to include as well.

42
43 **MS. BADEMAN:** I will make a motion to add Options 5a and 5b into
44 Action 6.

45
46 **CHAIRMAN GREENE:** We have got the motion on the board and does
47 it read as you wish? Is there a second?

48

1 **MR. WILLIAMS:** Second.

2
3 **CHAIRMAN GREENE:** Second by Mr. Williams. **Any opposition to**
4 **this motion? Seeing none, the motion carries.** Mr. Rindone.

5
6 **MR. RINDONE:** For Alternative 6, Alternative 6 would specify a
7 commercial trip limit for mutton for the longline sector during
8 the spawning season of 500 pounds whole weight for the trip
9 limit or some other trip limit and we heard some conversation
10 from Mr. Hartig about this not being quite ideal for the
11 longline fleet. Any other questions for Action 6?

12
13 **MR. WILLIAMS:** I think I've asked this before, Ryan, but do we
14 know -- We know that these mutton snapper are being landed in
15 Pinellas County, but we don't know where these longlines are
16 fishing. We know they must be fishing south and are they
17 fishing as far south as Monroe County? They are fishing for red
18 grouper in southwest Florida, probably.

19
20 **EXECUTIVE DIRECTOR GREGORY:** Right and they're fishing down
21 around, I guess, north and west of the Tortugas and they used to
22 fish Riley's Hump and there may be some fishing on the Atlantic
23 side down around the Tortugas.

24
25 **MR. WILLIAMS:** I am trying to figure out if they could avoid
26 these fish if they wanted to. That's really where I'm going and
27 do you know, Doug? Are they deliberately targeting these fish
28 or are they targeting red grouper and catching these at the same
29 time?

30
31 **EXECUTIVE DIRECTOR GREGORY:** My understanding is, and maybe we
32 can learn more in public testimony, is that the longliners go
33 south and the bandit fishermen to catch black grouper and/or
34 mutton and apparently the price or the value of mutton goes up
35 and down and right now, it seems to be low, but they are not
36 catching them incidental to red grouper as much as they are
37 coming south to catch black grouper, the carberitas.

38
39 **CHAIRMAN GREENE:** Any questions? I am not seeing any and Mr.
40 Atran.

41
42 **MR. ATRAN:** I have a law enforcement comment and I also have one
43 for myself. I don't know if it's a comment or a question. The
44 law enforcement noted that if you're going to set a commercial
45 limit for a small amount of fish that setting it in terms of
46 numbers of fish rather than pounds is easier for them to
47 enforce. They only have to count the fish and not weigh them.

1 The comment I have is I noticed that the commercial bag limits
2 are per person bag limits, but when the trip limits are set in
3 pounds, those are per vessel limits and it seems to me there is
4 an inconsistency there. If you set the bag limits per person
5 and the commercial fishermen want to take home five bag limits
6 of fish, he just has to make sure there's five people on the
7 boat and so is this really the best way to go, if you're going
8 to do a commercial bag limit, to do it per person rather than
9 per trip?

10
11 **MR. RINDONE:** The committee had wanted to consider both a bag
12 limit based on the number of commercial fishermen on the vessel
13 and a trip limit, with the trip limit targeted more towards the
14 longline fleet, since a bag limit might be harder to abide by
15 when you're longline fishing.

16
17 **CHAIRMAN GREENE:** Thank you and are there any further comments?
18 Okay, Mr. Rindone.

19
20 **MR. RINDONE:** Thank you, Mr. Chairman. Action 7 gets us into
21 black grouper and my understanding is that trying to make the
22 grouper regulations similar on both sides of U.S. 1 was kind of
23 one of the things that started this whole south Florida effort.

24
25 The next series of actions are largely targeted at black grouper
26 and Action 7 talks about the partial delegation of recreational
27 management of black grouper to the State of Florida and it only
28 considers recreational management because the committee
29 acknowledged that black grouper are part of the grouper IFQ
30 system in the Gulf, which Gulf representatives on the Joint
31 South Florida Committee indicated that the Gulf doesn't
32 currently have an appetite for modifying or eliminating that IFQ
33 program at this time.

34
35 Under this action, just like with the similar action for mutton
36 and yellowtail, the Gulf Council is still responsible for
37 setting the ABCs and the ACLs, but specific recreational
38 management items could be delegated to the State of Florida for
39 black grouper, such as size limits, seasons, bag limits, and the
40 ambiguous minor modifications to existing allowable gear.

41
42 We only have two alternatives here, for sheer lack of other
43 ideas for what would be delegated to the State of Florida with
44 respect to recreational management. From a NEPA standpoint,
45 this might need to be broken out further, but that's something
46 that we can deal with.

47
48 Now, another thing to consider is that there are other pointed

1 measures that are going to follow, other actions that are going
2 to follow, that are going to deal specifically with recreational
3 and commercial size limits or recreational size limits and bag
4 limits and consideration of some commercial modifications as
5 well and so some of those things may be best delegated to the
6 State of Florida and some not or maybe all or nothing. It's
7 something for you guys to consider, especially going into the
8 June meeting. Any questions so far for Action 7?

9
10 Action 8 would establish and consolidate ABCs and ACLs for black
11 grouper and this, again, examines, in Alternative 2, a
12 multijurisdictional ABC and ACL and so this would affect
13 everywhere that black grouper are caught.

14
15 To give you an idea of those landings percentages, 96.8 percent
16 of recreationally landed black grouper are caught in Florida and
17 93.6 percent of commercial landings come from Florida and so in
18 the Gulf, there is about 3 percent of the commercial landings
19 that come off of Texas and 0.7 percent off of Alabama and then
20 in the Atlantic, 2 percent come off of South Carolina and so
21 there are small pockets that occur elsewhere, but the lion's
22 share of the effort is certainly down around the Keys and south
23 Florida area.

24
25 Alternative 3 would again look at establishing a -- It would use
26 both councils' agreed upon ABC for black grouper and allocate
27 the recreational ACLs in the Gulf and the South Atlantic. 3a
28 would combine the current recreational allocations, which are
29 63.12 percent in the South Atlantic and 27 percent in the Gulf
30 for black grouper, into a single recreational allocation.

31
32 The issue with this is that when we have yield projections which
33 come out as a result of the stock assessments, the actual value
34 of that ACL could change year to year and so that would require
35 a lot of extra heads-up in terms of making sure to get the
36 regulations out, because this is something that would change
37 annually.

38
39 For Option 3b, this looks at a bow-tie method of using 50
40 percent of the landings from 1993 to 2008 and 50 percent of the
41 mean of the landings from 2009 to 2013, similar to what was
42 being considered for yellowtail and for mutton, and then 3c and
43 3d would use average landings based on either the most recent
44 five-year or ten-year time period.

45
46 Now, for Alternative 3, and, Charlotte, I don't know if you can
47 switch to the full document for this, because -- It's Table 19
48 on page 40. Based on those options that we just talked about,

1 these are the potential resultant commercial and recreational
2 allocations that you would get, because by establishing some new
3 recreational allocation, you, by default, are going to change
4 the commercial allocation, which would have some impact on the
5 IFQ system.

6
7 Option 3b is the one that uses the bow-tie method, which puts
8 some consideration on the historical time series. Option 3c
9 uses the most recent five years and Option 3d uses the most
10 recent ten years. As you can see, there is some sizeable
11 changes that can occur in terms of how much allocation is going
12 where, depending on which option you choose, if you choose to go
13 this route. That is definitely something to consider.

14
15 **CHAIRMAN GREENE:** Any questions or comments? Seeing none, Mr.
16 Rindone.

17
18 **MR. RINDONE:** All right. I will just keep trudging on. Action
19 9 looks at specific accountability measures for South Florida
20 species and so these would pointedly address yellowtail snapper,
21 mutton snapper, and black grouper.

22
23 Alternative 2 states that if the sum of the commercial and
24 recreational landings exceeds the stock ACL, then during the
25 following fish year, if the landings reach or are projected to
26 reach the stock ACL, then both sectors would be closed for the
27 remainder of the year and on or after the effective date of the
28 closure, all sales, purchases, harvest, or possession in the EEZ
29 would be prohibited. Then you could choose which species you
30 wanted this to apply to. This is one of those situations where
31 you could have accountability measures for one species that
32 might be a little bit different than they are for another
33 species, since you have the option of selecting which species
34 you want each of these to apply to.

35
36 Alternative 3 says that if the commercial landings reach or are
37 projected to reach the commercial ACL, NMFS would close the
38 commercial sector for the remainder of the year and then on and
39 after the effective date of that notification, all sale would be
40 prohibited. Sorry. All sale would be prohibited and harvest or
41 possession would be limited to the recreational bag and
42 possession limit.

43
44 Additionally, if the commercial ACL is exceeded, then NMFS would
45 reduce the commercial ACL in the following year by the amount of
46 the overage only if the species is overfished and the total ACL,
47 and so that's commercial and recreational, is exceeded. This is
48 something that would work well in tandem with a

1 multijurisdictional ACL approach that we discussed previously.

2
3 **MR. WILLIAMS:** Since none of these species are overfished, do we
4 have to have accountability measures? Is that required?

5
6 **MS. LEVY:** Yes, you have to have accountability measures. It's
7 required, annual catch limits and accountability measures. What
8 those accountability measures are -- I mean you have to have
9 something that keeps you within the ACL or mitigates for
10 overages. You don't necessarily have to have a payback. We
11 generally do that for species that are in rebuilding plans, but
12 we have accountability measures for all of our species.

13
14 **CHAIRMAN GREENE:** Thank you. Any other comments? Mr. Rindone.

15
16 **MR. RINDONE:** For Alternatives 3 and 4, the South Atlantic has
17 language that they had originally recommended that's straight
18 out of their Generic ACL/AM Amendment that they wanted to be re-
19 included and we have that language and it more specifically --
20 Instead of saying "NMFS", it says that the Office of the Federal
21 Register will notice such a closure and the Regional
22 Administrator will close the fishery and so it points to
23 specific offices and specific persons.

24
25 NMFS has requested the change that you see in Alternatives 3 and
26 4, which is where it's just highlighted in yellow, because it
27 takes a more generic approach. This is the language that they
28 would like to see pushed forward and so if you guys want the
29 document changed back to what the South Atlantic has in their
30 generic amendment, then staff can certainly make that change and
31 if not, we can leave it as per NMFS's recommendation, but that
32 is something that we need guidance from you guys on.

33
34 **CHAIRMAN GREENE:** Staff is requesting some more information here
35 and does anybody want to take action? Seeing no action, Mr.
36 Rindone.

37
38 **MR. RINDONE:** For Alternative 4, Alternative 4 is a recreational
39 accountability measure, where if the landings exceed the
40 recreational ACL, then during the following fishing year
41 recreational landings would be monitored for a persistence in
42 increased landings and then, if necessary, NMFS would reduce the
43 length of the fishing season and the recreational ACL in the
44 following year by the amount of the recreational overage.

45
46 Again, that's only if the species is both overfished and the
47 total ACL, commercial and recreational, is exceeded and the
48 length of the recreational season and the recreational ACL would

1 not be reduced if NMFS determined, using the best science, that
2 the reduction isn't necessary. You could pick which species you
3 wanted that to apply to.

4
5 Alternative 5 offers another recreational accountability
6 measure, where if the recreational landings reach or are
7 projected to reach the ACL, then NMFS would close the sector for
8 the remainder of the year, unless, using the best science, NMFS
9 determines that that's not necessary. Then you have options
10 here for whether -- If the species is overfished, and then you
11 pick the species, or, regardless of stock status and, again, you
12 pick the species.

13
14 These were options that were initially removed and then the
15 South Atlantic has asked that they be reconsidered and so we
16 would need a motion from you guys to put these back in the
17 document.

18
19 **CHAIRMAN GREENE:** Any desire to put them back in the document?

20
21 **MS. BADEMAN:** Sure. I will make a motion to add Options 5a and
22 5b back into Action 9.

23
24 **CHAIRMAN GREENE:** There is a motion on the board and a second by
25 Mr. Williams. **Any objection to this motion? Seeing none, the**
26 **motion carries.** Mr. Rindone.

27
28 **MR. RINDONE:** Thank you, Mr. Chair. Alternative 6 states that
29 the councils would jointly set the ACL for both sectors and if
30 the combined recreational and commercial ACL is met or expected
31 to be met, then NMFS would close both sectors for the remainder
32 of the fishing year and this is another one of those AMs that
33 works really well with the multijurisdictional ACL approach.
34 Again, you could pick which species you wanted this to apply to.
35 Any questions on accountability measures?

36
37 **MR. ATRAN:** The Law Enforcement AP had a comment, but it only
38 pertained to the Atlantic side and I don't know if you want me
39 to read that in or not for the record. They noted that in the
40 Atlantic that recreational yellowtail snapper fishing takes
41 place predominantly along the reef fish line, which could be in
42 either state or federal waters, depending upon the location.
43 For that reason, they emphasized that the Florida state waters
44 and the Atlantic EEZ need to have consistent regulations.

45
46 **CHAIRMAN GREENE:** Any questions in regard to that? Seeing none,
47 Mr. Rindone.

48

1 **MR. RINDONE:** Thank you, Mr. Chair. We will go ahead and move
2 on to Action 10. Action 10 would modify the shallow-water
3 grouper species composition and seasonal closures in the Gulf
4 and the South Atlantic and Alternative 2 of Action 10 would
5 remove the shallow-water grouper closure for all affected
6 grouper species in the Gulf and the South Atlantic and you have
7 two options here, from the Dade/Monroe County line on the east
8 coast of Florida to Shark Point on the west coast of Monroe
9 County, Florida, or throughout each council's jurisdiction.
10 Charlotte, I think now would be a good time to show that map.

11
12 This gives you an idea of where Shark Point is with respect to
13 south Florida and so you can see, for the sake of argument for
14 this, it's basically applying to just Monroe County and there's
15 a little bit of Monroe County that occurs north of Shark Point,
16 but law enforcement officials at the last Joint South Florida
17 meeting indicated that there is not a lot of fishing effort that
18 occurs within this area.

19
20 There are vessels that traffic through there, but they don't
21 stop, for the most part, and they said that this boundary would
22 be easier to enforce.

23
24 **DR. CRABTREE:** It worries me a little bit when we start talking
25 about changing the closures throughout each council's
26 jurisdiction. That's really getting well beyond, it seems to
27 me, south Florida, because some of these species are up in North
28 Carolina and other places, but we have mostly identified this as
29 south Florida and all the meetings have been in south Florida
30 and so it seems to me that this ought to focus on things in
31 south Florida and not so much Gulf-wide or South Atlantic-wide
32 issues.

33
34 **MR. RINDONE:** If the committee feels the same about that, then
35 this would be one of those areas where you might ask to strike
36 Option 2b from consideration, since that applies to the entire
37 jurisdiction for both councils. That alternative would just be
38 rewritten to include the text from Option 2a.

39
40 **MR. WILLIAMS:** I would think we should do that then, Ryan. I
41 would offer a motion that in Action 10 that we remove
42 Alternative 2b.

43
44 **CHAIRMAN GREENE:** We have a motion on the board in Action 10 to
45 remove Alternative 2b. Mr. Fischer has seconded.

46
47 **MR. RINDONE:** I was just going to offer a little bit of
48 clarification language to remove Alternative 2b to the

1 considered but rejected appendix.

2

3 **MR. WILLIAMS:** Yes, that's fine.

4

5 **CHAIRMAN GREENE:** The motion is now correct on the board. **Is**
6 **anybody in opposition of this? Seeing no opposition, the motion**
7 **carries.** Mr. Rindone.

8

9 **MR. RINDONE:** Thank you, Mr. Chair. Alternative 3 would
10 establish identical regulations for shallow-water grouper
11 species compositions for the Gulf and the South Atlantic from
12 the Dade/Monroe County line on the east coast of Florida to
13 Shark Point on the west coast of Monroe County, Florida.

14

15 Then you have three options here, where those identical
16 regulations would mean the adoption of the Gulf shallow-water
17 grouper species composition for both the Gulf and the South
18 Atlantic for this region, the adoption of the South Atlantic
19 shallow-water grouper species composition for both councils for
20 this region, or the specification of a new and identical
21 shallow-water grouper species complex for both councils and,
22 again, just for this region, south of Shark Point and the
23 Dade/Monroe line.

24

25 The Gulf currently only has four species in its other shallow-
26 water grouper species composition: black grouper, yellowedge,
27 yellowmouth, and scamp. The South Atlantic has nine species in
28 theirs and so they have gag, red, yellowedge, yellowmouth,
29 scamp, coney, graysby, speckled hind, and rock hind, I think.
30 That's a handful and so, depending on which option you guys
31 preferred for this particular alternative, if you wanted to go
32 forward with this alternative, it would require adding species
33 to the Gulf's plan or removing species from the South Atlantic's
34 plan. That's definitely something to consider.

35

36 **EXECUTIVE DIRECTOR GREGORY:** Ryan, why is there even
37 consideration of changing the species composition? I mean what'
38 the conflict there or what's the issue?

39

40 **MR. RINDONE:** In an effort to -- I won't say harmonize, because
41 we're going to talk about that one next, but in an effort to
42 establish identical regulations and to make things the same for
43 this region south of Shark Point and the Dade/Monroe line.
44 Making the species compositions the same makes it easier to make
45 any subsequent changes to management if they are necessary for
46 that complex, be it through an aggregate bag limit for those
47 shallow-water groupers or what have you.

48

1 If this isn't something that you guys think is worth
2 considering, then that's certainly your purview to take it out
3 of there or recommend that it be removed.

4

5 **CHAIRMAN GREENE:** Thank you. Any comments?

6

7 **MR. WILLIAMS:** What were the Gulf? You said the Gulf was black,
8 yellowedge, yellowmouth -- What happened to red and gag for
9 shallow?

10

11 **MR. RINDONE:** Red and gag are managed separately from the other
12 shallow-water groupers for the sake of the commercial fishery
13 and then for the recreational fishery, they have specific bag
14 limit allowances that are included as part of your shallow-water
15 grouper allowance and also part of your aggregate reef fish
16 allowance.

17

18 The regulations aren't quite so simple as it's exactly this on
19 this side and it's exactly that on the other side and so it
20 would require broad changes to species that aren't just central
21 to south Florida.

22

23 **MR. WILLIAMS:** If we were to remove this -- It says to establish
24 identical regulations for the shallow-water grouper species,
25 which we want to do for Monroe County. We are trying to set up
26 a way where all their size limits and bag limits and closures
27 are the same and if we remove this, aren't we interfering with
28 that or not?

29

30 **MR. RINDONE:** It does impact it, to a degree, yes. The other
31 option would be to identify specific fish and how you want their
32 specific management measures altered.

33

34 **EXECUTIVE DIRECTOR GREGORY:** The shallow-water grouper, the only
35 conflicting regulations are red, gag, and black. I mean that's
36 the issue with the fishermen, because that's what they mostly
37 catch. The other fish are incidentally and rarely caught.

38

39 **MR. WILLIAMS:** So, Doug, can we reconcile the conflicts on red,
40 gag, and black without Alternative 3?

41

42 **EXECUTIVE DIRECTOR GREGORY:** I would think so, unless the
43 council wants to just create an aggregate bag limit for all
44 shallow-water species in their area, but I don't know why we
45 would do that. The South Atlantic Council is in the process of
46 changing or trying to get some of their species out of it and
47 for us to add species in just to be equivalent doesn't seem to
48 be practical.

1
2 **MR. ATRAN:** The species that are in the South Atlantic shallow-
3 water complex but not in the Gulf complex, there is very little,
4 if any, landings in the Gulf of Mexico for those species and so
5 we would be doing a lot of work to add species into our
6 management plan that there is very little catch on.

7
8 The Law Enforcement AP noted this difference in the two
9 complexes. They didn't have any concerns at this time, but they
10 wanted to see how the council resolves the issue and that's part
11 of the reason why they would like to have another look at this
12 paper when it gets further developed.

13
14 **CHAIRMAN GREENE:** Any more comments?

15
16 **MR. WILLIAMS:** Just one other question. This was added after
17 our last South Florida meeting and is that right?

18
19 **MR. RINDONE:** Yes.

20
21 **MR. WILLIAMS:** Did we approve a motion to do this or was this
22 just the IPT added this?

23
24 **MR. RINDONE:** This is from the committee.

25
26 **MR. WILLIAMS:** From the committee?

27
28 **MR. RINDONE:** The IPT recommended changes or edits are in yellow
29 in the document and things that are from the committee, that the
30 committee asked to be put in there, are just normal old text.

31
32 **CHAIRMAN GREENE:** Anybody else? Okay, Mr. Rindone.

33
34 **MR. RINDONE:** If Alternative 3 is something that you guys don't
35 think makes sense and it's something that you would like to wish
36 to consider removing, then any ways to help streamline the
37 document will certainly help staff.

38
39 **MS. BADEMAN:** I kind of think we should just leave this alone.
40 We're going to have to talk about it again in June anyway,
41 because we're going to have the other half -- The South Atlantic
42 is going to have to deal with it and maybe with more heads at
43 the table we can come to a solution. It's going to come up
44 anyway and so I would just say leave it.

45
46 **CHAIRMAN GREENE:** Good point.

47
48 **MR. WILLIAMS:** I agree with Martha on that. On the other hand,

1 Doug and I were just talking and the whole goal of this was to
2 simplify things and, geez, in some ways we're making it a lot
3 more complicated than -- I mean it's getting worse and not
4 better.

5
6 **EXECUTIVE DIRECTOR GREGORY:** Ben, we're going to have to be
7 talking with Bob Mahood about our joint meeting. We've got a
8 one day joint meeting scheduled in June and we're going to cover
9 mackerel, spiny lobster, and this document as well as I think
10 the headboat electronic monitoring and data collection and this
11 document alone would take the two councils a whole day to go
12 through and so we may need to try to do something in the interim
13 and I don't know, but this -- I don't see us getting through
14 this in an hour or two hours as a joint council and so let's
15 think about that.

16
17 **MR. HARTIG:** I agree and I mean part of it today is to allow
18 this council to become familiar with what this workgroup has got
19 together so far, but you're absolutely right that this is going
20 to take some time and there will be some sticking points, as we
21 knew when we were going into this, about whether or not the Gulf
22 wants to do the allocations for the different species as well
23 and we knew those were going to be sticking points going in and
24 we are going to have to see how those fall out in June.

25
26 Basically restructuring that meeting somehow or another time to
27 do this, where we can actually take the necessary time to flesh
28 it out to both of our own satisfactions.

29
30 **CHAIRMAN GREENE:** Ms. Bademan, did you have anything? No?
31 Okay, Mr. Rindone.

32
33 **MR. RINDONE:** Alternative 4 would establish identical
34 regulations for shallow-water grouper seasonal closures in the
35 Gulf and the Atlantic from the Dade/Monroe line to Shark Point.
36 It looks like we have a duplication of those. Alternative 3 and
37 4 look to be the same. We will fix that. Sorry. That's the
38 seasonal closures. Excuse me. You look at this enough and it
39 blends together.

40
41 Alternative 4 deals with the same as Alternative 3 except
42 instead of species compositions, it's seasonal closures and so
43 Option 4a would adopt the Gulf's shallow-water grouper seasonal
44 closures south of Shark Point and the Dade/Monroe line.

45
46 Alternative 4b would adopt the South Atlantic's seasonal
47 closures and Alternative 4c would establish new and identical
48 regulations for shallow-water grouper seasonal closures and this

1 may be one of those alternatives which could more aptly address
2 the main concern of the fishermen, which was access to the fish.

3
4 On the South Atlantic side, from January 1 to the end of April,
5 shallow-water grouper are closed. However, in the Gulf, they
6 are open, except during February and March, when you have the
7 twenty-fathom closure. On one side of the jurisdictional
8 boundary, you're allowed to catch and keep grouper and on the
9 other side, you're not during the late winter and early spring.
10 This is something that's been a sticking point for the
11 fishermen. Alternative 4 may be a decent way of addressing that
12 concern.

13
14 **MR. WILLIAMS:** But in Alternative 4, if I may, we're going to
15 have to come up with some -- We don't have any proposed
16 regulations and I guess that's what I would prefer, but there is
17 nothing in there.

18
19 **MR. RINDONE:** For Alternative 4, you have two options which have
20 established regulations. You could adopt the South Atlantic's
21 regulations, which would result in a shallow-water grouper
22 seasonal closure south of Shark Point and the Dade/Monroe line
23 from January 1 through April 30.

24
25 Then the Gulf alternative would keep shallow-water grouper
26 fishing open during that time, but would institute that twenty-
27 fathom closure in February and March, where you're not allowed
28 to take shallow-water groupers deeper than twenty fathoms.

29
30 Alternative 4c is the one that would create something new
31 entirely and so you could use either council's existing method
32 or you could establish something new altogether under this
33 alternative.

34
35 **MR. WILLIAMS:** I think they would like no closure, probably.

36
37 **MR. RINDONE:** The recreational fishermen especially have largely
38 indicated they would prefer no closure. In the Gulf, the
39 commercial fishery operates under the IFQ system and so it
40 doesn't have a closure, but in the South Atlantic, the
41 commercial fishermen don't have an IFQ system and so from
42 January 1 to the end of April, there is no shallow-water grouper
43 fishing.

44
45 We heard at the last meeting from a gentleman who fishes
46 commercially for black grouper and he indicated that being able
47 to catch them in January would certainly help with their
48 economics of their industry, but it's something for the

1 committee to consider.

2
3 **MR. WILLIAMS:** To follow up, the South Atlantic closure is to
4 protect gag grouper spawning aggregations?

5
6 **MR. RINDONE:** Yes, the primary target of that closure is to
7 protect gag and that's correct.

8
9 **CHAIRMAN GREENE:** Anything else? Mr. Gregory.

10
11 **EXECUTIVE DIRECTOR GREGORY:** Unless there is some objection from
12 Ben, I would like for the council to give us the flexibility,
13 the IPT the flexibility, to relook at some of these options
14 under some of these alternatives and I doubt we have the time to
15 do all the analyses between now and June to get a public hearing
16 document ready, but, for instance, Alternative 4.

17
18 I don't recall the committee and I don't understand the purpose
19 of even considering applying Gulf shallow-water closures to the
20 Atlantic or the Atlantic shallow-water closures to the Gulf and
21 that could be much simplified by just having Alternative 4 say
22 to establish new and identical regulations for a grouper
23 seasonal closure in the south Florida area and not throughout
24 each jurisdiction.

25
26 **MR. WILLIAMS:** I like Doug Gregory's idea and I am going to
27 offer a motion to remove Option 4a and 4b and have only a single
28 option or actually to move them to considered but rejected. I
29 would move that we move Options 4a and 4b to considered but
30 rejected.

31
32 **CHAIRMAN GREENE:** We are getting a motion up on the board.

33
34 **MS. LEVY:** I guess I am just -- I am wondering why you would
35 want to do that. Alternative 4 would establish the identical
36 regulations for seasonal closures in this defined area off of
37 south Florida and one of the options is to make that what the
38 Gulf has now, right, and the other option is to make it what the
39 south Atlantic has now and the third option is to do something
40 completely different, but still have that the same.

41
42 You are essentially just removing two of the options, one to
43 either adopt the Gulf or the South Atlantic, for that small
44 area, which seems like you would want to consider. One of those
45 might be the easiest things to do and just say we like the Gulf
46 seasons or we like the South Atlantic seasons.

47
48 **MR. RINDONE:** That's why those were put in there to begin with.

1 The committee had asked for --

2
3 **MR. WILLIAMS:** Well, knowing how these two councils have worked
4 in the past, I doubt if either one of them wants to adopt the
5 other's, quite frankly, and so I would think we would be better
6 off starting anew.

7
8 **MS. LEVY:** That's fine, but just then what's going to end up
9 happening here is you're going to have to have alternatives for
10 what that new season would be and so if they're going to adopt
11 their own season, then underneath we would need alternatives of
12 what are those going to be, so that you would have different
13 options to choose from.

14
15 **MR. WILLIAMS:** Doug suggested that the IPT would come up with
16 some alternatives for that, other than the South Atlantic's or
17 the Gulf's.

18
19 **CHAIRMAN GREENE:** We have a motion on the floor and is it
20 seconded? Hearing no second, the motion fails for lack of a
21 second. With that, we will go back to Mr. Rindone.

22
23 **MR. RINDONE:** Thank you, Mr. Chairman. We will move on to
24 Alternative 5 and Alternative 5 would establish identical
25 regulations for shallow-water grouper seasonal closures
26 throughout the Gulf and the South Atlantic, again offering the
27 adoption of the Gulf's regulations for seasonal closures for
28 both sides and Option 5b is the South Atlantic's seasonal
29 closures for both sides or Option c is establishing something
30 new and identical.

31
32 This would apply throughout each species jurisdiction and you
33 guys made a motion not too long ago to exclude things that had
34 effects that were outside the State of Florida and so you might
35 consider something similar here.

36
37 **MR. WILLIAMS:** I move that Alternative 5 be moved to considered
38 but rejected. This would be Action 10, Alternative 5, moved to
39 considered but rejected.

40
41 **CHAIRMAN GREENE:** We have a motion on the floor and is there a
42 second?

43
44 **MS. BADEMAN:** I will second it.

45
46 **CHAIRMAN GREENE:** Ms. Bademan seconds it. **Any opposition to the**
47 **motion? Seeing none, the motion carries.** Mr. Rindone.

48

1 **MR. RINDONE:** Thank you, Mr. Chair. We have one more for Action
2 10 and this is Alternative 6, which would modify the shallow-
3 water grouper seasonal closure off of Monroe County, Florida to
4 allow harvest of other shallow-water grouper species and only
5 close harvest of gag and so this would help satisfy the South
6 Atlantic's desire to protect gag from the beginning of January
7 through the end of April, but would permit the harvest of other
8 shallow-water grouper species off the area that, according to
9 public testimony, seems to be most affected by the difference in
10 the conflicting seasonal closures. Are there questions with
11 respect to Alternative 6, which is now probably Alternative 5?
12

13 **CHAIRMAN GREENE:** Questions or comments? Seeing none, carry on,
14 Mr. Rindone.
15

16 **MR. RINDONE:** Thank you, Mr. Chairman. We will go on to Action
17 11 now. Action 11 would modify black grouper fishery closures
18 and bag limits in the Gulf and the South Atlantic and
19 Alternative 1 would maintain the currently established seasonal
20 bag limits on both sides, with black grouper included as a
21 component of the shallow-water grouper and reef fish aggregate
22 bag limits.
23

24 Alternative 2 would remove black grouper from the shallow-water
25 grouper closures of the recreational season in the Gulf and of
26 the recreational and commercial seasons in the South Atlantic
27 and so basically this says that from January through April that
28 black grouper would be wide open on both sides and, again, most
29 of these -- The vast majority of these landings occur in the
30 area we're referring to as south Florida, which is south of
31 Tampa Bay and Cape Canaveral.
32

33 Alternative 3 would establish a recreational seasonal closure
34 for black grouper and this would apply to both sides and
35 multiple options can be chosen here, depending on how long you
36 would want such a closure to last. We have January, February,
37 and March listed. You could choose all three or you could
38 choose just one or you could choose just two.
39

40 Alternative 4 would remove black grouper from the shallow-water
41 grouper closures of the recreational season in the Gulf and the
42 recreational and the commercial seasons in the South Atlantic
43 just off the State of Florida, which is similar in scope to
44 Alternative 2, except, again, it only affects federal waters off
45 of Florida and so the closures would remain in effect off of
46 Georgia through North Carolina and then west of the
47 Alabama/Florida line.
48

1 Alternative 5 would remove black grouper from the shallow-water
2 grouper closures of the recreational season in the Gulf and the
3 recreational and commercial seasons in the South Atlantic, but
4 this is just off of Monroe County. It's similar to the previous
5 one, but a further constricted area being affected.

6
7 Alternative 6 would remove black grouper from the recreational
8 aggregate bag limit in the Gulf of Mexico and Alternative 7
9 would do the same for the South Atlantic. If anybody has any
10 questions, just please interrupt.

11
12 **EXECUTIVE DIRECTOR GREGORY:** Instead off of Monroe County, I
13 think that needs to be delineated and there is no option in here
14 of just from that south of Shark Point to Dade/Monroe County
15 lines, which would do essentially the same thing.

16
17 **MR. RINDONE:** If you guys would like to see that off of Monroe
18 County changed to the south of the Dade/Monroe line in the east
19 and Shark Point in the west, we can add that in or we can make
20 that change. I am getting lots of nods.

21
22 **MS. BADEMAN:** That sounds good.

23
24 **MR. RINDONE:** Okay.

25
26 **CHAIRMAN GREENE:** Mr. Williams, did you have anything?

27
28 **MR. WILLIAMS:** What's the point of Alternative 6 and 7? Why
29 would you remove black grouper from the recreational aggregate
30 limits in the Gulf and the South Atlantic? That surely wasn't
31 something the committee suggested, was it?

32
33 **MR. RINDONE:** It allows -- It's something that the committee had
34 asked to be put in there, because it leads into Alternative 8,
35 which would establish a separate recreational bag limit for
36 black grouper.

37
38 **MR. WILLIAMS:** So those have to be coupled with 8 then? Okay.

39
40 **MR. RINDONE:** You could do one or you could do the other or you
41 could do them both. This is one of those multiple alternative
42 types of actions and so if you decided to remove black grouper
43 from the aggregate bag limit and set some other bag limit for
44 black grouper outside of that, then -- Like for the South
45 Atlantic, I know that they have an interest in having a one fish
46 per person aggregate bag limit and in the Gulf, it's up to four.

47
48 There you have a current disparity in regulations in terms of

1 how many you can keep and so if you -- If you remove black
2 grouper from that aggregate bag limit, it also allows you to
3 take more fish that are remaining in the bag limit and so that's
4 something else to consider.

5
6 **MR. WILLIAMS:** The South Atlantic has looked at all of this,
7 right?

8
9 **MR. RINDONE:** Yes, at their last meeting.

10
11 **MR. WILLIAMS:** And they left all that in? My instinct says to
12 get rid of Alternative 6 and 7 and leave them within the
13 aggregate bag limit in both the Gulf and the South Atlantic, but
14 I guess I will defer until the joint council meeting.

15
16 **MR. RINDONE:** The majority of the effect of such a change in
17 management is largely going to be felt on the South Atlantic
18 side and is not going to impact the Gulf quite so much. One of
19 the appendices, and I think it's Appendix C, looks at changes in
20 -- It looks at the effects of this action and there was a lot of
21 difficulty in trying to do meaningful analyses with respect to
22 the Gulf's landings, because targeted trips for black grouper
23 are fewer and further between.

24
25 Usually when recreational fishermen are going out fishing for
26 black grouper or going out fishing, they might know that they're
27 going to come across black grouper, but it's not as if they are
28 going to a spot that they know specifically has that fish. It's
29 usually they're going after more than just that one species and
30 so the amount of data available to do these analyses was slim.
31 However, for the South Atlantic, there are a lot of targeted
32 trips.

33
34 **CHAIRMAN GREENE:** Any more comments?

35
36 **MR. WILLIAMS:** My comment is we're trying to be consistent
37 between the Gulf and the South Atlantic and I am tempted to move
38 to remove Alternative 6 and 7 both, but I hate getting in the
39 South Atlantic's business and so I am not going to.

40
41 I think I will offer a motion though to remove Alternative 6,
42 removing black grouper from the recreational limit, the
43 recreational aggregate limit. All that would do would be to
44 increase the bag limit for the other groupers, right? **I don't**
45 **think we should do that and so I'm going to move that we move**
46 **Alternative 6 to considered but rejected.**

47
48 **CHAIRMAN GREENE:** We have a motion that she's putting on the

1 board and is there a second for this motion? Mr. Fischer
2 seconds the motion. Any discussion? **Anybody object to the**
3 **motion? Seeing none, the motion carries.**

4
5 **EXECUTIVE DIRECTOR GREGORY:** I just want to say that, for those
6 of you that have been around a while with the council, the
7 aggregate bag limits were established back when we had no stock
8 assessments and we had no idea what the status of the stocks
9 were and we felt like ten snapper was reasonable and five or ten
10 grouper were reasonable for a recreational fishing trip.

11
12 We now know a lot more and I think that at some point in the
13 near future we ought to reconsider what we mean by the aggregate
14 bag limits and things like red grouper and black grouper and gag
15 and mutton snapper and yellowtail snapper and gray snapper, that
16 we can establish individual bag limits for, we consider that and
17 maybe reconsider an aggregate being for the other miscellaneous
18 species and reduce it to five or something, because we're
19 getting more and more to managing specific species and so I
20 think the aggregate bag limit concept may be nearing the end of
21 its useful life.

22
23 **CHAIRMAN GREENE:** I appreciate those comments. Anybody else?

24
25 **MS. LEVY:** Just to make sure I am clear on this action, a lot of
26 these alternatives, I guess other than Alternative 4, 5, and
27 potentially 8, if you choose a suboption under 8e, apply
28 throughout the jurisdiction of whatever we're deciding and so
29 I'm just wondering if that's consistent with what we've been
30 talking about in the prior actions about removing things that
31 apply Gulf-wide or South Atlantic-wide. If we're leaving it in
32 here, is there some particular reason why we would do that for
33 black grouper as opposed to the other species, since we've been
34 talking about getting rid of those kinds of alternatives?

35
36 **CHAIRMAN GREENE:** Anybody? Seeing none, Mr. Rindone.

37
38 **MR. RINDONE:** Thank you, Mr. Chair. Alternative 8 would
39 establish a recreational bag limit for black grouper and you
40 have four options here for an actual bag limit of one, two,
41 three, or four fish per person per day and then Option 8e would
42 apply this bag limit only to the following areas and so you
43 could pick off of Monroe County, which I imagine you guys would
44 like to see changed to the Shark Point/Dade/Monroe delineation
45 previously discussed? If I could get a head nod or something on
46 that if that's correct. Okay.

47
48 Or federal waters off of Florida or everywhere and so to Mara's

1 point of if you don't want this considered for region-wide, then
2 perhaps Suboption 8c shouldn't be considered. Mr. Chair.

3

4 **CHAIRMAN GREENE:** Okay. Anybody?

5

6 **MR. RINDONE:** Any questions?

7

8 **CHAIRMAN GREENE:** Any questions?

9

10 **MR. WILLIAMS:** We were working our way towards trying to set up
11 some special regulations for Monroe County and so that's -- I
12 guess I think we ought to come up with a bag limit for groupers
13 for Monroe County and live with it and leave everybody else
14 alone for the purposes of this.

15

16 I am hesitant to scratch these others if the South Atlantic has
17 left them in as well, but I really think we ought to just do
18 Suboption a off of Monroe County and the Shark Point to Dade
19 County line. **I am going to move that we remove Suboptions 8b
20 and 8c.**

21

22 **CHAIRMAN GREENE:** We are putting a motion up on the board now.
23 While she is getting it on the board, is there a second for
24 this?

25

26 **MR. WILLIAMS:** Hold on. Did I say suboptions, because they are
27 suboptions. Option 8e, Suboptions 8b and 8c. It would be
28 Option 8e, Suboptions 8b and 8c.

29

30 **CHAIRMAN GREENE:** It sound say in Action 11, Alternative 8 and
31 delete the word "Option 8e". Mr. Williams, is that your motion?
32 Is that correct?

33

34 **MR. WILLIAMS:** Yes.

35

36 **CHAIRMAN GREENE:** Is there a second for this motion?

37

38 **MS. BADEMAN:** I could second it if you took out 8b, but there is
39 some issues on the Atlantic coast.

40

41 **MR. WILLIAMS:** Okay and I would make it then just Suboption 8c.

42

43 **MS. BADEMAN:** In that case, I will second.

44

45 **CHAIRMAN GREENE:** Ms. Bademan seconds it and is there any
46 discussion? **Is there any opposition to this motion? Seeing
47 none, the motion carries.** Mr. Rindone.

48

1 **MR. RINDONE:** Thank you, Mr. Chair. Alternative 9 was offered
2 for addition by the South Atlantic Council and this would modify
3 the commercial seasonal closure for black grouper in the Gulf of
4 Mexico and the South Atlantic with three options for January,
5 February, and March. Again, multiple options could be chosen
6 for this.

7
8 If this is something that you guys chose to do, this would
9 affect the commercial IFQ program in the Gulf and would
10 institute a seasonal closure on that program, which currently
11 does not have one. You guys would have to vote to include this
12 into the document.

13
14 **MS. BADEMAN:** I say we leave it alone, but that's just me.

15
16 **CHAIRMAN GREENE:** Okay. Anybody have a desire to do anything
17 differently? Okay and seeing none, Mr. Rindone.

18
19 **EXECUTIVE DIRECTOR GREGORY:** Is there currently a commercial
20 seasonal closure for black grouper in the Gulf?

21
22 **MS. BADEMAN:** No.

23
24 **EXECUTIVE DIRECTOR GREGORY:** So should it say "establish"
25 instead of "modify"?

26
27 **MS. BADEMAN:** I don't want to add it to the document and so I am
28 not going to say either.

29
30 **EXECUTIVE DIRECTOR GREGORY:** You don't want to add it to the
31 document?

32
33 **MS. BADEMAN:** No.

34
35 **MR. RINDONE:** So noted and, Mr. Chair, I will move on. We will
36 go down to Action 12 and so Action 12 would harmonize bag and
37 size limits for species in the shallow-water grouper complex,
38 seasonal closures in federal waters adjacent to Monroe County,
39 and Alternative 2 aims to harmonize the bag limits for species
40 included in the shallow-water grouper seasonal closures in the
41 EEZ off the Gulf and the South Atlantic and Alternative 3 aims
42 to harmonize the size limits for species included in the
43 shallow-water grouper seasonal closures in the EEZ off the Gulf
44 and the South Atlantic and so this action had been asked to be
45 included by the committee, but we didn't get any guidance at the
46 time in terms of what sort of alternatives to consider.

47
48 As you might imagine, there are a great many that could be and

1 so the IPT didn't go forward with including any text in this,
2 because a whole lot more guidance is needed before we start
3 trying to put together some sort of idea of what the committee's
4 intentions were.

5
6 This is also one of those actions that there are other efforts
7 elsewhere in the document which could address some of the
8 concerns that are presented in this action and, additionally, in
9 the case of say black grouper, red grouper, and gag, where you
10 might have differing regulations on the Gulf side or the
11 Atlantic side, there certainly could be faster ways about going
12 about harmonizing those things if both councils wish to do that.

13
14 For example, for gag, the Gulf has a twenty-two-inch
15 recreational size limit and the South Atlantic has a twenty-
16 four-inch recreational size limit and if that was something that
17 both councils wanted to come to terms on, then one council or
18 the other could be the one that made such a change and a
19 framework action could address such a change in a much more
20 abbreviated timescale than a full plan amendment.

21
22 The IPT wanted to make sure that the councils were aware of that
23 option at their disposal before that went into what's been a
24 document that's been long in development.

25
26 **MR. WILLIAMS:** But, Ryan, we are looking -- This applies only to
27 Monroe County, right? I mean there is no intention to seasonal
28 closures in the EEZ of the Gulf of Mexico and South Atlantic.
29 The topic is Monroe County and so we're only looking at Monroe
30 County, right?

31
32 Why wouldn't we just do it all as a single package off of Monroe
33 County and why take a special framework action for this?
34 Couldn't we just do it all as a package and isn't it simpler, in
35 the long run, just to do a package for the Gulf and South
36 Atlantic and get us to agree to these modifications for Monroe
37 County and then put them in place all at once, rather than doing
38 a regulatory amendment and another plan amendment?

39
40 **MR. RINDONE:** If those changes were something that you guys
41 wanted to have happen, I mean you could do them in a plan
42 amendment, but it's something that we currently have the system
43 set up for to do faster that could be done outside of this and
44 so it would really be your choice.

45
46 Now, the language that was put forward by the South Atlantic
47 Council for Alternatives 2 and 3 says in the Exclusive Economic
48 Zone of the Gulf and the South Atlantic and so if this is meant

1 only to apply to Monroe County, then that should be amended to
2 say in federal waters adjacent to Monroe County, but this is
3 just the language that I got from --

4
5 **MR. WILLIAMS:** I am betting that that's what they meant though,
6 because the subject -- The title of it says in the federal
7 waters adjacent to Monroe County.

8
9 **MR. RINDONE:** This is also -- We can -- This is something that
10 we can make that change, but adding in those alternatives is
11 something that we do need a motion from you guys on and you can
12 change that language to be what you think the South Atlantic
13 Council meant, unless Ben has something else that he wants to
14 weigh in on for that.

15
16 **MR. WILLIAMS:** Personally, I don't have any problem with this as
17 long as it's understood that we're trying to fix Monroe County
18 and that's it. We're not trying to do anything else.

19
20 **MR. PERRET:** Look. We are now talking about separate rules,
21 potentially separate rules, and regulations for a specific
22 county and where are going? It seems to me that we're
23 complicating law enforcement.

24
25 How in the world is law enforcement going to be able to enforce
26 different rules and different whatever in one county when they
27 are different in the other counties right on the side? I am all
28 for trying to help south Florida and we've been trying to help
29 south Florida for two hours and we're floundering, in my
30 opinion, but now getting to a specific county rules and
31 regulations? I am not sure that's the direction I want to go.

32
33 I mean this is a federal EEZ and federal fishery management plan
34 and now we're in the waters off a specific county and if it's a
35 problem and something is broke, let's try and fix it, but trying
36 to fix it by a county-by-county basis I think is -- That doesn't
37 seem to be a good approach, in my opinion.

38
39 **EXECUTIVE DIRECTOR GREGORY:** Now, Corky, you're messing with the
40 conch republic. You know they're special.

41
42 **MR. PERRET:** I have been messing with them for thirty years, but
43 my gosh. I thought Florida got away from county rules and
44 regulations in fishery management twenty years ago and we're
45 going right back to where they were?

46
47 **EXECUTIVE DIRECTOR GREGORY:** Now let me explain. The
48 jurisdictional boundary between the Gulf and the South Atlantic

1 Councils --

2

3 **MR. PERRET:** Was litigated years ago.

4

5 **EXECUTIVE DIRECTOR GREGORY:** It was litigated and it was decided
6 that it would split the Florida Keys in half and what we have is
7 a 120-mile long boundary that is extensively fished
8 recreationally and commercially.

9

10 What's being proposed with this short point line, which is not
11 quite the Monroe/Collier County line, but that is an area where
12 -- Okay. Let me step back a minute. Right now, the State of
13 Florida says that if you fish out of Monroe County in state
14 waters that you have to abide by the stricter of the two
15 councils. Now, that sounds good, but you can go outside of --
16 Well, okay.

17

18 **MR. PERRET:** Now we've got a difference of --

19

20 **EXECUTIVE DIRECTOR GREGORY:** You can go outside of state
21 boundaries and abide by the federal law and come in and land
22 catch that's in violation of the state waters and so what this
23 Shark Point line does, it's far enough north of the Florida
24 Keys, where 99 percent of the recreational fishermen will never
25 go that far north, and so the entire Florida Keys region will be
26 under one management jurisdiction of regulations, so that it
27 will reduce the confusion.

28

29 The best example of the confusion is that come January -- On
30 January 1 of this year, red grouper closed on the Atlantic side
31 of the Keys and opened on the Gulf side of the Keys and that's
32 the sort of thing that is driving the fishermen down there crazy
33 and so what we're trying to do is find a way of managing this
34 fishery to reduce the confusion and the regulatory conflicts
35 over this 120-mile long line, where we have very intensive
36 fishing pressure. The concept that we're trying to deal with is
37 valid and it's not just a county. It's a problem that affects a
38 lot of people.

39

40 **MR. PERRET:** My response is any time you draw lines, you are
41 impacting and affecting people. We've got boundary lines
42 between states and a state season in one state opens on a
43 certain date and may close on the other. That happens all the
44 time in various fisheries, but anyway.

45

46 **CHAIRMAN GREENE:** Okay, Mr. Rindone.

47

48 **MR. RINDONE:** Thank you, Mr. Chairman. Anything else for Action

1 12, such as including Alternatives 2 and 3?
2

3 **CHAIRMAN GREENE:** Okay. We have a request by the South Atlantic
4 to add Alternatives 2 and 3 and is there any desire to do so
5 under Action 12?
6

7 **MS. BADEMAN:** I am not totally sure, and I'm with Roy, that I
8 understand what they're trying to do. I mean the way I read it,
9 it was the whole Gulf and the whole South Atlantic, but the
10 action is about Monroe County and so I don't understand what it
11 is and so I don't want to add it.
12

13 **MR. WILLIAMS:** Can Ben help? Does he have any idea what they
14 did?
15

16 **MR. HARTIG:** Yes, don't add it.
17

18 **MS. BADEMAN:** There you have it. Let's move on.
19

20 **CHAIRMAN GREENE:** Hearing no desire to do that, we will move on.
21 Mr. Rindone.
22

23 **MR. RINDONE:** So noted, Mr. Chairman. Action 13 is our last one
24 and I know Corky is smiling now that we're coming towards the
25 end. Action 13 deals with changes to the circle hook
26 requirements in the Gulf and the Atlantic jurisdictional waters
27 and currently, just to give you guys a frame of reference, when
28 fishing with natural bait in the Gulf for reef fish, of course
29 you have to use circle hooks.
30

31 Then in the South Atlantic, if you are north of 28 degrees North
32 and using natural bait, you have to use circle hooks and if
33 you're south of that line, you do not.
34

35 The conflict with this comes down to the Keys, where on one side
36 of the highway you don't have to use circle hooks for reef fish
37 and on the other side you do and so that creates a little bit of
38 a confusion issue for fishermen and Steven can contribute any
39 discussion that the Law Enforcement AP had on that once we move
40 through some of these options.
41

42 Alternative 2 would remove the requirement to use circle hooks
43 when fishing with natural bait only for yellowtail snapper in
44 the EEZ and the Gulf and you have options here for the
45 recreational or the commercial fishing sector.
46

47 Now, the commercial fishing sector fishes for yellowtail snapper
48 in such a way that they chum behind the boats and they bring the

1 fish up right behind the boats and they use what is equivalent
2 to cane poles and very small j-hooks with very small slivers of
3 bait to catch the fish.

4
5 I asked one of the law enforcement guys whether he thought this
6 would be an issue and he said that it's -- It's another
7 different gear regulation, but he didn't think that it was
8 unenforceable and he didn't think that it would be much of a
9 problem and having gone out on one of these trips, they seem to
10 be pretty good at being able to target just yellowtail snapper
11 and if another fish happens to come by, they can very easily
12 avoid such a fish.

13
14 Alternative 3 would remove the requirement to use circle hooks
15 when fishing with natural bait for yellowtail snapper south of
16 28 degrees North in the Exclusive Economic Zone in the Gulf and
17 then you have recreational and commercial options.

18
19 The difference here is that with Alternative 2, that requirement
20 would be removed for yellowtail for the entire Gulf and for
21 Alternative 3, it would just be south of 28 degrees North, which
22 happens to split the area in Texas where they're starting to
23 catch some yellowtail snapper and so north of that line and
24 south of that line you would have differing regulations, similar
25 to what the State of Florida has off of Volusia County.

26
27 Alternative 4 would require the use of circle hooks when fishing
28 with natural bait for all snapper grouper species south of 28
29 degrees North in the EEZ in the South Atlantic and you have
30 options for a recreational and commercial fishing sectors for
31 this alternative and so this would rescind their current
32 management, which does not require circle hooks for that area
33 for those species. You will notice that some of these are just
34 alternatives of each other and that's a NEPA thing.

35
36 Alternative 5 would remove the requirement to use circle hooks
37 when fishing with natural bait for all species in the snapper
38 grouper complex north of 28 degrees North latitude in the EEZ
39 and the South Atlantic and this might be one of those
40 alternatives that is outside of the south Florida purview, but
41 it is something that the South Atlantic had indicated they
42 wanted to leave in there and stop me at any point.

43
44 We only have one more alternative for me to read out and
45 Alternative 6 would remove the requirement to use circle hooks
46 when fishing with natural bait for yellowtail snapper in federal
47 waters from the Dade/Monroe County line in the east to Shark
48 Point in the west and then, again, options for the recreational

1 and commercial sectors. This would remove that requirement just
2 for that area of Monroe County. Mr. Chair.

3
4 **CHAIRMAN GREENE:** Any desire to do anything here? Seeing none,
5 okay. Does that complete your portion of it, Mr. Rindone?

6
7 **MR. RINDONE:** Steven has got something.

8
9 **CHAIRMAN GREENE:** Okay and Mr. Atran will go through the next
10 part.

11
12 **MR. ATRAN:** I already mentioned what the law enforcement comment
13 was on circle hooks with species-specific exemptions. They
14 indicated that is an enforceable situation. However, they also
15 added that this action -- When talking about a gear restriction,
16 they felt that an education program is more productive than
17 enforcement of a gear restriction.

18
19 As an example, they pointed to venting tools. A few years ago,
20 the council removed its requirement that venting tools be
21 possessed and used on reef fish and instead, embarked on an
22 education program.

23
24 Venting tools are very good when the situation is appropriate
25 for them, but it's not always an appropriate situation and I
26 think that's the way they were viewing the use of circle hooks.

27
28 **CHAIRMAN GREENE:** Okay and is that it for this? We are behind
29 and so we're going to keep on working. If you need to take a
30 break, do so at your own leisure, but we're going to move on.

31
32 I had one question for Dr. Patterson. It was my understanding
33 yesterday, Dr. Patterson, that you are not going to be here
34 tomorrow and is that correct?

35
36 **DR. PATTERSON:** No, I will have to be here tomorrow as well.

37
38 **CHAIRMAN GREENE:** Okay. Thank you. We are going to move back
39 to where we were prior and we're going to pick up on Item Number
40 VI, which is Options Paper Framework Action to Adjust Gag ACL
41 and Season, Tab B, Number 6, and Mr. Atran will lead us through
42 that.

43
44 **OPTIONS PAPER FRAMEWORK ACTION TO ADJUST GAG ACL AND SEASON**

45
46 **MR. ATRAN:** Thank you. First of all, I want to apologize for
47 the length of the History of Management section. This is a
48 twenty-one-page document and fifteen pages of that ended up

1 being the history of management. I promise I will shorten it
2 for the next version of this.

3
4 We have got two actions in here and as you may recall, the
5 SEDAR-33 benchmark stock assessment on gag was conducted last
6 year and the stock is no longer overfished or experiencing
7 overfishing and it is fully rebuilt. However, there were some
8 concerns about what impact last year's red tide event may have
9 been having on the gag stock.

10
11 Some additional analysis of the red tide event that was done by
12 the Florida Fish and Wildlife Research Institute revealed that
13 their model showed that the red tide event was not as toxic as
14 the one in 2005 and it was a much shorter-lived event and
15 essentially the red tide impacts in 2014 were no worse than in a
16 normal year and so the SSC came back and they revised what had
17 been a very conservative ABC recommendation to coming up with
18 the full ABC that's recommended under the ABC control rule.

19
20 This would, for 2015 at least, result in about a 67 percent
21 increase over what the current ABC is and so we've got two
22 actions in here. One action is for alternatives to modify the
23 annual catch limit and the annual catch targets for gag and then
24 the other option is to modify the closed seasons for gag on the
25 recreational sector and so Action 1, which is on page 16 of the
26 options paper, has four alternatives in it.

27
28 Alternative 1 is the no action alternative and it would maintain
29 the catch limit and catch targets at the existing levels. This
30 is an increase from 2014 that was already built into the
31 codified regulations, but it's only a small increase. We went
32 from a 2.82-million-pound ABC in 2014 to a 3.12-million-pound
33 ABC in 2015.

34
35 One feature that's in place right now that we are not proposing
36 to continue is on the commercial side, at the time that the
37 previous stock assessment was done for gag, the very restrictive
38 quotas had just been put into place and there was concern that
39 on the commercial side, because of inadequate IFQ shares to
40 retain gag, it would be additional gag discards and discard
41 mortality that wasn't being taken into account in the stock
42 assessment.

43
44 We established an ACT on the commercial side, even though it's
45 an IFQ stock. We don't normally do that, but because of the
46 concern about this additional mortality, we established what I
47 believe was about a 14 percent buffer below the ACL and so we
48 had an ACT which ended up being the quota.

1
2 The latest stock assessment does consider discard mortalities
3 within the IFQ program and so it's no longer necessary to put a
4 buffer in place and so in all of the alternatives other than the
5 no action, we are proposing to have no commercial ACT and the
6 quota would be set to the commercial ACL.

7
8 On the recreational side, there is an ACT, based upon the
9 ACT/ACL control rule, that recommended that we have an 8 percent
10 buffer and so all of the alternatives for the recreational side
11 would set the ACT 8 percent below the ACL for that sector.

12
13 Alternative 2 would set -- The SSC recommended three years of
14 yields, 2015, 2016, and 2017. In actual practice, we are
15 planning to bring back a document for final action in June, but
16 it's very iffy whether or not it will be able to be approved and
17 put in place in time for the 2015 season. If it does, it will
18 come very late in the season and so chances are that increase
19 for 2015 will not be able to be harvested by either the
20 commercial or the recreational sector.

21
22 Alternative 2 would set the overall ACL at the ABCs recommended
23 by the SSC for those three years and this is a declining
24 sequence of ABCs, which we've also seen with red snapper. In
25 2015, we would have a 5.12-million-pound ACL and that would drop
26 to 4.75 million pounds in 2016 and then 4.57 million pounds in
27 2017.

28
29 On the recreational side, you can read the whole thing and so
30 I'm not going to do the whole thing, but it's just in 2015, the
31 ACL, which is 61 percent of the total ACL, would be 3.18 million
32 pounds. With the 8 percent buffer, the ACT would be 2.93
33 million pounds.

34
35 On the commercial side, the ACL, which is 39 percent of the
36 total ACL, would be 2.03 million pounds and that would become
37 the commercial quota and then there's a declining sequence,
38 which you can see up on the screen and I don't think I need to
39 read those in.

40
41 Alternative 3 and Alternative 4 would apply a constant catch ACL
42 and ACT. This is if you wish to avoid having to reduce the
43 catch limits over time. In order to go with the constant ACL
44 and ACT, since we cannot exceed ABC in any of these three years,
45 we would have to go with the minimum, the smallest, ACL for
46 those three years, which is the 4.57 million pounds from 2017.

47
48 Alternative 3 would set a constant catch ACL, overall ACL, of

1 4.57 million pounds. On the recreational side, that would
2 result in a recreational ACL of 2.79 million pounds and a
3 recreational ACT of 2.57 million pounds. On the commercial
4 side, it would be a commercial quota, an ACL, of 1.78 million
5 pounds.

6
7 Alternative 4 is also a constant catch, but it looks at what the
8 equilibrium optimum yield would be. Optimum yield is our
9 ultimate goal that we want to get to eventually and according to
10 the stock assessment, the projections said that optimum yield
11 would reach equilibrium at 4.46 million pounds and so
12 theoretically we should be able to set an ACL at 4.46 million
13 pounds and never have to alter it again. Of course, that's
14 theoretical and who knows what the next stock assessment will
15 say.

16
17 That would break down into a recreational ACL of 2.72 million
18 pounds with a recreational ACT of 2.5 million pounds and the
19 commercial quota and ACL would be 1.74 million pounds and so
20 that was to provide what we felt would be a suitable range of
21 alternatives for the council to consider and are there
22 questions?

23
24 **MR. DIAZ:** Did the SSC have any discussions or concerns about
25 the low percentage of males in the population? That will make a
26 difference in how I vote on this.

27
28 **MR. ATRAN:** There was some discussion on whether or not there
29 was some recruitment limitations. However, although the most
30 recent two years for which the recruitment indices were
31 available are among the lowest on record. Going back over the
32 recent years, not the two years immediately prior, but I think
33 two years before that, were among the highest on record and so
34 even with the low levels of males, there seemed to be a lot of
35 recruitment, depending upon some other factors, and the SSC
36 didn't feel that the male limitation was causing the low
37 recruitment.

38
39 **CHAIRMAN GREENE:** Thank you. Are we looking for preferreds at
40 this time?

41
42 **MR. ATRAN:** You don't need preferreds at this time unless you
43 want, but if this looks like a reasonable range of options, we
44 will come back with these as the formal options for the
45 framework action.

46
47 **CHAIRMAN GREENE:** Okay.

48

1 **MR. ATRAN:** The next action is Action 2, modifications for the
2 recreational gag grouper fishing season. We are going to need
3 some guidance from the council on some of the alternatives in
4 here. Right now, the recreational season for gag is July 1
5 until December 3.

6
7 We have a fixed closed season that runs December 3 to December
8 31. That is really no longer needed and so the no action
9 alternative would leave the current seasons in place.
10 Alternative 2 would eliminate that December 3 to 31 closed
11 season.

12
13 When it was put in place, the original intent was that there
14 would be a floating closure and that NMFS would reevaluate how
15 long the recreational sector was taking to fill its ACT and
16 adjust the closed season accordingly, but the first year that
17 they did that, they determined that December 3 was when it would
18 be reached and they ended up implementing that as a fixed closed
19 season rather than a floating one.

20
21 Right now, if we don't change the starting date of the opening
22 of the season, I can guarantee you that we can go to December 31
23 and the recreational sector will not have filled its allocation
24 and so this fixed closed season in December, there is really no
25 reason to have it anymore and so we have an alternative to
26 eliminate that.

27
28 That can be an alternative plus one of the other alternatives.
29 Alternatives 3 and 4 would adjust when the season opens and
30 Alternative 3 is based upon having a single continuous
31 recreational season and Alternative 4 is based on having a split
32 season.

33
34 Alternative 3 would retain the single season that would last
35 until the ACT is projected to be reached. If that involves
36 moving the starting date up to the point where it falls
37 somewhere in the February or March period, that February/March
38 closed season in waters deeper than twenty fathoms would still
39 be in effect and so for that period of time, we would only be
40 opening the gag stock in waters shallower than twenty fathoms.

41
42 The proposal in Alternative 3 is to try to keep the season open
43 through the end of the year and in order to do that, we would
44 project backwards. If we close the season on December 31, when
45 would the appropriate opening date be so that we reach the ACT
46 on the 31?

47
48 We don't have the decision document yet to be able to calculate

1 that, but the NMFS Regional Office analysts have done decision
2 spreadsheets in the past and I'm sure they can do it again that
3 would help us evaluate the season lengths.

4
5 The question here would be what level of catch to use for
6 calculating that and Option 3a would use the ACT that's proposed
7 for 2016 if we were to do the three-year variable ACTs of 2.67
8 million pounds. That would give us the longest season.
9 However, since the ACT goes down in subsequent years, there is a
10 possibility that we could see a closure near the end of the year
11 in those subsequent years.

12
13 Option 3c would use the smallest ACT that's being considered,
14 which is 2.5 million pounds on the recreational side. That
15 would be the smallest number of days for the recreational
16 sector, but it would be much less likely that we would run into
17 an ACT closure late in the year and then Option 3b uses the 2017
18 ACT, which is in between those two.

19
20 Alternative 4 would implement a split season. We would have
21 perhaps a spring season or a winter season and then maybe a fall
22 season. One important thing is to try to have enough separation
23 so that we could get time to get the MRIP data and get an
24 estimate of what the catch is during the first season, so we
25 would know how much quota is left over for the second season.

26
27 We would like to get -- If we leave this alternative in place,
28 if you want to consider split seasons, we would like to get some
29 guidance from the council as to what opening dates you would
30 like us to look at.

31
32 The other thing is whether or not to establish the first closed
33 season as a fixed number of days or a fixed percentage of the
34 catch. If we were to say it's going to be a fixed number of
35 days, say sixty days, then regardless of how much is caught, you
36 would have a sixty-day season, unless you catch the entire quote
37 in less time. Then, once we have the estimates of the catch
38 during that period, the length of the second season could be
39 calculated.

40
41 The other way to go would be to have a fixed percentage. Say,
42 for example, we want to have 50 percent of the recreational
43 quota caught during season one and then we would have to
44 calculate a projection of how long it would take to reach 50
45 percent during season one and that means that the season length
46 would float from year to year. Again, when the season ends, we
47 would have to get data on what was actually caught and then
48 calculate how long the second season would be.

1
2 The two things we're seeking some guidance on is if we go with
3 split seasons, what time periods in the calendar year do you
4 want to consider those two seasons and do you want the first
5 season to be based on a fixed number of days or a fixed
6 percentage of the quota?

7
8 **MS. BADEMAN:** I have lots of things to say about this one. My
9 first thing I will say is with Alternative 3, how you have the
10 floating opening date, I guess my question is for Steve. Is
11 that going to give you guys enough time to look at the MRIP data
12 from the previous year and come up with a projection and have an
13 opening date? I am a little bit concerned about that one.

14
15 It seems like a lot of times we don't have final MRIP data from
16 the previous year until March and if the season is going to open
17 potentially in the spring, and I don't know when this would
18 happen, it just seems like it might be setting you up for some
19 tight turnarounds.

20
21 **DR. CRABTREE:** I agree with you that it's a problem and it would
22 make more sense, to me, to just back up the opening date by some
23 fixed period of time and then start fishing then.

24
25 **MS. BADEMAN:** I think I would rather see, for a continuous
26 season option, a fixed opening and closing and that closing
27 could be December 31 and I think that's fine, but just something
28 fixed in time, where we're not trying to rush and get these
29 calculations in every year. I don't know when that opening
30 would be, because I guess it depends on what we choose in Action
31 1, but I would rather see a fixed opening and a fixed closing,
32 if we can do it. That makes it a lot easier from a state
33 perspective, for consistency purposes.

34
35 **CHAIRMAN GREENE:** I agree with you on that. Does anybody else
36 have any comments? Okay. All right, Mr. Atran.

37
38 **MR. ATRAN:** I will carry that comment back to the IPT. If we
39 decide to just use options for set fixed opening dates, I don't
40 think we can do a fixed closing date, because you're still going
41 to be subject to an ACT, but we can try to get some analysis as
42 to what opening date in 2016 would get us through to December 31
43 and use that as a continuous fixed date until subsequently
44 changed and maybe give a couple of options above and below that.

45
46 One thing I don't think I mentioned is we're not going to be
47 able to move the July 1 opening date this year. There simply
48 isn't time to get a framework action in place. We might be able

1 to get rid of the December closed season, but we can't move the
2 July 1 opening season until 2016.

3

4 **CHAIRMAN GREENE:** Okay. Good point. Any other questions?

5

6 **MS. BADEMAN:** I guess I will comment on Alternative 4, because
7 Steven was looking for some guidance on if we had a split season
8 when to open. I think we would like to see opening in the
9 spring and I don't know if that's March or April, something like
10 that. Again, I guess it depends on what happens in Action 1 and
11 the number of days we have, but fall also is something that we
12 hear about a lot. I know that summer is important too and so
13 it's hard to say, but some combination of spring, summer, and
14 fall are pretty important.

15

16 **CHAIRMAN GREENE:** I think that's pretty well understood. Any
17 other comments, Mr. Atran, or anything else or are you finished
18 with this portion?

19

20 **MR. ATRAN:** No, I am finished. You might want to think about
21 that and if you can give us a little bit more guidance at full
22 council, I would appreciate it, but I think the IPT can probably
23 work with what you have suggested.

24

25 **MS. BADEMAN:** I mean once we have some numbers in front of us,
26 if we have a pretty long season that would be continuous, we can
27 probably drop the split season option, in my opinion, but it's
28 hard for me to recommend something without having some data to
29 go off of.

30

31 **CHAIRMAN GREENE:** I agree with you. All right. We're going to
32 move on to the next agenda item, which will be Final Action
33 Framework Action for Modifications to Greater Amberjack
34 Allowable Harvest and Management. Item Number a is Review of
35 Framework Action, Tab B, Number 7(a), and Dr. Froeschke.

36

37 **FRAMEWORK ACTION FOR MODIFICATION TO GREATER AMBERJACK HARVEST**
38 **AND MANAGEMENT**
39 **REVIEW OF FRAMEWORK ACTION**

40

41 **DR. JOHN FROESCHKE:** Good afternoon. I hope you guys have your
42 decision-making hats on and are ready to pick some options. The
43 last time we looked at the document, we agreed that we would
44 bring a document back to you that was complete, which we have
45 done, minus some editorial things.

46

47 What we did not do last time was select preferred alternatives,
48 which are necessary to complete the document, and then

1 ultimately take final action during full council, if you want.
2

3 A brief overview of the document, we are adjusting the ACL and
4 considering changes to the recreational size limit and potential
5 closed season and considering changes to the commercial trip
6 limit.
7

8 Action 1 is the first thing we need to discuss and that's the
9 modifications to the annual catch limits and annual catch
10 targets. There are four alternatives. Alternatives 2 and 3
11 have some suboptions for your consideration and I guess I will
12 open it up here, unless you want me to go over them first.
13

14 **CHAIRMAN GREENE:** Unless someone has the desire to go ahead and
15 make a preferred, I would just go ahead and --
16

17 **DR. FROESCHKE:** We are on Action 1, modifications to the ACL and
18 ACT.
19

20 **MS. LEVY:** This is on the agenda for final action. My
21 suggestion would be to talk about what your preferred would be
22 for -- We talked about this at the last meeting and I think we
23 heard public testimony and we're talking about it again.
24

25 At some point we've got to pick preferreds here and you need to
26 give people an indication of what you're thinking about doing
27 and with respect to the things in Action 1, the ACLs, et cetera,
28 I would think about this in the context of the fact that we have
29 a species that we had a rebuilding plan for that ended, but it's
30 still showing it's undergoing overfishing and overfished and so
31 my recommendation would be to be conservative, but at least talk
32 about what these alternatives are and talk about -- Pick one and
33 why you picked it.
34

35 **DR. CRABTREE:** We have been struggling with amberjack for a long
36 time and it seems like with almost every assessment we get these
37 projections that show the TAC can go up very rapidly and then
38 when we get the new assessment, we find out that we are still
39 overfished and overfishing.
40

41 I guess this time I would be inclined to take a lesson from the
42 past and go with Alternative 3, either a or b, and just set the
43 TAC at a level and leave it there and then come back in and do
44 an update or a new stock assessment, but these scenarios that
45 show the quotas going up so rapidly just worry me, because it
46 just doesn't seem to ever work out that way. At least it hasn't
47 in the past and I would hate to see us get ourselves in a
48 position where several years from now we are stuck with even

1 deeper cuts than what we're looking at right now.

2

3 **MR. DIAZ:** Is that in the form of a motion, Dr. Crabtree?

4

5 **DR. CRABTREE:** I will make a motion that we select Alternative
6 **3, Option a as the preferred.**

7

8 **MR. DIAZ:** I will second for discussion.

9

10 **CHAIRMAN GREENE:** She is getting on the board and it has been
11 seconded by Mr. Diaz for discussion. It would be Action 1,
12 Alternative 3a and is that correct, Dr. Crabtree? In Action 1,
13 it would be to have Alternative 3a?

14

15 **DR. CRABTREE:** Yes, a.

16

17 **CHAIRMAN GREENE:** That would be the preferred alternative and is
18 that correct?

19

20 **DR. CRABTREE:** That is correct.

21

22 **CHAIRMAN GREENE:** Mr. Diaz has seconded it and is there any
23 discussion about this particular item? I think Dr. Crabtree
24 laid it out pretty well with that and is there anybody that
25 objects to this motion?

26

27 **MR. DIAZ:** I don't know if I'm objecting, but I guess I was
28 going to put some of my thoughts on the record. I do agree that
29 we we've got a fishery here that's overfished and it's
30 undergoing overfishing and both the commercial sector and the
31 recreational sector have been over their allowable catch for
32 four years in a row and I agree with Dr. Crabtree that we have
33 to do anything.

34

35 My initial thought was to implement a buffer and do Alternative
36 2, Option b. I am listening to Dr. Crabtree's comments and the
37 first year, the ACT is not much different than what we're
38 looking at and so in the spirit of knowing that we have to act
39 on this species and it is something that is way outside the
40 bounds of what we're trying to do, I will support the motion.

41

42 **CHAIRMAN GREENE:** Okay. Any further comments? We will go ahead
43 and vote it up or down. **Is there anybody in opposition to this**
44 **motion? Seeing none, the motion carries.** We will move on to
45 the next item, Dr. Froeschke.

46

47 **DR. FROESCHKE:** Action 2, there are two parts of this. These
48 are regarding recreational management measures and so let's do

1 Action 2.1 first and this is consideration of modifying the
2 minimum size limits for the recreational greater amberjack.

3
4 For those of you that have been on the council for a while, you
5 have done this before in Amendment 30A, as well as Amendment 35.
6 Last time we considered this, you took no action and, again, we
7 are here and the rationale, at least for considering this, is
8 illustrated pretty well in Figures 2.2.2 and Table 2.2.1, with
9 the idea that thirty inches, which is the current size limit,
10 the vast majority of females are not reproductively mature at
11 this time and so a good rule of thumb is 50 percent of the
12 individuals and it will give them at least one change to spawn
13 before they reproduce.

14
15 The management measure alternatives that we have, thirty-two,
16 thirty-four, and thirty-six, would achieve that or at least
17 thirty-two would be about 45 percent and thirty-four would be 85
18 and thirty-six is 97 percent, based on the science we have
19 today.

20
21 **CHAIRMAN GREENE:** Thank you. Does anybody want to move a
22 preferred alternative on Action 2?

23
24 **MS. BADEMAN:** I will throw one out there. **I will make a motion**
25 **to, in Action 2.1, make Alternative 3 the preferred alternative.**
26 That's thirty-four inches.

27
28 **MR. MATENS:** Second.

29
30 **CHAIRMAN GREENE:** It's been moved and seconded by Camp Matens
31 and let's get the motion up on the board. While we're doing
32 that, Dr. Froeschke.

33
34 **DR. FROESCHKE:** One thing maybe is a bit out of order, but Emily
35 wasn't able to attend and we received three public comments and
36 at some point I guess I should probably just cover those and not
37 in great depth, but is now an okay time to do that?

38
39 **CHAIRMAN GREENE:** Absolutely.

40
41 **WRITTEN COMMENTS RECEIVED**

42
43 **DR. FROESCHKE:** We received three and one, I will just briefly -
44 - Increase the size limit to a thirty-four-inch fork length and
45 a commercial trip limit to remain at 2,000. A second one
46 suggested a thirty-two-inch fork length for the catch and a
47 1,500-pound trip limit. A third one was more broad and it was
48 essentially to implement measures to immediately end overfishing

1 and to identify rebuilding dates so that the council can select
2 catch limits and act immediately to implement measures necessary
3 to achieve rebuilding in the shortest time possible. That's the
4 comment we've received so far.

5
6 **CHAIRMAN GREENE:** Thank you for those comments. We had a motion
7 on the board that we were working with that had been moved and
8 seconded and I want to make sure it's correct. It's in Action
9 2.1 to have Alternative 3, which is thirty-four inches for those
10 of you not looking at a document, and it has been seconded. Any
11 further discussion?

12
13 **MS. BADEMAN:** I was just going to say I think we've heard from
14 the public a lot about this and I think there's been a fair
15 amount of support for thirty-four inches as the minimum size.
16 Also, if you look in the document, this gets us to a point where
17 80 percent of females are reproductively mature before they are
18 entering the fishery and so that's a good thing.

19
20 **MR. DIAZ:** I just want to get on the record and say that I have
21 talked to several people in Mississippi and asked for their
22 input on size limits and, for the most part, they are split
23 between thirty-four and thirty-six and they can accept either
24 one of those and so that's the feedback from the people that
25 I've talked to and that includes a few charter boat fishermen
26 and a few private recreational.

27
28 **MR. FISCHER:** Some of what I'm going to say is just a recap, but
29 similar to what Dale said, I spoke to charter boats and I spoke
30 to private recreational and they are content with either. Of
31 course, if they could get many more days or go without a
32 closure, they would go to thirty-six inches, but I think we know
33 that's not realistic.

34
35 Thirty-six inches is the commercial size limit and so thirty-
36 four inches doesn't exactly match commercial, but maybe there's
37 a little more release mortality on the recreational side than
38 the commercial side. We are content either way. The object is,
39 as everyone is saying, that we have to get above that 50 percent
40 spawning figure and if this pushes us up in the eighties -- I
41 don't know if there's a big difference being in the eighties or
42 being up in the nineties on the amount of mature fish before you
43 harvest them. It's all going to help and so whatever the motion
44 was, thirty-four or thirty-six, I think we're good with it.

45
46 I do understand south of Apalachicola that there may be a
47 problem with a much higher size limit and I think we will have
48 people come to the podium and they may express either way,

1 meaning not to go to thirty-six inches. It may be a great
2 compromise.

3
4 **CHAIRMAN GREENE:** Thank you for your comments. I've got a
5 motion on the board and it's been seconded and we've had
6 discussion and we might as well keep going. **Any opposition to**
7 **the motion on the board? Seeing none, the motion carries.** Dr.
8 Froeschke.

9
10 **DR. FROESCHKE:** Action 2.2 considers modifying the recreational
11 closed seasons for greater amberjack. Just a quick overview is
12 the commercial has a March to May closure that is thought to
13 coincide with the period of maximum reproductive activity.

14
15 The recreational currently has a June 1 through July 31 closed
16 season that we implemented a couple of years ago and the idea
17 was to provide a closure to extend the season outside of the
18 timing of the red snapper season, which that's about what it was
19 when we did it. Given that that is a different world now, we
20 did present some options if you want to reconsider that.

21
22 **CHAIRMAN GREENE:** Okay. Thank you. Action 2.2, does anybody
23 want to move a preferred at this time?

24
25 **MR. DIAZ:** I will throw one out there for discussion. **I will**
26 **make a motion that we make Alternative 3 the preferred in Action**
27 **2.2.**

28
29 **CHAIRMAN GREENE:** We have a motion on the floor in Action 2.2 to
30 select Alternative 3, which will be to modify the recreational
31 season closure to March 1 through May 31. Mr. Fischer seconds
32 it. Is there any discussion on this?

33
34 **MR. BOYD:** Just refresh my memory. When is the spawning season
35 for these fish? Is it the March timeframe? Thank you.

36
37 **MR. DIAZ:** I would just like to provide a little bit of
38 rationale. Last May, May of 2014, the Mississippi Department of
39 Marine Resources held a Red Snapper Summit and one of the things
40 that had a good majority of support from the fishermen that
41 attended the summit was they were asking for multiple species to
42 harvest whenever red snapper season was open.

43
44 Backing up this closed timeframe from March 1 to the 31 would
45 accomplish that. It also closes the fishery during the peak
46 spawning seasons and, again, from personal conversations that
47 I've had with fishermen along the Mississippi coast, they all
48 agreed that this was a good alternative.

1
2 **DR. CRABTREE:** The only thing I would point out is that you are
3 going to close quite a bit earlier, I think, if you make this
4 shift, because most of these fish are being caught during the
5 summer. You are potentially closed by July or so and I think if
6 you look at -- There is a Table 2.2.2 and you don't get as many
7 days if your closure is March 1 to May 31 as you do June 1
8 through July. I agree it has the benefit of spawning season and
9 that kind of thing, but just be aware that that will be one of
10 the impacts of it.

11
12 **MR. FISCHER:** Echoing what Dale said, one of the other is the
13 compatibility with the commercial closure for enforcement
14 reasons. That way, recreational and commercial would be closed
15 together and I do understand what Roy says when you look at the
16 total amount of dates.

17
18 I think that what we're getting from our fishermen is not number
19 of days, but number of quality days and they would like to see
20 the summer months open and I think looking at the amount of
21 dates we would have open on the chart, this could get us through
22 the summer and they were not satisfied. We were reminded many
23 times they were not satisfied with the summer closures.

24
25 **CHAIRMAN GREENE:** Okay. Any further discussion? We have a
26 motion on the board in Action 2.2 to select Alternative 3 to be
27 the preferred alternative. The motion has been seconded. **Any**
28 **opposition to this motion? Seeing none, the motion carries.**
29 Dr. Froeschke.

30
31 **DR. FROESCHKE:** Moving along, Action 3 concerns the commercial
32 management measures and if you recall, this is the one that we
33 talked about a lot last time and much of the discussion regarded
34 the usage of whole weight and gutted weight and last time, you
35 had asked that, for the action alternatives at least, that we
36 redo them in terms of gutted weight, since that's how they're
37 actually landed, and so that's what we've done.

38
39 Alternatives 2, 3, 4, and 5 are now 1,500 pounds gutted weight,
40 1,000, 750, and 500. The Alternative 1 is the no action and we
41 left that the same. We converted it in the wording, but it's a
42 2,000 pound whole weight, which is equivalent to the 1,923 pound
43 gutted weight. The current regulations are specified in whole
44 weight. This would be one way to slow the harvest of the
45 commercial fishery and so it's open for discussion.

46
47 **CHAIRMAN GREENE:** Is there discussion on Action 3, the
48 commercial? Does anybody want to move a preferred at this time?

1
2 **MR. PEARCE:** I am not on your committee, Johnny, but the 2,000
3 pound whole weight and 1,923 pound gutted weight has worked very
4 well for the commercial fishery and I think I would like to see
5 it stay that way, but, of course, I'm not on the committee and
6 so if anyone on the committee would make a motion, that would be
7 preferable to the commercial industry in Louisiana.

8
9 **CHAIRMAN GREENE:** Thank you for your comments. Anybody else?

10
11 **MR. WALKER:** I would move Alternative 1, 1,923 gutted and 2,000
12 pound whole weight.

13
14 **CHAIRMAN GREENE:** Action 3 --

15
16 **MR. WALKER:** Yes, Action 3 and it's Alternative 1 and is that
17 right?

18
19 **CHAIRMAN GREENE:** Yes and it should read: In Action 3 that
20 Alternative 1 be the preferred. There's a motion on the board
21 and we just need to clean it up and it's Action 3. There is a
22 motion on the board and it has been seconded. Discussion?

23
24 **MS. BADEMAN:** I am not so sure about this one. I seem to be
25 remembering that there were some people that were in favor of
26 the 1,000 pound gutted weight limit, just so they could get some
27 more spread out harvest a little bit. I will reserve judgment
28 until full council, but --

29
30 **MR. WALKER:** I heard a lot of 1,500 pounds. We're just trying
31 to pick a preferred alternative right not and then maybe when we
32 get some testimony, we can decide if we want to move it to 1,500
33 or 1,000, but most of what I heard from industry is 1,500 to
34 2,000.

35
36 **MR. DIAZ:** I look forward to hearing some public testimony also,
37 but before the meeting when I read through this document, on
38 Action 1, I was kind of thinking that we would implement a 20
39 percent buffer or a bigger buffer than what we have.

40
41 Right now, we are really not doing anything different for the
42 commercial and the commercial has went over the amount it could
43 harvest four years in a row and so that's my concern with going
44 with Alternative 1.

45
46 I do think we have to do something to try to make sure that we
47 don't go over on the commercial side and I'm not sure we're
48 addressing that where we're at right now. Thank you.

1
2 **CHAIRMAN GREENE:** Good point. Any further discussion? We will
3 go back to the motion on the board in Action 3 to select
4 Alternative 1 to be the preferred alternative. **Any opposition**
5 **to this motion? Seeing opposition, we have got three opposed.**
6 **All those in favor of this please raise your hand. The motion**
7 **fails three to six. I did ask for opposition first, because we**
8 **were on the string of that and so that is correct and the motion**
9 **did pass six to three.**

10
11 I did ask for opposition first. That's the way we've done it
12 all day and so I figured we would just keep going and I was
13 going to just go right on through it. All right. The motion
14 did pass and there is anybody that wants to reconsider because
15 they were confused? Seeing none, we're going to move on, Dr.
16 Froeschke.

17
18 **DRAFT CODIFIED REGULATIONS**
19

20 **DR. FROESCHKE:** We do have codified text, draft codified text.
21 It's obviously somewhat incomplete in that we didn't select
22 preferred alternatives until just now, but they are here for
23 your review.

24
25 I will let you know the document is complete, minus the sections
26 that we can't complete until the preferreds, and then there is
27 some editorial things that need to happen in the effects
28 sections. If you are comfortable in recommending this for final
29 action, we can take a motion to do that or I guess we could push
30 it off until a different time.

31
32 **CHAIRMAN GREENE:** What's the pleasure of the committee? Seeing
33 none, I guess we will pick it up at full council. Just looking
34 back at the agenda, is there any other written comments received
35 by Emily or did you take care of all those earlier, Dr.
36 Froeschke?

37
38 **DR. FROESCHKE:** I did. I think we could look at the Reef Fish
39 AP. I think they may have had some.

40
41 **CHAIRMAN GREENE:** Okay. Are there Reef Fish AP comments?
42 Seeing no one jumping up over that one, the Draft Codified
43 Regulations, we just discussed that we're going to pick that up
44 at full council and are there any further committee
45 recommendations for amberjack before we leave? All right. Now
46 we are going to move into Scoping Summaries of Amendment 36, Red
47 Snapper IFQ Modifications, a review of the scoping document, Tab
48 B, Number 8(a), and Dr. Lasseter.

1
2 **SCOPING SUMMARIES AMENDMENT 36 RED SNAPPER IFQ MODIFICATIONS**
3 **SCOPING SUMMARIES**
4

5 **DR. LASSETER:** Thank you very much, Mr. Chairman. Here we go
6 and as Mr. Greene just said, this is Tab B, Number 8(a),
7 Modifications to the Red Snapper IFQ Program, Reef Fish
8 Amendment 36.
9

10 This is just a version for committee discussion. I did want to
11 go over all the scoping comments. I am concerned, in the
12 interest of time -- I am going to make this a little briefer
13 than I was expecting.
14

15 I want to say a few words about scoping. At your June meeting
16 last year, June 2014 meeting last year, the council passed a
17 motion in the Outreach and Education Committee to revamp the
18 scoping process and so this was our first time holding this new
19 form of scoping meetings.
20

21 If anybody attended the RAP sessions last year, the Recreational
22 Angler Participation sessions, these scoping workshops were
23 modeled very much on those. They are more participatory and we
24 would have group discussions about each of the items or issues,
25 in contrast with having an initial presentation followed by
26 individuals giving public testimony.
27

28 In this way, we engaged, I think, the audience much more
29 directly with the issue that we were addressing and I would be
30 happy to talk with anybody more about how they went, in the
31 interest of time, afterwards.
32

33 You have also received two versions of the scoping comments. In
34 the briefing book are individual summaries from each of the
35 seven locations that we went to. In this presentation I'm about
36 to go through here, I have aggregated all of the comments around
37 each issue from all of the locations together, so that we can
38 look at each issue in order. A version of that just stand-alone
39 has been emailed to you just a couple of hours ago as well and
40 we're going to put those two together and they will be
41 incorporated in the final document.
42

43 When I do go through the scoping comments further in the
44 document, you can see these little abbreviations and I have
45 identified from where each comment was made and a lot of them
46 will be repeated.
47

48 You will see several of the locations identified and this little

1 key is also in the email that you received and then a word about
2 the written and online comments. We did only receive three
3 comments from the beginning of this year and I have appended a
4 summary of those at the very end of these comment summaries,
5 because they did not necessarily mesh as much with the
6 discussions that we had in person.

7
8 Let's take a look at the purpose and need right here. This is
9 located on page 5 of your document and I wanted to say a couple
10 of words about the purpose and need as we move forward from the
11 scoping process and so right now we have -- The IPT has put the
12 purpose of this action is to consider modifications to improve
13 the performance of the red snapper IFQ program.

14
15 Something to keep in mind as we are evaluating the items for
16 consideration here is that any action that we take must be
17 consistent with the purpose and need, goals of the program, as
18 well as other applicable law.

19
20 If one or the other of these needs to be changed, we need to
21 come back and discuss the purpose and need and I am going to
22 point out one thing. We started this process some time ago and
23 so some of the issues as we go through them may not be as
24 applicable today. They may not be as pressing issues as they
25 might -- As they were perceived to be a couple of years ago.

26
27 Finally, in relation to the purpose and need, we want to be
28 focusing on what is the problem or issue that we are trying to
29 address and also be thinking about how to execute what it is
30 that we want to do. The vocabulary in the program is very
31 specific. The structure of the program and that way that people
32 move allocation between accounts, whatever you may wish to do
33 with the program, we have to figure out how we could actually
34 execute and operationalize any of those ideas.

35
36 Here is our scope of potential actions and just as a reminder,
37 these were brought to you previously and they came from three
38 sources: from previous council discussions, the conclusions and
39 recommendations of the five-year review, and from the
40 recommendations from the Ad Hoc Red Snapper IFQ AP.

41
42 I am going to go first through all of the items briefly, just as
43 an overview of what we were scoping, and then we'll go through
44 the comments for each one of them.

45
46 We took this big list that you had and kind of chunked them up
47 into themes, just to make it easier to organize feedback. The
48 first one we're talking about is program eligibility

1 requirements and this pertains mostly with possession of a
2 commercial reef fish permit and what you can and cannot do and
3 participation in the program whether or not you have a permit.
4

5 The second group of considerations concern inactive accounts and
6 the redistribution of IFQ shares to address regulatory discards
7 and these address those accounts, shareholder accounts, in the
8 program that have never been active to date and what we should
9 do about those and then there are a couple of possible issues to
10 address, regulatory discards, small shareholders, and new
11 entrants.
12

13 Here is the full retention requirement that Mr. Williams brought
14 up earlier. We did scope this one and so we will have some
15 comments. People spoke about both removing the commercial red
16 snapper minimum size limit completely and the idea of a full
17 retention fishery.
18

19 Caps on the use or possession of IFQ shares and allocation and
20 these were framed in terms of caps on how much allocation an
21 entity could hold, how much allocation could be landed by a
22 single vessel, or how much shares and/or allocation accounts
23 with or without a commercial reef fish permit could possess.
24

25 The next one is requirements for the use of shares and
26 allocation and these are similar. Items under Number 4 are
27 addressing National Standard 4 in terms of having consolidation,
28 over consolidation, of shares and in 5, we are looking more at
29 how people use the shares and allocation.
30

31 The first item was to establish use-it-or-lose-it provisions,
32 placing restrictions on the sale of IFQ allocations and shares,
33 adopting a rollover provision for unused IFQ allocation, and
34 considering a lease-to-own type of provision.
35

36 While I have both of these on the board, I want to just bring up
37 two definitions real quick in the IFQ program, to make sure that
38 we're all using the same language. When they talk about the IFQ
39 shares, those are in proportions and so a shareholder's shares
40 is a proportion of the entire quota. Allocation in the program
41 refers to the pounds for one year that result from the amount,
42 that proportion, of quota given the quota and so your shares
43 relates to a poundage of shares that you will have, a poundage
44 of allocation that you will have, for that year, depending on
45 the size of the quota.
46

47 Your shares may stay the same, but depending on the size of the
48 quota, the amount of allocation you have from one year to the

1 next could differ. When you hear the term "leasing", which a
2 lot of the fishermen use, leasing is selling allocation and so
3 allocation can be transferred within accounts with or without
4 charging a fee and so related accounts could transfer allocation
5 or it can be sold and bought, but when we talk about leasing,
6 what you will see in there, we refer to it as selling allocation
7 or buying allocation and that's a one-time purchase, a one-time
8 exchange.

9
10 Let's move down to 6. Now we get real short. Some of those
11 earlier ones, we had several items in there and these will be
12 real quick to get through and so midyear quota changes, this is
13 the idea that in the event a midyear quota reduction is
14 expected, to withhold some proportion of shareholder's
15 allocation at the beginning of the year, and, finally, extending
16 the hail-in requirement to all commercial reef fish vessels,
17 whether or not they are landing IFQ species, which promotes
18 enforcement for all the fleet.

19
20 Then, finally, we left this additional issues to address open
21 and we did get a couple of items in there, but I will also just
22 include all of the suggestions and comments made by the
23 attendees at the scoping meetings.

24
25 The first one was the program eligibility requirements and this
26 came up even when Amendment 26 was under development. At the
27 time it was implemented, for the first five years of the
28 program, the only people who could buy and sell shares were
29 those who had a commercial reef fish permit.

30
31 After five years of the program, as of January 1, 2012, any U.S.
32 citizen or resident alien could buy shares, could open an
33 account and buy shares. Before 2012, there was a lot of concern
34 about what might happen once this date came and now that that
35 has come and passed and we have some idea of how many accounts
36 have come in, it's up to the council to determine whether or not
37 this is still an issue to address.

38
39 As of October 2014 from the beginning of 2012, and so for two
40 full years, only fourteen new accounts were created, public
41 participant accounts that had never been part of the program,
42 and according to the IFQ program personnel, the majority of
43 these accounts have been opened by dealers and they are using
44 them to move fish around for vessels that are coming and landing
45 with them. As of February 10, 2015, fourteen accounts have been
46 created.

47
48 If we scroll down just a little bit to look at this Table 2,

1 this provides you an overview, by year, of the number of
2 accounts and the corresponding proportion of shares with a
3 permit and without a commercial reef fish permit, so we can kind
4 of examine the trends in the fishery.

5
6 Moving down to our questions, the first item was to consider
7 restricting the future transfer of shares to only shareholder
8 accounts that had a valid commercial reef fish permit, as was
9 the case for the first five years of the program.

10
11 Generally, and you do have all of this written and so I won't go
12 through all of these, but the majority of the feedback we got
13 from the public was no, they did not support this. They
14 expressed that this did originate from a previous concern for a
15 problem that has not yet materialized.

16
17 Fishermen were concerned that non-industry shareholders would
18 sit on fish and not allow allocation to be caught and that would
19 prevent attainment of optimum yield. Other comments were that
20 we are not concerned about it anymore and the program is working
21 well and let's let it go. We did have a lot of people
22 commenting that red snapper is a public resource and let the
23 public buy shares and participate in the IFQ program.

24
25 We also had some support though for requiring the commercial
26 reef fish permit to buy shares, catch, and land fish. Another
27 person felt that this would help to reduce overcapacity, which
28 is a goal of the program.

29
30 This was to allow accounts with shares, but without a commercial
31 reef fish permit, to harvest the allocation associated with
32 those shares and we did not hear any support for this from the
33 public. Comments ranged from this would allow more
34 participation, anybody landing commercial fish should have the
35 requirements of a commercial vessel, enforcement complications,
36 and I will just add that the council has expressed its
37 indication that it does not intend to pursue intersector trading
38 and so we may want to consider that alongside this item as well.

39
40 The next one is to restrict the ability for shareholders not
41 actively fishing to transfer their shares and allocation to
42 other shareholders and we also did not get anything but no to
43 this, with the reasons being fish houses needed to secure
44 allocation for bycatch and small shareholders and if you require
45 people to fish their allocation, then they will do so and that
46 could prevent other people from being able to acquire allocation
47 that they need. They felt that this would then increase dead
48 discards.

1
2 Finally, businesses have built stable business plans and people
3 were concerned that if you start restricting a component of it
4 that you could affect their business plans.

5
6 Let's move on to Section 2. This is inactive accounts and the
7 redistribution of shares in those accounts and I will note that,
8 like the first item, the problems that people were concerned
9 about, they felt that they had not materialized.

10
11 In the five-year review, it was noted that the unused allocation
12 in inactive accounts totaled about 1.5 percent of the quota. By
13 the beginning of October of 2014, we're down to less than 1
14 percent of the quota and the table that's included there, Table
15 5, you can see year-by-year the number of inactive accounts and
16 the remaining quota in those accounts has been decreasing, from
17 173 in 2007 to ninety-six in 2013. Now, in 2014, we're down to
18 eighty-five. We also may want to consider, in doing something
19 with this, how big of a problem is it and what would you like to
20 do with those shares?

21
22 The first item, if we could scroll down just a little, is to
23 allow the closure of accounts and redistribution of shares in
24 accounts that have never been activated if the accounts are not
25 active by a specified date.

26
27 There was mostly support for this as long as there was a
28 substantial amount of time. Up until now seemed acceptable to
29 some people and other people mentioned a full decade, which will
30 be very soon. There was a comment that a 1 percent margin is
31 great for any program and just leave it as it is.

32
33 The next item was to redistribute shares from inactive accounts
34 to those with no or small shares or to new entrants and there
35 was not much support for distributing shares to small
36 shareholders or new entrants. Attendees at scoping meetings
37 preferred that shares be redistributed to people in the program
38 today, historical participants, people who had been actively
39 fishing, or even to grouper/tilefish IFQ shareholders. It was
40 suggested that a NMFS permit bank be used to sell the allocation
41 associated with those inactive shares.

42
43 There was some support and some people did want shares from
44 inactive accounts to be made available for public purchase and
45 so to address increasing access for small shareholders and new
46 entrants, attendees at the scoping meetings had several ideas.

47
48 They did make it clear that they did not feel that redistributed

1 shares should be given away. They did not want them given away,
2 but that new entrants could buy shares from current shareholders
3 and there was a lot of talk about implementing a federally-
4 backed loan program so that new entrants could get a loan for
5 IFQ share purchases.

6
7 The Pacific Northwest may have a similar program to this and
8 also the idea of a quota bank that's possibly not associated
9 with NMFS could be considered, which leads us to the next item,
10 which is to redistribute shares from inactive accounts using
11 permit banks or NMFS administration. There were several ideas
12 of support for how a program like that could look.

13
14 Then, finally, if we go down just a little more, in the event of
15 future increases to the quota, alternatives to redistribute the
16 quota to new entrants and small shareholders, there was not
17 support for this by attendees. They felt that increases in
18 quota should benefit the current shareholders.

19
20 Let's go down to the next page and full retention. There was a
21 lot of discussion about this and what it really came down to was
22 people liked the idea, but there was concern about how you would
23 do it and have allocation be available for all of the fish that
24 are being caught and that that would really be the obstacle and
25 so both the pros and the cons here kind of get around that
26 issue.

27
28 We did have a couple of comments of people that felt that it
29 wasn't even a problem worth addressing and that commercial
30 fishermen will move away from the fish that they don't want to
31 catch and they are not concerned about it being a biological
32 issue.

33
34 I will stop there for just a moment and see if Mr. Williams had
35 any further questions about the full retention, because we
36 brought that up earlier. No? Okay. Great.

37
38 Let's move on to Number 4. This is caps on the use or
39 possession of IFQ shares and allocation and there is a table up
40 here provided for you that gives you a breakdown of small,
41 medium, and large shareholders by year and the number each year.

42
43 Then the questions we were investigating was were people
44 interested in establishing caps on the amount of allocation that
45 could be held by an entity or by a single vessel or to limit the
46 amount of shares and allocation accounts that are not associated
47 with a reef fish permit could hold.

48

1 Again, all of these caps are getting to the issue of ensuring
2 that we do not have over consolidation of the fishery and any
3 one entity obtaining market power and so for all three of these,
4 we did not get support for any additional caps or to limit caps
5 on annual allocation for vessels or a single entity.

6
7 People felt that the current share cap is working fine and it
8 was also pointed out that caps can be circumvented and caps do
9 not promote conservation and it was expressed that different
10 caps should not be established for whether a shareholder is
11 associated with a reef fish permit or not. They felt that both
12 groups should be treated the same.

13
14 There was no support for caps by the scoping attendees and let's
15 move on to the next section. This one is the long one and so I
16 am going to have to just skip over a lot of the comments and
17 kind of talk about some of the issues.

18
19 This section was originally titled "Use-It-Or-Lose-It
20 Provisions" and we are having a problem. We are going to need
21 to define use-it-or-lose-it or just not use this terminology.
22 Use-it-or-lose-it was considered in the original Amendment 26
23 and at that time, the alternatives that were considered were
24 that a shareholder had to use, over a three or five-year moving
25 average period -- They could not use less than 30 percent or 50
26 percent, but the intention here was to ensure that allocation
27 was being landed and so use-it-or-lose-it then was in terms of
28 achieving optimum yield.

29
30 When you do have a chance to read through some of these longer
31 comments, you will see that different people are understanding
32 use-it-or-lose-it in different ways and they are using it in
33 different ways and so I feel we should maybe talk about what is
34 the problem that each of us are wanting to address if we think
35 of use-it-or-lose-it. Is it shareholders actually ensuring that
36 they use the fish themselves and not transferring it or is it
37 just the concern that all allocation is being used, because we
38 have very different -- We are addressing very different issues
39 between the two of those.

40
41 Let's move down and the next one was consider placing
42 restrictions on the sale of IFQ allocations or shares and this
43 would be a form of a use-it-or-lose-it and so this is kind of an
44 example of replacing use-it-or-lose-it with something a little
45 more specific about what it is that you're wanting to do.

46
47 There was not any support for putting restrictions on the sale
48 of IFQ allocations or shares. Fishermen talked about that they

1 needed to be able to sell allocation, transfer allocation, when
2 other people needed it and that they had developed a lot of
3 relationships. They also noted that selling allocation means
4 the fish still get caught.

5
6 They have also talked about investment in the program has been
7 heavy and they were concerned that such restrictions could
8 restrict new entrants and also the issues of entities -- An
9 individual may have more than one account, maybe associated with
10 a business and have an individual account, and so such
11 restrictions could affect their ability to transfer allocation
12 between related accounts.

13
14 Let's just move to the next one and it's consider adopting a
15 rollover provision for unused IFQ allocation and there was great
16 support for this and some of the ideas were concern for smaller
17 shareholders and allowing a rollover could allow for end-of-the-
18 year emergencies or difficulties and there was also a suggestion
19 for people who regularly buy allocation, who lease, to have some
20 kind of a buffer on their onboard poundage that they could then
21 account for later. I will add that I am not sure how this would
22 work very well for NMFS in the quota.

23
24 **MR. WILLIAMS:** By rollover, you are talking about carrying
25 allocation or quota from one fishing year to the next fishing
26 year? Okay.

27
28 **DR. LASSETER:** My sense is that that would be an issue that NMFS
29 would have to determine if that could work or not as well and
30 then the last one, I believe, Mr. Williams, you suggested this
31 one, consider adopting a lease-to-own provision.

32
33 This is an idea that if an entity in the program is regularly
34 selling their allocation then allowing whoever is buying that
35 allocation to begin to earn credit towards owning those shares
36 and we heard both support and opposition for this idea and we
37 had some alternatives to this kind of an idea as well.

38
39 Those opposed to it felt that it would reduce availability to
40 quota, because if fishermen know that they could eventually lose
41 their shares, they would be less inclined to sell that
42 allocation.

43
44 Those supporting it felt that they should be able to get credit
45 when they were repeatedly buying the allocation and then some of
46 the alternatives were the loan program, again. This was
47 mentioned several times throughout here, was to have a federal
48 loan program to allow people to acquire this quota, rather than

1 a lease-to-own.

2
3 That was our longest section and this one goes short. It's
4 midyear quota changes. This is the idea that in the event a
5 midyear quota reduction is expected, and it would be only under
6 those terms, to withhold some portion of a shareholder's
7 allocation in the beginning of the year.

8
9 There was no support for this. Several people expressed
10 opposition and a lot of the comments specified that they wanted
11 any quota increase or decrease to only occur at the beginning of
12 the year and this was for reasons of stability in the market and
13 for the commercial sector having additional quota released --
14 Especially I think the October release did cause a market glut
15 and so it's better for the fishermen's businesses if they know
16 what kind of quota they are going to have for the entire year.

17
18 Then let's move down to our final issue before we get to the
19 additions and that's enforcement of all reef fish landings and
20 so this would be to require all commercial reef fish permitted
21 vessels -- All of them have VMS now and so they all have the
22 capability of hailing in and hailing out and the proposal here
23 is to require all reef fish commercial vessels to hail in prior
24 to landing, even if they are not in possession of IFQ species.
25 There was mostly support for this.

26
27 It was a good enforcement tool and people felt that it would
28 protect IFQ fishermen, by ensuring that other people are not
29 illegally landing IFQ species, and then there was some ideas for
30 how it could be done in there as well and that perhaps only a
31 simple landing notification without saying what species they
32 have and then do random checks and a person noted that this
33 keeps honest people honest and less honest people a little less
34 dishonest. There are some other ideas in there too, which you
35 will have a chance to read.

36
37 Let's go on to the additional and so we had lots of just general
38 comments, but two items did come out that were potential
39 additions to the document and one was setting price caps on
40 selling allocation and now we had both support for this and
41 opposition for this and so the support was to establish a cap on
42 the price of allocation, and this is lease price, and this
43 person proposed of not more than 50 percent of the ex-vessel
44 price.

45
46 Those in opposition to it talked about the system being based on
47 the free market and that the prices, lease prices, would only be
48 supported by what the lessee is willing to pay and people talked

1 about the price controls being easily circumvented and so we had
2 support and opposition on the idea of putting caps on the prices
3 of selling allocation.

4
5 Let's go down just a little bit to grace period. This was
6 another one that came out from a couple of locations and it was
7 if fishermen are bringing in red snapper, but they do not have
8 sufficient allocation in their account, allow a grace period for
9 those vessels to acquire that allocation to cover those fish and
10 then they have some proposals, some ideas, of what the penalties
11 could be that would be included in there as well.

12
13 Generally, the general comments and suggestions, people were
14 generally happy with the program and they felt it was working
15 and did not need to be changed. They talked about that the
16 discard problem was due to there being too many red snapper in
17 the eastern Gulf and other people talked about the discard
18 problem being a quota availability issue.

19
20 An issue that came out and is also noted in the document is that
21 to do many of these changes, NMFS would need to be able to
22 identify related accounts in order to identify who is actively
23 involved in fishing and who are the investors and we would need
24 to know how these accounts are related to each other and there
25 would probably need to be some changes to the structure of the
26 reporting system as well.

27
28 Some other comments in here, the water weight percentage was
29 brought up and a final comment was somebody noted that
30 intersector trading should not be allowed and so those were the
31 general comments.

32
33 If we scroll down just a little bit more, these are the written
34 comments we received, which were more or less similar. They
35 weren't as detailed and so we had just support for, yes,
36 establish use-it-or-lose-it provisions, consider placing
37 restrictions on the sale of IFQ allocations and shares, but not
38 really giving us more feedback as to how to do those, but those
39 comments are there and available for you as well.

40
41 That's the summary of the comments that we have received to date
42 and I guess I would like to turn it over maybe for discussion
43 and talk about what you would like to do next and I will ask,
44 actually, Charlotte to go back up to the list of all of the
45 items, if we could just have that up there.

46
47 **CHAIRMAN GREENE:** Thank you. I guess that takes care of
48 everything and okay, guys, how do you all want to proceed from

1 here? We've got a lot of ideas and we need to give them some
2 directions on which way to go.

3
4 **MR. WALKER:** I guess we're running short of time here today and
5 I would like to hear some of the testimony from commercial
6 fishermen in the audience that's going to be here and start
7 working from there.

8
9 **CHAIRMAN GREENE:** So noted. Anyone else want to take a jab at
10 it? Seeing none, I guess, Dr. Lasseter, that wraps up
11 everything.

12
13 **MR. ANSON:** Mara, refresh my memory. I think we discussed this
14 a couple of meetings ago, but resource rent, any chance of
15 looking at resource rent relative to IFQ revisions? Would that
16 require a referendum vote or go back out?

17
18 **MS. LEVY:** Are you talking about an auction?

19
20 **MR. ANSON:** An auction could be a way, yes.

21
22 **MS. LEVY:** Right and so that was the provision in the Magnuson
23 Act that talked about in establishing an IFQ program you could -
24 - You need to consider and could do an auction and so that was
25 very specific in establishing, which we felt would then push it
26 into creating a new IFQ, because you would actually have to be
27 establishing it to actually do the auction.

28
29 **MR. ANSON:** What about just establishing a cost, say for the
30 amount of pounds that are issued, just a 1 percent or 2 percent
31 recovery cost? Is that something that would require a
32 referendum?

33
34 **MS. LEVY:** We have a requirement in the Act that the 3 percent
35 recovery -- That's already a part of this. I mean that's a
36 requirement in establishing these plans.

37
38 **MR. ANSON:** Right, but can an additional -- Can that be raised
39 or how could that be addressed?

40
41 **MS. LEVY:** The Act caps it at 3 percent.

42
43 **DR. CRABTREE:** Are we finishing? Are we moving Amendment 28 to
44 full council or what are we doing there?

45
46 **CHAIRMAN GREENE:** I was just trying to work through this
47 document and see where we were from there. Certainly they are
48 all important to everybody in some shape, form, or fashion and

1 so it's up to you guys on how we go from here. Any direction
2 from the committee?

3
4 **DR. LASSETER:** In the interests of time, perhaps I could bring
5 this back up in full council and it will give everybody a chance
6 to kind of read through the comments and look through the items
7 and give it some consideration and if we have time in full
8 council, maybe we will discuss it again. Mr. Walker mentioned
9 hearing some testimony from the public.

10
11 **MR. BOYD:** Dr. Lasseter, just a -- What was the makeup, if you
12 can remember, of the scoping meetings? Was it primarily
13 commercial or was there a mix of the public?

14
15 **DR. LASSETER:** It was almost all commercial and several dual-
16 permitted charter/commercial guys and some charter only. There
17 were a couple of recreational here and there that did not
18 contribute comments, largely, and I would say most of the people
19 -- In the full document, it lists who attended each meeting and
20 they're a lot of our familiar people that are here now that we
21 will hear from.

22
23 **CHAIRMAN GREENE:** Okay. Anybody else?

24
25 **MS. BOSARGE:** I just have a question for Ava. As we're going
26 back through this before full council and we're trying to
27 collect our thoughts, do we need to come up with specific
28 motions as to what we want to see in an options paper? Is that
29 what you need from us or --

30
31 **DR. LASSETER:** Great question. What we would like to do next is
32 an options paper and we would like to refine this list and
33 either make some of them more specific -- Use-it-or-lose-it, we
34 need to definitely clarify that, either scrap it or change the
35 words. Remove some and add others and tweak them, so that we
36 have a sense of which ones you do want to flesh out in an
37 options paper. Staff is thinking we could bring you an options
38 paper in August. That is our tentative goal.

39
40 **CHAIRMAN GREENE:** Okay. Sounds good to me. Anybody got
41 anything else? Okay, Dr. Lasseter, does that complete your
42 portion?

43
44 I guess we will go on into the next item and we've got thirty
45 minutes to go and I guess we'll make an attempt at 28 and unless
46 the Chairman or Executive Director tells me otherwise, we will
47 move on to Revised Draft of Amendment 28, Red Snapper
48 Allocation, Tab B, Number 9, and Dr. Digne.

1
2 **REVISED DRAFT AMENDMENT 28 RED SNAPPER IFQ MODIFICATIONS**
3

4 **DR. ASSANE DIAGNE:** Thank you, Mr. Chair. As you mentioned, the
5 allocation amendment, Amendment 28, is in Tab B, Number 9. We
6 also have a presentation which is Tab B, Number 9(a) and I will
7 spend most of my time using that.

8
9 **CHAIRMAN GREENE:** This presentation was emailed yesterday.

10
11 **DR. DIAGNE:** Thank you and essentially we would like to spend
12 time discussing the management alternatives included in the
13 amendment and we will conclude by discussing potential
14 timelines.

15
16 In our document, at least the PDF version, the management
17 alternative section starts on page 7, for those who would like
18 to follow from the PDF version of the document that you received
19 in the briefing book.

20
21 We wanted to take this opportunity to detail how the quotas,
22 commercial and recreational quota, were computed for each one of
23 the alternatives, to make sure that we are all on the same page
24 when it comes to the percentages and the amount of pounds
25 allocated to each sector and so I will use this short
26 presentation to detail the quotas, commercial and recreational,
27 for each one of the alternatives.

28
29 Essentially we have alternatives of a different structure, and
30 we will talk about that shortly, and look at the commercial and
31 recreational allocation and in this short presentation, for 2015
32 only. I used 2015, as it is written in the document, specifying
33 that it would correspond to a 14.3-million-pound quota, meaning
34 the first line in all the alternatives in the text.

35
36 The quotas for all alternatives and for all the years are
37 included in the amendment, but in the interests of time, we will
38 not cover those.

39
40 Again, our status quo allocation is 51 percent to the commercial
41 sector and 49 percent to the recreational sector. With a 14.3-
42 million-pound quota, that will correspond to those poundages
43 shown in the slide, roughly 7.2 for the commercial and seven for
44 the recreational sector.

45
46 In terms of alternatives, in the document we have essentially
47 three types of alternatives. The first set would take a fixed
48 percentage and shift the allocation from the commercial to the

1 recreational sector and those would be Alternatives 2, 3, and 4.

2
3 The second set would be what we call here alternatives that are
4 based on a quota increase beyond a certain threshold value and
5 these would be your current Preferred Alternative 5 as well as
6 Alternative 6 and 7 and the final set of alternatives are
7 Alternatives 8 and 9 and essentially they were derived following
8 the motions that you passed during the last council meeting and
9 so we will go through these alternatives and, again, just for
10 one year, to illustrate how we computed the quotas for the
11 commercial and recreational sectors.

12
13 Let us start with Alternative 2. Alternative 2 or, actually, 2,
14 3, and 4, the first set, these are shifting fixed percentages,
15 respectively 3, 5, and 10 percent. The corresponding
16 allocations, in percentage and in pounds, are indicated here,
17 again for the first year. The first year refers to a quota of
18 14.3 million pounds.

19
20 For example, Alternative 4, which would increase the
21 recreational quota by 10 percent, would then yield a commercial
22 allocation of 41 percent of the quota and consequently, 59
23 percent to the recreational sector and the corresponding pounds
24 are also indicated here.

25
26 In terms of the second set of alternatives, these are based on
27 reallocating amounts of quota in excess of a certain threshold.
28 For the first two, meaning Alternative 5, which is your
29 preferred, and 6, the threshold that you selected is 9.12
30 million pounds.

31
32 For example, the Preferred Alternative 5, currently, states that
33 if the quota is less than or equal to 9.12 million pounds that
34 we stay at status quo, but if the quota exceeds this threshold,
35 the allocation then would take 75 percent of the amount in
36 excess and give it to the recreational sector and 25 percent of
37 the amount to the commercial sector.

38
39 For a quota of 14.3 million pounds, the amount in excess would
40 be 5.18 million pounds and, consequently, 75 percent of that
41 would be 3.8 million pounds. Then the recreational allocation
42 would be 49 percent of 9.12 million pounds plus the 75 percent
43 that we just indicated.

44
45 The corresponding percentages and quota amounts for both sectors
46 are given at the bottom and roughly 41.6 percent to the
47 commercial sector and 58.4 to the recreational sector.

1 Alternative 6 does the same thing, meaning allocate above a
2 certain threshold and, here, 9.12 million pounds, but for this
3 alternative, 100 percent of the amount in excess of 9.12 million
4 pounds would be allocated to the recreational sector and
5 therefore, the resulting allocations, in percentage, would be
6 67.5 percent to the recreational sector and consequently, the
7 remainder, 32.5, to the commercial sector.

8
9 We have one more alternative built along the same lines, but
10 here, the threshold value is ten-million pounds. It's ten-
11 million pounds and essentially, amount in excess of the
12 threshold would be allocated 75 percent/25 percent to the
13 recreational and commercial sectors, respectively.

14
15 With a 14.3-million-pound quota, based on this structure, the
16 resulting allocations, in percentage, would be 56.8 to the
17 recreational sector and 43.2 percent to the commercial sector
18 and the associated amount of quota are also indicated on the
19 slides.

20
21 We have two additional alternatives that were derived from the
22 motions that you passed during the last council meeting and
23 essentially those motions directed us to craft alternatives that
24 would allocate changes in quota, if you would, due to changes in
25 the recreational data and let's put it that way for now. Those
26 changes that were discussed included changes due to the MRIP
27 recalibration of the catch estimate on one side and, second, due
28 to the change in size selectivity in the recreational fishery.

29
30 After the meeting, we requested from the Science Center an
31 analysis and asking them to provide projections and this is just
32 an excerpt of the report that they provided and it is in
33 Appendix 2, this amendment, and essentially if we look at this
34 table here, we have the years and we have a base set of
35 projections and these projections, the base that is, would
36 include everything. That is where our current quota would come
37 from, the 14.3 million pounds, meaning it would account for the
38 MRIP recalibration and it would also account for the change in
39 selectivity.

40
41 The two additional columns, the second one is labeled "Pre-MRIP
42 Recalibration" and it means that these projections, namely, for
43 example, 13.63, does not account for the change due to the MRIP
44 recalibration, that value that I just mentioned, 13.63.

45
46 The last value, 11.97 million pounds, is labeled "Pre-MRIP
47 Calibration and No Selectivity", meaning that this would have
48 been the quota if the projections didn't account for MRIP

1 recalibration and didn't account for the change in selectivity
2 and because we are only using one year to illustrate the quota,
3 commercial and recreational, the first line here, 14.29, 13.63,
4 and 11.97, are the values that we are going to use going
5 forward.

6
7 The first alternative, Alternative 8, would essentially allocate
8 quota amounts attributable to the recalibration of MRIP catch
9 estimates to the recreational sector. Based on those values
10 that we just highlighted in the table, the base quota is 14.3
11 million pounds and the pre-MRIP quota is 13.63 million pounds
12 and, hence, the difference would be 0.67 million, if you would,
13 and so that difference would be allocated to the recreational
14 sector.

15
16 Everything else would be used and allocated according to status
17 quo, which, as we know, is 51 percent and 49 percent.
18 Consequently, the resulting percentages for the commercial and
19 recreational sector would be 51.4 for the recreational sector
20 and 48.6, in percent, for the commercial sector.

21
22 The last alternative that was derived from your motions during
23 the previous council meeting indicated that amounts due to the
24 MRIP recalibration of catch estimates and amounts due to the
25 change in selectivity would be allocated to the recreational
26 sector.

27
28 Again, if we recall, our base quota is 14.3 million pounds. The
29 pre-MRIP, no selectivity quota is 11.97 million pounds and,
30 hence, a difference of 2.3 million pounds. Everything else
31 would be allocated according to the status quo, 51 percent/49
32 percent. The resulting allocation, in percentage, would be 42.7
33 to the commercial sector and 57.3 percent to the recreational
34 sector.

35
36 These are the nine alternatives that are considered in this
37 allocation amendment and one point perhaps that we would like to
38 make is that for the first set of alternatives, 2, 3, and 4, the
39 percentages will be fixed. Essentially, a sector could have,
40 let's say, for example, 59 percent to the recreational and 41
41 percent to the commercial sector, if you shifted 10 percent of
42 the quota, and those would be fixed and the number of pounds
43 would be adjusted depending on the quota.

44
45 For everything else, the percentage, as well as the amount, will
46 fluctuate maybe on an annual basis, depending on, for example,
47 the quota, if you have a threshold alternative, or depending on
48 the difference that one would think is due to MRIP recalibration

1 or the difference that one would think is due to the change in
2 selectivity.

3
4 For those other alternatives, meaning from 5 onward, the
5 percentage allocated to each sector, as well as actually the
6 number of pounds, would fluctuate on a, I guess, perhaps
7 sometimes yearly basis, depending on which one of those
8 parameters would change.

9
10 For all of the years that we discussed, meaning for 2015 to
11 2017, the three years for which we have now a quota, a red
12 snapper quota, the percentages, as well as the number of pounds,
13 are indicated in the amendment and that would be on page 14 in
14 the management alternative section, on page 14 of the PDF
15 version of the amendment. Mr. Chair, in a nutshell, that is a
16 quick overview of the alternatives in the document and your
17 current preferred alternative is Alternative 5. I will pause
18 here and perhaps discuss potential timelines afterwards.

19
20 **CHAIRMAN GREENE:** Thank you. That's an interesting
21 presentation. All right, committee, what do you all want to do?
22 Any comments? I am not seeing anything.

23
24 **MR. WILLIAMS:** I have a question and I am not -- It's a question
25 and comment, I guess, but it's probably directed at Roy
26 Crabtree. Roy, are we -- I am at least partially persuaded
27 about this change in selectivities.

28
29 The way we're managing red snapper now with a -- Where we're
30 controlling catch, as opposed to directly controlling fishing
31 mortality, are we penalizing the recreational sector? Aren't
32 we, in effect, penalizing the recreational sector for increasing
33 their yield per recruit? As they have gone to catching larger
34 fish over the last several years, we are controlling them and so
35 they are improving their yield per recruit, but aren't we, in
36 effect, penalizing them for that by using -- By controlling
37 catch as opposed to trying, in some manner, to directly control
38 their rate of harvest, their rate of F?

39
40 **DR. CRABTREE:** Well, because the selectivity has shifted and
41 they are catching bigger fish, they are catching their quota
42 more quickly and aside -- A byproduct of catching those bigger
43 fish is that the quotas can go up and so if the quotas go up
44 because they are catching bigger fish, one way to compensate for
45 their catching bigger fish, so that their season doesn't get
46 shorter, is to increase their quotas by that, but the way things
47 are set up now, of that increase, it's going to go 51 percent to
48 the commercial fishery.

1
2 I guess you could make the argument that it's not fully
3 offsetting the bigger fish they're catching, if that's what
4 you're getting at.

5
6 **MR. WILLIAMS:** Going to a larger fish, deliberately or
7 indeliberately, increasing your yield per recruit, is a good
8 thing, is it not? I mean you are, in effect, lowering your rate
9 of fishing by increasing the size of fish you are targeting or
10 catching and am I right on that?

11
12 **DR. CRABTREE:** I think, in general, we would view increasing
13 yield per recruit as a good thing. That in part depends on the
14 discard structures and the rest of it that come with it, but
15 generally, yes, I would say increasing yield per recruit is a
16 good thing.

17
18 The other thing you have here is the calibration impact and so
19 our view of the historical time series of the recreational catch
20 has changed and we think they have been catching more fish than
21 we thought, because of improvements in the data collection. The
22 historical allocation is, in part, based on what our perception
23 of that historical mix in the fishery is.

24
25 When we have had other instances where there was recalibration
26 that caused one sector's catches to go up or down, and it's the
27 recreational sector that would change, of course, we have
28 changed the allocation to reflect that.

29
30 **MR. WILLIAMS:** In this case, the greater effect though is the
31 change in selectivities.

32
33 **DR. CRABTREE:** That is correct in this case.

34
35 **MS. BOSARGE:** I am not on your committee, but another way, Roy,
36 of thinking about what you are looking at, and this is the way
37 that I see it, from the commercial aspect, is essentially the
38 way I see this size selectivity is there is a specific way that
39 the recreational sector is fishing right now and that is
40 harvesting these bigger fish.

41
42 That specific way of fishing is contributing to rebuilding,
43 which is giving us these higher quotas, and Alternative 9 is
44 allocating all of that benefit for that specific way of fishing,
45 all of that rebuilding benefit, to the recreational sector,
46 right? That's what it's trying to do.

47
48 Well, in 2007, there was a specific way of fishing in the

1 commercial sector that contributed to rebuilding and when that
2 happened, and you can go back and look at the difference between
3 2006 and 2007, overages and no overages on the commercial side,
4 when that rebuilding happened, it was split 51/49 and it didn't
5 go all to the commercial.

6
7 We didn't say, oh, well, it rebuilt by -- This much of that
8 rebuilding is attributable to your specific way of fishing now
9 and therefore, we're going to give that completely to you. It
10 was shared and so I see a precedent there and to say that it's
11 right for one group, but not for the other to share in the
12 rebuilding, it kind of -- I don't know. That's a tough pill to
13 swallow.

14
15 **MR. PERRET:** Roy and Roy, yes, the yield per recruit has
16 increased and that's certainly a good thing, a healthier stock,
17 but here is the other factor. We've got an IFQ program in the
18 commercial industry and we know every pound they take.

19
20 We've got a moratorium on the federal permitted guys, the
21 charter guys, and we've got open access. If it would be in the
22 commercial fishery, it would be overcapitalization and I am just
23 looking at the table in the document.

24
25 From 1986 to 2013, what is the percent or what is the number of
26 increase in saltwater angling licenses in the Gulf of Mexico? I
27 suspect it's probably substantial and we can't continue to have
28 more and more access and think we're going to have longer
29 seasons. It's just not doable. Fish size has increased and
30 poundage has increased and we've got more people fishing and so
31 that's a double-whammy.

32
33 **MR. DIAZ:** It's good discussion so far and I was hoping we would
34 have a good discussion on this part. I am trying to think about
35 Roy Williams's comments. When I first read the document, I tend
36 to support Alternative 8 and think that's a reasonable approach.

37
38 Alternative 9 though makes me pause, because you know we've got
39 different regulations on the commercial and recreational folks.
40 We've got a lower size limit that's available to the commercial
41 people and a higher size limit for regulations for the
42 recreational folks.

43
44 I think the mindset is different. I believe most recreational
45 people would like to go out and catch the bigger fish that they
46 can catch, a trophy fish if they can, where I think the
47 commercial mindset is they would like to catch the fish that's
48 the most marketable and that has the highest value.

1
2 Anyway, I will look forward to hearing some more discussion, but
3 I am not totally comfortable with -- I am not comfortable with
4 Alternative 9 at this point, because there is some substantial
5 differences that I don't know that either group had control
6 over. Thank you.

7
8 **MR. WILLIAMS:** Dale, but if we gave the commercial fishery
9 fifty-one fish and we gave the recreational fishery forty-nine
10 fish and told them to catch whatever they wanted to catch and
11 they could do it anyway they wanted, the commercial fishery, I
12 think, is going to continue to fish for the smaller fish,
13 because that's where their market is.

14
15 The recreational fishery, on the other hand, is going to target
16 a bigger fish and from that, I think they're going to end up
17 with closer to a total of -- The recreational fishery is going
18 to end up with more like 57 percent of the total harvest in
19 terms of weight, even though they are still catching 49 percent
20 in terms of numbers.

21
22 I mean it seems, to me, and I am sort of leaning towards
23 Alternative 9 as being the logical way to proceed here. I think
24 that's the effect of us controlling harvest in pounds rather
25 than harvest in numbers and it's leading to this 57/43
26 distribution between commercial and recreational. If we
27 directly controlled numbers, I think we would be at the 51/49,
28 but because we're controlling by weight, this is where we're
29 ending up.

30
31 **MR. PEARCE:** I am not on your committee, but, again, great
32 discussion and I listened to Dale and I listened to Roy and I
33 see what's going on with those things and I've got to go back to
34 when I looked at this Headboat Collaborative and how well it did
35 and how many fishermen it added into the fishery than before.

36
37 The Headboat Collaborative went to 60,000 individual fishermen
38 versus 28,000 before that, before we had the collaborative. The
39 headboat, the way that was done, gave more access to the
40 citizens of this country than they had before and so when I look
41 at that, I see that possibly there's a way that, because we're
42 giving more access in that respect, that I could maybe lean to
43 8, but not to 9, to Alternative 9, because I am giving some
44 ground there on the commercial harvest side and I am doing that
45 because I see that we're getting more access to the fishermen
46 that don't have boats because of some of the processes we're
47 going through with the headboats and some of the processes we're
48 going to probably go through with the charter for-hire guys.

1
2 I can't go to Number 9, but I think that I can maybe give a
3 little bit of ground going to 8, because I see -- My main
4 concern is access to the fishery by the citizens of this country
5 that own that fish and the more I give access to those people,
6 the better I am going to -- The more comfortable I am going to
7 feel that I am doing my job and this council is doing its job.
8 Thank you.

9
10 **DR. CRABTREE:** I think you almost have to adjust the allocation
11 to reflect the calibration. I have thought about that a lot and
12 it does seem to me that you almost have to do that. The
13 selectivities, there are lots of different ways to look at it, I
14 guess, and people have made good points.

15
16 There were a number of changes that happened in the fishery in
17 2007 when we put the IFQ in place and that did keep the
18 commercial guys from going over. We also lowered their size
19 limit down to thirteen inches at that time, which may have
20 affected yield per recruit in that.

21
22 I think there was pretty broad support in the commercial fishery
23 for doing that, but one of the reasons that we did that was
24 because the release mortality, based on the observer data we
25 had, was 80 plus percent or maybe even higher than that. That
26 was because they were fishing these fifteen or twenty-hook
27 arrays and the handling time on the fish was great.

28
29 I think the calibration thing is hard to get around and I think
30 in other fisheries where we've had a calibration impact that we
31 have adjusted it. The selectivity, I think there are lots of
32 arguments there you can make and it's an interesting case, but I
33 think that certainly the calibration you need to adjust based
34 on.

35
36 **CHAIRMAN GREENE:** Thank you for those comments. Does anybody
37 else want to weigh in?

38
39 **MR. WALKER:** None of the alternatives are justified and none
40 provide stability and none provide long-term management benefit.
41 At this point, I feel like 28 is just a solution looking for a
42 problem.

43
44 The science-based management, the economic panel has said that
45 instead of looking at allocation, they need to be looking at
46 improving recreational fishery management and I think that's
47 what we ought to be looking at.

48

1 **CHAIRMAN GREENE:** Anyone else?
2

3 **DR. CRABTREE:** There is one more part of this, Assane, that --
4 So there were a set of projections done that looked at the
5 impact of the allocation shifts on the total allowable catch and
6 were you planning to go through that at all?
7

8 **DR. DIAGNE:** Yes, but for that part, I think we will wait until
9 the SSC goes over it and then, in a subsequent meeting, we will
10 have something for the council.
11

12 **CHAIRMAN GREENE:** Okay. It sounds like we're coming to an end
13 on 28 and is there any more discussion? I have talked to
14 Chairman Anson and he gave me the green light to go until 5:30
15 and so I certainly don't want anyone to think we're rushing
16 through this. We will work until midnight and I don't care, as
17 long as we're making progress, but regardless of that, anything
18 else before we leave 28?
19

20 **MR. FISCHER:** Mr. Chair, what's the timeline on 28?
21

22 **DR. CRABTREE:** That's something you need to think about. I
23 doubt you can get to final action before the August meeting and
24 that means we probably could not get to a final rule before the
25 end of the year, but I think if you get in that situation and it
26 is your intent to have whatever allocation change you make
27 effective in 2016, after talking to Mara, I think you could come
28 in and do a framework action, the purpose of which would give
29 the Fisheries Service the authority to only release some portion
30 of the TAC at the end of the year and hold enough back in case
31 Amendment 28 is approved.
32

33 I think if you could bring in a framework action, and you are
34 going to need to decide this quickly, but you would need to
35 bring in a framework action to look at doing that at the June
36 council meeting.
37

38 I think there is the possibility that you could have an
39 allocation shift in place by next year, but you're going to have
40 to take some steps to enable that to happen.
41

42 **MR. FISCHER:** One more, Roy. On the change in poundage on
43 selectivity, is that an empirical number or is there options you
44 could look at on the causes, where we might have a range of
45 numbers to look at?
46

47 **DR. CRABTREE:** My understanding is that's a change that is
48 estimated within the model and then leads to this change in the

1 TAC and so I think it's empirically a calculated number and
2 that's really the -- That's what sets Alternatives 8 and 9 apart
3 from the other alternatives in the document right now.

4
5 Alternatives 8 and 9 are the two alternatives you have where you
6 can point to an analysis and say this is how we got to and
7 calculated this. The others are much more judgment calls, in my
8 estimation.

9
10 **MR. DIAZ:** From hearing the discussion at the table, and this is
11 just my sense and I could be wrong, I think there may be enough
12 support to move Alternative 8. I am going to make a motion that
13 we add Alternative 8 as an additional preferred and if I get a
14 second, I will give a little bit more rationale.

15
16 **MS. LEVY:** You can't have two preferreds and so if you want to
17 change the preferred from what you have now to Alternative 8,
18 that's fine and you can make a motion to change the preferred,
19 but adding it as a second preferred doesn't do anything. We
20 need one preferred alternative. Otherwise, just take away
21 having 5 as a preferred and have none of them as a preferred,
22 but you can't have two preferreds.

23
24 **MR. DIAZ:** In that case, I withdraw. My thinking was I wanted
25 to put it out there so we could get some public comments, but
26 based on what our legal counsel says, I change my mind on that.

27
28 **MR. FISCHER:** I was told never to go against the counsel, but I
29 would not agree with that. I think one preferred would be based
30 on the MRIP calibration and the other preferred could be based
31 on other criteria.

32
33 **MS. LEVY:** To me, if you have two preferreds, you are saying you
34 want to do them both, meaning you want to somehow do Alternative
35 5's reallocation plus you want to do whatever is in Alternative
36 8. If that's what you're thinking, that really you want to do
37 both of these things together and you're going to explain why
38 that's fair and equitable and all those other things, then okay,
39 maybe they are not mutually exclusive, but if that's not the
40 intent, to actually pick them both and implement them both and
41 get some final allocation out of it, then I don't think that
42 it's possible to have two preferreds.

43
44 **MR. WILLIAMS:** I will move Alternative 8 as the preferred
45 alternative.

46
47 **CHAIRMAN GREENE:** We have a motion to move Alternative 8 as the
48 preferred alternative and is there a second for this motion?

1 Mr. Boyd.

2
3 **MR. BOYD:** I just wanted to echo what Myron said. I am not sure
4 why you couldn't have two alternatives.

5
6 **CHAIRMAN GREENE:** Hold on. We had a motion on the floor and I
7 thought you were seconding the motion. Is that correct? Are
8 you seconding this motion? Okay. We have a motion on the floor
9 and is there a second for this motion? Dr. Crabtree seconds the
10 motion. Any further discussion?

11
12 **MR. BOYD:** I would just like to go back. I do have a comment.
13 I agree with Myron that I think we could have two alternatives
14 here that we select. We have done it in other amendments and if
15 we have two calibrations in that, then we have two calibrations.

16
17 **MS. LEVY:** I think what I said still applies. If the intent is
18 to implement both preferreds together and come up with
19 something, whatever those two equal, to be the allocation, then
20 okay, maybe they are not mutually exclusive, but if the decision
21 is it's going to be either this one or this one and the intent
22 isn't to implement them together, then to me they are mutually
23 exclusive and picking two is not feasible. You have to have
24 one.

25
26 If you want to add Alternative 8 as the preferred with the
27 understanding that it would be implemented with your current
28 preferred of Alternative 5 and that would be some unspecified
29 allocation decision that we would need to calculate before full
30 council or something like that, then okay, I guess you could do
31 that, but that didn't seem to be what was being proposed.

32
33 It was kind of like we want to throw these two things out there
34 and eventually we will pick one. That's where I was coming
35 from, but if I misunderstood that and you actually wanted to
36 implement both of them together, then I guess you could do that.

37
38 **DR. CRABTREE:** But I think at that point you're talking a whole
39 new alternative. I mean Alternative 5 says the allocation is,
40 for 2016, 42 percent and 58 percent. Alternative 8 says the
41 allocation would be 48.5 and 51.5 and those numbers aren't the
42 same and so I don't see how you could do that. I would point
43 out that Alternative 9 results in, effectively, almost the same
44 allocation as your current preferred and so it comes out about
45 the same, but I think if you want to somehow combine these in
46 some way, that's kind of a new alternative and I am not quite
47 sure how that works.

48

1 **MR. PEARCE:** I am not on your committee, but I support this idea
2 and I like what Dale was saying before. I want to hear public
3 testimony and this gives us an option to see what they really
4 think about where we're going and what direction we're headed
5 and I would support this motion for that reason. I think I am
6 really interested in public testimony on this one, because this
7 is a pretty deep issue. Thank you.

8
9 **CHAIRMAN GREENE:** Any more comments by the committee?

10
11 **MR. BOYD:** I would offer a substitute motion. We don't have a
12 second on that one yet, do we? We do? Okay. **I would offer a**
13 **substitute motion to make Alternative 9 the preferred.**

14
15 **CHAIRMAN GREENE:** We have a substitute motion to move
16 Alternative 9 as the preferred and is there a second for this
17 motion?

18
19 **MR. MATENS:** Second.

20
21 **CHAIRMAN GREENE:** It's seconded by Mr. Matens. Any discussion?
22 Okay. Seeing no more -- Mr. Atran is suggesting "to make" and
23 that's correct. Mr. Boyd, is your substitute motion on the
24 board correct?

25
26 **MR. BOYD:** It is correct and I would just refer back to Mr.
27 Williams's comments and Dr. Crabtree's comments about the
28 selectivity.

29
30 **CHAIRMAN GREENE:** **All those in favor raise your hand; all those**
31 **opposed raise your hand. The motion carries five to three.**
32 Okay. Anything else on 28? Then I guess we will carry on until
33 5:30, as Chairman Anson suggested. With that, we have already
34 taken care of Amendment 39 and we have already taken care of --

35
36 **DR. DIAGNE:** Mr. Chair, just perhaps a question. Dr. Crabtree
37 mentioned the need for a framework action that would grant the
38 authority of withholding quota and in the event that a
39 reallocation occurs sometime in 2016. I was just wondering
40 whether the committee has any direction for us regarding that
41 matter.

42
43 **CHAIRMAN GREENE:** Thank you for that. I let that slip by me and
44 my apologies. Okay, committee, we have a recommendation for a
45 framework and does anyone want to act on that at this time?
46 Seeing no one choosing to act, Dr. Diagne, does that conclude
47 everything?

1 **DR. DIAGNE:** Just perhaps one final point. When we look at the
2 alternatives, we have years of 2015, 2016, and 2017. In all
3 likelihood, this amendment would be implemented and effective in
4 2016 and so essentially it was just to note that next time you
5 see this document, we will update it and the only years that you
6 would see here would be 2016 and 2017, because it seems to me
7 that we are past the point to have a 2015 quota, if you would,
8 reallocated. Thank you.

9
10 **CHAIRMAN GREENE:** Good point and thank you. I saw a hand on
11 that side of the table. Mr. Boyd.

12
13 **MR. BOYD:** I didn't make a motion or anything based on a
14 framework action because I would like to know a little more from
15 Dr. Crabtree and maybe tomorrow we can do that. I would like to
16 understand the framework action a little more and what the
17 details would be.

18
19 **CHAIRMAN GREENE:** Dr. Crabtree, do you want to reply and let's
20 get it done today?

21
22 **DR. CRABTREE:** That's fine, but the gist of it is is if we vote
23 this up at the August meeting, we can't have a final rule
24 effective by the end of the year and that means we will have
25 released all the quota to the IFQ fishery and there is no real
26 way to get it back and so the allocation adjustment couldn't
27 happen until 2017.

28
29 What the framework would do would be allow us to hold back a
30 portion of the commercial quota so that the allocation change
31 could be made when it became effective after January 1 and we
32 could hold back whatever amount it takes, depending on whatever
33 preferred, where you guys end up with it. Then we could release
34 whatever quota was left and the rest of it that was reallocated
35 would then be available to the recreational fishery. That's the
36 only way I see to get this done in time for the 2016
37 recreational season.

38
39 **MS. BADEMAN:** So we would take final action on that presumably
40 in August, when we took final action on Amendment 28? Is that
41 right? Like approving Amendment 28 and then do the same thing
42 with the framework?

43
44 **DR. CRABTREE:** Yes and I would think we could vote that
45 framework in August up and then, with shorter comment periods
46 and all, we could have that done by the end of the year.

47
48 **MR. DIAZ:** I will see if I get a second. **I will make a motion**

1 that we move this framework action forward. Somebody will have
2 to help me with the wordsmithing on that. If I get a second, I
3 will give some rationale.

4
5 **CHAIRMAN GREENE:** We will be working on your motion. Ms. Levy
6 looks like she has something she wants to share.

7
8 **MS. LEVY:** You might want to make it to direct staff to develop
9 a framework action to allow NMFS to hold back a portion of the
10 commercial quota for 2016. It's a longstanding -- Get rid of
11 the "2016". In anticipation of future regulatory changes. I am
12 taking that language from the framework, what it says we can do.
13 Then staff could develop an action with some alternatives about
14 maybe how much -- Your decision point about how much of the
15 quota could be retained and maybe some dates about when it would
16 have to be released, et cetera. You could have some decision
17 points there, but that should give enough information for staff
18 to develop that.

19
20 **CHAIRMAN GREENE:** Mr. Diaz, is that your motion on the board?

21
22 **MR. DIAZ:** Yes, it is. Thank you, Mara.

23
24 **MR. BOYD:** I second it.

25
26 **CHAIRMAN GREENE:** It's seconded by Mr. Boyd. Any more
27 discussion?

28
29 **MR. DIAZ:** I just want to give some rationale. Reading through
30 this, in preparation for this meeting, we have been working on
31 this document since 2009. From the discussion that we had at
32 the table here today, I don't see any reason why we're going to
33 be better off pushing this back until August than we are in June
34 and I just think that it's time for us to go ahead and vote this
35 up or down and put this to rest, where folks that have business
36 plans and different things that they're trying to depend on will
37 know which way this is going to go, one way or the other.

38
39 **MR. WALKER:** I would just speak against it. I mean this whole
40 Amendment 28 is all one-sided. It's about what we can do for
41 the recreational sector and it's not about what we can do for
42 everyone. It's supposed to be the net benefit of the nation and
43 the science has said that you need to work on your recreational
44 fishery management plan. It didn't say you need to work on your
45 allocation plan.

46
47 Everything is about taking away from the super majority of the
48 people in this country who do not fish or are consumers. I am

1 just appalled. I mean this whole thing, there is not one
2 alternative in this document, not one alternative, that looks at
3 -- I thought, from what Roy has said before, this is about
4 looking at allocation between sectors and it looks to me like
5 it's only looking at allocation to one sector.
6

7 **CHAIRMAN GREENE:** Thank you, Mr. Walker. Anyone else? We have
8 a motion on the floor and it's been seconded. **All those in**
9 **favor please raise your hand; all those opposed please raise**
10 **your hand. The motion carries seven to one.**
11

12 Anything else before we leave this? All right. Dr. Diagne has
13 indicated he is good with everything and so we will move on down
14 the agenda and the next item we have not tackled is Item XII,
15 Charge of the Reef Fish Headboat AP. Dr. Diagne, we are coming
16 back to you. This will be Tab B, Number 12.
17

18 **CHARGE TO THE REEF FISH HEADBOAT AP**
19

20 **DR. DIAGNE:** Thank you, Mr. Chair. On that tab number, Tab B,
21 Number 12, there is a draft charge for your consideration. It's
22 on the board, but I am not sure that everyone can read it. She
23 is increasing the font to allow you to read it, but essentially
24 the charge to the Headboat AP on this draft is to make
25 recommendations to the council relative to the design and
26 implementation of flexible management measures for the headboat
27 component of the for-hire sector.
28

29 This is just for the council's consideration or the committee.
30 You can modify it or propose a different charge or come back to
31 it at a later date if you so decide. Thank you.
32

33 **CHAIRMAN GREENE:** Thank you, Dr. Diagne. As it states in Tab B,
34 Number 12, and I will just read it, the charge of the Reef Fish
35 Headboat AP is to make recommendation to the council relative to
36 the design and implementation of flexible measures for the
37 management of reef fish for the headboat component of the for-
38 hire sector. Is there any committee member that would like to
39 weigh in and make comment or changes? I am not seeing anybody.
40

41 **MS. BADEMAN:** Do you need a motion? **I will make a motion to**
42 **accept the charge as written.**
43

44 **CHAIRMAN GREENE:** Thank you, Ms. Bademan. Do we have a second?
45 Mr. Fischer seconds the motion. **All those in favor raise your**
46 **hand; all those opposed raise your hand. The motion carries**
47 **eight to nothing.** That takes care of that item. Last, but not
48 least, would be Other SSC Business, Tab B, Number 13, and Dr.

1 Patterson.

2

3

OTHER SSC BUSINESS

4

5 **DR. PATTERSON:** Thank you, Mr. Chair. There was another item on
6 the agenda here about hogfish and are we not going to touch on
7 that? As far as the SSC meeting is concerned, we don't actually
8 have anything on hogfish. There was a miscommunication and the
9 FWRI representative who was supposed to be at the meeting to
10 talk about the projections did not attend and so we actually
11 didn't get to hogfish. I noticed it was on the agenda and so
12 that's really all I have to say about hogfish.

13

14

FWC MUTTON SNAPPER UPDATE ASSESSMENT

15

16 We also did talk about mutton snapper, the mutton snapper
17 assessment update. The SSC did not have a quorum present.
18 However, the committee voted to accept the 2015 SEDAR update
19 assessment of mutton snapper as representing the best available
20 science and suitable for management advice. This motion passed
21 unanimously, but, again, there was not a quorum present.

22

23 The figure that you see on the screen here, this is a series of
24 MCMC runs, where you can see that this is the distribution here.
25 All of the yellow circles are the distribution of model outputs
26 and then the red circle in the center of the distribution is the
27 deterministic run from the model.

28

29 Basically, the model output, the base model, there is a low
30 probability of overfishing having occurred in the most recent
31 year and a very low probability that the stock is currently
32 overfished.

33

34 However, most of the discussion from the SSC that ensued had to
35 deal with the fact that the base model that was selected was --
36 The age composition was derived by applying age/length keys to
37 size distributions of landings and so that was -- The age/length
38 keys were applied to the size distribution to estimate the catch
39 at age matrix and so there was discussion within the SSC of
40 whether that was more or less appropriate than direct aging,
41 using the direct age estimates, from animals sampled at the
42 dock, as we do in many assessments for which there is
43 significant or substantial aging, direct aging, information.

44

45 Joe O'Hop, who is the chief analyst for the assessment,
46 indicated that direct aging was not utilized because the panel
47 felt, especially in the early years, there were few aging
48 samples with which to actually run the model. The SSC just --

1 We didn't have the diagnostics in front of us and that's one
2 thing that we asked, for the diagnostics to actually examine
3 this. The phase plot that you see on the board here, or on the
4 screen -- Would it be possible to actually expand that to full
5 size?
6

7 This phase diagram that you see, the base model run is down here
8 in the bottom right, which is the deterministic run here shows
9 that the stock is below the maximum fishing mortality threshold,
10 which is the horizontal line, and the biomass is estimated to be
11 well above BMSY.
12

13 However, the direct aging model, the deterministic run, is up
14 here in this top left quadrant. There were over eighty
15 sensitivity runs that were produced in this assessment and there
16 were a couple of clusters of points and unfortunately the direct
17 aging was in this quadrant in the top left, which is where you
18 don't want to be.
19

20 That was a request for Joe O'Hop to prepare some of the
21 diagnostics and so that will be revisited and I know the South
22 Atlantic is working on mutton as well. It's my understanding
23 that about 15 percent of the landings come from the Gulf and so
24 the fact that we didn't have a quorum and the South Atlantic SSC
25 is also taking up this issue, we didn't spend a great deal of
26 time discussing mutton.
27

28 DISCUSSION OF MSST OPTIONS

29
30 Also under Other Business, the SSC reviewed this options paper
31 of proposed changes to the minimum stock size threshold
32 definition and so currently, when defined, the MSST is typically
33 the default recommended by Restrepo et al. from 1998, which is
34 the minimum stock size threshold, the MSST, is one minus M,
35 natural mortality, times BMSY.
36

37 In particular, the reef fish stocks for which MSST is defined,
38 this is the definition and so the council asked us to examine
39 the options, the different alternatives, within this document
40 and basically the purpose and need that was indicated is that
41 for stocks that have a low natural mortality, the buffer between
42 MSST and BMSY would therefore be low.
43

44 For example, if you had an M of 0.1, the MSST would be 90
45 percent of the BMSY and so the thinking, the rationale,
46 presented to us was that then you would have sometimes the stock
47 biomass estimate that would be below MSST, just due to natural
48 fluctuations, and so you would conclude either a depleted stock

1 or an overfished stock, when in fact it was just due to natural
2 variability.

3
4 There was an analysis that was performed by Clay Porch, who is
5 the Director of the Sustainable Fisheries Division at the
6 Southeast Fisheries Science Center, and so Clay examined the
7 likelihood of overfished status occurring due to natural
8 fluctuations in productivity.

9
10 What Clay did, the analysis was he did long-term, 150-year,
11 stochastic projections and we talk about the different
12 parameters that were allowed to vary in these stochastic
13 projections in the report, but basically, we had some parameters
14 varying and these projections were produced to equilibrium and
15 all of the three stocks that were examined, bluefin tuna, gray
16 triggerfish, and vermilion snapper, all reached equilibrium
17 within this timeframe.

18
19 They had different parameters or different definitions of the
20 maximum fishing mortality threshold, the MFMT, and so bluefin
21 tuna this was FMSY and for yellowfin snapper, it was Fmax and
22 for gray triggerfish, it was F 30 percent SPR.

23
24 You can see among these the lowest M value was for bluefin tuna,
25 which was 0.14. In these distributions, you can see that there
26 is a vertical line that appears on the left-hand side of each of
27 these distributions and this corresponds to the -- Basically, if
28 we follow it over to the Y-axis, this would be the probability
29 that a stock was below, or estimated to be below, MSST, when in
30 fact the stock was not depleted or overfished.

31
32 For each of these examples, the conclusion was there is a low
33 probability of this issue actually occurring, at least for these
34 three species with their stock dynamics. As we move forward,
35 another analysis was done in which Dr. Porch examined vermilion
36 snapper and so all stock dynamics are based on vermilion snapper
37 with its longevity. However, the one thing that was varied
38 among the models was the estimate of natural mortality and so
39 0.05, 0.1, and then 0.5.

40
41 Basically, what he concluded from these model runs was that the
42 probability of classifying a stock as overfished, when MSST is
43 defined as one minus M times the biomass when fished at the
44 maximum fishing mortality threshold, is inversely related to M,
45 but the SSC questioned the utility of this approach, because,
46 for one, in the previous slide that I showed you, the fish with
47 the lowest natural mortality that was examined was bluefin tuna
48 at 0.14.

1
2 When you use words like "low" and "high" and "medium", they are
3 qualitative. When we examine the distribution of natural
4 mortality estimates among the fishes in the reef fish fishery,
5 there are only two fish that have M greater than 0.25, but in
6 the options paper, 0.25 is sort of this threshold value and we
7 have several fishes that have M less than 0.1, but in this
8 example that Clay utilized, he simply altered the M for
9 vermilion, when instead we thought it probably would have been a
10 better approach to examine something like yellowedge grouper or
11 red snapper, that part of its life history was having this low
12 M, so the stock dynamics that you're projecting to equilibrium
13 would reflect the entire life history of the fish and not just
14 altering the M value.

15
16 The take-home message from Clay's analysis, and is reported in
17 that document, is that yes, you do increase the probability of
18 declaring something overfished when in fact it's not, with using
19 this -- The lower your M value is, using this approach.
20 However, in the real-world examples that were examined, this
21 didn't appear to be a huge issue.

22
23 Proposed changes to the MSST definition, SSC members suggested
24 that the analysis be conducted again for species that actually
25 are estimated to have a very low M, such as yellowedge grouper
26 and red snapper.

27
28 It was pointed out that in setting MSST that the council needs
29 to consider the costs associated with different levels of MSST.
30 For example, if MSST is only slightly below the biomass when
31 fishing at the maximum fishing mortality threshold, there is a
32 risk of unnecessarily having to implement a rebuilding plan if
33 the stock fluctuates below MSST, but may recover on its own.
34 This is really the purpose and need that was discussed earlier.

35
36 On the other hand, if MSST is far below the biomass at the
37 maximum fishing mortality threshold, the likelihood of
38 unnecessarily implementing a rebuilding plan is reduced, but the
39 cost of rebuilding when an overfished condition actually exists
40 is greater and so, really, this is the rationale for one minus M
41 to begin, is that if you have something that's long-lived, then
42 the cost of rebuilding and the timeline for rebuilding is also
43 greater and so that's a buffer for having to actually recover
44 something that has a life history that makes it difficult, and
45 we've seen this obviously in this region, with animals that live
46 a long time and have, therefore, long recovery plans when
47 severely overfished.

48

1 SSC members felt that options for low M in the current MSST
2 options paper were not actually very low. For example, only two
3 reef fish stocks have an estimated M greater than 0.25. Many of
4 the reef fishes, in fact, have M's that are around 0.1 and so
5 that's actually the mode. It's not low for these stocks and
6 it's actually pretty common. That concludes what we discussed
7 under Other Business.

8
9 **MS. BOSARGE:** I didn't want to stop you in the middle, but the
10 second bullet, when you're talking about the cost, the long-term
11 cost that you were talking about, I didn't quite grasp that and
12 can you go over that one more time?

13
14 **DR. PATTERSON:** The two sides of this issue are if the stock, in
15 fact, is just fluctuating naturally and because of natural
16 productivity the biomass estimate is below the MSST, that would
17 require a rebuilding plan and so there are costs associated with
18 that.

19
20 One of the tradeoffs then, by using the one minus M times BMSY
21 to estimate MSST, is that you run the risk of having to put in a
22 rebuilding plan when the stock is just responding to natural
23 fluctuations.

24
25 On the other side -- There was no analysis to examine the other
26 side of the issue. On the other side of the issue is that if
27 you actually have a stock with low natural mortality -- For
28 example, one of the options is to have MSST defined as 0.75
29 times BMSY.

30
31 Then you would allow the stock to actually drop to a lower level
32 than if MSST was set at one minus M for a stock that, let's say,
33 for example, had an M of 0.09, like red snapper. You would
34 actually allow it to be at 75 percent instead of 91 percent of
35 the BMSY before a rebuilding plan was required.

36
37 Because of that, it would take a longer time for it to recover
38 and so that's basically the tradeoff that we discussed. We
39 don't have data quantitatively to evaluate that tradeoff or
40 analysis performed, but qualitatively, that's basically the
41 counter to the other side of the issue.

42
43 **DR. CRABTREE:** Yes, except we're not allowed to allow
44 overfishing anymore and so presumably even if the rebuilding
45 plan wasn't put in place, we would end the overfishing and the
46 stock wouldn't go down anyway. I mean a lot of the stocks we
47 have that are in trouble, like red snapper, were results of
48 decades of overfishing and that just isn't going to happen under

1 current law and so I think you have to balance that into it.

2
3 The other thing is you tried to look at just recruitment
4 fluctuation, but one of my concerns has just been are our
5 assessments precise enough to even be able to distinguish
6 between being at 90 percent of BMSY or at BMSY or at 110 percent
7 of BMSY?

8
9 I think there's a great deal of uncertainty in these assessments
10 that's more than just the recruitment fluctuation. It's just
11 all the cumulative things that we don't know and I really
12 question whether we're even able to tell, when we're that close
13 to BMSY, whether we're there or not. I think that adds on to
14 all of this as a problem.

15
16 **DR. PATTERSON:** Both of those issues were actually discussed and
17 that was one of the early points that Roy just made, is all of
18 this just sort of moot? I had a couple of offline conversations
19 with council members earlier today about that very point.

20
21 The issue is that under the reauthorized Act, and presumably the
22 soon-to-be reauthorized, reauthorized Act, that overfishing is
23 not going to be allowed to occur. We have OFL and then a buffer
24 and a buffer away from OFL and if you look at the recent
25 performance in assessments that have been done since 2007, the F
26 estimates are well below FMSY and so that's a point well taken,
27 Roy, and we actually did talk about that quite a bit in the
28 panel itself. The second issue -- Actually, I forgot what your
29 second comment was and can you remind me?

30
31 **DR. CRABTREE:** The uncertainty of the assessments.

32
33 **DR. PATTERSON:** Yes, the uncertainty of the assessments. We
34 didn't spend as much time on the uncertainty of the assessments,
35 but the way that the Act is currently written, uncertainty
36 doesn't lead you toward less conservative and it leads you
37 towards more conservative and so that was kind of what we
38 discussed there.

39
40 **DR. CRABTREE:** Well, except I believe if you Google the word
41 "uncertainty" in the statute, I don't think you will find it.

42
43 **DR. PATTERSON:** You don't find "target" either and we talked
44 about that earlier.

45
46 **CHAIRMAN GREENE:** Okay. It's getting late in the afternoon and
47 are there any other comments for Dr. Patterson? Okay. I
48 believe that wraps us up. I didn't have anything down for Other

Tab B, No. 2

1 Business and is there any other business to come before the Reef
2 Fish Committee? Come on. Nobody? We will stand adjourned.

3

4 (Whereupon, the meeting adjourned at 5:30 p.m., March 31, 2015.)

5

6

- - -

7

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4 the Recreational Quota among Regions, to apportion the
5 recreational quota among the regions selected in Action 3 based
6 on 50 percent of the average historical landings formula used in
7 Reef Fish Amendment 40 (50 percent from 1986 to 2013 and 50
8 percent from 2006 to 2013), and 50 percent based on the regional
9 biogeographical differences in the stock used in the stock
10 assessments. The motion carried on page 58.
11
12 PAGE 60: Motion to move to considered but rejected the action
13 for for-hire federal permit restrictions. The motion carried on
14 page 60.
15
16 PAGE 77: Motion to add Options 5a and 5b into Action 6. The
17 motion carried on page 78.
18
19 PAGE 83: Motion to add Options 5a and 5b into Action 9. The
20 motion carried on page 83.
21
22 PAGE 84: Motion in Action 10 to remove Alternative 2b to the
23 considered but rejected appendix. The motion carried on page
24 85.
25
26 PAGE 91: Motion that Alternative 5 in Action 10 be moved to
27 considered but rejected. The motion carried on page 91.
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29 PAGE 94: Motion that Alternative 6 in Action 11 be moved to
30 considered but rejected. The motion carried on page 95.
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32 PAGE 96: Motion to remove Suboption 8c from Action 11,
33 Alternative 8. The motion carried on page 96.
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35 PAGE 112: Motion in Action 1 to select Alternative 3, Option a
36 as the preferred alternative. The motion carried on page 112.
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39 preferred alternative. The motion carried on page 115.
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41 PAGE 115: Motion to make Alternative 3 the preferred in Action
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44 PAGE 117: Motion in Action 3 to select Alternative 1 to be the
45 preferred alternative. The motion carried on page 118.
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47 PAGE 142: Motion to make Alternative 9 the preferred
48 alternative in Amendment 28. The motion carried on page 144.

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2 PAGE 145: Motion to direct staff to develop a framework action
3 to allow NMFS to hold back a portion of the commercial quota in
4 anticipation of future regulatory changes. The motion carried
5 on page 147.

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7 PAGE 147: Motion to accept the charge of the Reef Fish Headboat
8 AP. The motion carried on page 147.

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