

GULF OF MEXICO FISHERY MANAGEMENT COUNCIL

297TH MEETING

FULL COUNCIL SESSION

Embassy Suites

Panama City, Florida

OCTOBER 23, 2023

VOTING MEMBERS

- Kevin Anson (designee for Scott Bannon).....Alabama
- Kesley Banks.....Texas
- Susan Boggs.....Alabama
- Billy Broussard.....Louisiana
- Rick Burris (designee for Joe Spraggins).....Mississippi
- Dale Diaz.....Mississippi
- J.D. Dugas.....Louisiana
- Tom Frazer.....Florida
- Bob Gill.....Florida
- Dakus Geeslin (designee for Robin Riechers).....Texas
- Michael McDermott.....Mississippi
- Anthony Overton.....Alabama
- Chris Schieble (designee for Patrick Banks).....Louisiana
- Andy Strelcheck.....NMFS
- C.J. Sweetman.....Florida
- Ed Walker.....Florida
- Troy Williamson.....Texas

NON-VOTING MEMBERS

- Dave Donaldson.....GSMFC

STAFF

- Assane Diagne.....Economist
- Matt Freeman.....Economist
- John Froeschke.....Deputy Director
- Beth Hager.....Administrative Officer
- Lisa Hollensead.....Fishery Biologist
- Mary Levy.....NOAA General Counsel
- Natasha Mendez-Ferrer.....Fishery Biologist
- Emily Muehlstein.....Public Information Officer
- Ryan Rindone.....Lead Fishery Biologist/SEDAR Liaison
- Bernadine Roy.....Office Manager
- Carrie Simmons.....Executive Director
- Camilla Shireman.....Administrative & Communications Assistant
- Carly Somerset.....Fisheries Outreach Specialist

OTHER PARTICIPANTS

1 Molly Allen.....Panama City, FL
2 Billy Archer.....Panama City, FL
3 Kindra Arneson.....LA
4 Patrick Banks.....LA
5 Jesse Baughman.....Naples, FL
6 Ryan Bradley.....MS
7 Eric Brazer.....Reef Fish Shareholders Alliance
8 Catherine Bruger.....Ocean Conservancy, FL
9 Gary Bryant.....Fort Morgan, AL
10 B.J. Burkett.....Panama City, FL
11 Michael Celata.....BOEM
12 Ron Chicola.....
13 Mike Colby.....Clearwater, FL
14 Jack Conzelman.....Panama City, FL
15 Jason Delacruz.....FL
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17 Joshua Ellender.....Cocodrie, LA
18 Katie Fischer.....Matlacha, FL
19 Richard Fischer.....LA
20 Troy Frady.....Orange Beach, AL
21 Jim Green.....Destin, FL
22 Tim Griner.....SAFMC
23 Buddy Guindon.....Galveston, TX
24 Ken Haddad.....ASA, FL
25 Scott Hickman.....Galveston, TX
26 Rachel Hisler.....Double Bayou, TX
27 Peter Hood.....NMFS
28 Sidney Howard.....
29 Dylan Hubbard.....FL
30 Mike Jennings.....Freeport, TX
31 Mark Kelley.....Panama City, FL
32 Bill Kelly.....FL
33 Trenton Knepp.....FL
34 David Krebs.....FL
35 Gary Jarvis.....Destin, FL
36 Larry Lemieux.....FL
37 Ashton Lewis.....
38 Brian Lewis.....Clearwater, FL
39 Mike Lombardi.....FL
40 Lawrence Marino.....LA
41 Stewart Miller.....Panama City, FL
42 Jay Mullins.....FL
43 Pat Neukam.....FL
44 Chris Niquet.....FL
45 Captain Scott Pearce.....FL FWC LE
46 Clay Porch.....SEFSC
47 Geoffrey Owens.....Panama City, FL
48 Chris Padilla.....FL

1 Captain Scott Pearce.....FL Law Enforcement
2 Clay Porch.....SEFSC
3 Paul Reeves.....Steinhatchee, FL
4 Charlie Renier.....FL
5 Mike Sullivan.....FL
6 Mark Tryon.....Gulf Breeze, FL
7 David Walker.....Orange Beach, AL
8 John Walter.....SEFSC
9 Johnny Williams.....Galveston, TX
10 Dale Woodruff.....AL
11 Bob Zales.....Panama City, FL
12 Jim Zurbrick.....Steinhatchee, FL

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3 [PAGE 29](#): Motion to direct the council to write a letter to Dr.
4 Rubino requesting consideration and priority for the shrimp
5 industry situation as part of the National Seafood Strategy
6 implementation plan. [The motion carried on page 30.](#)
7

8 [PAGE 128](#): Motion to approve the Joint Amendment on Commercial
9 Electronic Reporting and that it be forwarded to the Secretary of
10 Commerce for review and implementation and deem the codified text
11 as necessary and appropriate, giving staff editorial license to
12 make the necessary changes in the document. The Council Chair is
13 given the authority to deem any changes to the codified text as
14 necessary and appropriate. [The motion carried on page 129.](#)
15

16 [PAGE 150](#): Motion to direct staff to develop an abbreviated
17 framework action to adjust the OFL, ABC, and ACL for lane snapper.
18 [The motion carried on page 150.](#)
19

20 [PAGE 152](#): Motion to direct staff to initiate a plan amendment for
21 discussion at the January 2024 meeting that considers requirements
22 for obtaining an IFQ account and holding and obtaining shares and
23 allocation. [The motion carried on page 154.](#)
24

25 [PAGE 155](#): Motion to direct staff to initiate a plan amendment
26 that evaluates options for equitably distributing shares currently
27 held by NMFS and recovering and redistributing shares associated
28 with inactive accounts. [The motion carried on page 160.](#)
29

30 [PAGE 161](#): Motion to approve the Framework Action: Modifications
31 to Recreational and Commercial Greater Amberjack Management
32 Measures and that it be forwarded to the Secretary of Commerce for
33 review and implementation and deem the codified text as necessary
34 and 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 necessary
37 and appropriate. [The motion carried on page 162.](#)
38

39 [PAGE 164](#): Motion that the council request NMFS implement an
40 emergency rule establishing a seven-fish commercial trip limit for
41 greater amberjack, consistent with the recently approved framework
42 action. [The motion carried on page 167.](#)
43

44 [PAGE 168](#): Motion to recommend moving Snapper Grouper Amendment
45 44/ Reef Fish Amendment 55 to priority level C and continue work
46 on this document after completion of the updated SEDAR 64

1 Operational Assessment that incorporates calibrated SRFs
2 recreational landings estimates, and requests that the South
3 Atlantic Council also consider the same. [The motion carried on](#)
4 [page 168](#).

5
6 [PAGE 169](#): Motion to direct staff to write a letter to the SEFSC
7 requesting yearly interim analyses on gag grouper until the next
8 stock assessment is received. [The motion carried on page 170](#).

9
10 [PAGE 171](#): Motion that, in Draft Framework Action: Modifications
11 to Recreational and Commercial Management of Gulf of Mexico Gag
12 and Black Grouper, to move Actions 2 and 3 to Considered but
13 Rejected. [The motion carried on page 175](#).

14
15 [PAGE 181](#): Motion that the Gulf Council will delay any changes in
16 allocation between the commercial and recreational sectors of any
17 Gulf fishery resources that are subject to MRIP-FES until such
18 time as the 2024 pilot study has been completed and deemed
19 consistent with BSIA by the Gulf SSC. [The motion carried on page](#)
20 [189](#).

21
22 [PAGE 199](#): Motion to direct staff to work with the SEFSC to provide
23 data and information, such as catch and trends in abundance or
24 CPUE, for deepwater species (i.e., deepwater groupers, tilefishes,
25 queen and silk snapper, et cetera) for review and discussion by
26 the April 2024 meeting. [The motion carried on page 204](#).

27
28 [PAGE 212](#): Motion that the council supports the Ecosystem Technical
29 Committee's approach utilizing red tide as the initial FEI that
30 will articulate potential management applications to the council.
31 [The motion carried on page 213](#).

32
33 [PAGE 214](#): Motion to move forward with the process proposed
34 regarding the recreational initiative. [The motion carried on page](#)
35 [214](#).

36
37 [PAGE 215](#): Motion to implement the proposal to hire a staffer for
38 two years as use of Phase 1 IRA funding, as outlined in Tab G-5(a)
39 of the briefing book. [The motion carried on page 215](#).

40
41 [PAGE 220](#): Motion to begin development of a council action to
42 review and modify Gulf king mackerel recreational and commercial
43 annual catch limits and management measures. [The motion carried](#)
44 [on page 229](#).

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46 - - -

1 The Full Council of the Gulf of Mexico Fishery Management Council
2 convened at The Embassy Suites in Panama City, Florida on Monday
3 morning, October 23, 2023, and was called to order by Chairman
4 Kevin Anson.

5
6 **REVIEW AND ADOPTION OF PROPOSED COUNCIL COMMITTEE ASSIGNMENTS**
7 **OCTOBER 2023 THROUGH AUGUST 2024 AND CURRENT COUNCIL COMMITTEE**
8 **ASSIGNMENTS**
9

10 **CHAIRMAN KEVIN ANSON:** Good morning, everyone. We'll go ahead and
11 get started with the first item for today's business, and that is
12 the review and adoption of the proposed council committee
13 assignments for October 2023 through August 2024. That is Tab A,
14 Number 2(a). If you want to look at the previous year's roster,
15 or the current roster, that is Tab A, Number 2(b).

16
17 You all received an email, you know, and provided your preferences
18 for committees, including Chair and Vice Chair positions, and I
19 took those and utilized them as the best I thought the committee
20 structure should be, and, you know, some historical participated
21 weighed-in on that, whether or not the request also matched the
22 prior Chair and Vice Chair assignment, but I also tried to look
23 at, you know, putting new members into certain areas too, so they
24 can advance into that leadership role, and so do we have any
25 comments about, or issues, with the proposed committee assignment
26 structure, or rosters?

27
28 Seeing none, could I have a motion -- Or is there any opposition
29 to accepting the proposed council committee roster, as it's
30 currently written? All right. I don't see any opposition, and so
31 we'll go ahead and utilize that for the next year. Thank you,
32 everyone. That will move us into the Data Collection Committee
33 and Ms. Boggs.

34
35 (Whereupon, the meeting recessed on October 23, 2023.)

36
37 - - -

38
39 October 25, 2023

40
41 WEDNESDAY MORNING SESSION

42
43 - - -

44
45 The Full Council of the Gulf of Mexico Fishery Management Council
46 reconvened at The Embassy Suites in Panama City, Florida on
47 Wednesday morning, October 25, 2023, and was called to order by
48 Chairman Kevin Anson.

1 **CALL TO ORDER, ANNOUNCEMENTS, INTRODUCTIONS**
2

3 **CHAIRMAN ANSON:** I will call Full Council to order. It's listed
4 here, or I have a request, to make the council members, as we get
5 into the next agenda item, but it's listed for Call to Order,
6 Announcements and Introductions here, at the introduction, or
7 beginning, of the Full Council meeting, and there are two
8 announcements that I would like to make.

9
10 Regarding Mr. Bill Kelly's retirement, congratulations to him for
11 his years of service to those folks down in that part of the world.
12 He is currently not here, and he won't be here until the start of
13 public testimony, and then I have some words to commemorate Mr.
14 Hood, and so, if you wouldn't mind, if I could defer both of those
15 at the beginning of public testimony, and that would be ideal to
16 me. Okay. Thank you.

17
18 All right. Welcome to the 297th meeting of the Gulf Council. My
19 name is Kevin Anson, chair of the council. If you have a cell
20 phone, or similar device, we ask that you place it on silent or
21 vibrant mode during the meeting. Also, in order for all to be
22 able to hear the proceedings, we ask that you have any private
23 conversations outside. Please be advised that alcoholic beverages
24 are not permitted in the meeting room.

25
26 The Gulf Council is one of eight regional councils established in
27 1976 by the Fishery Conservation and Management Act, known today
28 as the Magnuson-Stevens Act. The council's purpose is to serve as
29 a deliberative body to advise the Secretary of Commerce on fishery
30 management measures in the federal waters of the Gulf of Mexico.
31 These measures help to ensure that fishery resources in the Gulf
32 are sustained, while providing the best overall benefit for the
33 nation.

34
35 The council has seventeen voting members, eleven of whom are
36 appointed by the Secretary of Commerce and include individuals
37 from a range of geographical areas in the Gulf of Mexico with
38 experience in various aspects of fisheries. The membership also
39 includes the five state fishery managers from each Gulf state and
40 the Regional Administrator from NOAA's Southeast Fisheries
41 Service, as well as several non-voting members.

42
43 Public input is a vital part of the council's deliberative process,
44 and comments, both oral and written, are accepted and considered
45 by the council throughout the process. We will welcome public
46 comment from in-person and virtual attendees.

47
48 Anyone joining us virtually who wishes to speak during the public

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

10
11 A digital recording is used for the public record, and, therefore,
12 for the purpose of voice identification, I would ask that meeting
13 participants seated at the table identify him or herself, starting
14 on my left.

15
16 **EXECUTIVE DIRECTOR CARRIE SIMMONS:** Carrie Simmons, Gulf Council
17 staff.

18
19 **MR. ANTHONY OVERTON:** Anthony Overton, council member, Alabama.

20
21 **MS. SUSAN BOGGS:** Susan Boggs, Alabama.

22
23 **MR. DAVE DONALDSON:** Dave Donaldson, Gulf States Marine Fisheries
24 Commission.

25
26 **MR. GREG BURRIS:** Greg Burris, Mississippi Department of Marine
27 Resources.

28
29 **MR. MICHAEL MCDERMOTT:** Michael McDermott, Mississippi.

30
31 **MR. DALE DIAZ:** Dale Diaz, Mississippi.

32
33 **DR. CLAY PORCH:** Clay Porch, Southeast Fisheries Science Center.

34
35 **MS. MARA LEVY:** Mara Levy, NOAA Office of General Counsel.

36
37 **MR. ANDY STRELCHECK:** Andy Strelcheck, NOAA Fisheries, Southeast
38 Regional Office.

39
40 **MR. PETER HOOD:** Peter Hood, NOAA Fisheries, Southeast Regional
41 Office.

42
43 **MR. ED WALKER:** Ed Walker, Florida.

44
45 **MR. BOB GILL:** Bob Gill, Florida.

46
47 **DR. TOM FRAZER:** Tom Frazer, Florida.

48

1 **DR. C.J. SWEETMAN:** C.J. Sweetman, Florida Fish and Wildlife
2 Conservation Commission.

3
4 **MR. TROY WILLIAMSON:** Troy Williamson, Texas.

5
6 **DR. KESLEY BANKS:** Kesley Banks, Texas.

7
8 **MR. DAKUS GEESLIN:** Dakus Geeslin, Texas Parks and Wildlife
9 Department.

10
11 **MR. CHRIS SCHIEBLE:** Chris Schieble, Louisiana.

12
13 **MR. BILLY BROUSSARD:** Billy Broussard, Louisiana.

14
15 **MR. J.D. DUGAS:** J.D. Dugas, Louisiana.

16
17 **ADOPTION OF AGENDA AND APPROVAL OF MINUTES**

18
19 **CHAIRMAN ANSON:** Thank you, everyone, and so that will take us to
20 our next item, and that's the Adoption of the Agenda, Tab A, Number
21 3. Are there any changes to the agenda? Is there any opposition
22 to accepting the agenda as written? Seeing none, the agenda is
23 adopted. Next, we'll move into Approval of the Minutes, the last
24 meeting's minutes. Are there any changes? Mr. Diaz.

25
26 **MR. DIAZ:** We went through the Adoption of the Agenda, and Mr.
27 Dugas had an item that we couldn't take care of in Reef Fish, and
28 I don't know if we want to add that under Other Business or not.

29
30 **CHAIRMAN ANSON:** He did, and it was mentioned during Reef Fish
31 that we would bring it up at Full Council, I think at the end of
32 the Reef Fish report, and so, unless anyone has any issues, we'll
33 just kind of keep it like that, without actually amending the
34 agenda. There was another item that was discussed that really
35 didn't receive a lot of time for discussion, and that was some
36 issues related to lawsuits, and did you want --

37
38 **MR. DIAZ:** Yes, I would like to add that to Other Business, if we
39 could, just an update on litigation. Thank you.

40
41 **CHAIRMAN ANSON:** Yes, and we've approved the agenda.

42
43 **MR. DIAZ:** It happened fast, and I wasn't -- Sorry about that.

44
45 **CHAIRMAN ANSON:** We'll need a motion to reconsider.

46
47 **MR. DIAZ:** I would make a motion to reconsider the agenda and add
48 the Other Business items discussed.

1
2 **CHAIRMAN ANSON:** All right. We have a motion to reconsider the
3 review of the agenda, the approval of the agenda, and it's been
4 seconded by Ms. Boggs. Is there any discussion on the motion?
5 All right. Seeing none, is there any opposition to the motion?
6 All right. Thank you. Mr. Diaz, if you want to explain a little
7 bit more what that particular item is that you wanted included.

8
9 **MR. DIAZ:** No, and just there's a couple of outstanding lawsuits,
10 and I was just hoping that Ms. Levy could give us an update, during
11 Other Business, on the status of those, anything that might have
12 happened since the last council meeting until now on those, the
13 pending litigation.

14
15 **CHAIRMAN ANSON:** All right. Thank you. That will take us back to
16 Approval of the Minutes, Tab A, Number 4. Is there any changes to
17 the minutes? Is there any opposition to accepting the minutes as
18 written? Seeing none, the minutes are adopted.

19
20 That will move us into our presentation section, and we have an
21 update from the Bureau of Ocean Energy Management, BOEM, on wind
22 energy development in the Gulf of Mexico, Tab A, Number 7. Mr.
23 Celata, are you on the line?

24
25 **MR. MIKE CELATA:** I am on the line. Can you hear me?

26
27 **CHAIRMAN ANSON:** We can hear you loud and clear. Please proceed.

28
29 **PRESENTATIONS**

30 **UPDATE FROM THE BUREAU OF OCEAN ENERGY MANAGEMENT (BOEM) ON WIND**
31 **ENERGY DEVELOPMENT IN THE GULF OF MEXICO**

32
33 **MR. CELATA:** Thank you. I appreciate the opportunity to continue
34 our dialogue and talk about offshore wind in the Gulf of Mexico.
35 I'm Mike Celata, and I'm a Senior Advisor with BOEM's office in
36 New Orleans, specifically to work on offshore wind and continue
37 this outreach and provide updates.

38
39 I will just go back for a little background, a quick background,
40 and I know I've presented recently to the council. Moving forward,
41 we have two different actions to talk about, the recent auction
42 that we had, and we call that Gulf of Mexico Wind 1, what's the
43 status, what are the next steps, and then current and future
44 actions, and, you know, we are looking at a potential second wind
45 auction in the Gulf of Mexico. Looking at when that may be, there
46 is no set date for that, but we have steps that we're working on
47 to prepare, in case we do have a second auction, primarily around
48 designating wind energy areas, and I will talk about that a little

1 bit more as we get along into the presentation.

2
3 Just a quick reminder, and this is a map of the Gulf of Mexico and
4 the average annual wind speeds. The strongest wind, again, is off
5 of Texas and Louisiana. About three years ago, we started publicly
6 talking about renewable energy, wind energy specifically, in the
7 Gulf of Mexico, after the Louisiana Governor, Governor Edwards,
8 asked for a taskforce. Our taskforce is a federal, state, and
9 tribal partnership, to make sure that we're all engaged and aware
10 of how things will proceed, moving forward.

11
12 BOEM's processes after the taskforce include a request for
13 information, and they include a call area, and they include area
14 ID, which we refer to as wind energy area identification, and BOEM
15 has gone through all those processes and had an auction. Again,
16 those processes start with larger areas, and the RFI went out for
17 information around wind, related to an area that was mostly
18 offshore of Alabama, Mississippi, Louisiana, and Texas, out to
19 1,300 meters, and the call area was narrowed down to an area that
20 was west of the Mississippi, out to 400 meters, and we've done a
21 lot of our work and analysis, since then, in those areas.

22
23 This outline actually shows that call area, and, as part of our
24 call area and our outreach, two things happen. We work with NOAA
25 on a site-specific spatially modeling technique that they had used
26 for aquaculture in the Gulf of Mexico, and this map actually shows
27 you the output from the model suitability areas, and the reds were
28 areas that we constrained, and, essentially, we did not look to
29 see if we could put wind in those areas, and you have, close to
30 shore, a menhaden fisheries area, and also an avian area of
31 exclusion, and you can see fairways coming out here in the deep
32 water. That exclusion area is primarily a Rice's whale endangered
33 species exclusion zone, and then a lot of the red in between are
34 shrimp trawling areas that were excluded.

35
36 The greens, the greens are the more positive areas, more suitable
37 for wind, and they're highly deconflicted, and I think it's a 95
38 percent confidence level that we deconflicted most of those areas,
39 and the other thing that I will add about the call area that the
40 Gulf of Mexico office did slightly different than some of the other
41 regions is we did an environmental assessment for up to eighteen
42 lease sales, up to eighteen leases, in this call area, which would
43 allow us to move more quickly in holding leases when the
44 administration is -- In holding lease sales when the administration
45 decided they wanted to have those.

46
47 Out of this modeling, and this was our area ID process, and we've
48 identified actually fourteen wind energy areas, and I have shown

1 this map previously, and B was removed, at the request of the
2 Department of Defense, after we had done the modeling, but these
3 are the fourteen draft wind energy areas that came out of the
4 model, the spatial modeling with NOAA.

5
6 What BOEM did, after we did the wind energy areas, is move into
7 our proposed sale notice, and BOEM finalized two of those fourteen
8 wind energy areas, two of the thirteen available to us, after we
9 removed the DOD area, and so we had this Galveston area, which was
10 Area I on the other map, and the Lake Charles area, Area M, and,
11 as we moved through our process, we identified leases, and so those
12 are the colored zones, within those wind energy areas that we then
13 moved forward with for our auction back in August.

14
15 We had two companies that actually participated in the bidding,
16 and RWE was the provisional winner, at \$5.6 million. Now, there's
17 a subsequent process with that lease that requires an antitrust
18 review by the Department of Justice, and that's been completed,
19 and those leases have been sent to RWE for signature, and have
20 been returned, and so, hopefully, here in the near future, we'll
21 be announcing that RWE actually has a lease for this Lake Charles
22 area.

23
24 Then the next steps for RWE is to submit three plans to BOEM, and
25 one is a general overall communication plan, one is a stakeholder
26 outreach plan, and one is a tribal communication plan. They have
27 120 days to submit those plans, and so I think we're assuming that,
28 if the lease is signed by November 1, that will be March of next
29 year, and then BOEM will review those plans, and then have to
30 approve those plans, before RWE can move forward with any other
31 steps in the process, and so that's GOM Wind 1.

32
33 This is just results of the provisional winning, telling you some
34 of the benefits of the program, and I'm not really going to go
35 into a lot of details here, but, you know, 435,000 homes, or more,
36 and that should be powered by this lease, and so I wanted to put
37 this in here for reference.

38
39 We wanted to go back, in the Gulf, and look at those eleven
40 remaining WEAs. There were fourteen, two that we utilized for our
41 auctions and leases, one that DOD -- That we excluded for DOD, and
42 so there were these eleven draft WEAs that still remain. With
43 this goal of potentially having another auction in the Gulf, we
44 wanted to take those from draft and finalize some of those, and so
45 either make a decision that we were going to continue these as
46 wind energy areas or we were going to remove them from the wind
47 energy area options moving forward, and we talked to a bunch of
48 stakeholders, and this is kind of a summary of some of the key

1 stakeholders. One of the things from industry was that they wanted
2 about 100,000 acres, moving forward, for leases, and so our wind
3 energy areas should hopefully be around that, though we do have
4 some that aren't quite that large.

5
6 They wanted to move east of I, and so the Galveston lease, with
7 options, and so we talked to the Shrimp Alliance, and they had
8 some concerns that there was some shrimping still in some of these
9 leases, and so we did move forward with a recommendation of J, K,
10 L, and N to our director. It's still currently officially draft,
11 and we're expecting a decision here from the director very soon.

12
13 This just shows you kind of what I just mentioned, I, J, K, L, M,
14 and N still remain, and they will hopefully be all final wind
15 energy areas, and M had the Lake Charles lease, and so there's no
16 longer sufficient acreage remaining in M to use it for another
17 lease auction, but I will remain as a wind energy area, and those
18 two potential leases in there could be put up for auction again in
19 the future.

20
21 Again, this shows you the sizes of these J, K, L, and N, the
22 additional options that we're adding, along with I, and J and K
23 clearly have more than 100,000 acres, and J could probably have
24 multiple leases, if we were to actually have an auction using some
25 of that acreage. L is a little smaller than 100,000, but it was
26 in a good position, and it was highly deconflicted, and N -- We
27 left N in, even though it was a smaller area, because it was of
28 interest, closer to the State of Louisiana, and we definitely would
29 need to do some more work in our modeling around N, to possibly
30 see if we could make that area bigger in the future, but that's
31 future work. As defined, these are the proposed additional draft
32 WEAs that we will finalize moving forward, and hopefully this will
33 be public soon.

34
35 That is the quick update, and I'm happy to answer any questions,
36 and I know this doesn't have my email on it, and it has Renee's,
37 because she is actually the contact for wind energy GOM Wind 2,
38 but my email is simply michael.celata@boem.gov, if you need to get
39 in touch with me, and I'm happy to answer any questions at any
40 time, though I am part-time, and so you may not get an answer until
41 the next day, but that's the update, and I'm happy to answer any
42 questions.

43
44 **CHAIRMAN ANSON:** Thank you for the update, Mr. Celata. Are there
45 any questions from council members? Mr. Schieble.

46
47 **MR. SCHIEBLE:** Just a quick comment. Thank you, Mr. Celata, for
48 your presentation and the update. I would like to continue to

1 encourage you to keep working with our taskforces in Louisiana,
2 especially our shrimp task force. There's been some LNG public
3 comments presented, by a lot of the commercial fishing industry,
4 for facilities that are going in in Cameron, and I think, with the
5 addition of this, it could get overwhelming to the commercial
6 fisheries, as far as keeping up with all that stuff, and so please
7 continue to do what you're doing with those taskforces, and thank
8 you for your help.

9
10 **MR. CELATA:** All right. Thank you.

11
12 **CHAIRMAN ANSON:** We have another question from Mr. Strelcheck.

13
14 **MR. STRELCHECK:** Not so much a question, but I certainly invite
15 Mike to provide any comment, or reaction, to what I have to say.
16 Mike and I have been corresponding in the last couple of weeks,
17 and the Fisheries Service, as he noted on Slide 8, was not
18 identified as someone who has commented on the Wind 2 WEAs. We
19 had planned to, and the process, as we kind of outlined in the
20 letter to Mr. Celata and Dr. Kendall, has been very confusing,
21 with regard to timing and receiving input, how they're receiving
22 input, and so our expectation is we would have time to submit
23 comments, and provide input, and we are prepared to do that, and
24 we're going to be sending BOEM a letter by the end of this week,
25 if not sooner, but I do want to note a couple of things that are
26 contained in that letter.

27
28 One is, you know, we, obviously, are focusing our comments on
29 impacts to fisheries, as well as any sort of natural resource
30 considerations, and BOEM has done a fantastic job of working with
31 us, and with the National Ocean Service, to deconflict a lot of
32 ocean uses, but, at least with some of the recommended WEAs, and
33 in particular Option N, you know, there are certainly other WEAs
34 that would be better for natural resources, and fisheries, than
35 that particular one that's being considered, and so that will be
36 part of our comments.

37
38 The other thing we've identified, in I think it was just working
39 quickly with NOS, is that the protected resources layer within our
40 marine spatial planning -- When we submitted it in 2002, it was
41 draft, and that got updated, and was sent to NCOS in the middle of
42 2002, but, for whatever reason, it wasn't included in the marine
43 spatial planning model, and so that does change some of the
44 outcomes of the marine spatial planning. To what extent, I'm not
45 certain, but we wanted to emphasize that, and so our comments will
46 also focus on implications of siting various wind energy areas
47 related to protected resources, and so, Mike, I certainly invite
48 you to respond, or have any comments back, but I do hope that,

1 before you make any final decisions, that you will consider the
2 comments from NMFS before taking action. Thanks.

3
4 **MR. CELATA:** I know we've been talking, and I think -- So the next
5 step is to define the leases, and those haven't been defined for
6 this potential auction, and so, clearly, we will be engaging, and
7 I'm open for a call, or an email, just to have that dialogue on
8 those leases. N is not large enough, if you're asking for
9 developer viewpoints, in terms of how much acreage they need, but,
10 if we go back to the slide that shows the model, and I think it's
11 Slide 4, you can see there are other areas in there that are green,
12 and they're moderately high, versus high, because there's some
13 more flexibility in areas around N than some of these areas that
14 we can continue further dialogue on.

15
16 Our intent, once we finalize this, is to go back to NCOS and
17 revisit the modeling, review the data that needs to be added, and
18 we'll look at that as well, and it's possible to add that
19 information into the lease stage, which would be our next step,
20 and so, yes, we should continue our dialogue, and I appreciate the
21 comments, and maybe there's been some miscommunication, but our
22 goal is to try to work with everybody, as much as possible, to
23 continue to make this a success and provide a similar tact to
24 fisheries and other Gulf operations, as possible.

25
26 **CHAIRMAN ANSON:** Thank you. We've got one more question from Dr.
27 Porch.

28
29 **DR. PORCH:** Thank you for this presentation and for all the work
30 that's gone into it, and I appreciate, very much, BOEM working
31 with us to develop the marine spatial planning behind this. It's
32 really been excellent work and has deconflicted at the outset.
33 What is striking to me though is you now have a lease, proposed
34 lease, area that is at least as large as this for oil and gas, and
35 that call is going out I think on November 8, but we haven't done
36 the same kind of exercise, or at least NOAA, and NOAA Fisheries,
37 hasn't participated in a similar exercise, and I don't think the
38 stakeholders have been engaged in anywhere near the level we've
39 engaged them with offshore wind, and so I wonder if you could
40 comment on that. Thanks.

41
42 **MR. CELATA:** Well, first, to say that I have not, since I've been
43 back, worked on oil and gas, and so I can't speak to the current
44 upcoming sale, as to how the process is moving forward. I will
45 say that my belief is that ocean use is just going to be expanding.
46 BOEM, in the near future, will be releasing regulations on carbon
47 sequestration, and so developing sites for carbon sequestration,
48 and I think one of the critical things is a larger ocean planning

1 process, with NCOS probably at the lead, and so we've been -- We
2 have not yet, I don't think, engaged on this larger scale, but it
3 is something that we're talking about internally, about how we
4 might proceed with that, but I can't comment on the specifics, and
5 I wasn't really involved in that process.

6

7 **CHAIRMAN ANSON:** Dr. Frazer.

8

9 **DR. FRAZER:** Thank you, Mr. Chair. Mr. Celata, I really, again,
10 always appreciate the presentations that you provide, but, now
11 that you have a provisional winner, right, for this, and there's
12 a slide that indicates that there's a \$5.6 million -- I guess
13 that's the auction price, or the sale price, but that lease is
14 good for thirty-plus years, and so, when they -- I have two
15 questions. One, do they pay that upfront, right, and, if they do
16 that --

17

18 **MR. CELATA:** Yes.

19

20 **DR. FRAZER:** So they pay it upfront, and does it go directly to
21 BOEM, or does it go to the Treasury, and what's the spend plan for
22 those monies over thirty-two years, because that's less than
23 \$200,000 a year, and it seems not even enough to administer the
24 program, nor to, you know, to put towards affected entities, right,
25 in the natural resources arena specifically.

26

27 **MR. CELATA:** So the lease for wind is different than the lease for
28 oil and gas. When you win an oil and gas lease, you have the
29 rights to explore and begin drilling, and you have to go through
30 all the other regulatory processes, like NEPA, because you have
31 that right. With wind, your right is to submit a plan, and so
32 BOEM has to review those communications plans, and there has to be
33 a site assessment plan, and there has to be a construction and
34 operation plan, which is basically how they're going to develop
35 and lay out the wind turbines and where they're going to place
36 them.

37

38 There's probably a number of years before you actually get to a
39 period where there's steel in the water, and five to seven years
40 if the estimates that I've heard, and then you would have a thirty-
41 three-year period where those turbines would remain in the water.
42 With the \$5.6 -- All of BOEM's money -- All the money that comes
43 in goes to the Treasury directly, whether it's a billion dollars
44 that was received over in New York or the \$5 million a year.

45

46 The one thing that BOEM did provide, in their lease, is bidding
47 credits, and so there were two different bidding credits, and so
48 this lowers the actual cash that goes to the Treasury. There was

1 a 20 percent supply chain training credit and then a 10 percent
2 fishermen's contingency fund credit.

3
4 The fishermen's contingency fund was a little over \$400,000, and
5 I don't have the exact number in front of me, and that's money
6 that RWE has to put into a fund, in case they impact fishers, and
7 there is a -- There has been, on the east coast, a process where
8 fishermen can go to the developer and seek compensation for any
9 injuries that been involuntary, and so this puts this minimum
10 amount of mandatory money out there in a fishermen's contingency
11 fund. The fund has yet to be developed, and that's one of things,
12 you know, that RWE has to come in and work out with BOEM, in how
13 they're going to include that.

14
15 **CHAIRMAN ANSON:** Mr. Gill.

16
17 **MR. GILL:** Thank you, Mr. Chairman, and thank you, Mr. Celata, for
18 giving us a good presentation, the same as last week, I believe.

19
20 **MR. CELATA:** Yes.

21
22 **MR. GILL:** My question is would you discuss a little bit about, at
23 least from BOEM's perspective, the end game plan relative to these
24 wind platforms? What is the expectation, and what are the
25 requirements, et cetera, after the useful life has been completed?

26
27 **MR. CELATA:** Well, the regulations require that they decommission
28 them and return the seabed to its original condition, just like
29 they do with oil and gas. I mean, that's the plan, and, ultimately,
30 the regulations for decommissioning reside with BSEE, the Bureau
31 of Safety and Environmental Enforcement, so that they would then
32 enforce that decommissioning requirement.

33
34 **CHAIRMAN ANSON:** Mr. Celata, as I understand it, the oil and gas
35 companies have five years after they notify BSEE, or BOEM, that
36 the facility, or the platform, the oil and gas platform, is no
37 longer producing, and is that the same -- If that's correct, is
38 that the same timeframe that has been allotted to the wind energy
39 folks?

40
41 **MR. CELATA:** You know, that's a very good question, and I do not
42 know the answer to that, but I can check on that and get back to
43 you all. I don't know the answer to that.

44
45 **CHAIRMAN ANSON:** All right. Thank you. We have another question
46 from Mr. Schieble.

47
48 **MR. SCHIEBLE:** Mr. Celata, do you have any insight as to why the

1 only bidding you received was for the wind area off of Cameron,
2 Louisiana and none of the other ones that you illustrated?

3
4 **MR. CELATA:** Well, I've read a lot of articles, and I do have --
5 So I think there's two things in play. I think, ultimately, one
6 of them was really bad timing, and the macroeconomic conditions
7 were unfavorable at the time of the auction. We had -- We expected
8 many more developers, in conversations with them, with showing
9 interest, but, if you're aware of what's going on like with some
10 of the Northeast projects, and some of those companies have been
11 trying to renegotiate agreements with states, the states that
12 agreed to buy the power, because of inflation, because of supply
13 chain delays, and so I think it got caught up in that larger
14 macroeconomic issues that were around at the time.

15
16 I would also say that, you know, just Louisiana has shown a lot of
17 support for offshore wind, and I think the gigawatt goal there has
18 provided some comfort to certain developers, especially to like
19 RWE, that the state is going to support that development as well,
20 and so I think those two factors probably played into the decisions
21 of why there were less developers and where they bid.

22
23 **CHAIRMAN ANSON:** Any other questions for Mr. Celata? I am not
24 seeing any. Well, Mr. Celata, thank you very much, again, for
25 keeping us updated, and maybe we'll hear from you soon.

26
27 **MR. CELATA:** All right. Well, thank you, and I will get that
28 answer on the decommissioning timeframe.

29
30 **CHAIRMAN ANSON:** Thank you, sir. Again, that will take us to our
31 next agenda item, and that's the update on NOAA Fisheries' Efforts
32 to Incorporate Feedback from Underserved Communities and Other
33 Stakeholders into a Southeast equity and Environmental Justice
34 Implementation Plan, Tab A, Number 8. Mr. Strelcheck.

35
36 **UPDATE ON NOAA FISHERIES EFFORTS TO INCORPORATE FEEDBACK FROM**
37 **UNDERSERVED COMMUNITIES AND OTHER STAKEHOLDERS INTO A SOUTHEAST**
38 **EQUITY AND ENVIRONMENTAL JUSTICE IMPLEMENTATION PLAN**
39

40 **MR. STRELCHECK:** Thank you, Mr. Chair. I appreciate the time on
41 the agenda today, and I recognize that I'm standing between us and
42 lunch, but this is a really important topic to the agency, and I
43 hope that you have questions for us afterwards.

44
45 This is an update, and it's been a number of meetings since we
46 last spoke about this. Since then, the agency has been doing a
47 tremendous amount of work, and we've held, I think, twenty focus
48 groups around the Southeast, eight of which were in the Gulf of

1 Mexico, and so I'll talk a little bit about what we've heard from
2 those, and there's a lot of work still to be done to continue to
3 inform our regional EEJ strategy.

4
5 What I wanted to remind everyone is that this is a step-down from
6 our national equity and environmental justice plan, and so we are
7 gathering input and feedback right now to inform our regional plan,
8 and we're seeking to, obviously, remove barriers and ensure
9 equitable treatment to all, and so this is key, obviously, to best
10 inform our strategy, going forward, and ultimately what we can do,
11 as an agency, working with you and other partners, to ultimately
12 implement effective EEJ strategy.

13
14 In terms of, you know, EEJ itself, this is just a graphic to show
15 you kind of what we're trying to create, right, and it is an
16 empowering environment that is going to be involving stakeholders,
17 that we're going to level the playing field with the benefits that
18 stakeholders and others can receive, that we have this inclusive
19 governance, and that our policies and plans are inclusive, and
20 equitable, to all that we serve, and that has to be informed by a
21 sense of outreach and engagement, as well as additional research
22 and monitoring to help inform that strategy, going forward, and to
23 improve upon it, and so these focus groups that I've mentioned
24 really are kind of the first phase, and kind of that information
25 gathering, that's going to help us to build our regional strategy.

26
27 As I've mentioned, we conducted the eight focus group meetings,
28 and you can see here the locations of those meetings, as well as
29 we had a scoping discussion in Panama City, Florida, and we went
30 out and had a public request for information, as well as a virtual
31 listening session, in multiple languages, that was held over the
32 course of really the last two to three months, and so it was a
33 tremendous lift by the Science Center and Regional Office staff,
34 and others that we were working with, in order to go out and meet
35 with these focus groups and gather a tremendous amount of
36 information.

37
38 You can see who we've engaged, and so these aren't necessarily
39 groups that we typically engage, and so it's been an important
40 viewpoint, and very informative, in terms of reaching into these
41 communities, kind of meeting them where they're at, and,
42 ultimately, hearing from them directly, and so young and old,
43 different genders and orientations and ethnicities. It's a very
44 diverse group of constituents, as well as you can see, in terms of
45 kind of what they've been employed in, and a whole suite, and
46 variety, of different sectors that were participatory in these
47 focus groups.

1 Some of the key takeaways, and I think this is really going to
2 help us, and the council, as we move forward, is we need to further
3 diversify how we communicate and the outreach platforms that we
4 use to effectively meet underserved communities, and that is meant
5 to accomplish that through a variety of different ways. We've
6 heard a lot about coming to them, right, and meeting them directly
7 in their communities, right, and so boots on the ground
8 interactions, and timing is also important, and critical, with
9 regard to kind of that engagement, but then also the education
10 level.

11
12 We're talking about education levels from people that may not have
13 high school educations, all the way up to college degrees, and,
14 oftentimes, we talk to them at a level that is commensurate with
15 our education level, which can be problematic and difficult for
16 them to either understand or engage in and appreciate, and then
17 also technological capabilities, right, and we live in a
18 technological world. We have cellphones, and we have computers,
19 but not everyone either has those, or uses those, capabilities,
20 and then also language, right, and there is a lot of language
21 barriers, a lot of challenges with communicating.

22
23 One of the things that has been really intriguing for me to learn
24 is that there's a lot of communities that really rely on single
25 individuals, or small groups of individuals, as kind of their
26 porthole to communication within that community, and so finding
27 those individuals, those leaders, those groups, to then be able to
28 communicate with them directly, and then broaden the net, with
29 regard to how we communicate more broadly within those communities.

30
31 I mentioned the increased presence in the communities, and there
32 is certainly a lot of community liaisons that are out there that
33 we could work with more closely, from Sea Grant to port agents to
34 community NGOs, and those already are recognizing and engaging
35 with a lot of these communities, but how do we partner with them,
36 collaborate with them more, and utilize them as resources for the
37 work that we're doing in kind of conveying that information, and
38 then just understanding cultural and historical context, and what
39 is meant by that is kind of their culture, their history with
40 regard to kind of how they work, how they operate, what I mentioned
41 earlier, just about how they communicate with one another, and
42 rely on other individuals, is really key, and important, in kind
43 of having that appreciation and understanding for their culture,
44 so that we can more effectively work and communicate with them.

45
46 You've heard some of this, but I think it's worth mentioning again.
47 Some of the key takeaways, right, are the situation was viewed as
48 dire for shrimp fishers, right, and that was pretty much consistent

1 across-the-board. They feel like they're going to be left with no
2 community if imports continue to affect, obviously, prices, and
3 their profitability, right, and, to me, that's a major concern.
4 We don't spend a lot of time around this table talking about the
5 shrimp industry, but, yet, it's one of our largest fisheries, if
6 not the largest fishery, in the Gulf of Mexico, and, by at least
7 volume, probably the most economically valuable, but becoming less
8 and less profitable by the day.

9
10 You know, that was a key message that came out, and we've heard,
11 obviously, from IFQ shareholders, and non-shareholders, about
12 those who don't hold shares are being priced out of the fishery,
13 and the implications of that, and then the loss of fishing
14 infrastructure, the loss of working waterfront, and those are
15 affecting, obviously, communities as well, and so all of these
16 are, obviously, concerning, and dire, and I think an opportunity
17 for not only NOAA Fisheries more broadly, but the council, to
18 figure out solutions and ways that we can help, where we can, with
19 these situations.

20
21 A few other kind of broad key takeaways. Underserved communities
22 don't feel like decision-makers understand, or even consider or
23 represent them, right, and so they feel left out on the margins,
24 and they also feel exploited by industry and the federal projects,
25 and that was kind of an interesting takeaway that I heard, in terms
26 of just activities that are ongoing within the region, whether
27 we're talking offshore wind or natural gas or diversions or any
28 number of things, and they just feel like their voice isn't really
29 heard, or seriously considered, and, ultimately, these industries,
30 and federal projects, proceed without really adequate engagement
31 and involvement.

32
33 Then underserved communities are depending on us to partner with
34 each other, and other states and federal agencies, to find
35 solutions right, and so they recognize that like we can't do it
36 all, right, and they can't do it all, and we have to work together
37 and come up with common solutions, and there's opportunities there,
38 and they acknowledge that there is, obviously, some partners that
39 they work with that are more effective working relationships than
40 others, and certainly to take advantage and utilize those
41 partnerships, wherever possible.

42
43 I think this might be one of my last slides, and what I did want
44 to acknowledge is the elephant in the room, and this was also, I
45 think a huge eye-opening opportunity for me, and we did not get a
46 lot of comments through that solicitation for input, but the
47 comments we received were very pointed, and very much negative
48 toward the strategy that we're rolling out, and they very much

1 felt threatened, that it was unwarranted and unnecessary and a
2 waste of time, in many respects, and so that was concerning, and
3 not surprising, but I think also an opportunity.

4
5 There was also some good input from several organizations, and
6 there was some support, but there's certainly a lot of skepticism
7 around this, and so I think critical to moving forward is we have
8 to have open, honest dialogue and communication around this, and
9 the strategy that we developed is certainly going to hinge heavily
10 on how we can best communicate and work with partners to move
11 forward, and hopefully to break down some of those barriers, and
12 perceptions and concerns, about what we're trying to accomplish
13 and how this can be a benefit to all involved.

14
15 This is my last slide, and then I will be happy to answer questions,
16 and so, just to give you an idea, we've completed all the way up
17 to the EEJ engagement process, and that extended actually into
18 October, because of Hurricane Idalia and some disruptions with
19 just holding some meetings, and we're now at the stage of
20 developing our regional EEJ implementation plan. The timing of
21 that is a little bit uncertain, but I'm expecting probably the
22 first portion of next year that we would have that available and
23 would be able to bring that back to you for discussion and
24 consideration, but we would like to work with the council, as we
25 further develop that, and get your input and feedback in that
26 process, and so, with that, I will take any questions. Thank you.

27
28 **CHAIRMAN ANSON:** Thank you, Andy. Is there any questions? Ms.
29 Boggs.

30
31 **MS. BOGGS:** Well, so, Andy, you just kind of alluded to it, I
32 think, and I was reading as you were talking, and I apologize, but
33 it was your slides, and so how does this council get involved?
34 For example, I wrote down the shrimp industry, and I don't know
35 what we can do to stop imports. Can the council write a letter?
36 I mean, how does this -- That's just one example, but how does the
37 council get involved in something like that?

38
39 **MR. STRELCHECK:** Well, to be frank, I think the first part is just
40 taking an interest, right, and so Dave Donaldson and I are going
41 to speak, probably later this week, and it came up during Gulf
42 States, about the concerns of the shrimp industry, the kind of
43 current economic situation, and, you know, what can we do, from
44 NOAA's National Seafood Strategy, in bringing other federal
45 agencies together, and whether we can do anything about imports or
46 not, right, and I think we need to come to the table and recognize
47 that this is an important fishery for the Gulf of Mexico,
48 culturally and socially and economically, and they need our help,

1 and they're looking for our help, and so how do we engage them and
2 ultimately be a part of some solutions, or some effort, to try to
3 help them.

4
5 **CHAIRMAN ANSON:** Ms. Boggs.

6
7 **MS. BOGGS:** So I want to be a part of the solution, whether within
8 the council body or some other way, and please let me know.

9
10 **CHAIRMAN ANSON:** Mr. Geeslin.

11
12 **MR. GEESLIN:** Thanks for the presentation, Andy, and I know this
13 is a big issue, and a lot of work needs to go into this, and we
14 all need to have a part in it. To the shrimp issue that Ms. Boggs
15 just asked, you know, many of our state departments, DNR, we've
16 been asked to write, from the Governor's Office, letters in the
17 way of, you know, supporting the shrimp industry, addressing some
18 of economic hardships, exports, market adjustments, and I believe,
19 you know, Louisiana has shared some of those within our directors'
20 circle. I know we've taken that on in Texas as well, and maybe
21 that's something that the council could do as well, from our spot.

22
23 **MR. STRELCHECK:** Yes, and I think, you, know, just getting them to
24 the table, with the key people, is going to be key. You know, any
25 sort of domestic marketing campaign, or other ideas that we can,
26 and, you know, that we could work on, you know, certainly could go
27 a long way. What, you know, we don't want to do is put a band-
28 aid on the bigger problem, right, with just providing them some
29 disaster relief, because, if the problem is going to be perpetual
30 and persist, right, then that doesn't get them out of the
31 challenges ahead, and so I think there's a lot of opportunities
32 here, and solutions are difficult.

33
34 **CHAIRMAN ANSON:** Any other comments or questions? Dr. Simmons.

35
36 **EXECUTIVE DIRECTOR SIMMONS:** Thank you, Mr. Chair, and thank you
37 for the presentation. I have a question regarding the process
38 that was used for the engagements, the working group process, I
39 guess, that was arrived at with the focus groups, because we heard
40 some rumblings about it not being open to other constituents, and
41 I was just curious, and is that process used commonly in social
42 science literature as the best process to start this kind of
43 grassroots engagements? That's the first part of my question.

44
45 The second part is, from those listening sessions, workshops, focus
46 groups, whatever we're calling them, how is that information going
47 to be used to inform the regional EEJ implementation plans?

1 **MR. STRELCHECK:** Thanks for the questions. I'm not a social
2 scientist, but I am told this is a common approach, and we wanted
3 to limit, obviously, participation to small groups, and, you know,
4 that was kind of the first goal, and we wanted to also reach groups
5 that we don't typically engage with, and it wasn't exclusively to
6 groups that we don't typically engage with, or individuals, and we
7 wanted to make it a comfortable environment for them to speak in,
8 right, and so we wanted to avoid, obviously, big public meetings,
9 and, ultimately, have a facilitator-led discussion, so that we
10 could gather this important feedback and inform the process.

11
12 In terms of how it's going to inform the strategy going forward,
13 as I mentioned, there was a team of people that conducted focus
14 group meetings from North Carolina to Texas, including the U.S.
15 Caribbean, and they're going to sit down and synthesize all of the
16 information that was received, and I think, you know, identify the
17 similarities and differences, and that will happen in early
18 November, and then, following that, that will start the framework
19 for the EEJ strategy development, and we'll build the regional EEJ
20 strategy from the input received, as well as other feedback that
21 we've gotten along the way.

22
23 **CHAIRMAN ANSON:** I have Dr. Walter.

24
25 **DR. JOHN WALTER:** Good afternoon, everyone. I wanted to weigh-in
26 on the question of how can the council help, with respect to the
27 shrimp fishery and the National Seafood Strategy. I am on the
28 coordination team, and one of the things the team is considering
29 are regional-focused projects, of which something like this shrimp
30 might be one of them, and so what would be very good is if the
31 council might consider a letter to the strategy team, particularly
32 the lead of that, Dr. Michael Rubino, recommending that be one of
33 the focal projects, for a number of reasons.

34
35 Specifically, in that letter, it would be excellent to have the
36 council's management objectives for that fishery, and perhaps even
37 a vision for where the council wants that fishery to be by say
38 2050, and I think outlining that vision, the management objectives
39 of the body who manages that fishery, and then, also, some of the
40 concerns about factors that are outside of the council control,
41 that affect the fishery, would be really helpful for the strategy
42 team to be able to consider that and then consider actions.

43
44 One of the actions, among many which could be taken, such as
45 marketing, as Andy alluded to, would be to do an analysis of -- If
46 the goal is, as defined by the council, to be somewhere by 2050,
47 what are the barriers to achieving that, such as demographics,
48 such as economics, such barriers that exist because of trade, or

1 other agencies, so that we could then begin to chart a path
2 forward, or does it require interagency coordination, or is it a
3 trade issue, et cetera, to map out how we would achieve the
4 council's vision for the fishery.

5
6 I would really like to see -- I think that would be a very helpful
7 letter to have, and it would probably help the seafood team that
8 I'm on, the Seafood Strategy Coordination Team, to prioritize and
9 take action, and so thanks, and that's my thoughts there, and I
10 don't want to hold up lunch too much.

11
12 **CHAIRMAN ANSON:** Dr. Walter, what is -- I mean, is this a letter
13 that you would need -- That you needed yesterday, or what's your
14 timeline for this team, and where would you like to have that
15 letter, or when would you like to have the letter, I should say?

16
17 **DR. WALTER:** If the council -- We have a meeting today on this, in
18 fact, but, if the council thought that this was something that
19 they could decide that they want to embark upon, and at least say
20 -- If I could get a positive affirmation, I could convey that
21 today, but I think, in terms of the letter, it's going to take
22 several weeks for that -- Or a little bit of time for it be fully
23 drafted, particularly if it had all of those elements, but I think
24 just simply, at this point, if the council were willing to say,
25 yes, indeed we would like to see the seafood strategy team proceed
26 with exploring Southeast shrimp, I could convey -- I would be happy
27 to convey that. Thanks.

28
29 **CHAIRMAN ANSON:** Thank you. Mr. Gill.

30
31 **MR. GILL:** Thank you, Mr. Chairman, and, Andy, thank you for the
32 update presentation, and so I note, on this slide, that the right
33 side has no dates on it, and I assume that the agency has target
34 dates for implementation after you get done making up the plans,
35 both nationally and regionally, and, if so, what is that target on
36 when, okay, action is taking place?

37
38 **MR. STRELCHECK:** I just can't get anything past you, can I?

39
40 **MR. GILL:** Yes, you can.

41
42 **MR. STRELCHECK:** In all seriousness, when I told my staff the final
43 revisions on this slide, I took the dates off, and that was
44 intentional, because we've been asked to complete our EEJ regional
45 plan by the end of the year. We are requesting additional time,
46 one because of some delays in being able to hold the focus groups,
47 because of Hurricane Idalia, and that pushed us back about a month,
48 but, also, we feel it's just really, really important, obviously,

1 to spend more time on the frontend to do this well, and come up
2 with a very good strategy, than rush it, and so I would say the
3 window of time for completion right now is sometime between January
4 1 and I would say April 1, and so the first quarter of next year.
5

6 **MR. GILL:** Thank you, sir.
7

8 **CHAIRMAN ANSON:** Any other questions or comments or discussion?
9 Andy.
10

11 **MR. STRELCHECK:** Just one other comment, just to say thank you to
12 Natasha, and I know she's been working with the EEJ team, and we'll
13 continue to coordinate and work with her and ensure opportunities
14 for council engagement and input in the strategy going forward.
15

16 **CHAIRMAN ANSON:** Thank you. We are ahead of schedule, and so,
17 just to -- If anyone wants to bring up, or have any discussion,
18 about what Dr. Walter proposed, relative to addressing the seafood
19 taskforce, and I'm just throwing that out there, if you want to
20 talk about it, and we have some time, and so, if not, we will
21 probably adjourn and return for public testimony. Mr. Gill.
22

23 **MR. GILL:** You left an opening, Mr. Chairman, and I couldn't
24 resist, and so, unfortunately, I missed the conversation on where
25 and when that you had with Dr. Walter, and so I don't know the
26 timing, but I would recommend that we do send such a letter to Dr.
27 Rubino's office, or wherever it's supposed to go, and in whatever
28 timing it says, because, as was mentioned, the shrimp industry is
29 the largest economic engine in the Gulf, or at least it used to
30 be, and it's in dire straits, and we need to get our act together
31 to do what we can, given that, and so we should not ignore it,
32 and, if the best we can do is a letter, let's do it.
33

34 **CHAIRMAN ANSON:** Yes, and so, just to go back, when I asked the
35 question about when Dr. Walter would prefer to have a letter, or
36 some sort of confirmation from the council as to we support,
37 generally, them pursuing this, he said some comment today, our
38 collective comment, and it might be a motion, and that might be
39 appropriate, because they're having a phone call today, later today
40 evidently, but, otherwise, it would be a letter, and I guess I
41 just would ask Dr. Simmons, and, you know, procedurally, I'm trying
42 to think -- In the past, the council would just -- For letters,
43 that would be under the Chair's signature, or it would just be a
44 motion to say, generally, the council approves sending a letter to
45 such-and-such individual, or group, with these types of topics
46 that the letter would include, and then let the staff, and the
47 Chair, you know, have deference as to what the content is, but, if
48 you want a more formal process, then we would have to develop

1 something and bring it back at the next meeting or something, and
2 so that's how I see it.

3
4 **EXECUTIVE DIRECTOR SIMMONS:** Thank you, Mr. Chair. I think, yes,
5 we could do that, but just a motion to kind of frame a little bit
6 up, and it was a little confusing, because the National Seafood
7 Strategy was released this summer, and so now there's an
8 implementation, or development of an implementation process, and
9 that's at the early stages, and so this letter would be to inform
10 that process, and am I understanding that correctly?

11
12 **CHAIRMAN ANSON:** Well, Dr. Walter is on the phone, and maybe we
13 can bring him back on, but, as I understood it, it's a seafood
14 taskforce that I think would kind of address specific issues
15 relative to, I guess, those things that are currently in the
16 seafood realm that -- Dr. Walter, are you on the phone?

17
18 **DR. WALTER:** I am, Mr. Chair.

19
20 **CHAIRMAN ANSON:** Could you provide us a little bit more information
21 about the seafood taskforce and, again, maybe what its purpose is
22 or goals are?

23
24 **DR. WALTER:** Well, its purpose and goals are to actually implement
25 the seafood strategy, which, I think, you've had some presentations
26 on that, but some of the discussions that are going on are how to
27 actually implement that and whether to embark upon place-based or
28 fishery-based projects, and so I think, at this point, what would
29 be good is simply a letter stating the willingness of the council
30 to support a place-based project for Gulf shrimp and that you see
31 that as a priority, based on several of the issues that we've seen
32 come up in the EEJ listening sessions, conversations with the
33 fishery and the AP, and concerns from many of the stakeholders,
34 and I think that --

35
36 It simply sends a message of the desire of the council and the --
37 That the council would partner with that, and want to be part of
38 that, because I think one of the decision points about where those
39 place-based projects would go would be on are there willing
40 partners that can help support it, because, you know, the agency
41 can't -- It doesn't have unlimited resources, and it certainly
42 doesn't have an unlimited footprint everywhere, and so I think it
43 could be fairly generic, at this point, and just simply showing,
44 and demonstrating, a willingness, and a desire, to see that, and
45 I think that's probably as much as would need to happen at this
46 point. Then that would be probably fleshed-out later on, as the
47 process proceeds of the seafood strategy nationally. Thanks.

48

1 **CHAIRMAN ANSON:** Thank you for providing the additional details,
2 and so what's the desire of the council? Mr. Gill.
3
4 **MR. GILL:** Thank you, Mr. Chairman. I will wing a motion, and see
5 if we can get it together. **I move that the council provide --**
6 **Write a letter to Dr. Rubino requesting consideration and priority**
7 **for the shrimp industry situation, as part of the National Seafood**
8 **Strategy.**
9
10 **CHAIRMAN ANSON:** Dr. Simmons suggested, I think, "implementation
11 plan" to add after "strategy". All right, and so we have a motion
12 on the board. Is there a second for the motion? It's seconded by
13 Captain Walker. Any discussion on the motion? Mr. Gill.
14
15 **MR. GILL:** Does that capture everything we want to, utilizing Dr.
16 Walter's guidance, and do we need to do any more, or can staff
17 just talk with Dr. Walter and ensure we've got all the bases
18 covered?
19
20 **CHAIRMAN ANSON:** Dr. Simmons.
21
22 **EXECUTIVE DIRECTOR SIMMONS:** Yes, I think so, but I think we wanted
23 to include some of the EEJ considerations from the focus group
24 meetings as well, correct, in that letter, and staff can work on
25 that with the Chair. No?
26
27 **CHAIRMAN ANSON:** Well, I thought -- Just to follow-up on Dr.
28 Simmons' comment, I thought that Dr. Walter had mentioned that his
29 suggestion was to include references by the comments that were
30 received when they went around to the various locations, relative
31 to shrimp, and what, you know, the industry is facing now,
32 currently, and I think that was -- There might be some reference
33 to some of the priorities in the EEJ documentation, but that's how
34 I interpreted it. Did you have a comment, Captain Walker?
35
36 **MR. WALKER:** I was -- As Dr. Walter was talking, I was writing as
37 fast as I could, and I didn't catch that in my notes, but I could
38 be wrong there, and we could ask him, I suppose, and he's on the
39 line.
40
41 **CHAIRMAN ANSON:** Ms. Boggs.
42
43 **MS. BOGGS:** Well, I mean, I know Dr. Walter is on the phone, but
44 I wrote down the shrimp objectives, and where do we see the fishery
45 by 2050, and so giving time for this council to have some
46 discussion about it, is what I understood.
47
48 **CHAIRMAN ANSON:** Dr. Walter, are you still on the line?

1
2 **DR. WALTER:** I am, Chair. I think, at this point, a simple, short
3 letter would be all that's needed, and some of the other elements
4 about a vision for the fishery in the future are probably something
5 that would need to be addressed later on, and would take more time.
6 I think the one thing that could be put in this is, because those
7 EEJ listening sessions brought up shrimp as a particular issue,
8 and EEJ is a high priority, I think that would be valuable to
9 include that, as well as I think some of the AP comments that have
10 repeatedly come up about the concerns and issues facing the
11 fishery, which are probably included in the AP minutes, and so I
12 think short and sweet is perfect for right now. Thanks.

13
14 **CHAIRMAN ANSON:** So I hear a one-pager.

15
16 **DR. WALTER:** Yes.

17
18 **CHAIRMAN ANSON:** I think we can accomplish that. Andy.

19
20 **MR. STRELCHECK:** I just wanted to concur, and Dr. Walter and myself
21 and the person from my staff that sits on the strategy team can
22 convey more details to Dr. Rubino, and probably will encourage him
23 to also reach out to the council, and others, to talk more in-
24 depth about this.

25
26 **CHAIRMAN ANSON:** All right. Any other discussion on the motion
27 and the path we'll take, that staff will take? **Seeing none, is**
28 **there any opposition to the motion? Seeing no opposition, the**
29 **motion carries.** Okay. We will go ahead then and take our scheduled
30 lunch break, and we will reconvene at 2:00 p.m., and so I look
31 forward to seeing everyone then.

32
33 (Whereupon, the meeting recessed for lunch on October 25, 2023.)

34
35 - - -

36
37 October 25, 2023

38
39 WEDNESDAY AFTERNOON SESSION

40
41 - - -

42
43 The Full Council of the Gulf of Mexico Fishery Management Council
44 reconvened at The Embassy Suites in Panama City, Florida on
45 Wednesday afternoon, October 25, 2023, and was called to order by
46 Chairman Kevin Anson.

47
48 **CHAIRMAN ANSON:** Okay, everyone, and we're going to get started

1 with public comment in just a brief moment. All right. We're
2 going to circle back around to announcements, and they were
3 originally scheduled at the beginning of Full Council, and so I
4 have a few announcements to make.

5
6 The first is that I forgot to mention it previously, but Karen
7 Bell, a former council member, attended earlier in the week, and
8 she is here today, or at least I saw her earlier today, and, Karen,
9 can you stand up? There she is. Thanks for coming, and it's good
10 to see you yesterday evening as well.

11
12 The second announcement is there is another social this evening.
13 It's going to be on the fifth floor of the hotel, and it will start
14 at 7:00 p.m., and it's hosted by the Southeastern Fishermen's
15 Association, the Charter Boat Association, the Destin Charter Boat
16 Association, the Florida Keys Commercial Fishermen's Association,
17 the Southern Offshore Fishing Association, the Gulf Fishermen's
18 Alliance, Shareholders Alliance, and Water Street Seafood. Again,
19 it's 7:00 to 9:00 this evening, on the fifth floor of the hotel.

20
21 The next item is recognizing Bill Kelly, a regular face here at
22 council meetings, or at least since I've been coming to them for
23 the last fifteen years, but he is going to be retiring here very,
24 very soon, and so I just wanted to take a few words to talk about
25 Bill.

26
27 In his role as Executive Director of the Florida Keys Commercial
28 Fishing Association, Bill has advocated for and influenced council
29 action, directly impacting Keys commercial fishing countless times
30 over the course of his career.

31
32 For commercial king mackerel gillnetting, he successfully worked
33 within the council process to increase trip limits, allow transit,
34 and allow weekend fishing. For the yellowtail snapper fishery, he
35 worked to get j-hooks approved in the niche commercial fishery and
36 change the fishing year. He has also contributed to the
37 development of numerous stone crab and spiny lobster regulations
38 over the years, and, in addition to his legislative successes,
39 Bill has successfully hosted the annual Florida Keys seafood
40 festival and continuously kept commercial fishing culture alive
41 and relevant in the Keys. Bill, this is certainly an end to an
42 era, and we will genuinely miss working with you, but
43 congratulations on your well-earned retirement. Calm seas. Thank
44 you. *(Applause)* For the next announcement, Dr. Simmons.

45
46 **EXECUTIVE DIRECTOR SIMMONS:** Thank you, Mr. Chair. So, as many of
47 you know, Mr. Peter Hood is retiring, and so I would just like to
48 say a few words about him, and then I don't know if Mr. Strelcheck

1 also wanted to say a few things, but Peter spent his entire
2 professional life in the field of marine science. In his forty-
3 year career, he spent twelve years working at the State of Florida,
4 five years working for the Gulf of Mexico Fishery Management
5 Council, and his last twenty years working for NOAA Fisheries at
6 the Southeast Regional Office.

7
8 Peter published some of the very first life history studies for
9 reef fish in the Gulf of Mexico, including gag, vermilion snapper,
10 gray triggerfish, my favorite, red porgy, and black sea bass. Many
11 of the early management actions were based on his initial work for
12 groupers, such as gag. He has also worked on many red snapper
13 amendments, published several papers on red snapper, and has won
14 several awards for his work on red snapper during his tenure at
15 NOAA Fisheries.

16
17 Peter currently serves as the Gulf of Mexico Fishery Management
18 Branch Chief in the Sustainable Fisheries Division at the Southeast
19 Regional Office, and, while he's had a very accomplished career,
20 it's important to recognize his personality and demeanor.

21
22 Peter is a kind, empathetic, and incredibly humble person. He has
23 a very rich social life, filled with hobbies, including
24 shuffleboard, volunteering with the local bike co-op, fishing and
25 boating, as well as tinkering with old trucks. I personally have
26 enjoyed working with Peter in the last fifteen years, and he will
27 genuinely be missed. I learned a lot from you, Peter, when I first
28 started working for the council, and that's truly appreciated, as
29 well as many other staff that have come to the council office, and
30 so we have a small token to recognize your service on behalf of
31 the Gulf of Mexico Fishery Management Council, and so if you don't
32 mind coming up.

33
34 **CHAIRMAN ANSON:** In honor of your dedicated service to the Gulf of
35 Mexico Fishery Management Council from 1999 to 2003 and NOAA
36 Fisheries Southeast Regional Office from 2003 to 2023. Thank you,
37 Peter.

38
39 **MR. PETER HOOD:** Thank you very much. (Applause) I've been
40 thinking about this for a while, and I was going to come up here
41 with a roll of paper that I would like pull out and say I have a
42 few words, and it would like go down onto the floor, but, anyway,
43 back when I worked at FWRI, I was with a really good crew of
44 biologists, and I remember, one time, we were sitting around
45 talking about what does a biologist say when they leave, and we
46 kind of thought about the old Douglas MacArthur thing, where he
47 said, you know, old soldiers never die, and they just fade away,
48 and so what happens to old fish biologists? Well, they never die,

1 and they get thrown in a freezer in the back of the lab, and are
2 forgotten until the power goes out, and so thank you.

3
4 **CHAIRMAN ANSON:** Do you have a couple of words, Andy?

5
6 **MR. STRELCHECK:** Yes, and thank you. I don't have any prepared
7 remarks, but I have had the pleasure of knowing Peter at least for
8 the last nineteen years, and we probably crossed paths before that
9 at FWC, and working side-by-side with him, and especially the last
10 several years as Regional Administrator, to be able to sit at this
11 table and be honored by working with Peter next to me.

12
13 I couldn't agree more with your comments, Carrie. He's a kind
14 man, empathetic, the type of leader that you want in your
15 organization, someone that really goes to bat for his employees,
16 and he's going to greatly be missed, obviously, within the
17 organization, and not just for the skills that he brought to the
18 job, but the personality he brought, the empathy he brought, to
19 working with others.

20
21 I do want to say, you know, you're going to leave a lasting legacy,
22 and we talked earlier this week about gag, and some of the research
23 that you did years ago that is still relevant and important today,
24 and, for those that may not know, Peter also worked on both
25 Amendment 22 and 27, which are the red snapper rebuilding plans,
26 and so, depending on how you feel about the rebuilding of red
27 snapper, you can either blame him or congratulate him, and so you
28 will be missed, and you're a friend, and congratulations on your
29 retirement.

30
31 **CHAIRMAN ANSON:** Bob.

32
33 **MR. GILL:** Thank you, Mr. Chairman, and there is very few of us at
34 the table that remember what I'm going to say, but, besides being
35 a part of council staff, Peter was the -- The affinity for the
36 council was he made the short list for replacement for Wayne
37 Swingle, back in the day, and that was fifteen years ago, but,
38 anyway, it shows his relationship to the council has been long and
39 enduring. Thank you.

40
41 **CHAIRMAN ANSON:** Thank you, and thanks again, Peter. Good
42 afternoon, everyone. Public input is a vital part of the council's
43 deliberative process, and comments, both oral and written, are
44 accepted and considered by the council throughout the process.

45
46 The Sustainable Fisheries Act requires that all statements include
47 a brief description of the background and interest of the persons
48 in the subject of the statement. All written information shall

1 include a statement of the source and the date of such information.
2
3 Oral or written communications provided to the council, its
4 members, or its staff that relate to matters within the council's
5 purview are public in nature. Please give any written comments to
6 the staff, as all written comments will be posted on the council's
7 website for viewing by council members and the public and will be
8 maintained by the council as part of the permanent record.

9
10 Knowingly and willfully submitting false information to the
11 council is a violation of federal law. We will welcome public
12 comment from in-person and virtual attendees. Anyone joining us
13 virtually that wishes to speak during public comment should have
14 already registered online. Virtual participants that are
15 registered to comment should ensure that they are registered for
16 the webinar under the same name they used to register to speak.
17 In-person attendees wishing to speak during public comment should
18 sign-in at the registration kiosk located in the back of the
19 meeting room. We accept only one registration per person.

20
21 Each speaker is allowed three minutes for their public testimony.
22 Please note the timer lights on the podium or on the webinar. They
23 will be green for the first two minutes and yellow for the final
24 minute of testimony. At three minutes, a red light will blink,
25 and a buzzer may be enacted. Time allowed to dignitaries providing
26 testimony is extended at the discretion of the Chair.

27
28 If you have a cellphone or similar device, we ask that you keep
29 them on silent or vibrating mode during the meeting. Also, in
30 order for all to be able to hear the proceedings, we ask that you
31 have any private conversations outside, and please be advised that
32 alcoholic beverages are not permitted in the room. Please note
33 that public comment may end before the published agenda time if
34 all registered in-person and virtual participants have completed
35 their comment. We will start with those that are here in-person,
36 and we will start with Mr. Lawrence Marino.

37
38 **PUBLIC COMMENT**
39

40 **MR. LAWRENCE MARINO:** Good afternoon. My name is Larry Marino,
41 and I'm here on behalf of Louisiana Attorney General Jeff Landry.
42 Ms. Boggs asked, yesterday, what's actually wrong with the IFQ
43 program, and I think at least part of the answer is clear, with
44 sharecropping and blackballing. As to sharecropping, the NMFS
45 presentation addressed the account-level information, but they
46 didn't quantify the extent to which income from the fish is going
47 to people who didn't harvest the fish.

1 We heard that 38 percent of landings come from accounts with no
2 shares, meaning it was all leased. About 37 percent of that, 14
3 percent of landings, was from unrelated accounts, and this is pure
4 sharecropping, but this doesn't capture the extent of co-ownership
5 among related accounts. To the extent that ownership doesn't
6 overlap, this is also sharecropping, and this doesn't capture how
7 much of the landings and accounts that have shares came from those
8 shares, as opposed to leased shares. NMFS apparently can't track
9 this, but we hear about it frequently, and it's clearly very
10 common. This is also sharecropping.

11
12 As to blackballing, we've heard, previously, that there is an
13 excessive market concentration, but, as we learned yesterday, NMFS
14 only has account-level information and only tracks whether
15 accounts are related by matching names. There is no information
16 about other business, or even family, relationships, and so, even
17 though there is a real concentration of control for these other
18 relationships, we don't have any information about it, or about
19 how much overlap there is between accounts that we do count as
20 related, whether it's 5 percent or 95 percent.

21
22 If fishermen are being blackballed for speaking out against the
23 program with the shareholders, there obviously is concentration of
24 power, but we've finally gotten to the point where some real
25 reforms can be made.

26
27 The motion to start the plan amendment was very vague, to address
28 issues related to share ownership. I think that staff has heard
29 enough to develop some real options for beneficial change,
30 particularly along the lines of the original motion, for amendment
31 share ownership to accounts that are harvesting IFQ species or to
32 folks who actually earn a living from fishing.

33
34 Just requiring a permit, like Amendment 36B, won't do enough.
35 Permits can, and will, be bought, but a reform that credits all
36 harvest to the actual fishermen could fix a lot. This would have
37 to be coupled with periodic reallocations according to the actual
38 harvest, such as every five years, or perhaps based on the average
39 of the three highest years, and with hardship waivers, to give
40 some leeway for illness or disasters.

41
42 Allocation could still be sold in the meantime, but the credit, at
43 reallocation, would go to the actual fishermen. Shares could still
44 be sold, but the purchaser would then have to fish them. This
45 could greatly ease the transition, allowing it to be done over
46 time. Other actions could also help, such as trip limits and
47 vessel limits, limiting the number of permits a shareholder can
48 have, including through related accounts, or limiting the number

1 of related accounts that anyone can be associated with.

2
3 Adaptive catch shares, provided that enough is redistributed, can
4 make a difference. It would be best not to redistribute all
5 shares, but to reserve some in order to distribute the allocation
6 each year, in order to address problems as they arise. Other
7 options are reclaim the shares from the suspended or inactive
8 accounts that we heard about, after some appropriate period of
9 time.

10
11 To address the blackballing problem, perhaps cap the amount of
12 allocation that can be held cumulatively throughout the year, so
13 that it limits the shareholder's ability to direct allocation
14 according to compliance with their wishes. Have an objective body
15 decide whom to lease the shareholding allocation to, or have a
16 simple transfer board that everyone in the Gulf can access, instead
17 of relying on friendship or word-of-mouth.

18
19 Now is the time to fix the IFQ program. The longer it stays as it
20 is, the harder it will be to fix it. I urge the council to give
21 the staff as much guidance as possible regarding potential actions
22 to put into that draft amendment, so the document can best address
23 the problems facing the fishery. Thank you.

24
25 **CHAIRMAN ANSON:** Thank you, Mr. Marino. Next up, and we have a
26 fairly short list for the virtual attendees, but I'm going to go
27 back and forth between the virtual list and the in-person list,
28 and so next up would be Catherine Bruger.

29
30 **MS. BRUGER:** Thank you. Good afternoon, and thank you, Mr. Chair.
31 My name is Catherine Bruger, and I'm from St. Petersburg, Florida,
32 and a Manager for Fish Conservation for Ocean Conservancy. First,
33 congratulations to both Mr. Kelly and Mr. Hood on your retirement.
34 Peter, it's been a pleasure working with you. You will be greatly
35 missed in your role, and my whole family wishes you all the best.

36
37 Next, we are witnessing the rapid deterioration of key stocks in
38 the Gulf. The assessments are clear that it is the sheer volume
39 of private recreational discards that are shown to be the greatest
40 drivers of fishing mortality for many of these stocks. In support
41 of the rec initiative, we suggest that the council should clearly
42 articulate goals for Priority 1 that largely draw from the National
43 Saltwater Recreational Policy and Southeast Regional
44 Implementation Plan. Specifically, we urge the council to identify
45 a specific goal intended to reduce discards.

46
47 Gag represents a case study for this problem. It was raised
48 yesterday whether managers are taking enough actions to rebuild

1 gag. It is our view that the management measures and analysis
2 included in Amendment 56 are not sufficient alone to provide a 50
3 percent likelihood of rebuilding the stock.

4
5 First, the current actions before the council were originally
6 considered in the rebuilding plan, but have slowly been peeled
7 back. Because of this, the council is not on track to provide
8 sufficient justification that you have ended overfishing by the
9 statutory deadline this January. Second, nearly three years ago,
10 scientists made the suggestion that, due to high fishing pressure,
11 shallow-water, pre-spawning aggregations represent a key
12 bottleneck to gag productivity, yet management has failed to take
13 protective action.

14
15 We recommend clear management priorities for gag. One, protect
16 older spawning males, and, two, protect more young fish, so they
17 can transition to male. Third, I want to stress that it is
18 factually inaccurate to state that there has been an 80 percent
19 reduction in the catch limit. The catch limits from 2022, 2023,
20 and proposed limits for 2024 and beyond are based in different
21 units and cannot be compared amongst each other. This rhetoric
22 has been unequivocally repeated, and this misleading calculation
23 should be put to an end. Further, recent catch has been halved to
24 less than half of sector quotas, a clear signal to the poor health
25 of the stock.

26
27 For these reasons, we urge the council to adopt a constant catch
28 approach, as you did with greater amberjack. Maintaining catch at
29 the baseline level until the interim assessment greenlights catch
30 increases, and rebuilding projections, and increases, are
31 dependent on the assumption that the sectors will operate as they
32 have in recent years.

33
34 We all know that assumption is incorrect. Fishing behavior will
35 change, in response to moving the start date, and reduce seasons.
36 We support the motion for annual interim assessments and suggest
37 strengthening it with the inclusion of indicators, such as
38 discards, to ensure that rebuilding is on track. That's all I
39 have for you today, and thank you for your time.

40
41 **CHAIRMAN ANSON:** Thank you, Ms. Bruger. Next up, we have Ken
42 Haddad, followed by Brian Lewis.

43
44 **MR. KEN HADDAD:** Thank you, Mr. Chairman and council members. It's
45 a pleasure to be here, and thanks for allowing us to speak. I'm
46 with American Sportfishing Association, and I first want to say
47 sayonara to Peter, and I have known Peter for his entire forty-
48 year career, and he has amazed me over those years, and so

1 congratulations, and have a good one. The same with Bill Kelly.
2 We haven't always been on the same side of the fence, but we've
3 been good friends for many, many years, and thank goodness for his
4 wife.

5
6 Okay, and I'm going to talk a little bit about FES, just some
7 thoughts. You're faced with a bit of a dilemma on using FES, until
8 the studies to sort out the question biases are determined. We
9 agree with the use of state data wherever you can put it into the
10 process, and, as you know, we've taken that position fairly
11 routinely on a lot of this, and, for us, it's hard to rationalize
12 just going forward with FES as though it's the best scientific
13 information available. There's too many questions around it, and
14 so we hope you, and the Science Center, can think a bit out of the
15 box and consider some non-traditional ways to handle the issue, in
16 the interim at least.

17
18 I would think the questions about FES, and measured solutions that
19 accommodate those questions, would certainly serve as adequate
20 rationale for making an interim-type decision, when you do need to
21 use the FES data.

22
23 Tied to that, in some way, and just, I guess, a reminder, but use
24 of FES and recalibration of allocation are one in the same, to us.
25 When you change currency, you can't leave allocation in the old
26 currency. On the rec initiative, we are good with a motion to
27 approve. While it's up to the council to decide the makeup of the
28 steering committee, we think that, regardless of that makeup,
29 having engaged committee members, willing to do their homework and
30 fully contribute to their tasks, is just as important.

31
32 The same could be said about the working group, when you get into
33 that, and then, finally, I just want to thank the council for all
34 of your efforts. You don't get thanked probably enough, mainly
35 because you only give us three minutes to talk, and it's hard to
36 get anything else in, but I have a few seconds, and I just wanted
37 to say thank you.

38
39 **CHAIRMAN ANSON:** Thank you. All right. Next up, we have Brian
40 Lewis, followed by Charlie Renier.

41
42 **MR. BRIAN LEWIS:** Good afternoon. As you know, my name is Brian
43 Lewis, and I own a forty-foot commercial fishing vessel that fishes
44 out of Clearwater for Frenchy's Seafood. Our primary catch is
45 grouper and snapper species, and Frenchy's was originated with the
46 old grouper sandwich, as we all know.

47
48 I want to talk a little bit about the IFQ program here, and, you

1 know, where it started for me and where it is now. Back when this
2 IFQ program first was initiated, I had no IFQ catch history on my
3 reef permit, and so I had to make a business decision of do I stay
4 in the fishery or do I get out, and I decided to make a business
5 decision to stay in, and I proceeded to buy fishing quota, and I
6 traded fishing quota, and I made some good business moves, and it
7 enabled me to try to be profitable.

8
9 It was a tough pill to swallow in the beginning stages, but it all
10 made sense, and so fast-forward, and I'm still in the fishery, and
11 we've been in the fishery for twenty years, and, needless to say,
12 I'm able to take some of my allocations and trade them with other
13 fishermen, so that I can have access to other species of fish, and
14 I'm involved with the quota program with the Shareholder Alliance,
15 and that's working out very well for us. I've leased, so far, I
16 think about 10,000 pounds of red snapper for the season, and we
17 use it to address our bycatch.

18
19 Our fishing prices are up, which is also good news, because it
20 makes that pill easy to swallow when we lease the fish, and it's
21 creating a much more profitable situation, rather than us
22 discarding fish.

23
24 Gag grouper, the same thing. I was able to take some of my red
25 grouper, and I traded some of it for gag grouper allocations, and
26 so it helped out. I used to have about approximately almost 3,000
27 pounds of allocations, and now I'm limited to about 300, but I've
28 been able to address my bycatch with that as well.

29
30 I want to touch base with something regarding the AJs, and I want
31 to make sure that we try to do everything possible to avoid a
32 shutdown in the commercial fishery in 2025. The harm from a
33 shutdown outweighs the harm of moving quickly on this issue.

34
35 With gags, I oppose any spatial closure for the commercial fishery,
36 and we've already heard comment on this, that we're able to be
37 able to make moves on this, and we already addressed this spatial
38 issue, many years ago, and so, in closing, the council gets more
39 bang for the buck focusing on addressing the real issues,
40 recreational discards, and that's where we need to start working
41 on, and, in closing, I would like to wish Mr. Hood farewell. It
42 was always good talking to him. He's a very patient man, and
43 congratulations on your retirement, and the same for Bill Kelly.
44 Thank you for your time.

45
46 **CHAIRMAN ANSON:** Thank you, Brian. Brian, are you still there?

47
48 **MR. LEWIS:** I'm here.

1
2 **CHAIRMAN ANSON:** We have a question for you from Ms. Boggs.
3
4 **MS. BOGGS:** Thank you for calling in to comment, Brian, and I just
5 want to confirm that you own a permit, and you own shares, but you
6 also lease shares, correct?
7
8 **MR. LEWIS:** That is correct.
9
10 **MS. BOGGS:** Thank you.
11
12 **CHAIRMAN ANSON:** All right. Thanks again, Brian.
13
14 **MR. LEWIS:** Thank you.
15
16 **CHAIRMAN ANSON:** All right. Next, we have Charlie Renier, and
17 Charlie is in-person, and so next up would be Jesse Baughman.
18
19 **MR. CHARLIE RENIER:** Hello. My name is Charlie Renier, and I was
20 born and raised in the seafood industry. My father was a fisherman
21 in the Keys, since 1955, and I own a fish house in Key West, and
22 one in Madeira Beach, and we probably have about a hundred boats
23 that fish for the two companies.
24
25 Personally, I own quota, and I own permits, and I own boats, twelve
26 or fifteen or seventeen boats and permits, something like that,
27 and I started buying boats and quota and permits when you all
28 started the IFQ system, because I was under the impression that,
29 if I wanted to control my own destiny, if I owned the boats and
30 permits, and I bought the quota, we were good to fish, and I have
31 invested everything I have in this industry, between the fish
32 houses, the boats, and the quota.
33
34 I lease millions of dollars' worth of quota every year, and lots
35 of fishermen I know all lease quota, and I don't know anybody that
36 has enough quota to go around, and, in listening to you all talk
37 about new entries, new people coming in, I don't understand how
38 you're worried about them, when you can't even take care of the
39 people that are here, and we don't have enough to go around for
40 us, and to pull new people in -- I don't know why they would want
41 to come in. I mean, it just seems crazy, to me.
42
43 On the upside, I'm glad that we have the quota, because the quota
44 I own I own, and I can fish, and what I can't get, I lease. Like
45 I said, I lease tons of it.
46
47 With the gag grouper, we lost 80 percent last year, which crushed
48 us. I mean, that's probably 150,000 pounds my fish house won't

1 catch, my boats won't catch, this year. The year before last, we
2 lost 16 percent of our red grouper, and, a couple years before
3 that, we lost 35 or 40 percent of our red grouper, and are being
4 cut down year after year after year, and we end up leasing more
5 snapper to help us cover the grouper that we don't have anymore,
6 and, if we could ever get it right, to get some of these grouper
7 back, that would help us out immensely.

8
9 Another thing is, being in the region I'm in, there weren't snapper
10 there years ago, and there never was, and now there's tons of
11 snapper there, and we have to lease snapper quota from somewhere
12 else. If we do ever do another assessment on the fish that's down
13 there, it would sure be nice for you all to give some of that to
14 us that live down there, and I don't want their fish. That's their
15 fish. That's their fish, and they worked their whole lives for
16 that, and there's a lot of multigenerational families in this
17 industry, and we feed the people that can't afford to buy boats,
18 that can't afford to get out on the water. We feed the restaurants,
19 we feed the hotels, and we feed the grocery stores.

20
21 The sportsmen fishermen, they go out, and they catch their fish,
22 and they can afford to do it, and they've got plenty of money, but
23 there's millions of people around this country that can't afford
24 to do it. We get penalized every time they're overfishing, and I
25 don't see how that's right, and I don't think it is right. I think
26 we've got to figure out how to separate them from us, because us
27 getting penalized for them is terribly wrong.

28
29 You all are talking about all kinds of different stuff with the
30 quota, and I'm scared to death. I'm scared to death that you all
31 are going to take more quota from us, and that's what we have to
32 live for, and, you know, I hear you all talking about permits, and
33 I think I own eleven or twelve longline boats, which I have a Gulf
34 reef permit on every one, and it has a longline endorsement on
35 every one, and I have to have quota for every one, and so I mean,
36 you've got to think about that. As the older fishermen --

37
38 **CHAIRMAN ANSON:** Mr. Renier, if you can wrap up your comments, and
39 your time is up.

40
41 **MR. RENIER:** Okay. You know, as time goes on, you need to think
42 about the people that are feeding the country and taking care of
43 the fishermen. I mean, it's a dying breed, and we need help. I
44 appreciate it.

45
46 **CHAIRMAN ANSON:** Thank you. We have a couple of questions for
47 you. Mr. Gill.

1 **MR. GILL:** Thank you, Mr. Chairman. Charlie, I have two questions.
2 One is would you change the IFQ system as it currently stands,
3 and, if the answer to that is yes, what's the one thing that you
4 would prioritize to change?

5
6 **MR. RENIER:** Well, I'll tell you what. There's a couple of things
7 that you need to tweak. One, I keep hearing of all this quota
8 that's sitting there from people that are deceased or from a two
9 or three-year-old account that is no longer used. I think you
10 need to take that quota, and you all are always talking about
11 giving it to the people that catch the fish, and allocate that to
12 the people that catch the fish. The people that catch them,
13 they're the ones that need it. Give it to them.

14
15 The one other thing that I think you all need to do is I think,
16 when people sell their boats, sell their permits, and get out of
17 the industry, I think they ought to have a couple of years to sell
18 their quota back into the industry, and, when I say "industry",
19 I'm talking about anybody that owns a boat, a permit, quota, a
20 fish house, somebody that owns restaurants, grocery -- Anybody who
21 needs that quota is in the industry, you know what I mean, and not
22 people that just buy it to sit on the couch and play, which there
23 is a few of them, but there's not very many. Most of the people
24 are in the industry and are hands-on with this stuff.

25
26 **MR. GILL:** Thank you.

27
28 **MR. RENIER:** You're welcome.

29
30 **CHAIRMAN ANSON:** Andy.

31
32 **MR. STRELCHECK:** Charlie, thank you for being here. Two questions.
33 You mentioned that you lease a lot of allocation. What proportion
34 of the fish that you land is based on your own shareholdings,
35 versus leased allocation, approximately?

36
37 **MR. RENIER:** I would say, between me and my partner, we probably
38 own 500,000 pounds of quota, and we probably lease probably another
39 million-and-a-half pounds. I mean, we produce a lot of fish.

40
41 **MR. STRELCHECK:** So 25 percent, based on your --

42
43 **MR. RENIER:** Yes, and we lease a lot. If we couldn't lease, we
44 couldn't be in business. I mean, that's how much quota we use.

45
46 **MR. STRELCHECK:** Given the massive amount of quota that you're
47 leasing, how do you find it? Who do you work with? I'm not asking
48 for names, but I'm just --

1
2 **MR. RENIER:** I'm always -- I mean, like I said, I was born and
3 raised in the industry. I know who has quota, and people know me.
4 I call a lot of people in December, looking for quota. I'm always
5 looking for quota. Tons of people call me. My fishermen, if they
6 hear of somebody that has quota, they call me.

7
8 The biggest thing, with our quota, is we lay out a lot of our money
9 in January. If I want quota in January -- If I need two-million
10 pounds of quota, and I only have 500,000, I have to lay out for a
11 million-and-a-half pounds of quota in January, and that's a lot of
12 money. I mean, you're talking, on snappers, \$4.00 to \$4.50, and,
13 on groupers, \$1.75, and, I mean, gags are going up now, because
14 there's none around, and it's very, very cost-intensive, and it's
15 a hard struggle, and that's why -- That's another reason that
16 you're not going to get new people in it, because there's not quota
17 around. There's not tons of quota everywhere. It's not there.

18
19 The people that are fishing, we all need that to catch fish, and
20 it's not like we're catching hundreds of thousands of pounds per
21 boat. I mean, that just doesn't happen, you know what I mean?
22 Our longlining grouper industry is a lot different than the snapper
23 industry over on the west coast. Thank you.

24
25 **CHAIRMAN ANSON:** One more question from Ms. Boggs.

26
27 **MS. BOGGS:** Charlie, thank you for being here today, and, if I'm
28 not mistaken, you've got a daughter that's coming up in this
29 industry, too.

30
31 **MR. RENIER:** I have two daughters. Yes, ma'am.

32
33 **MS. BOGGS:** Okay. Thank you.

34
35 **MR. RENIER:** Yes, and they plan on running the company. My youngest
36 daughter absolutely loves it. She thrives on it, and that was one
37 reason that I started investing a lot more money back in it,
38 because I want to leave them a company that is what I raised, and
39 I grew up learning how to fish and feed people, and it's a good
40 feeling. It's a wholesome feeling. I love to go to restaurants
41 and say, hey, you're eating snapper and grouper, and, well, that
42 could have come from my fish house.

43
44 I mean, it's just a good feeling, and my daughters feel the same
45 way. They love it, and there's a lot of families in this room
46 that are multigenerational, that their father fished, they fished,
47 their kids are running the companies, and that's like our heritage.
48 I mean, that's our lifeline. That's our blood, and that's what we

1 do. I mean, that's all I've got. I don't know anything, but I
2 know how to fish. That's my deal. Thank you, all.

3
4 **CHAIRMAN ANSON:** Thank you. Next, we have Jesse Baughman, followed
5 by Dale Woodruff.

6
7 **MS. JESSE BAUGHMAN:** Hi. I'm Jesse Baughman, and I'm a bandit
8 fisherman, an owner and operator, from Naples, Florida. In regard
9 to the IFQ program, I was really hoping for further discussion and
10 action on the matter. Yesterday, it was brought up of where did
11 it all go wrong, and the IFQ program failed when they made it a
12 public commodity.

13
14 The fish need to go to the ones harvesting them, period, and so 33
15 percent of IFQ account holders are not fishermen, and there needs
16 to not only be a permit requirement, but active landings attached
17 to that permit, and there needs to be a minimum 50 percent income
18 requirement. This will eliminate people from just buying a permit
19 to keep their shares and to keep the leasing cycle going.

20
21 As far as the related and non-related accounts, I think that needs
22 to be changed to harvester and non-harvester, so that you can
23 clearly see who is landing the fish and who is collecting money
24 off of leasing that fishing opportunity.

25
26 I think the adaptive catch share idea is a good idea, qualifying
27 for your fish annually, based on the average catches from previous
28 years, and this kind of program would weed out the non-harvesters
29 completely, and the harvesters that own more fish than they catch,
30 relying on the bonus income from leasing the fish opportunity.
31 This would ensure the fish opportunity to those who are actually
32 harvesting the fish. This, in turn, would reduce discards, and it
33 provides an incentive to fishermen to fish harder.

34
35 I am not onboard with the quota bank idea. I think it would just
36 encourage the current issues with the program and make no headway.
37 Redistribution of shares from deceased account holders and
38 inactive accounts and National-Marine-Fisheries-held shares should
39 absolutely happen, and should have already happened. National
40 Marine Fisheries has been depriving fishermen of that opportunity
41 since 2018. No matter how small the amount of fish, that's wrong.

42
43 Now, if the deceased shareholder's fisherman son or daughter can
44 catch those fish, and wants to fill those boots, those shares
45 should be able to be passed down. They would then have the same
46 opportunity to qualify their catches, to keep up or surpass their
47 parents' catch history.

1 There needs to be a set timeline for non-harvesting shareholders,
2 to sell or divest their shares, and there needs to be a
3 constructive panel for active commercial fishermen helping to
4 develop this new system, because there is not a fair commercial
5 representation on this council, and our voices need to be heard on
6 this. Thank you.

7
8 **CHAIRMAN ANSON:** Thank you, Ms. Baughman. Next up, we have Dale
9 Woodruff, followed by Ryan Bradley.

10
11 **MR. DALE WOODRUFF:** Good afternoon. I'm Dale Woodruff, President
12 of the Alabama Charter Fishing Association, and I also have a
13 multi-passenger and a six-pack boat. You know, it's 2023, and
14 there's no data collection program for the charter/for-hire
15 anymore, and we were starting, and things were looking good, and
16 that got snatched out from under us.

17
18 I ask the council to expedite this, and let's get this thing going.
19 Let's get something passed, and let's get back to reporting, since
20 the state has their stuff, and the commercial fishermen have their
21 stuff, and the charter/for-hire -- We have to rely on NOAA, and we
22 can narrow some stuff if we had a reporting program, like we
23 should.

24
25 The vermilion snapper, let's not do anything with that. I think
26 it's healthy and robust. The lane snapper, we're catching more
27 lanes now, right off the coast of Alabama, than we have in years.
28 It's not as many as they do in other areas, but we do catch more
29 lanes now, which I think is a great thing, and so that fishery is
30 definitely working good.

31
32 We do support a September 1 opening for the amberjack. The one
33 thing I will say is I don't think we'll ever be able to hook-and-
34 line and regulate the amberjack back into existence, how it needs
35 to be, and I think our -- I've said this for years, and our grass
36 is not making it to the beaches like it needs to, and it doesn't
37 stay around long enough for these fish, and these fish need that
38 grass on top of the water. You all know this, and we're not
39 getting it. We're not getting it to the extent like we should,
40 all summer long.

41
42 Then, when we do get it, there's nothing under there, and so we've
43 got to keep the grass, in order for those fish to be able to have
44 that part of their ecosystem to survive, so that, when they get
45 big enough, they can fall back down into the water column and make
46 it, you know, to survive, and we don't have the hardtails, and we
47 don't have the amberjack, because we don't have the grass like we
48 used to have, even though -- That stuff down in the Caribbean never

1 made it here.

2
3 You know, as far as the gags, I guess -- I just keep saying let's
4 not making any adjustments right now, and then one thing I would
5 like to say, as far as the Alabama Charter Fishing Association,
6 is, in our meetings -- I would like to let the council know that,
7 when we have our meetings, we have the luxury of having Mr. Kevin
8 Anson, and Susan Boggs, coming to our meetings at the same time,
9 and so we are an informed group of people, fishermen, and it's
10 just nice to have that, and I wanted to openly thank you all, in
11 front of the council, and the same thing with our state director,
12 Scott Bannon. He's been coming to our meetings, and so we have
13 really good meetings, and, to have two council members at our
14 meeting at the same time, a couple of times a year, it's pretty
15 awesome. Other than that, I thank you for your time.

16
17 **MR. WALKER:** Thank you for your participation here, and I did have
18 a question. You said you wanted to -- That you were looking
19 forward to improved -- Or restarting the SEFHIER program, and is
20 there anything that you would change from the previous SEFHIER
21 program to a new SEFHIER program?

22
23 **MR. WOODRUFF:** To get it going, I guess we would have to change
24 something, because nobody liked what we had. Our guys were okay
25 with what we had, all of our fishermen out of Alabama, and maybe
26 one or two didn't like the fact that they had to pay for the VMS,
27 or something like that, but, I mean, we're willing to do what it
28 takes.

29
30 Would I change anything? Personally, no, but, if we've got to
31 change it to get the reporting system that we need, that's
32 validated and verifiable and all those crazy words that we've got
33 here every time, then something needs to be changed, and I guess
34 a lot of people don't want to share their economic data, and a lot
35 of people don't want to share where their vessel is at.

36
37 Do we have the technology to maybe not have to have some of that?
38 Yes, and, yes, we do. I mean, lord, with the cellphones and
39 everything we have now, they're amazing, and you can create an app
40 to pretty much watch where you're going, and they do it on our
41 boats. I've got guys that have apps, on my charters, and I have
42 to go down there and take their phones away from them, because
43 they're pinging our spots in the middle of the Gulf of Mexico,
44 because they can get our GPS numbers off their phone, I mean, but,
45 you know, if the VMS problem is a problem -- I don't know, but
46 something has got to be done, but, for me, and for our group in
47 Alabama, we don't care. We will do the economic reporting, and
48 we'll do the VMS, if we need to, or you can take it away, but we

1 want something.

2

3 **MR. WALKER:** Thank you.

4

5 **CHAIRMAN ANSON:** Next, we have Ryan Bradley, followed by Dylan
6 Hubbard.

7

8 **MR. RYAN BRADLEY:** Ryan Bradley here. I am a fifth-generation
9 commercial fisherman out of Mississippi. I'm a commercial reef-
10 fish-permitted operator and a Gulf and South Atlantic seafood
11 dealer. I wanted to provide some guidance on the IFQ program
12 direction and the goals and objectives review.

13

14 I would like to say that I appreciate the work of Dr. Jessica
15 Stephen, and she did a really great job parsing out a lot of that
16 data that we've all, you know, been curious about, and so great
17 job getting that out, and I would strongly encourage you to
18 consider going forward with the changes that you discussed, and I
19 liked the discussion that I heard around the table, and I think
20 you're starting to gather some consensus.

21

22 I would recommend breaking it down into two amendments. I thought
23 that was a great idea, and, first, let's go after the permit
24 requirement. That has to be coupled with some kind of income
25 qualification requirement on that permit, or some kind of active
26 participation with landings. I think those are both great ideas.
27 For the income qualifier, you know, you can go back for income,
28 you know, commercial fishing sales, and even Alaska does a days-
29 at-sea, a number of days-at-sea, and I think all of that is great
30 ideas, and the goal of that is to help keep the price of those
31 permits from going through the roof, as we make this transition,
32 but this helps us get back to the original intent of the program,
33 the way it was set up before we went to public participation, after
34 the first five years, and I think that's where we see the negative
35 trends in the program, and these things will help us to get back
36 on track, and so I think it's very important that we limit access
37 to this limited-access fishery to actual commercial fishermen.
38 It's very important that we do that, for a number of reasons.

39

40 Then, secondly, I would go to the second amendment, and I would
41 start that one up after we get the first one moving good, and
42 that's the second one, that we can work on the adaptive catch
43 shares, with the redistribution of the shares to participants who
44 are showing continued participation in the fishery, and so that's
45 what we would like to see there, and we know that may take some
46 time to flesh out, how that's going to exactly work, and it's a
47 lot more difficult to implement and talk about, and so we recognize
48 that.

1
2 Great discussion, and keep this moving. It's critically important
3 to the goals of the current administration, with the diversity and
4 inclusion initiatives, and we will certainly benefit our local
5 communities on the water, and that's what we need to keep our
6 commercial fishermen strong. I will stop there, and I appreciate
7 it, and, if you've got any questions, I will stand by. Thank you.
8

9 **CHAIRMAN ANSON:** All right, Ryan. I don't see anyone with
10 questions. Thank you very much. Next, we have Dylan Hubbard,
11 followed by Gary Bryant.
12

13 **MR. DYLAN HUBBARD:** Captain Dylan Hubbard, from Hubbard's Marina
14 in central-west Florida. For gag grouper, thank you for moving
15 forward from the Reef Fish AP recommendation on the continuation
16 of the annual interim analysis. We feel strongly that has moved
17 forward the cyclical nature of gag grouper biomass that's starting
18 to show in the science, and then will rebound to what we're seeing
19 on the water.
20

21 As far as the current discussions of the council on gag grouper,
22 I strongly continue to encourage, and implore, the council to
23 remove any consideration for combining black grouper with gag
24 grouper management. Also, as far as the bag limit changes proposed
25 for gag grouper management, I would strongly suggest the council
26 follow the Reef Fish AP recommendation of not moving forward with
27 any consideration of bag limit reductions, as a gag grouper bag
28 limit reduction of 50 percent doesn't have any negligible positive
29 impact on increasing access or preserving season length.
30

31 I would also implore the council to avoid any consideration of
32 vessel limits for gag grouper as well, as the Reef Fish AP
33 suggested as well. These vessel limits are extremely predatory on
34 multi-passenger vessels, and it does not impact positively any of
35 our goals and gag grouper management objectives. It would not
36 increase season length, unless we moved to an extremely draconian
37 measure, and, even at those unacceptable levels, it doesn't
38 increase the season significantly.
39

40 One additional concern that I have was in regard to the spawning
41 area closure conversation at the committee. It was brought up
42 that perhaps we aren't seeing the increasing male ratios in these
43 aggregation areas due to temporal closures not being long enough.
44 However, the real issue is the ever present -- The ever-present
45 issue of unenforceability of keeping these areas closed to fishing
46 mortality.
47

48 Even if you are able to get out there and make a case on one of

1 these vessels poaching in these closed areas, the penalties are
2 such that it just encourages more poaching, and so it's a really
3 big problem that we have in those spawning areas, and in fishing
4 mortalities, and so making spatial area closures longer is only
5 going to just penalize the people operating under moratorium
6 permits that actually uphold the law, because we're concerned about
7 losing our permits.

8
9 As far as amberjack is concerned, it's extremely alarming to hear
10 the Reef Fish AP discussion interrupted by the SERO staff
11 illustrating the likely inability to restrict amberjack landings
12 in the commercial sector to the catch limit. Under a rebuilding
13 plan with an overage already on the books from last year, this
14 council needs to demand immediate emergency action to ensure the
15 trip limit has already -- That the trip limit that's already been
16 voted on is put in place by the start of the 2024 fishing year. I
17 have some other stuff too, but I will email it to you, because I'm
18 out of time, and I won't make you stop me, Kevin.

19
20 **CHAIRMAN ANSON:** You had a little bit of time left, but okay.

21
22 **MR. HUBBARD:** I thought I saw a red light.

23
24 **CHAIRMAN ANSON:** The clock is still going.

25
26 **MR. HUBBARD:** Okay. Well, recreational data collection -- Now you
27 will have to stop me, Kevin. Recreational data collection, I
28 suggest that the council move forward expeditiously on standing up
29 a new recreational data for-hire -- Now there's a red light. We
30 just want to move forward as fast as we can with recreational data
31 collection. As Captain Dale said before, what we had was working,
32 and it was a really rough rollout, but I think it was getting
33 better, and there was a lot of positive things on the forefront,
34 and so I was really sad to see it go, but I'm excited to help
35 stand-up a new one.

36
37 **CHAIRMAN ANSON:** We have a question from Ms. Boggs.

38
39 **MS. BOGGS:** He answered my question.

40
41 **CHAIRMAN ANSON:** All right. Thank you, Dylan.

42
43 **MR. HUBBARD:** All right. Thank you.

44
45 **CHAIRMAN ANSON:** Gary Bryant, followed by Katie Fischer.

46
47 **MR. GARY BRYANT:** Gary Bryant, charter boat owner and operator,
48 Fort Morgan, Alabama. It's been a while since I've been up here,

1 but, anyway, I would like to thank the Abrams family for our social
2 last night, and Greg too, and I appreciate him doing it, and I'm
3 looking forward to our social tonight and all the people that have
4 gotten together to sponsor that.

5
6 Moving forward, amberjack, I support the September opening. Going
7 on to gags, based on what I saw yesterday, the two fish, and not
8 that we have gags in our area, but I can understand, for the
9 charter boats, that that is a part of their fishery, and it's a
10 lot easier to sell a trip if they think they have the opportunity
11 to catch two. The data shows you're catching less than one, but
12 it's harder to book a trip when you tell people one, and it's just
13 the mindset. If they think they can catch two, they'll be more
14 likely to go.

15
16 Some of the other things, like Spanish mackerel, I missed a lot of
17 that discussion, but I would support lowering the limit, if it
18 will keep the season from being closed, and our Spanish mackerel
19 fishery seems to be okay where I am, and it's not a big deal for
20 my six-pack boats, but it's an extremely large deal for our
21 nearshore fishery. Our state-water guideboats in my area,
22 basically they fish Spanish mackerel all summer long, because it's
23 a very easy catch, and it's close to shore, and it's a very good
24 fishery that they thrive on, but nobody wants to keep fifteen per
25 person. That's entirely too many, and nobody wants to clean that
26 many fish.

27
28 Normally, a good day would be twenty to twenty-five that they keep,
29 and so that would give -- You're getting down to about five per
30 person, and that's reasonable, and plenty of fish for what we're
31 doing in the charter.

32
33 King mackerel, I have talked to several people, and they're not
34 there. I don't know what's going on, and there doesn't seem to be
35 any discussion about king mackerel, but the two things that I can
36 correlate, with talking to other people around the Gulf, is they're
37 not seeing the king mackerel, and they're not seeing bait, and so
38 I don't know what the issue is with that, but we upped the limit
39 a few years ago, which I didn't really understand, and we weren't
40 catching our two, but now we can catch three, and there is an issue
41 there with king mackerel.

42
43 I would support the data going forward. Personally, I stand up
44 here, a lot of times, and asked you all to give us a data program.
45 I didn't ask to be tracked around the Gulf, or give you my financial
46 information, and so I would support VMS, if it's necessary, and
47 I've done it. We did it before, but I wouldn't be a fan of the
48 financial information, and that's it. Thank you.

1
2 **CHAIRMAN ANSON:** Thank you, Gary. We have Katie Fischer, followed
3 by Bill Kelly.
4

5 **MS. KATIE FISCHER:** Hello. My name is Katie Fischer from Matlacha,
6 Florida, fish house owner and also vessel owner. I have to say,
7 when I was preparing for this meeting, I was very encouraged with
8 the discussion topics and meeting materials regarding the IFQ on
9 the agenda, but, yesterday, I was very disappointed in the
10 discussion and lack of action, as were a lot of fishermen
11 listening.
12

13 There was zero input from our so-called commercial representation
14 on this council, and it is clear that the commercial representation
15 on this council is here to protect the status quo and those
16 individuals and groups who are in control of the commercial sector.
17

18 In response to the motion made yesterday regarding addressing
19 issues related to share ownership, I am requesting a formal scoping
20 before the options paper is developed on the amendment, so actual
21 commercial fishermen have a seat at the table in this process. I
22 am also requesting that for any future motions for amendments
23 regarding changes to the IFQ program moving forward.
24

25 I support a permit requirement with landing requirements, and this
26 is the first step into getting fish back into the hands of
27 fishermen. You should have to participate in harvesting to own
28 shares. Owning a boat is very expensive, time consuming, and
29 harvesting fish is risky, and oftentimes very dangerous. It is
30 not fair and equitable to fishermen to allow individuals, or
31 groups, to own the majority of the shares and bear none of these
32 responsibilities, or risks, but to reap the majority of the reward.
33

34 I do not support a quota bank. With a quota bank, National Marine
35 Fisheries would essentially be inserting itself into the program
36 as a public participant. National Marine Fisheries does not own
37 a permit, and they do not participate in harvesting. The National
38 Marine Fisheries shares, held since 2018, represent lost fishing
39 opportunity for active fishermen. These shares need to be
40 redistributed, in January of 2024, to all fishermen equally.
41

42 Also, action needs to be taken to reclaim shares in active accounts
43 and redistributed to fishermen equally as well. 168,000 pounds is
44 a lot of lost fishing opportunity for active fishermen.
45 Redistributing these shares equally to active fishermen will
46 result in non-shareholders becoming shareholders. Even if it's a
47 small amount, it's a start.
48

1 I support an adaptive catch share, or continual qualification
2 style, of IFQ program. It remedies the major flaw of the current
3 IFQ program, which is the one-time qualifying period. A one-time
4 qualifying period is not fair, or equitable, to any generation of
5 fishermen entering the program post-implementation. Currently, a
6 majority of the fishermen in the Gulf do not have the access they
7 need to effectively harvest fish, resulting in trips that are not
8 economically effective.

9
10 It is not about a handout. It is about a fisherman's ability to
11 work hard and create their own opportunity. A program of this
12 style would create opportunity, promote diversity, create self-
13 worth again in our industry, protect small owner-operator
14 businesses, and is a solution that fits commercial fishing culture
15 historically.

16
17 IFQ programs need to be fluid, to allow for replacement fishermen
18 to enter the fishery, something that is a big issue in our
19 fisheries across our nation. I am not sure why any active
20 participant would not support a program of this style. If you're
21 catching your fish, you keep your fish. It seems the opposition
22 to this style of program is not necessarily worried about losing
23 fishing opportunity, but more so worried about losing control of
24 lease prices and market prices. Consolidated access is a
25 disservice to the American consumer, as it lessens access to a
26 national resource.

27
28 **CHAIRMAN ANSON:** Katie.

29
30 **MS. FISCHER:** I'm almost done. Thanks. Vessel TACs are also a
31 necessity, moving forward. There is no reason, on God's green
32 earth, that three boats should be harvesting three-million pounds
33 of red snapper, which is almost half of our overall quota. The
34 greed is a disservice to the American seafood consumer, making red
35 snapper less available elsewhere in the Gulf, and, lastly, I
36 support the Reef Fish AP's motion to delay any sector allocation
37 decisions until the FES pilot study is complete. It was very
38 discouraging, yesterday, to hear the timeline of the data not being
39 done until 2026, and that's a very long way away. FES has had a
40 very devastating effect on the commercial sector, in particular
41 the red grouper fishery. Thank you for the time to speak today.

42
43 **CHAIRMAN ANSON:** Katie, we have a couple of questions for you.
44 Mr. Geeslin.

45
46 **MR. GEESLIN:** Thank you for coming today, Ms. Fischer. I believe
47 you also circulated an email to council members and provided what
48 you called a continual qualifying IFQ plan, and a lot of thought

1 went into that, and I appreciate you circulating that amongst the
2 council, and I hope everybody has a chance to read that.

3
4 **MS. FISCHER:** Thank you.

5
6 **MR. GEESLIN:** As we think about, and you were here yesterday, but,
7 as we think about attacking those goals and objectives, and we
8 made a little movement on Goal 1, Objective 1, and, from your
9 perspective, where do you think that we ought to focus next, and
10 so similar to Bob Gill's question to another participant earlier.

11
12 **MS. FISCHER:** I think permit requirement is the first one to
13 tackle. I know it's a big one, but I think that's the first one
14 to tackle, and then redistributing those shares that are held by
15 National Marine Fisheries and then also in inactive accounts.

16
17 **CHAIRMAN ANSON:** Ms. Boggs.

18
19 **MS. BOGGS:** Thank you for being here today, Katie, and I did see
20 your email, and I read part of it, and I haven't had an opportunity
21 to read all of it, but I saw some good, thought-out thoughts coming
22 through it. You all have a fish house, and you're a vessel owner,
23 and do you own permits, do you own shares, and do you lease shares?

24
25 **MS. FISCHER:** Yes, and so have a couple of boats, and we have
26 permits, and we own shares, and not near enough, and we definitely
27 lease shares.

28
29 **CHAIRMAN ANSON:** Thank you.

30
31 **MS. FISCHER:** Thank you.

32
33 **CHAIRMAN ANSON:** Next, we have Bill Kelly, followed by Ron Chicola.

34
35 **MR. BILL KELLY:** Thank you, Mr. Chairman and council members.
36 Thank you for the kind words earlier. After fourteen years
37 representing the commercial fishing industry in Monroe County, and
38 I'm going to hang it up here in January, and a number of you have
39 met my replacement, Jerome Young, with a long history, family
40 history, in commercial fishing, and both of his grandfathers were
41 pilots, and, after World War II, operating out of St. Petersburg,
42 they became the original spotter plane pilots for a number of
43 species. Then, when they really figured out what they were doing,
44 they branched out and moved southward to the Keys, in king mackerel
45 and so forth.

46
47 A number of things that we're exceptionally proud of, in working
48 with the councils and the Fish and Wildlife Commission, and

1 applicable to waters over here, is, one, bringing the kingfish
2 gillnet fishery under control here, and it virtually eliminated
3 overruns here, and it's been a very successful, cooperative program
4 there. I think, in the past seven years, we've been under by about
5 a hundred-and-eighty-some-thousand pounds, in that high-yield
6 fishery, but only over maybe 32,000 pounds. That's an enormous
7 success story.

8
9 Stone crabs, you may have heard about it, working with the state
10 and so forth, and the goal -- We established, at our own cost, a
11 stone crab advisory panel. The goal was to increase biomass by a
12 million pounds over the next five years. After we sat down with
13 fisheries managers, we said let's do better than that, and let's
14 do it in three years, and so we increased claw size by an eighth-
15 of-an-inch, shaved two weeks off the back of the season, to protect
16 spawning and egg-bearing females, and, of course, initiated now
17 two-and-three-sixteenths-inch cull rings for all 960,000 traps
18 that are out there, and that's an absolutely phenomenal improvement
19 in that fishery that will last for a long, long time.

20
21 Also, our relationship with law enforcement, and we created that
22 program with all agencies, including the Coast Guard, NOAA, and
23 FWC, and it's been a crowning success over the years.

24
25 If you will bear with me just for a few more minutes, and I see a
26 light flashing, but I could name-drop for the rest of the afternoon
27 here the number of friendships and bonds that my wife, Barb, and
28 I have created with all of you that will last for a lifetime, and
29 we will cherish so very much.

30
31 One of the highlights of the fourteen years that I've been involved
32 here is, in 2011, I was down in Key West, and I met a young lady
33 there, a blond-haired gal, and she was fluent in Spanish and so
34 forth, and so was down there for the council, doing some research,
35 and her name was Emily Muehlstein. We got to know each other
36 pretty well there, and worked together and stuff, and it just so
37 happened that this council was going to have a meeting in Key West,
38 and I said, you know, 51 percent of our fishermen down here are
39 Hispanic, from Cuba, with a long heritage in the industry, but
40 many of them don't speak English, and don't understand it and so
41 forth, and what do you say that we try and put this together and
42 see if we can't do a bilingual meeting with the council.

43
44 She said, okay, and we both smiled at each other, and we kept
45 working together, and I called Doug Boyd and said, Doug, can we
46 work this out, and he said, okay, Kelly, let's see what we can do
47 here, and so the printed materials were in Spanish, and we had
48 translators there, and Emily was certified by some of our Cuban

1 speakers down there, and captains, as being fluent in Cuban Spanish
2 and Spanglish, and, if you had seen that meeting, and public
3 comment, with the lineup across here, and probably at least forty
4 men and women of Spanish Cuban background and so forth, and it was
5 the very first time that there was a bilingual meeting by this
6 council.

7
8 You also took public comment and translated it in Spanish, with
9 Emily's help of course, and it was very first time that we had a
10 speaker up here, and he would translate the information, and he
11 took yes and no by a show of hands, and so it was trend-setting.
12 These men and women, for the first time, after decades of being in
13 this industry, felt that they were legitimately included in the
14 management process, and so I salute all of you, and thank you so
15 very much.

16
17 **CHAIRMAN ANSON:** Thank you, Bill, for the trip down memory lane
18 for that meeting. We have a question from Andy.

19
20 **MR. STRELCHECK:** First, Bill, I want to thank you. It's been a
21 pleasure working with you, and I'm sorry to see you go, and I'm
22 glad that you found a great replacement. I'm going to offer a
23 softball question, but I wish I had, you know, teed this up
24 beforehand. You've sat here in a front-row seat with the council
25 now for fourteen years, and probably many years before that as
26 well, and what would be one piece of advice that you would give
27 the council?

28
29 **MR. KELLY:** What was the last part of that?

30
31 **MR. STRELCHECK:** What's one piece of advice you would give the
32 council?

33
34 **MR. KELLY:** You know, innovative and balanced representation and
35 so forth, gathering comment and making sure that you maintain these
36 relationships with the various ethnic groups and things like that,
37 and it's critical. We're in the right direction. We've got a lot
38 of issues to deal with here, with water quality being one of the
39 primary issues that we see, and not so much temperature change.

40
41 Sure, we're seeing population shifts in some species, and so forth,
42 and, when you address overfishing, is it overfishing, and
43 overfished, because of really pressure from the fishing industry,
44 or have stocks declined, or something, or are there other outside
45 factors that are exacerbating the problem, and I think you're going
46 to find that water quality, these red tides that are occurring now
47 inshore and things like that, really need attention. Thank you.

1 **CHAIRMAN ANSON:** All right. We have Ron Chicola, followed by Bill
2 Archer.

3
4 **MR. RON CHICOLA:** Good afternoon, council. I thought we did a
5 pretty good job on the AP on amberjacks, a seven-fish limit. For
6 us, it's a bycatch, and it should be a bycatch for everybody, the
7 way the stocks are, but a seven-fish limit would keep them from
8 feeding them to the sharks, and, I mean, we don't catch many of
9 them, and, usually, when we catch them, they're huge, because
10 they're offshore fish.

11
12 Another thing is the EEJ and Andy's summary. At all these
13 meetings, I always can come back with two lines, that the shrimpers
14 are in trouble and ITQ quota is too expensive, and that's it. I
15 heard a whole lot, at the meeting that I went, about the council,
16 and nothing was said about the council at the none of the meetings,
17 and all they said was that everybody has fair access to the fish.
18 I don't see that, and I don't know when I'll ever see it, and it's
19 just lip service. That's all I've got. Thank you, all.

20
21 **CHAIRMAN ANSON:** Thank you. We have Billy Archer next, followed
22 by Jim Zurbrick, and, before you begin speaking, Billy, I just
23 want to take a moment to recognize another council member that I
24 overlooked, and that's David Walker. David, raise your hand or
25 stand up. Thank you. It's nice seeing you. Thanks for coming.
26 All right, Billy.

27
28 **MR. BILLY ARCHER:** Good afternoon, Mr. Chair and council members.
29 My name is Captain Billy Archer, and I'm a third-generation
30 fisherman and dual-permit holder from Panama City, Florida. I was
31 born and raised here, and I made my first trip when I was thirteen
32 years old in 1969, with my grandfather and father, and I got my
33 fishing license in 1974.

34
35 I would like to address the following issues, the for-hire data
36 collection, the MRIP-FES pilot project, gag grouper and amberjack,
37 the fishery ecosystem plan, and IFQ, if I may.

38
39 We certainly appreciate the support and commitment of the Gulf
40 Council moving forward with developing a new for-hire data
41 collection program, and please make the for-hire data collection
42 plan a council priority, especially as we wait for the MRIP-FES
43 pilot study to be completed.

44
45 To the next point, the biggest heartburn that we have heard was
46 the socioeconomic data, that the people just didn't want to report,
47 and, of course, we know that validation is the most important
48 component of any new data collection program, and, since we have

1 already have installed a lot of hardware, Gulf-wide, to aid in
2 this, we believe that a suite of options for validation should be
3 considered with a new program.

4
5 The FES-MRIP pilot project, we encourage the council to avoid any
6 allocation discussions, or actions, until the completion of the
7 project, and we encourage the council to avoid making management
8 decisions based on this data until after the pilot project is
9 completed. To Andy, the recreational fisheries initiative shows
10 a lot of promise, and it's a good thing for like app-based
11 reporting to be explored.

12
13 Gag grouper, we do not support any reduction of bag limits, and we
14 do not support any vessel limits, and we do not support any
15 temporal or spatial area closures for gag, because of enforcement
16 issues. For amberjack, we support the preferred option of
17 September 1 for recreational seasons, and we urge the council to
18 move forward with an emergency rule to have a commercial trip limit
19 in place, seven-fish in place, by January 1.

20
21 The fishery ecosystem plan, we urge the council to implement the
22 Ecosystem Technical Committee recommendations, and, for the IFQ -
23 - This IFQ thing is a bomb, you know, and it's ready to blow up,
24 and I understand that, and so we urge the council to please, please
25 be considerate of what's in place, what's working, how to tweak
26 it. Listen to your fishermen, and I've been in it since day-one,
27 and it's been very successful for me, and we look forward to seeing
28 you all tonight at the council reception upstairs, and I hope you
29 all have enjoyed your stay.

30
31 **CHAIRMAN ANSON:** All right. Billy, I have a couple of questions
32 for you. Captain Walker.

33
34 **MR. WALKER:** Thank you, Billy. I don't know if this is a question,
35 or I guess it's kind of a question, and so I've talked to a couple
36 of the local charter boat guys that I know, at the function, and
37 they told me they very much did not like the September 1 opening
38 idea for amberjack, because they felt like, I believe, January, up
39 in their area, would be more beneficial to open, and I'm not
40 positive, and that's my -- But it was different than September,
41 but I've heard three of you all representatives of the industry in
42 this part of the Gulf say it's important for September 1, and do
43 you know why --

44
45 **MR. ARCHER:** So September 1 actually is -- We have access to the
46 fish, and, you know, it's a deepwater fish, and, you know,
47 hopefully the weather will be good, and it would coincide with the
48 gag grouper opening, and so we would have gag then, and amberjacks,

1 which our trophy trips, and, you know, that's what we like to fish
2 for, is trophies, but that's my point of view.

3
4 **CHAIRMAN ANSON:** Ms. Boggs.

5
6 **MS. BOGGS:** Thank you for being here, Billy. I appreciate it. So
7 you're dually-permitted, and, obviously, you have a permit for
8 your federal for-hire charter fishing, and you have a permit --

9
10 **MR. ARCHER:** Commercial reef fish.

11
12 **MS. BOGGS:** Do you own shares, or do you lease them?

13
14 **MR. ARCHER:** I do own shares, and I lease shares. We make it work.

15
16 **CHAIRMAN ANSON:** Thank you, Billy.

17
18 **MR. ARCHER:** Thank you for your time.

19
20 **CHAIRMAN ANSON:** All right. Next, we have Jim Zurbrick, followed
21 by Mark Tryon.

22
23 **MR. ZURBRICK:** Thank you, council, for allowing me to speak. I'm
24 Jim Zurbrick, from Steinhatchee, Florida. I was in the charter
25 business for a long time, and then I commercial fished, pretty
26 much, with no charter, for the last fifteen years. One thing I
27 will say about Peter is it has always been a pleasure. If he sat
28 at your table, it was always good conversation, but, mainly, when
29 you get a notice from NMFS, and you see that the contact is Peter
30 Hood, you felt like you were going to get a good answer, you know,
31 from all the -- I would start off with emotion, and he would start
32 talking specifics, and so he reeled me in.

33
34 Something that I do every meeting is I share with you my camera,
35 and I have cameras on my boat, and it was a big decision for my
36 wife Patty and I to do that, and, as you get older, you know, you
37 tend to feel like you might do the right thing, and so, this last
38 report, I had 3,466 individual red snappers, and I discarded forty-
39 one. I keep saying this, and not to grind it, but, had that been
40 3,466 red snapper recreationally caught, it would have been 30,000
41 discards. I mean, that's the data, eight to nine fish discarded
42 to retain one, and so I just want to tout that, personally, I feel
43 like -- Hopefully we're not the exception, commercially, but --

44
45 I have a couple of one-liners here. The SEFHIER, I think it's
46 hugely important, for the entire fishery, for the charter sector
47 to get back on a tracking, to know when they go. The validation
48 is so important, and we can't lose this, because it's another data

1 source that is validated, and it's groundtruthed. We can believe
2 it.

3
4 The other thing is that Dylan made some really good arguments,
5 yesterday, about this emergency rule on amberjack, and they're
6 asking for it. This is terrible. I mean, this is an emergency,
7 financially and about the stock. We don't want to have to throw
8 fish away all next year, or the following year, in 2025, because
9 you can't have any, and so, whatever we can do with an emergency
10 rule, we need to try.

11
12 I don't support area closures for gag. My quota is so low now,
13 and I did have 17,000 pounds of gag grouper, and, because we
14 haven't been catching it, I used to just give it to people, but,
15 this year, because I went down to 3,000, and I think I've already
16 got a closure going on, and we're not going to go anywhere where
17 gag groupers are predominant, and so I think the fishermen will do
18 that.

19
20 I've talked to Charlie Renier there, and other people, that say,
21 hey -- They just told the guys, hey, don't even get near that area,
22 because you know they're going to be piled up, during the spawn
23 especially.

24
25 This permit requirement for the IFQ, I've supported it from day-
26 one, and I know I'm at red, but I need to make this point, because
27 -- And I do support a harvest percentage or an income qualifier.
28 I think that's how you reel this thing in. The biggest mistake
29 was when it -- I didn't pay enough attention, and we were just so
30 glad that we went to the IFQ that we didn't really pay attention
31 to the five-year sunset of the permit requirement, but, since then,
32 when you track, by NMFS' information, that's where the issue
33 started to grow, okay, and so I do support that, and I want to go
34 on the record, and not everybody supports that, but I do, a permit
35 requirement with a percentage of landings necessary, and I thank
36 you.

37
38 **CHAIRMAN ANSON:** Thank you, Jim. We have a question for you from
39 Ms. Boggs.

40
41 **MS. BOGGS:** So you own a commercial permit.

42
43 **MR. ZURBRICK:** Yes.

44
45 **MS. BOGGS:** You own shares.

46
47 **MR. ZURBRICK:** Yes.

48

1 **MS. BOGGS:** Do you lease shares?
2
3 **MR. ZURBRICK:** I lease shares to -- Yes, I do.
4
5 **MS. BOGGS:** Do you lease them for yourself, or do you --
6
7 **MR. ZUBRICK:** I lease them so I've got enough, because I'm also a
8 fish dealer, and the guys that fish for me -- I lease them and put
9 them all their boats, and they all know that, whatever I paid for
10 them is what they get for them, okay, but I don't have enough
11 snapper to be a dealer unless I go out and lease. There is
12 something that you have to think about. Once you make guys divulge
13 their shares, guys that need more fish -- They still need to lease,
14 okay, but we want to give these young guys that are replacement
15 fishermen a chance. That's where we're at here.
16
17 It's tough to get into this industry, but, when I hear a guy say,
18 hey, I would rather buy a pickup truck than buy shares, I don't
19 feel about him the same way as I do a guy that's struggling to try
20 and make it. Is that it?
21
22 **MS. BOGGS:** I hope that I'm not mis-stepping here, but, had the
23 five-year sunset on the permit requirement not been there, would
24 we be in this predicament now? In other words, people that came
25 in the program, and had permits with shares, but now people are
26 selling out, and, I mean, that's where this all went upside down,
27 correct?
28
29 **MR. ZURBRICK:** You created a big universe, and there's a lot of
30 money in that universe, right? People looked at it as an
31 investment and took advantage of buying it.
32
33 **CHAIRMAN ANSON:** Thank you, Jim. Next, we have Mark Tryon,
34 followed by Chris Niquet.
35
36 **MR. MARK TRYON:** Mark Tryon, commercial rod-and-reel fisherman,
37 primarily, for red snapper, from Gulf Breeze, Florida, dayboat
38 fishing, twenty-seven-foot MayCraft. I think I'm the only one,
39 oddly enough, who is going to speak about recreational overfishing
40 in the red snapper sector.
41
42 A few years ago, this council delegated the responsibility of
43 recreational red snapper fishery management to the Gulf states,
44 and this was done without any proper procedures in place to ensure
45 that the states were not allowing overfishing. As a result,
46 significant overfishing has occurred, and continues to occur, and
47 this has negatively impacted my rod-and-reel dayboat commercial
48 fishing operation, and I will give you some quick statistics.

1
2 Back in 2019, and I go out for twelve to fourteen hours, and I was
3 catching 538 pounds of red snapper, plus some bycatch, every trip.
4 In 2020, it dropped a little, to 504. In 2021, it was 446, and,
5 last year, it was 394, and now, this year, year-to-date, it's 358,
6 and that's a 200-pound drop per trip over a five-year period.
7 That's quite alarming.

8
9 Even more alarming than that is what's going on this year, when I
10 break down the statistics. For the first five months of the year,
11 January through May, I was catching 539 pounds a trip, which decent
12 for me, okay, and, however, from June through October, June being
13 when the recreational season starts, I'm down to 177 pounds a trip,
14 and it's even getting worse, and I caught -- My last trip, a couple
15 of days ago, I had 130 pounds, and, the one before that, 100
16 pounds, and, the one before that, fifty-three pounds, and so it's
17 at the point where it's not worth it for me to go fishing.

18
19 Then you get into all this stuff like landing requirements, use-
20 it-or-lose-it, however you want to refer to that, and so why should
21 I be penalized, in the future, because you folks did not adequately
22 control these landings, where I can't catch enough for it to even
23 be worthwhile for me to go fishing, and then you're going to say
24 that we're going to, you know, reallocate your fish, but it's
25 because I'm not able to catch the fish, and I want to catch the
26 fish, okay, and the other thing that was mentioned yesterday is
27 this big problem with lease price.

28
29 Well, let me tell you something. The lease price problem is going
30 to go away if you keep allowing overfishing, and the reason that
31 is there's little to no fish for leases, and the share price is
32 all going to be worth nothing, okay, and I just think, with the
33 various -- With the state of affairs with certain fish stocks,
34 that, for the council to spend an entire half-a-day yesterday on
35 IFQ matters, and I'm not saying you shouldn't discuss IFQ matters,
36 but that seems like a lot of time spent, when we've got all these
37 other problems, like, you know, the cobia, the amberjack, and king
38 mackerel is not what it was, and, you know, where's the priorities?
39 I don't get it, and that's about it for me. Thank you.

40
41 **CHAIRMAN ANSON:** Thank you. Mr. Tryon, we have a question from
42 J.D.

43
44 **MR. DUGAS:** Thank you, Mark. You mentioned that you were from
45 Gulf Breeze, Florida, but my question is do you fish off the coast
46 of Gulf Breeze, Florida?

47
48 **MR. TRYON:** Yes. Out of Pensacola Pass, yes, within like forty

1 miles of the pass, in either direction, south and west.

2
3 **MR. DUGAS:** Thank you, and I was just curious what area you were
4 fishing, because I know some commercial guys move around the Gulf,
5 and I was just --

6
7 **MR. TRYON:** See, the problem that I have too is like I'm a dayboat
8 person, and I can't -- Like some of these other guys, that are
9 bigger boats and everything, more comfortable and safer, and they
10 could stay out for a couple of days, and so, in other words, you'll
11 have to ask them, and they may -- It may be taking them three days
12 for what they used to catch in two days, because, if you look at
13 the total numbers on the quota, I think we're right on schedule to
14 pretty much catch the quota as a fleet, okay, but the effort
15 required to, you know, maintain that catch rate is what needs to
16 be looked into, I think, and so I don't think it's just me. Thank
17 you.

18
19 **CHAIRMAN ANSON:** Thank you. Chris Niquet, followed by Bob Zales.

20
21 **MR. CHRIS NIQUET:** Chris Niquet, Panama City. I've been hearing
22 about the cost of becoming a commercial fisherman, IFQ fisherman,
23 and I'm going to run down some of the costs for the council, in
24 case you haven't figured it out.

25
26 Let's just take a regular boat, and it will cost you \$100,000,
27 minimum, and a reef fish permit will probably average \$25,000.
28 Red grouper, 40,000 pounds, \$800,000. Red snapper, 40,000 pounds,
29 \$2,000,000. A longline endorsement, eastern longline, \$100,000,
30 and that's a minimum. You're looking at three-million-plus, and
31 that's to get started, and you ain't bought a hook, a line, an
32 anchor, no tackle.

33
34 You take these figures to a bank, or an investment people, and you
35 try to get a loan, and they say, well, what's your return, and you
36 describe it to them, and they say that's a pretty good return on
37 your money for the IFQs and the boat, and now let's look at the
38 parameters, and let's research it, and they say, okay, what's your
39 parameters, and what's your title, and, well, there are no titles,
40 and you can't get a title on IFQs. You mean, we can't hold a title
41 on any of this stuff? Well, you can on the boat. Oh, and so you
42 basically want us to lend you \$2.8 million on a \$100,000 boat?

43
44 That won't fly, folks, and I know you've got a program, set up by
45 the government, to get people in this thing, and Andy has said
46 that you've got, I don't know, fifty or sixty people wanting to
47 get in it, and twenty pounds per person is what the government
48 holds, and I want to know how many people, out of this fifty or

1 sixty, have signed up for this government program. I bet you not
2 too many, because they know they can't meet the parameters. They
3 can't meet the requirements.

4
5 What I'm asking you to do is fix the requirements to where they
6 qualify for low-cost government loans to purchase this quota, when
7 it becomes available, so they can get in on this business
8 opportunity, if you want to call it that, and qualify to get in on
9 this, because, if they ain't got access to capital, they will not
10 get in on it.

11
12 Some of you probably were in the private sector before you got on
13 the council, and you probably had to get a loan to purchase a car,
14 a house, and, if you didn't have access to capital, you didn't
15 purchase that car or house. Think about it. If you ain't got
16 access to capital, you ain't got no business. Thank you very much
17 for your time.

18
19 **CHAIRMAN ANSON:** Thank you, Mr. Niquet. All right. Next, we have
20 Bob Zales, followed by Sidney Howard.

21
22 **MR. BOB ZALES, II:** Bob Zales, II. First off, I want to say thank
23 you to Peter. I haven't known Peter as long as Ken Haddad has,
24 but I've known him since he started with the council, and Peter
25 has always been very helpful to me, and he's been a good friend,
26 and I appreciate everything, Peter. I also want to thank everybody
27 that came to the social last night at Greg Abrams', because I think
28 that gave some of you a little bit of insight on who it is, and
29 what it is, that what you all do impacts. There, you saw the
30 boats, and you saw the processor, the retail market, the trucks
31 that ship the seafood everywhere, everything all together, and the
32 people that operate all that, and those are the ones being affected
33 by everything you do.

34
35 You heard about the social tonight, and, last night, you saw
36 several, and you will see this industry, and, when I say industry,
37 I'm talking about charter guys, commercial guys, and even some
38 recreational people, coming together now, and that hasn't happened
39 in years and years, but that have worked together on a common cause
40 to help everybody survive.

41
42 FES, that's the big thing for me now, and what we know about FES
43 is that, when FES was implemented with red grouper, the commercial
44 industry lost 20 percent of their fish. The recreational sector
45 went from a year-round fishing season to, the last three years, to
46 now it's only six months.

47
48 Other fisheries have been impacted the same way. We now know that

1 FES is flawed, and see that FES, and this is the Fisheries
2 Service's information, is overestimating recreational landings by
3 up to 40 percent, and it could be more, and it could be a little
4 bit less.

5
6 When you look at this, when you increase the recreational
7 allocation, you increase their discard mortality, which is far
8 higher than the commercial side, and we really don't know what the
9 discard mortality is, but the total quota for everybody, with your
10 private rec, with your charter, with your commercial, is reduced,
11 before it's given out, to account for that overage, and so
12 everybody suffers for that.

13
14 Now we're looking at FES, another study, to come out in 2026, is
15 they say is the earliest that it will be here, and history tells
16 me, working in this system, that 2026 is going to be real early,
17 and you're looking at taking future stock assessments and
18 implementing FES, a flawed system, and you know it's no good, that
19 you consider the best available science, to continue down this
20 road that impacts people.

21
22 Now, the grouper fishery, and I'm just going to pick on red
23 grouper, it has been, what three years now, I guess, something
24 like that, and the money that has been lost, the impact to
25 consumers, to commercial fishermen, to boats, to processors, it
26 will never be recovered. If you continue down this road with the
27 wrong FES data, the next three or four years -- Four years from
28 now, it will be, oh, well, we screwed up. Well, guess what? That
29 four years, the economic and social impact is lost, and it doesn't
30 come back.

31
32 The FES system needs to be stalled out. Get it together, fix it.
33 At whatever time you come up that you think it's okay, then start
34 playing with it again, but, until then, continue on with the old
35 style. You can tell me that we don't use CHTS anymore, and, no,
36 you don't. If you look at Texas, the recreational red snapper
37 data for years, they were always taking several years of averages
38 to bring to the new year's data, and you can do the same thing
39 that's there, and you have the ability to do that. The FES does
40 not have to be used to continue the harm to the people in this
41 room. Any questions?

42
43 **CHAIRMAN ANSON:** I am not seeing anyone raise their hand. Thank
44 you.

45
46 **MR. ZALES:** All right. Thank you.

47
48 **CHAIRMAN ANSON:** All right. Sidney Howard, followed by Pat Neukam.

1 Is Sidney here? All right. We'll come back. Pat Neukam.

2
3 **MR. PAT NEUKAM:** Good afternoon. I'm Pat Neukam, and I'm here to
4 represent my son. My son is already in the charter industry. We
5 have a dual-permitted vessel as a charter. We've also looked at
6 what it was going to take to be profitable in the commercial
7 fishing industry, and we bought two vessels, and two permits, and,
8 currently, we lease. Actually, I'm getting ahead of myself.

9
10 First, let's start with SEFHIER. On the charter side, SEFHIER is
11 necessary to give you ample data that, year over year, you can see
12 the species, and I'm going to take grunts, for example. If I would
13 look out there, and I would look and say I'm catching thirty-five
14 grunts, every trip, and it's more like eighty-five, honestly, but
15 you take that number, and the next year it goes to seventy-five,
16 and the year after that it goes to sixty-five, you have accurate
17 data, at that time, that you can tell that there's a difference in
18 population. You're taking 1,200 charters in the Gulf of Mexico
19 and giving a snapshot of what the fishery has done. That
20 information alone will give you a better, more knowledgeable
21 reference point to what is going on in the fisheries.

22
23 Gag grouper, now, let's start on the commercial side. Your
24 commercial guys are staying away from the areas high in gag
25 grouper. Why? Because they know what's coming down the pike.
26 They know they need to keep that fishery. That's a highly-
27 profitable fish. Even for the guys who buy the IFQ, it's a high-
28 profit fish, and we want to do whatever we can to get back to that
29 fishery that's sustainable and profitable and has ample IFQ
30 available.

31
32 On the rec side, we had a short, collapsed season, and it got
33 shorter, because there was 800,000 pounds that is normally caught
34 commercially that floated in. That gag grouper discard rate, on
35 the recreational side, hindered a lot more than you think.

36
37 Multiple times, I hear, oh my gosh, oh my gosh, look at all those
38 gags out there, and we went out, and we probably caught twenty of
39 them, and we were able to keep seven of them that were over thirty-
40 five inches. Well, what happened to the other ones? One, the
41 recreational guys -- I do agree that we're doing a much better job
42 at teaching proper venting, proper release, but not to need that
43 have. We have a lot higher mortality rate for the recreational
44 guys than we think.

45
46 AJs, commercially, we must prevent a shutdown and set a trip limit
47 that will allow you to keep your discards, and reduce your
48 discards. If you just get rid of -- I'm sorry, and it looks like

1 I'm over time, but, if you just get rid of your season altogether,
2 you're still going to have four or five that you catch, that, by
3 the time you get them, whatever you've got to do, and you release
4 them, and, after a good fight, especially if it's caught on a
5 longline, that fish is dead. It's already gone, and it's out of
6 the fishery, and so why not give us the ability and act immediately
7 on addressing the AJ issues? I had an entire list here of pros
8 and cons of the IFQ, and I will send that in an email for you guys.
9

10 **CHAIRMAN ANSON:** Please do. Time does go quick while you're up
11 there, Mr. Neukam. We have a question for you from Ms. Boggs.
12

13 **MS. BOGGS:** Thank you, Mr. Neukam for being here. You're a
14 commercial permit holder, but you said you lease your fish, and is
15 that correct?
16

17 **MR. NEUKAM:** We do. I own a hundred pounds, and I own it. This
18 is for my son. When I say this is for my son, I took him fishing
19 when he was ten years old, and he walked off that boat, and he
20 looked at me with glassy eyes, and he was like, Daddy, Daddy, this
21 is what I want to do. He got eighteen years old and graduated
22 from high school, and he was like, I'm ready to go, and I'm like,
23 no, no, no. The industry is in trouble. Go get a college degree,
24 so you have something to fall back on.
25

26 Two-and-a-half years, boy, and he got his finance degree, and he
27 came to me, and he was like, all right, now it's time to go fishing,
28 and so, yes, in this industry, with the IFQ, something needs to be
29 done, but please -- I implore you that what we need to do is just
30 tweak. Don't try and revamp. Increase the access for the new
31 guys, but do not -- Do not go and start creating a massive amount
32 of change, where you completely destroy the industry, because
33 that's what can happen.
34

35 **CHAIRMAN ANSON:** Thank you.
36

37 **MR. NEUKAM:** Thank you.
38

39 **CHAIRMAN ANSON:** All right. Is Sidney Howard back in the room?
40 All right. Next, we'll have Larry Lemieux.
41

42 **MR. LARRY LEMIEUX:** Good afternoon, Gulf Council. My name is Larry
43 Lemieux, and I own North Bay Light Tackle Service here in Panama
44 City Beach, Florida. I have a six-passenger federal charter boat,
45 as well as two state guideboats, that me and my brother operate.
46

47 I want to talk a little bit about the king mackerel fishing this
48 afternoon. I've been in the charter industry and commercial

1 industry since 1996, and I'm going to just throw out a few stats,
2 according to some apps that we have, to show that -- The northern
3 Gulf this year, and I know we're only twenty-five days in on the
4 October opening, and we're at zero percent, zero. On the southern
5 Gulf, which is the quota is about 600,000 pounds, and we're at 0.2
6 percent. The western Gulf is over a million-two, and we're at 18
7 percent.

8
9 King mackerel is in trouble, and we need some help, and we need
10 some help now. I don't know what the answer would be, water
11 quality, bait, pollution from the BP oil spill, and I don't know.
12 I know I've been fishing here for my whole life, and I've never
13 seen such a decline in a stock so rapidly.

14
15 I will give this little fact, and one of the gentlemen in this
16 room fished in a tournament this past weekend, in southeast
17 Florida, a big-time, big-money king mackerel tournament, probably
18 sixty-plus boats fishing for over \$50,000, boats capable of running
19 a hundred miles either way, and there was six fish caught in the
20 whole tournament. Six.

21
22 Obviously there's a problem not only with the southern Gulf, the
23 northern Gulf, and the western Gulf, and I don't know what the
24 answer is, but I would like this council to look into coming up
25 with some kind of plan to let's rebuild the kingfish, and, just on
26 a side note, and this has nothing to do with the Gulf, and even on
27 the Atlantic, on the east side, a 2.3-million-pound quota, and
28 there's been 5.8 percent caught since it opened, and there's just
29 a horrible -- I don't know the stock on the east side and west
30 side, and I don't know what's wrong, and I don't know the answer,
31 but I know we need some help.

32
33 Secondary, to amberjack, I'm not in favor of the calendar year
34 starting on August 1, and I would like to see a spring season for
35 jacks, April or May. I am not for the fall season, where it
36 crosses over with jacks and gags. I think we need one trophy fish
37 to give to our customers, whether it be a red snapper, whether it
38 an amberjack, whether it be a black grouper, or, I'm sorry, a gag
39 grouper.

40
41 You know, the jacks are at a thirty-four-inch minimum, and we're
42 killing the breeding fish, and maybe drop it back down a twenty-
43 eight-inch, or a thirty-inch, size limit, a boat limit of two or
44 three per boat. I think one per person is too much, and, I mean,
45 even if we go down to a three or four-per-boat limit, but we
46 definitely need to figure it out.

47
48 I heard, yesterday, when the jacks spawn, and we need to know

1 exactly when they spawn, where we can close the season,
2 recreationally and commercially, so we don't do any more damage
3 than what we've done now.

4
5 I'm in favor on the gags of reducing to one, to keep me in business
6 longer in the fall, and I'm all right with a fall season. I'm
7 also in favor of the SEFHIER system, and I believe that's what
8 it's called, with a logbook. Other than that, just a lot of
9 things, and cobia fishing, and it's not been really brought up
10 here, but it's in dire straits too, and I don't know the answer to
11 that either, and I've caught them my whole life, and I haven't
12 caught a single keeper fish this year, and I've fished over 150
13 days, and so I don't know what the answer is, but we need to figure
14 it out, and we need to figure it out fast. Thank you.

15
16 **CHAIRMAN ANSON:** Thank you, Larry. We do have a question for you,
17 Larry, from Captain Walker.

18
19 **MR. WALKER:** Thank you, Larry. When did you guys -- In your
20 opinion, when did you start to see the decline in the king mackerel
21 up here?

22
23 **MR. LEMIEUX:** I purchased my boat in 2018, and we had good king
24 mackerel stocks up to that point, but, from 2018 on -- I purchased
25 a permit and the boat at the same time, and I have yet to sell a
26 king mackerel. It has gone drastically down, and I know we had -
27 - On April 24, 2010 was the BP oil spill, and it looked like the
28 cobia and the king mackerel started to decline ever since we had
29 the dispersant, or whatever chemical they used to spray the Gulf,
30 and even -- It's affected mahi, and it's affecting anything that
31 swims on the surface of the Gulf of Mexico, and we've seen a
32 decline.

33
34 You know, king mackerel, I think water quality, and bait, and
35 there's a lot of different factors, and, obviously, effort is
36 greater now than it's ever been, with boats capable of going just
37 unbelievable distances, and I just -- It's tapered from 2018 for
38 me, and I haven't sold a kingfish commercially, like I said. You
39 were guys at Mr. Abrams' last night, and I sell my fish to him,
40 when I get some, and I haven't sold a fish to him since 2018.
41 Thank, you all.

42
43 **CHAIRMAN ANSON:** Thank you. All right. Next, we have Rachel
44 Hisler, followed by Gary Jarvis.

45
46 **MS. RACHEL HISLER:** I'm Rachel Hisler, from Double Bayou, Texas,
47 and my husband and I are both -- What I am going to start saying
48 is legacy fishermen, and we're a multigenerational commercial

1 fishing family, and so I think that's a nice way to think about
2 it, as legacy fishermen.

3
4 Today, I wanted to talk to you about communication. I've been
5 studying communication, to help me grow in my personal and
6 professional life, and so I wanted to share with you some of the
7 things that I have been learning as I've been studying how to be
8 a better communicator, and so I have a couple of questions that I
9 will start out with, and that is what is the Gulf Council, and
10 what are the characteristics of a good Gulf Council member?

11
12 To me, the council is a group of individuals who have committed to
13 active and aggressive collaboration to build and maintain healthy
14 fisheries. Collaboration should take place with stakeholders
15 across all sectors, and so, while you're collaborating together,
16 we, as fishermen, want to collaborate with you, in order to have
17 our voices heard at the table as well.

18
19 We want council members with an open mindset and with a solutions-
20 oriented approach, and we ask that you would be willing to ask
21 questions and actively listen to the answers received. We should
22 not only use all the brains we have, but all of the brains we can
23 borrow, and that's a quote by Woodrow Wilson.

24
25 Many good ideas together can turn into a great idea, and so, when
26 we get in a room together like this, and people can provide input
27 that might spark a thought with you, or spark a thought with this
28 one over here, and then we can come together and collaborate and
29 work together and come up with a great solution, that none of us
30 may have thought of on our own.

31
32 When fishermen come to the podium to share their experience and
33 information, please regard it as more than anecdotal. When
34 researchers gather data from recreational fishermen out in the
35 field, it is considered valid data. These fishermen are being
36 solicited the same as we are, and so we are asking to be given the
37 same consideration. We happily provide hard data, through our
38 logbooks and the observer programs, and we happily attend council
39 meetings, to give real-time updates of what is currently happening
40 in our fisheries. We cannot all serve on the council, and we
41 depend on you, our representatives, to be our voice.

42
43 That means we have open lines of communication and should be
44 aggressively collaborating to find solutions that honor the
45 fishery and the legacy that we leave for future generations. Thank
46 you.

47
48 **CHAIRMAN ANSON:** Thank you. We have a question from Ms. Boggs.

1
2 **MS. BOGGS:** Thank you for that. That was very inspiring, and so,
3 as a legacy fisherman, or woman, and so you all are in the
4 commercial fishery, and so my question is do you own permits, do
5 you own shares, and/or do you lease shares?
6

7 **MS. HISLER:** We own a boat, and we own a permit, and we lease all
8 of our allocation. Thank you.
9

10 **CHAIRMAN ANSON:** We have one more question from Andy.
11

12 **MR. STRELCHECK:** Rachel, thanks for being here, and I really
13 appreciate your comments. My recollection is you have a
14 partnership with your father-in-law, or father, and so that's where
15 you lease a lot of your allocation, and is that -- Do you lease
16 all of your allocation, or do you lease from other fishermen as
17 well?
18

19 **MS. HISLER:** The bulk of it, we do have an agreement with my
20 father-in-law, and then the rest of -- We do have other
21 shareholders that we lease allocation from to supplement that.
22

23 **MS. STRELCHECK:** All right, and so then the question that's been
24 asked by several other people is, is there any change, or
25 recommendation, that you would make for the program itself?
26

27 **MS. HISLER:** Well, in part of what I was trying to convey with the
28 sentiment about legacy fishermen, it's that we've built our life
29 on this, and we've been doing it since we were kids, and so there
30 was a big change when we went to the IFQ system, and now we're
31 talking about a big change again, in a relatively short period of
32 time, in that entire lifetime of fishing, and we're forty-two years
33 old, and so, I mean, we're right in the middle, in the prime of
34 our lives, and so talking about maybe taking shares away, whenever
35 the original shareholder passes, that is a very frightening thought
36 to someone like me, who has built their entire life around
37 acquiring those shares, whenever that person does pass away, yes.
38

39 **CHAIRMAN ANSON:** Ms. Boggs.
40

41 **MS. BOGGS:** So, as a follow-up to Andy's question, and so you lease
42 the shares from your father-in-law, and was your father-in-law, at
43 one time, active in the fishery?
44

45 **MS. HISLER:** Absolutely, and he bought the boat that we currently
46 own from his father. He shrimped it, and he used it for oystering,
47 and then he converted it to a snapper boat, which he fished, and
48 then we bought that boat in 2008, I believe, and so, yes, he's --

1 And he still goes shrimping sometimes.

2

3 **CHAIRMAN ANSON:** Thank you, Rachel.

4

5 **MS. HISLER:** Thank you.

6

7 **CHAIRMAN ANSON:** Next is Gary Jarvis, followed by Mike Sullivan.

8

9 **MR. GARY JARVIS:** I'm still Captain Gary Jarvis, ninth issue, and
10 I'm not sure that I will qualify for my tenth next April, but I
11 would like to thank the council for the opportunity to give my
12 thoughts on the public record.

13

14 The great thing about the public record is it can be used as
15 exculpatory evidence in a court of law, and so I value any
16 opportunity to present facts and/or evidence with my comments, and
17 so, in light of everything I've heard so far today, I can see why
18 it's hard to see the forest from the trees, and so I'm going to
19 take a forty-thousand-foot view with my comments.

20

21 Since the sunset of the amendment in 2012 that established, in
22 2006, the reauthorization, a fair and equitable employment policy
23 to facilitate fair representation for all the various major
24 stakeholders, and there was a specific, and successful, effort to
25 pervert that representation by leaders of the private boat
26 recreational sector, and, as I look around at the makeup of this
27 table, I can only say congratulations, and that strategy was very
28 successful.

29

30 The MSA mandates the council membership to commit to protect and
31 maintain the Gulf of Mexico fisheries has since taken a backseat
32 to the mantra of open access, at all costs. Unfortunately, for
33 some of us, to only one user group, and the charter angler, or the
34 consumer, be damned. Well, since 2012, when we had rebuilding
35 fisheries, and others that were steadily maintaining decent
36 stocks, this new focus on unrestricted, open access to promote the
37 sales of new boats, motors, and memberships for recreational
38 organizations, we've seen a drastic, and in some cases
39 catastrophic, decline in multiple species.

40

41 You have witnessed some of this yourselves, because you're
42 wrestling with it today. With key species like red and gag grouper
43 and amberjacks, all key fisheries for the charter industry and
44 consumers and restaurant owners like myself, they're now closed
45 300 to 342 days a year, and I believe that's not the definition of
46 an increase in access, and it's a direct consequence of a failed
47 policy.

48

1 Red snapper, the golden goose, is obviously showing signs of
2 decline, and cobia are in collapse, and king mackerel is getting
3 worse each year, and the deepwater grouper and silky snapper
4 fisheries are under a TAC and overfished like never in the history
5 of the Gulf of Mexico, and so, instead of attempting to create a
6 sustainable harvest, and sustainable level of effort, and a plan
7 to address participation in the recreational fisheries, the focus,
8 and the mantra, of open access at all cost is clearly showing signs
9 of failure.

10
11 I'm sure, at the end of my comments, no one will ask me any
12 questions, but this trend is unnerving, especially to coastal
13 communities like mine, a former mayor of the luckiest fishing
14 village in the world, and my family's restaurant business and my
15 own charter operation, that, if we don't change that policy, that
16 we're going to have serious consequences to our coastal
17 communities.

18
19 It's kind of ironic that we're fighting piecemeal over this
20 resource, and this species, and the only reason we're doing it is
21 because things are getting dimmer and dimmer, and the outlook is
22 getting worse and worse, and so my last comment, and the red light
23 is on, is let's stop policy and agendas, and let's go back to
24 protecting the fish first, because, without the fish, there's no
25 reason for any of us to even be here. Thank you.

26
27 **CHAIRMAN ANSON:** Thank you, Gary. Captain Jarvis, we've got a
28 couple of questions. Ms. Boggs.

29
30 **MS. BOGGS:** I thought you retired from the charter fishing, and
31 so, if you did not --

32
33 **MS. JARVIS:** As I've just accused some of you of failing fisheries
34 management, I have failed at retirement.

35
36 **MS. BOGGS:** Dang you. With all that being said, please tell me
37 about data collection and what you would like to see changed, if
38 anything, with the new data collection program that this council
39 is looking to develop for the charter/for-hire, in a brief, brief
40 way.

41
42 **MR. JARVIS:** As you know, I was the mouthpiece for sector
43 separation in 2008, and we got that program, Amendment 40, done,
44 and the cornerstone of that whole program was a self-reporting,
45 near-real-time, accountable, verifiable reporting system, and,
46 since 2014, we worked extremely hard to get to that, and we thought
47 we got across the finish line last year, and we ran into some
48 problems.

1
2 There was a certain segment of our industry that didn't like the
3 twenty-four-seven reporting requirements, and we do see some flaws
4 in that, but SEFHIER needs -- It's essential, and especially in
5 the struggles with these fisheries, that we have a near-real-time,
6 accountable, verifiable system, at least in the sector that is
7 easier to -- Not control, but easier to evaluate and see what
8 they're doing. If you don't do anything in the next eighteen
9 months, get SEFHIER back up and running for the charter fleet, and
10 it's the essence for their long-term survival.

11
12 **CHAIRMAN ANSON:** We have one more question from Captain Walker.

13
14 **MR. WALKER:** So you mentioned deepwater species, and what are you
15 seeing there, and, if it were up to you, what would you do to
16 address it?

17
18 **MR. JARVIS:** First and foremost, just off the top, Ed, the allowing
19 four deepwater groupers per person, as far as the grouper
20 aggregate, is extremely detrimental to one of the slowest-growing
21 fish in the Gulf of Mexico, and, in fact, all the deepwater species
22 are slow growers, and, when you fish a place hard, they don't come
23 back six months later and get restocked with this miracle deal,
24 and it takes years, sometimes, if you fish a place too hard.

25
26 With the event of the CMOR mapping, and Garmin's new Captain, four
27 engines, these closures in all these other essential fisheries,
28 all the attention has gone to deepwater fishing with electric
29 reels, GPS, and the charting is unbelievable. People are fishing
30 -- For \$700, they can go buy a chart, and they can fish, and
31 capture fish, in places that took me forty-five years to find and
32 learn how to fish for.

33
34 That was one of my little specialties, was deepwater grouper and
35 deepwater fishing, and now, on a calm day especially, you will see
36 dozens and dozens of boats with the technology, and the knowledge
37 now, with these charts, to harvest fish. Because it's a fishery
38 that's probably not essential, I don't think the data has come in
39 on it, but, from a seaman's perspective, and just seeing the effort
40 on -- I'm just giving my anecdotal, but professional, opinion that
41 the increase in harvest, and effort, and especially effort, of
42 fish on deepwater fisheries, and not just in Destin, and not just
43 in Galveston, and all the way to Key West, is -- Look on Facebook.

44
45 You will see pictures of fish, and catches, that you never saw
46 five years ago, let alone ten years ago, and it's all because of
47 -- You know, I think you guys were soliciting information on our
48 professional opinion on yellowedge grouper. Well, the snowies are

1 getting smoked just as bad, and so are the, you know, silky
2 snappers, and the longtail bass, and every other deepwater species
3 that are on these low-lying coral reefs that people -- The
4 fathometers weren't good enough, ten years ago, to mark these
5 little hard spots, and they are now, and people are taking
6 advantage of that, and so the effort has extremely increased in
7 the last five years.

8
9 The Science Center, and the council, is going to have to take --
10 You're not already busy enough, but it needs to take a really good
11 look, because this fishery, the deepwater grouper fishery, will
12 fail, and collapse, faster than any of the inshore fisheries, in
13 my professional opinion.

14
15 **CHAIRMAN ANSON:** Thank you, Gary. Next, we have Mike Sullivan,
16 followed by Stewart Miller.

17
18 **MR. MIKE SULLIVAN:** For starters, I just want to -- The statement
19 that Gary made about the deepwater grouper, and, obviously, it's
20 not on the agenda, but that was pretty spot-on, and it's definitely
21 something that needs to be looked into.

22
23 I am Mike Sullivan, and I own multiple charter boats that are dual-
24 permitted, commercial and charter fishing, and I want to thank you
25 all for having this in the Panhandle. It's been some time, and we
26 didn't have to travel far, and I'm going to jump around on a couple
27 of different species.

28
29 We'll start with red snapper. As we get more days in the charter
30 industry, I would love to see the start date pushed back. I don't
31 want to see where, as we've been calling them today, trophy fish,
32 the amberjack and snapper, getting overlapped, as this year. I
33 mean, it's just too much fish, and we are able to sell more. You
34 know, it's all about us being able to sell more days to make more
35 money, and so, yes, I would love to see the start date pushed back.
36 The days in May are way more profitable than the days in late
37 August would be.

38
39 Then I will jump to amberjack. I would love for us to have some
40 sort of spring season. I understand we think that's when they
41 spawn, and we're not real sure, and whatever. If it's ten days,
42 or two weeks, but anything in May, and like we have nothing to
43 sell, and so, I mean, it's become -- It used to be one of the most
44 busier months for us, with great weather starts, but now we have
45 nothing that we can keep, and so anything in May would be
46 wonderful, and, for the fall season, yes, starting in September is
47 better than starting in August, because, again, snapper is over,
48 and we have something else to sell.

1
2 I would like to see, and I've been thinking of the word, but you
3 all's calendar year and why it doesn't start on January 1, and why
4 we switched to August, and, I mean, I would like to see it go back
5 to January 1, like the rest of the species are.

6
7 I will go to gag grouper, and, yes, gags are in trouble. We all
8 know this, and, you know, we've had a hurricane, and that's brought
9 some fish up, and, you know, there's been some great gag fishing
10 this fall, and it hasn't been quite as good as this in the last
11 few years, and, also, the reduction in the quota has made the
12 opportunity to catch more gags easier. I don't want to see the
13 limits cut, because, if we cut the bag limit, we never get bag
14 limits back, and so I have to say status quo with the gags.

15
16 I will touch on the Spanish, and you all were talking about that
17 earlier. If they're in bad shape -- I'm not real sure why we went
18 to fifteen fish, however many years ago that was, fifteen or
19 eighteen years ago, why we went to fifteen, and ten was plenty of
20 mackerel. I don't want to see it go to two, and that's going to
21 be devastating on some of the guys who that's what they target,
22 and I guess I would like to say little smaller steps, before we
23 make big jumps.

24
25 Then I will switch to IFQ. I'm a fairly younger person in the
26 industry, and I started -- I purchased a boat right when the IFQ
27 started, and I was a person, like many, that got really nothing,
28 and I had an extremely small amount, but I'm all-in in the
29 industry. This is all I do, and so I am one of the ones that did
30 many sacrifices, many family sacrifices, business sacrifices,
31 everything to save every dollar and buy a pound here and buy a
32 pound there.

33
34 I hawked everything that I had many times to stay in the industry,
35 because, for us in the charter, it's not a year-round fishery, and
36 there are some winters that we've got to go through the winter
37 just to make ends-meet, and now there's talks of maybe doing away
38 with it, and I would just like what about people like me, who
39 hawked everything they have, and what about if you took it away in
40 two years, and I still have a hefty note, and who pays that?

41
42 I mean, it's just all that has to really play into your decisions
43 on where you go with that, because, for folks like myself, I mean,
44 it's not fair to other spectrum that didn't get -- That wasn't
45 involved in it when it was dished out in the beginning, but, by
46 all means, I do think it is a good thing, because I remember
47 fishing before IFQ, and, when it went from no IFQ to IFQ, the price
48 increased drastically, and most people don't remember that.

1
2 It was two-dollars a pound for snapper, and, the next year, it
3 went to \$4.50, and the market has definitely increased, and,
4 obviously, restaurants are able to keep fish year-round, and it's
5 made it a more sustainable industry, and that's it.

6
7 **CHAIRMAN ANSON:** Okay. Thank you. Any questions? We have a few
8 questions. Mr. Strelcheck.

9
10 **MR. STRELCHECK:** Thanks, Mike, for being here. Do you lease
11 allocation?

12
13 **MR. SULLIVAN:** So, for myself, being in the charter industry,
14 there's some -- I am one of these few people here lately that has
15 been struck by a natural disaster, and so, some winters, if the
16 summer has been lean, and we have to fish through the winter, or
17 we don't have any boat projects, then, yes, we'll fish and catch
18 ours, but there's been some years here, two out of the last five
19 -- You know, I got sank in a hurricane, and, last year, I got
20 struck by lightning, and I wasn't able to fish through the winter,
21 and so, yes, I have to lease them then, but say we have another
22 hard year, like this summer we had, with the economics, and no
23 doubt everybody here in the charter industry is down twenty-plus
24 percent, and we'll have to fish through the winter, and we'll have
25 to catch our own. You know, we'll catch the fish we have, or, if
26 we have to lease some, we'll lease some, and that's a year-to-year
27 thing, for myself.

28
29 **MR. STRELCHECK:** Do you continue to buy shares in the program, or
30 have you stopped buying shares?

31
32 **MR. SULLIVAN:** Have I bought shares?

33
34 **MR. STRELCHECK:** It sounded like you -- Are you continuing to do
35 that?

36
37 **MR. SULLIVAN:** Yes, sir, and I bought shares -- I've bought shares
38 in the last six months. Yes, sir.

39
40 **CHAIRMAN ANSON:** Captain Walker.

41
42 **MR. WALKER:** Thank you, Mike. Just to clarify, given your choice,
43 May would be a good day to open amberjack?

44
45 **MR. SULLIVAN:** So I would love to see it open on May 1, just
46 because we -- I am speaking for us, but we come out of spring
47 break, and we hit a pretty big lull, and, once we get into May,
48 typically, we get the first stretch of beautiful, calm weather,

1 and the fishing gets really good, and the bait picks up, and
2 everything gets rolling, and now we have nothing to keep.

3
4 We've watched our business go from when we would run twenty-five
5 days in May to we're running, you know, ten, or, for us, it's about
6 hours, where we would go from running 250 hours in May to now we're
7 running like fifty hours, and just -- You know, yes, but I also do
8 understand that, with the data, we catch way more in May, and I
9 don't want to be greedy, because there's some people that would
10 like them in the fall, and I'm going to use our neighbors in
11 Destin. They would love them in October for the rodeo, and so I
12 am all about sharing. You know, whatever, and it's ten days, and
13 anything is better than zero.

14
15 **MR. WALKER:** Like I said, I talked to a couple of people last night
16 that felt that, and so I've been a little bit surprised, and
17 particularly just in this part of the Gulf and the difference in
18 opinion on that.

19
20 **MR. SULLIVAN:** So you had made the comment about some people had
21 said something about, in this area, opening in January?

22
23 **MR. WALKER:** No, and that was to start the year, and that wasn't
24 the --

25
26 **MR. SULLIVAN:** Okay, because I was going to sure that -- They might
27 have misunderstood like maybe how the calendar year starts, but,
28 yes, for here, in the wintertime, it's pretty dead.

29
30 **MR. WALKER:** Also, just to let -- You and I are a lot alike, and
31 you do everything that I do. I have a charter boat, and I have a
32 couple of shares, and I commercial fish, and I do a little bit of
33 everything, and, like you, I prefer to have seasons open the most
34 they can, and I am not a fan of overlapping all the seasons.

35
36 **MR. SULLIVAN:** No.

37
38 **MR. WALKER:** From the charter perspective, you're better off if
39 you have something to sell to people on the docks, and so --

40
41 **MR. SULLIVAN:** So this is my thing with that, is that, is that, if
42 the person coming fishing isn't going to come, because they can't
43 fill up their freezer, I would just as soon they not come, but you
44 would like to be able to sell a little something to each person.
45 Thank you, all, for your time.

46
47 **CHAIRMAN ANSON:** Thank you. Stewart Miller, followed by Mark
48 Kelley.

1
2 **MR. STEWART MILLER:** Stewart Miller, owner and operator of the
3 Charter Boat Great Escape, dual-permitted, and I also own a
4 commercial boat, the Lady M, and I've done this my entire life. I
5 have owned and run my own business for twenty-one years out of
6 here, Panama City.

7
8 I am -- I would like to see the amberjack in May, and I -- We have
9 nothing in May, and nothing in the springtime is -- We say we've
10 got to survive the whole winter, and, just like my cousin that
11 just spoke, and May used to be our best top fishing month,
12 everything, and now it's nothing.

13
14 I am going to speak on something, the closed area, and I've run a
15 lot of two-day trips, fifteen hours, a lot of long trips, and I
16 fish around the Madison-Swanson. I was there the other day, and
17 there was nine boats sitting in it. Nine boats sitting inside
18 that closed area fishing. I mean, goodness gracious. I mean, we
19 need to do something about that.

20
21 Gary Jarvis spoke about the CMOR mapping, and I know we can't stop
22 progress, but I've fished for twenty-something years, and, for
23 \$800, you can buy what has taken me that long to learn. I mean,
24 it's sad, but CMOR mapping and stuff, and the deepwater fish, it
25 is -- You watch and see, and it's really -- It has put a hurt on
26 our industry, and the same with the Minn Kota -- I mean, when I
27 used to jack fish, you would have a small boat up there, and he
28 couldn't hold the boat up and stay on that place, and he would
29 fall off, and I could go up there and hold up and get my fish and
30 then go, but now they pull up there, and they drop the Minn Kota,
31 and it's -- They're there, all day long, however long that battery
32 can last, and, again, I know you can't stop progress.

33
34 Kingfish, it is one of you all's oldest fish that all have been
35 working on, and, right now, it is one of the worst fish. I have
36 caught more wahoo than kings this year.

37
38 Gag grouper, it's -- We know there's been a decline, and I am for
39 the two fish. I would rather see that. Sharks and dolphins,
40 nobody has spoke on that, but they are a really bad thing out of
41 our area, for sure, very bad, and that's pretty much it. Thank
42 you for your time.

43
44 **CHAIRMAN ANSON:** Thank you. Ms. Boggs.

45
46 **MS. BOGGS:** Thank you for being here today, Stewart. So you're
47 dually-permitted?
48

1 **MR. MILLER:** Yes, ma'am. We just unloaded fish at Greg's this
2 morning.
3
4 **MS. BOGGS:** All right. Do you own shares?
5
6 **MR. MILLER:** I do own, and I lease. Yes, ma'am.
7
8 **MS. BOGGS:** Thank you.
9
10 **MR. MILLER:** Thank you.
11
12 **CHAIRMAN ANSON:** Mark Kelley, followed by B.J. Burkett.
13
14 **MR. MARK KELLEY:** Somehow, all of us Panama City boys got up here
15 together. First off, the amberjacks. You know, if memory serves
16 me correct, the Panhandle of Florida, in the spring, was one of
17 the highest catches of amberjacks, and you all took May away from
18 us, and I would like to see some form of a May season. I would
19 like to see the current year go back to January, because we stood
20 up here, several years ago, and everybody told us that, if we went
21 to a thirty-five-inch fish, there would be no reason for a
22 regulation, because so many fish would spawn.
23
24 The gags, I would like to see the gags go to one per person. We're
25 going to have to go to one per person before it's over with,
26 because, as the stock grows, it's going to get caught faster and
27 faster, and, the ones that can catch two right now, great for them,
28 but it's not happening in our area. What fish was caught this
29 year in our area was all due to a hurricane bunching them up.
30
31 The IFQ program, I've been in the IFQ program since the start.
32 I'm a dually-permitted boat, and I've got IFQ shares, and I've got
33 -- I've bought it all. I have it all, and I have paid for IFQ
34 shares since the beginning of the whole thing, and I have never
35 went a year that I wasn't paying for shares. I got into the
36 system, just as you asked me to, and then, yesterday, I'm sitting
37 in here, and we make a motion, and I know the motion died, but, if
38 something happened to me today, I'm giving all that back to the
39 government.
40
41 Well, heck, am I going to have to give my boat to them too? I
42 mean, that's what you're saying. I've worked hard all my life,
43 and I haven't even gotten to enjoy any of the benefit of it yet,
44 and I'm just trying to stay afloat.
45
46 The Madison-Swanson area, you have made a fine fishing spot for
47 the private rec, is what you've done, and there is zero
48 enforcement, and the MRIP data -- I've done a pile of FWC trips,

1 where we went in there, and you're wanting to catch the bigger
2 fish, but you limit the fishermen on how they fish, and so that's
3 kind of a -- I don't agree with it being that low, and it hasn't
4 gotten better.

5
6 The fall red snapper -- There's rumors about a fall red snapper.
7 If there's some snapper that comes available for the federal boats,
8 Thanksgiving would be a perfect time to give it to them. I would
9 love to see red snapper move into May, if we got some more fish or
10 something, and the sharks and porpoises, and we've harped and
11 harped and harped, and they're still an issue, and they're going
12 to get killed. Them porpoises are going to get killed by some of
13 them out there. I mean, it's -- Until you've experienced it,
14 you've missed out on what the porpoises actually do to us.

15
16 One last thing is the king mackerel fishery is in dire straits. I
17 mean, we talk about Spanish mackerel, and at least we can catch a
18 few Spanish mackerel, and the king mackerel fishery is in bad
19 shape, and it has been for four to five years, probably since
20 Hurricane Michael. Thank you.

21
22 **CHAIRMAN ANSON:** Thank you, Mark. We have a question from J.D.

23
24 **MR. DUGAS:** Thank you, sir. The last three speakers, you all spoke
25 about amberjack opening in May, and so my question is would you
26 all support an eastern and western Gulf split?

27
28 **MR. KELLEY:** If you're going to do an eastern and western split,
29 and you go by catch history, the eastern is going to get all the
30 fish. That's my opinion for what I've seen.

31
32 **CHAIRMAN ANSON:** Thank you. B.J. Burkett, followed by Paul Reeves.

33
34 **MR. B. J. BURKETT:** My name is B.J. Burkett, and I own and operate
35 three charter boats here in Panama City. Also, I bandit boat out
36 of Apalachicola, and some of you all know me up here, and I've
37 stood up here several times, and I'm coming at you all at a whole
38 different angle today.

39
40 I am here for the fishery, and I'm not here to make friends. I
41 mean, I'm here to make my living and see this fishery thrive, and
42 that hasn't happened in the last five years. The amberjack are in
43 rough shape, and the gag is in rough shape. I mean, who can we
44 blame for this? Can we blame the council?

45
46 I mean, I guess I should start out with my question to you all.
47 Why should you be on this council, or attached to this council,
48 with the failing record this council has had over the last five

1 years? I mean, another question I have for you all is how many
2 more times will you all have to fail before you all will step down
3 from this council? There are several of you all that have been
4 here for years, and we're all sitting back here watching, and we
5 tell you all what we think needs to be done, and we're
6 professionals, and I don't listen to this, and so that's why I've
7 got that email right there, and I would love an answer from every
8 one of you all, and all the staff, and the boss man there that
9 just walked back in, everybody.

10
11 I would like an answer of why, because the amberjack is not doing
12 good, and gag is not doing good, and gags are finally improving,
13 thankfully, but I stood up here five years ago and said, guys, you
14 all need to look at these gags, and we're starting to see a decline,
15 and I got nothing out of you all, nothing, and now you're wanting
16 to cut it 80 percent. If you all had done 20 or 30 percent five
17 years ago, we wouldn't be in this situation, and so, I mean, it's
18 very sad for me, and I've invested --

19
20 Like Captain Mike and Captain Mark, I've bought IFQ, and I've
21 hawked everything that I own three different times, and I want to
22 see it thrive, and I don't want to kill the fishery, because then
23 I'm bankrupt, and I will have to work at Walmart or somewhere, and
24 I love what I do, but I just feel a lot of the people on this
25 council are killing us. They're killing the fishery, and they're
26 killing the fishermen.

27
28 The king mackerel, they're in rough shape, and I've never seen it
29 like this. My opinion on king mackerel, ever since -- For our
30 area, when you all upped it from a 160,000-pound TAC, in the
31 northern Gulf, to about a half-a-million, we haven't had a king
32 mackerel fishery since. Cobia, there's none of them around, and
33 I've heard the talk on the Spanish mackerel. The fifteen, and I'm
34 good with going down from fifteen, but, I mean, why have we got to
35 go so drastic, from fifteen to two? I mean, why not fifteen to
36 ten? Wouldn't that make a little better sense, to start with?
37 That's pretty much all I've got.

38
39 The dolphins and the sharks, they're in bad shape too, but, for
40 gags, if you all want to see something improve with this, and let
41 the fishermen keep fishing, and see the stock improve, a 50 percent
42 reduction commercial, and recreational one-fish per person, a two-
43 month season, coinciding during snapper season, and you will have
44 your gags rebuilt a lot quicker than you all think. Thank you.

45
46 **CHAIRMAN ANSON:** Thank you. Next, we have Paul Reeves, followed
47 by Ashton Lewis.

48

1 **MR. PAUL REEVES:** Good afternoon. I appreciate you letting me
2 speak. My name is Paul Reeves, and I live in Steinhatchee,
3 Florida, and I'm a commercial fisherman, and I'm an owner/operator,
4 and I'm a permit holder, and I'm a boat owner, and I own shares,
5 and I lease shares.

6
7 I'm just here to ask you to please be very careful with what you
8 do. We make our living -- We're a small, family operation, and we
9 make our living commercial fishing, and, you know, I came into
10 this industry after IFQ was implemented, and so I bought my way
11 into it. There were pros, that it's a very stable, long-term
12 fishery that you could get into, and I got into it, and we've
13 invested our life savings into it.

14
15 With the reduction in red grouper, the reduction in gag grouper,
16 and then whatever could happen here, I just ask you to be very
17 careful, and I feel the IFQ system is a success story. You don't
18 need to reinvent the wheel. It is a very reasonable set of rules
19 that we could work by, and I'm sure there's tweaks that everybody
20 would like to do, stuff like a permit requirement, and I believe
21 -- Why would you be in the industry if you don't have a permit,
22 you know, and that's pretty simple stuff.

23
24 Return the fish back, and I don't like the idea of an income
25 requirement, and I don't feel that will bring fish back to the
26 table, and I feel that one of our biggest problems is there's not
27 enough fish. We're all fighting for scraps.

28
29 I had enough fish where I thought I was set, but I do not have
30 enough fish any longer. With the reduction in red grouper, and
31 the reduction in gag grouper, I am leasing what I can get my hands
32 on. I'm buying what I can get my hands on. It is frustrating,
33 and I understand a lot of people's frustration. It is frustrating
34 not to be able to just go buy that item, or that capital, or that
35 resource that they need. You've just got to kind of roll with the
36 punches.

37
38 A lot of people don't like the idea, but I think amberjack should
39 still be -- They ought to be closed down, and everything we see is
40 tiny fish, little fish, and they just get hammered so bad, and I'm
41 not in favor either of closed areas. We stay out of the boxes,
42 and we're not targeting spawning fish by any means. Thank you
43 very much.

44
45 **CHAIRMAN ANSON:** Thank you. Next, we have Ashton Lewis, followed
46 by David Krebs. Ashton Lewis. All right. David Krebs, followed
47 by Mike Colby.

48

1 **MR. DAVID KREBS:** Good afternoon, council. Welcome to Captain
2 Walker. It's good to see you here. My name is David Krebs. I
3 own Ariel Seafoods in Destin, Florida. I have a fish house in
4 Sebastian, Florida, and I have a fish house in Port Salerno, and
5 we are dependent upon this resource.

6
7 Robin Riechers, a councilman from Texas, stopped me, years ago,
8 and said, Dave, I just want you to know it's not personal, and I
9 said, it's not to you, Robin, because you don't make your living
10 from it, and it's personal to me. Without fish, I don't have a
11 livelihood. I start seine fishing in Destin, Florida in 1969, and
12 I used to ask myself -- I was eleven years old, and all day we
13 would pull the seine, catching cigar minnows and herring, and I
14 said, where does all this bait come from? You know how much bait
15 we see off of Destin, Florida now? None.

16
17 We had the net ban, and that was going to solve all the problems,
18 and we've got some water quality issues, and we've got some other
19 things at play here than just fish, migratory fish, moving around
20 and being missing. A migratory fish is following a food chain
21 somewhere. I depend on king mackerel in my business, and I have
22 told the council before that the fish that we're seeing are
23 healthy.

24
25 They're not a stressed fish, and they're throughout the entire
26 size range, and we're getting fish from three pounds to seven,
27 that we're grading, and from eight to fifteen and fifteen overs,
28 and we're getting 2,000 small, 6,000 medium, and, 3,000 large, and
29 that would be a run of fish that's coming through at the same time,
30 out of the same masses. I agree there's something going on with
31 them, but Archie Griffin, in Louisiana, says, well, the oil rigs
32 are gone, and they used to hold the bait, and we know, from oil
33 spills in the past, from the Valdez, that the one fishery that was
34 affected was sardines, and so we start wondering about pogies and
35 everything else, and I don't know if you guys are doing the science
36 on what's really going on with this. I'm going to run out of time
37 quick.

38
39 The IFQ thing, it's going to fix itself, when we're sitting a five-
40 million-pound ACL in three years, and we're going to be wondering
41 how we keep the doors open on our businesses, and we're not going
42 to be worried about finding fish for replacement fishermen, and
43 it's coming. We're repeating 2006, and were you guys around when
44 we barely caught nine-million between both sectors, and then we
45 agreed, at the first year of the IFQ, in 2007, to cut the quota to
46 seven-million, to fast-track the rebuilding, and then, in 2009, we
47 went to five, or eight and we went to five.

1 We did all the things, and the industry came up and said that we
2 depend on this fish, and this isn't a toy, and it's not a game for
3 us. We're responsible for everything we do, and, to some of the
4 other people's comments, are you guys responsible? When you make
5 a decision that puts us in peril, do you have liability, or any
6 responsibility, in that? The answer is you don't, and it's not
7 because you're a bad person, and it's just because some people
8 have other ideas.

9
10 I watched Troy Williamson's redfish video for HEB Supermarkets,
11 and it's very well done, and I never knew you were a movie star,
12 but I hope that you have as much passion for solving the
13 recreational discards in the red snapper fishery as you do for
14 saving redfish off the coast of Texas, and I really hope you do,
15 because, until we do that, we're doomed. Mr. Hood, it's been a
16 pleasure, sir. Enjoy that retirement. Thank you very much.

17
18 **CHAIRMAN ANSON:** Thank you, Mr. Krebs. All right. Next, we have
19 Mike Colby, followed by Trenton Knepp.

20
21 **MR. MIKE COLBY:** Good afternoon, folks. This is Mike Colby, and
22 I'm with the Clearwater Marine Association and the Gulf of Mexico
23 Alliance. I'm a headboat and charter boat operator out of
24 Clearwater. Kevin, if you would have called me about two hours
25 ago, I could have done this and went and took a nap.

26
27 For eight years, folks, I worked on ER and logbooks. I mean, I
28 worked with vendors and fishermen from all over the Gulf. I spent
29 a good portion of my life putting everything I had into going to
30 enhanced data collection, and, when the SEFHIER project ended, a
31 lot of air left the room for me, and I'm not going to ever tell
32 anybody that, boy, that was a waste of time, but it took a lot out
33 of me, and now we have come around the Monopoly board, and we're
34 back at go, and I know there will be fishermen out there that will
35 come here, and you'll hear from them eventually, the ones that
36 pound the table, the ones that say it's not my business to count
37 fish, and that's the business of the government, the ones that I
38 say I don't want you to do this or that or this or that.

39
40 Well, they got what they wanted, and now here we are, and we're
41 right back where we started, or almost where we started. Now, I
42 know there will be an ad hoc AP dealing with this, and what they
43 have to do is build a platform, build a recommendation and ideas,
44 that this council can wrap their arms around, something this
45 council can chew on and say that's a good idea, and let's move
46 with this.

47
48 I mean, I know motions from APs, many times, can involve nothing

1 more than simple housekeeping, and, well, we have a platform for
2 that, or we have A, B, C, D, and we go to Commerce, and okay, but
3 this AP is going to have to come up with some novel ideas that
4 won't be challenged like the first SEFHIER project was.

5
6 I think there are three things that ought to come out of that AP,
7 minimum. One, it's got to be easily prosecuted by the fishery and
8 by the Fisheries Service. Two, we've got to maintain trip-level
9 reporting, along with, if we can get it, some enhanced dockside
10 intercepts, so we can work back through MRIP and found out how
11 validated the project is, and the third thing is we've got to have
12 the effort validated, and I know there was a lot of issues about
13 VMS, satellite or cellphones or whatever, and, somehow or another,
14 we have to be able to validate that effort of the fishermen, and
15 this is going to require that the AP think outside the box, and
16 they've got do some homework and come up with good ideas for you
17 folks to say, hey, let's direct staff to do this, or do this or
18 that or the other, and so it's going to be a challenge, and I look
19 forward to listening in on it. Thank you.

20
21 **CHAIRMAN ANSON:** Thank you, Mike. Next, we have Trenton Knepp,
22 followed by Scott Hickman.

23
24 **MR. TRENTON KNEPP:** Hi. My name is Trenton Knepp, and I know I
25 should write my stuff down. I always think I'm going to sound
26 good up here, and I always walk away thinking that you sounded
27 like a disgruntled, incoherent fisherman.

28
29 My parents have got longline boats, and my dad bought his first
30 longline boat, a sixty-five-foot wooden boat, and he used to fish
31 out of Karen Bell's fish house, and he's still got a couple of
32 longline boats, and he's fixing up a bandit boat. I do commercial
33 rod-and-reel day tripping, a little bit of stone crabbing, and I
34 was going to start off by saying I'm a sharecropper, and the son
35 of a sharecropper, and the brother of a sharecropper, and that's
36 what we do, is sharecrop.

37
38 The IFQ mess has just got completely out of hand, and like the
39 place I would sell my fish to last, and I got kind of ran out of
40 there, because they're getting so much overseas fish in that I
41 can't compete. They were getting fillets in from -- I forget, but
42 Mexico or somewhere, grouper fillets, for \$6.00 a pound, and so
43 you figure 35 or 40 percent yield on that fish, and take the \$2.00
44 quota off, and take the yield off, and take the 3 percent for NOAA
45 off. To compete with that price, it would have to be around fifty-
46 cents, but they were still willing to get closer to \$6.50, but I'm
47 thinking, you know, that's still barely scratching by, but the
48 issue -- Like we should shut down every overseas fish that comes

1 into this country, and it's still not going to allow us to make
2 money, because, if that grouper price goes to \$8.00, the quota
3 will go to \$6.00. If the grouper price goes to \$30.00, the quota
4 price will go to \$28.00, and so like we could play whack-a-mole
5 with the overseas stuff, but we're still being constantly killed
6 with the quota.

7
8 I'm paying \$4.75, and I'm fishing for a buyer now that I used to
9 fish for years ago, and he's got red snapper quota, and it's \$4.75
10 a pound. With inflation and everything, it's a joke. It's
11 literally a joke, and, at the last meeting, I mentioned that I
12 felt like I was being harassed by law enforcement for speaking at
13 these deals, and I had NOAA spying on me from across the canal,
14 and I had FWC nonstop harassing me.

15
16 I came in -- My boat has been down for five months, and I just got
17 it back in the water from a major overhaul, and I got boarded by
18 FWC in Venice Jetty, and, before they knew who I was, had any ID,
19 you're the -- Before they had my ID, so you're the guy on Albee
20 Farm Road that does the IFQ landings. You can't see my boat from
21 the street, and there's houses and mangroves, and how do they know
22 who I am?

23
24 Then, at one of the last NOAA meetings, I ran into the officer who
25 was spying on me, and I gave him a lead of some guys who are
26 harvesting commercial amounts of fish without a reef permit, and
27 I told him that this is who is doing it, and this is the restaurant
28 they're selling it at, and so, after the meeting, I go up, and I
29 encounter the man, and I said, I have more information on the lead
30 that I gave you, and he said, to be completely honest with you, we
31 have zero, and write this down on a piece of paper, but zero power
32 to chase any leads at all, and I really can't even listen to your
33 information that you have, because we can't follow-up with it.
34 Oh, and by the way, I might have been the one that sent the FWC
35 after you.

36
37 Woah, woah, woah. We have zero manpower to chase any leads, but
38 you can have four FWC guys sitting in my driveway, and another one
39 down the street, and you can have them raid a fish house as soon
40 as I leave, and they only look into the vat that I unloaded into
41 twenty minutes earlier, and not look into any of your other vats?
42 I don't know, and I feel like I'm being harassed for speaking here,
43 and I don't know what to do, but I just wanted to get it public,
44 on the record, so, when they do finally bury me for some unknown
45 reason, at least it's on public record.

46
47 I told my wife that I almost wish they would just completely put
48 me out of business and kill me now, so I can just move on with my

1 life or something, and it's just -- I feel like a battered woman,
2 and I just keep coming back for --
3
4 **CHAIRMAN ANSON:** Mr. Knepp, you have to wrap it up. Thank you.
5
6 **MR. KNEPP:** All right. That's all I've got. Thank you.
7
8 **CHAIRMAN ANSON:** We have a question from Mr. Strelcheck.
9
10 **MR. STRELCHECK:** Not a question, and I don't know if you're leaving
11 after your testimony or not, but I would like to talk to you on
12 the side.
13
14 **MR. KNEPP:** All right. I will be here until tomorrow morning.
15
16 **MR. STRELCHECK:** Great. Thanks. Let's talk afterwards.
17
18 **CHAIRMAN ANSON:** Okay. Scott Hickman, followed by Chris Padilla.
19
20 **MR. SCOTT HICKMAN:** Hola, Senor Chair and my amigos on the Gulf
21 Council. That's my best Spanish. Thank you. Captain Scott
22 Hickman, from Galveston, Texas, and I'm a thirty-five-year
23 professional charter/for-hire captain and operator, but I'm almost
24 a ten-year commercial reef fish red snapper shareholder now.
25
26 A few things, and I would like to thank you for letting me speak
27 today, and I would like to see the council reconvene the IFQ AP in
28 December, with the chance for the industry to come up with
29 solutions. I think it would help a lot of these discussions,
30 something that could work, and I would like to say that, currently,
31 king mackerel -- It's the same thing in Texas, and it has crashed
32 terrible. It's the worst I've ever seen it in my life.
33
34 Shallow-water grouper, cobia and gag, it's a total dumpster fire.
35 Lots of issues that I believe are climate related and water quality
36 related, and I would like to see the council move forward with the
37 fisheries ecosystem plan, and I think it could have a lot of good
38 movement in rebuilding stocks.
39
40 One of the things we've seen, and we keep hearing about, is the
41 Gulf loss of platforms. You know, I think that's had a big impact
42 on recruitment of forage fish and our king mackerel issues and
43 some of that, and the good thing is we've got the ability to get
44 some wind energy platforms back in the water. Steel in the water
45 has always worked in the western Gulf. It recruits lots of fish,
46 and it spreads effort out, and it's a good thing. I'm a big wind
47 supporter.
48

1 Let's get SEFHIER back on the water. It's very important to have
2 good data, and it's very important to have timely data, verifiable
3 data.

4
5 One a lighter note, I would like to thank Bill Kelly. He's done
6 a great job, and he's been a great friend to the fishery, and he's
7 been amazing for his constituents for the Keys, and it's good to
8 have folks like that involved in this process. A very, very
9 special thanks to our friend, Peter Hood. It's folks like him
10 that serve our country and make this country a better place, make
11 our fishery a great fishery, and so, Peter, thank you, and enjoy
12 your retirement, and hopefully we see you come back in some other
13 role. You've been a great, great asset. Thank you. Thank, you
14 all.

15
16 **CHAIRMAN ANSON:** Scott, we have a question from Mr. Geeslin.

17
18 **MR. GEESLIN:** Scott, greater amberjack in the western Gulf, what
19 are you seeing?

20
21 **MR. HICKMAN:** A lot fewer. A lot fewer inside of seventy miles,
22 the fewest we've ever seen, but I attribute that to the loss of
23 platforms. We still have quite a few around the sanctuary banks,
24 and the platforms around the sanctuary banks, of course, our Texas
25 Parks and Wildlife's Rigs to Reef Program has worked real well
26 with amberjacks, but we're definitely seeing a lot fewer.

27
28 The LGL study we did for BOEM that I was part of, we showed that
29 48 percent of the greater amberjack in the Gulf of Mexico lived on
30 platforms. If you remove the platforms, we have removed a lot of
31 habitat, and we've lost a lot of greater amberjack, and it doesn't
32 take a rocket scientist to figure out that, if you take out the
33 habitat, you're going to lose those fish, and so we need some more
34 steel in the water.

35
36 **CHAIRMAN ANSON:** All right. Chris Padilla, and Jack Conzelman is
37 up next.

38
39 **MR. CHRIS PADILLA:** Thank you, guys, for showing back up in the
40 Panhandle area. It's good to have you, and it's been a long time.
41 I just want to echo some things that the fishermen in front of me
42 have said. The three species that we have totally dropped the
43 ball on are king mackerel, gag grouper, and amberjack. They're
44 just hard to catch, hard to find, and they don't exist. You lose
45 points in management for that.

46
47 I agree with B.J. Burkett that you guys aren't accountable for the
48 decisions that you make, and you just get to make the decisions

1 because you were appointed or got hired, and there's no recourse
2 if you do a bad job at your job. If you ran a Fortune 500 company
3 into the ground, and lost all the products, I'm pretty sure the
4 board would tell you have to go, and we don't see any
5 accountability in your positions.

6
7 I would love to see real-time data come back again. The app was
8 a good try, but whoever did it got greedy with the data, and you
9 need to know what we're catching and not what we're charging and
10 what fuel is costing. How does that help you do your job? You're
11 here to keep track of fish and not diesel fuel.

12
13 I don't have much comment on IFQ, because I've never been able to
14 afford any, and I've always been a hired hand, and I think that's
15 it, as far as my public comment. Any questions? Yes, ma'am.

16
17 **MS. BOGGS:** Thank you for being here today, Chris. I didn't catch
18 -- Are you charter/for-hire, dually-permitted, commercial?

19
20 **MR. PADILLA:** Charter/for-hire, employee.

21
22 **CHAIRMAN ANSON:** Mr. Strelcheck.

23
24 **MR. STRELCHECK:** You mentioned the economic data, and you're
25 obviously opposed to, I guess, that being collected. If I told
26 you that that would, in the future, be able to be used for disaster
27 determinations, to help the for-hire fishery, does that change
28 your mind?

29
30 **MR. PADILLA:** I would need to know how.

31
32 **MR. STRELCHECK:** Okay. Thanks.

33
34 **MR. PADILLA:** Anything else?

35
36 **CHAIRMAN ANSON:** That looks like it's it. Thank you.

37
38 **MR. PADILLA:** Thank you.

39
40 **CHAIRMAN ANSON:** Jack Conzelman, followed by Molly Allen.

41
42 **MR. JACK CONZELMAN:** Good afternoon. My name is Jack Conzelman.
43 I'm originally from Fort Myers Beach, and I've been in Panama City
44 now for fifty years. I've been diversified in recreational and
45 commercial fishing all my life, and I still am today.

46
47 A little over 160 years ago, after the north's aggression on the
48 south, there were people in the Carolinas that starved to death,

1 literally starved to death, but, if you had two chickens, and you
2 just ate a little bit of the eggs, and you let one egg hatch, and
3 then you ate just a little more scrambled eggs, and you let one
4 more egg hatch -- If you suffered long enough, before long, you
5 were eating scrambled eggs every morning and grilled chicken every
6 night, because the chickens you're eating are being replaced by
7 the eggs that are hatching.

8
9 It's no different than the snapper fishery. It's the same thing,
10 and we've been through the suffering. You regulated recreational
11 and commercial down to nothing, and then you gradually brought us
12 back, as the stock rebuilt.

13
14 Now, about eleven years ago, you put a moratorium on the commercial
15 fishermen and their permits, and you told them they could turn in
16 extra permits and keep the catch history towards the IFQ. A lot
17 of them did, and I know people who did, and so, today, in the Gulf
18 of Mexico, there are less commercial fishermen putting the pressure
19 on these snapper than there were eleven years ago.

20
21 Now, you put a moratorium on the charter fishermen about seven
22 years ago, and so, today, in the Gulf of Mexico, there's no more
23 charter boats putting pressure on these fish, and snapper, than
24 there were seven years ago, but you forgot something. You forgot
25 to get with Rick Scott, and the rest of the governors, and put a
26 moratorium on people moving to the Gulf Coast, and so the
27 recreational industry has just grown out of sight, and now they're
28 trying to take from the commercial fishermen, and, before long,
29 they'll be trying to take from the for-hire sector.

30
31 Now, I can get up here, and I can speak for commercial fishermen,
32 and there's some charter boats here that will get up and speak for
33 them, and the CCA representative will make up some stuff for you
34 to try to believe about the recreational fishing, but the fish
35 can't come up here. The fish can't come up here. That's what
36 your job is, is to speak for the fish.

37
38 You've got to keep those fish sustainable, and I don't think we
39 can sustain an eighteen-million-pound TAC. I just really don't
40 think we can do it, and I think what's going to happen is you're
41 going to keep it up there, and, in a couple of years, maybe even
42 sooner than that, you're going to have to cut them, and, when you
43 do, it's going to be substantial, just like the red grouper and
44 the black grouper and the gag grouper, and, when you do, the
45 recreational fishermen -- They will take their ten or fifteen days
46 and go play golf, but you're going to leave the commercial
47 fishermen and the charter industry to worry about what they're
48 going to do to keep from starving to death. Try to keep them

1 level. Thank you.

2

3 **CHAIRMAN ANSON:** Thank you, sir. All right. Molly Allen, followed
4 by Johnny Williams.

5

6 **MS. MOLLY ALLEN:** Hi. My name is Molly Allen, and I am a Panama
7 City Beach resident and a Florida Lake Watch volunteer for thirteen
8 years. I've been testing the water quality at our coastal dune
9 lake, here right behind you guys, and it's a thirty-six-acre
10 coastal dune lake, and so you might be asking what does a coastal
11 dune lake, or a beach lake, have to do with fishing and the
12 commercial and recreational fishing industry?

13

14 Well, I'm here to tell you about that, a little bit, and maybe I
15 will learn a little bit in the process as well, and I want to throw
16 this out there, that I'm not an expert at fishing, and this may be
17 not in your purview for this council, but I think I really have
18 the best audience here to listen to this point.

19

20 Many of you may, or may not, know that there is a proposed outfall
21 project here for our beach, in Panama City Beach, and it is
22 similar, or will be similar, to the Myrtle Beach outfall project,
23 also following the Naples outfall project, and what I would like
24 to talk about, or maybe even ask, is how does a curving better
25 design, that will be draining an entire basin of land, affect
26 commercial fishing? How do our shorelines affect the fishing that
27 are nine miles out, and so they're going -- They're proposed to
28 dig down into the Gulf, into the rock bed, and they're going to
29 put this huge pipe, the size that Volkswagens can drive through,
30 out into the Gulf, 1,500 feet, right next to our city pier.

31

32 What I feel will happen is oils and greases, fertilizers, and that
33 will cause red tides, big algal blooms, or dead zones for our area.
34 Myrtle Beach, off the Atlantic shelf, and Naples both have
35 different, I guess, shelf lengths, probably, and depths, and I
36 know, at Naples, you get a little bit of the Gulf Stream that can
37 carry out, and you also have the entire Atlantic Ocean over at
38 Myrtle Beach, and so my question is how is this going to affect
39 the commercial and residential fishing in the Gulf coast?

40

41 Be reminded that, once they do one successfully here on this beach,
42 they will do thirty. There are thirty continuous -- We are a
43 continuous outfall, at our lake, and there is maybe two, us and
44 Lake Powell, and then you have some that are intermittent outfalls.
45 With St. Joe developing the area very heavily here, we are now
46 under a CRA program that will be shooting all of these pollutants
47 in, and through, the stormwater and out into the Gulf of Mexico,
48 and so I'm going to be that person that's going to give you --

1 Like other people have spoken here and given you some indication
2 of their coming to you early, and I would like to come to you
3 early, and ask those questions now, and see if there is a plan for
4 that. Thank you.

5
6 **CHAIRMAN ANSON:** Thank you, Ms. Allen. All right. Next up, we
7 have Johnny Williams, followed by Troy Frady.

8
9 **MR. JOHNNY WILLIAMS:** Johnny Williams, Williams Partyboats
10 Incorporated, Galveston, Texas, third-generation partyboat
11 operator out of Galveston.

12
13 Back in 2014 and 2015, we took place -- We took part in a pilot
14 program that was very successful, and it exceeded all of my
15 expectations. It was better for the fish, and better for our
16 fishermen, and it was better for me, and it was actually better
17 for the recreational fishermen. I only have just a few minutes,
18 and so I can't explain all the aspects of this, but, if anybody
19 would like to ask me about it later on, I would be more than happy
20 to explain it to you. It also served the National Standards better
21 than what we currently have.

22
23 I encourage you to look forward to bringing 42 back up, and
24 hopefully we can make some progress it with this time. Back on
25 October 23, 2019, I came before this council, and I said that we
26 have a real problem with king mackerel. In the eighty-one trips
27 my boats made offshore that year, at that point, we had caught
28 forty-eight king mackerel. It was not uncommon for us to catch
29 that many, or more, on trips in years past.

30
31 I was really concerned about king mackerel, and so what have we
32 done? Now we've increased the bag limit from two to three, and I
33 guess the rationale was because we couldn't catch the bag limit,
34 or we weren't catching the quota with the two-fish bag limit, and
35 we increased it to three, and so that was not the proper thing to
36 do, and I don't know if people on the council -- Why you all don't
37 address this issue, and we've had a number of people come up here
38 and explain to you that king mackerel are in bad shape, and I don't
39 know why you don't address it.

40
41 I don't know if you all are getting marching orders, or if you all
42 are just ignorant to what's going on out there, and so I can't do
43 anything about the first, but the second I can, if you're ignorant
44 about what's going on.

45
46 Only 36 percent of the quota was caught in king mackerel this past
47 season, 36 percent, and doesn't that tell you something? It
48 doesn't take a rocket scientist to figure out that, if you can

1 only harvest 36 percent of the fish, that the fishery is in good
2 shape, and so let's ask for emergency action to shut the fishery
3 down, or at least reduce the bag limit down to one in the
4 recreational sector.

5
6 We have people that came up here and, to the man, in the for-hire
7 sector, opposed raising the vermilion snapper bag limit from ten
8 to twenty. We were told that we could raise it twenty, but
9 everybody wanted to leave it at ten, that I heard.

10
11 Last year, we heard people talk about the red snapper harvest, and
12 I was at a SEDAR function last night, and it showed that,
13 basically, we're right at the highest level we've ever had, as far
14 as harvesting red snapper, and we've collapsed the stock before,
15 when we were harvesting at this level, and so what makes us think
16 that we're not going to do it now? I see where the Governor of
17 Florida just increased the number of days that recreational
18 fishermen can fish for red snapper to seventeen days, and I suspect
19 it's because they didn't catch their allotted quota in the days
20 that they were allowed, and so it's because the fish are not there.

21
22 You know, you all come here, and you all get paid to come here,
23 and you get to shoot the breeze at a nice social event, and all
24 these people out here in the audience -- They pay a lot of money
25 to come to these things, because they really care about the
26 fishery, and I just wanted to say -- I am not trying to be
27 pernicious, but I don't care what anybody says, and these are the
28 real stewards out here in the Gulf of Mexico, these people that
29 come here to these council meetings and tell you what they see out
30 there, and you all still do something contrary to what the people
31 that have been out here fishing for years, and really see what's
32 going on in the Gulf, see what's going on out here, and I wish you
33 all would put a little more weight on what the people that come to
34 these meetings say. Thank you.

35
36 **CHAIRMAN ANSON:** Thank you, Mr. Williams. We have a question for
37 you from Ms. Boggs.

38
39 **MS. BOGGS:** Johnny, as always, thank you for being here. I know
40 you're a headboat, but the SEFHIER program did affect some
41 questions that came through on the headboat, and it also required
42 the headboats to use a VMS, and so, bringing back that program,
43 some type of a data collection program, for the charter/for-hire
44 fleet, and were you opposed to those additional questions and the
45 requirement for the VMS that made requirements then too for the
46 headboats?

47
48 **MR. WILLIAMS:** I mean, the problem is, you know, you're going to

1 have to have some sort of justification. If the federal government
2 says that you don't have to have a VMS on a charter boat, I don't
3 know why we have to have them on headboats, but I don't have a
4 problem with VMS, and that's a way to actually verify, you know,
5 who is out there fishing, when they're fishing, and stuff like
6 that, but, doggone, I mean, the charter boats don't even have to
7 report anymore, and that's not a mandate for the charters.

8
9 We still have to, and why do we have to do it and nobody else does?
10 I mean, the recreational guys don't do it, and the charter boats
11 don't do it, but the headboats are still required to have VMS, and
12 they're still required to report. I mean, we're different than
13 everybody else, and I think we ought to bring 42 back for the
14 headboats. I think, after the charter boats see how successful it
15 is for the headboats, that they would follow suit, and I strongly
16 advise you to -- At least let's look at this again. Thank you.

17
18 **CHAIRMAN ANSON:** Thank you. We have one more question from Captain
19 Walker.

20
21 **MR. WALKER:** Thank you, Johnny. I follow your boats on social
22 media, and I see that you guys catch a lot of fish, and I've always
23 been impressed with what you put on the deck. Have you seen --
24 Well, two things. When did you notice the kingfish decline, first?

25
26 **MR. WILLIAMS:** Yes, and it's been happening for a number of years,
27 but I guess the biggest decline that I saw was about four years
28 ago, four or five years ago, and that's why I brought it up to the
29 council at that time. You know, we're just not catching any
30 kingfish, and it's not just out of Galveston. If you talk to the
31 people here in Panama City, Destin, Orange Beach, and the boats in
32 Orange Beach used to troll on the way out, troll on the way back,
33 and catch a limit of snapper and catch a limit of kingfish, and
34 they're not catching any kingfish anymore.

35
36 **MR. WALKER:** Any uptick at all lately or no? Is it the same?

37
38 **MR. WILLIAMS:** I'm sorry?

39
40 **MR. WALKER:** Any uptick in the king mackerel this year?

41
42 **MR. WILLIAMS:** No, and it's worse this year than it has been.

43
44 **MR. WALKER:** I see the same thing where I'm at in Florida, and
45 I've been saying this, and I've been sitting over there for ten
46 years, and I just crossed over the line here, but I know --

47
48 **MR. WILLIAMS:** But you're still not doing anything about it.

1
2 **MR. WALKER:** I just got here. Give me some time, bro.
3
4 **MR. WILLIAMS:** The fish is going to be collapsed, if it's not
5 already.
6
7 **MR. WALKER:** I have been saying the same thing about kingfish,
8 and, to be honest, when we get public comment, you get -- In the
9 past, and today is different, but you will get a couple of guys
10 that will come up there and say, oh, our king fishery is fine, and
11 it kind of throws a monkey-wrench in it, but I've heard nothing
12 but today, and I agree, and I have seen exactly the same thing
13 where I live.
14
15 I have a king mackerel permit on my boat, and a commercial permit,
16 and we haven't had a school of kingfish that anybody even put their
17 commercial gear on in three years, where I live, and so that's why
18 I ask. What you've seen in Texas lines up very similar to what
19 I've seen in Florida, and apparently up here on the Panhandle, and
20 so I know what you're talking about.
21
22 **MR. WILLIAMS:** The only sector that actually caught their quota
23 was the netters, and there is no hook-and-line in the northern
24 Gulf, the southern Gulf, the eastern Gulf --
25
26 **MR. WALKER:** The western Gulf.
27
28 **MR. WILLIAMS:** Anybody, and nobody has caught their quota. Only
29 36 percent of the total quota has been caught.
30
31 **MR. WALKER:** The western Gulf used to catch it in two months, and
32 now they don't catch it. Trust me. I recognize this, and I'm
33 going to do what I can do about it.
34
35 **MR. WILLIAMS:** Thank you, Ed. I appreciate your help, sir. You
36 all have a great evening.
37
38 **CHAIRMAN ANSON:** Thank you, Mr. Williams. Next is Troy Frady,
39 followed by Mike Lombardi.
40
41 **MR. TROY FRADY:** I'm Troy Frady, a charter boat captain from Orange
42 Beach, Alabama, a former banker and a former transportation
43 manager, commercial pilot, and I quit all of that, twenty-one years
44 ago, to become a charter fisherman full-time, to make 100 percent
45 of my money by charter fishing and selling a few spices on the
46 side, which is one of the greatest, Heiferdust, in the world.
47
48 I would like to thank Mr. Peter Hood and Mr. Bill Kelly for you

1 all's service and you all's continued support of fisheries in the
2 U.S., and it means a lot to see people go through that many years
3 and be able to retire happily.

4
5 I would like to urge the agency not to open the charter/for-hire
6 red snapper season this fall, until you see what the average weight
7 of the landed red snapper is on our sector. The reason is, from
8 the states' presentations this week, I saw that the average weight
9 is trending negatively on red snapper, and the CPUE is spiraling
10 downward at an alarming rate. That's the banker in me using deep
11 words.

12
13 During late July and August, we actually began catching next year's
14 fish off the coast of Alabama, because the fourteen and fifteen-
15 inch fish, that in March, April, and May were available, finally
16 grew up enough to where we could break their backs and spin them
17 out there and right at sixteen inches, and so we harvested next
18 year's catch this year, for the whole month of -- Well, half of
19 the month of July and all of August.

20
21 Anyway, in the past six years, I have seen the recreational sector
22 for red snapper -- The average weight negatively trending to a
23 point to where, if we don't cut back recreational effort, and the
24 season length, it stands to reason, based on what we've seen from
25 the data, that the average weight of red snapper will continue to
26 decline, until we almost collapse the stock to pre-2006 levels.

27
28 I move that the agency, and the states, establish a minimum average
29 landed weight for red snapper, to set a threshold to where, if you
30 go down below five pounds per fish, or six pounds a fish, or
31 whatever you all decide to do, and you break that down, and you
32 get below that, you trigger some form of stoppage, where you end
33 the season right then, and I don't know how to do that, but it
34 seems logical that you have the information ahead of you, to where
35 you can actually stop the season and not continue to spiral-down
36 the average weight of red snapper.

37
38 I would like to see the Data Collection AP that you all are forming
39 here have some basic information, with hail-out and hail-in, and
40 hire contractors as port agents, because that would definitely
41 help validate the landings.

42
43 Leave the amberjack season alone, and get your allocation in
44 August, but open the season on September 1. Gag grouper, I would
45 support opening on October 1. The water off of Orange Beach this
46 summer, here in September, was eighty-eight to ninety-three
47 degrees, and, even though the season might get shorter on gag
48 grouper, but, also, the release mortality will be decreased, and

1 so I would rather have a shorter season and not hurt any fish.

2
3 The kingfish have been gone for years, and I would support a
4 trucking-style industry. I've heard, for years and years, about
5 cost recovery and people being discriminated against in the
6 commercial fishing industry. Coming from transportation and the
7 trucking industry, we used to use a clearinghouse, and the
8 clearinghouse was basically set up where truckers, who were trying
9 to get a load to get back home, or get to another area, there was
10 a published rate. There was a published rate, and a published
11 load, where the truckers could pick, and cherry-pick that load,
12 and then they could execute that load, and get paid for that load,
13 and they could run that load.

14
15 This clearinghouse opened it up to where the average person has a
16 chance to compete. Now, my vision of setting up a system for the
17 commercial industry, to end the discrimination that is so-called,
18 that everybody claims they're being discriminated against, and
19 where all shares would be leased or sold and would be put in there
20 anonymously. If you want to sell your shares of red snapper, or
21 you want to lease your fish, you have an account number that
22 rotates, and nobody knows who you are, and you lease them. You
23 establish a minimum bid for that category, whether you're selling
24 your fish or leasing your fish.

25
26 Then you have a cost recovery part of that, where the person who
27 is leasing the fish pays a certain fee, so it recovers the cost of
28 your expense of running the operation. You would protect people,
29 and give them anonymity, and that's pretty much it. I mean, I've
30 got of experience in the transportation industry, and we had over
31 19,000 trucks that operated in the United States, and I think, if
32 you follow the trucking industry with your program, you would have
33 a lot more people not claiming discrimination, and you would have
34 a lot more freedom of trade, and stuff like that, and you could
35 still protect people's identities. Thank you.

36
37 **CHAIRMAN ANSON:** Thank you, Troy. We have a question from Mr.
38 Strelcheck.

39
40 **MR. STRELCHECK:** Troy, thanks for being here, and thanks for your
41 comments. I would love to follow-up with you and get some more
42 details about your suggestions for awareness, and we have been
43 doing some IFQ marketplace kind of focus groups, with gathering
44 information, and that seems like a perfect idea that we can take
45 a look at, and try and integrate with this opportunity to grow a
46 transparent marketplace. My question is you mentioned red snapper
47 and concerns about the size of the fish, you know, catch rates,
48 and what are you seeing in your area, and how has it been trending

1 in recent years?

2

3 **MR. FRADY:** About six years ago, I mentioned to this council that
4 the red snapper, out to about ten miles, was declining. Then, the
5 next year, I said it again, and we're out to twelve to fifteen
6 miles. Now we're out to forty-five or fifty miles and seeing the
7 same condition.

8

9 I took some VIPs fishing one time here recently, and we averaged
10 catching sixteen red snapper before we caught one keeper. When
11 that alarm went off, and adding those numbers up, I'm like this is
12 crazy. We've got red snapper out there that are being released
13 that are dying, and even though we're using barotrauma in greater
14 than a hundred feet, and we think the survival rate is going up,
15 we're just at a point to where my buddies, who own their own
16 \$300,000 or \$400,000 boats, are so frustrated, because they've got
17 to go seventy or eighty miles to try to catch a five or ten-pound
18 snapper with any consistency.

19

20 It's not just me, and you've heard it for the past couple of hours,
21 on what the fishery is like, and I'm not picking on Alabama. From
22 what I'm hearing, everybody in the northern Gulf is facing the
23 same thing, and Texas may not be as worse as Alabama, and I'm not
24 saying that Alabama is the worst. I am just saying that, where I
25 make my living, 100 percent of the time, within twenty-five miles
26 of shore, the red snapper are getting smaller and smaller and
27 smaller, and, when you finally do catch a nice snapper, a shark is
28 going to eat it, and so it's -- We're in a situation where we're
29 spiraling downward, and, like I said, I was surprised to see the
30 catch per unit effort going down, and not really.

31

32 Everybody sees it, and everybody complains about it, and everybody
33 justifies it by saying, oh, they're just charter boat customers,
34 and they don't matter, and they don't deserve big fish. Bullcrap.
35 The American consumer deserves a healthy fishery. I am just nuts
36 enough to sit up here and say I'm a conservationist, and I'm trying
37 to stay in the business.

38

39 I know, and I realize, if I've got a healthy fishery, I can figure
40 out a way to make a living, and it's not the government's job to
41 protect people and keep them in business. Your job is to maintain
42 the Magnuson Act and make sure we have healthy fisheries. The
43 consumers will figure out who to use, and the charter boats, and
44 the people who have their own boats, will decide if it's worth
45 their effort, or their investment, to go out and try to catch a
46 fish.

47

48 I just think we can do better. I mean, I'm looking for nine people

1 on this council, who took an oath, to sit there and go, you know
2 what, Troy is right, and everybody we've heard is right, and we
3 want a healthy red snapper fishery, and that's why I said, no,
4 let's meet in the middle. Let's set that average to where, if we
5 go below that threshold, it triggers an accountability measure
6 that will stop the fishery.

7
8 To me personally, eighty-seven days was ridiculous. I would have
9 been happy at forty-five days. Not financially, but, being a
10 businessman, forty-five days would have probably done me good,
11 because, after forty-five days in Orange Beach, Alabama, everybody
12 started switching over and started targeting vermilion snapper. I
13 will not lie to you, and I won't lie for you. Thank you.

14
15 **CHAIRMAN ANSON:** Thank you, Troy. Mike Lombardi, followed by Eric
16 Brazer.

17
18 **MR. MIKE LOMBARDI:** Good afternoon, council. My name is Mike
19 Lombardi, from Lombardi's Seafood, and we are a seafood distributor
20 and processor out of Orlando, Florida. I'm also a board member of
21 Southeastern Fisheries Association. My family has been in the
22 business since 1961, and so I'm third-generation.

23
24 What I wanted to really discuss with you guys is I hear a lot of
25 stuff today, you know, and people fighting for their livelihood,
26 you know, fighting for what they do, and I understand it. I
27 understand the fishermen, and I understand it from the for-hire,
28 and, to be honest with you, I understand it from the recreational.
29 Okay, they're not fighting for their livelihood, but they're
30 fighting for something that they love to do, and so I get it.

31
32 What you haven't heard from, and who you haven't heard from, is
33 all the people that don't own a commercial fishing boat, who aren't
34 able to go out on a for-hire boat, and they don't have the money,
35 the boat, or any of the expertise to go out and recreationally
36 fish, and that's your public, the people who are eating seafood in
37 the American restaurants, the people who are buying seafood from
38 the fish markets.

39
40 These are the people who can't go out and get it, okay, and it's
41 these commercial fishermen that are going out there and catching
42 these for the public who can't get it on their own. I am just the
43 intermediary. I buy it from the fishermen, and I process it, and
44 I deliver it to the grocery stores, and I deliver it to the
45 restaurants, and I deliver it to all the hotels. That's what my
46 job is, but we can't do this, and, unfortunately, I'm here to tell
47 you that these people behind me are a dying breed.

1 It's harder and harder to find local fish out there, and you guys
2 are here to protect the Magnuson-Stevens Act, but you're also here
3 to protect the American interest, and the American public, and I
4 can tell you that I would be out of business right now if I did
5 not sell the imported fish, because there's just not enough local
6 fish around, but we need this local fish, and we need this economy,
7 and we need to be able to have this for our public, and so I guess
8 I will stop at that, unless there's any questions.

9
10 **CHAIRMAN ANSON:** I am not seeing any. Thank you, sir. Eric
11 Brazer, followed by Kindra Arneson.

12
13 **MR. ERIC BRAZER:** All right. Thank you very much, Mr. Chair. I'm
14 Eric Brazer, Deputy Director of the Gulf of Mexico Reef Fish
15 Shareholders Alliance. First off, Peter, it's been great, man. I
16 really appreciate working with you, and congratulations on your
17 retirement. You deserve it.

18
19 I'm going to start with IFQs, in case I run out of time, and so
20 you've finally agreed on a goal and objective to work on, and you
21 may be surprised when you hear me say that we actually support you
22 taking action this week to initiate this amendment and start to
23 actually analyze the ideas you've been hearing about.

24
25 We don't know where it's going to go, but we do know, and you know,
26 that it's really complicated. I mean, just look at Jessica's
27 presentation yesterday, and so we continue to urge a cautious and
28 deliberative approach to this process.

29
30 We are concerned that some of these measures will impact the reef
31 fish quota bank. It's a program that we started in 2015, almost
32 ten years ago, and we work with twenty, to twenty-five, commercial
33 fishermen every year, to help them reduce their discards and help
34 the next generation get a foothold in the fishery.

35
36 I am not going to lie, and we're also concerned that the council
37 appears to be taking up and action that may be driven, in large
38 part, by what is a very small percentage of the fishery, and the
39 data speak for themselves. Only 7 percent of the IFQ shares in
40 the Gulf are held by public and unrelated accounts, and so, if
41 we're going to do this, we're going to do it right, and we're going
42 to make sure that the action items and alternatives that you guys
43 come up with avoid unintentionally hurting a population of people
44 that you don't want to exclude from the program, and actually do
45 what you think they're going to do, and actually meet the goal
46 that you agreed on.

47
48 Now on to the fun stuff. Electronic logbooks, we support them.

1 We continue to have concerns with the rollout, including pilot
2 testing and QA/QC, and so we just keep asking the Science Center,
3 and Clay is gone, to keep talking to us and to use as a resource
4 for implementation.

5
6 Amberjacks, we support the seven-fish commercial limit, and we
7 urge you to take whatever action you need to take this week to
8 implement this in January of 2024. We believe this meets the
9 requirements of an emergency action, and we really want to stress
10 that the long-term harm of a 2025 commercial fishery closure far
11 outweighs any temporary harm generated by fast-tracking this
12 action. The Reef Fish AP provided you some good rationale, as did
13 Dylan, and so we hope that you'll do the right thing and do what
14 you have to do to get this done for January.

15
16 For gag, we urge you to follow your AP's advice and choose
17 Alternative 1 in Action 3 as your preferred. The commercial
18 spawning closure really doesn't provide any material benefit to
19 the stock, and it's really only going to serve to penalize the
20 sector that is contributing the least amount of mortality.

21
22 My last comment, before I run out of time, is on the FEP. I am on
23 the Ecosystem Technical Committee, and we've had some really
24 comprehensive, but really abstract, discussions, and we now want
25 to take the jump from theory to practice, and I'm just about done,
26 Mr. Chair, but we need your help to do so.

27
28 The comments that Dr. Karnauskas said earlier was spot-on. We can
29 run a red tide pilot on a parallel track, for the purpose of
30 working the bugs out of the system, and the process, sequencing
31 the decisions, identifying the data, and then you can,
32 additionally, provide us some advice on how to prioritize the
33 actual FEP, but, once we get there, we will have the benefit of
34 taking that on with the process that we've already vetted through
35 this pilot. Thank you for the extra time. I appreciate it.

36
37 **CHAIRMAN ANSON:** All right. We have a couple of questions for
38 you, Eric. Mr. Gill.

39
40 **MR. GILL:** Thank you, Mr. Chairman, and thank you, Eric, for your
41 cogent comments. So, if you're viewing the red tide FEI as a
42 proxy, if you will, to flesh out the system, why would you not
43 argue for something that's doable, or potentially doable, that
44 will do the same thing, and we'll be making progress on something
45 that is not a proxy?

46
47 **MR. BRAZER:** That's a great question, and, honestly, it's a concern
48 that I share, but I think, with where we're at today, with the

1 relevancy and the timeliness of red tide discussions, the
2 availability of the data, we think that we could at least get a
3 really good shot at the process, working the bugs out of the
4 process, and sequencing the process, even though it's not something
5 that is an actionable item for the council, and so we feel like
6 it's -- You know, essentially, it's a piece of low-hanging fruit
7 that we could start with. I know you didn't like that response,
8 but --

9
10 **CHAIRMAN ANSON:** Dr. Banks.

11
12 **DR. BANKS:** Hi, Eric. Thanks for participating in the process. I
13 had a quick question. I've heard a lot, in the last couple of
14 council meetings, regarding leasing prices and cost of allocation,
15 and just being able to get access, and do you have any thoughts on
16 increasing that access, or reducing the prices, or how we might go
17 about inclusion?

18
19 **MR. BRAZER:** I mean, I think everybody can agree that it would be
20 great if the leasing costs were reduced, but, you know, as I'm
21 sure that Assane can explain much better than I can, you know,
22 they're a function of the market system that's in place, they're
23 a function of supply and demand, and they're a function of the
24 availability of red snapper to go catch.

25
26 Everybody wants to catch red snapper. They're relatively easy to
27 catch, and the quotas are always caught, every year, 98 or 99
28 percent of the quota every year for red snapper, and that is a
29 huge driver in the price. It would be great if everything was
30 free, but that is, unfortunately, not the world that we live in.

31
32 **CHAIRMAN ANSON:** Captain Walker.

33
34 **MR. WALKER:** Thank you, Eric. I would like the Shareholders
35 Alliance's opinion on a permit requirement to hold shares, and,
36 also, what would you say about having to demonstrate some landings
37 to participate in the fishery, as potential requirements.

38
39 **MR. BRAZER:** Another great question. I forget which comment letter
40 we submitted previously, but we are on record saying, look, if you
41 want to go with a permit requirement, we're not going to stand in
42 your way. We don't think it's going to do what many people think
43 it's going to do.

44
45 We've already seen what has happened to the price of permits, and
46 the availability of permits, over the last five years, while these
47 discussions have been going on. I don't know where they started,
48 but the permit prices are much higher now than they were before,

1 and I think a permit requirement is going to drive that price up
2 even further, and I think the unintended consequence of that is
3 that it's going to be that it's going to impact the smaller
4 businesses the most, right, and it's the guys with access to
5 capital, and it's the bigger businesses that can afford the
6 increased price in permits, in order to maintain that access, and
7 so -- But, again, I'm a big supporter of the process.

8
9 If we want to have that discussion, let's have the discussion, but
10 we're going to do it deliberately, and my answer is the same to
11 the second part of your question as well. I don't know what those
12 analyses look like, and I'm hesitant to weigh-in on it before I
13 see that, but let's do this. Let's have these conversations, and
14 you guys have a top-notch staff, right, and let's start to see
15 what the biological and social and economic implications are of
16 some of these decisions.

17
18 **CHAIRMAN ANSON:** Thank you, Eric.

19
20 **MR. BRAZER:** Thank you.

21
22 **CHAIRMAN ANSON:** We have Kindra Arneson, followed by Joshua
23 Ellender.

24
25 **MS. KINDRA ARNESON:** Good afternoon, council members. I appreciate
26 your time, but I must say that I absolutely appreciate all of our
27 commercial fishers and charter/for-hire fishers that came here
28 today, because I know it's real hard to leave our boats to attend
29 these meetings.

30
31 A couple of things to unpack. I will start with a statement that
32 does not belong to me, as this was written for someone that has a
33 language barrier. On the EEJ, what she wanted me to say is what
34 she's looking at is the removal of barriers, and she's looking for
35 a level playing field.

36
37 Fishers with language barriers have asked for the following to be
38 read into the record. After speaking with Janet Coit, and being
39 reassured that the unserved, active fishers would see change in
40 this program, they were very disappointed by the lack of action
41 during yesterday's session. As we move forward, time is vital in
42 this process, and these fishers with zero allocation feel their
43 time is running out. After being asked to give input, these same
44 fishers now find themselves being blackballed in respect to being
45 able to lease fish.

46
47 Greater amberjack, the council voted to reallocate greater
48 amberjack from the commercial sector to the recreational sector.

1 Last week, at the Gulf States Marine Fisheries Commission meeting,
2 I learned that, in Louisiana alone, we have 18,000 recreational
3 fishermen with an offshore landing permit. Quick math about that,
4 and the average small amberjack is about twenty-five pounds, times
5 18,000, equals 450,000 pounds. That's Louisiana alone.

6
7 We're talking about management of fisheries, but, on July 17 of
8 2023, the recreational quota went to 335,320 pounds for the entire
9 Gulf of Mexico, yet Louisiana's 18,000 offshore landing fishing
10 permits -- If they get one fish apiece, at twenty-five pounds,
11 that's 450,000 pounds, and so I think that we need reassess,
12 whenever we're talking about looking at greater amberjack and the
13 recreational harvest.

14
15 I haven't heard this today, but I will say it. Sharks, sharks,
16 sharks, sharks. We have got to do something about the
17 overpopulation of sharks in the Gulf of Mexico. They are eating
18 us -- They're eating everything.

19
20 Exploitation of coastal communities, this lease program, that we
21 all have found ourselves in, has exploited our coastal communities.
22 Normally, that extra \$4.50 to \$4.75 per pound that I will be paying
23 would go back into my coastal community. Now, it leaves and goes
24 someplace else. It doesn't stay home, and so I feel like my
25 coastal community is being exploited.

26
27 Amendments from yesterday, or I'm sorry, but the motion from
28 yesterday, and what I'm looking for, in the fishery, is a permit
29 requirement, in unison with an income requirement. Louisiana, in
30 order to have a disaster declaration, to access those funds, we
31 have to have 51 percent of our income from commercial fishing, and
32 limit access to actual commercial fishermen, and that would have,
33 also, vessel caps.

34
35 You know, I mean, we can't put all of these fish on one vessel.
36 We need vessel caps, so that we can spread these fish out amongst
37 commercial small family fishermen, boots-on-the-deck fishermen.
38 Get rid of the public participation. We need boots-on-the-deck
39 fishermen catching these fish, so we can use our decks of our boats
40 as our classroom, to teach the next generation, our legacy fishers,
41 what it is that we do and how we do it. If we continue to --
42 You've seen that bar graph grow yesterday. As they showed it on
43 the screen, that number increases of fishing without allocation,
44 just landing fish.

45
46 Last, but not least, special interest groups capturing council
47 members, and there's a very chummy relationship that all of us see
48 in these spaces and places between specific participants and

1 specific council members. It's very disparaging to see, or
2 discouraging. I'm sorry.

3
4 For us to come to this council and pour our heart out, and then
5 watch people rub each other's backs, and type messages to each
6 other, and then the council member raise their hand, and nobody
7 else will say it, but I've got the kahunas to say it. There's
8 enough of that. These special relationships have got to go. We
9 do not feel like this is a fair playing field in this body, and
10 I'm sorry to be the one to say it, but that's my time.

11
12 **CHAIRMAN ANSON:** Thank you. Any questions? We have a question
13 from Mr. Schieble.

14
15 **MS. SCHIEBLE:** I will ask what Ms. Boggs has been asking all night
16 here, and are you a shareholder, or do you have allocation, or do
17 you lease?

18
19 **MS. ARNESON:** I have zero allocation. I lease all shares.

20
21 **MR. SCHIEBLE:** Thank you.

22
23 **MS. ARNESON:** Thank you. Thank you, all.

24
25 **CHAIRMAN ANSON:** Thank you. Joshua Ellender, followed by Buddy
26 Guindon.

27
28 **MR. JOSHUA ELLENDER:** Good afternoon, ladies and gentlemen of the
29 council. My name is Joshua Ellender, and I'm the general manager
30 of CoCo Marina, which is located in Cocodrie, Louisiana.

31
32 My first comment today pertains to greater amberjack and the need
33 to move forward with a plan for regional management. The
34 difference in weather alone should constitute a need for such
35 management. A move that dates back in the year, and because of
36 weather, this action would significantly reduce the chance for
37 Louisiana fishermen to access greater amberjack. This change
38 favors the eastern Gulf of Mexico, plain and simple. If we had
39 regional management, then this ruling would have no impact on
40 Louisiana's waters.

41
42 If yellowtail snapper can be jointly managed between the Gulf
43 Council and the South Atlantic, then we can come up with a regional
44 management plan for greater amberjack. With that, I urge you to
45 direct council staff to make regional management a priority for
46 greater amberjack.

47
48 As far as the commercial greater amberjack sector, I support the

1 Reef Fish AP's recommendation of expediting the emergency rule to
2 reducing the commercial trip limit to seven greater amberjack by
3 January 1, 2024. After hearing that we do not have enough time to
4 implement an emergency rule before the start of the year, to
5 prevent overfishing, maybe it's time we start looking at a
6 management approach and making necessary adjustments to speed up
7 the management process.

8
9 As far as the MRIP-FES pilot project, we urge the council to avoid
10 any allocation discussion, and actions, until the completion of
11 the pilot project. We support the Reef Fish AP's recommendations
12 on vermilion snapper, lane snapper, and yellowtail snapper, and,
13 lastly, I wanted to thank all of you for the time and dedication
14 to the council. I appreciate it.

15
16 **CHAIRMAN ANSON:** Thank you, sir. We a question from Mr. Schieble.

17
18 **MR. SCHIEBLE:** Thank you, Josh, for coming over here for the
19 meeting. In the amberjack document, the preferred alternative
20 right now is a September 1 through October season. I kind of
21 misunderstood what you said, and are you in agreement with that,
22 or do you want something different?

23
24 **MR. ELLENDER:** I would like to leave it how it is for right now,
25 or, like I said, go to regional management, where we can pick our
26 own season, and so what happens is, when you push that timeframe
27 back, the high winds pick up in Louisiana, and so that's where
28 that access comes in. We just can't get out and fish for them
29 anymore. I had a significant amount of cancellations, you know,
30 in September and October alone. I offered tuna trips, and whatever
31 else we could go for, and so, yes, we're not going to be able to
32 fish for them, plain and simple.

33
34 **MR. SCHIEBLE:** All right, and so you wouldn't want it to go back
35 to the fishing year on January 1, and you would like it to stay at
36 an August 1 fishing year, and then the season be September through
37 October, right?

38
39 **MR. ELLENDER:** Yes, but no. Not moving it to September. I'm
40 against September. I'm against going to January 1, the beginning
41 of the year, because then we don't catch anything at all, because
42 Florida eats up the quota, and so, with that being said, regional
43 management would fix all of this. We could pick any time that we
44 want to open it, and any time we want to close it, with taking the
45 quota in mind, of course.

46
47 **MR. SCHIEBLE:** That is on the action guide.

1 **CHAIRMAN ANSON:** Mr. Dugas.
2
3 **MR. DUGAS:** Thank you, Josh. In the event that we pass regional
4 management, when would you like to start the season?
5
6 **MR. ELLENDER:** That's a good question. I would have to get back
7 with some other captains in the area, and the state, and see what
8 works best for them. You know, obviously, the summertime is a
9 busy time, and most people come down in Louisiana to fish that
10 time of year, and our weather is a lot more forgiving, and so
11 sometime in the summertime.
12
13 **CHAIRMAN ANSON:** Ms. Boggs.
14
15 **MS. BOGGS:** We've heard a lot of comment, and, number one, thank
16 you, Joshua, for coming today to give comments. We've heard a lot
17 of comments today, and it's not something that's on our agenda,
18 but I am curious now, because of the comments we've heard today,
19 and what are you seeing in your area, and what are your boats
20 seeing, as far as king mackerel?
21
22 **MR. ELLENDER:** We haven't caught many. From what I've heard, from
23 other commercial boats and charter fishermen, they haven't seen
24 many. There is an issue, from what I understand.
25
26 **MS. BOGGS:** One thing you didn't touch on was it sounds like you
27 manage a marina with several charter boats in it.
28
29 **MR. ELLENDER:** Yes, ma'am.
30
31 **MS. BOGGS:** Not to get controversial, but tell me what you all
32 would change about the data collection program, moving forward.
33
34 **MR. ELLENDER:** So, as far as that, the biggest -- I'm a proponent
35 for collecting data. One thing I was against was VMS on our boats,
36 and the majority of the captains I've talked to were against the
37 VMS. They just felt like they didn't do anything wrong, and so
38 why should they have an ankle bracelet, you know, to do their job,
39 and so -- But the majority of people that I talked to were more
40 than willing to actually participate in some kind of data
41 collection program.
42
43 **CHAIRMAN ANSON:** Thank you.
44
45 **MR. ELLENDER:** Thank you.
46
47 **CHAIRMAN ANSON:** All right. We have Buddy Guindon, followed by
48 Mike Jennings.

1
2 **MR. BUDDY GUINDON:** Mr. Peter Hood, you served your country
3 honorably, and I appreciate that. You should be proud of that,
4 and I wish you the best of luck in your future endeavors. Thank
5 you.

6
7 Council, I left you a letter that shows you what was said in the
8 CCA's lawsuit and what they said in their magazine. They're kind
9 of contradictory on their approach, but I guess, when you find out
10 that your perfect science is going to take fish back away from
11 you, it bothers you, like it bothered the commercial fishermen,
12 who you have put great restraints on and done a lot of financial
13 damage to because you managed by FES, and you just couldn't figure
14 out that it wasn't perfect until after you changed it, and so I'm
15 hoping that, in the near future, you won't do that until when you
16 figure out that this is good information.

17
18 There's plenty of other stuff to work on besides stealing fish
19 from the commercial fishery. We could work on the recreational
20 discards, which is the biggest problem we have in the Gulf of
21 Mexico, and I ain't heard one word about fixing that from this
22 council this session, and I haven't been here for the last couple,
23 and I apologize for that, but I had a couple of kids that had to
24 go fishing.

25
26 I pulled from the record something that a great man, a great
27 fisherman, somebody who helped implement the IFQ system, Captain
28 Donnie Waters, when he addressed the council in October of 2011,
29 and he said: "Damn you if you create a problem for me and then
30 hold it against me." He was talking about opening the IFQ system
31 up to the public.

32
33 This has been a warning, and it has been sounded by many commercial
34 fishermen, from the original AP that established the IFQ to a
35 thousand public testimonies that have come before councils before
36 you were here, and some of you old suckers were here, like Bob,
37 but I hope that you will consider the fact that there is people
38 that invested their life savings, and their future, in all the
39 rules that have been made before you came here.

40
41 You allowed people to buy this stuff, and then you allowed them to
42 get rid of their permits that they needed to go fishing, and so
43 you said to them that it's okay to have quota and not be a
44 fisherman. Whether I think that's a good thing or a bad thing,
45 it's what the council did. You established those rules. You did
46 that. Your body did that.

47
48 I would like you to consider an emergency action in amberjack, and

1 that could be something you could do besides work on FES robbery,
2 and that would be a good thing for the stock, because we're going
3 to catch those fish and kill them anyway, and so, if you can
4 shorten the season, or keep us within our catch limits, we can at
5 least save some of those fish every year.

6
7 I hope that this council -- We have a lot of new faces since the
8 last time I was here, and I hope that you, in your hearts -- I
9 know that most of you are here because you have some affiliation
10 with a recreational fishing group that paid the governors a lot of
11 money to get you here, but, really, your job, and your oath, is to
12 the fish. It's to the resource of this country, and I hope you
13 take it seriously and start working in that direction. Thank you.

14
15 **CHAIRMAN ANSON:** Thank you, Buddy. All right. We have Mike
16 Jennings, followed by Jim Green.

17
18 **MR. MIKE JENNINGS:** It's always fun to follow Buddy Guindon. My
19 name is Mike Jennings, and I own and operate two federally-
20 permitted charter boats and one commercial reef fish and king
21 mackerel boat out of Freeport, Texas.

22
23 I want to start off on kingfish, on king mackerel. You know, I
24 stood up here, and Ed and I have had multiple discussions, over
25 the last couple or three years on them, and I stood up here, about
26 this time last year, and spoke that there was one glaring fact
27 that I think negates all the rest of the discussion, and it was
28 that we had only caught twenty-six-and-a-half percent of our
29 commercial allocation in the western zone of the Gulf of Mexico.

30
31 I am going to stand up here today and tell you that we've only
32 caught 18.4 percent this year, and that's been a trend over the
33 last several years. If there's anything that tells you what kind
34 of shape they're in, when we can't even catch a quarter of our
35 allocation in the western zone of the Gulf of Mexico, we're in
36 trouble, and nothing has been addressed on it yet.

37
38 One of the things -- Anyway, I would like to encourage the council
39 to continue to move forward on a data collection program for our
40 charter boats. For me personally, it would be addressing the
41 things that the courts threw out and moving forward there, and the
42 main thing is going to be some type of a validation component that
43 gives us the ability to know that that data has been verified.
44 Killing that program just continues the ambiguity of the data that
45 we're using to make these management decisions, especially in the
46 light of the FES issues.

47
48 I would also like to encourage the council to not make any

1 allocation decisions until we get this FES pilot stuff behind us,
2 and I think it just causes problems down the road, and it's
3 something that we're just going to have to come back and address
4 again, or it's going to be in a court process, and it's just not
5 going to work, and I encourage the council to stay away from any
6 allocations, or move any kind of allocation, until we get that
7 pilot done.

8
9 The other thing, real quick, and I see my light flashing, is on
10 the amberjacks. You know, I support the preferred of September 1,
11 and I would also like to see this council move forward on the
12 discussion on the emergency rule and get something in place on the
13 commercial side before September 1, for, you know, the year, and
14 I understand there is holidays coming up, but some of us have got
15 to work through holidays, and, last year, when everybody stood and
16 enjoyed their Christmas through New Year's break, I was on the
17 Gulf of Mexico trying to finish off allocation, and so, somehow,
18 we've got work around those holidays and get some things done, and
19 I appreciate your time. Thank you.

20
21 **CHAIRMAN ANSON:** Thank you, Mike. We have a couple of questions.
22 Ms. Boggs.

23
24 **MS. BOGGS:** Thank you, Mike, for being here, and so, with regard
25 to the data collection, you mentioned about the validation, and
26 what -- Would you support the questions that have to do with the
27 economics?

28
29 **MR. JENNINGS:** Yes, and I have no problem with that. It was
30 brought up earlier about disaster relief, and it's one of the ways
31 that -- If you're in a disaster, like Katrina and a few of the
32 others, the oil spill, where people got -- People that shut down
33 their fishing got checks, and the only way they got checks was if
34 they could prove that income, and they could prove that income
35 from fishing, and that helps that.

36
37 It also -- We stand up here, and we see these you-know-what matches
38 between who has the most value in the fishery, and how many studies
39 have we seen on that? The recreational industry has this much
40 value in the fishery, and we do this and that, and it supports
41 your economic value to the fishery, and, without that economic
42 value to the fishery, you can easily be pushed out of it, and so
43 that financial component is a necessary one, although it sounds a
44 little weird, and even in the commercial fishery it's never -- The
45 IRS has never picked up one of them, and all of those the government
46 is coming to get me things just never come to fruition, and so,
47 yes, I support it. Thank you.

48

1 **CHAIRMAN ANSON:** Mr. Dugas.
2
3 **MR. DUGAS:** Would you support regional management for amberjack?
4
5 **MR. JENNINGS:** I don't know. I really haven't thought about it,
6 I guess, and I couldn't give you a -- Without kind of running the
7 traps on it, I couldn't give you an honest answer, J.D. I would
8 prefer to think about it and come back to it. Thanks very much.
9
10 **CHAIRMAN ANSON:** Thank you. Jim Green, followed by Jay Mullins.
11
12 **MR. JIM GREEN:** Hello, council. Captain Jim Green, and I'm the
13 President of the Destin Charter Boat Association and President of
14 the Charter Fishermen's Association. Mr. Peter, thank you. I
15 hope the best for your retirement, and I hope that everything goes
16 well in your future endeavors.
17
18 One thing about the -- So, concerning the amberjack, both
19 organizations support a September 1 opening, and we support the
20 seven-fish trip limit for the commercial sector, and we urge you
21 to take final action on that. We also urge you to go forward with
22 an emergency action. It's quite clear, and I don't know how you
23 all talked all week, having to deal with that, but it's quite clear
24 that, with the overage from last year, and not being able to shut
25 it down quick enough, that we need to get it done.
26
27 Even if you get it done, and it doesn't hit on the first, and it
28 hits in the middle of January, you're taking steps to mitigate the
29 losses that would incur in the 2025 season, and you're protecting
30 more biomass to stay in the fishery, and so please continue that
31 discussion.
32
33 Gag grouper, I think Captain Hubbard knocked it out of the park,
34 and we support, and stand behind, his testimony. In Destin, we
35 did talk about a one-fish-per-person, especially with the 20
36 percent reduction that it would bring, but we also had concerns of
37 what that would do in the way of discards, and, ultimately, we
38 look to the guys on the Peninsula, that are -- We feel they have
39 a better pulse on the fishery than we do, and so we support Captain
40 Hubbard, and the guys on the Peninsula, wanting to keep it at two
41 fish, no vessel limit, and no closure areas, but we do thank the
42 council for the movement towards an annual interim analysis on the
43 gag grouper.
44
45 When it comes to the for-hire data collection program, and I know
46 you all have heard me a lot on this, but we're really grateful for
47 the support, and the commitment, of this council, and you all are
48 demonstrating that you want to help us get something online, and

1 that's really important to us, and we're excited to work with the
2 advisory panel that you put together and find a pathway forward.

3
4 The SEFHIER program is fresh in our minds, the challenges that we
5 incurred, the things we fixed, the things that we were working on
6 when it came to a halt, and they're all fresh, and we're ready to
7 move forward with something that's going to not only -- That you,
8 the regulators, can get behind, but also our industry.

9
10 The FES data, please just use great concern whenever you're moving
11 forward with this. Until we get this pilot project under control,
12 or through, and figure out what exactly adjustments we're going to
13 make, and, if you're making major decisions, please keep that in
14 mind. If you're talking about allocation, please stop. You know,
15 we need to get our ducks in order before we start making changes
16 that we're going to have to go back and fix.

17
18 Vermilion, lane snapper, yellowtail, I can speak to the vermilion
19 and lane. They're very robust, and vermilion doesn't need any
20 management changes currently. The lane snapper is expanding, not
21 only in the geographic region, but it's also expanding in amount
22 and quality of fish, and so please take the Reef Fish AP's
23 recommendations on that, and that's all I have. Thank you.

24
25 **CHAIRMAN ANSON:** Thank you, Captain Green. We have a couple of
26 questions. Ms. Boggs.

27
28 **MS. BOGGS:** As always, thank you for being here today, Jim, and
29 so, with regard to the data collection, I don't know if you've
30 polled DCBA or CFA, and would you all support some kind of
31 validation, such as a VMS, and I'm not saying VMS, but some type
32 of validation, and how do you all feel about the economic
33 questions?

34
35 **MR. GREEN:** DCBA has always stood behind -- We have a few members
36 that don't, but, the majority of us really stand behind the SEFHIER
37 program as it was. CFA, we're the ones that worked with other
38 people and created the port ambassador program, and we were highly
39 invested into it.

40
41 I think that we have the hardware out there, and I think that suite
42 of options for validation should be used for the next data
43 collection program. I heard, basically, that dockside intercepts
44 were somewhere between like 5 or 8 percent, on the harvest data,
45 and they found that acceptable, and so, if we get 20 percent of
46 the charter fleet, which I'm pretty sure we could do that pretty
47 easily, just from Destin and what you've heard from Alabama, and
48 the guys in Texas, and some in the Peninsula area, and, if we can

1 get 20 percent, and they can validate our effort, then, if it's
2 good enough for the harvest data, it should be good enough for the
3 effort data.

4
5 Then we can find other tools, that are less intrusive, for those
6 -- I heard a gentleman say that he felt like they did nothing
7 wrong, and it's not about doing anything wrong. It's about you're
8 operating in a privilege, in a privilege program, and, when you
9 have the ability to have the greatest job in the world, and you're
10 a steward of a portion of resource in different species, it comes
11 with accountability. You know, when my kid was five, he didn't
12 want to do anything, because he didn't want to, but, whenever you
13 are being a steward, and you're allowed to make a living off the
14 resource, and take the public out there and catch those fish, you
15 should -- It's not doing anything wrong, but I should be your duty,
16 and so, yes, we fully support anything we can do to validate all
17 effort in that survey.

18
19 **CHAIRMAN ANSON:** Dr. Banks.

20
21 **DR. BANKS:** Hi, and thanks for being here. I had a quick question
22 about your program that you and Captain Hubbard kind of put
23 together for SEFHIER, and can you speak to how many days, or how
24 often you had to travel, to help this program get up and running?

25
26 **MR. GREEN:** The port ambassador program? So we had ten port
27 ambassadors across the Gulf, and we kind of broke them down in
28 regions. Traveling-wise, there was probably five or six days that
29 I took to actually travel, but a lot of it was done on phone calls.

30
31 **DR. BANKS:** Five or six days over like each month?

32
33 **MR. GREEN:** Over the implementation, and like going and meeting
34 and getting schooled up on something, or going down and helping
35 another port ambassador do something, and we focused primarily --
36 It's hard to get that, because I've got people from Panama City to
37 Pensacola that I helped, but a lot of it was over the phone and,
38 you know, hey, pull the tablet out in front of you, and I would
39 pull mine out. Then, okay, you see this, and yes, and, you know,
40 there was many, many hours logged into it, and not a lot of days
41 of traveling, per se, but it was a lot of work, and it was a lot
42 of work with the people that weren't quite technologically
43 advanced, you know, and I will be nice about it, because my uncle
44 was one of the worst.

45
46 He called me every day for two months, but it was worth it, because,
47 you know, it was all about making sure that we were better
48 stewards, and, once you taught somebody how to do something, they

1 took it upon themselves to help the guy that docked next to him,
2 and so, you know, if I had a guy that said, hey, I don't know how
3 to figure this out, I was like, hey, I just spent two hours on the
4 phone with so-and-so, a couple of boats down, and go down there,
5 and he will show you exactly how to do it, and so it was a real
6 grassroots effort.

7
8 **DR. BANKS:** Last question, if I can, and can you roughly tell me
9 about how many hours you think that was? I'm just trying to get
10 a judge for if and when we roll a new one out.

11
12 **MR. GREEN:** 250, I would say, 250 to 300 hours, but it was spanned
13 over about eighteen months, you know, because the data collection
14 was not mandated right at first, and everybody was kind of getting
15 into the groove of that, and then, when it became mandated, that's
16 when it really focused in, for about four months pretty solid.
17 Thank you, all, for the opportunity.

18
19 **CHAIRMAN ANSON:** We have one more question from Dr. Frazer.

20
21 **DR. FRAZER:** Hi, Jim, and so I'm curious how many charter fishermen
22 that CFA represents.

23
24 **MR. GREEN:** We're actually working on creating a new membership
25 program, but my initial estimate is right around 350 right now,
26 but we haven't collected dues, because we're creating this new
27 program software to be able to reach out to them and have payment
28 easier and stuff, but 350. Thank you, all.

29
30 **CHAIRMAN ANSON:** Thank you, Jim. Jay Mullins, followed by Geoffrey
31 Owens.

32
33 **MR. JAY MULLINS:** Jay Mullins, eastern Gulf longline owner and
34 operator, one of -- I think there's seven of us left over here in
35 the eastern Gulf. Ladies and gentlemen, Rome is burning. I would
36 like to put that in some clearer terms. The greatest nation in
37 the world's food security is under fire.

38
39 I could be narrow-minded, as I've heard a little bit of, and say,
40 well, hell, it's the recreational, and I live in the state that
41 we've got the number-one effort in the Gulf of Mexico, Florida,
42 and our red snapper -- If somebody could answer this question, but
43 how has our red snapper rebounded ten-fold, and that's a letter
44 from NOAA that was published, Mandy Karnauskas, since 2010? All
45 right, and I ain't never got an answer on that one.

46
47 Let's go up to the Bering Sea, and I've got friends up there, and
48 they experienced a total collapse of the fishery. In New England,

1 an 80 percent reduction in haddock. Let's go out to the west
2 coast, to California, and rockfish. What's the commonalities? I
3 ain't seen very many recreational fishermen going up into the
4 Bering Sea to get crab.

5
6 That's what is going on. I mean, I care about our fishery, and
7 I've been on a boat since I've been eight years old, and I'm forty-
8 nine. I mean, it's not just here. You know, there's a lot of
9 commonalities that go on throughout all the fisheries we have in
10 the United States of America, and that's what we need to look at.

11
12 For the catch share program, I wasn't a big fan of it. Andy
13 designed it, and why don't we go back to the beginning? We needed
14 an income qualifier, and we need a catch history, and, for those
15 of us that got longline endorsements, we had to have a certain
16 amount of pounds to qualify for a longline endorsement. Blood,
17 sweat, and tears earned our way into this fishery. That's what we
18 need to get back to. I mean, does anybody actually care, or is it
19 how much money I can buy my way into something? Thank you.

20
21 **CHAIRMAN ANSON:** Thank you, Mr. Mullins. We do have a question
22 for you from Ms. Boggs.

23
24 **MS. BOGGS:** Thank you for being here, Jay. You always come, and
25 I appreciate your comments, but I don't know that I have ever
26 understood, and do you own shares, or do you lease shares?

27
28 **MR. MULLINS:** I'm so glad you asked me that question. When the
29 program was designed as an IFQ, individual fishing quota, right,
30 individual fishing quota, I think we qualified somewhere around
31 160,000 pounds, right, and one of the top permits in the eastern
32 Gulf, and we thought that was for what we were supposed to get,
33 nothing more, because we were supposed to be sustainable and care
34 about conservation and not go by the limits.

35
36 Since then, as we all know, the declines in the stocks, and we
37 lost 80 percent of our gags last year, and, I don't know, but
38 fifty-some percent of our red groupers within the last few years,
39 and so what's that do? It makes me, somebody that has put their
40 whole life out there on this water, go lease it from an individual
41 that don't give two flips about us. Is that fair and equitable?

42
43 Then, if I don't come up here and say the right stuff, then, no,
44 you can't get the allocation, and how are you going to put new
45 entries into this program with a closed door? We can't put our -
46 - I've got two boys, eight and nine years old, that I started
47 taking offshore when they were two years old, and I stopped taking
48 them offshore, because I'm afraid that this council is going to

1 collapse our fishery, and they don't have a fishery to fish when
2 they get older.

3

4 **CHAIRMAN ANSON:** Mr. Strelcheck.

5

6 **MR. STRELCHECK:** Thanks for being here, Jay. I hear the passion
7 in your voice, and I appreciate that, and I know that you have
8 worked with FWC, and other research, and I appreciate your
9 contribution to that as well, and we heard a lot of comments about
10 effort shifting to deepwater, because of closures, and how much do
11 you do, in terms of fishing for deepwater species, and what are
12 you seeing, in terms of trends, if you do fish deepwater?

13

14 **MR. MULLINS:** I think I said it, that Rome is burning, but, as
15 this program has -- One of the things that was sold to Congress
16 was overcapacity, and things that were on the board yesterday
17 showed quite a drastic increase in capacity, and, of course, when
18 we don't have access to what our fish is, we're going to go find
19 the fish to catch, and we have to shift our effort. The eastern
20 Gulf has turned into nothing but a discard fishery.

21

22 I have never seen nothing like this in my life, and I've been out
23 there for a long time fishing, and so we have to shift effort. If
24 we would put the fish back into the people's hands that are
25 actively fishing, with an income qualifier, just like this program
26 was set up at the original time, then we wouldn't be in here
27 talking about a lot of stuff, and we could actually go out there
28 and fish, instead of shifting our effort into other fisheries and
29 hurting those stocks. Thank you.

30

31 **CHAIRMAN ANSON:** Thank you, Captain Mullins. Next, we have David
32 Walker, followed by Jason Delacruz. I'm sorry. Geoffrey Owens.
33 I'm sorry, followed by David Walker.'

34

35 **MR. GEOFFREY OWENS:** Thank you for the chance to speak. This is
36 my first Gulf Council meeting, and I'm an owner/operator, a new
37 owner/operator, in the Gulf of Mexico this year. I say that with
38 an exclamation point, because I feel like that's a unicorn these
39 days. I don't see very many new ones, especially on my dock here
40 in Panama City.

41

42 I fished in the South Atlantic for twenty-eight years, as a
43 commercial spear fisherman and bandit fisherman, and I fished all
44 the way from New Smyrna to the Outer Banks, and I logged, in my
45 dive career of eighteen years -- I logged over 500 dives per year.

46

47 I have seen a lot of bottom, and I've seen a lot of water, and one
48 commonality that I see, in both sides, is the destruction of

1 habitat. It's our nursery, and, to me, all this fisheries
2 management is all in vain until you start taking care of water
3 quality, quit ripping out mangrove bushes and putting in high-rise
4 condos, quit doing freshwater diversions in our biggest river in
5 the United States, so many variables that computer models can't
6 take into account. They're no way they can take into account red
7 tides, you know, vegetation destruction, and, you know, the list
8 goes on and on.

9
10 I'm watching the group of fishermen become smaller and smaller
11 every year, with less permits, especially on the Atlantic side,
12 because it's a two-for-one system, and you have to buy two to get
13 one, and that fleet is so dwindled down, but yet they're still
14 taking regulations and blaming them on commercial fishermen, and
15 that's not the problem. The problem is the habitat, and, until
16 you acknowledge that, all of this is just worthless, in my opinion.

17
18 As far as the red snapper go, I caught 100,000 pounds of red
19 snapper last year. I just did the math. For me to buy that, it
20 was \$5.1 million. I'm sorry that I missed my calling in the NFL,
21 and it's not going to cover that one, and so I would really like
22 to see some kind of system where I could own the fish that I'm
23 catching. It was 40 percent of my catch this year, and my other
24 is mostly beeliners and red porgy, scamp, gag grouper, and I think
25 we really need to get serious and do up-to-date assessments.

26
27 Right now, we're throwing back 500 to 600 pounds of gags, per trip,
28 and probably 70 to 80 percent are these large males that you're
29 looking for. This storm has blown an incredible amount of gags
30 into the northern Gulf of Mexico, the northeastern Gulf, in my
31 opinion.

32
33 As far as, you know, the amberjack, I think you need to really
34 take a serious look at opening up amberjack and triggerfish. You
35 know, these are open fisheries, and they have trip limits on them
36 on the east coast, but it's able to alleviate pressure on one fish.
37 I mean, I'm pretty much concentrating on red snapper and beeliners.
38 You know, that's a lot of the guys on my dock, and I think, if you
39 increase -- You know, if you make these other fisheries more
40 viable, you know, you're going to take a lot of pressure off the
41 red snapper and gags, et cetera, red grouper, you know, and I think
42 it's a win-win all the way around, and, if you can combine that
43 with some water quality improvements, and habitat restoration,
44 you're really going to see an improvement in the fishery for
45 everybody. That's all I have.

46
47 **CHAIRMAN ANSON:** Thank you. David Walker, followed by Jason
48 Delacruz.

1
2 **MR. DAVID WALKER:** Good afternoon, council. I'm David Walker,
3 commercial fisherman, Alabama, owner of Walker Fishing Fleet. I
4 began commercial fishing in 1984. My youngest son commercial
5 fishes now, and he's been commercial fishing for over a decade,
6 and I even had my oldest son tell me this week -- He said, Dad,
7 when you all are short one trip, I would like to go give it a try,
8 and so, you know, their grandfathers were commercial, and one was
9 John Dukes, out of Destin, Florida, and he had headboats, and he
10 had charter boats and commercial boats, and he had a marina. My
11 dad had a commercial fishing business, and it's been a long time,
12 you know, and my family has been in fishing a long time, and even
13 my ancestors -- You know, they hunted and fished.

14
15 My great-great grandmother was an Alabama Creek Indian, and she
16 was a tall one, and that's kind of where I get some of my height
17 from, but I would just like to begin by saying that, as far as --
18 Peter, thank you for your service, and best wishes. New council
19 members, I would like to thank you, and welcome you. As a former
20 council member, I worked hard with the industry, as close with
21 them as I could, to listen to them.

22
23 As far as AJ, I like the seven fish, and I would like to see it
24 fast-tracked for January of 2024. For gags, we mentioned, and I
25 support, a commercial closure. We could focus more on some of the
26 discards.

27
28 As far as IFQ work, it's been a huge success. I was part of the
29 original ad hoc committee who developed the profiles, and some of
30 the things that are talked about today was things that we didn't
31 ask for, but it was the only way that we could get the program,
32 and so we moved forward and accepted what's being complained about
33 by some today, but it's been a huge success for folks. As far as
34 big decisions, I would be wary of making big decisions. It's been
35 working, and a lot of folks are happy with it, and that concludes
36 my testimony. Thank you.

37
38 **CHAIRMAN ANSON:** David, we have a question from Mr. Gill.

39
40 **MR. GILL:** Thank you, Mr. Chairman. Thank you, David, for coming
41 out and giving testimony. Given your extensive knowledge of the
42 IFQ program, and I guess I will phrase it this way, but would you
43 change it at all, and, if you would, what's the one thing that you
44 would look at for changes?

45
46 **MR. WALKER:** I wouldn't change it at all. There was some discussion
47 about some people are concerned about some of the folks that are
48 leasing fish, and I think maybe that should be grandfathered, with

1 some control date, to prevent that in the future, but a lot of
2 folks are dependent on these folks that are leasing out fish, and
3 so, if you're going to kick them out of the program, it's going to
4 hurt others, and I think, if you did decide to do that, I think it
5 would need to be a five to seven-year plan, so they could slowly
6 phase out, and not all at once, and that would be a huge disruption.

7
8 **CHAIRMAN ANSON:** One more question, David, from Dr. Frazer.

9
10 **DR. FRAZER:** Hi, David. It's good to see you. So I appreciate
11 the interest in trying to fast-track in January of 2024, but,
12 assuming it doesn't move through that fast, what is keeping you,
13 and everybody else, from just self-imposing that limit?

14
15 **MR. WALKER:** I guess, you know, it could be done, if all the guys
16 are worried about, as far as, you know, having the discards in the
17 fishery, and so the seven fish seems to be the magic number that
18 they've come up with, but, personally -- At one time, that's all
19 I used to fish for, mostly, was amberjack, and there weren't many
20 snapper around at one time, and, unfortunately, you know, the most
21 abundant species, at one time, was amberjack, and I caught a lot
22 of amberjack, but we very rarely catch anymore, nowadays. When it
23 went to the thirty-six-inch size limit, I stopped fishing for them,
24 because of the discards.

25
26 **CHAIRMAN ANSON:** Thank you, David. It's good to see you. Jason
27 Delacruz, followed by Richard Fischer.

28
29 **MR. JASON DELACRUZ:** Good afternoon. Peter, I want to thank you.
30 You have always been really helpful in getting us data when we
31 wanted it, and you're going to be missed here. You were the tall
32 guy, but you were always the helpful guy, and that's a great thing.

33
34 I was going to flip around what I was going to say today, and I
35 want to start talking about if we're going to actually start
36 protecting these fish, and I have harped on this, and I have
37 probably upset some people, and I'm going to do it again.
38 According to the last gag stock assessment, the discards, from
39 1999 to 2019, for the recreational fishery in gag, equaled
40 15,826,000 pounds of fish, and, in the equivalent timeframe, in
41 the recreational fishery, it was 776,000 pounds of fish, and, from
42 what I understand, in the snapper fishery, it's way worse in the
43 recreational fishery. It's a lot bigger, and, if we're ever going
44 to get a hold on this fishery, that is the only thing that we need
45 to focus on. Everything else is just white noise.

46
47 We are trying, and it's like we're on fire, and we've got a little
48 shot glass, and we're trying to put the fire out, and that's not

1 where our problem is, and we need to focus on that. I'm going to
2 leave that alone, because there's not much more.

3
4 I am going to probably say some stuff now that I probably
5 shouldn't. Luckily, my wife is in the room, and so, the personal
6 stuff, she won't get too mad at me, if she doesn't hear it. I
7 started in this fishery in 2004, or 2005, when I got my first reef
8 fish permit, and I all I did was commercial spearfish, and I loved
9 that.

10
11 I loved doing it, and, as the IFQ was coming towards me, I could
12 see pretty clear that I wasn't going to be able to participate,
13 and so I, and my best friend and my partner, who doesn't come to
14 these all the time, and he leaves this to me, Matt Joswig, and we
15 doubled down, and we both put seconds on our house, and we bought
16 permits, so that we could be in this fishery, and we acquired
17 enough catch share so that we could be in this fishery.

18
19 As we continued to fish, we grew into this fishery, and we built
20 boats, and we fished harder, and we found people to fish those
21 boats, and then we fished harder, and then I did it again. We had
22 a snapper problem, and we had more and more snapper coming into
23 our region, and we needed to do it, and so I took a second on my
24 fish house at the time, that I had just got a loan on, and, luckily,
25 the property value went up, and I bought more fish, and I got a
26 loan from Andy, and he gave it to me, and he's a nice guy, and
27 I've got two loans, and it scares me to death when we talk about
28 we're going to carve 20 percent, or 10 percent, off the top and
29 hand them out, and I'm not going to fall in that, but I've never
30 been given a pound. I've bought every pound, and I've caught every
31 pound of my fish, as many as I could, and now I'm going to take a
32 haircut, and I'm like, I'm pretty sure the loan program is not
33 going to let me cut them back that 20 percent.

34
35 To me, that's grossly unfair, and I've been on almost every single
36 IFQ panel, and I have been on the Reef Fish AP for years and years,
37 and I will happily go through the process of talking about the
38 IFQ, and, if you want to make adjustments, then let's talk it all
39 through, because there are devils in those details that -- I'm
40 sorry, but, unless you work in this every day, and you have risked
41 every cent you had, multiple times, you are not going to have a
42 concept to understand, and I promise you that I will, and so thank
43 you.

44
45 **CHAIRMAN ANSON:** Jason, we have a question from Ms. Boggs.

46
47 **MS. BOGGS:** So I would like to get some clarification. When you
48 were talking about the discards, you said it was fifteen million?

1
2 **MR. DELACRUZ:** Fifteen million pounds of gag dead discards from
3 1993 to 2019, and, in the equivalent timeframe, the commercial
4 fishery was 760,000.

5
6 **MS. BOGGS:** Okay, and I thought you said --

7
8 **MR. DELACRUZ:** Dead discards. That was the important part.

9
10 **CHAIRMAN ANSON:** Mr. Gill.

11
12 **MR. GILL:** Thank you, Mr. Chairman, and thank you, Jason, for
13 coming all the way up here. The same question for you, and I'm a
14 broken record.

15
16 **MR. DELACRUZ:** I was hoping you were going to ask that, and mine
17 is going to be different from everybody.

18
19 **MR. GILL:** Well, you are, but let me ask the question and then --

20
21 **MR. DELACRUZ:** We made a fatal flaw in the IFQ, by including all
22 the lesser-value species, like say tilefish. One of the things
23 that happens, that is a real challenge, is that blueline tile gets
24 discarded. It should have never been part of the IFQ, because you
25 cannot go yellowedge fishing and not catch blueline tile, but
26 blueline tile is a pain-in-the-ass fish, from a guy who sells fish
27 and has been a part of it. They don't last, and they're not very
28 valuable, no matter what you do, and you can't make them any more
29 valuable, and I have really tried, but they should have never been
30 in that, because they're not a directed catch. They're an
31 incidental catch, and so, I mean, that's probably the one thing.

32
33 I will tell you, and I went and sat down, and I don't think it was
34 with Andy, and it might have been, but with Andy and Shep, at the
35 time, before we went to an open-access fishery, and tried to figure
36 out how we could keep the fishery from going open-access, me and
37 Billy Tucker, but, anyway, we asked.

38
39 At the time, the General Counsel thought was that it had to go to
40 referendum, and so we couldn't keep it from happening, and so it
41 was going to happen, and we were stuck with it, and we were like
42 we don't want this to happen, and I was a part of the Shareholders
43 Alliance then, and I remember specifically going -- We really
44 thought this was important, and we tried to do this. Now that has
45 magically changed, and we don't need referendums, and we can do
46 whatever we want, but, from that standpoint, I mean, I wish it
47 would have never gone to -- You know, as far as an income qualifier,
48 man, all of my money comes from catching fish, actually harvesting

1 fish.

2

3 I think that's an important part, because a lot of people that
4 stand up here and bitch and want free fish, they don't actually
5 harvest fish to sell to the general public. They catch it
6 someplace else, and that's no offense to Ed. I love Ed. Me and
7 him get along great, and he's the right guy for this position,
8 but, if you want to do that, great, and I've got no problem with
9 it, and it's not going to affect me, but I also there's going to
10 be a lot of people cut out of this fishery real fast, and you're
11 going to see a drastic change, and you're going to have people
12 come up saying that I can't find anything, whereas, now, the fish
13 house has become the supplier.

14

15 We're the supplier. We spend all the money to get the quota, and
16 give it to them, and it's painful. Charlie is right, and I'm not
17 going to disagree with that. It's a challenge in the first year,
18 but we've made it work, and, if we're going to take something and
19 start screwing around and tweaking with it, man, the implications
20 -- Who the hell knows what's going to happen? Thank you.

21

22 **CHAIRMAN ANSON:** Mr. Strelcheck.

23

24 **MR. DELACRUZ:** Oh shoot. Were you there?

25

26 **MR. STRELCHECK:** You're not going to get off easy. To clear the
27 record, I did not personally give Mr. Delacruz a loan. That came
28 from the Federal Fisheries Finance Program, but my question relates
29 to that.

30

31 **MR. DELACRUZ:** Sure.

32

33 **MR. STRELCHECK:** Which is, you know, we hear concerns, right, about
34 the bar set for actually obtaining funding from that, and it's
35 hard to meet, and I'm curious, from your experience, what can we
36 do better, in terms of advertising that program, sharing
37 information about that program, and is it widely known about, from
38 the fishermen's standpoint, because I do feel like it's a kind of
39 unknown secret, in terms of availability of --

40

41 **MR. DELACRUZ:** You're not going to like this. That program is too
42 hard. I am an unusual person, from the standpoint of I'm very
43 lucky with a wife that's really good, and stays on top of our
44 books, and we were a very successful company that got a chance to
45 grow, and it's almost impossible for anybody to get, and I think
46 the bar needs to be lowered significantly, and the only asset
47 that's important to the program is that you have the quota, and so
48 the quota becomes the actual -- The guarantor, or the -- My brain

1 has turned off. Sorry, guys. Collateral.
2
3 It becomes the only collateral, because, when you require that for
4 collateral, plus another 50 percent of something else -- I mean,
5 I got a loan for that snapper, and I had to put another 25,000
6 pounds of snapper, that I managed to scrape and buy before that,
7 and then I did it again this past year, when red grouper got
8 caught, and I bought red grouper, and I had to put all of my red
9 grouper up against what was a third of what I bought, and so it's
10 unrealistic, and it needs to be simple enough.
11
12 Nobody -- All the other programs have, from what I understand,
13 extremely low default rates, when it comes to that program, and
14 so, if that's the case, and because it's really a safe bet for you
15 guys, and you have them in the -- You can just move them into a
16 separate account, and so, if a guy defaults, and he doesn't make
17 a payment, you only lose that for one year. You can shut him down,
18 and he won't get his quota next year, and then you can figure out
19 what to do with it next.
20
21 Now, that may be the more complicated part of it, but that's what
22 the problem is. It's too complicated of a program, and it takes
23 so long that the deal gets scared, and, because of the
24 conversations around this room, you freak out the guy who owns the
25 quota, because he needs to sell that, because that's the rest of
26 his life.
27
28 Because of that, that guy goes to whoever he can find, and that's
29 why it goes to the people that it goes to. If the system was
30 designed more to work with the people, and just have that
31 collateral used, you could absolutely make the system work, and
32 then people would be buying the stuff and moving on. You have
33 seen people up here today, and some have bought, and some would
34 just like to lease, and some want to work towards buying, and
35 everybody has a different opinion, and there are some people that
36 don't ever want to buy, but the reason they say they don't want to
37 buy is because they're scared to death that this group is going to
38 allocate it to somebody else, and they're going to lose it, and
39 they can't pay for it, and so anyway.
40
41 **CHAIRMAN ANSON:** Captain Walker.
42
43 **MR. WALKER:** All right. A short answer this time.
44
45 **MR. DELACRUZ:** It's the end of the day.
46
47 **MR. WALKER:** Actually, I think it's just a point of clarification,
48 but it goes around pretty often, the difference between dead

1 discards and discards, and, if I'm not mistaken, you said gag
2 discards, dead discards, were fifteen million.

3

4 **MR. DELACRUZ:** That is what we pulled out of --

5

6 **MR. WALKER:** That's dead discards or discards?

7

8 **MR. DELACRUZ:** No, and it's dead discards. The discards, I think
9 the yearly discards was like 141,000 fish, and so the yearly one,
10 and it was the total dead discards of that time. Now, I don't
11 think I'm wrong with that, and, if I -- I won't lie to you that I
12 didn't do that, and my --

13

14 **MR. WALKER:** What was the timeframe on that, and was that a ten-
15 year period or something?

16

17 **MR. DELACRUZ:** No, and, actually, it's longer than that. It's
18 twenty-something years. It was 1995 all the way to 2019.

19

20 **MR. WALKER:** I believe, sometimes, discards are viewed as this
21 terrible thing, which, you know, there is obviously an associated
22 discard ratio, and gag is not really that high, comparatively, but
23 it's a larger number, and I totally get that, but sometimes I think
24 there's a misinterpretation of discards and dead discards.

25

26 You know, if we were to call them releases, it would look a little
27 bit different. It's still high, and it's still a big problem, and
28 I'm not saying it's not, but sometimes the numbers get kind of
29 misinterpreted.

30

31 **MR. DELACRUZ:** I don't disagree with that, and we double-checked
32 this, and you have to believe, and you know the same, and we're on
33 the same page with this, and that is driving the fishery. I mean,
34 you hit the nail on the head, the escapement. If you're catching
35 them and throwing them all back, and it happens over and over
36 again, the escapement is going to shrink, and it just can't -- It
37 doesn't have a choice, and so, I mean, whether it's the male
38 population, because we're fishing those areas, and I don't think
39 that's the case, and the one funny thing about it is you've got a
40 test pile.

41

42 As long as we stay with this gag allocation as low as it is
43 commercially, we're not going fishing in those areas. It just
44 doesn't happen. I mean, I can show you. Well, you guys don't
45 need it, and you've got my VMS line, and so you can see where we're
46 fishing, and so you know I'm not fishing in the Edges right now,
47 and I haven't fished there all year, all four boats, and so, you
48 know, anyway.

1
2 **CHAIRMAN ANSON:** Thank you for the short answer, Jason. I
3 appreciate it.

4
5 **MR. DELACRUZ:** That's why I'm here. Thank you.

6
7 **CHAIRMAN ANSON:** All right. That will move us then to Richard
8 Fischer.

9
10 **MR. RICHARD FISCHER:** Last, but not least, I hope. Richard
11 Fischer, representing the Louisiana Charter Boat Association.
12 Thank you all for having me here this evening. I will try to keep
13 my comments short, and keep it to amberjack, so that I can get you
14 all out of here before happy hour ends.

15
16 We would be cool with the current preferred alternative for
17 amberjack, and I think a lot of our guys would prefer for it not
18 to be open in October, if we only have two months to pick from,
19 and that's because the weather changes, especially out west, in
20 our portion of the Gulf, as Josh alluded to earlier, where you're
21 just not going to be able to book as many trips, and actually go
22 out with as many trips, if you go during those windy months, but,
23 you know, as long as we're not opening on January 1, and moving
24 the season back to where it was several years ago with that fishing
25 year, I think our guys are going to be okay with however it shakes
26 out.

27
28 One thing that I thought of, while sitting down over there, and I
29 don't really know how you write this down in statute, but, since
30 it's really important to have a trophy fishery for at least one
31 fish open, maybe do a thing where amberjack season starts the day
32 after red snapper season ends, because, as it sits right now, we've
33 got kind of a one, two, three-month, or week, and I'm sorry, but
34 intermediary period where neither one is open, but you also don't
35 really know, going into the calendar year, how to book a trip in
36 late August, because you don't know if both are going to open, or
37 if neither is going to be open, and so a lot of that would clarify
38 that, going into the year, and these trips get booked way in
39 advance.

40
41 Still kind of sticking with amberjack, you know, we're, obviously,
42 big proponents of either a state or a regional management approach,
43 and I was happy to see that it was mentioned earlier that the AP
44 recommendation was for a regional management approach, and so we've
45 got an AP recommendation right there.

46
47 This very council, as you all recall, fourteen months ago, put
48 forth a recommendation for there to be a document on state

1 management for amberjack, and so, you know, you've got a council
2 recommendation, and you've got an AP recommendation. Now that
3 we're getting this document, this very important document, behind
4 us, let's move on to something else with amberjack, whether it be
5 state or regional management, and let's talk it out and see what
6 we like and get that going, and so that just about rounds out my
7 comments, and I appreciate you all very much, and I will see you
8 all tomorrow morning, and I will see you all in NOLA in January.

9
10 **CHAIRMAN ANSON:** All right. Ms. Boggs.

11
12 **MS. BOGGS:** Richard, thank you for being here, and so you are the
13 executive director, and is that what you said, for the Louisiana
14 Charter Boat Association?

15
16 **MR. FISCHER:** Yes.

17
18 **MS. BOGGS:** With the data collection program that this council is
19 working on, what is that your charter fleet would change?

20
21 **MR. FISCHER:** I think our charter fleet would like to see it go
22 away entirely, and that's been no secret. Now, whether that's
23 realistic, whether that's going to happen, because, of course, we
24 live in a world of what's realistic, and not what we want, and, if
25 the program were to come back, I think we would definitely like to
26 not see the economic data portion of that. We believe that there
27 are other ways that NOAA Fisheries can gather that information,
28 and we would also like to see the GPS tracking portion go away.

29
30 You know, obviously, the court did not have to get to the point on
31 ruling whether or not it was a 4th Amendment violation, but I felt
32 the text said that, maybe if they had to, they would have thought
33 that maybe, quite possibly, it was, and I'm not a lawyer, and I'm
34 just going off of what I read in that ruling, and so, you know, we
35 would definitely like to see the GPS, and the economic data, go
36 away, and, you know, the vast majority of our guys in Louisiana
37 would like to see the whole thing going away, and, of course, I
38 have to mention that that's because we have LA Creel in Louisiana,
39 where we really believe in that information, and that data, and
40 while, in a perfect world, where everyone went ahead and used the
41 program appropriately, and participated in the --

42
43 If you had the perfect rate of using the program, you would
44 probably get better data out of an electronic logbook program, and
45 we feel that the standard error of LA Creel right now is awesome,
46 and we just don't feel that, in Louisiana, when you add in all the
47 burdensome pieces of it, that it's something that is necessarily
48 going to be important to our fleet and help us.

1
2 **CHAIRMAN ANSON:** All right. Thank you, Mr. Fischer. We appreciate
3 it.

4
5 **MR. FISCHER:** Thank you, all, so much.

6
7 **CHAIRMAN ANSON:** I just wanted to go back around. Sidney Howard
8 is for sure not here? Ashton Lewis. Okay. Great. I think that
9 is everyone. Has anyone seen Mike Colby? He's probably taking
10 his nap, because it was about two-and-a-half hours ago that he
11 provided his public testimony, and tell him, which I'm going to
12 remind you about, is that, at seven o'clock, fifth floor, this is
13 a social, and so, other than that, eight o'clock tomorrow morning
14 with the Data Collection Committee. Thank you.

15
16 (Whereupon, the meeting recessed on October 25, 2023.)

17
18 - - -

19
20 October 26, 2023

21
22 THURSDAY MORNING SESSION

23
24 - - -

25
26 The Full Council of the Gulf of Mexico Fishery Management Council
27 reconvened at The Embassy Suites in Panama City, Florida on
28 Thursday morning, October 26, 2023, and was called to order by
29 Chairman Kevin Anson.

30
31 **CHAIRMAN ANSON:** Good morning, everyone. We will continue with
32 the Full Council agenda, and we will begin with the committee
33 reports, and the first one that we're going to start with is Data
34 Collection and Ms. Boggs.

35
36 **COMMITTEE REPORTS**
37 **DATA COLLECTION COMMITTEE REPORT**

38
39 **MS. BOGGS:** Thank you. Good morning, Mr. Chair, and good morning,
40 council. The Data Collection Committee met on October 23, 2023.
41 The committee adopted the agenda, Tab F, Number 1, and approved
42 the minutes, Tab F, Number 2, of the August 2023 meeting as
43 written.

44
45 The committee reviewed the summary of public comments from the
46 amendment, the document's purpose and need, and draft codified
47 text. One public comment requested a grandfather-type exemption
48 for program participants to continue using paper logbooks.

1 Representatives from NMFS stated that allowing this type of
2 exemption for only a handful of individuals would be problematic,
3 because complete transition of electronic reporting would ideally
4 maintain consistent program reporting requirements. The
5 commercial coastal logbook program currently has staff to help
6 participants with the reports and will continue providing that
7 service for electronic submissions.
8

9 **The committee recommends, and I so move, to recommend the council**
10 **approve the joint amendment on commercial electronic reporting and**
11 **that it be forwarded to the Secretary of Commerce for review and**
12 **implementation and deem the codified text as necessary and**
13 **appropriate, giving staff editorial license to make the necessary**
14 **changes in the document. The Council Chair is given the authority**
15 **to deem any changes to the codified text as necessary and**
16 **appropriate.**
17

18 **CHAIRMAN ANSON:** We have a committee motion. The motion has been
19 read and is on the board. Is there any discussion on the motion?
20 I have one question for Ms. Levy, and that is in, in the opening,
21 I guess, paragraph for each section for the council, sort of under
22 recordkeeping and reporting, 622.26(a), the second sentence, I
23 guess it is, the electronic fishing records must be submitted via
24 NMFS-approved software, and is there anything regarding the
25 electronic discard and economic records, and is there any reference
26 that needs to be made with that, or in that, sentence?
27

28 **MS. LEVY:** I think maybe what we need to do, because the prior
29 sentence references those fishing records and the, if selected,
30 the discard and economic record, is we'll just probably take out
31 "fishing", and so it would just say "these completed records must
32 be submitted", so it includes both of them. I think that was just
33 an oversight, because we got more specific in the prior sentence,
34 and then we didn't recognize that for the next sentence.
35

36 **CHAIRMAN ANSON:** Okay. Thank you. Any other discussion on the
37 motion? This would need to be a roll call vote, and so are we
38 ready? We can use the clickers for this, and so please, everyone,
39 go ahead and use them. Okay. It looks like everyone has submitted
40 their response.

F4.1 To approve the Joint Amendment on Commercial Electronic Reporting and that it be forwarded....				
First Name	Last Name			
Kevin	Anson	Yes		
Susan	Boggs	Yes		
Billy	Broussard	Yes		
Kesley	Banks	Yes		
JD	Dugas	Yes		
Anthony	Overton	Yes		
Tom	Frazer	Yes		
Dakus	Geeslin	Yes		
Bob	Gill	Yes		
Michael	McDermott	Yes		
Chris	Schieble	Yes		
Troy	Williamson	Yes		
Rick	Burris	Yes		
Ed	Walker	Yes		
CJ	Sweetman	Yes		
Andy	Strelcheck	Yes		
Dale	Diaz	Yes		
		Yes (17)	No (0)	Abstain (0)

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CHAIRMAN ANSON: It's been approved. Everyone voted yes, and there is no opposition, and so the motion carries. Ms. Boggs.

MS. BOGGS: Thank you, Mr. Chair. Development of Gulf For-Hire Data Collection Program, Tab F, Numbers 5(a) through (c), Doctors Jessica Stephen and Michelle Masi, from the Southeast Regional Office (SERO) provided three presentations to the committee regarding for-hire data collection in the Gulf.

The first presentation provided an overview of sampling survey designs and current for-hire data collection programs in the Gulf. Dr. Stephen was asked if the eight-and-a-half percent of trips intercepted at the dock (validation) in the Southeast Regional Headboat Survey was considered adequate representation of the fleet, and she responded that it was. She continued that estimates from this survey have previously been directly used in several stock assessments.

A committee member asked if survey question order had been examined for the federal for-hire telephone survey, similar to what has been recently done for the Marine Recreational Information Program's Fishing Effort Survey (MRIP-FES) pilot study. NMFS staff

1 indicated a similar study had not been initiated for the for-hire
2 data collection program, but stated the for-hire telephone survey
3 asks questions on weekly fishing effort, which is expected to have
4 less recall bias than the observed in MRIP-FES.
5

6 The second presentation provided a summary of data collected in
7 2022 through the Southeast For-Hire Integrated Electronic
8 Reporting (SEFHIER) program. The committee requested additional
9 summary information be presented in the future, including the
10 number of boats participating in each fishery, information to
11 highlight movement patterns of the Gulf for-hire fleet, proportion
12 of vessels intercepted during dock-side validation, and
13 identifying any particular areas of high non-compliance to help
14 focus future outreach efforts.
15

16 Discussion then focused on the SEFHIER program's economic
17 questions. SERO and council staff replied that these data are
18 used to inform disaster relief funding and quantify sector revenues
19 and costs when developing policy documents.
20

21 The final presentation provided an overview of data usage and next
22 steps. A question was asked regarding how website mining methods
23 would be used for a data collection program. Staff replied that
24 NMFS economists had used business webpages to collect information
25 on trip fees. Staff further stated that this approach only
26 provides a general estimate of advertised prices, as webpages can
27 be outdated and not reflective of current trip fees.
28

29 The committee discussed next steps for a new program. Several
30 committee members expressed the need to keep any new program as
31 simple as possible. Other committee members agreed, but also
32 stated that some form of validation would be required to satisfy
33 program objectives. The committee decided a necessary first step
34 would be to begin drafting language for a program purpose and need.
35

36 **CHAIRMAN ANSON:** Excuse me. Mr. Strelcheck.
37

38 **MR. STRELCHECK:** Thanks, Mr. Chair. Before we move on to the next
39 section, I'm interested in, I guess, next steps, right, and so we
40 will now have populated this advisory panel, and is the idea to
41 have this advisory panel meet between now and the January meeting?
42

43 **EXECUTIVE DIRECTOR SIMMONS:** Yes, that is our plan, and have
44 similar materials that were given to the council, regarding the
45 presentations.
46

47 **MR. STRELCHECK:** Then, in January, we would discuss the purpose
48 and need and start at least framing out, potentially, some of the

1 actions that could be included in that amendment?

2
3 **EXECUTIVE DIRECTOR SIMMONS:** Yes, and I think we would also include
4 that technical committee report, probably as background. It has
5 some good information in it as well, and we can distribute that to
6 the council as well. It helped us kind of reframe and look again
7 at what the program originally -- How it was built originally.

8
9 **CHAIRMAN ANSON:** Ms. Boggs.

10
11 **MS. BOGGS:** SSC Discussions on MRIP-FES Pilot Study and Next Steps,
12 Tab B, Number 4(a), Dr. Luiz Barbieri, Scientific and Statistical
13 Committee (SSC) Vice Chair presented the SSC's discussions of the
14 recent findings of the MRIP 2023 pilot study into the FES. The
15 study reviewed the effect of sampling in one-month waves, versus
16 two-month waves, which found that surveys over a single month
17 yielded higher effort estimates than a survey of two individual
18 months together.

19
20 The study also investigated the order of questions regarding the
21 frequency with which a respondent went fishing within prescribed
22 time periods, which was found to result in an overestimation of
23 overall fishing effort and, thus, landings. These studies were
24 conducted for four states over a six-month period, and, thus, are
25 a smaller sample size than the full-scale implementation of FES.

26
27 Dr. Barbieri summarized the planned follow-up pilot study to be
28 conducted in 2024 by the NOAA Office of Science and Technology,
29 which will be followed by an independent peer-review in 2025. A
30 revised survey calibration will be made available for evaluation
31 by data users thereafter, likely in 2026.

32
33 Dr. Barbieri summarized a sensitivity run for SEDAR 81, for Gulf
34 Spanish mackerel, that tested the effects of the results of the
35 MRIP-FES 2023 pilot study. This sensitivity run was not intended
36 to be used to modify catch advice. Thus, none was presented.

37
38 Gulf Spanish mackerel is not subject to jurisdictional or sector
39 allocations in the Gulf. In short, the sensitivity run, corrected
40 for the bias in the MRIP-FES survey, did not result in a change in
41 stock status for Gulf Spanish mackerel.

42
43 However, the reference point values for the ratios of current
44 fishing mortality to the maximum fishing mortality threshold,
45 which determines overfishing status, and of current spawning stock
46 biomass (SSB) to SSB at the minimum stock size threshold, which
47 determines overfished status, did change by several percentage
48 points. The resulting catch limit projections from the sensitivity

1 run would have yielded catch advice that would have been
2 approximately 25 percent lower than that recommended by the SSC at
3 its July 2023 SSC meeting. The SSC will further evaluate how to
4 address this added uncertainty from the MRIP-FES 2023 pilot study
5 in the future.

6
7 Discussion of MRIP-FES Inventory for the Gulf, Tab F, Number 7 and
8 7(a), given the recent results of the MRIP-FES pilot study, the
9 council expressed interest in an exposure analysis for stocks
10 potentially affected by these results. Council staff presented a
11 possible hierarchical framework to categorize SEDAR and policy
12 tasks based on the level of exposure to changes in the MRIP-FES
13 estimates.

14
15 A committee member asked if appropriate state data sources could
16 be used in lieu of MRIP-FES, where applicable. Council staff
17 replied that would be an additional option and anticipated this
18 could result in a modified exposure characterization. Council
19 staff also produced a worksheet, Tab F, Number 7(a), to help
20 determine potential next steps. The committee decided to wait
21 until Full Council to review that meeting briefing material.

22
23 **CHAIRMAN ANSON:** Dr. Simmons.

24
25 **EXECUTIVE DIRECTOR SIMMONS:** Thank you, Mr. Chair, and so I think
26 the council passed, and I'm looking at the motions from the August
27 meeting, two motions regarding the MRIP-FES pilot study findings,
28 and I think we've accomplished the first motion, which was to
29 direct staff to provide an inventory of council actions in the
30 foreseeable future that we expect to be impacted by changes in
31 FES, along with the levels of exposure, and bring back findings to
32 the council in October.

33
34 However, the second motion, which is to work more closely with the
35 Science Center and the Regional Office to develop a proposed action
36 plan -- I don't know that we've really fully explored that motion,
37 and so I suggest that we keep working on that and bring some more
38 information back to the council. I think there were some
39 sensitivity runs done by the Science Center, but perhaps there is
40 other tools that could be used to get at some of this information,
41 and then, when we do have the results from this study, I think
42 there's going to have to be some type of process that we can
43 integrate the information through the stock assessments.

44
45 I think there's going to have to be a lot of thought there on how
46 we go about doing that, compared to what our current structure is,
47 and so, in my opinion, we still have some work to do here, and so
48 I just wanted to bring that up.

1
2 **CHAIRMAN ANSON:** Any questions from the council? Dr. Porch.

3
4 **DR. PORCH:** Not a question, but I did want to comment that, the
5 way it's written, that last paragraph about the FES survey -- It
6 says corrected for the bias in the MRIP-FES survey, and that
7 implies that we actually knew what the bias was, and that makes it
8 sound like that should have been a final run, and so we might want
9 to just put "adjusted", or "potential" -- You know, for the
10 "potential bias", but the amount we adjusted bias is just kind of
11 a ballpark, right, because it didn't affect the entire domain, and
12 so maybe just put "adjusted for the potential bias".

13
14 **CHAIRMAN ANSON:** All right. I think staff will go ahead and make
15 that change.

16
17 **MS. BOGGS:** Summary report from Technical Coordinating Committee
18 deliberations at the Gulf States Marine Fisheries Commission
19 Meeting, Tab F, Number 8, due to time constrains, the committee
20 decided to postpone discussion of this item until Full Council.
21 Mr. Chair, that concludes my report.

22
23 **CHAIRMAN ANSON:** Thank you, Ms. Boggs. Mr. Donaldson.

24
25 **MR. DONALDSON:** Thank you, Mr. Chair. As you recall, this group
26 tasked the commission to look at offshore angler permits, or
27 licenses. Our TCC met last week, and we had a full complement of
28 state and federal partners, as well as council staff, and Dr.
29 Hollensead participated in the conversations.

30
31 Overall, it was a good conversation, and I want to thank Dr.
32 Hollensead for providing the summary, which I believe Bernie
33 emailed to everybody, and the short answer is that it is -- It's
34 viable, with an asterisk. There are some things that need to
35 happen to make it truly viable, but the majority of the states are
36 already characterizing their offshore anglers.

37
38 One of the biggest issues is that, while they are characterizing,
39 we got wrapped around the axle, a little bit, talking about the
40 various species that were included that required anglers, if they
41 were targeting this species or that species, but I believe that
42 that is not an insurmountable obstacle, that we can get together
43 and figure out how to -- The key was to make sure that we could
44 identify those anglers that are truly going offshore, and I believe
45 that we can do that.

46
47 As I mentioned, most of the states have an offshore permit, and
48 they believed that using that permit was much more viable than --

1 Which it's no cost, but using that, instead of going to -- Because
2 they can do that through their commissions, and instead of going
3 to the legislature and getting a fee-based license and whatnot,
4 and so we agreed that that probably would be the best approach.
5

6 Four out of the five states have this. Texas doesn't, but they
7 did express an interest in looking at that. One of the issues
8 with this permit is making sure that -- With Louisiana, they have
9 to go to a separate page to get their permit, as opposed to just
10 making it part of the licenses, and just checking a box, and, by
11 doing the latter, you potentially have the problem of
12 oversubscription, because, if you see a box, it's like, yes, I'm
13 just going to check it, even if you don't, but that's something to
14 consider in the future, but the short answer is, yes, this is
15 something that, if the council is interested, it is viable. There
16 needs to be additional work, but it's something that you all could
17 proceed on, if so desired.
18

19 **CHAIRMAN ANSON:** Thank you, Mr. Donaldson. Any questions? Any
20 desire to do something different? I mean, we have the private
21 recreational group that we've had some discussion about earlier in
22 the week, and so it potentially could be a topic that they could
23 discuss further, or we can go in parallel with something else, and
24 I'm just pausing here, if anyone has any comments. Seeing none,
25 Dr. Simmons.
26

27 **EXECUTIVE DIRECTOR SIMMONS:** Thank you, Mr. Chair, and so I guess
28 the question is does the council want to move this forward, right,
29 and so what would be the next steps? Do you want us to help
30 coordinate having another meeting, or could we -- We're just trying
31 to pull the motion up, but we're just not sure what we need to do
32 next, if the council wants to move forward with this or if they
33 want to wait until the recreational initiative group is formed.
34 That will take some time.
35

36 **MR. DONALDSON:** It was my understanding that you wanted us to look
37 at it. We got the states together, and we provided the feedback,
38 and, in my mind, the ball is in you all's court, and so whatever
39 you all want to do next. If there's something that the commission
40 can do to help facilitate that, we're more than willing to help,
41 but I think it's more what's the desire of the council.
42

43 **CHAIRMAN ANSON:** Ms. Boggs.
44

45 **MS. BOGGS:** Well, so, I mean, I think we were just trying to
46 identify the universe, and see if that was possible. I mean, this
47 council can't tell the State of Texas that you need to do this,
48 and so I don't know what role we would play, other than just maybe

1 collecting the data to define that universe, and, of course, then
2 use that information, when this initiative meets, to start talking
3 about, well, we've identified this many anglers, and I don't know
4 -- I think that was the goal, is to identify that universe, and,
5 where we go from there, I don't know.

6
7 **CHAIRMAN ANSON:** Mr. Geeslin.

8
9 **MR. GEESLIN:** Thank you, Mr. Chair, and Susan makes some good
10 points, and there's a lot going on here, right, and we've got a
11 rec initiative, and we've got IRA funding, and we've got this look
12 at FES-MRIP. From the Texas perspective, we're interested in this.
13 We definitely want to, you know, provide better data, improve the
14 system, you know, work within and collaborate with our state
15 partners, but also with the Fisheries Service, to, you know, have
16 a meaningful outcome to all of this, and so we are -- You know,
17 from our perspective, we're looking at, you know, how we would
18 roll this out statewide, what that would mean for our anglers, and
19 probably, more importantly, how we can use that data in a very
20 meaningful way, and so I don't know -- To Dr. Simmons' point, I
21 don't know where we are now, or where we're headed, but I can tell
22 you that we're certainly -- There is momentum, at least within the
23 State of Texas, to pursue this.

24
25 **CHAIRMAN ANSON:** Andy.

26
27 **MR. STRELCHECK:** Dakus kind of hit on some of my thoughts, and I'm
28 kind of feeling like maybe this has been overcome, in part, by
29 other events at this stage, and, you know, when we embarked on
30 this, we didn't necessarily know that we were going to get IRA
31 funding, right, and then now we have the potential for the
32 evolution for some of the state surveys that will be expanded, and
33 incorporate more species, and I still think there's value in trying
34 to make a -- I will use the term "universal", right, but a
35 consistent, you know, universe in which we're collecting data on
36 offshore angling permits that doesn't have a lot of exceptions and
37 gaps in information, but I'm wondering if maybe this is more
38 appropriate for discussion with this upcoming IRA effort working
39 group meeting that will happen sometime in early 2024.

40
41 **CHAIRMAN ANSON:** Mr. Schieble.

42
43 **MR. SCHIEBLE:** I think Andy hit on a couple of things that I was
44 going to say, but I guess my impression of how this was going to
45 go, from the original motion, was to look into developing a Gulf
46 offshore landing permit, right, and then the next steps in the
47 process would be to go through to see what the compatibility of
48 the existing state landing permits were to each other and for that

1 purpose, and so now we're at that point, right, and we've done
2 that, and how compatible are they, and that's what -- The Gulf
3 States just went through that whole process, and what's the next
4 step?

5
6 To me, it seems almost like a dual track that we're on here,
7 because we're going to see what the ultimate results of the MRIP-
8 FES pilot study are, and maybe that doesn't come out like everybody
9 thinks it will, and maybe it's not as bad as everybody thinks, but
10 what if it is, and then we're going to be looking at a second
11 option for tracking effort, fishing effort, which is this permit,
12 and so I think, as we move forward to develop this, at the same
13 time that the pilot study is taking place, then you have that plan
14 in place as well, in the same time-scale, and that's just my
15 thoughts.

16
17 **CHAIRMAN ANSON:** Mr. Strelcheck.

18
19 **MR. STRELCHECK:** Yes, and just to add that, you know, in the South
20 Atlantic, the way we're talking about this is kind of an
21 incorporation of permit information to better estimate effort that
22 would then go into the MRIP estimates, right, because the state
23 surveys don't exist from Georgia northward.

24
25 What I think would be valuable, right, is to continue the
26 conversations around the improvements, enhancements, that could be
27 made to kind of fill in those exceptions, and gaps, and kind of
28 understanding the willingness of the states, you know, to those
29 adjustments to potentially their permitting, and then the question
30 really becomes, right, is there going to be this separate permit,
31 or is it going to be still state permits, but consistently run, or
32 as close to consistently run, as possible across each of the five
33 Gulf states, or the four Gulf states.

34
35 **CHAIRMAN ANSON:** Mr. Burris.

36
37 **MR. BURRIS:** Thank you, Mr. Chair. Just for an update, when we
38 last talked about this, Mississippi did not have a permit in place,
39 and we still don't, but, after our discussions last week at the
40 Gulf States meeting, we plan to move forward and bring it to our
41 commission next month, to a similar permit to Louisiana, almost
42 mirrored off of Louisiana's, just for consistency purposes, like
43 we're talking about, and so we should have that in place by early
44 next year.

45
46 **CHAIRMAN ANSON:** To follow-up on Andy's comments, you know, the
47 report indicates, and Dave had mentioned, that, in four of the
48 five states, there is, you know, some coverage, if you will, of

1 offshore species, and so I think, speaking for Alabama, you know,
2 we have thirty-one, I believe it was, reef fish species that the
3 reef endorsement covers, if you're in possession or attempting to
4 fish for those, but, you know, a question came up, during the
5 discussions at the commission meeting, regarding, you know, states
6 that may have, you know, smaller number of reef fish species
7 identified, or, in Alabama's case, if there aren't any of the
8 pelagic species that are typically found outside of state --

9
10 You know, of state waters, that are in federal waters, and so, you
11 know, it was discussed, and at least kind of taken that folks that
12 would be catching those pelagic species would also probably be
13 catching those reef fish species, and so they would be, in a sense,
14 covered, but that is something for consideration, and, you know,
15 as we go forward, and as, you know, council discussions continue,
16 and it looks like that is something that's going to come to be, as
17 far as a federal reporting data collection system that centers on
18 each of the state's licensing systems, then that will be something,
19 I think, that those respective states would just need to have to
20 try to work on potentially addressing, you know, those other
21 species that aren't covered, but that's just a comment.

22
23 Just to -- I don't want -- I just want to make sure that we're
24 continuing the conversation, and we get some clear direction as to
25 what the council wants to do, relative to any actions or movement,
26 staff time, or any document development, and I just want to keep
27 that out there, and I don't think we've got a clear direction yet,
28 or a consensus. Mr. Donaldson and then Mr. Gill.

29
30 **MR. DONALDSON:** Thank you, Mr. Chair. I like Andy's suggestion
31 that the commission is coordinating a workshop on the great angler
32 count, looking at alternative effort estimates, and I think the
33 document that Lisa developed is certainly something that we can
34 incorporate in those discussions. It's going to happen early next
35 year, and so it will still be fresh, and I think maybe that would
36 be kind of the next steps, having that group talk. We'll have
37 representation from all the states, and our federal partners, and
38 so I think maybe that might be the best way to proceed with this.

39
40 **CHAIRMAN ANSON:** Mr. Gill.

41
42 **MR. GILL:** Pass.

43
44 **CHAIRMAN ANSON:** Okay. Dr. Hollensead.

45
46 **DR. LISA HOLLENSEAD:** Thank you, Mr. Chair. Just to sort of
47 reiterate what everybody else has said, and summarize, I was
48 actually encouraged at how much the states sort of had in common

1 about this. At first, I thought there might be some different
2 pieces, but it sounds like -- Texas was encouraged too, about,
3 hey, we might want to look at this as well, and so there was a
4 little bit more commonality than I had thought going in, which I
5 think is great.

6
7 One of the things that Dave had mentioned was there was a little
8 bit of hang-up of, well, what species are we talking about, and we
9 had mentioned what species might be indicators for offshore angling
10 that we could use to potentially grasp this universe. There is
11 some recognition that some anglers may be falling through the
12 cracks a little bit, and so how do we start to tie those in, and,
13 you know, I can certainly work with staff at the commission to
14 maybe even start exploring some of what that might be, to give it
15 to the group for their consideration to talk to a little bit,
16 because that was the one thing that I think, if we start talking
17 to that, they can start working towards a general consensus on
18 that, and so that was my thoughts.

19
20 **CHAIRMAN ANSON:** Okay. Very good. Mr. Diaz.

21
22 **MR. DIAZ:** I hate to put Dr. Sweetman on the spot, but I'm sitting
23 here just kind of -- We've heard from the other four states, and
24 I'm just kind of curious where Florida is at with this, and if he
25 wouldn't mind commenting.

26
27 **DR. SWEETMAN:** Specific to what, Dale?

28
29 **MR. DIAZ:** Well, it sounds like the other states are moving towards
30 trying to have like some type of an offshore permit, where we could
31 positively -- Where we could get a lot better handle on effort of
32 the number of -- The universe of people that's using it, and so
33 how did you all fall out in the conversations on that topic?

34
35 **DR. SWEETMAN:** Thanks, Dale. Obviously, I mean, we would be
36 supportive of getting any additional data that would help us better
37 estimate effort in the offshore component, for sure. The survey
38 that we have set up right now is, obviously, a little bit different
39 than some of the other Gulf states. A lot of those are vessel-
40 based, and ours is an angler-based permit, and so that's just kind
41 of some of the stuff that we're going to have to balance, along
42 those lines in working with the other states.

43
44 A vessel-based component, just, quite frankly, it will be
45 challenging for Florida to do it along those lines, and so that's
46 just kind of some of the discussions that we've had with the other
47 Gulf states there, Dale, but, yes, overall, we're supportive of
48 something along those lines.

1
2 **MR. DIAZ:** Just to follow-up, I'm excited by this conversation. I
3 mean, how many times have we heard people say the recs aren't
4 accountable, and this is probably the best we could ever do, if we
5 could get a lot better handle on that universe, and we're already
6 getting weights and lengths and stuff, and we're getting those
7 things, and so, I mean, I think this is probably the best we'll
8 ever get with this giant number of people that use this resource,
9 and so I'm very excited by what's being talked about here this
10 morning.

11
12 **CHAIRMAN ANSON:** Dr. Hollensead.

13
14 **DR. HOLLENSEAD:** Mr. Diaz, it gets to your point too, a little
15 bit, about what Florida had come reporting back, and they do have,
16 you know, an endorsement to go offshore for the private
17 recreational. One of the things that they did note that there
18 could be some -- A little bit of improvement is, for example, if
19 you go to buy, you know, a conventional license, and you would
20 like to get that endorsement, you have to go to a separate webpage.

21
22 The idea is you would have to be a little invested. It's free,
23 and it's no cost, but, from what I understand though, if you go to
24 buy it at a tackle shop, or a Walmart, they already just check
25 that for you, and so that individual -- You know, it's like, well,
26 we've got it, and so almost the clerk makes that determination for
27 you, and not the angler, and so there was maybe some discussions
28 about like, okay, you know, making sure that you have to go through
29 some other avenue, just to make sure that it's focused, so that
30 it's not oversubscription, this idea that it's already automated
31 for you, and, if you made that decision, you might be counting an
32 individual who may not intend to go offshore, and so tweaking it
33 some, and some of the other states have that.

34
35 You have to go to a separate webpage, and, for Alabama, you have
36 to -- You know, there's a fee associated with it, and so you are
37 really focusing on groups that are interested in going offshore,
38 and so those are some of the things that they talked about at the
39 group, you know, that they could maybe tweak with their programs,
40 or the states could do, you know, a little bit to come more
41 together, but in their own sort of way and how they wanted to do
42 it, which was nice.

43
44 **CHAIRMAN ANSON:** Dr. Sweetman.

45
46 **DR. SWEETMAN:** Thanks, Mr. Chair, and, actually, Lisa said exactly
47 what I was going to say there, and, yes, that is an issue.
48 Oversubscription along those lines is something that we're

1 actively working on, and so, yes, I mean, this has come up recently
2 in those discussions, but Lisa said exactly what I was going to
3 say. Thanks.

4
5 **CHAIRMAN ANSON:** Mr. Burris.

6
7 **MR. BURRIS:** So just a point of clarification, and I believe all
8 four states that will be collecting this -- We will be angler-
9 based, unless somebody -- I think they are all angler-based.

10
11 **CHAIRMAN ANSON:** Yes, and the distinction is, you know, the
12 licensing, versus the reporting, and so yes. All right. Any other
13 discussion on this? Seeing none, that will move us into the Shrimp
14 Committee. Mr. Schieble.

15
16 **SHRIMP COMMITTEE REPORT**

17
18 **MR. SCHIEBLE:** The Shrimp Committee adopted the agenda, Tab B,
19 Number 1, with the addition of a discussion of the early adopter
20 program rollout under Other Business. Under Other Business, Dr.
21 Simmons also requested an update from the NOAA Fisheries
22 representative in response to the council's letter for potential
23 use of Inflation Reduction Act funding for data acquisition in the
24 federally-managed Gulf shrimp fishery. The committee then
25 approved the minutes, Tab B, Number 2, of the August 2023 meeting,
26 as amended.

27
28 Results of Side-by-Side Testing of Cellular Vessel Monitoring
29 Systems and Cellular Electronic Logbooks on Gulf Shrimp Vessels,
30 which was Tab D, Number 4, Dr. Walter, from the Southeast
31 Fisheries Science Center, presented the results of side-by-side
32 testing of cVMS and cELBs on Gulf shrimp vessels.

33
34 A council member noted that the Boat Command units appeared to
35 have collected additional data points and inquired how that might
36 be an issue. Dr. Walter responded that some of the vessel
37 monitoring system (VMS) units ping when crossing certain
38 boundaries or when powered on/off, and so it is not unusual to
39 collect additional pings. He added that the effort algorithm is
40 capable of handling those additional pings.

41
42 A committee member commented that, while the Atlantic States Marine
43 Fisheries Commission is using these devices for the purposes of
44 vessel location only, the council would be using them to derive
45 effort estimates. A council member asked why the Zen units did
46 not transmit directly to the Southeast Fisheries Science Center
47 during testing. Dr. Walter responded that the application
48 programming interface (API) was created during the testing phase,

1 but that the Zen units can use the portal in the future.

2
3 The council member also inquired why the map of the Zen unit plots
4 for Vessel 4 is different from those of the other tested devices.
5 Dr. Walter responded that the map of the Zen unit plots shows an
6 extra three days of fishing, compared to the map of the other
7 tested devices' plots.

8
9 Ms. Bosarge, the Shrimp AP Chair, then reviewed the Shrimp AP's
10 discussion of the Southeast Fisheries Science Center presentation
11 on the side-by-side testing. She noted that the AP did not
12 consider the Tracker One or NEMO units to be successful during the
13 testing, which is why the AP passed a motion requesting that
14 National Marine Fisheries Service not include these units within
15 the early adopter program.

16
17 She stated that the Boat Command and Zen units show some promise
18 for data collection in the Gulf shrimp industry. She commented
19 that the early adopter program could be considered additional
20 testing of units within the industry.

21
22 A committee member requested a response from the Southeast
23 Fisheries Science Center to the Shrimp AP's motion on the early
24 adopter program. Dr. Walter stated that it is not their stance to
25 exclude units, but rather to set specifications, which vendors can
26 meet or not meet.

27
28 Another committee member inquired if a shrimp vessel would have to
29 return to the dock if a unit failed during the early adopter
30 program. Dr. Walter responded that a vessel would not have to do
31 so. Another committee member added that it would be unclear, until
32 a vessel was back within cellular range, if a device had failed.
33 Dr. Porch added that vendors would have to meet reporting
34 requirements, including data being in an appropriate format.

35
36 Dr. Simmons asked if the specifications for the early adopter
37 program would be those of the national VMS program, if results
38 from the early adopter program could be brought to the council,
39 and when those initial results might be available.

40
41 A committee member asked if the second half of the AP's motion
42 would be feasible for National Marine Fisheries Service to do.
43 Dr. Walter responded that National Marine Fisheries Service is
44 exploring how to distribute a concise version of the testing
45 results, so that shrimpers could make an informed decision, and
46 noted that a committee motion to that effect would not be necessary
47 for National Marine Fisheries Service to consider this action.

1 A committee member requested that a copy of the Southern Shrimp
2 Alliance's letters, that were referenced in the AP's motions, be
3 distributed to council members before Full Council. Dr. Freeman
4 responded that those letters could be distributed following Shrimp
5 Committee.
6

7 Dr. Freeman reminded the committee of the council's motion from
8 April that the draft framework action be brought back to the
9 council once National Marine Fisheries Service had completed its
10 side-by-side testing of cellular VMS units and cellular electronic
11 logbooks and asked for direction on further development of the
12 draft framework action.
13

14 A committee member stated that, while results from the early
15 adopter program would inform the council's decisions, the draft
16 framework action could be brought back to the council in January
17 2024. Ms. Boggs.
18

19 **CHAIRMAN ANSON:** We have a few questions. Thank you. Ms. Boggs.
20

21 **MS. BOGGS:** I am just curious. The early adopter program, and I
22 know that Ms. Bosarge, and seeing some of the data on the Nemo and
23 the -- I can't remember which other one, but, I mean, is that
24 something that the agency would consider removing from the early
25 adopter program, or are you all going to continue to test those
26 units, even though they aren't tracking like the other two were?
27 I mean, two seem pretty concise, and the other two seem pretty not
28 so concise.
29

30 **DR. PORCH:** Thank you for the question, and I think Dr. Walter
31 addressed this, that, at this point, we're not going to just
32 summarily remove it because it didn't perform well in these tests,
33 because they may be able to adjust the system and get those
34 working, and so, yes, we're not just dismissing them right now.
35

36 **CHAIRMAN ANSON:** Mr. Gill.
37

38 **MR. GILL:** Thank you, Mr. Chairman, and so my question relates to
39 whether we should consider the draft framework action at the next
40 meeting, and that hinges, at least in my mind, on -- Although the
41 motion in April indicated side-by-side testing, that was prior to
42 consideration of the early adopter program, and so where that fits
43 in, relative to the framework action, and so I think my question
44 is for Dr. Porch, and is it the Science Center position that the
45 early adopter program is functionally continued testing, or, if
46 you will, further development of the program and not a formalized
47 test program?
48

1 **DR. PORCH:** I guess I'm not quite sure what you're getting at with
2 that, but, if the vendors can show that they meet the standards,
3 they would still be eligible, and so we may not -- We're not going
4 to take the responsibility of doing all the testing to ensure that
5 any unit could possibly be used, at least not with our own staff
6 and our own procedures. If they can demonstrate that they meet the
7 standards through other testing, that could fit the bill.

8
9 **MR. GILL:** So I guess where I'm coming from here is that where
10 does the framework action fit relative to the early adopter
11 program? In my mind, it seems, to me, that the early adopter
12 program could reshape the draft framework action, in which case,
13 if that's true, bringing it back in January is not appropriate,
14 and so I'm a little bit confused about how this ought to go forward,
15 and that's why I raised the question, and perhaps you all could
16 clarify it for me.

17
18 **CHAIRMAN ANSON:** Mr. Strelcheck.

19
20 **MR. STRELCHECK:** I will at least provide my perspective, and so,
21 when we presented the spend plan for the \$850,000, it had the three
22 components, right, and so kind of continue the data collection,
23 you know, to stem the tide, for the time being, and get that
24 information, do the testing, and then the early adoption, but
25 ultimately leading to implementation, and so what I've envisioned
26 is that the early adopter program would be happening simultaneously
27 as we work on the framework action, and the framework action would
28 continue to be informed by that early adopter program, and, if you
29 recall, the framework action is fairly basic, and barebones, with
30 regard to the actions and alternatives, right, and it's essentially
31 two options, VMS, and it goes through the OLE database, or some
32 other certification program that goes to the Center or someplace
33 else.

34
35 To me, I think we need to dust off the amendment, bring it back,
36 start having some discussion around are those the right actions
37 and alternatives, with what we know now, and the information that
38 we've been gathering from the pilot testing and rolling into the
39 early adopter program, and then what components of the amendment
40 need to be worked on, over the course of 2024, to set us up for
41 implementation sometime in 2025.

42
43 **CHAIRMAN ANSON:** All right. Anyone want to proceed with -- Dr.
44 Simmons.

45
46 **EXECUTIVE DIRECTOR SIMMONS:** Thank you, Mr. Chair, and so just I
47 guess a question regarding timing on updates of the early adopter
48 program, and is there a general understanding of when that would

1 happen, and when it might come back to the council and the AP?
2 That might help frame up, you know, timing of the document,
3 because, essentially, we're saying that the vendors have to meet
4 one of the alternatives right now, but I don't know if the council,
5 and NMFS, have decided about adding in additional specifications
6 for the fishery, and so I guess what you're suggesting, Andy, is
7 we would do that when we bring the amendment back, and, in the
8 meantime, the vendors that are interested in working with the fleet
9 would use the current national VMS specifications, and is that
10 correct?

11
12 **MR. STRELCHECK:** I don't think that's correct, but I guess I need
13 to look to Clay. I mean, I don't think we're obligated, under any
14 sort of pilot study, to rely on the national specifications. There
15 are some vendors that meet that, that already have certified units,
16 but we did go out and test some that aren't part of that national
17 VMS program.

18
19 From the standpoint of when are going to get data back, I mean,
20 you all know your shrimp fishery probably better than I do, but,
21 Louisiana, you open in May, and is that right, for the spring, and
22 so, I mean, we probably won't have a lot of data being collected
23 over the winter months. We'll be rolling out units, and getting
24 them on vessels, and so it's probably going to be sometime in the
25 summer before we could actually bring a substantive amount of data
26 back.

27
28 **CHAIRMAN ANSON:** Mr. Gill.

29
30 **MR. GILL:** Well, I guess that gets me back to the nut of my problem,
31 and what are we going to do with this framework action in January,
32 given where we are? I don't quite understand how we're going to
33 flesh that out more fully, given our current position.

34
35 **CHAIRMAN ANSON:** Dr. Porch.

36
37 **DR. PORCH:** I think at least we don't have to advance to selecting
38 the preferred alternative in that time, and so it could be delayed
39 past January.

40
41 **CHAIRMAN ANSON:** Mr. Strelcheck.

42
43 **MR. STRELCHECK:** I'm going to look to Carrie, and it's dangerous
44 thinking on the fly here, but, I mean, we could give staff
45 discretion just to have the IPT convened, review the document, and
46 determine whether there is anything that needs to come before the
47 council for input and decision-making, as well as kind of
48 recommend, or provide, an update to the council, in terms of what

1 components of the framework action will need to be worked on and
2 a general timeline for doing that. John.

3
4 **DR. JOHN FROESCHKE:** I think the IPT is planning to meet. I guess
5 what I'm struggling with, for that group, is I don't know how they
6 would review, or provide input, on those alternatives, and in
7 particularly Alternative 3, and are they to try to figure out if
8 that's a viable alternative, or if it needs to be modified to be
9 a viable alternative, or it should just be moved to Considered but
10 Rejected, and I'm not sure how they will be able to contribute,
11 based on what we have right now.

12
13 **CHAIRMAN ANSON:** So we're kind of at an impasse, potentially, and,
14 I mean, on one hand, I see that there is some value, at least, to
15 go through that exercise, kind of at the IPT level, but is that -
16 - Is that the right path? Does everyone want to do that? Is that
17 the direction? Mr. Gill.

18
19 **MR. GILL:** I will throw in my two-cents, Mr. Chairman, and so my
20 take is that bringing back the framework action in January is
21 premature. I don't see a path that, when we discuss it in January,
22 that I will have anything to contribute, and, if that's true
23 council-wide, then we need to put it off until April, or June,
24 whichever. Meanwhile, in the background, there will be work on
25 trying to develop all of that, and the IPT may meet, et cetera,
26 but we haven't got enough definition yet as to how that thing will
27 go forward, and so I would recommend that we not bring it back in
28 January.

29
30 **CHAIRMAN ANSON:** All right. Is that the general -- Does everyone
31 else agree? I don't see any motions, and I see head nods. Mr.
32 Strelcheck.

33
34 **MR. STRELCHECK:** Yes, and, I mean, Peter and I are talking, and I
35 guess I would be fine with that. What I'm concerned about is, you
36 know, delaying this coming back to the council too long, and then,
37 you know, we're pushing any sort of implementation, after the early
38 adopter program, well past 2025, right, and so, if we brought it
39 back in April, I think what we would want is not only the IPT to
40 meet, but potentially what could be worked on in the amendment
41 document, that that be further developed, and not necessarily for
42 completion, but just progress being made on development of the
43 framework action.

44
45 **CHAIRMAN ANSON:** Mr. Gill.

46
47 **MR. GILL:** Thank you, Mr. Chairman, and I don't mean to preempt
48 the committee chair, but I'm thinking, at the January meeting, we

1 might get an update on where are we, and is there any new
2 information that can help us put some substance to where we're
3 going, et cetera, but no more than that, and we're not going
4 through the document.

5
6 **CHAIRMAN ANSON:** I guess I can live with that, and so is that clear
7 to council staff? Yes? Okay. All right, and so no other
8 discussion on electronic logbooks? Seeing none, Mr. Schieble.

9
10 **MR. SCHIEBLE:** All right. Thank you, Mr. Chair. Continuing back
11 with the Remaining Items from the Summary of the October 19 Shrimp
12 AP Meeting, Ms. Bosarge reviewed the remaining items from the
13 Shrimp AP's October 2023 meeting. She stated the industry was not
14 interested in participating in the proposed shrimp effort project
15 to inform sea turtle restoration efforts, citing the unfavorable
16 outcomes to the industry that have resulted from similar
17 collaborative projects in the past.

18
19 In response to the update from the Bureau of Ocean Energy
20 Management on Gulf wind energy, Ms. Bosarge stated the Shrimp AP
21 supports a provision to require the removal of non-producing
22 windmills, similar to the requirements of the petroleum industry
23 to remove idle iron once the production has ceased. She stated
24 that the removal of the idle windmills would restore shrimping
25 opportunities in this area, if no longer supporting wind energy
26 generation.

27
28 Ms. Bosarge summarized the Shrimp AP's feedback on the Endangered
29 Species Act listing and Critical Habitat Rule update. With regard
30 to green sea turtles, she identified that much of the supporting
31 data and references were unpublished data and may not have been as
32 thoroughly reviewed and vetted as with peer-reviewed research
33 products. She indicated this may undermine the confidence in the
34 proposed rule by the shrimp industry that may ultimately be
35 affected by this rule.

36
37 Regarding Rice's whale, the Shrimp AP recommends modifying the
38 critical habitat depth boundaries to 120 meters, from the original
39 100 meters, and to 350 meters, from 400 meters in depth. She
40 stated that there is little empirical evidence of Rice's whale
41 presence shallower than 120 meters and deeper than 350 meters, and
42 this would allow historical shrimping activities to occur in these
43 zones with no harmful effect on the Rice's whales.

44
45 Ms. Bosarge reviewed the Shrimp AP feedback on the proposed
46 critical habitat for threatened Caribbean corals. She stated that
47 the proposed definition and resulting maps of critical habitat had
48 not been provided to the Shrimp AP or Gulf Council for feedback

1 and that the Shrimp AP would appreciate an opportunity to review
2 the proposed maps through the council process.

3
4 We then went into Other Business, with two items. Dr. Simmons
5 asked for an update on the council's letter on the potential for
6 use of Inflation Reduction Act funding for data acquisition in the
7 federally-managed Gulf shrimp fishery. Dr. Porch responded that
8 the regional spend plans are being firmed up and that there is a
9 long queue of items for funding consideration.

10
11 Early Adopter Program Rollout, Dr. Walter stated that the handouts
12 on the early adopter program rollout are available on the council
13 meeting website. He also noted that National Marine Fisheries
14 Service is exploring synergies with a project on the inshore shrimp
15 industry, given that there is additional funding related to inshore
16 shrimp effort and sea turtle restoration efforts, even though the
17 Shrimp AP had not expressed an interest in this approach. Mr.
18 Chair, this concludes my report.

19 20 **CLOSED SESSION REPORT**

21
22 **CHAIRMAN ANSON:** Thank you. Any other comments or discussion
23 needed under Shrimp? Seeing none, that will take us to the next
24 committee report, which is the Full Council Closed Session Report.

25
26 Selection of Ad Hoc Charter/For-Hire Data Collection Advisory
27 Panel Members, the Full Council was convened in a closed session
28 on the afternoon of October 23 to appoint the Ad Hoc Charter/For-
29 Hire Data Collection Advisory Panel members. The council made the
30 following appointments: Kevin Beach; Elizabeth Boggs; Joshua
31 Ellender; Richard Fischer; Jim Green III; Michael Jennings; Bo
32 Johnson; Steve Papen; Clarence Seymour, Jr.; Clay Shidler; Thad
33 Stewart; Josh Swinford; and Abby Webster.

34
35 The charge of this ad hoc AP is the following: The Ad Hoc
36 Charter/For-Hire Data Collection AP is tasked with providing Gulf-
37 wide stakeholder insight on the development of a new electronic
38 data collection program for the charter/for-hire and headboat
39 fishing industry. The AP should consider lessons learned from the
40 SEFHIER program and work collaboratively to discuss strategies
41 that would enhance the timeliness, accuracy, and quality of data
42 for the federal for-hire fleet. The AP should also consider
43 balancing the anticipated reporting and economic burdens
44 associated with their recommended program requirements. This
45 concludes my report. Ms. Boggs.

46
47 **MS. BOGGS:** So I know we kind of already touched on this, but I
48 would like to confirm that we are going to have this ad hoc meet

1 prior to our January council meeting, correct?

2
3 **EXECUTIVE DIRECTOR SIMMONS:** That is our plan, if we can get
4 everybody together before the January council meeting.

5
6 **MS. BOGGS:** Maybe we should have put that in the application
7 process.

8
9 **CHAIRMAN ANSON:** Any other comments before we move on? Okay. So
10 that then takes us to our next committee report, which is Reef
11 Fish. Dr. Frazer.

12
13 **REEF FISH COMMITTEE REPORT**

14
15 **DR. FRAZER:** Thank you, Mr. Chairman. The committee adopted the
16 agenda, Tab B, Number 1, after adding a discussion item, under
17 Other Business, related to other entities that might submit
18 proposals for federal funding to inform the SEDAR process. The
19 minutes, Tab B, Number 2, from the August 2023 meeting were
20 approved with minor grammatical changes.

21
22 SSC Review of the 2023 Gulf Vermilion Snapper Interim Analysis,
23 Tab B, Number 4, Dr. Luiz Barbieri, Vice Chair of the Scientific
24 and Statistical Committee, reviewed a presentation by the
25 Southeast Fisheries Science Center on the 2023 Gulf vermilion
26 snapper interim analysis, using data through 2022.

27
28 The interim analysis used the Gulf Fishery-Independent Survey of
29 Habitat and Ecosystem Resources (GFISHER) combined video index,
30 which showed a generally flat trend over time, with strong
31 oscillations in estimated abundance in recent years. Uncertainty
32 in this index is considerable, and the SSC discussed the
33 appropriateness of the index for vermilion snapper.

34
35 Beginning in 2020, these video surveys were standardized to one
36 another, now, GFISHER. Dr. Barbieri noted that the updated catch
37 advice, based on SEDAR 67, had just been implemented in 2023, and
38 the SSC's catch advice from that was valid through 2025. The SSC
39 did not ultimately recommend updated catch advice at this time.

40
41 Captain Dylan Hubbard summarized the comments and motion for
42 vermilion snapper from the Reef Fish Advisory Panel. The AP
43 recommended not modifying vermilion snapper management at this
44 time. However, in anticipation of the Marine Recreational
45 Information Program's Fishing Effort Survey (MRIP-FES)
46 recalibration, following the planned 2024 pilot study, the AP
47 passed a motion asking the council to consider commercial and
48 recreational sector allocations for vermilion snapper.

1
2 Captain Hubbard added that vermilion snapper off Florida were
3 becoming larger, and more numerous, and he thought more
4 recreational fishing effort was shifting to vermilion snapper.
5 The council will negotiate at the SEDAR Steering Committee to
6 schedule the next vermilion snapper stock assessment, which could
7 likely be conducted as an update assessment.

8
9 SSC Review of 2023 Gulf Lane Snapper Interim Analysis, Tab B,
10 Number 5, Dr. Barbieri reviewed a presentation by the Southeast
11 Fisheries Science Center on the 2023 Gulf lane snapper catch
12 analysis, using data through 2022. These data were prepared to
13 help inform the SSC about the general condition of the Gulf lane
14 snapper stock, which is currently evaluated periodically using an
15 index-based method from the NOAA Data-Limited Toolkit, or iTarget.

16
17 This analysis examines the catch-per-unit-effort from the headboat
18 fleet against landings to revise catch advice. The trend in this
19 CPUE index is relatively flat, with the SSC noting increased
20 landings of lane snapper in recent years. There is no reliable
21 fishery-independent index of abundance for lane snapper, and the
22 headboat CPUE index may not adequately track the abundance of the
23 lane snapper stock.

24
25 The SSC ultimately passed a motion recommending an overfishing
26 limit of 1.116 million pounds whole weight and an acceptable
27 biological catch, or an ABC, of 1.088 million pounds whole weight,
28 using MRIP-FES data units. The SSC thought future efforts should
29 focus on identifying an additional index of abundance for
30 evaluating lane snapper.

31
32 Captain Dylan Hubbard summarized the comments and motion for lane
33 snapper from the Reef Fish AP. The AP requested that the council
34 modify catch advice, based on the SSC's recommendations. He added
35 that lane snapper, like vermilion snapper, were becoming larger,
36 and more numerous, and, though this would be a modest increase in
37 catch limits, he thought it would be appreciated by the fishermen.

38
39 A committee member asked about the larger and more numerous fish
40 off west-central Florida, and asked if other areas were observing
41 the same. Captain Hubbard replied that the increasing number, and
42 average size, was consistent across the West Florida Shelf.

43
44 The committee discussed next steps, including consideration of the
45 relationship between the ABC and annual catch limits, or ACL, for
46 lane snapper. A committee member acknowledged that, though the
47 proposed changes did not amount to much of an increase in the ABC,
48 the rationale for the increase was scientifically sound and

1 supported by the fishery.

2
3 **The committee recommends, and I so move, to direct staff to develop**
4 **an abbreviated framework action to adjust the OFL, ABC and ACL for**
5 **lane snapper.** That motion carried without opposition.

6
7 **CHAIRMAN ANSON:** That was a committee motion. Any discussion on
8 the motion? **Is there any opposition to the motion? Seeing none,**
9 **the motion carries.**

10
11 **DR. FRAZER:** Review of IFQ Program Goals and Objectives, Tab B,
12 Number 6, Dr. Jessica Stephen, from SERO, gave a presentation on
13 the goals and objectives of the red snapper and grouper/tilefish
14 individual fishing quota, or IFQ, programs.

15
16 She reviewed Goal 1, and that is to improve opportunities for
17 participants to enter the program, and the objectives identified
18 under this goal. Dr. Stephen discussed the complexities of the
19 IFQ programs and reviewed participation roles across and within
20 programs. She noted that most program participants are active in
21 both the red snapper and grouper/tilefish programs. She discussed
22 the evolution and impacts of participation roles, including the
23 vertical integration observed in the programs.

24
25 The committee asked about the transfer and recovery of shares from
26 deceased shareholders. Dr. Stephen replied that one of the
27 objectives under Goal 1 is to recover shares from deceased
28 shareholders. The committee inquired about the evolution in the
29 number of large dealers over time. Dr. Stephen indicated that the
30 number of large dealers handling most of the landings pre-IFQ
31 remained relatively stable post-IFQ.

32
33 Dr. Stephen discussed trends observed in the IFQ programs over
34 time, including program growth and participation changes. The
35 discussion included trends in shareholders accounts, accounts with
36 and without commercial reef fish permits, and related accounts.
37 Dr. Stephen indicated that the increase in related accounts is due
38 to business practices, such as creating a separate company for
39 each vessel.

40
41 Committee members noted the challenges associated with identifying
42 related, versus unrelated, accounts. The committee inquired about
43 the proportion of shareholder accounts that could be impacted by
44 permit requirements. Dr. Stephen replied that permit requirements
45 would impact 26 percent of the shareholders accounts, holding 7
46 percent of the shares. She noted that these are estimates for all
47 share categories combined.

1 The committee inquired about the percentage of shares held in
2 public participation accounts, or accounts without a commercial
3 reef fish permit. Dr. Stephen replied that the analyses by share
4 category are planned.

5
6 In discussing allocation banks, Dr. Stephen presented potential
7 sources for supplying IFQ allocation to the bank. Options
8 presented included using IFQ shares held by NMFS (Reef Fish
9 36A), setting aside a percentage of the commercial ACLs for IFQ
10 species, using shares collected from revoking shares from accounts
11 identified as not active, retaining IFQ quota increases beyond a
12 predetermined threshold, and reclaiming shares from deceased
13 shareholders.

14
15 Dr. Stephen noted that, given the many decision points to consider,
16 the development of an allocation bank would likely require a stand-
17 alone amendment. The committee concurred and noted that allocation
18 banks constitute a promising avenue to improve opportunities for
19 participants to enter the IFQ programs.

20
21 Dr. Stephen discussed the documentation required to handle shares
22 previously held by deceased shareholders. Committee members noted
23 that IFQ shares are a privilege and asked how shares from deceased
24 shareholders could be sold. NOAA General Counsel indicated that
25 council has the latitude to determine how shares previously held
26 by deceased shareholders should be handled in the future.

27
28 The committee inquired about accounts that stay inactive for
29 extended time periods. Dr. Stephen replied that annual snapshots
30 could be compiled to provide a longer-term view. The committee
31 asked whether proceeds generated by an allocation bank would revert
32 to NMFS. Dr. Stephen replied that the issue needs to be evaluated,
33 because these proceeds would be different from the cost recovery
34 fees.

35
36 Dr. Stephen discussed the components of an adaptive catch share
37 process, including the percentage of shares to be reclaimed, the
38 cycle length, and the redistribution methods. She noted that these
39 components would be tailored to the objectives of any proposed
40 adaptive catch share scheme.

41
42 The committee noted that the development of an adaptive catch share
43 program would likely require a separate amendment. Committee
44 members noted that the individual bluefin tuna quota program is
45 the only adaptive catch share program implemented to date.

46
47 Committee members noted that a holistic approach would be helpful
48 in determining which actions to initiate first. Committee members

1 suggested that further discussion on objectives identified under
2 Goal 1 could help determine the first actions to develop. The
3 committee asked what the main cause of participation challenges in
4 the IFQ programs was and noted that, until that root cause is
5 addressed, progress in improving the programs would be difficult.

6
7 Staff suggested that public participation, which allowed the
8 creation of shareholders accounts without a commercial reef fish
9 permit, has significantly contributed to several challenges noted
10 in the IFQ programs. Committee members discussed the development
11 of an amendment dealing with program participation and permit
12 requirements and inquired whether another amendment addressing
13 allocation banks should be developed in parallel.

14
15 Committee members expressed support for focusing on the objective
16 relative to limiting share ownership (maintaining and obtaining
17 shares) to accounts harvesting IFQ species. Committee members
18 noted that there is support for permit requirements within IFQ
19 program participants.

20
21 The committee stated impacts on commercial fishing communities,
22 including fish houses and commercial fishermen, should be
23 considered while developing permit requirements. Committee
24 members indicated a reluctance to take shares away from the
25 shareholders and supported exploring divestment measures.

26
27 The committee recommended staff use ideas discussed in Reef Fish
28 Amendments 36B and 36C to develop a new amendment. Committee
29 members asked whether measures dealing with shares in deceased
30 shareholder accounts should be considered in the same amendment.
31 The committee noted that the handling of shares from deceased
32 shareholder accounts is one of the objectives listed under Goal 1.

33
34
35 Committee members noted that permit requirements would contribute
36 to limiting public participation, because commercial reef fish
37 permits, which are limited access permits, are issued to vessels.
38 The committee inquired about the use of income requirements to
39 determine active participation in IFQ programs. SERO noted that
40 income requirements had been eliminated for commercial permits and
41 suggested that information already collected as part of the IFQ
42 program may be useful in ascertaining a shareholder's fishing
43 activity.

44
45 **The committee recommends, and I so move, to direct staff to**
46 **initiate a plan amendment to address the issues related to share**
47 **ownership (maintaining and obtaining shares) of IFQ species. The**
48 **motion carried fourteen to zero with two abstentions and one**

1 **absent.** Mr. Chair.
2
3 **CHAIRMAN ANSON:** We have a committee motion. Any discussion on
4 the motion? Mr. Strelcheck.
5
6 **MR. STRELCHECK:** I have a substitute motion that I would like to
7 present. **My substitute motion is to direct staff to initiate a**
8 **plan amendment, for discussion at the January 2024 meeting, that**
9 **considers requirements for obtaining an IFQ account and holding**
10 **and obtaining shares and allocation.** If I get a second, I can
11 explain my rationale.
12
13 **CHAIRMAN ANSON:** I saw Captain Walker's hand go up. Captain
14 Walker, is that for a second?
15
16 **MR. WALKER:** Yes, sir.
17
18 **CHAIRMAN ANSON:** Go ahead, Andy.
19
20 **MR. STRELCHECK:** So I don't think this changes the intent of our
21 original motion. What I wanted to do is provide some timing
22 requirements, even though we are likely to bring this back in
23 January anyway, but to make sure our stakeholders are clear, in
24 terms of timing, as well as just provide a little bit more
25 specificity, in terms of what that amendment would contain. I
26 felt like we had watered-down the original motion, and it was
27 overly generic, and so this gets to a little bit more specificity,
28 in terms of the content of that amendment.
29
30 **CHAIRMAN ANSON:** Ms. Boggs.
31
32 **MS. BOGGS:** Well, it is to this motion, but I think it's
33 contentious, as this IFQ is, and I guess I wanted to just make a
34 blanket request that anything that deals with the IFQ -- Can we
35 have a roll call vote, please?
36
37 **CHAIRMAN ANSON:** We will. Mr. Gill.
38
39 **MR. GILL:** Thank you, Mr. Chairman. My question is for staff.
40 This substitute motion looks to move expeditiously, and is it
41 possible to make significant progress, between now and the January
42 meeting, to accomplish the substitute motion?
43
44 **DR. ASSANE DIAGNE:** The answer would be yes. Essentially, I mean,
45 one of the limitations may be the availability of data between now
46 and January, but, in large part, the framework of ideas -- We can
47 bring that for discussion.
48

1 **CHAIRMAN ANSON:** Any further discussion on the motion? All right,
 2 and so we'll go ahead and do a roll call via the clicker.
 3

B6.2S Substitute Motion: To direct staff to initiate a plan amendment for discussion at the January 2024 meeting that considers requirements for obtaining an IFQ account and holding and obtaining shares and allocation.				
First Name	Last Name			
Kevin	Anson			Abstain
Susan	Boggs	Yes		
Billy	Broussard	Yes		
Kesley	Banks	Yes		
JD	Dugas	Yes		
Anthony	Overton	Yes		
Tom	Frazer	Yes		
Dakus	Geeslin	Yes		
Bob	Gill	Yes		
Michael	McDermott	Yes		
Chris	Schieble	Yes		
Troy	Williamson	Yes		
Rick	Burris	Yes		
Ed	Walker	Yes		
CJ	Sweetman	Yes		
Andy	Strelcheck	Yes		
Dale	Diaz	Yes		
		Yes (16)	No (0)	Abstain (1)

4
 5
 6 **CHAIRMAN ANSON:** All right. **The motion carries with sixteen yes,**
 7 **zero no, and one abstention.** Dr. Frazer.
 8

9 **DR. FRAZER:** All right, and so the committee stated that a general
 10 timeline for the development of the first amendment requested needs
 11 to be discussed. Staff indicated that options and approaches to
 12 developing management actions addressing the motion would be
 13 presented during the January 2024 meeting.

14
 15 The committee indicated support for discussion of other objectives
 16 and the consideration of additional actions in the amendment. The
 17 committee also stated that timelines for the parallel development
 18 of amendments addressing other objectives would be discussed
 19 during Full Council.

20
 21 **CHAIRMAN ANSON:** We have a question, or a raised hand, from Mr.
 22 Schieble.
 23

1 **MR. SCHIEBLE:** This is just a question, before we move on to
2 amberjack here and stuff, regarding the IFQ. For the adaptive
3 catch share program that was done with the bluefin tuna, I'm sure
4 there was probably an economic analysis that went with that, and
5 maybe could that be some supplemental information, or data, that
6 we could get, as a council, before we move on, just to be able to
7 look at what the impacts were, what economic changes, drivers,
8 took place, if that even exists, and I have no idea, but I'm just
9 asking, and it doesn't need to be a motion, I don't think, to have
10 it, but it's just something that could it be requested that staff
11 could provide that before the next time we revisit this topic.

12
13 **CHAIRMAN ANSON:** Mr. Strelcheck.

14
15 **MR. STRELCHECK:** I mean, to that point, we could -- I would maybe
16 recommend that council staff reach out to HMS and discuss whether
17 either a presentation, or a document, could be provided, with
18 background information. I will add, and certainly Jessica knows
19 better than I do, but there was a very different purpose for that
20 IBQ program, because it's dealing with bycatch, and avoidance of
21 bycatch, rather than retention of what you catch.

22
23 I have a -- We had, at the end of this section, you know, a
24 discussion of the timelines, and any sort of parallel actions, or
25 amendments, and so I would like to also offer another motion.

26
27 **The second motion is to direct staff to initiate a plan amendment**
28 **that evaluates options for equitably distributing shares currently**
29 **held by NMFS and recovering and distributing shares associated**
30 **with inactive accounts to accounts harvesting IFQ species.** If I
31 get a second, I can explain my rationale.

32
33 **CHAIRMAN ANSON:** It's seconded by Captain Walker.

34
35 **MR. STRELCHECK:** So I recognize this is, in many ways, redundant
36 with 36B and C, and I highly respect the comments about taking
37 small bites of the elephant, so to speak, and we have to be kind
38 of very methodical as we work through this. As you'll note, this
39 motion does not have a timeline associated with it, and so I'm not
40 asking it to be brought back by a date certain. I think we have
41 to determine, based on staff workload and priorities, when it could
42 be worked on, but what really has been sitting with me badly is
43 the fact that we've had these NMFS-held shares now for a number of
44 years, and we haven't been able to redistribute them, and so I
45 feel like this is something that we should be moving forward and
46 trying to do as quickly as possible.

47
48 Then, as Jessica noted in her presentation, there's a number of

1 shares that are in inactive accounts, and so we essentially have
2 the same problem developing with more shareholdings, and so I think
3 there's opportunities there to equitably distribute those shares
4 to participants in the program.

5
6 **CHAIRMAN ANSON:** Ms. Boggs.

7
8 **MS. BOGGS:** So do you see this document, Andy, kind of being -- I
9 don't know if I'm going to be using the right word, but fluid,
10 because, as you said, you've held these shares for a while, and
11 you're seeing new accounts that are in the same issue, and we're
12 talking about reclaiming shares, and, I mean, we're always going
13 to have that issue, I'm assuming, to some certain extent, and so
14 is this to like set a process for doing that?

15
16 **MR. STRELCHECK:** I hadn't thought about it in that way, but I think
17 absolutely we could consider that. We just have to be very careful
18 regarding kind of the rules and how we would reclaim shares, based
19 on inactivity.

20
21 **MS. BOGGS:** So, I mean, I don't think this motion needs to amended,
22 and that can just be considered as we start discussing it.

23
24 **CHAIRMAN ANSON:** Mr. Gill.

25
26 **MR. GILL:** Thank you, Mr. Chairman, and I understand the
27 motivation, and I agree that it's an issue that needs to be
28 addressed. **I do have some workload concerns, but I wonder if the**
29 **maker of the motion would consider a friendly amendment, which**
30 **would put a period after "inactive accounts".** The reason I'm
31 suggesting that is that, in effect, this precludes any
32 consideration of those shares for things like quota banks, which
33 we haven't discussed, nor are they on the table at this point in
34 time, and that will probably be discussed later, and I am not
35 necessarily promoting them, but what this effectively does is
36 eliminates that option, and I'm not sure that's appropriate at
37 this point in time.

38
39 **MR. STRELCHECK:** **I would be willing to accept that as a friendly,**
40 **if the seconder is.** I will say that my rationale for including
41 that last statement was to align it with our objective that we
42 laid out in the initial Goal 1, which is very specific to accounts
43 harvesting IFQ species, but I recognize your comment about that
44 doesn't fit nicely with an allocation bank.

45
46 **MR. GILL:** So this gets to your cobweb of everything is
47 interrelated, right, and that's a very valid comment, and so I
48 think precluding that does create some issues.

1
2 **CHAIRMAN ANSON:** Ms. Boggs.
3

4 **MS. BOGGS:** So, Bob, thinking about what you're saying, and I do
5 have a specific question, I guess, to Andy, and so to accounts
6 harvesting IFQ species, and would those also include some of those
7 accounts that lease the shares, but don't own the shares, and this
8 would give them an opportunity to gain some shares, and then I
9 have a follow-up to that.

10
11 **MR. STRELCHECK:** Yes, and, I mean, that's exactly right, and
12 certainly I think we would want to discuss, you know, those
13 decisions for distribution, and what those may look like, but, you
14 know, to me, those that are leasing allocation are heavily
15 participatory in the program, right, and may benefit from certain
16 distribution models that we would consider.
17

18 **MS. BOGGS:** So, and I understand what Bob is saying, and I've
19 thought about what Ed said the other day, about that's twenty
20 pounds of fish to each account, which is not a lot, but, if you
21 have nothing, that's a start, and I understand what Bob is saying,
22 and we may find out that there's only a hundred pounds of fish in
23 these inactive accounts, and we don't gain much from it, but, I
24 mean, I just was trying to clarify a couple of points. Thank you.
25

26 **CHAIRMAN ANSON:** To that point, Andy?
27

28 **MR. STRELCHECK:** Well, I guess, now that I'm thinking, based on
29 Bob's comment, yes, we maybe would distribute them to an allocation
30 bank that's developed by NMFS, if that was an option in this, but,
31 ultimately, that allocation bank -- I think we would want it then
32 to go to those that are harvesting the IFQ species, and so I think
33 it still would be relevant if we kept it in, even to help with an
34 allocation bank.
35

36 **CHAIRMAN ANSON:** Ms. Levy, followed by Captain Walker.
37

38 **MS. LEVY:** So it seems like maybe you're setting up two different
39 things, because we already hold -- NMFS already holds some shares,
40 and the first part of the motion is directing a plan amendment to
41 distribute them, which we haven't done. The second part was then
42 going to look at getting more shares, and I assume distributing
43 them in the same way, but now you're looking at getting more
44 shares, and potentially holding them, and so it seems like you're
45 setting up a system where you might be distributing what we have
46 now, but taking more and holding them again, when the whole point
47 was to get rid of what we were holding, and so I'm just --
48

1 **CHAIRMAN ANSON:** Andy.
2
3 **MR. STRELCHECK:** Well, I'm open to some wordsmithing, and that
4 certainly wasn't my intent. The intent was really for anything
5 that's currently held, as well as inactive accounts, that we would
6 distribute them with whatever mechanism, decisions, we make as
7 part of this process.
8
9 **MS. LEVY:** But then you wouldn't be keeping them for a potential
10 bank, and I guess that's where I'm -- Like it doesn't seem, to me,
11 like you can do both. You either have to have them, and keep them
12 until you decide what you're going to do with a bank, or you have
13 them, and then you distribute them, and then they're not there for
14 a bank anymore.
15
16 **MR. STRELCHECK:** Well, and, I mean, to be honest, I wasn't
17 envisioning an allocation bank here, right, but I -- What I feel
18 strongly about is we should be doing something with these unused
19 shares, and what that mechanism looks like I think is to be
20 determined, and, if we can just get something moving, right, then
21 we can further flesh this out.
22
23 **CHAIRMAN ANSON:** Captain Walker.
24
25 **MR. WALKER:** A couple of things. When I threw out that rough
26 number yesterday, it was just a back-of-the-napkin, but it was, if
27 I'm not mistaken -- It was like 300 boats that participated in the
28 fishery that didn't own shares, and so, if you were to distribute
29 it evenly, it would be, you know, very, very little, but I would
30 support Mr. Gill's modification, because you can see that that
31 comma is -- Sort of eliminating that last one will keep us on
32 track, and we're going to start spinning out of control again, and
33 I think, if we can keep it simple, and keep it moving here, and I
34 think -- I think most of us understand, and I know that I
35 understand, that the idea is to get it to those that harvest IFQ
36 species, and so, to me, it's okay if it's understood, but unspoken,
37 when it comes to this.
38
39 **CHAIRMAN ANSON:** Mr. Dugas, followed by Ms. Boggs and Mr. Diaz.
40
41 **MR. DUGAS:** Thank you, Mr. Chair. Given Captain Walker's numbers,
42 the small amount of fish we're talking about, I guess my question
43 is for Andy, and, you know, could we entertain these fish going
44 towards dead discards? I mean, do you have the option? Does NMFS
45 have the option to apply these fish to dead discards, if we take
46 this route?
47
48 **MR. STRELCHECK:** These are shares, allocation, that is intended

1 for landed catch, and I'm not sure what you would mean by dead
2 discards, and, I mean, if we're talking about those that are
3 relying on solely leasing allocation to cover discards, right, on
4 trips, then that certainly could be one mechanism for
5 redistributing the shares, and allocation, to entities that need
6 it for bycatch purposes.

7

8 **CHAIRMAN ANSON:** Ms. Boggs.

9

10 **MS. BOGGS:** So, as we knew, we're going to complicate this, and
11 so, to Mara's point, would we be better off to create two motions
12 here, Andy, and one is to basically redistribute what you're
13 currently holding, with the second motion to look at any additional
14 accounts and then decide do we want to redistribute them, do we
15 want to put them toward an allocation bank, because I think Mara
16 has got a good point.

17

18 You either need to take what you've got, and do the same thing
19 with them, or it just seems like maybe we need to clean it up a
20 little bit, because, if we decide -- I mean, I'm assuming that
21 it's going to take some time, and I don't know, and I am kind of
22 looking out at Dr. Stephen, to determine what accounts are truly
23 inactive, and, I mean, I don't know. If you're wanting to get the
24 fish that you've been holding in the hands of those, while you
25 look to see what you're going to do with the other accounts that
26 are possibly inactive and what you're looking at, or -- I'm just
27 offering some suggestions here.

28

29 **CHAIRMAN ANSON:** Mr. Diaz.

30

31 **MR. DIAZ:** Thank you, Mr. Chair. I support what Mr. Strelcheck is
32 trying to do, but I think I would hate to be the staff person that
33 has to try to deal with this. I mean, I don't know what I would
34 try to do, if I was trying to come up with a document here, because,
35 basically, we talked about, you know, getting these redistributed
36 a couple of different ways, and we're still looking at maybe quota
37 banks, and should that be in that document, and so I'm just worried
38 that we're just putting the staff in a bad situation on what to do
39 with this motion, and so Dr. Simmons may want to comment on that.

40

41 **CHAIRMAN ANSON:** Dr. Diagne.

42

43 **DR. DIAGNE:** Thank you. I think, I mean, the motion, especially
44 with the part that was deleted, gives enough direction, I mean,
45 for the IPT to get started. It's essentially distribute what we
46 already have, distribute the amount held, or recovered, from
47 inactive accounts, and, you know, establish a process to
48 continuously collect the shares that will fall within that category

1 from inactive accounts. That's my understanding, and maybe I am
2 missing something, but it seems, to me, that would be enough for
3 the IPT to get started. I didn't read this as necessarily bringing
4 quota banks, and all of those things, to the table, or at least
5 not directly.

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

8
9 **MS. BOGGS:** Pass.

10
11 **CHAIRMAN ANSON:** Okay. Captain Walker.

12
13 **MR. WALKER:** So, to me, it's important that we did something on
14 paper at this meeting, and so it's my view that we move forward
15 with this and deal with the ifs and buts afterward, but let's get
16 something going that -- That, you know, evaluating options is just
17 going to give us a list of options. Well, let's get this on paper,
18 and then we can go over the options, but let's take some kind of
19 step forward while we're at this meeting, please.

20
21 **CHAIRMAN ANSON:** All right. We have the motion on the board. Any
22 other discussion on the motion? All right. **Is there any**
23 **opposition to the motion? Seeing no opposition, the motion**
24 **carries.** Dr. Frazer.

25
26 **DR. FRAZER:** All right, and so Final Action: Draft Framework
27 Action: Modifications to Recreational and Commercial Greater
28 Amberjack Management Measures, Tab B, Number 7, staff reviewed the
29 summary of public comment, draft codified text, and framework
30 action document.

31
32 Captain Hubbard presented several motions from the Reef Fish AP
33 regarding the management measures for greater amberjack. The AP
34 requested NMFS publish an emergency rule to implement a seven-fish
35 commercial trip by January 1, 2024. The implementation of
36 Amendment 54 in 2023 is expected to result in a 45 percent overage
37 of the commercial annual catch target, or ACT, and will require a
38 payback for the sector in 2024. The AP recommended emergency
39 action to avoid substantially exceeding catch limits in 2024, which
40 could potentially eliminate a commercial season in 2025.

41
42 SERO staff reviewed stipulations required to justify an emergency
43 action by NMFS. The council would have to provide a record to
44 address those stipulations and inform a rationale for the emergency
45 rule. Additionally, SERO staff indicated that an emergency rule
46 development timeline would need to be explored to determine if an
47 emergency rule could be published by January 1, 2024. Council
48 staff requested a commercial greater amberjack season projection

1 analysis to provide context on season duration with the current
2 1,000 pound gutted weight trip limit and quota-adjusted ACT. The
3 committee decided to discuss these topics at Full Council.
4

5 **The committee recommends, and I so move, to recommend the council**
6 **approve the Framework Action: Modifications to Recreational and**
7 **Commercial Greater Amberjack Management Measures and that it be**
8 **forwarded to the Secretary of Commerce for review and**
9 **implementation and deem the codified text as necessary and**
10 **appropriate, giving staff editorial license to make the necessary**
11 **changes in the document. The Council Chair is given the authority**
12 **to deem any changes to the codified text as necessary and**
13 **appropriate.** That motion carried without opposition. Mr. Chair.
14

15 **CHAIRMAN ANSON:** We have a motion on the board. Is there any
16 discussion on the motion? Mr. Gill.
17

18 **MR. GILL:** Thank you, Mr. Chairman, and so my assumption is that,
19 if this motion passes, it has no impact, or effect, on any
20 potential emergency rule that we may consider, and is that correct?
21

22 **CHAIRMAN ANSON:** It potentially could, yes, and I believe so, but
23 maybe if Ms. Levy, or Mr. Strelcheck, want to address that
24 question.
25

26 **MS. LEVY:** I mean, to me, they're -- I mean, they're related, but
27 they're separate, right, and so, if you want to take final action
28 -- This is a permanent -- We're taking final action on a permanent
29 management measure, and an emergency rule is a temporary thing,
30 and so they're related, in that you're trying to get one of these
31 things implemented more quickly, but they're different.
32

33 **CHAIRMAN ANSON:** Any other further discussion on this motion? All
34 right, and so this is going to the Secretary, and it will be a
35 roll call vote. We will use the clickers. All right, and so you
36 all can use your clickers, please.
37

B7.1 To approve the Framework Action: Modifications to Recreational and Commercial Greater Amberjack Management Measures and that it be forwarded to the ...

First Name	Last Name			
Kevin	Anson	Yes		
Susan	Boggs	Yes		
Billy	Broussard	Yes		
Kesley	Banks	Yes		
JD	Dugas	Yes		
Anthony	Overton	Yes		
Tom	Frazer	Yes		
Dakus	Geeslin	Yes		
Bob	Gill	Yes		
Michael	McDermott	Yes		
Chris	Schieble	Yes		
Troy	Williamson	Yes		
Rick	Burris	Yes		
Ed	Walker	Yes		
CJ	Sweetman	Yes		
Andy	Strelcheck	Yes		
Dale	Diaz	Yes		
		Yes (17)	No (0)	Abstain (0)

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CHAIRMAN ANSON: All right. Thank you, everyone. **The vote was seventeen yes, zero no, and zero abstentions, and the motion carries.** Ms. Boggs.

MS. BOGGS: So I know we've talked about this at council, or, I believe, at committee, and so what's the timing of this, because, I mean, based on the way it is now, with the thousand pounds, and looking at a closure, it looks like June the 1st, or June 3rd, I think, and it's a sixty-one-day season, excuse me, and do we know -- Well, I'm looking at the table here.

If you did no action, which is a thousand pounds, which is where we are, right, before this plan is implemented, and it's saying projected open days is sixty-one, and so are we looking at implementation of this amendment after sixty-one days? Am I reading this incorrectly?

CHAIRMAN ANSON: Mr. Strelcheck.

MR. STRELCHECK: I'm not sure exactly what you're looking at, but recall there is a considerable payback that we have to then subtract from the catch limit for the 2024 fishing year, and so

1 our projections indicate that we would likely close in late
2 January, or maybe into February, depending on weather conditions.

3
4 **CHAIRMAN ANSON:** Dr. Sweetman.

5
6 **DR. SWEETMAN:** Thank you, Mr. Chair, and I guess I would ask this
7 to Andy, and we had this discussion about the emergency rule
8 potential, and I think you guys were maybe going to look into
9 whether this could actually be published by January 1, 2024, and
10 I was curious if you had any further insight on that.

11
12 **MR. STRELCHECK:** Well, I let Peter weigh-in more on the timeline,
13 if he wants to, but we think this can be done. It's a very tight
14 schedule, and, ideally, we would want a kind of quick turnaround
15 of the framework action from the council submitted to us, so we
16 can use that for any sort of emergency rulemaking, and we would
17 have to waive the cooling-off period for the rule, and essentially
18 implement it upon filing, or, sorry, notice and comment.

19
20 **CHAIRMAN ANSON:** So it sounds like it could be implemented,
21 depending upon how quickly you get the document, I guess, from
22 staff, the framework, and it could be implemented prior to January
23 1, it sounds like, and is that what --

24
25 **MR. STRELCHECK:** I mean, I think we're talking days prior to
26 January 1, if we're able to pull this off, right?

27
28 **CHAIRMAN ANSON:** I just wanted to make sure it was clear. Mr.
29 Hood.

30
31 **MR. HOOD:** I just wanted to -- So, yes, we would need to get
32 something, you know, very quickly, and we're going to have to, you
33 know, reorganize priorities within our staff. You know, we'll
34 grab a reg writer and stuff, which may mean that, with the other
35 things, that we wouldn't be able to get to it by say -- You know,
36 it may be on the agenda for the January meeting.

37
38 Then, you know, I mean, I know we had a Speaker of the House
39 yesterday, which was kind of good, but there is sort of this
40 looming government shutdown, and, if that were to happen, then
41 there would be no way we could do it, I don't think, but we'll
42 certainly give it our best effort.

43
44 **CHAIRMAN ANSON:** Dr. Froeschke.

45
46 **DR. FROESCHKE:** I just wanted to follow-up on that close date of
47 June 3, and so, in the amendment, that's what it is, and then, if
48 you recall -- That doesn't incorporate the payback, and so that's

1 based on the 93,000, but, in terms of days, and so you're talking
2 -- It would be open January and February, and it would close March
3 through May, and then a couple of days after, and so, in effect,
4 you would have two months, and you would be harvesting the 93,000,
5 and so quick math is, you know, you would be over by about half,
6 if you stayed open the full two months.

7
8 **CHAIRMAN ANSON:** Dr. Simmons.

9
10 **EXECUTIVE DIRECTOR SIMMONS:** Thank you, Mr. Chair, and so I'm not
11 sure where we are in regard to the Science Center certification of
12 the document, but maybe if we could also put their staff on notice
13 to try to help us get this turned back around, and back over to
14 you all, that would be very helpful.

15
16 **CHAIRMAN ANSON:** Mr. Strelcheck.

17
18 **MR. STRELCHECK:** Well, and I want to be clear, just so there's no
19 confusion, and so the action that we just voted on, right, that
20 would not be implemented by January 1, and so what we're talking
21 about would be the emergency rule, if you request that, right, and
22 so it would have to be a separate action.

23
24 **CHAIRMAN ANSON:** Captain Walker.

25
26 **MR. WALKER:** From the commercial viewpoint, if this isn't
27 implemented, I believe we're talking about 45,000 pounds of fish
28 or so. At 1,000 pounds a trip, you're going to have a directed
29 derby fishery on day-one, and they may catch the whole thing the
30 first day. It won't get noticed in time, and they will overfish
31 it, and so I believe some of those issues fall under some of the
32 rationale for emergency action here, and some of it is avoiding
33 overfishing, and I think that qualifies.

34
35 **CHAIRMAN ANSON:** All right, and so, formally, I guess we'll need
36 a motion to write a letter, for staff to write a letter, requesting
37 an emergency rule. Dr. Frazer.

38
39 **DR. FRAZER:** I am happy to make that motion, right, and so the
40 motion would be to direct staff to provide a letter to the Regional
41 Administrator requesting an emergency rule regarding commercial
42 catch -- Commercial trip limits for greater amberjack that are
43 consistent with our framework action --

44
45 **CHAIRMAN ANSON:** I don't have it, but maybe just consistent with
46 the recently-approved amendment for a seven-fish trip limit or
47 something.

1 **DR. FRAZER:** Yes, perfect, and we'll just leave that. All right.
2 Thanks.
3
4 **CHAIRMAN ANSON:** All right. It's seconded by Dr. Sweetman. Andy.
5
6 **MR. STRELCHECK:** Mara can help, but we really need the council to
7 request directly to NMFS that we implement an emergency rule, and
8 specifically indicate the seven-fish trip limit.
9
10 **DR. FRAZER:** So wordsmith away, Andy.
11
12 **MR. STRELCHECK:** The council request NMFS implement, and then you
13 can delete up to "an emergency rule", for a seven-fish greater
14 amberjack commercial trip limit. Then delete after "amberjack".
15 Then, after "amberjack", put a comma, and delete "that are".
16
17 **DR. FRAZER:** So the council requests NMFS implement an emergency
18 rule establishing a seven-fish commercial trip limit for greater
19 amberjack, consistent with the recently-approved framework action.
20 Perfect.
21
22 **CHAIRMAN ANSON:** Dr. Sweetman, you seconded that. Okay. Any
23 discussion on the motion? Andy.
24
25 **MR. STRELCHECK:** Yes, and the council needs to provide some
26 rationale for the emergency rule request, and I can -- We'll bring
27 that up here in a minute, to remind the council of the
28 requirements.
29
30 As part of the emergency rule guidelines, an emergency is defined
31 as a situation that results from a recent unforeseen event, or
32 recently-discovered circumstances, presents serious conservation
33 or management problems in the fishery, and can be addressed through
34 emergency regulations, for which the immediate benefits outweigh
35 the value of advance notice.
36
37 I guess I will offer first, and, you know, results from recent and
38 unforeseen events, we did not realize that we would have as
39 significant of an overage as we would, based on implementation of
40 Amendment 54, and that was certainly unforeseen, and, obviously,
41 results in a much more substantial reduction to the catch limit in
42 2024 than would have been expected.
43
44 There is, obviously, concerns about derby fishing conditions
45 occurring early next year, which then could lead to an early
46 closure of the fishery and result in additional bycatch of
47 amberjack through the remainder of the year, and so there's
48 benefits of spreading out the fishery and having this bycatch

1 allowance to have a longer season, and then, in terms of timing,
 2 I mean, we, obviously, have limited ability to implement this
 3 before January 1, when the fishing season opens, and so, in order
 4 to move forward, the benefits of doing this would outweigh the,
 5 you, know opportunity for public input and comment, in order to
 6 implement this by January 1, but certainly others can provide
 7 rationale.

8
 9 **CHAIRMAN ANSON:** Mr. Diaz.

10
 11 **MR. DIAZ:** This might be a different way of saying what Andy said,
 12 but, for benefits, I mean, being as the quota has been reduced so
 13 much, a thousand-pound limit is a directed fishery, and, once we
 14 bring it down to a seven-fish limit, it's pretty much a bycatch
 15 fishery, and me and Captain Walker had a discussion about this
 16 this morning, and, you know, it should slow that fishery down
 17 drastically, and I think that's a definite benefit.

18
 19 **CHAIRMAN ANSON:** Any other discussion on the motion? Is there any
 20 opposition to the motion? It needs to be a roll call, and I'm
 21 sorry, and so we'll need to do a roll call, and so are we ready to
 22 do that?

23

B7.2 The Council request NMFS implement an emergency rule establishing a 7 fish commercial trip limit for greater amberjack, consistent with the recently approved Framework Action				
First Name	Last Name			
Kevin	Anson	Yes		
Susan	Boggs	Yes		
Billy	Broussard	Yes		
Kesley	Banks	Yes		
JD	Dugas	Yes		
Anthony	Overton	Absent		
Tom	Frazer	Yes		
Dakus	Geeslin	Yes		
Bob	Gill	Yes		
Michael	McDermott	Yes		
Chris	Schieble	Yes		
Troy	Williamson	Yes		
Rick	Burris	Yes		
Ed	Walker	Yes		
CJ	Sweetman	Yes		
Andy	Strelcheck		No	
Dale	Diaz	Yes		
		Yes (15)	No (1)	Abstain (0)

24
 25

1 **CHAIRMAN ANSON:** We have fifteen yes, one no, and one absent. The
2 motion carries. Mr. Strelcheck.

3
4 **MR. STRELCHECK:** For those that aren't familiar with the emergency
5 rulemaking process, they're probably scratching their heads as to
6 why did I just vote no, after putting all this rationale on the
7 record, and our emergency regulations state that the Secretary
8 shall promulgate emergency regulations if there's a unanimous vote
9 of the council voting members. In the instance where it's not a
10 unanimous vote, we may promulgate the regulations, and so that
11 preserves discretion for the agency to then determine if we can
12 implement this in the timeframe requested, et cetera, and so I
13 just wanted to explain my rationale, and it's not that I don't
14 support this.

15
16 **CHAIRMAN ANSON:** Thank you for that. Dr. Frazer.

17
18 **DR. FRAZER:** Thank you, Mr. Chair, and so we'll move into the Draft
19 Snapper Grouper Amendment 44/Reef Fish Amendment 55: Catch Level
20 Adjustments and Allocations for Southeastern U.S. Yellowtail
21 Snapper, Tab B, Number 8, staff summarized recent discussion and
22 subsequent recommendations provided by the Gulf Council, the South
23 Atlantic Council, and the Reef Fish AP.

24
25 In light of the 2023 MRIP-FES pilot study results, the South
26 Atlantic Council requested a rerun of the SEDAR 64 assessment by
27 Florida Fish and Wildlife Conservation Commission. This analysis
28 would incorporate State Reef Fish Survey data for both coasts,
29 once three full years of data are available in early 2024. The
30 Reef Fish AP also recommended pausing work on the amendment until
31 completion of the updated MRIP-FES recreational effort
32 calibrations.

33
34 A proposed timeline was provided that includes incorporation of
35 SRFS data, review of calibration factors by the NOAA Office of
36 Science and Technology, and a review from both SSCs by the end of
37 2024. NOAA General Counsel asked how the most recent MRIP-FES
38 landings compare to the new ABC recommendation, since the SSCs'
39 catch advice used MRIP-FES data units, and the new recommended ABC
40 is lower than the current ABC.

41
42 A committee member stated yellowtail snapper appears to be a prime
43 candidate for incorporation of SRFS, as it is primarily a Florida
44 fishery, and SRFS has good coverage across both Florida coasts.
45 The committee member also provided rationale for the motion,
46 indicating that the fishery is not overfished, nor undergoing
47 overfishing, management decisions involve modifications to
48 jurisdictional allocations, and SRFS may be a good alternative

1 survey for this species. The expeditious completion of a new
2 assessment with SRFs data in late 2024 lends weight to
3 reprioritizing work on this amendment.

4
5 **The committee recommends, and I so move, to recommend that the**
6 **Gulf Council move Snapper Grouper Amendment 44/Reef Fish Amendment**
7 **55 to Priority Level C and continue work on this document after**
8 **completion of the updated SEDAR 64 Operational Assessment that**
9 **incorporates calibrated SRFs recreational landings estimates and**
10 **requests that the South Atlantic Council also consider the same.**
11 The motion carried without opposition. Mr. Chair.

12
13 **CHAIRMAN ANSON:** We have a committee motion. Is there any
14 discussion on the motion? **Is there any opposition to the motion?**
15 **Seeing none, the motion carries.**

16
17 **DR. FRAZER:** Update on 2023 Recreational Gag Fishing Season
18 Closure, Tab B, Number 9, Mr. Andy Strelcheck, the SERO Regional
19 Administrator, stated that the original projections provided for
20 the 2023 recreational gag fishing season indicated a range of
21 closure date possibilities, including the earlier prescribed
22 closure date of November 10 from the 2023 interim rule. He said
23 that preliminary landings analyses indicated increased fishing
24 effort and that the revised closure date of October 19 represented
25 the midpoint of the revised estimated closure date.

26
27 A committee member asked when the landings data for the 2023 gag
28 recreational fishing season would be available. Mr. Strelcheck
29 replied that those data would be available in early spring 2024.
30 Another committee member asked specifically which data informed
31 the revision to the closure date. Mr. Strelcheck replied that
32 preliminary dockside intercepts and landings from the Southeast
33 Region Headboat Survey, relative to past years, informed the
34 revision.

35
36 SSC Discussions on Recent Gag Research and Implications for Gag
37 Management, Tab B, Number 10, Dr. Barbieri summarized
38 presentations from several researchers on Gulf gag, which the SSC
39 reviewed during its September 2023 meeting. These presentations
40 were intended to inform the SSC and assist it in providing
41 recommendations to the council in keeping with the council's goals
42 for the Gulf gag stock to reduce fishing mortality on male gag, to
43 constrain future harvests to the ACL, to increase the probability
44 of rebuilding the stock, to avoid increasing discards, and to
45 reduce vulnerability of gag during spawning to increase spawning
46 success.

47
48 Captain Dylan Hubbard summarized the comments on gag research from

1 the Reef Fish AP. He noted that the AP was encouraged by efforts
2 to integrate artificial intelligence in reading video data to
3 decrease the lag between the terminal year of data and when
4 management changes can be implemented. He said the AP was also
5 concerned about coastal water quality and its potential to have
6 detrimental effects on newly-recruited gag to Florida's estuaries.

7
8 SSC Discussions on 2023 Gulf Gag Health Check, Tab B, Number 11,
9 Dr. Barbieri reviewed a presentation by the Southeast Fisheries
10 Science Center on the 2023 Gulf gag interim analysis, which used
11 video data through 2021 and recruitment data through 2022. This
12 interim analysis for Gulf gag was provided as a health check, since
13 the catch limits for gag were modified via Reef Fish Amendment 56
14 in June of 2023, but have not yet been implemented.

15
16 Dr. Barbieri described the indices, which remain below the long-
17 term average, but have shown the possibility of a stronger than
18 average year class in 2020. The SSC accepted the 2023 gag interim
19 assessment as consistent with the best scientific information
20 available and encouraged continued monitoring of the gag stock.

21
22 The SSC requested consideration of the full GFISHER index for the
23 next gag interim assessment and also encouraged the council's work
24 with the Southeast Fisheries Science Center and the FWC to lessen
25 the gap between the terminal year of data and the time of SSC
26 review.

27
28 Captain Hubbard summarized comments on the gag interim analysis
29 from the Reef Fish AP, which agreed with the SSC on evaluating
30 FWRI video data, together with the other two video surveys, being
31 the GFISHER index, and suggested that the next gag interim analysis
32 should be usable for modifying catch advice.

33
34 A committee member asked if artificial intelligence could expedite
35 video survey processing. The Southeast Fisheries Science Center
36 replied that this technology was progressing, was up to 98 percent
37 accurate for identifying red snapper, and was in progress for other
38 species, also. The Southeast Fisheries Science Center added that
39 an additional research vessel was being acquired and would conduct
40 additional video surveys.

41
42 Another committee member asked whether IAs could be produced
43 annually for gag. The Southeast Fisheries Science Center replied
44 that annual interim assessments were possible, recognizing the
45 time lag associated with the video data processing.

46
47 **The committee recommends, and I so move, to direct staff to write**
48 **a letter to the Southeast Fisheries Science Center requesting**

1 **yearly interim analyses on gag grouper until the next stock**
2 **assessment is received.** That motion carried without opposition.
3 Mr. Chair.

4
5 **CHAIRMAN ANSON:** We have a committee motion. Is there any
6 discussion on the motion? **Is there any opposition to the motion?**
7 **Seeing none, the motion carries.**
8

9 **DR. FRAZER:** Draft Options: Gag and Black Grouper Management
10 Measures, Tab B, Number 12, Captain Dylan Hubbard summarized the
11 comments and motions on the document from the Reef Fish AP. The
12 AP recommended removing further consideration of black grouper
13 from the document. He added that the AP also recommended removing
14 further consideration of the commercial spawning season closure.
15

16 The AP thought this measure would not meet the council's stated
17 goals for the document, would preclude the collection of valuable
18 fishery-dependent data during the spawning season, and was
19 unnecessary, due to the commercial fleet's demonstrated
20 willingness to redirect fishing effort away from gag.
21

22 The AP also recommended no further consideration of reducing the
23 recreational bag limit, because this measure would not reduce
24 discards, protect male gag, or appreciably increase the
25 recreational fishing season duration. Lastly, the AP recommended
26 no further consideration of the recreational vessel limit, as this
27 measure would not reduce discards, protect male gag, and would
28 disproportionately negatively affect multi-passenger fishing
29 vessels.
30

31 Council staff reviewed revised options for gag and black grouper
32 management modifications. A committee member asked how often black
33 grouper were misidentified as gag. Another committee member
34 replied that the misidentification issue appeared miniscule in the
35 Gulf.
36

37 A committee member noted that the council has already acted, under
38 Amendment 56, to end overfishing and rebuild the gag stock.
39 However, the committee member was interested in exploring the
40 reduction in the recreational bag limit, using data from 2023.
41 The committee member recalled two take-aways from the gag research
42 presented to the SSC. One, are there enough gag escaping from
43 nearshore areas to offshore spawning habitat, and, two, what sorts
44 of protections for those offshore spawning areas are necessary?
45 They prioritized finding ways to increase escapement and protect
46 the males.
47

48 Another committee member replied that having the recreational

1 sector closed to harvest for over ten months out of the year was
2 likely to have positive effects on both escapement and protection
3 of male gag. The council will consider how, or whether, to move
4 forward with this amendment at Full Council.

5
6 **CHAIRMAN ANSON:** Captain Walker.

7
8 **MR. WALKER:** So we didn't make any motions or anything, but I think
9 we might need to on -- So we, essentially, seem to have shot down
10 all three actions in this framework action, and do we need a motion
11 to discontinue work on that motion, or I don't know what the term
12 is. I will make that motion, or I will try to.

13
14 **Recommend that the council cease work on Draft Framework Action -**
15 **- I don't know, and does it have a number? Modifications for the**
16 **-- I guess you don't need to put all that in there. Discontinue**
17 **work on the draft framework action, and then, if you want, you**
18 **could put the whole title to that in there, and I don't know if we**
19 **need to, but it's Modifications to the Recreational and Commercial**
20 **Management of Gulf Gag and Black Grouper.**

21
22 **MR. GILL:** Second.

23
24 **CHAIRMAN ANSON:** Do you need it repeated? While they're
25 straightening that out, is there any discussion on the motion? I
26 think we all kind of understand what the motion is. Dr. Sweetman.

27
28 **DR. SWEETMAN:** Thank you, Mr. Chair, and so this is a draft
29 framework, and we, obviously, weren't going final here, and I'm
30 not sure there was unanimous support, Ed, about all actions in
31 there, and we certainly heard some, from the public, about at least
32 further consideration of the bag limit. I think I agree with you
33 relative to Actions 2 and 3. There seemed to be very little
34 support for anything along those lines there.

35
36 Just discontinuing work on this action, I'm not sure that I totally
37 support that. I think I would from Action 2 and 3, and my concern
38 there is relative to the bag limit. We still don't really know
39 what the landings were like from this present season, all right,
40 and one of the big issues that we have is constraining the harvest
41 to that low ACL, and I think a bag limit could potentially go in
42 that direction. I don't know exactly how that's going to play
43 out, obviously, but just to completely discontinue work on it --
44 I don't know if I support that. I do for the other actions though.

45
46 **CHAIRMAN ANSON:** I have several people. I have Ms. Boggs, Mr.
47 Diaz, Mr. Strelcheck, and Captain Walker.

1 **MS. BOGGS:** So, I mean, I -- This fishery has been in a rebuilding
2 plan since 2010, from what I recall, and, even though -- It's
3 overfished and overfishing though, correct, and so what am I
4 reading?

5
6 **MR. WALKER:** No, and it's just gag was -- We just did Amendment
7 56.

8
9 **MS. BOGGS:** Well, okay, yes, but we don't know what the results
10 from Amendment 56 are going to be. The point is this is a fishery
11 that is in trouble, and I understand that the one bag limit is not
12 going to reduce it by, what, 22 percent, but, obviously, there is
13 still a problem, because we had a -- What did it close, thirty
14 days sooner than it was supposed to, even this year, with the
15 change in the season, and there's -- It's like several other
16 species that we're dealing with. There's an issue here, and we
17 don't know what it is, and I think any little bit of help that we
18 can give them, and I would certainly like to talk a little bit
19 more about the bag limit. I'm not sold one way or the other, but
20 I still have concerns.

21
22 **CHAIRMAN ANSON:** Mr. Diaz.

23
24 **MR. DIAZ:** Yes, and, I mean, we heard some public testimony
25 yesterday, and, based off the analysis provided by staff, I mean,
26 really, so far, the stuff that's in the document does not do a
27 lot, and I tend to agree with what Dr. Sweetman said. I know we
28 implemented 56, and we reduced the ACL, and I don't know if we
29 need to look at some other options. I don't have any that I'm
30 ready to put forward right now, but I heard Mr. Strelcheck say,
31 yesterday, you know, that what we did was not a lot, and, well,
32 that's not the accurate -- You mentioned that we reduced the bag
33 limit in 56, and, if we could do something else, it would be
34 helpful, and I think that was the way you had put it.

35
36 Anyway, I agree with you, Ed, that it's not doing a lot. I don't
37 know if we need to do away with it, and maybe we need to see if we
38 can come up with some different ideas and find some other ways to
39 help, and so I will leave it at that.

40
41 **CHAIRMAN ANSON:** I just want to pause, real quick, and read the
42 motion, now that it's on the board fully, and the motion is to
43 discontinue work on Draft Framework Action: Modifications to
44 Recreational and Commercial Management of Gulf of Mexico Gag and
45 Black Grouper. Next, we have Mr. Strelcheck, followed by Captain
46 Walker and Mr. Gill.

47
48 **MR. STRELCHECK:** My comments are consistent with C.J.'s comments.

1 I would like to, I think, still consider a bag limit, and I also
2 agree with Mr. Diaz that maybe there's other options that we want
3 to consider, that we would like to consider, that aren't included
4 in this amendment at this point. I think it's resounding that
5 there wasn't support for a vessel limit, and I'm not sure that it
6 really provides much benefit, and as well as the commercial closed
7 season, since the commercial fishery seems to be self-imposing
8 trip limits and not targeting gag.

9
10 You know, my concern continues to be that what Amendment 56 has
11 done is essentially shortened the season and turned it over to the
12 Fisheries Service, working with the Fish and Wildlife Commission,
13 to then try to dial-in and set the seasons to where we try to avoid
14 overages, right, and it becomes very difficult, with those very
15 short seasons, to be able to do projections and monitor in a very
16 timely fashion, and so anything that we can do to kind of manage
17 catch rates, as well as potentially put in other actions that
18 bolster recovery, would be a benefit to the stock.

19
20 **CHAIRMAN ANSON:** Captain Walker.

21
22 **MR. WALKER:** So I could be convinced to just eliminate Actions 2
23 and 3, if there's an appetite to continue to consider the gag
24 recreational bag limit. You know, personally, I'm opposed to that,
25 and the AP was unanimous in their opposition to that, you know,
26 mostly because -- Ryan, can you tell me the percent benefit that
27 going from two to one was likely to yield?

28
29 **MR. RYAN RINDONE:** That's approximately a 22 percent decrease in
30 the daily CPUE estimate for SRFS, and it results in like an eight
31 to fourteen-day fishing duration extension for the recreational
32 fleets as a whole, depending on which year in the projections we're
33 talking about, and so the fourteen-day difference is for 2028, and
34 so when the ACL is at its largest during that projection window.

35
36 **MR. WALKER:** So, if you were to do it a year or two from now, it
37 would be less than a week, right, because that's on a 600,000 ACL,
38 and we're at 288,000, or something now, right?

39
40 **MR. RINDONE:** That's based on the projected ACLs from Amendment
41 56.

42
43 **MR. WALKER:** I am willing to change it, or leave that in, for, you
44 know, continued discussion, but I will also weigh-in on that now,
45 that very few, if any, of the charter boat captains I've spoken
46 with in my area have any appetite for it, and the AP didn't, and
47 I don't, but, if it will -- If it will eliminate the other two,
48 and just keep us talking about this one topic, I could modify that,

1 if that's what the council prefers, or if that will help perpetuate
2 my first motion.

3

4 **CHAIRMAN ANSON:** Mr. Gill.

5

6 **MR. GILL:** Thank you, Mr. Chairman, and so we heard, to me, somewhat
7 surprising support for a one-fish bag, and we heard it from Clay
8 Schiebler at the SSC public comment, and he was pretty strong on
9 it, and I'm not convinced that that's the way we should go, but,
10 given the state of gag, progressing something makes sense, and
11 where it goes, and that's to Dale's point. **I would like to offer**
12 **a substitute motion that moves Actions 2 and 3 in the draft**
13 **framework action to Considered but Rejected.**

14

15 **CHAIRMAN ANSON:** All right. We have a substitute motion. Is there
16 a second to the substitute? Dr. Sweetman seconds that. Okay. Is
17 there any discussion on the substitute motion, which is to move
18 Actions 2 and 3, and we probably need to insert the full name
19 there, of the draft framework action modifications, to Considered
20 but Rejected. Any discussion on the substitute motion? Action 2
21 is a vessel limit for gag and black grouper, and Action 3 is
22 establishment of a commercial spawning season closure for Gulf
23 gag. Those are the two actions that are being considered for
24 removal in the document. Mr. Gill.

25

26 **MR. GILL:** So, relative to the first motion, I think it's worth it
27 that we continue this discussion, to see where we think the best
28 action, or no action, lies, and that's why it's important that we
29 focus on that part, and maybe, at the end of the day, we don't
30 decide to change the bag limit, but to cut off that conversation
31 now I don't think addresses the problem properly.

32

33 **CHAIRMAN ANSON:** Mr. Strelcheck.

34

35 **MR. STRELCHECK:** I'm supportive of the motion. What I would add
36 is, whether it's January or April, we should have data from this
37 season available, and I think it would be prudent to update the
38 bag limit analysis with 2023 data, even though it's one year, and
39 it represents that short fishing season, and maybe changes in
40 fishing conditions and harvest rates, relative to what happened
41 this past year.

42

43 **CHAIRMAN ANSON:** Mr. Rindone.

44

45 **MR. RINDONE:** Pass. Andy got it.

46

47 **CHAIRMAN ANSON:** Ms. Boggs.

48

1 **MS. BOGGS:** So, with that being said, Andy, if we got this back in
2 April, because the season doesn't open now until, now that I'm
3 confused, but September, right, September 1, and we would still
4 have time to maybe implement something in time for this year's
5 opening, or do we need to -- I mean, how quickly can the agency
6 have that information to staff?
7

8 **MR. STRELCHECK:** I mean, it would depend on the completeness of
9 the framework action by the time we received it in April, and I
10 don't want to commit to January, but I think there's the potential
11 that we could have at least preliminary data to analyze by the
12 January meeting, and we're talking about the September and October
13 wave of data, which usually comes in sometime around mid-January.
14

15 **CHAIRMAN ANSON:** Mr. Rindone.
16

17 **MR. RINDONE:** To Mr. Strelcheck's point, I think it would be very
18 tough for us to get those data in mid-January and then still turn
19 out Chapters 3 and 4 and turn in a document to you guys in time
20 for review for the January council meeting that you could take
21 final action on, and so I would not encourage banking on that as
22 having a high probability of success, and it would more likely be
23 April, which would mean a transmittal in mid to late April, at
24 best, and so that puts the agency, implementing through the normal
25 process, by October, and so well into, or perhaps even after, the
26 end of the season, depending on how it shakes out.
27

28 **CHAIRMAN ANSON:** Mr. Strelcheck.
29

30 **MR. STRELCHECK:** Just to be clear, I was not suggesting that staff
31 would be writing the framework action by the January meeting, but
32 that there could be data available at least to present to us by
33 January.
34

35 **CHAIRMAN ANSON:** All right. Any other discussion on the substitute
36 motion? **Is there any opposition to the substitute motion? Seeing**
37 **none, the motion carries.** Dr. Frazer, we are at a scheduled break,
38 and is it okay to pause right here?
39

40 **DR. FRAZER:** Whatever you would like. We have one page left of
41 this. If you want to power through, we can do that.
42

43 **CHAIRMAN ANSON:** Ms. Boggs.
44

45 **MS. BOGGS:** If I can just ask one question, while we're on gag. I
46 mean, we heard several people comment yesterday, and I don't know
47 if this -- I'm going to look at Andy for this, but about there are
48 people fishing in the closed area of the Madison-Swanson, and is

1 there anything there that can be done with enforcement, because,
2 I mean, we were -- I remember, when we had all those discussions
3 about those closures, but then, when you hear people stand up and
4 say you've got nine boats sitting there fishing, and I'm just
5 curious.

6
7 **MR. STRELCHECK:** I mean, I'm happy to talk to enforcement and the
8 efforts that they've made, and, obviously, we have vessel
9 monitoring systems for the reef fish fleet, from a commercial
10 standpoint, but, you know, I've heard complaints about poaching by
11 other vessels, either not in the reef fish fleet or recreational,
12 and I think this is a long-standing problem, since the existence
13 of the MPAs, and so I think more enforcement efforts would be
14 great, but it's also a really far, you know, place to, obviously,
15 monitor on a regular basis.

16
17 **CHAIRMAN ANSON:** Dr. Sweetman, followed by Captain Walker.

18
19 **DR. SWEETMAN:** To that point, I mean, I'm not trying to blow
20 Captain Pearce's presentation that he'll have later on today, but,
21 yes, I mean, one thing that we certainly advocate for is, when you
22 see people fishing out there, call FWC Law Enforcement, and it
23 gives us the justification to do regular patrols out there, on a
24 fairly regular basis, and so that would be my recommendation there.
25 Certainly we don't want people fishing on that spot, but, yes, to
26 Andy's point, obviously, it's very far offshore, but getting those
27 constant calls into law enforcement about people fishing in that
28 area -- It gives them the justification to do more regular patrols
29 over there.

30
31 **CHAIRMAN ANSON:** Captain Walker.

32
33 **MR. WALKER:** So I'm not sure that we ever got an answer, but the
34 council, at least a year ago, put forth a -- Sent something to the
35 Secretary with rule changes in those MPAs that would have gone a
36 long way towards eliminating this poaching, that being that you
37 can't be in there, period, and so, because of the issues where, if
38 there was a trolling allowance in these places, and so, no matter
39 what enforcement boat showed up, if you put it in gear, and, by
40 definition, you're trolling, and so it was -- An enforcement
41 officer told me this.

42
43 He says, I can go 130 miles offshore, and, as soon as the guy sees
44 me, he puts the boat in gear. Even if your anchor is out, and you
45 can drive away, and you're still trolling, and so we sent something
46 up, and, the last I heard, it was sitting on the desk at HMS, held
47 up on some HMS technicality, and I know it's been a year, at least,
48 but that would go a long way towards the problem we're talking

1 about right now, and I think, at the last meeting, we made a
2 request from the head of HMS, or something, and I think she said
3 she was going to look into it, and I don't remember where it ended,
4 but there's -- We've put something forward that would go a long
5 way toward solving the poaching problem.

6
7 **CHAIRMAN ANSON:** Mr. Rindone.

8
9 **MR. RINDONE:** Thank you, Mr. Chair. Yes, we reached out to Atlantic
10 HMS, and we received a response from them, and the tweet-length
11 version of it is that they have a lot of things that are currently
12 on their plate that they're working through, and ours is in the
13 queue.

14
15 **CHAIRMAN ANSON:** Dr. Banks.

16
17 **DR. BANKS:** Thank you, Chair. I sat through the HMS AP meeting,
18 Ed, and that was a long, lengthy discussion, and there was no
19 movement at the AP on any of that.

20
21 **CHAIRMAN ANSON:** You said the AP you sat on, and I'm curious what
22 prompted, I mean, no movement, or recommendation, to come from the
23 AP then on that. Why?

24
25 **DR. BANKS:** There was a long discussion, but they were kind of
26 stonewalled, like we were, and there's a lot going on, and HMS
27 would look at it and give them further recommendations, but nothing
28 came of it.

29
30 **CHAIRMAN ANSON:** Ms. Levy.

31
32 **MS. LEVY:** Well, so, just to clarify, in Madison-Swanson and
33 Steamboat Lumps, there is fishing prohibited year-round for Gulf
34 reef fish. We did that, and then what we said is we asked HMS to
35 do consistent regulations for the HMS species that this doesn't
36 cover, and that's what -- I just don't want it to seem like we
37 didn't implement what the council did for Gulf reef fish.

38
39 **CHAIRMAN ANSON:** Captain Walker.

40
41 **MR. WALKER:** So it was my understanding, back in the day when these
42 were implemented, that it was a tradeoff between different fishing
43 groups, and like we're going to ban fishing in this area, but we're
44 trying to protect the groupers, and so some of the sportfishing
45 community said, well, we're not going to bother the grouper if we
46 troll in there, and so they compromised, and they let them troll,
47 but, you know, the reason I got behind it is because I've spent
48 quite a bit of time doing research trips into Steamboat Lumps, and

1 I recognized, pretty quickly, that nobody goes there to troll.
2 There's nothing -- There's no nice edge or current rip, and it is
3 not a legitimate trolling destination. It's being used -- At least
4 at that area, it's being used as nothing more than cover for
5 poaching.

6
7 **CHAIRMAN ANSON:** Dr. Sweetman.

8
9 **DR. SWEETMAN:** If you so please, Mr. Chair, we obviously have
10 Captain Pearce here, and so, if there's any direct questions about
11 the enforcement activity that's going on out there, certainly I'm
12 sure that Scott would be willing to answer those questions
13 directly.

14
15 **CHAIRMAN ANSON:** Captain Pearce, do you want to come up to the
16 podium?

17
18 **CAPTAIN SCOTT PEARCE:** I can speak to the Madison-Swanson in
19 general, and so we do put a lot of effort into going out into the
20 Madison-Swanson and spending time in the area. Depending on what
21 type of vessels we have, we can be pretty effective. We do make
22 cases out there, but, as far as trolling goes for the Madison, and
23 I can't speak for other areas, but it's only allowed -- Like, for
24 Steamboat Lumps and Madison, trolling is only allowed from May
25 through October, and it's surface gear only, and so, if we catch
26 somebody trolling, they have to have that surface-type gear.

27
28 If they're trolling with bottom gear, something that's going to
29 sink to the bottom, they're going to get charged, and the only
30 vessel that's allowed to possess reef fish in that area would be
31 a commercial vessel that's on a VMS system, and all of the gear
32 must be stowed as they're transiting through.

33
34 We did that because they recognized that those vessels are slow-
35 moving, and it helps them save time when they're getting to the
36 docks, but, if it's a recreational vessel, or a charter vessel,
37 they cannot have reef fish onboard that boat and be in that zone.
38 They can transit across it if there's nothing on the boat, but, as
39 far as that goes, there can't be reef fish onboard.

40
41 **CHAIRMAN ANSON:** So just a question about the weighted gear then.
42 I mean, there are trolling lures that have lead heads and such,
43 and, I mean, what's your kind of definition of a --

44
45 **CAPTAIN PEARCE:** If it's a gear that's designed to sink, if it's
46 designed to not troll the surface for a pelagic-type species, then
47 it's going to be considered bottom gear, and we're going to make
48 that case. Now, we pass that case on to NOAA, and they will

1 prosecute it, if they feel that everything is in place for it, but
2 we're going to take it all very seriously. We're not going to --
3 You know, we're not going to -- You know, just because they get
4 underway, and start dragging those lines, it doesn't mean they're
5 trolling, and it depends on what they're trolling with.

6
7 **CHAIRMAN ANSON:** Thank you. Any other discussion on this? Andy.
8 No? Not on this? Do you have a suggestion on another topic?

9
10 **MR. STRELCHECK:** Well, Tom said move to plow through the last page,
11 and I think it would be good if we could take a restroom break and
12 maybe check out.

13
14 **CHAIRMAN ANSON:** I was trying to get there, but we got sidetracked
15 a little bit, and so, yes, we will take a fifteen-minute break,
16 and we will reconvene for Reef Fish.

17
18 (Whereupon, a brief recess was taken.)

19
20 **CHAIRMAN ANSON:** All right. Dr. Frazer, are you ready to continue?

21
22 **DR. FRAZER:** Yes, I am, Mr. Chairman. We're on the home stretch.
23 Review of Reef Fish and IFQ Program Landings, and State Program
24 Landings for Red Snapper, Tab B, Number 13, SERO staff reviewed
25 the status of reef fish and IFQ program landings relative to catch
26 limits.

27
28 Council representatives from the five Gulf states reviewed their
29 2023 private angling seasons for red snapper and offered
30 projections for the rest of their 2023 fishing seasons. The states
31 also characterized available data for observed mean lengths and
32 weights and fishing effort.

33
34 A committee member asked whether the additional fall fishing days
35 in Florida were in line with the estimates from the summer fishing
36 season. A representative from Florida confirmed they were, with
37 the extra days being in line with projections of CPUE.

38
39 The committee member also noted the year-round nature of red
40 snapper fishing that is typical of Texas state waters and thought
41 that only approximately 4,000 private angling trips per year seemed
42 very low, especially considering any days deemed unfishable due to
43 weather. A representative from Texas replied that unfishable days
44 were generally limited to hurricanes and other severe weather
45 events.

46
47 Other Business, Other Reef Fish AP Motions. Captain Hubbard
48 reviewed the AP's comments on the 2023 MRIP-FES pilot study and

1 noted that the funding to increase intercept surveys from two-
2 month waves to one-month waves has not yet been secured, which
3 concerned the AP.

4
5 He added that the AP motioned to request that the Gulf Council
6 delay any changes in allocation between the commercial and
7 recreational sectors of any Gulf fishery resources that are subject
8 to MRIP-FES, until such time as the pilot study has been completed
9 and deemed consistent with BSIA by the Gulf SSC and the council
10 has empirical support for the actual level of recreational fishing
11 effort in the Gulf.

12
13 Further, the AP motioned that the council encourage the Gulf states
14 begin development of a uniform, standardized, and mandatory
15 reporting requirement for Gulf private recreational anglers.

16
17 Captain Hubbard reviewed an AP motion to recommend that the council
18 request NMFS take immediate determinate action, using 2023 data
19 from Waves 1 through 4, for the timely reopening of the federal
20 for-hire component for red snapper, if there is enough of the for-
21 hire ACT remaining to do so.

22
23 Another AP motion requested that the Council remove wenchman from
24 the midwater snapper complex. Lastly, Captain Hubbard reviewed an
25 AP motion to request that the council examine recreational
26 deepwater grouper, tilefish, and midwater snapper vessel landings,
27 in light of increased effort and decreasing lengths and weights of
28 catch.

29
30 A committee member expected the federal for-hire component's red
31 snapper landings to be available soon and asked when the for-hire
32 industry would like to see a season reopening occur, if one is
33 possible. Captain Hubbard replied that the needs of for-hire
34 operators vary by region. However, in his region, the demand for
35 red snapper trips is there, and trips could be booked easily. He
36 thought two to three weeks' notice of a reopening was preferable,
37 but understood the amount of time left in the year to notice and
38 reopen the fishery.

39
40 The following was added to Other Business, but due to time
41 constraints, was deferred to Full Council: Process for Other
42 Entities to Submit Proposals for Federal Funding to Better Inform
43 the SEDAR Process. Mr. Chair, this concludes my report.

44
45 **CHAIRMAN ANSON:** All right. Thank you, Dr. Frazer. Mr. Gill.

46
47 **MR. GILL:** Thank you, Mr. Chairman. As part of the Reef Fish AP's
48 recommendations to council, one of the motions they made, that we

1 did not act on, or discuss much, was the allocation question, and,
2 Bernie, if you could up my allocation motion.

3
4 I offering a slightly-modified version of their motion, and I am
5 certainly open to improved wordsmithing, but we heard yesterday,
6 during public testimony, that there was considerable support for
7 the lane allocation questions until the FES question is, in some
8 case, resolved, because allocations are what are most dramatically
9 affected by whatever changes occur in FES.

10
11 By delaying them, A, we minimize the intersection with the FES
12 question and whatever issue we're talking about, and we're giving
13 clarity to how we're going to proceed in the interim, until 2026,
14 hopefully, and we can proceed with other business that has less -
15 - Will be less impacted by FES, and so I offer up -- That's almost,
16 word-for-word, the Reef Fish AP motion for consideration, Mr.
17 Chairman. Thank you.

18
19 **CHAIRMAN ANSON:** All right. We have a motion on the board, and
20 it's seconded by Captain Walker. **The motion is that the Gulf**
21 **Council will delay any changes in allocation between the commercial**
22 **and recreational sectors of any Gulf fishery resources that are**
23 **subject to MRIP-FES until such time as the pilot study has been**
24 **completed and deemed consistent with BSIA by the Gulf SSC and the**
25 **council has empirical support for the actual level of recreational**
26 **fishing effort in the Gulf.** Is there any discussion on the motion?
27 Captain Walker.

28
29 **MR. WALKER:** I know this is caught up in legal responsibilities
30 and all that, and so I don't know how practical it, and I certainly
31 support it. I understand that we're constrained by BSIA, and then
32 we're handed what seems to be rather poor, and said you are
33 required to manage fisheries based on this, which, you know, I'm
34 not all that comfortable doing, particularly when it comes to big
35 shifts like this, and, legally, I understand that that's some
36 requirements that we have to follow through, but I'm certainly in
37 favor of the motion, as written.

38
39 **CHAIRMAN ANSON:** Dr. Simmons.

40
41 **EXECUTIVE DIRECTOR SIMMONS:** Thank you, Mr. Chair, and so I have
42 several questions. So I think this would impact the yellowtail
43 snapper motion you all made, because that certification is still
44 a process that FWC is using, and still relying on, MRIP-FES, and
45 that's likely to be done this time next year, was the hope, through
46 the process, and so I'm not sure if you mean to exclude the stocks
47 that can be calibrated with the supplemental surveys for MRIP-FES,
48 and that's my first question, and then I have a follow-up.

1
2 **MR. GILL:** So, no, I wasn't intending to exclude anything, and
3 that's why I'm suggesting some wordsmithing might be required to
4 round out the corners. For example, we could carve out an
5 exemption for actions that are required as a result of the
6 regulatory and legal process, or something like that, but, no, I
7 was not intending to exclude anything.
8

9 **EXECUTIVE DIRECTOR SIMMONS:** So would that mean that we would make
10 changes to the stock assessment SEDAR schedule, as to not request
11 the Science Center work on the stock assessments right now, because
12 I'm thinking about red snapper, and we have a review workshop
13 coming up, in our office, in December, and then we're going to
14 start developing the terms of reference and scope of work, and the
15 various topical working groups that we would move forward with, or
16 could move forward with, in an operational assessment, and I'm
17 just trying to figure out how broad this is, compared to where we
18 are currently in the inventory that we just did.
19

20 **CHAIRMAN ANSON:** Mr. Gill.
21

22 **MR. GILL:** Thank you, Mr. Chairman, and so, no, my interpretation
23 is that assessments go forward, but, in terms of conserving
24 management actions that, when we get to amendments, that implement
25 assessments, we do not consider allocation as part of it.
26

27 **CHAIRMAN ANSON:** Ms. Levy.
28

29 **MS. LEVY:** So a couple of things. I think -- I'm not sure how
30 this plays into your allocation review policy and timeline, and so
31 my first question would go towards are you then holding off on all
32 of your allocation reviews that deal with recreational?
33

34 My second point just goes to the last statement. If you get a
35 stock assessment, and it comes out, and you have to act on the
36 advice, and there's some reason to consider the allocation, then
37 I don't think you can stop yourself from considering it based on
38 this motion, meaning this motion is not going to bind any future
39 need that comes up that is going to require you to look at it, and
40 so I'm a little unclear, again, about the allocation review policy,
41 and how that plays in, and then, again, you can say this now, but,
42 if there's some future action that then, you know, necessitates
43 looking allocation, you know, this isn't going to stop that.
44

45 **CHAIRMAN ANSON:** Mr. Rindone.
46

47 **MR. RINDONE:** Thank you, Mr. Chair. Mr. Gill, just for the sake
48 of specificity, it might help to put the 2024 pilot study, since

1 I think that's the one that you're referring to, and it is the one
2 that the Reef Fish AP referred to as well, and so, Bernie, if you
3 could put "2024" right there. Then, with regard to some of you
4 guys' conversations thus far about -- About exposure, right, and
5 so we do have a potential for yellowtail snapper to have the
6 private vessels move into SRFS, and FWC has already talked about
7 evaluating the effect of the shore mode component of the
8 recreational landings on the overall model, and it may come to
9 pass that we can consider whether or not to further include the
10 shore mode, because, frankly, retention from the shore mode is
11 incredibly low.

12
13 There are a lot of discards, but potential very low, and discard
14 mortality from shore is also thought to be very low, and so it
15 might be something that could be examined there, and so there may
16 be circumstances where these sorts of things could be considered
17 by the council, because they're not beholden exclusively to MRIP-
18 FES.

19
20 Another example would be red grouper, and red grouper has no shore
21 mode at all, and SRFS is going to be considered, in SEDAR 88, for
22 replacing MRIP-FES for the private vessels, and, if that ends up
23 happening, then there is no more private vessel, or shore mode,
24 effect for MRIP-FES for red grouper at all, and, if you guys wanted
25 to reconsider allocations for that stock at that point, once that
26 assessment is completed, ostensibly you could, and so I guess it's
27 something for you to think about in the language of your motion.

28
29 **CHAIRMAN ANSON:** Mr. Gill.

30
31 **MR. GILL:** Thank you, Mr. Chairman, and so a couple of things.
32 One, in my view, and this is mostly to Mara's comment, but the FES
33 situation has totally disrupted the allocation and review schedule
34 that we have set up, and the impact of considering allocations in
35 the main are such that, in 2026, we'll get revised, whatever they
36 are, however big they are, numbers that may, under the same
37 philosophy, necessitate reconsidering any allocations we do make,
38 and so, in a sense, we're forcing ourselves to increase the
39 workload to look at allocations a second time. That doesn't seem,
40 to me, to be prudent.

41
42 In terms of Ryan's comment, I agree, and, as Mara pointed out, we
43 can't bind the council in the future, but this is providing a sense
44 of the council, at this point in time, much like we did with the
45 motion that says we don't want to shut down any fishery unless we
46 absolutely have to, and it's a philosophical thing, and there will
47 be circumstances that say, hey, in this case, FES is not a problem,
48 and let's go ahead and do it, despite what we have here, and I

1 understand that, but what I am trying to express here is that,
2 where we are the moment, it seems, to me, to be more beneficial to
3 take this approach, until we get FES straightened out, whatever
4 answers and changes that makes, which is roughly 2026, and not
5 subject ourselves to potential additional workload, not to mention
6 confusion in terms of what message we'll be sending. Thank you.

7
8 **CHAIRMAN ANSON:** Dr. Sweetman and then Dr. Porch.

9
10 **DR. SWEETMAN:** Thank you, Mr. Chair, and so I agree with the intent
11 of the motion, but I think we've kind of highlighted some
12 situations here where it might not be just an all-encompassing
13 motion, and we need to factor in some other stuff here, and so,
14 specifically, thinking about the potential use for alternative
15 surveys, within how this motion is drafted, and so I'm wondering
16 if maybe, in order to accommodate for that, it could be something
17 like the motion, and then the 2024 pilot study has been completed,
18 or an alternative survey has been deemed consistent with BSIA by
19 the Gulf SSC, and maybe that kind of accommodates for some of these
20 circumstances where a supplementary survey can mitigate some of
21 this.

22
23 **MR. WALKER:** The way that I would interpret that is it says "are
24 subject to MRIP-FES", and so, for example, yellowtail -- If SRFS
25 is deemed acceptable, it would no longer be subject to FES, and so
26 that seemed okay to me.

27
28 **MR. GILL:** I'm fine with such changes, and that's why I thought
29 that some wordsmithing was going to be needed to get to this a
30 point that makes best sense, and so thank you, C.J.

31
32 **CHAIRMAN ANSON:** Dr. Porch.

33
34 **DR. PORCH:** Thank you, Chair. I don't have any issue, in
35 particular, with at least the first part of the motion, in the
36 sense that, you know, if we reallocated with FES now, then you
37 would have to revisit it as soon as we get the pilot study in, and
38 so it does seem like an excessive workload.

39
40 However, I don't quite follow the meaning of the last phrase in
41 the motion, "until the council has empirical support for the actual
42 level of recreational fishing effort in the Gulf". That does seem
43 to be a rather high bar, and an unclear bar, to me, and I don't
44 know what you intended by "empirical support". You know, I'm not
45 -- Although we will try to get better effort estimates, through
46 our IRA initiatives, it's not clear, to me, whether we'll have a
47 perfect gold standard that would validate that effort or not.

1 **CHAIRMAN ANSON:** To that point, Mr. Gill?
2
3 **MR. GILL:** Thank you, Mr. Chairman, and I understand your comment,
4 Dr. Porch, and I'm fine with putting a period after "SSC", because
5 the basic intent is expressed there, and that provides a pretty
6 definitive timeline when we no longer consider this action.
7
8 **CHAIRMAN ANSON:** Mr. Dugas.
9
10 **MR. DUGAS:** Thank you, Mr. Chair. I recognize the intent of the
11 motion, but, in my mind, it would be easier for us to just decide
12 our allocation changes, if we want to or not, per species, as they
13 come across our desk, instead of, at one time -- I am looking at
14 this, and we're grabbing everything at one time, and locking it
15 down, and I prefer to take it case-by-case.
16
17 **CHAIRMAN ANSON:** Mr. Gill.
18
19 **MR. GILL:** Thank you, Mr. Chairman. To that point, the problem
20 with that, that I see, is that requires staff time to develop it
21 in the document, so that we could then discuss, and this -- Part
22 of the effort of this is to eliminate all of that, because, if the
23 endpoint is going to be no, we don't want to allocate, for reason
24 X, Y, or Z, then we've spent a lot of time and energy on nothing,
25 and the other aspect is that, if we decide to go ahead with
26 allocation, and the FES studies, and results, come back and say,
27 oh, by the way, big changes, and we have to go back and do it all
28 over again, and so my intent is to minimize that workload and
29 facilitate what we're going to do in the interim.
30
31 There's been a lot of talk, both out in the audience and on the
32 council and sidebars, about how the heck are we going to operate,
33 given this situation, and this, in my mind, provides some clarity
34 to that, and it also simplifies the workload, going forward, and
35 so I would not suggest taking the approach that you're suggesting,
36 J.D.
37
38 **CHAIRMAN ANSON:** Ms. Boggs.
39
40 **MS. BOGGS:** So my comments were going to be very similar to Bob's,
41 in response to what J.D. said, in that, if we get an allocation,
42 if we make a change, just like I'm afraid we may see -- Red grouper
43 is a perfect example. I mean, we don't know exactly yet what that
44 outcome is going to be, but, if we reallocate, and we come back
45 and find out that, oops, we messed up, those fishermen can't go
46 back and recoup that.
47
48 They can't go back and catch those fish that we possibly

1 reallocated that should have been available for them to catch and
2 to put into the food chain for the American people, and, again, if
3 we do something, and it's wrong, and we've got to come back and
4 redo it again, I think it's just a lot of extra work on staff, and
5 it's a very unfortunate situation that we find ourselves in, but
6 my understanding is, aside from allocations, we can still make
7 some decisions, but I think allocation is one that we probably
8 need to step back from right now. Thank you.

9
10 **CHAIRMAN ANSON:** Ms. Levy.

11
12 **MS. LEVY:** I guess I'm kind of going back, and so I see two separate
13 things. I see your allocation review policy that sets out a
14 timeline as to when you're supposed to review allocations. That
15 whole policy, and review thing, was so that the public could have
16 a clear understanding of when you were going to come up with
17 allocation -- Or when you were going to review current existing
18 allocations.

19
20 If you want to change that, and change the timeline, then I think
21 you should review it, and do that, so that, again, it's a public
22 awareness of what you're doing and why.

23
24 I kind of see that as maybe playing into this, but then there's
25 the other component of what like J.D. mentioned, the specific
26 instances that are going to come before you, because of stock
27 assessments or specific things, and, in each one of those
28 instances, regardless of this motion, or the review policy, you're
29 going to have to decide whether allocation is implicated and
30 whether you want to do anything about it, right, and so, again,
31 the allocation review policy, that has the timeline, and individual
32 things that come up, aside from that policy, seem like two very
33 separate things, to me.

34
35 **CHAIRMAN ANSON:** I agree with those comments, Ms. Levy, and, you
36 know, you're probably right to bring it back, at the very least
37 just to discuss and go through the mechanics of what we will be
38 doing, because, you know, a lot of what we do in the in the
39 allocation review of those species that are in that document --

40
41 You know, they would rely upon this recreational data, and so, if
42 we have an issue with the recreational data, we would probably
43 need to at least put an asterisk next to those species that are in
44 the queue that are going to be impacted, or are coming up on
45 schedule for an assessment, you know, and indicate that we're going
46 to defer until 2026, or until some such time as, you know, the
47 2024 data can be used, and the calibration be used, in an
48 assessment type of thing. Any other discussion on the motion?

1 Mr. Diaz.

2

3 **MR. DIAZ:** Yes, and, first, I want to thank Mr. Gill for bringing
4 this up, and I think -- I don't think we talked about it enough
5 during committee, and I think us having this discussion is very
6 positive, and I'm trying to figure out where to vote on this,
7 because I agree with the AP's motion, and I agree with what you're
8 trying to do here, in concept, but I don't know if I've got time,
9 right here before I make a decision, to think through this
10 effectively on all the stuff that we're going to work on, and I've
11 got some concerns, in my mind, about that, but, in listening to
12 public testimony this week, and I heard some folks mention, you
13 know, when are you all going to work on state management for
14 amberjack, and I think some people mentioned sector separation.

15

16 You know, those type of documents -- I actually had a conversation
17 in the hallway about this a little while ago, and we might start
18 work on those a couple of years before we get this information,
19 and it will take us that long to go through that, and allocation
20 is just one portion of that, and so I don't know if that would
21 affect us, you know, getting those documents down the road, where
22 they were ready to be implemented shortly after we get this, and
23 so I've just got questions about it, but I like what you're doing,
24 and I agree with the concept, and I really don't want to do a whole
25 lot of things with allocation, unless they're insignificant.
26 Anyway, I just wanted to put that on the record. Thank you.

27

28 **CHAIRMAN ANSON:** Captain Walker.

29

30 **MR. WALKER:** I speak in favor of the motion. I think this would
31 show that we're serious about putting some effort into doing our
32 best to remedy the FES concerns that the fishing community has,
33 and so I support the motion.

34

35 **CHAIRMAN ANSON:** Ms. Boggs.

36

37 **MS. BOGGS:** So, Mara, I have a question, and I haven't looked at
38 in a while, and so the allocation review policy -- It's out there,
39 and so, next year, and I'm not looking at it, but amberjack comes
40 up, and can we look at it and say, okay, based on the information
41 we have, we're not going to do anything with it? I mean, does it
42 mean that -- It doesn't mean that we have to vary from our
43 allocation review, and we just don't have to do anything with it.
44 Yes? No?

45

46 **MS. LEVY:** Well, I can let Assane speak to it, but you have to do
47 the review, and so I guess the question is, if you clearly are
48 like we don't want to really look at this until this FES situation

1 is more clear, then do you want to go through the whole review
2 process that's going to require all that staff time to do that.

3
4 **CHAIRMAN ANSON:** Dr. Diagne.

5
6 **DR. DIAGNE:** Thank you. Just to add to what Ms. Levy said, I think
7 it was two council meetings ago that we talked about
8 interconnections, quote, unquote, between, for example, the red
9 snapper allocation, right, because we started from the tier between
10 the commercial and the rec, and then had sector separation, and
11 then also, on the private angler side, we have an allocation
12 between the five states, and, at the time discussions were on the
13 table, I think we all understood that, until and unless we can
14 have a visibility, quote, unquote, on the very first one at the
15 top, everything else that follows would be fairly difficult to
16 handle, but, that being said, we do have a schedule on the books,
17 and so, as suggested by Ms. Levy, it would be, perhaps, helpful to
18 have a discussion, probably at the next council meeting, and look
19 at, for example, the first reallocation reviews that could be
20 delayed until such time that we get the results from the pilot
21 study and a better, I guess, understanding of the new data streams.

22
23 One of the central pieces in the allocation review is going to be
24 looking at historical landings, and so which historical landings
25 would you look at if you were let's say to proceed today, knowing
26 that FES is an integral part of it, and so definitely we can have
27 that discussion at the next council meeting. Thank you.

28
29 **CHAIRMAN ANSON:** Any other discussion on the motion? All right.
30 We made a change, kind of after the original motion, and I just
31 want to reread it. **The Gulf Council will delay any changes in**
32 **allocation between the commercial and recreational sectors of any**
33 **Gulf fishery resources that are subject to MRIP-FES until such**
34 **time as the 2024 pilot study has been completed and deemed**
35 **consistent with BSIA by the Gulf SSC.** All those who are in favor
36 of the motion, please raise your hand. We will do the electronic
37 clickers then. I'm sorry about that.

B14.1 The Gulf Council will delay any changes in allocation between the commercial and recreational sectors of any Gulf fishery resources that are subject to MRIP-FES until such time as the 2024 pilot study has been completed....

First Name	Last Name			
Kevin	Anson			Abstain
Susan	Boggs	Yes		
Billy	Broussard	Yes		
Kesley	Banks		No	
JD	Dugas		No	
Anthony	Overton	Yes		
Tom	Frazer	Yes		
Dakus	Geeslin		No	
Bob	Gill	Yes		
Michael	McDermott		No	
Chris	Schieble		No	
Troy	Williamson		No	
Rick	Burris	Yes		
Ed	Walker	Yes		
CJ	Sweetman	Yes		
Andy	Strelcheck			Abstain
Dale	Diaz		No	
		Yes (8)	No (7)	Abstain (2)

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CHAIRMAN ANSON: All right, and so we have eight yes, seven no, and two abstentions, and so my math says that the motion fails, or it passes. I'm sorry. I'm just checking you all.

All right. So we have the other item on here that was brought up for the Reef Fish agenda, but we did not have the time, under Other Business, and that's the process for other entities to submit proposals for federal funding to better inform the SEDAR process, and I would like to go ahead and have that discussion now. Mr. Dugas.

MR. DUGAS: Thank you, Mr. Chair, and so, yes, I've had a little bit of conversation with Dr. Porch about this, and, after reviewing the current SEDAR schedule, I've noticed how much work is in front of the Science Center, with the Caribbean Council, the South Atlantic Council, and the Gulf Council, and I guess my question, or questions or concerns, is how --

Is there a way that we can help the Science Center speed the process up, and I guess part of my questions are, you know, is it outsourcing other entities, universities, consultants, and I guess

1 what I'm trying to do is help out Dr. Porch and his team and say
2 how can we help you guys, because the schedule that I sent Bernie
3 is just overloaded. They have work, you know, listed for the next
4 six years, I believe, and I just wanted to have a conversation
5 around the table and see if anybody had any ideas.

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

8
9 **MS. BOGGS:** So I guess I will ask this question to Dr. Porch, and
10 it may be a council thing, and I don't know, I mean, but does that
11 not yet come down to funding?

12
13 **DR. PORCH:** It can. Certainly, if you had more resources in the
14 system, then you can do more things, and, I mean, that's fairly
15 obvious, but I want to back up a little bit and sort of explain
16 the process, and remember, for those of you who aren't aware, SEDAR
17 is largely a council-driven process, and it was designed to be
18 very thorough and very transparent, and that means slow.

19
20 It's going to be a slow process, and there's no way around it, the
21 way it's set up, and it's designed to be that way, and so I would
22 add, because it's so thorough, and it provides so many
23 opportunities for people to weigh-in, we have an increasing number
24 of datasets, and an increasing number of partners, to provide them,
25 and what that has created is a very difficult data management
26 situation.

27
28 We've got lots of pieces of data from the states, our own datasets,
29 some data from academic partners, and then we try and stitch it
30 all together in the SEDAR process, to come up with a coherent
31 whole, and it doesn't necessarily always make the assessment more
32 informative, and it definitely slows it down, and makes the whole
33 process more complex, but it is also more inclusive, and so what
34 we've been trying to do is set up a data warehouse in the cloud,
35 so to speak, where everybody who has data to provide can contribute
36 it, and it all gets integrated, and part of an automated quality
37 assurance process, so that all of that information would be
38 available to anybody who wants to get it, including our stock
39 assessment scientists, obviously with some permissions.

40
41 There is data confidentiality restraints and all that that we have
42 to program in there, but that's the ultimate goal, because, right
43 now, we get, like I said, lots of little pieces of data that are
44 in different formats, and it takes a lot of time to go through, a
45 lot of quality assurance and control that goes into it, and that
46 has slowed that process a lot.

47
48 We've made a lot of gains, in terms of automation, and, you know,

1 a lot of things that make the process run smoother than it
2 otherwise would, but there's been an even greater influx of new
3 information, and partners contributing data, that has kind of
4 indicated some of that, and so, to get to a more direct answer to
5 your question, we're working on improving the process, making it
6 more efficient, and so we could use help with resources there, in
7 terms of developing the algorithms that summarize things like age
8 composition data that we get from the states, making sure that all
9 the data are representing what they're intended to represent, that,
10 in other words, that they're sampled say in proportion to where
11 the catches are occurring and all those sorts of things. and so
12 help there would be very useful, if we had more resources there to
13 help us develop algorithms and work with the warehouse.

14
15 You have heard, a little bit, about the IRA funding, and that's
16 going to be intended to help the states, and the Gulf States
17 Fisheries Commission, become the recreational data clearinghouse,
18 and make everything work smoothly, in terms of data processing and
19 providing statistics in a timely fashion, and so resources that
20 help those processes along, but it's recreational stats,
21 commercial stats, all the little pieces of data, surveys, and they
22 will speed up the process.

23
24 We could also do more assessments outside the SEDAR process.
25 Remember that SEDAR was never intended to be used for every single
26 assessment, but we elected to do that, and the councils have
27 elected to use almost exclusively the SEDAR process, except for
28 now we've started doing interim analyses, and things like that,
29 that don't have to go through SEDAR, and so it could be that we
30 decide, for some species, that maybe we're not going to do the big
31 transparent, thorough process that SEDAR provides, but instead
32 assess that outside.

33
34 Remember that, twenty years ago, we had things like the old stock
35 assessment panels, the mackerel assessment panel and the reef fish
36 assessment panel, and those were much faster. Basically, the
37 agency did the assessments, and it would get a shorter review,
38 some feedback from the panelists, and we would make some revisions,
39 and then we would move forward, but we wouldn't turn over every
40 stone, and use every piece of data, and we would focus on just the
41 most informative data, and so that would also speed up the process.

42
43 Your assessments in SEDAR, take some of the ones that are maybe
44 somewhat less controversial, and run those outside of SEDAR, and
45 so you could do that, and then the other point is, as Ms. Boggs
46 raised, just generally, yes, if there were more resources in the
47 system, to help with the processing of the data, more assessment
48 scientists, then, yes, you could also increase throughput that

1 way, and so it's basically find ways to process data faster, you
2 know, given all the complexity, reduce the complexity, or just get
3 more resources to do more.

4
5 **CHAIRMAN ANSON:** Dr. Porch, I am wondering, relative to the process
6 that you are trying to make more efficient, and I'm not familiar
7 with a lot of the history that went on and what communication has
8 been held with these other entities, the states or the, you know,
9 university researchers, but was there a process, or is, in part of
10 your -- If there wasn't, in part of your process evaluation now,
11 would it be time saving to have like a database structure, that
12 you get that out to researchers, so they have it, so that, at least
13 at the very level, you've got the same, you know, variable names,
14 with the lengths and the right formats and all that, and so is
15 that -- So that you don't have to worry about a lot of that, and
16 it's just a new data stream that you're then trying to stitch into
17 what you currently create, and is that what it is? Okay.

18
19 **DR. PORCH:** Yes, absolutely, and that's part of creating a data
20 warehouse, where all the information gets collated and combined,
21 as appropriate, and so that involves getting data in the
22 appropriate formats, and QA/QC it, so we don't have repetitive
23 observations.

24
25 Right now, a lot of that stuff still has to happen manually.
26 Someone submits a dataset, sometimes late in the process, and that
27 leads to delays, but, if we could make this seamless, where
28 especially, you know, when the states are contributing data, they
29 can directly export information into our system, and so that's
30 developing the application programming interfaces and all that,
31 like what you're seeing with ACCSP on some things, and so we're
32 trying to do that across-the-board, including with the Gulf.

33
34 Some things, like little surveys here and there that are done by
35 academic partners, it's going to be a bit harder to deal with,
36 but, in many ways -- For instance, you've heard about the GFISHER
37 program, and it used to be that kind of Florida did their thing,
38 and we did our thing with those video surveys, and now it's one
39 big program that we're integrating, and, yes, there's manpower
40 issues, why you couldn't get the videos read, but, as we go to
41 automated image analysis, that will be solved, and we'll have a
42 more seamless process, and so some things are just going to take
43 time to be more efficient, but we'll also need to work with the
44 states to better improve how the data is provided and made
45 available to this process.

46
47 **CHAIRMAN ANSON:** Mr. Dugas.

48

1 **MR. DUGAS:** Thank you, Mr. Chair. Thank you, Dr. Porch, for the
2 explanation. What really sticks out, to me, that could be useful
3 to this group, possibly, down the road, is the outside resources
4 that has not evolved with SEDAR, and not trying to take any work
5 away from you, but, you know, that's something that I think we
6 should keep in mind here, but thank you for the explanation.

7
8 **CHAIRMAN ANSON:** Mr. Diaz.

9
10 **MR. DIAZ:** I don't think it's about taking work. If anybody has
11 got job security, it's you, Dr. Porch. I will say that I think
12 you're a very good director of the Science Center, and you've made
13 some good, positive changes. I really like the fact that we can
14 do these interim assessments, and like we asked for one every year
15 on gag, and I think that's a big improvement, but, having watched
16 this process for a long time, it's one of the things that -- I'm
17 not the only one, and I'm sure that every council member feels the
18 same, and it's a frustrating thing.

19
20 You know, these stock assessments are so complicated, and, you
21 know, we're getting to the point where there's so much data going
22 into them, and the models are so complicated, and then even talking
23 about the process is so complicated, and so it's not -- There's no
24 easy way to fix this, but the problem for a council member is we're
25 looking -- We're waiting on a stock assessment, and, by the time
26 we get it, the terminal year can be sometimes three, or sometimes
27 four, years before, and we've got people in the audience coming up
28 to us because things have changed out in the real world, and the
29 stocks have went up or down, and we're trying to manage on
30 something that is -- It's the age-old problem.

31
32 I don't know that the new process has helped any. You know, we
33 had the old process, and we used updates and standard assessments
34 and things, and now we're doing research tracks, and other names,
35 but our throughput really hasn't picked up on the main stock
36 assessments, but the interim analysis has been a big help, and so
37 I don't want to sound altogether negative, but I wonder, a lot of
38 times, if we did simpler assessments, even if they weren't as good,
39 but we got more timely information, if we wouldn't be doing a
40 better job of managing the fishery, with fresher data. Anyway, I
41 wanted to kind of frame what the frustration is for me, as a person
42 who is trying to manage up here.

43
44 Having said all that, without making any real point, if there was
45 an entity that could do a stock assessment on some of these less
46 complicated stock assessments -- I mean, could money flow through
47 the Science Center to -- I know the State of Florida already does
48 some, but some university, or something like that, to do a stock

1 assessment that could meet our standards? I mean, could the money
2 flow through to pay them, if we ever tried to do that?

3
4 **DR. PORCH:** Thank you for those points. The short answer to your
5 question is yes, but it's not going to speed things up very much,
6 because the bottleneck, right now, isn't so much the people who
7 are running the stock assessment. It's the stitching together all
8 the datasets, and so, if you went to simpler models, with fewer
9 datasets, and just used what was deemed as the very best data,
10 instead of trying to stitch together all the datasets, you know,
11 maybe we could make some gains, by having some outside experts do
12 assessments, but, very often, we find they spend a lot of time
13 just consulting with us, because we've been doing it so much, and,
14 you know, they're just stepping into it, and so it doesn't save us
15 a whole lot of time.

16
17 I did want to address that point about the process changing, the
18 research tracks and all not being that much more efficient, or any
19 more efficient, and I agree with that. It hasn't sped things up.
20 There's been a lot of hiccups in that process, and the research
21 tracks were actually never implemented as at least we originally,
22 at the Science Center, envisioned them being implemented, and we
23 tend to -- When we get to the operational assessments, there is
24 lots of things that people want us to look at, and we end up adding
25 lots of topical working groups to some of them, and like red
26 snapper I think had five, or something like that, and so, yes, the
27 process continues to be slow, because there's such a desire to be
28 that thorough, and, as long as you want to turn over just about
29 every stone, it's going to continue to be slow, and so I think
30 your other point, about going to simpler methods, is key.

31
32 It's something that I am very keen to explore more, and one of the
33 examples we often use that you've seen for offshore wind, and we
34 did those marine spatial planning algorithms, and that just took
35 a bunch of data layers, weighted them, and puts them together, and
36 you look at the areas that seem to be most, or least, suitable for
37 offshore wind.

38
39 The math behind that is super simple, constructing the data layers,
40 and weighting them, and, yes, the devil is in the details there,
41 but the whole thing is a pretty simple process. Interim analyses
42 are also very simple, and it comes straight from our most
43 dependable, and most timely, data, the resource surveys that we
44 conduct. When the index goes up, the catch can go up. If the
45 index goes down, the catch would need to go down, and it's easy
46 for people to understand, and it's easy for us to implement, and
47 so I would like to see us take advantage of our best data streams
48 more, and use some simpler approaches, and they're also more

1 timely.

2
3 Once we get the video readings solved, so that -- I mean, that's
4 the big bottleneck now that takes, you know, nine months, or
5 sometimes a year, to read all the videos. If we get that solved
6 with AI, and it will be like our other surveys, that we're getting
7 information, you know, almost real-time, and we can give updates,
8 and then the biggest bottleneck will be how fast the council can
9 react to them.

10
11 **CHAIRMAN ANSON:** That would be an unusual situation for us to be
12 in. Dr. Porch, then, to Dale's point about, you know, the simpler
13 assessment idea, I mean, you know, that would almost be like
14 another model run, I guess, you know, because you would still
15 probably want to proceed with, you know, all of the data that's
16 being supplied, you know, the more elaborate model, and, I mean,
17 how do you envision that going forward, as far as a simpler
18 assessment design, outside of the data and the AI and that type of
19 thing? You're still going to have to take that data and run it
20 through a model, and so are you just talking about, you know, three
21 or four key pieces of data, based on the temporal scale of it, or
22 the coverage concerns, and can you provide a little more
23 information?

24
25 **DR. PORCH:** Yes, absolutely, and thank you for the question. So
26 it depends on the species, of course. I wouldn't necessarily
27 suggest that we shift entirely in our modeling frameworks for
28 things like red snapper, or something like that, but, for some of
29 the other species, including species that we rarely, or never,
30 assess, we arguably could start with simpler models that just use
31 what we know are our most informative data, and that would save a
32 lot of time at the outset, and that could actually be done outside
33 of SEDAR, and we just still would need a peer review of it, which
34 could be the SSC, or, in some cases, we would just hire CIE outside
35 of the SEDAR process, but I wouldn't suggest walking back some of
36 our established assessments, to just use simpler methods and doing
37 it simultaneously.

38
39 That might be done sometimes, just to show that you can get a
40 similar result with the simpler model, just a kind of proof of
41 concept, and, in fact, those kinds of analyses have been done at
42 various times, but I was more thinking about we pick some species
43 and say let's just apply a simpler approach that relies on the
44 most informative data, and probably not our highest-profile
45 species, where the methods have already been established, and,
46 that way, you can deal with some of the things that maybe you
47 haven't been able to deal with before.

48

1 **CHAIRMAN ANSON:** So, I guess, I will push back a little bit about
2 the comment relative to not, I guess, throwing a wider cast-net
3 and cover those species that, although they have a traditional
4 model that's more complex, to then also do that simpler model,
5 and, I mean, there might be a value to look and see what those
6 species are, and you know, they might be data-rich, but they may
7 not be very important, in the grand scheme of things, as far as,
8 you know, a fishery that we manage, and so that could free up some
9 of those resources to do those other assessments, and so I just
10 throw that out there, and, again, as Dale had mentioned, I mean,
11 we hear it, and we all hear it, and people are frustrated, and
12 getting more frustrated, about the throughput and the process,
13 and, you know, I think it's just a sign of the times.

14
15 I mean, people can pick up a phone and get access to their bank
16 account, and never go into the bank, and, you know, do all their
17 banking, and so, you know, it's just hard to, you know, convince
18 folks that there can't be a better way, and so --

19
20 **DR. PORCH:** Just to follow-up on that, there's two ways to reduce
21 the complexity, and one is going to an alternative model, and it
22 might not be as informative, and it might go to a production model,
23 where you're just using some kind of index and your catch, but it
24 won't give you age structure and things -- It wouldn't be able to
25 inform anything like what is an appropriate size limit, or you
26 can't calculate spawning potential ratio, or those sorts of things,
27 those kinds of proxies that we typically do.

28
29 The other thing is you don't use as many pieces of data in the
30 assessment, and we have done those sorts of analyses. For example,
31 a few years back with red snapper, we did runs where we dropped
32 all the fishery-dependent indices, the catch per unit effort
33 indices, and just used our surveys, and we got almost the same
34 result, and, arguably, the fishery-independent surveys, our
35 resource surveys, are the least biased, and so the argument is
36 that that's all we should have used, and we stop calculating catch
37 per unit effort, and that reduces the burden, and arguably is a
38 better assessment, but, you know, people were concerned, at the
39 time, and it was like, well, you're throwing away our data, and
40 we're not throwing away all the data, but we're saying the more
41 informative data comes from our resource surveys, say, you know,
42 the longline survey we do, the video surveys we do, and so let's
43 rely on that, and the catch information, but not try and calculate
44 catch per unit effort, which is a function of not only abundance
45 of the fish, but how fishermen change their fishing strategies,
46 and we can't always model our way out of that.

47
48 There's lots of ways that we can reduce complexity, but it's just

1 that, during the SEDAR process, the tendency has been to add
2 complexity, to look at more and more details, and that slows down
3 the process.

4
5 **CHAIRMAN ANSON:** Any other discussion? I think that will wrap up
6 -- Mr. Strelcheck.

7
8 **MR. STRELCHECK:** Not to this, but I do have a few other things
9 that I want to bring up before we finish Reef Fish, and so is this
10 a good time?

11
12 **CHAIRMAN ANSON:** It is a good time.

13
14 **MR. STRELCHECK:** All right. Two topics. One, I want to put Susan
15 and Ed on the spot, as our for-hire representatives, and there was
16 a lot of input this week toward me with regard to reopening red
17 snapper, if we're able to do so for the for-hire sector this fall.
18 Surprisingly, there was a lot of input of don't both reopening it,
19 or, ideally, they were interested in carrying over, which we can't,
20 but I also heard some input about moving the start date of the
21 season up from June 1 into May, and so I am just curious if that's
22 something the council would want to consider in one of our upcoming
23 reef fish actions.

24
25 **CHAIRMAN ANSON:** Ms. Boggs.

26
27 **MS. BOGGS:** So I know there are some in our port, and I know there
28 are probably some down in the Tampa area, and probably out in
29 Texas, that would like to see a fall season. I don't have a
30 problem leaving a few fish in the water, but I know it's a time of
31 year when you do have some of your winter guests that arrive early,
32 in the November and December months, and it might be nice to give
33 them the ability to go out and catch a red snapper, and so I
34 haven't really polled our fleet.

35
36 I know a lot of the fleet in Alabama, and I think someone alluded
37 to it, that, yes, they're gone to the hunting camp, and they're
38 not interested in fishing, and so I think it's six-to-one-and-
39 half-a-dozen to the other. I can see it both ways.

40
41 With the start date, and I have talked to Andy a little bit about
42 this, and a few other people, but the seasons for the charter fleet
43 are getting longer and longer, and I'm not saying that I would
44 petition, so to speak, to move the start date for the red snapper
45 season, but I think it would be nice to maybe move the ability to
46 open red snapper season earlier, so that, as these seasons continue
47 to get longer, we're not constrained to that June 1 season.

1 A lot of the people that I've talked to, a lot of the charter
2 fishermen that I have spoken to, really don't care to have red
3 snapper in August. It's hot, and school has gone back, and people
4 aren't there, and they've got other species they can catch. Of
5 course, I know we've moved the start date for amberjack, but that
6 still doesn't seem to bother them with that, because, by then,
7 and, again, speaking from the port of Alabama, or, excuse me, but
8 Perdido Pass, those fish are beat up, after June and July, and
9 they need a break.

10
11 My attitude, and me talking to Andy about being able to move the
12 start date, is, if you had a spring season -- I mean, red snapper
13 season used to be April 21 to October 31, and so, if you moved it
14 back to the spring, I think there would be less pressure on the
15 fish. They're not going to be in the heat of the summer, and, you
16 know, we get back to this discard mortality, and it would just
17 give a different opportunity, but I don't think that August, in
18 talking to our fleet, does a whole lot for the red snapper season,
19 and, like I said, it's very hot, and the fish are just -- I mean,
20 those poor fish, and I feel sorry for them, and so that's why I
21 talked to Andy about it, just because of the season lengths getting
22 longer, and to just give some flexibility in the future. Thank
23 you.

24
25 **CHAIRMAN ANSON:** Captain Walker.

26
27 **MR. WALKER:** So I would be reluctant to give an opinion of the
28 charter industry without surveying our guys. I did have a
29 conversation, the other night, that told me that, if they could
30 get some days added, they would definitely prefer it on the
31 frontend, and I've also heard the opposite of that, and my own
32 personal opinion -- I don't know that the guys where I am, and I
33 could be wrong about this, and so that's why I'm hesitant to speak
34 for other people, but I don't know that it would be as big of a
35 deal to our guys, as it is to some of the people up here, but I
36 would definitely have to go back and survey the industry, before
37 I could say the front or the backside would be better. The other
38 question was opening this year, and is that? It was a two-part
39 question.

40
41 **MR. STRELCHECK:** Well, if there's quota remaining, and depending
42 on how much, and, I mean, if there's an ability to reopen for a
43 number of days, and I have that authority already, right, and so
44 I did ask more in terms of just the timing of the reopening, and
45 Dylan and I had a conversation, when he was at the microphone,
46 about also advance notice, to, obviously, provide the charter
47 captains enough time to book customers.

1 **MR. WALKER:** Right, and I could definitely tell you that especially
2 the gag fishing community could definitely use anything we can get
3 to book a few more trips, and, for the charter business, the
4 earlier the better that you can schedule it, and I could probably
5 call all the guys that I cancelled in November and say, hey,
6 they're going to give us another twelve days, you know, whenever
7 it may be, and fill all those days in an hour, and so, yes, we'll
8 take whatever we can get.

9
10 **CHAIRMAN ANSON:** Andy.

11
12 **MR. STRELCHECK:** I mean, unless there's other comments, I mean, I
13 think this is good to have some discussion, and I think it's maybe
14 something we can table discussion for now, but come back to, but,
15 as Susan pointed out, as the seasons have gotten longer, and we're
16 pushing into mid to late August, I have been getting more and more
17 feedback about shortening the season on the backend, but adding
18 those days to the frontend of the season, and so, I mean, we can
19 ask for some input from the charter organizations and come back to
20 this at a future meeting. The second topic I have, and, actually,
21 I have a motion, if Bernie could bring it up.

22
23 **CHAIRMAN ANSON:** Hold on. Before that, Andy, if you don't mind,
24 Dr. Banks did have her hand up a little bit ago, and so, Dr. Banks.

25
26 **DR. BANKS:** Thank you, Chair. Andy, just a clarification
27 statement, I guess, and the western Gulf would probably be a little
28 more in favor of the frontend, to the backend, and I will say that
29 I do agree with Susan that earlier in May might be a little bit
30 better for us, and I don't know that our fleet necessarily wants,
31 or cares, about the late-winter season, and we tend to move into
32 tuna fishing, and a little more offshore, but I would like to see
33 that pushed out, as a question maybe, if we're going to look at
34 drastically changing some of the seasons.

35
36 **MR. STRELCHECK:** Yes, and, to be clear, the way the regulations
37 are written now, you know, I only have authority to open on June
38 1 and then project the season, and, when that quota is met, we
39 close, but then, if the quota hasn't been filled, once we review
40 those landings that have come in for the summer season, we can
41 reopen between that time and the end of the year, and so the
42 council would have to take action, if we wanted to modify the
43 season start date, or make some changes to the season structure.
44 Am I good to move on? Sorry about that.

45
46 **CHAIRMAN ANSON:** Yes, you are.

47
48 **MR. STRELCHECK:** So my motion pertains to deepwater species. We

1 heard a lot of input, during public testimony, about effort
2 shifting, concerns about too much pressure potentially on our
3 deepwater species, and so my motion is to direct staff to work
4 with the Science Center to provide data and information, such as
5 catch and trends in abundance or CPUE, for deepwater species for
6 review and discussion at the January or April 2024 meeting, and,
7 obviously, trying to leave some flexibility in there.

8
9 We have a lot on our plate for the staff to work on between now
10 and January, but this seems to be a pretty substantial emerging
11 issue. I know -- Well, sorry, and let me pause there and see if
12 I can get a second.

13
14 **CHAIRMAN ANSON:** It's seconded by Captain Walker, and his was the
15 first hand I saw.

16
17 **MR. STRELCHECK:** Ed can talk to this more, and so he also, prior
18 to this council meeting, shared an email, with at least some of
19 us, where there was concerns being raised about major trips out to
20 Pulley Ridge, and large quantities of harvest of queen snapper,
21 and it's also been coming up about whether or not the aggregate
22 limit for deepwater species might be set too high, given this added
23 fishing pressure, and so that's the rationale for my motion.

24
25 **CHAIRMAN ANSON:** All right. We have a motion on the board. Any
26 discussion with the motion? Captain Walker.

27
28 **MR. WALKER:** Just to follow-up on that, while I was in Key West
29 this summer, I started getting contacted by a couple of the guys
30 who are kind of the OGs of the deepwater fishery down there, the
31 partyboat captains that have been doing it for thirty years, one
32 of whom essentially was forced out of New England partyboat fishing
33 because of the collapse of the cod fishery, and he contacted me
34 and said, hey, you know, and this is how he makes his living, and
35 he said that we might need to start looking at, you know, some
36 increased management, I guess you could call it, on this.

37
38 The average size, he said, of his fish is much smaller than it was
39 when he started, and he said there's been a tremendous increase in
40 recreational boats accessing these really distant deepwater areas,
41 and, you know, he wasn't saying close anything, but he said maybe
42 take a look at bag limits, and, you know, queen snapper, I think
43 it's ten per person, and, on an overnight trip, that's twenty head
44 per person, and, you know, there was a boat that came in the other
45 day that had 240 head of queen snappers on it, and that's kind of
46 a regular day for them.

47
48 He had some concerns, and, also, there is a NOAA -- I guess you

1 call them a port agent, that checks the fish when they come off of
2 the boats down there, and he also contacted me, and he is very
3 concern about what he's seeing. He said the average size of the
4 queen snapper -- You know, the queen snappers they're bringing in
5 now, in a lot of those areas, are small, and not all the areas,
6 but he said there's been a drastic reduction in the size of snowy
7 groupers and queen snapper, among others, and he even said he would
8 be happy to talk to us, or the AP or something, about that.

9
10 He has a decade of, you know, NOAA Fisheries data, and he was data
11 collector of the year, or sampler of the year, I guess, he told me
12 last year, and so he has some hard evidence that he would love to
13 show us, and I also heard that from another partyboat guy that
14 runs out of Marco Island, who does those trips, and he catches a
15 ton, and he told me that he would rather not be allowed to keep
16 that many queen snapper, but his clients know that they're allowed
17 ten per day. He made it sound like he doesn't really want to keep
18 twenty head per person, but he can't tell them no, but the guys
19 are expressing some concern, and you heard what Gary Jarvis said,
20 and so it's definitely -- I support the motion to begin discussion
21 on it, at least.

22
23 **CHAIRMAN ANSON:** Ms. Boggs.

24
25 **MS. BOGGS:** Mine is not to the queen snapper, but I do know that
26 a lot of the vessels, and not necessarily charter boats, but I
27 know a lot of the private recreational boats, because of the
28 closures in this, and the different regulations, that I'm seeing
29 and hearing a lot of talk of more deepwater grouper trips,
30 yellowedge specifically, and I'm going to put Billy on the spot,
31 and so what are you seeing out of Louisiana? I know you're a big
32 fisherman out of there, but I'm just curious what else you all are
33 seeing.

34
35 **MR. BROUSSARD:** In Louisiana, we just don't have that kind of
36 pressure. We don't have the recreational pressure, and especially
37 in my area, that you guys have, you know, especially for that.
38 You know, if our winter is not good, there's only a certain amount
39 of days you can go do that kind of trip, and so I haven't seen, in
40 the fifteen to twenty years that I've been doing it -- I haven't
41 seen that reduction in size, but we very seldom fish the same place
42 twice in one year, you know, and we spread out. I've gone whole
43 summers and not seen another boat, and so I don't think what we
44 see probably is reflective of what you guys are seeing out of
45 Florida and Alabama. I know it's not.

46
47 **CHAIRMAN ANSON:** Mr. Gill.

1 **MR. GILL:** Thank you, Mr. Chairman, and so I think the motion is
2 a good one. My question is whether there's any concern by staff,
3 or the Science Center, in terms of the timing, and, if there's
4 not, I'm good with the motion.

5
6 **CHAIRMAN ANSON:** Mr. Rindone.

7
8 **MR. RINDONE:** Thank you, Mr. Chair. If we're talking about the
9 January meeting, and we've already had some conversation about,
10 you know, now that we do have a Speaker of the House, you know,
11 perhaps a budget will be passed, but perhaps one won't, and so the
12 ability to request information from the Science Center, and the
13 Southeast Regional Office, would clearly be hampered by a lack of
14 a budget and a government shutdown, and so it makes it very
15 difficult for us to make promises to you guys about the kinds of
16 data that we could bring back in the near-term.

17
18 As far as the information that's requested, catch is pretty
19 straightforward. Trends in abundance, we could see what indices
20 are available. My thinking would be that, since a lot of these
21 species were ones that we had previously considered with the
22 Science Center under SEDAR 49, back in the day, back in 2016, for
23 data-poor, a lot of them don't have great representations from
24 fishery-independent indices of abundance, and so I would be
25 hesitant to think that we could do much in the way of interim
26 analyses with a lot of these things, but, you know, perhaps we're
27 wrong there.

28
29 Like Captain Walker talked about, there's considerable landings of
30 queen and silk snapper that come out of southwest Florida, and so
31 I think we would probably have a pretty decent landings history
32 that we could expect to come out of there, but, at the same time,
33 a lot of the vessels that we're hearing that are the ones that are
34 going out there, aside from the headboats, are the sorts of vessels
35 that don't put in at public boat ramps.

36
37 These are larger, multi-engine center consoles that are leaving
38 from and returning to private access points, and so it's unlikely
39 that they would be intercepted by an APAIS survey, or an APAIS
40 dockside survey, and so we may be missing those data, from a catch
41 perspective, and, you know, it isn't that those catches aren't
42 happening, but it's just that they're not being picked up by APAIS,
43 and therefore not being properly translated into the effort side
44 of the survey.

45
46 I think there's going to end up being a lot of caveats that we
47 have to work through, and probably end up disclosing to you, and
48 I just -- I don't want you guys to look at this and think that,

1 oh, we're going to get the kind of data out of this that we would
2 get if we said, oh, tell us about this same stuff for red grouper,
3 and no.

4

5 **CHAIRMAN ANSON:** Mr. Strelcheck.

6

7 **MR. STRELCHECK:** If the seconder is okay, I would modify my motion
8 to say for review and discussion by the April 2024 meeting, to
9 allow for additional time for staff.

10

11 Then, in terms of what Ryan said, I wholeheartedly agree, and
12 that's why I put the "such as", right, because I did not want to
13 be definitive, and there are certainly probably other data sources,
14 you know, information from port agents that are sampling, you know,
15 some of these headboats that are operating in deep water, and so
16 I think there's a lot of flexibility, in terms of what data and
17 information is brought back, and some of this may not be relevant,
18 or even possible, to pull and bring back to us.

19

20 **CHAIRMAN ANSON:** Mr. Rindone.

21

22 **MR. RINDONE:** Thank you, Mr. Chair. Just to add on to what Andy
23 is saying, and I've talked to Ed some about this too, and I know
24 Ariel has a lot of length comp information that he can present
25 over time, and so specific to queen snapper especially, and looking
26 at just the changes in length that he's been surveying over time,
27 and so I think one of the things that we would ultimately request
28 out of this would be that length comp information.

29

30 Queen snapper can live, I think, to forty-four years, or forty-
31 five, and so it's mid-forties is the current max age, and so,
32 again, a longer-lived species, and so there is the potential there,
33 obviously, for some sensitivity to this sort of increase in fishing
34 pressure, and so it would be something to take a look at.

35

36 **CHAIRMAN ANSON:** Dr. Porch.

37

38 **DR. PORCH:** Certainly moving the date just to April will help, and
39 I think, for some of the species, we could probably deliver some
40 trends in abundance from our surveys, and I certainly wouldn't
41 promise calculating standardized catch per unit effort for species
42 that we haven't looked at, and so I wouldn't expect that, and, as
43 Ryan said, probably catch information.

44

45 If you start getting into length composition, it may be hard to
46 meet that date, for some of the species, and so I think the bottom
47 line is we can probably deliver on some of those things, but, yes,
48 you wouldn't get kind of the thorough statistics that you might be

1 used to seeing from an assessment.

2

3 **CHAIRMAN ANSON:** Captain Walker.

4

5 **MR. WALKER:** I think that's okay. We're just taking a look here,
6 and there doesn't seem to be any urgent, pressing -- You know,
7 it's just something to start to keep an eye on, I think, and so
8 any information is good at this point.

9

10 **CHAIRMAN ANSON:** All right. Seeing no other hands, we're going to
11 go ahead and use the clickers, since we've got them, and go ahead
12 and put in your response to the motion on the board, please.

13

B14.2 To direct staff to work with the SEFSC to provide data and information, such as catch and trends in abundance or CPUE, for deepwater species (i.e, deepwater groupers, tilefishes, queen and silk snapper, etc) for...

First Name	Last Name			
Kevin	Anson			Abstain
Susan	Boggs	Yes		
Billy	Broussard	Yes		
Kesley	Banks	Yes		
JD	Dugas	Yes		
Anthony	Overton	Yes		
Tom	Frazer	Yes		
Dakus	Geeslin	Yes		
Bob	Gill	Yes		
Michael	McDermott	Yes		
Chris	Schieble	Yes		
Troy	Williamson	Yes		
Rick	Burris	Yes		
Ed	Walker	Yes		
CJ	Sweetman	Yes		
Andy	Strelcheck	Yes		
Dale	Diaz	Yes		
		Yes (16)	No (0)	Abstain (1)

14

15

16 **CHAIRMAN ANSON:** All right, and so we have sixteen yes, zero no,
17 and one abstention. Okay. Any other discussion for Reef Fish?
18 That takes us very close to our scheduled lunch, and I know we had
19 Ecosystem, and I know it's short, and so we either take an earlier
20 lunch or we take a little later lunch, and so are you just chomping
21 at the bit, Mr. Gill, to do Ecosystem?

22

23 **MR. GILL:** Or the third option is power through.

1
2 **CHAIRMAN ANSON:** We'll see how power through -- I'm not holding my
3 breath for the couple other committee reports, and so --

4
5 **MR. GILL:** It's your call, Mr. Chairman.

6
7 **CHAIRMAN ANSON:** Go ahead, Mr. Gill, and we'll try to get this
8 done, at least, so we can clean up with all the items before the
9 lunch.

10
11 **ECOSYSTEM COMMITTEE REPORT**

12
13 **MR. GILL:** Thank you, Mr. Chairman. The Ecosystem Committee met
14 on October 25, 2023. The committee adopted the agenda, Tab Q,
15 Number 1, and approved the minutes of the June 2023, Tab Q, Number
16 2, as written.

17
18 Ecosystem Technical Committee (ETC) Recommendations, Tab Q, Number
19 4, staff presented the recommendations from the ETC meeting on
20 September 2023. The ETC provided recommendations on the structure
21 of the Fishery Ecosystem Plan (FEP), the proposed Fishery Ecosystem
22 (FEI) loop, and recommended selecting red tide as a pilot FEI to
23 further develop the FEP process and communications plan.

24
25 A committee member recommended keeping in mind that council members
26 get reappointed on a three-year cycle, and so the FEI list could
27 be revisited within that timeframe. The committee member also
28 recommended revising the FEP itself, in addition of the FEI loop.
29 Staff responded that those revisions are part of the plan, and the
30 FEP may be a living document that could be modified based on
31 lessons learned.

32
33 SERO staff asked about the role of an interdisciplinary planning
34 team (IPT) in the FEI loop, given the difference in the structure
35 of the FEP compared to other council documents, workload, and the
36 complexity of the FEIs. Staff responded that it is something that
37 is still being explored. Another committee member recommended
38 council involvement in the earlier steps of the FEI loop, before
39 the work is completed.

40
41 The SEFSC asked about the process to prioritize FEIs and suggested
42 that the council should consider staff time, available funding,
43 and council actions beyond providing a comment letter to another
44 agency. Staff responded that one of the ETC's concerns was
45 limiting creativity on the recommended FEIs, due to being outside
46 of the council's jurisdiction. The outcomes of the work on a FEI
47 may not directly lead to a council action, but may still provide
48 useful information for the council.

1
2 Staff also mentioned that the FEP can also allow the council to
3 find novel ways to engage with other agencies and keep lines of
4 communication open when addressing extra jurisdictional issues.

5
6 When discussing the communications plan, staff emphasized the
7 importance of involvement from the Outreach & Education Technical
8 Committee to engage the public in the process, given the complexity
9 of the discussion around ecosystem issues.

10
11 A committee member asked how the ETC selected red tide as a pilot
12 FEI and if there was another list of potential FEIs to evaluate.
13 Staff responded that this motion steers away from the original
14 council motion to select up to four FEIs. The ETC thought it more
15 effective to focus on a single FEI first, as it's likely that
16 meaningful lessons would be learned along the way and could be
17 incorporated into subsequent FEIs. The ETC has discussed the
18 various steps to the FEP during multiple meetings, and this effort
19 would run at the same time that the FEP document and communication
20 plan get developed.

21
22 The committee member expressed concern that red tide is not
23 something that the council manages and that there may be other
24 FEIs that could be more appropriate. The ETC chair responded that
25 the SEFSC has completed various projects that could help inform
26 the council. Relevant work is not solely limited to monitoring
27 external water quality influences. The SEFSC has completed MSEs
28 to understand optimal harvest strategies in light of red tide
29 mortality and has looked at VMS and landings data sources to
30 evaluate shifts in fleet behavior and consolidation during red
31 tide events. The committee decided to continue discussions on the
32 ETC motion during Full Council. Mr. Chair, this concludes my
33 report.

34
35 **CHAIRMAN ANSON:** Thank you, Mr. Gill. Does anyone have any points
36 they want to bring up regarding further discussion? Mr. Gill.

37
38 **MR. GILL:** Thank you, Mr. Chairman, and so, as you all know, since
39 you all were here, we ran out of time during the committee meeting,
40 but I think it's important the council weigh-in on the ETC motion.
41 There does not seem to be 100 percent agreement that that's the
42 way to go.

43
44 I have mixed concerns about it, because, effectively, it focuses
45 solely on the process, and not on an outcome, and, yes, when you
46 add the goal of the outcome on it, it will lengthen it, et cetera,
47 but, on the other hand, you get -- Hopefully you get a useable
48 product at the end, and so just designing the process gives me

1 pause, and my thinking is that, while I understand the ETC's intent
2 and direction, we would be better served if they utilize an FEI
3 that the council could address and we could have potential actions
4 to improve either management or ecosystem issues, from a council
5 perspective.
6

7 **CHAIRMAN ANSON:** Captain Walker.
8

9 **MR. WALKER:** I am going to give it my best shot here, and I'm going
10 to be perfectly honest. This is very complicated, and hard to
11 follow, and I think it -- To introduce a new acronym, I think there
12 may be a record APS here, acronyms per sentence, and I have done
13 my best to keep up with the loop, but I have a hard time imagining
14 an issue running through the system and providing a result, like
15 it gets handed over here, and this group talks about this, and
16 then this is evaluated, and they hand it to this group over here,
17 and I lose -- I have a hard time inserting a legitimate issue and
18 running it through the system, with all these inputs and
19 discussions and this and that, and I thought, for me, if there
20 were a sample of -- Just identify an imaginary issue and show it
21 going through the loop.
22

23 You know, it gets handed to this guy, and he does this with it, or
24 this group over here, and an end product, and it might help me to
25 comprehend all these stages of the loop, and that's my honest
26 opinion. I could sit here and act like I've got it all down.
27

28 **CHAIRMAN ANSON:** Dr. Simmons.
29

30 **EXECUTIVE DIRECTOR SIMMONS:** Thank you, Mr. Chair, and so I think
31 that's precisely why we want to have a pilot, to actually try to
32 flesh all that out, and we sort of did that with the technical
33 committee, a couple of months ago, but, even then, it wasn't really
34 clear, and so that's what we want to do, and that's what we're
35 looking for, as far as a blessing from the council on that.
36

37 **MR. WALKER:** I saw that, but then that seemed like it was hitting
38 some snags, the red tide, and maybe we manage that, and maybe we
39 don't, and I thought, just for demonstration purposes, maybe we
40 could run a scenario through the system, but either one would be
41 good to help my understanding of this process.
42

43 **CHAIRMAN ANSON:** Dr. Frazer.
44

45 **DR. FRAZER:** I think I was the one that raised some of these
46 concerns during the committee meeting, and I just want to preface
47 my comments by saying that I have a tremendous amount of respect
48 for the folks that are on that team. There's a lot of talented

1 people, right, and Mandy in particular, who leads that group, and
2 she weighed-in at the end of the discussion, and she said, you
3 know, there are actually some things that we can do.

4
5 I still haven't seen them, right, and so my concerns are slightly
6 different than Ed's, but, you know, if the goal is to wrap your
7 head around something, at least we have a fair amount of
8 information, and that's probably one place where you do have a
9 lot, right, and it's not just the Science Center, and it's the
10 universities, and it's the agencies. I mean, that's a big issue
11 on the West Florida Shelf, and so there is a lot of information,
12 and a lot of informed people working on it, but it would be nice,
13 to get to Bob's point, right, as they're working through this
14 process, as an example, right, to say, you know, provide some
15 tangible management ties.

16
17 My biggest concern about the whole thing was they didn't lead with
18 a question in a way that would allow them to get there, right, and
19 so that's just a philosophical, I think, weakness of the approach,
20 or a difference, and I won't call it a weakness, but it's the
21 philosophy is different, but, you know, I'm certainly not going -
22 - I mean, if that group wants to move forward, and they think that
23 they can make some progress, personally, I am willing to give them
24 the rope to do that.

25
26 The other part of my criticism, right, was that, even though we
27 have all of that stuff, it was hard for me to imagine how we would
28 insert it, in a timely manner, into the management process, but I
29 know that we've got other things that are really, really critical
30 too, right, and that have to do with climate-related shifts in
31 distributional patterns, you know, kind of redirected fisheries
32 effort, as a consequence of a lot of different things, and those
33 are two things that I thought we probably could have gotten more
34 traction on sooner, right, but, again, we weren't able to evaluate
35 -- We weren't provided materials that would allow us to evaluate
36 what types of things that the technical committee was considering,
37 right, and so, at the end of the day, we just got a choice of one,
38 and so maybe we defer to their judgment, but that's why I raised
39 the question, and so there are lots of different types of
40 questions, but I think it's ultimately up to everybody here.

41
42 **CHAIRMAN ANSON:** Dr. Porch.

43
44 **DR. PORCH:** Yes, and so two points. I mean, one, we haven't
45 formally adopted the FEP, and so this is the demonstration, right,
46 and that's the whole idea, is to get at what Captain Walker's point
47 is. We run the red tide example through the process, and I would
48 say that's actually, among all the ideas that were mentioned,

1 probably the easiest one to demonstrate this, because we're
2 actually already using red tide to generate advice for the council,
3 and so the council, maybe without thinking about it, because the
4 SSC is considering it, is actually taking management actions that
5 incorporates red tide information, and that's for red grouper.

6
7 You know, you account for the effects of red tides in the stock
8 assessment, but there is other things that we could do, if we had
9 better predictive capacity with red snapper, informing fishermen,
10 for example, where red tides might be likely to occur, and when,
11 which would help them prepare for the upcoming fishing season, and
12 so there is, I think, some other examples that are reasonably low-
13 hanging fruit and that would have a shorter timeline than some of
14 the things like predicting the impact of climate change, where
15 we're still kind of developing some process models, and so,
16 personally, I think red tide is probably the best choice they could
17 make, as an example to illustrate how the process will work, but
18 this whole --

19
20 The idea of the hopper, where you have fishery ecosystem issues
21 that are vetted by a technical committee, and then they put those
22 forward, with their rationale, so that the council can look at it
23 and say, well, these are the ones we think are of high interest to
24 us, and then maybe there's a feedback loop, but I think the overall
25 idea of the hopper is pretty simple. The complexity is in the
26 details of the discussions that the technical committee will have,
27 and it looks complicated in the diagram, with lots of circles and
28 all of that, but it's really not that complex, but, again, I would
29 say probably red tide is the best example that they could move
30 forward with to illustrate the process, and it would have a timely
31 outcome.

32
33 **CHAIRMAN ANSON:** Just to further elaborate on what Dr. Porch is
34 saying regarding the hopper, the hopper idea was, you know, a point
35 in the process by which ideas can be put in, from a variety of
36 different sources, but then the technical committee then
37 evaluates, okay, what would it take to address the particular issue
38 that's in the hopper, from anyone, relative to data availability,
39 the ability to do some modeling, whatever the exercise may be to
40 get a product out, if you will, that then goes to management.

41
42 Then, as Dr. Porch stated, you know, those top three or four items
43 come to the council, and then we kind of pick and choose, and so
44 it acts as a filter, if you will, to make sure that the goal, you
45 know, could be achieved, through the oversight of the technical
46 committee that has, you know, the expertise, and the background,
47 to help kind of sort out those issues, but, Susan.

1 **MS. BOGGS:** So I have a couple of questions, and I think they will
2 be fairly quick. Dr. Porch alluded to, with the red tide scenario,
3 that it would probably be fairly quick, in the whole scheme of
4 things, but then I'm looking, and tell me if I'm correct, Natasha,
5 but I believe this body -- We dwindled it down to reducing
6 discards, red tide, increased depredation, and impacts of climate
7 change on fishing communities.

8
9 I understand what the ETC is wanting to do, is to find something
10 that's easy to do and run it through the process, and I agree with
11 all the arguments of what does it really do for us, but these other
12 ones, I would think, would take a lot of time, which, to me,
13 reducing discards is very important, but I don't know where you
14 would even get started with that, and so I'm trying to help them
15 get started, and get familiar with the process, and understand the
16 process, but, at the same time, I agree that we need something
17 that's going to give us an outcome that we can do something with,
18 to help us with management decisions, and so I'm torn.

19
20 **DR. NATASHA MENDEZ-FERRER:** I also might be torn, but I do want to
21 remind -- You know, that list that, Susan, you just described,
22 that was the original exercise, and I do want to make sure the
23 council understands that that wasn't like the recommendation, and
24 it was just like, you know, this is our first draft, and we're
25 working on it, and do you like the direction of where this is going
26 or not, but, you know, those are some of the topics that we figured
27 would be of importance for the council.

28
29 I feel like we've worked a lot on trying to decipher what are going
30 to be the steps, and the components, of the FEP, and we're really
31 at a point where we just really need to be putting pen to paper,
32 and so that's why we're kind of looking to you for more direction
33 on what you would like to see.

34
35 Red tide, during the past couple of meetings, the ETC meetings
36 that we've had, it seems to be the FEI that keeps bubbling up as
37 something that we could use as an exploratory issue, and see how
38 we would fine-tune those steps inside the FEP, and so I'm hearing
39 all the concerns from here, and we're just trying to look for some
40 direction on how else can we refine and produce something that
41 will be useful for the council.

42
43 **CHAIRMAN ANSON:** Dr. Frazer.

44
45 **DR. FRAZER:** So I don't want to hold up the process, right, and I
46 appreciate all the concerns, and I understand what Clay said,
47 right, and the proof is in the pudding at this point, and so, if
48 you're actually looking for a motion to, you know, suggest that

1 the Ecosystem Technical Committee pursue, you know, the red tide
2 work, I'm happy to do that, right, and I think there's value.

3
4 They have to do something, right, and we can argue about whether
5 that's the right thing to do, and, at the end of the day, they've
6 spent more time with it than I have, or probably anybody else on
7 this council, but part of that is, you know, working through the
8 process, but what would be really, really helpful, for me, is if
9 they could demonstrate, or at least articulate, what the link to
10 management is, fisheries management in particular.

11
12 **CHAIRMAN ANSON:** Dr. Simmons.

13
14 **EXECUTIVE DIRECTOR SIMMONS:** Thank you, Mr. Chair, and so staff
15 hears all the, you know, concerns that have been stated here about,
16 you know, explaining this process. For us, it has been
17 complicated, and a little bit unclear how to move forward with
18 this, and so I don't know if you recall, when we first started
19 getting going again on this, but we had a list of FEIs that Ms.
20 Boggs had suggested, that we were thinking about, and then we said,
21 well, we need to prioritize them, and then we said, no, we need to
22 get stakeholders involved, and then we said, well, what we do want
23 the FEP to look like, and we said, well, wait a minute, there's
24 more FEIs, but we don't know when we're going to get the
25 stakeholders involved, but we don't want to go after the
26 stakeholders until we know what the FEI is going to look like and
27 we run some of this through the loop.

28
29 Just to kind of put it in context, and we probably have come full
30 circle, but the list -- I think it was in April, when we had the
31 meeting of the fishery ecosystem issues, the FEIs, when we started
32 talking about those, and there was many other things that could
33 have been, you know, brought to light on that, but we just realized
34 that, you know, we really need to get stakeholders involved in
35 this first, but we just didn't have the mechanism, or the
36 framework, in my opinion, worked out well enough to go out to
37 stakeholders yet.

38
39 I think we can take everything that we've learned here about
40 communication and the explanation, and that help us, when we come
41 back and have a little bit more time, to certainly lay that out
42 for new council members as well, but I do think we've almost come
43 full circle, and this is kind of our effort to get ahead of this
44 process and really try to think of something we tangibly think we
45 have more information on that can help us refine this, and have a
46 better framework before we go out to the public.

47
48 **CHAIRMAN ANSON:** Dr. Porch.

1 **DR. PORCH:** I do want to circle back, and, I mean, this whole
2 approach is a great idea. I mean, you know, I worry that we get
3 kind of lost in the details, in which, you know, FEIs we want to
4 use and all of that, but the whole idea of developing this fishery
5 ecosystem plan, and the pieces that have come together, I think
6 are -- They're ready for primetime, and so, in this case, we're
7 just running an example through it.

8
9 Having said that, we're already doing some work on red tide, and
10 I think, of the ideas, it's the one most likely to produce some
11 tangible products, in a reasonable time, but, having said that,
12 we're working on all the other issues, too. They're all important,
13 and we recognize it, and, you know, the Southeast Science Center
14 -- I think the states have people working on every one of those
15 issues too, and so we recognize that they're all important.

16
17 **CHAIRMAN ANSON:** Ms. Boggs.

18
19 **MS. BOGGS:** I am not trying to get a definitive answer, but is
20 this something that's going to take six months, a year, two years,
21 and I guess you don't know that, because you're wanting to -- So
22 don't answer the question. Thank you.

23
24 **CHAIRMAN ANSON:** So -- Mr. Gill.

25
26 **MR. GILL:** How about if I float a motion, just to get reactions?

27
28 **CHAIRMAN ANSON:** Go for it.

29
30 **MR. GILL:** **My motion would be the council supports the Ecosystem**
31 **Technical Committee, ETC, approach, utilizing red tide as the**
32 **initial FEI.**

33
34 **CHAIRMAN ANSON:** All right, and so we have a motion on the board.
35 Is there a second to the motion? It's seconded by Ms. Boggs. Any
36 discussion on the motion? Dr. Frazer.

37
38 **DR. FRAZER:** Can we somehow just task them with saying what's the
39 relevant management -- That's all I'm begging for, as part of this.

40
41 **CHAIRMAN ANSON:** Talk to the originator of the motion.

42
43 **DR. FRAZER:** **How about the council supports the ETC's approach to**
44 **utilizing red tide as the initial FEI and will articulate potential**
45 **management applications to the council, with no timeframe, again.**

46
47 **CHAIRMAN ANSON:** Mr. Gill.

1 **MR. GILL:** Thank you, Mr. Chairman, and so, Tom, I will buy-in,
2 but do you mean "and" or "that"?

3
4 **DR. FRAZER:** That.

5
6 **MR. GILL:** I am fine with that amendment.

7
8 **CHAIRMAN ANSON:** The seconder, Susan, you're good with that? Okay.
9 All right. **Just to read it then, with the change, the council**
10 **supports the ETC's approach utilizing red tide as the initial FEI**
11 **that will articulate potential management applications to the**
12 **council.** Any further discussion? No. **Is there any opposition to**
13 **the motion?** All right. Very good.

14
15 Is there any other discussion for Ecosystem? Okay, and so that
16 brings us to another discussion on where we are and how we want to
17 proceed. I am open to anything, but I would prefer to get, you
18 know, a nod of heads of a general consensus of proceeding or not
19 proceeding and to break for lunch. Do we want to proceed? We
20 have two more committee reports, and then we have liaison reports,
21 a handful, two or three liaison reports. Mr. Gill.

22
23 **MR. GILL:** I'm always willing to jump in, Mr. Chairman. I would
24 suggest that we proceed.

25
26 **CHAIRMAN ANSON:** All right. Ms. Boggs.

27
28 **MS. BOGGS:** Can we at least take a short recess, so I can get --
29 I mean, I can miss part of the meeting, but I would like to hear
30 all of this.

31
32 **CHAIRMAN ANSON:** Well, then I guess we will break for a short --
33 If you need to get some food, you can do so and bring it back to
34 the table. We'll take fifteen minutes.

35
36 (Whereupon, a brief recess was taken.)

37
38 **CHAIRMAN ANSON:** If you could come back to the table, council
39 members. All right. We're going to reconvene Full Council and
40 carry on with the committee reports, and the next scheduled report
41 is the Administrative/Budget Report and Mr. Burris.

42
43 **ADMINISTRATIVE/BUDGET COMMITTEE REPORT**

44
45 **MR. BURRIS:** Thank you, Mr. Chair. The Administrative/Budget
46 Committee met yesterday, October 25, and, first off, the committee
47 adopted the agenda, Tab G, Number 1, and the minutes, Tab G, Number
48 2, of the August 2023 meeting were approved as written.

1
2 The next item was Draft Activities for Proposed Use of
3 Administrative Award Carryover Funds, Tab G, Number 4, staff
4 presented a proposed process document, Tab G, Number 4(a),
5 outlining a plan to fulfill the recreational initiative that was
6 passed during the January and April 2023 council meetings.

7
8 The proposal details the composition of a steering committee, role
9 of a hired consultant, and a working group composed of recreational
10 stakeholders. It also outlines a timeline and budget for the
11 initiative. The initiative aims to engage recreational anglers
12 and associated industry members to review and evaluate past and
13 current management strategies and explore potential innovative
14 management strategies that could be applied in the future. Lessons
15 and recommendations resulting from this exercise should inform
16 future council recreational management measures.

17
18 The committee discussed whether the two council members on the
19 steering committee would be private recreational or for-hire
20 council representatives. Staff responded that, since the
21 recreational sector includes both, it was assumed one of each sub-
22 sector would serve. Staff also reiterated that the council would
23 be responsible for appointing steering committee members and is
24 scheduled to do so during its January 2024 council meeting.

25
26 The committee discussed whether it was more appropriate for this
27 initiative to be focused solely on the private recreational
28 component. It was agreed to continue discussion on this topic at
29 a future meeting. In support of moving this effort forward, the
30 committee made the following motion.

31
32 **The committee recommends, and I so move, that the council move**
33 **forward with the process proposed regarding the recreational**
34 **initiative. The motion carried with no opposition.**

35
36 **CHAIRMAN ANSON:** We have a committee motion. Is there any
37 discussion on the motion? **Is there any opposition to the motion?**
38 **Seeing no opposition, the motion carries.**

39
40 **MR. BURRIS:** All right. During discussion of the list of potential
41 projects and priorities for the council to consider funding with
42 unspent 2020-2024 administrative funds in Tab G, Number 4(b), a
43 committee member asked about how the project for estimating
44 recruitment in stock assessments might overlap with the work being
45 done in the Science Center. It was confirmed that this is a
46 priority for the agency, and they are moving toward empirical-
47 based estimates, rather than model derived recruitment.

1 A committee member asked how the project for estimating
2 recreational discards might interface with the recreational
3 initiative projects, as this is also a goal for this initiative.
4 Staff responded that the project, as proposed in this, would be a
5 high-level view of how discard levels change with different
6 management techniques and how this may affect overall management
7 goals. The project was envisioned as an academic review and
8 synthesis.

9
10 A committee member suggested a project idea to consider developing
11 a feedback mechanism that could be implemented to assess the
12 efficacy of past management measures to inform future actions.
13 This could look at factors such as season lengths or bag limits
14 and analyze potential biases and determine if these are effective
15 tools. A committee member also suggested that a review of the
16 spiny lobster closed areas may be better addressed with funding
17 from another agency or program. The committee directed staff to
18 confer with NOAA staff on the final project priorities list and
19 bring it back for the council to review in January 2024.

20
21 The next item was Information on Inflation Reduction Act Funding
22 for the Regional Fishery Management Councils, Tab G, Number 5,
23 staff presented the proposed budget and project plan for Phase 1
24 of the Inflation Reduction Act funding for the regional fishery
25 management councils in Tab G, Number 5(a).

26
27 NOAA has authorized \$375,000 to fund the core support for this
28 initiative for each council. This funding is anticipated to
29 support one staff person for two years, with the primary task to
30 develop and implement Phase 2 of the plan.

31
32 **The committee recommends, and I so move, that the council implement**
33 **the proposal to hire a staffer for two years as use of Phase I IRA**
34 **funding as outlined in Tab G-5(a) of the briefing book.** The motion
35 carried with no opposition.

36
37 **CHAIRMAN ANSON:** We have another committee motion. Is there any
38 discussion on the motion? **Is there any opposition to the motion?**
39 **Seeing none, the motion carries.**

40
41 **MR. BURRIS:** The remaining \$17 million in Phase 2 funding will be
42 awarded to the councils on a competitive basis, after review and
43 evaluation of the project proposals by NMFS. The proposals must
44 be based on specific priorities and designed to support council-
45 identified top climate-related management projects and link these
46 to NOAA Fisheries climate-ready projects. Staff plans to bring a
47 multi-year draft proposal to the council in January. However, it
48 must be submitted before that meeting concludes. In Other

1 Business, Mr. Strelcheck --

2

3 **CHAIRMAN ANSON:** Hold on. Sorry, Rick. Dr. Simmons.

4

5 **EXECUTIVE DIRECTOR SIMMONS:** Thank you, Mr. Chair, and so I just
6 wanted to tell the council that we received an official memo from
7 NOAA Fisheries regarding our application for the first \$375,000,
8 but they did note in there, which I will draw to your attention,
9 and we kind of said it in the report, but I don't know if I was
10 crystal clear during the committee meeting, but it does outline it
11 pretty clearly here, that, after that initial funding, it's not a
12 guarantee of future funds, and we distributed this letter, I think,
13 earlier to the council members, via Meetings today, but a
14 placeholder in order to facilitate adding funds to the grant in
15 out years.

16

17 We will do our best to put something together and work with the
18 review process to try to secure future funding, but I just wanted
19 to point that out, that that is an official memo that was received,
20 and, also, within that, which is fairly new information for us, is
21 there is a maximum now specified in that letter that the councils
22 can ask for, which is \$3.5 million.

23

24 **CHAIRMAN ANSON:** All right. Mr. Burriss, if you want to continue.
25 Mr. Donaldson.

26

27 **MR. DONALDSON:** So the competitive process -- Who is going to
28 evaluate the proposals from each -- Because each of the councils
29 are going to submit various proposals, and who is going to end up
30 determining which ones get funded and which ones don't? Do you
31 know?

32

33 **EXECUTIVE DIRECTOR SIMMONS:** My understanding, from the Council
34 Coordinating Committee, was that it was going to be somebody from
35 NOAA Headquarters, somebody from the Regional Office, a staff
36 member from the Regional Office, and a staff member from the
37 Science Center that would be involved in the review, and we have
38 a draft template that was provided to us, and we provided some
39 comments. The executive directors got together from the regional
40 management councils and provided some comments back on that
41 template, and we have yet to receive a revised draft yet on that,
42 and so that's my understanding, and maybe Dr. Porch, or Mr.
43 Strelcheck, have more information.

44

45 **CHAIRMAN ANSON:** Andy.

46

47 **MR. STRELCHECK:** I don't have more information. Any sort of grant
48 program requires a technical review of the grant itself, and then,

1 oftentimes, we convene a panel, and so I would have to check with
2 Kelly Denit, to determine if she's going to follow a similar
3 process for these applications.

4
5 **CHAIRMAN ANSON:** Dr. Simmons.

6
7 **EXECUTIVE DIRECTOR SIMMONS:** I will just say that a panel wasn't
8 discussed during the Council Coordinating Committee meeting, and
9 they did suggest that it would probably be like ninety days for
10 the review process to happen, and so that's pretty much all the
11 information I have right now regarding the review process.

12
13 **CHAIRMAN ANSON:** Mr. Burris.

14
15 **MR. BURRIS:** In Other Business, Mr. Strelcheck, the Regional
16 Administrator of the Southeast Regional Office, provided an update
17 on the plans for \$20 million in Inflation Reduction Act funding
18 that has been directed through NOAA to address the impacts of
19 climate change on red snapper and other reef fish in the Gulf of
20 Mexico. He stated \$2 million is being directed to develop and
21 implement Gulf of Mexico video and acoustic camera surveys to
22 improve reef fish data timeliness and generation of density
23 estimates.

24
25 Mr. Strelcheck noted \$7.35 million is going to be provided to
26 collaborate with the Gulf States Marine Fisheries Commission and
27 state partners to increase accessibility of state survey data.
28 The remaining \$10.65 million is going to be used to work with state
29 and federal partners to ensure common data standards, create and
30 enhance certified state data systems, and host workshops to improve
31 data accuracy and enhance the estimates of recreational fishing
32 effort and discards. Mr. Chair, this concludes my report.

33
34 **CHAIRMAN ANSON:** Thank you, Mr. Burris. Any other business for
35 Admin and Budget? Dr. Porch.

36
37 **DR. PORCH:** Yes, and apologies that I didn't catch this sooner,
38 but that last sentence isn't exactly accurate, and it's kind of
39 mixing things that are covered in the \$7.35 million, and some of
40 the things that are listed could happen, but it's not clear that
41 they will happen, and so I would just simplify that to say "used
42 to improve estimates of recreational discards and effort", and
43 just keep it simple.

44
45 **CHAIRMAN ANSON:** Dr. Porch, just to be clear, so we get this
46 correct, that last sentence, that the remaining \$10.65 million is
47 going to be used to improve recreational discards and effort
48 estimates, and is that how it should read?

1
2 **DR. PORCH:** Yes, and I think that's fine.
3

4 **CHAIRMAN ANSON:** Staff just made a comment that they took this
5 kind of from the press release, and so I don't know if you want to
6 review the press release or not, but that's kind of the impression
7 they got from the press release.
8

9 **DR. PORCH:** I mean, all those things are in it, but I will look at
10 it, and I don't remember reading that part, but --
11

12 **CHAIRMAN ANSON:** All right. Mr. Strelcheck.
13

14 **MR. STRELCHECK:** Sorry, and we moved past it pretty quickly, and
15 the note about the spiny lobster closed areas, and I wasn't
16 suggesting that they be addressed with funding from other agencies
17 or programs, and what I was suggesting is that potentially working
18 with other agencies, like the Marine Sanctuaries, given that
19 they're already conducting diving and coral work in that area.
20

21 **CHAIRMAN ANSON:** All right. Noted. All right. Any other business
22 for Admin and Budget? Seeing none, that will take us to the
23 Mackerel Committee report. Mr. Geeslin.
24

25 **MACKEREL COMMITTEE REPORT**

26

27 **MR. GEESLIN:** Thank you, Mr. Chair. The Mackerel Committee adopted
28 the agenda, Tab C, Number 1, as written and approved the minutes
29 of the August 2023 meeting, Tab C, Number 2, as modified. Coastal
30 Migratory Pelagic Landings, Tab C, Number 4, Mr. Peter Hood,
31 National Marine Fisheries Service Southeast Regional Office,
32 reviewed the recent coastal migratory pelagic (CMP) landings for
33 the Gulf migratory groups of cobia, king mackerel, and Spanish
34 mackerel.
35

36 A committee member asked the Southeast Fisheries Science Center if
37 it would be possible to monitor Gulf Spanish mackerel catch limits
38 in pounds whole weight, instead of landed weight (combined whole
39 and gutted weight), given the conversion factor being almost a
40 one-to-one ratio. This would maintain consistency with the
41 council's Scientific and Statistical Committee recommendations.
42 Another committee member noted that commercial Spanish mackerel
43 are sold as whole fish and not gutted. The Southeast Fisheries
44 Science Center agreed that it makes sense, to maintain consistency.
45

46 Draft Framework Amendment 14: Modifications to Gulf Spanish
47 Mackerel Catch Limits, Tab C, Number 5, council staff reviewed the
48 document that considers modifying the catch limits for the Gulf

1 migratory group of Spanish mackerel (Gulf Spanish mackerel), based
2 on the recent SEDAR 81 stock assessment and the council's SSC
3 revised catch limit recommendations.

4
5 SEDAR 81 transitioned the recreational catch and effort data to
6 the Marine Recreational Information Program's Fishing Effort
7 Survey (MRIP-FES) and determined the stock was healthy as of 2021.
8 The SSC's catch limits constitute a reduction of approximately 35
9 percent to the current catch limits. The SSC recommended an
10 overfishing limit (OFL) of 12.074 million pounds whole weight and
11 an acceptable biological catch (ABC) of 9.63 million pounds whole
12 weight.

13
14 An alternative, using the council's Annual Catch Limit/Annual
15 Catch Target Control Rule would result in an ACL of 8.667 million
16 pounds whole weight, reduced from the ABC by 10 percent based on
17 historical landings. Though the recent landings have not exceeded
18 the proposed catch limits, it is not out of the question for an
19 overage of the ACL in the future.

20
21 A committee member thought the variability in the landings might
22 necessitate a larger buffer between the ACL and the ABC, perhaps
23 20 percent. Other committee members were less concerned about an
24 overage, noting that there is a considerable buffer between the
25 OFL and ABC, approximately 20 percent, or 2.44 million pounds whole
26 weight.

27
28 Council staff reviewed their exposure analysis, see the Tab F Data
29 Committee summary, which classified the Gulf Spanish mackerel as
30 a Tier 3 stock with medium exposure. The stock requires MRIP-FES
31 data for private vessels and the shore mode, but does not have
32 sector or jurisdictional allocations to adjust. SERO clarified
33 that, if the ACL reaches, or is projected to be reached in a
34 fishing year, then the fishing season for both sectors is closed
35 for the remainder of that fishing year.

36
37 A committee member noted that lowering the ACL increases the
38 probability of exceeding it, and, if lowering the ACL was the goal,
39 the council should also consider other measures to reduce catch
40 per unit effort and retention.

41
42 A committee member expressed concern about using MRIP-FES data for
43 management with Gulf Spanish mackerel, considering the stated
44 survey bias from the 2023 MRIP-FES pilot study. NOAA General
45 Counsel replied that the stock assessment from which the catch
46 advice was derived, which used MRIP-FES, was determined to be
47 consistent with the best scientific information available and
48 suitable for use in management.

1
2 The Southeast Fisheries Science Center added that the stock status
3 did not change under the sensitivity run in which the landings for
4 Gulf Spanish mackerel were reduced commensurate with the
5 overestimation detailed in the 2023 MRIP-FES pilot study. The
6 Southeast Fisheries Science Center added that management
7 benchmarks under the sensitivity run, and see Tab B, Number 4(a),
8 varied only by a few percentage points from the original SEDAR 81
9 model run.

10
11 A committee member thought the earliest fishing season that would
12 be affected by any management action here would be the 2024-2025
13 fishing season. Council staff clarified that the committee should
14 not expect an interim analysis to be possible for Gulf Spanish
15 mackerel, due to the lack of a robust fishery-independent index of
16 abundance. The committee ultimately proposed no changes to the
17 purpose and need or alternatives presented. Mr. Chair, this
18 concludes my report.

19
20 **CHAIRMAN ANSON:** Thank you, Mr. Geeslin. Is there any discussion
21 related to mackerel? Mr. Strelcheck.

22
23 **MR. STRELCHECK:** Not related to Spanish mackerel, but I do want to
24 have -- I have another motion, and so, Bernie, if you could bring
25 it up.

26
27 **CHAIRMAN ANSON:** Ms. Levy, do you have something?

28
29 **MS. LEVY:** Just with respect to Spanish mackerel, and so taking
30 the -- Changing -- I guess I'm trying to articulate that the
31 council is in favor of changing the way that the Spanish mackerel
32 catch limits are codified, to, instead of being landed weight,
33 being whole weight, and, if that's correct, I just wanted to make
34 sure that staff understands that, so that we are explicit in the
35 document that that's what we're doing, and so, in Framework
36 Amendment 14, that would be explicit, and then that would allow us
37 to change the regulations.

38
39 **CHAIRMAN ANSON:** I think that's the direction. That's what we
40 understood, yes. Okay, and so staff is indicating yes. Andy.

41
42 **MR. STRELCHECK:** So my motion is to begin development of a council
43 action to review and modify Gulf king mackerel recreational and
44 commercial catch limits and management measures, and, if I get a
45 second, I will explain my rationale.

46
47 **CHAIRMAN ANSON:** Okay, and that motion is seconded by Captain
48 Walker.

1
2 **MR. STRELCHECK:** So it's not lost on me that I just approved, and
3 we implemented, catch limits at the start of this year, 2023, and
4 what I heard last night, and what I've heard over the course of
5 the last year or two, has been a continued decline in this stock,
6 maybe for fishing purposes, maybe climate, or maybe other factors,
7 and we're really not sure, but, to me, I think -- I didn't hear
8 anyone speak highly about the status of king mackerel during public
9 testimony.

10
11 Looking at the catches in the last several years for the
12 recreational, we've landed 18 percent and 25 percent of the catch
13 limits. Looking at commercial, some of the data that Peter
14 presented is essentially showing that the season is getting longer
15 and longer, because it's taking longer to fill the quota, and, in
16 many instances, those quotas aren't even being met.

17
18 The only quota that's regularly being met right now is the gillnet
19 quota for king mackerel, and so I'm concerned that, if we're not
20 proactive in trying to address this issue, we could continue to
21 see, obviously, the stock get worse, and so I would like to
22 consider moving forward with some action to reduce mortality.

23
24 **CHAIRMAN ANSON:** Dr. Simmons.

25
26 **EXECUTIVE DIRECTOR SIMMONS:** Thank you, Mr. Chair, and so I think
27 we asked the Science Center to try to do an interim analysis for
28 king mackerel, and that was reviewed not too long ago, I think
29 right before the August council meeting, but I don't think we had
30 a robust enough independent index to tell us anything, and so I
31 guess what do you anticipate, or foresee, that we would be basing,
32 you know, some of this information on? Would it be just a review
33 of the landings, and then by zones, and, I mean, I'm not sure what
34 information that we have to put in the document right now, and I'm
35 just trying to get a handle on what you're looking at.

36
37 **MR. STRELCHECK:** Yes, and, I mean, you're exactly right. We had
38 an inconclusive interim analysis, and we don't have any science,
39 right now, that is telling us here is the ABCs, and ultimately how
40 we then partition those amongst the various regions, but what I
41 would say, kind of like what we did for vermilion snapper a while
42 back, right, and there was concerns about setting the ACL at a
43 very high level, and the council used your discretion to set the
44 ACL lower than what was essentially being recommended by the ACL
45 Control Rule, and I think there's some options to come in and look
46 at what data and information we have available here to make some
47 decisions about whether we should lower the catch limits in the
48 near-term, until we have science, and information, to support

1 higher catch levels.

2

3 **CHAIRMAN ANSON:** Captain Walker.

4

5 **MR. WALKER:** So, once again, Andy came up with pretty much exactly
6 what I was about to say, which I'm glad to see we're on the same
7 page on a lot of these things, and I think everybody here is
8 starting to get the idea of what we're seeing out there with the
9 king mackerel, and I don't know what the problem is, but there is
10 legitimately a serious problem with the king mackerel, and so I
11 certainly speak in favor of the motion.

12

13 I don't know -- I mean, the way the catch is going now, you could
14 cut it in half, and it wouldn't make a speck of difference on the
15 harvest, and what I'm not sure is even something the council can
16 do, but it seems like we need some science on the status of the
17 king mackerel. Now, can we, you know, request somebody to do a -
18 - You know, a study on king mackerel currently in the Gulf of
19 Mexico, or how does that work?

20

21 **CHAIRMAN ANSON:** Dr. Porch.

22

23 **DR. PORCH:** I mean, we can look at our larval surveys, which is
24 roughly an index of spawning biomass. They're not the most
25 informative surveys that one could have, but that's probably the
26 best we could do in a reasonable timeframe, and certainly it's a
27 lot harder to find the fish, and it's, you know, possible there
28 have been declines, but, if they've been dramatic, you should be
29 able to see that, in terms of the spawning biomass indices, because
30 they cover a pretty broad range, but, again, they're kind of noisy,
31 and so it's not like we have direct counts.

32

33 **CHAIRMAN ANSON:** Dr. Frazer.

34

35 **DR. FRAZER:** I was just going to have a discussion with Ed. I
36 mean, that would be great, to do some science, right, but what I
37 heard, and I have continued to hear over the last year, is, I mean,
38 it's, you know, coastal pelagics, right, in general, and it's not
39 just kings, and it's Spanish, and it's cobia, and it's all kinds
40 of things, and this is what I was trying to get at with regard to
41 ecosystem, right, and this is an ecosystem-level problem, right,
42 and so what could we do?

43

44 I mean, I -- Like I said, it's an ecosystem-level thing, and so
45 what information would we do, or would we need to gather, in order
46 to address the problem, right, or that would provide some insight
47 to the managers, and so that's potentially a climate-related thing,
48 right, but it's certainly something that we have to wrap our heads

1 around, and we don't have a good handle on it right now.

2
3 **CHAIRMAN ANSON:** Mr. Rindone.

4
5 **MR. RINDONE:** Thanks, Mr. Chair. Just kind of building off of
6 what Clay was talking about with the fishery-independent indices,
7 and specifically the larval index, the larval index was never a
8 great index to begin with, and it had a lower number of positive
9 intercepts with kingfish larvae, and, in recent years, there have
10 been zeroes for some years, and so that index is -- It's gone from
11 not very informative to not really able to tell us much at all,
12 and that was one of the things that came out when we were evaluating
13 that interim analysis, and so, from a fishery-independent
14 standpoint, there really isn't much to evaluate.

15
16 The kingfish assessment is one of those where like any one thing
17 by itself is not enough to really tell you very much about the
18 stock, and so the assessment relies on everything coming together
19 and being interwoven to give you an, albeit somewhat uncertain,
20 but some idea of what's going on with the stock, and it's certainly
21 not our most precise estimate.

22
23 Now, you know, what I'm thinking about, like as staff, like what
24 are we going to do to actually develop this, really, the only thing
25 that we can point a finger to is the landings, and, if the fish
26 aren't being caught by the fleets, sometimes that's because the
27 fish aren't where the fleets are, and sometimes it's because the
28 fish aren't there period, and we don't know what the answer is for
29 either one of those hypotheses.

30
31 One thing that we could look at is see if this trend is, you know,
32 something that's isolated to the Gulf, or is this also occurring
33 in some of the Mexican states, and I know we have access to some
34 of those data, and is it -- Because these are migratory fish, and
35 they do go to Mexico also, and are they seeing the same thing in
36 the South Atlantic, the Mid-Atlantic, and North Atlantic? Is this
37 a pervasive trend, or is this just a Gulf-centric problem, and
38 then, from an ecosystem perspective, think about how we might
39 approach it from there, but, like Captain Walker said, at this
40 point, you could cut it in half, and it won't matter. You could
41 cut it down 60 percent, and it won't matter, because the fish
42 simply aren't being landed.

43
44 This is going to be limited, in the grand scope of the amount of
45 information that we would have to make a management decision, even
46 if the only decision that you guys can discuss is whether or not
47 to reduce catch limits.

1 **CHAIRMAN ANSON:** I wanted to add some of my comments on that, where
2 we go with this document and what kind of action items we might
3 have with the alternatives, but one of the questions -- Is Mara
4 there? She is there, and I couldn't see here, but so, Mara, as I
5 understand it --

6
7 I mean, obviously, Magnuson says, you know, we have to follow the
8 science, and the science usually gives us an overfishing limit
9 through the assessment, and then the SSC puts in an ABC, and then
10 we can go up to the ABC, below the ABC, that type of thing, and so
11 I see Andy's motion is that we wouldn't do any additional analysis,
12 because the data really isn't there, and the quality, for even an
13 interim, or some other health-check-type of thing, with some of
14 the indices that we have, and so, in order to make an impact, I
15 mean, we're going to have to probably have some alternatives in
16 there that are significantly less than what's currently being
17 caught, you know, and so, I mean, it's going to result in closures.

18
19 You know, when you think about the commercial fishery, it's going
20 to result in area closures, potentially, and some areas catch more
21 fish than others, as kind of Ryan was alluding to, and so, you
22 know, is the desire there to do that, you know, across-the-board,
23 from over in Brownsville all the way down to Key West? I mean,
24 we'll determine it, but, I mean, obviously, things are really
25 falling off the rail with king mackerel, and, unfortunately, these
26 are the only tools that we have, manipulating bag and seasons
27 really, to try to, you know, save the fish, so to speak, and so
28 I'm just -- That's how I look at it, is that we'll have to be
29 pretty aggressive in those alternatives, in order to really try to
30 turn things around. I have several hands up, and I heard a gasp
31 from Dr. Simmons, and so I'll go with her first.

32
33 **EXECUTIVE DIRECTOR SIMMONS:** Thank you, Mr. Chair. Sorry about
34 that, and so the council sent a letter, in September of 2022, after
35 taking final action on Framework 11, requesting that the Science
36 Center look at some other metrics, in coordination with the SSC,
37 and some of those were including, but not limited to, catch per
38 unit effort, length frequency distributions, weight distributions
39 by regions, and other information, as appropriate.

40
41 We had a call with the Science Center staff, and we started talking
42 about this, but I'm not sure that we've done that yet for king
43 mackerel, and so maybe that would be a better place to start, is
44 my thinking, Mr. Chair.

45
46 **CHAIRMAN ANSON:** I am looking over at Dr. Porch.

47
48 **DR. PORCH:** Yes, and I have no objection to furthering those

1 conversations. I doubt that you're going to get really much of a
2 signal from all that, and I would note that the next stock
3 assessment is 2025, but, just by providing some of the size comp
4 and other information, I don't know if we'll get any really
5 concrete signals, but I'm happy to talk about it and see what we
6 can provide in a timely way.

7
8 **CHAIRMAN ANSON:** Dr. Simmons.

9
10 **EXECUTIVE DIRECTOR SIMMONS:** Thank you, Mr. Chair, and so I don't
11 think we specified king mackerel in the letter, but I guess what
12 I'm asking is could we do that for king mackerel, and follow
13 through with the request that was sent in September of 2022,
14 focused on king mackerel, to see if there's any trends in that
15 information?

16
17 **DR. PORCH:** Well, let's talk about what we would actually supply,
18 and so I don't remember what the timeframe for that would be, but
19 I don't see us providing something very comprehensive by say the
20 next council meeting, but we could look at some things, and
21 possibly provide -- Like we can go ahead and update the larval
22 survey. As Mr. Rindone mentioned, it's not going to be super
23 informative, and I think the same thing with size composition.
24 We're not going to get an obvious signal. I think the biggest
25 signal you have is the fact that the fishery can't catch the fish.

26
27 **CHAIRMAN ANSON:** Mr. Strelcheck.

28
29 **MR. STRELCHECK:** Yes, and, when I was drafting this motion this
30 morning, it originally was more along the lines of what I did for
31 deepwater species, but then, looking at the testimony and my notes
32 from last night, it just -- It was stark, and, you know, depressing
33 that we're at the point where these quotas aren't even coming close
34 to being met.

35
36 I would caution like using blanket statements like, you know,
37 cutting by 50 or 60 percent may not do anything, right, because we
38 do have some of the quotas being met, or above that 50 percent
39 threshold, and so there would be fish in the water still that, you
40 know, currently are being caught.

41
42 We have, historically, in the commercial sector, had seasons that
43 start on July 1 and close in the September, October, November
44 timeframe, right, that no longer are reaching those closures in
45 the fall, and so closures are not atypical for this fishery either,
46 and that's not to say that I want that, but I also recognize that,
47 whether it's an ecosystem problem, a fishing mortality problem,
48 whatever is causing it, but, right now, we just know that abundance

1 is low, and anything we can do to, obviously, bolster abundance
2 seems like it would be a proactive approach for the council.

3
4 **CHAIRMAN ANSON:** Any other -- Captain Walker.

5
6 **MR. WALKER:** So, kind of going along with the question you had,
7 personally, in talking with guys from around the Gulf, charter
8 guys, recreational guys, most of them that I've spoken with would
9 be in support of some significant reductions, to take action,
10 because, you know, they're going and catching none, or, like Johnny
11 Williams said last night, he used to catch a hundred head in a
12 trip, and now he catches forty-two head a year on partyboats, and
13 so those guys are like -- They're ready to do something.

14
15 On the flip side of that, I think, if we can figure out a way to
16 really make an impact, they'll come back quickly. I mean, in my
17 view, the king mackerel recovery is one of the greatest success
18 stories that the Gulf Council ever had, from the late 1970s and
19 1980s, when there were no kingfish left in the Gulf, and I don't
20 know how many years it was after that, but there was a most
21 remarkable comeback. Growing up, as a kid, a kingfish, when I was
22 a teenager, was kind of rare, where I live, and then, you know,
23 there were swarms of them, years later, and so I think they will
24 bounce back quickly, but I think we definitely need to do whatever
25 it is we can.

26
27 Like Andy said, if you lower it by whatever, 50 percent, there are
28 some portions of the fishery that are going to have less fish
29 removed from the water, and so I think we definitely need to --
30 You know, at least this motion, to start getting serious about
31 doing something about king mackerel.

32
33 **CHAIRMAN ANSON:** I appreciate your optimism, if we do take
34 management, in their recovery, but, you know, things may have
35 shifted significantly since that 1970s and 1980s time period. Go
36 ahead.

37
38 **MR. WALKER:** So one more thing, and I remember -- I speak with
39 Luiz Barbieri pretty often, and I went to him one time with the
40 red grouper, and they're all gone, and the fishery has collapsed,
41 and something terrible has happened, and he sits me down in his
42 office, and he pulls this chart up, and he shows me this cyclical
43 thing, and he tries to talk me off the ledge about the collapse of
44 the red grouper fishery.

45
46 You know, a couple of years later, it bounced back remarkably well,
47 and so, if he were here, I suspect he might try and say, you know,
48 mackerels are cyclical, but it's really at rock bottom right now,

1 but there is a cyclical nature to these fish as well, and so --

2
3 **CHAIRMAN ANSON:** Mr. Strelcheck.

4
5 **MR. STRELCHECK:** To that point, if this passes, my expectation is
6 that we're going to get really good recruitment, and, by the time
7 we would implement this, we wouldn't need to, right? It seems
8 that's how it always goes.

9
10 I know I'm very specific with the catch limits and management
11 measures, and I'm open to, obviously, any sort of friendly
12 wordsmithing, and I just feel really strongly that like we need to
13 at least be looking hard at this fishery right now and trying to
14 do something about it.

15
16 **CHAIRMAN ANSON:** Any other discussion on the motion? Dr. Frazer.

17
18 **DR. FRAZER:** Just real quick, and I just want to reiterate, right,
19 and so, if you go back to that ecosystem loop, right, Number 2 is
20 essentially what is the question, and what's the issue, and what
21 are the data gaps, right, or the research that you need to do to
22 address the question. Right now, there's no question, other than
23 why are there no king mackerel, and we can think of a million
24 reasons why there aren't any king mackerel, and my fear is that
25 you go down this path, right, and it's not -- Ed already agreed
26 with this, right, and it may not be a fisheries problem, right,
27 and so there's some value, and those are short-term things, right,
28 that yield a pretty quick benefit, just by knowing that, and so
29 that's just a comment.

30
31 **CHAIRMAN ANSON:** Yes, and, you know, this particular motion just
32 addresses, you know, the fisheries side of the equation, you know,
33 to try to do what, again, we have in our toolbox as managers, and
34 we can't affect the ecosystem, per se, but, you know, we can affect
35 an individual stock through management, and so, again, FEI is a
36 totally different issue, and I've heard what you had to say and
37 such, and it's just a bigger -- It's maybe a simple question, but
38 it's a much more complex question, when you start to include the
39 ecosystem component aspects of it.

40
41 **DR. FRAZER:** Yes, and you're just hammering though, right here,
42 with the wrong tool, probably, potentially.

43
44 **CHAIRMAN ANSON:** But this is a quicker tool, relative to at least
45 addressing the issue of less fish. Again, if it's an ecosystem
46 thing, and we are aware that it's an ecosystem problem, long-term,
47 that will set up, I think, you know, long-term management
48 strategies to help the stock, but, in the interim, without having

1 the analysis -- You know, I understand what you're saying, but
2 this is where we're at. Dr. Porch.

3
4 **DR. PORCH:** Thank you. Just to that point, the other elephant in
5 the room that we often forget to see is that this is shared stock
6 with Mexico, and we're not quite sure how much that stock is a
7 complete overlap or what, and so I just wanted to let the council
8 know that there's actually a funded project, that's, you know, UN
9 FAO, to Mexico to develop a stock assessment of king mackerel that
10 they'll do jointly with us.

11
12 It wouldn't run through SEDAR, but we're trying to get them to
13 collect the kind of information we need to figure out what fraction
14 of the stock might be moving back and forth between our waters,
15 but it could be that the stock is changing its distribution,
16 because of, you know, warming waters, or it could be nothing to do
17 with that, and it could be rising Mexican catch rates, and I don't
18 know, but those are the kind of things that we want to examine.

19
20 **CHAIRMAN ANSON:** So, Dr. Porch, are those data that would be
21 provided from Mexico in that effort, and is that only public once
22 the assessment is run, or can you use that for other questions,
23 like this particular -- Just to have for additional information,
24 to kind of give a lay of the land for what the stock is doing?

25
26 **DR. PORCH:** Yes, and I would have to say that it remains to be
27 seen, and so Mexico has to complete the project by 2026, and we're
28 working with -- Mandy, as a matter of a fact, is working with them
29 on that, and so exactly what they're going to produce, and what we
30 can share, is not quite clear to me, and it's always a challenge
31 working on that end of the Gulf, but hopefully we'll get some
32 actionable information.

33
34 **CHAIRMAN ANSON:** Just to be clear, I mean, and I don't know what
35 the state of their data collection programs are, but they currently
36 have not been collecting any landings information, or, you know,
37 is that something that's included in this 2026 package?

38
39 **DR. PORCH:** They have landings information, and, in fact, in
40 previous stock assessments, we've incorporated it before, and I
41 can't remember how many years back, just as a sensitivity run, but
42 they don't necessarily have -- I'm not sure if they have complete
43 size composition, but they're in the process of just sort of doing
44 a data triage now, and, you know, the other thing we would like to
45 do is collect tissue samples, and see if we can, again, figure out
46 kind of what's the mixing rate across the borders, but it's not
47 clear exactly what we're going to get at this time, but they do
48 have landings, and some other information, and we're working with

1 them to get, you know, a good feel for what exactly they do have.

2
3 **CHAIRMAN ANSON:** Well, it might be helpful if you're able to
4 provide it to council staff, for this document that's being
5 developed, just to, again, provide some context as to what we're
6 facing, because, again, these will be pretty significant, and it's
7 going to deviate from our normal process, I think, in how we
8 address management of stocks, and so, if you have the data
9 available and can provide it, at least to kind of show what's going
10 on in the other part of the Gulf, what we share of that stock.
11 All right. Any other discussion on the motion? **Is there any**
12 **opposition to the motion? Seeing none, the motion carries.**

13
14 Is there any other business for the Mackerel Committee? Seeing
15 none, that will take us then to our Supporting Agency Updates, and
16 the first one on the list is the Florida Law Enforcement, and
17 Captain Pearce was here. C.J., do you want to look for him, very
18 briefly, if he's just outside the door? Thank you, and so C.J.
19 will check momentarily. Otherwise, Officer Driggers, you might be
20 on deck. Hold on one sec, and let's see if he's just outside.
21 All right, Captain Pearce, and welcome again, but it's all yours.

22
23 **SUPPORTING AGENCIES UPDATE**
24 **FLORIDA LAW ENFORCEMENT EFFORTS**

25
26 **CAPTAIN PEARCE:** Thank you, Mr. Chairman and council members. I
27 appreciate you all letting me come and speak. I wanted to just
28 give you a quick overview of what we've done since the last time
29 I was able to present to you all, which I believe was in Fort Myers
30 in 2022.

31
32 One correction that we need to make, and I didn't catch it, was we
33 recently sold one of our heavy-duty endurance-class vessels, but
34 this slide represents the assets that we have that work in the
35 Gulf of Mexico, and so, currently, right now, we have one heavy-
36 duty endurance-class vessel, which is our eighty-five-foot Gulf
37 Sentry, based out of Tampa/St. Pete.

38
39 The other vessel we had was the Randall, out of Marco Island, and
40 we sold that vessel and replaced it with an endurance class, and
41 so we had one heavy-endurance, and we replaced it with an
42 endurance-class vessel, which is a forty-one-foot SAFE boat, which
43 is basically lower profile, faster, and more efficient and capable
44 of patrolling the same range that we had with the heavy-endurance,
45 but being able to do it within shorter timeframes, and so it's
46 very efficient, and that's what we're looking at in the future, as
47 we move forward with replacing vessels and trying to look forward
48 to that newer technology of low-profile, faster, more efficient

1 vessels.

2
3 Anyway, moving forward, we have five endurance-class vessels now,
4 including that one, and we have the one in Marco Island, the
5 Guardian, the Vigilance, the Interceptor, the Trident, and we have
6 the forty-one-foot SAFE boat, and so these provide long-range,
7 single-day patrols, but they are able to cover a lot of ground in
8 one day, and, when we say single patrols, this could be, you know,
9 it's up to a sixteen-hour-plus patrol, and it just doesn't mean
10 that they're going to go out there and patrol for eight hours.
11 They're going to go out there for longer durations of time and
12 cover a lot more ground.

13
14 We have three intermediate-class vessels, which are going to be
15 essentially your twenty-nine-foot Intrepid, and we have two
16 Fincats that are thirty-two foot, and then we have -- These guys
17 provide the medium-range patrols, which are going to be more closer
18 to shore, but still well into federal waters, and shorter durations
19 of time.

20
21 What this gives you is an idea of what our combined efforts are,
22 just with our offshore patrol vessel fleet. Now, these are state-
23 wide, and I was not able to break it out just for the Gulf, but,
24 state-wide, and so the JEA contract, offshore patrol vessels only,
25 since the last time I presented, we've conducted over 5,185 hours
26 of federal enforcement, 2,143 hours were directed towards reef
27 fish patrols, 256 hours towards TED enforcement, and 1,032
28 enforcement actions took place, and that would be a combined 475
29 state or federal warnings as well as 557 federal or state
30 citations.

31
32 On top of our offshore patrol vessel program, we also utilize our
33 regional assets to cover our JEA, and so these are your normal,
34 everyday patrol officers that aren't assigned to these special
35 offshore duties, but they are working out of anywhere from a
36 twenty-four to twenty-eight-foot center console patrol vessel, and
37 so they're out there still getting that JEA effort done and working
38 those patrols, and so just those regional assets, state-wide, for
39 dockside and offload inspections, which these are the ones that do
40 the majority of our IFQ inspections, and they have 914 hours
41 committed to our dockside offloading inspections.

42
43 Our vessel patrol efforts, for our regional assets, is 1,818 hours,
44 and our marine mammal is 756 hours, and outreach is 128 hours, and
45 the total for all of our efforts for regional assets is 3,616 hours
46 of patrol, and this is separate from our OPD program.

47
48 The Florida Keys National Marine Sanctuary, again, is another area

1 of the JEA that we patrol, and we conducted over 1,300 hours of
2 patrol within the Florida Keys National Marine Sanctuary towards
3 JEA. Again, 420 hours towards our SPAs, and then, you know,
4 another 450 hours towards WMAs, and then other areas that we
5 specialize in in the sanctuary.

6
7 I am going to give you a couple of -- The next few slides are going
8 to be just basically examples of some of the cases. They're a
9 small sampling of some of the cases that we've made over the last
10 year-and-a-half, but this slide represents two different cases.
11 The first case is going to be a vessel they boarded, and they were
12 -- The person had twenty-five out-of-season red snapper, five of
13 which were undersized. The other vessel they boarded had -- They
14 discovered gag grouper fillets that were hidden below deck in the
15 vessel, and it was out of season for gag grouper, and so, when
16 officers get on the boards, they're looking for what they can find.

17
18 This is going to represent three of our cases, and so we have
19 examples here of two cases where we caught vessels that were
20 chartering in federal waters without a federal reef fish permit,
21 and so you see the two boats there, and those were two vessels
22 that were engaged in chartering well into federal waters, and we
23 were able to intercept those guys and hold them accountable.

24
25 The other case is one of interest right now, because that one
26 represents a vessel that we caught that was hovering within the
27 Madison-Swanson zone. When our vessel -- The officers watched him
28 hovering in the zone for quite a period of time, and, when they
29 boarded the vessel, the vessel had all their gear out, rigged and
30 ready to fish, and they had reef fish onboard, and so we were able
31 to document that incident in the Madison-Swanson.

32
33 This will represent a shrimp vessel boarding we did, where it was
34 -- They inspected all the gear, all the TED gear on the vessel,
35 and four nets were hung, with gear ready to fish. Upon inspection
36 of all the TED gear, all four nets were found to be in violation,
37 and violations were anything from the illegal bar spacing to all
38 the double cover of TEDs exceeding over fifteen inches, when they
39 were stretched.

40
41 In those situations, they will document the violation, but, if the
42 harvester -- If they're able to make modifications to the gear,
43 they will allow them to fix that gear right there on site and
44 document that.

45
46 This is another commercial shrimp vessel, and, when they got
47 onboard, they went down to the hold, and they found -- They were
48 able to find that they had thirty-three undersized lane snapper,

1 and they were keeping it as a bycatch, they claimed, but they also
2 admitted that they were using that fish to trade with other vessels
3 for different things while they were out there, and so we caught
4 them for that, and so these were just small samples of some of the
5 things that we run into while we're out there on patrol. I will
6 be happy to take any questions you might have.

7
8 **CHAIRMAN ANSON:** All right. Thank you, Captain Pearce. Captain
9 Walker.

10
11 **MR. WALKER:** Thank you very much for that. I have a question.
12 Was there, in the last, I would say this year, a -- I kind of heard
13 about some for-hire guys being caught without for-hire permits,
14 and not those two, but it kind of sounded like there was a big of
15 a round-up of offshore guys without permits, and then I never heard
16 anything else about it.

17
18 **CAPTAIN PEARCE:** Well, around the Gulf, we've been -- You know,
19 especially out of the Tampa area, and further south, we've had
20 some very organized details, to focus on illegal charters. We
21 have some success, and the exact numbers I can't speak to, because
22 I don't have that information right in front of me, but we have
23 been making cases throughout the Gulf on vessels that are actually
24 chartering in federal waters without a federal permit.

25
26 **MR. WALKER:** So a lot of the charter boat guys would like more
27 information about that, so they could blast it out on social media
28 and say, look, these guys got caught illegal charter fishing,
29 because it's been a big issue for us, for a while now, and I
30 haven't been able to find much about it, and the guy right next to
31 me at my marina has been -- He's announced that they're not going
32 to make him get a permit, and he's going to keep doing what he
33 does, and they can't make him do it, and I heard that he got
34 arrested, but I have found no information, but a lot of the charter
35 boat guys would like an example to put out there of some penalties
36 that you might get for doing this, and it would be a great
37 deterrent, I think, and so, if we could get some information about
38 that it would be helpful.

39
40 **CAPTAIN PEARCE:** So, again, you see my examples here, and they're
41 very basic, and I'm not really getting into the information very
42 heavy, the reason being is, when we make these cases, they're
43 federal cases, and so the release of that information, after the
44 fact, is going to be entirely up to NOAA, as far as press releases
45 and notifications.

46
47 Now, they do some stuff like that, but, again, when you have an
48 active case with them, they typically aren't going to put anything

1 out until that case is cleared, and that's really something that
2 I leave for NOAA to converse about.

3
4 One of the things that we talked about with industry too was, in
5 this situation, you had some of these boats -- You can see these
6 boats, and they're not really adequate for what they're doing.
7 One of those boats, I think it was like they charged these people
8 eleven-hundred-bucks to go out, and they had, I think, four or
9 five people on the boat, and the boat was, you know, not designed
10 for that, and it's a public safety issue.

11
12 You know, we talked with industry about putting information to
13 tournaments, and we say, hey, if you're going to charter, do your
14 research, you know, and look for these vessels. Know that, if
15 you're going into federal waters, this vessel must have a reef
16 permit. You know, if you let these people who are booking these
17 charters know what to look for, they're going to find the better
18 vessels. You know, they're going to find the ones that can do it,
19 and we agree though, and it's a major issue, and we want to combat
20 it as much as possible.

21
22 **CHAIRMAN ANSON:** Mr. Dugas.

23
24 **MR. DUGAS:** Thank you, Mr. Chair. On Slide 4, your first bullet
25 point, you touched on dockside offload inspections, 914 hours, and
26 my question is in what timeframe did you all complete those 914
27 hours?

28
29 **CAPTAIN PEARCE:** So this is all based on -- All of this information
30 is based from July 1 of 2022 to the end of September, and that is
31 a state-wide number, and so that would be Atlantic and Gulf.

32
33 **CHAIRMAN ANSON:** Any other questions for Captain Pearce? I am not
34 seeing any. Thank you.

35
36 **CAPTAIN PEARCE:** Thank you, all. I appreciate.

37
38 **CHAIRMAN ANSON:** All right. I skipped ahead and mentioned Officer
39 Driggers, but next on the agenda is actually our South Atlantic
40 Council Liaison Report. Mr. Griner.

41
42 **SOUTH ATLANTIC COUNCIL LIAISON**

43
44 **MR. TIM GRINER:** Thanks, Chair. You have an update in your briefing
45 materials, and so I will touch on a couple of the highlights.
46 After what seems like an eternity, we finally seem to be getting
47 the electronic logbooks off of our desk, thank goodness, and that
48 has been a long time coming, and hopefully -- As everyone can

1 appreciate, it's well, well time for this to be done. I mean,
2 we're sending paper back and forth through the mail, and so we are
3 glad to get that off of our plate.

4
5 We talked earlier, a little bit, about the yellowtail, and we do
6 not intend to go back to the SSC. We hope that the FWC can shed
7 some light on that issue, and so we're going to kind of let that
8 take its course there.

9
10 The other thing that I kind of wanted to touch on, and I thought
11 it was interesting to hear your discussions around the gag grouper,
12 and Andy alluded to it earlier this morning, that, you know,
13 sometimes, by the time we actually take action, these cycles have
14 changed, right, and so we had a bad gag grouper assessment, and
15 the terminal year came, and we did the assessment, and another two
16 years go by, and we get the amendment done. We just implemented
17 -- The service just implemented it this month, and the gag grouper
18 are chewing the bottom off my boat, right, and so I think it's
19 interesting that -- It's very important that we don't lose sight
20 of the cyclical nature of what we're dealing with here.

21
22 We are now in a rebuilding phase that is going to take us some
23 time, and we're going to share some pain in this. Unfortunately,
24 due to the timing of this implementation of the amendment, we went
25 three-quarters of the way through a season, and now we're run way
26 over our quota, and so we're going to have to pay that back, and
27 it's going to hurt, and so, other than -- That's -- Like I said,
28 you've got an update, and you can read the rest of it, but, other
29 than that, I'm glad to be here, and thank you, guys, for having
30 me.

31
32 **CHAIRMAN ANSON:** Thank you, Mr. Griner. We have a question from
33 Mr. Banks.

34
35 **MR. PATRICK BANKS:** Thanks, Tim, for that update, and I'm just
36 curious to know about mackerel over in you all's part of the world.
37 We're hearing so much concern over here, and I know these things
38 are migratory. I've heard from some of my -- I grew up in south
39 Georgia, along the coast, and my buddies back home love to fish
40 for kingfish, and they don't -- I've heard, from them, that they're
41 a little concerned, but I don't know if that's just in their part
42 of the sliver off of Georgia, or if you all are hearing some of
43 these same concerns over mackerel.

44
45 **MR. GRINER:** Thank you for that. You know, for me personally, and
46 I do have a king permit, and it's always been a pulse fishery.
47 You know, we get a couple of weeks here, and a couple of weeks
48 there, and that's really it, but I will say that I do absolutely

1 believe that, at least in the past two seasons, we have seen a
2 marked difference in our king mackerel, and they are just not here,
3 and so I don't know -- I don't know really what's driving that,
4 but there definitely is a difference.

5
6 I will preface that by saying that I personally do not fish on
7 that fishery very hard, and so I don't really have a great pulse
8 on that, but I can tell you that it's just -- At least in the last
9 two years, it just has not been in the Carolinas.

10
11 **CHAIRMAN ANSON:** Dr. Sweetman.

12
13 **DR. SWEETMAN:** To that point, Patrick, we are -- The South Atlantic
14 Council relatively -- In the last year or so, they bumped up the
15 vessel limits for king mackerel there, and everything seemed to be
16 okay, but, in the last couple of years, yes, similar to what Tim
17 said, and we have some pretty significant concerns off the coast
18 of Florida.

19
20 **CHAIRMAN ANSON:** Any other questions for Tim? I am not seeing
21 any, and so that will take us to the NOAA Office of Law Enforcement
22 Update, and that will be conducted by Officer Driggers. Sorry for
23 the extra exercise there, the false alarm, but welcome.

24
25 **NOAA OFFICE OF LAW ENFORCEMENT (OLE)**

26
27 **OFFICER DRIGGERS:** Good afternoon, Chairman and council members.
28 I'm Enforcement Officer Driggers, Southeast Division of NOAA Law
29 Enforcement. I just wanted to highlight some recent enforcement
30 efforts and some of the other things we have going on in the Gulf
31 and around.

32
33 Part of our duties is we provide training to various agencies, our
34 JEA partners of Florida, Mississippi, Louisiana, Alabama, and
35 Texas. We attend conferences outside of just regular academy
36 trainings, and we speak at events, like, recently, the Florida
37 Marine Intelligence Unit, and that consists of all kinds of
38 different local agencies, county agencies, but we're trying to
39 provide awareness for what it is that OLE has involved in
40 enforcement in the Gulf.

41
42 This past year, officers have been to the FWC academy, and usually
43 those are pretty big classes, and they have upwards of like fifty
44 officers in a class, and so we speak and provide them a
45 presentation on OLE, so they understand that, when they're out
46 there trying to develop a federal case, if they have something,
47 how to present that to us, so we can successfully prosecute those.

1 We have the same kind of effort in Louisiana this year, and we
2 have an officer there that's been able to provide training to
3 Louisiana Department of Wildlife and Fisheries, and he's also able
4 to get out with the Coast Guard, in Grand Isle and Venice, and
5 they're concentrating a lot on some HMS issues over there, and
6 being present for HMS tournaments, and also IFQ, but that's
7 throughout the Gulf.

8
9 We've done a lot of work, recently, with the Texas Parks and
10 Wildlife Department. We've increased our efforts there, with we're
11 trying to grow our enforcement, through officers, and we've
12 recently hired a new officer in that state, and so we're trying to
13 get better coverage throughout.

14
15 The JEA programs are a little bit smaller with Mississippi and
16 Alabama, but we provide any kind of like ad hoc training in the
17 field, answer questions from officers, provide anything that we
18 can to make sure that they also have successful enforcement.

19
20 Another thing that I want to highlight is, working with the Coast
21 Guard, we provide training to living marine resource officers,
22 with the Gulf of Mexico -- It's a regional fisheries training
23 center, both for the Gulf and for the Atlantic, and so that's in
24 Charleston, and also in New Orleans, and we have various officers
25 that are able to speak at those and provide any kind of training
26 that they ask for into how to strengthen their programs to help us
27 out with federal fisheries.

28
29 I've got so many notes, but I just want to give the greater
30 highlights here, and, down in the Keys, and Captain Pearce spoke
31 about it, but we have a lot going on in the National Marine
32 Sanctuaries. We do multiple operations throughout the year, and
33 we're there for the big spiny lobster mini-season in Florida, and
34 we're out there patrolling the sanctuaries. They're doing more of
35 the lobster enforcement, but we're there for the sanctuaries, for
36 the sanctuary preservation areas, trying to make sure that we're
37 watching for those violations with spearfishing, or anchoring in
38 coral, those kinds of things, marine sanitation, and we do frequent
39 joint enforcement patrols with FWC in the Tortugas.

40
41 We had a case recently, and there was some commercial fishing in
42 the north reserve, and so we try to have a presence out there,
43 because that's so far isolated and removed, and so, when we get
44 complaints, we try to target enforcement in those preservation
45 areas, or ecological reserves.

46
47 That's just an example of some of the -- Again, those are some of
48 the partner agencies that we talked about, and I just wanted to

1 mention that, over this last quarter, we received fifty-nine
2 enforcement referrals from partner agencies, forty-six of which
3 came from the FWC, and two from the Texas Parks and Wildlife
4 Department. Those are a combination of Magnuson Act cases,
5 National Marine Sanctuaries, and then we had some from Texas
6 concerning the retention of red snapper during closures, and so we
7 appreciate those.

8
9 Some of our enforcement priorities, and so NOAA Enforcement -- We
10 try to go to a lot of IFQ landings, and that's been kind of a hot
11 topic that I've noticed since I've been here. We are there to
12 inspect the catch, make sure that they're following the
13 regulations, VMS declaration codes, all of those things, but we
14 try to be present, and that's one of our milestone objectives,
15 that we meet so many landings for IFQ.

16
17 We get a lot of JEA referrals, as I mentioned, and HMS landings,
18 and HMS activity, and that varies regionally, and we also work
19 with the NOAA Gear Management Team to provide awareness for shrimp
20 violations, and especially with our TEDs and bycatch reduction
21 devices, and so the Gulf gear team has been a great tool for us to
22 be able to provide awareness, in those fisheries, to ensure that
23 the shrimp fleet is in compliance, especially with the recent
24 addition with the bay skimmers having TEDs, and so we appreciate
25 that.

26
27 We're interested in what we mentioned a little bit ago, the illegal
28 charters, and so NOAA is involved in the Gulf Coast Illegal Charter
29 Taskforce, which is locally out of Mobile, the District 8 Coast
30 Guard, and so they're enforcing any kind of illegal charters, and
31 we're interested in the fishing side of that, in the unpermitted,
32 and FWC has been able to identify some of those vessels that are
33 operating in federal waters without a permit, and then they would
34 refer those cases to us, and we would handle them in various ways,
35 but primarily they could be civil penalties, or otherwise,
36 depending on each individual case-by-case scenario.

37
38 We have the -- This is kind of another hot topic, but North Atlantic
39 right whales, and so, over on the Atlantic, we are -- In November,
40 there's going to be -- The management areas are going to go into
41 effect, and so, with that, we're using AIS to look at the bigger
42 vessels, to see for the speed zones, and we're using the radar
43 detection devices, and those are going online, and portable radar
44 units, and then active patrolling of the speed zone areas. I just
45 wanted to highlight that.

46
47 For any tips, I just want everyone to be able to have this phone
48 number here for our hotline, and so a lot of the complaints that

1 we might have heard, over the last couple of days, and like, if we
2 knew about these violations -- We would love to hear about it, and
3 then, once it gets to the field, we can, you know, make sure that
4 we have enforcement in those areas, because, a lot of times, we're
5 spread out, and, again, that's why we've been able to increase
6 enforcement officers in the Gulf.

7
8 Our most recent selection panel, we are now filling a vacancy in
9 St. Petersburg, and so we'll have two enforcement officers and a
10 supervisor in that office, along with an officer in Fort Myers,
11 and we're bringing another officer on in Texas, as I've already
12 mentioned, and so, overall, we're plusing up over the years, and
13 we're trying to assist our partners and just be a greater
14 enforcement tool for this fishery.

15
16 I just wanted to check and see if I had any further updates, before
17 questions, and so limited-access permits, and, because Mr. Walker
18 had a question that Captain Pearce spoke to, and those fines could
19 go -- Those base penalties could start in the lower -- From \$4,500
20 all the way to like \$24,000 on civil penalties, and it just depends
21 on the level, whether it's negligent, reckless, or intentional.

22
23 I've been directed to -- If you look at the Office of General
24 Counsel website, there is a penalty policy and schedules, and
25 there's some better information there, and, if you have questions
26 for that, the General Counsel Enforcement Section, Attorney Duane
27 Smith, and he's online, and he's fielding these, and so -- Outside
28 of that, do we have any questions for me?

29
30 **CHAIRMAN ANSON:** Any questions? We have a question from Ms. Boggs.

31
32 **MS. BOGGS:** Well, no, and thank you for being here, and it's not
33 a question, and it's a comment, and kind of to Ed, but I know you
34 all have a taskforce in Orange Beach, Alabama, or have been running
35 one out of there with the Coast Guard, and I know OLE is a part of
36 it, but it's been very successful, this past summer, with the
37 illegal charters, and so thank you all for your work.

38
39 **OFFICER DRIGGERS:** Yes, ma'am, and thank you. It's a great effort
40 of sharing information and trying to prosecute these cases, but
41 we're having some successes.

42
43 **CHAIRMAN ANSON:** I am not seeing any more hands, Officer Driggers.
44 Thank you very much for being here and for the presentation.

45
46 **OFFICER DRIGGERS:** Yes, sir. Thank you.

47
48 **CHAIRMAN ANSON:** Next on the supporting agencies updates would be

1 the Gulf States Marine Fisheries Commission update and Mr.
2 Donaldson.

3
4 **GULF STATES MARINE FISHERIES COMMISSION**
5

6 **MR. DONALDSON:** Thank you, Mr. Chair. I appreciate the time to
7 update you on the commission activities. As you know, our
8 commission meeting was last week, in New Orleans. It had good
9 attendance, and I think we had almost 150 participants, which is
10 pretty good, and one of the things we do, through our State and
11 Federal Committee, is review activities, review and approve
12 activities, for the upcoming year for GulfFIN, SEAMAP, and IJF.

13
14 SEAMAP and IJF are going to be continuing with their routine
15 activities. Through GulfFIN, we are going to continue with
16 collection of commercial and recreational landings, as well as the
17 Southeast headboat operations, which is the good news. The
18 potential bad news is, at the end of this year, we run out of
19 funding to do biological sampling, which is pulling otoliths and
20 whatnot from the various recreational species across the Gulf.

21
22 On the good side of that, we do have -- We have realized some cost
23 savings, because of COVID, and we have some carryover money that
24 we're working with Headquarters, to see if we can't utilize to
25 implement biological sampling for 2024, and I believe that we're
26 going to be able to continue that, at least through 2024.

27
28 The bad news is 2025 might be a different issue. With the budget
29 climate, we might be looking at some significant cuts, but that's
30 several years away, and so hopefully it won't be as bad as we
31 think, and I also will mention that, at our October 2024 meeting,
32 we will be having the results of the research that we're doing
33 through the Return 'Em Right program, and those will be presented
34 at our meeting, and it kind of goes to Dale's point about having
35 an update here at the council, and I think he may have mentioned
36 earlier in the year, but it might be better to look at that a
37 little later, so the research will be done and actually have
38 something to present, but that concludes my report, and I will
39 answer any questions.

40
41 **CHAIRMAN ANSON:** Thank you, Dave. Any questions? Dr. Simmons.

42
43 **EXECUTIVE DIRECTOR SIMMONS:** Thank you, Mr. Chair. Just a quick
44 question. When did you say the research would be wrapped up from
45 the Return 'Em Right again? I missed that. Sorry.

46
47 **MR. DONALDSON:** I'm not sure exactly when that's going to be, and
48 I can check with Charlie, but we're planning to have a presentation

1 at our October meeting, but I believe it will -- It will probably
2 be before then, but I can get the exact dates, and so that will
3 give you time of when you might be able to get it on the council
4 agenda.

5
6 **EXECUTIVE DIRECTOR SIMMONS:** Great. Thank you.

7
8 **CHAIRMAN ANSON:** Anyone else? Okay. Well, that takes us
9 essentially through the agency updates that we have available. Is
10 there any other business that anyone has before the council?

11
12 **EXECUTIVE DIRECTOR SIMMONS:** (Dr. Simmons' comment is not audible
13 on the recording.)

14
15 **CHAIRMAN ANSON:** You're right. We have the litigation update.
16 Mara, do you want to just jump right into it?

17
18 **OTHER BUSINESS**
19 **LITIGATION UPDATE**

20
21 **MS. LEVY:** A thirty-second litigation update at the end of the
22 council meeting, and so there two pending cases, the Amendment 53
23 case, which is the red grouper case, and the Amendment 54 case,
24 which is the greater amberjack case, and so Amendment 53, just a
25 quick refresher, we litigated that in the District Court in D.C.,
26 and the District Court judge upheld the rule, and then the
27 plaintiffs, which is the commercial interests, appealed that to
28 the District Court of Appeals in D.C.

29
30 That court held oral argument on that at the end of September,
31 September 26 actually, and it was a very long argument, which is
32 unusual for an appellate court. I think it was supposed to be
33 fifteen minutes a side, and it went for over two hours, and so
34 there was a lot of questioning, and they did that for the case
35 before as well, and it was mostly focused on the National Standard
36 9 and discard question that was raised by the commercial sector on
37 sort of what the standard is for addressing recreational discards
38 and what the legal requirements for this particular amendment.

39
40 There was a little bit of discussion about the economic analysis
41 that they had raised in their complaint too, but mostly the discard
42 issue, and so, at this point, we're just waiting for the appellate
43 court to issue its decision.

44
45 The Amendment 54 litigation, there are two cases that were filed
46 in the District Court in Mississippi, and those cases were
47 consolidated, and so they're under one judge now, as one case, and
48 one of those cases is fully briefed. In one of those cases, the

1 plaintiffs had filed their complaint and then asked for a
2 preliminary injunction, and so the agency and the plaintiffs
3 briefed that, and there was an argument before the court, and the
4 court has never ruled on that motion for preliminary injunction,
5 but we had an expedited briefing schedule in that case, and so
6 that briefing is complete.

7
8 Then the other case -- Our final briefing is due on November 9,
9 and so that will be complete too, and both of those cases raised
10 very similar issues related to the appointments clause, and you
11 will recall that council members were named in one of the
12 complaints, essentially, right, and so none of those challenged
13 the underlying action in the rule, and it's all about whether the
14 council members are properly appointed under the U.S.
15 Constitution, and so a pure legal question, and I assume that,
16 once briefing is complete, the judge will either have more argument
17 on it or not, but we'll be waiting on a decision from that District
18 Court judge.

19
20 **CHAIRMAN ANSON:** Any other questions? I just have a -- Dr. Frazer.

21
22 **DR. FRAZER:** Just real quick, and, I mean, I asked this I think
23 the last time we discussed it, and, when they consolidate the two
24 different suits, I guess, I mean -- Does that mean they just
25 consider them simultaneously, or are they truly consolidating
26 them, because the defendants are different in the two suits, right?

27
28 **MS. LEVY:** Yes, and, well, they're just -- They're being considered
29 by the same judge at the same time. The claims are a little bit
30 different, and one -- The lawsuit that we're briefing now is one
31 claim, and it does not involve council member -- Like it's not
32 council members, and the other one has three claims, and it
33 involves council members as defendants, and so that doesn't change,
34 but it's just that they're under one heading, one judge, one
35 docket.

36
37 **CHAIRMAN ANSON:** Mr. Banks.

38
39 **MR. BANKS:** Any idea why the judge is not ruling on the temporary
40 restraining order, or whatever you call it, the temporary
41 injunction, and that's what it was.

42
43 **MS. LEVY:** Well, my legal argument is going to be because the
44 Magnuson Act does not allow for preliminary injunctions, and the
45 plaintiffs' argument was that this is a constitutional claim, and
46 it goes outside the Magnuson Act, but the agency -- The federal
47 position is that, no, every claim that is about a Magnuson Act
48 rule travels under that, and so I don't know. It's a very big

1 issue, and it has a big implication, and so I don't know what the
2 judge is thinking, other than he wants to take a more deliberate
3 approach, and we agreed to expedite briefing, right, and so it was
4 fully briefed in that other case, at least a month ago.

5
6 **CHAIRMAN ANSON:** Mara, I don't want to put you on the spot, but I
7 am, I guess, but there was a case that's in the Supreme Court that
8 NOAA has, and I think it has to do with the Chevron Doctrine, and
9 it's related to observers on commercial fishing boats, and whether
10 or not the commercial fishermen have to pay for those observers,
11 and is oral arguments -- Have they started that, or is it just on
12 the docket?

13
14 **MS. LEVY:** It's on the docket, and I don't -- So I think -- So
15 they had one case, and then they just accepted jurisdiction in a
16 second case on that exact same issue, and so I think it pushed
17 back their consideration again, and so I think that it's going to
18 be set for oral argument. I think they have to finish briefing,
19 but it's on their docket for this term, and so I'm assuming it
20 will be decided this year.

21
22 **CHAIRMAN ANSON:** Thank you. Any other business to be brought
23 before the council? I am not seeing any, and so this meeting is
24 adjourned. Have safe travels, everyone, and thanks again, Peter.
25 Happy retirement.

26
27 (Whereupon, the meeting adjourned on October 26, 2023.)
28
29

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