

GULF OF MEXICO FISHERY MANAGEMENT COUNCIL

295<sup>TH</sup> MEETING

FULL COUNCIL SESSION

The Battle House Renaissance

Mobile, Alabama

JUNE 7-8, 2023

**VOTING MEMBERS**

Greg Stunz.....Texas  
 Kevin Anson (designee for Scott Bannon).....Alabama  
 Susan Boggs.....Alabama  
 Billy Broussard.....Louisiana  
 Dale Diaz.....Mississippi  
 Phil Dyskow.....Florida  
 Tom Frazer.....Florida  
 Dakus Geeslin (designee for Robin Riechers).....Texas  
 Michael McDermott.....Mississippi  
 Chris Schieble (designee for Patrick Banks).....Louisiana  
 Bob Shipp.....Alabama  
 Joe Spraggins.....Mississippi  
 Andy Strelcheck.....NMFS  
 C.J. Sweetman.....Florida  
 Troy Williamson.....Texas

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 LTJG Shelby Threlkeld.....USCG

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28 Max Lee.....FL  
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42 Scott Taylor.....Ocean Springs, MS  
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44 David Walker.....AL  
45 Johnny Williams.....Galveston, TX  
46 Jim Zurbrick.....Steinhatchee, FL

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1  
2  
3 [PAGE 46](#): Motion to direct the Ecosystem Technical Committee to  
4 remove offshore wind energy and achieving optimum yield for the  
5 reef fish complex from the working list of FEIs. [The motion](#)  
6 [carried on page 46](#).

7  
8 [PAGE 47](#): Motion to direct the ETC to develop the red tide FEI  
9 and come back with management options for gag, red grouper, and  
10 other affected species by June of 2024. [The motion was](#)  
11 [withdrawn on page 49](#).

12  
13 [PAGE 110](#): Motion to recommend approval of the Mote Marine  
14 Laboratory's EFP. [The motion carried on page 111](#).

15  
16 [PAGE 111](#): Motion to disband the Shrimp and IFQ Focus Groups.  
17 [The motion carried on page 112](#).

18  
19 [PAGE 118](#): Motion that the council requests that the LETC, at  
20 its upcoming October meeting, research all IFQ Red Snapper  
21 advanced landing notifications from 2022, among all five Gulf  
22 States, and formulate a comparison report of the proportion of  
23 inspected to non-inspected red snapper IFQ landings and  
24 subsequent proportion of amended landings reports for each  
25 category and the quantity of pounds amended by category.  
26 Further, provide a comparison of the number of non-inspected  
27 amended landing reports that adjusted poundage higher versus  
28 lower along with the frequency of occurrence and the magnitude  
29 of adjustments in pounds and whether any patterns exist. In  
30 addition, the report should include incidents of mismatched  
31 reports and amended landing reports as to the relationship of  
32 the dealer and the fishermen being the same entity. The LETC  
33 should provide a report back to the council at its January 2024  
34 meeting in the Law Enforcement Committee. [The motion carried on](#)  
35 [page 120](#).

36  
37 [PAGE 123](#): Motion to direct staff to write a letter to NOAA  
38 Fisheries outlining the council's concerns as they relate to the  
39 proposed Rice's whale petition. [The motion carried on page 124](#).

40  
41 [PAGE 146](#): Motion to use the following goals and objectives  
42 discussed during the Reef Fish Committee meeting to initiate a  
43 plan amendment: Goal 1: Improve opportunities for participants  
44 to enter the program. Objectives: to evaluate the merits of  
45 limiting share ownership and implement, if appropriate,  
46 alternative mechanisms for equitably redistributing shares and  
47 allocation to accounts harvesting IFQ species; limit share

1 ownership (maintaining and obtaining shares) to accounts that  
2 are harvesting IFQ species; identify barriers inhibiting or  
3 limiting participation by surveying participants and those  
4 wanting to enter the fishery; create an allocation bank to  
5 reduce barriers to fishing privileges. Goal 2: Reduce IFQ  
6 discards. Objectives: improve collection of discard information  
7 from IFQ vessels; create an allocation bank to further reduce  
8 bycatch and discards of IFQ species; evaluate additional or new  
9 flexibility measures to reduce discards. Goal 3: Maintain  
10 flexible fishing options and economic stability within the IFQ  
11 Programs. Goal 4: Increase IFQ market transparency (eliminates  
12 information asymmetries). Goal 5: Reduce costs per unit  
13 harvest. Staff develop an additional objective under Goal 1 to  
14 address the inheritability of shares and their ownership in  
15 perpetuity. A proposed objective is as follows: recover and  
16 redistribute IFQ shares and allocation held previously by a  
17 deceased shareholder to accounts of fishermen currently  
18 harvesting IFQ species. [The motion carried on page 151.](#)

19  
20 [PAGE 151](#): Motion to discontinue work on Reef Fish Amendments  
21 36B and 36C. [The motion carried on page 152.](#)

22  
23 [PAGE 153](#): Motion to approve Framework Action-Recalibration of  
24 Red Snapper Recreational Catch Limits and Modification of Gray  
25 Snapper Catch Limits and forward it to the Secretary of Commerce  
26 for review and implementation and deem the codified text as  
27 necessary and appropriate, giving staff editorial license to  
28 make the necessary changes in the document. The Council Chair  
29 is given the authority to deem any changes to the codified text  
30 as necessary and appropriate. [The motion carried on page 154.](#)

31  
32 [PAGE 155](#): Motion in Action 1 to move Alternatives 2 and 4 to  
33 Considered but Rejected. [The motion carried on page 156.](#)

34  
35 [PAGE 157](#): Motion in Action 1 to make Alternative 3 the  
36 preferred. [The motion carried on page 157.](#)

37  
38 [PAGE 157](#): Motion in Action 1 to move Alternative 5 to  
39 Considered but Rejected. [The motion carried on page 157.](#)

40  
41 [PAGE 161](#): Motion in Action 2 to add an Alternative 5 to  
42 establish a commercial trip limit of eight fish. [The motion  
43 carried on page 163.](#)

44  
45 [PAGE 164](#): Motion in Action 2 to move Alternative 2 to  
46 Considered but Rejected. [The motion carried on page 164.](#)

1  
2 [PAGE 164](#): Motion in Action 2 to make Alternative 5 the  
3 preferred. [The motion failed on page 167.](#)  
4  
5 [PAGE 167](#): Motion to direct staff to modify the amendment for  
6 scamp and yellowmouth grouper OFLs, ABCs, and ACLs to include  
7 black grouper and yellowfin grouper SSC catch recommendations.  
8 In the amendment consideration should be given also to  
9 implications to the IFQ fishery involving the shallow water  
10 grouper complex. [The motion carried on page 168.](#)  
11  
12 [PAGE 169](#): Motion to consider removal of wenchman from the Reef  
13 Fish FMP and to set ACLs and AMs for the remaining species in  
14 the midwater snapper complex (blackfin snapper, queen snapper,  
15 and silk snapper). [The motion carried on page 169.](#)  
16  
17 [PAGE 170](#): Motion to approve Draft Amendment 56: Modifications  
18 to the Gag Grouper Catch Limits, Sector Allocations, and Fishing  
19 Seasons and forward it to the Secretary of Commerce for review  
20 and implementation and deem the codified text as necessary and  
21 appropriate, giving staff editorial license to make the  
22 necessary changes in the document. The Council Chair is given  
23 the authority to deem any changes to the codified text as  
24 necessary and appropriate. [The motion carried on page 174.](#)  
25  
26 - - -  
27

1 The Full Council of the Gulf of Mexico Fishery Management  
2 Council convened at The Battle House Renaissance in Mobile,  
3 Alabama on Wednesday morning, June 7, 2023, and was called to  
4 order by Chairman Greg Stunz.

5  
6 **CALL TO ORDER AND INTRODUCTIONS**  
7

8 **CHAIRMAN GREG STUNZ:** It looks like we're a little ahead of  
9 schedule, which is good, and maybe to save a little time for  
10 tomorrow and expedite that up, and we're going to move a few  
11 things up in the agenda, and we'll start Full Council, and I've  
12 got a statement to read here first in just a second, but, before  
13 I do that, we have some announcements and recognitions and other  
14 things, and I think we'll hold off on that until some more  
15 people are here, and we'll do that when it's normally scheduled,  
16 but we'll start off now with some presentations that we had  
17 scheduled on that Item IV in the agenda, and so Steve VanderKooy  
18 is going to give the first one, but, while that's getting  
19 prepped and ready, I need to read our normal opening statement  
20 into the record.

21  
22 Welcome to the 295<sup>th</sup> meeting of the Gulf Council. My name is  
23 Greg Stunz, chair of the council. If you have a cell phone or  
24 similar device, we ask that you place it on silent or vibrant  
25 mode during the meeting. Also, in order for all to be able to  
26 hear the proceedings, we ask that you have any private  
27 conversations outside. Please be advised that alcoholic  
28 beverages are not permitted in the meeting room.

29  
30 The Gulf Council is one of eight regional councils established  
31 in 1976 by the Fishery Conservation and Management Act, known  
32 today as the Magnuson-Stevens Act. The council's purpose is to  
33 serve as a deliberative body to advise the Secretary of Commerce  
34 on fishery management measures in the federal waters of the Gulf  
35 of Mexico. These measures help to ensure that fishery resources  
36 in the Gulf are sustained, while providing the best overall  
37 benefit for the nation.

38  
39 The council has seventeen voting members, eleven of whom are  
40 appointed by the Secretary of Commerce and include individuals  
41 from a range of geographical areas in the Gulf of Mexico with  
42 experience in various aspects of fisheries. The membership also  
43 includes the five state fishery managers from each Gulf state  
44 and the Regional Administrator from NOAA's Southeast Fisheries  
45 Service, as well as several non-voting members.

46  
47 Public input is a vital part of the council's deliberative  
48 process, and comments, both oral and written, are accepted and



1 considered by the council throughout the process. We will  
2 welcome public comment from in-person and virtual attendees.

3  
4 Anyone joining us virtually who wishes to speak during the  
5 public comment should register for comment online. Virtual  
6 participants that are registered to comment should ensure that  
7 they are registered for the webinar under the same name they  
8 used to register to speak. In-person attendees wishing to speak  
9 during the public comment should sign-in at the registration  
10 kiosk located at the back of the room. We accept only one  
11 registration per person. Public comment may end before the  
12 published agenda item if all registered in-person and virtual  
13 participants have completed their comment.

14  
15 A digital recording is used for the public record, and,  
16 therefore, for the purpose of voice identification, we will call  
17 attendance for the council members attending virtually first.  
18 After this is completed, members in the room should identify  
19 himself or herself, starting on my left. We will first go with  
20 those online, and so is Bob Shipp online?

21  
22 **DR. BOB SHIPP:** Bob Shipp, Alabama.

23  
24 **CHAIRMAN STUNZ:** Thank you, Bob. Andy, are you still there? It  
25 doesn't sound like it. Is Bob Gill?

26  
27 **MR. ANDY STRELCHECK:** Andy Strelcheck, NOAA Fisheries Southeast  
28 Regional Office.

29  
30 **CHAIRMAN STUNZ:** Thank you, Andy, and we don't have Bob Gill on  
31 the line, and so we'll go to in-person. Tom, if you would like  
32 to start, please.

33  
34 **DR. TOM FRAZER:** Tom Frazer, Florida.

35  
36 **DR. C.J. SWEETMAN:** C.J. Sweetman, Florida.

37  
38 **MR. PHIL DYSKOW:** Phil Dyskow, Florida.

39  
40 **MR. DAVE DONALDSON:** Dave Donaldson, Gulf States Marine  
41 Fisheries Commission.

42  
43 **MR. DALE DIAZ:** Dale Diaz, Mississippi.

44  
45 **GENERAL JOE SPRAGGINS:** Joe Spraggins, Mississippi.

46  
47 **MR. MICHAEL MCDERMOTT:** Michael McDermott, Mississippi.

1 **MS. MARA LEVY:** Mara Levy, NOAA Office of General Counsel.  
2  
3 **MR. PETER HOOD:** Peter Hood, Southeast Regional Office.  
4  
5 **DR. CLAY PORCH:** Clay Porch, Southeast Fisheries Science Center.  
6  
7 **MR. CHESTER BREWER:** Chester Brewer, and I'm the liaison from  
8 the South Atlantic Fishery Management Council.  
9  
10 **MR. KEVIN ANSON:** Kevin Anson, Alabama.  
11  
12 **MS. SUSAN BOGGS:** Susan Boggs, Alabama.  
13  
14 **MR. CHRIS SCHIEBLE:** Chris Schieble, Louisiana.  
15  
16 **MR. BILLY BROUSSARD:** Billy Broussard, Louisiana.  
17  
18 **MR. TROY WILLIAMSON:** Troy Williamson, Texas.  
19  
20 **MR. DAKUS GEESLIN:** Dakus Geeslin, Texas.  
21  
22 **EXECUTIVE DIRECTOR CARRIE SIMMONS:** Carrie Simmons, Gulf Council  
23 staff.  
24  
25 **CHAIRMAN STUNZ:** Okay. Thank you, everyone, and so we'll take  
26 care of a few items of business here, and the first will be the  
27 Approval of the Minutes from last time. If everyone has  
28 reviewed those minutes, is there any edits or any suggestions  
29 for changes for the minutes? Seeing none, I guess we need to  
30 have a motion for approval of those minutes.  
31  
32 **DR. SWEETMAN:** So moved.  
33  
34 **CHAIRMAN STUNZ:** It's so moved by C.J., and it's seconded by  
35 General Spraggins. Is there any opposition to that motion?  
36 Seeing none, we'll consider that the minutes are approved. The  
37 next step will be Adoption of the Agenda. Are there any items  
38 that need to be modified in the agenda, or any Other Business  
39 items? Carrie.  
40  
41 **EXECUTIVE DIRECTOR SIMMONS:** Thank you, Mr. Chair. Could we  
42 add, under Other Business, a short discussion of disbanding the  
43 IFQ Focus Group and the Shrimp Focus Group?  
44  
45 **CHAIRMAN STUNZ:** Okay. Thank you. We've got that. Anything  
46 else for Other Business? Are there any other agenda items?  
47 Could we please get a motion to approve the agenda, please?  
48 It's moved by General Spraggins, and I need a second for that.

1 It's seconded by C.J. Sweetman. Okay. Any opposition to  
2 approval of the agenda? Seeing none, we'll consider the agenda  
3 approved. Thank you, everyone.

4  
5 Moving on, then we'll start with the presentations and go in  
6 order there, and the first one up is an Update on the  
7 Commission's Recently-Finished Red Drum Fishery Profile, and so,  
8 if you all want to pull up that presentation on the screen,  
9 please, and Mr. VanderKooy is here and ready. As soon as they  
10 get that up, you're set. For those following, that will be Tab  
11 A, Number 7.

## 12 13 PRESENTATIONS

### 14 UPDATE ON THE COMMISSION'S RECENTLY-FINISHED RED DRUM FISHERY 15 PROFILE 16

17 **MR. STEVE VANDERKOOY:** Thank you. I'm sure that most of you are  
18 very familiar with red drum at this point, and so I'm not going  
19 to go into too much detail, but I will provide a high-level  
20 overview of this management profile, which we completed and made  
21 available this past January at Gulf States.

22  
23 First, for those who don't know me, I'm Steve VanderKooy, and I  
24 direct the Interjurisdictional Fisheries Program, which helps to  
25 coordinate management of our fisheries in state waters. To that  
26 end, we developed regional management plans to assist our  
27 partner agencies when dealing with shared nearshore species.  
28 Our FMPs were tailored to mimic the federal plans.

29  
30 The commission has produced FMPs for a number of fisheries, with  
31 multiple revisions over time, and these include fisheries like  
32 blue crabs, oysters, Gulf menhaden, just to name a few.  
33 However, in recent years, the designation of a fishery  
34 management plan has become confused, especially with regard to  
35 their intent and authority. They are, in fact, not equivalent  
36 to a federal plan, and so we developed a new approach and began  
37 to produce species profiles instead of FMPs.

38  
39 The new profiles are either biological profiles, for those which  
40 have limited management, such as Atlantic croaker and  
41 tripletail, and then also management profiles for those with  
42 well-established histories of state or federal oversight. We  
43 are currently working on a biological profile for mangrove  
44 snapper, but our most recent management profile is the red drum  
45 in the Gulf of Mexico.

46  
47 The red drum taskforce had its introductory meeting in June of  
48 2019, and it was just beginning to gain some momentum as COVID

1 hit. Needless to say, we did still manage to work on the  
2 document, albeit it slowly, until things returned to normal.

3  
4 The profile provides a comprehensive review for the species and  
5 the associated fisheries, and we explored as much of the  
6 published literature that we could find and provided the  
7 detailed accounting of the critical components related to the  
8 population in the Gulf specifically. This includes their  
9 biology and physiology as well as their distribution.

10  
11 The profile includes all the relevant research, past and  
12 present, and hopefully can be beneficial in future management  
13 and assessment of the stock. The profile gives a state-by-state  
14 history of the commercial and recreational activities leading to  
15 the management scheme that we have today.

16  
17 With the elimination of the commercial fisheries on red drum, we  
18 also detail the source of fish that are imported into the U.S.  
19 from the rest of the world and characterize the history of  
20 domestic aquaculture, as well as stock enhancement, in our own  
21 waters.

22  
23 One of the more useful portions of the profile is the research  
24 needs, which we produce after the extensive literature review.  
25 The list provides direction for potential research for students,  
26 as well as the resource agencies. In addition, the commission  
27 is able to provide numerous unpublished, or otherwise gray  
28 literature, that wouldn't be available in most peer-reviewed  
29 journals. The red drum profile we finished, the reference  
30 section includes just a little over 600 individual references.

31  
32 The profile, and all the commission publications, can be found  
33 on our website, and they are organized by program and category,  
34 such as annual reports, past minutes, or enforcement, and you  
35 can find most of the literature that we have used in the past,  
36 in our FMPs and profiles as well, and it includes the holdings  
37 for the Gunter Library at GCRL. You can access any of that. If  
38 you go to our main page, under About, you can find publications,  
39 and the page you see there is the general list. On the upper-  
40 right, there's a bibliography search, and, in that, you can find  
41 all of those additional publications that we have internally  
42 used, as well as, like I said, GCRL, and we're happy to assist  
43 in locating publications, when we can. That's it. Thank you,  
44 and I'm happy to answer any questions.

45  
46 **CHAIRMAN STUNZ:** Thank you, Steve. Susan.

47  
48 **MS. BOGGS:** Thank you for the presentation, Steve. On Slide 6,

1 when you look at the recreational harvest, for 2015 through  
2 2019, Louisiana shows no catch?

3  
4 **MR. VANDERKOOY:** These are the landings that are derived from  
5 the NOAA MRIP program, and that's because Louisiana is part of  
6 LA Creel, and you also don't have Texas landings, because they  
7 have their own survey, and so that's -- There is other ways that  
8 we represent that in the document, and this was just an initial  
9 approach, using NOAA numbers.

10  
11 **CHAIRMAN STUNZ:** Okay. Are there other questions for Steve?  
12 Phil.

13  
14 **MR. DYSKOW:** Thank you, Mr. Chair. Perhaps Carrie can better  
15 explain this, but what is the overlapping authority, if any,  
16 between the Gulf States Marine Fisheries Commission and the Gulf  
17 Fishery Management Council, and where is the overlapping  
18 authorities?

19  
20 **CHAIRMAN STUNZ:** We're kind of looking at you, Mara and Steve,  
21 or Dave.

22  
23 **MR. DONALDSON:** I will take a stab at that. Essentially, there  
24 isn't any. I mean, we sit on this body as a non-voting member,  
25 and the commission has no regulatory authority. We defer to the  
26 states, each of the individual Gulf states, to have that  
27 management authority, and we just provide a forum to look at  
28 things on a regional basis, and so there really isn't any  
29 overlapping authority.

30  
31 **MR. DYSKOW:** Thank you, Mr. Chair. Could I ask a follow-up  
32 question? I am just trying to educate myself here, and what  
33 then was the purpose of this analysis of red drum? I am just  
34 trying to learn something here.

35  
36 **MR. DONALDSON:** Well, as Steve pointed out, with the IJF  
37 program, we look at species on a regional basis, and it just  
38 provides guidance to the states, and that's why we've moved away  
39 from FMPs, because there was some misunderstanding that we had  
40 these FMPs, and it was like, well, how come you're not  
41 implementing these recommendations, and the short answer was,  
42 well, they're recommendations, and they're not -- Unlike the  
43 Gulf Council, we don't have the authority to implement it, and  
44 it's trying to look at a species on a regional basis, instead of  
45 state-by-state, but so that's why, and, each year, our state-  
46 federal group gets together and develops a list, or has a list,  
47 of species for future development. As Steve mentioned, we're  
48 doing mangrove snapper right now.

1  
2 **CHAIRMAN STUNZ:** Carrie.

3  
4 **EXECUTIVE DIRECTOR SIMMONS:** Thank you, Mr. Chair, and so I  
5 think these are really nice bodies of work, and we're kind of  
6 doing something similar with our fisheries science page, and,  
7 for some of the species that are not federally-managed, it's  
8 nice to have that body of work, and we could have the Education  
9 and Outreach Committee maybe look at how we could link our  
10 website to your profiles for some additional information, and so  
11 we could have staff work on that, and tell the council where we  
12 land.

13  
14 **CHAIRMAN STUNZ:** I think that's a great suggestion, Carrie, so  
15 we can point people to that document, and is there any other  
16 questions? Steve, having worked on my dissertation on red drum,  
17 many years ago, I read this document, and you all did a great  
18 job putting this together, and it's nice to see all the recent  
19 information summarized in one place, and so I'm confident that  
20 this will get a lot of traction, and so thanks for putting that  
21 together. If there is no other questions -- Dale.

22  
23 **MR. DIAZ:** I was just, real quickly, going to comment on Mr.  
24 Dyskow's question. One thing that I think goes beyond, I think,  
25 authorities is, the way things are set up now, in my view, is a  
26 really good partnership between the council and federal  
27 management and state management, because, without Gulf States  
28 coordinating all the data collection, that the states are  
29 collecting, it would be really hard to deal with the volume of  
30 data that we have, and so I really like the way it's set up now,  
31 and I think it's a good forum for the states to work together,  
32 and learn from each other also, and so, anyway, under Dave's  
33 leadership, I will say that the Gulf States Marine Fisheries  
34 Commission has been a wonderful partner for us, and so thank  
35 you.

36  
37 **CHAIRMAN STUNZ:** Thank you, Dale. All right. Steve, thank you.  
38 It looks like we'll move on to the next agenda item, and so,  
39 Peter Hood -- If you're ready, Peter, do you want to tell us  
40 about this exempted fishing permit for Mote Marine Lab, if  
41 you're prepared, and that's Tab A-8, if we want to pull that up.

42  
43 **PRESENTATION ON EFP FROM MOTE MARINE LAB**

44  
45 **MR. HOOD:** Okay. We received an application for an exempted  
46 fishing permit from Mr. Max Lee and Ms. Carole Neidig from Mote  
47 Marine Lab. They are looking at an optimized retention  
48 management system for red grouper, and the funding they're

1 operating under is from the National Fish and Wildlife  
2 Foundation, or NFWF, and what their research has found is that,  
3 you know, from six years of monitoring data, they basically  
4 found that, in waters less than thirty-five fathoms, they get  
5 more undersized fish than in deeper waters, and so outside of  
6 thirty-five fathoms, but, you know, as we would expect, the  
7 deeper you go, the more likely the discarded fish are going to  
8 die.

9  
10 The goal of this project is to try to improve catch utilization  
11 and eliminate red grouper discards in high-mortality spatial  
12 areas, by allowing for research-scale retention of undersized  
13 red grouper, with minimal impacts to the stock and improved  
14 sustainability for the fishery as a whole.

15  
16 What the EFP proposes to do is allow the possession, sale, and  
17 purchase of a limited number of undersized red grouper, and so  
18 they're looking for no more than 3,000 pounds, which translates  
19 to a little over a thousand fish. These fish would be harvested  
20 seaward of a line approximating the thirty-five-fathom contour  
21 on three federally-permitted commercial vessels with eastern  
22 Gulf reef fish bottom longline endorsements, and what they would  
23 be using is the thirty-five fathom summer bottom longline  
24 closure that's on the books, and so that's how they would know  
25 whether they were inside or outside of thirty-five fathoms.

26  
27 The EFP would exempt harvest activities from federal regulations  
28 specific to the commercial red grouper size limit, which is a  
29 minimum size limit of eighteen inches total length, and so, in  
30 other words, they're requesting to land fish that are less than  
31 eighteen inches. The vessels would be equipped with electronic  
32 monitoring systems, which use multiple cameras and sensors to  
33 record fishing activity, catch, and discards. All trips made by  
34 the three vessels would include 100 percent video review, using  
35 established and approved protocols to verify fishing and project  
36 activity.

37  
38 The operators of the vessel would be able to land the undersized  
39 red grouper, and landings would be, you know, limited to that  
40 cumulative cap of 3,000 pounds that I mentioned. Undersized red  
41 grouper harvested through the study would be fitted with unique  
42 tags supplied to each vessel for the project, and the tag would  
43 facilitate dockside sorting, where the tagged, undersized red  
44 grouper would be weighed separately, to ensure that the poundage  
45 from these fish is counted towards that 3,000-pound limit.

46  
47 The undersized red grouper would be weighed and processed  
48 through the IFQ system and assigned their own separate category

1 in a weigh-out ticket, and, that way, they could know of any  
2 pricing differences from the rest of the IFQ catch from a  
3 particular trip, and then I would also mention that the  
4 researchers are working with FWC, so that, should their port  
5 samplers meet -- Any of the trips that would be covered under  
6 the EFP, they would be able to obtain biological samples, like  
7 ageing structures, from those fish, and that's something that  
8 FWC staff has indicated that they would really like to get.

9  
10 Then I would also mention that they plan on directly contacting  
11 both state and federal law enforcement, so they're aware of any  
12 trips, and they have already opened up lines of communication  
13 with those folks. We did send the EFP application out for  
14 review to the Center and state agencies and the Coast Guard, and  
15 the Center, found that the request contained all necessary  
16 information and constitute activities appropriate for further  
17 consideration.

18  
19 If approved, the EFP would be effective from January 1, 2024  
20 through December 31 of 2024 or until the project vessels have  
21 retained that combined 2,000-pound limit, and then I would just  
22 say that both Mr. Lee and Ms. Neidig are in the audience, and  
23 so, if there are any questions specific to the EFP, they would  
24 be happy to answer those, and that's what I have, and so what  
25 we're looking for from you is basically -- I guess it would be  
26 an endorsement of us approving this EFP. Thanks.

27  
28 **CHAIRMAN STUNZ:** Okay. Well, thank you for that summary, Peter,  
29 and yes, and, for those of you that don't know, we recommend  
30 approval to the agency, who gives the final approval for this,  
31 and so I think the best thing to do for right now, Peter, is ask  
32 questions of you, or the EFP applicants, if there is any, and  
33 then, tomorrow, I think we probably should hear if there's any  
34 public comment on this application, before we make any type of  
35 recommendation or approval, and I have a slot in the agenda for  
36 tomorrow to do that, after we have a little more, but now would  
37 be a good time to ask any questions of Peter, or others, if  
38 there are any, regarding this permit.

39  
40 Well, I'm not seeing any, and so thank you, Peter, and then  
41 we'll just make a final recommendation, and you all think about  
42 that between now and tomorrow. Andy, go ahead, please.

43  
44 **MR. STRELCHECK:** Greg, not a question, just a comment. I mean,  
45 I really like this exempted fishing permit, and I would ask for  
46 the council's support. I think it really mirrors nicely the  
47 conversation we had yesterday about the IFQ program goals and  
48 objectives and reducing bycatch, and it's an opportunity to do



1 some innovative work to evaluate new ways of managing the  
2 fishery, and so I just wanted to comment on that and connect it  
3 to, obviously, our discussion yesterday.  
4

5 **CHAIRMAN STUNZ:** All right. Thank you, Andy. I am not seeing  
6 any more questions or comments around the table here in-person,  
7 and so, with that, we'll go ahead and move on to the next agenda  
8 item, and we might skip a presentation. Is Ms. Macpherson here?  
9

10 **EXECUTIVE DIRECTOR SIMMONS:** Yes.  
11

12 **CHAIRMAN STUNZ:** She is? Okay. Well, sorry, I didn't see you  
13 earlier, and so you're up next, and so that's going to be Tab A,  
14 Number 9(a), and (b) as well, and she's going to give us a  
15 presentation regarding NOAA's Fisheries Request for Comments and  
16 Advance Notice of Proposed Rulemaking for National Standard  
17 Guidelines 4, 8, and 9. Thank you, Marian, and it looks like  
18 your presentation is ready to go, and so, whenever you're ready,  
19 go ahead.  
20

21 **NOAA FISHERIES REQUEST FOR COMMENTS ON ADVANCE NOTICE OF**  
22 **PROPOSED RULEMAKING FOR NATIONAL STANDARD GUIDELINES 4, 8, AND 9**  
23

24 **MS. MARIAN MACPHERSON:** Thank you. Hi, and I'm Marian  
25 Macpherson from National Marine Fisheries Service Office of  
26 Sustainable Fisheries, and I'm here today to talk to you about  
27 our advance notice of proposed rulemaking for the Magnuson Act's  
28 National Standards 4, 8, and 9.  
29

30 Our objective here is to inform you about an advance notice that  
31 we published on May 15 to inform you that we're considering  
32 updating our guidance that we have to interpret the Magnuson Act  
33 and these three National Standards, 4, 8, and 9. Our goal here  
34 is to solicit input on whether we need to update these  
35 guidelines, and, specifically, we do have some specific issues  
36 that we would like input on addressing.  
37

38 Just to provide a little bit of background, a refresher probably  
39 for most of you, the three National Standards that we're looking  
40 at in the Magnuson Act are National Standard 4, which deals with  
41 allocations, and it provides that management measures shall not  
42 discriminate between the residents of different states, and, if  
43 it's necessary to allocate, then the allocation must be fair and  
44 equitable, reasonably promoted to promote conservation, and also  
45 not create excessive shares for any individual or entity.  
46

47 National Standard 8 focuses on fishing communities and requires  
48 that we take into account the importance of fishery resources to

1 fishing communities, and in order to provide for sustained  
2 participation of these communities and, to the extent  
3 practicable, minimize adverse economic impacts on them.

4  
5 Then National Standard 9 focuses on bycatch, and the requirement  
6 there is to minimize, to the extent practical, first of all, the  
7 bycatch itself, and then, to the extent that bycatch cannot be  
8 avoided, minimize the mortality, and so that's what we have in  
9 the Magnuson Act, and then NMFS has provided additional  
10 interpretations in our guidance on how to apply and comply with  
11 these National Standards, and so, periodically, we update this  
12 guidance, as is appropriate, to reflect changes in the statute  
13 or evolving fisheries management needs.

14  
15 The last updates that we've done for these three particular  
16 standards, National Standard 4 was twenty-five years ago, in  
17 1998, and National Standards 8 and 9 were fifteen years ago, in  
18 2008.

19  
20 Our current focus right now is on two challenges that we're  
21 facing, climate and the environmental equity and justice goals,  
22 and so, first, in terms of climate, we've got changing ocean  
23 conditions that are affecting location and productivity of fish  
24 stocks, and, also, it's changing how interactions with bycatch  
25 and protected species are occurring, and these changes can have  
26 impacts on fisheries on and the fishing communities. It can  
27 cause social and economic and other types of impacts, and so we  
28 understand the importance of updating management to address  
29 current and anticipated needs and conditions, and this includes  
30 addressing dynamic stock conditions and changing ocean  
31 conditions.

32  
33 In terms of equity and environmental justice, this is a big  
34 priority for our administration, and NMFS is committed to  
35 advancing equity and environmental justice, including equal  
36 treatment, opportunities, environmental benefits for all people  
37 and fishing communities, while building on continuing efforts  
38 and partnerships with underserved and underrepresented fishing  
39 communities, and so I'll have more details about the interaction  
40 between these challenges and our National Standard Guidelines on  
41 the next few slides.

42  
43 Starting off with the climate issues, starting with the National  
44 Standard 4 Guidelines, since environmental changes are affecting  
45 our stock distributions and abundances and have the potential to  
46 change the applicability of how we're using historical  
47 information and how relevant current regulations are, these are  
48 things that you're going to want to look at, in terms of

1 climate, and so, in terms of allocations that have already been  
2 established by councils, most of them are highly complex and  
3 supported by extensive analyses, and many of these have relied  
4 heavily, or at least included consideration, on documented catch  
5 over specific time periods, and so this is very important to  
6 help participants maintain access to the resources they've been  
7 dependent on.

8  
9 However, it's also important to consider needs of other users,  
10 such as new fishermen who would like to enter the fishery,  
11 fishermen who have been displaced from other fisheries, and/or  
12 existing fishermen who are catching these species in historic  
13 fishing grounds, and so NMFS is considering whether updates to  
14 our guidance would help encourage allocation decisions that  
15 balance the needs of these different user groups for updating  
16 and creating allocations, including for stocks that are shifting  
17 or have shifted.

18  
19 We are considering how to -- What approaches there are for  
20 better balancing access for historic users, marginalized  
21 individuals who may have been excluded inequitably, and new  
22 users in allocation decisions. We're also considering whether  
23 revisions are needed to reinforce NMFS' 2016 Allocation Policy  
24 requirement that councils conduct periodic reviews of  
25 allocations, and so we're also looking at whether to provide  
26 additional guidance on the types of documentation to consider,  
27 for example spatial allocations between sectors or gears,  
28 different mixtures of historic use, and dynamic allocation  
29 schemes.

30  
31 Now to focus on communities and bycatch, in terms of the climate  
32 challenge, in light of how environmental changes are affecting  
33 stock distributions and abundances and creating challenges for  
34 communities that have been dependent on these resources, NMFS is  
35 requesting comments on options for updating our guidance to  
36 better account for these changes and improve the ability of  
37 communities to adapt.

38  
39 We're also requesting comments on options for updating the  
40 National Standard 9 guidance to account for bycatch that results  
41 from changes in interactions between fisheries and/or protected  
42 resources, due to environmental change.

43  
44 Now, shifting over to our equity and environmental justice  
45 topic, National Standard 4 and allocations, we're requesting  
46 input on whether the National Standard 4 Guidelines need to be  
47 updated to provide guidance on approaches for considering  
48 underserved communities, previously-excluded entrants, and new

1 entrants in our allocation decisions, and, also, we're seeking  
2 input on the types of documentation and analysis that should be  
3 considered, to be sure that our allocation decisions are fair  
4 and equitable, and so we know that these decisions are  
5 difficult, and controversial, given the history, traditions,  
6 financial expenditures that current participants have already  
7 put out, and we're just requesting input on how we would need to  
8 make future adjustments or to existing allocations, or both.

9  
10 Talking about National Standard 8, communities, in terms of  
11 equity and environmental justice, we are committed to serving  
12 stakeholders equitably, by engaging underserved communities in  
13 science, conservation, and management of the nation's fisheries,  
14 and we're looking at how the National Standard 8 Guidelines have  
15 been interpreted, particularly in terms of the term "fishing  
16 community" and how our guidance may further interpret that  
17 beyond what is in the statute.

18  
19 The Magnuson Act itself has a definition of "fishing community",  
20 which is a community that is substantially dependent on or  
21 substantially engaged in fishing, and this includes vessel  
22 owners, operators, crew, and fish processors that are based in  
23 such community. In our interpretation, in the guidelines, we  
24 have interpreted that we should have a place-based requirement.  
25 A community must be a specific location, and our guidance has  
26 focused on the dependency aspect more so than on engagement.

27  
28 Now we're looking at whether our interpretations need to be  
29 updated, whether we should remove that place-based community  
30 members that the community members must reside in a specific  
31 location, and this could allow for a fishing community that's  
32 based on its characteristics, rather than its location. For  
33 example, the community might be the community of charter  
34 fishermen targeting Atlantic cod.

35  
36 The other aspect of this is balancing the concepts of dependence  
37 and engagement, and so, as stocks are shifting, or decreasing,  
38 communities are going to need to adapt, and so this could imply  
39 a need to move away from focusing on historic dependence and  
40 looking at a community's level of engagement and the ability to  
41 target things that are coming into place, and so shifting from  
42 dependence to engagement is under consideration, and we're  
43 interested in thoughts on how this could build up communities'  
44 economic resilience and help preserve communities as fishing  
45 communities into the future.

46  
47 We're also interested in ideas for appropriate measures for  
48 improving climate, addressing social and climate vulnerability

1 in communities, and so we're considering removing -- Sorry.  
2 Backing up to the previous slide, I just wanted to mention that  
3 this is something that we're considering removing, and there's a  
4 statement in the National Standard 10 Guidelines that says that  
5 National Standard 8, on its own, does not provide a basis for  
6 allocating to a specific community, and we're thinking that this  
7 text may be unnecessary and confusing, given that National  
8 Standard 8 doesn't provide or prevent that, and there could be  
9 rationale under other provisions of the Magnuson Act, and we  
10 think it's possibly blurry, having it in this location of our  
11 guidance.

12  
13 In terms of a complex between fisheries and gears, we're aware  
14 that, you know, there can be geographic overlaps in areas where  
15 species are caught. Relevant to the National Standard 9  
16 guidance, a situation where there's bycatch in one fishery that  
17 has negative impacts on another fishery, usually due to a  
18 mortality limit on a shared stock, and so this issue can be even  
19 more complicated when one of these fisheries is important for an  
20 underserved community, and so we're welcoming input on how the  
21 National Standard 9 Guidelines could be modified to minimize  
22 bycatch in a manner that's equitable across all the fisheries  
23 and gear types and also on ways of how we could better balance  
24 the needs of bycatch and target fisheries that is equitable  
25 across fisheries and gear types, especially when more and more  
26 of the fisheries are important for underserved communities.

27  
28 There are other fisheries and management issues relevant to  
29 National Standards 4, 8, and 9 that are not necessarily covered  
30 under these two topics of climate and EEJ, and one of them is  
31 considering a practicability standard that could be included in  
32 National Standard 9, and so we would be considering, you know,  
33 whether we could add provisions to address bycatch on an  
34 ecosystem level, as opposed to single species, how we would go  
35 about developing, or implementing, alternative performance-based  
36 standards to help us avoid bycatch, and/or increasing the  
37 provisions to document bycatch avoidance.

38  
39 Another issue that we're aware of, and are taking input on, is  
40 the concept of reducing waste, and so we're aware about some  
41 regulations that help us avoid bycatch that result in regulatory  
42 discards, which is a waste of fish, and we're trying to think  
43 of, you know, ways that we could improve that situation, and so  
44 we're looking for input on how we could create incentives to  
45 reduce the waste, including innovations to decrease bycatch,  
46 decrease bycatch mortality, or incentives that could increase  
47 use, while still avoiding the catch of an overfished or low-  
48 productivity stock.

1  
2 This is just our schedule of where we've been and where we're  
3 going, and we're here today talking to you about what is in our  
4 advance notice of proposed rulemaking, and the purpose of that  
5 document is to help us decide whether to undertake these  
6 revisions that I've told you about, and so, to the extent that  
7 you have ideas that you can contribute, we'll be considering  
8 those and making any decision about whether to move forward, and  
9 then, if we do move forward, what will go into it.

10  
11 The public comment period on this is open until September 12,  
12 and, if a determination is to move forward with a proposed rule,  
13 we would start working on that in the fall, and that is it.

14  
15 **CHAIRMAN STUNZ:** Okay. Thank you, Marian, and I will open it up  
16 for questions here in just a second, but, from a council  
17 perspective, in terms of what we need to do here, and so maybe  
18 to help guide your questions, first, I thought perhaps Tom or I  
19 could deal with this, writing a letter on our behalf, but, after  
20 your presentation, Marian, I think those three National  
21 Standards do have a lot of implications of what we're talking  
22 about around this table, particularly the recreational motion  
23 that Andy put forward a few meetings ago, and, of course, we've  
24 been talking a lot of bycatch, and well, really, a lot of  
25 things, and so I think maybe it would be good if we all thought  
26 about that.

27  
28 We can get our thoughts together and put this back on the agenda  
29 for the August meeting, and maybe have a draft letter at that  
30 point, and then we would still have time to meet your September  
31 deadline of putting that through, and so, for you all, that's  
32 kind of, I think, maybe the general plan, but, with that,  
33 Marian, I will open it up to see if there's any questions from  
34 the council members. Tom.

35  
36 **DR. FRAZER:** Thanks, Marian, for being here. On Slide 3, that  
37 slide deals specifically with kind of an overview of the three  
38 standards under consideration, and the question I have is with  
39 regard to National Standard 4 and the allocations, and one of  
40 the key points there is that allocation should not result in  
41 excessive shares, and so I'm just curious, from the agency's  
42 perspective, how do they define "excessive"?

43  
44 **MS. MACPHERSON:** That is an excellent question, and I believe  
45 there is a description of that in the existing National Standard  
46 guidance, the National Standard 4 guidance, but I don't have it  
47 in the top of my head right now, but I can definitely follow-up  
48 with you on that.

1  
2 **DR. FRAZER:** That would be great. Thank you.  
3

4 **CHAIRMAN STUNZ:** Carrie.  
5

6 **EXECUTIVE DIRECTOR SIMMONS:** Thank you, Mr. Chair, and thank  
7 you, Mariana, for the presentation, again, in more detail than  
8 we got during the CCC meeting, and so I appreciate that. Just a  
9 question about the process, if you could remind us of that, and  
10 so, if the agency decides to move forward with considering these  
11 changes, there will also be another opportunity to delve in  
12 again and comment on those specific changes to each of those  
13 standards, and is that correct?  
14

15 **MS. MACPHERSON:** Yes, and thank you for bringing that up, and  
16 so, if the decision is to move forward, then the next step would  
17 be to develop a proposed rule, and that would go out for public  
18 comment, and people would be able to see specifically what we  
19 were thinking, in terms of making changes, and there would be a  
20 comment period on that as well.  
21

22 **EXECUTIVE DIRECTOR SIMMONS:** Thank you. I appreciate that, and  
23 so I had a question about engagement with the communities. I  
24 think you did provide some background, as to why that was being  
25 considered, but could you just remind me again how that came  
26 about and why engagement is important and how that term was  
27 derived, and maybe defined? Thanks.  
28

29 **MS. MACPHERSON:** The statute -- In terms of fishing communities,  
30 the statute has the language that a fishing community is a  
31 fishing community that has historic dependence or is  
32 substantially engaged, and our guidance has really focused on  
33 historic dependence, but, as we're seeing species shift, and  
34 stocks changing, in terms of climate, it seems possible that  
35 communities may need to shift, not to the stocks that they've  
36 been historically just dependent on, but that they want to  
37 engage on, and so whether our guidance needs to focus a little  
38 bit more, to provide for that sort of change.  
39

40 **CHAIRMAN STUNZ:** Mr. Dyskow.  
41

42 **MR. DYSKOW:** Thank you, Mr. Chair. Thank you for your  
43 presentation. I live in Florida, and we have seen a tremendous  
44 influx of population, and we've seen significant transformation  
45 of what, in the past, might have been defined as traditional  
46 fishing communities.  
47

48 With the influx of population, they are still fishing

1 communities, but they have certainly transformed beyond your  
2 definition, and many of these communities are focused on  
3 recreational fishing, and they have marinas, and they have  
4 fishing tackle boxes, or fishing tackle stores, and they have  
5 guides and charter boats, and it's a complete transformation  
6 from a traditional definition of a fishing community, but yet  
7 they are still fishing communities. It might be -- It might be  
8 wise to consider this transformation, so that, as these fishing  
9 communities evolve, they don't fall outside of your definition.

10  
11 **MS. MACPHERSON:** Thank you, and that's certainly the type of  
12 thing we would like to hear about.

13  
14 **CHAIRMAN STUNZ:** Mara.

15  
16 **MS. LEVY:** Thank you. Just since I have the advantage of having  
17 a computer and can look up the National Standard 4 Guidelines, I  
18 thought it would just share the part that talks about avoidance  
19 of excessive shares, and it's short. It basically says an  
20 allocation scheme must be designed to deter any person, or other  
21 entity, from acquiring excessive share of fishing privileges and  
22 to avoid creating conditions fostering inordinate control by  
23 buyers or sellers that would not otherwise exist, and so it's  
24 really focused on excessive control, right, and you want to make  
25 sure that your allocation is not giving any particular entity,  
26 or person, excessive control of the resource.

27  
28 **DR. FRAZER:** Thanks, Mara, for looking that up.

29  
30 **CHAIRMAN STUNZ:** Okay. I am not seeing any other hands up  
31 around the table. All right. Well, thank you, Marian, and, for  
32 all of us, if you all could think about that, because,  
33 obviously, there are a lot of things here related to the  
34 discussions that we've been having around this table this week,  
35 and so that will help construct the letter for next time, so  
36 that it allows to get it submitted by September.

37  
38 **MS. MACPHERSON:** Thank you.

39  
40 **CHAIRMAN STUNZ:** Thank you. With that, then we'll move into the  
41 next presentation, which is a BOEM update on some latest  
42 developments of wind energy in the Gulf, and so, Mr. Filostrat,  
43 they're pulling that up, and, whenever you're ready, go ahead.

44  
45 **UPDATE FROM BUREAU OF OCEAN ENERGY MANAGEMENT (BOEM) ON WIND**  
46 **ENERGY DEVELOPMENT IN THE GULF OF MEXICO**

47  
48 **MR. JOHN FILOSTRAT:** Thank you, council, for inviting BOEM here



1 today. I'm John Filostrat, and I've been with BOEM since 2011,  
2 and I work in the Office of Communications, and I'm here today  
3 to give you an update on the latest in renewable energy in the  
4 Gulf of Mexico, and we have two updates.

5  
6 You have probably seen these slides before, and the Gulf of  
7 Mexico is poised to transition to a renewable energy future, and  
8 the Gulf of Mexico is right on target. We've been in this  
9 process now for about three to four years, and there is some  
10 significant advantages for renewable energy development in the  
11 Gulf of Mexico, the proximity to oil and gas supply chain being  
12 a big one, and leveraging existing infrastructure in the Gulf of  
13 Mexico.

14  
15 We put out the proposed sale notice in February, and, currently,  
16 we're going through the comments. The comment period closed on  
17 April 25, and we received about 330 comments to the proposed  
18 sale notice, and we're combing through those right now, and we  
19 hope to put out a final sale notice this summer. The other  
20 update is that we published a final environmental assessment on  
21 May 30, and so just last week, and that's the next step in the  
22 process to hold an auction in the Gulf of Mexico, and that's  
23 still TBD, but the final sale notice would give us an idea of  
24 when that auction would be, approximately thirty days, thirty to  
25 forty-five days, after the FSN, final sale notice, is published.

26  
27 We're in the second stage of renewable energy in the Gulf of  
28 Mexico, and the next slide kind of gives you a little bit more  
29 detail on that, and the planning and analysis and leasing, Stage  
30 1 and 2, is what we're in right now, and, after the auction is  
31 held, we'll move into the third and fourth stages, the site  
32 assessment stage and then the steel in the water, basically, and  
33 that's where our sister agency, the Bureau of Safety and  
34 Environmental Enforcement, will come in, with the safety and  
35 enforcement aspect, similar to what they do for oil and gas.

36  
37 You have probably seen this on our website, and this is the  
38 proposed lease sale areas, and there are three, two off the  
39 coast of Galveston, Texas and one off the coast of Lake Charles,  
40 Louisiana. It's approximately 300,000 acres, which is  
41 significantly smaller than the call area, which was about  
42 thirty-million acres, stretching from Alabama to Texas.

43  
44 The reason why we picked these three proposed areas is the  
45 proximity to shore, and it's in shallow water, and so you're  
46 looking at fixed bottom structures, and it's a really low  
47 shrimping area, fishing area, and so we wanted to make sure that  
48 we were taking that into account, and reduced conflicts with

1 other users, like the military, and the NREL study that we  
2 published in 2020 kind of gives you an overview of what type of  
3 power we're looking at, potential power, and over one-million  
4 homes with just these three areas.

5  
6 The bottom line is that the Gulf of Mexico -- We like to call it  
7 a super energy basin, and we have multiple uses in the Gulf, and  
8 this slide is a little busy, but it kind of basically points out  
9 all the active oil and gas leases, about 2,000, and we just  
10 received the authority to regular carbon sequestration, and so  
11 we're looking at areas in the Gulf of Mexico for that use as  
12 well, and we're working on a proposed rule that we hope to get  
13 out later this year for public comment on carbon sequestration,  
14 and, of course, the wind energy areas as well, and there are  
15 significant sand resources, and so those are the four areas that  
16 we manage.

17  
18 The next slide kind of goes into a little bit more detail on  
19 that, and, you know, taking into account the importance of  
20 interacting with the other users and the resources, including  
21 fisheries, as a huge ocean user, and so we're thankful for this  
22 opportunity to speak to this group, and we will continue to  
23 engage our audiences as we move through the process, and so  
24 that's a short update, and the next slide kind of gives you my  
25 contact information. I'm also on boem.gov, and, if you go under  
26 contacts, you can get my email and phone number, and then also  
27 my colleagues in the other regions as well, and so, with that, I  
28 will pause here and see if there are any questions, and I will  
29 try to answer them.

30  
31 **CHAIRMAN STUNZ:** Thank you. Are there questions for John?  
32 Billy.

33  
34 **MR. BROUSSARD:** Are there federal regulations on the depth of  
35 the transmission lines?

36  
37 **MR. FILOSTRAT:** So transmission is an important part of this,  
38 and we're not there yet, and we're still in the early stages of  
39 that. We work with other federal partners, and our state  
40 partners, on that aspect, and that would come in in the fourth  
41 stage, and the construction and operation plan would lay out the  
42 transition issues.

43  
44 **CHAIRMAN STUNZ:** Susan.

45  
46 **MS. BOGGS:** I am just curious, and you've got the acreage laid  
47 out here, and there is an approximation of how many windmills  
48 can fit per acre?

1  
2 **MR. FILOSTRAT:** That's going to, again, come in the later stages  
3 of the process. The construction and operation plan would weigh  
4 that out. I mean, we would do more environmental analysis on  
5 that, and we would publish an EIS, and that would sort of get to  
6 the nitty-gritty of how many we're talking about, but we're  
7 still not there yet, and so I guess the short answer to your  
8 question is we don't know at this point, but we hope to, after  
9 the auction, go into the third and fourth stages, and that would  
10 lay out -- The companies that would win those bids would lay out  
11 their construction and operation plan.

12  
13 **MS. BOGGS:** So I'm just curious, and like off of Rhode Island,  
14 and I don't know how big those areas are, if it's 100,000 acres  
15 or fifty acres, and about how many windmills are in those  
16 regions.

17  
18 **MR. FILOSTRAT:** So, currently, we have no windmills in federal  
19 waters, on the outer continental shelf, and so we have several  
20 regions in the Northeast that are further along in that process,  
21 and I'm not up to speed on the Northeast, although I will tell  
22 you that I'm going, next week, to New Jersey, and we're holding  
23 public meetings there on the Atlantic Shore South, and that  
24 construction and operation plan is underway, and we have a draft  
25 environmental assessment, but, as far as the Gulf of Mexico,  
26 we're nowhere near that stage yet, but we do have other areas  
27 that we looked at in the call area, and so there's about, you  
28 know, twelve other proposed, you know, lease areas that we could  
29 go to in the future, but we're not there quite yet.

30  
31 **CHAIRMAN STUNZ:** Kevin.

32  
33 **MR. ANSON:** Thank you for the presentation, but, just to follow-  
34 up on Ms. Boggs' question, as part of the process, the plan that  
35 will be submitted by the company, as far as the specific  
36 location of each of those individual structures that will have  
37 the windmill, they're going to kind of -- They're going to do  
38 basically a bottom profile of the entire area, and then, if  
39 there are certain areas that are sensitive, like hardbottom and  
40 such, that they will take steps to avoid those, is what I'm  
41 assuming, and is that correct?

42  
43 **MR. FILOSTRAT:** That is correct. Yes, sir, and similar to the  
44 process with oil and gas, and so the companies will conduct  
45 their own geographical and geophysical surveys, to avoid, or  
46 mitigate, sensitive areas and hardbottom and species, and that  
47 would also be identified in our environmental assessment impact  
48 statement study, in the third phase of the process.

1  
2 **CHAIRMAN STUNZ:** Clay.  
3

4 **DR. PORCH:** Thank you for the presentation, and I want to first  
5 start off just by commending BOEM for working with NOAA,  
6 including NOAA Fisheries, on that marine spatial planning, since  
7 it really helped us to deconflict at the frontend, by  
8 identifying areas that would be most suitable for offshore wind  
9 and have the least impact on all the other industries, and so,  
10 so far, we've been very happy with the collaboration and the  
11 choices that have been made.  
12

13 I do want to ask you a question about the bidding credits and  
14 how that works. As I understand it, they're in the works for  
15 fishery compensation and workforce development, but they also  
16 affect our survey enterprise, our resource survey enterprise,  
17 and I wonder what's in the works there, as far as survey  
18 mitigation, since we won't be able to survey in some of those  
19 areas.  
20

21 **MR. FILOSTRAT:** So you're right that we do have several bidding  
22 credits, and you identified two of them. I'm not sure on that  
23 survey area, but, if you shoot me an email, I will find the  
24 answer for you and see if there's anything that's going to be  
25 identified. The final sale notice will lay out all of the  
26 bidding credits and the other issues, but, as far as that, I  
27 will have to get back to you.  
28

29 **CHAIRMAN STUNZ:** Dr. Frazer.  
30

31 **DR. FRAZER:** Thanks again for the presentation, and I was  
32 wondering, Bernie, if we could go to Slide 7. On that slide,  
33 and, I mean, I recognize that carbon sequestration falls under  
34 your kind of authority and responsibility, and there is -- I  
35 couldn't follow, on this figure, with the blue shading, if you  
36 had actually indicated on this map where those activities might  
37 take place, and if you could elaborate a little bit on what a  
38 carbon sequestration activity actually is.  
39

40 **MR. FILOSTRAT:** So, right now, we're developing a draft rule  
41 that should come out this year, hopefully, and that would lay  
42 out the exact, you know, activity that we're proposing, and  
43 these areas that we're looking at here in the blue are just  
44 potential areas, right, that we can store carbon underneath the  
45 seafloor, but by no means are these areas where we're going to  
46 actually do it, right, and so we're just looking at these areas  
47 right now, and we're still early in the process.  
48

1 The draft rule would lay out, you know, just how to go about  
2 doing it, and then we would open it up for public comment, and  
3 so we're not really there yet, to where -- To the question that  
4 you're having, but we'll get there, after the draft rule and the  
5 public comment. We'll have sixty days for public comment.  
6 During that time, we'll no doubt have public meetings, either  
7 virtual or in-person or both, to make sure that we're, you know,  
8 engaging the public and our various partners and stakeholders,  
9 and so it's really premature.

10  
11 We just lay this out to demonstrate that, in addition to oil and  
12 gas, and, in addition to significant sand resources, and  
13 renewable energy, that this is coming, right, and so we have to,  
14 you know, take that into effect, but the blue potential areas  
15 for carbon sequestrations are just that, and those are certain  
16 areas that might be suitable for this activity, but it's just,  
17 at this point, way in the early stages.

18  
19 **DR. FRAZER:** All right. Thank you.

20  
21 **CHAIRMAN STUNZ:** Okay. I'm not seeing any other hands up, and  
22 so, John, thank you for that presentation, and I just want to  
23 echo too what Clay, Dr. Porch, was mentioning about just, you  
24 know, your frequent meetings here with our council and updating  
25 of what's going on, and that's been very good, very positive.  
26 That way, everybody has an opportunity to chime-in and  
27 understand what's going on and that sort of thing, and so thank  
28 you for doing that.

29  
30 **MR. FILOSTRAT:** I appreciate the opportunity.

31  
32 **CHAIRMAN STUNZ:** All right. Seeing no questions, first, I  
33 wanted to recognize a former council member in the room, and  
34 that's Captain Walker in the back, and so he's maybe on his  
35 phone and can't hear us, but David Walker, and somebody can  
36 nudge him, and I've seen him move in and out, and, while I  
37 caught you, David, we just wanted to say thank you, and it's  
38 good to see you again, and welcome back. We miss you around the  
39 table up here, David, and so, anyway, it's good to see you.

40  
41 What I think we'll do, moving on, and, obviously, we're ahead of  
42 schedule, and that will save us a little bit of time. We have  
43 some of the supporting agency and liaison reports that I believe  
44 we can get through, and Tom just took a break a few minutes ago,  
45 and so maybe we'll do this for about a half-hour and then take a  
46 short break, and we'll see how many of these we can get through,  
47 and so that's moving towards the end of the agenda, and we'll  
48 just go through in order. The first one up is Major Downey was

1 going to give us a presentation on the Alabama law enforcement  
2 updates. If you're here, that's Tab R, Number 1. All right.  
3 Major Downey, it looks like it's there, whenever you're ready.  
4

5 **SUPPORTING AGENCIES UPDATE**  
6 **ALABAMA LAW ENFORCEMENT EFFORTS**  
7

8 **MAJOR JASON DOWNEY:** Good morning. I'm Major Downey with  
9 Alabama Marine Resources, and so I will be giving you a brief  
10 overview of the joint enforcement agreement we have for the year  
11 2022-2023.  
12

13 Our JEA runs from August 24 through August 23 of each year, and,  
14 this year, we received \$523,990. \$135,000 of that was spent on  
15 direct purchases, and so we purchased three law enforcement  
16 vehicles with emergency lighting, eleven thermal printers for  
17 officers to use in the field, and two outboard motors for one of  
18 our offshore vessels.  
19

20 Here is a list of our JEA priorities, with the amount of  
21 funding, as well as the total patrol hours, for each priority.  
22 Our priorities are turtle excluder devices, recreational reef  
23 fish, individual fishing quota, marine mammals and dolphins,  
24 coastal migratory and highly migratory species, and SEFHIER, and  
25 so we worked a small percent of the SEFHIER patrol hours before  
26 the court ruling that ended that program, and that portion of  
27 our JEA was about \$109,000. All of these patrol hours are split  
28 between offshore, nearshore, and dockside patrols.  
29

30 We still have a couple of months left on this year's JEA, but  
31 here are a few statistics, as of May 31, and so we've worked 704  
32 boat patrol hours, 1,116 shore patrol hours, and there have been  
33 438 commercial anglers inspected, 2,967 recreational anglers  
34 inspected, and 129 charter or headboat inspections. Officers  
35 wrote 105 citations and/or warnings for various violations  
36 during that time.  
37

38 This year, there's been an emphasis on combating illegal  
39 charters. Alabama has participated in the Gulf Coast Illegal  
40 Charter Taskforce, which consists of officers from the U.S.  
41 Coast Guard, NOAA, and agencies in Alabama, Mississippi,  
42 Florida, Louisiana, and Texas. That's a picture from the last  
43 meeting we had.  
44

45 On May 3, the taskforce had a media event, hosted by the U.S.  
46 Coast Guard at Station Destin. Several media outlets from  
47 Florida, Alabama, and Mississippi were presented, and the  
48 estimated local viewership was over 370,000 viewers, and so it

1 was pretty successful.  
2  
3 Alabama submitted a couple of illegal charter cases to NOAA, and  
4 we're currently conducting investigations in the other potential  
5 illegal charter violations. The picture in this slide was one  
6 of the easier cases to make, where the captain decided to  
7 advertise fishing trips and boat cruises on these fancy  
8 cardboard signs, and so just things like that are easy to make,  
9 and some of the harder ones are the ones that you've got to  
10 catch actually in the act, underway. That concludes my  
11 presentation. Any questions?

12  
13 **CHAIRMAN STUNZ:** Thank you, Major. I will open it up for  
14 questions. Dale.

15  
16 **MR. DIAZ:** On the illegal charter, just so I understand, are  
17 some of these state guideboats that are fishing in federal  
18 waters, just out of curiosity?

19  
20 **MAJOR DOWNEY:** Yes, and so the illegal charters could be many  
21 different things. It's basically anything for-hire, and it  
22 could be dive boats, state dive boats, or state charter boats  
23 going into federal waters that are unpermitted, and so, yes, it  
24 could be, potentially.

25  
26 **CHAIRMAN STUNZ:** Susan.

27  
28 **MS. BOGGS:** So I would just like to make a comment. The  
29 taskforce -- I just have to share this, and the taskforce is  
30 there, and I was at the marina one day, and I heard a car door  
31 slam, and it was four U.S. Coast Guard armed, with flak jackets,  
32 and I was like, holy cow, and they did shut down a vessel at our  
33 marina who is a sightseeing boat, that he didn't have the proper  
34 documentation, and they tied him to the dock, and they're  
35 serious about this, and I was at the marina the other day when  
36 DCNR came up and had two of the Coast Guard folks on the boat,  
37 and they were out patrolling, and so they are in Alabama in  
38 force, I promise you that.

39  
40 **CHAIRMAN STUNZ:** Thank you, Susan. Any other questions? All  
41 right. Seeing none, thank you, Major Downey.

42  
43 **MAJOR DOWNEY:** Thank you.

44  
45 **CHAIRMAN STUNZ:** It looks like Chester might have just stepped  
46 out, and so we'll skip over that one, and then we have NOAA OLE,  
47 with Officer O'Malley. Are you ready?

48

NOAA OLE

1  
2  
3 **MR. JOHN O'MALLEY:** Good morning. I am Assistant Special Agent  
4 in Charge John O'Malley, out of the League City, Texas office,  
5 and this is our FY23 Quarter 2 briefing. During this period, we  
6 had 193 Gulf open incidents, and that was out of a total of 325  
7 for the SED. Twelve of those cases were referred to General  
8 Counsel or DOJ, and we had seventy-four summary settlements that  
9 were issued, ranging from \$100 to \$3,000, and that includes the  
10 Gulf of Mexico and the Florida Keys area of responsibility.

11  
12 Some of the violations were retention during a closed session,  
13 undersized, typically red snapper, not having the descender  
14 device onboard, IFQ violations, and fishing in closed areas  
15 within the sanctuary. 48 percent of those incidents were no  
16 violations, or compliance assistance, and that might seem a  
17 little high, but we also document patrols and boardings, and so  
18 those are basically information only.

19  
20 Some of our enforcement highlights are we had IUU efforts, trade  
21 monitoring, ports of entry on the Texas-Mexico border, and we  
22 had two significant Lacey Act cases that were completed this  
23 quarter, and there's a link on the slide, and you can read some  
24 of the stories, but it was against two seafood dealers in south  
25 Florida, dealing with some spiny lobster, Aifa and Elite. They  
26 were both sentenced this quarter.

27  
28 What they entailed was Elite was importing Caribbean lobster  
29 from Belize and Nicaragua, importing it into the U.S. and  
30 relabeling it as a U.S. product and then exporting it to China.  
31 Aifa was doing a very similar thing, and they were getting  
32 lobsters from Haiti and importing them into south Florida and  
33 mixing them in with produced lobster out of Florida, most of it  
34 out of the Gulf, and then that was being reexported to China.  
35 Obviously, having that U.S. designator makes it a more valuable  
36 product.

37  
38 The end was result was Elite pled guilty, and they were fined  
39 \$250,000, five years of probation, and they were ordered to be  
40 on a compliance plan for five years. We also found that they  
41 had also been exporting shark fins labeled as frozen fish, and  
42 so that was uncovered also.

43  
44 Aifa also pled guilty. The company was fined \$250,000, five  
45 years of probation, and they were also put on a compliance plan.  
46 The owner of the company was fined \$100,000 and given five years  
47 of probation. On a side note, we had a previous case on Aifa,  
48 back around 2014 or 2015, for a Lacey Act violation too, in



1 which they were purchasing Florida-produced lobster without any  
2 permits, not issuing trip tickets, and so this was the second  
3 case we've had against that company.

4  
5 Moving on to trade monitoring, our enforcement officers, working  
6 with Texas Parks and Wildlife Department, have been doing SIMP  
7 inspections down at the Texas border, anywhere from Laredo down  
8 to Brownsville. While they're down there, they do other things,  
9 too. They try to do patrols, and they did do some of those.  
10 They worked with Parks and Wildlife and the Coast Guard.

11  
12 During this period, they were involved with pulling 200 feet of  
13 gillnet too, and that's what the picture shows, is gillnet  
14 that's been taken out of the Gulf, because we have the river  
15 entering into the Gulf, and so we have an international border  
16 on the river and offshore.

17  
18 Also, while they were down there, the U.S. Coast Guard  
19 interdicted a lancha in state waters, and those are just  
20 typically referred to the state, since they actually charge  
21 those criminally under state law. Also, another enforcement  
22 officer visited fifteen ports of entry along the Texas-Mexico  
23 border, basically educating CBP on SIMP and letting them know  
24 the laws that we enforce, such as Magnuson, MMPA, ESA, and Lacey  
25 Act, and we're really trying hard to get the education, with  
26 CBP, because we work together, and they are able to keep an eye  
27 out and notify us when they see stuff we should be aware of.

28  
29 Our enforcement partnerships, we can't go it alone, and we've  
30 worked with our JEA agreements with Texas, Louisiana, Alabama,  
31 Mississippi, and Florida, and we also work closely with the U.S.  
32 Coast Guard and CBP, and, during this period, we received forty-  
33 four overall enforcement referrals, and that's across the entire  
34 SED. Within this Gulf, this period, we received some from FWC,  
35 Texas Parks and Wildlife, and the U.S. Coast Guard. FWC was  
36 mostly sanctuary, TED, BRDs, and Magnuson Act referrals. Texas  
37 was retention during closure cases, which are red snapper cases,  
38 and the Coast Guard referred us TED and BRD cases.

39  
40 Some of the current spotlights are we participated in a Gulf  
41 Coast Illegal Charter Taskforce, which was put on by the Coast  
42 Guard in Destin, Florida. It was also attended by Alabama and  
43 FWC, Alabama Department of Marine Resources and FWC, and the  
44 Coast Guard was highlighting illegal charter activity.

45  
46 We work with them, because the Coast Guard typically looks for  
47 the unlicensed mariners, which we don't enforce, and we look at  
48 the permit violations, and so, working together, we cover a more

1 broad range, and, if you look at the right, and it's hard to  
2 read it, but there is an observer safety notice that was put out  
3 nationwide, and it basically details prevention, response, and  
4 reporting guidance regarding sexual assault and sexual  
5 harassment, known as SASH, towards observers and to prevent  
6 mistreatment, and so that's put out to all -- It's available,  
7 and it's put out to all the permit holders and folks that could  
8 be selected for observer coverage.

9  
10 Down at the bottom, we had Operation TED Talk, which it included  
11 the NOAA gear team going down to the Florida Keys Sanctuary, and  
12 they gave training to our folks and FWC, refresher training on  
13 TEDs. After that, we did patrols and boardings, focusing on  
14 TEDs. There was a lot of education, a lot of compliance  
15 assistance, and they did find some violations, and those will be  
16 documented for prosecution.

17  
18 For some targeted operations, we had Operation Ready Reserve  
19 done with FWC aboard their patrol boat The Trident, and it was a  
20 sanctuary-focused patrol, and we had very rough weather, and so  
21 it kind of limited them. They were patrolling the North and  
22 South Tortugas Ecological Reserve and the national park, and  
23 they were able to do three commercial boardings and assisted CBP  
24 with a migrant landing that was in the Marquesas.

25  
26 Also, we had Operation Pescado, which was joint with Texas Parks  
27 and Wildlife and the U.S. Coast. Again, it's IUU/SIMP focused,  
28 and they inspected over 50,000 pounds of seafood, and they  
29 conducted some lancha deterrence patrols.

30  
31 Again, just letting everyone know that we have the NOAA Law  
32 Enforcement hotline for tips. We rely on the public, and the  
33 public's information, and that's the number, is (800)853-1964.  
34 That concludes my report. Are there any questions?

35  
36 **CHAIRMAN STUNZ:** All right. Are there questions for Officer  
37 O'Malley? Mr. Donaldson.

38  
39 **MR. DONALDSON:** Thank you for the presentation. You mentioned  
40 that one of the companies had their second -- I think it was  
41 their second case against them, and is there a -- Is there like  
42 a the more cases they have, the higher the penalties, or three  
43 strikes they're out, and they lose their permits, or is there  
44 anything like that in the system?

45  
46 **MR. O'MALLEY:** On federal, there is sentencing guidelines they  
47 use, and that's kind of a point schedule, depending on previous  
48 violations, previous convictions, and so, yes, it can take that

1 into account, and it also depends on the similarity of the  
2 violations, if they're the same or different.

3  
4 **CHAIRMAN STUNZ:** All right. Any others?

5  
6 **MR. O'MALLEY:** Thank you.

7  
8 **CHAIRMAN STUNZ:** Well, seeing none, thank you. Thank you for  
9 the good work. All right. Our next report is, Mr. Donaldson,  
10 if you're ready to give an update from the Gulf States.

11  
12 **GULF STATES MARINE FISHERIES COMMISSION**

13  
14 **MR. DONALDSON:** Thank you, Mr. Chair. Our ongoing activities  
15 are continuing, with SEAMAP, GulfFIN, IJF, Sportfish, our  
16 Aquatic Nuisance Species and Return 'Em Right programs, and you  
17 recall that we provided, or Greg Bray provided, an update, and  
18 those programs continue.

19  
20 The exception is our aquaculture program, and we have been  
21 providing funding for regional pilots for aquaculture, to help  
22 promote and implement aquaculture in the Gulf of Mexico.  
23 Unfortunately, funding for this year was not provided from the  
24 Office of Aquaculture, and they utilized those funds to open  
25 another aquaculture area of opportunity in Alaska, and so we  
26 will not be doing the pilots this year, but we will continue  
27 with the oyster -- We still have funding for the oyster  
28 consortium and the INTA project.

29  
30 The other issue that I wanted to talk about is our October  
31 commission meeting, and it's scheduled for October 16 through 19  
32 of this year, and it's going to be in Louisiana. We're still  
33 working the specific location, and we'll have our regular  
34 meetings of our various committees and subcommittees, but we'll  
35 also be doing -- We'll be presenting two Lyles-Simpson Award  
36 Winners to Tom McIlwain and Joey Shepard, and then our general  
37 session is going to be focusing on looking at past regional  
38 pilot aquaculture projects that we funded and having them  
39 present the results, and so that's just a quick overview of  
40 what's going on with the commission, and I will answer any  
41 questions.

42  
43 **CHAIRMAN STUNZ:** Thank you, Dave. Any questions for Dave? All  
44 right. Seeing none, then we'll move to our U.S. Coast Guard  
45 report, and, Chester, we'll follow-up with you after that, for  
46 the South Atlantic report. You all might remember Lieutenant  
47 Commander Motoi, and we do have a new person now, and it's  
48 Lieutenant Shelby Threlkeld, and so, if we want to pull up that

1 tab, R-5, and I think that Shelby is online.

2  
3 Shelby, welcome, and we have your presentation up here, and we  
4 can forward the slides for you, and welcome, and I understand  
5 that you will be at our meeting in-person next time, and we'll  
6 look forward to seeing you there, and so we see your  
7 presentation, and we can hear you fine now, and so go ahead when  
8 you're ready.

9  
10 **U.S. COAST GUARD**

11  
12 **LTJG SHELBY THRELKELD:** Awesome. Well, good morning, everyone,  
13 and thank you so much for having me, and, just as the Chair  
14 said, I will be the new point-of-contact for District 8. For  
15 today, I'm just going to be going over District 8's area of  
16 responsibility, and I will also be discussing our Quarter 2  
17 domestic fisheries statistics, other law enforcement for FY23  
18 through Quarter 2, the lanchas, and then our recent operations.

19  
20 As you can see, our District 8 is the largest district in the  
21 Coast Guard, and it encompasses six states, spanning from the  
22 Canadian border to the Mexican border, and nearly the entire  
23 Gulf of Mexico. With that being said, we are very busy, and we  
24 handle many missions, ranking from search and rescue --

25  
26 **CHAIRMAN STUNZ:** Ladies, if you want to communicate with her,  
27 maybe we can pick that back up in just a second, and so we'll  
28 put that one on hold just for a second. Chester, would you be  
29 ready, in a minute, to give us an update on the South Atlantic  
30 Council? That would be Tab R-2.

31  
32 **MR. BREWER:** Do you want that now, or do you want to wait?

33  
34 **CHAIRMAN STUNZ:** Let's go ahead with that now, Chester, if  
35 you're ready.

36  
37 **SOUTH ATLANTIC COUNCIL LIAISON**

38  
39 **MR. BREWER:** All right. Good morning, everybody. My name is  
40 Chester Brewer, and I've got one more meeting as a council  
41 member on the South Atlantic Fishery Management Council, and so  
42 I will be off of that pretty soon.

43  
44 Really, there are two, I guess, main areas that would bear some  
45 interest for the Gulf Council, and one has to do with discards,  
46 and I am really pleased to see the work, and the consideration,  
47 that is being given to that issue by this council. Our huge  
48 problem is, of course, red snapper, and has been every time I've

1 given this report, and I'm sure others have spoken to you as  
2 well, and it just came out, I think, last week, that the season,  
3 from the Keys up to North Carolina, this year will be two days,  
4 two. That's it, and the primary reason that the season is going  
5 to be so short is discards.

6  
7 The biomass of the red snapper in the jurisdictional area of the  
8 South Atlantic Council is higher than it has ever been, and yet  
9 they are still classified as being overfished and that  
10 overfishing is ongoing. The reason that we catch ourselves in  
11 this is discards.

12  
13 As the biomass has increased, people fishing for other species  
14 are encountering red snapper like they have never seen before,  
15 and they're actually having to move to try to get away from  
16 them, and the upshot of that is there are so many discards, from  
17 folks fishing for other species, that the discards are right at,  
18 or close to, the quota, and, therefore, the discards are eating  
19 up the quota, and we have essentially a closed fishery.

20  
21 We have tried any number of different things to get around the  
22 problem, and we've done descending devices and experimented with  
23 hooks, all matter of things, trying to get around the discard  
24 problem, and, unfortunately, nothing seems to have worked, and  
25 so we're going to have to do something different, and I'm not  
26 really sure what is going to happen, and it's recognized on the  
27 part of the council though that something has got to change,  
28 that something has got to give, and whether it's going to be  
29 something extremely draconian or not, I really don't know at  
30 this point, and we're still kind of searching around.

31  
32 The bottom area closures are being discussed, and we'll see  
33 where that goes, and that might be where we're going, and I  
34 don't know, but it is a problem, and it's been a problem, and  
35 something has got to give. I mean, this fishery has been  
36 essentially closed for years now, and it has recovered beyond  
37 anyone's expectations, and yet they're still classified as being  
38 overfished, with overfishing going on.

39  
40 Another area of interest to the council right now, and maybe of  
41 some interest to this council, is dolphin. I was glad to see  
42 the presentation that we got with regard to these -- I wrote the  
43 danged thing down, and I can't remember what it was, but other  
44 methods of doing essentially something close to a stock -- What  
45 is the name? Anyway, it's very close to being a -- Help me out  
46 here.

47  
48 I will give up on it. I lost my train and thought, and I don't

1 have any written notes, and I wrote it down somewhere, but I  
2 don't know where I wrote it down, but any of these sort of  
3 methods of evaluating a fishery that don't require a full-blown  
4 -- It's not allocation, but --

5  
6 **DR. FRAZER:** MSEs? Management strategy evaluation?

7  
8 **MR. BREWER:** Thank you. Management strategy evaluation, and it  
9 wouldn't come to my head, and I'm sorry, and I'm really not  
10 senile, but I was happy to see that, because, with dolphin,  
11 you've got a fish that really is difficult to evaluate, because,  
12 by the time you go through a full evaluation, the fish that you  
13 were looking at are dead, and so there never has been, and so we  
14 are getting complaints from our guys in Key West, or in the Key  
15 West area, that something is wrong with the fishery, and it's  
16 apparent to them anyway that the small dolphin are there, but  
17 the bigger dolphin, which they depend upon for their customers,  
18 and for their business, are just simply not there anymore.

19  
20 We don't know for sure what the cause is, and it's probably not  
21 the bag limits that we currently have, and we had a situation  
22 where there was a longlining incident, and I will call it that,  
23 that shut the fishery down in 2015, and so we don't think that's  
24 it, and there is some thought, and I'm sure, at some point, the  
25 Gulf Council may want to get involved in this, although I think  
26 the problem that is occurring is outside of the jurisdiction of  
27 the Gulf of Mexico Management Council and the South Atlantic and  
28 outside -- This is the kicker, but outside of the jurisdictional  
29 limits of the United States.

30  
31 Dolphin are a highly-migratory species, and there is limited  
32 information on them, but what we do know is they appear to  
33 spawn, or whatever, somewhere south of the Caribbean and then  
34 migrate up, and not the first migration, but maybe on the second  
35 or the third, we are seeing these bigger fish, but those bigger  
36 fish aren't there anymore, and so it's not a situation that the  
37 biomass seems to be going down, and it's a situation of the size  
38 of the fish seems to be decreasing drastically.

39  
40 This has been brought up and discussed at our council, and we're  
41 not really sure which way to go with it, because it probably  
42 involves ICCAT, lord help us, and it would involve other  
43 entities to try to investigate what's going on and the best way  
44 to try to cure it, and those are the two main issues going on  
45 right now, and, with that, I will conclude my report. Thank  
46 you, and thanks to the folks that reminded me of the name that I  
47 couldn't remember.

48

1 **CHAIRMAN STUNZ:** All right. Thank you, Chester. Is there any  
2 questions for Mr. Brewer?

3  
4 **MR. ANSON:** Just one question, Chester, and sorry to put you on  
5 the spot here, but, in reviewing your report, the South Atlantic  
6 report, there is mention of some recommendations for improving  
7 the wreckfish ITQ program, and it mentions here particularly  
8 with respect to confidentiality issues and related constraints,  
9 and can you elaborate on that?

10  
11 **MR. BREWER:** A little bit. A little bit, and that individual  
12 fishing quota program pre-dates all of us, and I think it may be  
13 the oldest program in the country, and it's been running pretty  
14 efficiently, and I'm not sure that a whole lot needs to be  
15 changed, but I think there's a number like eleven participants  
16 in the fishery, and it's a tiny fishery, and it's been running  
17 fairly well, with no great problems, but they are running into  
18 some problems with regard to doing evaluations, because of  
19 confidentiality, and there is, interestingly enough, a little  
20 bit of problem with regard to getting new folks into the  
21 fishery.

22  
23 We're kind of looking around in those issues, and I don't think  
24 -- I didn't write that report, but I don't think that wreckfish  
25 are a tremendous problem right now, and it's a program that  
26 needs some tweaking, and they kind of would like to go to  
27 electronic reporting, as opposed to -- They literally have paper  
28 tickets that they run their program on, and it's that old, and  
29 so there's some thought about maybe changing that over, maybe to  
30 get some electronic reporting, but then you have a little bit of  
31 problem there with regard to the transparency and their secrets  
32 and their secret spots and all of that.

33  
34 Yes, that is ongoing, and, like I said, I don't think it's  
35 something that's a huge, huge issue, and I think that one is  
36 going to get worked out fairly easily. Are there any other  
37 questions?

38  
39 **CHAIRMAN STUNZ:** Thanks, Chester. I am seeing none, Chester.  
40 Thank you very much. What we'll do here, in a second, is take a  
41 short break, but I want to come back promptly at 11:30, because  
42 there's some very important awards and recognitions and things  
43 that we want to carry out, and we're waiting on some family  
44 members to arrive and that sort of thing. We couldn't get the  
45 Coast Guard back on the line, and so we'll pick that up at some  
46 point, as soon as we get that worked out, but, with that, why  
47 don't we take a break until 11:30, but let's start promptly at  
48 11:30, for those recognitions, and we can also take our

1 lunchbreak after that, and so we'll see everyone back at 11:30.

2  
3 (Whereupon, a brief recess was taken.)  
4

5 **CHAIRMAN STUNZ:** Up next will be the presentation of the 2022  
6 Law Enforcement Officer of the Year Award, and, for that, I'm  
7 going to turn it over to General Spraggins. I think he has a  
8 few things to say, and then turn it over for the presentation of  
9 their awards. General Spraggins, go ahead.

10  
11 **PRESENTATION OF THE 2022 LAW ENFORCEMENT OFFICER OF THE YEAR**  
12 **AWARD**  
13

14 **GENERAL SPRAGGINS:** Thank you, Mr. Chairman. The 2022 Law  
15 Enforcement Officer of the Year Award, the council Team and  
16 Officer of the Year Award acknowledges service above and beyond  
17 duty requirements and recognizes distinguished service,  
18 professionalism, and dedication to enforcing federal fishing  
19 regulations in the Gulf of Mexico.  
20

21 Nominees may be submitted from each of the five Gulf state law  
22 enforcement agencies, the U.S. Coast Guard, and NOAA Fisheries  
23 Office of Law Enforcement, and, this year, we're honored to have  
24 the 2022 Law Enforcement Officer of the Year from the Alabama  
25 Department of Conservation and Natural Resources, their Senior  
26 Conservation Officers, Chance Mancuso, and I'm going to turn it  
27 over now to Scott and Kevin and let them talk about our honoree.  
28

29 **MR. ANSON:** Thank you, General. The council is honored to  
30 present this award to Alabama's Department of Conservation and  
31 Natural Resources Senior Conservation Officer Chancelor Mancuso.  
32 Officer Mancuso enforces state and federal laws in Alabama state  
33 waters and in the federal waters off the coast of Alabama.  
34

35 In addition to at-sea patrol, he regularly participates in  
36 outreach events to educate the public on current fisheries  
37 regulations. In 2022, he spent nearly 300 hours patrolling  
38 federal fisheries. During that time, he was involved in 208  
39 state and federal cases. One of his larger federal cases  
40 involved apprehending subjects with forty-two undersized greater  
41 amberjack. He also caught a federal gillnet fisherman with  
42 illegal species onboard.  
43

44 The council understands that Officer Mancuso is always willing  
45 to put the necessary time and effort into making a big case,  
46 even if it means coming in on his off day and putting in extra  
47 hours. He is always eager to learn, and he exemplifies  
48 professionalism, while conducting his duties, and he is a model



1 officer to his peers. Thank you for your service, Officer  
2 Mancuso, and congratulations. (Applause)

3  
4 **GENERAL SPRAGGINS:** Mr. Chairman, I would like to thank you,  
5 and, Officer Mancuso, I thank you so much for your service, and  
6 each and every one of you. I see a lot of you back there from  
7 the State of Alabama, and we want to take the time to give each  
8 and every one of you a round of applause, and thank you for what  
9 you do. (Applause) You all keep safe out there, and we're very  
10 proud of you. Thank you very much, sir, and I will turn it back  
11 over to you.

12  
13 **MOMENT OF SILENCE IN MEMORY OF BILL TEEHAN**

14  
15 **CHAIRMAN STUNZ:** Thank you, General. We appreciate that. We'll  
16 move forward to our next item in the agenda here. On a little  
17 more of a sad note, we want to recognize a long-term participant  
18 here with the Gulf Council work that we've done, and that's Bill  
19 Teehan. We'll give everyone just a little bit of background on  
20 Bill, and, unfortunately, he passed away in March, at the age of  
21 seventy-one. We've got some pictures up now on the screen.

22  
23 He attended college at FSU, and he graduated with his Master's  
24 in Biological Science, specializing in invertebrate zoology and  
25 genetics. He worked at FWC until he retired in 2012, and he  
26 served on the council, on behalf of FWC, from 2007 until 2012,  
27 and Bill was devoted for his work, and he accomplished great  
28 achievements, while making lifelong friendships along the way.  
29 Bill will be truly missed by all he knew him, and his legacy  
30 will live through the memories of his music, and so maybe if we  
31 could just take a few moments of silence to recognize Bill and  
32 his work that he has done for this group, it would be nice.

33  
34 (Whereupon, a moment of silence was held in memory of Bill  
35 Teehan.)

36  
37 **COUNCIL MEMBER RECOGNITIONS**

38  
39 **CHAIRMAN STUNZ:** Okay. Moving on, sadly, we've got some other  
40 council members leaving the council, and we want to make sure  
41 that we recognize them, and that's Phil Dyskow and Bob Shipp,  
42 and we'll start with Phil Dyskow, who is here in-person, and, of  
43 course, Bob is online with us today.

44  
45 First, for Phil Dyskow, Phil is a longtime recreational angler  
46 with experience in both fresh and saltwater. He developed a  
47 passion for fishing in the Gulf of Mexico, both inshore and  
48 offshore, largely based from his home in Marco Island, Florida.

1 Phil Dyskow has served on the council since 2017, and, in his  
2 tenure with the council, he has served as chairman of the Spiny  
3 Lobster, Administrative & Budget, and Outreach & Education  
4 Committees.

5  
6 The expertise and leadership that Phil brings to the council  
7 will be sorely missed. In addition to his council service, he  
8 has served in the fisheries arena with two appointments on the  
9 Marine Fisheries Advisory Committee and the National Boating  
10 Safety and Advisory Council.

11  
12 Phil is the former president of the Yamaha Marine Group and is a  
13 lifelong recreational angler with experience in inshore and  
14 offshore in the Gulf of Mexico. He was inducted into the Marine  
15 Industry Hall of Fame and was named the 2015 CCC Manufacturer  
16 Man of the Year.

17  
18 He also received a Kenai River Guardian Award and served as a  
19 board member for the Kanai River Sportfishing Association, a  
20 nonprofit dedicated to ensuring sustainability of the Kenai  
21 River, and he's also an honorary legacy life member of the  
22 Coastal Conservation Association. Phil, you certainly will be  
23 missed around this table, and we all thank you greatly for your  
24 service. (Applause) Phil, if you want to come up, we have a  
25 small presentation for you.

26  
27 **EXECUTIVE DIRECTOR SIMMONS:** In honor of your dedicated service  
28 to the Gulf of Mexico Fishery Management Council from 2017 to  
29 2023, we present this award.

30  
31 **MR. DYSKOW:** Thank you very much. It's very nice of you.

32  
33 **CHAIRMAN STUNZ:** All right. Next up, of course, is Bob Shipp,  
34 and, Bob, we sure hope that you can hear us out there, and we  
35 sure wish you were around the table with us today to celebrate  
36 this.

37  
38 **DR. SHIPP:** I can hear you.

39  
40 **CHAIRMAN STUNZ:** Great, Bob. Thank you. Dr. Shipp's  
41 contributions to this council, obviously, are very immense, and  
42 to summarize all of those over the years would take much more  
43 time than we have here today, but I wanted to briefly just  
44 highlight a few of the stronger highlights that he has brought  
45 to this council.

46  
47 Believe it or not, he has served as a council member for eight  
48 terms, totally twenty-four years, and I'm sure that's a record

1 that's going to stand for quite some time. In that time, he was  
2 chairman of the council three times, and he has chaired nearly  
3 every standing committee that we have ever had in existence.

4  
5 Bob Shipp has spent his entire life researching and appreciating  
6 the fish and fisheries of the Gulf of Mexico. After graduating  
7 from Spring Hill College, Dr. Shipp attended Florida State  
8 University, where he earned his master's degree and PhD.  
9 Shortly thereafter, he began working for the University of South  
10 Alabama, where his fisheries biology career flourished.

11  
12 He chaired the biology department and served as the Acting  
13 Director of the Dauphin Island Sea Lab before serving as the  
14 Chairman of the Department of Marine Science and the Director  
15 for the Alabama Center for Estuarine Studies.

16  
17 In addition to his work with the university, Dr. Shipp served  
18 for twelve years as the Acting Executive Director for the  
19 Alabama Chapter of the Coastal Conservation Association. He has  
20 served as a judge for the Alabama Deepsea Fishing Rodeo since  
21 1982, and he published *Dr. Bob Shipp's Guide to the Fishes of*  
22 *the Gulf of Mexico*. With that, Bob, we want to present you with  
23 an award, and Carrie will describe what it is, and we'll  
24 hopefully be able to get that you very soon and see you in-  
25 person.

26  
27 **EXECUTIVE DIRECTOR SIMMONS:** Hi, Dr. Shipp, and so we can  
28 deliver this you in Florida, and so, in honor of your dedicated  
29 service to the Gulf of Mexico Fishery Management Council from  
30 1991 to 1999, from 2005 to 2014, and 2017 to 2023. Thank you  
31 for your service.

32  
33 **CHAIRMAN STUNZ:** Thank you, Bob. (Applause) For the next one,  
34 I guess I've got to turn it over to our Vice Chairman, Dr.  
35 Frazer.

36  
37 **DR. FRAZER:** Greg, you're not going to get away. All right, and  
38 so I think many of you know that Greg has contributed in a very  
39 substantial way to many of the successes realized by the  
40 council, and he is undoubtedly going to be missed.

41  
42 During his tenure on the council, much like Dr. Shipp, Greg  
43 served on a number of committees. He served as chair of the  
44 Data Collection Committee, the Artificial Reef Committee, the  
45 Migratory Species Committee, Red Drum, Sustainable Fisheries,  
46 Outreach & Education Committee, and, obviously, he, more  
47 recently, served as Vice Chair and then Chair, and so quite a  
48 bit of service to this group over his nine-year tenure here.

1  
2 In his day job, Greg serves as the Senior Executive Director of  
3 the Harte Research Institute for the Gulf of Mexico Studies at  
4 Texas A&M University, and somehow, and I appreciate all the work  
5 that you do, manages to maintain a very active and highly  
6 recorded research program.

7  
8 Greg's ecologically-oriented research program is quite broad,  
9 and he and his colleagues have placed a notable emphasis on  
10 sportfish, and, as many in this room are certainly aware, Greg  
11 was the principal investigator for The Great Red Snapper Count,  
12 a Gulf-wide collaborative research endeavor that provided the  
13 very first estimate of absolute abundance for red snapper in the  
14 Gulf of Mexico, and so I think the Gulf Council certainly  
15 recognizes, Greg, your many contributions, not only to research  
16 and management, but we thank you incredibly for your service.  
17 It's been a good run for you, my friend.

18  
19 **CHAIRMAN STUNZ:** Thank you, Tom. (Applause) Thank you, all.

20  
21 **EXECUTIVE DIRECTOR SIMMONS:** In honor of your dedicated service  
22 to the Gulf of Mexico Fishery Management Council from 2014 to  
23 2023, we present this clock.

24  
25 **CHAIRMAN STUNZ:** All right. Well, thank you all for that. I  
26 will look around the room and see here what we want to do.  
27 Those were the two major things that I wanted to get through  
28 with the agenda this morning, before we broke for lunch, and  
29 we'll do that here in just a minute. I am thinking about maybe  
30 we come back at 1:30, if that would work, because we could --  
31 That would allow us to knock out a few more committee reports  
32 and end the day earlier tomorrow, but, if you have lunch plans  
33 and need the full time that we allotted, until 2:00, that would  
34 -- I am looking around the table, and is 1:30 going to be a  
35 problem for anyone?

36  
37 That way, we can move through the agenda. Okay, and so we'll  
38 move that up. We'll have to start public testimony at 2:00, but  
39 that will allow us to proceed with a few other items. We don't  
40 have a very long list today of public testimony, and so we might  
41 be able to pick up even a few more committee reports, and move  
42 that along, and so, with that, we'll go ahead and break, and I  
43 will see everyone back here at 1:30 to take up a few committee  
44 reports.

45  
46 (Whereupon, the meeting recessed for lunch on June 7, 2023.)

47  
48 - - -

1  
2 June 7, 2023

3  
4 WEDNESDAY AFTERNOON SESSION

5  
6 - - -

7  
8 The Full Council of the Gulf of Mexico Fishery Management  
9 Council reconvened at The Battle House Renaissance in Mobile,  
10 Alabama on Wednesday afternoon, June 7, 2023, and was called to  
11 order by Chairman Greg Stunz.

12  
13 **CHAIRMAN STUNZ:** Okay, everyone. Let's go ahead and get  
14 started. Okay. We're going to pick up with a few committee  
15 reports, as I call the council back into session. We'll start  
16 with the committee reports B, C, and D, Ecosystem, Data  
17 Collection, and Shrimp, in that order, and I believe there might  
18 be a little more discussion than we have time for for Law  
19 Enforcement, and so, Kevin, if you're ready with Ecosystem, do  
20 you want to get that started?

21  
22 **COMMITTEE REPORTS**  
23 **ECOSYSTEM COMMITTEE REPORT**

24  
25 **MR. ANSON:** I am, Mr. Chair.

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

28  
29 **MR. ANSON:** Thank you. The committee adopted the agenda, Tab Q,  
30 Number 1, of the April 2022 meeting and approved the minutes,  
31 Tab Q, Number 2, as modified.

32  
33 The Ecosystem Technical Committee Report, Tab Q, Number 4,  
34 council staff summarized the discussions and recommendations  
35 from the April 2023 ETC meeting. The ETC began work on the  
36 council's task to identify, prioritize, and recommend the top  
37 four fishery ecosystem issues (FEI) for incorporation into the  
38 council's Fishery Ecosystem Plan (FEP) process. Council staff  
39 presented a draft list of potential FEIs and ranking criteria.  
40 This list is preliminary and does not represent the ETC's final  
41 recommendation or stakeholder feedback.

42  
43 A committee member commented that, from the list, discards and  
44 climate change may be of higher priority to the council.  
45 Another committee member thought an urgency component under the  
46 pathway to actionability criteria should rank higher. The  
47 committee member also recommended the ETC combine reducing  
48 discards and finfish depredation as a single FEI. Council staff

1 cautioned that the size and scope of FEIs may need some  
2 additional thought and refinement, in order to be useful to the  
3 council and inform management decisions.

4  
5 The committee was encouraged to think about reducing discards as  
6 a FEI during Reef Fish Committee discussions and how it relates  
7 to the various fisheries and fleets. This may help refine the  
8 size and scope of the reducing discards FEI and ultimately  
9 provide guidance for the council to consider.

10  
11 Another committee member suggested that, in addition to  
12 discards, climate change may be another FEI that could be ranked  
13 higher given that its effects span the entirety of the Gulf, for  
14 example biologically, socially, and economically. Regarding the  
15 FEI loop, the committee member recommended finding ways to  
16 engage outside funding and research entities and letting them  
17 know of research needs that would support management decisions.

18  
19 The committee noted that, if offshore wind energy, one of the  
20 FEIs in the draft list, was selected by the council, the pathway  
21 to management may be limited to providing letters and  
22 encouraging extra-jurisdictional partnerships and not  
23 necessarily result in a fisheries management action.

24  
25 The Southeast Fisheries Science Center is developing an  
26 ecosystem-based fisheries management strategic plan, with  
27 offshore wind energy listed as one of its priorities, since it's  
28 also a focus of the current federal administration. Southeast  
29 Fisheries Science Center staff also suggested that, for the FEP  
30 to be successful, the priorities should be FEIs on which the  
31 council can have a direct influence beyond submitting comments  
32 and letters.

33  
34 **The committee recommends and I so move, to direct the Ecosystem**  
35 **Technical Committee to remove offshore wind energy and achieving**  
36 **optimum yield for the reef fish complex from the working list of**  
37 **FEIs.**

38  
39 **CHAIRMAN STUNZ:** Okay, and so we've got a committee motion on  
40 the board. Is there any discussion on this motion? **Seeing no**  
41 **discussion on this motion, is there any opposition to this**  
42 **motion? Seeing none, the motion carries.** Go ahead, Kevin.

43  
44 **MR. ANSON:** Scientific and Statistical Committee (SSC)  
45 Recommendations on a Gulf of Mexico Ecosystem Model to Support  
46 Fisheries Management, Tab Q, Number 5, Mr. John Mareska reviewed  
47 a presentation by Doctors Skyler Sagarese and Holden Harris to  
48 the SSC in May 2023 about a model to address ecological

1 questions and how biomass targets could be achieved via  
2 modification of fishing pressure.

3  
4 The model was based on menhaden and its predators and used  
5 Ecopath to evaluate trophic hierarchy and included fisheries  
6 data. Ecosim was used to evaluate temporal drivers and Ecospace  
7 for spatial drivers. The model can still be improved with  
8 additional data on species overlap and bycatch, size of prey,  
9 environmental drivers, alternate configurations, and robust  
10 reviews. The SSC thought the model would be valuable for  
11 identifying FEIs for the council's FEP. Mr. Chair, this  
12 concludes my report.

13  
14 **CHAIRMAN STUNZ:** Thank you, Mr. Anson. Is there any other  
15 business that needs to come before this committee regarding  
16 ecosystem? Susan.

17  
18 **MS. BOGGS:** So, as I recall, in our conversation, we were  
19 talking about maybe something simple that we could work with,  
20 and so I sent a motion to staff, if you want to wait a moment to  
21 get it up, or I can go ahead and read what I've got.

22  
23 **CHAIRMAN STUNZ:** It looks like we have it there, Susan. Do you  
24 want to go ahead and read that motion into the record, Susan?

25  
26 **MS. BOGGS:** Yes, and thank you, Mr. Chair. **To direct the ETC to**  
27 **develop the red tide FEI and come back with management options**  
28 **for gag, red grouper, and other affected species by June of**  
29 **2024.** If I get a second, I can give just a short rationale.

30  
31 **CHAIRMAN STUNZ:** Okay. Do we have a second for this motion?

32  
33 **DR. SWEETMAN:** I will second for discussion.

34  
35 **CHAIRMAN STUNZ:** Okay. C.J. seconds the motion. Go ahead with  
36 the rationale, Susan.

37  
38 **MS. BOGGS:** So, as I recall, talking in committee, we were  
39 thinking of something that might be not a difficult task, and, I  
40 mean, I'm not going to say it's going to be an easy task, but  
41 this might be something that we know is a problem, something  
42 that I think would fit for this, and kind of give us a way to  
43 start working on an FEI, get the ball rolling, work out the  
44 kinks, see how it's going to work. It's a very important issue,  
45 but maybe not one so broad in scope that it can be our kickoff  
46 to this FES process.

47  
48 **CHAIRMAN STUNZ:** Okay, Susan. Any other discussion regarding

1 the motion?

2

3 **DR. NATASHA MENDEZ-FERRER:** So red tide is one of the issues  
4 that we have been considering, and my concern with this motion  
5 is that, right now, we don't have the entirety of the FEP  
6 process completely fleshed out. We still have work to do with  
7 the Ecosystem Technical Committee and figure out like the  
8 pathways to continue engaging stakeholders, and so, with this  
9 motion, we're kind of limited with what we have in place.

10

11 **CHAIRMAN STUNZ:** Susan.

12

13 **MS. BOGGS:** Well, so, understanding that -- I mean, June of  
14 2024, possibly we would have some of these things fleshed out,  
15 and it kind of gives us a goal to work towards, to getting this  
16 process in place, but, if that's not manageable by staff, we  
17 can, I guess, wait later, until the FEP is more developed, but,  
18 I mean, it's a year from now, and so I'm just kind of trying to  
19 help get things rolling with this.

20

21 **CHAIRMAN STUNZ:** Okay. Dr. Simmons.

22

23 **EXECUTIVE DIRECTOR SIMMONS:** Thank you, Mr. Chair, and so I  
24 think this motion is just a little bit premature, to kind of  
25 build on what Natasha was saying, because remember we wanted to  
26 give the council an update on what the ETC was able to  
27 accomplish, but we still have a lot of work to do regarding  
28 other FEIs, taking it out to the public, what the loops are  
29 going to look like, what's going to be in the FEP, how they're  
30 going to be prioritized, and so I feel like we're taking one  
31 that was kind of middle priority and saying run with it.

32

33 I do agree that I think it could be more actionable for the  
34 council, based on the stocks you have up there, but I just feel  
35 like we're not there yet, because it's kind of superseding the  
36 process with the public. We're already saying, well, we've  
37 already decided that this is the one that we want to go with,  
38 would be my concern, and, also, the prioritization process that  
39 the ETC wanted to work through, and we're kind of saying we  
40 don't need that, and we want to do this one, and so those are  
41 just some concerns that I would have.

42

43 **MS. BOGGS:** Fair enough. I mean, I can withdraw the motion.  
44 Again, it was just hoping to maybe kind of get the ball rolling  
45 and have some discussion about it, you know, and so thank you.

46 **I will withdraw.**

47

48 **CHAIRMAN STUNZ:** Okay. Thank you, Ms. Boggs, and I think we got



1 the ball rolling with that, and then we can come back with your  
2 motion when the time is right. Okay, and so, thinking about the  
3 procedure here, if you withdraw the motion, the seconder -- What  
4 happens with the seconder? It's just considered withdrawn?  
5 Okay.

6  
7 All right, and so any other discussions regarding the Ecosystem  
8 report? Okay. Seeing none, then we will move on to the next  
9 agenda item, which will bring us to Data Collection, and so, Ms.  
10 Boggs, if you're ready to take us through that, please go ahead.

11

12 **DATA COLLECTION COMMITTEE REPORT**

13

14 **MS. BOGGS:** Yes, sir, Mr. Chair. Thank you. The Data  
15 Collection Committee, June 5, 2023, the committee adopted the  
16 agenda, Tab F, Number 1, and approved the minutes, Tab F, Number  
17 2, of the April 2023 meeting as written.

18

19 Southeast For-Hire Integrated Electronic Reporting (SEFHIER)  
20 Program, Tab F, Number 4 and 4(a), Dr. Jessica Stephen, of the  
21 Southeast Regional Office (SERO) provided a presentation  
22 updating the committee on for-hire data collection in the Gulf  
23 of Mexico (Gulf).

24

25 With SEFHIER being set aside, several other data collection  
26 programs are still being conducted for the for-hire sector.  
27 SERO suggested giving a presentation to the committee at the  
28 October 2023 meeting to report information collected from  
29 SEFHIER that would provide context for the program's design.  
30 Several committee members asked whether a new document could be  
31 developed and brought before the committee during the August  
32 2023 meeting. SERO staff replied that there was nothing to  
33 preclude working on a new document, but the information  
34 presented in October would be beneficial when considering  
35 objectives for a new program.

36

37 Several committee members expressed a desire for a simplified  
38 document that would include language to limit any additional  
39 data collection questions after the council approves the  
40 document. Another committee member mentioned that the survey  
41 questions could be as simple as those for the Southeast Regional  
42 Headboat Survey. The member continued that validation was an  
43 important component of a fisheries data collection program and  
44 expressed some concern that law enforcement presence at the  
45 docks seemed to be reduced since the court decision.

46

47 Status Update on Plan with Gulf States Marine Fisheries  
48 Commission and National Marine Fisheries Service on the Private

1 Angler Permit, Mr. Dave Donaldson, of the Gulf States Marine  
2 Fisheries Commission, provided an update on exploring novel  
3 approaches to managing federal private anglers based on the  
4 council's recent request.

5  
6 The Research Track Development Team, a subgroup of the Marine  
7 Fisheries Information Program Transition Group, suggested the  
8 commission's Technical Coordinating Committee (TCC) would be the  
9 appropriate group to task with the council's request. A member  
10 from the Research Track Development Team will provide the TCC a  
11 presentation at the Gulf States Marine Fisheries Commission's  
12 October 2023 meeting.

13  
14 The TCC will be asked to consider a number of issues, which  
15 includes costs, identify any potential hurdles, potential  
16 standardization across states, and other topics. The TCC will  
17 meet the week before the October council meeting, and it would  
18 be possible to report their discussions to the council then.

19  
20 A committee member expressed concern that this effort may be  
21 more complicated than needed. He recommended that collection of  
22 private recreational effort, catch, and discard information in  
23 federal waters is important and that the states are already  
24 working on collecting these data. Another committee member  
25 followed that this endeavor could be simplified even further and  
26 focus on identifying the universe of anglers only. He continued  
27 that it should be made clear how this information was going to  
28 be used to help estimate effort in the private recreational  
29 sector.

30  
31 A committee member responded that the TCC may determine that a  
32 larger licensing program may not be a pathway forward, but they  
33 have the knowledge to provide feedback on limitation,  
34 constraints, and costs. They could then provide insights on  
35 alternatives for helping better refine data collection methods.

36  
37 The committee then discussed angler buy-in and terminology  
38 between licensing and permitting. Permitting is often  
39 associated with regulations and could affect participation.  
40 General Counsel stated that there was no strict definition of  
41 those terms. She continued that the focus should be more on the  
42 functionality. The committee decided to wait for feedback from  
43 the TCC and determine management objectives before finalizing  
44 any specific terminology.

45  
46 Other Business, a committee member asked about the progress of a  
47 mailout being generated to inform commercial reef fish and  
48 coastal migratory permit holders of public hearings related to

1 modifications to the coastal logbook program. Council staff  
2 stated the mailout was being prepared for the fall public  
3 hearings. Mr. Chair, this concludes my report.  
4

5 **CHAIRMAN STUNZ:** Okay. Thank you, Ms. Boggs. Is there any  
6 other discussion that needs to come before the Data Collection  
7 Committee? Go ahead, Ms. Boggs.  
8

9 **MS. BOGGS:** So back to the SEFHIER and the data collection and  
10 about starting a new document, and is there anything that staff  
11 needs to bring something back in August, so that we can at least  
12 start working on that?  
13

14 **EXECUTIVE DIRECTOR SIMMONS:** No, and I think we're all set. You  
15 passed a motion in April for us to do that, and so, I mean, I  
16 think we have to just be cognizant that I believe Dr. Stephen is  
17 still working to try to analyze the data that had been collected  
18 previously from the program, and I do not think that would be  
19 available by August, but I don't want to speak for her, and I  
20 just wanted to make sure that that was understood.  
21

22 **CHAIRMAN STUNZ:** Go ahead.  
23

24 **MS. BOGGS:** I do understand that, Dr. Simmons, and I just want  
25 to make sure that we're not letting any grass grow under this  
26 project, and maybe at least start with purpose and need and  
27 working through some of that. Thank you.  
28

29 **CHAIRMAN STUNZ:** Okay. I am not seeing any more hands up, and  
30 so we'll move on and conclude the business coming out of the  
31 Data Collection Committee. Before we move into Shrimp, I  
32 understand that we have the Coast Guard representative on the  
33 phone, and there was just a few more slides that she had, and so  
34 we might try just to finish that back up, if we can get her on a  
35 better connection. Bernie, tell me when you're ready for that,  
36 and I believe we stopped off at her third slide.  
37

38 **MS. BERNADINE ROY:** Shelby, are you able to speak now?  
39

40 **LTJG THRELKELD:** Testing. Can you all hear me on your end?  
41

42 **CHAIRMAN STUNZ:** Yes, Shelby, and that sounds much better.  
43

44 **U.S. COAST GUARD AGENCY UPDATE (CONTINUED)**  
45

46 **LTJG THRELKELD:** Okay. Perfect. I tried my personal laptop,  
47 and then I tried the phone call, but the webinar app on my phone  
48 seems to be working just fine, and so I will begin whenever you

1 all are ready.

2

3 **CHAIRMAN STUNZ:** Okay. Go ahead. We're ready when you are.

4

5 **LTJG THRELKELD:** Okay, and so I will just go ahead and jump into  
6 the next slide, with our domestic fisheries. In regard to our  
7 domestic fisheries for Quarter 2, we had a total of 212  
8 boardings, and we had fifty-one vessels that were issued safety  
9 violations, and fourteen vessels were issued LMR violations.

10

11 Our observed compliance rate was 93.4 percent, meaning, 93  
12 percent of the time, when we conducted a boarding, that vessel  
13 is within compliance for fisheries regulations, and we calculate  
14 that statistic by subtracting the total boardings, subtract the  
15 LMR violations, and then we divide that number by the total  
16 boardings and multiply by a hundred, and that's how we get that  
17 observed compliance rate.

18

19 Then, looking ahead, obviously, with the summer months, more  
20 people are going to be out on the water, and so that's going to  
21 allow our boarding teams to board more vessels and focus  
22 primarily on our high and medium-precedence fisheries, and then  
23 we're also looking to strengthen relationships internally and  
24 externally.

25

26 Most recently, we have digitalized the LMR case packaging  
27 process with NOAA, and so now we are -- We used to mail them in,  
28 but it's all electronic, and so that has improved our efficiency  
29 and fidelity of information exchange, and it hopefully speeds up  
30 the prosecution process.

31

32 In addition, we're going to continue to advocate for asset  
33 allocation for our domestic fisheries mission. It seems like  
34 the migration surge in south Florida and the Caribbean has  
35 slowed down, and so we're going to be looking to allocate more  
36 resources for LMR.

37

38 Now we have our other law enforcement missions for Quarter 2,  
39 and so we had a total of thirty lancha interdictions and 3,500  
40 pounds of catch that was seized. Looking ahead, we are trying  
41 to strengthen our international partnership with Mexico, to  
42 reduce the number of repeat offenders and lancha incursions, and  
43 we're continuing to improve our interdiction capabilities, with  
44 new surveillance technology with CBP. Pending any questions,  
45 this concludes my brief, and thank you for bearing with me on  
46 the technical difficulties.

47

48 **CHAIRMAN STUNZ:** Okay. Thank you, Shelby. Is there any

1 questions for Lieutenant Threlkeld? I am not seeing.  
2 Lieutenant, I have one question for you, back on the last slide,  
3 where there's a picture of a captain conducting disposal at-sea  
4 of the catch. Is that -- Is he just trying to get rid of those  
5 fish before you all board him, or is that something that you're  
6 just asking them to dispose of that catch or what?

7  
8 **LTJG THRELKELD:** I will give the lawyer answer, as it can  
9 happen, and it depends. Sometimes we'll have them dispose of  
10 catch overboard, and so they'll try to go undetected with having  
11 catch onboard, but, whenever we do have large seizures, we try  
12 to donate the catch to a turtle sanctuary near South Padre, but,  
13 weather depending, we may just have to dispose of the catch at-  
14 sea.

15  
16 **CHAIRMAN STUNZ:** Okay. Thank you. Any other questions? Well,  
17 Lieutenant, I'm not seeing anything. Thank you for the  
18 presentation.

19  
20 **LTJG THRELKELD:** Thank you for your time.

#### 21 22 **CLOSED SESSION REPORT**

23  
24 **CHAIRMAN STUNZ:** Okay, everyone. We have about five minutes  
25 before public testimony, and so, Chris, I don't believe we have  
26 time to get into Shrimp, and so, if there's any discussion, I  
27 don't want to curb that.

28  
29 I do have one real short report that I think we can get through.  
30 I want to give the report on the closed session that we had a  
31 few days ago regarding selection of the Coastal Migratory  
32 Pelagics, and that's on Tab T, if you're looking, but this is  
33 essentially just reading who we appointed to that.

34  
35 The Full Council was convened in a closed session on the  
36 afternoon of June 5 to appoint the Coastal Migratory Pelagic  
37 Advisory Panel members. The council made the following  
38 appointments for the period of June 2023 to 2026, and these  
39 appointees are: Steven Asher; Kesley Banks; Charles Bergmann,  
40 II; William Campbell; Joshua Ellender; Justin Fadalla; Martin  
41 Fisher; Gary Hayes; Benjamin Knight; David Krebs, Jr.;  
42 Christopher Mallory; Tom Marvel; Alex Murray; George Niles;  
43 Kelty Readenour; Lance Robinson; Will Stein, III; Edward  
44 Swindell; Ed Walker; and Robert Woithe. This concludes my  
45 report.

46  
47 I am not seeing any hands up that there's any questions for the  
48 report, and what we'll do, since we're just about five minutes

1 ahead of public testimony, is I have a statement that I need to  
2 read, but then this will give a little bit of time for Bernie  
3 and Beth to prepare for the public testimony.

4  
5 All right, and it looks like we have just over twenty people  
6 wanting to give public testimony, and we'll begin that shortly,  
7 and what I think we'll do is we'll start with the dignitaries in  
8 the room, and then we'll go back and forth between online and in  
9 the room, and we've got about six people online wanting to give  
10 testimony. I'm going to go ahead and read the statement  
11 regarding testimony into the record, so that everyone is aware.

12  
13 Good afternoon, everyone. Public input is a vital part of the  
14 council's deliberative process, and comments, both oral and  
15 written, are accepted and considered by the council throughout  
16 the process.

17  
18 The Sustainable Fisheries Act requires that all statements  
19 include a brief description of the background and interest of  
20 the persons in the subject of the statement. All written  
21 information shall include a statement of the source and the date  
22 of such information.

23  
24 Oral or written communications provided to the council, its  
25 members, or its staff that relate to matters within the  
26 council's purview are public in nature. Please give any written  
27 comments to the staff, as all written comments will be posted on  
28 the council's website for viewing by council members and the  
29 public and will be maintained by the council as part of the  
30 permanent record.

31  
32 Knowingly and willfully submitting false information to the  
33 council is a violation of federal law. We will welcome public  
34 comment from in-person and virtual attendees. Anyone joining us  
35 virtually that wishes to speak during public comment should have  
36 already registered online. Virtual participants that are  
37 registered to comment should ensure that they are registered for  
38 the webinar under the same name they used to register to speak.  
39 In-person attendees wishing to speak during public comment  
40 should sign-in at the registration kiosk located at the back of  
41 the room. We accept only one registration per person.

42  
43 Each speaker is allowed three minutes for their public  
44 testimony. Please note the timer lights on the podium or on the  
45 webinar. They will be green for the first two minutes and  
46 yellow for the final minute of testimony. At three minutes, a  
47 red light will blink, and a buzzer will be enacted. Time  
48 allowed to dignitaries providing testimony is extended at the

1 discretion of the Chair.

2  
3 If you have a cellphone or similar device, we ask that you keep  
4 them on silent or vibrating mode during the meeting. Also, in  
5 order for all to be able to hear the proceedings, we ask that  
6 you have any private conversations outside, and please be  
7 advised that alcoholic beverages are not permitted in the room.  
8 Please note that public comment may end before the published  
9 agenda time if all registered in-person and virtual participants  
10 have completed their comment. Okay. With that, we will begin  
11 with in the room, and up first will be Lawrence Marino

12  
13 **PUBLIC COMMENT**  
14

15 **MR. LAWRENCE MARINO:** Good afternoon. My name is Larry Marino,  
16 and I'm here on behalf of Louisiana Attorney General Jeff  
17 Landry. As to the IFQ program, staff and NOAA presented a good  
18 list of goals and objectives that generally covers the ideas and  
19 issues that we've heard about, and the discussions by the  
20 council were encouraging. It's taken a long time to get  
21 started, but now the council has gotten started.

22  
23 It was also encouraging that the council focused on areas where  
24 improvement was needed. The program does work well in most  
25 respects, but work is definitely needed regarding allocation of  
26 the quota and reducing discards.

27  
28 The list of goals and objectives that the council developed is a  
29 good starting point, as is its prioritization of the goals, but  
30 they will still have to be balanced against each other, even  
31 though they are prioritized.

32  
33 It was also encouraging to see how the council was grappling  
34 with the overcapitalization concern. Overcapitalization  
35 apparently just means that the fishing fleet can catch more than  
36 the quota, but limiting the fleet to that simply can't be a goal  
37 of the program. It would decimate the industry and the fishing  
38 communities. As Andy pointed out, it would reduce the industry  
39 by 80 percent, and no one wants that. Rather, reducing  
40 overcapitalization must be balanced against social, economic,  
41 discards, and other concerns.

42  
43 This includes allowing flexibility in the program. For  
44 instance, we've heard that some dual-permitted boats are picking  
45 up the slack from charter fishing to do some commercial fishing  
46 to make ends meet, and they don't need a lot of quota, but they  
47 need some quota, and so while, technically, this adds  
48 capitalization, that's a good thing and not a bad thing. The

1 government shouldn't be in the business of putting fishermen out  
2 of business. If someone can't make a profit fishing, they will  
3 stop. That's capitalism. If they can't make a profit, the  
4 government should -- I'm sorry. If they can make a profit, the  
5 government shouldn't stop it, and that's the opposite of  
6 capitalism.

7  
8 The council's first priority goal, improving opportunities for  
9 new entrants, obviously addresses fishermen who don't have  
10 shares already, but, based on the objectives under this goal, it  
11 also addresses allocation of quota, which means that it  
12 addresses those who have some shares or quota, but not enough.

13  
14 Fairness in the allocation of quota is essential. Fishermen  
15 must be able to believe that the game isn't rigged against them  
16 and that they will have a fair shot at being able to fish, and  
17 they should have a fair shot at being able to fish without  
18 paying 80 percent of their income to someone who does nothing  
19 more than act as a middle-man in delivering the quota to them  
20 and who has the power to steer this right to harvest the  
21 public's fish based on favoritism, opposing dissent, or other  
22 improper bases.

23  
24 A quota bank can distribute the quota at little cost, or, even  
25 if something is charged, the money can be directed back to the  
26 benefit of the industry and the fishery, like more research. If  
27 the quota bank redistributes shares, then we'll be right back in  
28 the same position as today, and so the quota bank should  
29 allocate allocation that can be changed from year to year,  
30 rather than the shares themselves, that can't. This does  
31 require careful structuring of the bank, as to who makes the  
32 decisions, based on what priorities, and ensuring that all  
33 decisions are transparently made. Of course, since nearly all  
34 of the shares are now held by private interests, where the quota  
35 for the quota bank comes from will be a difficult question.

36  
37 We have heard comments that the shareholders earned the shares  
38 by fishing, and that's not true. They earned the profit they  
39 made by selling the fish they caught, and the shares were given  
40 to them on top of that, and now they're taking 80 percent from  
41 the current fishermen, or they sold the shares to someone else,  
42 who is taking that 80 percent, and, in fact, they take their 80  
43 percent off the top.

44  
45 Fishermen now earn only whatever is left of the remaining 20  
46 percent after they actually pay all the costs of actually  
47 catching the fish, and I don't know how anybody can survive that  
48 way, and I think you're hearing, and will continue to hear, from



1 fishermen who can't survive that way. That's not right, and it  
2 should be stopped, and so adaptive management to redistribute  
3 the fish to those actually fishing is imperative.

4  
5 It must be done reasonably and over time, and not abruptly, but,  
6 the longer we go before starting, the harder it will be to fix  
7 the problem, and it's a very good thing that the council has  
8 gotten started on it. Thank you.

9  
10 **CHAIRMAN STUNZ:** Thank you, Mr. Marino. We will go online now,  
11 and our first online person is Catherine Bruger.

12  
13 **MS. CATHERINE BRUGER:** Good afternoon, and thank you, Mr. Chair.  
14 My name is Catherine Bruger. I'm based on St. Petersburg,  
15 Florida, and I'm Manager of Fish Conservation for Ocean  
16 Conservancy. Thank you to the council and staff for providing  
17 the option to testify virtually.

18  
19 My comments today focus on the gag rebuilding plan. Ocean  
20 Conservancy has concerns about serious deficiencies in this  
21 plan. First though, I have to applaud the SEDAR team, NOAA, and  
22 council staff for integrating red tide analyses into the stock  
23 assessment and incorporating the climate vulnerability analysis  
24 into the plan. Keep up the good work. We love it, and we are  
25 eager to see these approaches applied in the future.

26  
27 Now, turning to the council, the Science Center has just served  
28 up a sweet opportunity. Take advantage of this. Pair the  
29 science with the corresponding management actions and make the  
30 connection.

31  
32 Next, there are only a few options for rebuilding scenarios in  
33 the plan, no removals and the maximum allowable rebuilding  
34 scenarios. It's a very uncomfortable position to have only  
35 those options, and there should be a target that balances  
36 conservation and stakeholder needs.

37  
38 Regarding discards, the Tmin scenario assumes no fishing and no  
39 dead discards, even incidentally. The Tmax scenario assumes  
40 that discarding will occur at levels observed prior to the  
41 proposed compressed season. However, scientists clearly stated  
42 that a compressed season will increase discard levels. The  
43 council process for a Tmax approach means accepting maximum risk  
44 and acknowledging that discards will increase, yet the council  
45 is proceeding without a corresponding management action that  
46 reduces out-of-season discards.

47  
48 The bycatch practicability analysis clearly states that, quote,

1 "The benefits of the ACL reduction on gag bycatch will be offset  
2 by the regulatory discards that would occur by fishermen that  
3 target other species and catch gag during the closed season for  
4 the recreational sector." End quote.

5  
6 While it's true that opening the season during cooler months  
7 could reduce discard mortality, you aren't aligning other  
8 species' opening dates in support of that objective. For  
9 instance, red grouper closes on July 21. Therefore, you're  
10 accepting a high degree of management uncertainty and again  
11 increasing discards, worse potentially increasing discards for  
12 other cooccurring species in addition to gag.

13  
14 Beyond accepting maximum risk, highly uncertain scenarios, the  
15 plan then proposes to increase the ACLs beyond 2024. Given the  
16 large uncertainties with this stock, which went from rebuilt to  
17 overfished in a handful of years, this represents additional  
18 management risk. To apply the bare minimum level of  
19 conservation protection, the council should be requesting a  
20 constant catch approach, paired with interim assessments, before  
21 increasing catch levels.

22  
23 In summary, the rebuilding plan effectively accepts maximum  
24 allowable risk, increases discards, accepts high levels of  
25 management uncertainty, and deliberately ignores direct actions  
26 to reduce the greatest drivers of mortality, leaving a very weak  
27 rebuilding plan that provides no assurance that it has at least  
28 50 percent probability of success, as required by the Magnuson  
29 Act. Thank you for your time.

30  
31 **CHAIRMAN STUNZ:** Thank you. All right. Up next, here in the  
32 room, will be Ken Haddad. I'm sorry. It's Charlie Bergmann.  
33 I'm sorry about that, Charlie.

34  
35 **MR. CHARLIE BERGMANN:** Good afternoon. I'm up here asking that  
36 you, when you start your debate on Reef Fish Amendment 56, that  
37 you do not consider a reallocation of the quota. I ask this  
38 because this, as well as red grouper, is a signal of the failure  
39 of the agency to constrain the recreational harvest within the  
40 allocation, and, now that we've come up with a new currency, if  
41 you will, it just doesn't make sense for the people that have  
42 stayed within their allocation and see that the agency would  
43 like to see a redistribution of that allocation. That's all I  
44 really have on the grouper.

45  
46 As you prepare your letter on the whale situation, I would hope  
47 that you include the facts that, in twenty-two years of surveys  
48 of those whales, they have all been in what they have

1 categorized as a core area, and they've had one whale that  
2 they've seen off of Texas, but to put in a speed limit of ten  
3 miles an hour, and no nighttime traveling, it's just -- It's  
4 crazy. I understand that the whales are very limited, but, over  
5 the twenty-two years, they keep counting the same amount of  
6 whales, and so that's all. Thank you.

7  
8 **CHAIRMAN STUNZ:** Okay. Thank you, Mr. Bergmann. Up next,  
9 online, will be Jim Zurbrick.

10  
11 **MR. JIM ZURBRICK:** Thank you very much for allowing me to speak.  
12 As always, I've got a lot on the table here. First of all, I  
13 would like to say thank you for looking like we're going to get  
14 our increase on triggerfish. It's been a while coming, but it  
15 sure goes a long way for everyone to feel good about the  
16 council, at least on that particular issue.

17  
18 Second, I favor the September opening, because I'm not in the  
19 charter business anymore, and I was for many years, but it seems  
20 that the September opening is very popular, and I know that NMFS  
21 will probably have to shut the season down early, and I wish it  
22 was the same time that the snapper season was going on, so that  
23 we could not have to worry about more discards, and also AJs.

24  
25 Listen. We can't end up with pounds, and we have got to end up  
26 with what we consider to be a reasonable number, and I think,  
27 personally, that number, based on what I'm looking at the data,  
28 is probably seven fish, personally.

29  
30 There was a great article in *National Fisherman Magazine* this  
31 month, and hopefully a lot of the recreational interest on the  
32 council would go to it, and Gary Jarvis wrote it, and it's a  
33 very generic piece, and there's nothing in there that appears to  
34 be biased, but I would suggest it has to do with council  
35 balance, and it's a very good article by the ex-mayor, that he  
36 wrote.

37  
38 Also, Mote Laboratory did a -- Peter Hood did the discussion  
39 there, led the discussion, about that exempted fishing permit,  
40 and I firmly support somehow we find 3,000 pounds of red  
41 grouper, and I'm sure there will be some people that would  
42 probably want to donate some of it, because I think the greater  
43 good is served.

44  
45 I am one of the bandit boats, and I 100 percent count my catch,  
46 my discards, type of fish, and there still is not an AI  
47 component to it, and so we can't size my fish, and I wish that  
48 was, so I could just look up at a digital reading over the

1 camera and say, hey, there's a keeper, but, anyway, they're  
2 going to make it very elaborate, as far as being able to capture  
3 the dead discards that are undersize, and let's see how that  
4 shakes out, but surely we can get the support to move that  
5 forward, and that's about it. Hopefully everybody has a safe  
6 trip home.

7  
8 **CHAIRMAN STUNZ:** Okay. Thank you, Jim. We do have a question  
9 for you from Ms. Boggs.

10  
11 **MS. BOGGS:** Thank you, Jim, for calling in today. I want to  
12 know, one, do you target amberjack, or is it an incidental catch  
13 for you?

14  
15 **MR. ZURBRICK:** Well, for years, I -- amberjack, because I was a  
16 -- business, right, and amberjack was a huge component of our --  
17 I needed a bycatch, but, where we're fishing, the size of some  
18 of the ones that we'll catch, the larger ones stress out, and so  
19 we really need that bycatch number, just so we don't have to  
20 waste that resource.

21  
22 **CHAIRMAN STUNZ:** Okay. Thank you, Jim. I'm not seeing any  
23 other hands, and we'll come back into the room here, and, this  
24 time for real, Ken Haddad.

25  
26 **MR. KEN HADDAD:** Thank you, Mr. Chairman and council members.  
27 My name is Ken Haddad from Monticello, Florida, with American  
28 Sportfishing Association. Just as a reminder, ASA is the trade  
29 organization for the sportfishing industry, with over 900  
30 members, including manufacturers, distributors, retailers, and  
31 angler organizations.

32  
33 On the private angler permit, there was a lot of discussion on  
34 the angler permit, and we look forward to Mr. Donaldson working  
35 with NOAA and the states to evaluate the issue, and options, and  
36 provide solid information for decisions.

37  
38 While realizing the critical endangerment of the Rice's whale,  
39 we have concerns on the speed limit petition that has been put  
40 out for comment, and we urge the council to submit a letter  
41 outlining the council's concerns, as proposed by the Sustainable  
42 Fisheries Committee.

43  
44 On red snapper management, we just want to commend the states  
45 for their effective monitoring and management of red snapper, as  
46 evidenced, I felt, at this meeting in the data presented by each  
47 of the states.

48

1 On gag grouper, we support the motion to proceed from the Reef  
2 Fish Committee, and we want to emphasize that the allocation  
3 conversion, based on the new SRFs data, is not a blatant  
4 transfer of allocation to the recreational sector, and it is an  
5 update of the allocation, using the same data that are now used  
6 in the stock assessment to determine OFL and ABC. The old  
7 allocation simply no longer has any rational data behind it.

8  
9 Finally, I want to thank Chairman Stunz, Mr. Dyskow, and Dr.  
10 Shipp for their outstanding service to fisheries in the Gulf.  
11 We appreciate it, and we thank you.

12  
13 **CHAIRMAN STUNZ:** Thank you, Ken. All right. We will go back  
14 online to Bill Dantuono.

15  
16 **MR. BILL DANTUONO:** Hi. I live and fish commercially in  
17 southwest Florida, with other operators since 2016. I bought my  
18 own boat and federal charter permits in 2017 and my commercial  
19 permit in 2021. Slow zones in the Gulf are an agenda-driven  
20 issue, and it will be a major setback and precedent for all  
21 anglers, shipping lanes, and fuel distribution in the Gulf of  
22 Mexico.

23  
24 If you look at the outrage in the North Atlantic right now about  
25 the windfarms and how many whales are washing up on the beaches,  
26 and NOAA's own data shows the wind industry allows them to have  
27 incidental mortality, which includes whales and dolphins, and  
28 you can Google that, and the only anglers affected by this would  
29 be commercial fishermen with VMS, and I don't think the rec  
30 sector will abide by these regulations, and it's so far out to  
31 enforce.

32  
33 As a fairly new entrant to the commercial IFQ program, and a  
34 business owner, I feel that the current system needs reform. A  
35 big talking point is you just buy quota and invest in your  
36 business. Well, what good is that if the status quo is to  
37 substantially cut species, as we see with red grouper and gag  
38 grouper, and, if I was going to spend \$10,000 on IFQ, it would  
39 just be slashed in half, which is what we've seen. It makes no  
40 sense for me to own shares, and, under this current system, that  
41 leads me to support the reform.

42  
43 Secondly, lease prices are astronomical with red grouper, at  
44 \$2.50 a pound, gag at \$7.00 a pound, if you can find it, and red  
45 snapper at \$5.50, if you can find it, and this doesn't equate to  
46 ex-vessel pricing from years past, due to fuel increases,  
47 insurance, tackle increases, et cetera. If you don't own a  
48 permit, you should not be able to own shares. How outside

1 investors infiltrated this industry has to end, the IFQ system  
2 and how they infiltrated that.

3  
4 How about, instead of this, you just put a limit on lease price  
5 and just say end it there? Our dayboat operation provides the  
6 best-quality fish to our public consumers, and the IFQ system is  
7 affecting that.

8  
9 Lastly, I just wanted to put in the record that I support an  
10 immediate interim analysis for gag grouper. We're seeing good  
11 numbers of them, as many anglers are across the eastern Gulf,  
12 and we do not -- We need better data, which we don't, and  
13 cutting gag, or any species, by 85 percent should be a last  
14 resort. Recent changes on gag and red grouper will increase the  
15 discards substantially and force pressure on other species.  
16 Thank you for having me.

17  
18 **CHAIRMAN STUNZ:** Thank you, Bill. Moving on, next is Scott  
19 Daggett.

20  
21 **MR. SCOTT DAGGETT:** I'm an owner and operator, and I'm a Madeira  
22 Beach member of SOFA. I'm in a unique position, and I've been  
23 around long enough for -- I don't like the word "given IFQs",  
24 and I earned those. I put the catch history in, and I did the  
25 work from the original ones, you know, the 1999 to 2004, the  
26 qualifying years.

27  
28 I was a young captain back then, and I think I was twenty-four  
29 at the time. I'm a lot better captain now, a lot better  
30 fisherman, and so my catch history now is totally different from  
31 back then, and so I played by the rules for all these years, and  
32 I told my wife -- We had saved up some money, and, instead of  
33 investing in the stock market, we bet on me, and so we spent,  
34 this last year, \$212,000.

35  
36 If you're wondering what the \$12,000 was for, that was the lease  
37 that I had to pay him to buy the 5,000 shares, at twenty dollars  
38 a pound, and then I had to pay the lease on top of that that he  
39 would have made for the year.

40  
41 What I'm getting at here is this was meant to empower the  
42 fishermen in the beginning, and I was around when we all voted  
43 for it, and it was supposed to be so the fisherman could choose  
44 when he wanted to go, and he didn't have to fish in the bad  
45 weather, and it gave the fishermen the power, and now -- I heard  
46 a lady yesterday use the term "boots on the deck", and I love  
47 that term, because it isn't boots on the deck anymore, and it's  
48 the guy sitting on the couch, making a keystroke on the

1 computer.

2

3 I have to have insurance on my boat, which is a thousand dollars  
4 a month, and I take all the risk, and I have to pay for  
5 expenses, which now is \$7,000 to leave, and then I've got to pay  
6 exorbitant lease fees, and it's -- You know, grouper has gone up  
7 to anywhere from \$1.75 to \$2.50, and snapper, on our end, is  
8 four-bucks, and I just heard that guy say \$5.50, and it all  
9 depends on who you know, and, if you say the wrong thing, you  
10 know, especially sitting up here, you don't get leases.

11

12 Luckily, I work for a guy that will match us pound-for-pound,  
13 and he's brought snapper to the eastern Gulf, which we didn't  
14 have before, and now we get to lease, but it's just getting  
15 further and further away from us, the fishermen, because you  
16 made an investment.

17

18 In the IFQ system, you know the mistakes that were made, and you  
19 can see it. When you opened it up for when you didn't have to  
20 own a boat and permits, and I watched guys put VMSs on boats,  
21 life rafts, and they sat in the side yard and never moved, and  
22 you could tell which boats are moving, which guys are fishing.  
23 You've got to take the investment out of the IFQ if you want it  
24 to work, and that's about all I've got to say. Thank you.

25

26 **CHAIRMAN STUNZ:** Thank you, Scott. Scott, we do have a question  
27 for you, please, from Mr. Geeslin.

28

29 **MR. GEESLIN:** Mr. Daggett, thanks for sharing your thoughts with  
30 us, and hopefully you were able to listen-in or attend our IFQ  
31 discussion yesterday.

32

33 **MR. DAGGETT:** I was here.

34

35 **MR. GEESLIN:** It certainly highlighted some of the problems, and  
36 the issues, that I think we have come to recognize, and do you  
37 have any solutions that you've thought about over the years?

38

39 **MR. DAGGETT:** Man, well, you know, I invested money, and other  
40 people invested a lot more money than me, but, you know, people  
41 invest money in the stock market and lose everyday too, you  
42 know, and so I don't know what the solution is, but I can tell  
43 you what's not the solution, is keeping it like it is. It's  
44 going to get worse, you know what I mean?

45

46 Snapper -- Okay. \$1.75 for grouper, and it pretty much is a  
47 seven-and-a-half return on your money, because a share is  
48 \$20.00, and it's \$1.75 to lease it, and that's seven-and-a-half

1 percent. What's snapper, forty, and you're pretty much --  
2 Snapper is a 10 percent return on your money, and that's why  
3 you've got to give it back to the fishermen, or the people who  
4 are catching it, and I don't know what the solution is, but I  
5 know the way it's going, and it is going to keep going in the  
6 right direction, I can tell you that, because it's getting  
7 further --

8  
9 For instance, there's only seven of us left in the eastern Gulf,  
10 and I don't know the western Gulf, and I just know the eastern  
11 Gulf longliners, and there is seven guys that still catch their  
12 quota, and we all lease at least two-times that, of what we've  
13 got, because we don't have enough, and we lease two-times that,  
14 but there's only seven of us left that are owner-operators, and,  
15 when I started this business, when I was a kid, sixteen years  
16 old, there was probably fifty or sixty owner-operators, and  
17 those were the guys that you wanted to work for, because you  
18 made more money, because the owner-operator makes more money,  
19 you know, because it does it all.

20  
21 Now there is seven of us left, and I'm the youngest, and I'm  
22 fifty-two, and so that tells you what you need to know, and how  
23 do you get new people in this business when there's not a for-  
24 sure business plan and they don't know if it's going to be taken  
25 away the next day, and you know what I'm saying, and it's hard  
26 to convince your wife, or your family, to, hey, let's put up all  
27 this money, but we don't know what's going to happen tomorrow,  
28 and that's -- I don't know how to fix it, I really don't.

29  
30 **CHAIRMAN STUNZ:** We have one more question for you from Ms.  
31 Boggs.

32  
33 **MR. DAGGETT:** Yes, ma'am.

34  
35 **MS. BOGGS:** So it's actually two quick questions. One, do you  
36 fish the Atlantic and Gulf, and, two, do you catch amberjack,  
37 and is it a targeted fishery or a bycatch?

38  
39 **MR. DAGGETT:** No, and amberjack is totally a bycatch for me,  
40 and, to be honest with you, I cut them loose. It's not worth  
41 the hassle, because I usually don't know when the season is  
42 open, or when it's closed, and I don't want to take the risk,  
43 because I'm an owner-operator, and I don't like taking a risk  
44 having that fish on my boat, because they don't pay me enough  
45 for it, and, you know, I know guys target them, but, for me, I'm  
46 pretty much red grouper and snapper, and it used to be gags, but  
47 not so much anymore, and, you know, I'm not even going to waste  
48 my time on gag, because I think that's a foregone conclusion.



1  
2 **MS. BOGGS:** You fish on both the east and the west?  
3

4 **MR. DAGGETT:** No, ma'am, and I'm just strictly eastern Gulf, and  
5 that's what I meant by the east. I'm on the west side of  
6 Florida, the eastern Gulf, and that always confuses me, but  
7 just, you know, from Panama City to the Keys, and that's where I  
8 fish. Thank you for your time.  
9

10 **CHAIRMAN STUNZ:** Thank you, Mr. Daggett. Online, next, we have  
11 Brian Lewis.  
12

13 **MR. BRIAN LEWIS:** Good afternoon. Thank you, Mr. Chair, for  
14 this opportunity to speak. My name is Brian Lewis, and I own  
15 the Fishing Vessel Trip Limit, and we fish for Frenchy's Seafood  
16 on Clearwater Beach. Frenchy's owns nine restaurants, one  
17 retail seafood market, employs over 200 people, and serves real  
18 grouper.  
19

20 The path we're going down, pretty soon, we won't even know what  
21 we're going to be eating, if we keep trying to take away from  
22 this commercial sector and reallocating fish over to the  
23 recreational sector, based on skewed numbers, okay, and so let's  
24 just say that we're getting ready to go forward with this  
25 Amendment 56, and I don't feel like we're going to stop this  
26 train at all, and we're going to sit there and reallocate, or  
27 you don't call it reallocation, and you call it recalibration,  
28 but it's the same, okay, and it doesn't make any sense to me.  
29

30 We've got a fishery that's overfished and undergoing  
31 overfishing, and we're going to reallocate fish from our sector,  
32 which, by the way, I want to comment on that too, because I had  
33 about 3,000 pounds of yearly allocation of gag grouper that I  
34 could use for actually bycatch, right, because our target -- 80  
35 percent of our catch was red grouper, okay, and now I've started  
36 out the year with 300 pounds, okay, for the entire year, and it  
37 doesn't make any sense.  
38

39 Now we're going to move forward and take away even more from our  
40 sector, and I'm going to be left with 150 pounds, maybe, next  
41 year, or the year after, and, in the meantime -- Based on SEDAR  
42 72, right, our discards, number of fish, is nothing compared to  
43 the recreational sector's gag grouper discards over the years,  
44 okay, and so, moving forward, I would like to see an interim  
45 analysis done to keep track of the stock, to see how we're doing  
46 here, because we're seeing good numbers of fish, and I hear from  
47 other fishermen, who are throwing back 250 or 300 or 600 pounds  
48 of gag grouper a trip, okay, and it doesn't make any sense to me

1 how, all of a sudden, we've got these numbers, and now it's  
2 like, okay, maybe the male population really is that bad, or  
3 maybe it's really not that bad.

4  
5 We don't even know, and they change sex, and god only knows, and  
6 I know we've got all this history behind us, and we know that  
7 they change sex, and it doesn't make any sense to me, but, look,  
8 I support, you know, some of the moves that you may be making,  
9 but we're not -- This is not the right one, and do not  
10 reallocate any quota from our sector until our fishery rebuilds.

11  
12 I want to take the time to acknowledge Susan Boggs and C.J. on  
13 their support of what I'm talking about, and so thank you for  
14 that, okay, and thank you for this time to speak, and I am open  
15 to any questions.

16  
17 **CHAIRMAN STUNZ:** Thank you. I'm not seeing any questions, and  
18 next will be Charlie Renier.

19  
20 **MR. CHARLIE RENIER:** My name is Charlie Renier, and I was born  
21 and raised in the Keys, and my dad started fishing in the 1950s,  
22 and, since I can remember, I have been on his boat and have been  
23 fishing. When all my friends went to college, I went fishing.  
24 I got married and raised a family and had a good life, and we've  
25 struggled the whole time.

26  
27 I went through the whole lobster industry, with the  
28 certificates, and the stone crab industry, and I was a  
29 gillnetter. I still have a kingfish gillnet endorsement, and I  
30 started a fish house in Key West in 1990, and I still have  
31 seventy-some boats out of Key West that fish for me, and, in the  
32 early 2000s, I moved to Madeira Beach, because I wanted to get  
33 into the snapper and grouper industry.

34  
35 It was rough on the longliners, and there was times when we had  
36 trip limits, and there were times that we couldn't fish, and you  
37 all proposed the IFQs, the individual quotas, which I thought  
38 was fantastic. Okay. Now I can go ahead and buy some boats,  
39 and I can buy my own quota, and I can own it, and you all, the  
40 council, told us that, if you guys want to control your own  
41 destiny, you all need to buy your own quota, and you have it.  
42 Once we give it to you, it's yours, and so I did.

43  
44 I mortgaged my house, and I mortgaged my business, and I bought  
45 over a dozen longline boats, and I have millions of dollars tied  
46 up in quota. I catch all my own quota, and my quota goes to my  
47 boats, and I still lease millions of dollars more of quota,  
48 because we don't get enough, and, when I hear you guys talking

1 about reallocation -- If that happens, I lose my house, my  
2 business, my quota, and I lose everything.

3  
4 I did this because you all said this was what we needed to do to  
5 control our own destiny, and now I'm scared to death. Now, on  
6 this reallocation, when you talk about reallocation, please  
7 think about the people that catch all their quota, not touching  
8 theirs, and, like Scott Daggett just said, there's only seven of  
9 the original longline fishermen left. They got their quota  
10 given to them, and they bought some.

11  
12 I didn't get nothing given to me. I bought every single pound  
13 of it, and the fact that you all kept saying that, as long as  
14 you buy your quota, you're going to be able to fish, and I've  
15 got my daughter now is working at the fish house, and I've got  
16 another daughter moving down in August, and I've got a fish  
17 house in Madeira Beach with a retail, and we have about thirty  
18 longline boats fishing there, and it's a great business, a great  
19 industry, and I feed a whole lot of people in this country.

20  
21 I catch a lot of snapper and a lot of grouper, and there's a lot  
22 of people that can't afford their own boat, to get on it and go  
23 out and catch it, and they want to go to a restaurant or a  
24 grocery store, and that's where my seafood goes. I take care of  
25 everybody that I can, and I send grouper all over the country,  
26 and snapper, and we've been here fighting for everything we've  
27 got, and I want to continue fishing.

28  
29 I want my daughters to carry on my family's legacy. My  
30 daughters are third-generation fishermen, and it is a good  
31 business, and people love seafood, and we want to keep it there.  
32 If you all want to reallocate, just remember the people like me  
33 and these other guys, and why take quota from us, that are doing  
34 exactly what you all wanted us to do with it? You all told us  
35 that you buy it, and you can catch it, and you can control your  
36 own destiny, and, well, that's what we've done.

37  
38 Like Scott said, and he just took his last \$200,000 and bought  
39 quota, so he would have it, and now he's scared to death, like I  
40 am, that you all are going to take it from us and give it  
41 somebody else, and we just want to fish, and, if there's a  
42 problem with the fishery, like the gags, maybe, and, if there's  
43 not, we want to be able to catch the gags. There is more gags  
44 than we have ever seen.

45  
46 We know there's a little issue with the science on there, and me  
47 and my fish house and my boats are willing to help in any way,  
48 shape, or form to get that right, so we can see the real

1 numbers, because, if gags really are hurting, we don't want to  
2 catch them, but we don't believe they are. There is more gags  
3 than we've ever seen.

4  
5 The last thing I want to bring up is I know, in 2024 and 2025,  
6 you all are doing a snapper count, a new one. Us in the eastern  
7 Gulf, when you all did the original one, there was no snapper  
8 down there. We would see one or two snappers a year, and we  
9 never saw snappers.

10  
11 Now, since I -- Six years ago, I started leasing snapper out of  
12 the Gulf for our boats, so all of our boats could go catch them,  
13 and we catch, I don't, 300,000 or 400,000 or 500,000 pounds a  
14 year, and it's a good, viable fishery for us, and so, when you  
15 do the recount, I would appreciate if you could look at us, that  
16 we never got none to start with, and I have bought some, but now  
17 the fish that are down there -- I don't want the guys fishing  
18 Louisiana and Texas and Alabama, and I just want some of the  
19 fish we have down there, and that's what our fishermen want,  
20 because there's a whole lot of fish down there. I appreciate  
21 it.

22  
23 **CHAIRMAN STUNZ:** Thank you, Mr. Renier. I believe we have a  
24 question from Ms. Boggs.

25  
26 **MS. BOGGS:** Thank you for being here and bringing your family  
27 with you. About how many people do you employ and depend on  
28 your business for their livelihood?

29  
30 **MR. RENIER:** I would say, on a hundred boats, three to four  
31 fishermen per boat, 300 to 400 people, and that's not including  
32 the restaurants that we sell to and the stores we sell to. We  
33 handle a lot of seafood, and I handle everything. In Key West,  
34 it's stone crab, lobster, pink shrimp, yellowtail, kingfish,  
35 mackerel, and, up here in the Gulf, it's mostly red grouper and  
36 snapper, gag grouper, and deepwater grouper.

37  
38 Us as longliners, we don't target a gag grouper, and we target  
39 red grouper. Gag grouper is something that, when you all push  
40 us out to the thirty fathoms, and there's not a lot of red  
41 grouper, that's usually when we catch our gag grouper, and that  
42 just happens.

43  
44 We just went offshore, and we have already caught all our gag  
45 grouper for the year. I mean, we have a very few left, and I  
46 think, last year, we probably caught somewhere around 150,000  
47 pounds. This year, we're around 30,000, and we're totally out.  
48 Thank you.

1  
2 **CHAIRMAN STUNZ:** Thank you. We'll go ahead and move on to the  
3 online person, Matthew Sexton.  
4

5 **MR. MATTHEW SEXTON:** My name is Matthew Sexton, and I'm a  
6 commercial fisherman from Naples, Florida. I've been fishing  
7 for about three years now, and I own my own permit, and I own a  
8 for-hire charter permit as well, and I don't have any  
9 allocation. I don't have any quota, and, anytime I get quota,  
10 it's from somebody that I lease it from who charges me an arm  
11 and a leg to get it, and so it's been kind of hard to do that  
12 lately.  
13

14 Since I've started fishing, for the last three years, I've seen  
15 quota go up about five-times the price from what it was, if not  
16 ten-times the price, and I know some people that own shares that  
17 don't even fish, and how is that fair to me? How will I ever  
18 have access to that fish, if somebody else is already hanging on  
19 to it that doesn't even fish, who sells it to the top bidder?  
20

21 I know that a lot of these guys that are big are on here, and I  
22 know these guys who own thousands and thousands and thousands of  
23 pounds, and how come I just can't get a thousand pounds to go on  
24 a trip to make a living?  
25

26 Being a commercial fisherman, I know I was never guaranteed  
27 nothing when I started, but it would sure be nice to figure out  
28 if I could buy some shares and I could earn my way to get a  
29 fish, that I would have it for the rest of my life, but I'm  
30 afraid to go buy shares. Man, if I could even buy them, they're  
31 so much money that how will I ever afford them, and, if I afford  
32 them, what happens if I get cut by 80 percent? I will lose my  
33 life, and I will lose my permits, and I will lose my boat, and I  
34 will lose my everything.  
35

36 It's just a lot of everything that goes on isn't fair. The  
37 recreational sector needs to be held more accountable for what's  
38 going on, for how many fish are being taken. You've got people  
39 who go out there thirty miles every day and catch their limit of  
40 grouper and snappers and never get counted for it, and, also, I  
41 think that the data applied to gag is totally incorrect. I  
42 mean, I've been fishing for three years, and, after I've been  
43 fishing for just three years, I've seen the gags -- I've never  
44 caught so much gag as this year, and I can't even lease gag for  
45 more than \$7.00, or I can't even get it for \$7.00. I tell  
46 people \$7.00, and I get laughed at, and it's like it's  
47 impossible to find these days.  
48

1 If it's impossible now, I mean, twenty years from now, how are  
2 my kids ever going to get a chance to fish? It's just none of  
3 this is fair. I started commercial fishing, and I thought I  
4 would at least like get a chance, but I don't even have a chance  
5 right now, at the moment.

6  
7 I had a thousand pounds of red snapper at the beginning of the  
8 year, and I went out there and caught that in one trip, and  
9 there's so much red snapper out there that I think they're  
10 eating the red grouper and the black grouper, and I think  
11 they're eating everything out there, but we can't even go catch  
12 them, because somebody else owns them that don't even fish.

13  
14 Fishing, for me, is my life. I love fishing. I live for  
15 fishing, and everything that I want to do is fishing. I was  
16 affected by the hurricane from fishing. The fish house that I  
17 used to work for is no longer in service, and I've been bouncing  
18 around from place to place, trying to get ahead, and it's just -  
19 - It's hard, man, and I hope that, one day, things change for  
20 the better, because, right now, it's not going on.

21  
22 A speed limit for us in the Gulf, that's crazy too. I could  
23 never imagine something like that going on, and I hope things  
24 change for the better, and I don't know what to say for people  
25 that own a lot of quota that maybe one day might get it taken  
26 away from them, but you've got other people that want to at  
27 least have a chance to fish, and I hope that one day I get it.  
28 I appreciate you letting me speak today. Have a good one.

29  
30 **CHAIRMAN STUNZ:** Thank you, Mr. Sexton. Up next is Katie  
31 Fischer.

32  
33 **MS. KATIE FISCHER:** Hello. Katie Fischer, Matlacha, Florida,  
34 fish house owner and also a vessel owner. I just want to say  
35 that, yesterday, the IFQ discussion was extremely encouraging.  
36 I'm from southwest Florida, and, where we are, we have a lot of  
37 small owner-operator boats, and so that discussion was  
38 definitely a breath of fresh air.

39  
40 What it really boils down to is the second-generation, and, when  
41 I say second-generation fishermen, what I mean by that is  
42 fishermen who entered into the program post-IFQ implementation  
43 who were not awarded initial shares should be afforded the same  
44 opportunity the first generation did, which is the ability to  
45 work hard and earn their share of the catch, instead of leasing  
46 someone else's earned share who is no longer utilizing it to  
47 harvest, and, you know, yesterday, several council members  
48 asked, you know, where does this fish come from, and where are

1 we going to get this fish to, you know, distribute, and, well,  
2 when you really think about it, a lot of these fishermen are  
3 lease-dependent. I mean, even Scott, even Charlie, and, I mean,  
4 they're still leasing fish, and so they're catching someone  
5 else's fish who is not catching it, and so there's your fish  
6 right there.

7  
8 I speak in support of the adaptive catch shares program, and  
9 this style of management will greatly reduce IFQ discards, and  
10 it will encourage active participation in the fishery, and it  
11 will return profits back to fishermen, and it will have the  
12 ability to adapt to changing and shifting fish populations, like  
13 red snapper in the eastern Gulf. It will also help promote a  
14 future generation of replacement fishermen, which we so  
15 desperately need, because we do really have a problem with  
16 graying of the fleet. Adaptive management, in my opinion, is  
17 the future for our industry.

18  
19 I also support a recreational fishing permit. If we're going to  
20 wholly manage this fishery, we absolutely have to define our  
21 universe, and I know that a lot of you are recreational  
22 representatives on the council, and, you know, it's a tough  
23 thing, but we really need it, if we're going to have healthy  
24 fish populations for the future.

25  
26 I have a ten-year-old son, and he is a born fisherman. You  
27 know, you can't like make yourself a fisherman. Fishermen are  
28 born, and my son is a fisherman, and that's why I come to these  
29 meetings, because I want him to have healthy fish populations,  
30 so he can fish in the future. A rec permit requirement equals  
31 more accurate data, which would equal better management, which  
32 would equal healthier fish populations for the future.

33  
34 Lastly, if we are really concerned about protecting the Rice's  
35 whale, then why are we putting wind energy and fish farms in the  
36 Gulf? Industrialization of our Gulf is the biggest threat to  
37 all fish species and fishermen of all sectors.  
38 Industrialization of our Gulf equals less fishing opportunity  
39 for all sectors. The risk is definitely not worth the reward,  
40 and, you know, what will be the incidental take allowed by NOAA  
41 for this Rice's whale?

42  
43 If you -- I'm sure that everybody pays attention to the news,  
44 and there's a lot of wind energy up in the Northeast, and, I  
45 mean, every other day, you've got whales that are floating  
46 ashore, and this is not going to be good for our Gulf. Once it  
47 happens, these effects are irreversible, and so I think -- I  
48 really appreciate, after the presentation today, that you guys

1 had some questions, and that was great, because I haven't heard  
2 that in the past, and so I really appreciate that, but that's  
3 all I've got today. Thank you, all, for the opportunity to  
4 speak, and it does feel good to be here again in-person and not  
5 on the webinar, and so thank you.

6  
7 **CHAIRMAN STUNZ:** Thank you, Katie. Ms. Boggs has a question for  
8 you.

9  
10 **MS. BOGGS:** Thank you for being here, Katie, and so, just really  
11 quickly, do you, and/or Casey, do you own your own quota, and do  
12 you fish your own boats, or do you have boats that fish for you?

13  
14 **MS. FISCHER:** Both. We own a small amount of -- Well, it's  
15 small now, and it's way smaller than when we started, but, yes,  
16 we do own a small amount of quota, and we fish our own boats,  
17 and then we also have owner-operators that fish for us. We're a  
18 pretty good mix. Thank you.

19  
20 **CHAIRMAN STUNZ:** Thank you, Katie. Up next is Greg Abrams.

21  
22 **MR. GREG ABRAMS:** I'm Greg Abrams, from Panama City. I own a  
23 fish house, and I own boats, and I own quota. The first three  
24 boats that I bought from the auction was the Arizona, the  
25 Alaska, and the Adam Sea, and they were tuna boats, and so I was  
26 tuna fishing during the snapper derby. I didn't get no snapper.

27  
28 I borrowed \$1,600,000 from Johnny Petronis, that owns Captain  
29 Anderson's Restaurant, and he's ninety-five years old, and I  
30 paid him back. I borrowed \$500,000 from Hancock Bank, and I've  
31 just about paid them back, and so this -- Nobody gave me  
32 nothing. I had to buy it. I got a little BP money, and I  
33 bought more quota. It's a business, and you run it like a  
34 business. That's real quick on that.

35  
36 Amberjack, I got a call last night on the way home, and the boat  
37 said how many jacks can I keep, and he's in 900 foot of water,  
38 and I've been preaching this for a year, and my tilefish boats,  
39 and yellowedge boats, is catching amberjack out the butt, but  
40 it's 900 to a thousand foot of water, and that means the bait  
41 has moved in deep water, and there's no shallow-water bait, and  
42 that's the reason that jacks has moved. They get too big, and  
43 I'm telling you the truth, and I'm not going to lie to you.

44  
45 I wish that Mr. Porch, Clay, was here, because I would tell him  
46 the truth, and he don't want to listen to the truth, and gag  
47 grouper -- They took -- Ed's son, big trucking company  
48 yesterday, they killed thirty-nine gags to get his snapper



1 quota, and thirty-nine now. You all, the science department is  
2 the problem with the discards, and it ain't the fishermen.  
3 They're there.

4  
5 If you look at the records, back in 1997, 2009, we was catching  
6 two-million, a million, million, million, and all them fishermen  
7 that were catching them, right here, Mike Carr, John Amick,  
8 Robert Andrews, David Weeks, Jerry Key, Eugene Key, Jimmy  
9 Douglas, Bubba Key, Ivy Key, -- David, Dwight Martin, Red, Steve  
10 Fiddler, Larry Mullis, Carl Roberts, Tan Bale, Ziggy Jackson,  
11 Bubba Hanson, Mike Dunn, Trey Hems, Jack Amick, John Petigene,  
12 Tommy Niquet, Buster Niquet, Ray Ward, and they've all passed.  
13 You can't bring them fishermen back, and we don't have the  
14 fishermen to produce the fish that's out there.

15  
16 There's a lot of fish out there, but you all are creating a  
17 problem to create a job in the scientific world, but that's the  
18 reason that Mr. Patrick is not here. Thank you.

19  
20 **CHAIRMAN STUNZ:** Thank you, Mr. Abrams. Trenton Knepp.

21  
22 **MR. TRENTON KNEPP:** Hi. My name is Trenton Knepp, from Nokomis,  
23 Florida. My parents got into commercial fishing when I was a  
24 kid, and they've still got longline boats, and my brother is  
25 involved with them with that, and I do day-tripping for grouper  
26 and commercial stone crab.

27  
28 I keep hearing how the fishermen earned the rights to those  
29 shares, and, looking at it from our perspective, when they,  
30 quote, unquote, earned it, they didn't have to pay for the right  
31 to go fishing, and so they got a free ride then, and then  
32 they've got another free ride, and I'm not saying take any fish  
33 away from the guys that earned it, that are still fishing, but,  
34 when it got sold off and sold off and sold off, now it's turned  
35 into a racket, and it's nothing more than sharecropping.

36  
37 I mean, back in the sharecropping days, the landowners at least  
38 put up the money to let the people work the land. Here, we have  
39 to put up insane amounts of money, and groupers went up three,  
40 four, five-times the amount of what it was, and it costs -- The  
41 shareholder is getting wealthy, rich, and we're -- We're not  
42 even making it, man, and it's ridiculous.

43  
44 It clearly states, in the law, that no value is to be placed on  
45 these shares, and so, I mean, I can think of a thousand  
46 different things that are illegal, and so, if I go out and buy a  
47 boatload of heroin, or cocaine, can I say, well, you can't take  
48 it from me, and I paid for it. Well, it doesn't matter if I

1 paid for it or not. If it's illegal, it's illegal. If it's not  
2 written in there, that is what it is, and, just because you did  
3 what it said not to do, it doesn't make it right, and it doesn't  
4 change things, just because you gave money for it.

5  
6 There's a bunch of other things that I wanted to say, but it's  
7 left my mind, and that's probably why I should prepare with  
8 paper, but I appreciate the moves you're making, and I -- I know  
9 what one of the other things was, and we keep saying where is  
10 the quota going to come from, and, well, if you're not fishing  
11 it, you should -- The adaptive catch shares sounds great, and  
12 you should have to work your way out, and so we had the Great  
13 Snapper Count, which showed we have mountains more red snapper  
14 than we thought, and, well, why don't we give some of that quota  
15 to guys like me, who have been busting our butts forever, and we  
16 just want our shot.

17  
18 Like my parents, and they had boats that were down that were in  
19 major overhauls during the time that quota was handed out, and  
20 so they got a miniscule amount. I mean, they've been fishing  
21 since day-one, and they got a pocketful of rocks, I mean, in  
22 perspective, and so that's all I've got, and I appreciate your  
23 time.

24  
25 **CHAIRMAN STUNZ:** Thank you. Jane Black-Lee.

26  
27 **MS. JANE BLACK-LEE:** Thank you, Mr. Chairman, for your time and  
28 membership. If you will indulge me, I would like to speak to  
29 future council membership. I know that none of you actually  
30 make the selections of who are going to be the members, and  
31 that's not your position.

32  
33 The position starts hopefully, for future membership, within the  
34 industries, and then it goes to the state level, in the wildlife  
35 and fisheries departments, and then it goes to the governors,  
36 and then it goes to the Secretary of Commerce, who makes the  
37 final decision.

38  
39 I would hope, in the future, that you would first listen to the  
40 industry, and I feel the most certain that, in particular, the  
41 reef fish industry is going to be knocking on your doors telling  
42 you who they think should be there, and they're not going to  
43 wait until the last minute, and they may start tomorrow and tell  
44 you, look, this is our choice, and help us. When it goes to the  
45 state, perhaps it's an at-large position, and every state can  
46 participate, and it isn't necessary that the person is a member  
47 or resident in your state, and you can promote a person from  
48 another state, and then let's see if we can't get some of these

1 reef fish people to the governor's office.

2  
3 Well, then he gets to the governor's office, and who is going to  
4 speak on his behalf? Where is that going to come from? Well, I  
5 can tell you that the industry is going to be doing it, and then  
6 to the Secretary of Commerce, should he get out, and we don't  
7 really know how many that are recommended within the reef  
8 industry ever even leave the departments of wildlife and  
9 fisheries. Perhaps they don't leave like we thought they would.

10  
11 One thing I would ask you if you could do is please don't speak  
12 against membership within the commercial fisheries industry on  
13 the council in the future, and I'm not saying anyone ever did,  
14 and I would be so bold as to ask you not to, but help them, so  
15 that you can listen and hear, first-hand, from the people that  
16 comply to the multiple, multiple, multiple regulations that they  
17 must comply to, and it's not an easy job, and it's not an easy  
18 job at all.

19  
20 You will have immediate answers to the issues on-hand, and you  
21 will have insight about weather, and you will have insight about  
22 IFQ, and you will have insight about things right here at your  
23 hand, and just be ready, and they're going to be knocking on  
24 your door, because they're going to get ready this time, and  
25 they're not going to wait until the last minute. Thank you.

26  
27 **CHAIRMAN STUNZ:** Thank you, Ms. Black-Lee, and, also, thank you  
28 for your past service to this council as well.

29  
30 **MS. BLACK-LEE:** Thank you.

31  
32 **CHAIRMAN STUNZ:** Up next is Alicia Paul.

33  
34 **MS. ALICIA PAUL:** Good afternoon. Alicia Paul, and I have two  
35 dually-permitted vessels in Panama City. I am going to start  
36 with amberjack. Action 1, modifying the recreational fixed  
37 closed season for amberjack, Dr. Sweetman mentioned that there's  
38 a need for the Florida fishermen for spring, and I know the guys  
39 in the western Gulf need the fall, but we have built a business  
40 on it in the Panhandle, and, over the years, those same people  
41 still come in May. I run over fifteen catch-and-release trips  
42 in May for amberjack, and those people want to keep them, and so  
43 my preferred alternative is 6. Give us May, and give the  
44 western Gulf the fall.

45  
46 There is no scientific, proven scientific, evidence supporting  
47 that amberjack spawn in May, or any particular time of the year,  
48 for that matter, and a hundred fish is a hundred fish,

1 regardless of the time of the year of the spawning stage.

2  
3 As for the commercial side, that sector is getting screwed, you  
4 all. You know, they started with 2,000 pounds, 1,500 pounds,  
5 1,000 pounds, and now there's talk of 250 pounds, or seven fish,  
6 and I hate to inform you, but seven fish, at a minimum thirty-  
7 six-inch size limit, they're going to weigh more than 210  
8 pounds, or 250, for that matter. For example, my vessel, on two  
9 different trips in February, landed a little over the thousand-  
10 pound trip limit with less than twenty-two fish onboard, and  
11 that's approximately a fifty-pound average.

12  
13 The document states that, since the effectiveness of the current  
14 trip limit in May of 2020, 60 percent of those trips harvested  
15 less than 500 pounds gutted weight. I urge this council to  
16 utilize that information and add an alternative to reduce the  
17 trip limit to 500 pounds, if you've got to continue to cut the  
18 commercial sector. These guys need it, and these fishermen fish  
19 for them, and they catch them. The restaurants want them, and,  
20 you know, if we've got to continue to cut it, let's consider 500  
21 pounds.

22  
23 I will say that, from what I've seen this year alone, we've had  
24 one of the best recruitments of amberjacks that I've seen in a  
25 long time, and I'm going to move on to gag grouper.

26  
27 I ask that you consider a one-fish-per-person bag limit in the  
28 recreational sector, and maybe even considering a vessel limit  
29 of six, something like that, and reallocating a stock that is  
30 overfished and undergoing overfishing, that's a ludicrous plan.  
31 You want to take allocation from a sector that's fully  
32 accountable and place it into a sector that there's no  
33 accountability measures, and it makes no sense to me.

34  
35 After listening to the votes and discussion this morning on  
36 Amendment 56, it's very clear how biased and unfair and  
37 imbalanced this council is, and it's very disheartening. I  
38 would like to see you all please continue to work on rebuilding  
39 the SEFHIER program for our fishermen that want it, and we need  
40 it, and we want to be accountable. Also, continue the  
41 discussion on working on the recreational sector, through  
42 permits or licenses, whatever that may be, in order to quantify  
43 the numbers.

44  
45 IFQ, I have a lot of thoughts on IFQ. As Katie stated earlier,  
46 I'm a second-generation fisherman, and I came in behind the IFQ  
47 program, and I bought into it a little bit in 2013, in red  
48 grouper, and I didn't buy much, but, what I did buy, I lost my

1 butt on it, and it was a poor investment for me at the time,  
2 and, watching what's happened with it over the years, it makes  
3 it hard for me to take a second mortgage on my house or, you  
4 know, take out big loans and go out there and take that risk, to  
5 put all that money into something that, if you all make one  
6 wrong decision, I will lose my ass on. I just can't do it.

7  
8 **CHAIRMAN STUNZ:** Ms. Paul, we need you to be wrapping up here  
9 shortly, please.

10  
11 **MS. A. PAUL:** Understood. I am going to leave it at that, and I  
12 do like the thoughts of the adaptive shares, and give us that  
13 shot. We're out there working it, and we're catching it, and  
14 we're leasing it. Give us that opportunity. Thank you.

15  
16 **CHAIRMAN STUNZ:** We have a question from Ms. Boggs.

17  
18 **MS. BOGGS:** No, and I just wanted to compliment her for coming  
19 to the podium and trying to give us solutions and not just  
20 telling us what we're doing wrong, and so I appreciate that.  
21 Thank you.

22  
23 **MS. A. PAUL:** Thank you.

24  
25 **CHAIRMAN STUNZ:** Okay. Up next is Devon Ledbetter.

26  
27 **MS. DEVON LEDBETTER:** Good afternoon, everyone. My name is  
28 Devon Ledbetter, and I'm working for the Shareholder's Alliance,  
29 and I have been asked to come and give public comment today on  
30 behalf of Bill Wright.

31  
32 He writes: Dear Gulf Council members, my name is Bill Wright,  
33 Sr., and I've been a commercial fisherman for my entire life. I  
34 have fished all over the Gulf of Mexico, and I currently fish  
35 out of Galveston, Texas. I really appreciate the job that you  
36 must do, balancing commercial, charter, and recreational  
37 interests, while making sure that we leave enough fish in the  
38 ocean to ensure that there are viable fisheries for everyone in  
39 the future.

40  
41 I have lived through the red snapper derby days. I saw how bad  
42 things could get and how poorly managed the fishery was and how  
43 tough it was to run a successful business. Nearly everyone on  
44 the Gulf Council today wasn't there when things were tough, and  
45 so I hope that my comments help to provide you with some  
46 information about a world that I really don't want to return to,  
47 one where fish stocks are in bad shape, fishing is  
48 unpredictable, discards exceed landings, and economic stability

1 does not exist.

2  
3 I don't catch many gag grouper in the western Gulf. However, I  
4 don't think that taking fish from the commercial sector and  
5 giving them to the recreational sector is the right thing to do.  
6 I am onboard with improving the recreational data, but not with  
7 a reallocation at the same time. It's divisive, complicated,  
8 and something controversial enough that it should be analyzed on  
9 its own.

10  
11 The same thing is true with amberjacks. You can improve the  
12 data, but taking quota from the commercial fishermen and giving  
13 it to the recreational sector should be considered in a separate  
14 action. I think that the IFQ discussion is a very good one,  
15 but, before the Gulf Council gets stuck in the weeds, it should  
16 really answer a few simple questions, what it wants to do, why  
17 it wants to do it, and why that's not happening right now.

18  
19 This is a complicated issue, and there are many unintended  
20 consequences that also must be considered, and you must think  
21 this through and understand what's happening, and that's where  
22 we can help. We know the business, and we know the markets, and  
23 we know how the commercial fishery operates, and so we can help  
24 explain what is likely to happen if certain changes are made. I  
25 am concerned that you may be underestimating the impacts of some  
26 of the ideas that you've been discussing.

27  
28 The fish stocks in the fishery are in better condition now than  
29 they were in the 1980s. Very few of the people at these  
30 meetings remember these times, and I'm here to help make sure  
31 that history doesn't repeat itself and that someone still fights  
32 for the most important thing that you need to consider, the  
33 fish. Thank you, Bill Wright, Sr.

34  
35 **CHAIRMAN STUNZ:** Okay. Thank you. Up next is Hugh Cipparone.

36  
37 **MR. HUGH CIPPARONE:** Good afternoon. My name is Hugh Cipparone,  
38 and I work with the Reef Fish Shareholders Alliance. I'm a  
39 graduate of the fisheries management program at Duke University  
40 and a former fisheries observer. I have three points.

41  
42 First, it is irresponsible to allocate gag catch towards the  
43 sector that contributes 99 percent of dead discards in this  
44 fishery. Second, a seven-fish commercial trip limit for greater  
45 amberjack eases enforcement and balances the need to lengthen  
46 the fishing season with the need for fishermen to diversify  
47 their catch, and, third, I applaud the progress made over the  
48 last few days on the incorporation of ecosystem issues into Gulf

1 Council management.  
2  
3 Gag grouper, dead discards are wasted fish, and we all know  
4 this. Between 2010 and 2019, the recreational sector produced  
5 99 percent of all dead discards in the fishery. That is a waste  
6 of over 3.3 million fish. Reallocating catch to this sector is,  
7 as Dr. Sweetman and Ms. Boggs indicated, unwise, given the  
8 health of the stock, and I will remind the council that they can  
9 meet their obligation under the Magnuson-Stevens Act without  
10 this reallocation.

11  
12 There is no need to race through both reallocation and catch  
13 limits. The council can set aside the controversial  
14 reallocation for a later discussion, control catch during this  
15 meeting, and meet the requirements under the Magnuson-Stevens  
16 Act.

17  
18 Second, the greater amberjack commercial trip limit, the council  
19 must balance the need to extend the length of the season with  
20 the need to support existing and new entrants to the fishery,  
21 for whom a diversity of catch is particularly valuable.  
22 Alternative 3, the seven-fish commercial trip limit, is the best  
23 available option. It lengthens the season, permits smaller-  
24 scale fishermen to land more fish, and make economic gains,  
25 which has been a focus of discussion at this council, and it  
26 facilitates both enforcement and compliance in a way that has  
27 already been proven to be effective in the gray triggerfish  
28 fishery.

29  
30 Finally, I just wanted to congratulate the council on their  
31 progress incorporating ecosystem issues into the management  
32 process. By narrowing in on the priority fishery ecosystem  
33 issues, with a focus on those which the council can directly  
34 impact, the council tangibly advances the health of our fish  
35 stocks as the ecosystem is changed in the future. Thank you.

36  
37 **CHAIRMAN STUNZ:** Thank you. Up next is Kelia Paul.

38  
39 **MS. KELIA PAUL:** Good afternoon, council. My name is Kelia  
40 Paul, and I have two dually-permitted vessels out of Panama City  
41 Beach. Thank you for allowing me the time to speak today. I  
42 was very encouraged yesterday during the IFQ discussion, but I  
43 would like to caution this council on getting caught in the  
44 extremes on both sides of public auctions, divesting of old  
45 shares, et cetera, and, on the contrary, that this system  
46 doesn't need some kind of reform. Make sure that we're not  
47 trying to reinvent the wheel.

48

1 I spoke on this in Gulfport in April, that there were 397 boats  
2 who executed the 2021 red snapper commercial quota. Start with  
3 those boats, and find out, out of those, who don't own their  
4 quota, who are going out with the expense of the insurance and  
5 the risk and all that, and then start with those boats and come  
6 up with something for them.

7  
8 The comment was made that the initial shareholders were not  
9 given their fish, but they worked for them, and I wholeheartedly  
10 agree. I would add to that though that there are those of now  
11 who are now working for the same fish, taking all the risk, all  
12 the expense, and we would like a plan that doesn't involve  
13 jumping into debt that we could be left with by one bad decision  
14 by this council. It's not the most sound business investment,  
15 despite the comments that I've heard at this podium over the  
16 years.

17  
18 That being said, we don't want anyone else's fish, by any means.  
19 The increases, the holdbacks, et cetera, should be where the  
20 start of these shares come from. What absolutely needs to  
21 change is non-participants owning shares and driving lease and  
22 purchase price and keeping those shares out of the fishermen's  
23 hands. This was a mistake that needs to be rectified. To own  
24 shares, you should have been active in the fishery at one point  
25 or actively be fishing now.

26  
27 With that, I do want to take a second and talk to you about the  
28 actions the council is taking as a whole and the repercussions  
29 that I'm sure may not be considered. Some of you know that I  
30 joined the steering committee for the MREP program last year,  
31 and this year the planning team, as a moderator, and so I was  
32 excited.

33  
34 This is an amazing program, and, as an educator, I was excited  
35 to educate people about coming to this podium and talking to you  
36 all and making real changes in this very, very transparent  
37 process that most governmental processes are not, and, because  
38 of the things that I'm going to talk about in a second, it's  
39 left me conflicted and frustrated, and it's going to be really  
40 hard to stand in that room in November and make those same  
41 commitments and those same things that I have said about it  
42 being such a transparent and such an amazing process to come and  
43 be a part of, because of the things that are happening.

44  
45 Like in Texas with the red snapper that all asked for and got  
46 anyway, or didn't ask for and got anyway, and then with gags,  
47 and we just pushed 56 ahead today, for the sake of pushing it,  
48 even though we all know that reallocating any kind of a quota



1 with a stock undergoing overfishing, and being overfished, is  
2 irresponsible, and all of these people are standing up here, and  
3 have stood up here, and said the same thing, and, for the most  
4 part, we voted to do it anyway.

5  
6 It's really hard, as a part of MREP, and such a big part of  
7 MREP, to have all these conversations with all these  
8 stakeholders who don't know anything about the process and for  
9 me to be able to stand in that room and say, you know what, the  
10 council hears you, and they want the best for the fishery, when  
11 we're making actions that are not, and so thank you.

12  
13 **CHAIRMAN STUNZ:** Thank you, Ms. Paul. Up next is Austin Abrams.

14  
15 **MR. AUSTIN ABRAMS:** How are you all doing? Thank you all for  
16 taking the time and coming out here and listening to us. I'm  
17 Austin Abrams of Abrams Seafood, Tarpon Dock Seafood Market,  
18 Hunts Oyster Bar, and I can see both sides of recreational and  
19 commercial, with the restaurant and the market.

20  
21 There was a couple of things that I wanted to talk to you about,  
22 starting off with the gags, and we have issues with the status  
23 of gags. As you all know, over the years, under a number of  
24 stock assessments done, with numerous models, the gag stock has  
25 been declared not overfished and not undergoing overfished, and  
26 vice versa. In 2014, it was declared completely rebuilt, and  
27 the last stock assessment shows it has been overfished and  
28 undergoing overfished for the past thirty years.

29  
30 During this time, permit closures, seasonal efforts to provide  
31 protection to gag spawning, has been created, and there is  
32 something bad wrong with this picture, as apparently gag have  
33 not responded to the protection provided, or there are issues  
34 with the modeling. With all the protective measures to reduce  
35 quota, the commercial IFQ program, size and bag limit changes,  
36 closed areas that prevent fishing, and recreational closures for  
37 five months, we should see improvement in the stock, yet the  
38 stock continues to go down, based on the models.

39  
40 As stock holders, we need to understand where the problem lies,  
41 and so, with reallocating gags from commercial, when you know  
42 what we're catching, and you see what we're doing, and you're  
43 going to reward another sector, when you have no idea what  
44 they're catching, that makes no sense. If you want to protect a  
45 fishery, you shouldn't do that.

46  
47 We feed the 95 percent of people that do not have the means to  
48 go catch it themselves. We take care of the grocery stores, and

1 we take care of the restaurants, and we take care of the  
2 wholesalers up north. We feed those people, and you want to  
3 take care of a small sector, and what about that 95 percent of  
4 people that don't have the means to do it? What are you doing  
5 to them?  
6

7 We do that for them. You know, we employ 150 people, and we buy  
8 tackle, and we do this, and it's a trifecta of what you do when  
9 you close us down, and it messes everything else up, everything.

10  
11 With the gag, or with the amberjack, the seven fish, I don't  
12 think that should happen. That's ridiculous. They're going to  
13 catch one fish, and then the next fish they're going to catch is  
14 bigger, and they're going to throw that one back, and your  
15 discard rate is going to get higher. You should just have a set  
16 pound limit and not seven fish, but a set pound limit, is what  
17 it should be.

18  
19 Allocation of snapper, I have seen my father struggle from the  
20 moment he started, and he gave it everything he had, and did  
21 everything he could to get where he's at today, and that's not  
22 rewarding, to take something away from somebody when they've  
23 worked their ass off for it. You know, when we said we didn't  
24 want the snappers, and you all gave it to us anyways, take that.  
25 Take the people that are up north and buying quota and just  
26 leasing it, and take it from them, because they don't have an  
27 active permit, and they don't have a boat.

28  
29 In 2012, you all said anybody can buy it, and that's where you  
30 all messed up, and not you all exactly, but whoever was on the  
31 board. In 2012, you all should have left it for the fishermen  
32 that catch the fish, the people that don't have it, the little  
33 guys. They need it. You all want this commercial industry to  
34 thrive? Then give it to the people that don't have it. That's  
35 who needs it. Don't give it to the people that already have it.  
36 Give it to the people and give them a chance to get into this  
37 industry. That's it.

38  
39 **CHAIRMAN STUNZ:** Okay. Thank you, Mr. Abrams. Up next is Scott  
40 Taylor.

41  
42 **MR. SCOTT TAYLOR:** Good afternoon. My name is Scott Taylor, and  
43 I'm from Ocean Springs, Mississippi. I've been a recreational  
44 fisherman in the Gulf of Mexico for six years longer than  
45 Michael has been alive, around forty years, something like that.

46  
47 I appreciate the opportunity to come and speak regarding the  
48 snapper calibration, or recalibration, in the recreational

1 sector. I want to speak in support of Alternative Number 2.  
2 The Alternative Number 1, according to the SSC, as I understood  
3 it and read it, the SSC said it does not use the most recent  
4 data and is not consistent with the best scientific data  
5 available.

6  
7 Alternative 2, as I understand it, uses more recent landings  
8 data, as opposed to the MRIP surveys, and a valid consideration,  
9 at this point, is the best that we can hope for, as recreational  
10 fishermen in Mississippi, is that we lose 50 percent of our  
11 fish. The worst that can happen to us is we lost 60 percent,  
12 and, obviously, we have an interest in making sure the best  
13 information is out there, and not that I'm able to produce any  
14 of that, but I think it is out there.

15  
16 Alternative 2 uses more recent landings data and is less reliant  
17 on the MRIP surveys. I think MRIP surveys have been shown to be  
18 inapplicable, for some reason that I don't understand, to  
19 Mississippi. The trip surveys, I think, from last year, the  
20 MRIP trip surveys from last year, if they were accurate, that  
21 would mean that every licensed saltwater fisherman in the State  
22 of Mississippi took fifty-seven trips, and that just didn't  
23 happen.

24  
25 I don't know why it is, and it doesn't apply to us. It doesn't  
26 apply to Mississippi, for some reason, and I'm not smart enough  
27 to understand why. There is a source of information, I think,  
28 that would be more reliable, and that's Tails 'n Scales. It's  
29 said to be 95 percent reliable. I wasn't aware that we did  
30 anything 95 percent over there, but maybe we do, but it's a much  
31 better source of information. The MRIP surveys are just not  
32 reliable, as it relates to Mississippi. Thank you.

33  
34 **CHAIRMAN STUNZ:** Thank you, Mr. Taylor. Up next is Dennis  
35 Parker.

36  
37 **MR. DENNIS PARKER:** Hello. My name is Dennis Parker, from  
38 Rockport, Texas. I moved my boat from Freeport to Port Aransas  
39 and started fishing in 2012 out of Port Aransas. In 2016, I  
40 obtained a federal reef fish permit, and I currently own shares,  
41 with about 7,300 pounds of allocation. I also am a co-owner  
42 with my son, who manages the business, of Coastal Marine in  
43 Rockport, Texas, and we basically have private anglers that are  
44 the majority of our business, and so I see both sides of this  
45 thing.

46  
47 I wasn't planning on speaking today, and the only reason I'm  
48 going to do it is because I have some experience fishing out of

1 Port Aransas, now for the past seven years, and I have seen a  
2 very large decrease, in the last couple of years, in my opinion,  
3 of the size of the fish, and the quantity of the fish, in the  
4 places that I've been fishing.

5  
6 When I looked at the data presented yesterday from Texas, on the  
7 recreational landing information, I have a lot of questions  
8 about the accuracy of that data. You know, this is key  
9 information necessary for the State of Texas to give good  
10 stewardship on the red snapper resources.

11  
12 I made some notes in listening to the reports yesterday, and  
13 Mississippi is leading the way on a good, robust program to  
14 account for recreational red snapper landings, and they claim  
15 that their program is 98 percent accurate, and nobody disputes  
16 it.

17  
18 Texas indicated that they haven't changed anything for their  
19 management system since the state took over in 2018. If you  
20 compare the benchmark data between Texas and Mississippi,  
21 supposedly Texas caught 149,000 pounds of fish in 2022, and  
22 Mississippi caught a-hundred-and-fifty-one-some-thousand pounds  
23 of fish in 2022. If you compare the metrics of the two states,  
24 that seems incredible, with the miles of coast, number of boats,  
25 et cetera, et cetera, et cetera.

26  
27 I am going to skip around on this, and I've got a presentation,  
28 as you can see, and so my perspective comes from both sides,  
29 and, in my opinion, this number is being driven by the ACL  
30 target for Texas being so ridiculously low, and I don't know how  
31 it makes any sense to rehash how it ended up there for the  
32 recreational sector, and that doesn't make any sense, but, going  
33 forward, if they're actually going to manage this thing  
34 effectively, they've got have a reasonable ACL for the  
35 recreational sector. Other states will be impacted if you  
36 change it, the commercial fishing, and even recreational for-  
37 hire boats in Texas.

38  
39 I am running out of time, and so I'm going to skip ahead, and  
40 so, basically, I do have a proposal, and I have some other  
41 things in this document that -- I worked in the refining  
42 business for years, and, when we had a business plan, something  
43 we wanted to address, and we had an unknown, we would take a  
44 known metric, and for example the State of Mississippi's data,  
45 which is pretty much bullet proof, and apply that with the stuff  
46 we know from Texas, run a probability analysis, and you can come  
47 out with a bell curve that says what's the actual probable  
48 number of fish that Texas caught in 2022, based upon the

1 percentage chance. If you do that as a council, I think you'll  
2 get some information that you can possibly use. Thank you.

3  
4 **CHAIRMAN STUNZ:** Okay. Thank you, Dennis.

5  
6 **MR. PARKER:** Any questions?

7  
8 **CHAIRMAN STUNZ:** I don't see any hands up. Next up is James  
9 Bruce.

10  
11 **MR. JAMES BRUCE:** James Bruce, commercial snapper fishing, and  
12 I've been through it all. There's nothing wrong with the IFQs  
13 until two boats catch 26 percent of the quota. Then something  
14 is wrong. You know, if you don't have no allocation caps, and  
15 you're making one amendment, and you've got two different IFQs.

16  
17 Snappers don't have an allocation cap, and you need an  
18 allocation cap, and let's talk about the 10 percent overages in  
19 shares. You all want to know where they get the shares at, you  
20 know, and, when you go over 10 percent on your last trip, how  
21 are you supposed to pay back, when you lease your quota? So  
22 let's take these shares and don't give them to us. Just give me  
23 my fish to catch and get the money out of the system.

24  
25 If you get rid of the shares, you get the allocation to the  
26 permits that is catching them, and you put your allocation cap,  
27 and I think that's going to slow it down. Then you all can go  
28 with your adaptive catch shares, and, next year, don't give us  
29 our shares. Just give us our fish and allocate the fish to the  
30 permits that caught them.

31  
32 People who bought the fish, and are catching the fish, ain't  
33 going to lose nothing, not a doggone thing. You know, you make  
34 laws, and anybody can break laws, and you've got a few good  
35 people that's pretty good at breaking them, you know, and that's  
36 26 percent of the quota, and that's a lot.

37  
38 As far as not having no fish, I have fished the same area the  
39 last four years, and it's only getting better. Not worse, but  
40 better, and so, the ones that don't catch fish, I guess they  
41 don't know how to fish, or they just come up here and lie,  
42 because a lot of people come up here and lie. If you all want  
43 to fix this, don't give us our shares. Take that off the  
44 computer itself altogether, and just allocation, and then you  
45 will have to harvest it.

46  
47 Let them trade. They can trade, but, if you put a cap, it's  
48 going to stop them at a certain point, and they will find ways

1 around it, but they've got to be punished when they find ways  
2 around it. You all have got to start punishing people and not  
3 just, oh, put it under the rug. Thank you.

4  
5 **CHAIRMAN STUNZ:** Thank you. There is no questions. Okay.  
6 Anthony Colletti.

7  
8 **MR. ANTHONY COLLETTI:** Good afternoon. How are you doing? I  
9 would like to start off with the amberjacks. I've been  
10 commercial fishing out of Louisiana, Leesville, Louisiana, for  
11 fourteen years. We've been in a steady downward spiral with  
12 trip limits, reductions, and we went from 2,500 to 2,000 to  
13 1,500 to 1,000 to just about nothing here soon.

14  
15 My question is why hasn't the recreational sector been shut down  
16 when the commercial sector is shut down, if you're trying to  
17 rebuild the stock? I have watched our amberjacks go, slowly but  
18 surely, and our gags went, and red groupers went, and what are  
19 we going to have left, at the end of the day? It's something to  
20 think about.

21  
22 I started buying shares, and they get taken away from me. Every  
23 category I started to purchase is slowly getting taken away from  
24 me. We have VMSs on our boats, and we have logbooks that we  
25 have to fill out. We are fully held accountable, and then, as  
26 far as the recreational side goes, I've had people taking  
27 pictures of lesser amberjacks, and other species of jacks,  
28 thinking they're greater amberjacks, and they don't even know  
29 what they're catching, but we're the problem. I don't think  
30 it's fair.

31  
32 Personally, I would like to see more commercial representation  
33 on the council, and that might help out a little bit. I'm not  
34 sure, but I could hope. Fourteen years, and I've watched the  
35 steady, downward trend, and this is my business, and that's all  
36 I've got to say.

37  
38 **CHAIRMAN STUNZ:** Thank you, Mr. Colletti. We have a couple of  
39 questions for you, and could you remind us what port you fish  
40 out of again? I didn't get that.

41  
42 **MR. COLLETTI:** Leesville, Louisiana.

43  
44 **CHAIRMAN STUNZ:** Okay. Thank you.

45  
46 **MR. COLLETTI:** I will say -- You know, I've heard a lot of  
47 people say the jacks are hurting, and there's plenty of jacks,  
48 and you have to look for them. You have to go fishing. A lot

1 of oil rigs are gone, and they're not there anymore, but the  
2 fish are there, and you have to go look for them.

3  
4 **CHAIRMAN STUNZ:** Okay. Thank you. Ms. Boggs and then Mr.  
5 Schieble.

6  
7 **MS. BOGGS:** I guess I kind of have multiple, but they're quick,  
8 easy questions, and so you target amberjack, and is that  
9 correct?

10  
11 **MR. COLLETTI:** I used to.

12  
13 **MS. BOGGS:** Okay, and then I'm -- You're saying the jacks are  
14 out there, and we heard testimony earlier that they're just in  
15 deeper waters, and is that what you're saying?

16  
17 **MR. COLLETTI:** They're in deeper waters, and they're on natural  
18 bottom. I mean, just because an oil rig isn't there anymore, it  
19 doesn't mean that the fish just disappear, and I will say that  
20 less of the commercial guys are targeting them anymore, because  
21 it's not realistically worth it.

22  
23 I mean, I still target them, to a degree, but I'm catching other  
24 stuff along with it, red snapper and beeliners, some grouper,  
25 and you can't just target jacks anymore and expect to make a  
26 check.

27  
28 **CHAIRMAN STUNZ:** Chris.

29  
30 **MR. SCHIEBLE:** That was part of my question. Thank you, and I  
31 figured it would be, but the other part is, out of the  
32 alternatives in the amberjack amendment, and there's the 250-  
33 pound trip limit that it's being reduced to, or five or seven  
34 fish, and do you have a preference for any of those?

35  
36 **MR. COLLETTI:** That's a tough one to say, because I've had  
37 averages of fifty-seven pounds, and I've had fish that are  
38 twenty pounds. I mean, 250 pounds -- I mean, it's enough for, I  
39 guess, just bycatch, but I wouldn't be able to target them  
40 again.

41  
42 **CHAIRMAN STUNZ:** Ms. Boggs.

43  
44 **MS. BOGGS:** Well, I didn't want to take up too much time, in  
45 case he was going to ask some other questions, and so, if you  
46 can, very quickly, you mentioned that you bought shares, and  
47 then they were taken away, and can you explain, if you bought  
48 the shares, how they were taken away?

1  
2 **MR. COLLETTI:** Well, the gags I had bought, and we had a  
3 reduction, and, I mean, the red groupers I bought, and then we  
4 had a reduction, a major reduction.

5  
6 **MS. BOGGS:** I just wanted to make sure that's what he meant when  
7 he said that, and so thank you.

8  
9 **MR. COLLETTI:** Yes. I mean, it's hard to keep investing into a  
10 business where there's not much incentive for later on.

11  
12 **CHAIRMAN STUNZ:** Okay. Thank you, Mr. Colletti.

13  
14 **MR. COLLETTI:** You have a good day.

15  
16 **CHAIRMAN STUNZ:** Okay. Bubba Cochrane.

17  
18 **MR. BUBBA COCHRANE:** Bubba Cochrane, from Galveston, Texas. I  
19 own and operate a commercial fishing boat, and I primarily catch  
20 red snapper, and I catch my own quota every year, and normally I  
21 have stuff written down to say, but I think, at this time, since  
22 we are usually talking about the same thing at every meeting, I  
23 can kind of wing it, and so hopefully I don't ramble on too  
24 much.

25  
26 Red snapper, that seems to be the thing we're always talking  
27 about, whether it's reallocation or the damaged IFQ system that  
28 it's under, and "reallocation" is now called "recalibration",  
29 which is, to me, the same thing, but it's just a fancy way of  
30 putting taking fish away from the commercial sector. It's a  
31 little bit easier to disguise, because we're just correcting a  
32 mathematical error, and we're not taking any fish away from the  
33 commercial sector, but that mathematical error always seems to  
34 fall in favor of the recreational fishery, for some reason,  
35 every species.

36  
37 The other thing, I know there's a lot of discussion about the  
38 IFQ system and giving new entrants better opportunities, more  
39 opportunities, and the word "new entrant" confuses me, when we  
40 talk, at the same time, about overcapitalization, and so we talk  
41 about new entrants, and then we talk about overcapitalization,  
42 and then we change the word "new entrants" to "replacement  
43 entrants" or "next generation" or whatever, but the point is  
44 opportunities, and there have been opportunities from the  
45 beginning of the IFQ.

46  
47 I have been in it that long, and the opportunities are being  
48 able to lease quota, being able to buy shares, and then what I



1 call the open opportunity, which, after five years of the  
2 initial red snapper IFQ, they opened it up to everybody, and  
3 that one I never -- I didn't understand it then, and I still  
4 don't understand it now, but I feel like that has gotten us to  
5 where we are now, with people owning shares and not landing  
6 them.

7  
8 We have a lot of different conversations about how to solve  
9 that, and, Troy, I'm not trying to pick on you, but you are from  
10 my home state, and so wiping the slate clean and starting over  
11 and putting everybody out of business, I definitely can't get  
12 onboard with that one, but I understand that there are some  
13 things about the red snapper IFQ that aren't working for  
14 everybody, and I think trying to build a system that is going to  
15 make everybody happy is probably very unlikely.

16  
17 I know that some type of redistribution is a very popular idea,  
18 but, if I was renting a house to somebody, and the government  
19 said, well, you're renting your house to this person, and, every  
20 year, they own a little bit more of it, I would probably stop  
21 renting it out to them, and I don't think that any kind of  
22 redistribution is really going to help the guys that are coming  
23 up here wanting to get into the fishery, and I think it's going  
24 to hurt them.

25  
26 I think the people who are leasing their quota are going to stop  
27 leasing their quota, or find a way around it, or maybe they will  
28 buy a boat, and maybe they will catch the fish. If everyone was  
29 like me, and landed their own fish, and didn't lease any, I  
30 think you would have people up here upset about that, and  
31 apparently that was the way the system was supposed to work in  
32 the first place, and so thank you.

33  
34 **CHAIRMAN STUNZ:** Thank you, Mr. Cochrane. Up next is Randy  
35 Boggs.

36  
37 **MR. RANDY BOGGS:** Good afternoon. Randy Boggs, Orange Beach,  
38 Alabama. The Rice's whale thing, it pretty much goes without  
39 saying that it's a very endangered species, and that species has  
40 been out there for many, many years, and there's not much  
41 evidence about vessel strikes impacting the population, and  
42 we've seen some whales that have been injured and have been  
43 picked up on the bow of the ship, and, to close the close the  
44 area they're looking to close, it would decimate the fishery,  
45 commerce, everything in the area.

46  
47 I mean, this is -- I mean, my heart bleeds for the whales, and I  
48 hope that none of them ever get hurt, but we're dealing with a

1 very small population. If we had a smaller core area that we  
2 could deal with, but I don't think that anything we do, with a  
3 population of fifty animals, is going to change the outcome.

4  
5 Charter/for-hire needs a data collection system desperately. I  
6 am going to run through a bunch of things, and, guys, I think  
7 this is an oversight on the council's part, and I cannot believe  
8 that we have turtle handling gear required on commercial and  
9 charter/for-hire, and the recreational fishermen get a huge  
10 section of the fish, and there's lots of turtles off of Alabama,  
11 and I'm hearing more and more about turtle interactions with  
12 these smaller boats, and they don't have to have the turtle  
13 release books, and they don't have to have the gear. They don't  
14 have to have the dipnets, and they don't have to have any of the  
15 handling equipment that we do, and I think it's absolutely a  
16 shame that we don't require this on all the recreational vessels  
17 that are out there and put the education forth to save these  
18 turtles.

19  
20 Now, I don't have a dog in this fight, but I've been doing this  
21 a long, long time, and I've been at the council process for  
22 many, many, many, many years.

23  
24 When this IFQ program was formed and put in place, it was put in  
25 place to reward the fishermen that endured the hard times. When  
26 we started this, and the derby fishery, and everybody was trying  
27 to ramp up, to make sure that they had good catch of the fish,  
28 the fish prices got down to a dollar, or a dollar-fifty, a  
29 pound, and people were running over to Louisiana, and they were  
30 hunting everywhere to get these fish, and to get their quota up,  
31 and this program was put in place to reward the fishermen that  
32 stayed in the program.

33  
34 New entrants have the -- Everything has gone up. The hundred-  
35 dollar-bill now has replaced the twenty. You go and you steal  
36 twenty-bucks, and you could fill your car up with gas, and now  
37 it's a hundred-dollars to fill your car up with gas. The quota  
38 has gone up, and the fish prices have gone up, and the fuel  
39 prices have gone up, and, you know, there was never anything  
40 said about the new entrants in this fishery, and it was not  
41 planned to be that way. This was to reward the fishermen that  
42 stayed in.

43  
44 If you want to solve the problem in the commercial fishery, put  
45 it back like it was in the initial time, in the first five  
46 years. If you own fish, you have to have a permit, and you have  
47 to go fish your fish, and that solves your problem. Don't worry  
48 about new entrants and anybody else. They will buy their way in

1 if they want to.

2  
3 It's the same way with charter/for-hire permits. We lose 10  
4 percent of the charter/for-hire permits every year, and, you  
5 know, the biggest thing that I see is we really need to go back  
6 to the way it was to start with, and then the fish stay in the  
7 fishery, and they can't be owned by the outside entities, and  
8 somebody has got to be on the boat and go harvest the fish.  
9 It's pretty much simple, and thank you, guys, a lot.

10  
11 **CHAIRMAN STUNZ:** Thank you, Randy. Up next is Jay Mullins.

12  
13 **MR. JAY MULLINS:** Good afternoon, council. My name is Jay  
14 Mullins, eastern Gulf longliner, owner and operator of the one  
15 of the seven that Mr. Daggett was taking about. I really want  
16 to put this in perspective when I start this.

17  
18 The only natural resource in the United States that is under  
19 federal jurisdiction that we do not pay the federal government  
20 to harvest, and we harvest it, and then we have to pay a private  
21 individual if we get up here and talk about what they want us to  
22 talk about, and if your idea is different from those who own all  
23 this quota, we're going to blackball you.

24  
25 I would be so happy to say that I spent \$200,000 last year on  
26 leasing allocation, and I don't get that chance. I have spoken  
27 out about this problem, and it's a true travesty of this fishing  
28 heritage, and this is -- You're talking about commercial fishing  
29 heritage, and it's gone. It has turned into either kiss my ass  
30 or we're not going to give you nothing. I know the boys, the  
31 men, that I grew up around, that I looked up to, thank god  
32 they're not still alive. Anyway, I really don't want to go too  
33 much more down that road.

34  
35 Discards, years ago, when we cut the size limit from twenty to  
36 eighteen inches, we had a long discussion about discards, and,  
37 if it was up to me, we wouldn't have a size limit, and, hell,  
38 didn't you ever think about increasing the hook size? I brought  
39 that idea up, and Mote Marine, that is here, took that idea and  
40 did a research project on it, and there was a 30 percent  
41 reduction in undersized discards alone.

42  
43 I come here and speak about conservation movements, because  
44 that's what I care about, and I've got two young boys that I  
45 take offshore with me when they're able to go, and they grew up,  
46 and their uncle -- They idolized their uncle, my brother, that  
47 passed away, and they want to be like that, and they love seeing  
48 the porpoises, and they love seeing the fish offshore. We're

1 fishermen, whether you're recreational fishermen, if I'm north  
2 salmon fishing or if I'm down here, and it doesn't matter. I'm  
3 a fisherman, but, at the current rate this program is going,  
4 we're destroying it.

5  
6 We all are, and I pray, I pray, by God, that you all fix it. We  
7 can't be going around paying private individuals, and the best  
8 thing is I don't know if you all even paid attention, and, hell,  
9 I can go give you \$200,000 cash, and you can write it down as a  
10 gift, and it don't even get counted on your taxes, and that's  
11 how dirty this system actually is, and you all need to really  
12 look at it. Thank you.

13  
14 **CHAIRMAN STUNZ:** Thank you. We have a question for you from  
15 Dakus.

16  
17 **MR. GEESLIN:** Mr. Mullins, I know you were here yesterday, and I  
18 saw you in the audience, and where would you start?

19  
20 **MR. MULLINS:** Excuse me?

21  
22 **MR. GEESLIN:** Where would you start, if you were sitting in our  
23 position, to overhaul, or make some changes, to the IFQ system?  
24 Where would you start?

25  
26 **MR. MULLINS:** You asked the right one. If you actively harvest  
27 the fish, you deserve the right to fish. If you ain't out there  
28 risking your life, and what's the only, you know, thing you  
29 can't pay for? That's time. When I go offshore for fourteen  
30 days at a time, tell me what that time, fourteen days, is worth  
31 away from my family.

32  
33 I just missed fourteen days of my family's life, and how much  
34 money is that worth? You can't put a price on it. You've got  
35 to put it back in the hands of who is actively harvesting the  
36 fish. We qualified at 150,000 pounds of grouper from 1999 to  
37 2005, for the qualifying years. We didn't have a snapper  
38 fishery in the eastern Gulf, and we were given 211 pounds of red  
39 snapper to go with all that grouper.

40  
41 I go out now, which is no problem, and I just did it again, and  
42 18,000 pounds of fish, ten days fishing, thirty-two sets, and we  
43 didn't get the access to the red snapper in the eastern Gulf,  
44 and that's what I am asking for.

45  
46 You all really need to pay attention to how these fish are  
47 distributed. You got the Great Red Snapper Count, and you know  
48 how many fish are where they are, and that's the best science

1 available, right, and distribute the fish equally and equitably  
2 amongst us fishermen. Thank you.

3  
4 **CHAIRMAN STUNZ:** Mr. Mullins, I have a brief question for you,  
5 and hopefully it will be a brief answer.

6  
7 **MR. MULLINS:** Okay.

8  
9 **CHAIRMAN STUNZ:** This discard rate of amberjack, this discussion  
10 we've been having about seven fish or number of pounds, and  
11 there's some concern, and some discussions, and I want to make  
12 sure we're not putting in an unintended consequence or, you  
13 know, artificially increasing bycatch, because of that issue,  
14 but what is your opinion?

15  
16 If you have seven fish at the deck, versus a poundage  
17 allocation, and is that going to increase or decrease the  
18 discards, or what's your on-the-water experience for something  
19 like that?

20  
21 **MR. MULLINS:** That brings me to the idea of pulling up to a boat  
22 snapper fishing for a tournament, right, with 500 or 600 pounds  
23 of snapper floating behind the boat, because it was a  
24 tournament, you know, and the little ones don't win the  
25 tournament. It's the same with our recreational bag limits. We  
26 go by weight and not by fish. If you go by fish, you're going  
27 to keep them right there, and, if you catch a bigger one, you're  
28 going to throw them back in the water and keep the bigger one,  
29 and it's just like bag limits on recreational. Put bag limits  
30 in pounds, or inches, on recreational fishing, or anything, and  
31 you would reduce discards. Thank you.

32  
33 **CHAIRMAN STUNZ:** Thank you, Mr. Mullins. Okay. Up next is  
34 Randy Sobieraj.

35  
36 **MR. RANDY SOBIERAJ:** Hello. My name is Randy Sobieraj, owner  
37 and operator of the Commercial Vessel Last Sight. Thank you  
38 today for letting me talk today. I am a predominantly deepwater  
39 and kingfish fisherman, and, as much as I try not to, I do catch  
40 red snapper, just being where I'm at in Leesville, Louisiana.

41  
42 We have such a high lease price that it almost is easier to  
43 release them than it is to catch them, even though I only make  
44 two-dollars a pound for them, but, in 300 foot of water, they  
45 don't exactly swim back down, and the Magnuson-Stevens Act  
46 clearly states the need for set-asides for new entrants and  
47 participants, and the allocation policy of 2016 warrants a  
48 review, if such a thing is happening.

1  
2 I'm a first-generation fisherman of the Gulf of Mexico. As with  
3 every other fisherman here, at one point, whether they're  
4 second, third, fourth, et cetera, generation, every family had a  
5 first. As with everything in life, there's pros and cons, but  
6 talks to modify the catch share program is an unsolvable feat,  
7 but, with certain rules that are already in place that could be  
8 implemented, like set-asides, and opportunity is all that is  
9 needed to get a foot in the door for my business and any future  
10 fishermen, because, as you can see, most fishermen here are  
11 aging, as I'm probably one of the few young fishermen left in  
12 this industry. Thank you.

13  
14 **CHAIRMAN STUNZ:** Thank you, Randy. We have a question for you  
15 from Ms. Boggs.

16  
17 **MS. BOGGS:** Thank you for being here today, Randy, and so you  
18 said that you fish the deeper waters, and are you seeing the  
19 amberjack out there, or is that --

20  
21 **MR. SOBIERAJ:** Yes, ma'am.

22  
23 **MS. BOGGS:** Do you encounter -- That's a bycatch for you or a  
24 targeted species?

25  
26 **MR. SOBIERAJ:** At less than a thousand pounds, it's hard to go  
27 straight amberjack fishing, especially if you're running sixty  
28 miles, and so it's more of a bycatch fishery, and then plus  
29 we're out for ten to fourteen days, and so it's not worth  
30 targeting anything, really, at that point, you know, yellowedge  
31 grouper, tilefish, scamps, whatever, and so it's just an added  
32 bonus for us.

33  
34 **CHAIRMAN STUNZ:** Okay. Thank you.

35  
36 **MR. SOBIERAJ:** Thank you.

37  
38 **CHAIRMAN STUNZ:** Up next is Jason Delacruz.

39  
40 **MR. JASON DELACRUZ:** Good afternoon. First, I want to thank  
41 Greg for your service. It's been a long time here, and it's  
42 been fun. It's been challenging, and, also, Mr. Dyskow. The  
43 conversations we've had about business has really been a good  
44 thing, and I've enjoyed having you here, for somebody that sees  
45 the business side of what we do, and I've appreciated some of  
46 your comments for that.

47  
48 Let's get into the amberjack thing, real quick, just because

1 it's easy. It needs to be a counter fish, and I will tell you  
2 which it needs to be a counter fish. It's easy to say a lot of  
3 other things, but I live in the real world that, when my boat  
4 pulls to the dock, or when I pull to the dock, and I have a  
5 guesstimate of weight, and you have a young, new officer that's  
6 trying to make a name for himself, if I'm off on that weight,  
7 you're going to get me a \$5,000 or \$10,000 fine, if we have such  
8 a low weight, at like 250. If you give me seven fish, I can  
9 make sure that I have seven fish.

10  
11 As far as the high-grading thing goes, yes, that's a  
12 possibility, but I think that's a lot more acceptable than you  
13 guys putting me in a position to get fines, when I've done  
14 nothing wrong. You know what I mean? You're estimating a fish,  
15 a really big fish, and that's a challenging fish to deal with.

16  
17 Gags are ridiculous. Reallocating away because it's a  
18 recalibration, and giving more to a sector that is killing so  
19 many fish already -- When we said three-million fish earlier,  
20 how many pounds of fish is that? I mean, that's insane, and we  
21 have to do something about the recreational discards in this  
22 fishery, or we're just wasting our time. We're just simply  
23 going to continue until we get down to nothing, and then there  
24 will be them and not us, because we have to catch fish for a  
25 living.

26  
27 The IFQ stuff, I actually like the fact that we're getting  
28 really serious about it. It's time to get wrapped around the  
29 axle on this issue. Let's show everybody the reality of what's  
30 going to happen with the rules that you guys are talking about,  
31 and we talked about it in this philosophical way, and we need to  
32 chance for you guys to put things on paper that we can see, and  
33 then you can get an opportunity to have input that's going to  
34 show you what's really going to happen, or at least for me to  
35 imply it, because there's a lot of realities that a lot of  
36 people will think these things are going to fix that may cause  
37 way worse problems than they realize.

38  
39 I think it's worth it for us to have that discussion and that  
40 timeframe to have a that discussion. That was how I approached  
41 my time, when I was on the advisory panel, and I tried really  
42 hard to dig into the weeds, so that we could have some deep  
43 discussions with everybody, and so, anyway, thank you.

44  
45 **CHAIRMAN STUNZ:** Thank you, Jason. Marshall Gross.

46  
47 **MR. MARSHALL GROSS:** How are you all doing? I am Marshall  
48 Gross, and I fish out of Leesville, and I run Wayne Werner's

1 boat. May he rest in peace.

2  
3 I will start with the jacks. Jacks was closed last month, and I  
4 was fishing, and I probably threw back 2,500 pounds in a trip.  
5 Where we're at, there's no problem with jacks or gags, and, you  
6 know, I have zero pounds of gags left, and they're going to  
7 float off and die, and, no matter if we catch one or thirty,  
8 they're going to die, and the jacks, too. If you catch a jack  
9 in a hundred foot of water, he will probably swim down, but, 300  
10 or 500 foot, it floats off, and it don't live.

11  
12 Now, the snapper, I don't know what you could do with that,  
13 because one thing is it's all about money and fish and pounds,  
14 and everybody wants it, and everybody can't have it, and so I've  
15 been fishing for my uncle for twenty years, and I've managed to  
16 buy 5,000 pounds of quota. I want to buy more, but I'm scared,  
17 and I don't know, if I buy another \$250,000 worth, and they cut  
18 it in half, you lose \$250,000, and so I don't make the money to  
19 play and buy the fish that much, and so I'm sort of stuck where  
20 I'm at with the 5,000 for now, but we just hope to keep fishing.

21  
22 Like 250 amberjack, or seven a trip, I probably throw back  
23 1,500, every trip, and I catch my thousand pounds of jacks just  
24 fishing, and I don't even try for them, every trip, when they're  
25 open, and it's just like incidental, I guess you would say, for  
26 the fish, but that's all I have to say.

27  
28 **CHAIRMAN STUNZ:** Marshall, we have a question from Mr. Schieble.

29  
30 **MR. SCHIEBLE:** Thank you for coming here today, and this is  
31 quick and easy. So, if you don't have allocation of red  
32 snapper, would amberjack be a directed fishery for you?

33  
34 **MR. GROSS:** I mean, honestly, you can't go to catch a thousand  
35 pounds of jacks and even make money, with the price of fuel and  
36 nothing, and I don't care if you had a boat with a go-kart motor  
37 in it, and it ain't enough. Now, I don't know. If you had to  
38 go five miles to catch them, yes, somebody might do it, but,  
39 right now, there is nobody going to just catch jacks, and it's  
40 not happening. All right. Thank you.

41  
42 **CHAIRMAN STUNZ:** Thank you, Marshall. Up next is Kindra  
43 Arneson.

44  
45 **MS. KINDRA ARNESON:** Good afternoon, ladies and gentlemen of the  
46 council. Thank you for your time today, and I would also like  
47 to take a brief moment to thank my colleagues today for coming  
48 today, the men and women behind me, to come and share their



1 passion with you. I think the common denominator is that this  
2 program is broken, and we're here to talk about fixing it.

3  
4 Back when the Gulf IFQ system was created, some permit owners  
5 had never stepped foot on a vessel during the time the catch was  
6 landed, and some owned multiple permits. This created the  
7 environment that allowed for the actual books-on-deck fishermen  
8 to be gamed out of our way of life.

9  
10 Comments have been made that suggest this wild-caught, renewable  
11 resource should continue to be owned and passed down. I  
12 disagree with this statement. The only part of our business  
13 that should be passed down is our knowledge, vessels, and  
14 equipment.

15  
16 This system needs to be changed, to ensure American access for  
17 future generations. Number one, an income qualifier of 51  
18 percent from landing commercially-harvested fish, shrimp, and  
19 crabs should be one qualifier. Number two, a vessel cap of no  
20 more than 150,000 pounds of any IFQ species, in the name of  
21 conservation. When two boats land such a large percent of the  
22 quota in the Gulf of Mexico, that does not -- I repeat. That  
23 does not imitate conservation in any way, shape, or form, when  
24 it comes to the resource.

25  
26 This is -- All of what I have just said is especially critical  
27 in light of NOAA's recent equity and environmental justice  
28 strategy. If NOAA is to achieve any of its EEJ goals, this  
29 council must put significant reforms in place as soon as  
30 possible, sooner rather than later.

31  
32 Split of all Gulf quotas, the recreational sector participants  
33 represent less than 10 percent of the American population.  
34 There is only a portion of that 10 percent landing reef fish,  
35 yet the split in quota, rec versus commercial, is designed to  
36 permit those who own a recreational vessel, or can access a  
37 recreational vessel, through the charter sector, to take the  
38 lion's share of the quota out of the Gulf of Mexico. The  
39 percentage of American population that holds a recreational  
40 saltwater license is far less than 10 percent.

41  
42 The split in overall quotas give the wealthiest portion of  
43 America's population access and eliminates access to those who  
44 do not fish, but purchase at the market at an unfair rate.  
45 Shifting quota from the commercial sector to the recreational  
46 sector should be reconsidered. This is especially true in  
47 respect to Amendment 54. Please keep a fair split in the quota  
48 that truly represents all Americans in the country, not just the

1 elite.

2

3 On the greater amberjack, we've discussed seven fish versus a  
4 pound limit, and different places and spaces, different depths  
5 of water, we catch different sizes of fish, and my preferred  
6 alternative would be to not change the fishery and to shift the  
7 quota back from the recreational sector, back into the hands of  
8 the commercial sector, and this 80 percent/20 percent split is  
9 the most ridiculous thing that I have ever heard.

10

11 If I'm offshore, and I'm catching large fish, I am going to put  
12 them in my boat, because I want those other fish to be there for  
13 the next day. If I'm closer to shore, and I'm catching smaller  
14 fish, I'm going to put the seven on my boat, because I want the  
15 rest of the fish to be there the next day. To suggest that  
16 commercial fishing participants would produce bad practices, or  
17 participate in bad practices, when it comes to conserving our  
18 fish stock, is disparaging myself and my colleagues, and I am  
19 tired of the public, and individuals, painting my fishermen as  
20 rapists and murderers of the sea. It is not fair, and it is not  
21 appropriate, and it is out of line. That's all, and I will take  
22 any questions. Thank you.

23

24 **CHAIRMAN STUNZ:** Okay. We have two questions. Ms. Boggs.

25

26 **MS. BOGGS:** I am very curious, and you made the comment that  
27 only the knowledge, the vessel, and the equipment should be  
28 handed down, and so what are you proposing happens with the fish  
29 once you get out of the fishery or -- I mean, if you've got a  
30 next generation coming down, you're saying they need to go --  
31 Help me understand.

32

33 **MS. ARNESON:** Well, I can help you understand the opposite side  
34 of that. A friend of mine passed away after the BP oil spill,  
35 three years later. His wife is still leasing out his  
36 allocation. She sits on her sofa at home, and she's in her  
37 seventies, and she's retired.

38

39 For me, I would like to see, and for a lot of our future  
40 generation fishermen, those allocations come back to the system  
41 and be leased from the system, and not in an auction manner, but  
42 why are we paying to fund this, for our own management of our  
43 system?

44

45 Personally, I believe, and I feel, that there should be no couch  
46 surfing allowed in this program. Why are taking \$4.50, to  
47 \$4.80, per pound, out of coastal communities, underserved,  
48 underprivileged, marginalized citizenry, and taking those funds

1 that could be in my community, and communities like mine, in  
2 coastal communities, as much stuff as we have to deal with to  
3 live that life, and removing that money and putting that  
4 economic impact to New York or California?

5  
6 Some of these people don't even live in the Gulf, but yet they  
7 sit on their sofas, or behind their desk, while we go out and  
8 risk life, limb, vessel, and have to have -- Have to be within  
9 the letter of this letter that we operate under, in order to  
10 harvest a product to benefit someone that sits on land? If I  
11 was king for a day, and that's the question, right?

12  
13 I will tell you, and I would rather pay a dollar, a dollar-  
14 fifty, two-dollars max, back to the National Marine Fisheries  
15 Service system, and NOAA, in order to fund what you all do to  
16 manage this fishery before I send it to a shareholder somewhere  
17 off the Gulf coast.

18  
19 A lot of people would disagree with me about this, but what I'm  
20 stating is fact. I can't go out there and risk life and limb  
21 and sell at the dock in Venice and only be paid a dollar or a  
22 dollar-fifty over the lease price. It is not feasible, and,  
23 unless I create a whole separate section of my business and  
24 become a full-scale dealer, at the state and federal level, I  
25 have to sell in Venice. I have no choice, and they don't pay a  
26 lot of money, and so I'm stuck.

27  
28 Then, when the amberjack keeps reducing -- Like the other  
29 gentleman said, and I haven't been able to fish it. If I go out  
30 three days fishing, and I'm a dayboat. The first day, I catch a  
31 thousand pounds, and the second day I only catch 300, and the  
32 third I catch zero, because the wind, moon, whatever may -- They  
33 might just not be biting.

34  
35 Then that one day of money has got to cover the three, because I  
36 didn't make no money the second day, and so that's the situation  
37 this council, or maybe not you people on this council itself  
38 today, but prior people that have sat in these seats have  
39 literally picked my business apart since the change in this  
40 fishery to IFQ allocation, year after year after year, and the  
41 shareholders have created a situation, or gotten into a  
42 situation, manipulated a situation, however you want to put it,  
43 that has created where we are sharecroppers as business owners,  
44 and, I'm sorry, but, for me, that's wrong, and so thank you.

45  
46 **CHAIRMAN STUNZ:** Okay. Chris.

47  
48 **MR. SCHIEBLE:** You answered part of my question already for Ms.

1 Susan here, but --

2

3 **MS. ARNESON:** I can't hear you.

4

5 **MR. SCHIEBLE:** I said thank you for coming down here and talking  
6 today. I will ask you the same question that I asked Captain  
7 Gross back there. If you don't have access, or didn't have  
8 access, to allocation, or shares, would amberjack be a directed  
9 fishery for you?

10

11 **MS. ARNESON:** Currently, at a thousand pounds -- Like I just  
12 said, I don't have access, and I don't own shares, and they  
13 priced me out of the shares, and so amberjack is not currently  
14 feasible. I just got my life raft packed, and I'm going to go  
15 give it another shot and see if maybe I can increase my price at  
16 the area where I deliver them, and maybe make a day or two, you  
17 know, here and there.

18

19 I mean, just, at this point, no, it's really not feasible, not  
20 even at a thousand pounds, and changing it from a directed  
21 fishery to a bycatch fishery only serves one group. There is  
22 only one group that that serves, and that's your big  
23 shareholders. That's who that serves, and that doesn't serve  
24 us. You heard the gentleman say how many amberjack he had to  
25 throw back.

26

27 If we're talking about conservation here, we need to be able to  
28 bring these fish ashore and feed our country. Ultimately,  
29 that's that we do. We feed our nation. Not someone on the Gulf  
30 coast, but everybody in this country, and so thank you.

31

32 **CHAIRMAN STUNZ:** All right. We need to move up. Up next is  
33 Dustin Howell. I am not seeing Dustin Howell. If he is here,  
34 we can call on him at the end here, after we get through the  
35 last four people here on the list. Dustin is not available, and  
36 so Johnny Williams.

37

38 **MR. JOHNNY WILLIAMS:** Good afternoon. Johnny Williams, Williams  
39 Partyboats, Galveston, Texas, a third-generation partyboat  
40 operator out of Galveston. Back in 1989, when I first became  
41 involved with the council, I wrote them a letter, and I told  
42 them that, you know, we needed enough fish to maintain our  
43 businesses, but we wanted to have fish out there, so that future  
44 generations would have those fish available to them.

45

46 I have a daughter, and she was like just born in 1989, and I  
47 envisioned that maybe she might get into the business at some  
48 point in time, which she did, and she's the only female

1 partyboat captain on the Gulf coast that I'm still aware of, and  
2 she's been a captain for about ten years, and I have a grandson,  
3 that that's his ambition now, and so I think I have a pretty  
4 good grasp on things.

5  
6 I didn't want to go out there and kill every fish in the Gulf,  
7 and I wanted to have fish available for generations in the  
8 future, and I've seen that sometimes you all depend a little bit  
9 too much, I think, on the scientific data.

10  
11 Amberjack, you all started managing amberjack in 1990, and  
12 they're in worse shape now than they were back then. After all  
13 these years, we haven't really accomplished anything. I have  
14 been whining about king mackerel for a number of years, and I  
15 was just looking on the internet today, and the commercial  
16 sector, in the western Gulf, so far, as of yesterday, has caught  
17 30 percent of their quota for the year. The fish just aren't  
18 there, and so it's just an asinine thing to go from a two-fish  
19 bag limit to a three-fish bag limit. You do a ten-fish bag  
20 limit, and the recreational sector is not going to catch their  
21 limit. The fish just aren't there.

22  
23 I think what we need to do is not just depend on what the  
24 scientists are telling us, but look at the facts. I mean, you  
25 know, the commercial industry -- Wayne Werner, and bless his  
26 heart, and I loved Wayne. Last year, we had a disagreement, and  
27 he told me, this year, that the commercial sector was going to  
28 catch their limit of king mackerel, their quota, and they didn't  
29 come anywhere near it, unless they catch 70 percent of it in 7  
30 percent of the time that they have to fish for the rest of the  
31 year.

32  
33 As far as red snapper, some of the new technology that's coming  
34 about -- This bottom shading, and people are more fluent, and  
35 they're getting more boats, and the recreational sector is going  
36 to be hard to constrain there, with their catch efforts, and  
37 they can find spots that only we had before, and we called them  
38 weekend warriors, because, you know, they had a regular job, and  
39 they didn't really know too much about running a boat, but you  
40 can look at the bottom shading, and you can see rock formations,  
41 and wrecks, and this and that and the other out there, that were  
42 not available to them before, and so that's going to be a real  
43 problem in the future, and I hope you all get a little proactive  
44 with some of these fisheries.

45  
46 If you recall, pretty much everybody in the commercial sector,  
47 and the for-hire sector, was against increasing the red snapper  
48 quota for the year, and I have been dealing with this council,

1 like I said, since 1989, and we're supposed to recover the  
2 fishery in 2032, and I certainly hope that you all take some  
3 measures in order to do some and not fall prey to some of the  
4 wishes of some people that want to increase the quota, when it  
5 probably shouldn't be done. Thank you very much.

6  
7 **CHAIRMAN STUNZ:** Ms. Boggs.

8  
9 **MS. BOGGS:** Thank you for being here today, Captain Williams.  
10 With amberjack, we're looking at the season, and, right now, I  
11 think the preferred is a September and October, and I can't  
12 remember if we picked the one that would have a possible May  
13 season, and do you have any preference on that? I understand  
14 you said the fish aren't there, and so it may not matter, but --

15  
16 **MR. WILLIAMS:** If you're asking me about the fish in October and  
17 not in the summer, and is that your question?

18  
19 **MS. BOGGS:** We're looking at a September and October opening,  
20 and then, if there's quota left, possibly reopening in May.

21  
22 **MR. WILLIAMS:** Well, you know, one of the big issues that I  
23 think we have in the red snapper fishery, in the summer months,  
24 is we have so much pressure out there at one time. The  
25 commercial fishermen, they have markets that they need to  
26 satisfy, and so they have to be out there on the water.

27  
28 The recreational fishermen, they generally want to go in the  
29 summertime, when school is out, and their kids are out of  
30 school, and the weather is generally nicer, and stuff like that,  
31 then, and so I think there's a lot of pressure from them. Then,  
32 with the for-hire industry, we're constrained to start on June  
33 1, and end whenever the quota supposedly is reached, which I  
34 don't know why we couldn't figure it out until just a few days  
35 ago, and there was quite a clamor there in my office, with  
36 people calling and asking how long the season was going to be  
37 open, and we couldn't tell them until just here recently.

38  
39 Anyway, there's a lot of pressure at one time, and there's a lot  
40 of wasted fish at that time, and it's hard to pound these spots,  
41 you know, over and over again, day after day in the summertime,  
42 from all three sectors.

43  
44 My advice to you all would be to initiate Amendment 42, where we  
45 had our choice of prosecuting the fishery the way we thought  
46 best. You know, what's best for me might not be best for  
47 somebody else.

1 You know, I'm going to figure out how to survive one way or the  
2 other, I think, and I'm pretty dynamic, but, you know, I'm just  
3 concerned about the fishery right now. With more people  
4 becoming affluent, and having more and more boats, and more  
5 faster boats, and this new technology that's coming onboard,  
6 it's going to be devastating for the fish, I think, and I think  
7 you all need to be proactive and realize what's going to happen.  
8 I don't want to have to come here four years down the line and  
9 say, see, I told you so, just like I did with king mackerel.  
10 Thank you very much.

11

12 **CHAIRMAN STUNZ:** Okay. Up next is Richard Fischer.

13

14 **MR. RICHARD FISCHER:** All right. Thank you, Mr. Chair. Richard  
15 Fischer, representing the Louisiana charter/for-hire industry.  
16 Thank you for your time and attention this afternoon. First of  
17 all, I want to thank you, Mr. Chair, as well as our two other  
18 outgoing council members. We've had wonderful interactions over  
19 the years, and I've enjoyed working with you all. You all will  
20 be missed, but I wish you all a lot of luck and happiness in  
21 your new life away from this process.

22

23 I will focus most of my comments on amberjack, and I think we  
24 would be fine with the preferred alternative, as well as most of  
25 the alternatives that were listed within the options, and the --  
26 As long as amberjack is not opening on January 1, I think you  
27 will find that the Louisiana fishing fleet is going to be fine  
28 with however things shake out, but what did disappoint me a bit  
29 about the amberjack document was, while we talked about the  
30 months that it could potentially be open, we didn't talk about  
31 the possibility of state management for amberjack.

32

33 It was the will of this council, ten months ago, for you all to  
34 be able to deliberate the validity of going to a state  
35 management approach with amberjack, and, you know, let's bring  
36 it all on the table, and it was also the will of this council,  
37 ten months ago, to talk about sector separation for amberjack  
38 and other reef fish, and I'm not saying that's necessarily  
39 something that the Louisiana charter fleet would be in favor of,  
40 but, if it's this council's will to debate and deliberate  
41 certain things, it would sure be nice if we didn't have to wait  
42 ten months and still be wondering when that was going to happen.

43

44 You know, I've heard that there may have been a time, in the  
45 past, when this council had a bit of power to dictate, with  
46 staff, when things would come up, and how things would come up,  
47 and I would like for that possibility to be coming up at some  
48 point again here in the near future, and so I definitely want to

1 urge discussion on state management for amberjack here in the  
2 very near future, and I am going to round out my comments with  
3 that, and I'm happy to take any questions. Thank you for your  
4 attention.

5  
6 **CHAIRMAN STUNZ:** Thank you, Mr. Fischer. I'm not seeing any  
7 questions.

8  
9 **MR. FISCHER:** Thank you.

10  
11 **CHAIRMAN STUNZ:** Next is Sean Heverin.

12  
13 **MR. SEAN HEVERIN:** Hi. How are you doing today? My name is  
14 Sean Heverin, and I run a couple of fish houses in Madeira  
15 Beach, and I sell fish out of Louisiana. I own three longline  
16 vessels myself, and I recently stepped off the boat, a few years  
17 ago, to sell fish full-time.

18  
19 One thing that I want to mention here is I would like to see  
20 more equal representation on the council with commercial,  
21 charter, recreational members equally. It seems like, every  
22 time there is something that is voted on, it's imbalanced,  
23 whether it's red grouper being reallocated towards recreational,  
24 gag grouper being reallocated towards recreational, and  
25 amberjack and so forth.

26  
27 I feel like we need more commercial representation on the  
28 council, as we're lacking that, so we don't have to keep on  
29 going to lawsuits every time we have to fight against a vote  
30 from the council for reallocation from commercial to  
31 recreational.

32  
33 The recreational side, I mean, like Mr. Williams was saying,  
34 with the technology there being more advanced nowadays than  
35 maybe in the past, and they have spot-lock trolling motors that  
36 can hold their boat on position and hover over these areas, and  
37 they see it on the relief shading, and, with no limits on the  
38 recreational growth, for how many fishermen in that sector, and  
39 I feel like they're catching a lot more fish than maybe what you  
40 guys are estimating, and it's taking away from the commercial  
41 sector, making our job harder.

42  
43 You know, not only that, but we have dolphins and sharks that  
44 are smarter and more abundant, and their predation on our fish  
45 is making our job harder, and so I'm against reallocation. I  
46 would like more equal representation on the council.

47  
48 As far as the gags, I think that you guys' science is a little



1 bit lacking or behind. In Madeira Beach, everybody has been  
2 complaining about having to throw gags back every trip, and we  
3 have a trip limit on gags, to conserve the gag allocation that  
4 we do have, and I think that, if anything, we need to increase  
5 the gags for the commercial sector, for what we're allowed to  
6 catch, because the fishermen are seeing more and more of those  
7 fish out there.

8  
9 Amberjacks, I feel like, you know, we shouldn't be decreasing  
10 it, but, if we are going to decrease it, for the commercial  
11 sector, it's hard to do a trip limit with pounds, because, you  
12 know, let's say, if I'm trying to shoot for 250 pounds, and I  
13 catch an eighty-pound fish, and a thirty-pound fish, and it's  
14 not like a beeliner, that is one or two pounds, and you can get  
15 to your pound limit easier, but the -- You might have to go to  
16 like a fish limit, to be in compliance. Otherwise, there's  
17 going to be a lot of fines being handed out to fishermen who  
18 overestimated, or underestimated, their fish.

19  
20 As far as the IFQ system, I'm just trying to figure out what you  
21 guys are trying to do, and I would like to invest in buying some  
22 shares. I bought a little bit of shares, but it's hard to  
23 justify spending more money to invest in shares if they're going  
24 to be taken away, or cut back, and so I would really like to  
25 just kind of get an idea on what's going to happen, so we can  
26 kind of conduct our business and then plan accordingly. That's  
27 it.

28  
29 **CHAIRMAN STUNZ:** Thank you, Mr. Heverin. Chad Hanson.

30  
31 **MR. CHAD HANSON:** Good late afternoon, everybody. My name is  
32 Chad Hanson, with the Pew Charitable Trusts. Thank you very  
33 much for allowing us to speak today, and it's good to see you  
34 guys. It's been a little while.

35  
36 Before I begin, I would like to thank and wish Dr. Shipp, Dr.  
37 Stunz, and Mr. Dyskow well, and thanks for your time commitment  
38 to working on the resource, and I look forward to crossing paths  
39 with you all in the future.

40  
41 We would also like to thank staff and the Ecosystem Technical  
42 Committee for all their work in developing the fishery ecosystem  
43 plan, or the FEP. The Ecosystem Committee had great discussions  
44 this week on continuing that process, and I realize that the  
45 committee report was already approved earlier, after lunch, but  
46 my comments are going to be directed toward the FEP, as that  
47 moves forward.

48

1 The FEP will be a good framework for addressing challenging  
2 issues affecting multiple species and fisheries. The plan will  
3 help alleviate problems, while providing management strategies  
4 for long-term sustainability. In other words, addressing issues  
5 identified by fishermen and other stakeholders iteratively will  
6 help smooth out the ups and downs commonly occurring in  
7 fisheries.

8  
9 Addressing fishery ecosystem issues, or FEIs, through the FEP  
10 process shouldn't be thought of as a separate activity from the  
11 council's ongoing management planning process. It's tool to  
12 plug into that process. FEIs should be identified and  
13 prioritized according to council needs to develop management  
14 strategies to tackle difficult problems.

15  
16 Once such fishery, of course, is gag, which has been overfished  
17 and subject to overfishing several times in the past few  
18 decades, including now. The status of gags, among things, is  
19 affected by the red tide, discards, and the historically low  
20 level of males in the population.

21  
22 Amendment 56 broadly addresses these issues, by increasing the  
23 spawning potential ratio target. However, integrating an  
24 ecosystem approach into management can provide strategies to  
25 more directly and robustly address those issues, but, since the  
26 timing doesn't work out for this amendment with the FEP and the  
27 FEIs, gag management strategies can be included within FEIs,  
28 such as red tide and discards, in the future.

29  
30 The council previously directed the ETC to develop a case study  
31 looking at red tide mortality as an initial FEI. The ETC could  
32 be developing this FEI, since all agree that it's basically  
33 teed-up and ready to go, and come back with management options  
34 with stakeholder input for gag, red grouper, and other affected  
35 by species by June of next year. That's our suggestion.

36  
37 This will serve as an FEI case study and provide helpful  
38 management advice. This will also allow them to help pave the  
39 way for developing future FEIs as they also finalize the FEP  
40 process, and so thanks for the discussion on that today, after  
41 lunch, and we think the ETC can do the things that it needs to  
42 do over the next few months and still work on red tide as an FEI  
43 by next year. There is a sense of urgency, as red tide seems to  
44 emerge every year.

45  
46 We also recommend convening the ETC and the Outreach and  
47 Education Technical Committees as soon as possible to finalize  
48 the FEP prioritization process, select FEIs, begin development

1 strategies for those FEIs, spell out the initial FEP process and  
2 finalize that, and develop a stakeholder engagement plan.

3  
4 Lastly, we encourage the council to adopt an annual cycle for  
5 addressing ecosystem issues into management, as discussed in the  
6 Ecosystem Committee. This will set the timeline and keep the  
7 process flowing for useful management advice to plug into the  
8 council process. Thank you very much for your attention.

9  
10 **CHAIRMAN STUNZ:** Okay. Thank you, Chad. I am going to call on  
11 Duston Howell one more time. He wasn't available earlier on.  
12 Okay. With that, there are no other names on the list, and that  
13 will bring the public comment session to a close. It's about  
14 4:15, council, and what I think we'll do is let's take a break  
15 until 4:30, and we may be able to use the last half-hour to  
16 knock out a few committee reports and save some time for  
17 tomorrow, and we'll go ahead and take up the Shrimp Committee  
18 next, if you're ready for that, Chris, and we'll meet back here  
19 at 4:30.

20  
21 (Whereupon, a brief recess was taken.)

22  
23 **CHAIRMAN STUNZ:** Okay. If everyone wants to find their seats,  
24 we'll begin here. Chris, we'll pick up with the Shrimp  
25 Committee, and we'll get that pulled up on the board here in a  
26 bit, and it looks like we've got just about everybody, Chris,  
27 and so if you want to go ahead, whenever you're ready, with the  
28 Shrimp Committee.

29  
30 **COMMITTEE REPORTS (CONTINUED)**  
31 **SHRIMP COMMITTEE REPORT**

32  
33 **MR. SCHIEBLE:** I am ready to operationalize the Shrimp Committee  
34 report. The committee adopted the agenda, Tab D, Number 1, with  
35 the addition of a brief discussion of reopening of Section 7  
36 consultation with the shrimp fishery, due to recent interactions  
37 with giant manta rays, under Other Business. The committee then  
38 approved the minutes, Tab D, Number 2, of the April 2023 meeting  
39 as written.

40  
41 Next Steps for Congressional Funding Budget for Shrimp Vessel  
42 Position Data Reporting, Tab D, Numbers 4(a)(i), 4(a)(ii), 4(b),  
43 and 4(c), Dr. Walter presented an updated spend plan for the  
44 congressional funding for shrimp vessel position data reporting,  
45 Tab D, Number 4(a)(i). He reviewed the three-part approach,  
46 timeline, and spend plan for establishing a modernized  
47 electronic location recording program to monitor trawling effort  
48 in the Gulf shrimp fishery by 2025, while noting that shrimpers

1 will need to continue returning the secure digital cards until a  
2 new program is implemented.

3  
4 He added that more details on the line items in the updated  
5 spend plan can be found in the accompanying document, Tab D,  
6 Number 4(a)(ii). Dr. Walter noted that data from devices in the  
7 testing phase will be transmitted directly from the vendors to  
8 the Southeast Fisheries Science Center.

9  
10 Dr. Freeman reviewed the Shrimp Advisory Panel summary, Tab D,  
11 Number 4(b), and highlighted feedback and questions the AP had,  
12 along with the AP's motion. The Shrimp AP Chair, Ms. Bosarge,  
13 commented that the Shrimp AP thought the proposed timeline in  
14 the spend plan was overly ambitious and may need to be extended.

15  
16 She noted that the financial burden will substantially shift to  
17 the shrimp industry under the proposed programs to replace the  
18 cellular electronic logbook program. She added that monies in  
19 the spend plan presented by Dr. Walter included salaries for  
20 National Marine Fisheries Service personnel as well as projects  
21 that could be considered wants instead of needs for shrimp  
22 management, which the AP felt should be diverted to establishing  
23 a new program, as noted in the AP's motion.

24  
25 She further reviewed the categorical shifts in the proposed  
26 budget that the AP had suggested and provided rational for those  
27 shifts, Tab D, Number 4(c). Ms. Bosarge stated that it was  
28 unclear how the data would be transmitted from vendors to the  
29 Southeast Fisheries Science Center and emphasized the importance  
30 of this data transmission pathway to the Science Center being  
31 capable of handling information from roughly 500 shrimp vessels.

32  
33 A committee member stated that he heard from shrimpers in  
34 Mississippi that prices were so low that some vessels may not be  
35 operating this year. Ms. Bosarge responded that not only are  
36 prices low, but there are docks currently unable to purchase  
37 shrimp. As a result, it may take longer to find vessels that  
38 can volunteer for the testing phase. Ms. Bosarge stated that  
39 vessels in Texas that will operate after the Texas closure are  
40 most likely to participate in the testing phase.

41  
42 Another committee member inquired what the approximate costs of  
43 the devices may be. Dr. Walter responded that the devices would  
44 be, on average, \$1,200 to \$1,400, plus monthly cellular fees.  
45 The committee member then inquired what the financial burden  
46 would be for the shrimp industry and if any reimbursement would  
47 be available. Dr. Walter noted that there are monies from the  
48 Office of Law Enforcement for devices that are NMFS, National

1 Marine Fisheries Service, type-approved, but that the early  
2 adoption program proposed in the spend plan would reduce the  
3 financial burden for the shrimp industry.

4  
5 The committee member then asked if the Southeast Fisheries  
6 Science Center would have the personnel to handle the data from  
7 a new program for roughly 500 shrimp vessels. Dr. Walter  
8 responded that some of the monies from the spend plan would  
9 address integrating that data stream, along with other data  
10 streams. Dr. Porch added that the data management component is  
11 extremely important and must be set up in a manner to ensure  
12 continued running in the future.

13  
14 A committee member inquired if the proposed monies for hardware  
15 costs would need to increase if the number of devices to be  
16 tested was to be increased. Dr. Walter responded that  
17 additional funds may be needed, but that the agency was trying  
18 to be cost-effective in its approach. Another committee member  
19 asked if the Gulf States Marine Fisheries Commission was  
20 amendable to processing data from the SD cards through 2025. A  
21 committee member responded that, at this time, it would be  
22 feasible for the Gulf States Marine Fisheries Commission to do  
23 so.

24  
25 A committee member inquired if funding would be an issue once a  
26 new program is established. Dr. Porch responded that funding  
27 would need to be maintained somehow into the future. Another  
28 committee member asked if the choice of the recipient of the  
29 data, whether OLE or the Southeast Fisheries Science Center,  
30 would impact the cost of a new program, specifically if it would  
31 cost less if Office of Law Enforcement was the recipient of  
32 data. Dr. Porch responded in the affirmative, that it would be  
33 cheaper to use the existing path for data, which includes OLE.

34  
35 Under the Other Business section, Mr. Strelcheck informed the  
36 committee that his Sustainable Fisheries Division has requested  
37 reinitiation under the Endangered Species Act of Section 7  
38 consultation on the Gulf of Mexico and South Atlantic Shrimp  
39 Fisheries.

40  
41 The consultation needs to be initiated to address unanticipated  
42 giant manta ray mortalities in shrimp trawls and to consider new  
43 information on both giant manta rays and smalltooth sawfish.  
44 The 2021 shrimp opinion's incidental take statement anticipated  
45 an average of 1,678 giant manta ray non-lethal takes per year.  
46 No lethal takes of giant manta rays were anticipated, because  
47 there were no records of such at that time.

1 However, since the 2021 shrimp opinion was completed, four  
2 incidents of lethal takes of giant manta rays by the shrimp  
3 industry have been observed by NOAA Fisheries, with two  
4 occurring on the same trip in 2023. In addition, there are new  
5 publications on giant manta rays and smalltooth sawfish that may  
6 contain new information revealing shrimp trawling effects that  
7 were not considered in the 2021 shrimp opinion. The  
8 reinitiation of consultation will focus only on giant manta rays  
9 and smalltooth sawfish.

10  
11 SERO has developed a tentative schedule for preparing the  
12 information necessary to formally conduct the consultation on  
13 these species and for collaborating with the councils while  
14 doing so. SERO will provide more information about this  
15 reinitiation at the August council meeting. Mr. Chair, this  
16 concludes my report.

#### 17 18 **EXEMPTED FISHING PERMIT**

19  
20 **CHAIRMAN STUNZ:** Okay. Thank you, Chris. Is there anything  
21 that needs to come before this committee regarding the shrimp  
22 report? Seeing none, that will conclude our business for the  
23 Shrimp Committee. Thank you, Chris.

24  
25 Next, we probably should move on to the exempted fishing permit.  
26 We put off -- If you all recall, we put it off to hear the  
27 public testimony, which I think we had one person speak in favor  
28 of that, and so, at this point -- Peter, I'm kind of looking to  
29 you, to make sure -- I think what you probably want from this  
30 committee is just a motion or something that would recommend  
31 approving that EFP, should everyone feel that way, which I think  
32 that's the case, and so, unless there's any more discussion on  
33 that, would someone be willing to make that motion, that we  
34 recommend approval of the exempted fishing permit? I don't know  
35 if it has a title, Tom, but go ahead. Kevin, go ahead, and  
36 we'll pull up the title of it, or you might know. Go ahead.

37  
38 **MR. ANSON:** Just to make a motion to approve, I guess, or to --

39  
40 **CHAIRMAN STUNZ:** To recommend approval.

41  
42 **MR. ANSON:** To recommend approval of the Mote Marine  
43 Laboratory's exempted fishing permit application.

44  
45 **CHAIRMAN STUNZ:** C.J. seconded that motion. We'll wait a second  
46 here to get it on the board. Okay. That's simple enough, and  
47 does that look all right, Kevin?

1 **MR. ANSON:** If it's too simple, I can add to it, but, yes,  
2 that's my motion.

3  
4 **CHAIRMAN STUNZ:** All right. Is there any discussion regarding  
5 this motion? All right. **Is there any opposition to this**  
6 **motion?** All right. **Seeing none, the motion carries.**

7  
8 All right. The other committees might take us a little bit  
9 longer, and there is a few items in Other Business, and maybe we  
10 can move to those. Carrie, you had a question about some of the  
11 focus groups and how to handle those APs, and do you want to  
12 talk about that?

13  
14 **OTHER BUSINESS**  
15 **DISBANDING IFQ AND SHRIMP FOCUS GROUPS**

16  
17 **EXECUTIVE DIRECTOR SIMMONS:** Sure. Thank you, Mr. Chair. I  
18 requested this under Other Business, and so we have two focus  
19 groups currently, the IFQ Focus Group and the Shrimp Focus  
20 Grouper. Staff was under the impression that the work that's  
21 been done by these focus groups is completed, and so what we're  
22 asking is do you wish to disband them at this time, or do you  
23 think it's necessary to keep them around?

24  
25 I think, if you wanted to use something like the IFQ Focus  
26 Group, as you move forward with the efforts for looking at  
27 changing the program, you would need to advertise and repopulate  
28 such a group anyway, and so I will just throw that out there as  
29 well. Thanks.

30  
31 **CHAIRMAN STUNZ:** Is there any discussion regarding disbanding  
32 those two groups? Chris, and then, Dale, did you have your hand  
33 up?

34  
35 **MR. SCHIEBLE:** I can speak to the Shrimp Focus Group for sure,  
36 and it seems like they've accomplished their duty, and I don't  
37 see any need to continue that, and, if we needed one, it would  
38 be for something utterly different than what they were called  
39 for in the first place, I think, going forward, and so, if we  
40 need a motion to disband the Shrimp Focus Group, I will make it.

41  
42 **CHAIRMAN STUNZ:** Please do, Chris.

43  
44 **MR. SCHIEBLE:** **Motion to disband the Shrimp Focus Group.**

45  
46 **CHAIRMAN STUNZ:** The motion is to disband the IFQ and Shrimp  
47 Focus Groups. Are you seconding that, Billy?

1 MR. BROUSSARD: Sure.

2  
3 MR. SCHIEBLE: I can include the IFQ Focus Group as well, if you  
4 would like, and that's fine.

5  
6 CHAIRMAN STUNZ: Yes, please.

7  
8 MR. SCHIEBLE: I agree, for the same reason, and I don't think  
9 they would be tasked with the same duty that there were to begin  
10 with, if they were to continue in existence, if we go down this  
11 road, with all the new objectives that we talked about  
12 yesterday. That's not the same as what they were asked to do to  
13 begin with, and I see duplicity with the IFQ AP anyway, and so  
14 we can -- **I can make the motion to disband the Shrimp and IFQ**  
15 **Focus Groups.**

16  
17 CHAIRMAN STUNZ: Thank you. Billy, if you're still good with  
18 that, that was your second there. Is there any discussion on  
19 this motion? **Seeing none, is there any opposition to this**  
20 **motion?** All right. **The motion carries.** Carrie, did you have  
21 any --

22  
23 EXECUTIVE DIRECTOR SIMMONS: That was it.

24  
25 **LETTER REGARDING NATIONAL STANDARDS 4, 8, AND 9**

26  
27 CHAIRMAN STUNZ: We had some discussion that we said that we  
28 would put in Other Business regarding a letter regarding our  
29 presentation on the MSA and revising National Standards 4, 8,  
30 and 9, and I think the intent, or some of the discussion, was  
31 that there was -- That we might have some input on that  
32 regarding -- Because some of those National Standards directly  
33 affect a lot of the things we're discussing around the table.

34  
35 The discussion point, if you recall, was we could bring a letter  
36 back to you all in August and then submit that for their  
37 September deadline, but I didn't know if we needed to have any  
38 discussion on that, and I think maybe the preference might be,  
39 and, if this is not, let me know, but let the staff put that in  
40 the briefing book for the next meeting, and we would all have a  
41 chance to look at that, and, Tom, obviously you will be dealing  
42 with that, if that's okay with you, and then we can comment and  
43 review that at that meeting and move it forward, but, before --  
44 I wanted to make sure that everyone was good with that, before  
45 we move in that direction, and I don't think we need a motion  
46 for that or anything, but are you -- You're clear on that,  
47 Carrie?



1 **EXECUTIVE DIRECTOR SIMMONS:** Yes. Thank you, Mr. Chair.

2  
3 **CHAIRMAN STUNZ:** Go ahead, Chester.

4  
5 **MR. BREWER:** Thank you, Mr. Chair. In listening to the  
6 presentation, I think that some consideration should be given to  
7 changing National Standard 1, because apparently, the way it's  
8 being interpreted, there is very little that can be done from  
9 the standpoint of -- What's the right word to use? I got hung  
10 up earlier on another word, but, anyway, I will go by way of  
11 example.

12  
13 We had -- The recreational sector had some legislation passed to  
14 explore other methods of setting forth the different ways that  
15 we might go about managing fisheries, and we had this whole  
16 workgroup that was a joint workgroup with the Gulf and the South  
17 Atlantic, and, as we worked through that, we were told that  
18 anything like say taking a look at a two-year management period  
19 and whatnot -- That we could just pretty well forget it, because  
20 we had to have a yearly ACL, and that could not be changed, that  
21 that was written in stone. Now, some confusion comes up,  
22 because we just heard the -- What was the dolphin thing, and  
23 that was the one that I couldn't -- I am going through words  
24 that I can't remember.

25  
26 But the MSE, was it, and they were looking at three years, and  
27 it was like, what, and so I am told that a lot of that hinges  
28 back to, and I can certainly be corrected, that the language  
29 that is in National Standard 1, and I will just throw it out  
30 there, because, obviously, I'm not going to be on the council,  
31 but I will throw it out there that that probably needs to be  
32 looked at as well.

33  
34 **CHAIRMAN STUNZ:** Okay. Point taken, Chester, and I think Dr.  
35 Simmons has a comment on that.

36  
37 **EXECUTIVE DIRECTOR SIMMONS:** I was just going to suggest that  
38 the SSC is slated to receive the technical memo from  
39 Headquarters on the National Standard 1 Guidelines updates, and  
40 so, when that comes to the council in August, with the letter,  
41 you can figure out if it's appropriate to provide that comment  
42 as well, at that time, would be my suggestion. Thanks.

43  
44 **CHAIRMAN STUNZ:** All right. Thank you, Chester. Clay.

45  
46 **DR. PORCH:** I just wanted to contribute to that. I think there  
47 is some flexibility within NS 1, and certainly the way you  
48 determine overfishing can involve three-year averages, and the

1 trick is how you interpret the accountability measures section,  
2 and there may be some creative ways, and so I think it's worth  
3 putting together a small working group, whether it's an IPT or  
4 something else, to look at that carefully and see if there's  
5 some flexibilities that we can take advantage of.  
6

7 **CHAIRMAN STUNZ:** Thanks, Clay. Carrie, how would you want to  
8 handle that, regarding -- Is that something that you all want to  
9 think about and then get back with us, or what do you recommend?  
10

11 **EXECUTIVE DIRECTOR SIMMONS:** Thank you, Mr. Chair, and so I  
12 think, Dr. Porch, you're referring to the presentation that you  
13 provided, and maybe having the IPT investigate that a little bit  
14 more, regarding the multiple ACLs, or moving averages, and I  
15 think we're going to go through that tomorrow, under the  
16 Sustainable Fisheries Committee, I believe, and so we could talk  
17 about it a little bit more there, if that's okay.  
18

19 **DR. PORCH:** Yes, and I'm happy to talk about that again, but it  
20 was relevant to Mr. Brewer's point.  
21

22 **CHAIRMAN STUNZ:** Okay. All right. Thank you. Well, Mara, we  
23 did have a place on here for a litigation update, and I think  
24 you kind of did that earlier in the meeting, but I wanted to  
25 make sure we don't skip over that, if there's any other  
26 litigation updates that we need.  
27

#### 28 **LITIGATION UPDATE**

29  
30 **MS. LEVY:** Well, I guess I can just let you know -- So, with the  
31 Amendment 53, the red grouper lawsuit, right, and so we had a  
32 favorable decision, the agency had a favorable decision, at  
33 District Court, and it is appealed to the D.C. Circuit Court,  
34 and so briefing for that is now complete.  
35

36 I have not heard whether the court is going to hear arguments or  
37 not, but, right now, we're just kind of waiting for the court on  
38 that. I also can't remember if I sent Carrie the briefs, but I  
39 am happy to do that, so she can circulate them, if I did not.  
40

41 **CHAIRMAN STUNZ:** Okay. Thank you, Mara, for that. General  
42 Spraggins, would you be up for tackling one more, and I think  
43 this is a very short report, and I think there might be a motion  
44 with it, but I think we can probably can tackle that, and then  
45 we'll call it a day, and that will make for a much lighter day  
46 tomorrow, and, if you're willing, would you lead us through the  
47 Law Enforcement Report, and that will be it for that day.  
48

1                                   **COMMITTEE REPORTS (CONTINUED)**  
2                                   **LAW ENFORCEMENT COMMITTEE REPORT**  
3

4 **GENERAL SPRAGGINS:** If it will make you happy, Mr. Chairman, I  
5 will be glad to do that. All right. Law Enforcement Committee,  
6 June 5, the committee adopted the agenda, Tab L, Number 1, and  
7 the minutes, Tab L, Number 2, from the October 2022 meeting were  
8 approved as written.  
9

10 LETC Meeting Summary from March 2023 Meeting, Tab L, Number 4,  
11 staff reviewed the summary report from the March 15, 2023,  
12 meeting of the LETC and noted that recommendations pertaining to  
13 the recently-completed action to modify trip limits for  
14 commercially-harvested gray triggerfish.  
15

16 The LETC noted that, for stocks with small quotas or ACLs, trip  
17 limits set in numbers of fish are more enforceable than trip  
18 limits based on weights. The LETC further noted that weighing  
19 fish at-sea is more difficult than counting fish and preferred a  
20 numbers-based trip limit for greater amberjack in the framework  
21 action that is being developed.  
22

23 The LETC also discussed Reef Fish Amendment 56 that would  
24 establish a rebuilding plan and modify management measures for  
25 gag. In regard to the recreational gag fishing season that is  
26 being modified as part of this action, the LETC suggested that  
27 in-season closures are more difficult for officers than fixed  
28 closed seasons. Mr. Chairman, this concludes my report.  
29

30 **CHAIRMAN STUNZ:** Okay. Thank you, General Spraggins. Chris  
31 does have a motion. Go ahead, Chris, or has a comment, at  
32 least.  
33

34 **MR. SCHIEBLE:** Apparently I have nine minutes to go through  
35 this, at the end of the day here, but I would like to have a  
36 discussion, and I would have brought this up in committee, but  
37 we're not on the committee, and not able to make motions at that  
38 point, and so I sent you all a PDF with some information from a  
39 recent enforcement action, and there it is, and that's what we  
40 need.  
41

42 This took place over the course of the past year, but this news  
43 release came out in April, I believe, April 20, from our  
44 department, and, also, I believe it got transmitted on the  
45 fishing wire nationally as well, and I wanted to bring your  
46 attention to this, because I've been talking with our  
47 enforcement agents for quite a while about these types of cases  
48 taking place in Louisiana, and this one is the most gross

1 negligence of the cases that I have seen so far, or at least the  
2 worst offense.

3  
4 In particular, two individuals were cited for this, and one of  
5 them received their third, fourth, and fifth offense for  
6 violating the IFQ system, regulations, to commercially harvest  
7 red snapper, and so they also got cited for false public  
8 records, which is the falsification of trip ticket information  
9 for the department.

10  
11 Over the course of 2022 through 2023, there were three separate  
12 fishing trips that these pertain to, and they landed an exact  
13 amount of red snapper with the advance landing notifications,  
14 correct when they came to the dock, and they filed the trip  
15 tickets and claimed that those were true and correct.

16  
17 The agents, that worked under the JEA to do the dockside  
18 intercepts, and I guess we could call it that, for the advance  
19 landing notifications weighed those, and they actually weighed  
20 the snapper coming in, and there were some instances where those  
21 weights were several hundred pounds off from the weight  
22 reported, and they went undocumented, those snapper, and they  
23 were not removed from the yearly quota allotted to this  
24 individual for the given year, and so his allocation did not  
25 have these deducted from them, and that's a total of 1,268  
26 pounds of red snapper were not included in his weight reported  
27 to NOAA.

28  
29 I thought that's a pretty large amount to not be reported in the  
30 IFQ system, and so what I was trying to get to in this motion  
31 that I think you guys have, and I sent it up, and, if not, let  
32 me know, and I can resend it, but --

33  
34 **CHAIRMAN STUNZ:** We're going to go ahead and pull up that  
35 motion.

36  
37 **MR. SCHIEBLE:** We'll get the motion up, and we'll elaborate a  
38 little bit on it. I could not find a simple way to write this,  
39 and so it's fairly long and complicated, and maybe I need a  
40 little help with it, I suppose, but what the goal is, it's to  
41 have the Law Enforcement Technical Committee, coming up here in  
42 October, address this issue and to look at the number of advance  
43 landing notifications that, across all five Gulf states for the  
44 red snapper IFQ that are placed and the amount of intercepts,  
45 and I guess we could call it that, for enforcement that go with  
46 those landing notifications and then how many of those are  
47 associated with an amended landing report on the backend.

48

1 IFQ fishermen have the ability to amend landing reports after  
2 the fact, for up to, I believe, fifteen days, I think it is, and  
3 I can't remember the actual rule, but I am trying to find out  
4 how many of those are directly associated with an interaction  
5 with enforcement or not, and so sometimes, when I looked at the  
6 data from our enforcement, there are cases where individuals  
7 actually reported too much, and then they did amended landing  
8 reports, after they weighed in fish, and some allocation was  
9 given back to them, and so it's not always in the wrong  
10 direction, I guess, but what I'm trying to find out is how  
11 prevalent this is, because I can't find where that 1,268 pounds  
12 is then documented in the system as a payback.

13  
14 The idea is that, if that person has allocation, that they were  
15 over by 1,268 pounds, it would automatically be deducted from  
16 the allocation that's given to them the next season, right, the  
17 next fishing year, and that's how the system works, just like it  
18 does for the private rec states, but I don't know where to find  
19 that.

20  
21 I looked at the IFQ website, and I see the landings for this  
22 year, currently, that are on there, and it doesn't speak of any  
23 payback that was done from the previous year, for any of these  
24 violations, and I'm sure this is not the only one that has taken  
25 place this year, and maybe this is a Louisiana-centric problem,  
26 but I doubt it, and so the task is -- Do you need me to email  
27 the motion again?

28  
29 **CHAIRMAN STUNZ:** I just re-forwarded it, Chris, and so they  
30 should be pulling it up here in just a second.

31  
32 **MR. SCHIEBLE:** The task is written in the motion, and I can read  
33 the very long motion here in a minute, when it comes up.

34  
35 **CHAIRMAN STUNZ:** Okay. As soon as they get it up, and, if you  
36 all recall, and some of you may not, because you weren't on the  
37 council, but we had a discussion over this very thing, and there  
38 were several state agencies, law enforcement officers, talking  
39 about the potential for this, and, at the time, I don't think  
40 there had been any cases made, or something, and now it looks  
41 like they're starting to pay more --

42  
43 **MR. SCHIEBLE:** It appears to be that way, and I have no idea,  
44 but it seems like a simple ask of the LETC, at their October  
45 meeting.

46  
47 **CHAIRMAN STUNZ:** Okay, and so there is your motion, Chris, if  
48 you want to read that into the record real quick.

1  
2 **MR. SCHIEBLE:** Okay, and so the motion is that the council  
3 requests that the Law Enforcement Technical Committee, at its  
4 upcoming October meeting, research all IFQ red snapper advanced  
5 landing notifications from 2022, among all five Gulf states, and  
6 formulate a comparison report of the proportion of inspected to  
7 non-inspected red snapper IFQ landings and subsequent proportion  
8 of amended landings reports for each category and the quantity  
9 of pounds amended by category. Further, provide a comparison  
10 of the number of non-inspected amended landing reports that  
11 adjusted poundage higher versus lower along with the frequency  
12 of occurrence and the magnitude of adjustments in pounds and  
13 whether any patterns exist. The LETC should provide a report  
14 back to the council at its January 2024 meeting in the Law  
15 Enforcement Committee.  
16

17 **CHAIRMAN STUNZ:** Okay. Thank you, Chris. We need a second, if  
18 anyone is willing to second that motion. Susan. Okay. We've  
19 got a second from Susan. Chris, we've had pretty good  
20 rationale, and if there's anything else that you want to add, or  
21 if there's any discussion.  
22

23 **MR. SCHIEBLE:** Just I have discussed this individually with  
24 different law enforcement folks, and it was, obviously, led by  
25 Major Aucoin, Dean Aucoin, in our department, and I work with  
26 him, and he's on the LETC, and I spoke with Scott Bannon and  
27 other enforcement agents about this, is this a doable ask, and  
28 is this going to bog them down tremendously or not, and they  
29 seemed to think that this is a workable problem, or a workable  
30 solution to the problem, to be able to present this back to us  
31 in that timeframe, and so I don't see a huge issue with asking  
32 them for that.  
33

34 **CHAIRMAN STUNZ:** Okay. Discussion? Kevin, I see your hand is  
35 up.  
36

37 **MR. ANSON:** For background, to inform whether or not I have a  
38 question related to this motion, going back to the announcement  
39 that Louisiana LDWF had with the violations, in that specific  
40 instance, this was an individual, or individuals, who had quota,  
41 allocation, and they were also dealers, and is that correct, and  
42 so they were fishermen and dealers, correct?  
43

44 **MR. SCHIEBLE:** There was a relationship between the fisherman  
45 and the dealer that caused the situation.  
46

47 **CHAIRMAN STUNZ:** Go ahead, Kevin.  
48

1 **MR. ANSON:** I am wondering, just because there's going to be a  
2 rather deep dive in looking at the data, and the data analysts  
3 will already be in there, I'm wondering, in addition, as far as  
4 the information that would be provided in this report, if it  
5 would include kind of the breakdown, or relationship, of those  
6 incidences, or those tickets that are in that type of  
7 relationship, where there is a dealer who also has the share. I  
8 wonder if that's information that we ought to include, or ask  
9 for, as well.  
10  
11 **MR. SCHIEBLE:** I have no objection, if you have some verbiage  
12 that you want to insert in there to that point.  
13  
14 **CHAIRMAN STUNZ:** Kevin, go ahead, if you -- I am not clear  
15 exactly what --  
16  
17 **MR. ANSON:** To further provide a comparison of the number of --  
18 So, before the "LETC should provide a report back", before that  
19 sentence, perhaps include, in addition, the report should  
20 include incidents of mismatched reports and amended landing  
21 reports as to the relationship of the dealer and the fishermen  
22 in the transaction being the same entity or not. So the  
23 relationship of the dealer and the fishermen being the same  
24 entity or not.  
25  
26 **MR. SCHIEBLE:** What about related?  
27  
28 **MR. ANSON:** Well, I mean, related, inasmuch as that information  
29 is available, you know, and it may be that it's seafood dealer  
30 ABC Seafood, who is owned by John Doe, and then John Doe is the  
31 fisherman, but they don't know if John Doe is also ownership of  
32 ABC Seafood, and I don't know, but, if they do know that John  
33 Doe is the owner of ABC Seafood, then they ought to be able to  
34 make that match.  
35  
36 **MR. SCHIEBLE:** I think that sentence, Bernie, goes before "The  
37 LETC".  
38  
39 **CHAIRMAN STUNZ:** Susan, when they get that fixed, are you going  
40 to be okay with that, as the seconder of that motion? Was your  
41 hand up for a comment, Susan?  
42  
43 **MS. BOGGS:** So, based on the conversation that Chris and Kevin  
44 were having, my understanding, Chris, is the fishermen and the  
45 dealer were two separate entities, if you will, but they had  
46 some kind of relationship, family-wise, et cetera? Okay. Thank  
47 you.  
48

1 **MR. SCHIEBLE:** I don't think that it necessarily has to be that  
2 way. Sometimes the fisherman is their own dealer, right, and so  
3 that should be revealed with what Kevin is asking.  
4

5 **CHAIRMAN STUNZ:** Right. Exactly, and so we can learn more about  
6 that as this report comes together, I think. Mara.  
7

8 **MS. LEVY:** A question, and so research all of the red snapper  
9 advanced landing notifications, and so you're talking about the  
10 advanced landing notifications that are submitted through the  
11 IFQ system, correct, and so what you're expecting to happen is  
12 for NMFS to provide all of these IFQ landings notifications and  
13 potential dealer reports?  
14

15 I guess part of me is just wondering what we're expecting NMFS  
16 to provide, and another part of me is thinking that we need to  
17 think about whether the information is confidential or not,  
18 under the Magnuson Act, and how much can be provided, and I  
19 don't have the answer to that, because I haven't thought about  
20 it enough to figure it out, and so I guess I'm just throwing  
21 that out there, but I don't know what the implications of this  
22 are and what NMFS would say about that.  
23

24 **CHAIRMAN STUNZ:** Chris.  
25

26 **MR. SCHIEBLE:** To that point, I get it. I totally get it.  
27 There's a lot of moving parts going on here, and my thought was  
28 that enforcement already has the advanced landing notifications.  
29 Otherwise, they wouldn't know when to go, right, and so there's  
30 got to be individual landing notifications already present  
31 within the enforcement offices, because they get told they can  
32 go or not to intercept, and that's their choice, and then what  
33 I'm looking for, at the backend of this, in the report, would  
34 basically obscure any confidentiality problems, because it would  
35 just be numbers.  
36

37 It would be total numbers of advanced landing notifications,  
38 amended landing reports, and enforcement interactions, and it's  
39 not going to list the individual fishermen that this happened  
40 to, and we don't need that, and we just need to know the  
41 numbers, right, on the backend, because what proportion of those  
42 have interaction with enforcement that are then amended on the  
43 backend.  
44

45 **CHAIRMAN STUNZ:** Okay. Well, thank you, Chris. I'm not seeing  
46 any more hands up for more discussion. **Is there any opposition**  
47 **to this motion?** All right. **Seeing none, the motion carries.**  
48 All right. Thank you. Chris, go ahead.



1  
2 **MR. SCHIEBLE:** We only went five minutes over, and that's --

3  
4 **CHAIRMAN STUNZ:** Not too bad, and that's what I was going to  
5 say. Thank you for bearing with that, and I think that will  
6 make for -- I don't want to jinx us here, but that might make  
7 for a lighter day tomorrow. That leaves us with Sustainable  
8 Fisheries and Reef Fish, which aren't too packed reports, I  
9 don't think, and so, with that, we'll adjourn for the day and  
10 meet back here tomorrow morning at 8:00 a.m. I will see  
11 everyone tomorrow.

12  
13 (Whereupon, the meeting recessed for lunch on June 7, 2023.)

14  
15 - - -

16  
17 June 8, 2023

18  
19 THURSDAY MORNING SESSION

20  
21 - - -

22  
23 The Full Council of the Gulf of Mexico Fishery Management  
24 Council reconvened at The Battle House Renaissance in Mobile,  
25 Alabama on Thursday morning, June 8, 2023, and was called to  
26 order by Chairman Greg Stunz.

27  
28 **CHAIRMAN STUNZ:** All right, everyone. We'll go ahead and get  
29 started. Welcome back to the council meeting. We have two main  
30 agenda items to get through today, and we've covered everything  
31 else in the agenda, unless I'm missing something, and that will  
32 be Sustainable Fisheries and Reef Fish. We will go ahead and  
33 start with Sustainable Fisheries, and so, C.J., if you're ready,  
34 go ahead.

35  
36 **DR. SWEETMAN:** Thank you, Mr. Chair.

37  
38 **CHAIRMAN STUNZ:** C.J., let me make one more announcement, real  
39 quick. We are prepared to use our voting clickers today too,  
40 and so that's up and running, and so I just want to give  
41 everyone a heads-up on that, and so when it comes to the votes,  
42 if necessary. Okay, C.J. Go ahead.

43  
44 **SUSTAINABLE FISHERIES COMMITTEE REPORT**

45  
46 **DR. SWEETMAN:** Thanks, Mr. Chair. Okay, and the Sustainable  
47 Fisheries Committee report. The committee adopted the agenda,  
48 Tab E, Number 1, and approved the minutes, Tab E, Number 2, of

1 the April 2023 meeting as written.

2  
3 Overview Presentation on Rice's Whale Status and Recent Speed  
4 Limit Petition in the Gulf of Mexico, Tab E, Number 4, Mr.  
5 Baysinger summarized the 2019 presentation and noted that Rice's  
6 whale is the only year-round resident baleen whale in the Gulf  
7 of Mexico. He provided a status update and indicated that  
8 Rice's whale's core distribution area was identified in the  
9 northeastern Gulf of Mexico.

10  
11 Mr. Baysinger indicated that, in 2021, NOAA Fisheries received a  
12 petition pursuant to the Administrative Procedure Act. The  
13 petitioners requested that NOAA utilize authorities under the  
14 Endangered Species Act (ESA) and Marine Mammal Protection Act  
15 (MMPA) to establish a vessel slowdown zone to protect Rice's  
16 whales from collisions with vessels and noise pollution.  
17 Petitioners requested a year-round ten-knot vessel speed  
18 restriction within the vessel slowdown zone. Petitioners  
19 requested additional restrictions, including no vessel transits  
20 at night within the vessel slowdown zone.

21  
22 On April 7, 2023, NOAA published a notice of receipt of the  
23 petition and requested public comments on the petition by July  
24 6, 2023. Mr. Baysinger stated that NOAA Fisheries is seeking  
25 comments on several topics, including the advisability of and  
26 need for regulations to establish a vessel slowdown zone, the  
27 geographic scope of any such regulations, and alternative  
28 management options for regulating vessel interactions with  
29 Rice's whales. Mr. Baysinger indicated that, following the  
30 comment period, NOAA can either initiate rulemaking or decide  
31 not to proceed with the petitioned action.

32  
33 The committee stated that the limited information available on  
34 Rice's whale strikes may not be sufficient to support the  
35 petitioners' request. Committee members noted that speed  
36 limitations would adversely impact several sectors and  
37 activities, including, charter, shrimp, and transportation.

38  
39 The committee further noted that major adverse economic effects  
40 would result from restrictions based on two reported incidents.  
41 The committee inquired about the impacts on Rice's whale's  
42 recovery expected from the petitioned measures and asked whether  
43 there are data indicating that Rice's whales were more  
44 susceptible to strikes at night. Mr. Baysinger replied that  
45 Rice's whale recovery time was not yet determined.

46  
47 Committee members remarked that the petition does not detail how  
48 the speed limit was generated. Committee members noted that

1 technology to assist in avoiding strikes is still under  
2 development. The committee unanimously approved the following  
3 motion.

4  
5 **The committee recommends, and I so move, to direct staff to**  
6 **write a letter to NOAA Fisheries outlining the council's**  
7 **concerns as they relate to the proposed Rice's whale petition.**  
8 The motion carried with no opposition.

9  
10 **CHAIRMAN STUNZ:** Thank you, Dr. Sweetman, and so we've got a  
11 committee motion regarding writing this letter. Just to remind  
12 everyone, that is due in July, and so we wouldn't have time to  
13 bring that forward to the council, and that would rely on Tom,  
14 as council chair, and others, the staff, to put that forward,  
15 and so is there any more discussion on this motion for the  
16 letter? Susan.

17  
18 **MS. BOGGS:** Thank you, Mr. Chair, and I thought we were going to  
19 ask if maybe we could get an extension on this.

20  
21 **CHAIRMAN STUNZ:** Carrie, do you have any comment on that? Is an  
22 extension possible?

23  
24 **EXECUTIVE DIRECTOR SIMMONS:** Thank you, Mr. Chair. I think we  
25 asked, in committee, if it was, and I'm not sure that we  
26 received a response yet from Sustainable Fisheries.

27  
28 **CHAIRMAN STUNZ:** Peter, did you --

29  
30 **MR. HOOD:** As far as I know, we haven't -- Andy may be checking  
31 on this, but I haven't heard anything about whether we can get  
32 one, but we can certainly ask.

33  
34 **CHAIRMAN STUNZ:** The discussion we're having is when it was due,  
35 and Carrie mentioned that it was due in July. Under the other  
36 letter, it was due in September, I think is what you're thinking  
37 about. I mean, one suggestion, Susan, is, if we can get an  
38 extension in the meantime, then, of course, bring that back to  
39 the council for us to review. If we have to get it in, then we  
40 go ahead and get it in, and I was not seeing, you know,  
41 overwhelming support around the table, or public comment,  
42 regarding this initiative, and so, I mean, I think the tone of  
43 the letter is going to be, you know, that's not something we're  
44 going to support, but, you know, staff can follow-up, and maybe  
45 Carrie can email everyone, in the meantime.

46  
47 **MS. BOGGS:** That's fine, and I just thought that we had asked,  
48 during committee, about that, as a potential, or as a

1 possibility, and, of course, yes, in testimony, we heard that no  
2 one is a fan of this, and so I'm okay.

3  
4 **CHAIRMAN STUNZ:** Okay. I am not seeing any other comments  
5 regarding this motion. Kevin.

6  
7 **MR. ANSON:** I am just curious, procedurally, and sometimes, when  
8 we write motions, where we direct staff to kind of draft  
9 letters, that we have that the chair will provide, I guess,  
10 oversight, or comment, to the letter, before it's written, and  
11 so we're going through a transition period, and so you -- I see  
12 the chair still having responsibility all the way through to the  
13 next meeting, and so is that going to be -- Is it going to be  
14 under the chair's signature or the executive director's  
15 signature for this letter?

16  
17 **CHAIRMAN STUNZ:** Yes, and that's a great question. Kevin, I was  
18 just thinking about that, and, Carrie, did you want to comment  
19 on that? I mean, technically, Tom and I work very close  
20 together anyway, and so this would be done jointly, and so I  
21 don't think that that's really an issue, in my mind, and I  
22 finish up a little later this morning, but, I mean, tying up a  
23 few loose ends that we need to do officially, and my signature  
24 and that kind of thing, I think to make sure this gets done, but  
25 go ahead, Carrie.

26  
27 **EXECUTIVE DIRECTOR SIMMONS:** Thank you, Mr. Chair. Often, if  
28 it's a council motion, it will be the chair that signs, and we  
29 can -- Oftentimes, it's the vice chair and chair that review  
30 letters, before they're distributed, but always the chair would  
31 review before it's distributed, if their signature is on the  
32 letter.

33  
34 **CHAIRMAN STUNZ:** Andy, I see that your hand is up. Go ahead.

35  
36 **MR. STRELCHECK:** Thanks, Greg. All I was going to say is  
37 recommend the council shoot for meeting the July deadline. If  
38 we're able to extend that deadline, then I would let Carrie and  
39 the council know as soon as possible. I don't have an answer  
40 for you on the extension or not.

41  
42 **CHAIRMAN STUNZ:** Okay. Thank you, Andy. I am not seeing any  
43 more hands up then, and so we'll move forward with that plan  
44 that we've just discussed there, if that's okay with everyone,  
45 and so let's just dispense with this motion. **Is there any**  
46 **opposition to this motion? Seeing none, the motion carries.**  
47 C.J., go ahead.

1 **DR. SWEETMAN:** Thanks, Mr. Chair. Mr. Strelcheck stated that  
2 the council should be as specific as possible in its letter.  
3 Relative to the end of the comment period, Mr. Strelcheck  
4 indicated he would consult his team to determine whether the  
5 comment period could be extended.

6  
7 Due to the Administrative Procedures Act, NOAA has to respond to  
8 the petition within a reasonable timeframe. NOAA is also  
9 generally required to designate critical habitat for endangered  
10 species. Mr. Baysinger indicated that the area under  
11 consideration for designation as critical habitat is a  
12 continuous area within the Gulf of Mexico, from the Texas-Mexico  
13 border in the west to the Florida Keys in the east, between 100  
14 and 400 fathoms.

15  
16 Committee members asked about the number of petitions received  
17 by the agency. Mr. Baysinger replied that there are two  
18 petitions, one for vessel speed limitations and one for critical  
19 habitat. Committee members noted that specific concerns to  
20 include in the comment letter to NOAA could be further discussed  
21 in Full Council. Dr. Sweetman indicated that some of the ideas  
22 formulated in Florida could be useful.

23  
24 **CHAIRMAN STUNZ:** Mara.

25  
26 **MS. LEVY:** Thank you, and so I just wanted to make one slight  
27 correction, and so the petition was on the vessel speed limit  
28 idea, right, and critical habitat is not necessarily a -- Is not  
29 a result of the petition, and it's a legal requirement under the  
30 ESA, and so they're different there, and the public would have a  
31 chance to comment on any proposed critical habitat when NMFS  
32 issues a proposed rule, and so what happened with critical  
33 habitat is a lawsuit was filed because NMFS had not designated  
34 it within the statutory timeframe, and so there is now, you  
35 know, a push forward to try to get a proposed rule out to  
36 designate that.

37  
38 **CHAIRMAN STUNZ:** Thank you, Mara. C.J., go ahead.

39  
40 **DR. SWEETMAN:** Thanks, Mara. Review of Multiyear Annual Catch  
41 Limits, Tab E, Number 5, Dr. Clay Porch, of the Southeast  
42 Fisheries Science Center, presented the merits and drawbacks of  
43 using multiyear averages for setting and monitoring annual catch  
44 limits, or ACLs. He demonstrated various scenarios of how a  
45 multiyear ACL might be functionally implemented for a fictional  
46 stock.

47  
48 Generally, if landings in a given year were estimated to be

1 higher than the annual OFL, then the current system is obligated  
2 to address the perceived overfishing immediately, even if that  
3 estimate was highly uncertain. However, if a three-year period  
4 were used, anomalously high and low landings estimates will tend  
5 to average out, reducing the likelihood of triggering  
6 unnecessary management actions. He added that using a moving  
7 average could be problematic when the uncertainty in the  
8 landings estimates is high.

9  
10 Dr. Porch said that the implicit carryover and payback of  
11 landings during three-year monitoring periods has been  
12 simulation tested and is sustainable. He also said that sector-  
13 specific allocations, or the presence of IFQ management, is not  
14 expected to adversely affect the precision of using multiyear  
15 ACLs or in related adverse effects on the stock.

16  
17 Council staff asked about implementing accountability measures  
18 (AMs). He said that overfishing determinations could be made  
19 every three years, as opposed to annually, and recommended an  
20 interdisciplinary planning team investigate some of these  
21 nuances prior to the council adopting a multiyear ACL approach.

22  
23 NOAA General Counsel (GC) pointed out the difference in using a  
24 three-year time block, versus a three-year moving average, in  
25 that, in the former, evaluation of the risk of overfishing would  
26 not be reevaluated until the end of that time block. NOAA  
27 General Counsel also noted that the overfishing limit is applied  
28 to the stock, or stock complex, and that variability in one  
29 sector's landings would implicitly affect another sector. A  
30 committee member stated that the concept of using a multiyear  
31 ACL approach is currently a topic for discussion related to the  
32 council's recreational initiatives.

33  
34 SSC Recommendations on Report from the MRIP Transition Team on  
35 Red Snapper and Other Species in Gulf State Supplemental  
36 Surveys, Tab B, Number 8(a), Mr. Mareska reviewed Dr. Richard  
37 Cody's report from the MRIP Transition Team on red snapper and  
38 other species in Gulf state supplemental surveys from the May  
39 2023 Gulf SSC meeting.

40  
41 The MRIP Transition Team is investigating non-sampling error in  
42 recreational landings estimates and the council's interest in a  
43 recreational angler landing permit. Thus far on these topics,  
44 fifteen studies have been completed, three are ongoing, and six  
45 have not yet started. All scheduled projects are not expected  
46 to be completed in time for integration into the SEDAR 74  
47 operational assessment for red snapper.

1 The Texas landings calibration, recommended by the NOAA Office  
2 of Science and Technology, has not yet been addressed by the  
3 SEDAR 74 Assessment Development Team. This proposed calibration  
4 was heavily debated at the SEDAR 74 data workshop. The SSC  
5 recommended that the Gulf transition plan include integration of  
6 project findings into stock assessments when evaluating how  
7 project deliverables would be used.

8  
9 SSC Recommendations on the Evaluation of Interim Analysis  
10 Process, Tab B, Number 8(a), Dr. Mareska reviewed a presentation  
11 on the interim analysis process. The SSC indicated a preference  
12 for the use of a fishery-independent index of relative  
13 abundance, accompanied by other complementary data, as available  
14 (e.g., length compositions from directed fleets, Fisherman  
15 Feedback). Mr. Mareska also noted the potential for evaluating  
16 indices for species or complexes as part of a management  
17 strategy evaluation (MSE).

18  
19 A committee member asked about the availability of indices for  
20 doing IAs for certain species. Staff noted that some species  
21 lack appropriate fishery-independent indices. However, those  
22 stocks may have other representative catch-per-unit-effort  
23 indices, such as the headboat CPUE index for lane snapper and  
24 cobia. Mr. Mareska added that the SSC favored a tiered approach  
25 for evaluating the available information, beginning with  
26 consideration of the health of the stock based on presented  
27 data, and using that to determine whether a revision to catch  
28 advice was warranted.

29  
30 SSC Recommendations on Management Strategy Evaluation Workshop,  
31 Tab B, Number 8(a), Dr. Steve Saul (SSC) reviewed SSC  
32 discussions of a series of talks presented to the SSC about  
33 management strategy evaluations, which allow the council to test  
34 management efficacy before it goes into place. MSE is used to  
35 simulate the interactions between data collection, data analysis  
36 (stock assessment), and fishery regulations. MSE is a  
37 simulation-based analytical framework used to develop a robust,  
38 consensus-driven, and realistic management procedure and involved  
39 dialogue between scientists, managers, and stakeholders. Dr.  
40 Saul stressed that stakeholders would remain integral throughout  
41 the MSE developmental process.

42  
43 Dr. Saul discussed when to apply MSE, such as when considering  
44 difficult policy decisions, intractable stakeholder conflicts,  
45 disenfranchised stakeholders, ecosystem changes, and when  
46 scientific uncertainty threatens the integrity of the current  
47 management approach or when status quo management is clearly  
48 failing. He then reviewed some recent examples of MSE being

1 implemented.

2

3 Dr. Saul noted that the SEDAR Steering Committee did not want  
4 MSE being conducted through the SEDAR process and that council  
5 staff thought the council should provide direct feedback before  
6 beginning an MSE effort.

7

8 Ultimately, the SSC recommended that the council pursue MSE as a  
9 decision support tool with applications to stock assessments,  
10 ecosystem issues, and council decision-making. Further, the SSC  
11 recommended the council pursue opportunities to incorporate  
12 social and economic performance indicators and human behavioral  
13 responses in MSE.

14

15 A committee member asked how the council should proceed with  
16 requesting an MSE and how it would function. Dr. Saul  
17 reiterated that MSE should be reserved for addressing critical  
18 issues and that clear objectives were needed before embarking in  
19 the process. Council staff also clarified why the SEDAR  
20 Steering Committee was opposed to running MSE through SEDAR, due  
21 in part to the information presented at the time to that  
22 committee and the variability in the time required.

23

24 Another committee member noted an uncertainty in the support  
25 necessary for developing an MSE and its potential cost to the  
26 stock assessment process. The committee member shared the  
27 other's concern about costs with regard to workload and overall  
28 analytical product throughput.

29

30 The Southeast Fisheries Science Center confirmed that, for some  
31 applications, the workload for MSEs can be considerable and may  
32 require reducing the number of assessments conducted. However,  
33 the Southeast Fisheries Science Center thought it necessary to  
34 explore different approaches, in light of challenges observed in  
35 the increasing complexity of the stock assessment process  
36 against the perceived gains in management. It may be possible  
37 to address multiple issues across species through MSE.

38

39 The Southeast Fisheries Science Center stressed consideration of  
40 MSE, appropriately applied and parameterized, as a way to  
41 address perennial issues faced by the council. A committee  
42 member asked whether MSE could be used to pare down the data  
43 considered for a stock assessment to the most essential data  
44 streams. The Southeast Fisheries Science Center replied that a  
45 desk MSE could use simulation testing to determine the data  
46 necessary to adequately assess a stock.

47

48 Council staff asked about the ongoing efforts with the SEDAR



1 Steering Committee regarding obtaining more timely advice about  
2 data-poor species that may not require the same level of  
3 complexity.

4  
5 The Southeast Fisheries Science Center noted that data-limited  
6 approaches have been ongoing within the Southeast Fisheries  
7 Science Center for some time and that it was possible to review  
8 the dispositions of those data-limited species and their  
9 associated data to evaluate whether any of those species could  
10 be assessed using a data-limited analysis. Mr. Chair, this  
11 concludes my report.

12  
13 **CHAIRMAN STUNZ:** Thank you, C.J. I am looking around the room.  
14 Is there anything else that needs to -- Kevin.

15  
16 **MR. ANSON:** I don't recall, during committee, if this was  
17 answered or not, but I'm going to ask this question to Dr.  
18 Porch, and so, in regard to the last paragraph here and the  
19 data-limited species, what is the timeline that we would expect  
20 to see results of the dive into the data-limited species and  
21 evaluating what data is available and whether or not that could  
22 provide us some insights on the status of the stocks, for those  
23 particular stocks?

24  
25 **DR. PORCH:** Sure. Thank you for that question, and, obviously,  
26 it depends on the scope of the deep dive, right, and how many  
27 species that we want to look at. The methods are pretty well  
28 established, and it's mostly just identifying what data are  
29 available and then what's the most appropriate method for that  
30 data.

31  
32 You know, an initial triage, that could be arguably done in  
33 months, given that we've done this before. To actually do all  
34 the analyses and go through a review process could take the  
35 equivalent of, you know, a SEDAR benchmark, or a research track,  
36 timeframe, and so a year or more for a full review of  
37 everything.

38  
39 **CHAIRMAN STUNZ:** Kevin, a follow-up?

40  
41 **MR. ANSON:** Yes, and so I recall that there was some intent to  
42 do, you know, a kind of review, or look at some data-limited  
43 species, and so I'm just wondering, and do you all -- I'm sure  
44 you all have that kind of organized, as to what you've done  
45 internally, maybe, in looking at kind of specific species and  
46 such, and so could maybe a summary table of kind of what are  
47 data-limited species, and then maybe ones that you have looked,  
48 and have already evaluated, ones that could be evaluated, that

1 type of thing, maybe, kind of just a quick summary of that?

2

3 **DR. PORCH:** Yes, and so that would be akin to my initial triage  
4 that I was referring to, which I think we have the foundation  
5 for that already, and so, yes, that could be done probably in a  
6 matter of months.

7

8 **CHAIRMAN STUNZ:** Dale.

9

10 **MR. DIAZ:** Thank you, Mr. Chair. I came into this meeting,  
11 after reading the SSC report, thinking that we would probably  
12 tee something up for one of these management strategy  
13 evaluations, and we did not during the committee, and I'm not  
14 going to make a motion to do it now, but I listened to some of  
15 the stuff, and I heard Tom say, you know, that there's none of  
16 them with a proven track record, but the SSC spent a lot of time  
17 with this, and they did come up with a motion saying that they  
18 liked this approach, and they thought it was -- Their motion was  
19 something we should try for the future.

20

21 Clearly, what we're doing now is not great. You know, our stock  
22 assessment approach -- A lot of times, we get stock assessments,  
23 and the terminal year is three or four years old, and we're  
24 trying to manage a fishery that has changed in that three or  
25 four years, and folks are telling us that, on the water, it's  
26 different than what we're managing to, and we've tried, with the  
27 stock assessment process, to make it faster.

28

29 We went from the old way that we used to do it into the new way  
30 we're doing it now, but it's now faster, and it's slower, if  
31 anything, and our throughput is slower than it was before, and  
32 so I don't know. I am not going to make a motion here, but Clay  
33 said we need to look at doing something different, and we do  
34 have to look at doing something different, to manage some of  
35 these things more effectively.

36

37 While I was thinking about this, I thought of amberjack, and  
38 somebody else said this, but I thought that amberjack probably  
39 was a great candidate. Clearly what we're doing is failing, and  
40 that's one of the things that they say that you should consider  
41 if you're doing something that's not working at the time, and  
42 so, anyway, at the next meeting, I might put some more thought  
43 into it and bring this back up, under Other Business or  
44 something, to consider something, but I would like to talk to  
45 some other people and make sure that it's something that we  
46 should try, but, you know, they're doing them in other areas.

47

48 Time will tell if they succeed there, but we might be five years

1 down the road before we figure that out, if the ones that the  
2 South Atlantic are doing are successful, or some of the other  
3 ones that is going on, and so I just wanted to mention that, and  
4 I do have some pause that the SSC made that recommendation,  
5 after a thorough review of it, and we're not really doing  
6 anything, and so all right, and that's enough. Thank you.

7  
8 **CHAIRMAN STUNZ:** Tom.

9  
10 **DR. FRAZER:** I just want to follow-up, real quick. It's not  
11 that I don't think that MSEs are a valuable, or potentially  
12 valuable, tool, and, in fact, I think that they are, right, and  
13 my concern is that we just can't go straight to MSE and forget  
14 about the stock assessment process. At some point, even if we  
15 have MSEs, we still have a need to assess the stock, and so the  
16 time interval may be longer, right, and my bigger concern was  
17 the fact that there's not -- At this time, there's not a lot of  
18 examples to point to that say this is working well, and that was  
19 it.

20  
21 Also, because there is so much going on, right, particularly at  
22 the Science Center and involving various stakeholders, that we  
23 keep asking people to do things, right, and we never ask anybody  
24 to stop anything, and the resources are not changing. They are  
25 steady, and so, if we want to pursue MSE, and the Science Center  
26 wants to pursue MSE, that's cool, but is it 25 percent of their  
27 kind of portfolio or what? I just want to know what they're  
28 going to commit to, right, and it's almost like an R&D exercise  
29 that's on the side, and I just don't think that it's ready to be  
30 incorporated immediately into the process, and that's where I  
31 was going with that.

32  
33 **CHAIRMAN STUNZ:** Okay. Dale.

34  
35 **MR. DIAZ:** I did clearly understand, when you said that during  
36 committee, and that's what gives me pause, because I think you  
37 made valid points. Prior to you saying that, I had intended on  
38 making a motion to start an MSE on AJs, but I think you make  
39 some valid points, and I think some more thought needs to be put  
40 into it, but I just wanted to bring it up here, because the SSC  
41 reviewed it, and nobody opposed us looking at this as a method  
42 to go forward with, and so okay. Thank you.

43  
44 **CHAIRMAN STUNZ:** Dr. Porch.

45  
46 **DR. PORCH:** Just to follow-up on those comments, which I  
47 appreciate very much, one, I would say that, for instance,  
48 amberjack would be a good candidate for MSE, and I appreciate

1 the fact that we would still need to develop some management  
2 advice, since folks invested a lot of money in the Great  
3 Amberjack Count, but we're going to learn a lot about those  
4 animals from that, and I think that could be used to structure  
5 an operating model, and then we could look at maybe other ways  
6 to manage the stock, and so you don't always need a stock  
7 assessment.

8  
9 If you can develop a management procedure that's robust in the  
10 simulation environment, and so a harvest control rule, for  
11 instance, that's keyed to an index of abundance, then you could  
12 arguably use that for your management, and not do stock  
13 assessments, but behind that would be all the simulation testing  
14 that's using models that are even more complex than what we  
15 would do in a stock assessment, and so there's a lot of work at  
16 the frontend, but, once you vet the harvest control rule, there  
17 is less work.

18  
19 I would say it's used fairly widely in parts of the world, in  
20 Australia, south Africa, and they have very well-established  
21 programs, and some other places as well, and ICCAT is now using  
22 them for bluefin tuna and swordfish and others, and the U.S. is  
23 a little behind in that, because we have a very prescriptive law  
24 in the Magnuson-Stevens Act, and trying to figure out how that  
25 lines up with some of the guidance in NS 1 is going to be a  
26 little bit of a challenge, but I think it's doable.

27  
28 We just have to figure out how we can think outside of the box a  
29 little bit, but still meet the essential requirements of the  
30 law, but, again, I think amberjack would be a great opportunity,  
31 and we're having to regroup with it anyway, with the Great  
32 Amberjack Count, and maybe something like cobia, which is  
33 difficult to assess, because it's really multiple populations,  
34 and we don't have a good fishery-independent index of it, and so  
35 maybe looking at other ways that you can manage that stock, and  
36 vetting it through MSE would be useful.

37  
38 I think it's something that we absolutely need to pursue. I do  
39 recognize that there's workload challenges, and something would  
40 have to come off the plate, at least for the Science Center to  
41 be heavily engaged. Thank you.

42  
43 **CHAIRMAN STUNZ:** Kevin.

44  
45 **MR. ANSON:** To expand upon what Dr. Porch just said, I don't  
46 know what the schedule is for amberjack, as far as the next  
47 assessment, but maybe, if it aligns with the Great Amberjack  
48 Count being completed, is that maybe that slot that is devoted

1 for an assessment actually is an assessment/MSE, or an MSE dive,  
2 and to try to do that very thing, is to maybe look at it a  
3 little bit differently, and it's kind of a research track  
4 assessment, and the research track in line with an MSE kind of  
5 organizational structure, and that might be how we might want to  
6 approach it, and that would be maybe our first foray into trying  
7 to do that.

8  
9 **CHAIRMAN STUNZ:** All right. Thank you, Kevin. Carrie is  
10 looking that up right now. Kevin, and so it's looking like it  
11 may be 2025 for that fishery, and so that would probably match  
12 up pretty well with the results of the amberjack count, and so,  
13 Tom.

14  
15 **DR. FRAZER:** I just wanted to step back a little bit and think  
16 about some of the discussion that we did have in the committee,  
17 and in the committee report, and, I mean, I think the SEDAR  
18 Steering Committee was pretty adamant, right, that they didn't  
19 want to have MSE as part of the SEDAR process, right, and so --  
20 I understand what you're saying, and there's a lot of effort in  
21 that space, Kevin, going on at the same time that could be  
22 coupled, and this is where it gets to the workload issue,  
23 because we still need the analysts from the Science Center,  
24 right, to do the assessment. Those same types of people, with  
25 those same types of analytical skills, or related skills, right,  
26 would be working on potentially the MSE, and there would be  
27 some, you know, back and forth.

28  
29 I am just trying to make sure that we understand that there's a  
30 lot of effort involved in this, right, and I don't mind putting  
31 the effort in there, but I just want to make sure that we're  
32 still getting stuff done, right, and that's it.

33  
34 **CHAIRMAN STUNZ:** Kevin.

35  
36 **MR. ANSON:** I recognize that, and, you know, I might be pretty  
37 simplistic, or simple minded, in the way that I was looking at  
38 this, is that, if all the NS 1, you know, requirements are met  
39 through an MSE, or you set that up through an MSE process, that  
40 those would be addressed, and so we would have management advice  
41 out of an MSE, and that's all I was saying, is that take that  
42 time that was allotted for the assessment, and the resources,  
43 but set it up, going into it, knowing that you're actually going  
44 to be doing an MSE, an MSE that will provide management advice,  
45 and that's all, instead of an assessment.

46  
47 **CHAIRMAN STUNZ:** Okay. Ryan.

48

1 **MR. RYAN RINDONE:** Thanks. I just wanted to echo a little bit  
2 of what Tom was saying about how resource-intensive all of this  
3 is, and another note about the actual start date for amberjack,  
4 and it's going to be in 2026. It had to be bounced down a  
5 little bit, to accommodate some of the other schedule changes at  
6 the last SEDAR Steering Committee meeting, and, also, the  
7 research track is going to be run as a benchmark, in the way  
8 that the Steering Committee is now interpreting the benchmark,  
9 which is pretty similar to what it was before.

10  
11 One of the things that we are likely to ask for, as a result of  
12 that, is what the Science Center has referred to as right-sizing  
13 for the assessments, and, you know, making sure that the right  
14 tools, the right modeling environment, the right amount of  
15 complexity, is being applied for a given species, based on the  
16 data available.

17  
18 In the past, we've done some pretty tough, pretty data-intensive  
19 approaches for greater amberjack, and it may be that we could  
20 explore something that is not quite so data-intensive, that  
21 doesn't necessarily give us an inferior product, but can result  
22 in some resource efficiencies, in terms of, you know, manhours  
23 and the amount of people that are having to provide information.

24  
25 That is what you guys ought to be thinking about, is what we're  
26 going to be looking at for the assessment part of it, and, for  
27 doing any kind of MSE part of it, one of the key things is to be  
28 extremely explicit and committed to what it is that you want  
29 that MSE to do. What is the whole purpose? What is the big  
30 picture?

31  
32 Everything about how the MSE is going to function, throughout  
33 its development, until it gives you something useful, is going  
34 to keep circling back to does this meet the why, the why we're  
35 here and why we're doing this, and so, similar to what you guys  
36 did with the IFQ program the other day, something similar would  
37 have to be done for amberjack, and what is it that you want out  
38 of amberjack, and it might be that you can make that decision  
39 based on all fisheries all put together, like we just want to  
40 see it rebuilt, and maybe that's what it is, that we just want  
41 to see it rebuilt, but maybe it's that each directed fleet, the  
42 commercial, the for-hire, the private, have slightly different  
43 views about what they want, and so that might create a more  
44 complex environment that is going to require some compromising  
45 in between competing interests to get you to your final product  
46 and the management advice that's ultimately going to be  
47 recommended.

48

1 It's not just as simple as saying, hey, Clay, I know you're busy  
2 right now, but can we drum up an MSE, and there's going to have  
3 to be some development on the frontend by the council to inform  
4 whoever is going to do it what they need to continually think  
5 about in the process.

6

7 **CHAIRMAN STUNZ:** Carrie.

8

9 **EXECUTIVE DIRECTOR SIMMONS:** Thank you, Mr. Chair. I think we  
10 talked a little bit about this yesterday, with the Ecosystem  
11 Committee, and the other thing that I think could happen, as we  
12 go through this FEI process, prioritization process, and then  
13 the ecosystem loop, is it could result in the need for an MSE,  
14 and so the other concern, with just deciding on amberjack now,  
15 without going through that process, is we may not be able to do  
16 a different one at the end of that cycle, and so I think we  
17 could have -- I think Ms. Boggs was trying to get at, with her  
18 motion, trying to nail down some of these FEIs, and I think that  
19 is one of the things that really comes out of that process, and  
20 really tries to help us with that process, and so I will just  
21 remind everybody of that as well.

22

23 **CHAIRMAN STUNZ:** Dr. Porch.

24

25 **DR. PORCH:** I appreciate the comments that have been made. I  
26 wanted to come back to the model complexity issue and a comment  
27 that Mr. Diaz made about the process getting slower and slower,  
28 which it has. The assessment process has gotten slower,  
29 compared to when I first started, and we just had the Mackerel  
30 Stock Assessment Panel and the Reef Fish Stock Assessment Panel,  
31 because it was a small group doing the assessment, a much less  
32 transparent process, fewer data partners.

33

34 When we went to SEDAR, the intent never was to run every single  
35 assessment through SEDAR, and somehow we evolved in that  
36 direction, and SEDAR is intended to be a very thorough process,  
37 with a heavy amount of review, and bring lots of players to the  
38 table.

39

40 The consequence of that is we have an ever-increasing number of  
41 little pieces of data that we try and sew together into the  
42 stock assessment, and each little piece of data is not  
43 necessarily that informative, and, the more little pieces you  
44 try to sew together, the harder it is to put together the stock  
45 assessment, more opportunities for error in the data processing,  
46 and you end up having a very long, laborious process, and a very  
47 complicated model, but it's not clear that you're actually  
48 getting better management advice, and so that's sort of one of

1 the gifts of SEDAR, is getting lots of people to the table, but  
2 then also lots of people that have pieces of data that we try  
3 and put together, and it's just kind of gotten out of control.

4  
5 I would say we're probably cranking out assessments at half the  
6 level we would be if we were using the old system, but  
7 relatively few people participated, and I'm not saying we want  
8 to go back to being less transparent, but that is a consequence  
9 if you run every assessment through something like SEDAR, with  
10 so many people involved, is more and more pieces get stitched  
11 together.

12  
13 What's happened now is things are much slower, and a lot of  
14 labor goes into each assessment, including non-assessment  
15 scientists, all the data providers, and, again, it doesn't  
16 necessarily produce better management advice, and so we need to  
17 do something different, if you want to increase throughput, and  
18 I think we have to bite the bullet and tackle some MSE-vetted  
19 harvest control rules for certain species, and amberjack is a  
20 good candidate, since we haven't been able to rebuild it anyway,  
21 and we have this potential for a big reboot, with the Great  
22 Amberjack Count, and so I think it's important to consider that  
23 one, and we can develop some parallel processes.

24  
25 At the same time, if we start thinking about maybe we don't need  
26 the most complicated assessment models on the planet for some of  
27 these species, then we can reduce the workload, and, if we can  
28 come to the table with some advice on that, and hopefully, if we  
29 all can come to an understanding that maybe we don't need 500  
30 pieces of data stitched together, but just the most important  
31 ones, and the assessments are simpler, and they take less time,  
32 and maybe some assessments don't need to go through SEDAR, and  
33 that frees up time to do the key work to think outside the box.

34  
35 **CHAIRMAN STUNZ:** I am not seeing any other hands up, and that  
36 was some very good discussion, I thought, and thank you, Dale,  
37 for bringing that up. I mean, I personally am a big proponent  
38 of the MSE, and maybe what I hear is we're not just quite ready  
39 yet, but, I mean, I sure would like to see amberjack or  
40 something move forward, or even cobia perhaps, but, anyway, that  
41 was good discussion, and so I'm not sure what the next steps  
42 were, and, Kevin, I will call on you in just a second, but I  
43 agree, Clay, and any way we can speed up the processes, and so I  
44 don't -- Maybe we can all think about how we want to proceed on  
45 something like that, or what you're proposing or discussing  
46 about creative ways to get more throughput, but that would be  
47 something that would definitely be beneficial, around the table,  
48 for sure. Kevin.



1  
2 **MR. ANSON:** You brought up exactly what I was going to ask, and  
3 so how do we get there, Clay? I mean, what we do we need to do  
4 in order to get more throughput? I mean, we get people that  
5 come up here in public testimony, and they tell us, time and  
6 time again, it seems like, that, you know, our assessments, and  
7 the data that we're making decisions on, is out-of-date, and so  
8 what can we do, and, if we have to put it on the agenda for the  
9 next Sustainable Fisheries, we ought to put it on the agenda, so  
10 that we can kind of determine it, because, I mean, it's great if  
11 it's the gold standard that we get every time, but, if the gold  
12 standard is out-of-date, it really doesn't mean that much, and  
13 so we need to, I think, devote some time to do that very thing,  
14 is to try to talk it out, see what the benefits are, see what  
15 the pros and cons are, so that we can try to come up with a  
16 better plan.

17  
18 **CHAIRMAN STUNZ:** Thank you, Kevin. I've got you, Ryan. To that  
19 point, Clay, with that, and deciding how to proceed, and would  
20 that help, to have some directed time on the agenda to discuss  
21 this, and sort of talk about next steps, or how we could make  
22 these kind of things work?

23  
24 **DR. PORCH:** Sure. I think that would be useful. It's always  
25 good for us to talk about those things. Internally, we're also  
26 looking at this, and we'll be talking with the staff from the  
27 various councils about the kind of data that's available and  
28 which species maybe we step back in the level of complexity,  
29 which ones we could assess in the future, that we've never  
30 assessed, just simply for lack of time, and then other ones that  
31 maybe are candidates for simpler harvest control rules.

32  
33 Of course, one of the things that you all have started to do,  
34 and you're kind of leading the curve on, is with the index-based  
35 interim analyses, because that comes as close as we can to real-  
36 time data and the stock trends and adjusting the catch, where  
37 that index goes up or down.

38  
39 **CHAIRMAN STUNZ:** Okay. Well, Clay, if you're having those  
40 discussions internally, maybe you all can talk with the council  
41 staff about when the timing would be right, so we can have the  
42 most meaningful discussion around this table, when you have the  
43 information that you need and that sort of thing, and, Tom, I  
44 guess, as I am moving out, that's what I would recommend that we  
45 move forward, and I know you had your hand up, Ryan. Go ahead.

46  
47 **MR. RINDONE:** Thank you, Mr. Chair. I just wanted to encourage  
48 all of you, voting and non-voting, when we're talking about the

1 stock assessments, to try to be mindful of saying things like  
2 "the gold standard", or, you know, "top tier", as far as  
3 assessments are concerned, because, like Dr. Porch was alluding  
4 to, and like I had said earlier as well, it may not be that  
5 including all of the little pieces of data is what is going to  
6 get you the best model at the time, given the information that's  
7 available.

8  
9 It may be that there's this whole suite of information that,  
10 albeit very interesting, actually doesn't contribute very much  
11 in reducing the uncertainty about what we are estimating with  
12 the stock, and so including all of that might not make anything  
13 better, and it might be interesting work, but it might not  
14 really help anything, from an assessment standpoint, and so just  
15 to try to think about that when we're inclined to say, oh, the  
16 gold standard, or anything like that, because those sorts of  
17 things, of course, are heard by the public, and they trickle  
18 down from there, and the expectation could become like it had  
19 been, that, oh, if we don't include every single piece of  
20 information, then we've somehow done something short of what  
21 would be best, when in fact what's best could be not to include  
22 that, because it increases the uncertainty inherent within the  
23 model.

24  
25 **CHAIRMAN STUNZ:** Thank you, Ryan. Andy, I see that your hand is  
26 up online. If you're there, go ahead.

27  
28 **MR. STRELCHECK:** Thanks, Mr. Chair. I really like the  
29 conversation, and I really support this coming back to  
30 Sustainable Fisheries at the next council meeting. What Clay  
31 and I, and others, have talked for some time is, you know, the  
32 challenges with the stock assessments, time, quality, cost that  
33 goes into those, and I think it would be really beneficial to  
34 start having conversations with the council in looking at the  
35 benefits and tradeoffs.

36  
37 We recognize, or I recognize, that, you know, there are  
38 certainly many in the public stakeholders that are kind of  
39 frustrated with the length of time that the stock assessment  
40 process takes, and, on top of that, then the length of time  
41 management takes to react to that process, and so the other  
42 thing I would note is Carrie presented to us, and we have been  
43 working with the Gulf Council staff, about how we also speed up  
44 the management process, right, and so how do we react to the new  
45 scientific information, and how we are able to implement that  
46 more quickly, right, and so I think those two conversations  
47 really go hand-in-hand. How can we get the science and react to  
48 it quickly, and how do we maybe simplify the processes around

1 that science, and then how do we move forward as a council to  
2 implement those actions, once they come before us, and so I look  
3 forward to talking about both of those, going forward.

4  
5 **CHAIRMAN STUNZ:** Okay. Thank you, Andy. I am not seeing any  
6 other hands up, and that was some very good discussion, and I  
7 guess we'll talk a little further about what are the best ways  
8 to proceed forward. Any more discussion that we need to have  
9 for Sustainable Fisheries? All right. Seeing none -- Clay.

10  
11 **DR. PORCH:** Thank you. I just was wondering about next steps,  
12 in regard to examining the potential of the multiyear ACLs, and  
13 again another area where we need to start thinking a little bit  
14 outside the box, within the parameters of the law, and forming  
15 some kind of working group that would explore that a little bit  
16 more, to figure out exactly how it might be best implemented.

17  
18 **CHAIRMAN STUNZ:** Thanks, Clay, and we're kind of regrouping  
19 here, to see what would be the best way to -- I mean, I think  
20 the agreement is we needed to start having that discussion, but  
21 can we do it in time for the next meeting, or, Carrie, I don't  
22 know if you wanted to comment.

23  
24 **EXECUTIVE DIRECTOR SIMMONS:** Thanks, Mr. Chair, and so I think  
25 we do need to put a group together to continue looking at it,  
26 what you presented, and I don't know that we could promise that  
27 it would be ready by August, and we're getting a pretty full  
28 agenda right now, a pretty heavy workload between now and  
29 August, and not that much time, and so just be cognizant of  
30 that, and we'll do what we can, but, yes, I think we should keep  
31 working on it.

32  
33 **CHAIRMAN STUNZ:** Clay.

34  
35 **DR. PORCH:** That's mostly what I'm looking for, just to, I mean,  
36 remind folks that MRIP wasn't designed with the idea of doing  
37 in-season monitoring, and most of the state surveys, for most of  
38 the species, can't do in-season monitoring, and, when I speak to  
39 folks on the hill, and speak around the table, and speak to the  
40 states, I am not seeing a lot of new resources likely to come  
41 into the system to triple or quadruple the sampling that would  
42 be necessary for in-season monitoring, for most species, and so,  
43 that being the case, it means, to me, that we have to do  
44 something different.

45  
46 The South Atlantic Council sponsored a working group, with our  
47 Office of Science and Technology, and they were recommending  
48 working with three, or even five, year averages, and so I think

1 we need to -- We can springboard off of that work that was done  
2 and then just think about how it could actually be implemented  
3 in the council process.

4  
5 **CHAIRMAN STUNZ:** Tom.

6  
7 **DR. FRAZER:** Clay, just to that point, did that working group  
8 provide a product of any kind that they could share with this  
9 council?

10  
11 **DR. PORCH:** Yes, and there's a white paper. It doesn't go  
12 through the mechanics of what a multiyear -- It's just talking  
13 about, when you have high PSEs, how many years would you need to  
14 work across to stabilize those estimates, but it would be useful  
15 for the conversation.

16  
17 **CHAIRMAN STUNZ:** Carrie.

18  
19 **EXECUTIVE DIRECTOR SIMMONS:** Thank you, Mr. Chair, and so I  
20 think it might be a good item for the regulatory streamlining  
21 IPT maybe to work on, which we have not put together yet, but we  
22 could add this task, I think, to that group, maybe, to consider,  
23 because they seem to go hand-in-hand, in my mind. Thank you.

24  
25 **CHAIRMAN STUNZ:** Okay. Are there other items for Sustainable  
26 Fisheries? All right. Seeing none, good discussion, and that  
27 will move us into Reef Fish, our last committee report. We do  
28 have a lot of ground to cover in that report and committee  
29 meeting summary, and so I think, Tom, if you're ready, we'll go  
30 ahead and go into that. If we need to take a break in a little  
31 while, to have folks check-out and that sort of thing, Tom, we  
32 can do that when the time is right, but I will make sure that I  
33 keep that -- Whenever you're ready, Tom.

34  
35 **REEF FISH COMMITTEE REPORT**

36  
37 **DR. FRAZER:** Thanks. The committee adopted the agenda, Tab B,  
38 Number 1, and the minutes from the April 2023 meeting were  
39 approved as written.

40  
41 Individual Fishing Quota Objectives, Tab B, Number 4, Dr.  
42 Jessica Stephen, of the Southeast Regional Office, reviewed the  
43 existing goals and objectives for the red snapper and grouper-  
44 tilefish individual fishing quota programs, discussed the catch  
45 share review outcomes, and presented a list of potential goals  
46 and objectives for consideration by the council in its effort to  
47 revise the programs' goals and objectives.

1 The five draft goals presented by Dr. Stephen were as follows:  
2 maintain flexible fishing options and economic stability within  
3 the IFQ programs; increase IFQ market transparency (eliminates  
4 information asymmetries); improve technical efficiency (reduce  
5 costs per unit harvest); reduce IFQ discards; and improve  
6 opportunities for participants to enter the program. Dr.  
7 Stephen then provided a bulleted list of potential objectives  
8 for each of the aforementioned goals.

9  
10 Committee members discussed several issues, including IFQ share  
11 caps, overcapacity, new entrants, IFQ shares withheld by NOAA,  
12 allocation banks, and shareholder accounts. The committee  
13 indicated its agreement on the suite of goals proposed and  
14 proceeded to prioritize the goals. Committee members emphasized  
15 the importance of improving opportunities for participation in  
16 the programs. Committee members noted that some of the goals  
17 overlap.

18  
19 Other issues discussed by the committee included flexibility  
20 measures, public auctions, the importance of reducing discards,  
21 adaptive catch shares, the quota needed to seed allocation  
22 banks, and the diversity of business approaches adopted by  
23 program participants. The committee agreed on the goals and  
24 objectives below: Goal 1: Improve opportunities for participants  
25 to enter the program. Objectives: to evaluate the merits of  
26 limiting share ownership and implement, if appropriate,  
27 alternative mechanisms for equitably redistributing shares and  
28 allocation to accounts harvesting IFQ species; limit share  
29 ownership (maintaining and obtaining shares) to accounts that  
30 are harvesting IFQ species; identify barriers inhibiting or  
31 limiting participation by surveying participants and those  
32 wanting to enter the fishery; create an allocation bank to  
33 reduce barriers to fishing privileges. Goal 2: Reduce IFQ  
34 discards. Objectives: improve collection of discard information  
35 from IFQ vessels; create an allocation bank to further reduce  
36 bycatch and discards of IFQ species; evaluate additional or new  
37 flexibility measures to reduce discards; Goal 3: Maintain  
38 flexible fishing options and economic stability within the IFQ  
39 programs; Goal 4: Increase IFQ market transparency (eliminates  
40 information asymmetries); Goal 5: Reduce costs per unit harvest.

41  
42 The committee requested that staff develop an additional  
43 objective under Goal 1 to address the inheritability of shares  
44 and their ownership in perpetuity. A proposed objective is as  
45 follows: recover and redistribute IFQ shares and allocation held  
46 previously by a deceased shareholder to accounts of fishermen  
47 currently harvesting IFQ species. I think this might be a good  
48 place to stop. We might need a motion to provide some

1 direction.

2  
3 **CHAIRMAN STUNZ:** Yes, and that's exactly it, Tom, and I wanted  
4 to say a couple of things, just to set the stage. One, I  
5 received a lot of feedback about the large amount of time we  
6 dedicated to this, and I appreciate everyone's preparedness and  
7 what I thought was a very good discussion. I thought we had  
8 some really good testimony on this, and, in fact, some of it  
9 fairly compelling.

10  
11 I don't really want to lose the momentum on this, and so I don't  
12 know if it's a needing further guidance on what to do, and, I  
13 mean, we kind of worked, in this, whatever you want to call it,  
14 session, but in a consensus-driven way, and, of course, we  
15 didn't make any motions or that kind of thing, and I think that  
16 was the right way to do it, so we could cover the kind of ground  
17 and get these sort of things on the board, but, at this point,  
18 you know, I think we're where we need to formally do something,  
19 and so, with that, I will kind of open up the floor for  
20 discussion. Troy.

21  
22 **MR. WILLIAMSON:** Thank you. This is really mostly a question,  
23 and are we moving towards formulating a new amendment and doing  
24 away with 36?

25  
26 **CHAIRMAN STUNZ:** Go ahead, Tom, to that point.

27  
28 **DR. FRAZER:** I mean, to that point, Troy, I do think that's  
29 where we're going. If we're going to review and revise these  
30 goals, that's a plan amendment, right, and so I do think that  
31 we're moving in that direction, and probably my suggestion would  
32 be that we capture at least the goals and objectives that we  
33 have to-date, right, to initiate the development of that plan  
34 amendment.

35  
36 That doesn't mean that you have to bring the whole plan  
37 amendment to the council, but I think we could certainly --  
38 Again, we made some good progress, and, you know, there is  
39 certainly three of those goals anyway, or at least the first  
40 two, that are indicated as priorities, with some clear  
41 objectives, and that would allow us to start putting a document  
42 together and then kind of maybe prioritize our efforts, moving  
43 forward, and so that's my view on it.

44  
45 **CHAIRMAN STUNZ:** Troy, to that, I think we've got the other two  
46 amendments out there, but I think that this kind of gave us a  
47 fresh start. I mean, my recommendation would be for starting a  
48 new fresh plan amendment, and there is definitely good things

1 still that we have worked on that we can bring out of those  
2 amendments that are relevant to a lot of the stuff we talked  
3 about here, but I think starting fresh and clean might be, you  
4 know, a good way to go with that. Susan, did you have your hand  
5 up? Andy, I see your hand, and I will call on you next.

6  
7 **MS. BOGGS:** So this goal would be added to -- The recovery and  
8 redistribution -- I mean, we already have two things under Goal  
9 1 that deal with ownership, taking back shares, to limiting  
10 ownership, and all three of those, to me, seem to be a little  
11 bit redundant, but I do want to be careful, if we do go in this  
12 direction, to add this under the goal.

13  
14 You know, if a deceased shareholder -- I guess I don't know  
15 where we plan to go with this, because, if I have a thousand  
16 shares, and I die tomorrow, why can't my daughter get them? It  
17 sounds, to me, like we're saying, okay, we're going to go do  
18 this and take this away, and I know this is a document under  
19 development, but we already have a couple of goals that look at  
20 how we would redistribute and re -- I just think this is a  
21 little redundant, and I am just concerned how this might go.  
22 Thank you.

23  
24 **CHAIRMAN STUNZ:** I don't know, Susan, and that's kind of why I  
25 think my point was, at this point, that a lot of this was  
26 conceptual, and we need to have those kinds of discussions, and  
27 that sort of thing, when we begin developing a full amendment,  
28 if that's where we end up going with this, and so I don't know  
29 if anyone else has a -- I don't have a good answer, Susan, other  
30 than we would vet that and have those discussions as this moves  
31 forward. I see your hand up, Kevin, but Andy had his up, and I  
32 will call on you first. Andy, go ahead.

33  
34 **MR. STRELCHECK:** Thanks, Greg. I have several comments, and so,  
35 one, I really appreciated the council's discussion on IFQ goals  
36 and objectives. Like you, I've gotten a lot of, I think,  
37 positive feedback with regard to the discussion, and I think,  
38 from my standpoint, obviously, these are going to ultimately be  
39 inserted into a future amendment, and I hope we can kind of keep  
40 these as a living document, and we'll probably need to be  
41 improving and modifying these, as appropriate, as time goes on.

42  
43 With regard to the inheritance, or maybe the one that's being  
44 proposed, I tend to agree with Susan, now that I look kind of  
45 back at the objectives we adopted, and I'm wondering if it's  
46 needed, or if we kind of -- If a new objective is needed, versus  
47 we just kind of capture this as a note, and this is something  
48 that we would be looking at as part of Goal 1, under the

1 objectives that have already been identified.

2  
3 Then another comment that I have heard, since we had our  
4 discussion, is there's been recommendations -- Although we  
5 don't, or can't, make modifications to the fisheries finance  
6 program outright, that there may be a benefit to having an  
7 objective about just better communicating out about fisheries  
8 finance program opportunities and the council recommendations  
9 and input on how to improve that program to NOAA Fisheries, and  
10 so I just wanted to mention that, because I think that's another  
11 to potentially Goal 1, as well as Goal 3, that could be built  
12 into this process. Thanks.

13  
14 **MR. ANSON:** I think I was the one that kind of recommended that  
15 we provide, or create, a new objective, of which is included now  
16 in the report, that council staff has offered, and I made the  
17 recommendation so that it was, you know, a little bit clearer,  
18 and I understand the idea of, you know, having it fairly vague  
19 at this point, and kind of digging into the details, as we had  
20 further discussions later on, but, you know, my point, in  
21 committee, was to make it clear, if that was the intent of the  
22 council, to try to look at that very specific item, because that  
23 is an issue that a lot of people bring up, and, you know, when  
24 you start, you know, allaying that objective, and these other  
25 objectives, against what the agency now has come out with with  
26 their EEJ language, you know, the whole idea of equity comes  
27 into play, when you start talking about, you know, passing on  
28 those shares to future generations, relative to other folks that  
29 are on the outside looking in.

30  
31 You know, I don't -- I can go either way on this, as far as  
32 including it. Again, my intent to include that as an objective  
33 was to make it very clear that that would be under discussion,  
34 going forward, by the council, because, again, that is part of  
35 the issue that a lot of the folks that don't have shares have  
36 umbrage about.

37  
38 **CHAIRMAN STUNZ:** Kevin, I think an option -- Obviously, that's  
39 in the record, and there wasn't a motion here or anything like  
40 that, and, as this begins to develop and take shape, that can  
41 just get -- I mean, I think I was hearing a lot of support for  
42 that around the table, and that can get built-in as necessary,  
43 as, you know, we formally move through shaking up the document,  
44 and, I mean, the way I'm reading it, it was the committee  
45 requested to develop that in, and I think having that there  
46 gives that a placeholder to build-in to one of the objectives  
47 that are already up in Goal 1, and so, I mean, I think we've got  
48 it, and, at the next few meetings, or however this pans out, we



1 can decide how to integrate those into the actual document.  
2 Susan.

3  
4 **MS. BOGGS:** Well, while we're having this discussion, I would  
5 like to bring up Goal 3, which I know we really didn't spend a  
6 lot of time on, but the flexible fishing option is to continue  
7 the year-round fishing opportunities for the commercial  
8 interests, because that has worked well for them, and I know  
9 it's probably something that has already been achieved, but I  
10 think, at the same time, we don't need to lose sight of that.

11  
12 **CHAIRMAN STUNZ:** Susan, that's a good point, and I don't --  
13 Maybe I missed something, and I didn't recall -- I mean, I think  
14 maintaining that flexibility is still definitely very much the  
15 intent of at least everyone around this table, to be able to  
16 fish as needed within that program. Tom.

17  
18 **DR. FRAZER:** I think, to that point, I mean, that was an  
19 objective under the goal that was in the presentation that Dr.  
20 Stephen provided, and I think my recollection of the discussion  
21 is that we recognize that this particularly goal, Goal 3, that  
22 there had been some successes to-date, right, and we just wanted  
23 to make sure that remained a goal in our plan, and so I guess  
24 probably I would agree with Greg.

25  
26 I mean, I think the discussion was good, and I felt like it was  
27 productive, and we have a lot of kind of momentum here, and, in  
28 order to keep that moving, I think we probably need to start  
29 something, right, and so, Greg, we could just make a simple  
30 motion, right, to use these goals and objectives discussed  
31 during the committee meeting to initiate a plan amendment.

32  
33 **CHAIRMAN STUNZ:** Thank you, Tom. We need a second to get that  
34 motion up on the board, and you may need to restate that.

35  
36 **DR. FRAZER:** Well, I mean, I think I'm suggesting that we do  
37 that, but I want to have some discussion before I move forward.

38  
39 **CHAIRMAN STUNZ:** Okay, and so you are or not moving that?

40  
41 **DR. FRAZER:** When we get ready, I would like to keep us moving.

42  
43 **CHAIRMAN STUNZ:** Okay, and so Tom is sort of making a motion,  
44 but he wants to have some discussion whether he should make the  
45 motion or not, and so, Troy, go ahead.

46  
47 **MR. WILLIAMSON:** I think it's absolutely imperative that we make  
48 this motion, and we've had great discussion, but that doesn't

1 get us to where we want to go, and so we've got to make a motion  
2 for this amendment, to incorporate these goals and objectives,  
3 and so, you know, I fully support the motion.  
4

5 One thing, or another thing, that concerns me is going into the  
6 future, and we devoted four hours to this subject, and it was a  
7 great four hours, from my perspective, and then the public input  
8 yesterday was also right on point, and so are we going to be  
9 able to -- I know we're not going to be able to devote four  
10 hours to every meeting, and I guess we don't, but, if we only  
11 have forty-five minutes, like we do for most of these things,  
12 then we're going to be years down the road again, and there are  
13 people whose livelihood, either positively or negatively, is  
14 being impacted by this subject, and so we need to not only have  
15 this discussion, but we need to have resolution of these issues,  
16 and we need to do it expeditiously, and so, with that, I will be  
17 quiet.  
18

19 **CHAIRMAN STUNZ:** Thank you, Troy. I'm not seeing any other  
20 hands, and I agree, and Carrie just -- Since I won't be around  
21 to really discuss this, I think, to reiterate, that was a good  
22 discussion, and Troy's part about, you know, just dedicating a  
23 short period of time doesn't really get us where I think where  
24 we want to be, and so, Tom, as you all are developing the  
25 agenda, I would suggesting dedicating as much time as we  
26 possibly can to make sure we can move forward, at least in these  
27 initial stages, when we're in this really formative kind of  
28 thing, but is there any other -- Susan.  
29

30 **MS. BOGGS:** Well, I didn't know if Tom wanted to make the  
31 motion. If not, I was going to make the motion for him, but I  
32 will second it.  
33

34 **DR. FRAZER:** No, go ahead, Susan. I think it's better that the  
35 Reef Fish Committee chair doesn't make that motion.  
36

37 **CHAIRMAN STUNZ:** Yes.  
38

39 **MS. BOGGS:** Well, that's kind of where I thought you were  
40 getting at, and so I was trying to help. **To incorporate the**  
41 **following goals and objectives discussed during the Reef Fish**  
42 **Committee meeting, and I am not going to read all of that, or do**  
43 **you want me to read all of that into the record?**  
44

45 **CHAIRMAN STUNZ:** No, I don't think it's necessary to read all of  
46 that. We've got that fully in the record, in multiple places,  
47 but I think -- Is that the end of your motion, or is there more  
48 towards it? I think that needs to have "into a plan amendment",

1 or something like that, Susan.

2  
3 **MS. BOGGS:** Excuse me. To incorporate the following goals and  
4 objectives discussed during the Reef Fish Committee meeting into  
5 a plan amendment.

6  
7 **DR. FRAZER:** Or you could say -- I might suggest "to use the  
8 following goals and objectives discussed during the Reef Fish  
9 Committee meeting to initiate a plan amendment".

10  
11 **MS. BOGGS:** That sounds like a wonderful motion.

12  
13 **CHAIRMAN STUNZ:** Thank you, Susan. We will need a second for  
14 that motion.

15  
16 **MS. BOGGS:** Initiate a plan amendment.

17  
18 **CHAIRMAN STUNZ:** Mr. Diaz seconds the motion. Okay. Is there  
19 any further discussion on the motion? Kevin.

20  
21 **MR. ANSON:** This kind of goes to Mr. Williamson's point about  
22 the amount of time, relative to the lift that we have here, and  
23 so we talked, during committee, about, you know, Goal 5, at  
24 least, may be outside of really what the council should do,  
25 could do, you know, and we kind of prioritized these, as to what  
26 would be most important, and so I'm just leery that, if we throw  
27 everything in there, that that's going to just bog the process  
28 down that much more.

29  
30 You know, I don't necessarily think that I will vote against it  
31 because of that, but it is a concern of mine, is that that would  
32 just slow up the process, if we had everything as it is  
33 currently contained.

34  
35 **CHAIRMAN STUNZ:** Well, yes, Kevin, and we certainly don't want  
36 to slow the process, and that momentum, and so, I mean, maybe we  
37 can just be sensitive to that, moving forward, and keep  
38 reiterating that, as we're having these discussions, or you all  
39 are having the discussions. Susan.

40  
41 **MS. BOGGS:** Well, I understand what Kevin is saying, and I tend  
42 to agree with Troy as well. I mean, this is scary, and the  
43 motions we're making, they're really getting complex, and we  
44 have the reef fish initiative, and we have all these different  
45 things, but, unfortunately, this is something that we are going  
46 to have to tackle, and we are going to have to take on, and what  
47 I dislike is like what happened with Amendment 36. When you  
48 start breaking everything apart, then what happens? I don't

1 remember specifically, but we were looking at 36C, and I brought  
2 up the point that, well, if you do this, then it's going to  
3 affect this, and I think you have to keep it together.

4  
5 Yes, it's a big task, but I think this council realizes the  
6 importance of doing this, realizes the importance to the  
7 commercial fleet, and, unfortunately, I think it's just  
8 something we're going to have to do, and I think, unfortunately,  
9 we're going to have to spend four hours at council meetings  
10 until we get through this, because it's very important, and I  
11 think it's something that we need to do, and we need to tackle,  
12 and just take the bull by the horns, and let's go.

13  
14 **CHAIRMAN STUNZ:** Thank you, Susan. Dale.

15  
16 **MR. DIAZ:** This is kind of a follow-up on Mr. Anson's point  
17 also, and I agree with everything that he said. I would just  
18 like to add that to try to keep this towards the top of the Reef  
19 Fish agenda. In the past, IFQ has been towards the bottom, at  
20 the end of the day, and most of us are spent, and so it doesn't  
21 have to be the first thing on the agenda, but towards the top of  
22 the agenda, in my opinion, would be a lot more productive.

23  
24 **CHAIRMAN STUNZ:** Okay. Thank you, Dale, and I think we're  
25 hearing, loud and clear, that this is a priority and dedicate  
26 the necessary primetime kind of attention to this, and I think,  
27 you know, just the perspective of some of you, and I know some  
28 of you were here as well, and, you know, there was a time,  
29 several years ago, that we couldn't even talk about this around  
30 the table, and, you know, I mean, it was just the heated  
31 tensions, and all that kind of thing, and so we're in a very  
32 different place now, I think, from those old 36A, B, and C, to  
33 where now we can revamp and really just -- Like you're saying,  
34 Susan, we've just got to tackle it and move forward and do it.  
35 Did you have your hand up, Peter? Andy does? Okay. Well, Dale  
36 is in the room here, and, Andy, we'll call on you next.

37  
38 **MR. DIAZ:** I am not disagreeing with you, Greg, but I think,  
39 when we get into dealing with these things, it's going to be the  
40 same difficult discussions we had before, and, a lot of times,  
41 we would have real close votes, and things failing, and, you  
42 know, Susan is talking about moving one big document, and I  
43 guess, if things are connected, that's the way we've got to do  
44 it, but, to me, it might be we'll just see how this thing goes,  
45 and, if something is --

46  
47 If we've got a consensus on one thing that can move forward, and  
48 we've got other things that will take forever -- I mean, I can

1 see, in the future, that we pull things out that there's  
2 agreement on, and, actually, if they're intertwined at the hip,  
3 like Susan is talking about, it might not be possible, but, you  
4 know, the way I'm looking at this, there's some  
5 compartmentalized things that have been talked about, and, as we  
6 get those things ready to go, we should consider if they should  
7 go into their own document, to try to move this along.

8  
9 If we wait to try to move everything as a package, I can  
10 guarantee you there's things that we're going to get stuck on  
11 that's going to take an enormous amount of time.

12  
13 **CHAIRMAN STUNZ:** Very good point, Dale. All right. Andy.

14  
15 **MR. STRELCHECK:** Thanks, Mr. Chair, and I agree with Dale's  
16 comments, and others' comments, that have been made. You know,  
17 I'm supportive of the motion, but to tackle all of these goals  
18 and objectives in a single plan amendment I think is  
19 unrealistic, and very ambitious, and so I think what we're going  
20 to want to do is, obviously, adopt these goals and objectives in  
21 an amendment, but then strategize, compartmentalize, you know,  
22 what we're going to prioritize first, what we can work on to  
23 accomplish kind of in a reasonable timeframe and manner, so that  
24 we don't end up with the next 36B or C document that lingers for  
25 quite some time.

26  
27 The other thing that I wanted to ask is to maybe council staff,  
28 and can you remind me, or us, where we're at with 36B and C? I  
29 believe they're just tabled at this point, and, if they are, I  
30 mean, my suggestion is that this is going to kind of augment, or  
31 replace, 36B and C, and we probably should be explicit in  
32 stopping work, or ending work, on those, and this is going to be  
33 essentially in place of those amendments going forward.

34  
35 **CHAIRMAN STUNZ:** Okay, Andy. Carrie, to that point, and I have  
36 Susan and Mara.

37  
38 **EXECUTIVE DIRECTOR SIMMONS:** Yes. Thank you, Mr. Chair. I will  
39 start, and Dr. Diagne can fill in any of the gaps, but, I mean,  
40 they're just on our action schedule, and we have not been  
41 actively working on them. We were focusing on the IFQ Focus  
42 Group, and getting those meetings together, and the report to  
43 the council, and then, in January, the series of discussions,  
44 goals and objectives, and so those are quite outdated, I  
45 believe, as far as data and permits go, but we're not actively  
46 working on them right now. If you want to make a motion to  
47 cease work, or postpone, that's fine, and there could be things  
48 that we could pluck out of there, but I think most of it is

1 pretty old.

2

3 **CHAIRMAN STUNZ:** Mara, was it to that point, or Susan had her  
4 hand up. Okay. Susan.

5

6 **MS. BOGGS:** Well, so, to Dale's point, and I was trying to look  
7 it up, but Jessica Stephen -- When she gave her presentation,  
8 she had that Venn diagram, and maybe we look at what overlaps,  
9 and tackle it that way, and that might be a good way to look at  
10 it as well.

11

12 **CHAIRMAN STUNZ:** Good point, Susan. Mara.

13

14 **MS. LEVY:** Well, actually, Susan kind of make my point, is I  
15 don't think there's any problem with looking at things  
16 separately, but these are the goals and objectives of the  
17 program, and so, at some point, they have to be collectively  
18 your goals and objectives, and, whatever you do under each one,  
19 if there's a weighing or balancing or taking from the other one,  
20 you've got to acknowledge that, and so, you know, I think  
21 identify the goals and objectives of the program, and decide  
22 what you want to work on, but make sure that you're looking at  
23 the impacts to the goals and objectives that maybe you're not  
24 working at at that point in time.

25

26 **CHAIRMAN STUNZ:** Okay. Well, we've had a lot of good discussion  
27 on this motion. Is there other -- Troy.

28

29 **MR. WILLIAMSON:** I guess I would conclude my remarks by, if we  
30 don't take our direction from what we heard yesterday from the  
31 public, and focus on Goal Number 1, I think we're going down the  
32 wrong path.

33

34 **CHAIRMAN STUNZ:** Thank you, Troy. Others? Well, seeing none,  
35 we'll dispense with this motion. I am not detecting a lot of  
36 objection around the table, and so maybe we'll just try. **Is**  
37 **there any opposition to this motion?** Before we do that, sorry,  
38 Bob, and I did not see your hand up. Go ahead.

39

40 **DR. SHIPP:** Early on in this meeting, someone made the comment  
41 about taking a bite of the apple one at a time, and, following-  
42 up on what Troy just said, I think -- I mean, the honest truth  
43 is the elephant in the room is how are we going to generate some  
44 additional shares to be made available, and so I would stick to  
45 Objective 1, and let's focus on that, which is the most  
46 difficult and the hardest part, and putting all these together -  
47 - It doesn't seem to make a difference, to me, whether we vote  
48 this one up or down, but the truth is we're going to have to go

1 down the list, and, the process we use to do that, we'll just  
2 have to wait and see. Again, I go back to the -- We've got to  
3 recognize the problem, and the problem is where are we going to  
4 get those shares? Thank you.

5  
6 **CHAIRMAN STUNZ:** Thank you, Bob, and, yes, of course, I think  
7 this motion here just really gets that whole process started.  
8 **To move forward then on this motion, is there any objection to**  
9 **this motion? Seeing none, the motion carries, and we will move**  
10 **on.** Thank you, Tom.

11  
12 **DR. FRAZER:** All right, and so Review of State Survey Private  
13 Angling Landings and Discards for Red Snapper, Tab B, Number 5.

14  
15 **CHAIRMAN STUNZ:** Sorry. Susan.

16  
17 **MS. BOGGS:** So do -- If we make -- If I made a motion to stop  
18 work on Amendment 36B and 36C, I mean, we can still go back and  
19 pull things out of it and use it, but that -- **To me, that would**  
20 **give us a fresh start, and so I would like to make a motion to**  
21 **discontinue working on Amendment 36B and 36C.**

22  
23 **CHAIRMAN STUNZ:** Okay.

24  
25 **DR. FRAZER:** I just have a question with regard to procedure,  
26 right, and I thought that they were officially tabled, right,  
27 and, in order to even discuss them, we have to -- They are not  
28 tabled?

29  
30 **CHAIRMAN STUNZ:** No, and they're just --

31  
32 **DR. FRAZER:** Okay. Then, yes, and I wasn't sure. I mean, I  
33 don't know, and so I don't think it hurts to have that motion,  
34 and so I'm just saying.

35  
36 **CHAIRMAN STUNZ:** Well, I think it will make it cleaner. Susan,  
37 is that your -- Go ahead, and is that your motion?

38  
39 **MS. BOGGS:** Well, I mean, if it can be that simple, yes. I just  
40 want to make sure -- I mean, we can use it as a reference, but  
41 this -- Now that we're going down this path, I think -- Because  
42 whatever we do in this new plan amendment is going to affect  
43 whatever happens, I'm sure, in 36B and 36C, and so I think -- I  
44 will look to Dr. Simmons, but it would make it a little cleaner,  
45 and that gets a little bit of work off the plate of the staff.

46  
47 **EXECUTIVE DIRECTOR SIMMONS:** Thank you, Chair, and I think it  
48 does make it cleaner, or clearer, as to what we're doing, and we

1 can look back and say what did we do here, and so I think I  
2 would appreciate it, and we can take it off the action schedule  
3 if you do that. Thanks.

4  
5 **CHAIRMAN STUNZ:** Yes, and we've got it in the record, and I  
6 think there's no issue with pulling parts from that, as needed.  
7 Andy, I see your hand is up. Go ahead.

8  
9 **MR. STRELCHECK:** I will second the motion, if it hasn't been,  
10 and I support it.

11  
12 **CHAIRMAN STUNZ:** Okay. Thank you, Andy, and so we have a motion  
13 and a second. Is there any more discussion on the motion? **Is**  
14 **there any opposition to this motion?** Assane.

15  
16 **DR. ASSANE DIAGNE:** I was just waiting until you dispose of this  
17 motion, and then I will --

18  
19 **CHAIRMAN STUNZ:** All right, Assane, and so I'm not seeing any  
20 **opposition to this motion, and so this motion carries.** Assane,  
21 did you have something?

22  
23 **DR. DIAGNE:** Yes, Mr. Chair. Thank you. Based on the previous  
24 motion, then we are going to, in short order, assemble an IPT  
25 and start looking at these issues. By, I guess, first  
26 estimation, probably we'll bring you something in October, and  
27 that would be, I guess, the sufficient timeframe for us to  
28 collect the data and update what needs to be updated from  
29 previous actions, and also start developing alternative courses  
30 of action, and so October would be the timeframe that we'll be  
31 looking at.

32  
33 **CHAIRMAN STUNZ:** Okay. Thank you, Dr. Diagne. Is that fine?  
34 I'm seeing a lot of nods around the table. Okay. Tom, now we  
35 can go ahead.

36  
37 **DR. FRAZER:** All right, and so we'll start from the subject  
38 header here, Review of State Survey Private Angling Landings and  
39 Discards for Red Snapper, Tab B, Number 5, the five Gulf states  
40 reported on their private angling landings for red snapper for  
41 the 2022 fishing season and provided projections for their 2023  
42 seasons.

43  
44 For-hire vessels were generally observed landing larger fish  
45 than private vessels. Florida clarified that, while it conducts  
46 in-season monitoring, that effort does not allow for in-season  
47 quota monitoring, as it does for other states that were  
48 reporting at finer time scales, for example weekly reporting.



1 All states' landings were below their respective 2022 ACLs,  
2 Alabama and Texas by approximately 50 percent. Gulf states are  
3 anticipated to tailor their 2023 season durations considerate of  
4 revised MRIP calibrations for red snapper.

5  
6 Final Action, Recalibration of Red Snapper Recreational Catch  
7 Limits and Modification of Gray Snapper Catch Limits, Tab B,  
8 Number 6, council staff reviewed a framework action to  
9 recalibrate red snapper recreational catch limits and modify  
10 gray snapper catch limits.

11  
12 For red snapper, Florida, Alabama, and Mississippi have updated  
13 their respective calibration ratios using more recent landings  
14 data. For gray snapper, updating the catch limits is necessary  
15 following the results of SEDAR 75.

16  
17 A committee member asked if implementation of the framework  
18 would be finalized by the end of 2023. SERO staff replied that  
19 it would commit to moving the document through rulemaking  
20 expeditiously once received from the council.

21  
22 NOAA General Counsel noted that the values presented in the  
23 codified text corresponded to the recently revised red snapper  
24 catch limits that are expected to be implemented as soon as next  
25 week. After reviewing the document, public comment summary, and  
26 codified text, the committee retained the preferred alternatives  
27 and proceeded with a recommendation to take final action.

28  
29 **The committee recommends, and I so move, to recommend the**  
30 **council approve Framework Action-Recalibration of Red Snapper**  
31 **Recreational Catch Limits and Modification of Gray Snapper Catch**  
32 **Limits and forward it to the Secretary of Commerce for review**  
33 **and implementation and deem the codified text as necessary and**  
34 **appropriate, giving staff editorial license to make the**  
35 **necessary changes in the document. The Council Chair is given**  
36 **the authority to deem any changes to the codified text as**  
37 **necessary and appropriate.** That motion carried without  
38 opposition, Mr. Chair.

39  
40 **CHAIRMAN STUNZ:** Okay. Thank you. We've got a committee  
41 motion, and, in fact, a final action motion, and so that's going  
42 to require a roll call vote. That motion is up on the board,  
43 and so if you all give us just a minute, and we'll use our  
44 clickers for that. Carrie, go ahead.

45  
46 **EXECUTIVE DIRECTOR SIMMONS:** Thank you, Mr. Chair. I just  
47 wanted to say that the final rule published today for the red  
48 snapper increase, and it's going to be effective on July 10, and

1 so we'll be revising the document quickly, before we transmit,  
2 with those numbers.

3  
4 **CHAIRMAN STUNZ:** Staff, are we ready to begin voting, or do you  
5 need a minute? Okay. It looks good. Go ahead and vote when  
6 you're ready, please. Bob Gill is absent, and did Bob Shipp  
7 definitely vote no on that? Okay. Bob, if you're there, just  
8 to clarify if you're a yes or no vote on this motion, please.

9  
10 **DR. SHIPP:** I am a no vote.

11  
12 **CHAIRMAN STUNZ:** Okay. Thank you, Bob. Okay. This is the last  
13 call, before we close the vote here.  
14

<b>B.6.1 To recommend the Council approve the framework action recalibration of Red Snapper recreational catch limits and Modification of Gray Snapper catch limits and forward it ...</b>				
<b>First Name</b>	<b>Last Name</b>			
Kevin	Anson	Yes		
Susan	Boggs	Yes		
Billy	Broussard	Yes		
Dale	Diaz	Yes		
Phil	Dyskow	Yes		
Tom	Frazer	Yes		
Dakus	Geeslin	Yes		
Michael	McDermott	Yes		
Chris	Schieble	Yes		
Joe	Spraggins	Yes		
Greg	Stunz	Yes		
CJ	Sweetman	Yes		
Troy	Williamson	Yes		
Bob	Shipp		No	
Andy	Strelcheck	Yes		
<b>Result - Passed</b>	<b>Subtotals</b>	<b>Yes (14)</b>	<b>No (1)</b>	<b>Abstain (0)</b>

15  
16  
17 **CHAIRMAN STUNZ:** Okay. **The vote is closed, and that motion**  
18 **carries fourteen to one with two absent.**

19  
20 **DR. FRAZER:** Draft Framework Action: Modifications to  
21 Recreational and Commercial Greater Amberjack Management  
22 Measures, Tab B, Number 7, substantial reductions in catch  
23 limits, as a result of Amendment 54, warrant modifications to  
24 the greater amberjack recreational closed season and commercial  
25 trip limit to reduce the likelihood of overharvest.

26  
27 Council staff reviewed recent management measures, alternatives,

1 and interdisciplinary planning team (IPT) suggestions. In  
2 Action 1, the IPT recommended removing Alternatives 2 and 4 and  
3 suggested two new alternatives for consideration.

4  
5 A committee member asked about the timing of the development of  
6 the framework action. Council staff asked that the committee be  
7 considerate of the council being short a social scientist as the  
8 IPT works to finalize the document in August 2023. A committee  
9 member wanted to have the proposed regulations in place by 2024.  
10 SERO replied that the commercial season begins on January 1,  
11 which would be difficult to meet, even with final action in  
12 August. However, the regulations could be in effect before the  
13 start of the 2024 recreational fishing season.

14  
15 During committee discussion related to Action 1, a committee  
16 member asked why the council would consider any alternative that  
17 opened the recreational fishing season during May, when greater  
18 amberjack is documented to be spawning. They added further that  
19 the March through May commercial fixed season closure is during  
20 this time period and intended to promote conservation of the  
21 stock. Another committee member cautioned removing alternatives  
22 for which little data exist to analyze the effects, because such  
23 choices may become more appropriate to consider in the future.

24  
25 **The committee recommends and I so move, in Action 1, to move**  
26 **Alternatives 2 and 4 to Considered but Rejected. Alternative 2**  
27 **is to modify the recreational fixed closed season to be**  
28 **September 1 through July 31 (open August 1 to August 31).**  
29 **Alternative 4 is to modify the recreational fixed closed season**  
30 **to be August 1 through October 31 and January 1 to July 31 (open**  
31 **from November 1 to December 31).** That motion carried without  
32 opposition.

33  
34 **CHAIRMAN STUNZ:** Okay. We've got another motion on the floor  
35 from the committee. Is there any further discussion on the  
36 motion? Susan.

37  
38 **MS. BOGGS:** I just want it on the record that I think I'm going  
39 to oppose this motion. I agree with Alternative 2, and I am the  
40 one that put Alternative 4 in the document, but we keep talking  
41 about thinking outside the box, and this is a way, even though  
42 there's not a lot of data, and I understand that, but, if we get  
43 pressured, and nobody wants to see the season closed, but you  
44 still have access, and I think I'm going to oppose it, just  
45 because -- That's just an alternative that maybe we need to take  
46 a look at at future dates. Thank you.

47  
48 **CHAIRMAN STUNZ:** Okay. Thank you, Susan. Since I don't see any

1 other hands up for other discussions, we'll need to take a vote  
 2 on this motion, and so if we can pull the clicker system back up  
 3 again. Okay, and so the motion is on the board. Please  
 4 register your vote when ready.  
 5

<b>B.7.1 In Action 1, to move alternatives 2 &amp; 4 to Considered but Rejected</b>				
<b>First Name</b>	<b>Last Name</b>			
Kevin	Anson	Yes		
Susan	Boggs		No	
Billy	Broussard	Yes		
Dale	Diaz	Yes		
Phil	Dyskow	Yes		
Tom	Frazer	Yes		
Dakus	Geeslin	Yes		
Michael	McDermott	Yes		
Chris	Schieble	Yes		
Greg	Stunz	Yes		
CJ	Sweetman	Yes		
Troy	Williamson	Yes		
Bob	Shipp	Yes		
Andy	Strelcheck	Yes		
<b>Result - Passed</b>	<b>Subtotals</b>	<b>Yes (13)</b>	<b>No (1)</b>	<b>Abstain (0)</b>

6  
 7  
 8 **CHAIRMAN STUNZ:** Okay, and so that motion carries thirteen to  
 9 one with three absent. Okay, Tom.

10  
 11 **DR. FRAZER:** Thank you, Mr. Chair. A committee member indicated  
 12 that many Florida anglers would like the opportunity to harvest  
 13 greater amberjack during May, but thought that harvest during  
 14 spawning was not appropriate when the stock is overfished.

15  
 16 The committee member thought there were benefits in lining up  
 17 the greater amberjack recreational fishing season opening with  
 18 the proposed gag grouper season opening (September 1st). They  
 19 continued that doing so might reduce discards on both and aligns  
 20 with recreational data reporting.

21  
 22 A committee member reiterated the concern with closing one  
 23 sector during greater amberjack spawning and not the other.  
 24 Another Committee member replied that fishing effort is expected  
 25 to occur regardless of fishing season, and so the question  
 26 becomes whether fishing effort disrupts spawning. Some species  
 27 might be more susceptible to fishing mortality during the  
 28 spawning season, depending on their behaviors during that time.  
 29 For example, some species form spawning aggregations and that  
 30 additional susceptibility could have a negative effect on the

1 stock's ability to reproduce.

2  
3 Council staff added that differences in the minimum size limit  
4 between the sectors, as it related to expected sex-specific  
5 harvest, was a consideration in the current recreational and  
6 commercial fishing seasons.

7  
8 A committee member thought that the greater amberjack fishery  
9 was different in the western Gulf than in the eastern Gulf and  
10 that discard mortality could be a considerable issue. Further,  
11 the committee member reminded everyone that the council had  
12 previously passed a motion to consider regional management for  
13 greater amberjack. Another committee member supported a  
14 recreational fishing season start date of September 1,  
15 considerate of how the recreational landings data are collected  
16 and reported.

17  
18 **The committee recommends and I so move, in Action 1, to make**  
19 **Alternative 3 the preferred. Alternative 3 is modify the**  
20 **recreational fixed closed season to be August 1 through August**  
21 **31 and November 1 through July 31 (open September 1 through**  
22 **October 31).** That motion carried without opposition.

23  
24 **CHAIRMAN STUNZ:** Okay. We have a committee motion on the board.  
25 Any more discussion on the motion? **Seeing none, any opposition**  
26 **to the motion?** Okay. **The motion carries.** Go ahead, Tom.

27  
28 **DR. FRAZER:** Okay, and so the committee discussed removing  
29 additional alternatives from Action 1 to decrease the analyses  
30 expected across both actions in the document. A committee  
31 member noted that Alternative 5 is expected to result in a  
32 similar recreational season duration as Alternative 3 and  
33 included the possibility of harvest during the May spawning  
34 period. The committee decided to also remove Alternative 5 from  
35 the document.

36  
37 **The committee recommends, and I so move, in Action 1, to move**  
38 **Alternative 5 to Considered but Rejected. Alternative 5 is**  
39 **modify the recreational fixed closed season to be August 1**  
40 **through August 31, November 1 through April 30, and June 1**  
41 **through July 31 (open September 1 through October 31 and May 1**  
42 **through 31).** That motion carried without opposition.

43  
44 **CHAIRMAN STUNZ:** Okay. We have another committee motion. Any  
45 discussion on the motion? **Seeing none, any opposition to the**  
46 **motion? The motion carries.** Tom.

47  
48 **DR. FRAZER:** With regard to Action 2, a committee member asked

1 which alternatives might result in the fewest number of dead  
2 discards. Council staff indicated that they would check with  
3 the IPT data analyst to address that question. In general,  
4 discards should be assumed to increase with decreasing trip  
5 limits, unless fishermen proactively modify behavior and target  
6 other species after reaching the trip limit.

7  
8 A committee member asked what was the expected recreational  
9 season duration for greater amberjack in 2023. SERO staff  
10 replied that the recreational fishing season will open August 1,  
11 2023, and the season duration projection would be forthcoming.  
12 The committee member thought that the council should consider  
13 using numbers of fish for the commercial trip limit, as  
14 requested by the Reef Fish Advisory Panel, or AP, and the Law  
15 Enforcement Technical Committee.

16  
17 Another Committee member asked about timing for the development  
18 of the document. Council staff replied that the document would  
19 have Chapters 3 and 4 added, and a video would be produced for  
20 the public prior to the document being presented for the final  
21 action.

22  
23 A committee member asked about a motion from the Reef Fish AP to  
24 set the commercial trip limit at five fish, with a step-down to  
25 two fish once 75 percent of the commercial annual catch target,  
26 or ACT, was met. Staff replied that such an alternative was not  
27 included, because no closure is expected under a five-fish  
28 commercial trip limit. Staff noted that commercial trip tickets  
29 are still going to be reported in pounds, but with commercial  
30 fishermen monitored on the water using numbers of fish. The  
31 committee decided to defer selection of a preferred alternative  
32 for the trip limit action until after public testimony. Based  
33 on that public testimony, would you like to discuss this at all?

34  
35 **CHAIRMAN STUNZ:** Susan.

36  
37 **MS. BOGGS:** Well, I mean, the public testimony, to me,  
38 yesterday, and I would like to discuss this, if that's okay,  
39 just for a moment, was kind of all over the board, and I think  
40 it's going to be a hard decision for this council to make, if  
41 it's going to be fair, and I don't know if that's quite the  
42 word, to the commercial fishermen as well as fair to the  
43 recovery of the fishery itself.

44  
45 I am not ready to make a motion, and we are going to have to  
46 come back, I'm guessing, with a preferred in August, and I would  
47 just encourage this council to kind of really think about where  
48 to go with this. I mean, I heard some good comments yesterday,

1 but it just seemed like there was no consistency, with the  
2 commercial sector yesterday, in what we should do. I think the  
3 consensus was number of fish, but it varied in the number of  
4 pounds that we would be looking at for that, and so thank you.

5  
6 **CHAIRMAN STUNZ:** Thank you, Susan. Dale.

7  
8 **MR. DIAZ:** I think, and we're going to have to decide what to do  
9 with this in August, but high-grading is something that I do  
10 have a little bit of a concern with, if we go with numbers  
11 instead of pounds, and it has nothing to do with the fact that  
12 we're talking about commercial fishermen right now, and I think,  
13 given the opportunity -- I know for sure fishermen will high-  
14 grade, and recreational fishermen do it at times, and charter  
15 fishermen do it at times, and so we're introducing an  
16 opportunity where high-grading can be profitable, and so we just  
17 need to be mindful of that, whether we go to number of fish or  
18 pounds.

19  
20 We'll have to sort through that in August, and I don't know if  
21 it's enough of a -- If it's consequential enough for us to worry  
22 about, but I do think, going to number of fish, that's the  
23 disadvantage.

24  
25 **CHAIRMAN STUNZ:** Tom, I am not seeing any other discussion, if  
26 you want to proceed.

27  
28 **DR. FRAZER:** All right. Thank you, Mr. Chair.

29  
30 **CHAIRMAN STUNZ:** Mara, go ahead.

31  
32 **MS. LEVY:** I just want to make sure that you have all of the  
33 alternatives here that you want, moving forward, right, and the  
34 expectation is to have an analysis done -- I don't know what the  
35 timeline is, but you're talking about looking at it again and  
36 picking preferreds, and, if you don't have all of the potential  
37 alternatives you want, and so I just encourage you to make sure  
38 that you have the range that you want at this time.

39  
40 **CHAIRMAN STUNZ:** Go ahead, Dr. Hollensead.

41  
42 **DR. LISA HOLLENSEAD:** Thank you, Mr. Chair. Just to give a  
43 little context, and I would just remind the council that,  
44 currently, those averages for commercial harvest is based on  
45 2019 to 2021 landings, and it equates to approximately thirty  
46 pounds per fish, and so, for example, if you're thinking about  
47 it, 250 pounds would equate to approximately eight fish, and 500  
48 pounds would be approximately sixteen fish, and then 1,000

1 pounds would be about thirty-three fish, if that helps.

2  
3 Carrie just asked if it would be good to have the alternatives  
4 consist, and I think -- Potentially Emily could weigh-in on this  
5 too, but, going out to the public, it would be helpful if they  
6 were all sort of standardized in that way, and so, certainly, if  
7 the council determined that you would like to go pounds of fish,  
8 and, I don't know, Mara, if you would like to speak to that as  
9 well.

10  
11 **CHAIRMAN STUNZ:** Mara, go ahead, and, Andy, I see your hand is  
12 up, and you're next.

13  
14 **MS. LEVY:** As long as it's clear that whatever we end up  
15 implementing in the regulations is pounds or numbers, right, and  
16 so we show the numbers, and we say that the pound equivalent is  
17 approximating, but, if we're implementing numbers, we need to be  
18 clear that's what we're implementing. If we're implementing  
19 pounds, it's a poundage, and it's 210 pounds, right, and so we  
20 just need to be very clear, when we move forward, about what  
21 you're actually going to be asking people to comply with.

22  
23 **CHAIRMAN STUNZ:** Andy.

24  
25 **MR. STRELCHECK:** I raised it in committee, and I would recommend  
26 this for Alternative 2, that we specify in numbers of fish, to  
27 be consistent with the other alternatives, and it was also  
28 raised, in I guess some of the council testimony, about a 500-  
29 pound trip limit, with a possible step-down. I'm not a big fan  
30 of step-downs, just because there are challenges with data  
31 coming into the agency and how quickly we can react to that,  
32 especially if we're looking at fairly short seasons, but I  
33 wanted to, obviously, mention that, if we're going to add  
34 anything, we probably should add it now. Otherwise, this is  
35 going to be kind of the range of alternatives when you get for  
36 final action.

37  
38 **CHAIRMAN STUNZ:** Susan.

39  
40 **MS. BOGGS:** To Dale's point, yes, I think the high-grading could  
41 possibly be an issue, and I always felt like the commercial  
42 fishermen didn't really want the bigger fish, just because of  
43 the fillet size, but, if we go to numbers of fish, and it seems  
44 like what I heard a lot of yesterday, and I asked some of the  
45 fishermen explicitly, and this is a bycatch.

46  
47 I am wondering though if we should do -- I heard several  
48 comments, I think, about eight fish, which I can't remember what



1 that would equate to, but, you know, maybe we -- I would like to  
2 make a motion to add an Alternative 5 to establish a commercial  
3 trip limit of eight fish, just to see what that looks like.  
4

5 We have never met the 75 percent, where you would have to do a  
6 step-down, and I kind of looked at maybe doing something that  
7 went up there, but this gives them the opportunity to maybe  
8 alleviate discards, for those not directing -- You know, if it's  
9 a directed fishery, that might be a little different, and it may  
10 not be exactly what they want, but I think that maybe we look at  
11 eight fish, because I did hear that a couple of times yesterday.  
12 Thank you.  
13

14 **CHAIRMAN STUNZ:** Okay. Susan, just to be clear, did you make  
15 that? You're making that motion? Okay. Let's get it up on the  
16 board here. Go ahead, Carrie.  
17

18 **EXECUTIVE DIRECTOR SIMMONS:** Thank you, Mr. Chair, and so I  
19 guess I will just ask Dr. Hollensead, and is that essentially  
20 Alternative 2, if we think the average size of fish you said was  
21 thirty-one pounds?  
22

23 **DR. HOLLENSEAD:** Yes, and that would be correct. We've got here  
24 260 pounds, and it's difficult, because the average is about  
25 thirty, and we're looking at fractions of fish, but, you know,  
26 250 pounds would be about eight fish, and so that's very similar  
27 to Alternative 2, and it's also a little similar to Alternative  
28 3.  
29

30 **CHAIRMAN STUNZ:** Okay. Go ahead, Susan.  
31

32 **MS. BOGGS:** So I am going to talk through this, so I know what  
33 to do. If this were to pass, then I could come back and make a  
34 motion to move Alternative 2 to Considered but Rejected, because  
35 I can't amend Alternative 2, as it is.  
36

37 **CHAIRMAN STUNZ:** Well, I think you could. Well, I'm going to  
38 look to staff on what's the best way to move forward on this.  
39 While they're thinking about that, Chris, go ahead.  
40

41 **MR. SCHIEBLE:** I'm just going to say that I would speak in  
42 support of this, but I think it's different than Alternative 2,  
43 because we heard public comment talk about how, if they come in  
44 with the 250-pound limit, they may or may not be over, right, on  
45 their reporting, and there could be an enforcement problem, and  
46 this is counting fish. Even though they may be the same weight,  
47 it alleviates that potential problem of having an enforcement  
48 problem, right, and so it is a different -- It's not the same as

1 Alternative 2.  
2  
3 **CHAIRMAN STUNZ:** Carrie.  
4  
5 **EXECUTIVE DIRECTOR SIMMONS:** Potentially, but remember they're  
6 still reporting on trip tickets in pounds of fish, even if  
7 they're not interdicted by law enforcement.  
8  
9 **MR. SCHIEBLE:** Right, but they will conform to the rule by  
10 coming in with eight fish, and then they report by weight after  
11 that, right?  
12  
13 **CHAIRMAN STUNZ:** Mara.  
14  
15 **MS. LEVY:** I think the question is do you still want an  
16 alternative that would have a pound requirement, as opposed to a  
17 fish requirement, and so, if the council wants to change to  
18 saying it's a fish, as opposed to a pound, limit, then you just  
19 change Alternative 2 to be eight fish, and it's equivalent to  
20 whatever approximate pounds, right, but, if you're unsure of  
21 that, and you still want an alternative that's going to require  
22 people to comply with pounds, then maybe you want to leave  
23 Alternative 2 as-is, but it seems like you're moving towards  
24 requiring people to comply with a fish limit, as opposed to a  
25 pound limit.  
26  
27 **CHAIRMAN STUNZ:** Susan.  
28  
29 **MS. BOGGS:** Well, we can dispense with this motion first, and  
30 then I will ask my question.  
31  
32 **CHAIRMAN STUNZ:** Okay, and so then, if my understanding is  
33 right, we need to care of the motion here, and we'll move  
34 forward with that, but I don't believe we've got a second on  
35 this motion, Susan. It's seconded by Chris?  
36  
37 **MR. SCHIEBLE:** Yes.  
38  
39 **CHAIRMAN STUNZ:** Okay, and so any further discussion on the  
40 motion? Okay. Is there any opposition to the motion? Andy, go  
41 ahead, and we'll back up to discussion here, and I didn't see  
42 your hand up.  
43  
44 **MR. STRELCHECK:** I was just going to say, rather than add a new  
45 Action 2, to amend Alternative 2 to establish an eight-fish  
46 commercial limit, and I don't think that we need to add this  
47 action, or alternative, and then remove the Alternative 2, and  
48 we could do it all in one.

1  
2 **CHAIRMAN STUNZ:** Okay. We'll back up a little bit, Susan, and  
3 it sounds like you have a comment.  
4  
5 **MS. BOGGS:** Well, so I can withdraw the motion and amend  
6 Alternative 2, and I just don't know if there's people that want  
7 Alternative 2 in there, and so I guess I could withdraw this  
8 motion and make a motion to amend, and then, if that doesn't  
9 pass, make another motion, and I don't really know what to do  
10 here, and that's why I'm looking to staff.  
11  
12 **CHAIRMAN STUNZ:** Well, I don't either, Susan, and so hold on.  
13 Let me ask Dr. Hollensead, and put her on the spot, because  
14 there was some discussion that this captured a component that  
15 Alternative 2 did not, and so I guess we're trying to all get to  
16 the same place, but we're just trying to figure out what's the  
17 best way to do that and make sure we capture the full intent in  
18 the document for these alternatives.  
19  
20 **DR. HOLLENSEAD:** I mean, I think you could add an alternative  
21 that says basically -- It would be Alternative 2, but number of  
22 fish, right, and then you also leave that option, and, like you  
23 said, if there's people that perhaps are concerned about high-  
24 grading, or whatever the case might be, you could leave it in  
25 poundage, and you do that, too.  
26  
27 **CHAIRMAN STUNZ:** Okay. Go ahead, Carrie.  
28  
29 **EXECUTIVE DIRECTOR SIMMONS:** I think, as Ms. Levy said, the  
30 final question is do you want to manage in pounds or fish, and  
31 we just need to be clear, and so, if you want to maintain  
32 Alternative 2, then we'll move forward with this motion.  
33  
34 **CHAIRMAN STUNZ:** Okay. Then I think -- We have an opportunity  
35 to further develop this, if we need to, at a later date, and so  
36 then what I'm hearing is let's -- If there's no other  
37 discussion, let's keep this motion on the floor, if you're good  
38 with that, Susan, and we'll move forward to that, and I'm not  
39 seeing any more discussion. **Is there any opposition to this**  
40 **motion?** All right. **Seeing none, the motion carries.** Susan.  
41  
42 **MS. BOGGS:** Okay, and so, based on what Ms. Levy said, do we  
43 need to amend Alternatives 3 and 4 and take out the pounds and  
44 just look at fish, and then the pounds can be part of the  
45 discussion? That way, if we pick Alternative 3, we're not tied  
46 to a poundage issue, and I'm just trying to clean it up.  
47  
48 **CHAIRMAN STUNZ:** Mara.

1  
2 **MS. LEVY:** I mean, I don't think -- I think the way that  
3 Alternative 3 is worded is that the trip limit is seven fish,  
4 and you're just providing information about the pounds, but,  
5 because we're mixing them, right, I just want to make it clear,  
6 you know, when you move forward, that some of these are in fish,  
7 and some of these are in pounds, and, also, just to comment, I  
8 heard, again, something about picking preferreds, and I don't  
9 know what the action schedule says about this, but, if you  
10 expect to have an analysis done for the next meeting, and to  
11 pick preferreds, then you should probably nail down what you  
12 want these alternatives to be.

13  
14 I will just point out that, yes, you left Alternative 2 there,  
15 but now that's the only one that is in pounds of fish, right,  
16 and so now you're saying, if you want to manage in pounds,  
17 that's the only one we're picking, is 250 pounds. If we want to  
18 manage in fish, we have all these options, and I'm not going to  
19 tell you that you have to take it out, but it just seems like  
20 you're setting yourself up for there's one option to manage in  
21 pounds, if that's really the way that you wanted to go, which  
22 doesn't seem like you really do.

23  
24 **CHAIRMAN STUNZ:** Susan.

25  
26 **MS. BOGGS:** Well, in all the testimony yesterday, I don't think  
27 anybody had any heartburn about the numbers of fish, and so I  
28 will make a motion to move Alternative 2 to Considered but  
29 Rejected.

30  
31 **CHAIRMAN STUNZ:** Okay. We've got a motion on the floor. Chris  
32 Schieble is going to second that. Okay. Any discussion on the  
33 motion? **Seeing no discussion on the motion, is there any**  
34 **opposition to the motion?** Okay. **The motion carries.** All  
35 right, and so hopefully that cleans that up. Susan, go ahead.

36  
37 **MS. BOGGS:** I would like to make a motion that in Action 2 that  
38 **Alternative 5 be the preferred.**

39  
40 **CHAIRMAN STUNZ:** Chris, are you seconding that? Okay. Give us  
41 a second here to get that up. Hold on one second, Dale, and let  
42 me get this motion on the board. Okay. There we go. Susan,  
43 you might want to look at that. Susan, is that your motion  
44 right there? That was seconded by Chris. We'll open it up for  
45 discussion. Dale, go ahead.

46  
47 **MR. DIAZ:** I mean, basically, where we're at now, this is a  
48 bycatch fishery, and I did ask the question of which one of

1 these got the biggest bang for the buck for us on alleviating  
2 dead discards, and I don't think we're probably going to get an  
3 answer on that, and, right now, without an answer, in my mind,  
4 something that keeps it open all year, to deal with discards, is  
5 better than something that will close during the year, and so  
6 eight fish will close sometime during the year.

7  
8 Everything but the one with five fish closes during the year,  
9 and so I'm going to speak against making a preferred at this  
10 time, until I see more information that would lead me to believe  
11 that this is the best one to deal with dead discards.

12  
13 **CHAIRMAN STUNZ:** Thank you, Dale. C.J.

14  
15 **DR. SWEETMAN:** Thank you, Mr. Chair. Yes, I agree with Dale,  
16 and I'm going to speak in opposition to this, simply for that  
17 reason. I mean, we've got one alternative in here that keeps  
18 the fishery open year-round, and can deal with some discard  
19 issues, versus -- I mean, actually, I guess I have a question  
20 here too, and so this is effectively -- Would this effectively  
21 be equivalent to -- I mean, we probably need to run some  
22 analyses on this, which is part of the reason why I'm not  
23 comfortable selecting this as a preferred, but maybe directed to  
24 Lisa here, and is this effectively equivalent to what we have in  
25 Alternative 2, potentially, for an early season closure on  
26 September 11?

27  
28 **DR. HOLLENSEAD:** Yes, and we would have to see the results of  
29 the analysis, but I believe that they would be similar, yes.

30  
31 **CHAIRMAN STUNZ:** Okay. Any other discussion? Susan.

32  
33 **MS. BOGGS:** I don't mean this ugly, but I'm afraid it's going to  
34 come out that way. I understand what Dale is saying, and the  
35 only way we're going to get away from discards is full  
36 retention, and I don't know how we get there either, and so, you  
37 know, I don't know what the right answer is, and I'm just trying  
38 to move this thing along, and so I have no angst one way or the  
39 other, honestly.

40  
41 **CHAIRMAN STUNZ:** Well, it sounds like we might need a little  
42 more analysis as well, but we can just take a vote and see where  
43 -- We can take a vote and see where we're at, or we can --

44  
45 **MR. DIAZ:** To Ms. Boggs' point, we're just down to so few fish  
46 that there's no good options. Every option is bad, and which of  
47 the bad options is the best bad option is where we're at.

1 **CHAIRMAN STUNZ:** Dr. Froeschke.

2  
3 **DR. JOHN FROESCHKE:** Just one thing to think about is, if you  
4 switch to numbers instead of pounds, it's kind of a -- There's  
5 going to be some potential for changes in the behavior of the  
6 fishermen, and so, for example, if they know they can harvest  
7 any size, to get their seven or five or whatever, they can get  
8 the really big ones, and, if they're able to do that,  
9 particularly like the spear fishermen.

10  
11 When the season closes between March through May, they usually  
12 go through and update the landings, and so it could be that  
13 we're farther along towards reaching that ACT, because the sizes  
14 are bigger, you know, based on when it was done a different way,  
15 and so you may not get as much bang for the buck on the numbers  
16 basis that we're anticipating now.

17  
18 **CHAIRMAN STUNZ:** Good point, John. Thank you. Okay, and so any  
19 more discussion regarding this motion? I think we're going to  
20 need to pull out the clickers for this one, because there's a  
21 little bit of mixed opinions around the table. Okay. It looks  
22 like that's up, and let's go ahead and vote.

<b>B.7.4 In Action 2, to make Alternative 5 the Preferred</b>				
<b>First Name</b>	<b>Last Name</b>			
Kevin	Anson		No	
Susan	Boggs		No	
Billy	Broussard	Yes		
Dale	Diaz		No	
Phil	Dyskow		No	
Tom	Frazer		No	
Dakus	Geeslin		No	
Michael	McDermott		No	
Chris	Schieble	Yes		
Rick	Burris	Yes		
Greg	Stunz			Abstain
CJ	Sweetman		No	
Troy	Williamson		No	
Bob	Shipp		No	
Andy	Strelcheck			Abstain
<b>Result - Failed</b>	<b>Subtotals</b>	<b>Yes (3)</b>	<b>No (10)</b>	<b>Abstain (2)</b>

24  
25  
26 **CHAIRMAN STUNZ:** Okay. It looks like everyone has clicked in  
27 with the voting. I will close the voting, and I will give a  
28 moment or two more. Okay. It looks like everyone has had a  
29 chance, and we'll go ahead and close the voting. Okay. **It**

1 looks like this motion fails, with ten in opposition, three in  
2 favor, and two abstentions and two absent. Okay. I'm trying to  
3 remember where we left off here, Tom, and so we're right at the  
4 SSC. Go ahead, Susan.

5  
6 **MS. BOGGS:** Can we take a short break?

7  
8 **CHAIRMAN STUNZ:** You know what? Good point. Yes, and I let  
9 that time slip away, and I think some of us do need to check  
10 out. Thank you, Susan, and so why don't we take -- We will meet  
11 back here at 10:30, and so thank you for catching that, Susan.

12  
13 (Whereupon, a brief recess was taken.)

14  
15 **CHAIRMAN STUNZ:** Okay, and it looks like we've got everyone  
16 back, and so we'll pick back up with the Reef Fish Committee  
17 report. Tom, go ahead.

18  
19 **DR. FRAZER:** All right. Thank you, Mr. Chairman. We'll pick up  
20 with the SSC Summary Report from the May 2023 Meeting, which is  
21 Tab B, Number 8. Black Grouper and Yellowfin Grouper Catch  
22 Limits, Mr. John Mareska, of the SSC, summarized the SSC's  
23 comments and recommendations relative to black grouper and  
24 yellowfin grouper.

25  
26 SSC members reviewed recent combined landings trends for both  
27 species and expressed concern over the lack of correlation  
28 between landings and fishery-independent indices. The SSC  
29 thought it appropriate to apply Tier 3a of the council's  
30 Acceptable Biological Catch Control Rule and recommended an  
31 overfishing limit (OFL) of 359,255 pounds gutted weight and an  
32 ABC of 307,752 pounds gutted weight, with the catch limits  
33 expressed in Marine Recreational Information Program's Fishing  
34 Effort Survey (MRIP-FES) units.

35  
36 Committee members discussed the potential implications of the  
37 black grouper and yellowfin grouper catch limits on the IFQ  
38 program, particularly on the shallow-water grouper share  
39 category.

40  
41 **The committee recommends, and I so move, to direct staff to**  
42 **modify the amendment for scamp and yellowmouth grouper OFLs,**  
43 **ABCs, and ACLs to include black grouper and yellowfin grouper**  
44 **SSC catch recommendations. In the amendment, consideration**  
45 **should be given also to implications to the IFQ fishery**  
46 **involving the shallow-water grouper complex. That motion**  
47 **actually carried without opposition, Mr. Chair.**

1 **CHAIRMAN STUNZ:** Okay. Thank you, Tom. We've got a committee  
2 motion. Is there any more discussion on the motion? C.J.

3  
4 **DR. SWEETMAN:** Thanks, Mr. Chair. I appreciate the conversation  
5 that we had about this in committee, and I just wanted to kind  
6 of point out here that we do -- There will be an assessment for  
7 black grouper coming on down the pipeline, I think after FWRI  
8 runs the mutton snapper stock assessment, and that could  
9 potentially be an entry point for us to try and make some  
10 changes, based on that assessment.

11  
12 We do have a little bit of concern regarding splitting out black  
13 grouper here, and there's the potential for outliers and how  
14 that could shut down that fishery, with an overall reduced  
15 quota, but, overall, we're generally supportive of this. Thank  
16 you, Mr. Chairman.

17  
18 **CHAIRMAN STUNZ:** Thank you, C.J. I am not seeing any other  
19 hands up. **Is there any opposition to this motion? Seeing none,**  
20 **the motion carries.** Go ahead, Tom.

21  
22 **DR. FRAZER:** All right. Thank you. Midwater Snapper Complex  
23 Catch Limits, Mr. Mareska summarized the SSC's review of the  
24 midwater snapper landings, sans wenchman, per its previous  
25 motion that wenchman be removed from the midwater snapper  
26 complex.

27  
28 The SSC thought it appropriate to apply Tier 3a of the council's  
29 ABC Control Rule for the three remaining species (blackfin  
30 snapper, queen snapper, and silk snapper), using landings data  
31 from 2012 through 2021. The SSC recommended an OFL of 107,904  
32 pounds whole weight and an ABC of 96,689 pounds whole weight,  
33 with the catch limits expressed in MRIP-FES units.

34  
35 The committee discussed removal of wenchman from the Reef Fish  
36 Fishery Management Plan (FMP), which would require a plan  
37 amendment and evaluation of ten factors for such removal of a  
38 species from federal management, per the Magnuson-Stevens  
39 Fishery Conservation and Management Act.

40  
41 A committee member asked about the relationship between the  
42 historical annual landings of the three remaining species  
43 relative to the SSC's recommended catch limits. Staff replied  
44 that the SSC's proposed OFL would not have been exceeded in the  
45 last ten years, and the ABC would have been exceeded twice.  
46 Staff continued that the council could be thoughtful in its  
47 approach to the accountability measures, recognizing the rare-  
48 event nature of the remaining species in recreational data



1 collection.

2

3 **The committee recommends, and I so move, to consider removal of**  
4 **wenchman from the Reef Fish FMP and to set ACLs and AMs for the**  
5 **remaining species in the midwater snapper complex (blackfin**  
6 **snapper, queen snapper, and silk snapper). That motion carried**  
7 **without opposition and with one abstention. Mr. Chair.**

8

9 **CHAIRMAN STUNZ:** Okay. We have another committee motion. Any  
10 discussion on this motion? Peter.

11

12 **MR. HOOD:** Thank you, Mr. Chair. I was talking to Dr. McGovern  
13 earlier, and the South Atlantic has, you know, removed species  
14 before from some of their FMPs, and what they do is they develop  
15 a white paper, which considers the ten factors for stocks that  
16 require conservation and management.

17

18 I just would think that, you know, it might be worthwhile to  
19 sort of have, you know, staff, and our staff, maybe flesh that  
20 out a little bit, so you can see it and then sort of make sure  
21 that, yes, okay, this is what we want, and then we could go  
22 forward with an amendment, if that's your desire, and I'm sure  
23 that Ryan has thoughts.

24

25 **CHAIRMAN STUNZ:** Go ahead, Ryan.

26

27 **MR. RINDONE:** So I think we could also do that as part of the  
28 development of options, and, further, as it pertains to  
29 wenchman, because of the nature of the data, we can't show them  
30 to you guys, and they would have to be aggregated in such a way  
31 as to mask strong confidentiality issues, and the best that we  
32 could show you would be five-year averages, as far as the data  
33 precision are concerned, and so, knowing that, and knowing all  
34 the testimony and everything, like we can certainly summarize  
35 the things that the council has heard, as part of the background  
36 in developing the document, to capture basically where we  
37 started, and I guess it was almost a year-and-a-half ago to now,  
38 from the public comments and the SSC evaluations and things like  
39 that, to detail where we are, when you guys start to work  
40 through those ten factors.

41

42 **CHAIRMAN STUNZ:** Okay. Thank you, Ryan. Any other comments? I  
43 think that's fine, Carrie, if you all are good with Peter's  
44 suggestion. All right. **Seeing no other hands, or discussion,**  
45 **is there any opposition to this motion? Seeing none, the motion**  
46 **carries. Tom.**

47

48 **DR. FRAZER:** All right, and so we're moving to a final action

1 item, Draft Amendment 56: Modifications to the Gag Grouper Catch  
2 Limits, Sector Allocations, and Fishing Seasons, Tab B, Number  
3 9.  
4

5 SERO staff noted that the gag interim rule was implemented on  
6 May 3, 2023, and is effective for 180 days. It may be extended  
7 for an additional 186 days thereafter. Council staff reviewed  
8 feedback received during virtual and in-person public hearings  
9 and in written public comments.

10  
11 Staff presented the actions and alternatives to the council,  
12 noting the preferred alternatives. A committee member asked  
13 about the recreational buffer in Action 4, and staff clarified  
14 that the projected recreational fishing season duration, based  
15 on the council's aforementioned preferred alternatives, would  
16 result in a recreational fishing season duration of fifty-nine  
17 days in 2024, given a September 1 start date (Alternative 3).

18  
19 A committee member asked if SERO could take into consideration  
20 extreme weather events if the council continued with a September  
21 1 opening in Action 4. SERO replied that it could consider such  
22 weather events in determining when to close and whether to  
23 reopen the recreational fishing season. A committee member  
24 disagreed with the idea of reallocating at this time, but  
25 thought the need to end overfishing and implement the rebuilding  
26 plan was most important.

27  
28 **The committee recommends, and I so move, to recommend the**  
29 **Council approve Draft Amendment 56: Modifications to the Gag**  
30 **Grouper Catch Limits, Sector Allocations, and Fishing Seasons**  
31 **and forward it to the Secretary of Commerce for review and**  
32 **implementation and deem the codified text as necessary and**  
33 **appropriate, giving staff editorial license to make the**  
34 **necessary changes in the document. The Council Chair is given**  
35 **the authority to deem any changes to the codified text as**  
36 **necessary and appropriate.** That motion carried with one  
37 opposed, two abstentions, and two absent. Mr. Chair.

38  
39 **CHAIRMAN STUNZ:** Okay. Thank you, Tom, and so we've got a final  
40 action committee motion, which will require a roll call vote,  
41 but, before we do that, is there any discussion on the motion?  
42 All right. Seeing no discussion on the motion -- C.J. Andy, I  
43 see your hand, or go ahead, Andy.

44  
45 **MR. STRELCHECK:** I just wanted to make a couple of comments,  
46 generic reasons, and we went quickly through them during our  
47 committee discussion, and so the language, with regard to  
48 reopening, Mara and I have corresponded a little bit on that,

1 and our intent would be to make it clear that I would have  
2 authority to reopen if the ACT was not reached. Right now, that  
3 authority pertains specifically to catch limits, and not catch  
4 targets, but the same rationale would be used, and needed, for  
5 reopening, if the catch target is not met, and so that would be  
6 our intent, just to update that reopening provision.

7  
8 The other thing that, or couple other things, that I think are  
9 really important to talk about, and so there was some criticism  
10 that the council was not using a key target for the rebuilding  
11 plan, and we have a T<sub>min</sub>, which is eleven years, which indicates  
12 that we would have to prevent all fishing mortality, including  
13 discard mortality, to rebuild, and, obviously, that's not  
14 practical, and we also have two scenarios that rely on equations  
15 to determine the maximum rebuilding timeframe, and one is  
16 eighteen years and one is twenty-two years, but my view, with  
17 regard to T target, is that we have to, obviously, balance kind  
18 of that minimum timeframe, eleven, with the twenty-two-year  
19 timeframe, which is the maximum, and we have chosen a rebuilding  
20 plan that falls within that range.

21  
22 It minimizes some of the socioeconomic consequences, and it also  
23 provides for conservation benefits, and so I just wanted to note  
24 that, since there was comments made about us not -- Of being  
25 very risky, with regard to the rebuilding plan.

26  
27 Then the last comment I will make is that I think, you know,  
28 it's very clear, to me, that more work needs to be done to  
29 successfully recover gag, and one of the areas that I think we  
30 need to really work toward, with a follow-on framework action,  
31 is provisions that can help with recovery of gag, including  
32 further ways that we could reduce discards, going forward, and  
33 so I hope that we can prioritize any future framework, following  
34 this action, and move that forward as quickly as possible.  
35 Thanks.

36  
37 **DR. SWEETMAN:** Ultimately, I will support this motion. I think  
38 we need to, very much so, move forward on this, because of the  
39 status of the stock, and get it recovered. This is a Florida  
40 fishery. I will say that, even though I will support this  
41 motion, as I mentioned earlier, I am not in favor of the  
42 reallocation discussion that we've been having, and the current  
43 preferred there, simply from the perspective that we should be  
44 following the allocation review process that we have set up and  
45 not getting put into an amendment like this. I do understand  
46 though the importance, and urgency, of moving forward on that,  
47 and so I will vote in favor of this motion. Thanks, Mr. Chair.

48

1 **CHAIRMAN STUNZ:** Susan.

2  
3 **MS. BOGGS:** Thank you, Mr. Chair. I will be speaking in  
4 opposition, or voting in opposition, to this motion, because of  
5 the reallocation discussion in the document. I am not a fan of  
6 dividing documents up, but I do believe, when it comes to  
7 reallocation, that's something that needs to be by itself. I do  
8 understand the urgency and the issues that we're facing with  
9 gag, but I don't -- I am not in favor of the allocation that we  
10 picked as a preferred. Thank you.

11  
12 **CHAIRMAN STUNZ:** Thank you, Susan. I'm not seeing any other  
13 hands. Dale.

14  
15 **MR. DIAZ:** I probably am not doing a good job of explaining  
16 myself, and everybody has got their own perception of  
17 reallocation, fishermen, council members, staff, but, every time  
18 we change to a new data program, there's a proportional change  
19 that takes place, whether we like it or not, and, if you don't  
20 reallocate, you have reallocated, and so it's so complex, and  
21 it's so hard to -- My perception is my perception, and it's  
22 different from other people's perception, and I understand that,  
23 but it's really hard to explain to the public that there's a  
24 proportional change, just from that one thing, using a new data  
25 collection program.

26  
27 In this case, we're using the same years, in the alternative  
28 that we're moving forward, as we did with the old data  
29 collection program, and so I think, from that point of view,  
30 we're trying to keep it as fair as possible, but I understand  
31 that fairness is a point-of-view issue, from where people sit,  
32 but, whenever we communicate on this, if -- I'm sure people can  
33 say it a lot better than what I'm saying right now, and I'm not  
34 sure that I'm even explaining it good while I'm trying to talk,  
35 because it's complicated, but, if we could communicate as good  
36 as we can to the public, whenever we do news releases on this,  
37 and explain what I am talking about, it might help a little bit,  
38 but, if you're on an end where the percentage is changing  
39 against you, I can understand that that's a reallocation, and  
40 so, anyway, anything that we can do, when we communicate on  
41 this, to help the public understand, I think it would be very  
42 beneficial. Thank you.

43  
44 **CHAIRMAN STUNZ:** Good point. Thank you, Dale. Tom.

45  
46 **DR. FRAZER:** Again, I mean, I will follow-up on Dale's comments  
47 here. I mean, I do think that there are different views on this  
48 topic of allocation, right, and my view on this is that, when we

1 change the data currency, it's essentially a correction of that  
2 historical data, right, and so the resulting allocation is part  
3 of the math that went into that.

4  
5 I am not arguing here whether or not the allocation is correct,  
6 or justified, moving forward, and what I'm saying is it's the  
7 process that's in place, right, to correct historical data and  
8 move forward. We've applied that process to red grouper in  
9 Amendment 53, and we applied it in Amendment 54, and it's  
10 important, for me, to have consistency in the way that we're  
11 doing business here.

12  
13 I am not opposed at all, right, in reconsidering what an  
14 appropriate allocation might look like for any of those species,  
15 moving forward, but I don't view the process that we've embarked  
16 upon here as a reallocation process. I just don't -- I  
17 fundamentally don't see that, and I think it's math issue, and  
18 so, for that reason, I'm going to say that I will be in support  
19 of this, but, to Andy's point, moving forward, I mean, we can  
20 certainly do some things, in a follow-up framework action, to  
21 deal with the discard issues, which I think will be fine, but we  
22 could also have subsequent discussions about what is the  
23 appropriate allocation among the sectors, if we wish to do that.  
24 Thank you, Mr. Chair.

25  
26 **CHAIRMAN STUNZ:** All right. Good discussions on this, and I am  
27 not seeing any more, and so I think it's time we bring this to a  
28 vote. This will be a roll call vote, and so if you all get your  
29 clickers out, and it looks like Beth has got it up there, and so  
30 please vote, and we will end that here in just a minute. Okay.  
31 It looks like we all have voted. We still have two absences,  
32 and so just a moment or two more here, to make sure that  
33 everybody has got their right vote locked in.

**B.9.1 To Recommend the Council approve Draft Amendment 56: Modifications to the Gag Grouper Catch Limits, Sector Allocations, and Fishing Seasons...**

First Name	Last Name			
Kevin	Anson	Yes		
Susan	Boggs		No	
Billy	Broussard	Yes		
Dale	Diaz	Yes		
Phil	Dyskow	Yes		
Tom	Frazer	Yes		
Dakus	Geeslin	Yes		
Michael	McDermott	Yes		
Chris	Schieble	Yes		
Rick	Burris	Yes		
Greg	Stunz	Yes		
CJ	Sweetman	Yes		
Troy	Williamson	Yes		
Bob	Shipp	Yes		
Andy	Strelcheck	Yes		
<b>Result - Passed</b>	<b>Subtotals</b>	<b>Yes (14)</b>	<b>No (1)</b>	<b>Abstain (0)</b>

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**CHAIRMAN STUNZ:** Okay. I am not seeing anything, and so we'll go ahead and close the vote. **The motion carries with fourteen in favor, one opposed, and two absent.** Tom, go ahead.

**DR. FRAZER:** All right. Thank you, Mr. Chair. The council will be updated on how management to the ACTs will be placed in the codified regulations during Full Council. I wonder if we need to pull up the codified text one more time, given this statement. Mara.

**MS. LEVY:** I think the plan is to have NMFS just revise the general 622.8 provisions that talk about the opening generally, so it would apply across-the-board, because, right now, it just refers to quotas and ACLs, but NMFS can revise it to reflect that some stocks are managed with ACTs, and it would be the same rationale, right, for allowing reopening for those stocks.

**DR. FRAZER:** Great. Thank you. All right. The next item in the report is the Draft Snapper Grouper Amendment 44/Reef Fish Amendment 55: Catch Level Adjustments and Allocations for Southeast U.S. Yellowtail Snapper, Tab B, Number 10.

Council staff outlined the proposed management alternatives for Snapper Grouper Amendment 44/Reef Fish Amendment 55, which evaluates modifications to the southeastern U.S. yellowtail

1 snapper management. Amendment actions and alternatives are  
2 based on an interim analysis that was performed as an update to  
3 the most recent SEDAR 64 stock assessment.

4  
5 At the end of the presentation, committee members were alerted  
6 to a potential issue with some historical landings data. A  
7 committee member stated that the discrepancy in the data was  
8 between the Florida Fish and Wildlife Conservation Commission  
9 and MRIP for 2008 through 2016, where landings adjacent to the  
10 Dry Tortugas were applied to the Gulf instead of the South  
11 Atlantic, due to a coding error. The concern was that this  
12 error was likely not addressed in 2016, due to other amendments  
13 that were ongoing for the south Florida species.

14  
15 Council staff proposed confirming with FWC and the Southeast  
16 Fishery Science Center that the proper landings data were used  
17 for the historical jurisdictional allocation as well as the  
18 proposed alternatives in this amendment. A committee member  
19 thought it important to evaluate proportional landings between  
20 the directed fleets when considering the jurisdictional  
21 allocation.

22  
23 The committee confirmed that yellowtail snapper landings in  
24 Monroe County, regardless of origin, are attributed to the South  
25 Atlantic. Another committee member suggested that, while the  
26 data are being investigated, council staff may provide a general  
27 statement, on behalf of the Gulf Council, to the South Atlantic  
28 Council, in advance of their upcoming meeting, that  
29 jurisdictional changes in allocation that would lead to a  
30 seasonal closure in the Gulf not be considered. This would  
31 assist the South Atlantic Council in its discussion of this  
32 amendment during its council meeting next week. Staff will work  
33 through these concerns and bring a revised document to the Gulf  
34 Council in August.

35  
36 Other Business, Discussion of Private Angling Allocation for Red  
37 Snapper, a committee member asked for a timeline update on the  
38 development of the requested document to modify the private  
39 angling component allocation for red snapper between the Gulf  
40 states. Council staff noted a need to meet with SERO staff  
41 about the development of the document and thought that work  
42 could be initiated in October 2023. The committee member  
43 appreciated beginning document development in October. Mr.  
44 Chair, this concludes my report.

45  
46 **CHAIRMAN STUNZ:** Okay. Thank you, Tom. Is there any other  
47 business that needs to come before the Reef Fish Committee  
48 report? All right. Seeing none, I think we're going to get out

1 of here early today. We covered Other Business yesterday, but  
2 is there any other last-minute business that we need to deal  
3 with? Dale.

4  
5 **MR. DIAZ:** I got to personally talk to you and Mr. Dyskow, as  
6 you all were leaving, but I did want to just, on the record,  
7 thank Dr. Bob Shipp for all of his leadership to this council  
8 over the years, and to me personally. It's been an honor to get  
9 to work with you, Dr. Shipp, and, in the future, I am going to  
10 tell people that I worked with Dr. Bob Shipp, a fisheries giant,  
11 and so I just wanted to be on the record and let you know how  
12 much you're appreciated, and don't be a stranger in the future.  
13 You always have friends here at the Gulf Council. Thanks again,  
14 Dr. Shipp.

15  
16 **DR. SHIPP:** You are most welcome, Dale. Your usual hyperbole,  
17 but thank you, thank you very much.

18  
19 **CHAIRMAN STUNZ:** All right. Well, I think that's it. That's a  
20 great way to end it there, Dale, and I have really enjoyed  
21 working with all of you as well, and so nine years, as I  
22 mentioned, goes fast, and I will miss you all, and I'm sure that  
23 I will be back here and there, and so, anyway, with that, unless  
24 there's anything else, we will conclude the meeting for this  
25 time, and we'll see everyone in Austin.

26  
27 (Whereupon, the meeting adjourned on June 8, 2023.)

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