

GULF OF MEXICO FISHERY MANAGEMENT COUNCIL

284TH MEETING

FULL COUNCIL SESSION

Via Webinar

April 14-15, 2021

VOTING MEMBERS

- Kevin Anson (designee for Scott Bannon).....Alabama
- Patrick Banks.....Louisiana
- Susan Boggs.....Alabama
- Leann Bosarge.....Mississippi
- Dale Diaz.....Mississippi
- Jonathan Dugas.....Louisiana
- Phil Dyskow.....Florida
- Tom Frazer.....Florida
- Martha Guyas (designee for Jessica McCawley).....Florida
- Robin Riechers.....Texas
- John Sanchez.....Florida
- Bob Shipp.....Alabama
- Joe Spraggins.....Mississippi
- Andy Strelcheck.....NMFS
- Greg Stunz.....Texas
- Ed Swindell.....Louisiana
- Troy Williamson.....Texas

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- Lt. Nicholas Giancola.....USCG

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28 Bill Kelly.....FKCFA, FL
29 Ray Mayhall.....Mobile, AL
30 Jay Mullins.....FL
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35 Nick Ruland.....
36 Joe Scarpa.....NOAA OLE
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38 Sean Sullivan.....Mobile, AL
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40 Ted Venker.....CCA
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43 Bob Zales.....Panama City, FL
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TABLE OF MOTIONS

1
2
3 [PAGE 101](#): Motion to direct staff to begin a framework action to
4 set up reporting requirements for the expiring 3G cELB program
5 to transition it to a new platform for effort reporting of the
6 Gulf of Mexico federal shrimp fishery. [The motion carried on](#)
7 [page 103](#).

8
9 [PAGE 104](#): Motion to recommend to NMFS that federal waters be
10 closed out to 200 miles to run concurrent with the date that the
11 State of Texas recommends for the 2021 Texas shrimp closure in
12 the Texas Territorial Sea. [The motion carried on page 105](#).

13
14 [PAGE 106](#): Motion that staff send a letter to SEFSC expressing
15 our support for conducting an assessment of the Kemp's ridley
16 stock when time and funds allow, and that this assessment
17 consider the modeling approach presented by LGL Ecological
18 Research Associates. [The motion carried on page 107](#).

19
20 [PAGE 109](#): Motion in Action 2 to move Alternative 4 to
21 Considered but Rejected. [The motion carried on page 109](#).

22
23 [PAGE 110](#): Motion in Action 5.1 to remove "Preferred" from
24 Option 2b in Alternative 2. [The motion carried on page 114](#).

25
26 [PAGE 114](#): Motion in Action 5.2 to select all the South Atlantic
27 preferred alternatives and options. [The motion carried on page](#)
28 [114](#).

29
30 [PAGE 116](#): Motion in Action 7 to make Alternative 2 the
31 preferred. [The motion carried on page 120](#).

32
33 [PAGE 134](#): Motion to direct staff to begin a framework action to
34 address equipment failure and possible exceptions for charter
35 vessels, headboats, and commercial reporting. [The motion](#)
36 [carried on page 139](#).

37
38 [PAGE 151](#): Motion in Action 1 to make Alternative 2 the
39 preferred alternative. [The motion carried on page 174](#).

40
41 [PAGE 174](#): Motion to request the SSC consider new information
42 and revised report (GRSC) to provide catch advice for red
43 snapper for 2021 and beyond. As part of the discussion, the SSC
44 should consider the existing ABC Control Rule as well as the
45 National Standard Guidelines. [The motion carried on page 179](#).

46
47 [PAGE 181](#): Motion to approve the Framework Action: Modification
48 of Annual Catch Limits for Gulf of Mexico Red Snapper and that

1 it be forwarded to the Secretary of Commerce for review and
2 implementation, and deem the codified text as necessary and
3 appropriate, giving staff editorial license to make the
4 necessary changes in the document. The Council Chair is given
5 the authority to deem any changes to the codified text as
6 necessary and appropriate. [The motion carried on page 183.](#)

7
8 [PAGE 186](#): Motion in Action 1 to add a new Alternative 6 that
9 would change the state-specific red snapper private angling
10 component annual catch limits (ACL) using modified percentages
11 from those identified in Amendment 50A in state survey
12 currencies through 2023. Alabama would retain the ACL that was
13 issued in Amendment 50A (1,122,662 pounds). [The motion failed](#)
14 [on page 192.](#)

15
16 [PAGE 193](#): Motion that the council accept state surveys of
17 recreational red snapper as best available science. [The motion](#)
18 [failed on page 206.](#)

19
20 [PAGE 206](#): Motion in Action 1 to make Alternative 2 the
21 preferred, with an implementation date of January 1, 2023. [The](#)
22 [motion carried on page 224.](#)

23
24 [PAGE 228](#): Motion in Action 1 to make Alternative 2 the
25 preferred. [The motion failed on page 238.](#)

26
27 [PAGE 239](#): Motion to approve the Framework Action: Gulf of
28 Mexico Red Snapper Recreational Data Calibration and
29 Recreational Catch Limits and that it be forwarded to the
30 Secretary of Commerce for review and implementation, and deem
31 the codified text as necessary and appropriate, giving staff
32 editorial license to make the necessary changes in the document.
33 The Council Chair is given the authority to deem any changes to
34 the codified text as necessary and appropriate. [The motion](#)
35 [carried on page 241.](#)

36
37 - - -
38

1 The Full Council of the Gulf of Mexico Fishery Management
2 Council convened via webinar on Wednesday morning, April 14,
3 2021, and was called to order by Chairman Tom Frazer.

4
5 **CALL TO ORDER, ANNOUNCEMENTS, AND INTRODUCTIONS**
6

7 **CHAIRMAN TOM FRAZER:** Welcome to the 284th meeting of the Gulf
8 Council. My name is Tom Frazer, Chair of the council. The Gulf
9 Council is one of eight regional councils established in 1976 by
10 the Fishery Conservation and Management Act, known today as the
11 Magnuson-Stevens Act. The council's purpose is to serve as a
12 deliberative body to advise the Secretary of Commerce on fishery
13 management measures in the federal waters of the Gulf of Mexico.
14 These measures help ensure that fishery resources in the Gulf
15 are sustained, while providing the best overall benefit to the
16 nation.

17
18 The council has seventeen voting members, eleven of whom are
19 appointed by the Secretary of Commerce and include individuals
20 from a range of geographical areas in the Gulf of Mexico with
21 experience in various aspects of fisheries.

22
23 The membership also includes the five state fishery managers
24 from each Gulf state and the Regional Administrator from NOAA's
25 Southeast Fisheries Service, as well as several non-voting
26 members.

27
28 Public input is a vital part of the council's deliberative
29 process, and comments, both oral and written, are accepted and
30 considered by the council throughout the process. Anyone
31 wishing to speak during public comment should call the toll-free
32 phone number provided on our website and on the screen during
33 the public comment period during the meeting.

34
35 A digital recording is used for the public record, and,
36 therefore, for the purpose of voice identification, please
37 unmute your line when your name is called and state your first
38 and last name.

39
40 **MS. BERNADINE ROY:** Kevin Anson.

41
42 **MR. KEVIN ANSON:** Kevin Anson.

43
44 **MS. ROY:** Patrick Banks.

45
46 **MR. PATRICK BANKS:** Patrick Banks.

47
48 **MS. ROY:** Susan Boggs.

1
2 **MS. SUSAN BOGGS:** Susan Boggs.
3
4 **MS. ROY:** Thank you, Susan. Leann Bosarge.
5
6 **MS. LEANN BOSARGE:** Leann Bosarge.
7
8 **MS. ROY:** Andy Strelcheck.
9
10 **MR. ANDY STRELCHECK:** Andy Strelcheck.
11
12 **MS. ROY:** Dale Diaz.
13
14 **MR. DALE DIAZ:** Dale Diaz.
15
16 **MS. ROY:** J.D. Dugas.
17
18 **MR. J.D. DUGAS:** J.D. Dugas.
19
20 **MS. ROY:** Phil Dyskow.
21
22 **MR. PHIL DYSKOW:** Phil Dyskow.
23
24 **MS. ROY:** Tom Frazer.
25
26 **CHAIRMAN FRAZER:** Tom Frazer.
27
28 **MS. ROY:** Martha Guyas.
29
30 **MS. MARTHA GUYAS:** Martha Guyas.
31
32 **MS. ROY:** Robin Riechers.
33
34 **MR. ROBIN RIECHERS:** Robin Riechers.
35
36 **MS. ROY:** John Sanchez.
37
38 **MR. JOHN SANCHEZ:** John Sanchez.
39
40 **MS. ROY:** Bob Shipp. Joe Spraggins.
41
42 **MR. RICK BURRIS:** This is Rick Burris.
43
44 **MS. ROY:** Thank you, Rick. Greg Stunz.
45
46 **DR. GREG STUNZ:** Greg Stunz.
47
48 **MS. ROY:** Ed Swindell.

1
2 **MR. ED SWINDELL:** Ed Swindell.
3
4 **MS. ROY:** Troy Williamson.
5
6 **MR. TROY WILLIAMSON:** Troy Williamson.
7
8 **MS. ROY:** Thank you. Dave Donaldson.
9
10 **MR. DAVE DONALDSON:** Dave Donaldson.
11
12 **MS. ROY:** Thank you. Nicholas Giancola.
13
14 **LT. NICHOLAS GIANCOLA:** Nicholas Giancola.
15
16 **MS. ROY:** Thank you. You can proceed.
17
18 **CHAIRMAN FRAZER:** Thank you, Bernie. I am going to go ahead and
19 turn this over to Mr. Diaz for an announcement of the 2020
20 Officer of the Year or Team of the Year Award. Mr. Diaz.

21
22 **ANNOUNCEMENT OF THE 2020 OFFICER OF THE YEAR/TEAM OF THE YEAR**
23 **AWARD**
24

25 **MR. DIAZ:** Thank you, Mr. Chairman. About five years ago, the
26 Gulf of Mexico Fishery Management Council started the Law
27 Enforcement Officer/Team of the Year Award to recognize
28 excellence in federal fisheries law enforcement. The council
29 recognizes that law enforcement is vital to accomplishing the
30 goals of the council and to properly manage the resources of the
31 Gulf of Mexico.

32
33 It gives me great pleasure to announce that Texas Marine
34 Tactical Operation Group has been chosen as the Gulf of Mexico
35 Fishery Management Council's Law Enforcement Team of the Year
36 Award.

37
38 The Texas Parks and Wildlife Division of Law Enforcement has
39 created a specialized unit, comprised of specially trained,
40 equipped, and tactically provisioned game wardens known as the
41 Marine Tactical Operation Group for Marine Operations. In 2020,
42 the Marine Tactical Operation Group has seized over 116,000 feet
43 of longline, 2,500 feet of gillnet, and recovered over 3,600
44 pounds of red snapper, safely released three sea turtles, and
45 has seized two commercial Mexican fishing vessels and referred
46 five cases to NOAA, all while patrolling the Gulf of Mexico in
47 the department's long-range vessel, the Captain Murchison.

48

1 While patrolling the Rio Grande, the team has also seized over
2 14,500 feet of gillnet, seven hoop nets, along with releasing
3 thousands of pounds of spotted seatrout, redfish, snook, blue
4 crab, and other aquatic species back into the water. This small
5 five-person team wholeheartedly believes in the work that they
6 do, and they strive to protect Texas waterways.

7
8 With a positive attitude and professional poise, they have been
9 able to build and maintain relationships with their state and
10 federal partners. These hardworking individuals selflessly work
11 endlessly, endless hours, for the betterment and protection of
12 Texas fisheries, natural resources, all while having a smile on
13 their face. Congratulations to the Texas Marine Tactical
14 Operation Group. We appreciate your work.

15
16 Mr. Chairman, I do believe that this award will be officially
17 presented whenever we meet in Texas this year, and the Texas
18 meeting is scheduled for August 23rd through 26th in San Antonio,
19 Texas. Mr. Chairman.

20
21 **ADOPTION OF AGENDA AND APPROVAL OF MINUTES**

22
23 **CHAIRMAN FRAZER:** Thank you, Mr. Diaz, and, again,
24 congratulations to the Marine Tactical Operations Group out of
25 Texas, a well-deserved honor, and I look forward to presenting
26 that award in August when we visit San Antonio, and so thank you
27 for your fine work.

28
29 We will go ahead and move forward with the Adoption of the
30 Agenda and the Approval of the Minutes. If you could refer to
31 Tab A in your briefing materials, that will be the Adoption of
32 the Agenda. I don't think we necessarily -- We've got it pulled
33 up here, and so can I get a motion to approve the agenda as
34 written?

35
36 **MR. BANKS:** So moved, Mr. Chairman.

37
38 **CHAIRMAN FRAZER:** It's moved by Mr. Banks. Is there a second?

39
40 **MR. DIAZ:** Second.

41
42 **CHAIRMAN FRAZER:** It's seconded by Mr. Diaz. Okay. Is there
43 any discussion? I am not seeing any, and so is there any
44 opposition to approving the agenda as written? Seeing no hands
45 or hearing no objection, we will consider the agenda adopted.
46 The next order of business is the Adoption of the Minutes, which
47 would be Tab A, Number 4 in the briefing materials. Can I get a
48 motion to approve those minutes?

1
2 **MR. DIAZ:** So moved, Mr. Chair.

3
4 **CHAIRMAN FRAZER:** Okay. Motion to approve the minutes by Mr.
5 Diaz. Is there a second?

6
7 **MR. RIECHERS:** Second.

8
9 **CHAIRMAN FRAZER:** It's seconded by Mr. Riechers. Thank you,
10 Robin. All right. Is there any other discussion or any edits
11 or modifications that might come up here? I am not hearing any
12 or seeing any hands, and so is there any objection to approving
13 the minutes as written? Hearing no objection, or no opposition,
14 I will consider the minutes approved.

15
16 We are going to move right into a presentation. As folks are
17 aware, the council sponsored a number of research projects
18 recently, seven of those in fact, and this is one of those that
19 were supported, and it's an update, and so I'm going to turn it
20 over to Dr. Josh Kilborn to give a presentation having to do
21 with stock-recruitment relationship estimates for greater
22 amberjack, and so, Dr. Kilborn, thank you so much for joining us
23 here today, and we look forward to your presentation.

24
25 **PRESENTATIONS**

26 **EXPLORING UNEXPLAINED VARIABILITY IN STOCK-RECRUITMENT**
27 **RELATIONSHIP ESTIMATES FOR THE GULF OF MEXICO'S GREATER**
28 **AMBERJACK (*SERIOLA DUMERILI*)**

29
30 **DR. JOSHUA KILBORN:** Good morning. Thank you for having me
31 today. I really appreciate the opportunity to come out and talk
32 to you all about the greater amberjack work that I did, and so,
33 basically, the scope and the objective of this work was to look
34 at some greater amberjack recruitment deviations from the Stock
35 Synthesis model and try to relate them to some general
36 ecological considerations throughout the Gulf as a large marine
37 ecosystem kind of as a whole.

38
39 This a multiscale analysis that was conducted over both space
40 and time, and there was some explicit modeling of temporal
41 autocorrelation structures that I tried to pay attention to
42 here, as well as trying to bring in some focus on the sargassum
43 as a habitat as well as bringing in some of the ecosystem status
44 report indicators for the Gulf as a whole, and so I was actually
45 pretty excited to hear you all talking about the ESRs earlier,
46 because those were the basis for a lot of my data collection.

47
48 All of this was kind of with an eye towards identifying which

1 leading indicators might be useful to potentially add into more
2 formal assessments from the SEDAR process, but also to see if
3 there was any potential capacity to inform kind of short-term
4 interim efforts that might be able to predict some of those
5 recruitment deviations in any given year in between formal
6 assessments.

7
8 I'm going to walk you through the different data sources that I
9 used, as well as the different model parameterizations that I
10 had, because things got kind of messy pretty quickly in this
11 project.

12
13 All of the different models that I'm looking at here are kind of
14 falling into this constraint analysis framework, where we have
15 the response indicator representing something that we care
16 about, and, in this case, that's the amberjack recruitment
17 deviations and trying to understand them through the lens of
18 these constraints that are related to either anthropogenic or
19 climate signals or some other type of habitat considerations,
20 like sargassum and other ecological considerations.

21
22 The recruitment deviations that I'm working with are based off
23 of the 2016 Stock Synthesis model that came out, and, when I
24 talk about deviations, what I am specifically referring to are
25 these red lines that you see here, and those are the difference
26 between the predicted SS3 value for recruitment in any given
27 year versus the Beverton-Holt estimate in that same year, and so
28 those red lines represent the data that I am actually exploring.

29
30 What we see is that there's a number of positive and negative
31 deviations throughout the series, right, and so these data here
32 are the actual deviation time series that I explored, and I
33 looked at the period of 1970 through 2015, and, basically, in a
34 nutshell, a positive deviation is the case where the SS3 model
35 prediction was higher than the Beverton-Holt, and so this would
36 be translating to kind of an underestimate of recruitment
37 success in any given year, and so the reality is that the
38 recruit class was better than we expected.

39
40 The other side of that coin would be the negative deviations,
41 where we have kind of this overestimation of what the
42 recruitment success is in any given year, and what we can see
43 immediately is that there's over three times as many of these
44 negative deviations as there are positive deviations, and so
45 trying to understand this pattern, or these deviations over
46 time, is kind of the goal of this project.

47
48 Remember that I am trying to fit all of this into this kind of

1 constrained analysis framework, and so, if we kind of turn to
2 the predictor side of the equation now, what we're talking
3 about, in the first set of models, are the sargassum habitat,
4 and so I have half-a-degree pixel aerial coverage of sargassum
5 data that was monitored throughout the Gulf of Mexico, and I
6 went ahead and broke it up into a number of different spatial
7 areas that were specific to not only the different restricted
8 management areas that are within the Gulf, but also the full
9 essential fish habitat for the reef fish complex, and then I
10 have a number of different kind of Bayesian-scale experimental
11 areas that I was also looking at that capture the central Gulf
12 portion, as well as the mouth of the Gulf area there, which is
13 actually a pretty interesting little area.

14
15 All of these data were actually recorded on a monthly time
16 scale, and so I had to sort of kind of come up with some way to
17 put them into the context of amberjack, and so the idea was to
18 focus on the recruitment aspect of amberjack, and, ideally, try
19 to encapsulate some form of utilization of this sargassum as
20 habitat in the early life stages of the amberjack's ontogeny.

21
22 To do that, I broke up these annualized data into seasonal data,
23 so that I could pair them with the annual recruitment values of
24 the deviations from them, and so I have one model that looks at
25 the sargassum coverage and all those different spatial areas
26 that covers the spawning and larval dispersal period from March
27 through May and then a second model that looks at the June
28 through August season, which should correspond with the pelagic
29 feeding stages, and then, ultimately, the settlement into the
30 young-of-the-year new recruit class.

31
32 All of the models that I'm going to describe here went through a
33 correlation kind of first check, to figure out which variables
34 were not overly correlated with each other, and so the two
35 sargassum models that ultimately came out had slightly different
36 spatial areas within them, and so the spawning dispersal period
37 had the six management areas that you see listed along the
38 bottom, as well as the essential fish habitat for reef fish and
39 that mouth of the Gulf of Mexico area as well.

40
41 Those data actually spanned through 2018, but, because the
42 amberjack data only exist through 2015 for this model, then
43 that's where these models ended.

44
45 For the pelagic and recruitment period, it's a slightly
46 different mixture of the spatial areas, but it's still really
47 good coverage across the entire Gulf, to start to answer the
48 question of are there any specific areas that are notable for

1 amberjack, and are they utilizing any of those sargassum as
2 habitat in them.

3
4 There's actually two ecosystem status reports for the Gulf of
5 Mexico that have been produced, and I used both of them as the
6 source for data for the next portion, and, from them, I was able
7 to pull out three different ecological models that worked over
8 the time period that I had amberjack deviation data available.
9 The problem is there's a lot of mismatches in the timing of
10 these indicators, and so I had to get a little creative with how
11 I structured these predictor models.

12
13 The first model covers the entire period that I had available of
14 1970 through 2015, and the only two variables that were
15 available over that long time period without any gaps in the
16 time series were the number of oil platforms in the Gulf as well
17 as the number of non-petroleum-industry-related artificial
18 reefs. The first model just focuses on those two habitat
19 predictors as being influential to the amberjack recruitment
20 deviations.

21
22 Then I have a more general model that has a slightly compressed
23 time period, because those were the only dates that I had all of
24 these data available over that period, and so this model went
25 from 1982 through 2010, and it included a number of different
26 general ecological considerations that ranged from climate and
27 environment, things like the Atlantic Multidecadal Oscillation
28 and various water temperature metrics, as well as those
29 artificial habitat indicators that I talked about previously,
30 some influence from the Mississippi/Atchafalaya River Basin,
31 zooplankton levels, the number of oil spills, et cetera. Again,
32 a lot of different things, but mostly focused on the effects to
33 early life stages of amberjack.

34
35 Then the last model was covering the period 1987 to 2015, and
36 this model focused on some eutrophication factors, mostly in the
37 northern Gulf of Mexico, and so I've got the dissolved oxygen
38 levels offshore of Texas and Louisiana for both spring and fall,
39 and then the concentrations of nitrogen oxides and total
40 phosphates as well, and that model covered 1987 to 2015.

41
42 Each of the models that I just described had a completely
43 different time period associated with it, and remember that I
44 said that I wanted to really get into some of the really
45 explicit temporal aspects of these data, and so, for each of the
46 different time periods, instead of directly asking the question
47 do these predictors affect the amberjack, I want to mediate all
48 of these through the effect of time.

1
2 The question becomes what are the effects of time on the
3 amberjack, and so we'll go ahead and take each of those
4 different time periods represented by the different models and
5 decompose all of the temporal variability scales that exist
6 within those time scales into the different component patterns
7 that might be present.

8
9 We can go from a continuous change throughout the entire period
10 to a series of oscillating cycles that have reducing
11 frequencies, as you get higher up in asymmetric eigenvector map
12 number, and so it would be a repeating process over a shorter
13 timeframe than AEM 2 might be.

14
15 The idea here is to take these temporal eigenfunctions and do a
16 forward variable selection process to determine which of those
17 temporal scales that can characterize the entire time period,
18 which of them are most important to the recruitment deviations.

19
20 Then, once we figure out what the optimal subset of those
21 temporal factors are, then I can create a linear model that can
22 be partitioned into two pieces, and so one that explains the
23 temporally-structured amberjack recruitment deviations and then
24 another which is a detrended set of information that accounts
25 for the non-temporally-structured deviations, and so now I can
26 start attaching those two streams of evidence with the predictor
27 indicators, to try to figure out which ones are temporally
28 structured and which ones are non-temporally structured.

29
30 Once you do that, the first thing that happens is you can see
31 that all of the different models in each of the time periods,
32 ranging from sixteen years to forty-six years, were able to be
33 explained, to some degree, by these synthetic temporal
34 variables, and so there is between 17 and 32 percent of the
35 total variability from the amberjack deviations that can be
36 explained by these temporal patterns, and they range from the
37 kind of decadal scale oscillations to a longer-term multidecadal
38 signal.

39
40 This just a visualization of the composition of those amberjack
41 recruitment deviations over time, and so, on the top-left, we
42 have the most complex of the four models that was developed, and
43 this one actually encapsulates two different time trends within
44 it, a twenty-eight-year continuous declining trend and then an
45 eight-year repeating cycle, but the black triangles represent
46 the actual recruitment deviations that we're trying to model,
47 and then the green lines represent the temporal signal, and the
48 blue line represents the remaining detrended non-temporal

1 aspect. That green line and the blue line are where we kind of
2 jump off from and start exploring the predictors.

3
4 Again, this is just the other set of models. It's just so you
5 can sort of see how that decomposition worked, and the real
6 takeaway is that all of them have some amount of temporal
7 variability explained, but the lion's share remains in this
8 unexplained, or detrended, portion.

9
10 Remember that now the next step is to take those time series and
11 then perform another variable selection process against those to
12 determine which of the ecological considerations that we're
13 interested in might be operating on those time scales or have
14 some capacity to explain the amberjack recruitment.

15
16 The first kind of high-level takeaway is that, out of the five
17 different models that I looked at, two of them being the
18 different seasonal models for sargassum, only four of them
19 produced significant selected subsets of predictor indicators
20 that were important, and, if you look at the three under the fit
21 column, those three are actually adding some nuance to our
22 understanding of the time series of the temporally-structured
23 amberjack deviations, and they are only explaining the temporal
24 signal, and there was no additional capacity to explain any of
25 the detrended data in those three models.

26
27 The ecological model, on the other hand, was actually able to
28 explain some of the detrended variability, and so this is
29 additional variability on top of the temporal signal that we're
30 able to explain, to the tune of 24 percent of the original
31 amberjack deviations, and so that ecological model ultimately is
32 the best out of all of the models that was explored.

33
34 That one picked out the Atlantic Multidecadal Oscillation as
35 well as the number of oil platforms throughout the Gulf as being
36 the important signal, and so you can see these variables
37 selected in red here, and those are basically the leading
38 indicators that we would be most interested in the context of
39 amberjack.

40
41 This is the detrended amberjack model that I was just referring
42 to for the ecological covariates. The black triangles are still
43 the recruitment variability that we're modeling over that time
44 period, and the blue line is now the detrended aspect that we're
45 trying to describe using the AMO and the number of oil
46 platforms, which is that red line, and you can see -- I'm not
47 going to belabor these figures, but I just wanted you to sort of
48 see the visualized version of what these models look like, and

1 there is some pretty decent agreement between the predictors,
2 covariates, and the response data.

3
4 This is the same type of visualization, only now we're
5 explaining the green line, and so this is the long-term habitat
6 model and the long trend that explains these data. Then these
7 are the final two models that didn't explain a ton of
8 variability, but, again, you can see they are pretty well
9 capturing these temporally-structured response.

10
11 That was a lot of kind of technical, messy stuff, and so now I'm
12 going to try to put it all together in a little bit of a better
13 context. Remember I said the ecological model and the habitat
14 model had the greatest capacity to actually explain deviations
15 in the amberjack, and they both picked out two separate
16 indicators as being important to that process, but, like I said
17 before, the ecological model is the only one that wasn't
18 temporally structured, and so this is kind of new variability
19 that we're capturing on top of the temporal structure.

20
21 It's interesting that this model, as well as the habitat model,
22 actually selected the oil industry platforms as being really
23 important, and they showed a positive relationship with the
24 amberjack recruitment deviations.

25
26 The AMO, on the other hand, had a negative relationship, or an
27 inverse relationship, and so that's interesting, but then we
28 also see an inverse relationship with the artificial reef
29 structures in the Gulf, and, if you look at that, kind of in
30 tandem with the relationship for the oil platform, that becomes
31 a little bit confusing. The point is that the habitat and the
32 climate environment in these two models really did capture kind
33 of the best -- They had the best capacity to explain the
34 recruitment deviations.

35
36 The sargassum and the eutrophication model didn't capture as
37 much variability, but they did still have important variables
38 that were selected, and, in the case of sargassum, the Florida
39 Middle Grounds having an inverse relationship to the amberjack
40 recruitment deviations was kind of interesting, and I will talk
41 about that in a couple of minutes, but that was explaining
42 variability that was already explained by the eight-year
43 temporal signal, and so adding a little bit of nuance to our
44 understanding, but not necessarily capturing more than what we
45 could just model with the temporal signals. Then the
46 eutrophication model showed a positive relationship with the
47 dissolved oxygen offshore of Texas, which, again, is an
48 interesting concept that I will talk about here in a second.

1
2 Putting all of this into kind of a leading-indicator context,
3 which variables and which models have the best capacity to
4 increase our understanding, and I would say that the climate and
5 habitat indicators really are probably where the story is. They
6 have the best ability to explain the recruitment variability.
7 The problem is though that both the AMO and these artificial
8 habitat structures are really complicated signals, in and of
9 themselves.

10
11 Knowing that the AMO gives us some predictive capacity, it's
12 great, but it doesn't help us understand the mechanism or the
13 context surrounding why those changes are happening, and so
14 that's going to make it really difficult to implement into a
15 decision-making framework, because we don't fully understand
16 which of the teleconnections associated with the AMO are
17 actually playing out in the process. Is it precipitation, is it
18 hurricane activity, loop current changes, or any of those things
19 in combination?

20
21 The oil platform stuff is also kind of ambiguous, because the
22 oil platforms don't exist in only one place in the Gulf of
23 Mexico, right, and they are pretty spread out. They're somewhat
24 clumped in various areas, but they're still a diffuse habitat
25 resource for the animals to use. Figuring out which kind of
26 artificial structure is important and why, whether it's auditory
27 or chemical cues or some other type of habitat consideration, is
28 really unclear.

29
30 The sargassum and the dissolved oxygen information I think is
31 also really useful, and probably easier to start to understand
32 the actual mechanism behind it, but they didn't capture a ton of
33 variability, and so that's not great, but it is more information
34 than we had before, but what's really interesting is like the
35 Florida Middle Grounds having this inverse relationship with
36 amberjack recruitment, and that's kind of a counterintuitive
37 thing, right?

38
39 You would expect that, if sargassum provides habitat, and that
40 potentially provides refuge, or something else, then maybe that
41 would increase the success of recruitment, but, in this case, it
42 doesn't seem to be, and that area has been shown to contribute
43 to larval entrainment and things like that, and so maybe there's
44 some kind of increased predation going on resulting from the
45 physics, but, again, we don't really know what the story is
46 there.

47
48 The same thing with the offshore dissolved oxygen in the fall

1 off of Texas, during a time period when you wouldn't really
2 expect larvae to be in the water, and so maybe this is, again, a
3 situation where the water quality is affecting the quality of
4 the gametes or the offspring afterwards, and so, again, not a
5 full understanding of what's going on there, and there's a lot
6 of how and why that needs to be understood before we can really
7 make solid decisions off of these things, but I do think there's
8 some capacity to learn more there.

9

10 Like I said at the beginning, these autocorrelation structures
11 appear to be very powerful at explaining these decadal and
12 multidecadal signals of variability throughout our stock-
13 recruitment relationship, and to the tune of between 17 and 32
14 percent of that variability, and so this might actually describe
15 some sort of temporal process that we're not paying attention
16 to, and that maybe we should be, or maybe this is some sort of
17 mechanistic bias in the mathematical models.

18

19 Again, it's unclear, but I do think that this highlights some
20 aspect that we need to be paying a little bit closer attention
21 to, because, if we can explain the recruitment variability by
22 just using completely synthetic variables, then I think
23 something is going on there that we're missing.

24

25 To kind of wrap it up, if we're talking about immediate term,
26 really short-term predictive capacity to inform interim
27 assessments or updates in between the formal assessments, I'm
28 not sure there's a lot of that capacity that exists right now,
29 and part of it comes from the fact that we have a lot of
30 complicated scale problems going on in this system, but also the
31 fact that the publicly-available data, which is what you would
32 need if you were going to do something in between a formal
33 assessment period, that data is kind of mismatched in a lot of
34 the temporal and spatial considerations, and so it makes it
35 really difficult to work with.

36

37 As you can see, I had to use five different models to attack
38 this problem, because I couldn't get all the data to match up
39 nicely, and so that's something that we need to pay attention
40 to, especially if we're going to be trying to avoid getting
41 caught off-guard by some sort of regime shift or chaotic change
42 in the system.

43

44 On the other hand, informing the formal assessments I think is a
45 very real thing that we should be starting to think about, and I
46 think that these models that I just described actually came up
47 with some interesting covariates that we might want to start
48 paying attention to. Again, this is a very complicated spatial

1 and temporal process, but there are some areas that I think we
2 could start with that are going to have a higher return on
3 investment faster than others.

4
5 If you want to learn about the effects of water quality, things
6 like dissolved oxygen, you can immediately start going into the
7 lab and testing the range for the various life stages of the
8 animal and see how that affects survivability or success of the
9 species, and so that stuff I think you can immediately start
10 including into decision-making, if you get that lab work done.

11
12 Sargassum, as a habitat, and other habitat considerations, I
13 think that's a more complicated problem, and I think there's a
14 lot of ground that you can make up there, as far as having the
15 capacity to explain more variability, but you really are going
16 to need to get out in the field and start understanding these
17 preferences of type.

18
19 Is it artificial or natural structure that's important? Is it
20 algal mats or windrows that might be important? What type of
21 age structures are present on these habitats, and which life
22 stages are utilizing which habitat types? All of that stuff is
23 going to be really important to this question, and so I think
24 that needs to be done in a pretty focused and vigorous way.

25
26 The same thing with this issue of the AMO, right, and there's
27 just so many different teleconnections associated with this
28 climate signal that to be able to disentangle it all I think is
29 a very difficult problem, and so while, again, I think it will
30 lead to more explained variability, understanding the mechanism
31 is going to be really difficult, and all of this can be
32 influenced and expanded on with a lot of different simulation
33 studies and management strategy evaluations, to really kind of
34 get the issues sorted out.

35
36 That is actually all that I have today for you, and I would like
37 to thank the council for funding this work, as pass-through
38 funding through NOAA, and I really appreciate the opportunity,
39 and I would also like to thank my colleagues here in my lab, as
40 well as Dr. Chuanmin Hu's lab, who helped provide the sargassum
41 data here at the University of South Florida, and so I will go
42 ahead and take any questions, and I know I have a couple of
43 minutes left, if anybody has any. Thank you very much.

44
45 **CHAIRMAN FRAZER:** Great. Thanks, Josh. That was a really nice
46 presentation, and so I will see if we have any questions for
47 you, right before we break for lunch, and we certainly have time
48 for a couple. Kevin Anson.

1
2 **MR. ANSON:** Thank you, Mr. Chair. Dr. Kilborn, thank you for
3 the presentation. It was very informative and very interesting.
4 We had spoken a little bit earlier, in the Habitat Committee,
5 about southern flounder and some of the challenges that species
6 is facing that could be related to environmental conditions, as
7 well as habitat, which is related or can be impacted by climate,
8 and so I am just curious though about the sources of the data,
9 the artificial reef data. You said publicly-accessible
10 databases, and I'm curious, specifically for Alabama, the data
11 sources you used.

12
13 **DR. KILBORN:** I actually used the ecosystem status reports and
14 all the data that are available from them on the -- There is a
15 NMFS ecosystem status kind of indicators website that you can go
16 to for the Gulf of Mexico that has access to all of the
17 different indicators that are included in those reports, and so
18 they're actually Gulf-wide metrics, and they are not specific to
19 certain areas, and I know some areas are a little looser than
20 others with how they monitor the various artificial structures
21 that are being put out into the water, and so that is a concern,
22 for sure, but all of those data were drawn directly from the
23 ecosystem status reports, and I believe that particular metric
24 for the artificial reefs came out of the 2017 update.

25
26 This is part of the problem, is that all of the information
27 contained in the ecosystem status reports are generalized to
28 annual values Gulf-wide, and so that's adding to the complexity
29 of the problem here, is that we're kind of speaking in very
30 general terms about what these different indicators mean or
31 account for.

32
33 **MR. ANSON:** Thank you for that explanation, and, yes, I agree
34 with your earlier comment that that could be a little messy, if
35 you will, using generalized data, and so I believe size of reef
36 matters for this species, and even if, at the state level, for
37 instance in Alabama, if we had supplied the data for state
38 reefs, let's say, that were deployed, it would not capture all
39 of the reefs that were deployed, but there would probably not be
40 any indication as to reef height, which I think there's some
41 correlation there for greater amberjack, as far as not one reef
42 is the same as the next reef type of thing.

43
44 Then the last thing I guess I would comment is your
45 recommendations, going forward, is that it appears a lot of
46 these species are environmentally influenced, as far as their
47 recruitment, and it would be interesting to see if somehow some
48 of this eutrophication model that you've developed could be

1 applied for other species, since we don't seem to have a
2 spawner-recruit relationship, per se, as far as abundance of
3 fish, and there may be some environmental conditions that we
4 have long-term data for that might be helpful to try to kind of
5 model or take a look at recruitment over time series for species
6 that we manage, and so thank you.

7
8 **DR. KILBORN:** No problem, and, just to follow-up on that, real
9 quick, I have done some other species explorations throughout
10 the Gulf, and these dissolved oxygen values appear to be
11 important, and so, yes, the oxygen environment keeps popping up
12 in my analyses as being influential to a number of different
13 species, and so I think there's a lot going on with that
14 particular metric as well. Thank you. Are there any other
15 questions?

16
17 **CHAIRMAN FRAZER:** There sure is. Mr. Banks from Louisiana has a
18 question for you.

19
20 **MR. BANKS:** Thank you, Mr. Chairman. My question has to do with
21 more the unknown, and so this was an extremely interesting
22 presentation, and it is very interesting work, and so I
23 appreciate that presentation. If this work is showing between
24 17 and 32 percent explained variability in recruitment, do you
25 have some ideas, or maybe your next step in the research, to try
26 to find out the source of all of that unexplained variability?
27 What's your next step, I guess, to try to hone-in on that
28 unexplained variability and the factors that are important in
29 that?

30
31 **DR. KILBORN:** That's a good question. I don't have a great
32 answer for you, to be completely honest, because I think a lot
33 of that unexplained variability is going to come from things
34 that we're not really paying attention to right now. Like I
35 said, I was only looking at the indicators that were already
36 collected by the National Marine Fisheries Service for our
37 region.

38
39 The only new data that I brought into this process was the
40 sargassum coverage data, and that actually showed a little bit
41 of promise already, and so that gives you an idea of the fact
42 that there is stuff that we're not paying attention to that is
43 undoubtedly important to a number of different species in the
44 Gulf waters, and so I think, personally, if I were going to --
45 If I had unlimited money to go and look at this problem, I think
46 the next thing I would do is focus on habitat.

47
48 I do think that habitat is a really important issue, especially

1 with amberjack, and there's a lot of things that we're not
2 paying attention to, as far as habitat. We're counting certain
3 things, but, like Mr. -- I'm sorry, and I forget who the
4 question was from, but, from the first question, they already
5 pointed out that we're not paying attention to the height of a
6 lot of these artificial structures, and so I think high-relief
7 structure is probably the variable that we need to be paying
8 attention to, or one of the variables.

9
10 Again, I think there is a number of different kind of field-
11 related questions that need to be answered first, before we can
12 really build a predictive model, but we can only work with what
13 we have right now, and so that's what I have done, and
14 highlighting some threads to pull on, I think, already, but,
15 moving forward, I think we need to kind of get creative and
16 start thinking outside of the box, and a little bit less
17 traditionally, and start to understand what other things have we
18 not been paying attention to that might actually be controlling
19 these systems.

20
21 **MR. BANKS:** I appreciate that explanation, and I think you're
22 exactly right, because it goes to what Kevin said, especially
23 when you look at the model that showed that oil platforms seem
24 to have, at least directly speaking, a big impact on explaining
25 variability in recruitment, but artificial reefs did not, and I
26 think that goes to the difference in the structural complexity
27 to those two habitats. All artificial reefs, as Kevin said,
28 aren't created the same, and they certainly, at least usually,
29 from a height standpoint, don't have the height that an oil
30 platform does, and so I think you hit the nail on the head, and
31 so I appreciate that.

32
33 **DR. KILBORN:** Thank you.

34
35 **CHAIRMAN FRAZER:** We're going to go ahead and entertain one more
36 question from Dr. Porch.

37
38 **DR. CLAY PORCH:** Thank you for that, Dr. Kilborn. That's a very
39 interesting presentation, and there's a lot of food for thought.
40 I wondered if you could tell us a little bit about how you
41 initially selected all of the covariates and avoided the
42 potential of spurious correlations, because, as you know, if you
43 look for enough things, you will find correlations, even if
44 there is no real cause and effect, and so I'm curious about the
45 initial selection. Then, related to that, have you put any
46 thought, or do you have any discussion, regarding the mechanisms
47 that would contribute to the correlations that it appears that
48 you're seeing?

1
2 **DR. KILBORN:** Sure. So, like I said, kind of in the body of the
3 talk, one of the really big challenges of dealing with ecosystem
4 status report data is figuring out the timing of the different
5 indicators and how they kind of match up with their time series
6 start and endpoints, and so that is kind of one of the big
7 things that immediately starts weeding variables out for you,
8 whether you want to or not, and it's just how available are the
9 data over the time period you're interested in.

10
11 That plays a pretty big role in which variables I can actually
12 start to investigate in this multivariate context. That being
13 said, to get around some of that, and to include as many
14 variables as I could, that's why I broke it up into several
15 different models, and so that's why there is a habitat model and
16 a general ecological model and a eutrophication model, and so
17 that was kind of the first cut, was that.

18
19 Then the focus was, like I said, trying to find things that I
20 could hypothesize as maybe being influential to the early life
21 history stages of amberjack, and so that's where most of those
22 variables that were selected came from, is kind of those general
23 hypotheses of this might be something that affects recruitment
24 success, or a match/mismatch kind of hypothesis, for this
25 scenario.

26
27 That kind of led to the different models and the variables that
28 were selected there, but then, once I collected a large number
29 of variables, I still wanted to do -- I want to, and have to,
30 avoid the multicollinearity problems, and so I did do
31 correlation analyses for all of the variables in the selected
32 indicator suites for the sub-models, and I only retained
33 variables that were less than 85 percent correlated with any of
34 the other variables.

35
36 That's why, when I was looking at the sargassum stuff, a lot of
37 the large basin-scale variables ended up dropping out, because
38 they were highly correlated with something else that was more
39 spatially explicit and a little bit more useful, in my opinion,
40 and so there was a little bit of kind of researcher bias that
41 went into those decisions, but all of it was based on these
42 correlation analyses and the significance of those correlations
43 and all that good stuff.

44
45 Then, from there, moving into the variable selection process, I
46 actually used Akaike's information criterion to try to reduce
47 and to pull out the optimal models that were the most
48 parsimonious subsets of the variables that I had that could

1 explain substantial proportions of the variability, and so I
2 think that was the first question.
3
4 Then the second question was did I dig into any of the mechanism
5 or speculate on what sort of mechanisms or processes might be
6 causing them, and, like I said in the talk, there's some things,
7 and I touched on it a little bit in the report, of a few of the
8 mechanisms that might be at play, but I kind of am real cagey
9 about answering that question in a direct manner, because I
10 don't know the answers to those questions.
11
12 Like I said, the Florida Middle Grounds and sargassum having an
13 inverse relationship is weird and unintuitive, and so maybe that
14 does have something to do with the physical processes there
15 entraining larvae, which we've seen before in that area, and
16 maybe, if that happens, where there's a big sargassum year and
17 other species are taking advantage of that habitat, then maybe
18 they are increasing their predation. Again, it's hard to say
19 for sure without getting in the field and really observing
20 what's going on.
21
22 I can make similar claims about various other mechanisms, but
23 none of it really makes any sense until we get out there and
24 start validating some of these things.
25
26 **DR. PORCH:** Thank you for that. Just for the council's benefit,
27 I wanted you to know that we're actually -- The Southeast Center
28 is involved with several other partners to explore those very
29 things, the mechanisms that might control recruitment, and so a
30 lot of ongoing work that I think is benefiting from
31 collaborations and projects like this.
32
33 **DR. KILBORN:** Thank you.
34
35 **CHAIRMAN FRAZER:** Josh, I just wanted to thank you again, on
36 behalf of the council, for coming and giving the presentation,
37 because there is a lot of interest in this work, and we could
38 probably have a very, very lengthy question-and-answer period,
39 but, in the interest of time, I'm going to let you go and say
40 thank you, and I look forward to an opportunity in the future to
41 talk more about stuff.
42
43 **DR. KILBORN:** Thank you.
44
45 **CHAIRMAN FRAZER:** You bet. Thanks, Josh. We are going to go
46 ahead and break for lunch, and we will reconvene at 1:00, and so
47 will see everybody after lunch. Thank you.
48

1 (Whereupon, the meeting recessed for lunch on April 14, 2021.)

2
3 - - -

4
5 April 14, 2021

6
7 WEDNESDAY AFTERNOON SESSION

8
9 - - -

10
11 The Full Council of the Gulf of Mexico Fishery Management
12 Council reconvened via webinar on Wednesday afternoon, April 14,
13 2021, and was called to order by Chairman Tom Frazer.

14
15 **CHAIRMAN FRAZER:** Welcome back, everybody. I hope you guys
16 enjoyed your lunch. We're going to go ahead and continue with a
17 presentation on Coordinating Data and Approaches to Conduct a
18 Kemp's Ridley Sea Turtle Stock Assessment, and that presentation
19 will be given by Dr. Gallaway and Dr. Putnam, or one or the
20 other, and so we will go ahead and get that presentation loaded
21 up.

22
23 **DR. BENNY GALLAWAY:** Thank you very much. Dr. Putnam will be
24 making the presentation. Thank you.

25
26 **CHAIRMAN FRAZER:** All right. Dr. Putnam, we will let you go
27 ahead and get started.

28
29 **RECOMMENDATIONS TO THE GULF OF MEXICO FISHERY MANAGEMENT**
30 **COUNCIL: COORDINATING DATA AND APPROACHES TO CONDUCT A KEMP'S**
31 **RIDLEY SEA TURTLE STOCK ASSESSMENT**

32
33 **DR. NATHAN PUTNAM:** Good afternoon, everyone. I'm going to give
34 a presentation about some work that was funded by the Gulf of
35 Mexico Fishery Management Council last year, and myself and Dr.
36 Gallaway from the LGL Ecological Research Associates led this
37 work, and we got a good bit of help and input from folks at the
38 Southeast Fisheries Science Center, Chris Sasso and Paul
39 Richards in particular, and a retired NOAA guy, who you all
40 might be aware of, Charles Caillouet. We put this together, and
41 these are our recommendations for coordinating data and
42 approaches to conduct a Kemp's ridley sea turtle stock
43 assessment.

44
45 In the presentation, I will give you guys a brief introduction
46 on why we need a stock assessment, how that relates to the key
47 aspects of Kemp's ridley biology, some of the elements of the
48 most recent stock assessment that had been conducted by Gallaway

1 et al. in 2016, or published in 2016, and then some thoughts on
2 other proxies, indices, and factors to include that could
3 provide some of the important information on Kemp's ridley vital
4 rates and a better assessment of their population dynamics and
5 their status and some recommendations for the stock assessment
6 modeling approach that could be taken.

7
8 We would like to know -- So, why do we need a stock assessment?
9 Well, because we would like to know what the Kemp's ridley
10 population is doing. They have a rather interesting set of
11 trends here that you can see here, or that you might be able to
12 see, and the nesting by Kemp's ridley occurs predominantly in
13 the western Gulf of Mexico. More than 90 percent of nesting is
14 focused in the region around Tamaulipas, Mexico, shown with the
15 red squares. A minor amount is in Veracruz, in those orange
16 squares, and then a fairly small amount is on the Texas coast,
17 shown in yellow.

18
19 The magnitude of nesting and the time can be seen on the right-
20 hand side of your screen, and the Kemp's ridley population, when
21 protections began by Mexico in the mid-1960s, was supporting
22 about 6,000 nests a year. As you can see, that declines through
23 the mid-1980s, to a rather worrisome low level of only 700 or
24 800 nests, and then it gradually begins to increase, and it was
25 actually on an exponential pace, growing around 20 percent each
26 year from 1990 up to 2009, and then something happened, boom, in
27 2010. There's a sharp decline from that exponential growth that
28 had been occurring, and, since then, the nesting has been rather
29 variable and difficult to predict from one year to the next.

30
31 What happened in 2010 has been a source of considerable
32 speculation, and a handful of hypotheses have been put forth.
33 What happened in 2010? Well, there was an oil spill, and did
34 that cause the major decline? Other thoughts might be on
35 shrimping, which has sort of historically been a major problem
36 for sea turtles, and it's been thought to be an order of
37 magnitude more problematic, in terms of mortalities, than other
38 anthropogenic activities combined, and then, also, there are
39 questions of whether this could be somehow related to density
40 dependence, and at what point does the population become self-
41 limiting, and at what point is the Gulf only able to hold so
42 many turtles?

43
44 Each of these questions has been addressed at some level, and
45 the oil spill was sort of scratched off early on by the NRDA
46 trustees, saying that sort of the timing of the oil spill and
47 the associated damages and response was sort of later in the
48 year, in terms of when they thought that Kemp's ridleys would

1 probably be migrating to nests in Tamaulipas, and so they didn't
2 think that the major downturn in 2010 was responsible -- That
3 the BP oil spill was responsible for the major downturn that
4 occurred in 2010, basically leaving open the possibility that
5 habitat degradation from the spill might limit the population's
6 ability to rebound subsequently, but they didn't think that the
7 big drop in 2010 was likely related to the oil spill.

8
9 What about shrimping? That was investigated by a rather large
10 team of strategical experts about four years ago, in terms of
11 developing a Kemp's ridley stock assessment model, and that was
12 led by LGL's Dr. Gallaway.

13
14 In that stock assessment model, what was particularly unique
15 about it was that they accounted for shrimping effort, in terms
16 of estimating anthropogenic mortality, and they assumed, in that
17 model, that all anthropogenic mortality should be related to
18 shrimping, and so they sort of shifted all anthropogenic
19 mortality to shrimping, and, in those assessments, it was pretty
20 clear that now way could you slice out an explanation for a
21 downturn in Kemp's ridley nesting in 2010 with shrimping effort.
22 That just didn't seem to be compatible with the existing data,
23 in terms of the magnitude of shrimping effort, its distribution
24 over the habitat that Kemp's ridleys occur, and so that was
25 scratched from the list.

26
27 What about density dependence? We took part in an analysis that
28 was led by Charles Caillouet, one of the co-authors on this
29 paper, and one of LGL's team statisticians, Scott Raborn, and
30 that is our one hypothesis so far that has not been scratched
31 off the list, and you can see the citation on the next slide in
32 *Chelonian Conservation and Biology*, where the trends in nesting
33 are certainly consistent with density independence over a
34 portion of the data that have been recorded, in terms of
35 nesting, from say before the 1960s through about the year 2000.

36
37 Then, from 2000 on, there is evidence for a density dependence,
38 with the idea that being that you can only get so many turtles
39 out of more and more eggs and that, at some point, resources
40 become limiting and competition among turtles becomes a buffer
41 against further rapid population growth.

42
43 That's not to say though -- The analysis that was done there,
44 it's a bit of a curve-fitting exercise, and the model that was
45 applied was, if you assume exponential growth, what does the
46 population look like, what do the trends look like, how well is
47 the variance explained. If you assume it's a logarithmic
48 function, what does the trend look like?

1
2 You can draw lines through messy data in all sorts of ways,
3 which is what this graph shows, and what we are recommending,
4 and what we think is worthwhile, is a more mechanistic approach
5 to assessing the Kemp's ridley population and changes through
6 time.

7
8 What we think would be -- There's nothing wrong with some curve
9 fitting and some hypothesis testing and investigation from that
10 perspective, but we think that, taking into account some key
11 aspects of Kemp's ridley biology and working towards a process-
12 based method for assessing what the population is currently
13 doing and what it's likely to do in the future is the more
14 productive route.

15
16 To catch you up to speed on some key aspects of Kemp's ridley
17 biology, you already know that they nest primarily in the
18 western Gulf of Mexico, and they're really focused, primarily,
19 off the coast of Tamaulipas, and the turtles -- After eggs have
20 been laid, the young will scamper down the beach, and they
21 disperse into the Gulf of Mexico, and they are transported by
22 surface currents to oceanic nursery habitats, where they remain
23 for a period of a year or two.

24
25 They eventually recruit to the continental shelf foraging
26 grounds, particularly in the northern Gulf of Mexico, and also,
27 to some degree certainly, the Atlantic seaboard, after which
28 they will -- After say another ten years or so, they will reach
29 maturity and return to the vicinity of their natal site, to
30 those nesting beaches, where they will mate and lay eggs and
31 then return back to their foraging grounds on the continental
32 shelf, typically a distance from the nesting sites, back towards
33 Louisiana and west Florida and the Campeche Bank.

34
35 With that in mind, we can think about how certain elements of
36 the life cycle could give us insight into population dynamics.
37 Can we better predict future nesting with information on
38 hatchling production input into the population? As you go
39 along, they drift along for that two-year period, and those
40 recruitments -- If we could measure recruitment into those
41 foraging grounds, from the pelagic into the neritic environment,
42 would that help predict future nesting? There's, obviously,
43 some interest in stock-recruitment relationships, and that might
44 be useful to apply to sea turtles in addition to fish.

45
46 Then the third question we might ask is do foraging conditions
47 predict future nesting, and so how does food availability and
48 prey availability and mortality, things that might be

1 detrimental to turtles, influence future nesting?

2
3 The closer you get back to that circle, likely the more
4 informative, perhaps the more powerful, information is, in terms
5 of accounting for what type of nesting is going to happen in a
6 given year, and so, from the next slide, you can see an example
7 of sort of what we're thinking about.

8
9 On the top graph, this is hatchling production as it relates to
10 nests, and so there's a logarithmic relationship between
11 hatchlings produced and numbers of nests laid, in this case
12 twelve years later.

13
14 Below that, we have a relationship that we are showing between
15 juvenile strandings in Florida, on the west coast of Florida,
16 and the number of nests produced eight years later, and so a
17 timeline of eight years, and so you can see, again,
18 interestingly, interesting in terms of the shapes of the curves,
19 you have a logarithmic function, in terms of hatchling
20 production, and you have a linear function, in terms of those
21 strandings data, which might be indicative of recruitment, and
22 so, as more young turtles recruit to the West Florida Shelf
23 feeding grounds, you might expect to see more strandings, and
24 that seems to be consistent with some of the data that we have
25 accumulated.

26
27 At a fundamental level then, we can think about assessing
28 population status with information on the reproductive output,
29 the immigration into the population, natural mortality,
30 anthropogenic mortality, and immigration out of the population.
31 For Kemp's ridleys, which are engaging, as we already talked
32 about, in natal homing, if we're thinking about the population
33 from an index of nesting, then immigration and emigration can be
34 sort of assumed to be minimal, and we can focus mostly on things
35 that relate to reproductive output and things that relate to
36 mortality.

37
38 If we're wanting to do that, if we're wanting to think about
39 forecasting Kemp's ridley nesting, if we look at past nesting
40 and look at the relationship of hatchling production, again at
41 that twelve-year time lag, we can see that there's a -- That
42 does a decent job of predicting the overall trend in the
43 population.

44
45 If you look at the next slide, which is forecasting nesting
46 using a recruitment index, it does a decent job of picking up
47 the wiggles that you see from one year to the next, and, if you
48 add those together, we see that you can do a pretty decent job

1 of accounting for future nesting based on those two indices of
2 hatchling production, or strandings, a metric for -- A
3 strandings metric for recruitment, and up to 78 percent of the
4 variants can be accounted for by those two factors.

5
6 What we would like to think is that, perhaps with additional
7 information on the later life stages, and so, for instance,
8 things related to foraging grounds for the larger juveniles, in
9 terms of them eventually reaching maturity, or the adults, in
10 terms of them developing a sufficient energy source to migrate
11 and reproduce, we could probably do even better than that.

12
13 Taking a step back, this is sort of the elements from the past
14 Kemp's ridley stock assessment, and it was really instrumental,
15 as I already alluded to, in a number of ways. If you go to the
16 next slide, I highlight some of the key things that were really
17 useful in this from the stock assessment, in that we had good
18 data for nesting, and we had good data for hatchling production.

19
20 Thanks to the survey efforts they are doing in Mexico, we have a
21 good idea, a very good idea, of how many nests are laid and how
22 many hatchlings are actually coming off of those beaches and
23 then what was added in was this information on shrimping effort
24 and spatially segregated across the Gulf and by depth zone and
25 relating that to shrimp trawl mortality and catchability of
26 turtles by different ages, and then, later on, accounting for
27 the influence of TEDs, in terms of reducing the risk of turtles
28 to mortality from shrimp trawls.

29
30 In that effort, and, again, I have sort of highlighted
31 particularly some stuff about that stock assessment in green.
32 In red, we have some information that was included, but the
33 information on there that was available at the time wasn't maybe
34 as robust as we would like. For instance, things related to the
35 proportion of hatchlings that are female, that's going to be
36 pretty important for nesting, if you're censusing the female
37 portion of the population. It would be nice to know how many of
38 those hatchlings that are coming off the beaches are females and
39 if there are differences in terms of sex-biased survival or
40 distributions.

41
42 Another thing that was sort of lacking was the habitat
43 weighting, and so information on Kemp's ridley distribution in
44 the Gulf was based on expert opinion on the relative importance
45 of each of the shrimping zones to mature females, and those were
46 certainly informed opinions, but not statistically robust, and I
47 will step outside of the bounds here to say that, in my own
48 opinion, it's not the most robust way to estimate distributions

1 of turtles.

2
3 Then we have things like clutch frequency and remigration
4 interval and natural mortality, which were set or fit by the
5 model without a good deal of information on what might cause
6 those to vary through time.

7
8 In terms of making things better for the future, there are a
9 handful of proxies and indices and factors that we think could
10 be included at this point, and they primarily relate around
11 spatial and temporal variation in the Kemp's ridley distribution
12 and better information on the variation and the demographic
13 parameters of this population.

14
15 For instance, for the spatiotemporal variation in Kemp's ridley
16 distribution, you can imagine why that would be useful if you
17 have -- Again, on the left side of this, we have a map that
18 shows an estimated mean abundance of Kemp's ridley by -- In one-
19 degree-by-one-degree latitude and longitudes over the period of
20 1996 through 2018.

21
22 We can overlay that on various threats to Kemp's ridleys. For
23 instance, say you have Gulf of Mexico shrimping effort, and we
24 have recreational fishing effort in the final panel to the
25 right, and we can look at how those are changing through time,
26 and so we see, on the bottom panel, Kemp's ridleys tend to be
27 increasing, but not uniformly across the Gulf. Some places are
28 seeing higher increases than others, in terms of those model
29 predictions, at least.

30
31 We see that shrimping effort has been declining over this time
32 period, but not uniformly across the Gulf. That's, again,
33 primarily, as you can see, in the western Gulf, and things like
34 recreational fishing effort have also been changing through
35 time, and they're predominantly increasing along the West
36 Florida Shelf and around North Carolina, but stable or declining
37 in other locations.

38
39 Relating turtle distribution and abundance to the distribution
40 and magnitude of potential threats, we should be able to get
41 better estimates of natural mortality rates, and, again,
42 thinking about this by life stage is going to be a useful
43 direction for future stock assessments.

44
45 As an example for thinking about variation, potentially, in
46 demographic parameters, one of the main -- Two of the main
47 things that we need to think about, in particular, are clutch
48 frequency and how many nests are laid by a turtle in a given

1 year and the remigration interval, the number of years turtles
2 take between nesting.

3
4 That is because, if a turtle lays one or two nests in a season,
5 that means that your population size could differ by 50 percent,
6 and so, if each turtle is laying one nest, and you get 10,000
7 nests, that means something very different, in terms of
8 population abundance, than if you have 10,000 nests and turtles
9 are laying two nests per season.

10
11 If that varies through time, you could get pretty wide swings in
12 your abundance, or your abundance indices, and, given that such
13 changes are rather profound, or could be changing 50 percent,
14 based on clutch frequency, or maybe 33 percent changes based on
15 the differences in remigration interval through time, and those
16 two things could conceivably account for all of the major peaks
17 and troughs in nesting data that we have seen so far.

18
19 Getting a handle on that would be useful, and this graph here
20 shows some of the work by Donna Shaver, who has been tracking
21 that rather important information for Texas. Getting similar
22 information for Mexico, where the bulk of the population is
23 nesting, is also important, and so that's something that we are
24 working towards, with developing analysis of a long-term tagging
25 database that, again, probably needs to be continued through
26 time, as a way of tracking the population status.

27
28 Those were a handful of examples of what we think should be
29 included in future stock assessments, in terms of providing
30 indices on things that could influence reproductive output and
31 that could influence mortality in these populations, and the
32 yellow things are items all related to spatial variation in
33 Kemp's ridley distributions, and the blue are related to
34 variation in demographic parameters, and the green are something
35 of a mix between those two. With each of these, we have decent
36 data available that could be input and included into a stock
37 assessment model.

38
39 What we think would be a productive way to look at that would be
40 to, with all of those various indices, to conduct a series of
41 range-finding analyses, using sort of simple matrix models that
42 have been described in a publication with our colleagues at
43 Texas A&M University, and Benny Gallaway is an author on that
44 paper, and so we think that we could have -- We could benefit
45 from a sensitivity analyses to look at how each of these
46 potential indices, or parameters, could be influenced, could be
47 shaped, by the data that we have available.

48

1 Then, once we have a good sense of what factors are going to be
2 important for assessing the Kemp's ridley stock, and accounting
3 for variation through time, then a robust modeling approach,
4 sort of following in the footsteps of the Gallaway et al. 2016
5 assessment, which would be able to incorporate really any of
6 those indices that we have mentioned in the previous slide and
7 be able to account for, again, a variety of factors that could
8 influence reproductive output and mortality rates.

9
10 With that, I think I will close and thank you for the time. If
11 we go to the next slide, I have some acknowledgements for folks
12 who have contributed to some of the thoughts and the work that
13 was presented in here, and I am happy to take questions.

14
15 **CHAIRMAN FRAZER:** Thank you, Dr. Putnam. That was a really nice
16 presentation, and I'm sure we'll have a few hands up. I will
17 give a second for the little lag time that we have on our screen
18 here. It looks like the first hand is Ms. Bosarge.

19
20 **MS. BOSARGE:** Thank you, Mr. Chairman, and thank you, Dr.
21 Putnam, for the presentation. I thought it was quite
22 informative. This is actually the second time I've seen it, and
23 I believe you also presented it to the Shrimp Advisory Panel a
24 couple of weeks ago I guess it was now.

25
26 **DR. PUTNAM:** Yes.

27
28 **MS. BOSARGE:** So I'm intrigued by a lot of the different ideas
29 that you have. I appreciate the effort to try and bring in some
30 different indices, and I especially like that stranding index
31 and trying to sort of quantify recruitment and abundance a
32 little bit in that way.

33
34 I think it is a good idea to always explore the newer data that
35 may be out there as we collect more and more, and the Shrimp AP
36 did pass a motion, after seeing your presentation, and their
37 motion stated that the Shrimp AP requests the council to support
38 the conducting of a new stock assessment of the Kemp's ridley
39 sea turtle population according to the modeling approach
40 presented to the AP by LGL Ecological Research Associates and
41 for the council to communicate that support to NOAA.

42
43 I am certainly onboard with that motion, and I hope -- I know
44 that time and funds are always limited resources within the
45 Science Center and within NOAA, generally speaking. However, we
46 just had a presentation that was asking us, during the Habitat
47 Committee, about climate change, and it mentioned protected
48 species and things of that nature, and so there may be -- In

1 this next round of budgets and funding, there may be some
2 shifting priorities, maybe, for the agency, and, if there are,
3 and you do have some funds that can be directed towards
4 something like this, some endangered species work, I would hope
5 that you would put this type of project high on your list, a
6 stock assessment for the Kemp's ridley sea turtle, and keep that
7 in mind, as it's extremely important to not only the shrimp
8 fleet, but the council and management in general. Thank you.

9

10 **CHAIRMAN FRAZER:** Thank you, Ms. Bosarge, for those comments. I
11 will wait and make sure that we don't have any other hands. I
12 am not seeing any, Dr. Putnam, and so, again, I want to thank
13 you for your presentation. It was quite informative, and I
14 enjoyed it, and we'll see if we can pass along some of those
15 recommendations that Ms. Bosarge made. With that said, we are
16 going to transition platforms here, and I'm going to have Bernie
17 provide some instructions for us before we go to our public
18 comment period, which is scheduled for 2:00 p.m. Bernie.

19

20 **MS. ROY:** Good afternoon. What I'm going to do is end this
21 current conference call, and then I will be putting the phone
22 numbers up for the council members to call in, and I will have
23 the instructions for the public to also do the same if they wish
24 to speak. I will be doing that momentarily. We can go ahead
25 and hang up now, and I will put those instructions up. Thank
26 you.

27

28 **CHAIRMAN FRAZER:** Good afternoon, everyone. Public input is a
29 vital part of the council's deliberative process, and comments,
30 both oral and written, are accepted and considered by the
31 council throughout the process.

32

33 The Sustainable Fisheries Act requires that all statements
34 include a brief description of the background and interest of
35 the persons in the subject of the statement. All written
36 information shall include a statement of the source and date of
37 such information.

38

39 Oral or written communications provided to the council, its
40 members, or its staff that relate to matters within the
41 council's purview are public in nature. Please email any
42 written comments to the staff at gulfcouncil@gulfcouncil.org, as
43 all written comments will also be posted on the council's
44 website for viewing by council members and the public, and it
45 will be maintained by the council as part of the permanent
46 record.

47

48 Knowingly and willfully submitting false information to the

1 council is a violation of federal law. If you would like to
2 provide testimony, please dial the toll-free-operator-assisted
3 number at 1-(833)970-2435, as shown on the screen.

4
5 Please press *1 on your telephone now to be placed into the
6 speaker queue. The operator will come on the line and let you
7 know when it's your turn to speak. When your line is unmuted,
8 please introduce yourself by stating your first and last name
9 for the record and begin your testimony. Stay tuned after
10 speaking for any questions the council may have for you. You
11 will lose your place in the queue if you are not present when
12 called. To re-enter the queue, you must press *1. If you get
13 disconnected from the phone call, you will have to call back in
14 and press *1 to re-enter to queue.

15
16 You will have three minutes to comment. There will be a
17 countdown timer visible on the screen. We accept only one
18 registration per person. Please wait on the line after you have
19 finished speaking to find out whether the council has any
20 comments or questions for you. I will now go to the operator
21 for our first speaker.

22
23 **OPERATOR:** Our first speaker is Catherine Bruger.

24
25 **PUBLIC COMMENT**

26
27 **MS. CATHERINE BRUGER:** Thank you. I am Catherine Bruger, Policy
28 Analyst for Ocean Conservancy. First off, I wanted to thank the
29 council staff for making these virtual meetings possible. We
30 realize that it can be trying at times, but we appreciate your
31 perseverance.

32
33 We have patiently supported council attempts to address these
34 critical calibration issues. This represents Ocean
35 Conservancy's eleventh testimony to the council on the subject.
36 We know there are council members who understand the
37 mathematical rationale behind the common currency issue, and we
38 applaud the council staff for their clarifying presentation on
39 the subject, yet state management continues to violate the law.

40
41 At this point, to state that the council hasn't had enough time
42 and needs to delay action is ludicrous. The council has
43 squandered opportunities to solve this problem by deflecting,
44 delaying, and advancing illegal options. Every member of this
45 council took an oath promising to conserve and manage our
46 fisheries for the greatest overall benefit of the nation, being
47 careful to balance competing private or regional interests. You
48 promised, quote, to uphold the provisions, standards, and

1 requirements of the Magnuson-Stevens Fishery Conservation and
2 Management Act.

3
4 Failing to bring state management into compliance with the law
5 violates your oath to represent the nation's best interests, not
6 just recreational interests and not just your state's interests,
7 and not just this year's interests. The burden of delaying
8 action is being shouldered by accountable sectors.

9
10 The private angler component has not been confined to an
11 accountable ACL since 2017. The bottom longline index currently
12 reflects that abundance estimates have flattened or declined
13 since then. Overfishing occurred in 2019, and that designation
14 will unfairly tarnish the reputation of the for-hire and
15 commercial sectors. How these overages will impact reallocation
16 discussions is yet to be seen, by the mere existence of four
17 years of uncalibrated data looms as a troubling recipe for
18 unjust and unfair decision-making.

19
20 Last, we deeply appreciate the work of the SSC, who faced both
21 an unprecedented range of scientific uncertainty and political
22 pressure. While the Great Red Snapper Count will undoubtedly
23 advance our understanding of red snapper, premature press
24 statements packaged as final results left the public with false
25 hope for more fish. Now we owe it to the public to clarify that
26 scientific integrity is alive in peer review.

27
28 We reiterate that the appropriate next steps for the Great Red
29 Snapper Count are to complete peer review by addressing the
30 concerns of the reviewers and proceed through the regular SEDAR
31 process. We are confident that, by following this well-defined
32 and transparent process, the results can help grow our knowledge
33 of the stock, while simultaneously reducing management
34 uncertainty. Our request is simple. The council must take
35 final action at this meeting to address overages due to a lack
36 of common currency. Thank you, Mr. Chair.

37
38 **CHAIRMAN FRAZER:** Thank you, Ms. Bruger. I will wait just a
39 second, to make sure that there aren't any hands up from the
40 council. Okay. I am not seeing any. Again, thank you, Ms.
41 Bruger, for your comments. We'll go to our next speaker.

42
43 **OPERATOR:** Our next speaker is Bob Zales.

44
45 **MR. BOB ZALES, II:** This is Bob Zales, representing SOFA and
46 NACO. A couple of things. Number one, I sent an email in there
47 about our charter and headboat recreational data program, and
48 there's a key issue on there, and it's not something that just

1 applies to the vessel owners, with the loss of income that they
2 could lose if an electronic device fails, but the key issue is
3 for the family with the small children who have planned their
4 vacation for months around their fishing trip.

5
6 When they get to a boat and that equipment fails, that boat,
7 according to what you all have there now, cannot sail, and,
8 during the red snapper season, there will not be another boat
9 available. That family will lose their importance of their
10 vacation, and those little children, who had looked forward to
11 catching their first red snapper, are going to be highly
12 disappointed.

13
14 There's a real simple way to fix it. All of you have to do is,
15 if that equipment fails, allow the charter boats to be able to
16 call-in and call-out until they either get a replacement piece
17 of equipment or get that one fixed.

18
19 On the commercial side, the red grouper issue is still a
20 critical issue, especially with the allocation. What little bit
21 I heard this morning, and I guess it was Leann that was talking
22 about most of this, there are still significant problems with
23 this change from MRIP to the MRIP-FES system.

24
25 Apparently, there is problems with the weight calculations, and
26 there is clearly problems with going back through history thirty
27 years to try to figure out what was caught, and things were
28 entirely different thirty years ago. Before we go to changing
29 allocations in any fishery based on this information, this new
30 system needs to be fully vetted out, and let's work out all the
31 details and get all the issues done, and then let's see where
32 the information lies and then go from there.

33
34 Another problem that we have with the red grouper fishery is the
35 discard mortality on red snapper for the vessels that have no
36 quota, that are either being forced to lease quota or they're
37 discarding the fish. This is not good for the stock, and it's
38 not good for the fishermen.

39
40 There are now issues, from what I understand down-state, to
41 where you have some fish houses now that are kind of holding
42 some of these guys hostage, because they will lease them quota
43 if they sell fish only to them, and so what you've got is you've
44 got some fish houses that are small and family-operated that
45 don't have any quota that are now losing the vessels that
46 traditionally have sold to them. Those are issues that need to
47 be looked, and that's my testimony. If anybody has got any
48 questions, I will be glad to try to answer them.

1
2 **CHAIRMAN FRAZER:** Thank you, Captain Zales. Let's see if we
3 have any questions from the council members. I am not seeing
4 any, and so, again, thank you, Captain Zales, for your comments.
5

6 **MR. DUGAS:** Mr. Chairman, I thought I had my hand raised.
7

8 **CHAIRMAN FRAZER:** I didn't see it. Sorry, J.D., but go ahead.
9 Do we still have Bob Zales on the line?
10

11 **OPERATOR:** We don't have him on the line anymore.
12

13 **CHAIRMAN FRAZER:** All right. I'm sorry about that, J.D., but
14 you can ask your question, and I will write it down and get it
15 to him.
16

17 **MR. DUGAS:** Mr. Chairman, in regard to Captain Zales' comments,
18 I thought that the charter captains, if they had an issue
19 hailing-out, that they could simply call in to NMFS' office, and
20 so maybe the question is not for Captain Zales, but maybe for
21 someone at NMFS.
22

23 **CHAIRMAN FRAZER:** Sure, J.D., and I've written that question
24 down, and I think what we can do is go ahead and clarify that
25 for you later in the council meeting, okay?
26

27 **MR. DUGAS:** Thank you.
28

29 **CHAIRMAN FRAZER:** All right. Will do. We will now go to our
30 next speaker.
31

32 **OPERATOR:** Your next speaker is Gary Jarvis.
33

34 **MR. GARY JARVIS:** Captain and Mayor Gary Jarvis, Destin,
35 Florida, which I'm speaking on behalf, and as Executive Director
36 of the Charter Fishermen's Association.
37

38 The Charter Fishermen's Association has always focused our
39 efforts to work within the management process that utilizes
40 science-based approaches for an accountable and sustainable
41 fishery. Our industry has made sacrifices over the years to
42 bring sustainable and accountable and stable seasons to our
43 anglers and businesses that could be counted upon.
44

45 The findings and subsequent discussions of the Great Red Snapper
46 Count and its relationship to the fishery has us in a position
47 to support an increase in the ACL, with such a large -- of the
48 level that was set. Yet, it's important to note that we

1 supported an increase that is sustainable and legal.

2
3 Our board of directors, who are professional fishers with over
4 twenty to forty-plus years on the waters of the Gulf of Mexico,
5 feel that the fishery can easily sustain a 10 percent increase
6 for one year, until the benchmark stock assessment is completed
7 and it allows the science to determine what the Great Red
8 Snapper Count as a whole means for the management of the
9 fishery.

10
11 After the discussions and the votes made yesterday during the
12 Reef Fish Committee, to see if they would also like to see the
13 for-hire sector's buffer be reduced to 3 percent, and, in the
14 last seven years, we've remained accountable, and we have
15 underfished our sector's allocation, and we believe this
16 consistent, sustainable management of our sector has earned us a
17 reduction in our buffer like that of the commercial sector.

18
19 We feel like our sector has reasonable expectations, considering
20 the flexibility given to the private angler sector, that we
21 should be given some consideration for increased access, while
22 remaining well under our ACL.

23
24 Our organization also has worked diligently with the SEFHIER
25 team to enhance and fix the challenges that we've had with the
26 launch of the electronic logbooks. We have provided a support
27 program to help our fleet members set up accounts and address
28 individual issues, and I just want to say a big thank-you to
29 Rich and Jenny and the SEFHIER team, and also the app providers,
30 who have all been open to our suggestions and the fixes in the
31 past four months.

32
33 It's not perfect yet, but we hope that our communication will
34 overcome the remaining issues that we have to work through, and,
35 also, we are front and center encouraging buy-in and compliance
36 with ELB requirements for federally-permitted charter/for-hire
37 fishermen. This is truly a team effort, and we're glad to be
38 part of it.

39
40 Then a P.S. By the way, can anyone tell us if and when there
41 will be an amberjack season here in the spring on May 1? Thank
42 you, everyone.

43
44 **CHAIRMAN FRAZER:** Thank you, Captain Jarvis. I am seeing if we
45 have any hands up. I see, on my screen, J.D., but I suspect
46 that's an old hand.

47
48 **MR. DUGAS:** Yes, sir.

1
2 **CHAIRMAN FRAZER:** Is your hand up, Andy Strelcheck?
3

4 **MR. STRELCHECK:** Yes, and thanks, Tom. Thanks, Captain Jarvis.
5 First, I wanted to thank you and the many charter captains that
6 are working with NOAA Fisheries to improve the SEFHIER program.
7 We really appreciate you working with us and identifying
8 problems and troubleshooting it and then, obviously, being
9 patient as we work through some of those challenges to make the
10 program better.
11

12 I did have a question for you, just so I understood your comment
13 correctly, and you said that the CFA supports a sustainable
14 catch limit. You also said that you would support an increase
15 of 10 percent, and so I'm not quite understanding kind of how
16 that jibes with the current ACL that's before the council of
17 15.4 million pounds. Are you suggesting to go higher than that,
18 or you're supportive of the current preferred alternative?
19

20 **MR. JARVIS:** Well, what we based that on is all the discussion -
21 - I should say -- I would like to say fighting, but that's
22 probably not appropriate, but about the Great Red Snapper Count
23 and the decisions that came out of the SSC, and we just feel
24 like, if there's going to be any type of flexibility or increase
25 to the fishery, because of that disparity between the OFL that's
26 been raised by fifteen million pounds, and there has been no
27 definitive comments or votes by the council, up to this point,
28 based on the SSC-recommended 300,000 pound increase.
29

30 We're just giving our anecdotal two-cents worth that, if there's
31 going to be an increase in the interim, after listening
32 especially to the motion that was passed in Reef Fish, that our
33 fishery could sustain a 10 percent increase, and so we're just
34 going on the public record that we feel like that wouldn't be
35 too high. The caveat is, as you saw in my public comments, that
36 it's considered sustainable and legal, and so we kind of left
37 ourselves an out there.
38

39 **MR. STRELCHECK:** Thanks, Gary.
40

41 **CHAIRMAN FRAZER:** I am looking to see if there are any other
42 hands, and I am not seeing any, Captain Jarvis, and so thank you
43 for your comment. I appreciate it.
44

45 **MR. JARVIS:** Thank you, sir.
46

47 **CHAIRMAN FRAZER:** You betcha. We'll go to our next speaker.
48

1 **OPERATOR:** Your next speaker is Dylan Hubbard.

2
3 **MR. DYLAN HUBBARD:** Thank you for your time, council members.
4 I'm Dylan Hubbard from Hubbard's Marina out of central west
5 Florida. One thing, on the Great Red Snapper Count, is this was
6 such a unique approach to our fisheries science, and I hope to
7 see many more projects like this in the future. Fisheries-
8 independent science is so valuable, yet so expensive and time-
9 consuming to collect and maintain historical time series.

10
11 Since this issue is going on, I feel like there's probably a lot
12 of influential people listening into these public comments, and
13 I feel it's a great time to point out that the Gulf, South
14 Atlantic, and Caribbean Councils all share one science center,
15 while other councils have their own dedicated science center,
16 allowing for more research track assessments more frequently.

17
18 I feel like studies like this Great Red Snapper Count shine a
19 light on the importance for our councils to have their own more-
20 well-funded science centers, but the Gulf of Mexico will be
21 keeping Dr. Porch, if any additional centers come out of this
22 comment.

23
24 Also, I hope to keep politics out of our fisheries science,
25 moving forward. I would really like to see the federal for-hire
26 buffer decrease from its current 9 percent buffer between the
27 ACL and ACT for red snapper to some more exponentially lower
28 amount. This would provide us more access to fully utilize our
29 fishery and quota and provide more access to the private
30 recreational anglers that use our vessels to access this
31 fishery.

32
33 For red grouper, which seems to be getting pushed back to the
34 back of the room right now, because of the outstanding issues
35 with a more Gulf-wide species like red snapper, I am encouraged
36 that the IA is slated to be reviewed by the SSC, finally, in
37 May, and that IA has been ready since January, and I feel that
38 this health check of our fishery will show that the fishery has
39 rebounded considerably and remains on the rise of rebounding.
40 We've seen this on the water, and many people have been talking
41 about this in our area. This is a very cyclical species, and
42 the trends in this species are very cyclical, and I think we're
43 on the uprising of a more healthy fishery.

44
45 I think these IAs annually are so important, and I so appreciate
46 the council for making that a directive to the Southeast
47 Fisheries Science Center, but, as the Reef Fish AP motion
48 stated, I think there's a super big importance of automating

1 those health check catch level recommendations into this
2 cyclical fishery, to kind of more smooth out those landings, and
3 also our catch levels, and so moving to automating that would be
4 awesome.

5
6 On Amendment 53, I would encourage the council to take a hard
7 look at the Reef Fish AP's motion on adding an additional
8 alternative to the document. This was a very hard thought-out
9 approach to somehow reach a more middle-ground option between
10 the extremes of Alternatives 2 and 6 to the commercial fleet or
11 Alternatives 3, 4, and 5 to the recreational fleet.

12
13 This document really muddies the water on an already difficult
14 circumstance, and it's unfortunate that we can't celebrate the
15 efforts of improving private recreational data collection, but,
16 instead, we're left to fight for historical access and our
17 ability to continue prosecuting our fishery, as we have
18 historically. This is the last of the major reef fish that has
19 a year-round season in our area along central west Florida, and
20 my family business really depends on this species.

21
22 Lastly, on the Great Red Snapper Count, as mentioned, I think I
23 could support a very small increase to the red snapper ACL, but
24 there's a lot of issues that the Great Red Snapper Count brings
25 up, especially reproductivity of the stock. Just simply looking
26 at it, there's all these more fish out there than we thought,
27 and then obviously they're not reproducing as quickly as we
28 thought, and I think any increase in this fishery needs to be
29 considered legal, and that needs to be the main focus here.

30
31 We cannot continue to make illegal motions and support
32 overfishing our ACL or ABC, and especially our OFL, which has
33 been exceeded in past years. Due to COVID, nothing really came
34 of those OFL overfishing -- Exceeding our OFL, which is
35 concerning, especially with localized depletion occurring in
36 some areas and in some fisheries, and luckily not in mine, but
37 this is definitely something we need to take a pause with.

38
39 Red snapper is kind of the fisheries management success story,
40 and I would hate to see us start backsliding as we too
41 aggressively approach increases with some ground-breaking
42 science approaches like the Great Red Snapper Count.

43
44 Then, also, I want to make sure that we continue to stay under
45 our ABC and ACLs and really keep track of those landings, no
46 matter what sector it might come out of.

47
48 Then, lastly, amberjack trips are scheduled literally two weeks

1 from now, and my area has a huge, huge issue that we are waiting
2 to go out fishing for amberjack. We have people flying in, and
3 it would be really nice to be able to give them a heads-up
4 whether or not we're going to be able to target amberjack. I
5 understand there's a bunch of issues with the MRIP data from
6 last year, and COVID caused a lot of problems, and I get it,
7 but, if we're not going to have the season, just let us know, so
8 we can let our guests know, and that would be really, really
9 nice, to have that come out of this meeting. Then I want to
10 echo some of the earlier --

11
12 **CHAIRMAN FRAZER:** Dylan --

13
14 **MR. HUBBARD:** I'm out of time. I get it. Thank you, all.

15
16 **CHAIRMAN FRAZER:** Thank you. Let's see if there's any hands. I
17 see Andy still has a hand up, and I'm wondering if that's an old
18 hand.

19
20 **MR. STRELCHECK:** No, it's a new hand.

21
22 **CHAIRMAN FRAZER:** Go ahead, Andy.

23
24 **MR. STRELCHECK:** Thanks, Tom. Thanks, Dylan, for your comments,
25 and Gary brought it as well for amberjack. Just to let the
26 industry know, we are trying to do some calculations to finalize
27 an estimate for whether we can reopen greater amberjack or not.
28 Dylan alluded to we've been waiting on MRIP data from 2020,
29 which has been delayed due to COVID, and so we are trying to get
30 to a decision point as quickly as possible and make an
31 announcement regarding fisheries status as far in advance of
32 that May 1 date as possible, and so I just wanted to give you a
33 heads-up on that. Thanks.

34
35 **MR. HUBBARD:** I appreciate that, Andy, and I know you guys are
36 working on it, and I know this has caused a ton of issues for
37 the agency and private business, and virtually everybody across
38 the world, and so I get that. As much notice as we can give our
39 guests is great, and that's always a benefit.

40
41 **CHAIRMAN FRAZER:** Okay. I am not seeing any other hands at
42 present, and so we will go ahead. Thank you, Dylan, for your
43 comments, and we'll go ahead and move to our next speaker.

44
45 **OPERATOR:** Your next speaker is Ken Haddad.

46
47 **MR. KEN HADDAD:** My name is Ken Haddad with the American
48 Sportfishing Association. Mr. Chairman and council members,

1 thank you for allowing me to speak. My focus is on red snapper,
2 and I want to spend a second on the optics, as viewed from the
3 recreational public. Simply put, it really looks bad right now.

4
5 We have an SSC that mathematically did not incorporate the Gulf
6 Red Snapper Count into its recommendation of ABC, while doing so
7 for the OFL, and we have a framework amendment that is on the
8 verge of creating a scenario where two states, or all states,
9 will have substantial reductions in catch.

10
11 I listened to the entire SSC meeting as they addressed snapper,
12 and, to me, it was very captivating, actually, and an open view
13 of the SSC operating under pressure. While we sympathize with
14 the situation the SSC was put under, it did not, in their final
15 recommendation that barely passed, take into account what
16 appeared to be broad scientific acceptance of the independent
17 reviewers, whose main critical focus was on the western Gulf,
18 and that was underestimating the count of snapper in the western
19 Gulf.

20
21 Most other concerns that were brought up will be addressed in
22 the final document for the GRSC, which I believe will be in
23 June, and so we strongly urge that the ABC decision be sent back
24 to the SSC and a request for them to fully document a new
25 decision, including relevance to the National Standard 8, the
26 use of the ABC Control Rule, and to develop better consensus for
27 incorporating the snapper count into the ABC, as defined by the
28 OFL that they set.

29
30 We further ask that you take no action or defer action on the
31 framework until after the GRSC report is finalized, the SSC has
32 met and revisited the ABC, concerns between common currency
33 conversion relative to Alabama and Mississippi are
34 scientifically vetted and straightened out, and the council is
35 satisfied that adequate information has been brought forward in
36 order to make the best-informed decisions on the framework.

37
38 To build on the car analogy, when you're driving a car and you
39 have the bigger engine under the hood, but you're headed for a
40 cliff, you don't just sit there and keep going straight over the
41 cliff. You turn or stop the car, and we think now is the time
42 to do that. For grouper, Amendment 53, we support Preferred
43 Alternative 3 or Alternatives 4 or 5 for Action 1. Thank you,
44 Mr. Chairman.

45
46 **CHAIRMAN FRAZER:** Thank you, Mr. Haddad. Let's see if there are
47 any hands up. I am not seeing any. Again, thanks, Ken, for
48 your comments, and we will go ahead to our next speaker.

1
2 **OPERATOR:** Your next speaker is Herbert Stevenson.
3

4 **MR. HERBERT STEVENSON:** I'm just a recreational fisherman from
5 south Alabama, and, looking at what state management has done
6 here, it seems to be working, and it gives us an opportunity to
7 change seasons and extend seasons based on weather and other
8 factors. I would like to see it stay in the states' hands, and
9 I encourage the council to certify the state data collection
10 surveys that are the best available for recreational harvest.
11 The federal data collection, the mail-in surveys and phone
12 surveys, are subject, at best.

13
14 Rather than penalizing states like Alabama and Mississippi,
15 which have some of the tightest data systems in the Gulf, I
16 encourage the council to take no action on the framework under
17 consideration today. I would encourage this council to table
18 the entire concept of recalibration until all the data from the
19 snapper count and the state data and the MRIP recalibrations are
20 run through the next benchmark stock assessment.

21
22 Just in general, we're seeing more snapper, on a daily basis,
23 than we have in years, and so to discredit, or not use, the
24 Great Snapper Count just seems kind of ridiculous to me, but I
25 urge the council to take whatever action they can to remove the
26 fishery from the federal management and turn it over to the
27 states, or at least the council should remove the fishery from
28 the MRIP process altogether and simply let the state data
29 systems be used for management going forward, and I thank you.

30
31 **CHAIRMAN FRAZER:** Thank you, Mr. Stevenson. It looks like we
32 have a question from Kevin Anson.

33
34 **MR. ANSON:** Thank you, Mr. Chair and Mr. Stevenson. No
35 question, but just thank you for calling in, and thank you for -
36 - As a member of the private recreational sector calling in, and
37 I know it's difficult for you all to do that and take time out
38 of your schedules to follow the process, but I certainly just
39 appreciate your input. Thank you, sir.

40
41 **MR. STEVENSON:** Great. Thank you.

42
43 **CHAIRMAN FRAZER:** Okay. I am not seeing any other hands right
44 now, and so, again, I thank you as well, Mr. Stevenson, for your
45 comments, and we'll go ahead and move on to our next speaker.

46
47 **OPERATOR:** Your next speaker is Glenn Hughes.
48

1 **MR. GLENN HUGHES:** Thanks for the work that you do and for
2 allowing me to speak today. I'm Glenn Hughes, and I'm the
3 President of the American Sportfishing Association, and we're
4 the trade group that represents the manufacturers for
5 recreational fishing, from rods-and-reels and lines and lures to
6 tackle boxes and fishing nets and marine electronics and so much
7 more.

8
9 In 2020, our industry contributed more than \$209 million to
10 conservation just through federal excise taxes alone to support
11 sportfish restoration, and we believe that we represent the best
12 interests of the fifty-five million anglers that enjoyed fishing
13 across the country this past year.

14
15 I want to mention that I love fishing in the Gulf of Mexico, and
16 it's some of my favorite fishing around the country, as do
17 millions of anglers recreationally across the five Gulf states,
18 and really folks outside of the five states, and one of the
19 reasons is because of the abundance of red snapper and the
20 enjoyment in catching them.

21
22 I also appreciate the economic value that it has for our
23 industry and for each of the states and tourism and charters and
24 taxes, and we believe that the state management system is
25 working and should continue as-is. The states have their finger
26 on the red snapper pulse, and there are reasons for the longer
27 seasons. Number one is because the fish are there. Of course,
28 the seasons can still be adjusted accordingly, based on weather
29 and other factors, if necessary.

30
31 I encourage the council to take no action on calibrating state
32 recreational data collection systems with federal data. The
33 council should wait until all of the data is run through the
34 upcoming full stock assessment, including the Great Red Snapper
35 Count, as well as the federal and state recreational data.

36
37 The economic engine of the red snapper recreational fishing is
38 critical to the Gulf, and to move forward now would jeopardize
39 the state management for anglers in the Gulf and really
40 devastate that economic engine, and that's all I have to say.
41 Thanks.

42
43 **CHAIRMAN FRAZER:** Thank you, Mr. Hughes. I am waiting to see if
44 we have any hands. I am not seeing any, and so, again, I thank
45 you for your testimony, and we will move on to our next speaker.

46
47 **OPERATOR:** Your next speaker is Bill Kelly.
48

1 **MR. BILL KELLY:** Mr. Chairman and council members, my name is
2 Bill Kelly, and I'm the Executive Director of the Florida Keys
3 Commercial Fishermen's Association, and I want to thank you for
4 this opportunity to speak to you today regarding the king
5 mackerel gillnet fishery in the Gulf of Mexico Southern Sub-
6 Zone, which I have done on an ongoing basis for the past eleven
7 years.

8
9 As most of you know, we have a track record of working with the
10 council to sustainably harvest the resource and to protect
11 harvesters as well. In the past five year, the 45,000-pound
12 trip limit has virtually eliminated fine, and real-time harvest
13 data collected by one of our fishermen's wives, Ms. Betsy
14 Daniels, for NOAA has virtually eliminated overruns, and
15 transport in the Florida ports has increased fleet efficiency
16 and benefitted consumers.

17
18 Fair and equitable allocation of the resource is the very heart
19 of this issue. Over the past ten years, we have watched the
20 recreational side harvest less than half of their six-million-
21 pound ACL, while the commercial sector has reached their annual
22 ACL, while receiving no increases in quota over that same
23 timeframe.

24
25 At the council meeting in June of 2020, I was shocked to see the
26 council's allocation review schedule, with king mackerel slated
27 for the year 2025. By then, the council would most likely want
28 another stock assessment, as this latest iteration would
29 probably be considered out-of-date.

30
31 On Monday, at the Mackerel Committee meeting, Mr. Sanchez
32 pointed out that the current allocation, at 574,000 pounds,
33 affords just 33,760 pounds of fish per permit holder in this
34 high-yield fishery. The question was raised as to what number
35 would the industry consider appropriate, and I have that number
36 for you. We would like to see the allocation increased to
37 75,000 pounds per permit, to a total ACL of 1.2 million pounds
38 annually, and no less than 60,000 pounds, or an ACL of
39 1,020,000, pounds per year.

40
41 With the current ACL pricing operating and costs, it's extremely
42 difficult to turn a profit. This is especially true when
43 fishermen are converting from trap fishing to roller rigs for
44 kingfish, and most are traveling a hundred miles or more one way
45 to fish. At this time, stakeholders are willing to engage in
46 the grassroots discussion on an ITQ program, or a variation
47 thereof. However, the first meaningful step has to be the
48 council's move to address allocation.

1
2 Again, I am surprised that Amendment 33 was not placed on the
3 agenda for this meeting, and I hope that you will do for the
4 June meeting, which is actually scheduled for Key West. I will
5 see that every gillnet permit holder is in attendance at that
6 meeting to provide both written and oral comment and meet with
7 staff to discuss options. Thank you.

8
9 **CHAIRMAN FRAZER:** Thank you, Captain Kelly. I'm seeing if we
10 have any hands up. I am not seeing any, and so, again, thank
11 you, Bill, for taking the time to provide those comments, and we
12 will move on to our next speaker.

13
14 **OPERATOR:** Your next speaker is James Hall.

15
16 **MR. JAMES HALL:** Hi, guys. My name is James Hall, and I
17 appreciate the opportunity to speak at this function. I'm a
18 recreational angler, and so I'm kind of calling on behalf of
19 every recreational angler that I have ever talked to off the
20 coast of Alabama that has fished for red snapper.

21
22 I own a condo in Fort Morgan, and I've been a recreational
23 saltwater angler in the area for more than a decade, and I have
24 spent no fewer than probably thirty days fishing the Gulf off
25 the Alabama coast for the past several years. I'm the Editor-
26 in-Chief of *Bassmaster Magazine*, and I only say that because,
27 for the past twenty-two years, I have worked for Bass, a company
28 founded on strong fishery conservation ethics, and so I
29 understand the ramifications of fishery conservation.

30
31 I fell in love with this Gulf fishery, and I plan to retire
32 there, and I don't want to see the mismanagement of snapper
33 populations go in either direction, overharvest or underharvest,
34 and, to that, I will say that state management is working. I
35 have seen it myself, and the seasons based on state management
36 can be adjusted based on a myriad of factors.

37
38 The reporting requirements make sense, and I have seen a lot of
39 anglers gladly embrace these reporting requirements. I would
40 like to see the states continue to manage the private
41 recreational sector, as they have for the past couple of years,
42 and, anecdotally, I will just tell you, man, that there are so
43 many snapper out there that it's almost frustrating.

44
45 We go out, and my son and I go out, and we hit our first couple
46 of reefs, and we catch our limit in less than an hour, and then
47 we go looking for other fish to catch, and we simply can't get
48 away from the things, and so the populations are super, super

1 strong.

2
3 The Great Red Snapper Count, actually, once I saw that, it
4 brought to light what recreational anglers already know, if they
5 have spent any time on the water at all, and that's that snapper
6 numbers are far greater than any of the feds know or want to
7 admit, and so I encourage the council to certify, once and for
8 all, that the state data collection surveys are the best
9 available science for recreational harvest.

10
11 The federal data collection system has clearly had issues
12 throughout its history, and NOAA is calibrating data from phone
13 surveys, or mail-in surveys, and I don't know how you can
14 believe that that is accurate, and so, rather than severely
15 penalizing Alabama and our neighbor states, and Alabama, which
16 has the tightest data system in the entire Gulf, I encourage the
17 council to take no action in the framework action under
18 consideration today.

19
20 I would encourage the council to table the entire concept of
21 recalibration until all the data, the snapper count and the
22 state data, et cetera, are run through the next benchmark stock
23 assessment.

24
25 I don't see how the council can conclude that any data they have
26 ever had on red snapper is better than what the Great Red
27 Snapper Count just produced, and the processes and procedures
28 that I read about going in the end of that count were
29 unbelievable, and so it's baffling to think that this process is
30 being disregarded and that states are having to calibrate to the
31 federal system that is shown to be faulty and unreliable.

32
33 Also, it's terrible timing to consider any reduction of snapper
34 season, and there is a lot of small businesses in Fort Morgan,
35 where our place is, and Gulf Shores and Orange Beach that are
36 barely hanging on after the COVID-19 pandemic, and reducing the
37 number of days the recreational guys can fish for snapper will
38 greatly reduce tourism, I'm sure, and there's no telling how
39 many dollars will be lost for these businesses and how many
40 businesses will fail because of faulty science, and I think it
41 would be a travesty.

42
43 In conclusion, given the state data systems and the Great Red
44 Snapper Count, it would make a great deal of sense to simply hit
45 the reset button and start over with managing this fishery with
46 the new information in hand, and so, with that, I say thank you
47 for the time, and I appreciate the opportunity.

48

1 **CHAIRMAN FRAZER:** Thank you, Mr. Hall, for your testimony.
2 Let's wait just a minute. It looks like Kevin Anson's hand is
3 up.

4
5 **MR. ANSON:** Thank you, Mr. Chair. I have the same comment as
6 before to Mr. Stevenson, but, Mr. Hall, thank you for providing
7 your testimony today. We appreciate hearing new voices when we
8 discuss these issues, and so just thank you. Thank you for your
9 time.

10
11 **MR. HALL:** My pleasure. Thanks.

12
13 **CHAIRMAN FRAZER:** Okay. I am not seeing any other hands at this
14 time. Again, Mr. Hall, just like Mr. Anson said, I thank you
15 for your testimony, and we'll move on to our next speaker.

16
17 **OPERATOR:** Your next speaker is John Franck.

18
19 **MR. JOHN FRANCK:** Good afternoon. I'm John Franck from
20 Franklin, Tennessee, and thank you for everything that you all
21 do and for allowing me to register a comment today. I'm a
22 recreational fisherman, and, while I'm a resident of Tennessee,
23 I've been an Alabama saltwater fishing license holder for the
24 last twenty years or so, and I make it down to the Alabama coast
25 approximately eight to ten times a year and fish the coastal
26 waters and the waters of the Gulf of Mexico, mostly, like the
27 previous speaker, out of Fort Morgan and Orange Beach.

28
29 When on the coast, we generously support all the locally-owned
30 Alabama businesses, including restaurants, tackle stores, and
31 marinas. I care about the Alabama and Gulf of Mexico fisheries,
32 and I want the snapper fishery to remain as robust and available
33 for my future grandchildren as it has been over the past few
34 years.

35
36 I try to stay informed about the fishery, even though I don't
37 live on the coast, and it seems that the state management is
38 working, and the seasons are now longer, and they can be
39 adjusted according to weather and other factors, as it was back
40 in 2020. The reporting requirements make sense, and I would
41 like to see the states continue to manage the private
42 recreational sector as they have for the past couple of years.
43 For my observations, both on the water and what I follow, it's
44 the red snapper is in abundance and remains in abundance.

45
46 From my readings and research, the federal data collection
47 system seems to have had some significant issues, throughout its
48 history, and there's just a lot of skepticism regarding the

1 federal data collection efforts, and it seems to me to continue
2 to rely on this data -- Well, it's concerning.

3
4 It seems to me that, rather than penalizing the State of
5 Alabama, and I understand that Mississippi is potentially at
6 issue here, with a significantly-altered snapper season this
7 year, and I would urge the council to not take any action in the
8 framework of action under consideration today, and I would also
9 respectfully urge, encourage, and request the council to take
10 off the table the full concept of a recalibration until all the
11 factors and data are taken into consideration, including the
12 Great Red Snapper Count, which demonstrates there are a lot of
13 snapper out in the Gulf of Mexico, and the state data, as well
14 as the MRIP recalibrations, and all of these are run through the
15 next benchmark assessments.

16
17 As the previous caller mentioned, red snapper is so important
18 and so critical to the Alabama state economy, and particularly
19 to local coastal business owners and their families, who have
20 been going through a lot this past year, and not to use all the
21 data, all the available data, all the applicable information at
22 hand, and making the right decisions just doesn't seem fair, and
23 it doesn't seem reasonable, and it certainly doesn't seem right.

24
25 Please take whatever actions the council can to use all the
26 available current data and information and allow the states to
27 manage, and I probably should have started with this, but red
28 snapper is also pretty doggone important to us folks up here in
29 Tennessee, and I appreciate your time in allowing me to speak
30 today.

31
32 **CHAIRMAN FRAZER:** Thank you, Mr. Franck. We've got a question
33 from Kevin Anson.

34
35 **MR. ANSON:** Again, not a question, Mr. Chair. This will be my
36 third-time-is-the-charm, but I did want to make a point with Mr.
37 Franck, the same thing I've said with Mr. Stevenson and Mr.
38 Hall, and that is, Mr. Franck, thank you for providing your
39 testimony. Again, it's good to hear new voices and new
40 perspectives from folks, and so, for anyone else that might be
41 discussing or bringing similar comments, particularly if they
42 have experiences or are from Alabama, I'm just going to thank
43 them in advance, and that's all, but thank you.

44
45 **MR. FRANCK:** Thank you.

46
47 **CHAIRMAN FRAZER:** All right. I am not seeing any additional
48 hands, and so, again, thank you, Mr. Franck, for your testimony.

1 We'll go ahead and move on to our next speaker.

2
3 **OPERATOR:** Your next speaker is Jim Zurbrick.

4
5 **MR. JIM ZURBRICK:** Hello, council members. It's good to be able
6 to speak in front of you, or almost in front of you. I am Fish
7 for America's President, and I'm also a federal fishery dealer,
8 and I'm a Gulf full-time reef fisherman and a permit holder, and
9 so I've got a little experience when I speak on some of these
10 issues.

11
12 I do want to thank the Ocean Conservancy, Catherine Bruger, and
13 she really made the point. I feel and understand the
14 frustration, and I think that their organization has used great
15 restraint in the proceedings over the last months, and actually
16 going on a couple of years now.

17
18 I personally am glad that we're getting an increase, and the ABC
19 is going to increase for red snapper, and I can't imagine that
20 somebody would like not to accept it, especially with all the
21 good that it would do for discards. I mean, discards is a
22 driving force for so many of our fisheries that even a small
23 amount would help our commercial situation, with some of the
24 leasing issues and with discards, and so I'm glad that,
25 hopefully, you're going to accept the recommendation from the
26 SSC.

27
28 I am going to read something off of a prepared sheet here, and
29 so it's not going to sound like me, but reallocation penalizes
30 accountable commercial fishermen for staying within their
31 quotas, while rewarding a less accountable recreational sector
32 for exceeding theirs, and this is in regard to Amendment 53.

33
34 That flies in the face of National Standard 4 of the MSA, which
35 requires that an allocation be fair and equitable, among other
36 requirements. Rewarding the recreational sector for
37 overharvesting in a period where the commercial sector stayed
38 within its quotas is not fair and equitable.

39
40 Reallocation is also unfair because Amendment 53 has penalized
41 the commercial sector for recreational discards. Under all the
42 reallocation scenarios, the ABC dropped from approximately 4.9
43 million pounds to 4.3 million pounds, a loss of roughly 600,000,
44 and this is because, when more fish are allocated to the
45 recreational sector, total landings have to be constrained to
46 account for the greater dead discards from recreational red
47 grouper fishing.

1 Why should the commercial sector have to pay for recreational
2 anglers to discard dead fish? This is a recreational sector
3 problem, and it's only fair to make the recreational sector
4 address it. If the Gulf Council ultimately decides to
5 reallocate, it should deduct the entire ABC decrease
6 attributable to increased recreational discards from the
7 recreational sector's quota.

8
9 Amendment 53, therefore, unfairly punishes the commercial sector
10 twice, first by basing the reallocation on a period when only
11 the recreational sector exceeded its quotas and second by
12 reducing the overall ABC to account for greater recreational
13 discards after reallocation.

14
15 Hopefully you folks are going to make a decision to ask for much
16 more data, and I think Dylan made a great comment there, when he
17 said, hey, let's see what the assessment coming up has to say
18 and get some more info.

19
20 Also, we have to be talking about what we're going to do with
21 the increase for triggerfish on the commercial sector. Are we
22 going to go to an increased trip limit, or are we going to not
23 have a closure, and so those are some questions that I know that
24 we are going to have to address, and I thank you very much.

25
26 **CHAIRMAN FRAZER:** Thank you, Captain Zurbrick. Let's see if we
27 have any hands. I am not seeing any, and so, again, I thank you
28 for your testimony, and we'll go ahead and move on to our next -
29 - Excuse me. We do have a hand, Jim, from Ms. Bosarge.

30
31 **MS. BOSARGE:** I just wanted to thank Mr. Zurbrick for his
32 testimony. I always look forward to hearing what he has to say,
33 regardless of the species or the topic, and I think he always
34 has really insightful comments, and so thank you.

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

37
38 **CHAIRMAN FRAZER:** Okay. I am waiting just a minute, Jim, to see
39 if there's any other hands. I am not seeing any, and so, again,
40 thanks for the time and the comments, and we'll go ahead and
41 move on to our next speaker.

42
43 **OPERATOR:** Your next speaker is Michael Currey.

44
45 **MR. MICHAEL CURREY:** Hello, council. My name is Michael Currey,
46 and I live in Baldwin County, Alabama. I own property in
47 Florida, and I work in the marine industry. I travel a lot, and
48 so you may hear some background noise from my vehicle, because I

1 am working, and I had some time behind the windshield to listen
2 to the calls and to join, and so excuse my background noise,
3 please.

4
5 As a recreational angler, I got excited about reading the Great
6 American Red Snapper Count, because everything that I've been
7 seeing, through my whole adulthood and childhood, is accurate.
8 That data is accurate, and I urge the council to consider that
9 data and use it to help make decisions, because I'm old enough
10 to remember, a few years ago, the council and the federal
11 government asking the states to take some more responsibility
12 and to build some programs and to take accountability for us
13 cowboyish recreational anglers that are out there, and they did,
14 and they've done a great job.

15
16 States like Mississippi and Alabama, that don't have deep
17 pockets, and they don't have deep budgets, and they sure as heck
18 don't have a very big coastline, have spent dollars to help
19 protect their resource and to protect, most importantly, the
20 resource, but also recreational angling. They've done a great
21 job.

22
23 We have to protect that, and, at the end of the day, what
24 everyone is discussing on the recreational side, in my opinion,
25 is a states' rights issue. They're trying to be protected from
26 federal bureaucracies that are overreaching and overwhelmed and
27 underfunded and everything else, and so, when independent data
28 comes around, we should act on it and look upon it and help
29 support better decisions, and I think, again, the better
30 decision now is to punt. It's to figure out exactly how
31 everything is going to shake out with the data that is up and
32 coming and is currently out there.

33
34 I will finish with this. Again, as a recreational angler, it is
35 very frustrating not knowing, and I've heard it from the
36 commercial guys too, when are we going to have amberjack season,
37 and when are we going to have the triggerfish season. Red
38 snapper are kind of like the canary in the mine, I feel like.
39 It's like everyone is looking at that bird to die, and red
40 snapper have become like our point of where we have to hold
41 onto, because I can't, with my family and my kids, I can't go
42 out there and catch much of anything at all.

43
44 Seasons are either closed, or they're open, or they're super
45 short, or they're unavailable to me, due to life, due to
46 weather, due to other circumstances, and so it's very difficult
47 to take advantage of our resource, due to -- I understand the
48 COVID things and stalled delay times, but it's very frustrating,

1 as a recreational angler, to see that we have done everything
2 that the states have asked us to do and the states have done and
3 to have it maybe pulled out from underneath us because of
4 federal bureaucracies, and I appreciate the time.

5
6 I know this is a very difficult position for council members,
7 and we're all vying for a public and national resource, and so
8 it's very difficult to manage, and I appreciate everyone's time
9 that they spend on it, and that's all I have to add, and thank
10 you for very much for your time.

11
12 **CHAIRMAN FRAZER:** Thank you, Mr. Currey, for your testimony. I
13 will wait just a minute to see if we have any questions from the
14 council. I am not seeing any, and so, again, thank you for your
15 comments, and we'll go ahead and move on to our next speaker.

16
17 **OPERATOR:** Your next speaker is Brad Young.

18
19 **MR. BRAD YOUNG:** Good afternoon, and thank you, council, for
20 allowing me to speak and allowing public testimony and for the
21 work you do. I know it's a tough job, and there are a lot of
22 people pulling you in different directions. I am calling from
23 Nashville, Tennessee, and I've got a boat, and our family has
24 had a boat, in Orange Beach, Alabama, for twenty-five-plus
25 years, and we've fished down there for that long, and I hope to
26 continue to do it with my kids.

27
28 We have watched the snapper seasons go, as a lot of people on
29 the phone know, from six months to three days and all over the
30 place. I'm going to echo a lot of what Mr. Currey said in front
31 of me, was that the Great Red Snapper Count verified a lot of
32 what we had already seen, that we see on the water, and you
33 can't get anything else by them. I mean, the snapper are
34 everywhere, and there's almost an imbalance of species of fish
35 that are out there.

36
37 Also, like he said, Snapper Check was something that we
38 enthusiastically participate in, so we can get some real-time
39 data for you guys to make the best decisions for everybody
40 involved, which is what we want, and we all want the fishery to
41 last for everybody, and nobody that I fish with, that I'm
42 around, wants and imbalance here, but I do think that, if this
43 is recalibrated and Alabama loses what it looks like they might,
44 then, gosh, you're going to have frustrated people who felt they
45 really worked really hard to comply with the laws and the
46 Snapper Check and all of that, and, all of a sudden, it's taken
47 away from them, and then what you're reading in the newspaper is
48 the Great Red Snapper Count and saying there's three-times as

1 many as we thought, and so I hope the council will vote no
2 action today, and thank you for the opportunity to speak, and
3 thank you for the jobs you do. I know it's not easy, but that's
4 all.

5
6 **CHAIRMAN FRAZER:** Thank you, Mr. Young, for your comments.
7 Let's see if we have any hands. I am not seeing any, and so we
8 will go ahead and move on to our next speaker.

9
10 **OPERATOR:** Your next speaker is Lawrence Marino.

11
12 **MR. LAWRENCE MARINO:** Good afternoon, council. My name is Larry
13 Marino, and I'm here today on behalf of Louisiana Attorney
14 General Jeff Landry. Regarding the framework action to modify
15 the OFL and the ABC for red snapper, it's obviously
16 disappointing to everyone that the ABC won't be increasing
17 nearly as much as the Great Red Snapper Count had suggested.

18
19 It's going to be tough news for the fishing public, after all
20 the buildup and after finding that there's three-times as many
21 fish as previously thought. It's also going to be difficult for
22 them to understand, because the explanation is technical, but
23 the result seems counterintuitive.

24
25 It is what it is, and, in any event, we ask that the SSC work to
26 resolve their uncertainty and concerns for next season and that
27 the council prepare to do another framework action for that for
28 next year, so that perhaps there can be an increase to the ABC
29 for next season, without having to wait for the completion of
30 SEDAR 74 and incorporation of that into the ABC recommendations
31 for 2023, or even for 2024.

32
33 Regarding the framework action for red snapper recalibrations,
34 as to the alternatives on the table, I specifically urge the
35 council not to select Alternative 3. As we all know, the
36 problem is whether to use the numbers from the state systems or
37 to convert them all to numbers from the federal system. This is
38 only a problem for two states, and we certainly wish those
39 states well in resolving this problem, but a solution that
40 involves reducing the other states' quotas, specifically
41 including Louisiana, is unfair and improper.

42
43 The problem should be dealt with regarding the states that have
44 the problem and not by passing the problem to the other states,
45 but that's what Alternative 3 does. It reduces the quotas for
46 Louisiana and Florida and Texas, whose numbers do line up with
47 the federal numbers. This would literally reallocate their
48 quotas to Alabama and Mississippi, and they must speak against

1 doing this. It's not a proper solution to the problem to push
2 it off on the other states. I therefore, once again, urge the
3 council to reject, or to at least not select, Alternative 3.
4 Thank you.

5
6 **CHAIRMAN FRAZER:** Thank you, Mr. Marino. We'll wait just a
7 second here. I am not seeing any hands, and so thank you again
8 for your testimony, and we'll go ahead and move on to our next
9 speaker.

10
11 **MR. MARINO:** Thank you.

12
13 **OPERATOR:** Your next speaker is Nick Ruland. We have our next
14 speaker, Scott Hickman.

15
16 **MR. SCOTT HICKMAN:** Good afternoon, Mr. Chairman and esteemed
17 council members from around the Gulf of Mexico. This is Captain
18 Scott Hickman in Galveston, Texas. I'm a thirty-five-year-plus
19 participant in the charter/for-hire fishery, and I'm a Gulf of
20 Mexico reef fish red snapper shareholder.

21
22 First off, the SSC meeting -- I followed some of that, and just
23 seeing the outcome and how politicized it seems to me that the
24 SSC process has become is pretty disheartening. I think I heard
25 one of the council members talk about how the SSC is like a
26 sacred body, and that's kind of how the scientific process
27 should be, and so many politics shouldn't get involved in it.

28
29 The Great American Red Snapper Count, I was a proud participant
30 in that, and the Louisiana red snapper abundance count, with Dr.
31 Benny Gallaway and his team, which I think that report is due
32 out this spring, and the Bureau of Ocean Energy Management count
33 on all the platforms in the western Gulf with Dr. Gallaway and
34 Dr. Settelmeyer's teams, and I have got a pretty good idea of
35 the fieldwork and what goes into getting this data.

36
37 I believe in the science, and I've been part of it on multiple
38 different projects, and we do have a lot of red snapper in the
39 Gulf of Mexico compared to when I have been in the fishery
40 thirty-five years ago. We've done a great job, and you all have
41 done a great job, and this giant gap between the ABC and the OFL
42 is absolutely craziness, and I don't like the current way the
43 council is moving forward that will let one sector continue to
44 overfish while everybody else is constrained to be inside their
45 ACLs.

46
47 I have visited with some of you, where I talked and gave the
48 impression that we have plenty of fish and that a one-year 10

1 percent increase across-the-board would be a good experiment, to
2 see how the fishery reacts to a 10 percent increase, and it
3 would go a long way in helping some of these states that are in
4 the bind that they're in, to try to fix the common currency
5 issues, and 10 percent ain't going to kill this fishery, but
6 this idea of just letting folks just be unaccountable under this
7 giant OFL is just wrong.

8
9 It's just the wrong step to take when we've done such a great
10 job getting to this point, and I just disagree with the way that
11 the council is moving forward, but I really believe a 10 percent
12 increase for one year and get into the full benchmark and digest
13 and go through what's coming out of the Louisiana red snapper
14 abundance project with Dr. Gallaway's team that's coming up and
15 then really go through everything on the Great American Red
16 Snapper Count, which there's a tremendous amount of good data in
17 that.

18
19 I am not saying it's perfect around the Gulf, and some areas did
20 better than others, and I won't kick on anybody, but there's a
21 lot of things to think about here, and a 10 percent increase
22 would not hurt this fishery, in my eyes, and I've spent my whole
23 life in this fishery.

24
25 That being said, we finished the expansion of the Flower Garden
26 Banks, and I was the chairman of the SAC, and I wanted to thank
27 everybody that's on the council for the hard work that they did
28 helping us on the fisheries part of that, and we have fourteen
29 new amazing banks in the central and western Gulf of Mexico
30 that's part of our sanctuary, and habitat is a very important
31 thing, and I would like to see the council start to get more
32 active in moving forward with Coral Amendment 10. More habitat
33 and more coral equals more fish, and that all is one big piece
34 of this whole puzzle, and so I appreciate everybody's time, and
35 please do the right thing on this red snapper issue with the OFL
36 and the ABC. Thank you, all.

37
38 **CHAIRMAN FRAZER:** Thank you, Captain Hickman. I am waiting to
39 see if we have any hands. I am not seeing any, and so, again,
40 thank you for your comments, and we'll go ahead and move to our
41 next speaker. Thank you.

42
43 **OPERATOR:** Your next speaker is Jim Green.

44
45 **MR. JIM GREEN:** Thank you. Hello. I'm Captain Jim Green,
46 Destin, Florida, President of the Destin Charter Boat
47 Association, President of the Charter Fishermen's Association,
48 and I'm speaking today on behalf of the DCBA.

1
2 We want to thank the agency and the Gulf Council for the
3 development of the SEFHIER program. The weekly webinar has
4 allowed our industry to work hand-in-hand to better the
5 implementation of the program. The development of the port
6 ambassador program to outreach and educate our fleet has been a
7 large success, and it has allowed our ambassadors to setup
8 communication and discuss issues seen in real time and share
9 experiences and find solutions while the software is being
10 updated.

11
12 As we move forward into the electronic monitoring, as you've
13 heard from Gary and Bob and a few others, we desperately wish
14 that we had a protocol set up for equipment failure. The for-
15 hire sector is managed with specific season dates. In return,
16 our customers are available on those specific dates, and the
17 industry is concerned and wants to have a protocol set up to
18 allow us to fish while our equipment is either repaired or
19 replaced, and we understand the first concern would be those
20 trying to work the system, and we feel a strict process be
21 required, where it's either an email, an online form, or a phone
22 call with a time stamp alerting the agency to the equipment
23 failure. From that point, we have a window of three to five
24 business days to correct the problem.

25
26 This program is a data collection and effort monitoring program,
27 and it does not manage an allocation-based fishery, or a quota-
28 based fishery, and we should be able to think outside the box on
29 this issue. The council has shown its willingness to develop a
30 custom for-hire program, and so let's move forward on to the
31 next phase by removing the concerns that are foreseeable. The
32 SEFHIER program is not complete, and the DCBA and the CFA are
33 committed to getting this program right and functioning
34 properly.

35
36 Red snapper, the DCBA supports any legal increase and access for
37 our industry, and we feel that we've made strides and have
38 become accountable and continue to support initiatives that
39 impose more burden on us to make our fishery better. We feel
40 that our buffer should be lowered to 3 percent of that of the
41 commercial sector, especially after the last seven years of
42 consistent, accountable management of our sector's allocation.

43
44 With that, I want to move into where I'm just speaking
45 personally, and I'm not speaking for any organization, because,
46 even in our industry, and it has everyone frustrated and kind of
47 at odds with what has happened with the Great Red Snapper Count
48 and how it's applied to our fishery.

1
2 A lot of us are scratching our heads on how such a large OFL
3 would be set with such a small increase in ACL and ACT. It has
4 set up a political firestorm, and, quite frankly, hands the
5 council a mess, which is not the word I would use, but I have to
6 use in this setting.

7
8 You applied it to our fishery as what one can only assume is
9 best available science, but, in the same breath, you speak of
10 all of its uncertainties. If the Great Red Snapper Count was
11 not ready for primetime, why is it applied at all? To be
12 honest, it's a blackeye to the SSC, in my opinion.

13
14 I understand every state is trying to get their management
15 correct, and some are already there and closer, but this was not
16 unforeseen. Everyone knew that Amendment 50 data was going to
17 have to be calibrated. Everyone knew that, because they were
18 allowed to manage their own data, and so why, in the eleventh
19 hour, is everybody scrambling?

20
21 It's very frustrating when you have a sector like the for-hire
22 sector that has operated within its constraints of the law and
23 are looking to further our anglers' access, but not have the
24 room on the agenda to approach such issues. We have, in our
25 industry, those that lose over half of the months of access
26 because of early summer weather patterns, and that could be used
27 as an increase in fishing days, but we understand the process.

28
29 We've been told that we don't get to cherry-pick the data, and
30 it's either ready or not, and it's either accepted or not, and
31 now we're all wondering what happened to our process, and it's
32 very frustrating when such unclear adjustments have been made in
33 our fishery, and I appreciate the opportunity to speak today.

34
35 **CHAIRMAN FRAZER:** Thank you, Captain Green. We have a hand up
36 from Mr. Sanchez.

37
38 **MR. SANCHEZ:** Captain Green, thank you for your comments.
39 Backing up to one of your earlier comments about setting up some
40 protocol for ELB equipment failure, reporting failure, maybe --
41 This is just a suggestion, but ask for a lengthier amount of
42 time to do repairs, because, at least in the industries that I'm
43 involved in, getting piece parts for any piece of equipment,
44 post-COVID, has become nightmarish, and so trying to do
45 something in four business days might become real, real
46 challenging. Thank you.

47
48 **MR. GREEN:** I agree, and three to five business days was kind of

1 just -- When you hear VMS tablets go down and stuff, and that
2 they have to overnight one to you, and so I appreciate that
3 input, and, yes, that would be very helpful. I just wanted to
4 make sure that we had something that addressed the issue and
5 made the agency and regulators feel good, but, at the same time,
6 made sure that we get it correct and we get that reporting
7 properly, and I'm open to a balance of that. Yes, sir.

8
9 **CHAIRMAN FRAZER:** All right. I am not seeing any other hands,
10 and so, again, Captain Green, thank you for your comments, and
11 we'll go ahead and let you go, and we'll move on to our next
12 speaker.

13
14 **MR. GREEN:** Thank you, all.

15
16 **OPERATOR:** Your next speaker is Edwin Lamberth.

17
18 **MR. EDWIN LAMBERTH:** Good afternoon. My name is Edwin Lamberth,
19 and I'm an attorney in Mobile, Alabama. I've been a
20 recreational fisherman with my family in the Gulf of Mexico for
21 more than forty years, and I've also worked in the charter/for-
22 hire industry, and I appreciate the opportunity to talk today
23 about some of the issues facing the red snapper fishery.

24
25 First of all, the states have done an excellent job managing red
26 snapper each year under state management. We've had more
27 opportunities to fish, and now, as a result of a threat of
28 litigation, which is nobody managing the fishery by the way,
29 we're being forced into this recalibration from an inaccurate --
30 Can you hear me?

31
32 **CHAIRMAN FRAZER:** Yes, we can, sir.

33
34 **MR. LAMBERTH:** From an inaccurate, old survey method, the
35 telephone survey and MRIP, which I don't know anyone who has
36 ever received that. I have never received a telephone call, and
37 I have never received a mail, yet Alabama has arguably the most
38 accurate data, and I applaud our state guys for the work that
39 they've done, and we're -- The tail is wagging the dog here.

40
41 It's taking less-accurate data and attempting to calibrate it to
42 more accurate data and discount the more accurate data. That is
43 just a completely arbitrary and capricious way to go about doing
44 this, and it should be rejected, and so I ask the council that
45 they take no action on this recalibration issue.

46
47 With respect to the SSC's recommendation, it's also equally, if
48 not more, arbitrary and capricious. No rational person denies

1 that the Great Red Snapper Count was accurate and reliable and
2 based on better science than the council has ever had before.
3 It is way more accurate than the old telephone survey or MRIP,
4 and there is precedent for doing this in the past, and so,
5 inexplicably, the SSC refused to use the Great Red Snapper Count
6 and use this longline study, without any explanation.

7
8 What it does is it penalizes states like Alabama for doing an
9 excellent job with their data management and monitoring their
10 snapper populations, and so I would ask that the council reject
11 the SSC's recommendation and send this issue back to the SSC, so
12 that the accurate and reliable data from the Great Red Snapper
13 Count can be incorporated into the management system.

14
15 **CHAIRMAN FRAZER:** Okay. Thank you, Mr. Lamberth, for your
16 comments. I am not seeing any hands, and so we will go ahead
17 and move on to our next speaker.

18
19 **OPERATOR:** Your next speaker is Chad Hanson.

20
21 **MR. CHAD HANSON:** Good afternoon, members of the Gulf Council
22 and staff. Thanks for the opportunity to provide comments in
23 this format today. My name is Chad Hanson, and I'm a Science
24 and Policy Analyst with the Pew Charitable Trusts, and I would
25 like to address three interrelated topics today.

26
27 One of the tenets of the Magnuson-Stevens Act is the requirement
28 that good science drives and supports management decisions.
29 Integrating new data into the management should follow
30 established procedures to safeguard the scientific process and
31 maintain a high level of integrity and objectivity in how the
32 council receives and uses advice from its scientific experts.

33
34 Adapting new research that falls outside of the usual process,
35 like the recently-concluded Red Snapper Count, takes time and
36 should be done with care. Trading expediency for due diligence
37 often does not produce the best results for the fish, the
38 fishery, or the ecosystem.

39
40 The Great Red Snapper Count was a comprehensive study that
41 provided a lot of good data on the red snapper population, and,
42 although the study was not specifically designed to be a
43 standalone stock assessment, it provides numerous potential
44 estimates for fisheries monitoring the Gulf going forward.

45
46 The primary focus of the study was to provide a snapshot of red
47 snapper abundance across the Gulf, and this study employed
48 multiple research methods at various depths and habitats.

1 Interestingly, red snapper accounted for only about 15 percent
2 of the species documented in some portions of the study.

3
4 To me, one of the key takeaways in this study demonstrates the
5 value of transitioning fisheries monitoring into an ecosystem
6 approach. The GRSC offers valuable insights on designing and
7 integrating long-term monitoring programs to better target
8 different habitat types and the associated species. We
9 encourage the council and its ecosystem and scientific advisors
10 to coordinate with the NMFS Science Center on developing a long-
11 term ecosystem-based monitoring plan.

12
13 Lastly, earlier today, you received a great presentation from
14 Dr. Josh Kilborn on examining the uncertainties associated with
15 assessing greater amberjack. I couldn't help but think how
16 helpful a fishery ecosystem plan could be to provide strategies
17 to address this fishery. In conjunction with the Science
18 Center's ecosystem status report, an FEP provides a roadmap for
19 how to incorporate local knowledge and scientific data in
20 ecosystem factors.

21
22 For example, it can give the council mechanisms to address
23 factors like changes in habitat, such as discussed earlier by
24 Dr. Kilborn, sea temperatures, circulation patterns, and
25 increasing episodic events like red tide, to name a few. Also,
26 the FEP is the optimal place to address climate impacts on
27 fisheries, as discussed early this morning, regarding the Biden
28 administration's Executive Order.

29
30 To close, we are enthusiastic about engaging with the council as
31 it develops the FEP, and we look forward to collaborating with
32 all of you and the stakeholders as this effort moves forward.
33 Thanks again for the opportunity to discuss these issues with
34 you today.

35
36 **CHAIRMAN FRAZER:** Thank you, Mr. Hanson. I am not seeing any
37 hands at the moment, and so, again, I want to thank you for your
38 testimony, and we'll go ahead and move on to our next speaker.

39
40 **OPERATOR:** Your next speaker is Ted Venker.

41
42 **MR. TED VENKER:** Thanks, council. I'm Ted Venker, and I'm the
43 Conservation Director for the Coastal Conservation Association.
44 I am not a scientist, but I did listen to the entire SSC meeting
45 last week, and I used to believe exactly what Johnny said
46 yesterday about the sanctity of science and believing that the
47 SSC was one area that would rise above that chaos.

1 That wasn't the case last week, and that meeting, in my opinion,
2 was quite a mess, but the one thing that shouldn't be confused
3 is that the discussions of uncertainty were almost universally
4 referencing a likelihood that the count is underestimating the
5 population, particularly in the western Gulf. That was not the
6 sense that I got listening to the report that the council heard
7 this week.

8
9 Also, it seemed to me that the guidance to the SSC coming from
10 NOAA on who could vote on the proceedings was really confusing.
11 If I recall correctly, it started off by saying anyone on the
12 SSC who participated in the count had to recuse themselves. By
13 the end of the meeting, that guidance seemed to evolve to be
14 voluntary, but that was after most of the votes had already
15 taken place, and I don't think I was the only one confused.

16
17 Toward the end of the meeting, one SSC member, Will Patterson,
18 expressed some alarm at not knowing what he was supposed to do
19 and abruptly left the meeting entirely, and so you at least one
20 SSC member eject during the meeting, and the Chairman resigned
21 almost immediately afterward, and I have to respectfully
22 disagree with the comment that I heard yesterday. I heard Joe
23 Powers say distinctly that he had not read the report, and that
24 is reflected on page 33, line 6 of the minutes from that
25 meeting.

26
27 Additionally, I don't think that anyone disagrees with the need
28 to calibrate the state data, and the question is why are we
29 calibrating to perhaps the worst metric we have for private
30 recreational harvest of red snapper?

31
32 MRIP and all its imputations and models has done nothing to earn
33 the faith of the angling public or anyone else, and it is just
34 like the bottom longline survey for red snapper. Just because
35 we've used it for a long time, it doesn't mean that it's right,
36 or anywhere close to right. There is a reason that the Pacific
37 Fishery Management Council pulled out of MRIP altogether and
38 uses just state surveys for their bottom fish management.

39
40 We have encouraged the council to take no action, or at least
41 defer action on calibration until all this new information in
42 the snapper count, state data results, and MRIP's own
43 calibration are fed into the next stock assessment and the
44 council can base some decisions from a more educated place.

45
46 We would also encourage the council to follow the Pacific
47 Council's lead and consider moving away from MRIP altogether,
48 and perhaps that process could start by inviting someone from

1 that council to make a presentation here on how that works.

2
3 Finally, to everyone afraid of overfishing the stock or breaking
4 the law, let's not forget that twenty-two of the best scientists
5 in the Gulf led the snapper count, and eighty-plus scientists
6 participated in it, and eleven institutions around the Gulf
7 supported it.

8
9 The count found at least 800 million pounds of red snapper that
10 we didn't know were there, and so we can talk about cars and
11 engines and things like that, but the fact is that we are
12 nowhere near overfishing this stock, and, if anything, we are
13 managing it like it's a Prius, when we have a Ferrari. I really
14 appreciate the time to address the council today, and thank you,
15 guys, for what you do.

16
17 **CHAIRMAN FRAZER:** Thank you, Ted, for your comments. I am not
18 seeing any hands right now, and so we have it looks like one
19 more speaker, and we will go to him now.

20
21 **OPERATOR:** Your last speaker is Chris Horton.

22
23 **MR. CHRIS HORTON:** Thank you, Mr. Chairman and members of the
24 council. My name is Chris Horton, and I'm the Senior Director
25 of Fisheries Policy for the Congressional Sportsmen's
26 Foundation. I will limit my remarks to the red snapper debacle
27 that we find ourselves in once again, and specifically to the
28 justification for deferring the framework action on deferring
29 the state data calibrations.

30
31 First of all, I was very dismayed with the process and the
32 outcome of the SSC meeting a couple of weeks ago. The SSC is
33 supposed to objectively evaluate the science and provide its
34 unbiased recommendations for the management decisions by the
35 council. NS 2 says that these recommendations should be by
36 consensus, or as close as possible.

37
38 They were far from that at this last SSC meeting, and the votes
39 were sharply divided. Ironically, SSC members seemed to agree
40 that the Great Red Snapper Count demonstrates that we have a
41 substantially larger stock, and this will be a game-changer for
42 future stock assessments.

43
44 Setting the OFL using a much smaller portion of the Great Red
45 Snapper Count estimates, based on the uncharacterized bottom,
46 represents a somewhat understandable precautionary approach.
47 However, using the bottom longline data to set the ABC is the
48 precautionary approach to the extreme. I can't understand the

1 justification for using two starkly different datasets for the
2 best available science to essentially inform a single ACL.

3
4 The next ABC needs to be sent back to the SSC. The most
5 fundamental component of science-based management is really a
6 mess, and it's just -- The calibration of state datasets of this
7 -- We have a lot to sort out, but the good news is we know we
8 have a lot more fish out there than we originally thought, and,
9 with an OFL that is now ten-million pounds higher than last
10 year, we aren't in danger of overfishing the stock.

11
12 The state data collection programs are clearly the best
13 available science when it comes to recreational catch estimates,
14 yet we're looking to force calibration back to MRIP metrics that
15 we know are wrong and will change drastically in two years, in a
16 positive way, once all this information has been incorporated.
17 We have perhaps the best opportunity we have ever had with this
18 fishery to safely hit pause and get management right, based on
19 the wealth of the new information.

20
21 Finally, NOAA seems to be only natural resource management
22 agency that can take something good for all and make it bad for
23 a few, or at least that's what it's going to look like to the
24 average angler in Mississippi and Alabama, and any faith that
25 we've restored in federal fisheries management over the last few
26 years under the state EFPs and Amendment 50 will be gone, and
27 then some, if we move forward with the calibrations. Thank you,
28 Mr. Chairman.

29
30 **CHAIRMAN FRAZER:** Thank you, Mr. Horton, for those comments. I
31 am seeing if there are any hands, and I am not seeing any at the
32 moment, and so I am going to go ahead and remind folks that, if
33 they want to make a comment, that they can call the number
34 that's on the screen. Once they get in, they would have to
35 press *1 to enter the speaker queue. It looks like we have a
36 number of folks that are on the line here, and I just wanted to
37 let you know that I'm going to turn the introductions, or the
38 monitoring, over to our Executive Director, Dr. Simmons, for the
39 time being. I have to step away to take a phone call, but I
40 will join you when I come back. Dr. Simmons, you're okay?

41
42 **EXECUTIVE DIRECTOR CARRIE SIMMONS:** Yes. Thank you, Mr. Chair.
43 Okay. Our next speaker is Kellie Ralston.

44
45 **MS. KELLIE RALSTON:** Thanks, Carrie. I'm Kellie Ralston, and I
46 am the Southeast Fisheries Policy Director for the American
47 Sportfishing Association. I just wanted to express that we
48 appreciate the difficult position currently facing the council

1 regarding red snapper.

2
3 I think, on the positive side, state management has been a
4 tremendous success for anglers. We've had consistent seasons,
5 and states have been able to tailor their seasons to the needs
6 of their constituents, and it has allowed for expanded
7 recreational access to this important fishery.

8
9 In addition, Gulf state data collection programs have allowed
10 for more precise and timely estimates of recreational harvest,
11 and the results of the groundbreaking Great Red Snapper Count
12 have given us an expanded understanding of the stock's
13 abundance, but we certainly have challenges remaining, primarily
14 with incorporating that state data and the Great Red Snapper
15 Count results into stock assessments and management.

16
17 Given the compressed timeline for the SSC review of the Great
18 Red Snapper Count and the resulting OFL and ABC recommendations
19 that are based really on two different interim analyses, and the
20 additional information that we're anticipating in the final
21 Great Red Snapper Count report, we would ask the council to
22 return the ABC recommendation to the SSC with a request for
23 further review and that it be based on the Great Red Snapper
24 Count interim analysis for consistency with the OFL.

25
26 With the OFL in place, the concern of overfishing under status
27 quo is not an issue, and so we also ask the council to defer
28 further actions on the calibration framework until after the SSC
29 finishes its review in the fall, so that you as the council can
30 make decisions based on the most complete information available.
31 Thanks again for the opportunity to speak to you today.

32
33 **EXECUTIVE DIRECTOR SIMMONS:** Thank you, Ms. Ralston. I think we
34 have a hand up. Mr. Banks, did you have a question?

35
36 **MR. BANKS:** No, and I was just going to respond to a few of the
37 comments that have been made over the course of public comment,
38 but I can do that at the very end.

39
40 **EXECUTIVE DIRECTOR SIMMONS:** Okay. Thank you.

41
42 **MR. BANKS:** I keep hearing the same thing over and over, and I
43 think we need to clarify what the true issue is. Thank you.

44
45 **EXECUTIVE DIRECTOR SIMMONS:** Okay. Certainly. Any other hands
46 for Ms. Ralston? Okay. Bernie, I am not seeing any others.
47 Our next speaker is Jay Mullins. Thank you.

48

1 **MR. JAY MULLINS:** Good afternoon. For what I wanted to say is I
2 was overly impressed by Mr. Frazer's comments yesterday, and he
3 was talking in regards to making wiser decisions at the council
4 level because of the social and economic impacts that some very
5 rash decisions have been made in our current fishing system
6 here, and I was also impressed to hear that we're not going to
7 make no fast, quick decisions on pushing a lot of fish out
8 there, when we really -- Forty years may sound like a lot of
9 history, but it's actually nothing. It's a drop in the bucket
10 when we look at our fishery.

11
12 Has it made an amazing comeback? Absolutely, the red snappers
13 have, but something that we can take away from the Great Red
14 Snapper Count is that we've got an overabundance of red snapper
15 here in the eastern Gulf, and we have sent multiple letters in
16 to you guys, and our senators here from the State of Florida,
17 about the issue that we have over here with the discard issue of
18 the red snapper that the IFQ system was supposed to help
19 alleviate, but it's actually not.

20
21 Furthermore, I don't really know too many things, but, when it
22 comes to a recreational issue -- Because I don't classify myself
23 commercial or recreational, and I'm a fisherman. I just happen
24 to be blessed to be able to catch a lot of fish and get paid a
25 lot of money to do so. You know, that's a blessing from God
26 that I've got a passion and I get paid handsomely to go out and
27 catch fish for a living.

28
29 I don't pay somebody else, and I rely on God to fulfill all my
30 needs in life, but having a year-round fishery that is a year-
31 round open fishery, as the red grouper are here in the State of
32 Florida, that's kind of harsh on the ecosystem, period. Putting
33 that much pressure on one species is very tough, and we can hurt
34 our environment.

35
36 I think we need to take a step back and look at -- You know, we
37 all have seasons, and the reason why we have seasons in life for
38 stuff is so we have a sustainable future, you know, and that's
39 one thing. You know, we try to feed the American public, and,
40 at the end of the day, the American public is going to be the
41 one that gets penalized, if you want to take more fish from the
42 commercial fishermen and give it to the recreational.

43
44 Do I admit the recreational sector is growing? Absolutely, and
45 the commercial sector is shrinking, and I stated that at the
46 first meeting that I attended there a few years ago, and we need
47 to start sustaining our commercial fishermen, because we are a
48 dying breed. We have no recruitment. Our recruitment is

1 getting pushed out of the business because we have a major drug
2 epidemic going on.

3
4 I wish some people would look at this and make some more
5 intuitive decisions when it comes to the management. You know,
6 to say that we don't have red snapper in the eastern Gulf is a
7 joke. We all know that we do. We want 10 percent. Well, if
8 science doesn't back a 10 percent increase, we don't need a 10
9 percent increase.

10
11 I feel the best science, as was stated yesterday that we need to
12 hold back and confirm all of this stuff, is the best way to move
13 forward with it. I had the honor of taking my seven-year-old
14 son out on a two-week-long fishing trip with me offshore, and I
15 had to answer a seven-year-old's questions of why we have to
16 throw back fish, why we have to cut off all the sharks, and --

17
18 **EXECUTIVE DIRECTOR SIMMONS:** Mr. Mullins, I'm sorry, but we need
19 you to wrap it up, sir.

20
21 **MR. MULLINS:** All right. Well, I would appreciate that we take
22 a more intuitive look as to how we can handle our discard issue,
23 as you all have gotten letters from us here in the eastern Gulf,
24 which I know we represent the majority of fishermen out there,
25 and these aren't just letters of ideas. These are facts that we
26 sent you. Thank you very much.

27
28 **EXECUTIVE DIRECTOR SIMMONS:** Thank you, sir. Could you stay on,
29 to make sure that we don't have any questions from council
30 members?

31
32 **MR. MULLINS:** Yes, ma'am.

33
34 **EXECUTIVE DIRECTOR SIMMONS:** Mr. Sanchez.

35
36 **MR. SANCHEZ:** Jay, I just wanted to say hello. We've been
37 speaking throughout the last few weeks, and I understand your
38 concerns with red snapper discards and everything, and I guess,
39 if we work our way through this red snapper situation that we're
40 in now, we'll certainly be looking at that and trying to address
41 it, or at least I will. I appreciate you taking the time to
42 call in, and you can call me anytime.

43
44 **MR. MULLINS:** Thank you, sir.

45
46 **EXECUTIVE DIRECTOR SIMMONS:** Thank you. Okay. I am not seeing
47 any other hands. Mr. Anson.

48

1 **MR. ANSON:** I may have missed it, but, Mr. Mullins, thank you
2 for providing testimony. Are you a shareholder of red snapper
3 IFQ?
4

5 **MR. MULLINS:** I'm an eastern Gulf longliner. I have 160,000-
6 pound-a-year average of fish, of reef fish, and we were allotted
7 200 pounds of red snapper, because we had a Class 2 license, a
8 200-pound, where we had to come in the first ten days of the
9 month, and so, if that gives you any idea of the unfair
10 distribution of the allocation, and that should open everybody's
11 eyes. That one of the top producers in the eastern Gulf was
12 allotted 200 pounds is a joke, and so no.
13

14 **MR. ANSON:** I didn't want to cut you off, but I wanted to just
15 thank you for the information, and thank you for providing your
16 testimony.
17

18 **MR. MULLINS:** Yes, sir.
19

20 **EXECUTIVE DIRECTOR SIMMONS:** Thank you, Mr. Mullins. Bernie,
21 did you need to say something?
22

23 **MS. ROY:** Joanna, can you introduce the next speaker, please?
24

25 **OPERATOR:** The next speaker is Seth Haukebo.
26

27 **MR. SETH HAUKEBO:** Thank you, Dr. Simmons, and thank you,
28 council members. My name is Seth Haukebo, and I am a
29 recreational angler speaking on my own behalf today and not on
30 the behalf of any organization. First of all, I want to say
31 that ASA does not speak for me, or a lot of the recreational
32 anglers that I know personally.
33

34 On the topic of the Great Red Snapper Count, I am still waiting
35 to hear more about the results from the tagging portion of the
36 study, which can be used to better understand extraction rates.
37 I'm sure the results are still preliminary, and perhaps not
38 ready to be published across several websites, or across several
39 different news articles, but I did hear that the tag returns
40 were out the roof, which indicates higher fishing pressure than
41 originally expected.
42

43 I would like to see how some of this data compares to the state
44 data, as well as the FES data and how those extraction rates
45 compare across the region. I was disappointed to hear Dr. Stunz
46 mention, this week, that the study isn't responsible to the
47 council or the SSC, and only to Congress and those funding
48 agencies, and I would hope that the review process and the

1 management implications would be a little bit more collaborative
2 than that, and I think we saw a lot of collaboration in the
3 review, but a lot more contention this week, no doubt.

4
5 Regarding the issue of common currency, I want to remind the
6 council members that at the core of the issue was the need to
7 use the same currency to set the ACL and measure in-season
8 management, in-season harvest, and another option that's not
9 mentioned in the current options document is using historical
10 landings datasets from the states to set the ACL.

11
12 I think most folks would know this would lead to an even lower
13 ACL that was set using the federal data, and I'm also not sure
14 how, if we use this data to assess the size of the stock, how
15 that would compare to the initial results of the Great Red
16 Snapper Count.

17
18 Lastly, I will say, again, that I'm a recreational angler, and
19 my testimony is just as anecdotal as other recreational anglers,
20 but, over the last two summers, I've had great fishing at the
21 beginning of the private angler red snapper season, but, as I've
22 heard from a lot of the other folks, by the end of the first
23 month, or by the end of the season, most of the places that I
24 fish have been pretty beat down, and I can't imagine doubling or
25 tripling the ABC, and therefore doubling or tripling the season
26 length. Thank you, all, for all of your work, and I appreciate
27 your time.

28
29 **EXECUTIVE DIRECTOR SIMMONS:** Thank you, Mr. Haukebo. Let's see
30 if we have any questions from the council members. I see Dr.
31 Stunz has his hand up.

32
33 **DR. STUNZ:** Thank you, Dr. Simmons. I just wanted to comment to
34 the piece concerning the tagging component of the Great Red
35 Snapper Count that was brought up, and, yes, that was a key
36 component that we were very proud of and happy to report on.
37 However, despite our request, that was not put in the terms of
38 reference for something to be evaluated by the SSC.

39
40 We did make a short presentation, the lead investigator for that
41 to the SSC, but that was specifically not part of those terms of
42 reference. However, the results are captured in the report, and
43 they will be part of the peer-reviewed publications in the
44 future.

45
46 **MR. HAUKEBO:** Thank you, Dr. Stunz.

47
48 **EXECUTIVE DIRECTOR SIMMONS:** All right. Thank you. I see, Mr.

1 Anson, your hand is up.

2

3 **MR. ANSON:** Thank you, Dr. Simmons. Seth, thank you for the
4 comments. You mentioned that you have a hard time finding
5 snapper after about a month. Where do you normally fish out of?

6

7 **MR. HAUKEBO:** I fish out of Texas, Galveston, Texas.

8

9 **MR. ANSON:** Okay. Do you fish on known structure or published
10 numbers, either through like a map or that the state provides?

11

12 **MR. HAUKEBO:** Yes, primarily known and primarily public
13 locations.

14

15 **MR. ANSON:** Okay. Thank you. I do appreciate all the comments
16 you made regarding careful analysis and thoughtful
17 consideration, particularly as it relates to the state data and
18 trying to use the state data to compare to the federal data and
19 using a tagging study to help that, you know trying to look at
20 everything kind of separately, yet all together at the same
21 time, so that you would help to try to use that information to
22 reconcile not only the information from the Great Red Snapper
23 Count, but generally how the fishery has been managed and how it
24 has performed, and so I appreciate those comments. Thank you.

25

26 **MR. HAUKEBO:** Thank you, Mr. Anson.

27

28 **EXECUTIVE DIRECTOR SIMMONS:** Thank you. I am not seeing any
29 other hands. Thank you so much, Seth. I think we're ready for
30 our next speaker.

31

32 **OPERATOR:** Our next speaker is Brian Lewis.

33

34 **MR. BRIAN LEWIS:** Good afternoon, and thank you, Chair and
35 members of the council. As she mentioned, my name is Brian
36 Lewis, and I am a member of the Gulf Shareholders Alliance, and
37 I am an IFQ stakeholder, a vessel owner here in the State of
38 Florida, and I just wanted to mention that we basically fish for
39 America, and let's not forget that.

40

41 I would like to address reallocation of the red grouper in
42 Amendment 53, or recalibration, if you want to call it that. I
43 don't know what to call it, and I call it a big mess. I call it
44 a big, rushed, hot mess, and I think a lot more time needs to be
45 spent on all of this. There is so much uncertainty in it.

46

47 I listened to a very rushed, what I felt, this morning,
48 presentation of the Amendment 53. I felt like there's been so

1 much time spent on red snapper, red snapper, red snapper, and
2 that's all I've heard for the last five years, I feel like.
3 Enough is enough.

4
5 I can't see how we can honestly try to reallocate any red
6 grouper over to another sector that has no real accountability,
7 and I am talking about the private recreational fishermen. I
8 know we've made some leaps and bounds, but we need to make more
9 steps forward instead of ten steps backwards.

10
11 I have watched -- I want you to know that I invested \$350,000 to
12 buy IFQ, red grouper mostly, and I just lost, because of the
13 reduction in the TAC, 28,000 pounds of my allocation. If any of
14 these alternatives that I am seeing occur, I am probably going
15 to be looking another 16 percent, and I just don't see it. I
16 just don't see the math.

17
18 I heard Leann mention earlier that the private recreational --
19 Correct me if I'm wrong, but they are counting fish instead of
20 weight, pounds, and you count our fish, and our commercial
21 sector is totally accountable. We do hail-outs, landing
22 notifications, and we get greeted by law enforcement, and they
23 can come see everything we've got, and we have no idea what the
24 private recreational is really catching. To extrapolate
25 numbers, or whatever way we're trying to do this, it simply
26 doesn't work.

27
28 I am reading some of my other information, and I kind of went
29 off my records here, but I want to say this. When economists
30 analyze data from the commercial fishing sector, they are using
31 accurate records to validate how many fish were caught, what
32 they are worth at the dock and throughout the distribution. The
33 trip tickets and other federal reports are not manipulated.
34 These records accurately describe the transaction of the
35 harvesting in the seafood industry.

36
37 Conversely, there are not adequate catch records for the
38 recreational anglers. We believe the only way to manage and
39 enforce the fishery in the recreational sector is to make
40 enforcement equitable amongst the sectors. The American
41 consumers deserve that equitable access to sustainably-harvested
42 seafood. If you keep taking away from the commercial sector and
43 giving it to somebody else, I don't see that as fair and
44 equitable in any way.

45
46 With that said, the American consumers of domestically-produced
47 seafood have not been adequately considered by the Gulf Council,
48 as required by the MSA. The MSA requires that all Americans are

1 to be evaluated in the consideration to assess the benefits to
2 the nation that our fisheries have in this country. The Gulf
3 Council and National Marine Fisheries -- I am wrapping it up.
4 National Marine Fisheries has a duty to uphold the MSA and all
5 of its provisions.

6
7 In closing, please do not take away allocation from the
8 commercial sector just to give a couple of extra days to the
9 recreational sector and have no idea what they're really
10 catching. If reallocation has to occur, it should not be -- We
11 should not be penalized as commercial fishers, and you need to
12 find another way to get that. Otherwise, this whole amendment
13 needs to be tabled and a lot more investigation needs to happen.
14 Thank you for listening, and I look forward to positive changes
15 in the management of our fish stocks, and I am open to
16 questions.

17
18 **EXECUTIVE DIRECTOR SIMMONS:** Thank you, Mr. Lewis. I will see
19 if there's any questions from council members. I will give
20 everybody a second here. We're not seeing any hands, Mr. Lewis.
21 Excuse me. Ms. Bosarge.

22
23 **MS. BOSARGE:** Thank you. I just wanted to thank Mr. Lewis, and
24 I don't know that I have heard from you before, and so it's nice
25 to hear new voices, and maybe one day we'll have another in-
26 person meeting and I can see your face. Thank you.

27
28 **MR. LEWIS:** Well, I'm not a new voice. I'm an old voice, and I
29 do a lot of my stuff on the public commenting section on the
30 internet, and you may read about that, and you're welcome to do
31 so, and I've been around here in this fishery for the last
32 twenty years, and it's tough. It's a tough business. It's
33 becoming a rich-man's business and not a poor-man's business,
34 and that's for sure.

35
36 **EXECUTIVE DIRECTOR SIMMONS:** Thank you, Mr. Lewis. Ms.
37 Muehlstein, do you have an announcement to make?

38
39 **MS. ROY:** Hi. I just wanted to say that, if you would like to
40 speak and you do not see your name on the screen -- There's been
41 a little confusion, and so just please press *1 to enter that
42 speaking queue, and then we will add your name to the list.
43 Joanna, you can go ahead and just announce the next speaker.
44 Thank you.

45
46 **OPERATOR:** You're welcome. The next speaker is Ray Mayhall.

47
48 **MR. RAY MAYHALL:** Thank you. Good afternoon, and thank you for

1 the opportunity to visit with you for a minute. My name is Ray
2 Mayhall, and I live here in Mobile, Alabama. I was born and
3 raised here, but my real, real snapper fishing started taking
4 place in 2008, when I retired, and so I really have been able to
5 spend some time doing it since then.

6
7 Quite frankly, I have always been puzzled by the dilemma of
8 saying there's a shortage, because, if anything, I see an
9 overage, as a matter of a fact, because I have fished for a
10 decade or so, and it seems like the other species have gone away
11 because there is so many snapper eating everything up. We
12 barely ever catch a b-liner anymore, and the triggerfish are
13 like super-duper gone, but the smoothest that I have seen the
14 system work so far is the last two years here in the State of
15 Alabama.

16
17 Their system for capturing data and what they do seems to be
18 very efficient, and it's been very accurate, and it's also given
19 us a lot of flexibility in how we can fish when the weather
20 affects the days that we can go. Conversely though, the MRIP
21 data clearly has had issues over time, and NOAA is still trying
22 to calibrate the data from an old phone survey system to a new
23 mail survey, and I just don't understand how possibly that data
24 could be meaningful in asking to recalibrate data coming from
25 different sources from a bad source. It's just confusing.

26
27 It's just a bad idea, and now we've got the results of this
28 Great Snapper Count, which I have not seen all the data yet, but
29 I've read anecdotal articles about it, and it seems like we do
30 in fact confirm, with that data, that there is a huge amount of
31 snapper out there.

32
33 With that count, and the fact that we now have the state doing a
34 great job of counting and doing their things, it seems to me
35 that now is the time that we need to just stop for a minute and
36 reset, and we need to start managing this fishery with a new
37 method of information and a new method of counting as you go.
38 It seems more reliable, and it's more accurate, and it works
39 better for all concerned.

40
41 Trying to count forty years of bad data with new just doesn't
42 make any sense, and so my request of the council is to remove
43 the fishery from federal management and turn it over to the
44 states, or at least remove the fishery from the MRIP process
45 entirely and let the state data systems be used as management
46 going forward.

47
48 The Pacific Fishery Management Council did this in 2004, and so

1 there's precedent for doing this, and, if we can't do that now,
2 then let's stick with the status quo for at least a year and
3 give ourselves time to evaluate all the sources of data that
4 you're doing and finally make the right decision based on the
5 facts.

6
7 This resource, and not just snappers, but all fish, is super
8 important to both our citizens and to our economy, and to keep
9 making bad decisions is just really a bad idea. I realize that
10 you all have a tough job, and I really appreciate you taking
11 your time to serve, and I just appreciate that you took the time
12 to listen to me today. Thank you.

13
14 **EXECUTIVE DIRECTOR SIMMONS:** Thank you, Mr. Mayhall. Let's see
15 if we have any questions from council members. I am not seeing
16 any hands. Thank you so much for your testimony.

17
18 **MR. MAYHALL:** Thank you very much.

19
20 **EXECUTIVE DIRECTOR SIMMONS:** We'll go to our next speaker.
21 Thank you.

22
23 **OPERATOR:** Your next speaker is Mark Tryon.

24
25 **MR. MARK TRYON:** Thank you. Mark Tryon, and I'm a commercial
26 fisherman, primarily for red snapper, out of Gulf Breeze,
27 Florida. I'm not quite as prepared as I normally would be for
28 the public testimony, and we've been busy this week. We went
29 out fishing on Monday and offloaded and delivered fish
30 yesterday, and then we cleaned the boat up and iced and gassed
31 it up again today, hoping to get out, if the weather permits,
32 for the next couple of days.

33
34 Regarding the red snapper increase, I would like to quote
35 Captain Wayne Werner, and one of his lines I've heard before a
36 number of times is we've climbed the mountain, regarding red
37 snapper, as far as making sacrifices and increasing the stock
38 tremendously, to where you never dreamed that it would be so
39 healthy, and let's not slide back down the mountain again, via
40 overfishing.

41
42 I think, any increases, we have to be very conservative and
43 careful, and I say that from the point of view of remembering
44 the old days, when the fishery was tremendously overfished, and
45 you would go out there and fishing was tough for everybody,
46 commercial and recreational.

47
48 I'm a little bit alarmed at the stock in my area, and it's still

1 good fishing, but it's a little bit off of what it was the last
2 two years, and so far, year-to-date, my catches per trip, and I
3 am doing day trips, twelve to fourteen-hour rod-and-reel
4 fishing, we're off about 25 percent of what we were doing last
5 year, and so it's still decent fishing, but it makes me a little
6 bit worried about going too far too fast with increases.

7
8 Regarding the state management, we need an accountable common
9 currency, and some states are more accountable than others, and
10 I will just say this, that my state of Florida, in my opinion,
11 it's a locally inadequate system in regard to accountability.

12
13 Anyway, one more thing, just regarding something to improve the
14 recreational fishing and to give people more days, and maybe
15 protect some of these large fish -- You know, over in Texas,
16 they've got, for instance, with redfish, if you're a
17 recreational angler, when you get a saltwater license there, you
18 get a tag for a trophy redfish, and I would like to see
19 something like that considered at least in managing this red
20 snapper fishery, and maybe some sort of a slot limit with
21 allowances for a limited amount of trophy fish being caught, and
22 that would eliminate some, or a lot, of the discards, in my
23 mind, within the fishery.

24
25 Then, finally, one last point on the red grouper potential
26 reallocation, I think, as the one gentleman said before, there
27 should be no reallocation without accountability in the
28 recreational sector, and that's about all I have to say, and
29 thank you for letting me speak today.

30
31 **EXECUTIVE DIRECTOR SIMMONS:** Thank you, Mr. Tryon. Let's see if
32 there's any questions from council members. I am not seeing any
33 hands. Thank you so much for your testimony.

34
35 **OPERATOR:** Once again, as a reminder, if you would like to speak
36 and do not see your name on the list on the screen, please press
37 *1 to enter the speaker queue. Your next speaker is Tristan
38 Armer.

39
40 **MR. TRISTAN ARMER:** Hello. Tristan Armer here, and I'm a
41 recreational angler from Mississippi. I spoke to you all back
42 in January about the red snapper calibration effort that's
43 underway, and, as I said to you then and I repeat to you today,
44 the American red snapper in the Gulf of Mexico, the stock health
45 is not an issue. It's not overfished, and it's not undergoing
46 overfishing.

47
48 Instead, and, in fact, we just learned there's three-times as

1 many snapper swimming in the sea as previously thought, and so,
2 with all due respect, about four years ago, the Gulf Council had
3 managed red snapper into a crisis, and don't bristle at that,
4 but a proposed three-day recreational season is a management
5 crisis.

6
7 National Standard 1 requires the Gulf Council to maximize the
8 yield and opportunity for fishing, as long as the stock health
9 is not going into overfishing, and so how did you all get to
10 that point? How was it managed to the point of crisis? We all
11 relied on your tool, MRIP, and let's be clear that MRIP was
12 never a tool designed for in-season fishing management, and
13 that's not what it was designed to do. You all are trying to
14 use a hammer to drive a screw, or a screwdriver to drive a nail.

15
16 When the crisis came up, Mississippi came along and solved it
17 with Tails 'n Scales. Tails 'n Scales is actually designed for
18 in-season management. Tails 'n Scales, the byproduct of it is
19 that there's a known universe of Mississippi recreational
20 anglers, and they're the same guys that log in, and they're the
21 same guys that report all their catch, and we know this, because
22 the little bottleneck passes in Mississippi get hit hard by
23 MDMR. They pull folks over, and, at the beginning of the
24 season, they've got 95 percent compliance. After they take
25 people's catch and fine them \$500, by the end of the season,
26 you're getting 99 percent compliance.

27
28 Now, NOAA Fisheries put out a publication in 2019, and even that
29 publication from NOAA says that Tails 'n Scales is a more
30 precise estimate of red snapper effort and catch, and that's
31 NOAA's own words and not mine.

32
33 I went back and read the minutes from the SSC meeting. At the
34 SSC meeting in August, your scientist said that Tails 'n Scales,
35 quote, really rang the bell. Another scientist said, you know
36 what, it's a darned-near census of fish caught, and it's not
37 even so much an estimate or a survey, but it's a census.

38
39 The scientists went on to say that what we're doing here is not
40 calibration, but scaling, and you're just taking the Tails 'n
41 Scales data and trying to make it match MRIP data, and so,
42 again, you're going to rely and move good data into a failed
43 tool, and it's going to lead to what it did before when you
44 relied on MRIP, which is a management crisis.

45
46 The Mississippi State House passed a resolution, about a week
47 ago, dissuading you all from proceeding forward on this, quote,
48 unquote, calibration effort, and I really think that you all

1 need to pause. Don't rush into a bad decision. You had Alabama
2 and Mississippi come up with a better mousetrap. Consider it.
3 Look at what you all did and the efforts you went to to convert,
4 or calibrate, from the telephone survey to the mail-in survey.

5
6 You didn't do that same effort going from Tails 'n Scales into
7 MRIP, and so I don't think you're ready to do it, and, if you do
8 do it, you're going to be relying on MRIP, and you're going to
9 wind up in crisis again. I would encourage you guys not to take
10 any action.

11
12 Go back and go to your SSC, which said -- It said, in August,
13 and read the minutes, that we would be better off finding a
14 better way to calibrate and not scale. It requires more
15 scientific consideration than what you all have given it. Thank
16 you for listening.

17
18 **EXECUTIVE DIRECTOR SIMMONS:** Thank you, Mr. Armer. Okay. Let's
19 see if there is any questions from council members, or comments.
20 Give me a second. Okay. I am not seeing any hands, Mr. Armer.
21 Thank you very much for your testimony.

22
23 **MR. ARMER:** Take care, you all.

24
25 **OPERATOR:** Your next speaker is Mr. Jeff Angers.

26
27 **MR. JEFF ANGERS:** Thank you, Dr. Frazer and members. My name is
28 Jeff Angers, and I'm the President of the Center for
29 Sportfishing Policy. We have known, for a long time, that red
30 snapper is the poster fish of federal mismanagement. It is
31 simply difficult for the agency to manage success, but I have to
32 say the convoluted mess of data calibration that has played out
33 for months and the boogeyman scare tactics coming from the top
34 down are really embarrassing.

35
36 Overfishing is not occurring, and we are not even close to it.
37 What we have are two states, Mississippi and Alabama, being
38 punished by MRIP because the survey never accurately collected
39 data off these two coasts. The notion that MRIP is the gold
40 standard and that the more robust and timely state programs must
41 be calibrated back to it simply lacks common sense.

42
43 The failures of MRIP for in-season quota monitoring are exactly
44 why we have state data collection and state control of the
45 private recreational component of this fishery in the first
46 place. The faults of MRIP are well documented, and it is going
47 through its own recalibration now, and so, as a council, I
48 encourage you to not allow yourselves to be forced into this

1 decision.

2
3 You can declare that the state data collection surveys are the
4 best available science for recreational harvest, and I encourage
5 you to do that. Then, rather than punishing Alabama and
6 Mississippi with old, faulty federal data, I encourage you to
7 take no action on calibration. We all know the importance of
8 common currency, but do we have to arrive at it today?

9
10 It is arbitrary and capricious to rush calibration at a time
11 when we have so many unknowns, including the Great Red Snapper
12 Count and incorporating MRIP-FES estimates and the next
13 benchmark stock assessment.

14
15 Now, as for what came out of the SSC, we have every reason to
16 believe that something fishy is going on, and the guidance
17 should be sent back for -- The catch guidance should be sent
18 back for reconsideration.

19
20 First, the SSC members who participated in the Great Red Snapper
21 Count were asked to abstain from motions and voting, in keeping
22 with historical SSC practice. Yet, SSC meeting minutes from as
23 recent as this year show NMFS Science Center staff voting on
24 their own assessments, and it wasn't until after members
25 abstained that staff informed the committee that that guidance
26 was only voluntary.

27
28 Second, it is troubling that we have this landmark independent
29 study that was praised by the SSC, and even said to be a
30 conservative estimate of abundance, but the SSC decided to use
31 the bottom longline survey for the ABC and set it outrageously
32 lower than the OFL. Something fishy is going on here, and I'm
33 wrapping it up.

34
35 The abrupt resignation of SSC Chairman Joe Powers, after forty
36 years in fishery management in the Gulf, to me highlights the
37 disgust following that meeting. Members of Congress, state
38 managers, and the public have every reason today to mistrust the
39 federal management process. Thank you very much.

40
41 **EXECUTIVE DIRECTOR SIMMONS:** Thank you, Mr. Angers. Let's see
42 if there's any questions from council members, or comments. Mr.
43 Strelcheck.

44
45 **MR. STRELCHECK:** Hi, Jeff. Thanks for your comments. I wanted
46 to get, I guess, some clarification from you on what you just
47 stated. You are opposing calibration, but then you later stated
48 that you would recommend that the council not rush to action,

1 and so those seem to conflict with one another, and I just
2 wanted to get clarification from you, in terms of your position.
3 Is your position that the council shouldn't calibrate at all or
4 that we're rushing calibration and that calibration decisions
5 should be made at some point later in time?

6
7 **MR. ANGERS:** The latter. We all know and acknowledge the
8 importance of one fish caught in Florida being the same as one
9 fish caught in Texas. My point is, with all of this new and
10 better information in the mix today, why do we have to arrive at
11 a conclusion or a calibration today?

12
13 We don't, and I think, ultimately, there will be a focus on
14 getting to a common currency, and that can come when all of
15 these variables, these variables that moved our abundance
16 estimate from thirty-six million fish to 100-million-fish-plus,
17 the transition from MRIP Coastal Telephone to FES, and perhaps
18 the next benchmark stock assessment, and a lot of this is in
19 flux.

20
21 A lot of the information that we have today is newer and better,
22 and I think everyone around the table would certainly
23 acknowledge that, and I'm just concerned that we are at a rush
24 to judgment now, and I don't think it's urgent that we punish
25 Mississippi and Alabama when we have had buy-in to the catch and
26 effort collection systems in both states, in all five states,
27 and now, all of a sudden, because of these ratios that came out
28 last year, we've got to get it done by tomorrow, and I don't
29 think that it's urgent to do it now, especially knowing where we
30 are with the absolute abundance of this stock, because all of us
31 can be assured, thanks to fine work of everyone on the Great Red
32 Snapper Count, that overfishing is not occurring.

33
34 **EXECUTIVE DIRECTOR SIMMONS:** All right. Thank you. I think Ms.
35 Bosarge has a question as well, or a comment.

36
37 **MS. BOSARGE:** Thank you, Jeff. I was just wondering, and you
38 referred to -- I forget exactly how you put it, but essentially
39 that NOAA was voting to bless its own work, but I was just
40 wondering -- I didn't remember that situation, and what agenda
41 item were you referring to where that happened?

42
43 **MR. ANGERS:** Ms. Bosarge, I have got the references for the last
44 three years, where NMFS Science Center staff was voting on their
45 own assessments, and I am happy to compile that and send it to
46 the council in writing, but I was really kind of wanting to
47 highlight the disparity with the way that council staff treated
48 the SSC members that were involved in the Great Red Snapper

1 Count versus how council staff dealt with NMFS staff, dealing
2 with their own assessments, and so I'm happy to put all of that
3 in writing, so there's no misunderstanding, because I think it's
4 important that this is clear and that there was a double
5 standard, and, as I said a couple of times, that SSC meeting
6 that went on during Holy Week, something fishing is going on.
7 Something fishy, and I will compile all of that, Ms. Bosarge,
8 and send that to your attention.
9

10 **MS. BOSARGE:** You can just send it to the council's attention,
11 and I appreciate that. Thank you.
12

13 **MR. ANGERS:** Yes, ma'am. You bet.
14

15 **EXECUTIVE DIRECTOR SIMMONS:** Thank you. I am going to turn it
16 back over to our fearless leader, and he has returned, Dr.
17 Frazer.
18

19 **CHAIRMAN FRAZER:** All right. Thank you, guys. I apologize for
20 having to step out briefly. We will go ahead and turn it over
21 to our next speaker.
22

23 **OPERATOR:** Once again, as a reminder, if you would like to speak
24 and you do not see your name on the list on the screen, please
25 press *1 to enter the speaker queue. Your next speaker is Sean
26 Sullivan.
27

28 **MR. SEAN SULLIVAN:** I would like to say thank you, Dr. Frazer
29 and the rest of the council, for this time to address you. My
30 name is Sean Sullivan, and I'm from Mobile, and I'm a
31 recreational angler. I'm a person who believes the public
32 resource, that we've been talking about, belongs to all of us,
33 all Americans. Also, I'm a conservationist who dearly loves the
34 resources of the Gulf of Mexico, all of them, including snapper.
35

36 I'm also somebody who believes in the science, and that's the
37 catch phrase these days, and I am, and I am one who realizes
38 that, through research, science has evolved over time, and I'm
39 always looking for the newest information. Think about it.
40 Over time, the decisions that have been made, that have changed
41 and reinforced because of novel and increasingly accurate
42 information, and I think that's what we're looking at right now
43 that's sitting in our laps with the Great American Snapper
44 Count.
45

46 We're at a crossroads now, and I think earlier speakers have
47 said that, and I believe that's true, where more advanced
48 information that's in opposition, maybe, to the way we've always

1 done it is staring it in the face, and you all's legacy is to do
2 what's right and what's true, or is it to just continue what's
3 been shown to be a flawed status quo?

4
5 I've thought about it this way. Like if you were driving
6 somewhere, and we're all in a bus going somewhere, and you had
7 doubts about what direction you were going, was it the right one
8 or the wrong one, and would we speed up, or would we slow down?
9 Would we stop, or would we check out the new information, the
10 new map, before we went that way?

11
12 Now, my home state here in Alabama, like our neighbors to the
13 west in Mississippi, have instituted programs to actively and
14 accurately manage our allotment of red snapper tonnage. When
15 they increased effort during when the COVID quarantine happened,
16 what happened here? Alabama Marine Resources, through our
17 snapper reporting system, was able to quickly and nimbly halt
18 our season. Would a post-season telephone survey hold a candle
19 to that? Of course, the answer to that is no.

20
21 While The Great American Snapper survey is a conservative
22 estimate of snapper biomass, it's three-times larger than the
23 antiquated past counts, and I'm asking you all, the council, to
24 embrace science and the newest data out there, and, at a
25 minimum, take no action on the framework action under
26 consideration today.

27
28 When people like me talk about our trust in state management, I
29 do it because I know the dedication to the resource of our state
30 agencies, and I know that they are engaged in making sure that
31 we have robust populations of snapper and other reef fish for
32 generations, and the trust that was built with local management,
33 versus the failed federal management has been hard won and a
34 lengthy process.

35
36 It's been a tough process to get people to engage in these
37 processes and trust them, and, if the council chooses to ignore
38 science in some sort of salute to the byzantine fisheries
39 policies of the past, you are failing not only the people of
40 this country, but, more importantly, you're failing the men and
41 women on the front lines of states like mine here in Alabama
42 that have worked so hard to bring accurate and nimble management
43 to our fishery.

44
45 Once again, I implore the council to do what's right and to take
46 no action, at the least, if not move forward with looking at the
47 Great American Snapper Count and what means for the number of
48 fish in the Gulf of Mexico.

1
2 **CHAIRMAN FRAZER:** Thank you, Mr. Sullivan, for those comments.
3 Let's see if we have any hands. I am not seeing any, and so,
4 again, thank you for your testimony, and we will go ahead and
5 move on to our next speaker.

6
7 **OPERATOR:** Your next speaker is Eric Brazer.

8
9 **MR. ERIC BRAZER:** Thank you very much, Mr. Chairman. My name is
10 Eric Brazer, and I'm the Deputy Director of the Gulf of Mexico
11 Reef Fish Shareholders Alliance, and I thank you guys for
12 allowing me the opportunity to speak today.

13
14 I'm going to lead off with red grouper, and we are asking that
15 you reconsider your preferred alternative in Amendment 53 to
16 Alternative 2, which would recalibrate without reallocating.
17 Our support for this has been laid out in our current letter and
18 the previous letters that we submitted to you.

19
20 I also want to acknowledge the sign-on letter submitted on
21 behalf of what I believe are the seven largest commercial
22 fishing organizations in Florida, and I honestly can't remember
23 the last time that we were all on the same page and were as
24 strongly in lock-step as we are right now, and that's something
25 that I would like to highlight to the council.

26
27 We all agree that Alternative 2 is a legally viable option, and
28 we agree that reallocation by recalibration is unfair and
29 inequitable. We agree that reallocation will hurt the red
30 grouper stock at a time that we need to be protecting and
31 regrowing it, and we all agree that reallocation hurts a
32 commercial fishing industry that is recovering from a global
33 health pandemic. We all agree that the Gulf Council has been de
34 facto reallocating to the recreational sector for years, and it
35 is, unfortunately, likely doing so right now. We all agree that
36 reallocation by recalibration sets a dangerous precedent, and we
37 all agree that reallocation will not guarantee a longer
38 recreational season.

39
40 At the point that Amendment 53 goes out to public hearings, we
41 strongly recommend at least one in-person public hearing,
42 Madeira Beach, and we would like council staff to consider how
43 this could be done while keeping council staff safe, and we're
44 going to help any way that we can, and I'm sure the other
45 industry groups in Madeira Beach would as well.

46
47 To red grouper, we've heard a lot today and this week of slow
48 down. Sorry. For red snapper. Slow down, and this is not

1 urgent, and let's hit pause, and don't rush, and why today. We
2 were reminded by the agency, this week, that the council has
3 known about this for half a decade, that this was going to be
4 necessary, calibration and common currency are necessary, and
5 this is not a surprise.

6
7 We urge you to take the medicine and make the decision and put
8 this past us. The commercial sector is concerned about
9 overfishing that has been allowed by avoiding calibration and
10 the impacts on the stock and the potential for commercial quota
11 reductions, which is why I asked the question that I did
12 yesterday during the roundtable, and, honestly, we're worried
13 that some of the states are going to blow through the ABC and
14 effectively play a game of chicken with the agency, hoping that
15 the Great Red Snapper Count will backfill what will be an
16 inevitable overage, and that's not right. If there is an ACL
17 overage, commercial fishermen would sure like their fair share,
18 their 51 percent of that fish.

19
20 As for the Great Red Snapper Count, we support the SSC, and we
21 hope that the council supports its SSC the way the committee
22 supported its SSC.

23
24 Briefly, and on the Executive Order, we're glad that there was a
25 brief discussion about this at the committee level, and I want
26 to echo what Martha and Leann said about considering the human
27 dimension, the component of climate and fisheries resilience,
28 and I think it was Dr. Stunz who mentioned the Ecosystem
29 Technical Committee, and we would love to get a timeline on when
30 that committee is going to be meeting again, especially in light
31 of the EO.

32
33 In conclusion, the last thing that I want to touch on, briefly,
34 is electronic logbooks. We're really looking forward to more
35 public outreach, and we've got a laundry list of questions that
36 need to be answered before we can really get onboard with this.
37 Some of those questions are listed in our letter, and I'm sure
38 that others are going to come up.

39
40 We're hoping that the Science Center can mirror, in a sense, the
41 IFQ portal, and this is my shameless plug for the regional IFQ
42 portal. It's incredibly user-friendly, and it's real-time, and
43 the staff IT support is always available, and they go out of
44 their way to make sure that their product is easy for fishermen
45 to use, and so thank you again for the opportunity to speak.

46
47 **CHAIRMAN FRAZER:** Thank you, Mr. Brazer, for your comments. I
48 am looking to see if we have any hands up, and I am not seeing

1 any, and so, again, thank you for your testimony, and we will
2 move forward to our next speaker.

3
4 **OPERATOR:** Once again, as a reminder, if you would like to speak
5 and you do not see your name on the list on the screen, please
6 press *1 to enter the speaker queue. Your next presenter is
7 April Depaola.

8
9 **MS. APRIL DEPAOLA:** Good afternoon, council. Thank you so much
10 for the opportunity to allow us all to speak, in light of not
11 being able to be together today. My name is April Depaola, and
12 I am a recreational angler here in Orange Beach, Alabama. I
13 live here as well as own a real estate company here.

14
15 I am going to keep this super short, and I don't want to get too
16 much into the weeds, and I am not in this day-to-day, and this
17 is not my livelihood. Catching the fish is not my livelihood.
18 The recreational snapper, specifically, affects our business and
19 our local economy though.

20
21 Having our tourists come down to fish here and allow them to be
22 able to fish, as well as our family and friends to be able to
23 come down and fish and people to come down and buy real estate,
24 buy their second home, and red snapper is their ultimate -- It's
25 what most of them want to fish for.

26
27 The red snapper fishery management that's been going on under
28 the state guidance, and I can only speak for Alabama
29 specifically, but, over the last two years, it has just been --
30 It seems to operate flawlessly, and it seems to have had the
31 most accurate data collection, and the recreational anglers all
32 seem to be working well with it, and it's been efficient for our
33 state.

34
35 When I read about the new guidance with the ABC, as a
36 recreational angler, this does not make any sense on how this
37 reallocation is happening and being figured. I know there's a
38 lot more work that you guys are doing in the background, things
39 that we don't understand and can't see going on, but these
40 numbers just don't make sense, and with a different -- In these
41 data collection figures, it seems like they're just trying to be
42 meshed together, and I think that's really going to enhance the
43 mistrust with the federal management process.

44
45 I feel like that the new data that the Gulf Council is
46 considering should just be completely disregarded and the SSC
47 reconsider their entire data collection process.

1 My urge is for the council to take whatever action they can to
2 just remove this fishery from the federal management system and
3 turn it over to the states or let the state data system be used
4 for the management going forward, and it seems to have worked
5 wonderfully over the last two years. I urge the council to take
6 no action in the framework action that's under consideration
7 today. That's all I have, and I appreciate all of you all's
8 time.

9
10 **CHAIRMAN FRAZER:** Thank you, Ms. Depaola, for your comments.
11 Let's see if we have any hands. I am not seeing any, and so,
12 again, thank you for your testimony. We will move on to our
13 next speaker.

14
15 **OPERATOR:** Your next speaker is Cory Quint.

16
17 **MR. CORY QUINT:** My name is Cory Quint, and I'm from Mobile,
18 Alabama. I'm a recreational angler, and I also was the
19 president, last year, of the world's largest fishing tournament,
20 the Alabama Deep-Sea Fishing Rodeo.

21
22 I have heard a lot on this call, and I've been on it for quite a
23 little while, and it seems that there's a whole lot of a me-me-
24 me mentality, versus us-us-us, and I think a lot of that boils
25 down to the allocation and how you guys have been counting it.
26 You guys have used the MRIP system for so long, and, as
27 mentioned before, it was the -- It was what you guys would
28 consider the gold standard, and, obviously, there's been flaws
29 on that.

30
31 I did work with, last year, hosting that tournament, and I do
32 work with Scott Bannon and Chris Blankenship with MRD here in
33 Alabama, and I just wanted to give credit where credit is due,
34 and they have done a phenomenal job with the management of the
35 fishery, as far as data collection and, speaking from an angling
36 standpoint, personally, I have caught snapper anywhere from
37 inshore, north of the island, to sixty miles offshore while
38 we're trying to catch other fish. You're having to fight your
39 way through these snapper to try to fish, or try to catch other
40 species that you're targeting.

41
42 I have also heard on this call to, hey, let's go ahead and
43 recalibrate, and I've also heard people say, hey, let's slow
44 down. Obviously, whenever there is two polar opposites, there's
45 an issue, and something needs to be done with that, and I think,
46 personally, that it needs to be, at least for another year, it
47 needs to be state managed, while everybody takes a step back and
48 looks and tries to find the best avenue to make sure that

1 everything is correct, and that's all I've got to say. I
2 appreciate you guys' time.

3
4 **CHAIRMAN FRAZER:** Thank you, Mr. Quint, for your comments.
5 Let's see if we have any hands up. I am not seeing any, and so,
6 again, thank you. We will go ahead and move to our next
7 speaker.

8
9 **OPERATOR:** Your next speaker is Blakely Ellis.

10
11 **MR. BLAKELY ELLIS:** Hello, council. My name is Blakely Ellis,
12 and I'm the Executive Director for the Coastal Conservation
13 Association in Alabama. As always, I appreciate the opportunity
14 to speak to you all.

15
16 You know, to start off, I wanted to take the chance to give an
17 atta-boy and a great job out to all of the universities that
18 worked on the Great Red Snapper Count, Dr. Stunz, and Dr.
19 Patterson from South Alabama in our state, and I have really
20 enjoyed watching that unfold, especially the parts of all of
21 these universities working together on one big project like
22 that, which was such a huge undertaking, and it really give us
23 some really encouraging news, and so good job to everybody on
24 that.

25
26 Then I kind of said that to start out, but then, right after
27 that, listening to the council meeting this week, and listening
28 to the tortured process that goes into computing the MRIP
29 numbers, and it's not hard to figure why there's so much
30 confusion about it, with all the different variables that can
31 manipulated to get possibly just about any result that you want.

32
33 It does make me question why you wouldn't consider using more
34 consistent, reliable data like Alabama has, versus something
35 like MRIP. It's definitely showing that the states are able to
36 tweak their seasons as they go on. If you have a bad weather
37 day, or we're not catching as many, we can either speed up or
38 slow down, and it's real time.

39
40 I say all of that also to bring up the point of, if this
41 recalibration situation moves forward with states like Alabama
42 being cut by as much as 50 percent, and I know that it's not
43 directly related to the Alabama Snapper Check process, but I can
44 tell you that it's going to take a huge step backwards in all
45 the work that's gone into not only developing that system, but
46 working to gain the trust of private recreational anglers.

47
48 The idea of reporting your catch and that being calculated and

1 resulting in better data, which would be a better season and
2 more days to fish, has been a long race to get here, and, if we
3 end up getting that cut in half, I can just tell you that it's
4 going to be pretty devastating, as far as regaining that trust
5 and losing a lot of that goodwill that's been gained over the
6 last few years by these states collecting their own data and
7 seeing the results of that, but I guess I'm about out of time,
8 and so I do appreciate the opportunity to speak, and thank you.

9
10 **CHAIRMAN FRAZER:** Thank you, Mr. Ellis, for your comments. We
11 really appreciate you taking the time out of your day. Let's
12 see if I have any hands up. I am not seeing any, and so, again,
13 thank you for your comments, and we'll go ahead and move on to
14 our next speaker.

15
16 **MR. SWINDELL:** Mr. Chairman, I had my hand up.

17
18 **CHAIRMAN FRAZER:** I'm sorry, Mr. Swindell. I did not see it.
19 Go ahead, Ed.

20
21 **MR. SWINDELL:** I would like to ask the gentleman a question.
22 Did any of your members or did you receive any of the telephone
23 survey that was done in Alabama?

24
25 **OPERATOR:** Excuse me, but the last speaker is not on the line
26 anymore, but, if he would like to speak, he may press *1 again,
27 so that I can open his line.

28
29 **CHAIRMAN FRAZER:** Mr. Ellis, if you are listening, if you want
30 to hit *1, we'll allow you to re-engage in the discussion.

31
32 **OPERATOR:** His line is now open.

33
34 **MR. ELLIS:** This is Blakely Ellis.

35
36 **CHAIRMAN FRAZER:** Okay. Great. Mr. Swindell, if you wouldn't
37 mind repeating your question for Mr. Ellis, and he's on the
38 line.

39
40 **MR. SWINDELL:** Mr. Ellis, this is Ed Swindell from Louisiana,
41 and I'm interested in knowing whether or not you or any of your
42 organization people are known to have received the telephone
43 survey about the red snapper count that was done.

44
45 **MR. ELLIS:** I appreciate the question. Your question was have I
46 heard of any Alabama anglers or members of CCA Alabama getting
47 word or receiving a telephone survey regarding the Great Red
48 Snapper Count, and is that correct?

1
2 **MR. SWINDELL:** Yes.
3
4 **MR. ELLIS:** I can answer that with one word, and that's no. I
5 am not sure if that was part of that study or not, but I have
6 not heard of any with the Great Red Snapper Count, and I
7 couldn't tell you that I know anybody, or have met anyone, that
8 has ever received a phone call survey for reef fish or a
9 postcard or anything like that, and so I guess it's no on both
10 counts, as far as I'm aware of.
11
12 **MR. SWINDELL:** Okay. It was not dealing with the Great Red
13 Snapper Count, and that was done totally different. What I am
14 referring to is the Household Telephone Survey that was done by
15 the National Marine Fisheries Service people.
16
17 **MR. ELLIS:** The answer is still no, as far as I'm aware of.
18
19 **MR. SWINDELL:** Okay. Thank you, sir.
20
21 **CHAIRMAN FRAZER:** I see that Dr. Stunz has his hand up, and I'm
22 assuming it's addressing the relevancy, I guess, of the
23 questionnaire and the Great Red Snapper Count, and so, Greg, go
24 ahead.
25
26 **DR. STUNZ:** Yes, Mr. Chairman, and that's the case. No, there
27 was not any telephone surveys like that for the Great Red
28 Snapper Count that I think he's referring to.
29
30 **CHAIRMAN FRAZER:** Thanks, Greg, for clarifying that. I am not
31 seeing any other hands at this point, and so thank you, Mr.
32 Ellis, for re-engaging in the conversation. I appreciate that.
33
34 **MR. ELLIS:** Yes, sir. Thank you, all.
35
36 **CHAIRMAN FRAZER:** You bet. We'll go ahead now and move on to
37 our next speaker.
38
39 **OPERATOR:** Thank you. As a reminder, if you would like to speak
40 and do not see your name on the list on the screen, please press
41 *1 to enter the speaker queue. Your next speaker is Jeff Boyd.
42
43 **MR. JEFF BOYD:** Good afternoon, council. My name is Jeff Boyd,
44 and I am a city council member in Orange Beach, Alabama, and I
45 thank you very much for taking the time to listen to us. It is
46 great to hear voices from Galveston, Texas all the way to the
47 east coast of Florida. As we have conversations locally, we
48 always wonder kind of what those voices are, and it's great to

1 hear them.

2
3 I would like to reiterate, from some of the prior calls from
4 Orange Beach, from Sean Sullivan, who is a disc jockey in Mobile
5 at one of the great radio stations, and Alabama has done a
6 tremendous job with their counts. In fact, in the last season,
7 if you did not have your count done by the time you came in
8 under the pass in Orange Beach, and you were pulled over, you
9 were cited and ticketed for not counting. They were super
10 strict about it, and they did an incredible job.

11
12 I will go backwards in history, to when snapper season was cut
13 to three days, or nine days first, and then it was cut to three
14 days, and I actually wrote a letter to the Secretary of
15 Commerce, Wilbur Ross, after visiting with the head of FEMA in
16 Washington, D.C., imploring and begging him, based on over a
17 billion dollars of economics, when you look at people buying
18 condos and people buying boats and all summer long sending their
19 customers to Orange Beach, and I was begging him to extend out a
20 thirteen-weekend season instead of a shorter season.

21
22 With the help of Senator Shelby and Steve Scalise and Bradley
23 Byrne, it was successful, and I am very grateful to Wilbur Ross,
24 the Secretary, for doing that. I say that because Orange Beach
25 has been hit by COVID, just like everyone else, and we were
26 slammed by Hurricane Sally last year, and we lost almost 900
27 boats between Orange Beach and Ono Island.

28
29 Most of our docks are still in disrepair, and so, as we go into
30 the next season, we've already been beat up to no end, and to
31 take action that might reduce our snapper count by 50 more
32 percent would just be like a dagger in the heart for Orange
33 Beach, and that's a city that has spent over fifty years, and I
34 can't tell you the amount of personal money from the city, as a
35 council member from our fishery and from our fishing
36 associations, to build reefs, and we have almost 20,000 reefs in
37 the Gulf of Mexico, from zero to sixty miles out.

38
39 I called in to say, one, thank you for hearing our voice, and,
40 two, begging you to take no action and let these numbers filter,
41 and let us process them, and let us move forward. Thank you for
42 your time.

43
44 **CHAIRMAN FRAZER:** Thank you, Mr. Boyd, for your comments. I am
45 looking to see if we have any questions from the council. It
46 looks like Susan Boggs has her hand up. Go ahead, Ms. Boggs.

47
48 **MR. BOGGS:** Thank you, Mr. Chair. I just wanted to thank Mr.

1 Boyd for calling in this afternoon and taking the time to do
2 that. Thank you, Jeff.

3
4 **MR. BOYD:** You're quite welcome, Miss Susan, and I thank you for
5 serving as a representative of our area. You and your husband
6 are incredible in the fishing industry, on the recreational
7 side, of the charter recreational side, and we're proud to have
8 you in our city, and thank you.

9
10 **CHAIRMAN FRAZER:** Okay. I am not seeing any other hands, and I
11 will take a quick spin through here. Mr. Boyd, thank you for
12 your comments, and I am going to ask our moderator if we have
13 any more speakers. I don't see any in the queue.

14
15 **OPERATOR:** We do not have any other speakers in the queue, but,
16 if they would like to speak, they may press *1 to enter the
17 speaker queue. We have another speaker, Michael Jennings.

18
19 **MR. MICHAEL JENNINGS:** Hello, Chairman and council. This is
20 Mike Jennings with Cowboy Charters out of Freeport, Texas. I
21 have two federally-permitted and one state-water-registered boat
22 out of Freeport, Texas, and I'm on one of them today, and so I
23 apologize if it sounds funny, if there's a lot of wind noise,
24 and just bear with me, and I will get this over with as quick as
25 possible.

26
27 I think my testimony today is somewhat unorthodox, and it's more
28 questions than it is comments, and I know that that's not that
29 forum for a bunch of questions, and I'm hoping that maybe my
30 questions will just spur some amongst the council as they move
31 into Full Council.

32
33 I don't envy you all's job, after listening to the SSC meeting
34 as much as I could last week, and then, yesterday, I think, with
35 all the stuff that's in front of the SSC right now, I think
36 everyone can find a portion, or some portions of this, pretty
37 confusing, and things can happen before it actually dawns on you
38 what just took place, and then you have to figure out what the
39 ramifications are once that move is made.

40
41 My questions right now basically refer to the ABC and the OFL
42 levels and the way they were set and just why the SSC set the
43 ABC 44 percent below the OFL, and, I mean, that's the question I
44 think we all need to be asking ourselves, and why did they not
45 just simply follow their own ABC Control Rule?

46
47 Given what is historically the difference being, what, 2 or 3
48 percent, and so most of us have to ask ourselves what was the

1 reason for that, and then, yesterday, we had the motion that --
2 It's not a dig or anything, and I promise, but we had the motion
3 that we would basically close the door on any further discussion
4 on the short term, as far as allocation, or not allocation, but
5 as an increase or anything along those lines, and turn it into a
6 plan amendment, and that's the way I understood it anyway, and
7 so, with that taking place, and as quickly as it did, it all
8 makes us sit back and wonder if this was just simply a way to
9 lock in some kind of a big buffer, so to speak, or was it an
10 attempt to overtake the downside of all this recalibration that
11 we're talking about going to final action on tomorrow.

12
13 If that's the case, I mean, slow down on that recalibration, and
14 let's vote no action, and let's rethink a lot of this as we move
15 forward and not use what I consider, or most of us consider, a
16 mistake by the SSC as some kind of alternative attempt to not
17 face the issues at hand, or the problems at hand, I guess, so to
18 speak.

19
20 I think one of the things that I have not heard today is, when
21 you take into consideration the Rule 30B on the recreational
22 sector, if you've got a state that makes a mistake, and I
23 understand it would be unintentionally, but still makes a
24 mistake and overfishes to some excessive level, when does that
25 become an issue of the 44 percent of overfishing, and that's
26 what I'm driving at, is you could overfish by forty-something
27 percent without ever having to institute any paybacks, yet at
28 what point does 30B kick in and you start this de facto
29 reallocation from the charter/for-hire side over to the side
30 that made the mistake?

31
32 It could work vice versa, and the charter/for-hire side could
33 make that mistake as well, and so, with that said, I would like
34 to ask the council to really reconsider or think about their
35 votes tomorrow in Full Council, as far as any further discussion
36 on whether this SSC decision could give us an increase in the
37 short-term or if it's just going to allow us an opportunity for
38 one to overfish and hurt another one in the long run.

39
40 With that said, we're all still struggling, and I will close it
41 up, but I think we're all still struggling with the fact that
42 we've got this large disparity between the ABC and the OFL. If
43 the Great Red Snapper Count was good enough to give us a 44
44 percent buffer, and I will use that word, and it may not be the
45 correct word, on the overfishing limit, why was it not good
46 enough to have a discussion on an increase?

47
48 I am also one that -- Close to my heart is that Great Red

1 Snapper Count, and I'm also -- As Scott Hickman talked about
2 earlier today, I'm a proud participant in that count, in that
3 project, along with the Louisiana red snapper abundance project,
4 et cetera, and I have a lot of intimate knowledge on how these
5 scientists and these people on my boats are doing this work, and
6 I have watched how diligent they are and how dedicated they are
7 to getting what they do right, to the point that, if I did
8 something wrong, they would make me do it over again until I got
9 it right, and there was just no exceptions. I'm really
10 impressed with how those projects went on, and I appreciate you
11 all giving me time to kind of ramble today, and I will get off
12 this line. Thank you very much.

13
14 **CHAIRMAN FRAZER:** Thank you, Captain Jennings, for your
15 comments. I am not seeing any hands at this point, and I am not
16 seeing any speakers in the queue, and so I will ask our
17 moderator, Joanna, if there's anybody else out there.

18
19 **OPERATOR:** At this moment, there are no speakers in the queue,
20 but, once again, if they would like to speak, they may press *1
21 to enter the speaker queue. We do not have any other speakers
22 on the line.

23
24 **CHAIRMAN FRAZER:** Okay. At this point, I think we will go ahead
25 and stop the speakers, but I would like to give an opportunity
26 to two folks on the council to speak. I know that Mr. Banks
27 wanted to address some concerns, and so, Patrick, if you want to
28 go, I will let you go first.

29
30 **MR. BANKS:** Thank you, Mr. Chairman. Just like we did at the
31 last council meeting, I am continuing to hear some comments that
32 are made by the public, and I want to try to clear them up. I
33 made similar comments during public comment at the last meeting,
34 or maybe the meeting before, and I think that Ms. Muehlstein did
35 a great job of trying to clear it up as well in her presentation
36 yesterday.

37
38 The issue of calibration is not one of which system is better.
39 I truly believe that the way each of the states counts the fish
40 that are landed is the most precise way to do it. It is a
41 better way to count the fish that are landed than MRIP. It's
42 more precise, but that's not the issue.

43
44 The issue is that fish for each state were given to them based
45 on MRIP numbers, the MRIP currency, and we're counting them in
46 the state currency, and so the issue is not which one is better.
47 Canada would argue that their dollar is better than the U.S.
48 dollar, but that's not the issue. The issue, when you go across

1 to Canada, is how does our dollar relate to their dollar, and so
2 how do the state currencies relate to the MRIP currencies, and
3 so that's what we're trying to do with calibration, and I just
4 hope that some of the speakers during the public comment are
5 still on the line and they hear what I'm saying, because I agree
6 with them that the state surveys are better.

7
8 I heard a lot about Alabama and how good their survey is, and I
9 would agree. I think it's a great way to count fish, and I do
10 personally think LA Creel is the better way to count fish, but
11 that's just my opinion, but the fact of the matter is it's how
12 they relate to each other.

13
14 Another point I heard was why do we have to calibrate to a,
15 quote, bad system called MRIP, and it's because, again, that is
16 the currency in which the fish were given to us. We were not
17 given fish in our own state currencies, and so we have to
18 calibrate the two.

19
20 Another comment was, quote, we don't know what the recreational
21 are catching, and that's incorrect. I don't recall who said
22 that, but that is incorrect. We have a darned good idea of what
23 the recreational are catching, through our state surveys, but
24 that is not the point. The point is relating that to the MRIP
25 currency, and so that's what we have to do with the calibration,
26 and I just wanted to make those points and hope that the public
27 is listening as well, because that's really what's at issue
28 here, is calibration. Thank you.

29
30 **CHAIRMAN FRAZER:** Thank you, Mr. Banks. I think those comments
31 are worth sharing with folks, and it's a complicated matter, and
32 it's not as straightforward as many people make it out to be,
33 but you're exactly right. I don't think people here are arguing
34 that the state data collection efforts aren't good, and I think
35 people recognize the value of those individual surveys and the
36 precision that they generate around these particular catch
37 estimates, but it's one of trying to somehow convert those state
38 surveys into a different currency. With time, hopefully we will
39 be able to use those state data in the assessments, but that
40 hasn't happened yet.

41
42 With that said, I would also like to extend an opportunity to
43 our Executive Director, Dr. Simmons, to clarify some of the
44 issues as they related to the process, the review process, in
45 the SSC meeting that was reference by several folks. Dr.
46 Simmons.

47
48 **EXECUTIVE DIRECTOR SIMMONS:** Thank you, Mr. Chair. We set up

1 the SSC meeting in a two-part meeting. It was back-to-back, but
2 we tried to set it up as a two-part meeting, just because we
3 didn't have time to have a separate workshop for a review of the
4 Great Red Snapper Count.

5
6 Because of these two distinct components, the first one was a
7 peer review of the Great Red Snapper Count, and the second is
8 the formal SSC meeting to evaluate the catch advice that was
9 produced by the Southeast Fisheries Science Center.

10
11 We did ask, because there is nothing written in the SOPPs, that
12 a number of the SSC members, and there were five of them, that
13 had participated in the development of the Great Red Snapper
14 Count and were involved in the study. Based on National
15 Standard 2, which addresses formal peer review, we asked them to
16 abstain from any motions and voting regarding whether the
17 absolute abundance estimate for the Great Red Snapper Count is
18 reliable and consistent with input data and population
19 biological characteristics for red snapper in the Gulf of
20 Mexico, and they did that. They abstained from the first part
21 of the meeting.

22
23 During the second part of the meeting, which was deliberations
24 of BSIA and catch advice, the PIs were not advised to abstain
25 from that part of the meeting. That would be similar to, I
26 believe, what a commenter brought up regarding NOAA staff voting
27 on potential catch advice after stock assessments.

28
29 Those PIs were allowed to vote on that particular part of the
30 meeting, and so the abstentions that you see for OFL were other
31 SSC members that decided to abstain, and they were not PIs on
32 the study, and, for the ABC, there was an SSC member that voted
33 on the OFL that decided to abstain on the ABC. Thank you, Mr.
34 Chair. I hope this clears it up.

35
36 **CHAIRMAN FRAZER:** Thank you, Dr. Simmons, for clarification of
37 the process. I am going to take a quick peek at the roster here
38 and see if anybody else has anything they want to say. I am not
39 seeing anything, or any hands, and so I appreciate the
40 tremendous amount of testimony that we received today, and there
41 is clearly a number of perspectives, many well-informed
42 perspectives, on this call and will contribute to what I'm sure
43 will be a rich discussion amongst the council tomorrow.

44
45 Again, thank you everybody for their time, and I think we will
46 go ahead and call it a day, and we will reconvene in the morning
47 at -- Let me check the time, because I believe we start at 8:30
48 tomorrow. Yes. So the meeting will start tomorrow at 8:30

1 a.m., and so, if you can, please -- I expect it to be a full
2 day, and so if you can log in a little bit early, so we can get
3 on it, that would be great. You all have a good evening, and I
4 will see you tomorrow.

5
6 (Whereupon, the meeting recessed on April 14, 2021.)
7

8 - - -
9

10 April 15, 2021

11 THURSDAY MORNING SESSION
12

13 - - -
14

15
16 The Full Council of the Gulf of Mexico Fishery Management
17 Council reconvened via webinar on Thursday morning, April 15,
18 2021, and was called to order by Chairman Tom Frazer.
19

20 **CHAIRMAN FRAZER:** We are going to get started with our committee
21 reports, and we will just start with the Shrimp Committee
22 Report. Ms. Bosarge, if you're ready.
23

24 **COMMITTEE REPORTS**
25 **SHRIMP COMMITTEE REPORT**
26

27 **MS. BOSARGE:** Yes, sir, Mr. Chair. Thank you. The Shrimp
28 Committee Report, we met on April 12, 2021. It was chaired by
29 myself, Ms. Leann Bosarge. The committee adopted the agenda,
30 Tab D, Number 1, as reorganized, with the update on effort data
31 collection, Tab D, Numbers 7(a) through 7(c) moved after the
32 action guide and next steps, Tab D, Number 3. The committee
33 approved the minutes, Tab D, Number 2, of the November 2020
34 meeting as written.
35

36 Update on Effort Data Collection, Status of 3G Cellular ELBs,
37 otherwise known as cELBs, Dr. Gloeckner presented on the shrimp
38 cellular electronic logbook interim data collection process.
39 The cELB units ceased transmitting on December 31, 2020.
40 However, the Stennis unit shut down the machine receiving the
41 data on December 7, 2020.
42

43 The units are still collecting data, but just not cellularly
44 transmitting the data to NFMS. The data will be manually
45 retrieved from the units in 2021. Dr. Gloeckner reviewed the
46 timeline and steps for manual collection of the data. This
47 entails the Science Center sending new SanDisk cards in self-
48 addressed envelopes to shrimp permit holders with instructions

1 for changing out the old SanDisk card with the new one and
2 sending the old SanDisk to the Gulf States Marine Fisheries
3 Commission for downloading and then transfer of the data to the
4 Science Center.

5
6 Ms. Bosarge inquired if the reason that the data from the
7 SanDisk cards has to go to the Gulf States Marine Fisheries
8 Commission first is to avoid a computer virus. Dr. Gloeckner
9 confirmed that there are some federal security guidelines, and
10 so it's easier for the Science Center to access the data from
11 the Gulf States Marine Fisheries Commission.

12
13 Ms. Bosarge inquired about the computer servers from Stennis
14 that had been used to collect data from the 3G cELBs, which have
15 been relocated to facilities in Ashville, North Carolina and
16 Pascagoula, Mississippi, and if those could be used to collect
17 the data from the SanDisk cards. Dr. Gloeckner replied that the
18 servers were old, and he was unsure as to their status.

19
20 Mr. Anson inquired how shrimpers know that the data is actively
21 being collected. Dr. Gloeckner replied that, only after the
22 first round of SanDisk cards are returned by shrimpers, will the
23 Science Center know which devices are not working and will need
24 to be replaced. Dr. Gloeckner confirmed that the Science Center
25 does have replacement units available, if needed.

26
27 Ms. Bosarge asked Dr. Gloeckner to speak broadly about the
28 permit renewal process, in light of the SanDisk cards needing to
29 be returned with effort data. Dr. Gloeckner replied that it
30 still needs to be determined how quickly shrimpers need to
31 return the cards once letters have been sent, for purposes of
32 compliance and permit renewal. Ms. Bosarge responded that, at a
33 minimum, a three to six-month period for cards to be returned
34 should be considered. Mr. Swindell asked how many vessels are
35 involved in the process, and Dr. Gloeckner responded that's
36 around 600 vessels.

37
38 Pilot Program Using P-Sea WindPlot, Dr. Galloway provided an
39 overview of the transmittal issue with the current 3G cELBs and
40 the industry-led solution for monitoring shrimping effort
41 through the use of the P-Sea WindPlot platform as a replacement,
42 which would record the same information as the existing 3G cELB
43 device, which is location data at ten-minute intervals.

44
45 Collected location data could be run through the effort
46 calculation programs with catch data simultaneously paired. The
47 efficacy of the utilization of the P-Sea WindPlot program was
48 proven during Phase I of Dr. Galloway's project, which was

1 funded by the shrimp industry.

2
3 Two proposal alternatives were discussed as potential next steps
4 for the project. One would expand the number of shrimp boats
5 running the P-Sea WindPlot with the ELB update. The other would
6 develop a method to automatically transmit ELB data from P-Sea
7 WindPlot to a designated server.

8
9 Dr. Frazer inquired where the data would be transmitted to if
10 the Stennis servers are no longer available through the Science
11 Center. Dr. Gallaway replied that they would transmit the data
12 to LGL to test the process until the Science Center servers are
13 prepared.

14
15 Mr. Strelcheck commented that two-way transmission was discussed
16 during the Shrimp Advisory Panel and that they would be prepared
17 to assist Dr. Gallaway and other vendors with the process of
18 meeting type approval of a VMS unit.

19
20 Mr. Swindell commented that another roughly \$700,000 was needed
21 to carry out both of the proposed alternatives and asked if LGL
22 had received those funds yet. Dr. Gallaway replied that those
23 funds are needed to proceed with the pilot program. Ms. Bosarge
24 commented that there had been a previous council discussion of
25 assisting with the first of the two proposal alternatives, which
26 would expand the number of shrimp boats in the pilot program,
27 but, due to the requirement of automatic transmission, Dr.
28 Gallaway had since developed an additional proposal alternative
29 to meet that requirement. Mr. Anson commented that the council
30 needed to ensure that other vendors would be included in
31 potential use for effort data collection.

32
33 Alternative Options for Consideration, Dr. Gloeckner discussed
34 the key characteristics of the cELB, cellular ELB, system that
35 need to be carried over to a new effort data collection program.
36 He then noted regulations that must be considered, including the
37 definitions of a vessel monitoring system (VMS) and enhanced
38 mobile transceiver unit, cellular-based (EMTU-C). He also
39 reviewed the list for type approval and then covered the
40 reimbursement process for a NOAA Office of Law Enforcement type-
41 approval VMS unit.

42
43 Dr. Gloeckner's presentation provided some important definitions
44 and national regulations from 50 CFR Part 600 Subpart Q that
45 were published on August 7, 2020, regarding vessel monitoring
46 systems and cellular-based transmission requirements.
47 Specifically, an EMTU-C only needs to be capable of transmission
48 two ways when in the range of a cellular network (MTUs (one-way

1 transmission) are no longer approved for new installations on
2 VMS vessels) (§600.1502(a)(6)).

3
4 Dr. Gloeckner noted that there should be funds available to
5 accommodate reimbursement of hardware for permit holders that
6 install a type-approved VMS unit. He also commented that NOAA
7 prefers to write specifications for type approval rather than
8 require specific vendors.

9
10 Ms. Bosarge noted that, previously, only a seventeen to
11 nineteen-dollar-per-month fee for service was required with 3G
12 cELBs, cellular ELBs, and noted that transmission costs
13 associated with satellite units for quick type approval had a
14 substantially greater monthly cost. She then noted that the
15 cellular units would need to be in range to transmit data, and,
16 so while they would not be true real-time data, the transmission
17 costs were much lower.

18
19 Mr. Strelcheck stated that the council might need to consider a
20 few decision points, such as the number of vessels that would be
21 required to have an effort data collection device. Mr. Diaz
22 stated that a framework action could take through spring of next
23 year for development and approval by the council and asked if
24 the current process of collecting effort data could be extended
25 through next year. Dr. Gloeckner responded that the current
26 process likely could be extended until the new system is put in
27 place.

28
29 Ms. Bosarge commented that cost-sharing would need to be
30 addressed in a framework amendment, since platforms are
31 changing, but stated that the current regulation does not
32 specify cellular or satellite. Mr. Strelcheck commented that
33 the council could decide to change the current selection process
34 of who is selected to participate in the reporting program.

35
36 Ms. Bosarge stated that, if the type of tool for collecting
37 effort data is a decision point, both cELBs and trip tickets
38 should be considered in the reasonable range of alternatives.
39 She also stated that where and whom the effort data is
40 transmitted to, as well as how it is intended to be used, should
41 be included in an amendment, since it has always been used for
42 scientific data, whereas VMS data in other fisheries is
43 typically transferred to the NOAA OLE, the Office of Law
44 Enforcement. Ms. Levy stated that a motion is needed for
45 council staff to begin a document to address effort data
46 collection and that an IPT could then determine decision points
47 for the council to consider.

48

1 With no opposition, the committee recommends, and I so move, to
2 direct staff to begin a framework action to set up reporting
3 requirements for the expiring 3G cELB program to transition it
4 to a new platform for effort reporting of the Gulf of Mexico
5 federal shrimp fishery.

6
7 **CHAIRMAN FRAZER:** Okay. Thank you, Ms. Bosarge. We have a
8 committee motion on the board. Is there any further discussion
9 of this motion? I am not seeing -- No hands. Ms. Levy.

10
11 **MS. LEVY:** Thank you. Just, before you vote on the motion, I
12 wanted to address one point that was raised by Leann, which was
13 the fact any alternative developed should include trip tickets,
14 and I wanted to get the Science Center's perspective on that,
15 because it seems to me that that would be a big step backward
16 from where we are, and I'm not sure it's actually a reasonable
17 alternative, given how they need the data and how it's used, and
18 so I guess I would just like their perspective on that.

19
20 **CHAIRMAN FRAZER:** Go ahead, Clay.

21
22 **DR. PORCH:** Thank you for the question. For us, it's really a
23 non-starter. The trip ticket information is basically days
24 fished, and it doesn't match up with the types of effort that
25 were used in creating the regulation to begin with, which was
26 more net tow hours, and so there's just no way that we could
27 actually monitor whether the shrimp fishery is staying within
28 the parameters of the regulations using the trip tickets.

29
30 On top of that, as many of you know, trip ticket effort
31 estimations aren't really regarded as the most reliable. A lot
32 of times, that sort of information is even filled out by the
33 someone in the fish house that may or may not have direct
34 knowledge of how long the trip was actually going out, but the
35 main issue is it's a completely different type of effort, and
36 there's no way to really scale it comparable to the effort that
37 was used, the effort units that were used, to develop the
38 regulations. Thanks.

39
40 **CHAIRMAN FRAZER:** All right. Thanks, Dr. Porch. Mr. Banks.

41
42 **MR. BANKS:** Thank you, Mr. Chairman. In response to that, are
43 there different regulations in the South Atlantic? I mean, why
44 are trip tickets utilized there to obtain effort data, and it's
45 good enough there, but it's not good enough for the Gulf? Help
46 me understand. Are there different regulations surrounding the
47 gathering of effort data in the South Atlantic? I'm not exactly
48 sure who I'm asking that question to, but maybe to Clay or to

1 Andy. Thank you.
2
3 **DR. PORCH:** I don't know, Andy, if you want to start.
4
5 **MR. STRELCHECK:** I'm not familiar enough with what's done in the
6 South Atlantic, and so you can speak to it.
7
8 **DR. PORCH:** Well, we don't have the same regulations in the
9 South Atlantic, and I know that, as we do in the Gulf of Mexico,
10 but it is an issue, and we would actually like effort
11 information similar to what we get for the Gulf of Mexico
12 fishery, and that's actually something that we're trying to move
13 towards. Trip ticket information is not the most useful for
14 stock assessments and other applications, in terms of the
15 effort, and so, yes, we would actually like the South Atlantic
16 to adopt a system closer to what's going on in the Gulf.
17
18 I mean, this reaches a broader issue, that we really need to get
19 effort estimates from all of our fisheries, and that's one of
20 the things that is spurring all of this conversation about
21 universal electronic logbook coverage.
22
23 **MR. BANKS:** To that point, Mr. Chairman?
24
25 **CHAIRMAN FRAZER:** Go ahead, Mr. Banks.
26
27 **MR. BANKS:** Clay, I appreciate that explanation, but do you, at
28 this time, get your effort information for the South Atlantic
29 shrimp fishery from trip ticket information?
30
31 **DR. PORCH:** I believe that's all we have.
32
33 **MR. BANKS:** Okay. Thanks. That's all I had. Thanks.
34
35 **CHAIRMAN FRAZER:** Okay. Andy, is your hand back up?
36
37 **MR. STRELCHECK:** Yes, and thank you, Mr. Chairman. I do want to
38 remind the council that one regulatory requirement we have in
39 the Gulf of Mexico that is very pertinent to this is, obviously,
40 the monitoring of shrimp effort in the western Gulf related to
41 that ten to thirty-fathom zone for red snapper bycatch, and so
42 it's obviously very important to be able to have data on a
43 geographic scale to be able to monitor effort in that area to
44 determine compliance with our rebuilding plan for red snapper
45 and bycatch levels.
46
47 **CHAIRMAN FRAZER:** Thank you, Mr. Strelcheck. Ms. Bosarge.
48

1 **MS. BOSARGE:** Thank you. The reason that I wanted that trip
2 ticket in the reasonable range of alternatives is kind of
3 exactly for what Clay laid out right there. It is the fact
4 that, right now, the shrimp fishery in the Gulf of Mexico
5 actually goes above and beyond, and we actually have moved a
6 step up the ladder, as far as our data collection is concerned,
7 and having that in the document allows stakeholders, the public,
8 the council, everyone, to realize that.

9
10 Without the trip ticket option in the document, you think that
11 the barebones minimum is this cellular electronic logbook, and
12 that is certainly not the case, and having it in the document
13 does not mean that's the route you're going down, and I think
14 that all the things that Clay brought up, as to why the cellular
15 electronic logbook program is just more efficient and more
16 effective for our purposes, that is most definitely a discussion
17 that would be brought forward as we go through the document and
18 choose a preferred alternative.

19
20 However, I don't think, at this time, it should eliminate a
21 device, which is trip tickets, that is being used in a shrimp
22 fleet in the Southeast to garner effort information, and it most
23 certainly is a reasonable option for that, because it is being
24 used, currently, and so that's all I have to say to that. Of
25 course, this motion doesn't speak directly to that. This motion
26 is just to start the framework action.

27
28 **CHAIRMAN FRAZER:** Thank you, Ms. Bosarge. Okay. I am not
29 seeing any other hands at this point. I am wondering if staff
30 feels like they have enough direction at this point to go ahead
31 and start the framework action. Dr. Simmons.

32
33 **EXECUTIVE DIRECTOR SIMMONS:** Yes. Thank you, Mr. Chair. I
34 think we have enough to move forward. Thank you.

35
36 **CHAIRMAN FRAZER:** Okay. Thank you. **Seeing no more hands, I**
37 **would ask if there is any opposition to this motion. Hearing**
38 **none, and seeing no hands, the motion carries.** Ms. Bosarge.

39
40 **MS. BOSARGE:** Thank you, Mr. Chairman. Continuing with the
41 report, Dr. Freeman discussed motions from the March 2021 Shrimp
42 AP meeting's summary report relevant to this agenda item. The
43 first Shrimp AP motion requested that the council contribute
44 funds to the LGL proposed project to develop a method for
45 automatic transmission of ELB effort data from P-Sea WindPlot to
46 a designated server.

47
48 The second motion requested that the council write a letter to

1 NOAA OLE requesting exemption of the Gulf of Mexico shrimp
2 industry from the recently published VMS requirements, including
3 that of two-way transmission and reception and only be required
4 to have one-way transmission of effort data. The third motion
5 requested that the council and NMFS work with LGL on type
6 approval for its P-Sea WindPlot pilot program.
7

8 Biological Review of the Texas Closure, Dr. Masi presented a
9 biological review of the Texas closure. She noted that the
10 original Shrimp Fishery Management Plan was implemented in 1981,
11 with one of the goals being to increase the yield of brown
12 shrimp harvested from offshore Texas waters. She also noted
13 that, historically, the closure has been from mid-May to mid-
14 July. Since 1990, the nearshore, less than four fathoms, area
15 has also been closed in conjunction with the Texas closure.
16

17 Since the 1980s, there has been an overall decline in July for
18 offshore Texas brown shrimp landings, which corresponds to the
19 Texas closure. Since the mid-1990s, there has been an increase
20 in August landings overall, which corresponds with the
21 initiation of the nearshore closure. For May through August
22 2020, catches are lowest in May and June, with the highest
23 catches in August. The lowest amount of August catch is found
24 in that smallest market size category, the sixty-seven count,
25 suggesting that the Texas closure is successful in allowing
26 shrimp to grow to larger sizes before harvest.
27

28 Dr. Masi next reviewed the annual percentage of Texas total
29 shrimp landings from 1981 to 2020 by region, which is upper,
30 middle, and lower. Proportional to 2019, the upper and lower
31 regions had a decrease in the percentage of total shrimp
32 landings, while the middle region had an increase.
33

34 Offshore Texas white shrimp catch for both July and August 2020
35 was highest in the fifteen to twenty count. The distribution
36 shifts to the larger size count categories in August, compared
37 to July, showing the impacts of the Texas closure allowing the
38 shrimp to reach larger sizes.
39

40 **With no opposition, the committee recommends, and I so move, to**
41 **recommend to NMFS that federal waters be closed out to 200 miles**
42 **to run concurrent with the date that the State of Texas**
43 **recommends for the 2021 Texas shrimp closure in the Texas**
44 **Territorial Sea.**
45

46 **CHAIRMAN FRAZER:** Thank you, Ms. Bosarge. We have a committee
47 motion, and we'll put it on the board. It looks like it's up.
48 Is there any further discussion of this motion? **I am not seeing**

1 any hands, or hearing any voices, and so is there any opposition
2 to the motion? Hearing none, and seeing no hands, the motion
3 carries. Ms. Bosarge.

4
5 **MS. BOSARGE:** Thank you. Gulf Shrimp Fishery Effort and
6 Landings, Tab D, Number 5, Dr. Masi reviewed the Gulf shrimp
7 fishery effort and landings from 2019. She noted that the 2019
8 information is based on the 3G cELB data that was transmitted to
9 NOAA.

10
11 While Louisiana, Texas, and an area around the Dry Tortugas
12 showed high levels of fishing effort in 2019, total offshore
13 shrimp landings decreased in 2019 from the previous year and
14 were at the lowest levels in the 1981 through 2019 time series.
15 All managed shrimp species are included within the total
16 offshore shrimp landings and effort in the figures shown to the
17 Shrimp Committee.

18
19 While a slight decline was shown in the 2019 CPUE, it is
20 consistent with interannual fluctuations observed over the past
21 fifteen years. The target reduction goal for the shrimp effort
22 threshold is 60 percent below the baseline effort in the years
23 2001 through 2003. 2019 had a 76.09 percent reduction, which
24 not only meets but exceeds the 60 percent reduction threshold.

25
26 2019 Royal Red Shrimp Index, Tab D, Number 6, Dr. Masi presented
27 the 2019 royal red shrimp index, with landings from 1994 through
28 2019. The annual catch limit (ACL) was established in 2011 at
29 337,000 pounds of tails and is based on 1994 landings. 2019
30 landings showed a slight increase over 2018, by roughly 17,000
31 pounds of tails.

32
33 Remaining Items from Summary of the Shrimp Advisory Panel
34 Meeting, Tab D, Number 8, Dr. Freeman discussed remaining items
35 from the summary report and motions from the March 2021 Shrimp
36 AP meeting. The AP requested that NMFS continue with the Texas
37 federal closure in the coming year, in conjunction with the
38 State of Texas Closure in 2021.

39
40 The AP made a motion for Dr. Masi to begin including information
41 in her future AP presentations on the number of active vessels
42 as well as valid and renewable permits in the Gulf of Mexico
43 from the years 2000 through current for white, brown, pink, and
44 royal red species. The AP also requested that the council
45 consider comments from the Southern Shrimp Alliance to NOAA's
46 Office of Aquaculture on identifying aquaculture opportunity
47 areas in the Gulf of Mexico. Lastly, the AP also requested the
48 council communicate support to NOAA for a new stock assessment

1 of the Kemp's ridley sea turtle population according to the
2 modelling approach presented by LGL Ecological Research
3 Associates.

4
5 Mr. Chairman, I would like to pause there. We had that
6 presentation yesterday, and we were behind schedule, as you
7 know, and coming up on public testimony, and so I didn't stop
8 and make any motions at that point. I didn't want to cut the
9 public short on their time, but, if you don't mind, I would like
10 to make that motion now.

11
12 **CHAIRMAN FRAZER:** Go ahead, Leann.

13
14 **MS. BOSARGE:** Okay. Thank you, sir. If staff is ready, and I
15 haven't sent this to you, but I will read it to you. **To send a**
16 **letter to the Southeast Fisheries Science Center (SEFSC)**
17 **expressing our support for conducting an assessment of the**
18 **Kemp's ridley stock when time and funds allow, and that this**
19 **assessment consider the modeling approach presented by LGL**
20 **Ecological Research Associates.**

21
22 Mr. Chairman, I put "when time and funds allow in there", and,
23 obviously, this should not take precedent over our normal SEDAR
24 schedule, nor would I expect it to, and so, if and when day time
25 and funds allow, I hope this will be considered.

26
27 **CHAIRMAN FRAZER:** Got it. All right. Thank you, Leann. We
28 have a motion. Is there a second for that motion?

29
30 **MR. RIECHERS:** Second.

31
32 **CHAIRMAN FRAZER:** It's seconded by Mr. Riechers. Is there any
33 further discussion on the motion? Mr. Diaz.

34
35 **MR. DIAZ:** Thank you, Mr. Chair. I mean, I speak in support of
36 the motion and I think the motion generally would help with some
37 of the issues that we discussed yesterday related to the
38 Executive Order discussion, and I think some of the information
39 from this new stock assessment, when it is done, would support
40 what's being asked for in that Executive Order. Thank you.

41
42 **CHAIRMAN FRAZER:** Good point, Mr. Diaz. Mr. Riechers.

43
44 **MR. RIECHERS:** Tom, thank you. For some of the same reasons
45 that I didn't chime in yesterday after the presentation, but I
46 do recall, and some of you may recall, or can help me with this,
47 but I think a stock assessment was also completed in the 2016
48 timeframe, or something like that, and I think Gulf States had a

1 hand in supporting that, as I am recalling, and certainly Gulf
2 States has supported some of the work that's gone on regarding
3 turtles, and, of course, now there is some Deepwater monies that
4 have flowed to -- It's not necessarily on the science side, but
5 certainly there is some science that may come out of it as well,
6 but on the salvation and stranding networks and so forth.

7
8 What I guess my question is, it's, after that last assessment,
9 I'm assuming that this one will build on that, but how did the
10 Southeast Center and the Science Center incorporate that into
11 their discussions the last time around? What I'm trying to get
12 a little thought here is how is it being incorporated into that
13 overall picture, as opposed to kind of something done over here
14 on the side, and maybe how does it play into that picture, is
15 what I'm trying to get at.

16
17 **CHAIRMAN FRAZER:** Sure. Clay, do you want to weigh-in on that?

18
19 **DR. PORCH:** Actually, that's before my time as Center Director,
20 and so let me check with my folks and get back to you on that.
21 I certainly haven't heard too much about it in the last few
22 years. However, we are interested in supporting an assessment
23 of Kemp's ridley turtles, and so I think this motion is
24 consistent with our intent.

25
26 **CHAIRMAN FRAZER:** Thank you, Dr. Porch. Is there any further
27 discussion? I am not seeing any hands, nor am I hearing any
28 voices. **Is there any opposition to this motion? Seeing no**
29 **hands, and hearing no voices, the motion carries.** Ms. Bosarge.

30
31 **MS. BOSARGE:** Thank you. Other Business, no other business was
32 brought up by the committee. Mr. Chairman, this concludes my
33 report.

34
35 **CHAIRMAN FRAZER:** Thank you, Ms. Bosarge. It looks like we will
36 move right into the Mackerel Committee, if Mr. Riechers is
37 prepared.

38
39 **MACKEREL COMMITTEE REPORT**

40
41 **MR. RIECHERS:** Yes. Thank you, Chairman. The committee was
42 called to order, the Mackerel Committee was called to order, on
43 April 12, 2021. The committee adopted the agenda, Tab C, Number
44 1, and approved the minutes, Tab C, Number 2, of the January
45 2021 meeting as written.

46
47 Next on our agenda then was a review of Coastal Migratory
48 Pelagics Landings Update, Tab C, Number 4. Mr. Peter Hood from

1 the NMFS Southeast Regional Office reviewed the recent landings
2 for the Gulf migratory groups of cobia, king mackerel, and
3 Spanish mackerel.

4
5 Recreational landings for 2020 are still incomplete, as a result
6 of the sampling limitations during the COVID-19 pandemic. Mr.
7 Hood highlighted a potential discrepancy in the commercial data
8 for Gulf king mackerel in 2021. The data will be reevaluated
9 and corrected if they are determined to be erroneous. Ms.
10 Bosarge mentioned that the higher landings in 2021 could be a
11 reflection of reopening markets from the initial COVID-related
12 closures.

13
14 The commercial Southern Zone hook-and-line king mackerel season
15 was closed on February 22, 2021, as it was projected to meet the
16 annual catch limit. However, landings stabilized, and the zone
17 was reopened for five consecutive fishing days from April 4
18 through 8 and closed on April 9 of 2021.

19
20 Next, the committee moved on to Amendment 32: Modifications to
21 the Gulf of Mexico Migratory Group Cobia Catch Limits,
22 Possession Limits, Size Limits, and Framework Procedure, Tab C,
23 Number 5.

24
25 Council staff presented a revised version of Chapters 1 and 2 of
26 Coastal Migratory Pelagic Amendment 32. The revised document
27 includes a new action, Action 3, to modify sector allocations in
28 the Florida East Coast Zone along with preferred alternatives
29 from the South Atlantic Fishery Management Council and
30 recommendations from the CMP Advisory Panel.

31
32 Action 1 would modify the Gulf migratory group cobia catch
33 limits. Both the council and the CMP AP currently recommend
34 Alternative 2 as the preferred alternative, and no additional
35 changes were made.

36
37 Action 2 would modify the apportionment between the Gulf and
38 FLEC Zone and update each zone's ACL based on the Gulf group
39 cobia ACL from Action 1. Preferred Alternative 3 would modify
40 the zone apportionment to 63 percent for the Gulf Zone and 37
41 percent for the FLEC Zone and incorporate the transition to the
42 Marine Recreational Information Program's Fishing Effort Survey
43 (MRIP-FES) data currency.

44
45 Council staff and the committee discussed the large number of
46 combinations in the management actions included in this
47 document, and how this could complicate future analyses related
48 to combined and cumulative effects. The committee considered

1 removing Alternative 4 from Action 2, since the difference in
2 zone apportionments between Alternatives 3 and 4 is only 1
3 percent. Retaining Alternative 5 in the document still allows
4 for considerations of using a more recent time series for
5 calculating the apportionment.

6
7 **The committee recommends, and I so move, in Action 2 to remove**
8 **Alternative 4 to Considered but Rejected. Alternative 4 is**
9 **modify the Gulf group cobia stock ACL apportionment at 62**
10 **percent to the Gulf Zone and 38 percent to the FLEC Zone, based**
11 **on the MRIP-FES average landings for Gulf group cobia for the**
12 **years 2001 to 2015, and use this apportionment to update the**
13 **zone ACLs based on the Gulf group cobia ACLs in Action 1. This**
14 motion carried with no opposition.

15
16 **CHAIRMAN FRAZER:** Thank you, Mr. Riechers. We have a committee
17 motion on the board. Let's make sure that it's up and legible
18 for everybody. Is there any further discussion of the motion?
19 It looks like we have John Sanchez. Go ahead, John.

20
21 **MR. SANCHEZ:** Thank you. It's not related to this. It's at the
22 tail-end of the meeting. Thank you.

23
24 **CHAIRMAN FRAZER:** Thank you, John. Is there any other hands? I
25 am not seeing any other hands. **Hearing no other voices with**
26 **regard to discussion, is there any opposition to the motion?**
27 **Hearing none, the motion carries.** Mr. Riechers.

28
29 **MR. RIECHERS:** Thank you, Mr. Chairman. Next, we moved to
30 Action 3. Action 3 proposes to modify the allocation between
31 the recreational and commercial sectors in the FLEC Zone. The
32 Gulf Zone manages its cobia as a single stock. Thus, it is not
33 included in this action. The committee deferred selecting
34 alternatives until the South Atlantic Fishery Management Council
35 provides input on this action, as it falls within their
36 jurisdiction.

37
38 Action 4 proposes to update the established annual catch targets
39 for the Gulf and FLEC Zones. In the FLEC Zone, only the
40 recreational sector has an annual catch target. This action
41 also provides the opportunity to establish an annual catch
42 target for the FLEC Zone commercial sector.

43
44 The committee discussed the implications of using the Gulf of
45 Mexico Fishery Management Council ACL/ACT Control Rule to
46 calculate the FLEC Zone recreational ACT instead of proportional
47 standard error, as the error increased with the transition to
48 MRIP-FES.

1
2 The committee also discussed the implications of this action and
3 how it relates to season closures in each zone. In the Gulf
4 Zone, the fishing season is closed once the zone's ACT is met or
5 projected to be met. Preliminary closure analyses suggest that,
6 with no additional management changes, the Gulf Zone ACT is
7 expected to be met in August or September of 2021 under all ACL
8 and ACT alternatives being considered.

9
10 The FLEC Zone has a post-season accountability measure, such
11 that, once the combined ACL is met or exceeded, and, when I say
12 combined, that's recreational and commercial, the length of the
13 following fishing season is reduced by the amount necessary to
14 achieve the ACT. Staff will continue working on the discussion
15 section in this action to update and refine the closure
16 analyses.

17
18 We moved then to Action 5. Action 5 has been split into sub-
19 actions to address changes to possession, vessel, and trip
20 limits by zone. For Action 5.1. the Gulf Zone, the committee
21 discussed removing the commercial sector from having a reduction
22 in the per person daily possession limit, as this action is not
23 expected to result in a significant reduction in fishing
24 mortality.

25
26 Members of the committee also commented about enforcing similar
27 regulations as those in Florida state waters. In Florida state
28 waters, it's one per person or two per vessel per day, whichever
29 is less, for both sectors. Ms. Guyas also mentioned that, given
30 the status of the stock, the Florida Fish and Wildlife
31 Conservation Commission may not consider making their
32 regulations less stringent.

33
34 **The committee recommends, and I so move, in Action 5.1, to**
35 **remove "Preferred" from Option 2b in Alternative 2.** Mr. Chair,
36 I'm not going to read through all of that. Just we're going to
37 now put the motion on the board, I assume, and, again, it's
38 removing the preferred portion on Option 2b, and it's shown as a
39 strike-out in the committee report, and we may want to make that
40 clear here in the motion.

41
42 **CHAIRMAN FRAZER:** Sure. Let's get it up on the board and see
43 how the --

44
45 **MR. RIECHERS:** I'm sorry, but the motion did carry with one in
46 opposition.

47
48 **CHAIRMAN FRAZER:** Let's get it formatted, and, as soon as we do

1 that, we will -- Mr. Riechers, your suggestion is that we, for
2 clarity, simply remove the strikeout in Option 2?

3
4 **MR. RIECHERS:** No, it was -- I just want to make sure that it's
5 shown as a strikeout and that everyone is clear that what's on
6 the board is showing that, basically, the preferred portion, or
7 the preferred nomenclature, regarding Option 2b is being
8 referred, meaning it's not a preferred anymore.

9
10 **CHAIRMAN FRAZER:** I am clear. Thanks. So, again, removing --
11 Or indicating clearly in this motion that Option 2b is not a
12 preferred. Is there any further discussion of this motion?

13
14 **MS. BOGGS:** Mr. Chair, I'm having a delay with my Adobe Connect,
15 and so I don't know if raising my hand is being affected as
16 well.

17
18 **CHAIRMAN FRAZER:** That's okay. I didn't see it, and so you go
19 ahead.

20
21 **MS. BOGGS:** Well, I just would like to make the comment that I'm
22 a little bit mixed about this, but I think it would be, in my
23 mind, a little better if we stay consistent with what the State
24 of Florida is doing in state waters.

25
26 Apparently, in the FLEC Zone, it's included that the commercial
27 sector be limited to one fish per person, and I understand that
28 it has little to no effect. However, a lot of these actions
29 that we've taken in this document, if you look at them, have
30 little to no effect, and I strongly believe that we need to
31 start trying to restrain some of these catches until we get a
32 real handle on what cobia is doing in the Gulf. Thank you.

33
34 **CHAIRMAN FRAZER:** Thank you, Ms. Boggs. I am looking for other
35 hands. Ms. Guyas.

36
37 **MS. GUYAS:** Thank you. I'm going to speak against this motion,
38 and I will not be supporting it. I think we need to be
39 consistent across-the-board here. In Florida, we already have a
40 one-fish-per-person, and that applies to everyone.

41
42 As I said in committee, I would not expect our commission to
43 back off of that, given everything that they're hearing about
44 cobia, and so I would prefer that we stick with the current
45 preferred and not change it, as described in this motion.

46
47 **CHAIRMAN FRAZER:** Okay. Thank you, Ms. Guyas. I will wait just
48 a second, given the delay. Ms. Bosarge.

1
2 **MS. BOSARGE:** I appreciate the comments. I will just maybe make
3 the point that, very rarely, if ever, do commercial and
4 recreational management match. There just is two different
5 fisheries, and they are prosecuted in different ways, and what
6 fits one does not typically work for the other. Very rarely do
7 we have bag limits.

8
9 We typically have poundage limits, and so it's already a little
10 strange that we have a fish limit, in numbers of fish, rather
11 than in pounds, and I don't know, and maybe that's what we need
12 to look at, is a poundage limit per day for the commercial
13 sector, to kind of put this in terms that we normally operate
14 under, but I will remind you that, at this point, the
15 regulations, both state and federal, have brought commercial
16 landings down from their peak by 90 percent.

17
18 I think we've probably done our part, and I think that reducing
19 any further doesn't give you really any biological savings. I
20 mean, it's 3,000 pounds on a multi-million-pound landings, and
21 so I don't see where you're doing anything but really
22 constraining that commercial sector to a point where they can't
23 keep anything.

24
25 We have to have a market for these fish, and it's hard enough to
26 do that at two fish, much less at one, and I do see this on the
27 menu quite often at restaurants, and I hate to think that it's
28 coming in from overseas, and so we have a harvest that we're
29 allowed to take, biologically, and please allow us to take it in
30 a way that makes it economically feasible for us, and that's why
31 I ask that the preferred be removed.

32
33 **CHAIRMAN FRAZER:** Thank you, Ms. Bosarge. Mr. Riechers.

34
35 **MR. RIECHERS:** Leann, I certainly understand your point. I
36 think I'm looking at this more as an enforcement issue and a
37 consistency issue, as opposed to a reduction in landings,
38 because I don't think any of these are going to change the
39 overall landings picture very much, but, from that same
40 perspective, and this one could go to Martha, maybe, being more
41 familiar with that fishery over in your part of the woods.

42
43 Practically speaking, is removing the preferred here and still
44 having a preferred on a two-fish-per-trip vessel limit, is -- I
45 mean, from an equivalence standpoint, how many trips do we think
46 we're going to impact by changing this? I'm not expecting you
47 to give me the number, but just a thought about a lot or a
48 little or some percentage kind of notion.

1
2 **MS. GUYAS:** Let me make sure I understand your question. Sorry,
3 Tom, and I think that was to me, but --

4
5 **CHAIRMAN FRAZER:** Yes.

6
7 **MS. GUYAS:** So you're saying what would be the impact if we have
8 a two-fish-per-person commercial limit and we have the two-fish-
9 per-vessel limit?

10
11 **MR. RIECHERS:** No, and I guess I'm suggesting, or asking the
12 question, of, with a two-fish vessel limit, does this really do
13 anything, in effect, by removing it?

14
15 **MS. GUYAS:** Okay. I guess we would have to look at the analyses
16 in the back of the document, and I don't know if Natasha has
17 that at her fingertips, but, I mean, in Florida, it's already
18 one per person, two per vessel, and so, I mean, that's where we
19 are. I would have to look at the breakdown between what's
20 caught in state versus federal waters, and I think there's a lot
21 coming out of state waters, certainly in the Panhandle. In
22 other parts of the state, I'm not sure, off the top of my head.
23 That's probably not very helpful, but --

24
25 **MR. RIECHERS:** I will go to the back of the document as well and
26 see if I can find what I'm looking for back there. Thank you.

27
28 **CHAIRMAN FRAZER:** Natasha.

29
30 **DR. NATASHA MENDEZ-FERRER:** Thank you, Mr. Chair. The
31 preliminary analyses that are included in the draft that is in
32 front of you have been updated, and we are including new
33 analyses in your draft in June, and so I'm kind of taking a look
34 at the rough numbers right now in the predicted percent
35 reduction in cobia landings from reducing the bag limit from two
36 to one in the commercial sector, and it's expected to have less
37 than a 1 percent, given that the majority of the trips are
38 catching one or less cobia. I hope that answers your question.

39
40 **CHAIRMAN FRAZER:** Does that help, Mr. Riechers?

41
42 **MR. RIECHERS:** Yes, and, again, I'm trying to play with the
43 nuance of the vessel limit that still is a preferred, and that
44 certainly still helps with my question, yes. Thank you.

45
46 **CHAIRMAN FRAZER:** Okay. Is there any further discussion? I am
47 not seeing any. We will certainly see this document again in
48 June, and I think we were trying to get things together for the

1 South Atlantic, so they would have an opportunity to do things
2 at their upcoming meeting as well, and so you will see this
3 again. **Based on the analysis, if there is a change of heart,**
4 **perhaps, we can revisit this, but, for right now, I am going to**
5 **ask if there is any opposition to this motion on the board.**

6
7 **MS. GUYAS:** Yes.

8
9 **UNIDENTIFIED:** Yes.

10
11 **CHAIRMAN FRAZER:** Two opposed. **The motion carries with two**
12 **opposed.** Mr. Riechers.

13
14 **MR. RIECHERS:** Next, we moved to Action 5.2. The committee also
15 approved the South Atlantic Fishery Management Council's
16 preferred alternatives associated with modifications in their
17 jurisdiction.

18
19 **The committee recommends, and I so move, in Action 5.2, to**
20 **select all the South Atlantic Preferred alternatives and**
21 **options. Those were, for the record, South Atlantic Preferred**
22 **Alternative 2, South Atlantic Preferred Option 2a, South**
23 **Atlantic Preferred Option 2b, South Atlantic Preferred Option**
24 **3a, South Atlantic Preferred Alternative 4, and the South**
25 **Atlantic Preferred Option 4a. That motion carried with no**
26 **opposition.**

27
28 **CHAIRMAN FRAZER:** Thank you, Mr. Riechers. We have, again, a
29 committee motion on the board. Is there any further discussion
30 of the motion? **Not seeing any hands, is there any opposition to**
31 **the motion? Not hearing any, the motion carries.** Mr. Riechers.

32
33 **MR. RIECHERS:** Thank you, Mr. Chairman. Next, we moved to
34 Action 6.

35
36 **MR. DIAZ:** Mr. Chairman, I am having trouble raising my hand,
37 for some reason, before we go too far.

38
39 **CHAIRMAN FRAZER:** Go ahead, Mr. Diaz. I apologize.

40
41 **MR. DIAZ:** I was trying to just mention something about Action
42 5.1 before we leave it too far. I am having some mixed feelings
43 about the vessel limit. I don't know that I am going to make a
44 motion right now to change it, but I am worried about a few
45 things.

46
47 I have had some input from people in this state that do not
48 support the two-fish vessel limit, and I know there's not a lot

1 to be gained on vessel limits, and the most to be gained, I do
2 understand, is with less fish, but cobia is kind of a unique
3 species.

4
5 There are term limits for cobia that are held in this part of
6 the Gulf, and I think there's some in Florida and Alabama also,
7 and I am just worried about choking that vessel limit down to
8 two and really encouraging high-grading, and I don't know if
9 that's factored into the analysis or not, but I am having some
10 doubt about sticking with that preferred, and, at this point,
11 the way I'm thinking right now, I would prefer a higher vessel
12 limit. Thank you, sir.

13
14 **CHAIRMAN FRAZER:** Thank you, Mr. Diaz, for those comments. Mr.
15 Riechers, if you want to go ahead and move on. Sorry again,
16 Robin. There's a little bit of a delay on my end. Ms. Guyas
17 has her hand up.

18
19 **MS. GUYAS:** I just wanted to say, just so Dale is aware, there
20 are a lot of tournaments in Florida, and some have to be
21 cancelled recently, because of the state of cobia, and the
22 tournaments, at least out of Destin, they do not allow high-
23 grading, and they have all these measures to avoid that, and so
24 this vessel limit reduction came from the people that are
25 participating in those tournaments and organizing those
26 tournaments.

27
28 I mean, they came to us, a couple of years ago, and said please
29 help us, and this is a huge issue, and so this is their
30 initiative that we have supported, and they're really just
31 trying to rebuild this fishery, and we support that, of course,
32 and so at least that's how things have gone in the eastern Gulf
33 with this. I mean, the people that are in these tournaments
34 recognize that this is a big issue, and they want to do their
35 part, and the vessel limit reduction is an easy way to do that.

36
37 This is a tricky fishery, with the size limit and all that, and
38 there's limited things that we can do to promote rebuilding,
39 and, to me, this is an easy one, and so that's all I'm just
40 going to say about that.

41
42 **CHAIRMAN FRAZER:** Thank you, Ms. Guyas. Ms. Boggs.

43
44 **MS. BOGGS:** I will reiterate too what I said in committee, that
45 there are tournaments in this area that are being cancelled, and
46 one of them, I believe, had a fifty-pound minimum for cobia, and
47 they never got a fish brought to the weigh station that was
48 fifty pounds. It's a real issue, I can tell you, in the

1 northern Gulf. Pensacola and Alabama are all cancelling
2 tournaments. Thank you.

3
4 **CHAIRMAN FRAZER:** Thank you, Ms. Boggs. Let's see if I have any
5 other hands. Okay. I am seeing no more hands. Mr. Riechers,
6 if you want to continue.

7
8 **MR. RIECHERS:** Thank you, Mr. Chairman. Next, we turned to
9 Action 6. Action 6 proposed an increase to the minimum size
10 limit. The committee agreed preferred Alternative 2, which
11 would increase the size limit in the FLEC Zone from thirty-three
12 inches to thirty-six inches fork length, or the same as is in
13 the Gulf Zone. The increase of the minimum size limit in the
14 Gulf Zone was implemented in March 2020, and the effects have
15 not been captured by recent landings data.

16
17 Action 7 proposes modifications to language in the CMP Framework
18 Procedure to allow the SAFMC to independently approve management
19 measures that affect fishing within their jurisdiction. This
20 language only applies to actions that can be addressed through a
21 framework amendment. Changes that would affect the entire
22 stock, such as catch limits, allocations, zone apportionment,
23 and the inclusion or exclusion of species in the CMP fishery
24 management plan still require the approval of both councils.

25
26 **The committee recommends, and I so move, in Action 7, to make**
27 **Alternative 2 the preferred. That Alternative 2 is modify the**
28 **framework procedure to update the responsibility to each council**
29 **for setting regulations for the Gulf group cobia.** The motion
30 carried with two in opposition.

31
32 **CHAIRMAN FRAZER:** Okay, and so we have a committee motion on the
33 board. That motion, again, just for the record, is, in Action
34 7, to make Alternative 2 the preferred, and Alternative 2 reads:
35 Modify the framework procedure to update the responsibility to
36 each council for setting regulations for the Gulf cobia group.
37 Is there further discussion of the motion? I see, Ms. Boggs,
38 you have a hand up. Is that a new hand?

39
40 **MS. BOGGS:** It is. I just have a quick question. Number 2,
41 where it says the stock assessment indicates a different
42 boundary, and a portion of the ACL for one migratory group may
43 be apportioned to a zone in the other council's jurisdiction,
44 and I just want to make sure I'm clear who would make that
45 decision.

46
47 Would it just be based on where the catch -- I just want to be
48 clear who is going to make that decision and that's not

1 something that is going to take away from one zone or the other
2 because we're not specifying being more specific about that. I
3 don't know that I'm being clear, but I'm a little unclear about
4 it to begin with.

5
6 **CHAIRMAN FRAZER:** I think I might ask Natasha to weigh-in on
7 this one. Natasha.

8
9 **DR. MENDEZ-FERRER:** One second, Mr. Chairman. I am referring
10 back to the text that Ms. Boggs is talking about. Ms. Boggs,
11 can you remind me again which item?

12
13 **MS. BOGGS:** It's in Alternative 2, Number 2, and you've got 1,
14 1a, 1b, and then you've got 2, and we're striking "the
15 appropriate zone, but management measures", and then I'm looking
16 at the proposed change, and I am just -- I want to just be clear
17 how that decision is going to be made.

18
19 **DR. MENDEZ-FERRER:** When there is apportionment of migratory
20 groups, those are decisions that are made by both councils. For
21 example, we have the Gulf group cobia, which the Gulf migratory
22 group part of it is apportioned to the South Atlantic for the
23 management, the same as like what happens with management of
24 king mackerel. The Gulf Council manages portions of the king
25 mackerel that fall within the South Atlantic jurisdictions.
26 Those changes in who is going to manage what, those are
27 decisions that are made between both councils, and I think we're
28 just trying to make it a little clearer on the language here.
29 That's where Number 3 comes in, that both councils must concur
30 on recommendations that affect both migratory groups and
31 jurisdictions.

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

34
35 **CHAIRMAN FRAZER:** Okay. Ms. Bosarge.

36
37 **MS. BOSARGE:** Thank you, Mr. Chair. I think I'm going to oppose
38 this motion at this meeting. I may change my mind in a future
39 meeting, but, for now, I think I'm going to oppose it. It just
40 seems off.

41
42 The South Atlantic just went through a process where they
43 decided that they didn't want to manage Atlantic cobia anymore,
44 that it would be better to pass that to the Atlantic States
45 Commission, and yet now they want more management over Gulf
46 cobia, where there is not a joint amendment anymore with the
47 Gulf Council for a lot of things they do, anything they can do
48 through a framework. I don't know, and it seems strange that

1 they want to -- They turned over management of Atlantic cobia,
2 but they want more management of Gulf cobia. I mean, it's
3 probably fine, but something just doesn't sit right with me
4 about it, and so I'm going to oppose this motion for now.

5
6 **CHAIRMAN FRAZER:** Okay. Ryan, to that point?

7
8 **MR. RYAN RINDONE:** There isn't anything that the South Atlantic
9 is being given the authority to do that would directly affect
10 how the Gulf fishes for cobia through this modification to the
11 framework procedure.

12
13 Anything that would result in any changes to catch limits,
14 allocations, stock boundaries, stock status determination
15 criteria, anything like that, it's still a joint fishery
16 management plan, and so the Gulf Council would have to agree
17 with anything that the South Atlantic Council proposed, and vice
18 versa, for any of those things to actually take effect, and so
19 both councils still have responsibility over the Gulf cobia
20 stock, which is still part of our joint CMP fishery management
21 plan.

22
23 The Atlantic group of cobia was removed from the CMP FMP,
24 because the majority of landings of Atlantic cobia occurred
25 within state waters in that species range, which was from the
26 Florida/Georgia line north, and a lot of it has to do with just
27 the way the water moves along those coastlines and the way that
28 those fish are fished by the different sectors up there, and so
29 that was the most appropriate decision for that migratory group.

30
31 The majority of Gulf cobia, both in the Gulf and on the Atlantic
32 coast of Florida, are still landed in federal waters, and this
33 is especially true for the Atlantic coast. It's been a while
34 since I've looked at these data, but I think, the last time I
35 looked at it, it was over 70 percent of cobia that are landed
36 off the east coast of Florida are still landed in federal
37 waters, and so it's still very much a federal fishery, and the
38 South Atlantic Council has expressed no inclination, at this
39 point, to do anything differently with Gulf cobia with respect
40 to its management.

41
42 For the key things that would affect the stock and its
43 management, both councils still have to concur. What this
44 framework procedure is allowing the South Atlantic Council to do
45 is simply to be able to be more nimble in things like bag
46 limits, size limits, seasons, closed areas and whatnot, as they
47 relate to the fishery as it's managed from south of the Florida
48 Keys up to the Florida/Georgia line.

1
2 It's affording them the same general framework flexibility that
3 we're able to use for the fish that occur within our waters,
4 but, again, anything that relates to ACLs or allocations or
5 apportionments or anything like that, it still has to be agreed
6 upon jointly. Mr. Chair.

7
8 **CHAIRMAN FRAZER:** Thank you, Mr. Rindone.

9
10 **MR. STRELCHECK:** Did you call on me, Tom? You were breaking up.

11
12 **CHAIRMAN FRAZER:** I did. I apologize. Go ahead.

13
14 **MR. STRELCHECK:** Just to add to this, and certainly Ryan or
15 staff can correct me if I'm wrong, but I don't view this as
16 really markedly different than how we manage a species like
17 yellowtail snapper. Yes, we don't have a joint fishery
18 management plan for a species like yellowtail, but we do have an
19 apportionment between the South Atlantic and Gulf Councils, and
20 the South Atlantic Council, obviously, sets regulatory measures
21 for yellowtail snapper in their jurisdiction.

22
23 Obviously, the difference here is the migratory group boundary
24 goes all the way up to the Florida/Georgia border, but, at the
25 end of the day, that is, obviously, in South Atlantic waters,
26 where the South Atlantic has decision-making authority, and so I
27 don't see it as being in conflict or inappropriate for them to
28 manage, or at least provide input, on regulatory measures for
29 cobia in their part of the geographic area, especially when the
30 Gulf Council also has authority to, obviously, make sure that
31 they are in agreement with any recommendations for the South
32 Atlantic Council.

33
34 **CHAIRMAN FRAZER:** Thank you, Andy. Ms. Bosarge.

35
36 **MS. BOSARGE:** Thanks, and it is just a little bit different
37 though, because this is a migratory species, and so it is a
38 little different than a yellowtail or something like that, and
39 that is pretty much -- Well, commercially anyway, a lot of it is
40 right there in south Florida, and those people fish on both
41 sides.

42
43 This is a species that migrates across a large body of water,
44 and it is a Gulf stock. A small portion of our Gulf stock
45 happens to migrate over to the east coast of Florida, and so I
46 think we've been good to allow the South Atlantic Council some
47 input on how our Gulf stock is managed during the period when
48 it's migrating over there into their waters.

1
2 However, anything -- Any management measures that they may
3 change over there, bag limits or this or that, will affect us,
4 because that stock migrates back, and so, if they happen to fish
5 it harder while it's over there off of their coast, then it's
6 going to have an impact on what we can do over here in the
7 future.

8
9 I just think it's a good idea to keep us in tandem with them,
10 and we allow them to manage it over there, but it would be nice
11 if we could have input on what they're doing and we both come to
12 a consensus on it. I understand they don't have to do that for
13 us, but it's a Gulf stock. That's what it is, and so I can kind
14 of see that rationale, but it doesn't really go the other way,
15 and so I'm going to vote in opposition to this for now. Maybe
16 we can flesh this alternative out a little bit more and make me
17 feel good about it at the next meeting.

18
19 **CHAIRMAN FRAZER:** Okay. Thank you, Ms. Bosarge. I will note,
20 again,, that there was two opposed on the committee, and there
21 is -- **Clearly, Leann is on the record as being opposed in its**
22 **current form, and is there any other opposition to the motion?**

23
24 **MS. BOGGS:** Yes.

25
26 **CHAIRMAN FRAZER:** Any more? **So the motion carries with two**
27 **opposed.** Mr. Riechers.

28
29 **MR. RIECHERS:** Thank you, Mr. Chairman. The committee then
30 discussed the implications of the proposed catch limits and the
31 potential for in- season closures. Ms. Guyas asked about how
32 these potential in-season closures might affect different Gulf
33 regions. Council staff is continuing to work on updating the
34 analyses, including the development of a decision support tool.

35
36 Then we turned to Tab C, Number 6, which was the Coastal
37 Migratory Pelagics AP Recommendations, and we wanted to discuss
38 any of those that we hadn't discussed throughout the meeting.

39
40 Council staff went over the remaining items that were discussed
41 during the CMP AP meeting on March 24, 2021. Mr. Martin Fisher,
42 Chair of the CMP AP, commented that the AP is not against
43 commercial electronic logbooks, but that the current proposal
44 could be simplified and improved. The discussion was continued
45 during the Data Collection Committee.

46
47 Next, we went to Discussion of Individual Fishing Quota for Gulf
48 King Mackerel for the Gulf Southern Zone Gillnet, Tab C, Number

1 7. Mr. Sanchez spoke on behalf of the Gulf king mackerel
2 gillnet fishery in the Southern Zone.

3
4 A letter from the Florida Keys Commercial Fishermen's
5 Association was distributed to the committee. The discussion
6 focused on a request to increase the quota in this zone, as
7 current fishing regulations resulted in a short fishing season,
8 and it starts the third Monday of January each year, compared to
9 other commercial king mackerel zones in the Gulf.

10
11 The initial proposal considered the implementation of a catch-
12 share-type program (i.e., individual transferable quota or
13 individual fishing quota), but the majority of gillnet permit
14 holders have not agreed to this change. Mr. Sanchez also
15 proposed an exempted fishing permit as an approach to experiment
16 with more efficient ways to prosecute the Gulf king mackerel
17 gillnet fishery.

18
19 This fishery currently has payback provisions on overages as a
20 post-season AM, is mostly self-regulated, and landings are
21 reported daily to SERO. Mr. Strelcheck commented that EFPs are
22 intended for limited duration and as a tool to learn new ways
23 that can improve management, and not necessarily as a tool to
24 increase industry buy-in. With that, Mr. Chairman, I will stop,
25 because I know Mr. Sanchez had his hand up here.

26
27 **CHAIRMAN FRAZER:** Thank you, Mr. Riechers, and you are exactly
28 right, and so, Mr. Sanchez, your turn.

29
30 **MR. SANCHEZ:** I just heard my name. I'm sorry, but I was just
31 walking back.

32
33 **CHAIRMAN FRAZER:** Sorry, John, and so we are at the end of the
34 Mackerel Committee Report, and I wanted to give you an
35 opportunity to provide some comment.

36
37 **MR. SANCHEZ:** Thank you for that, and I'm sorry for stepping
38 away at the absolute wrong time. What I wanted to do, and I
39 don't know if I need to make a motion or just to request, and
40 you all can advise me, but I would like to make a request that,
41 at the next meeting in June, that we place Amendment 33 for king
42 mackerel on the agenda.

43
44 **CHAIRMAN FRAZER:** Okay. Real quick, we're going to look at the
45 action guide and see where we are with the status of that
46 document. Hold on one second, John.

47
48 **MR. SANCHEZ:** Thank you.

1
2 **CHAIRMAN FRAZER:** John, I'm having a discussion here with the
3 staff, and we will give it an effort, to see if we can put a
4 draft options document together, and we will do our very best to
5 do that. Okay?

6
7 **MR. SANCHEZ:** I do appreciate it, because -- Two reasons. One,
8 we happen to be in the backyard of the people that are
9 interested in this, in Key West, as well as it is my last
10 meeting, and it's been an issue that I've been speaking on for a
11 couple of years now, and so it would be nice to at least have
12 that be considered in the geographic area where the fishery
13 transpires, to a great extent, where there's a lot of interest
14 in this, and I would like to at least have some discussion, and
15 I appreciate staff's efforts on trying to put that together.
16 Thank you.

17
18 **CHAIRMAN FRAZER:** Thank you, John. I appreciate your comments
19 and your intent, and, as I said, the staff will make every
20 effort to try to do that. Obviously, as we continue to work
21 through these meetings, the agenda is full, but, again, we'll
22 try to accommodate that, to the best of our ability.

23
24 **MR. SANCHEZ:** Thank you.

25
26 **CHAIRMAN FRAZER:** Natasha and then Mr. Anson.

27
28 **DR. MENDEZ-FERRER:** I can let Mr. Anson go before me. My
29 comment was a quick comment about cobia. If Mr. Anson has
30 further discussion on king mackerel, I can allow him to go
31 first.

32
33 **CHAIRMAN FRAZER:** Mr. Anson.

34
35 **MR. ANSON:** Thank you, Mr. Chair. Just a point of procedural
36 clarification, I guess. John, I think -- John mentioned about
37 bringing a document together, and staff put up Amendment 33, and
38 then you mentioned something about putting together a draft
39 options paper, and so is it a document that the council has
40 already requested and staff had previously started, and that was
41 called Amendment 33, or is this like a brand-new request to
42 direct staff to put some ideas together to bring to the council,
43 because it's my understanding that, normally, we would have to
44 do a motion in order to have staff to do that.

45
46 I'm in support of it, if a motion is needed, but I'm just,
47 procedurally, again, trying to figure out where we are with what
48 John wants, or wants to see, and whether or not it's something

1 the staff has already put together or will be putting together,
2 and that's all.

3
4 **CHAIRMAN FRAZER:** Thanks, Kevin. I was looking at the action
5 schedule when I made those comments, but Mr. Rindone.

6
7 **MR. RINDONE:** The council has already requested a document, and
8 so, whenever we have requests for that, or the South Atlantic,
9 for CMP species, we go ahead and stake our claim to an amendment
10 or framework number, and so this is a formal document.

11
12 The last time this was discussed, Dr. Mendez presented a scoping
13 presentation to you guys, to frame what it was that you guys had
14 requested us to take a look at, which are -- If I remember
15 correctly, it's updating the catch limits based on the last
16 SEDAR 38 update assessment, and also looking at sector
17 allocations, and there may have been one more thing in there,
18 and Dr. Mendez might remember that, that I'm missing.

19
20 We'll draw that stuff up and take a peek at what we received
21 from that scoping presentation that we gave you guys a while
22 back, and we'll put together an options paper for you to take a
23 look at and chew on a little bit.

24
25 **CHAIRMAN FRAZER:** Thank you, Mr. Rindone. Is that a
26 satisfactory answer, Kevin?

27
28 **MR. ANSON:** That's great. Thank you.

29
30 **CHAIRMAN FRAZER:** Okay. Natasha.

31
32 **DR. MENDEZ-FERRER:** There were some really good discussions
33 during cobia, and I wanted to remind the council that I guess
34 the goal for the next meeting is to provide a public hearing
35 draft, and I do have to mention that, because the South Atlantic
36 has not been able to see Action 3, some of the analysis might be
37 limited, based on what changes might come into Action 3 and
38 Action 4, as it pertains to the FLEC Zone, but we're also going
39 to be including some of the revised possession limit analyses
40 that we weren't able to include in this draft, and so it's going
41 to be, hopefully, a document that will answer some of the
42 questions that were brought up today.

43
44 **CHAIRMAN FRAZER:** Great. Thank you, Natasha. All right. Is
45 there any other -- I am not seeing any hands, and so, Mr.
46 Riechers, thank you very much for your effort to lead us through
47 this.

48

1 We will go ahead and continue on with the Data Collection
2 Committee and Mr. Anson.

3
4 **DATA COLLECTION COMMITTEE**
5

6 **MR. ANSON:** Thank you, Mr. Chair. The Data Committee met on
7 April 12, and the committee adopted the agenda, Tab F, Number 1,
8 as written and approved the minutes, Tab F, Number 2, of the
9 October 2020 meeting as written.

10
11 AP Recommendations for Proposed Commercial e-logbook
12 Requirements, Tab F, Number 4, council staff reviewed excerpts
13 from the Reef Fish and Coastal Migratory Pelagic Advisory Panel
14 summaries regarding discussions on the proposed changes to the
15 commercial electronic logbook program.

16
17 Overall, the panels agreed that timely and accurate data
18 collection is important and were supportive of moving away from
19 paper forms. However, the panels voiced a number of concerns
20 about duplicative and burdensome requirements, difficulty of
21 hail-in reporting on small open-console vessels and during
22 inclement weather, and the sharing of proprietary locational
23 information. Mr. Martin Fisher, the CMP AP chair, echoed these
24 concerns to the council and questioned the scientific benefit of
25 the proposed increase in the number of reporting requirements.

26
27 Dr. John Walter asked Mr. Fisher what he advised for engaging
28 commercial stakeholders and proposed a workshop for addressing
29 the panel's concerns. Mr. Fisher stated that he identified two
30 separate objectives for the program. He recommended that a move
31 towards electronic reporting for the current paper logbooks
32 could happen quickly and would be an improvement.

33
34 However, the proposed newer real-time reporting requirements
35 would need to be modified and that more input from industry
36 would be beneficial for achieving program goals. He was
37 amendable to having the panel work with Southeast Fisheries
38 Science Center staff, through the council process, to develop
39 program solutions. Several committee members agreed that more
40 engagement was appropriate and strongly encouraged continued
41 transparent communication on the development of the program.

42
43 Then we took up Update on Southeast For-Hire Integrated
44 Electronic Reporting Program, Tab F, Number 5. Mr. Rich
45 Malinowski provided an overview of the progress of the Southeast
46 For-Hire Integrated Electronic Reporting Program (SEFHIER).
47 Since the implementation of Phase I in early 2021, approximately
48 1,300 vessels have created accounts.

1
2 Program participants have identified some software issues, which
3 have been addressed by providers. Several instructional
4 webinars have been scheduled, and these will provide an
5 opportunity for fishermen to ask questions about the program.
6 An option for submitting an issues form is being contemplated to
7 allow for compliance, in the event of reporting equipment
8 failure. A tentative date for Phase II implementation has been
9 proposed for December 1, 2021.

10
11 A committee member inquired as to whether software developers
12 were planning on providing instructional videos to help captains
13 navigate the reporting software. Mr. Malinowski stated that
14 both VESL and eTRIPS were in the process of creating videos and
15 those would be made available on the SEFHIER web page.

16
17 Another committee member reported that fishermen had not been
18 aware of the program and were not likely to be exposed to online
19 resources and inquired when the dockside validation portion of
20 the program was expected to begin. Mr. Malinowski stated that,
21 when available to do so, more in-person outreach would be
22 considered and that the validation portion is tentatively
23 scheduled to begin in September.

24
25 Dave Donaldson added that the Gulf States Marine Fisheries
26 Commission was reaching out to the states to discuss the
27 feasibility of validation and were targeting September for
28 implementation.

29
30 A committee member asked for clarification about transmission of
31 data through the cellular reporting software. Mr. Andy
32 Strelcheck stated that the cellular unit logged positional
33 information and then transmitted data once in cellular range.
34 Addressing equipment malfunction, a committee member indicated
35 that reporting equipment failure was rare and that she had never
36 experienced an occasion where she was prohibited from completing
37 a trip for that reason.

38
39 Next, we moved on to Presentation on Methodology used for
40 Recreational and Commercial Discards, Tab F, Number 6. Dr.
41 Shannon Cass-Calay presented an overview on the methodology used
42 to quantify commercial and recreational dead discards data for
43 use in Southeast Fisheries Science Center assessments and
44 monitoring of annual catch limits, and how discards are
45 accounted for in assessment models.

46
47 Additionally, the presentation included information on
48 estimating uncertainty in the amount of estimated discards and

1 provided examples for red snapper, red grouper, and king
2 mackerel.
3
4 Recreational and commercial discard data are collected
5 differently. Recreationally-caught fish in the National Marine
6 Fisheries Services' Angler Access Point Intercept Survey that
7 are landed and observed by interviewers, the Type A records, are
8 summed with fish reported as harvested by fishers but
9 unavailable to dockside samplers, and those would be Type B1
10 records.
11
12 B1 fish include fish discarded dead at-sea, used for bait, or
13 part of landed catch that was not available for viewing by the
14 sampler. Fish released alive, the B2 records, are used in
15 calculating the number of fish that die after being released
16 alive, or release mortality. The A and B1 records are summed to
17 obtain recreational harvest, and the total is used to track
18 against the recreational ACL. The presenter noted that the
19 number of fish released dead is small.
20
21 B2 records are fit in the assessment model using species-
22 specific levels of uncertainty, the coefficients of variation
23 associated with release estimates, and post-release mortality is
24 calculated by multiplying number of released fish by a discard
25 mortality rate, which are generally species-specific and could
26 also be fishing-fleet-specific. B2 records are not included in
27 the calculation of catch limits.
28
29 For the commercial fishery, only fish landed and reported
30 through seafood dealers are counted against the commercial ACL.
31 Commercial fishing trips are sampled for the disposition of
32 released fish, those that are alive, dead, used for bait, et
33 cetera, using the Gulf of Mexico Reef Fish Observer Program, the
34 RFOP.
35
36 Southeast Fisheries Science Center staff provided the rates of
37 dead fish that were brought to the vessel and those fish used as
38 bait from 2007 to 2019 and indicated that the level of dead
39 discards using this method is small. However, it may
40 underestimate dead discards.
41
42 Southeast Fisheries Science Center staff also noted that reef
43 fish used for bait is currently prohibited. However, only a
44 small percentage, approximately less than 1 percent for the
45 example species presented, of observations met this criterion,
46 and Southeast Fisheries Science Center staff do not expect these
47 observations to have implications for management.
48

1 Unlike for recreational ACLs, where Bls are included in the
2 harvest estimate and deducted from the ACL, the similarly
3 classified fish that are dead on arrival, released as dead, or
4 used as bait during commercial fishing trips are not included
5 with landings and tracked against the commercial ACL. As with
6 recreationally-caught fish, the release mortality associated
7 with commercial live discards are not included in calculation of
8 catch limits. Due to time constraints, follow-up discussion was
9 postponed until Full Council. Mr. Chair, this concludes my
10 report.

11
12 **CHAIRMAN FRAZER:** Thank you, Mr. Anson, and I believe, during
13 committee, I was going to give you an opportunity to share a
14 brief presentation with the council, if you would like to do
15 that now.

16
17 **MR. ANSON:** I would like to do that, and I have given that to
18 staff previously, if they can pull that up.

19
20 **CHAIRMAN FRAZER:** Okay. Let's give them a second to that.
21 While we're getting it pulled up, it looks like we have a couple
22 of folks in the queue to talk. Andy Strelcheck.

23
24 **MR. STRELCHECK:** Thanks, Tom. Two things. The first is a
25 question. Going back to the electronic reporting discussion, at
26 the tail-end of that, there was a reference to the potential for
27 an exception for equipment failures. We also heard that several
28 times from charter captains during public testimony.

29
30 We, right now, are planning for a late 2021 rollout of the
31 electronic reporting devices, assuming we continue to get
32 approval for more cellular devices, and so I wanted to ask if
33 the council is interested in pursuing an exception, and, if so,
34 we would want a motion to go ahead and begin work on probably a
35 framework action, or even an abbreviated framework action, to
36 consider an exception for the for-hire industry.

37
38 **CHAIRMAN FRAZER:** Thank you, Andy. We will hold that for right
39 now, but we'll come back to that. Mr. Banks.

40
41 **MR. STRELCHECK:** Can I make a comment, Tom? I know it's your
42 decision, obviously, as Chairman, to decide whether Mr. Anson
43 presents or not, and I would request that the presentation
44 either be done at the end of the day today, or potentially at
45 the next meeting.

46
47 I have concerns about council members just providing
48 presentations within the meeting, and certainly that we can

1 raise our points and bring our issues to the table, and that's
2 obviously what we're here to do, but to drop a presentation on
3 us without any full knowledge of that information beforehand I
4 think is really detrimental to the transparency of the council
5 process. I would recommend that, procedurally, we think about
6 how to approach presentations like this going forward, and
7 reconsider, obviously, Mr. Anson presenting today.

8
9 **CHAIRMAN FRAZER:** Thank you, Andy. I will, again, also follow-
10 up on that. Patrick.

11
12 **MR. BANKS:** I don't need to make a comment. Thank you, Mr.
13 Chairman.

14
15 **CHAIRMAN FRAZER:** Okay, Mr. Banks. Dr. Porch.

16
17 **DR. PORCH:** I just wanted to emphasize the need for electronic
18 logbooks, and I fully support having a workshop, where we can
19 have a meeting of the minds and hammer these things out as soon
20 as possible, and I say that for two reasons. One, as we saw
21 with red snapper, and we're increasingly seeing with other
22 species, there's a lot of spatial structure, and it's not just a
23 big washing machine in the Gulf, where everything randomly
24 intermixes instantaneously, and there's actually, most likely, a
25 series of local or metapopulations that are partially self-
26 recruiting, and so we really need to get the spatial structure
27 data from the fishery, and electronic logbooks with VMS-type
28 tracking would give us that information.

29
30 In fact, we've already put it to fairly good use with that
31 presentation we made to the SSC, in terms of where the fishing
32 is occurring, and the other reason we need that is that the
33 Center, as with many federal organizations, is actively
34 downsizing, as a consequence of having flat budgets, but
35 increasing costs.

36
37 Every time that Congress gives us a raise, but doesn't pay for
38 it, of course, that means, in the future, we have to hire fewer
39 people, and we have, generally, an average of a decrease of
40 three staff persons per year at the Center, and so the only way
41 to compensate for that is to automate a lot of the data
42 collection processes, including having electronic reporting
43 rather than trying to deal with things manually, and so it's
44 absolutely critical that we move into the twenty-first century
45 with regard to electronic reporting. Thank you.

46
47 **CHAIRMAN FRAZER:** Thank you, Dr. Porch. I am going to go ahead
48 and see what Kevin would like to add to this discussion right

1 now before I make a decision where we're going to go. Kevin.

2
3 **MR. ANSON:** Well, I would like to just make verbal comments
4 then, and you don't have to show the presentation, but I would
5 like the opportunity to follow-up with some of the points that I
6 had. We talk openly and bring points of discussion together
7 kind of organically at each meeting, and so I would like the
8 opportunity to do that.

9
10 We ran out of time during Data Collection, and I had asked to
11 provide the presentation, and you said that you didn't want to
12 at the time, because of time, and so I know we're right at the
13 time to end Data Collection right now, but, again, we had some
14 technological issues, and we got a late start this morning of
15 about ten to fifteen minutes, and I would like to make my
16 points, because I think they have implications to our
17 discussions, again, as we take up some of these issues that
18 we'll be following in Reef Fish. If I have a few minutes, Mr.
19 Chair, I would like to bring those points forward.

20
21 **CHAIRMAN FRAZER:** We'll go back to the discussion that we had,
22 Mr. Anson, and I did agree -- Can you all hear me? Every once
23 in a while, I lose my ability here to transmit. Anyway, what I
24 was saying, Kevin, is that --

25
26 **MR. DIAZ:** Your phone cut out again, Tom.

27
28 **CHAIRMAN FRAZER:** Let me try again. This is the best that I can
29 do, and so I will say it one more time. I did agree, Kevin, to
30 give you an opportunity to share your presentation with the
31 council, and I would ask that you keep your comments short --

32
33 **MR. RINDONE:** Just talk through mine.

34
35 **CHAIRMAN FRAZER:** I'm not sure exactly what's up with the
36 microphone, but, Kevin, you can go ahead and make your points as
37 they relate to the discussion. If you want to use the
38 presentation -- but I would like discussion limited, and so go
39 ahead.

40
41 **MR. ANSON:** Can everyone hear me?

42
43 **CHAIRMAN FRAZER:** I can hear you, Kevin.

44
45 **MR. ANSON:** Okay. Thank you. I will be brief, but my main
46 point that I want to make is that the presentation that was
47 provided by NOAA staff during Data Collection showed some
48 differences in how dead discards are treated, and it's important

1 that we talk about Magnuson and we talk about National
2 Standards, and we'll be talking about National Standards here in
3 Reef Fish.

4
5 There is one section within National Standard 1 that explicitly
6 states that fisheries are to be managed through ACLs and ACLs
7 are to be tracked against catch, and "catch" is defined in that
8 section, and it's Section F in National Standard 1. Basically
9 "catch" is defined as all those fish that are dead immediately
10 as a result of fishing activities, and so those would be fish
11 that are caught and put into an ice box and brought to shore, as
12 well as those fish that are released back into the water dead,
13 used for bait, potentially eaten by another fish or a mammal,
14 and, again, all catch that is associated with fishing
15 activities.

16
17 The presentation that was provided on Monday provided some
18 information about the quantity, or level, of potential dead
19 discards, but it did not provide the full picture, in my
20 opinion, and that is because fish that were only brought to the
21 vessel on the commercial side were counted in the analysis that
22 was provided, and so that leaves the other part of the action.

23
24 When you return a fish back to the water, it's got to come into
25 the vessel, and something has got to happen to get it off the
26 hook, and then it's got to be returned to the water, and so
27 there is some missing fish there, if you will, that were not
28 accounted for, as indicated in the presentation, and I have some
29 information that's available that suggests that the discard
30 mortality is much higher than what was offered in the
31 presentation, and folks can go research the 2019 IFQ report for
32 red snapper, and it was the update report that the Science
33 Center produced, and there is a table in there that describes
34 the level of discard mortality associated with the longline and
35 vertical line fisheries, and those percentages were
36 significantly higher than those that were presented to us for
37 the fish that were brought to the vessel.

38
39 When you analyze those, as I did, in the method that I used, it
40 essentially resulted in an overage in every year but one from
41 2007 to 2019, and that could be a high number, and I certainly
42 understand that, but, with the data that I had available, which
43 was gleaned from the last SEDAR assessment, as well as some
44 other publications, some articles, I came up with some pounds of
45 fish that were estimated to occur, or have occurred, based on
46 those discard mortalities that were in the IFQ report, and so I
47 just mention that, that there is a discrepancy.

1 There is a difference in how dead discards are treated. They
2 should be counted against ACLs, and they are in the
3 recreational, and they are not in the commercial. That is,
4 again, explicitly identified in National Standard 1, that it
5 should be that way, and then you start looking at other National
6 Standards, and is that fair and equitable, and so this is just
7 one more issue that is in this fishery, and I'm speaking
8 specifically to the red snapper fishery.

9
10 I am not familiar with the discards, nor did I look it up for
11 red grouper or king mackerel, of the three species that -- Or
12 two other species that were mentioned, but, again, this is
13 important as we move forward in these discussions and talk about
14 the distribution of fish based on the information that we know
15 at-hand with the Great Red Snapper Count and trying to move
16 forward so that we can be fair and equitable in the distribution
17 of fish, knowing how they were calculated -- The original ACLs
18 were calculated, and so, Mr. Chair, I do appreciate the little
19 bit of time, and I hope, in the future, that maybe this issue
20 will come up again, and I will have an opportunity to show my
21 slides, but that's, essentially, my summary of my presentation.
22 Thank you.

23
24 **CHAIRMAN FRAZER:** Thank you, Mr. Anson, and I appreciate the
25 comments, and I understand that there is clearly a need,
26 perhaps, to look at some of the definitions, I guess, there and
27 try to rectify any differences, but this is my opinion, as I
28 think probably a much lengthier discussion, and in many ways
29 it's more general, even though it may have application to our
30 upcoming discussion, but I think we will go ahead and take your
31 comments into consideration for the time being and revisit this
32 at a later date, and so, again, thank you.

33
34 The next thing that I want to make sure that we tackle, real
35 quick, is Mr. Strelcheck wanted to get a motion from the council
36 to start a framework action that would allow us to deal with the
37 equipment failures and an exception to those, as they relate to
38 electronic reporting, and is there somebody willing to make that
39 motion? I see, Susan Boggs, your hand is up.

40
41 **MS. BOGGS:** Yes, sir, it is. Not for that purpose, but I
42 certainly don't mind making the motion, because I did have a
43 couple of comments related to the SEFHIER, and I will be brief.
44 After our meeting on Tuesday, I actually attended the Alabama
45 Charter Fishing Association meeting, and they asked me for an
46 update, and we talked about what came out of the SEFHIER
47 meeting.

48

1 I had three specific items that I was asked to address with the
2 council, and I don't intend for them to be answered today, and I
3 hope that Rich is listening, because I intend to have
4 conversations with him as well. There is still some concern
5 about what is the purpose of the socioeconomic data collection.
6 I gave my opinion for it, and they weren't satisfied with that.

7
8 Several owners, captains, own several vessels, and they're
9 having to use separate emails for each vessel to set up an
10 account, but this particular owner/captain would like to see all
11 of the vessels under one account, and I'm not sure how we do
12 that, and I know that, me personally, our vessels are under one
13 account, but I've had that account for so long that I can't
14 remember how I did it, which I can reach out, but they're trying
15 to simplify, is what they're trying to do, and that would be the
16 other thing.

17
18 A gentleman that has a center console expressed how difficult it
19 is to answer all the socioeconomic questions plus entering the
20 fish prior to landing of the fish, and they said they wish it
21 were a little more simple than what it is, and, quite frankly, I
22 can't speak to that, because I think they have a few more
23 questions on their survey, as opposed to the headboats, but they
24 have asked for it to be simplified, which I don't know that that
25 can be done, and then, of course, the concern of what happens
26 with equipment failure, and so I would certainly be happy to put
27 that motion before the council. Thank you.

28
29 **CHAIRMAN FRAZER:** Thank you, Ms. Boggs. I am going to let you
30 maybe start to craft it in your mind a little bit while I get to
31 Dr. Porch and then Andy Strelcheck. I will come back to you.
32 Dr. Porch.

33
34 **DR. PORCH:** Thank you, Dr. Frazer. I think there is still some
35 confusion about what we mean by discards, and it may be partly
36 due to the fact that everybody uses dead discards in a somewhat
37 different way, and we're not completely consistent in our
38 terminology.

39
40 The first thing that I want to emphasize is that released fish
41 that later die are not used against the ACL either in the
42 commercial or the recreational, and I think what Mr. Anson was
43 referring to as dead discards in the commercial fishery, when I
44 looked at the presentation, was including fish that were
45 released and later died, and, yes, there are a lot more of those
46 than fish that come up dead and are thrown back, but those are
47 not counted against the ACL.

48

1 Just to be absolutely clear, the recreational ACL includes the
2 so-called Bls, and so, of course, monitoring should also include
3 the Bls. We could subtract out the Bls, but then that would
4 also lower the ACL, and so it's really a wash. Remember that
5 the Bls are predominantly landed fish that the sampler did not
6 see. It does include some fish that are thrown back dead and
7 various other things, but those are a very small fraction of the
8 total.

9
10 The recreational ACL, again, does not include B2s, and neither
11 does the commercial, and those are released fish that later die,
12 and I also wanted to emphasize that the commercial fishery does
13 not actually have the equivalent of Bls, because the observer is
14 there when the fish are caught, and remember that most Bls are
15 fish that are basically concealed from the port sampler, in one
16 way or another, whether it's intentional or someone is just in a
17 hurry and pulls out before they can see them. Commercial
18 fishermen can't conceal their fish from observers, and so there
19 is no corresponding category to Bls, and I hope that clarifies
20 things. Thank you.

21
22 **CHAIRMAN FRAZER:** Thank you, Dr. Porch. Mr. Strelcheck.

23
24 **MR. STRELCHECK:** Thanks, Tom. Two things. I want to continue
25 to emphasize that, if the council wants an exception for
26 electronic reporting, it would be beneficial to have a motion at
27 this meeting, given the timeframe we're on for implementing VMS
28 requirements in the for-hire fishery.

29
30 I also just wanted to circle back to my comments regarding
31 Kevin's presentation and make it very clear that I am not
32 opposed to Kevin, or any other council member, providing their
33 perspective or opinions. What I am opposed to was kind of the
34 process and how this was handled from a presentation standpoint,
35 and I think, with Clay's comments just now kind of making it
36 clear that there is still some confusion and misunderstanding,
37 and I would really encourage the Science Center and Kevin to
38 work with one another and kind of talk through this and make
39 sure we all have a common understanding of the issue going
40 forward, and so thanks.

41
42 **CHAIRMAN FRAZER:** Thank you, Andy, and so I want to say a few
43 things about the process, and you're exactly right. I think
44 that, moving forward, we'll be, certainly, more cognizant of the
45 type of information and the level of detail of information that
46 is being presented and how we allot time for that, and so point
47 taken there, but I also appreciate that Kevin -- We ran out of
48 time and didn't have enough time, during committee, to provide

1 some general points, which he did here today, and so I will
2 revisit that, and hopefully I won't make that mistake moving
3 forward.

4
5 With regard to the need for a motion to deal with the exception
6 for equipment failures, that's where we're at, and Ms. Boggs, I
7 believe, is going to go ahead and provide us with a motion for
8 consideration. Ms. Boggs.

9
10 **MS. BOGGS:** Okay. I'm trying. I'm not good with this, and so
11 my motion would be to direct staff to begin a framework action
12 to address equipment failure for charter vessels and headboat
13 reporting. I don't know if, in the motion, I need to include --
14 I am just trying to think.

15
16 **CHAIRMAN FRAZER:** I was going to just try to help you out here a
17 little bit more. I think the motion is to -- The important
18 thing here is that we capture the intent and staff feels like
19 they have clear direction. **The motion, as it reads now, is to**
20 **direct staff to begin a framework action to address equipment**
21 **failure for charter vessels and headboat reporting. It might be**
22 **to address equipment failure and possible exceptions.**

23
24 **MS. BOGGS:** There you go.

25
26 **CHAIRMAN FRAZER:** Okay. For charter vessels and headboat
27 reporting. Andy, will that work for you?

28
29 **MR. STRELCHECK:** Yes.

30
31 **CHAIRMAN FRAZER:** Okay. Thank you, Ms. Boggs. Is there a
32 second to this motion?

33
34 **MR. DIAZ:** I will second it.

35
36 **CHAIRMAN FRAZER:** Thank you, Mr. Diaz. I see, Ms. Levy, you
37 have your hand up, and we'll go right into discussion.

38
39 **MS. LEVY:** I think it's okay. I mean, I guess I would just note
40 that I think everyone understands this, even though the motion
41 doesn't say it, but we're talking about exceptions to the
42 reporting requirements and location tracking requirements,
43 right, and I guess that would be one of my questions. Are we
44 looking at equipment failure meaning VMS failure, and so we're
45 looking at exceptions particularly for that, or are you also
46 looking for exceptions to actually submitting hail-outs and
47 logbooks, which can be done via a number of methods?

48

1 **CHAIRMAN FRAZER:** Mr. Strelcheck, are you looking for a
2 particular definition here of the exceptions?
3

4 **MR. STRELCHECK:** Well, my interpretation and understanding was
5 specific to the vessel monitoring system equipment. If there's
6 concerns more broadly, then that would be beneficial for the
7 council to weigh-in on, but, as Mara indicated, we believe,
8 because of the multiple methods for reporting hail-outs and
9 logbooks, that that wouldn't require the exceptions as much as
10 the VMS probably would.
11

12 **MS. BOGGS:** Tom, to that point?
13

14 **CHAIRMAN FRAZER:** Yes, please.
15

16 **MS. BOGGS:** So that was going to be my question later, and I
17 just want to make sure that, if there are various ways for the
18 hailing-out, that we make that very known to the fishermen,
19 because, right now, that's not very clear, and so, if it doesn't
20 need to be added to this, that's fine, and I just want to make
21 sure that, somehow, we get it clarified to the captains how they
22 can do that. Thank you.
23

24 **CHAIRMAN FRAZER:** Great. My understanding is that the motion
25 will be directed specifically to the equipment, and we will seek
26 ways to clarify the hail-in and hail-out requirements. Dr.
27 Simmons.
28

29 **EXECUTIVE DIRECTOR SIMMONS:** Thank you, Mr. Chair. I was just
30 wondering if there is other avenues, if there's other fallbacks,
31 that we already have in the regulations for hail-in and hail-out
32 if the VMS equipment does fail, and does that have to be a
33 regulatory change, or can we just fall back on that without
34 changing the regulations? I'm just trying to get a better
35 understanding here.
36

37 **CHAIRMAN FRAZER:** I think that's a question best directed to the
38 Regional Office.
39

40 **MS. LEVY:** I guess what are you -- I'm not sure what you're
41 referring to that's already in the regulations, especially with
42 respect to the trip declarations and the actual logbook.
43

44 **EXECUTIVE DIRECTOR SIMMONS:** I guess what I'm asking is, if the
45 VMS equipment fails, can it then follow the other regulations,
46 the hail-in and hail-out and use another device to report
47 landings?
48

1 **CHAIRMAN FRAZER:** Ms. Levy.
2
3 **MS. LEVY:** Well, I think -- I mean, I guess, and the Regional
4 Office can confirm, but I understand that one way to do these
5 things is potentially, if you have a VMS that has forms, but I
6 believe you can do these things through other web-based
7 applications, like eTRIPS and stuff, and so, if you have
8 multiple accounts -- I think there's a way to do that part of it
9 multiple ways, but I will let the Regional Office confirm.
10
11 **CHAIRMAN FRAZER:** Okay.
12
13 **MR. STRELCHECK:** Yes, that is correct. If you had a VMS failure
14 and couldn't do hail-out or logbooks, there is still the option
15 of, obviously, reporting, through a cellular-based device, that
16 information, or through a computer for that matter.
17
18 **CHAIRMAN FRAZER:** Thank you for that clarification. Ms.
19 Bosarge.
20
21 **MS. BOSARGE:** Thank you, Mr. Chair. This is something that the
22 commercial fleet has brought up over the years too, with the
23 VMS, and so, if we move forward with this motion, I was
24 wondering if Susan would be okay with saying "charter vessels,
25 headboat, commercial vessel reporting", so that anything that --
26 Any exceptions it would provide there for the for-hire fleet
27 would also be allowed to apply for the commercial fleet to have
28 those units.
29
30 **MS. BOSARGE:** I am amenable to that.
31
32 **CHAIRMAN FRAZER:** Okay, and so we will add that, assuming that
33 the seconder is also okay with that.
34
35 **MR. DIAZ:** I am okay with that.
36
37 **CHAIRMAN FRAZER:** Okay. Thank you, Mr. Diaz, and so we will go
38 ahead and modify this motion to -- **Where it says "and possible**
39 **exceptions for charter vessels, headboats, and commercial**
40 **reporting"**. Okay. Does staff have enough direction for this?
41 Dr. Simmons.
42
43 **EXECUTIVE DIRECTOR SIMMONS:** Thank you, Mr. Chair. I believe
44 so. I'm not sure -- Is this still going to be a framework
45 action? I guess I would ask Ms. Levy, if commercial reporting
46 requirements are also added to this -- Because it involves the
47 reef fish IFQ program, I'm not sure if that becomes a full plan
48 amendment. Thank you.

1
2 **CHAIRMAN FRAZER:** Ms. Levy.
3
4 **MS. LEVY:** I don't think it makes it a plan amendment, but I
5 think it makes it a lot more complicated, and I would also just
6 note that the stated reason for wanting an exception, at least
7 that I heard during public testimony and stuff for the for-hire
8 vessels, is because of how differently they operate than the
9 commercial vessels, and so I guess I would just caution putting
10 commercial vessels in here without much thought to that and why
11 we have the VMS on the commercial vessels like we do, and it's
12 been years, right, and it's an established VMS program, and, as
13 far as I know, the council hasn't heard a lot of issues with
14 equipment failure and the need for exceptions in that part of
15 the fishery.
16
17 **CHAIRMAN FRAZER:** Thank you, Ms. Levy. We'll go to John Sanchez
18 and then Martha Guyas. John.
19
20 **MR. SANCHEZ:** Thank you, Mr. Chair. If Susan is agreeable, at
21 the end of the period, I would feel better if we were adding
22 some language, something along the lines of "to ensure the
23 ability to execute trips", and that would be for charter,
24 headboat, and commercial, just so that we're very clear in what
25 we're trying to accomplish here, the intent.
26
27 **CHAIRMAN FRAZER:** Okay. Thanks, John. We'll come back to that
28 in just a minute. Ms. Guyas.
29
30 **MS. GUYAS:** I support what John just said. I'm a little bit
31 wary about lumping commercial in here. I kind of feel like that
32 might need to go in one of the IFQ amendments, and I don't know
33 if it's 36B or 36C, and I do think charter and headboat have
34 different considerations, like what came up yesterday, and they
35 only have so many days to run red snapper, and their ability to
36 re-book a trip has different and very limited constraints, or I
37 guess there's a lot of constraints, depending on their
38 availability and customers' availability, et cetera.
39
40 I guess, if we're going to look at all three of these in one
41 amendment, if that's the way we go here, I think the
42 charter/headboat need to be considered separately from
43 commercial, or at least break down the actions, or the
44 alternatives, and so that's just my thoughts here.
45
46 **CHAIRMAN FRAZER:** Okay. We'll take one more question, and then
47 I'm going to try to bring this one in for a landing. Mr.
48 Swindell.

1
2 **MR. SWINDELL:** Thank you, Mr. Chairman. My concern is it's
3 going to take time, too much time, to get all this worked out
4 for staff to do and get back to the council and so forth. I
5 mean, the charter/for-hire vessel, and any vessel, that has a
6 reporting system that fails needs to have an immediate, today,
7 way to report what has happened, so that they can have some
8 action somewhere so that they can go fishing.

9
10 You can't put this off for another couple of months. I mean,
11 this is an immediate need, and I think we need to take some
12 immediate action as to who to call, or who can do it, and I
13 think NMFS needs to be able to work it out so that we can,
14 because this is absurd for us to have a system of reporting and
15 you cannot take a trip just because your system is not working.
16 This is not right, and so it needs to be immediate, and it
17 doesn't need to be waiting, and we need to have a formal
18 presentation for it later, but we need to have something done
19 today. Thank you, sir.

20
21 **CHAIRMAN FRAZER:** Thank you, Mr. Swindell. I am going to point
22 out to folks here that -- All right. I will take two more
23 questions from Andy and Susan, and then I'm going to shut it
24 down after that, because we have lots of things to accomplish,
25 and so Andy and then Susan.

26
27 **MR. STRELCHECK:** Tom, to Ed's point, keep in mind, Ed, that
28 vessel monitoring system requirements for the commercial reef
29 fish fishery have been in place for well over a decade, and so
30 this would be a change to their current requirements, which
31 don't allow for an exception.

32
33 As far as the for-hire industry, these vessel monitoring systems
34 are not required at this point, and they would go into effect
35 sometime late this year, if we remain on track with our second
36 rulemaking, and so there's currently nothing that is preventing
37 vessels from going fishing, and we do have, obviously, some ways
38 for them to report, alternative means, if they have a failure
39 for hail-out or logbooks. Thanks.

40
41 **CHAIRMAN FRAZER:** Thank you, Mr. Strelcheck. Ms. Boggs.

42
43 **MS. BOGGS:** Okay. Currently, the charter/for-hire and the
44 headboats have the ability to use their cellular device for all
45 of their reporting. My intent with this is so that, when the
46 VMS becomes required, or the archivable GPS, and that equipment
47 fails, that the fishermen are still allowed to fish. Some of
48 them will be using the cellular-based device, which this will

1 not be an issue.

2
3 This motion, in my mind, has really nothing to do with the hail-
4 out or the reporting. That can be done from a computer, and you
5 can call it into your office or your wife or whatever, and you
6 can do it on your cellphone. This, to me, is trying to get in
7 front of what might happen when we transfer or have the
8 requirements for the GPS and/or the VMS, but I see no reason,
9 other than a software issue, that a captain may not be able to
10 hail-out or file his report, and I think that is separate, and
11 that is something that doesn't need to be dealt with at the
12 council level, or maybe it does, but there just needs to be a
13 backup of who can I call, who can I email, to address that
14 issue, and so I hope I have clarified that.

15
16 As far as John Sanchez's comments about the ability to execute a
17 trip added to this, I don't have an issue with that. Again, I
18 think -- At least my intent, mainly, is to address the failure
19 of your VMS or GPS, and that becomes a requirement. I hope that
20 helps. Thank you.

21
22 **CHAIRMAN FRAZER:** I think that it does help, and I think we've
23 established a record of this discussion, and I think staff has
24 enough direction to begin the framework action, and I appreciate
25 that it may in fact become a bit complicated, as it relates to
26 commercial boats. I think the direction is clear, and we'll
27 begin the document, and, if we run into problems, then we can
28 bring it back to the council for discussion. **Having said that,**
29 **is there any opposition to the motion? I am not seeing any**
30 **hands or hearing any, and so the motion carries.**

31
32 Is there any further business to come before or related to the
33 Data Committee? I am not seeing any hands or hearing any
34 voices.

35
36 **MS. BOSARGE:** Tom, my hand is up.

37
38 **CHAIRMAN FRAZER:** Ms. Bosarge, go ahead.

39
40 **MS. BOSARGE:** It's just quick, and I just wanted to mention, on
41 the record for staff, to make sure they understand, that
42 workshop on changes in collecting data from all our different
43 commercial fleets, if you look at the reef fish motion that the
44 Reef Fish AP made, and it included the shrimp industry, and it
45 included going back to also the shrimp industry as well, and I
46 know that we're kind of on our way to trying to set out the
47 parameters in our program, but I still would appreciate being
48 part of that workshop, just for the common themes that run

1 through all the different fisheries as we move forward on this
2 path. Thank you.

3
4 **CHAIRMAN FRAZER:** Thank you, Ms. Bosarge. Okay. I am not
5 seeing any other hands, and we will go ahead and conclude this
6 committee report. We will take a break, and we will meet back
7 at 11:05. Thank you.

8
9 (Whereupon, a brief recess was taken.)

10
11 **CHAIRMAN FRAZER:** As I try to fix my technological difficulties,
12 we will continue on with the Habitat Protection and Restoration
13 Committee Report with Mr. Banks. Go ahead, Mr. Banks.

14
15 **HABITAT PROTECTION AND RESTORATION COMMITTEE REPORT**

16
17 **MR. BANKS:** Thank you, Mr. Chairman. This is the Habitat
18 Protection and Restoration Committee Report. We met on April
19 the 14th, 2021. The committee adopted the agenda as written and
20 approved the minutes of the August 2019 meeting as written.

21
22 Presentation on the Development of Generic Essential Fish
23 Habitat Amendment was delayed, due to time constraints, until
24 the next Committee meeting.

25
26 We moved to the Discussion Session of President Biden's
27 Executive Order Number 14008, Section 216(c) titled *Tackling the*
28 *Climate Crisis at Home and Abroad*. Dr. Paul Doremus of NOAA
29 provided an overview of the Executive Order, which aims to
30 address issues related to the climate crisis and fisheries
31 resiliency.

32
33 NOAA is working closely with partners to obtain input on
34 developing action plans that will focus on addressing the
35 effects of climate change on fishery sustainability and
36 protected species. NOAA will continue to receive input
37 throughout 2021, and Dr. Doremus provided a website link where
38 comments on the EO could be submitted. He encouraged the
39 Committee to provide any insight related to the objectives of
40 the Executive Order.

41
42 A committee member responded that it would be beneficial to have
43 access to a variety of physiochemical data, for example depth-
44 dependent water temperatures and pH, to better understand
45 climate change effects within the Gulf of Mexico. She also
46 commented that fishery resiliency was related to economic
47 resiliency and that the influence of climate factors on the
48 stability would affect the next generation of fishermen.

1
2 It was noted that the State of Louisiana strives to consider
3 options to industry stakeholders to improve business resiliency,
4 such as expanding areas to fishing and modifying marketing
5 strategies to include more species.

6
7 Another committee member noted that the objective of the
8 Executive Order was expansive and suggested that other
9 committees should be able to consider the Executive Order. The
10 committee agreed that the public, during council public
11 testimony, other council committees, the Outreach and Education
12 Technical Committee, and the Ecosystem Technical Committee
13 should also have the opportunity to comment on the EO as well.

14
15 The committee recognized that specialized advice would be
16 required to properly comment on environmental effects, as
17 specialized biological processes, such as temperature-dependent
18 sex determination, are difficult to predict in a shifting
19 climate. Dr. Clay Porch stated that the Southeast Fisheries
20 Science Center had produced an ecosystem status report that
21 could inform comments from the various committees. Ms. Martha
22 Guyas replied that the Florida Fish and Wildlife Conservation
23 Commission had submitted a letter regarding the EO and would
24 distribute it to the group.

25
26 Dr. Carrie Simmons stated staff would develop a draft list of
27 considerations for the Executive Order that could be presented
28 to various committees, incorporate that feedback, and could then
29 be submitted. She indicated that a letter was sent to the U.S.
30 Department of Interior and Secretary of Commerce on March 12,
31 2021, which provided comments on both Sections 216(a)(ii) and
32 216(c) regarding creating a taskforce and providing information
33 on what the council had done in the past to manage sustainable
34 fisheries under the MSA and begin to address climate change.

35
36 Additionally, the Council Coordination Committee was scheduled
37 to discuss the Executive Order at their May 2021 meeting. She
38 inquired whether there was a deadline to provide further
39 comment, and Dr. Doremus answered that the comments on the
40 Executive Order would continue throughout 2021. He encouraged
41 written comment, as it could be easily added to the formal
42 record. Mr. Chair, this concludes my report.

43
44 **CHAIRMAN FRAZER:** All right, and so I'm having a little
45 technical difficulty, and this is a lot of feedback through this
46 device. We're going to take a few-minute break, until I get
47 squared away. Hold on.

1 **EXECUTIVE DIRECTOR SIMMONS:** Folks, we're going to take a five-
2 minute break, and so we'll be back at 11:20.

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

5
6 **CHAIRMAN FRAZER:** I very much apologize for the technical
7 challenges, and so is there any other business to be brought
8 forth as it relates to the Habitat Protection and Restoration
9 Committee? Peter Hood.

10
11 **MR. PETER HOOD:** Thank you, Mr. Chair. I just wanted to
12 emphasize the fact that our Headquarters was very much
13 interested in what the council had to say on EO 14008, and they
14 asked us to take notes during the meeting, which we did, and
15 then we submitted those up to Headquarters, and so, again,
16 they're interested in what you're thinking, and I'm sure that
17 they really want this dialogue to continue. Thank you.

18
19 **CHAIRMAN FRAZER:** Thank you, Peter. Okay. Is there any other
20 questions or comments? I am not seeing any, and so thank you,
21 Mr. Banks, for that report, and we will begin with the Reef Fish
22 Committee. Ms. Guyas.

23
24 **REEF FISH COMMITTEE REPORT**

25
26 **MS. GUYAS:** All right. Thank you, Mr. Chair. The committee
27 adopted the agenda, Tab B, Number 1, after adding an item about
28 the historical captain's permit under Other Business. The
29 minutes, Tab B, Number 2, from the January 2021 meeting were
30 approved as written.

31
32 Status of NOAA Fisheries' MRIP 2020 Recreational Fisheries Catch
33 Estimation Process, Tab B, Number 4, Dr. Richard Cody from the
34 National Oceanic and Atmospheric Administration's Office of
35 Science and Technology presented the status of NOAA's evaluation
36 of recreational catch and effort for the 2020 fishing year in
37 the wake of COVID-19, as collected through its Marine
38 Recreational Information Program, or MRIP.

39
40 It is important to note that these data only apply to Florida,
41 Alabama, and Mississippi for the years of data presented of 2018
42 through 2020, since Louisiana and Texas do not report
43 recreational catch and effort data through MRIP. MRIP's Access
44 Point Angler Intercept Survey was suspended in the Gulf of
45 Mexico during Wave 2, which is March and April of 2020.
46 Headboat sampling remains suspended.

47
48 These APAIS data gaps vary by state, but are known. Imputation

1 using 2018 and 2019 data for commensurate time periods will be
2 down-weighted by a factor of two and imputed for these gaps.
3 The 2020 two-month data collection waves will then be available,
4 using these imputed data.

5
6 Other methods were considered to inform 2020 catch estimates.
7 However, MRIP's consultants thought the aforementioned approach
8 to be the best option. NOAA OST will revisit the 2020 catch
9 estimates when complete APAIS data are available for 2021, and
10 they will evaluate the imputations to 2020 estimates using
11 records from 2019 and 2021, versus 2018 and 2019.

12
13 MRIP's Fishing Effort Survey, or FES, continued relatively
14 unimpeded during 2020, with little difference in the Gulf in
15 estimates when imputing missing data at the annual level.
16 Though not significantly different, private angling effort in
17 2020 is estimated to be similar to 2018 and higher than in 2019
18 for the Gulf. Charter for-hire effort for 2020 was higher than
19 in 2018, but slightly less than in 2019.

20
21 NOAA OST has completed an initial review of 2020 recreational
22 catch and effort data, following up on a limited number of
23 cases. MRIP's Internal Review Team, composed of NMFS Regional
24 Office and Science Center staff, has finished its review of the
25 2020 estimates, and OST will investigate any estimates flagged
26 by the IRT. MRIP intends to release estimates from the 2020
27 fishing year by mid-April of 2021.

28
29 Committee members asked about the comparison of MRIP APAIS
30 intercept rates for 2020 against the mean for 2017 through 2019,
31 which showed the ratio of the two values across months for each
32 state. Dr. Cody replied that, beginning mid-May of 2020, most
33 of the MRIP APAIS assignments were completed for Gulf states.
34 However, gaps in sampling still exist for the three Gulf states,
35 necessitating data imputation for these gaps in 2020 with
36 auxiliary information.

37
38 A committee member questioned using MRIP-synthesized data for
39 imputing missing 2020 catch and effort data, as opposed to using
40 the Gulf state data collection programs, especially for red
41 snapper. Dr. Cody replied that Alabama and Mississippi state
42 surveys focus mostly on red snapper and operate in a different
43 way compared to MRIP's APAIS. He added that MRIP has been peer-
44 reviewed and certified as the best scientific information
45 available, and that NOAA OST continues to assist the Gulf states
46 with the development and refinement of their respective surveys.

47
48 The committee asked about MRIP's compatibility with monitoring

1 recreational catch and effort at finer scales than the two-month
2 reporting waves. Dr. Cody noted the review of MRIP's
3 appropriateness for in-season monitoring by the National
4 Academies of Science would be available in July 2021. A
5 committee member asked about MRIP's appropriateness at small
6 spatial scales. Dr. Cody replied that the MRIP transition team
7 would begin looking at these issues in the near future, and
8 would work with states with smaller coastlines to work on
9 resolving some of these issues.

10
11 Review of Reef Fish Landings and IFQ Program Landings, Mr. Peter
12 Hood from the Southeast Regional Office provided an update to
13 Gulf reef fish commercial landings, including species managed
14 under individual fishing quota programs. All 2020 and 2021
15 fishing year landings are considered preliminary.

16
17 Gray triggerfish and greater amberjack commercial landings for
18 2020 were below the 2018 to 2020 average, and fishing remained
19 open through 2020. Gray snapper, mutton snapper, and vermilion
20 snapper, all managed under stock annual catch limits without
21 sector allocations, remained open during the 2020 fishing year,
22 with landings below the 2018 through 2020 average.

23
24 For IFQ species, red snapper, gag, and red grouper landings all
25 remained below their commercial ACLs, with red snapper
26 commercial landings most closely matching the landings trend
27 observed for 2018 through 2020. Both gag and red grouper
28 commercial landings followed the trend from 2018 through 2020.
29 However, commercial landings for both species were below their
30 respective commercial ACLs for 2020.

31
32 Review of the Great Red Snapper Count Project, Dr. Kai Lorenzen
33 from the council's Scientific and Statistical Committee
34 presented the peer review of the Great Red Snapper Count, which
35 took place from March 30 through April 1, 2021 between the co-
36 principal investigators of the GRSC, the non-PI members of the
37 SSC, and three independent reviewers.

38
39 In addressing the terms of reference, Dr. Lorenzen reviewed the
40 comments from the independent consultants. Overall, the GRSC
41 design covered a large area of the Gulf appropriately. However,
42 implementation of sampling methods sometimes differed from the
43 design. The reasons and implications for possible bias and
44 variance related to these deviations were not always clear.

45
46 The use of different technologies in different strata was
47 unavoidable, but the paucity of intercalibration studies may
48 affect cross comparisons of data, and the combination of data

1 from different strata to generate abundance estimates.

2
3 The reviewers also noted limited comparability of calibration
4 studies off Florida may indicate that the true observation error
5 is likely much larger than the 11 percent total coefficient of
6 variance derived from the stratified estimate. Also, the
7 independent consultants identified the lack of data collection
8 in some strata, such as for Louisiana, and the consequent need
9 to infer mean densities in those strata as a source of
10 underrepresented uncertainty.

11
12 Overall, the two independent analyses used in the GRSC were
13 thought to be partially correct, with some issues arising from
14 non-random cluster sampling and a lack of clarity about post-
15 stratification decisions that resulted from differences between
16 sample design and actual sampling activity. Estimated variances
17 were thought to be low due to additional sources of variability
18 not currently included in the variance estimation. While some
19 of these can be estimated and included, others cannot.

20
21 The independent consultants stated that results of the GRSC, if
22 corrected for noted statistical issues, can be useful, at least
23 in a regional context. Reviewers did not think it appropriate
24 to combine eastern and western Gulf estimates of absolute
25 abundance into a single value, due to differences in survey
26 technologies used and a lack of calibration between regions.

27
28 The eastern Gulf estimate, with a more credible variance, can be
29 included as abundance estimate in a future stock assessment.
30 However, the western Gulf estimate may be more appropriately
31 considered as a lower-bound constraint for abundance in the
32 western Gulf (i.e., Louisiana and Texas).

33
34 The review team expressed confidence in the abundance estimate
35 for the uncharacterized bottom, or UCB, noting that the
36 densities over the UCB are lower than in other habitats. In
37 hindsight, the GRSC team thought the UCB was comparatively
38 under-sampled. The assumptions made therein appeared
39 appropriate and not likely to induce bias, except in the
40 variance estimates. The independent consultants said that the
41 stock-wide estimate may be an underestimate.

42
43 Dr. Lorenzen stated the review team's motion to consider the
44 GRSC as a representative estimate of abundance for the eastern
45 Gulf and a highly uncertain estimate for the Western Gulf.
46 However, the review team also considered the true uncertainty in
47 both estimates to be substantially larger than implied by the 11
48 percent CV stated in the GRSC report and that the estimate for

1 the UCB is particularly uncertain.

2
3 Dr. Lorenzen added that all stock assessments are uncertain to
4 some degree, and they often underestimate their true
5 uncertainty. Both the SEDAR 52 2018 stock assessment and the
6 GRSC estimate of absolute abundance are estimates derived from
7 sampling and use statistical models to generate point estimates.
8 Integrating data from both SEDAR 52 and the GRSC should help to
9 reduce uncertainty and possible bias, improve management advice,
10 and help identify new options for sampling methods and analyses.

11
12 In addition to the absolute abundance estimate, Dr. Lorenzen
13 noted that the review team thought the GRSC provides novel
14 information on many aspects of red snapper ecology and
15 fisheries.

16
17 A committee member noted that the independent consultants did
18 not seem to be opposed to the point estimate of abundance, but
19 rather expressed concern about the biases in the estimate and
20 the underestimation of variance. The committee discussed the
21 differences in the number of sampling sites included in the GRSC
22 versus the NMFS bottom longline survey.

23
24 Dr. Clay Porch noted that the GRSC is a snapshot, compared to
25 the long time series of data represented by the NMFS bottom
26 longline survey. Dr. Porch added that he thought the SSC viewed
27 the NMFS BLL as representative of trends in red snapper
28 abundance, considerate also of the fact that the NMFS BLL
29 samples the same areas as those classified as UCB in the GRSC.
30 He caveated that NMFS BLL data for 2020 did not have the same
31 sample coverage as previous years, due to COVID-19.

32
33 Also, because of the differences in the methods used by the GRSC
34 and the NMFS BLL, the surveys are not directly comparable. The
35 GRSC was designed to generate an estimate of absolute abundance,
36 while the NMFS BLL is used to generate an index of relative
37 abundance. The latter is used to examine trends in abundance
38 over time, while the former is used to determine the standing
39 biomass at a given point in time.

40
41 A committee member asked about the differences in the process of
42 the peer-review of the GRSC compared to the process typical of a
43 SEDAR assessment. Dr. Lorenzen replied that the review of these
44 data and methods normally occurs through several workshops over
45 an extended period of time, allowing for some outstanding issues
46 with considered datasets to be resolved prior to their inclusion
47 in the stock assessment model.

1 The process for reviewing the GRSC was considerably shorter,
2 with the expectation of using the results of the GRSC for
3 reviewing catch advice immediately after the peer-review. Dr.
4 Greg Stunz added that the final report for the GRSC wasn't due
5 to the funding agency until June 2021 and that the research
6 results from the GRSC would continue to be submitted for
7 scientific publication in the future.

8
9 Dr. Stunz cautioned a comment made by Dr. Lorenzen about
10 managing expectations of congressional entities regarding the
11 results of studies on the horizon. Dr. Stunz thought that
12 working to manage expectations around the results of science was
13 out of bounds for the true practice of science. Another
14 committee member agreed, in that the SSC should operate in the
15 absence of political pressures. Dr. Lorenzen replied that these
16 projects should consider early on how the data collected and the
17 results generated may be used and that the research projects
18 should not establish any expectations of results prior to the
19 studies being completed.

20
21 Dr. Tom Frazer addressed the resignation of Dr. Joe Powers,
22 formerly the Chair of the SSC, after the SSC's March/April 2021
23 meeting. Dr. Frazer confirmed Dr. Powers' decision to resign.
24 Further, after reviewing the audio transcript, Dr. Frazer
25 clarified a misinterpreted comment by Dr. Powers during the SSC
26 meeting, which some committee members had interpreted as "...I
27 haven't read the report..." as in fact being "...in having read
28 the report...". The verbatim minutes were subsequently
29 corrected and made available in the updated briefing materials
30 on the council's website.

31
32 A committee member asked about the size frequencies by region of
33 red snapper in the Gulf observed by the GRSC. Dr. Stunz replied
34 that the length composition information collected by the GRSC
35 indicates that fish over the UCB are generally larger than those
36 found over natural and artificial reefs.

37
38 The GRSC team noted, in its report, that additional work needed
39 to be completed to evaluate the length composition of red
40 snapper over UCB. The committee member then asked about
41 differences between length composition in the eastern and
42 western Gulf. Dr. Stunz replied that fish in the western Gulf
43 were larger than in the eastern Gulf and that recolonization of
44 reefs in the eastern Gulf by red snapper was primarily by
45 smaller, younger fish. I will pause there, because I think
46 there's some people that want to raise their hands, but maybe
47 not.

48

1 **CHAIRMAN FRAZER:** Martha, I am looking for hands at the moment,
2 and I do not see any, and so I would continue on, but I would
3 certainly understand if you would like to take a drink of water.

4
5 **MS. GUYAS:** Yes, I will do that, if anybody -- If I have lulled
6 anyone to sleep that was planning on chiming in. I see some
7 hands going up, and so, Mr. Chair, I will turn it over to you.

8
9 **CHAIRMAN FRAZER:** Mr. Banks.

10
11 **MR. BANKS:** Thank you. It sounded like we needed a hand raised,
12 and so I decided to raise it.

13
14 **CHAIRMAN FRAZER:** Excellent.

15
16 **MR. BANKS:** I am just kidding, and so I did want to make the
17 point that there was quite a bit of discussion in the committee
18 about not understanding all of the rationale behind some of the
19 committee decisions on OFL and ABC, and so I would imagine we're
20 going to get more into that in the next part of the committee
21 report, but I just want to make sure that that's recorded.
22 Thanks.

23
24 **CHAIRMAN FRAZER:** Thank you, Mr. Banks, and I anticipate that we
25 will discuss that in the next section of this committee report.
26 I am not seeing any other hands, Ms. Guyas, and so, if you want
27 to continue, go ahead.

28
29 **MS. GUYAS:** All right. Let's roll. Final Action: Framework
30 Action: Modification of Annual Catch Limits for Gulf of Mexico
31 Red Snapper, Dr. Lorenzen described the circumstances
32 surrounding the SSC's recommendation for catch advice based on
33 interim analyses incorporating results of the GRSC or the NMFS
34 BLL. These two data sources offer unique insights about red
35 snapper. However, while the novel approaches used in the GRSC
36 generated an estimate of absolute abundance, the NMFS BLL index
37 provides a long-term trend in relative abundance which can be
38 used to derive management advice.

39
40 Dr. Lorenzen reviewed the Southeast Fisheries Science Center's
41 interim catch analysis using the GRSC. The Southeast Fisheries
42 Science Center noted that the SEDAR 52 estimates of relative
43 abundance correspond to the GRSC estimates of absolute abundance
44 on structure, whereas, abundance on the uncharacterized bottom
45 represents cryptic biomass and was previously not quantified in
46 the SEDAR 52 assessment.

47
48 A proportion of this UCB biomass may be vulnerable to fishing

1 and can be added to the fishable abundance when determining
2 allowable catch. Dr. Lorenzen continued, adding that different
3 assumptions can be made about the vulnerable proportion of UCB
4 biomass, the necessary adjustment of the proxy for F at maximum
5 sustainable yield (MSY, here F at a 26 percent spawning
6 potential ratio or F SPR 40 percent) assuming a larger but less
7 productive stock and many other factors.

8
9 Dr. Lorenzen stated that the GRSC interim catch analysis
10 presents calculations based on various assumptions, but the
11 sustainability implications of those assumptions cannot be
12 readily assessed without the full integration of GRSC and other
13 stock assessment information.

14
15 Dr. Lorenzen reviewed the catch projection scenarios presented
16 to the SSC, which used a combination of UCB biomass fractions of
17 zero percent, 13 percent, 15 percent, 22 percent, and 100
18 percent, at various FMSY proxies of F SPR 26 percent or F SPR 40
19 percent. Ultimately, the SSC chose to set the overfishing limit
20 at the three-year average of the projections, including 13
21 percent of the UCB biomass at F SPR 26 percent, resulting in an
22 OFL equal to 25.6 million pounds whole weight for 2021.

23
24 The Southeast Fisheries Science Center then presented the
25 interim analysis using the NMFS bottom longline. In general,
26 the NMFS bottom longline shows a declining trend in relative
27 abundance from 2016, the terminal year for SEDAR 52, through
28 2019. This decline continued in 2020, also. However, the 2020
29 NMFS BLL data were not considered by the SSC for evaluating
30 catch recommendations, due to the poor sample coverage and high
31 uncertainty in that year's data.

32
33 Dr. Lorenzen said that the SSC recognized the NMFS BLL to be
34 indicative of relative abundance trends for red snapper, noting
35 that it also sampled the UCB area. As such, the SSC used the
36 NMFS BLL interim analysis to establish an acceptable biological
37 catch recommendation for 2021 at 15.4 million pounds. This ABC
38 is represented by the NMFS BLL catch recommendation using a
39 five-year average through 2019.

40
41 Several committee members inquired about the large disparity
42 between the recommended OFL and ABC and asked why the SSC votes
43 related to the motions on the OFL and ABC were so close. Dr.
44 Lorenzen responded that there were a variety of interpretations
45 from the GRSC and the NMFS BLL among SSC members. Some members
46 advocated taking a more conservative approach, given the
47 uncertainty surrounding the GRSC estimate of absolute abundance,
48 along with the observed declining trend in abundance in the NMFS

1 BLL, while others thought differently.

2
3 He noted that the NMFS BLL does not sample in the UCB, with some
4 accounting for the habitat in the index leading to a
5 conservative approach by the SSC. He stated that the SSC was
6 tasked with reviewing a lot of information in a short time
7 period, which was reflected in the SSC meeting report.

8
9 Mr. Anson asked what landings would be expected in Dr.
10 Lorenzen's presented simulation if one assumed a large and
11 highly-productive stock. Dr. Lorenzen stated that, if the
12 simulated population was large and productive, that it would not
13 likely see the marked decrease in landings like those realized
14 in the red snapper stock, which could indicate that the red
15 snapper stock is not as productive as previously thought.

16
17 Additionally, it is difficult to quantify the percentage of red
18 snapper inhabiting the UCB that are vulnerable to harvest. This
19 interpretation is further confounded by the lack of knowledge
20 regarding the metapopulation dynamics of the stock and creates a
21 situation where localized depletion could occur, which has
22 previously been documented for red snapper in various areas in
23 the Gulf.

24
25 Dr. Frazer acknowledged that conservative approaches can be
26 necessary, depending on how risk-adverse resource managers were
27 willing to be. He continued that state data collection programs
28 could provide information that would detect localize depletion,
29 i.e., lower total catch in numbers, in a timely manner that
30 would allow for redirection in management measures, if
31 warranted. These adaptive approaches should be examined in the
32 future.

33
34 A committee member asked for the rationale in calculating what
35 percentage, e.g., 13 percent and 22 percent, of the UCB would be
36 assumed vulnerable to fishing. The 13 percent estimate was
37 generated by the random forest model that was used to calculate
38 the high probability of encountering red snapper in the GRSC
39 sample design.

40
41 The 22 percent estimate was developed by the Southeast Fisheries
42 Science Center staff by analyzing the commercial vessel
43 monitoring system tracks overlaid on the UCB, and with
44 recreational effort ascertained from iSnapper, to get a general
45 estimate of fishing in the UCB.

46
47 Another committee member asked what the next steps were for the
48 GRSC study. Dr. Stunz indicated that the reviewers' comments

1 would be addressed before the final report is submitted in June
2 2021. Dr. Lorenzen mentioned that it was not yet clear how
3 these independent broad studies would be directly implemented in
4 the management process.

5
6 Council staff reviewed the public comment related to the
7 framework action. While only seven formal public comments were
8 received, several views were recorded on the council's blog
9 post, and several unofficial comments were received on the
10 council's Facebook page.

11
12 Official public comment was mixed and indicated that red snapper
13 was plentiful and encouraged adoption of the GRSC results in
14 modifying catch advice. However, other comments advised caution
15 in interpreting the GRSC estimate, given the uncertainty in the
16 point estimates.

17
18 A number of written letters, comprising two individual form
19 letters, were also received. One form letter suggested an
20 increase in allocation to commercial fishermen in the eastern
21 Gulf to allow for harvest of the recovering eastern red snapper
22 population, and the other requested an increase to the
23 commercial ABC to help the reduction of dead discards and allow
24 for more entry into the fishery.

25
26 Council staff reviewed the framework action that contains a
27 single action with two alternatives. The no action alternative
28 would retain the current catch limits, while Alternative 2 would
29 implement the catch limits recommended by the SSC at its
30 March/April 2021 meeting. These alternatives do not consider
31 state calibrations, as that consideration will be addressed in a
32 separate document, and see Tab B, Number 8.

33
34 **The committee recommends, and I so move, in Action 1, to make**
35 **Alternative 2 the preferred alternative. Alternative 2 reads:**
36 **Modify the red snapper red snapper OFL, ABC, ACLs, and**
37 **recreational ACTs for 2021 based on the OFL and ABC**
38 **recommendation of the Scientific and Statistical Committee at**
39 **the March 30 through April 2, 2021 SSC meeting. The OFL was**
40 **based on the interim analysis informed by the results of the**
41 **Great Red Snapper Count. The ABC was based on the fishery-**
42 **independent NMFS bottom longline survey-based interim analysis.**

43
44 Then we have the table here with all of those values, and I
45 guess the ones to note would be the OFL, which is 25.6 million
46 pounds, and the ABC, which is 13.4. That motion carried ten to
47 four with two abstentions and one absent, but I will turn it
48 over to you, Mr. Chair.

1
2 **CHAIRMAN FRAZER:** Thank you, Ms. Guyas. We have a committee
3 motion on the board. Let's make sure we get it up there. All
4 right. So we can open the floor for discussion on the motion.
5 I will preface this by saying that I do intend to make a
6 substitute motion after some discussion, and so let's see where
7 the hands go. Mr. Anson.

8
9 **MR. ANSON:** Well, that was a little bit of a teaser, Tom. I
10 don't know if I will ask my -- Well, I'll ask my question, and
11 it still probably will come into play for your substitute
12 motion. This is for Dr. Porch. Yesterday, at the Gulf States
13 Marine Fisheries Commission SEAMAP Bottom Longline Workgroup,
14 there was some information that was presented from some NOAA
15 staff that indicated the recent studies, from what I've been
16 told, and, obviously, I wasn't participating in it, but there
17 were some recent studies, or information, that was gathered,
18 using GoPro cameras on the bottom longline survey.

19
20 The results of those GoPro cameras, and I'm not familiar with
21 how many sets its covers and east Gulf and those types of
22 things, how long it was, but, essentially, the results of the
23 GoPro cameras indicated that the designated bottom time, or the
24 expected bottom time, that the bottom longline gear would be in
25 contact with the bottom was significantly lower than what the
26 target was, or what the protocols called for, for that survey,
27 in deeper water, and we're talking like 200 meters, edge of the
28 continental shelf, kind of what I've been told, and it reduced
29 so much from a one-hour set to as few as fifteen minutes, based
30 on the video of, again, set just above the weight and then
31 timing it when the weight hit the bottom, apparently.

32
33 Dr. Porch, do you have any additional information about that, as
34 to the specifics of that, and maybe the duration and number of
35 sets and time series and that type of thing?

36
37 **DR. PORCH:** Sure. Thank you for the question. I think that
38 there's a bit of a misunderstanding that happened at that. One,
39 we don't find any red snapper at 200 meters, and so the index
40 actually goes out to something like a maximum of 183 meters, but
41 I don't think we find red snapper below 148 meters, and so we're
42 not talking about using the really, really deep sets for the red
43 snapper index.

44
45 Second, I'm not sure where the fifteen minutes comes from. It
46 takes a little bit longer for the gear to get to the bottom in
47 deeper water, but it spends the better part of the hour on the
48 bottom, and, in any case, we actually stratify our data by depth

1 zone, and then, when we do the index standardization, depth zone
2 is a factor in the model, and so any differences in soak time
3 would be accounted for, even though they're actually pretty
4 small.

5
6 There is other reasons that red snapper abundance may differ by
7 depth, and so it's still important to incorporate the depth zone
8 effect, but the bottom line is none of that would really
9 compromise the integrity of the index, because it's been done
10 the same way since 2000, and so, as long as you're consistent,
11 it provides a good relative index of abundance. Does that help?

12
13 **CHAIRMAN FRAZER:** Mr. Anson.

14
15 **MR. ANSON:** Yes, it does help provide some context. I guess I'm
16 just -- I certainly hear your comment about consistency in the
17 methods over the time series, but I guess I'm just concerned
18 then about the distribution of those sets, year-to-year, and
19 where those actual sets occurred, and the depth, and I
20 understand there is some partitioning there and stratification
21 going on.

22
23 Speaking to that, it was brought up at the Reef Fish Committee,
24 requesting kind of a breakdown of those sets by year, for
25 eastern and western Gulf, and were you able to get that
26 information together, and, if you did, can you distribute that?

27
28 **DR. PORCH:** Yes, and that was sent out yesterday. I think
29 Carrie sent it out in a document, and I do want to emphasize
30 that it's not the case that they only spend fifteen minutes on
31 the bottom.

32
33 Like I said, it takes a little bit longer for the gear to get to
34 the bottom in deeper sets, but it's a relatively minor effect,
35 and, in any case, if it were a substantial effect, it would be
36 picked up in the model, because we do have depth zone as an
37 effect, and, also, I would like to emphasize that we use a
38 random stratified sampling design, where the strata are depth
39 zones and area, and so that's a standard statistical technique.
40 In fact, parts of the Great Red Snapper Count use a random
41 stratified design, and so I think all of that is very
42 appropriate, and it's been reviewed multiple times.

43
44 **CHAIRMAN FRAZER:** Thank you, Dr. Porch. Dr. Stunz.

45
46 **DR. STUNZ:** Thank you, Mr. Chairman. I think that -- I wanted
47 to make some comments regarding some uncertainty, but I think
48 that I would like to hear the substitute motion first, but, just

1 quickly, to the point that was brought up by Kevin and Clay
2 Porch, I wanted to just -- Clay is right on index, or relative
3 index, of abundance like that, if it's done the same way, it's
4 still very useful, but it also points to some of the challenges
5 that we have in working in areas like this, which lead to
6 uncertainty, especially when you're calculating an absolute
7 abundance, where in fact it does begin to matter if you're not
8 fishing the same amount of time as you think your gear is
9 fishing and that sort of thing, but it's just one good example
10 of the challenges we face and why many of our assessments and
11 surveys and things have some level of uncertainty that are
12 difficult to capture when you start working in these far-shore
13 marine environments.

14
15 **CHAIRMAN FRAZER:** Thank you, Dr. Stunz. I will -- There is a
16 bunch of hands still. Let me see. Mr. Strelcheck.

17
18 **MR. STRELCHECK:** Thanks, Tom. I wanted to speak to the
19 alternative that was offered in committee and speak in favor of
20 it. I know, obviously, that many council members are not happy
21 with the ACL, or ABC, that was recommended by the SSC, although
22 this does provide a modest increase. It is an increase, and it
23 not only benefits the recreational private sector, but it
24 benefits the commercial sector as well as for-hire fishermen.

25
26 The agency certainly stands ready to be able to implement this
27 increase, but we also have clearly stated that any increase also
28 needs to ensure that data is calibrated with the private sector,
29 but I support this increase, and we can implement this between
30 now and the end of the year.

31
32 **CHAIRMAN FRAZER:** Thank you, Mr. Strelcheck. Okay. We will go
33 ahead and put a substitute motion on the board. We will send it
34 over to staff, and we'll get it up there.

35
36 **MS. BOGGS:** Tom, you can't see the whole motion on the screen.
37 Is there a way to make it more visible? Thank you. It's small,
38 but at least --

39
40 **CHAIRMAN FRAZER:** The table is not necessarily the important
41 here. **The substitute motion is to add an Alternative 3 and**
42 **select it as the preferred. The Alternative 3 would read:**
43 **Modify the red snapper OFL for 2021 based on the OFL**
44 **recommendation of the Scientific and Statistical Committee at**
45 **the March 30 to April 2, 2021 SSC meeting. The OFL is based on**
46 **the interim analysis informed by the results of the Great Red**
47 **Snapper Count. If I can get a second, I will expand upon my**
48 rationale.

1
2 **MR. WILLIAMSON:** Second.

3
4 **CHAIRMAN FRAZER:** It's seconded by Mr. Williamson. I certainly
5 understand and appreciate Andy's comments, right, and it's a
6 slightly different -- We're proposing, in this alternative, to
7 accept the OFL from the ABC, and, if you think back about that
8 meeting, they actually did this in two parts as well.

9
10 What we've heard, and there's a tremendous amount of
11 uncertainty, obviously, surrounding the estimates of absolute
12 abundance in the Great Red Snapper Count, and the SSC,
13 understandably, adopted a fairly conservative, and
14 scientifically-defensible I would add, ABC recommendation.

15
16 It's my understanding, at this point, that there are additional
17 data available, and chief among those would be a fisheries-
18 independent video survey, with data through 2019, that was
19 provided as part of a working paper, and that working paper is
20 SEDAR 74-SID-03.

21
22 We expect, also, or anticipate, additional data to be provided
23 off of the Louisiana coast in a report by the end of the month
24 to the Louisiana Department of Wildlife and Fisheries that will
25 help provide abundance and distribution data for red snapper.

26
27 We also understand and appreciate that there were a number of
28 comments provided in that committee to help revise the Great Red
29 Snapper Count report that should, or I might anticipate would,
30 provide a little more certainty in some of those estimates and
31 improvements moving forward.

32
33 One of the things that I was concerned about, when I sat in on
34 the SSC meeting, was the fact that there was not a lot of
35 consideration necessarily given to the socioeconomic factors of
36 this catch advice, and I would have liked to have heard a little
37 bit more of that.

38
39 I mean, I appreciate the decisions that were made, or the
40 recommendations that were made, based on the biological data,
41 and, again, I think that those are certainly defensible, but I
42 would like to see more conversation about the socioeconomic
43 implications and how that might factor into that advice, given
44 that, when we manage fisheries, it's not entirely based on
45 biology. It certainly needs to inform our decisions, but we
46 have to consider also the socioeconomic implications and provide
47 optimal yield and do things that are consistent with the intent
48 of the National Standards.

1
2 Other things that caused me to think about this substitute
3 motion, or for the alternative, was a strong range of opinions
4 that were voiced by the various stakeholder committees and the
5 written comment, as well as in public testimony, and so we heard
6 from all of the various sectors, as well as all of the various
7 states that might be affected in some way by this catch advice.

8
9 I also realize that the catch data, or any revised catch
10 recommendations, are likely to come late in the year. That,
11 obviously, presents challenges in and of itself, and, to Mr.
12 Strelcheck's point, one of the things that any quota resulting
13 from this catch advice, if there in fact is a catch advice, and
14 I'm not suggesting if there will or will not be, and there's a
15 big emphasis on the if there, right, but what would happen -- I
16 heard from the commercial sector that, if you were to get an
17 increase in quota at the end of the year, late in the season,
18 that this rocks the business models and can be problematic.

19
20 I think that we could possibly handle that, much like we were
21 thinking about doing in committee, and we could think about how
22 to carry forward some of that catch increase, so that it didn't
23 disrupt the business model, or the business operations, of the
24 commercial industry.

25
26 I also heard from the charter/for-hire sector, and the
27 headboats, that one way to -- They would also, if there is catch
28 advice that increases the quota, that would be available, but we
29 could think about reducing the buffer in that sector as well,
30 and so I think there's a lot of options, moving forward, and I
31 wouldn't simply send this back to the SSC for reconsideration.

32
33 I respect the decisions that were made, and I do think that
34 they're scientifically defensible, and I'm not asking them to
35 just reconsider. I am asking them to reconsider in the light of
36 new data, and I have outlined the various sources of data and
37 the range of opinions that were provided in our responsibility
38 as a council to do what's in the best interest of all of our
39 stakeholders, as well as the fishery itself, and so I think I
40 will stop there, for right now, and see what people have to say.
41 All right, and so I have Patrick Banks.

42
43 **MR. BANKS:** Thanks, Mr. Chairman. I just wanted to ask you for
44 some clarification, and so what your motion is to do is to
45 accept the OFL recommendation, but not accept the ABC
46 recommendation, and is that -- It's basically leave the ABC
47 recommendation alone, or leave the ABC level as it is currently,
48 correct?

1
2 **CHAIRMAN FRAZER:** That's correct, and so, again, I expect that
3 we will get, at some point, revised ABC advice from the SSC,
4 and, again, I'm not, at this point, necessarily leaning one way
5 or the other. They're going to get new data, and it could go
6 up, and it could go down. It may remain unchanged, but I would
7 like to see that process work itself through.

8
9 **MR. BANKS:** But your motion would not provide any more fish to
10 any of the sectors in this current fishing year?

11
12 **CHAIRMAN FRAZER:** Not at this time.

13
14 **MR. BANKS:** Okay. Thank you.

15
16 **CHAIRMAN FRAZER:** So it would default to the -- I mean, the
17 intent would be to try to get a revised ABC, if one is
18 warranted, and, as I said, I think that presents some challenges
19 for us being able to implement that in 2021, and so I would be
20 mindful of the fact that some people may want to keep the ABC as
21 it exists and just move forward with the exercise of asking the
22 SSC to consider new data, whether or not they would be willing
23 to offer revised catch advice, and so it could go either way,
24 Patrick. Mr. Riechers.

25
26 **MR. RIECHERS:** Tom, this just may be -- Please take a good look
27 at your table and how that reflects to your motion. I'm a
28 little concerned that the -- I understand what you're trying to
29 do. You're trying to accept the OFL and not the ABC, but the
30 N/A out there by the calculation of the OFL -- I don't know if
31 that correctly represents what you're really trying to do.

32
33 Now I will just speak to the motion, while you're reviewing
34 that, to make sure that however we can best place that in the
35 table there, and we'll let you and staff work through that, but,
36 as far as your motion goes, I too support the notion of
37 accepting the SSC recommendations for the OFL, and certainly
38 they put a lot of deliberation into that, and they took, one
39 could argue, depending on how you want to view all the
40 conversations that occurred, but a reasoned and an approach that
41 basically tries to account for the unconsolidated bottom and how
42 the fishery might now interact with that unconsolidated bottom,
43 where they were trying to use those two different methods that
44 came up with the 13 and the 22 percent.

45
46 Then, basically, they took a -- I am not going to suggest they
47 actually took one or the other there, but they took a three-year
48 average, and, if you're going to look at it, it's kind of close

1 to the 13 percent and the F SPR of 26 percent, when they did
2 that, and that may have been part of how they came up with that
3 number, but it seems like there was quite a bit of discussion
4 about those numbers and how they were derived and how that
5 fishery now interacts with that unconsolidated bottom.

6
7 Again, since they kind of split it and took it into two
8 different approaches, I certainly understand that, and I am
9 willing to accept their recommendation on OFL, and so I support
10 your motion, in that respect.

11
12 **CHAIRMAN FRAZER:** Thank you, Mr. Riechers.

13
14 **MR. RIECHERS:** Thanks to the team for clarifying what I think,
15 in the table better, what we're trying to do with the motion.

16
17 **CHAIRMAN FRAZER:** I apologize for that. That's my mistake. Dr.
18 Stunz.

19
20 **DR. STUNZ:** Thank you, Mr. Chairman. I just wanted to briefly
21 talk about some uncertainty, but, first, I support the motion,
22 and I think, maybe to alleviate some concerns regarding some of
23 the uncertainty, and, if you would just give me a second to make
24 a couple of points, I would appreciate that.

25
26 My first one is that many, if not most, of the analyses we use
27 in this process have a high level of uncertainty, and that's
28 just the way it is with this type of data. Ours is relatively
29 low, and that has concerned some, including some of us on the
30 team in fact, but we can't change that data. I mean, the data
31 is what it is, and science says we've got to go with what we
32 have.

33
34 In fact, I would strongly argue that it is the best we have at
35 this point, and, as Clay mentioned about the homework from the
36 review team, we certainly can go back and do that homework and
37 re-look at some other models they suggested, or potentially
38 other analyses or ways to better capture that uncertainty, and
39 those were all good, way-down-in-the-weeds things, but all
40 really good points that will improve things, but I don't see
41 that changing things just a whole lot. In fact, we've already
42 looked at some of that.

43
44 If you look at a state where we captured some of that
45 uncertainty probably the best, and one example would be Alabama,
46 and that CV is about 30 percent there, and, in fact, even if you
47 begin to look in our individual strata, or habitat, which, by
48 the way, we were charged to do, and not provide just an estimate

1 overall, but look at individual regions within strata, within
2 habitat, that increases the variability the more you get down at
3 those finer, granular scales, but that CV there in Alabama is 30
4 percent, which I think is what many of us would think that's
5 probably what we thought it should be kind of going in, just
6 roughly speculating.

7
8 In fact, that's a lot of what's going on with the uncertainty
9 here, is opinions and speculation that it's higher than what we
10 reported, but, in reality, that's professional judgement, even
11 from our own team professional judgement, thinking that, yes, we
12 feel like it's probably higher, but, at the end of the day,
13 there is no analyses that really support that.

14
15 I mean, obviously, we have to base our work on the data at-hand,
16 and that's what we have. Now, hopefully, by doing some of this
17 homework, that will improve things, but, if you go back into the
18 record, or were listening to the meeting, our statisticians are
19 very clear in pointing out that, in many cases, the SSC was not
20 correct in their uncertainty interpretations in is it being as
21 large as it can.

22
23 Yes, it could be larger, but that wasn't really captured well in
24 what we heard today, unless you were really tuned into that
25 meeting, and, of course, then we were asked to leave that
26 meeting, in the sense of we could listen to it, but we weren't
27 contributing, when some of those other discussions came up that
28 we could have added some points to, but we weren't able, and, in
29 fact, we weren't recognized to be able to do that.

30
31 Part of the issue is that, when we had this review team, these
32 really unbiased providers of scientific review, it clearly
33 showed that there was some uncertainty there, but that estimate
34 was very much an underestimate, and we, obviously, haven't fully
35 incorporated that into the assessment so far, only 13 percent
36 getting us to that OFL, and so we're being relatively cautious
37 here by moving in, and that's one reason I think I am supportive
38 of this motion, is we're easing in a few of these fish and
39 increasing the OFL.

40
41 Certainly there is some uncertainty, but there's still a lot of
42 fish available, to leave me to conclude that there's not a big
43 issue with overfishing of this OFL limit, and so thank you, Mr.
44 Chairman, and I know that was long, and I just wanted to clarify
45 that, and I know a lot of people aren't scientists on this
46 group, obviously, but to really explain where we're at with this
47 uncertainty, and I will stop there.

48

1 **CHAIRMAN FRAZER:** Thank you, Dr. Stunz, for that input. Mr.
2 Diaz.

3
4 **MR. DIAZ:** Thank you, Mr. Chairman. I am trying to think about
5 some of our your rationale, and, if I heard you correctly, you
6 said that potentially we might send this back to the SSC to get
7 some more information, but, more than likely, that would be done
8 if there was new information available, and so that particular
9 part of your rationale does not lead me to want to support this
10 motion.

11
12 I think, with the motion that's the currently-preferred motion,
13 with the 15.4 million pounds, with new information, we could
14 send it back to the SSC and get it reevaluated then also, and am
15 I mischaracterizing your comments, Tom?

16
17 **CHAIRMAN FRAZER:** I think so. I do believe that there will be -
18 - There already is, and there will be, very shortly, additional
19 information that was not available to the SSC in their
20 March/April meeting, and so the short answer is, yes, new
21 information. One of those would be a fisheries-independent
22 video survey that's a working paper that was released in March,
23 and so we can certainly make that available to folks as
24 background material, and I have provided a reference, for the
25 record, to that.

26
27 It's my understanding that the Louisiana Department of Fisheries
28 and Wildlife will oversee a report by the end of the month as
29 well that provides much more detailed information on the
30 abundance and distribution of red snapper off the Louisiana
31 coast, and that was not incorporated into the Great Red Snapper
32 Count, and it may decrease some of the uncertainty that was
33 associated with those estimates in that part of the world, and
34 they had to be imputed.

35
36 There were a number of recommendations also that were made in
37 the SSC -- In the peer review workshop, essentially, that should
38 provide better confidence, or, again, reduce uncertainty around
39 many of the point estimates, and so I'm not exactly sure when
40 those will be integrated into the Great Red Snapper report, and
41 I'm not suggesting that the SSC necessarily meet tomorrow to do
42 this, right, but at the earliest opportunity, with this
43 information in-hand.

44
45 I also believe, Mr. Diaz, that -- I listened to the whole entire
46 meeting, and there was no real consideration given to the
47 socioeconomic data that might bear on those catch advice, or
48 those recommendations, and I would like to see at least some

1 discussion of that, moving forward. Those are just some of the
2 things, and so I would argue that there is new data available,
3 and will be shortly.

4
5 **MR. DIAZ:** Tom, just to respond, real quick, while I've got the
6 floor, and I say this at the meetings all the time, and I don't
7 have a crystal ball, and none of us do, and I don't know if
8 these new sources of information will make a difference, and I
9 would love to see it revisited, and I would love to see some
10 stuff done that maybe would change the estimate, but I don't
11 know if that's going to happen, and I think, possibly, it might
12 happen next year.

13
14 I'm kind of anticipating that this is going to be something in
15 the January timeframe, or after. At this point, I'm reluctant
16 to support the substitute motion, because of my unknowns, and so
17 thank you, Mr. Chair.

18
19 **CHAIRMAN FRAZER:** I definitely understand that, and my intent
20 would be to try and move this forward certainly in this calendar
21 year, and I would expect a lot of that information -- They said
22 it should be available now, by the end of the month, and
23 certainly in May or June, but I do appreciate your opinion. Mr.
24 Williamson.

25
26 **MR. WILLIAMSON:** Thank you, Mr. Chair. To your point regarding
27 the lack of consideration for National Standard 8, specifically
28 during the course of the meeting, towards the end of it, one of
29 the members made the statement that -- I am quoting, but there
30 are socioeconomic considerations we're supposed to take into
31 account as well. This was not done during the course of this
32 SSC meeting.

33
34 Yesterday, we heard public comment, and, parsing aside the folks
35 who made comments that were not directly related, there were a
36 number of people from Alabama and Florida and Tennessee who gave
37 public comment about the adverse economic impacts due to this
38 low acceptable biological catch that was recommended by the SSC,
39 and certainly that is new evidence, as it falls under the
40 National Standard 8.

41
42 National Standard 8, and I am reading from the Act here,
43 provides that conservation and management measures shall take
44 into account the importance of fishery resources to fishing
45 communities by utilizing economic and social data that meet the
46 requirements of National Standard 2, in order to provide for the
47 sustained participation of such communities, and, to the extent
48 practicable, minimize adverse economic impacts on such

1 communities.

2
3 Now, if those comments didn't exactly fit that intent, I don't
4 know what would, and, in addition to that, the federal
5 regulations, NMFS' own guidelines, provide that, all other
6 things being equal, where two alternatives achieve similar
7 conservation goals, the alternative that provides the greater
8 potential for sustained participation of such communities and
9 minimizes the adverse economic impacts on such communities would
10 be the preferred alternative.

11
12 Now, the OFL is set so high, and the ABC is so conservative, and
13 I believe we have room for an alternative in there that would
14 provide that greater potential, and so I am in favor of your
15 motion, and I'm also in favor of sending the ABC back to the SSC
16 for further consideration, based on some of this new
17 information, and, with that, I thank you.

18
19 **CHAIRMAN FRAZER:** Thank you, Mr. Williamson. Mr. Strelcheck.

20
21 **MR. STRELCHECK:** Thanks, Tom. I certainly appreciate your
22 rationale and thoughts with regard to SSC considerations and
23 then kind of revisiting that, and I think the SSC, all along,
24 felt like that this would be something that would be coming back
25 to them, obviously, as information is completed and new analyses
26 are available, and I certainly don't object to, obviously, the
27 SSC taking a further look at this, and, in fact, during the SSC
28 meeting, they kind of made the point that this was advice for
29 2021 only, and that they would be advising on 2022, and that's
30 in a separate action down the road.

31
32 What I do want to speak to though is your motion, and I feel
33 like the logic is kind of contrary to the rationale that you
34 have offered up, and that many other people are offering up, and
35 I recognize that a 300,000-pound increase is very modest, but
36 your argument is that this essentially is to avoid kind of the
37 social and economic effects of where the ACL is set, and,
38 obviously, the SSC could have set it much higher, and they
39 didn't, but, by setting the ACL 300,000 pounds higher, we are,
40 obviously, providing social and economic benefits for this 2021
41 fishing season.

42
43 You also mentioned about the commercial quota increase and
44 potential challenges with implementing that and flooding the
45 market, and I will note that we have implemented quota increases
46 during the fishing year many, many times before. The largest
47 quota increase late in the year was back in 2013, and that was
48 about 23 percent of the overall quota, and they still caught 97

1 percent of the quota that year.

2
3 It did have some impacts on ex-vessel prices, but, based on kind
4 of the timelines that we're talking about for implementing this
5 ACL, it's kind of in that general range, and we're only talking
6 a 2 percent increase in the commercial quota, and so I think we
7 need to keep that in mind with regard to impacts to the
8 commercial industry.

9
10 Certainly, this influences private recreational seasons, but,
11 also, we heard a lot from the for-hire industry about reducing
12 their buffer. Well, we're not going to, obviously, reduce their
13 buffer this year, and so a way to, obviously, give them
14 additional fishing access is to provide them slightly higher
15 catch limits, and, in order to do that, the ACL would need to be
16 increased, and that goes towards, obviously, additional fishing
17 days sometime later in the season. I certainly speak against
18 this, and I think we need to proceed with increasing the ACL in
19 conjunction with OFL. Thanks.

20
21 **CHAIRMAN FRAZER:** Thanks, Andy, and, again, I appreciate those
22 comments, right, and so that's certainly one way to go about
23 this. My intent, really, was to -- I mean, part of the reason
24 that we're in the situation that we're are is we kept kicking
25 this down the road, for a very long time, and I did not want to
26 lose the momentum, and my intent is to try to get the SSC to
27 reevaluate, or incorporate new information, as soon as possible,
28 and so certainly, if we can get anything in 2021, that would be
29 great, and, like you said, the likelihood of that happening is
30 relatively low, but I do not want to have this council be in
31 this position in 2022. Kevin Anson.

32
33 **MR. ANSON:** Thank you, Mr. Chair. A couple of thoughts, or
34 comments, that I had have been addressed already, or answered,
35 and I guess -- Just looking at the document, I guess, Tom, you
36 talked a little bit about timing and such, and we hear from
37 counsel that it's best to have more than just two options,
38 because one of those is remaining status quo, and so I think
39 maybe, from that side of things, I'm thinking of supporting this
40 motion, just to have it in the document, but I am, I guess,
41 still concerned as to getting this document approved and
42 whatever decision we make relative to OFL gets done in time, and
43 so I think I will support this as it stands right now, with just
44 having it as a motion, but not making it a preferred, but thank
45 you.

46
47 **CHAIRMAN FRAZER:** Okay. Thank you, Mr. Anson. Mr. Spraggins.

48

1 **GENERAL JOE SPRAGGINS:** Thank you, Mr. Chairman, and, first off,
2 I would like to thank each of you all for trying to work through
3 this as hard as you have. I know that everybody has put a lot
4 of effort in it, and I thank you so much for your efforts too,
5 Tom, and for working hard on this.

6
7 I like your motion, and I like the idea of it, and I'm still up
8 in the air about whether to make it a preferred or not, and I
9 don't know 100 percent, but I do agree with what you're trying
10 to achieve here. My question is, is there anything that we
11 might need to add to this motion as to whether it directs the
12 SSC to do this? Maybe I am misreading it. If I am, please
13 correct me, but it looks like it's a way that we can direct the
14 SSC to go back and look at it and be able to make sure that we
15 bring this up, or look at it different, and I guess what I'm
16 looking at is the ABC.

17
18 **CHAIRMAN FRAZER:** I get your point, and so the intent would be
19 to follow this up, after we vote it up or down, to -- It's
20 looking to me like we would probably move forward with the OFL
21 in either case, whether or not we elect to move forward with the
22 ABC that was recommended or default to the existing ABC, and
23 that's a choice the council would have to make, but, in either
24 case, my intent would be to follow-up with a subsequent motion
25 that would direct the SSC to reevaluate new information that's
26 available to provide updated catch advice.

27
28 **GENERAL SPRAGGINS:** Thank you so much. I appreciate it. That
29 answers what I was -- Thank you very much.

30
31 **CHAIRMAN FRAZER:** Okay. Ms. Levy.

32
33 **MS. LEVY:** Thank you. I just wanted to make a couple of points.
34 I wanted to address the idea and the comments about
35 incorporating social and economic considerations in the
36 recommendation of ABC, and I just wanted to point out that the
37 ABC is basically defined in the guidelines as the level of
38 annual catch, which is based on the ABC Control Rule that
39 accounts for scientific uncertainty in the estimate of OFL and
40 any other scientific uncertainty and the council's risk policy.

41
42 The risk policy comes in play with respect to having an ABC
43 Control Rule, which is also required by the guidelines, and that
44 part of the regulations says, when determining a risk policy,
45 councils could consider the economic, social, and ecological
46 tradeoffs between being more or less risk averse.

47
48 I guess my point is that it's ultimately the council's

1 responsibility to articulate, in its ABC Control Rule, its risk
2 policy that should consider those factors, and we do have an ABC
3 Control Rule, and I don't think that it has an express
4 consideration of those factors in it, and I don't -- I think the
5 reason that the control rule itself wasn't really followed in
6 this case was because the way that this came to the SSC and what
7 they were considering was outside the normal process of review
8 of these things.

9
10 It was a totally different process, and it didn't follow what
11 was sort of anticipated in the ABC Control Rule, and I do want
12 to note that the council has a document, or an amendment,
13 potentially in progress to modify the ABC Control Rule, but
14 that's been on the back-burner for a really long time, and so, I
15 mean, I think that the way to get at the social and economic
16 stuff, if you want to, is to update your risk policy.

17
18 Then the other thing that I just wanted to note was that, if
19 this motion passes, I think you need to re-look at the purpose
20 and need of the document, because, right now, the purpose and
21 need is focused on updating all of the catch levels and such,
22 and then this isn't going to do that. Thank you.

23
24 **CHAIRMAN FRAZER:** Points well taken there, Ms. Levy. Again, one
25 of the things that I think -- I talked about this in the SSC
26 meeting, right, and, from the council's perspective, it's always
27 helpful to at least get a range, if possible, of
28 recommendations, perhaps, and the SSC might ultimately make a
29 recommendation, but it would be good to have some narrative
30 surrounding alternatives that relate to risk, and I think we
31 should think about how we request things of the SSC moving
32 forward, and we probably need to be a little more explicit in
33 those requests, and I will take responsibility for not doing a
34 good job on that end. Ms. Guyas.

35
36 **MS. GUYAS:** Thanks, Tom. I think I support where you're going
37 here. Just a question, I guess, to staff. You know you have
38 this new information that it sounds like will be completed very
39 soon, if it's not complete now, and I know we have an SSC
40 meeting in May, and I assume the agenda for that has already
41 been advertised, and when do we think we would have this in
42 front of the SSC for them to consider, and then, subsequently,
43 when would it come back in front of the council? The reason I'm
44 asking is I'm just trying to think -- Are we really going to be
45 able to impact 2021 here, or is this really getting into 2022?

46
47 **CHAIRMAN FRAZER:** Good question, Martha. Let me sneak over and
48 ask Dr. Simmons.

1
2 **EXECUTIVE DIRECTOR SIMMONS:** Thank you, Mr. Chair. You are
3 correct, Ms. Guyas, that the May SSC meeting has already been
4 finalized and noticed, and so it would not occur in May. We
5 would really need the final, I think, Great Red Snapper report
6 out to be ready to have another SSC meeting, as well as these
7 other materials, and so I suspect the earliest we could do it is
8 July, or have like a special meeting, if things could be ready
9 earlier. Thank you.

10
11 **CHAIRMAN FRAZER:** Thank you. Mr. Diaz.

12
13 **MR. DIAZ:** Real quick, I just -- For a while, the screen on the
14 computer did not show that the substitute motion is to select
15 this alternative as the preferred, and a couple of speakers have
16 referenced not opposing adding it to the document, and I just
17 want to make sure that everybody is clear that this is to add it
18 to the document and make it the preferred. Thank you.

19
20 **CHAIRMAN FRAZER:** Thank you, Mr. Diaz. Mr. Dugas.

21
22 **MR. DUGAS:** Thank you, Mr. Chair. I support your substitute
23 motion, and I'm looking forward to moving on and talking about
24 the ABC in a separate motion, and I think it's time we take a
25 vote on this one and move on. Thank you.

26
27 **CHAIRMAN FRAZER:** Thanks, J.D. We have two more hands, and then
28 we can move forward, I think. Ms. Bosarge and then Mr. Anson.

29
30 **MS. BOSARGE:** Thank you, Mr. Chairman. I think I'm going to
31 have to speak in opposition of this particular motion. I think,
32 whether you -- I think you implement both of these together, an
33 OFL and an ABC, or you don't implement either, right? It's an
34 all-or-none-type deal, and I am going to speak against this one,
35 because it does not implement the, albeit it small, an increase
36 that the scientists said that we could gather this year from the
37 fishery.

38
39 I think we just keep forgetting that there's more than private
40 recreational anglers in this fishery, and that increase in
41 poundage would be very worthwhile to the commercial fishery and
42 the charter/for-hire fishery, and I think, by implementing that
43 ABC, that does not preclude you from still going back to the SSC
44 in July, if you feel there's going to be new information, and I
45 don't think that precludes you from that at all.

46
47 If that new information leads to higher catch recommendations,
48 then they can send that back to the council, and we can have the

1 same discussion about implementing those as we would if we
2 didn't -- If we had not implemented this increase already, and I
3 don't think it changes those discussions at all, and so I'm
4 going to have to oppose this motion, and I can't see foregoing
5 yield that scientifically is okay to take in that increased ABC.
6 Thank you.

7
8 **CHAIRMAN FRAZER:** Again, those comments were made and mirror
9 those of Mr. Strelcheck, and certainly my intent here, Leann,
10 was to keep the eye on the prize, in a bit, and, when I say
11 that, I would like to get this additional data incorporated into
12 the catch advice, if it warrants it, at the earliest
13 opportunity, and I just don't want to drag our feet, and so I
14 can certainly understand people's hesitancy, or reservation,
15 with this motion, but we're just going through the exercise, and
16 so no problem. Mr. Anson and then Mr. Diaz, and then we'll vote
17 this one up or down.

18
19 **MR. ANSON:** Thank you, Mr. Chair. I didn't see, earlier, in the
20 substitute, your motion, where it says it's the preferred, and
21 so I think I'm kind of with Leann then at that point, and I
22 would prefer to have it in the document, but maybe not as a
23 preferred, and I had offered a similar motion in committee that
24 didn't get -- That didn't pass, and so, anyway, just for the
25 timing of the document.

26
27 Going back to the comment that Mara had about the council's risk
28 policy, and I'm just wondering, and is there any distinction,
29 Mara, in what role, or what the SSC would specifically be
30 evaluating and using in their risk policy and what the council
31 would be evaluating, specific to the socioeconomic data?
32 Obviously, we get input from the Socioeconomic SSC on certain
33 issues and such, but I guess, relative to setting the OFL, is
34 that implicit that they can look at the socioeconomic data, or
35 is that more of the council's purview, as far as how to
36 distribute the fish that are available when the ACL is set?

37
38 **CHAIRMAN FRAZER:** Ms. Levy.

39
40 **MS. LEVY:** At one point, I think you said ABC, and then you said
41 OFL, and are you talking about setting the ABC, the SSC's
42 recommendation as the ABC?

43
44 **MR. ANSON:** Yes.

45
46 **MS. LEVY:** Well, I mean, so we're supposed to have -- The
47 council is supposed to have an ABC Control Rule, right, and part
48 of that control rule is supposed to articulate how the ABC is

1 going to be set compared to the OFL, based on scientific
2 knowledge of the stock, and then also taking into account the
3 risk policies that the council incorporates into that ABC
4 Control Rule, and so, I mean, I don't -- I don't know how much
5 of an explicit discussion there was in the development of the
6 current ABC Control Rule, in terms of a risk policy and in terms
7 of social and economic and ecological tradeoffs.

8
9 I suspect there wasn't a lot of explicit discussion, and I don't
10 know if, moving forward in addressing changes to that ABC
11 Control Rule, the council wanted to be more explicit, but,
12 ultimately, that risk policy is supposed to be incorporated into
13 the control rule that the SSC follows, unless they articulate a
14 particular reason for not following it in some case.

15
16 I don't know if that really answers your question, but I don't -
17 - It's sort of hard to answer in the abstract, and maybe we need
18 to look in more detail with the National Standard 1 Guidelines
19 and what's in the control rule now and what was in there and
20 what was said when it was put in place.

21

22 **CHAIRMAN FRAZER:** Mr. Rindone.

23

24 **MR. ANSON:** If I can?

25

26 **CHAIRMAN FRAZER:** Mr. Anson, go ahead.

27

28 **MR. ANSON:** Just to quickly follow-up, and I don't have an
29 additional question, but it's just to follow-up. I mean, Mara
30 said that we have a document that we should -- That's on the
31 docket, if you will, that kind of addresses this, and it would
32 give us an opportunity to clarify that more explicitly, and I
33 guess I just have the concern that whose role or how do we set
34 that up, and this might be a good case study as we go forward,
35 if there are opportunities for kind of further delineating that.

36

37 I look at localized depletion as more of an issue of how fish
38 are accessed, and you can have localized depletion and still the
39 overall stock is sustainable and healthy. Those are more of, I
40 think, council decisions on how, again, the fish are
41 distributed.

42

43 It's kind of like growth overfishing. With growth overfishing,
44 you can -- You can have growth overfishing, and that sounds bad,
45 but it doesn't necessarily mean that you've got an unhealthy
46 stock, whereas you can have recruitment overfishing, and that is
47 a bad situation, and that's more of a science issue of relating
48 to habitat and ecology and those types of things, and so, again,

1 this example of what went forward with the Great Red Snapper
2 Count could be a good way for us to help frame that particular
3 question, as we look at the risk policy again. Thank you.

4
5 **CHAIRMAN FRAZER:** Thank you, Mr. Anson. Mr. Rindone.

6
7 **MR. RINDONE:** Thank you, Mr. Chair. For the ABC that was
8 recommended by the SSC, following the review of the Great Red
9 Snapper Count and the Great Red Snapper Count and the NMFS
10 bottom longline interim analyses, the ABC Control Rule was not
11 used in any way for the establishing that ABC.

12
13 The SSC's discussions about the uncertainty surrounding both the
14 Great Red Snapper Count and the NMFS bottom longline data
15 informed the SSC's decision for setting the ABC at 15.4 million
16 pounds.

17
18 **CHAIRMAN FRAZER:** Thank you, Mr. Rindone. Mr. Diaz, and then
19 we'll vote this up or down.

20
21 **MR. DIAZ:** Just real quick, just to something that J.D. Dugas
22 said a minute ago, and he said that he wanted to dispense with
23 this motion so that we could go on and set the ABC, or the ACL,
24 and this motion does set the ABC and ACL, and that is included
25 in this motion, and I just wanted to make sure and bring that
26 out. Thank you.

27
28 **CHAIRMAN FRAZER:** Okay. We'll go ahead and vote on the
29 substitute motion. I imagine there's a wide range of opinions
30 on this, and we'll go ahead and do a roll call vote for this.
31 Dr. Simmons.

32
33 **EXECUTIVE DIRECTOR SIMMONS:** Thank you, Mr. Chair. Mr.
34 Strelcheck.

35
36 **MR. STRELCHECK:** No.

37
38 **EXECUTIVE DIRECTOR SIMMONS:** Dr. Shipp.

39
40 **DR. SHIPP:** Yes.

41
42 **EXECUTIVE DIRECTOR SIMMONS:** Mr. Williamson.

43
44 **MR. WILLIAMSON:** Yes.

45
46 **EXECUTIVE DIRECTOR SIMMONS:** Ms. Guyas.

47
48 **MS. GUYAS:** Yes.

1
2 **EXECUTIVE DIRECTOR SIMMONS:** Mr. Dyskow.
3
4 **MR. DYSKOW:** Yes.
5
6 **EXECUTIVE DIRECTOR SIMMONS:** General Spraggins.
7
8 **GENERAL SPRAGGINS:** Yes.
9
10 **EXECUTIVE DIRECTOR SIMMONS:** Ms. Bosarge.
11
12 **MS. BOSARGE:** No.
13
14 **EXECUTIVE DIRECTOR SIMMONS:** Dr. Stunz.
15
16 **DR. STUNZ:** Yes.
17
18 **EXECUTIVE DIRECTOR SIMMONS:** Mr. Diaz.
19
20 **MR. DIAZ:** No.
21
22 **EXECUTIVE DIRECTOR SIMMONS:** Mr. Anson.
23
24 **MR. ANSON:** No.
25
26 **EXECUTIVE DIRECTOR SIMMONS:** Mr. Banks.
27
28 **MR. BANKS:** No.
29
30 **EXECUTIVE DIRECTOR SIMMONS:** Mr. Riechers.
31
32 **MR. RIECHERS:** Yes.
33
34 **EXECUTIVE DIRECTOR SIMMONS:** Mr. Swindell.
35
36 **MR. SWINDELL:** No.
37
38 **EXECUTIVE DIRECTOR SIMMONS:** Ms. Boggs.
39
40 **MS. BOGGS:** No.
41
42 **EXECUTIVE DIRECTOR SIMMONS:** Mr. Sanchez.
43
44 **MR. SANCHEZ:** No.
45
46 **EXECUTIVE DIRECTOR SIMMONS:** Mr. Dugas.
47
48 **MR. DUGAS:** Yes.

1
2 **EXECUTIVE DIRECTOR SIMMONS:** Dr. Frazer.

3
4 **CHAIRMAN FRAZER:** Where are we at?

5
6 **EXECUTIVE DIRECTOR SIMMONS:** It's tied.

7
8 **CHAIRMAN FRAZER:** Even though I made the motion, I really
9 appreciate the comments made by Ms. Bosarge and Mr. Strelcheck,
10 and I will vote no on my own motion, but I will go ahead then
11 and we'll vote up the original motion. Assuming that passes,
12 then we will go ahead and presumably make another motion to move
13 forward with making a request to the SSC. Let's go back to the
14 original motion, and we'll take a roll call vote for that.

15
16 **EXECUTIVE DIRECTOR SIMMONS:** Okay. **So it failed eight to nine.**

17
18 **CHAIRMAN FRAZER:** So let me read the motion that we're voting on
19 into the record. **The motion is, in Action 1, to make**
20 **Alternative 2 the preferred alternative. Alternative 2 is**
21 **modify the red snapper OFL, ABC, ACLs, and recreational ACTs for**
22 **2021 based on the OFL and ABC recommendations of the Scientific**
23 **and Statistical Committee at the March 30 to April 2, 2021 SSC**
24 **meeting. The OFL was based on the interim analysis informed by**
25 **the results of the Great Red Snapper Count. The ABC was based**
26 **on the fishery-independent National Marine Fisheries Service**
27 **bottom longline survey-based interim analysis. Dr. Simmons.**

28
29 **EXECUTIVE DIRECTOR SIMMONS:** Thank you, Mr. Chair. Mr. Anson.

30
31 **MS. BOSARGE:** Are we having discussion on this, Tom?

32
33 **CHAIRMAN FRAZER:** We can certainly have some discussion. I
34 apologize. Ms. Bosarge.

35
36 **MS. BOSARGE:** Thanks. I just wanted to kind of make one thing
37 clear, and we had some discussion, and I don't know if it was in
38 this document or the other document, but there was this idea
39 about, as long as you don't exceed the OFL, everything is fine,
40 and we have this big OFL now, and so that's going to be great.

41
42 I just wanted to make it clear, for the record, that we're not
43 managing harvest towards the OFL of 25,600,000 pounds. That is
44 set, and then an acceptable biological catch is set, and then an
45 ACL, an annual catch limit, is set, and we manage to our annual
46 catch limit and/or annual catch target, which would be lower
47 than that, and there are ramifications for exceeding those
48 levels, and so I just wanted to make that clear, that, even

1 though we may implement a very large OFL, we should not be
2 managing towards harvesting the OFL level.

3
4 **CHAIRMAN FRAZER:** Point well taken, Ms. Bosarge. Mr. Banks.

5
6 **MR. BANKS:** I appreciate it, Mr. Chairman. I'm going to support
7 this motion, but I want to make sure that I explain a little bit
8 about my thoughts on supporting this. I certainly support going
9 up on the OFL, and I think there's adequate guidance from the
10 Great Red Snapper Count that shows that we have a lot more fish
11 out there.

12
13 I appreciate some of the hesitancy from the SSC members about
14 being unsure of exactly how much more of those fish we should
15 allow to be caught. However, I disagree with them that that
16 level of uncertainty would only allow you to go up 300,000
17 pounds. I feel that, based on the information at-hand, even
18 though the bottom longline survey may show that the relative
19 abundance seems to be going down, the fact that I think the
20 absolute abundance is so damn high -- So what if a very, very
21 high absolute abundance is going down a little bit?

22
23 I just feel like they erred on the side of being way too
24 conservative, and I would like to make sure that they revisit
25 this issue with all of this new information that you described,
26 because I think there's going to be some new information that
27 may help them get together and say, you know what, with all of
28 this new information, maybe we were a bit too conservative on
29 the catch advice.

30
31 Now, again, I disagree with the amount of their direction on the
32 increase in the ABC, but I don't disagree that the ABC should be
33 raised, and, for that reason, I'm going to support this motion,
34 because I don't want to leave the 300,000 pounds on the table,
35 and I certainly don't want to leave it on the table and make the
36 commercial and the charter sector sit by and not get any extra
37 fish while we try to sort this out, and so I would like to take
38 advantage of whatever the SSC recommends we can get and then
39 return this item back to them for consideration, like you
40 described, Mr. Chairman. Thank you.

41
42 **CHAIRMAN FRAZER:** Thank you, Mr. Banks. General Spraggins.

43
44 **GENERAL SPRAGGINS:** Mr. Chairman, just one question. If we do
45 adopt this one, does that still allow us to put the subsequent
46 motion that you were talking about, about taking it back to the
47 SSC?

1 **CHAIRMAN FRAZER:** That would be my intent, yes.
2
3 **GENERAL SPRAGGINS:** Okay. Thank you.
4
5 **CHAIRMAN FRAZER:** Okay. I am not seeing any other hands, and so
6 we will proceed to the vote. Dr. Simmons.
7
8 **EXECUTIVE DIRECTOR SIMMONS:** Thank you, Mr. Chair. Mr. Anson.
9
10 **MR. ANSON:** Yes.
11
12 **EXECUTIVE DIRECTOR SIMMONS:** Mr. Riechers.
13
14 **MR. RIECHERS:** Yes.
15
16 **EXECUTIVE DIRECTOR SIMMONS:** Dr. Shipp.
17
18 **DR. SHIPP:** No.
19
20 **EXECUTIVE DIRECTOR SIMMONS:** Ms. Boggs.
21
22 **MS. BOGGS:** Yes.
23
24 **EXECUTIVE DIRECTOR SIMMONS:** Mr. Sanchez.
25
26 **MR. SANCHEZ:** Yes.
27
28 **EXECUTIVE DIRECTOR SIMMONS:** General Spraggins.
29
30 **GENERAL SPRAGGINS:** Yes.
31
32 **EXECUTIVE DIRECTOR SIMMONS:** Mr. Diaz.
33
34 **MR. DIAZ:** Yes.
35
36 **EXECUTIVE DIRECTOR SIMMONS:** Mr. Banks.
37
38 **MR. BANKS:** Yes.
39
40 **EXECUTIVE DIRECTOR SIMMONS:** Mr. Dugas.
41
42 **MR. DUGAS:** Yes.
43
44 **EXECUTIVE DIRECTOR SIMMONS:** Mr. Strelcheck.
45
46 **MR. STRELCHECK:** Yes.
47
48 **EXECUTIVE DIRECTOR SIMMONS:** Ms. Bosarge.

1
2 **MS. BOSARGE:** Yes.
3
4 **EXECUTIVE DIRECTOR SIMMONS:** Dr. Stunz.
5
6 **DR. STUNZ:** Yes.
7
8 **EXECUTIVE DIRECTOR SIMMONS:** Mr. Dyskow.
9
10 **MR. DYSKOW:** Yes.
11
12 **EXECUTIVE DIRECTOR SIMMONS:** Mr. Williamson.
13
14 **MR. WILLIAMSON:** Yes.
15
16 **EXECUTIVE DIRECTOR SIMMONS:** Mr. Swindell.
17
18 **MR. SWINDELL:** Yes.
19
20 **EXECUTIVE DIRECTOR SIMMONS:** Ms. Guyas.
21
22 **MS. GUYAS:** Yes.
23
24 **EXECUTIVE DIRECTOR SIMMONS:** The motion carried fifteen to one
25 with one abstention.
26
27 **CHAIRMAN FRAZER:** Thank you, Dr. Simmons. To follow up on
28 General Spraggins' comment, if we can go ahead and put up a new
29 motion. **We have a new motion on the board, and it's to request**
30 **that the SSC reconsider the Gulf red snapper ABC recommendation**
31 **for 2021 and beyond after the final Great Red Snapper Count is**
32 **published in June of 2021.**
33
34 That would, of course, incorporate a reconsideration, or
35 essentially asking them to take advantage of a revised document
36 and new information that wasn't available, in order to update
37 their catch advice, if needed, and so if I can -- I think that's
38 the intent, and hopefully it's clear in there. Is there a
39 second to this motion?
40
41 **GENERAL SPRAGGINS:** I will second it.
42
43 **CHAIRMAN FRAZER:** It's seconded by General Spraggins. Is there
44 any further discussion on the motion? Ms. Boggs.
45
46 **MS. BOGGS:** I just want to clarify the comments that I think you
47 just made, because I -- Not that I necessarily wanted to
48 reconsider the OFL, but I hope that they would just basically

1 take a look at this in general, and you said that is your
2 intent?

3
4 **CHAIRMAN FRAZER:** My intent would be, essentially, to send a
5 message back to the SSC that we think that there is new data,
6 and there is certain data that are available, or data that were
7 not considered, in the earlier discussions, we expect, and so a
8 couple of the examples that I gave were the fishery-independent
9 video survey, and there will be revisions as well to the point
10 estimates in the Great Red Snapper Count, and I had one more
11 written down, and sorry, but I just want to circle back.

12
13 The additional data that I expect to be provided to the
14 Louisiana Department of Wildlife and Fisheries, or Fish and
15 Wildlife, and so, again, what I want to make clear here is that
16 I am a strong defender of the science that underlies fisheries
17 management, and I am certainly understanding and appreciative of
18 the approach that the SSC took, but I also want them to
19 incorporate, to the greatest extent possible, all of the
20 available information to improve that catch advice, if it can be
21 improved. I have --

22
23 **MS. BOGGS:** May I follow-up, real quick, to that?

24
25 **CHAIRMAN FRAZER:** Yes, you may. Go ahead, Susan.

26
27 **MS. BOGGS:** I guess, based especially on the verbiage you just
28 used, could we not say "red snapper catch advice", instead of
29 just restricting it to "ABC"? Thank you.

30
31 **CHAIRMAN FRAZER:** Sure. So, again, what we're trying to do is
32 get the best available science to help us to most beneficially,
33 I guess, manage this fishery. So I would modify the motion to
34 say "request the SSC provide -- How about this? Sorry. You can
35 erase that. **"Request that the SSC consider new information and
36 revised report to provide catch advice for red snapper for 2021
37 and beyond."** That revised report, it's implicit that that's the
38 Great Red Snapper Count.

39
40 **MS. BOGGS:** Thank you.

41
42 **CHAIRMAN FRAZER:** Again, I will read it into the record here.
43 **Request that the SSC consider new information and revised report
44 to provide catch advice for red snapper for 2021 and beyond.** We
45 can add, in parentheses, after "revised report", "Great Red
46 Snapper Count", just for clarity. Okay. Do we have a second
47 for this motion?

48

1 **GENERAL SPRAGGINS:** I will second it.
2
3 **CHAIRMAN FRAZER:** Thank you, General Spraggins. Ms. Bosarge.
4
5 **MS. BOSARGE:** I think my concerns have been addressed. Thank
6 you. I just thought, if there is revised information in that
7 Great Red Snapper Count, that's what we used to set that OFL,
8 and so we would have to look at it, to make sure that it still
9 matches up, and so thank you.
10
11 **CHAIRMAN FRAZER:** Thank you. J.D. Dugas.
12
13 **MR. DUGAS:** Thank you, Mr. Chair. I would be in support of this
14 motion. A couple of points, or maybe questions or
15 recommendations to add, but there was some thoughts from other
16 members about National Standard 8, and maybe that should be
17 integrated into this motion, and, also, the ABC Control Rule
18 should be considered. I don't know if you would be open to
19 adding that in this motion or not, but I just wanted to put it
20 out there. Thanks.
21
22 **CHAIRMAN FRAZER:** Okay. Thanks, J.D. I will think about that
23 for a minute, and I'll take a couple more comments. Kevin
24 Anson.
25
26 **MR. ANSON:** My question has been answered. Thank you.
27
28 **CHAIRMAN FRAZER:** Dr. Stunz.
29
30 **DR. STUNZ:** Thank you, Mr. Chairman. I had the same comment as
31 J.D., about considering the ABC Control Rule, since I don't
32 think that that was fully considered. We, obviously, have the
33 council's control rule that at least should be part of that
34 discussion, and, Mr. Chairman, I have a point not directly to
35 this motion, if you would please recognize me after we make this
36 vote, and I don't want to bog down that discussion, but it is
37 important and related to what we're discussing here today.
38
39 **CHAIRMAN FRAZER:** Okay. Thank you, Dr. Stunz. We'll come back,
40 and so I'm going to try to modify this motion slightly one more
41 time. **Request the SSC consider new information and revised**
42 **report (Great Red Snapper Count) to provide catch advice for red**
43 **snapper for 2021 and beyond. As part of the discussion, the SSC**
44 **should consider the existing ABC Control Rule as well as the**
45 **National Standard Guidelines.** General Spraggins, are you okay
46 with those changes to the motion?
47
48 **DR. SPRAGGINS:** I am.

1
2 **CHAIRMAN FRAZER:** Okay. I'm going to take a couple of quick
3 comments here. Mr. Strelcheck and then Ms. Guyas.

4
5 **MR. STRELCHECK:** Thanks, Tom. For clarification, with regard to
6 new information, you rattled off, earlier, a lot of reasons for
7 kicking this back to the SSC. We're referencing the Great Red
8 Snapper Count specifically here, but there was mention, for
9 instance, of a video index and some other information that might
10 be emerging from the research track assessment. Is that the new
11 information you're referencing here, or are we explicit to the
12 Great Red Snapper Count?

13
14 **CHAIRMAN FRAZER:** I think there's a couple -- It will be in the
15 record here, Andy, and so I am specifically interested in two
16 pieces of information. one is the fishery-independent video
17 survey that is part of the SEDAR Working Paper 74-SID-03, and so
18 that has, essentially, survey data, or index data, through 2019
19 that I think would be of value.

20
21 The other piece of information that I was particularly
22 interested in is a report that will be provided to the Louisiana
23 Department of Wildlife Fisheries, and it's anticipated by the
24 end of the month, that provides more detailed information on the
25 abundance and distribution of red snapper off the Louisiana
26 coast, and so I think that will help, in many ways, perhaps,
27 with some revisions to the Great Red Snapper Count, but, in any
28 case, it should provide additional information, and so, again,
29 there may be more that comes out, but those are two that
30 immediately come to mind, and so they're on the record, and,
31 when we make the direction to the SSC, we'll make sure that
32 we'll be as specific as we possibly can. Ms. Guyas.

33
34 **MS. GUYAS:** Real quick, I support the motion. Just one thing
35 that came to my mind, since we talked about it in committee, is,
36 depending on where we go with this, I don't know that we would
37 want to -- If we end up implementing new OFLs and ABCs, let's
38 say in August, or even October, I guess we're going to want to
39 think about whether we want to pursue getting an updated interim
40 analysis from the Science Center at the beginning of 2022,
41 because I think that was something that Clay mentioned that they
42 were planning on doing for us, but we can figure that out later,
43 but I'm just kind of flagging that as maybe something we need to
44 come back to, depending on where we go.

45
46 **CHAIRMAN FRAZER:** Good point, and, again, I think we can
47 certainly keep that in mind, but I think that we can probably
48 move forward with this motion as it exists, and so I'm not

1 seeing any other hands. I will give it just a second, and, when
2 we dispense with this motion, I think we're going to take a bit
3 of a break for lunch. Ms. Bosarge.

4
5 **MS. BOSARGE:** I just wanted to make sure I've got one thing on
6 the record. You mentioned that new research that's going to
7 come out of Louisiana and hopefully aid in the estimates that
8 were in the Great Red Snapper Count, supplement those for
9 Louisiana, since some of those kind of had to be used based on
10 some Texas data, from what I understand, and I'm not a
11 scientist, and I just listened to the review, but I would also
12 like to make sure -- Because what if that gets delayed, or
13 something like that?

14
15 There were a few things brought up during the discussion that I
16 don't think it would take Greg and his team too much to address,
17 and I do want to make sure that those will be addressed before
18 it's presented back to the SSC, and those two items were the
19 pipeline data that was used, and, obviously, exposed pipelines
20 can be habitat for red snapper, and they found that in their
21 report.

22
23 However, I think the report assumed that pipelines in water
24 depths less than ninety feet were buried, and so, therefore,
25 everything else is unburied and is a habitat for snapper, and,
26 per the BSEE regulations, it's actually 200 feet, and so all
27 pipelines inside of 200 feet of water depth have to be buried, and
28 so that affects their estimate of mileage of pipeline that was
29 used as habitat, and, therefore, that final estimate, although
30 minor, because that's really not where most of the snapper are.

31
32 Then the other thing that they could adjust, before the
33 Louisiana data comes out, if it doesn't come out in time, is the
34 actual rig count that they used, and I think like ninety-
35 something percent of the artificial habitat in Louisiana was
36 assumed to be rigs and platforms and caissons, or oil industry
37 infrastructure, and I think they had a number somewhere between
38 3,500 and 4,000 for that rig count, and, you know, depending on
39 when you pull the data, in federal waters at least, for the Gulf
40 of Mexico, currently, it's about eighteen-hundred-and-something
41 rigs, platforms, and caissons in the entire Gulf, and so that
42 Louisiana number would be a little high.

43
44 Yes, there could be some in state waters, but it wouldn't take
45 you to that number, and so if they could address those two
46 things for sure, before they bring it back, I think that would
47 be good, and I don't think -- Greg, I don't think that would be
48 overwhelming to you, right?

1
2 **CHAIRMAN FRAZER:** Dr. Stunz.

3
4 **DR. STUNZ:** To that point, Mr. Chairman, my hand was up so that
5 you didn't forget to recognize me after the vote, but, to that
6 point, since Leann brought it up, yes, you're right, Leann. It
7 was very minor, but we can fix that relatively easy, but just
8 another point that we struggle with on the pipelines is, just
9 because they're supposed to be buried, it does not mean they're
10 buried.

11
12 In fact, it's common for them not to be buried sometimes, and we
13 have ways to estimate that, and our team is working on that.
14 That's a relatively low lift, but, as you pointed out, that's
15 not really where the fish are, and so it's not going to really
16 change much, in terms of the overall estimate.

17
18 **MS. BOSARGE:** To that point, Mr. Chairman?

19
20 **CHAIRMAN FRAZER:** Go ahead, Ms. Bosarge.

21
22 **MS. BOSARGE:** A very small piece of that long pipeline may be
23 exposed, like maybe where a valve or where it intersects another
24 pipeline, where the oil industry has gone in to do some work or
25 something to it, and maybe that didn't get reburied, but, by and
26 large, the pipelines are buried inside of 200 feet, and the
27 shrimp industry played a large role in that, because, if they
28 weren't, we would hang up on them and tear our gear up all the
29 time, and, in fact, there's a fund that the oil industry has to
30 take care of for the times that we do hang up on their
31 pipelines, and they have to reimburse us for gear, and so they
32 do try and make sure that they are buried, because they don't
33 want to have to pay us.

34
35 **CHAIRMAN FRAZER:** Okay. I appreciate that discussion, and,
36 Greg, I know that you've had your hand up, and you may have some
37 other things to say, but do you recommend that we go ahead and
38 vote on this motion?

39
40 **DR. STUNZ:** Mine would be after the motion, please.

41
42 **CHAIRMAN FRAZER:** Okay. Great. We will go ahead and vote on
43 this motion. **I am not sensing a great deal of hesitancy here,**
44 **and so I will risk saying, is there anybody opposed to this**
45 **motion? I am not seeing any hands, or hearing any opposition,**
46 **and the motion carries.** Dr. Stunz.

47
48 **DR. STUNZ:** Thank you, Mr. Chairman. I will be brief, since

1 we're running behind here. One just interesting thing that I
2 think we need to consider as a council, and council staff in
3 general, with the SSC is all this consternation that we've been
4 discussing over these past few days, and this motion is why I'm
5 bringing it up here, was that this was over a very narrow vote
6 within the SSC, ten to eleven or something like that, and so
7 almost as many that supported it did not support it.

8
9 I don't know, and my understanding is that that body would work
10 better from a consensus standpoint, but I don't know what the
11 rules and legalities are, in terms of really coming to a
12 scientific consensus, other than just passing a motion based on
13 a narrow vote, where maybe not all the viewpoints are fully
14 captured in that scientific opinion and advice that's given back
15 to us.

16
17 I am not proposing that we solve that right here and right now,
18 but that's something that I think that we need to consider, that
19 all of that information is packaged together on many things that
20 comes back to us and not just this example.

21

22 **CHAIRMAN FRAZER:** Okay. Thank you, Dr. Stunz. Mr. Banks.

23

24 **MR. BANKS:** Real quick, Mr. Chairman, and I'm sorry that I
25 didn't make this point with my earlier comment, but this
26 increase in quota that's going to the commercial and charter
27 sector, especially on the commercial side, we need to bring
28 Amendment 36 back to the council, so that we can work on trying
29 to get these extra fish that are coming into the fishery in the
30 hands, or at least in the hands in a more reasonable way, to
31 fishermen who are actually in the fishery, who actually do the
32 fishing, who don't have quota and things like that, and so I
33 would like to request that of staff, to try to do that as soon
34 as we possibly can. Thank you.

35

36 **CHAIRMAN FRAZER:** Thank you, Mr. Banks. Dr. Simmons, real
37 quick.

38

39 **EXECUTIVE DIRECTOR SIMMONS:** Thank you, Mr. Chair. I was just
40 going to go back to something that Dr. Stunz said. We will work
41 on that peer review process again before the next meeting, and I
42 think you bring up some good points. I do recall that Dr. Joe
43 Powers did try to get the committee to come to a consensus, and,
44 as you know, that did not happen, and so we can continue to work
45 towards that, but I don't think that we can require it of the
46 SSC, but I will work with Ms. Levy and staff on that. Thank
47 you.

48

1 **CHAIRMAN FRAZER:** Thank you, Dr. Simmons. Two quick comments.
2 I will take Andy's and then Kevin's.

3
4 **MR. STRELCHECK:** Tom, I know we're standing between now and
5 lunchtime, and I did want to remind the council that this is
6 final action, and we should vote this up for review and
7 submittal to the agency.

8
9 **CHAIRMAN FRAZER:** I hadn't decided if I was going to try to
10 squeeze that in before lunch or right after, but we'll see here.
11 Kevin.

12
13 **MR. ANSON:** Dr. Simmons kind of addressed my point, or question,
14 and that was just if there was going to be any additional
15 information or looking at that peer review process for the next
16 SSC vote, and it sounds like there will be an attempt to try to
17 either reevaluate and change, or at least make sure that the
18 information is publicly available and consistent well in advance
19 of the meeting. Thank you.

20
21 **CHAIRMAN FRAZER:** Okay. Thank you, Mr. Anson. I think what we
22 do is we will go ahead, because we're going to move into
23 calibration, and I consider those to be related, but certainly
24 separate, items, and we will go ahead and make sure -- Because
25 this is a final action item now, we will go through the
26 appropriate process to vote on that as well. We will get the
27 standard language on the board.

28
29 **It's a final action item, and the motion is to approve the**
30 **Framework Action: Modification of Annual Catch Limits for Gulf**
31 **of Mexico Red Snapper and that it be forwarded to the Secretary**
32 **of Commerce for review and implementation and deem the codified**
33 **text as necessary and appropriate, giving staff editorial**
34 **license to make the necessary changes in the document. The**
35 **Council Chair is given the authority to deem any changes to the**
36 **codified text as necessary and appropriate.** We have a motion on
37 the board, and I'm assuming that we will need a second for that
38 as well. Can I get a second for this motion?

39
40 **GENERAL SPRAGGINS:** I will second it.

41
42 **CHAIRMAN FRAZER:** It's seconded by General Joe Spraggins. Is
43 there any further discussion of the motion? Ms. Levy.

44
45 **MS. LEVY:** I believe that NMFS had worked on the codified, and I
46 don't know if you have all had a chance to look at that, or
47 whether that was circulated, but the codified you had in
48 committee was just a placeholder, I believe, and now it should

1 have the actual values that are in the document, and so I just
2 wanted to let you know that.

3
4 **CHAIRMAN FRAZER:** Yes, and so Dr. Froeschke was working with the
5 staff earlier to get that, and so the codified text changes are
6 recognized, and they're on the board, if people are interested.
7 Okay. Are there any questions or concerns about the codified
8 text? They're fairly straightforward. Okay. I am not seeing
9 any hands there, and so we can go back to the motion. We will
10 proceed to the vote. Dr. Simmons.

11
12 **EXECUTIVE DIRECTOR SIMMONS:** Thank you, Mr. Chair. Ms. Boggs.

13
14 **MS. BOGGS:** Yes.

15
16 **EXECUTIVE DIRECTOR SIMMONS:** Mr. Riechers.

17
18 **MR. RIECHERS:** Yes.

19
20 **EXECUTIVE DIRECTOR SIMMONS:** Dr. Stunz.

21
22 **DR. STUNZ:** Yes.

23
24 **EXECUTIVE DIRECTOR SIMMONS:** Mr. Strelcheck.

25
26 **MR. STRELCHECK:** Abstain.

27
28 **EXECUTIVE DIRECTOR SIMMONS:** Ms. Bosarge.

29
30 **MS. BOSARGE:** Yes.

31
32 **EXECUTIVE DIRECTOR SIMMONS:** Mr. Anson.

33
34 **MR. ANSON:** Yes.

35
36 **EXECUTIVE DIRECTOR SIMMONS:** Mr. Banks.

37
38 **MR. BANKS:** Yes.

39
40 **EXECUTIVE DIRECTOR SIMMONS:** Mr. Williamson.

41
42 **MR. WILLIAMSON:** Yes.

43
44 **EXECUTIVE DIRECTOR SIMMONS:** Mr. Dyskow.

45
46 **MR. DYSKOW:** Yes.

47
48 **EXECUTIVE DIRECTOR SIMMONS:** Mr. Swindell.

1
2 **MR. SWINDELL:** Yes.
3
4 **EXECUTIVE DIRECTOR SIMMONS:** Mr. Dugas.
5
6 **MR. DUGAS:** Yes.
7
8 **EXECUTIVE DIRECTOR SIMMONS:** Dr. Shipp.
9
10 **DR. SHIPP:** Yes.
11
12 **EXECUTIVE DIRECTOR SIMMONS:** General Spraggins.
13
14 **GENERAL SPRAGGINS:** Yes.
15
16 **EXECUTIVE DIRECTOR SIMMONS:** Mr. Diaz.
17
18 **MR. DIAZ:** Yes.
19
20 **EXECUTIVE DIRECTOR SIMMONS:** Ms. Guyas.
21
22 **MS. GUYAS:** Yes.
23
24 **EXECUTIVE DIRECTOR SIMMONS:** Mr. Sanchez.
25
26 **MR. SANCHEZ:** Yes.
27
28 **EXECUTIVE DIRECTOR SIMMONS:** Dr. Frazer.
29
30 **CHAIRMAN FRAZER:** Yes.
31
32 **EXECUTIVE DIRECTOR SIMMONS:** **The motion carries sixteen to zero**
33 **with one abstention.** Mr. Chair.
34
35 **CHAIRMAN FRAZER:** Okay. Thanks, everybody, for working through
36 this. We are going to take a thirty-minute break for lunch, and
37 we'll come back at 1:45, and we'll pick up with another final
38 action item having to do with the framework action and
39 calibration, and so I will see you all in thirty minutes, at
40 1:45. Thank you.

41
42 (Whereupon, the meeting recessed for lunch on April 15, 2021.)
43

44 - - -

45
46 April 15, 2021

47 THURSDAY AFTERNOON SESSION

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The Full Council of the Gulf of Mexico Fishery Management Council reconvened via webinar on Thursday afternoon, April 15, 2021, and was called to order by Chairman Tom Frazer.

CHAIRMAN FRAZER: It looks like we're getting everybody up. We'll wait just one second, and then Martha -- I think you're good to go, actually. Carry on.

MS. GUYAS: Thanks, Mr. Chair. That brings us to Final Action: Framework Action: Gulf of Mexico Red Snapper Recreational Data Calibration and Recreational Catch Limits, Tab B, Number 8. Council staff presented the challenges of relating different state data collection currencies in which they report their catch and effort data for Gulf red snapper, using monetary exchange rates between countries as an example.

The presentation detailed why differing currencies were not additive and needed to be calibrated to a common currency in order to be directly compared. Council staff followed this presentation with a review of written public comments received, sixty-four, and noted that the YouTube video explaining the document had thus far received 145 views.

Council staff reviewed the alternatives in the framework action. Ms. Leann Bosarge asked about the effects of the 2017 extended private angling fishing season for red snapper, which was extended by the Secretary of Commerce by thirty-nine days, to forty-two days in total.

Based on the definitions of overfishing, she said that she thought red snapper experienced overfishing in 2017, as a result of the extended fishing season. Ms. Guyas reminded the committee of the motion passed in consideration of the previous agenda item, the Final Action: Framework Action: Modification of Annual Catch Limits for Gulf of Mexico Red Snapper, Tab B, Number 7, adding that this motion would increase the current OFL considerably compared to the current OFL, 25.6 million pounds versus 15.5 million pounds.

She then asked about the consequences of exceeding the ABC for Gulf red snapper. Ms. Mara Levy replied that NMFS cannot allow fishing for red snapper to continue for a sector once that sector's ACL is met. Presently, the sum of the commercial and recreational ACLs equals the stock ABC.

1 Further, the management of red snapper in the Reef Fish Fishery
2 Management Plan is currently not in compliance with the
3 Magnuson-Stevens Fishery Conservation and Management Act, in
4 that the current recreational ACL is being managed in a manner
5 that has resulted, and is expected to continue to result, in ACL
6 overages for that sector.

7
8 From a biological perspective, Dr. Porch stated that the effect
9 of exceeding the ABC depended on the accuracy with which the OFL
10 is thought to be known. If the OFL is thought to be appropriate
11 for preventing overfishing, then just exceeding the ABC should
12 not result in overfishing in a given year.

13
14 Mr. Andy Strelcheck stated that NMFS has worked with the council
15 and the Gulf states to address the need for data calibration.
16 He noted that NMFS had lost federal lawsuits related to red
17 snapper recreational catch limits being exceeded in the recent
18 past, in 2014 and 2017.

19
20 Mr. Anson discussed the differences between the state surveys
21 and the MRIP program and how they provide timelier and more
22 precise catch and effort estimates for red snapper. He also
23 detailed some of the effects of the differences in the state
24 surveys and MRIP-FES, stating that landings, as recorded for
25 currently fished habitat, would be substantially higher than
26 currently reported and would represent a large fraction of the
27 estimated biomass.

28
29 Mr. Strelcheck replied that the calibrations would not be
30 necessary if the state survey data were commensurate and could
31 be directly compared and incorporated into a stock assessment.
32 Mr. Anson then proposed a motion that would fix Alabama's state-
33 specific ACL at the level established in Reef Fish Amendment
34 50A, with the remaining four states receiving a proportional
35 increase based on the proposed increase to the ABC in the
36 document discussed under Tab B, Number 7.

37
38 Council staff advised the committee that the proposed motion was
39 in fact a reallocation among the states and could not be
40 included in a framework action and would require a plan
41 amendment. Council staff also noted that the proposed motion
42 would result in the predicted landings for the private angling
43 component being exceeded, just as it would under Alternatives 1
44 and 5. Ms. Levy echoed council staff and added that the
45 proposed alternative was more appropriate in Tab B, Number 7(d),
46 as it addresses revising the catch limits using the ABC used in
47 the proposed motion.

48

1 The committee recommends, and I so move, in Action 1, to add a
2 new Alternative 6 that would change the state-specific red
3 snapper private angling component annual catch limits using
4 modified percentages from those identified in Amendment 50A in
5 state survey currencies through 2023. Alabama would retain the
6 ACL that was issued in Amendment 50A of 1,122,662 pounds. I
7 don't know if we need to read the ACL percentages here in the
8 table.

9
10 **CHAIRMAN FRAZER:** I think you're good, Ms. Guyas. We have a
11 committee motion on the board. Martha just read it into the
12 record, and I don't think we need to do that again, but I will
13 entertain any discussion on this motion at this time.

14
15 **MS. BOGGS:** We need a second.

16
17 **DR. SHIPP:** I will second it.

18
19 **CHAIRMAN FRAZER:** Okay. I am looking for hands. I see Mr.
20 Anson.

21
22 **MR. ANSON:** I just -- To kind of follow back around to a few of
23 the things that I said during Reef Fish, I understand the
24 importance of the fisheries trying to stay within their ACL, and
25 certainly I would prefer not to do that, but we feel the data
26 that has been collected, particularly the recreational data,
27 from the federal surveys -- By the time it goes through the
28 scientific process and the model, we have not been getting an
29 appropriate share of those fish.

30
31 We've got a lot of fish off of Alabama, and the Great Red
32 Snapper Count is a good indication of that, and is that because
33 the habitat is that much better off of Alabama for red snapper?
34 Possibly. It might be more productive off of Alabama than they
35 are, and the recruitment might be higher, or is it an issue with
36 not having access to the resource and not allowing fishermen
37 equal access as they occur in other areas of the Gulf?

38
39 It could be a combination of the two, but our data, both on the
40 fishery-independent side, for eight years now, going on eight
41 years, with our independent survey, and then the point in time,
42 the point estimate, in the Great Red Snapper Count, and we have
43 a very good handle of the amount of fish, the abundance of fish,
44 off of Alabama.

45
46 Then, with Snapper Check, we're very comfortable with those
47 numbers, as they relate to not only that annual estimate that we
48 produce, but also the Great Red Snapper Count. We just feel

1 like we have got a system, and we are being penalized by the
2 system that generated the OFL and ABC, that is at least going to
3 be changed here, using that science that, again, just doesn't
4 accurately capture those fish that are off of Alabama, and,
5 again, we feel like it creates some issues for us.

6
7 We talk about allocation, and certainly there is allocation
8 issues amongst states, and anglers from various states, but
9 converting back to Snapper Check information for the federally-
10 permitted vessels over the time series, whether you're from 2014
11 to 2019 or if you're during the period for which MRIP certified
12 Snapper Check, which was from 2017 forward -- If you look at
13 those two time series, and the Snapper Check to MRIP estimates
14 are 0.95.

15
16 That's our calibration for federally-permitted vessels with
17 Snapper Check. It's almost to the pound, and, when you talk
18 about 100,000, or 700,000, pounds, it's pretty darned good, and
19 so that is very comparable, but it's just this private
20 recreational effort.

21
22 Again, I mentioned, the other day during committee, that it's
23 hard, when you look at the information. If you look at FES,
24 which, again, is -- I know we're talking about the Coastal
25 Household Telephone Survey calibration here, but FES estimated,
26 in 2017, that we harvested 34 percent, just the private
27 recreational and the charter, 34 percent of all the fish that --

28
29 The biomass that was estimated off of Alabama in that one year,
30 and yet, the following years, they were able to harvest 22 and
31 21, and, actually, FES went down in 2018 and 2019, partly
32 because we had stable seasons, and that is bearing fruit, not
33 only on the fish side, believe, but also on the access, and so,
34 again, I just offer this as to try to get to some point where we
35 could proceed as-is.

36
37 Again, I understand the issue with the currency and the impacts
38 on ACL, but we have been in a tough spot, and it is interesting,
39 speaking of FES, that here we have other sectors that have
40 voiced their concerns here recently about FES, as FES has
41 started to be used in other species assessments, and we'll be
42 talking about red grouper here later, and it is interesting to
43 hear the perspectives of those other sectors, individuals within
44 those sectors, within they -- On the one hand, we talk about
45 using FES to increase the ACL, but then, on the other hand, it's
46 not good for allocation, and so I know there's other deeper
47 issues on how that -- How you could use recreational surveys as
48 your basis for allocation, but -- If it's the best available

1 science, then we ought to run with it everywhere.

2
3 You know, Alabama would come out looking pretty good if FES is
4 used compared to the other states for private rec access going
5 forward, and the survey would look Gulf-wide for the private
6 recs against the federal for-hire, as we look at the 49 percent
7 of the total Gulf ACL, if we use FES, and so I guess we can go
8 that way and see how it shakes out, but that wouldn't be
9 appropriate, because this totally skews the allocation of those,
10 within the sector as well as between the sectors, and so using
11 FES, and so, anyway, we just put this out there to try to let
12 you all know that we are -- If your management target is 0.1,
13 you have an exploitation rate of 0.1, if that's really what is
14 in the best interest for maintaining a sustainable harvest off
15 of Alabama, we are almost there, and so we're willing to pull
16 back a little bit.

17
18 One could still argue that maybe exploitation rate is a little
19 higher, particularly in our part of the Gulf, but, again, trying
20 to get to a point where we can -- Again, going back to the idea
21 of variations and contingencies in the National Standards and
22 Magnuson, that we have a bunch of data that indicates the
23 population is in a much better position than we think, and we're
24 just -- We just don't have time to evaluate it, and hopefully
25 the 2023 will allow us some time to go ahead, in combination, or
26 running concurrently, with the research track assessment, for a
27 more thorough analysis and comparison of state data to FES data,
28 as looking through the lens of the Great Red Snapper Count.
29 Thank you.

30
31 **CHAIRMAN FRAZER:** Thank you, Mr. Anson. Mr. Strelcheck.

32
33 **MR. STRELCHECK:** Thanks, Tom. I am going to start by saying
34 what I'm in agreement with, with regard to Kevin and his motion,
35 and that's that I have stated, at the past meeting, and I
36 believe we need to move forward in the future, with reevaluating
37 the state-by-state allocations. That information that we used
38 to inform those allocations up to Amendment 50 and the
39 information we now have is different, and new information has
40 become available, and so I certainly hope that the council would
41 consider revisiting the allocations, going forward.

42
43 Where I disagree is that this is the amendment, or action, to
44 actually consider reallocation, and I will be a little bit of a
45 broken record here, but I will reiterate, obviously, many of the
46 points that are in our report itself that we just reviewed.

47
48 One is that the proposed alternative is really the same effect

1 as no action. Yes, we're tweaking the allocations, but it's
2 really like taking no action, because we aren't calibrating.
3 The alternative itself is inconsistent with the purpose and
4 need, which is intended to, obviously, calibrate landings into a
5 common currency for monitoring quotas and ensuring comparability
6 across states, and, most importantly, reallocation should not be
7 considered here, and it would have to be considered in a plan
8 amendment, and so this requires then the council staff and NOAA
9 Fisheries to overhaul this action, in order to start considering
10 allocation alternatives, and certainly I think a broader range
11 of allocation alternatives would need to be considered if this
12 alternative was adopted.

13
14 What I am going to recommend is, obviously, not adopting this as
15 an alternative and including it, and we'll continue to emphasize
16 that, obviously, calibration is not unforeseen, and we've been
17 talking about this for quite some time, and, as I stated during
18 committee, the states have been well aware of the need to
19 calibrate now for a number of years, and, unfortunately, with
20 the Great Red Snapper Count, we didn't get, obviously, a big
21 boost in the catch limit to offset some of the reductions that
22 might incur based on calibration. Thanks.

23
24 **CHAIRMAN FRAZER:** Thank you, Andy. Next up is General
25 Spraggins.

26
27 **GENERAL SPRAGGINS:** Thank you, Mr. Chairman. Just looking at
28 it, I do agree with a lot of what Kevin is saying, and I
29 understand that -- I don't think that Mississippi or Alabama,
30 and I'm not sure 100 percent about Alabama, but I am with
31 Mississippi, that our evaluation is anywhere close to being what
32 it should be.

33
34 I think that we have a lot better system than what's been done,
35 and even our -- Before it was brought out, many a time, that
36 Mississippi shouldn't be involved in an MRIP calibration,
37 because it doesn't meet it. It does not meet the
38 qualifications, and it does not fit what happens. Small states
39 like this do not work in that.

40
41 I understand that we have to do some form of calibration, and I
42 have no problem with that, but I do also understand that
43 whenever -- If you give me something, and your calibration form
44 states that we would have had to have caught more fish in one
45 day -- In about three days than we had caught in five years, and
46 that's amazing. It's just amazing that something like that
47 could ever happen.

48

1 I realize that Tails 'n Scales isn't five-year program qualified
2 yet, but I can tell you that we've got five years of data that's
3 probably as accurate, or more accurate, than what you're putting
4 out in front of us, and so I would just ask that you look at
5 that.

6
7 If I thought that Mississippi staying the same would make any
8 difference, I would be quickly to say that we would jump in
9 there with Alabama on that, but I don't think that 3,000 pounds
10 is going to make any difference in this qualification, but I do
11 appreciate it. I just hope that everybody will look at it and
12 understand that, if it was something that felt was wrong, we
13 would definitely do something about it ourselves, and we would
14 not even take a chance of asking you all to help us, and so I
15 appreciate it, and I just wanted to get that on the record.

16
17 **CHAIRMAN FRAZER:** Thank you, General Spraggins. Mr. Rindone.

18
19 **MR. RINDONE:** Thank you, Mr. Chair. Just a point of
20 clarification in the motion. The motion says that the change
21 the state-specific red snapper private angling ACL using the
22 modified percentages from Amendment 50 in state survey
23 currencies through 2023. However, the numbers that were
24 provided in the motion were in MRIP-CHTS currency.

25
26 If those need to be converted into state currencies, then that
27 table would need to be updated. Also, the ACL that's listed in
28 the last sentence says that Alabama would retain the ACL that
29 was issued in Amendment 50A, and that 1.122 million pounds is in
30 MRIP-CHTS currency and not in any calibrated state currency.

31
32 **CHAIRMAN FRAZER:** Okay. Ms. Guyas.

33
34 **MS. GUYAS:** Thanks. So it sounds like, from what Ryan said,
35 there's some, I guess, inherent issues with this motion, but I
36 appreciate, Kevin, what you're trying to do here, and I
37 recognize that we're going to have to look at reallocation, not
38 just across the states, but across sectors, and components as
39 well, and the council did request staff work on a document to do
40 that, a few meetings ago, I think as a long-term project, but we
41 could discuss that. I can't remember if it was at our last
42 meeting or one of the previous ones, but this past fall.

43
44 I am not going to support adding this to the document, for many
45 of the reasons that Andy talked about and what was in the
46 committee report, and it is a reallocation in a document that
47 doesn't have to do with reallocation. This doesn't fit in the
48 framework, and, frankly, I think the motion was out of order in

1 committee.
2
3 However, I would support, if you wanted to include -- I guess
4 once the table is cleaned up and the motion is clarified,
5 including something like this in that allocation amendment that
6 we will be working on, and so, if you made another motion to add
7 this to consideration for that allocation document that the
8 council will be working on, I'm onboard for that, but I just
9 wanted to explain where I'm coming from on this one. Thank you.
10
11 **CHAIRMAN FRAZER:** Okay. Thank you, Ms. Guyas. I am not seeing
12 any other hands at this point with regard to this motion. Let's
13 go ahead to Dr. Simmons and take a roll call vote on this.
14
15 **EXECUTIVE DIRECTOR SIMMONS:** Thank you, Mr. Chair. Mr. Anson.
16
17 **MR. ANSON:** Yes.
18
19 **EXECUTIVE DIRECTOR SIMMONS:** Ms. Bosarge.
20
21 **MS. BOSARGE:** No.
22
23 **EXECUTIVE DIRECTOR SIMMONS:** Mr. Dugas.
24
25 **MR. DUGAS:** Yes.
26
27 **EXECUTIVE DIRECTOR SIMMONS:** General Spraggins.
28
29 **GENERAL SPRAGGINS:** Yes.
30
31 **EXECUTIVE DIRECTOR SIMMONS:** Dr. Shipp.
32
33 **DR. SHIPP:** Yes.
34
35 **EXECUTIVE DIRECTOR SIMMONS:** Mr. Sanchez.
36
37 **MR. SANCHEZ:** No.
38
39 **EXECUTIVE DIRECTOR SIMMONS:** Mr. Banks.
40
41 **MR. BANKS:** No.
42
43 **EXECUTIVE DIRECTOR SIMMONS:** Mr. Diaz.
44
45 **MR. DIAZ:** Yes.
46
47 **EXECUTIVE DIRECTOR SIMMONS:** Mr. Williamson.
48

1 **MR. WILLIAMSON:** Yes.
2
3 **EXECUTIVE DIRECTOR SIMMONS:** Mr. Strelcheck.
4
5 **MR. STRELCHECK:** No.
6
7 **EXECUTIVE DIRECTOR SIMMONS:** Mr. Riechers.
8
9 **MR. RIECHERS:** No.
10
11 **EXECUTIVE DIRECTOR SIMMONS:** Ms. Boggs.
12
13 **MS. BOGGS:** No.
14
15 **EXECUTIVE DIRECTOR SIMMONS:** Mr. Swindell.
16
17 **MR. SWINDELL:** No.
18
19 **EXECUTIVE DIRECTOR SIMMONS:** Ms. Guyas.
20
21 **MS. GUYAS:** No.
22
23 **EXECUTIVE DIRECTOR SIMMONS:** Dr. Stunz.
24
25 **DR. STUNZ:** Yes.
26
27 **EXECUTIVE DIRECTOR SIMMONS:** Mr. Dyskow.
28
29 **MR. DYSKOW:** Yes.
30
31 **EXECUTIVE DIRECTOR SIMMONS:** Dr. Frazer.
32
33 **CHAIRMAN FRAZER:** I am going to have to just stick with some of
34 the arguments that were made. I think this is a reallocation,
35 and it better belongs in a reallocation document, and it's
36 inappropriate for this one, and so I vote no.
37
38 **EXECUTIVE DIRECTOR SIMMONS:** **The motion fails eight to nine.**
39 Mr. Chair.
40
41 **CHAIRMAN FRAZER:** Thank you, Dr. Simmons. I will turn it back
42 to you, Ms. Guyas.
43
44 **DR. SHIPP:** Ms. Guyas, my raised hand is not showing. I'm
45 sorry, but I would like to make a motion.
46
47 **CHAIRMAN FRAZER:** Go ahead, Dr. Shipp.
48

1 **DR. SHIPP:** I would like to move that the council accept state
2 surveys of recreational red snapper catches as best available
3 science to be used for quota allocations.
4

5 **CHAIRMAN FRAZER:** Okay, and so we've got a motion on the board.
6 I will read it into the record here in just a second. The
7 motion is from Dr. Shipp that the council accept state surveys
8 of recreational red snapper as best available science for quota
9 allocation. Is there a second to this motion?

10
11 **GENERAL SPRAGGINS:** I will second.
12

13 **CHAIRMAN FRAZER:** It's seconded by General Spraggins. Ms. Levy.
14

15 **MS. LEVY:** Thank you. I have one comment and one question, I
16 guess. First, my comment is just that, ultimately, it's the
17 Secretary of Commerce and NMFS who make the determination about
18 whether anything is the best available science.
19

20 My second question is I don't understand, I guess, what it
21 means, even if I were to take out of the equation, and say for
22 quota allocation. I guess I don't understand what it's getting
23 at, in terms of using the state survey data.
24

25 **CHAIRMAN FRAZER:** Dr. Shipp, would you like to respond?
26

27 **DR. SHIPP:** Yes. For ten years, we've been arguing about
28 allocations state-by-state, and we have danced around the
29 subject, and this is an attempt, and, Mara, it could probably
30 use some better verbiage, but this is an attempt to use the
31 catch data to come up with the proper state-by-state allocation
32 of recreational red snapper harvest, and that's all. I put the
33 motion out primarily for discussion, because we have not
34 directly addressed this issue. We've always talked about in
35 other contexts, but I think it's time for the council to take a
36 stand. Do we want to stand by the states, or do we not? That's
37 the whole purpose of this.
38

39 **CHAIRMAN FRAZER:** Bob, I'm going to also ask a quick question.
40 To Mara's point that the council doesn't -- That's not their
41 responsibility to determine the best available science, but,
42 even if you took that out of the equation, my question would
43 then be how does this differ from Alternative 1 that is in the
44 document already?
45

46 **DR. SHIPP:** That I don't know. I primarily introduced this so
47 that we could get some feedback from the states on how they feel
48 about their surveys, but it substantially probably doesn't

1 differ that much.

2
3 **CHAIRMAN FRAZER:** Okay. Again, I think what you might have
4 heard, and I heard loud and clear, that, certainly in the
5 discussion over the past couple of days, is that there's a
6 strong feeling amongst the council members, and others involved,
7 that the state data collected is an excellent product, right,
8 and I think every state would stand by their data collection
9 programs.

10
11 To Mr. Banks' point just yesterday, there is -- Again, I don't
12 think people are questioning the quality of the data. It's
13 simply an issue of you have to manage a stock, at present, that
14 was evaluated or assessed in a different currency, and, in order
15 to do that, there's a calibration required.

16
17 Until we actually incorporate state data into the assessment,
18 we're in a bit of a bind in that regard, and so I just want to
19 remind people of that, and so this is not about the states and
20 the quality of their data, and I think that we all recognize
21 that it's good data, and we look forward to being able to
22 incorporate it into the assessment, and I'm sure the Science
23 Center folks would agree with that. Mr. Diaz.

24
25 **MR. DIAZ:** Thank you, Mr. Chair. My hand was up by mistake,
26 but, being as I do have the floor, I mean, I'm thinking through
27 this, and I'm not trying to speak for the State of Mississippi.
28 I used to be involved with DMR, and I was the Director of Marine
29 Fisheries, and I can tell you that I agree with what Dr. Shipp
30 is trying to do, because there is issues with small states.

31
32 At one of the data calibration workshops, it was mentioned that
33 there's some issues with small states that need to be looked
34 into, and that has not been done yet. One of the issues, and
35 I've talked about this at this council, and anybody who has been
36 on here a long time has heard me talk about this before, but, if
37 you look back historically at landings in Mississippi, you will
38 see that they swing wildly.

39
40 When we were going over the state allocation, I brought this up
41 several times, but there would be some reasons when it reported
42 that we caught next to nothing, and that has never happened in
43 Mississippi, but you could have so few data intercepts, so few
44 of these shoreside, dockside, samplers going by and actually
45 encountering people, that it can show that there is almost next
46 to nothing in a small state.

47
48 Conversely, you can also have just a couple of data intercepts

1 that intercept some people that have caught a lot of fish, and
2 that occasionally happens, and it can skew things in the other
3 direction, and a lot of this is being based off of a very short
4 time series, and I just feel like the small state issues should
5 be figured out and sorted out and actually addressed.

6
7 I brought it up to Dr. Cody a couple of times, and he tells me
8 that there's an MRIP transition team that's going to be looking
9 at that issue, but that has not been done, and I really do
10 believe that some of these small state issues are one of the big
11 problems, and I believe that this motion is useful to help until
12 we get to that point. Thank you.

13
14 **CHAIRMAN FRAZER:** Thank you, Mr. Diaz. General Spraggins.

15
16 **GENERAL SPRAGGINS:** Thank you, Mr. Chairman. In reference too,
17 I think, back when Secretary Ross was the Secretary of Commerce,
18 I think he did make a statement that he felt that the states
19 could manage this better than anybody else, when he signed
20 Amendment 50, and so whether that said best science or not, I
21 don't know that answer, but I would like to go back and just
22 talk to what Dale was saying just a few minutes ago, just to
23 give you a few things of for instance.

24
25 The calibration ratio was derived from only two years' worth of
26 I think grossly overestimated MRIP data, and that was 2018 and
27 2019, and, just to look at it in Mississippi, in 2018, September
28 and October, the MRIP wave estimated 204,767 pounds of red
29 snapper landed, and Mississippi was only open five days of that
30 time, and that means that we would have to land 40,000 pounds a
31 day, and that's where you're getting that overestimation that
32 you're talking about, and it's so grossly estimated.

33
34 If you look at it, conversely, the previous wave of May to June,
35 when we were open for thirty-seven days, we only caught an
36 estimated 213,000 by then, and so, to give you an idea, there's
37 something there, because it's not being used correctly in a
38 small state.

39
40 The July/August timeframe that same year, it was open for
41 thirty-three days, and there was only 231,917, and so it just
42 shows you that, because they're open for two months, and we were
43 open only five days in that two months, they picked a few
44 people, and it just grossly estimated what was there, and
45 there's no way.

46
47 In 2019, it was the same thing, and there was a wave that
48 estimated 344,984 pounds of red snapper, and we was only open

1 five days, and, I mean, it's just almost impossible. I'll tell
2 you what. I want somebody -- I would love for you all to show
3 me who in Mississippi could have caught that many fish.

4
5 On an average, we have never had, and that's on the 4th of July
6 is when I'm talking about, and, if we take our high data, and we
7 put maybe 450 boats out, and they are -- We would have had to
8 have somewhere in the neighborhood of 1,500 boats a day out, and
9 1,500 boats a day for seventy-nine days, and you would have had
10 to count every skiff in Mississippi to do that that is on the
11 water at any time.

12
13 I mean, it just does not calibrate. It has nothing that makes
14 the calibration work, and to say that we caught 106,000, or had
15 106,000 trips, when we only had maybe 18,000 to 20,000, it's
16 just grossly overrated, and I think this might be a good idea,
17 to maybe set the council to say, hey, the states are doing the
18 best, and maybe we ought to look at it, and I appreciate your
19 time.

20
21 **CHAIRMAN FRAZER:** Thank you, General Spraggins. Ms. Guyas.

22
23 **MS. GUYAS:** Thank you. I am still trying to wrap my head around
24 exactly what this does, and so a question for Bob. I certainly
25 agree with everybody here, in that states have really stepped up
26 to the plate with their data collection programs and made a lot
27 of improvements over MRIP.

28
29 My question is this, Bob, and so, I guess, currently, the state
30 quotas are in CHTS. Are you trying to calibrate the other way?
31 In other words, converting the quota in the state survey
32 currencies, rather than trying to -- Rather than, I guess,
33 keeping the quotas in CHTS and calibrating landings to that, are
34 you trying to change the currency for each individual state's
35 quotas? So Florida's quota, instead of being in CHTS, would be
36 SRFS, or State Reef Fish Survey, and so, in other words, like I
37 guess the best way to describe it is like a reverse calibration
38 from the way we're talking about it, and is that all you're
39 trying to do here?

40
41 **DR. SHIPP:** No, Martha. The most important thing I'm trying to
42 do is really that first line. I want the council to accept the
43 state surveys as the best available science. The next step, for
44 other people to address it, is the currency issue and what
45 General Spraggins talked about, and those would follow-up. I
46 just want to be on the record that the states do accept their
47 own data as the best available science, and that's the purpose
48 of the motion.

1
2 **CHAIRMAN FRAZER:** Okay. Thank you, Dr. Shipp. Mr. Riechers.
3

4 **MR. RIECHERS:** Bob, I'm going to follow-up on what Martha was
5 hitting on just a little bit, because I too am -- While, in
6 spirit, I certainly understand exactly what you're attempting to
7 get at, and I support that, and I certainly respect the work
8 that my colleagues in other states and we did with iSnapper and
9 us all looking at ways to do different in-season-type
10 monitoring, along with our longer-term monitoring, and I
11 certainly understand the difficulties if you have a few number
12 of interviews and it can -- The expansion approach that you may
13 have to use can cause your estimates to vary widely, and we -- I
14 am not saying that one is better than the other, but it's just
15 that that can cause two different estimates to vary by a
16 considerable amount.

17
18 I guess what I am concerned about here in your motion, Bob, is
19 the "for quota allocation", because that, to me, would take us
20 back to those laborious discussions that we had in Amendment 50
21 regarding those allocation tables, and, just theoretically, if
22 your current landings get fed back into the bigger model, and
23 they are representing a lower level of landings than you past
24 had recorded, then that's going to impact the overall stock and
25 the stock assessment.

26
27 Then, if you're doing it for allocation, then that means you're
28 going back through that time series, and you're adjusting that
29 in the allocations as well, and I don't think that's what you're
30 intending to do here.

31
32 I think what you're intending to do is say the council accepts
33 state surveys of recreational red snapper as best available
34 science and either stop it there, or "for quota monitoring
35 purposes", and not allocation at this point, because, again,
36 allocation is a whole different, separate document that is going
37 to go on, and, certainly, Kevin, I appreciate your arguments
38 regarding -- Because you continue to make them, regarding a
39 biologically-based, off of your coast, estimate of mortality, or
40 extraction rate, and trying to manage to that.

41
42 That is a perfectly reasonable approach, but it's just not the
43 one that we all voted up in Amendment 50, and so that's the
44 whole notion of why we have to revisit that. Bob, I will stop
45 there, because, like I said, I think you may want to adjust your
46 motion, and I'm not speaking on your behalf, but I'm just saying
47 that I think it has more implications than you might see on its
48 surface right there.

1
2 **DR. SHIPP:** Well taken, Robin, and I would be very agreeable to
3 delete those last three words, "for quota allocation", because
4 the principal intent of the motion, as I said before, is to get
5 the states onboard and committed to their science, and so I'm
6 going to leave it at that.

7
8 **CHAIRMAN FRAZER:** So I just want to make sure I got that, Bob.
9 So you want to go ahead and remove the last three words "for
10 quota allocation". General Spraggins, I believe you were the
11 seconder. Are you good with that friendly amendment?
12

13 **GENERAL SPRAGGINS:** I'm okay with it.
14

15 **DR. SHIPP:** That's right.
16

17 **CHAIRMAN FRAZER:** Okay. Mr. Strelcheck.
18

19 **MR. STRELCHECK:** Thanks, Tom. Based on the modification that
20 was just made, I think you've made the case for why we need to
21 calibrate, because the whole reason we're talking about
22 calibration is the use of state surveys, and NOAA Fisheries is
23 not standing in the way of using the state surveys.
24

25 In fact, we want them to be used, and we support their use.
26 What we continue to contend is that the quotas in which they are
27 monitoring to need to be calibrated to those state surveys, and
28 so, to me, this motion does nothing but kind of reiterate our
29 current position and use of those state surveys and support for
30 those state surveys, and I would encourage -- Certainly you can
31 pass the motion, but I don't see it as really being any added
32 value.
33

34 **CHAIRMAN FRAZER:** Mr. Williamson.
35

36 **MR. WILLIAMSON:** Thank you, Mr. Chairman. I guess I'm looking
37 at this from a different standpoint, and I certainly think that
38 the state data collection is accurate for each state, and
39 they've been doing it for a long time. I guess where I get
40 confused, and I have frustration, is calibrating this
41 information back to the MRIP recalibration, or whatever their
42 data is called, and they call it now the Fisheries Information
43 Survey, or the Fishing Effort Survey.
44

45 I was listening yesterday to public comment, and guys who have
46 been fishing for years and years have never received one of
47 these, have never been contacted, and we're now going from
48 Coastal Household Telephone Survey to the Fishing Effort Survey,

1 and I have never seen one of those things, and so I pulled it up
2 from NOAA's website, and their reasoning here is -- I am reading
3 from their website.

4
5 Because research indicates that both anglers and non-anglers are
6 more likely to respond to a survey that includes questions about
7 topics other than fishing, the FES is designed as a weather and
8 outdoor activities survey. I pulled this thing up, and the
9 first five questions on it have nothing to do with fishing, and
10 it says how do members of this household obtain information
11 about weather, including current weather conditions, forecasts,
12 warnings, and mark all that apply. Then they go through
13 television, radio, et cetera.

14
15 Then they go through four or five more questions about how many
16 times did you have to evacuate or seek shelter during a severe
17 weather event, yada-yada, and it gets down -- Then, finally,
18 Question 6 says, during the past twelve months, has anyone in
19 the household been saltwater fishing, and I guess they change
20 the state, and this one that I pulled up was Maryland. Then it
21 goes on with four other questions. Which best describes how
22 your household receives telephone calls? Do you live in a house
23 with a mortgage, or do you live in a mobile home?

24
25 I guess my point being that, if this is the Fishing Effort
26 Survey that we are putting all of the confidence in to
27 recalibrate state data back to, I am confused, and so, with
28 that, I will sign off.

29
30 **CHAIRMAN FRAZER:** Thank you, Mr. Williamson. Ms. Bosarge.

31
32 **MS. BOSARGE:** Thank you, Mr. Chair. You know, I -- You can go
33 look at the record, and I have been a big proponent of the state
34 data collection systems, and I think they saw a need for
35 additional information that wasn't being collected, and they
36 went out there and did that, and I commend that.

37
38 Dr. Shipp, your motion legally is not something we can do. I
39 mean, we don't -- We can't determine that something is the best
40 available science, and I think maybe what you could do,
41 possibly, is to ask the SSC to look at this. Now, NMFS has made
42 a determine that MRIP is the best available science, and I don't
43 think that precludes you, probably, from asking the SSC to look
44 at this, and I don't know what their determination would be.

45
46 They have looked at it somewhat, in a roundabout way, several
47 times, and they -- As far as I know, they have not made a motion
48 specifically to MRIP-FES that says we believe MRIP-FES is the

1 best available science, nor have they made that motion for the
2 state data collection programs, but the motion, as it stands
3 right there, I'm not going to be able to support it, just
4 because it's not something the council can do.

5
6 **CHAIRMAN FRAZER:** Mr. Rindone, would you like to clarify where
7 we are with regard to characterization of the best science
8 available?

9
10 **MR. RINDONE:** Sure, Mr. Chair. The SSC has not blanket accepted
11 any survey as being the best scientific information available,
12 not the state surveys and not FES. The SSC has accepted stock
13 assessments using MRIP-FES recreational catch and effort
14 estimates as being the best scientific information available,
15 but I think it's important that the council understand that the
16 legal responsibility, the impetus for actually determining what
17 is in fact best science, isn't something that the SSC sets and
18 then is just blanket accepted.

19
20 That designation is established by NMFS, and they can consider
21 discussions like are happening right now at the council and
22 discussions and recommendations from the SSC, but, ultimately,
23 it's NMFS that determines what is in fact legally the best
24 scientific information available in keeping with National
25 Standard 2. Mr. Chair.

26
27 **CHAIRMAN FRAZER:** Thank you, Mr. Rindone, and I expect that Ms.
28 Levy wants to add a little bit to that. Ms. Levy.

29
30 **MS. LEVY:** Thank you. Ryan covered one of my points, which is
31 that the SSC has accepted the MRIP-FES estimates in certain
32 assessments, thereby indicating that, for those purposes, that
33 group believe that it was the best available science. I would
34 also say that the SSC looked at the calibration ratios and the
35 use of MRIP and calibrated to the states, and they indicated
36 that it was appropriate to use the ratios that were developed,
37 and so it's not like this hasn't been looked at.

38
39 I would also say that the calibrations are not related to FES,
40 and so we still have red snapper in CHTS units, and we haven't
41 done a stock assessment that incorporates the FES yet with
42 respect to red snapper, and so it seems that we're mixing, a
43 little bit, apples and oranges here and just sort of throwing
44 around different things without paying close attention to what
45 is actually happening with respect to red snapper and the catch
46 levels and the calibrations. Thank you.

47
48 **CHAIRMAN FRAZER:** Thank you, Ms. Levy. Mr. Anson.

1
2 **MR. ANSON:** Thank you, Mr. Chair. I mean, it's an interesting
3 discussion, and, Dr. Shipp, I appreciate the motion, and I
4 appreciate what you're trying to do. I mean, I will -- Although
5 it may surprise some folks, I will err more to what Mara just
6 stated, as well as the comments from Martha and Robin, that this
7 goes a little bit outside what the council does, but, in spirit
8 at least, it does attempt to try to get to where I think I am
9 hearing will happen, and that is that --

10
11 Either beforehand, which I am hoping it will, and that's going
12 to be part of what I'm going to be talking about next, or after
13 at some point, but the state data is going to be used in the
14 research track assessment, is my understanding, because this was
15 discussed one or two meetings ago, and I think it was requested
16 from the council that the state data be used in that, and the
17 Science Center indicated that they would in fact use that data
18 and run the model with just the state data replacing the federal
19 data.

20
21 I am encouraged by that, and so, thinking ahead, and that's what
22 I tried to do with the other motion too, was to try to frame it
23 in some sort of timeline that, again, for sure we would have
24 state data reviewed, and maybe it might be prudent for us --
25 Bob, this is your motion, and I'm just throwing this out here,
26 but maybe it might be prudent for us to explicitly request that
27 the SSC review the state data in an as-soon-as-possible type
28 setting, so that they have the opportunity to review it, and
29 they're not rushed.

30
31 If they have questions, the states can go back and get the
32 information they need and go back to another meeting and really
33 allow them time to absorb and digest and, again, compare and
34 analyze and critique the state data, so that it's kind of
35 blessed on the frontend, when it goes through the model, making
36 sure that least it meets that threshold, or criteria, that the
37 SSC would want, and so I would probably be in favor of that, but
38 I'm not in favor of the motion, and, again, I appreciate your
39 attempts, but I'm not in favor of the motion, for the reasons
40 that other people have previously stated. Thank you.

41
42 **CHAIRMAN FRAZER:** Ms. Guyas.

43
44 **MS. GUYAS:** I was going to go somewhere similar to what Kevin
45 was saying. If this is -- I think what we really would like,
46 and I think we've talked about this in the past, is having the
47 SSC and/or the SEDAR panel, when they're taking up a red snapper
48 assessment, that this is part of that decision, so that we can

1 potentially be using these data in the assessment.

2
3 If, by passing this motion, this gets us there, then I'm
4 onboard, but it sounds like it could use some clarification, and
5 I don't know, Bob, if you would like to consider what Kevin just
6 put forward.

7
8 **DR. SHIPP:** I appreciate, almost always, what Kevin puts
9 forward, and I think the intent and purpose of the motion,
10 whether it passes or fails, has satisfied my reason for doing
11 this, and I also think that, although you can't incorporate it
12 in the motion, the comments that Kevin made will be included in
13 the discussion, and I hope the SSC gets the message, because --
14 I don't want to go into it, but the SSC, in my opinion, has not
15 always considered the state data as comparable to theirs, and so
16 I will, again, leave it at that.

17
18 **CHAIRMAN FRAZER:** Mr. Rindone.

19
20 **MR. RINDONE:** Thank you, Mr. Chair. Just for the council's
21 edification, the terms of reference for the SEDAR 74 research
22 track outline consideration for the state survey data to be
23 considered as part of that assessment process, and so, similar
24 to the motion that was passed at a previous council meeting,
25 just to reiterate to you guys that that's already going to be
26 done, and it was already going to be done for the SEDAR 74
27 research track, and so those state data collection programs are
28 going to be considered. Thank you.

29
30 **CHAIRMAN FRAZER:** Okay. Mr. Anson.

31
32 **MR. ANSON:** I appreciate the time, Mr. Chair. To that point,
33 Ryan, I mean, I'm not totally familiar with the timeline,
34 particular as it relates to the research track, if it in fact is
35 modified from a normal SEDAR, and, I mean, is there a schedule
36 that's been produced that says, hey, come -- Pick a day or a
37 month, April of next year, or June of next year, this is when --
38 This is the workgroup that's going to pick up the state data
39 issue and discuss state data and, again, at that point, it will
40 -- As I understand it, if the workgroup approves it, then it
41 goes for SSC approval, kind of, before it's actually run through
42 the mill, and is that a fairly accurate representation of what
43 will go on, and is there a specific workgroup that has that on
44 their agenda to be completed?

45
46 **CHAIRMAN FRAZER:** Mr. Rindone.

47
48 **MR. RINDONE:** I'm looking at the schedule right now for SEDAR

1 74, which I would be happy to provide to the council, and so we
2 are in the stock ID portion for red snapper right now, and that
3 process will conclude with the final report being generated by
4 that working group and delivered to SEDAR by about the end of
5 July.

6
7 Then we will start looking at the unprocessed data coming in,
8 and so like the lengths and the raw age data, et cetera, and all
9 of those data are due to SEDAR at like the end of September, and
10 the preliminary data products and all of that will be needed by
11 the end of October, and the data evaluation workshop is
12 currently scheduled for the first week of November, and so
13 November 1 through 5, in New Orleans, hopefully in-person, and
14 so fingers crossed there.

15
16 Then the assessment process picks up with webinars through 2022,
17 and the assessment report being delivered to the SEDAR staff by
18 the end of 2022, and the review workshop, hopefully in person,
19 again, being held in Miami in January of 2023, with the
20 completed assessment report delivered sometime in the spring of
21 2023, probably in April of 2023, to the council, SERO, and the
22 Science Center.

23
24 Just a reminder that this is a research track assessment, and so
25 this is -- We've been talking a lot about cars, and this is
26 tearing the car all the way down to the frame, and that's
27 exactly what's going to happen here for red snapper. Now, after
28 that process, we'll have an operational assessment, and that
29 operational assessment will yield the management advice, and so
30 catch projections will come from that, and so, in April of 2023,
31 we still won't have a stock assessment, a new stock assessment,
32 at that point that's generating catch advice, and we'll have to
33 wait for the completion of that operational assessment, and that
34 will take at least a few more months, and so, sometime later in
35 2023, we would expect to receive that.

36
37 That means the SSC, depending on timing, might review it at the
38 end of 2023, or the very beginning of 2024, and then the council
39 could act on it, for management purposes, thereafter. I will
40 send this to Meetings to be sent around, Mr. Chair.

41
42 **MR. ANSON:** Mr. Chair, just one point of clarification?

43
44 **CHAIRMAN FRAZER:** Go ahead, Mr. Anson.

45
46 **MR. ANSON:** Ryan, I heard you say November, that workshop in New
47 Orleans, and you mentioned age and length information, is what I
48 thought I heard, but I didn't hear landings. I didn't hear what

1 the state survey stuff -- Is that included in that, as far as a
2 legitimate, or a clearly defined, TOR for that November
3 workshop?
4

5 **MR. RINDONE:** It's in the terms of reference for the assessment,
6 for the data portion for the state data programs, or the data
7 generated by the state data collection programs to be
8 considered, and so, to all the state folks who are listening,
9 you are expected to deliver those data products to SEDAR and the
10 Science Center by the 29th of October of this year, and I will be
11 sending the schedule to all the council members, and, those
12 council members who are state representatives, you can certainly
13 distribute the schedule, which is on the SEDAR website, as you
14 see fit.
15

16 **CHAIRMAN FRAZER:** Thank you. Okay. Ms. Bosarge.
17

18 **MS. BOSARGE:** I think Ryan just answered my question, because I
19 just wanted to make sure that that October deadline for the raw
20 data, essentially the biological data, the lengths and weights
21 and things like that, that would include the -- I mean, it
22 always, to some degree, includes the states, right, but,
23 essentially, you are getting that data from them and not
24 specifically for just MRIP-FES APAIS samples, but, if they have
25 additional samples, through their state data collection
26 programs, that you will be garnering that too, and I think that
27 would be, obviously, very important for states like Louisiana,
28 where MRIP has not been at all, and you're definitely going to
29 need those LA Creel samples, but it sounds like that is
30 happening, and all of that is going to be submitted, and so
31 that's good. Thank you.
32

33 **CHAIRMAN FRAZER:** Okay. Thank you, Ms. Bosarge. I think we've
34 had plenty of discussion here, and so we are going to go ahead
35 and vote this one up or down. I think we're just going to go
36 through the roll call again, Dr. Simmons.
37

38 **EXECUTIVE DIRECTOR SIMMONS:** Thank you, Mr. Chair. Mr. Sanchez.
39

40 **MR. SANCHEZ:** No.
41

42 **EXECUTIVE DIRECTOR SIMMONS:** Mr. Anson.
43

44 **MR. ANSON:** No.
45

46 **EXECUTIVE DIRECTOR SIMMONS:** Ms. Boggs.
47

48 **MS. BOGGS:** No.

1
2 **EXECUTIVE DIRECTOR SIMMONS:** Mr. Banks.
3
4 **MR. BANKS:** Because the motion does not specify for private
5 recreational catch monitoring, I'm going to have to vote no.
6
7 **EXECUTIVE DIRECTOR SIMMONS:** Thank you. General Spraggins. I
8 will come back to him. Mr. Swindell.
9
10 **MR. SWINDELL:** No, ma'am. I will have to vote no for this one.
11 Thank you.
12
13 **EXECUTIVE DIRECTOR SIMMONS:** Mr. Strelcheck.
14
15 **MR. STRELCHECK:** No.
16
17 **EXECUTIVE DIRECTOR SIMMONS:** Dr. Stunz.
18
19 **DR. STUNZ:** Yes.
20
21 **EXECUTIVE DIRECTOR SIMMONS:** Mr. Diaz.
22
23 **MR. DIAZ:** No.
24
25 **EXECUTIVE DIRECTOR SIMMONS:** Mr. Williamson.
26
27 **MR. WILLIAMSON:** Yes.
28
29 **EXECUTIVE DIRECTOR SIMMONS:** Ms. Bosarge.
30
31 **MS. BOSARGE:** No.
32
33 **EXECUTIVE DIRECTOR SIMMONS:** Dr. Shipp.
34
35 **DR. SHIPP:** Yes.
36
37 **EXECUTIVE DIRECTOR SIMMONS:** Mr. Riechers.
38
39 **MR. RIECHERS:** Yes.
40
41 **EXECUTIVE DIRECTOR SIMMONS:** Mr. Dyskow.
42
43 **MR. DYSKOW:** Yes.
44
45 **EXECUTIVE DIRECTOR SIMMONS:** General Spraggins.
46
47 **GENERAL SPRAGGINS:** Yes.
48

1 **EXECUTIVE DIRECTOR SIMMONS:** Mr. Dugas.
2
3 **MR. DUGAS:** Yes.
4
5 **EXECUTIVE DIRECTOR SIMMONS:** Ms. Guyas.
6
7 **MS. GUYAS:** I am going to vote yes.
8
9 **EXECUTIVE DIRECTOR SIMMONS:** Dr. Frazer. It's eight to eight.
10
11 **CHAIRMAN FRAZER:** Again, I am going to make a few comments
12 before I tell you what my vote is here, right. I certainly
13 appreciate, Bob Shipp, what you're trying to do here, and eight
14 of the people that voted to move this way, and I think what
15 you're trying to do is, again, send a strong signal to a large
16 number of people that you have confidence in the state data
17 collection programs, and I do, too.
18
19 I have tremendous respect for what you all have been able to
20 accomplish, but, at the end of the day, it's not within the
21 council's purview to decide what is best available science, and,
22 however frustrating this process might be, it's this process
23 that has allowed us to move forward and rebuild this stock, and,
24 if we can make some improvements in the process, I would
25 certainly like that as much as anybody else, and so I think your
26 voices have been heard, but, in this particular case, I am going
27 to vote no. Ms. Guyas, back to you. Excuse me. Mr. Dugas.
28
29 **MR. DUGAS:** Thank you, Mr. Chair. I would like to make a
30 motion, and I sent it to staff.
31
32 **CHAIRMAN FRAZER:** Go ahead, J.D.
33
34 **MR. DUGAS:** The motion is to defer action on the framework until
35 immediately after the Great Red Snapper Count report is
36 finalized and the SSC has met and revisited the ABC and the
37 common currency conversion concerns between Alabama and
38 Mississippi are scientifically vetted. Implement this framework
39 in time for the 2022 season.
40
41 **CHAIRMAN FRAZER:** Okay. Let me --
42
43 **DR. SHIPP:** I will second it.
44
45 **CHAIRMAN FRAZER:** It's seconded by Dr. Shipp. I will read it
46 into the record. The motion on the board is to defer action on
47 the framework until immediately after the Great Red Snapper
48 Count report is finalized, the SSC has met and revisited the

1 ABC, and the common currency conversion concerns between Alabama
2 and Mississippi are scientifically vetted. Implement the
3 framework in time for the 2022 season. It was seconded by Dr.
4 Shipp. Is there any further discussion on the motion?

5

6 **MR. DUGAS:** Mr. Chairman, I would like to speak.

7

8 **CHAIRMAN FRAZER:** Go ahead and speak to that, J.D.

9

10 **MR. DUGAS:** Thank you. It's pretty self-explanatory, the
11 motion, and I think we all are trying our best to help Alabama
12 and Mississippi through this situation. I guess I don't exactly
13 have all of the answers, but I feel like this could be one, and
14 I would hope that I would get enough support to move forward.
15 Thank you.

16

17 **CHAIRMAN FRAZER:** Thank you, Mr. Dugas. Ms. Guyas.

18

19 **MS. GUYAS:** Just a question. J.D., what do you mean by -- I
20 guess what does the conversion concerns between Alabama and
21 Mississippi being scientifically vetted look like? I mean,
22 they've already been in front of the SSC, and I think Ryan
23 mentioned earlier that the SSC recommended that the council
24 implement the calibration ratios for those and all the other
25 states, and so I'm just curious if there's something else coming
26 that I don't know about in that regard.

27

28 **MR. DUGAS:** No, ma'am. I just wanted to cover all the bases.
29 That's it.

30

31 **CHAIRMAN FRAZER:** Okay. Ms. Levy.

32

33 **MS. LEVY:** Martha covered part of my point, which was that the
34 SSC has already looked at this and it's been recommended that
35 the council implement the calibration. I mean, the other thing
36 that I will just note, which I said before, is you took final
37 action on a framework that is going to change catch levels. If
38 you don't address the calibration, then, potentially, NMFS isn't
39 going to implement that other framework, because there has to be
40 a finding that it's consistent with the Magnuson Act, and I
41 think we've already said that these calibrations are necessary
42 to complete that consistency.

43

44 **MR. DUGAS:** Mr. Chair, may I?

45

46 **CHAIRMAN FRAZER:** Go ahead, J.D.

47

48 **MR. DUGAS:** Thanks, Mara. I was -- I thought the word

1 "revisited" would have been sufficient after the SSC looks again
2 at the data for the ABC. Previously, I thought we had a motion
3 to send it back, and that's what I was getting at.

4
5 **CHAIRMAN FRAZER:** Let me ask a quick question to either Andy or
6 Mara. Essentially, we have taken a final action on the catch
7 advice that was provided from the SSC, and so we will have an
8 OFL and an ABC in place, and, if the council fails to take
9 action, essentially, on this framework, then, in essence, they
10 are punting the decision to the agency to decide how they want
11 to implement a calibration or not, and is that correct?

12
13 **MS. LEVY:** The fact that the council took action to submit the
14 framework to the Secretary of Commerce, or NMFS, for review and
15 implementation doesn't mean they're in effect, right, and so the
16 Magnuson Act requires that the agency initiate an evaluation and
17 determine whether those proposed regulations are consistent with
18 the FMP, the plan amendment, the Magnuson Act, and any other
19 applicable law.

20
21 During that determination period, NMFS is going to have to
22 decide whether what you submitted is acknowledging, right, that
23 there's no calibration that goes with it, and so you still have
24 catch levels that are expected -- You still have catch levels
25 that are expected to be exceeded.

26
27 I guess my point is that it's not clear whether NMFS is actually
28 going to be able to implement what you just approved in the
29 framework action, and then the other part of your question was
30 related to the calibration, and I will let Andy speak to that,
31 but, I mean, NMFS has various options with respect to that, and
32 he can speak to that more, if he wants to.

33
34 **CHAIRMAN FRAZER:** Before he goes there, let me just then pose
35 another question, Ms. Levy. What I am understanding is that the
36 agency isn't necessarily obligated to act on the council's
37 recommendation to accept the SSC's catch advice, recommended
38 catch advice, and, if they did not do that, then what we would
39 have in place is an existing OFL and an existing ABC, still
40 without a recommendation coming from this council on whether or
41 not to accept any particular calibration.

42
43 The decision, in any case, would be punted to the agency to
44 decide whether or not they're going to apply the calibration
45 ratios, whether it's with the existing OFL and ABC or whether
46 it's the new approved, or recommended, OFL and ABC, and is that
47 correct?

1 **MS. LEVY:** I mean, I guess so. I mean, if the council fails to
2 act on the calibration, then I think the agency has a number of
3 options it could take, anything from secretarial action to not
4 doing anything. I mean, I just -- I don't -- That's not --
5 That's something to be decided based on the council does and
6 what NMFS decides they want to do.

7
8 **CHAIRMAN FRAZER:** Sure, and, again, what I'm trying -- Go ahead,
9 Andy.

10
11 **MR. STRELCHECK:** Tom, thanks for the question, and I certainly
12 understand why you're asking it, and I'm a little frustrated
13 with the question, and not directed at you, but it's, obviously,
14 because of inaction by this council, and certainly NOAA
15 Fisheries strives to work with all of the fishery management
16 councils, and we don't want to be put in a position where we
17 have to potentially take action, separate and independent of the
18 councils, and I think our history and track record on that is
19 pretty clear that we've used our authority, outside of the
20 council process, fairly sparingly, with the exception of,
21 obviously, kind of congressional mandates and things that have
22 national implications.

23
24 Mara is correct, and, I mean, we do have authority, under
25 Magnuson, with regard to secretarial action or rulemaking, but
26 certainly the goal here is to work with the council to come up
27 with a decision that everyone can agree to and move forward
28 with, and so that's what we would hope to do today.

29
30 **CHAIRMAN FRAZER:** Again, Andy, thank you for those comments, and
31 I guess what I'm trying to do, at this point, is to help express
32 the concerns of the council, and I think -- I hope that I am
33 speaking for the council, at least a majority of the folks here,
34 and there is limited options, moving forward, really that are
35 satisfactory, and, likewise, I feel that the agency is bound and
36 obligated to work under a legal framework, or process, right,
37 and so it's this process that has allowed us to manage fisheries
38 in a very sustainable manner that we're fighting against right
39 now.

40
41 It's a difficult thing, and I think what you're hearing is
42 frustration on behalf of a lot of the council members, and an
43 effort to try to move things forward in a more expeditious
44 manner, but we simply can't do it, because of the process in
45 place, and so part of this exercise is letting people know that
46 there's a level of frustration, and perhaps we need to find
47 ways, in the future, to move more expeditiously through these
48 types of processes, and so, again, this is not intended to be a

1 negative against you or Mara or anybody else, right, the same
2 way that you said that it wasn't intended for me, but this is
3 where we are today, and I'm hoping that people are listening and
4 we can somehow move forward, and so I would not be surprised if
5 the council voted in favor of this motion, and I would
6 understand that it would put the agency in an awkward position,
7 but, again, I would hope they would understand why. Dr. Stunz.

8
9 **DR. STUNZ:** Thank you, Mr. Chairman. I speak in favor of this
10 motion, but I just wanted to clarify at least my interpretation
11 of that last part about the common currency. To me, it wasn't
12 about just a simple common currency calculation that we have,
13 and it was more speaking to the reconciliation, or really fixing
14 some of these major issues that General Spraggins and Kevin
15 brought out about the large discrepancies between MRIP and their
16 data collection programs, and, obviously, that would influence
17 not the calculation of the common currency, but the numbers that
18 are going into that, and that's how I am interpreting that
19 vetting process I think that J.D. is putting there. It's not
20 just that direct calculation, but all of these major underlying
21 issues. Thank you.

22
23 **CHAIRMAN FRAZER:** Okay. I am not seeing any more hands, and so
24 we will go ahead and vote on this motion.

25
26 **MR. STRELCHECK:** Tom, can I make a comment?

27
28 **CHAIRMAN FRAZER:** Please do, Andy.

29
30 **MR. STRELCHECK:** This is kind of in response to Greg, and this
31 is one of the concerns that I have, at least with this motion,
32 and I certainly don't like the motion in its entirety, but the
33 common currency conversion concerns in particular, and so this,
34 to me, speaks to a scientific issue, and you're in search of an
35 answer, and the conversions that were adopted and used were
36 fairly consistent, in terms of their application across the five
37 states, or at least four states.

38
39 I know there are some differences in years, and kind of methods
40 with regard to the conversion, but it's still the same
41 applicability, and so to call out a couple of states because of
42 their conversions and not consider kind of everything as a whole
43 suite of considerations to me goes back to kind of picking and
44 choosing what answers you want, or don't want, and trying to
45 revisit them, and so, scientifically, I think that's a very bad
46 precedent, to be going in and voting on something like this.

47
48 **CHAIRMAN FRAZER:** I think, Andy, that's an excellent comment,

1 and, as we take a few more comments here, J.D., you might -- I
2 would suggest that you might think about wordsmithing that
3 motion a little bit, and you're not obligated to, but I would
4 urge you to consider doing that. Mr. Banks.

5
6 **MR. BANKS:** Mr. Chair, that's what I was thinking of, and I sent
7 a substitute motion to the staff, and I hope they have it.

8
9 **CHAIRMAN FRAZER:** We will look, real quick.

10
11 **MR. BANKS:** I would be appreciative for anybody to help me with
12 the wording, but I was listening to Mara and Andy and their
13 concern about us -- If we took this original motion, it
14 basically says we're not doing anything, that we're not making a
15 decision.

16
17 If we took my substitute motion, it clearly says that we are
18 making a decision, but simply the implementation date wouldn't
19 occur until April 30, 2022, which I think is essentially the
20 timing of what J.D. just dealt with, but, this way, it at least
21 makes a decision, and I think one of the concerns that I heard
22 from Andy and Mara is that we are not making a decision, and my
23 substitute motion actually makes a decision to implement
24 calibration, but it has an implementation date, or a control
25 date, or whatever you want to call it, that gets us through this
26 season and gives us some time to get together with the SSC and
27 for them to consider all of that additional information. If I
28 get a second -- Well, I guess I already gave my explanation, but
29 I appreciate it.

30
31 **CHAIRMAN FRAZER:** That's okay. Is there a second for this
32 motion? I am looking for hands.

33
34 **MS. GUYAS:** I will second.

35
36 **CHAIRMAN FRAZER:** It's seconded by Ms. Guyas. Okay. Ms.
37 Bosarge, I think you're next.

38
39 **MS. BOSARGE:** I am going to reserve my comments for just a
40 minute. Let me take in this substitute motion.

41
42 **CHAIRMAN FRAZER:** Okay. Greg, did I skip you? If I did, sorry,
43 and I didn't mean to.

44
45 **DR. STUNZ:** My hand must have not gone down. Sorry.

46
47 **CHAIRMAN FRAZER:** Okay. Thank you. Mr. Diaz.

48

1 **MR. DIAZ:** I just want to reiterate something that I said a
2 little while ago, and it doesn't really -- I don't know if it
3 applies to the substitute motion, or maybe it does, but, during
4 one of the meetings, where they were discussing calibration, it
5 was noted that there's issues in small states, and, to me, those
6 issues have not been looked at yet, and that is definitely one
7 of the things that I think comes to mind in J.D.'s motion about
8 scientifically vetting. Thank you.

9
10 **CHAIRMAN FRAZER:** Mr. Dugas.

11
12 **MR. DUGAS:** Thank you, Mr. Chair. I was just curious, and would
13 it help adding a date to my motion? Does it have to be on
14 Patrick's sub-motion?

15
16 **CHAIRMAN FRAZER:** Well, at this point, we have a substitute
17 motion on the board, and so we will have to dispense with that
18 first and then revisit your motion.

19
20 **MR. RIECHERS:** A point of order, Mr. Chair. You were going to
21 me anyhow, and I'm just going to ask you to look at the two
22 motions and decide truly whether it's a substitute, because one
23 is deferring action, or in some respects tabling for a time
24 certain, until those things are accomplished, and then the other
25 is actually taking an action in the alternatives, and so just I
26 would ask for you to review that and decide whether or not it's
27 a substitute or not.

28
29 **CHAIRMAN FRAZER:** Thank you, Robin. Let me look at these again.
30 The substitute motion is to choose Alternative 2 in Action 1 as
31 preferred with an implementation date -- Okay. Can we go back
32 so that I can read the original motion by Mr. Dugas? Defer
33 action -- I think they're both deferring action. I am going to
34 actually lean on a little assistance, and I think it's pretty
35 close, but, Ms. Levy, if I could draw on your expertise here.

36
37 **MS. LEVY:** I mean, I think it's a close call. I mean, I think
38 the issue is one is to defer action and one is truly an action.
39 I mean, I guess you could argue that it's a substitute to
40 deferring, because, if you choose to defer, then you don't do
41 anything else, whereas this would be the doing of something
42 else, but I am not an expert in parliamentary procedure, and so
43 I think you could go either way.

44
45 **CHAIRMAN FRAZER:** I think I am going to go ahead and entertain
46 it as a substitute, and the reason I am is because, in the
47 original motion, there is to defer, right, and they're both
48 essentially putting the date off, and the substitute motion

1 actually gives a specific date, whereas the original motion, in
2 time for the 2022 season, is a bit more vague, and so I will
3 entertain this as a substitute motion. Kevin Anson.

4
5 **MR. ANSON:** Thank you, Mr. Chair. I know it's getting late, and
6 this is why everybody that showed up on the phone call is here,
7 and so I would like to offer a second substitute motion.

8
9 **CHAIRMAN FRAZER:** Okay. Go ahead.

10
11 **MR. ANSON:** That would be, in Action 1, to make Alternative 1
12 the preferred, with an implementation date of January 1, 2023.

13
14 **CHAIRMAN FRAZER:** Okay. We'll get that up on the board. The
15 second substitute motion is, in Action 1, to make Alternative 1
16 the preferred, with an implementation date of -- I want to make
17 sure that date is right, January.

18
19 **MR. ANSON:** That's correct.

20
21 **CHAIRMAN FRAZER:** Okay. January 1.

22
23 **MR. ANSON:** January 1, 2023.

24
25 **CHAIRMAN FRAZER:** Okay. All right. Is there a second for that
26 motion, substitute motion?

27
28 **MR. DIAZ:** I will second for discussion.

29
30 **CHAIRMAN FRAZER:** It's seconded by Mr. Diaz. Kevin, do you want
31 to talk just a little bit about it?

32
33 **MR. ANSON:** I will talk just a little bit. You all heard me on
34 most of my points, and the previous motion that I offered was to
35 go to the 2023 season, and this is cutting that off a little
36 bit, and I'm trying, again, to -- It bridges the gap, if you
37 will, with the pain that is coming Alabama's way, and it's
38 trying to get one more year.

39
40 You know, we're monitoring the stock here, in real-time, nearly,
41 and not only in-season for those landings on the recreational
42 side, but also monitoring with our fishery-independent program,
43 and we use that information to help us in making comments like
44 we had made here at the council this week and how confident we
45 are in the status of the stock, and so I just look forward to
46 any opportunities we have to provide our data and give those
47 folks that are making the first cut in the decision-making
48 process on the SSC, those folks, the opportunity to take a look

1 at the data and to become more familiar with it and be more
2 comfortable with it, and so thank you.

3
4 **CHAIRMAN FRAZER:** Okay. Thank you, Mr. Anson. We've got a
5 couple of hands, and then I'm going to try to keep this to maybe
6 four folks, and so General Spraggins and then Robin Riechers.

7
8 **GENERAL SPRAGGINS:** Mr. Chairman, back to the -- I am looking at
9 the second substitute motion, which I understand that, but if I
10 could go back to the first substitute motion. The question I've
11 got on that is, Patrick, is there any chance that -- When you
12 say to make Alternative 2 the preferred, with an implementation
13 date of April 30, 2022, the only thing I have heartburn with
14 that is the fact that -- Could you say that the SSC has to meet
15 prior to then and give us the update, and that was in part of
16 the original motion, and I'm just asking the question. Maybe,
17 Patrick, is there something that we can modify that a little
18 bit, and, if it's not possible to modify it, then I guess I'm
19 totally out of line here.

20
21 **MR. BANKS:** General Spraggins, I don't mind that, but I don't
22 think we can do anything with my substitute until we dispense
23 with the second substitute, and so, after that occurs, then I
24 don't mind trying to wordsmith a little bit.

25
26 **GENERAL SPRAGGINS:** Then I'm out of line then. Sorry, Mr.
27 Chairman.

28
29 **CHAIRMAN FRAZER:** That's okay. Thank you, Patrick. Mr.
30 Riechers.

31
32 **MR. RIECHERS:** Kevin, I need a little clarification, if I can.
33 In Action 1, we're making Alternative 1 the preferred, and so
34 that basically is the no action alternative, but you're not
35 implementing it until January 1 of 2023, and so help me out
36 there, if I'm reading that correctly.

37
38 **MR. ANSON:** It might be a new motion, Robin, and you're right,
39 and so looking at the percentages, and they, obviously, don't
40 reflect -- If the previous document gets implemented this year
41 or next, then it wouldn't reflect that, and so I need to
42 wordsmith it then.

43
44 **MR. RIECHERS:** Kevin, I am less hung up on the percentages
45 underneath, but I am just trying to figure out -- I mean, what I
46 -- I am not telling you how to create the substitute motion, but
47 I think, when I heard you talk about the motion, you were trying
48 to basically extend the timeframe that Patrick had put in his

1 motion, maybe, of one season longer, or at least that's what it
2 sounded like, but, in this case, it sounds as if you're
3 basically taking the Action Alternative 1, which is the status
4 quo action, and you're saying it's good to -- Well, it doesn't
5 even implement until 2023, and so I don't know what we're doing
6 between now and 2023.

7

8 **MR. ANSON:** You're right, Robin. It's been a long day.

9

10 **MR. RIECHERS:** No, I hear you.

11

12 **MR. ANSON:** Perhaps then maybe it should read, in Action 1, to
13 make a new -- You might want to leave that one up there, staff,
14 but, maybe down below, add this new language, in case I butcher
15 it too much. **In Action 1, to make a new Alternative 4, I think**
16 **is where we're at --**

17

18 **MR. RINDONE:** It's 7, Mr. Anson, or it would be 6.

19

20 **MR. ANSON:** 6. Good catch, Ryan. Thank you. **To make a new**
21 **Alternative 6 the preferred, which would extend the percentages**
22 **-- Well, use the percentages from 50A and the ACL of the one**
23 **that we just passed, the 15.3 or whatever the breakdown would**
24 **be, through 2022.**

25

26 **MS. GUYAS:** Point of order.

27

28 **CHAIRMAN FRAZER:** Excuse me. Yes, Ms. Guyas.

29

30 **MS. GUYAS:** I think this is the same as Alternative 1.

31

32 **CHAIRMAN FRAZER:** I agree.

33

34 **MS. GUYAS:** When we talked about this amendment, we talked about
35 how this would layer on top of whatever we do with the ABC
36 amendment.

37

38 **MR. ANSON:** I guess the difference in Alternative 1 now in the
39 document, unless it's automatically updated, is that we've got
40 the different -- We've got the different units there, because,
41 potentially, the other -- Maybe we don't need to change it,
42 because the other one has not been approved by the Secretary,
43 and then just going back to the state currency issue, is all I
44 was trying to get, and it's, again, trying to extend out the
45 additional year, and so it is essentially Patrick's motion, but,
46 instead of the April 30, it would go through the 2022 season,
47 and then 2023 -- We're still going through the research track
48 assessment, and potentially we could have the -- The name

1 escapes me, but the other assessment where we get the catch
2 advice, as early as 2024, January or February or March or April.

3
4 In 2023, it's where we would revert back to the CHTS for 2023,
5 for a season, and then, in 2024, hopefully we would have the new
6 catch advice with whatever is approved through the SSC, based on
7 using the different analyses of the state data versus federal
8 data versus the fishery-independent data, as I understand it in
9 the TORs, and so all this does, or I am attempting to do, is
10 just to increase, for one more year, the way that things
11 currently are and how they have been run since the
12 implementation of the EFPs, and so from 2018 to 2020, is how I
13 would like to do that, and so I am running out of gas here, but
14 --

15
16 **CHAIRMAN FRAZER:** That's okay, Kevin. Can I make a suggestion?
17 I mean, in order for it to be a substitute motion, and if you
18 want it to parallel Patrick's motion, then I would simply
19 insert, where Patrick's motion says, in Action 1, to make
20 Alternative 2 the preferred, you're essentially saying, in
21 Action 1, make Alternative 1 the preferred, if that's truly your
22 intent. Is that correct?

23
24 **MR. BANKS:** I apologize, Mr. Chairman, but are you talking to
25 me?

26
27 **CHAIRMAN FRAZER:** No, I'm talking to Kevin, and so Kevin said
28 this is essentially Patrick's motion, but with the intention of
29 moving forward with status quo, right, and so the 2022 season,
30 and so, if that's in fact the intent, then the language reads --
31 In order to be a substitute in this context, it would say, in
32 Action 1, to make Alternative 1 the preferred, with an
33 implementation date of April 30, 2022. Is that correct, Mr.
34 Anson?

35
36 **MR. ANSON:** Yes, and I'm trying to get there. Well, but, as I
37 read it, Tom, the Alternative 2 is where you take the CHTS and
38 convert it.

39
40 **CHAIRMAN FRAZER:** Yes, that's right, and that's Patrick's
41 motion.

42
43 **MR. ANSON:** Yes.

44
45 **CHAIRMAN FRAZER:** Right. You want, in Action 1, to make
46 Alternative 1 the preferred.

47
48 **MR. ANSON:** Yes, which would retain currently how things are,

1 yes.

2

3 **CHAIRMAN FRAZER:** That's what I am getting, and so, if that's
4 the way you want to phrase it, I will entertain that as a second
5 substitute motion, and so --

6

7 **MR. ANSON:** That is.

8

9 **CHAIRMAN FRAZER:** Okay.

10

11 **MS. LEVY:** Can I just say -- There wouldn't be an implementation
12 date, and I think that's what is confusing. If you have
13 Alternative 1 as the preferred, it is already implemented.

14

15 **CHAIRMAN FRAZER:** Well, I think the intent, Mara, here is it's
16 trying to -- They anticipate that it will not be implemented
17 until 2022, and so, by the time this process actually makes it
18 through, it's likely that it will not show up until 2022, but
19 that -- In order to accomplish that, Mara -- I mean, you could
20 say, for example, in the second substitute motion, and I
21 apologize, Kevin, for talking around your motion, but, in Action
22 1, to make Alternative 1 the preferred, to take effect in 2022,
23 and would -- Is that fine or not?

24

25 **MS. LEVY:** But it's currently in effect now. I guess that's my
26 point. I guess, if you choose Alternative 1, you're choosing no
27 action.

28

29 **CHAIRMAN FRAZER:** Okay. I understand. Kevin, do you understand
30 that point?

31

32 **MR. ANSON:** Yes, but, if I offered Alternative 1, then there
33 would be no sunset, essentially, and that's what I am trying to
34 get in here, is a sunset for the way things currently are, and
35 then as a transition to what they could be, and what they could
36 be is that, in 2023, my expectation is that we will -- If no
37 other changes -- Let's just assume no other changes come with
38 the ACL from the second visit by the SSC, based on the new Great
39 Red Snapper Count information, and if the 15.4 stays, whatever
40 comes down from that is we'll get the 0.48, the conversion, in
41 the 2023 season going forward.

42

43 Our hope is that the 2024 season -- That we'll have new stuff,
44 whether it's new ACLs or no more conversion units, whatever the
45 case may be, and I'm pinning my hopes on that, but, again, we've
46 talked about this for several meetings, and everybody is
47 probably at their last wits end, but all I'm doing is just
48 offering -- I just wanted to take Patrick's motion and tweak it

1 to add in, but the difference is, and it's not subtle, and I
2 understand that, is that I wanted to keep the percentages as
3 they are currently.

4
5 **CHAIRMAN FRAZER:** Sure, and so I guess I'm going to try to help
6 again, and maybe I'm not helping, if I understand Mara's point,
7 but if your point is to limit the amount of time that this is in
8 place, and you actually want to sunset it, perhaps you could
9 say, in Action 1, to make Alternative 1 the preferred with a
10 sunset following the 2022 season. Would that work?

11
12 **MS. LEVY:** Mr. Chair, can I jump in here?

13
14 **CHAIRMAN FRAZER:** Please do.

15
16 **MS. LEVY:** What I heard, and correct me if I'm wrong, Kevin, is
17 that what you essentially want, or you're looking for, is
18 Patrick's motion, but his motion would make the calibration
19 effective in April of next year, and what you're saying is that
20 you don't want it effective until January of 2023, and so it's
21 his motion, but you want to push out the date that he has
22 proposed, and is that correct?

23
24 **MR. ANSON:** Yes, Mara, I believe that is correct. I am sorry
25 the journey took so long.

26
27 **CHAIRMAN FRAZER:** Thank you, Mara. Okay. We're going to get
28 this up on the board for you, Kevin.

29
30 **MR. ANSON:** Thank you.

31
32 **MS. LEVY:** I think it's pretty much there in the second
33 substitute, except changing "to make Alternative 1" to say "to
34 make Alternative 2", because you already have the effective date
35 there as January 1, 2023, but, if Kevin is willing to do the
36 calibration to the Alternative 2, then you would just change
37 that, but you would need to have the right effective date that
38 he wants.

39
40 **CHAIRMAN FRAZER:** That's what we're working on right now, Mara.
41 Dr. Froeschke is working to get the language right. Okay.
42 Kevin, sorry to make your life so complicated, but is that --
43 Are we on the same page?

44
45 **MR. ANSON:** If anyone should be apologizing, it's me. I'm sorry
46 for that painful episode for everyone, but I will make it brief.
47 I have already pretty much commented how our take is on it, and
48 we just -- We feel strongly about our data, but, on the other

1 hand, there is a process that is there, and, granted, it's been
2 a couple or three years of going through a process that a lot of
3 people have argued is contrary to Magnuson, but, again, just we
4 have had a lot of recent new information that just changes the
5 perspective for everyone, whether you're on the science side or
6 the management side or the end user, and it's changed the
7 perspective for everyone, and so I'm just trying to get there.

8
9 I understand that it makes it easy for Alabama and Mississippi,
10 but that's all we're trying to do, is to realize that the
11 process is there, and we will try to comply with that, but, if
12 we could just have a little bit more time to help educate the
13 public and get prepared and hope that things go well, from our
14 perspective, as it goes through the research track and
15 operational assessment, and that's the word that I was looking
16 for earlier, in 2023, and hopefully not, but maybe early 2024.
17 Thank you.

18
19 **CHAIRMAN FRAZER:** Thank you, Mr. Anson. Mr. Rindone, did you
20 take your hand down? Okay. We will deal with two more
21 comments, and then, in the interest of time, I think we're going
22 to move forward. Mr. Strelcheck.

23
24 **MR. STRELCHECK:** Thanks, Tom. I've had a lot of time to think
25 about my comment, and I think my comments have entirely changed
26 since I originally raised my hand, but I guess the two points
27 that I would raise -- One is I appreciate Kevin and Patrick for,
28 obviously, putting these alternatives on the table, and we've
29 certainly heard, obviously, additional time. The agency and the
30 council is still in a very precarious position, obviously, with
31 the catch limits being exceeded if they're not calibrated, and
32 so certainly my preference is to implement those calibrations as
33 soon as possible, and I would prefer that it, obviously, be done
34 in 2021.

35
36 Kevin's motion kicks it farther down the road than Patrick's,
37 and so my preference really goes back then to, if we're not
38 going to do it in 2021, that we go to Patrick's motion, which
39 would be in effect for the 2022 season.

40
41 The other aspect to all of this is that I think one of the
42 things that is missing, and maybe we want to talk about then, is
43 the comments that I made earlier about the allocations
44 themselves and what we've learned based on the calibration, and
45 we have passed a motion to revisit the allocations at some point
46 to be determined, but I think this points out also the
47 importance of not only waiting for information from the Great
48 Red Snapper Count, but the council moving forward with

1 consideration of allocation alternatives amongst the states, and
2 it's going to be a lengthy discussion, but I think the council
3 really should move down that path and reconsider allocations
4 amongst the states, given this new information. Thank you.

5
6 **CHAIRMAN FRAZER:** Thank you, Andy, for those comments, and I
7 certainly agree. Patrick.

8
9 **MR. BANKS:** Thank you, Mr. Chairman. I appreciate it. I'm
10 going to speak against Kevin's motion, simply because I just
11 don't think that I can knowingly make a decision today that we
12 would knowingly allow this discrepancy in fishing to occur for
13 two more years, and my goal in all of this was always to try to
14 be fully informed by the Great Red Snapper Count before we make
15 this calibration decision.

16
17 After hearing what I heard from the SSC and our discussions, I
18 just don't feel like we've got the full information from the
19 Great Red Snapper Count that we need, and, once that final
20 report comes out, once some of this other information comes out,
21 and the SSC feels like that they've got a full, clear picture to
22 give us good catch advice, then I think we can make that
23 calibration decision.

24
25 That's why I felt like moving it past this season was
26 appropriate, and it gives them more time to consider all of that
27 information, but, as a flip side, I don't know that making the
28 decision now to give ourselves two full seasons to make that
29 decision is appropriate, because it's not fair to the other
30 sectors, where we're knowingly allowing more fish to be taken by
31 the recreational sector than we should, or private recreational
32 sector than we should, under the current ACLs and ABCs. We're
33 not allowing the same thing for the charter guys and the
34 commercial guys, and so that's my rationale for being against
35 the current motion, or the second substitute. Thank you.

36
37 **CHAIRMAN FRAZER:** I have two more, and then that will be the end
38 of the discussion. Dr. Stunz and Ms. Bosarge.

39
40 **DR. STUNZ:** Thank you, Mr. Chairman. I just wanted to remind
41 everyone, because it occurred to me as we were talking through
42 this, but there is appropriations language, 2021 appropriations
43 language, that is specifically specifying -- It's one sentence
44 here, Tom, and just let me read it, really quick, but that NMFS
45 is directed to address the question of which data collection
46 systems, referring to MRIP or the Gulf, the state systems, are
47 providing the best estimate of red snapper catch in the Gulf of
48 Mexico.

1
2 Obviously, that is before making any regulatory changes, and so,
3 by having this time, no matter which one of these motions we
4 pass, that gives some time to work through that as well, and so
5 there is some justification from the congressional side as well
6 to give us some time that we need to work through all of this.

7
8 **CHAIRMAN FRAZER:** Ms. Bosarge.

9
10 **MS. BOSARGE:** Thank you, Mr. Chairman. I wrote down -- I've
11 been kind of holding my comments, and so I wrote down a couple
12 here. First, there was a comment made earlier about other
13 sectors not liking FES when it comes to allocation, but having
14 no problem with it when it comes to this document or catch
15 levels, and I don't know -- I will speak for me in that sense,
16 that, no, I -- If you remember, the only time, thus far, that we
17 have used FES to actually finalize a document and have catch
18 level recommendations and such in it was lane snapper, and I
19 went on the record then saying that I have big hesitation and
20 reservations about this, about tripling a quota.

21
22 I do not feel comfortable with those FES numbers, and I'm
23 worried that we're going to fish that stock down, and so I think
24 I have been consistent, and I'm saying the same thing in red
25 grouper. This document does not deal with FES, and I have tried
26 to somewhat be quiet, because it's kind of a state thing, for
27 the most part, and I'm not in state government, and so I have
28 tried to keep my mouth shut.

29
30 I do sympathize with the small states, and I really enjoyed
31 General Spraggins' comments that he made earlier. He actually
32 got down into some numbers, and he said these were the
33 intercepts, and this was the landings, and, the next year, this
34 was the intercepts, and this was the landings. He started to
35 actually show us some of those fluctuations in that variability,
36 and that is exactly what I begged the states to do last year.

37
38 I said, you have biologists and statisticians on your staff, and
39 please have them look into the differences between MRIP-CHTS and
40 your surveys and find out where the differences are, and what's
41 driving the difference. Once you bring that to us, then we have
42 something to work with to tweak your calibration to fit whatever
43 this variation is that we have found. It has not been done, and
44 that frustrates me to no end, because that's what puts us in
45 this spot right here.

46
47 We don't have any quantitative data to go on to make some sort
48 of tweaks to those two calibrations for those two small states,

1 and so I'm in a hell of a position. I know that overfishing
2 occurred in 2017, because we exceeded the OFL. I know that
3 overfishing occurred in 2019, and we exceeded the OFL.

4
5 Based on Dr. Cody's presentation for 2020, effort was up from
6 2019, and I know people like red snapper. Unless the size went
7 down considerably on those red snapper, then, more than likely,
8 we overfished in 2020, and that's exactly what that bottom
9 longline survey is showing you. It is showing you that we're on
10 a downward trend right now. In fact, if you used enough of the
11 years of data -- If you used the last three years of data,
12 instead of the last five, which captured some really big biomass
13 -- If you used the last three years, we should have decreased
14 this ABC by 18 percent, and we should have taken a cut and not
15 an increase.

16
17 I have to take all of that into consideration when I vote on
18 this document. Do I wish we would have tweaked those
19 calibrations for the two small states? I sure do, but nobody
20 brought the danged data for us that we needed in order to be
21 able to quantitatively do that.

22
23 I cannot allow overfishing to continue to occur. These are the
24 only calibrations I have to go on, and I have to vote to
25 implement this. None of these options, of these motions that we
26 have on the board, will implement a danged thing for this year,
27 and so then there's a good possibility that we overfished for a
28 fourth year, four out of, what, the last five? Guess who is
29 going to pay that back when that next assessment comes out?

30
31 The charter/for-hire and the commercial sector, in addition to
32 the private recs, and so, either way, there is pain, and I'm
33 sorry, but I am tired of paying back other people's overages,
34 and so I'm going to vote no for all three of these, and I
35 apologize if I frustrated anybody, but I guarantee you, when
36 that stock assessment comes back out, and you have lower
37 biomass, you won't be volunteering to say, hey, don't make those
38 commercial guys take a cut and don't make charter/for-hire take
39 a cut. I'm going to have to stand my ground here, and I hope
40 that everybody else will stand theirs. Thanks.

41
42 **CHAIRMAN FRAZER:** Thank you, Ms. Bosarge. Okay. Dr. Simmons,
43 break out the roll call sheets. We will vote on the second
44 substitute motion.

45
46 **EXECUTIVE DIRECTOR SIMMONS:** Thank you, Mr. Chair. This is the
47 second substitute motion.

1 **CHAIRMAN FRAZER:** Hold on. Let me read it, so people know what
2 they're doing. This is the vote. **The second substitute motion**
3 **in Action 1 is to make Alternative 2 the preferred with an**
4 **implementation date of January 1, 2023.** Dr. Simmons.
5
6 **EXECUTIVE DIRECTOR SIMMONS:** Thank you, Mr. Chair. Mr.
7 Strelcheck.
8
9 **MR. STRELCHECK:** No.
10
11 **EXECUTIVE DIRECTOR SIMMONS:** Dr. Shipp.
12
13 **DR. SHIPP:** Yes.
14
15 **EXECUTIVE DIRECTOR SIMMONS:** Ms. Boggs.
16
17 **MS. BOGGS:** No.
18
19 **EXECUTIVE DIRECTOR SIMMONS:** Ms. Bosarge.
20
21 **MS. BOSARGE:** No.
22
23 **EXECUTIVE DIRECTOR SIMMONS:** Dr. Stunz.
24
25 **DR. STUNZ:** Yes.
26
27 **EXECUTIVE DIRECTOR SIMMONS:** Mr. Dugas.
28
29 **MR. DUGAS:** Yes.
30
31 **EXECUTIVE DIRECTOR SIMMONS:** Mr. Sanchez.
32
33 **MR. SANCHEZ:** No.
34
35 **EXECUTIVE DIRECTOR SIMMONS:** Ms. Guyas.
36
37 **MS. GUYAS:** No.
38
39 **EXECUTIVE DIRECTOR SIMMONS:** General Spraggins.
40
41 **GENERAL SPRAGGINS:** Yes.
42
43 **EXECUTIVE DIRECTOR SIMMONS:** Mr. Williamson.
44
45 **MR. WILLIAMSON:** Yes.
46
47 **EXECUTIVE DIRECTOR SIMMONS:** Mr. Diaz.
48

1 **MR. DIAZ:** Yes.
2
3 **EXECUTIVE DIRECTOR SIMMONS:** Mr. Riechers.
4
5 **MR. RIECHERS:** Yes.
6
7 **EXECUTIVE DIRECTOR SIMMONS:** Mr. Swindell.
8
9 **MR. SWINDELL:** No.
10
11 **EXECUTIVE DIRECTOR SIMMONS:** Mr. Anson.
12
13 **MR. ANSON:** Yes.
14
15 **EXECUTIVE DIRECTOR SIMMONS:** Mr. Banks.
16
17 **MR. BANKS:** No.
18
19 **EXECUTIVE DIRECTOR SIMMONS:** Mr. Dyskow.
20
21 **MR. DYSKOW:** Yes.
22
23 **EXECUTIVE DIRECTOR SIMMONS:** Dr. Frazer.
24
25 **CHAIRMAN FRAZER:** What is the vote?
26
27 **EXECUTIVE DIRECTOR SIMMONS:** Nine to seven. Dr. Frazer
28 abstains, and so the motion carries nine to seven.
29
30 **CHAIRMAN FRAZER:** Okay. I guess that will lead us into the rest
31 of the document. I just want to, again, make a comment to the
32 council, realizing that there was seven in opposition, and for
33 justifiable reasons, right, that this is something that is
34 probably not defensible, in my mind, but, again, it was a vote
35 nine to seven, and I will accept the council vote, but it
36 reflects a high degree of frustration, but I think the public
37 should know that, and the agency should know that. Ms. Guyas.
38
39 **MS. GUYAS:** Really quick, before I continue the Reef Fish
40 Report, I think Carrie wanted to jump in. You all might have
41 seen, in your inbox, that a revised Reef Fish Report went out,
42 and, Dr. Simmons, do you want to explain the change?
43
44 **EXECUTIVE DIRECTOR SIMMONS:** Yes. Thank you, Ms. Guyas. I
45 would like to go over the changes, briefly. We found a
46 discrepancy on page 4 of the printed report, in the second
47 paragraph.
48

1 We have modified it to say: Dr. Stunz questioned a comment made
2 by Dr. Lorenzen in a different context, and that was added in,
3 about managing expectations of large fisheries research studies,
4 and so that was added in. The "some congressional entities"
5 language was deleted, and the only other change was, after "Dr.
6 Lorenzen replied that he meant that these project should
7 consider", and so "he meant" was added in.

8
9 Dr. Lorenzen did not bring this deliberation to the council as
10 an SSC deliberation, and this was an outside context that was
11 discussed between Dr. Lorenzen and Dr. Stunz, and so we just
12 wanted to make that clear in the report, that this was not part
13 of the SSC deliberations or in his report to the council. Thank
14 you, and I'm sorry about that.

15
16 **CHAIRMAN FRAZER:** Okay. Ms. Guyas.

17
18 **DR. GUYAS:** All right. Thanks, Dr. Simmons, and so we are, if
19 you're following along, on the top of page 9, I believe, of at
20 least the old version. Dr. Frazer asked about the consequences
21 of allowing an uncalibrated catch on the management of red
22 snapper and acknowledged that NMFS would be required to
23 constrain catch, applying payback provisions to those states
24 that exceeded their state-specific private angling component
25 ACLs in 2021.

26
27 Dr. Porch stated that the Southeast Fisheries Science Center
28 would be able to examine the results of the NMFS BLL for a
29 change in trend in the abundance of the stock in January 2022.
30 Further, by the early 2022, the state-specific catch and effort
31 data would also be available for examination.

32
33 Mr. Strelcheck replied that adding the newly-proposed
34 Alternative 6 was tantamount to status quo, which would
35 necessitate a revision to the document's purpose and need, as
36 the alternative is equivalent to reallocation, delaying the
37 implementation of the framework action beyond the end of 2021.

38
39 Mr. Strelcheck again reviewed NMFS's vulnerability to litigation
40 under the status quo and that the states would remain vulnerable
41 to payback provisions for any overages to their respective ACLs.
42 Ms. Levy clarified that NMFS must determine whether proposed
43 management measures comply with the Magnuson-Stevens Act, noting
44 that knowingly exceeding the ABC would be very difficult to
45 defend as complying.

46
47 Ms. Boggs asked whether Alternatives 3 through 5, which use a
48 buffer to reduce state-specific catch limits to prevent

1 exceeding the combined total private angling component's ACL,
2 satisfy the necessity to calibrate the landings data. Ms. Levy
3 replied that using the buffers would constrain the landings
4 appropriately under Alternatives 3 and 4, but not Alternative 5,
5 and would thereby prevent the component from exceeding its ACL.

6
7 Mr. Banks asked under what ACLs would the states would be
8 fishing if the council requests that the proposed management
9 measures not be implemented until 2022. Ms. Levy replied that
10 the catch limits would apply in the year in which they are
11 implemented, unless NMFS can justify the council's request for
12 delayed implementation.

13
14 Ms. Bosarge reminded the committee that the same concessions
15 being considered to accommodate the private angling component of
16 the recreational sector would need to fairly and equitably be
17 considered for the for-hire component and the commercial sector,
18 also.

19
20 Revised Public Hearing Draft Amendment 53: Red Grouper
21 Allocations and Annual Catch Levels and Catch Targets, Dr. Cody
22 and Dr. Shannon Cass-Calay presented weight estimation methods
23 for determining recreational catch in pounds from catch reported
24 in numbers of fish.

25
26 Dr. Cody first presented on the MRIP-APAIS average weight
27 procedure. He noted that data collected by APAIS are used to
28 estimate catch rates and trip characteristics for two-month
29 waves. He then discussed the APAIS design, sample weights, and
30 catch rate estimates. He explained that total catch includes
31 landings and releases, as numbers of fish, with landings
32 including both observed and unobserved harvest.

33
34 Standard length-weight relationship models are used to impute
35 missing data, which can include missing length or weight data.
36 When both length and weight data are missing, observations are
37 imputed by a combination of hot deck and cold deck imputation.
38 Catch estimation is calculated from a weighted APAIS catch rate
39 and weighted FES effort.

40
41 Dr. Cass-Calay then presented the Southeast Fisheries Science
42 Center weight estimation procedure. While MRIP provides
43 species-specific catch estimates by stratum in numbers of fish,
44 corresponding weight measurements are not always available, due
45 to sampling constraints or incomplete self-reporting.

46
47 However, ACL monitoring requires estimates in weight, and so a
48 standard methodology was needed to estimate missing recreational

1 weights. In this process, average weights from the intercept
2 data for each strata are calculated, and then strata that meet a
3 minimum sample size threshold are identified. Finally, an
4 estimate of landings in numbers is converted to landings in
5 weight by applying an appropriate average weight.

6
7 Three factors explain why predicted landings from the SEDAR 61
8 assessment model differ from landings estimates in the ACL
9 monitoring dataset: input data, uncertainty assumed in
10 assessment, and differences in weight estimation.

11
12 For SEDAR 61, recreational landings were input as numbers, and,
13 therefore, the assessment model was fitting to numbers and not
14 weight. The assessment model also assumes a greater uncertainty
15 in recreational landings compared to commercial landings, which
16 results in predicted landings that are not identical to input
17 landings.

18
19 The assessment model converts predicted landings in number into
20 weight units through use of the length-weight equation, whereas
21 MRIP estimates are based on stratified observations of average
22 weight. Going forward, the Southeast Fisheries Science Center
23 can look into modeling recreational landings in weight instead
24 of numbers during ongoing research track assessments, but that
25 effort will require an assumption about the CV around these
26 weight estimates.

27
28 Dr. Simmons discussed management considerations for using
29 interim ABC analyses. She noted that the interim analysis uses
30 a harvest control rule, whereby the sector allocations of 76
31 percent commercial and 24 percent recreational and corresponding
32 ABC of 4.9 million pounds gutted weight was used in conjunction
33 with the NMFS bottom longline index of relative abundance to
34 revise future catch projections.

35
36 The 4.9 million pound gutted weight ABC is not the council's
37 current preferred alternative in Reef Fish Amendment 53, and so
38 the Southeast Fisheries Science Center would have to run
39 additional analyses to update the interim analysis to include
40 the multitude of ABC recommendations for the SSC and then
41 council to consider.

42
43 As such, the interim analysis should not be used to modify ABC
44 catch advice until the council selects allocations and
45 corresponding ABC catch advice. Thereafter, interim ABC
46 analyses could continue to be updated annually to consider new
47 catch advice for the SSC and council.

1 Dr. Freeman discussed a motion from the Reef Fish AP at its
2 February 2021 meeting to modify the Reef Fish and CMP Fishery
3 Management Plans to automate catch advice based on interim
4 analyses.

5
6 Dr. Freeman reviewed the actions and alternatives in Amendment
7 53 to the Reef Fish FMP and discussed potential next steps. Dr.
8 Freeman discussed the OFL, ABC, total and sector ACLs resulting
9 from the new Alternative 6 for Action 1. He also noted a new
10 table that shows the predicted closure date for the recreational
11 sector based on the recreational ACL. Ms. Muehlstein discussed
12 plans to solicit public comment and hold virtual public
13 hearings.

14
15 Dr. Freeman discussed motions from the Reef Fish AP on the two
16 actions. The Reef Fish AP selected Action 2, Alternative 3 as
17 its preferred, which is also the council's preferred
18 alternative. The Reef Fish AP made a motion for a new
19 alternative for Action 1, which would set the commercial ACL at
20 three million pounds gutted weight. Dr. Freeman noted that the
21 motion to make that new alternative the preferred failed for
22 lack of a second, as did a motion to make Alternative 4 the
23 preferred. For the purpose of time, the committee chair
24 requested that questions and motions wait until Full Council. I
25 am going to pause there, and I see hands.

26
27 **CHAIRMAN FRAZER:** Martha, I'm going to ask a quick question.
28 Well, I'll go ahead and let Leann go first.

29
30 **MS. BOSARGE:** No, that's all right, Dr. Frazer. You can ask
31 your question.

32
33 **CHAIRMAN FRAZER:** Well, I mean, this is going to go back to the
34 calibration, and so, if your question is related to this part, I
35 will wait.

36
37 **MS. BOSARGE:** Mine about red grouper.

38
39 **CHAIRMAN FRAZER:** Have at it then.

40
41 **MS. BOSARGE:** Okay. All right. I would like to make a motion,
42 please. **I would move that, in Action 1, we make Alternative 2**
43 **the preferred alternative.** If I can get a second, I will
44 elaborate.

45
46 **MR. SANCHEZ:** I will second.

47
48 **CHAIRMAN FRAZER:** It's seconded by John Sanchez.

1
2 **MS. BOSARGE:** I'm a little frustrated that there's not an
3 alternative in there that reallocates from recreational to
4 commercial, and you all are probably shaking your head and
5 going, what the heck is she talking about, and what I'm talking
6 about is the fact that, in all these different stock
7 assessments, we have these larger rec landings, thirty years'
8 worth of higher rec landings, that are going into them and
9 leading the stock assessment to believe that the stock was
10 actually larger than we once thought.

11
12 Now, depending on how hard we fished it for the last thirty
13 years, we are seeing some decreases in quotas, depending on what
14 we've done to it in that time period, and so, if you believe the
15 rec landings, and that that stock was bigger, then what has
16 happened is the commercial sector has missed out on harvest for
17 the last thirty years.

18
19 The quotas overall, across-the-board, would have been higher,
20 and not only would the rec sector have been allowed to take
21 advantage of that, but so would the commercial sector, but we
22 weren't, because we have a highly effective and highly efficient
23 management system with a lot of enforcement in it and a data
24 collection program that is not a survey, but a census, with a
25 lot of checks and balances in it.

26
27 Now, because of that accountability and that robust data
28 collection program, we were forced to stay within our quota. In
29 the normal world, you would think that would be a good thing.
30 However, what it means in today's world is that, if you have a
31 slightly less robust data collection system, and management
32 that's not as efficient and effective as the commercial sector,
33 you will end up being able to fish off the radar, and you will
34 be rewarded for that by getting more fish in the end.

35
36 I cannot believe that we're even considering something like that
37 right now. What we're doing is discouraging accountability, and
38 that is exactly what we are doing in this document if you
39 transfer any allocation away from commercial into recreational,
40 because those higher landings from the past represent
41 overharvest, overharvest that one sector was allowed to do
42 through an inefficient management system and a data collection
43 system that was not robust enough, while the other one was
44 managed to the Nth degree and wanted accountability, the same
45 sector that came to us back in, what, 2014 or 2015, when we got
46 our last stock assessment, and said, hey, we think we've got a
47 problem with this fishery and, please, please don't raise these
48 quotas and fish this stock any harder. We need to be

1 conservative, and we need to make sure we have sustainable
2 fisheries for the future.

3
4 That's the sector that we're going to punish, and we're going to
5 tell them that, no, we've held you down all these years, and we
6 intend to put that in stone and hold you down for the future,
7 too. You're never going to get above those catch levels that
8 you've had for the last thirty years, and we're going to keep
9 you down there, and I'm sorry, but I cannot tolerate that. For
10 that reason, I move that we make Alternative 2 the preferred.
11 Thank you.

12
13 **CHAIRMAN FRAZER:** Thank you, Ms. Bosarge. I was having a
14 discussion with staff, and I just wanted to make sure that there
15 was a second to that motion. John Sanchez seconded.

16
17 **MR. SANCHEZ:** Yes.

18
19 **CHAIRMAN FRAZER:** Sorry, John, that I didn't hear that. Mr.
20 Banks, you're up.

21
22 **MR. BANKS:** I just raised my hand because I wanted to remind
23 folks, back on the calibration issue, that we did not vote to
24 make it final, just so folks realize that, as much stuff as we
25 have to deal with at every one of these council meetings, we are
26 going to see this calibration issue again in June, if we don't
27 take final action. Thank you.

28
29 **CHAIRMAN FRAZER:** Patrick, sorry about that, and so I intend to
30 bring that back up here when we dispense with the red grouper
31 topic. I recognize that we did not deal with the final action
32 component of calibration, and we'll go back, after we're done
33 discussing red grouper, okay?

34
35 **MR. BANKS:** Okay.

36
37 **CHAIRMAN FRAZER:** I have John Sanchez up next.

38
39 **MR. SANCHEZ:** Thank you, Mr. Chair. I want to echo some of the
40 concerns that Leann was alluding to, which is regarding the FES
41 calibrations, and it would appear to me that, going forward,
42 when we do FES calibrations, it results in an increase in ABC,
43 but, as she was mentioning, we don't recalculate the historical
44 ABCs to look at what those historical ABCs would have been in
45 the past, and, arguably then, the sector that was operating
46 under a very formalized accounting system, and all of their
47 landings were counted, they never had the opportunity to catch
48 fish from that arguably higher ABC, historically, and now we're

1 rewarding the sector that was operating with a less-robust data
2 collection system for basically having underestimated their
3 landings.

4
5 It doesn't seem right, and particularly in a fishery that the
6 history of it is we have these episodic, cyclical events in this
7 fishery, red tides and such, and it seems that we're coming out
8 of them, where we were on the downturn, and then we started to
9 see some smaller fish, the intro of a year class coming up, and,
10 as evidenced by the landings we saw this week, it looks like the
11 longline landings are up about 7 percent this time of the year
12 from where they were last year, and so I would seem to me that
13 it would be very, very premature, in a fishery that's just
14 coming off of a stressed situation, to be reallocating, for the
15 reasons mentioned, the foregone opportunity on the commercial
16 side as well as you've got to consider the increased discard
17 mortality with rec landings.

18
19 When you consider all of these factors, I think Alternative 2 is
20 the way to go, and we seem to be pumping the brakes on red
21 snapper, but we've got the pedal to the metal on this one, and I
22 don't know why. Thank you.

23
24 **CHAIRMAN FRAZER:** Thank you, Mr. Sanchez. Ms. Levy.

25
26 **MS, LEVY:** Thank you. I just wanted to address a couple of
27 things. I mean, I think this narrative started with red
28 snapper, about one accountable sector and one unaccountable
29 sector, and I feel like it's been just translating into other
30 areas, and I don't think that red grouper is exactly comparable
31 to red snapper.

32
33 If you look at the tables in the document, for example Table
34 2.1.3, it shows some of the landings, and, I mean, there was no
35 recreational catch limit in place before 2010, and there was a
36 commercial catch limit in place, which was exceeded twice, in
37 2004 and 2005, and so I don't think that it's exactly analogous.

38
39 The other thing that I wanted to say was that there wasn't at
40 least evidence at the time, when this allocation was put in
41 place, and -- It was believed the landings during those years
42 were represented by the best available science, and, since that
43 time, there has been a new understanding of what the rec totals
44 were, and, yes, they were higher, but it's not because there was
45 no accountability, meaning we were managing to some levels, and
46 there's no indication that they were exceeding those levels at
47 that time. I guess I'm just trying to urge some caution when we
48 talk about unaccountable versus accountable, especially in

1 regard to red grouper and the time series used for this
2 allocation.

3
4 The other thing that I wanted to point out is that you can also
5 get the impact to both sectors based on closure dates and
6 changes in ACLs with respect to the commercial sector, but,
7 either way, under all of the alternatives, except Alternative 1,
8 the catch level for the recreational sector is going to go down,
9 when you look in comparable units, and the potential for a
10 closure earlier in the year increases, and so it's not like
11 there is no impact to the recreational sector, even though they
12 might be getting a different allocation, percentage-wise, and I
13 think that that needs to be considered, too.

14
15 If you want to choose preferred -- If you want to choose
16 Alternative 2 as preferred, obviously that's the council's
17 choice, but I think you need to reconcile some of those issues
18 with respect to closure dates and the actual decrease in the
19 catch level for the recreational sector when you're comparing
20 and stay in the same units. Thank you.

21
22 **CHAIRMAN FRAZER:** Thank you, Ms. Levy. Mr. Strelcheck.

23
24 **MR. STRELCHECK:** Thanks, Chairman. Mara covered a lot of the
25 points that I was going to make. The one other thing that I
26 guess I would state as well is that we determined allocations
27 historically based on landings data, and, obviously, if we knew
28 then what we know now, those allocation decisions might have
29 been different, and so how much one sector might have caught
30 versus another, based on higher ACLs or whatever information
31 from the FES would have been incorporated back then, could have
32 obviously changed, obviously, the kind of proportional
33 distribution of what's being caught.

34
35 We don't know, obviously, historically what things would have
36 looked like, because it's hard to retrospectively look back and
37 guess at what actually occurred.

38
39 What I do want to speak to is the motion, and, Leann, I am
40 appreciative of you putting a motion on the table today, and I
41 think my frustration is we spend so much time talking about red
42 snapper that we don't spend the time to talk about other species
43 like we should, and this is an important fishery, and I feel
44 like this is a discussion that needs far more conversation than
45 just the limited time we have available today.

46
47 There's a lot of complexities to allocation with regard to red
48 grouper, or with any species for that matter, and there's a

1 tradeoff, as I believe you discussed, Leann, during committee
2 about discards and yield levels and kind of transferring
3 allocation to the recreational sector results in a lower annual
4 catch limit, and we haven't really looked at the economic net-
5 benefit analysis and kind of tradeoffs between shifting
6 allocation from one sector to another, and then you brought up
7 weight estimation, and we had a really good conversation about
8 that and kind of shed some light on potential issues there.

9
10 I don't think that Clay is, unfortunately, on the line to speak
11 to this, but I did talk to the Center, and it is something that
12 the Center is going to look into, with regard to the weight
13 estimation, and be able to potentially bring to the SSC some
14 new, or additional, information and advice in May, based on the
15 conversation.

16
17 For all those reasons, my recommendation is we table, so to
18 speak, this discussion and make sure that this is a priority
19 discussion for our next council meeting, since we've cleared the
20 deck for red snapper, based on today's actions. Thank you.

21
22 **DR. PORCH:** Mr. Chair, can you hear me?

23
24 **CHAIRMAN FRAZER:** I can. Go ahead, Clay, and then I'm going to
25 actually let Dr. Simmons jump in right after you.

26
27 **DR. PORCH:** Sorry, but I keep getting booted off the webinar for
28 internet problems, and so I'm calling in. Andy is right that we
29 take a look at how the recreational weights are being computed,
30 and we do think that there is a better way, using the MRIP
31 weights directly, or our version of the calculation, and so we
32 will be prepared to give a revised ACL, both updating the
33 interim analysis and taking into account a better way to
34 calculate the average weights.

35
36 **CHAIRMAN FRAZER:** Thanks, Clay, for jumping in. Dr. Simmons.

37
38 **EXECUTIVE DIRECTOR SIMMONS:** I guess we did not understand that
39 until now. I mean, as far as the SSC meeting goes, I guess we
40 can try to get that information in there, but we were going to
41 look at the updated fishery-independent indices of abundance,
42 including the bottom longline survey, even though it's truncated
43 for 2020, and see if the SSC thought there should be new catch
44 advice. I was also going to bring up some of the interim
45 analysis considerations that I brought to the council on
46 Tuesday, and so I'm not sure we knew that was going to occur,
47 and we've already submitted the FRN for this meeting. Thank
48 you.

1
2 **CHAIRMAN FRAZER:** Okay. Thanks, Dr. Simmons. Ms. Guyas and
3 then Mr. Diaz.

4
5 **MS. GUYAS:** I will be quick. I was going to bring up a lot of
6 the things that Mara and Andy brought up regarding Table 2.1.3
7 and commercial not being constrained, and just I completely
8 agree with the sentiment that we need to talk about this more,
9 although I don't know that I would say this document is rushed.

10
11 We received the assessment for red grouper at our meeting in
12 Destin, which I believe was June two years ago, and so this has
13 been hanging out there for a really long time. We have touched
14 on it at several meetings, and, unfortunately, I feel like we
15 still need to talk about it more, but this is -- None of this is
16 new, and I speak against the motion, and I would prefer to stick
17 with the preferred we have now.

18
19 I do think we need to look more at how some of these impacts for
20 recreational -- It is likely, especially if the fishery is on an
21 upswing right now, that recreational will close early, and some
22 of these options, particularly this one, would have that fishery
23 close very early, and I think we need to understand the
24 implications of that better, including economic implications,
25 and including the even larger number of discards that will occur
26 if this fishery closes as early as late summer.

27
28 Anyway, just one last thing, just as a reminder, is we are at
29 the public hearing stage here, and so we're not going final, and
30 this is still a conversation that I am looking forward to
31 having, and I hope we can devote more time to on future agendas,
32 certainly, and, as far as John's comment about this being a
33 cyclical fishery, I think, to some degree, that's true, and, if
34 there's a way that we can work with the industry to be on top of
35 that, without negatively impacting the fishery, then I'm all
36 ears, and let's figure that out, but that's probably a
37 discussion for another document, perhaps an ecosystem one.
38 Anyway, I just wanted to put all of that out there on this
39 motion. Thank you.

40
41 **CHAIRMAN FRAZER:** Thank you, Ms. Guyas. Mr. Diaz and then Ms.
42 Bosarge.

43
44 **MR. DIAZ:** I don't want us to be in a hurry either. However, I
45 agree with Martha that this has been out there for a long time.
46 I mean, the way I felt about this is I would like to take care
47 of this issue and bring us back as close to what we were before
48 FES was ever brought into the equation, and, when I read the

1 document, it talks about the recreational portion of the current
2 OFL, ABC, and ACL are based on MRIP Coastal Household Telephone
3 Survey Data, and the current recreational ACL of one million
4 pounds in MRIP-CHTS units is equivalent to 2.1 million pounds of
5 FES units.

6
7 Dr. Crabtree said this a couple of times during the meeting,
8 but, because of that, if you don't reallocate, you have
9 reallocated to the commercial side, and so I was in support of
10 Alternative 3 before, because it uses the same identical years
11 as Alternative 1, which is the no action, and I believe that's
12 as close as we can get to bringing it back to where we were if
13 FES was not in the equation.

14
15 I am trying to listen to everything that's being said, and I am
16 open-minded to hearing other points of views, but that's where I
17 want to go with most of these new stock assessments that we get
18 with FES, with the exception of mackerel, and I will think of
19 mackerel different, but, on the rest of them, the point of view
20 that I'm taking on this one is kind of where I'm thinking that
21 I'm going to stand on those, also. Thank you.

22
23 **CHAIRMAN FRAZER:** Thank you, Mr. Diaz. I have Ms. Bosarge and
24 then John Sanchez, and then I think we'll vote this up.

25
26 **MS. BOSARGE:** Thanks. It was my understanding that we were
27 going to go out to public hearings before the next meeting and
28 that this document could potentially come back to this council
29 for final action at that point.

30
31 That is why I'm trying to push this issue, and I agree that we
32 have not dedicated the time to this document that we have to our
33 lovely red snapper, but this is very important to a lot of
34 people. This is their fishery, and this idea that we're looking
35 at these allocations and going, well, the recreational sector
36 may have a closure, well, let me remind you that the assessment
37 said that this most recent stock assessment showed that red
38 grouper biomass was the lowest on record, and so we have to come
39 to a reality that a closure is probably what needs to happen.

40
41 If you want to rebuild this biomass to a healthy level again,
42 you're going to have to quit fishing on it so damned hard, and I
43 don't see where our logic gets confused in that and we think
44 that a closure is going to be the worst thing that can happen.
45 That is exactly what is going to have to happen.

46
47 In the commercial side, we don't have a closure, because of the
48 management structure we're on, but we essentially have the same

1 thing when you drop our quotas, which is what almost all of
2 these alternatives do, is decrease our commercial quota, and why
3 are we going to have to decrease the commercial quota? Because
4 the stock is at a very low level.

5
6 Why is the stock at a very low level? Well, we said that it was
7 a red tide that had a lot of effect on it, and I agree that it
8 probably did, but, when you go back and look at these historical
9 rec landings, common sense will tell you that we fished that
10 thing down, and the red tide was probably the straw that broke
11 the camel's back, but that large harvest has been occurring on
12 the recreational side for the last thirty years that fished it
13 down, and so then it becomes just another example of where the
14 commercial sector needs to pay back overharvest on the
15 recreational side.

16
17 It's our job to rebuild it, and other people have got to have
18 fun, and we get to pay the price and rebuild it, and I'm sorry,
19 and I know I am sounding tipsy, because I am at this point, but
20 I just cannot tolerate that, and so I would like to go ahead and
21 vote this motion up or down.

22
23 **CHAIRMAN FRAZER:** Thank you, Leann. We have two more people.
24 Dr. Porch, to that point, and then I'm going to end with John
25 Sanchez.

26
27 **DR. PORCH:** It's indirectly to that point. If we're talking
28 about calculating new ACLs and using the interim analysis, we
29 still can't do anything until a decision is made on the relative
30 allocation of commercial and recreational. Basically, we're
31 still at the point where we have the stock status estimate, and
32 potentially an OFL from the last assessment, but it hasn't been
33 adopted yet, because we haven't made the decision on the
34 allocation issue, and so we can't really move forward with an
35 interim analysis and updated ACL advice until we have a decision
36 on that, because it makes a big difference in terms of what the
37 ACL would be.

38
39 **CHAIRMAN FRAZER:** Okay. Thank you, Dr. Porch. John, you get
40 the final comments before we vote.

41
42 **MR. SANCHEZ:** Thank you. I will be brief. As this document
43 gets fleshed out, and we go through it, I would, for one, like
44 to suggest that we have public hearings in the area where this
45 fishery is prosecuted. We definitely need to have one in the
46 epicenter, which is Madeira Beach, and so I strongly encourage
47 the council to support that.

48

1 Some of these arguments about, okay, the higher FES landings
2 arguably result in negative quotas should have been different
3 historically, again, we're looking at past history and coming up
4 with ABCs going forward without going back and recalculating
5 historical ABCs, and, to that point, I really appreciate Dale's
6 comment about how this relates to king mackerel, because it's
7 kind of the opposite there, where that's part of exactly why we
8 need to revisit the king mackerel allocation, because none of
9 this seems to make sense.

10
11 It seems like the logic is applied in one fishery, and then it's
12 overlooked in another one, and so on and so forth, and it
13 becomes very frustrating to a council member. If we were
14 uniform in our application of these things, then maybe you could
15 get your arms around it, and, if you win, you win. If you lose,
16 you lose, but it becomes very frustrating. Thank you.

17
18 **CHAIRMAN FRAZER:** Okay. We've got a motion on the board, and
19 that motion is, in Action 1, to make Alternative 2 the
20 preferred. Alternative 2 reads: Maintain the sector allocations
21 at the total ACL at 76 percent commercial and 24 percent
22 recreational. Revise the OFL and ABC as recommended by the
23 Scientific and Statistical Committee based on the Southeast Data
24 Assessment and Review 61. Set the stock ACL equal to the stock
25 ABC. Dr. Simmons.

26
27 **EXECUTIVE DIRECTOR SIMMONS:** Thank you, Mr. Chair. Mr. Sanchez.

28
29 **MR. SANCHEZ:** Yes.

30
31 **EXECUTIVE DIRECTOR SIMMONS:** Mr. Anson.

32
33 **MR. ANSON:** No.

34
35 **EXECUTIVE DIRECTOR SIMMONS:** Ms. Boggs.

36
37 **MS. BOGGS:** No.

38
39 **EXECUTIVE DIRECTOR SIMMONS:** Mr. Banks.

40
41 **MR. BANKS:** Yes.

42
43 **EXECUTIVE DIRECTOR SIMMONS:** General Spraggins.

44
45 **GENERAL SPRAGGINS:** No.

46
47 **EXECUTIVE DIRECTOR SIMMONS:** Mr. Swindell.

48

1 **MR. SWINDELL:** Yes.
2
3 **EXECUTIVE DIRECTOR SIMMONS:** Mr. Strelcheck.
4
5 **MR. STRELCHECK:** Abstain.
6
7 **EXECUTIVE DIRECTOR SIMMONS:** Dr. Stunz.
8
9 **DR. STUNZ:** No.
10
11 **EXECUTIVE DIRECTOR SIMMONS:** Mr. Diaz.
12
13 **MR. DIAZ:** No.
14
15 **EXECUTIVE DIRECTOR SIMMONS:** Mr. Williamson.
16
17 **MR. WILLIAMSON:** No.
18
19 **EXECUTIVE DIRECTOR SIMMONS:** Ms. Bosarge.
20
21 **MS. BOSARGE:** Yes.
22
23 **EXECUTIVE DIRECTOR SIMMONS:** Dr. Shipp.
24
25 **DR. SHIPP:** No.
26
27 **EXECUTIVE DIRECTOR SIMMONS:** Mr. Riechers.
28
29 **MR. RIECHERS:** No.
30
31 **EXECUTIVE DIRECTOR SIMMONS:** Mr. Dyskow.
32
33 **MR. DYSKOW:** No.
34
35 **EXECUTIVE DIRECTOR SIMMONS:** Mr. Dugas.
36
37 **MR. DUGAS:** No.
38
39 **EXECUTIVE DIRECTOR SIMMONS:** Ms. Guyas.
40
41 **MS. GUYAS:** No.
42
43 **EXECUTIVE DIRECTOR SIMMONS:** The motion failed four to eleven
44 with two abstentions. Mr. Chair.
45
46 **CHAIRMAN FRAZER:** Thank you, Dr. Simmons. At this point, there
47 is a couple of things that I think that we need to take care of
48 in the remaining time. I want to go back and revisit the final

1 action item as it relates to calibration, and I would remind
2 folks that we probably need to do that, and, if there's somebody
3 that is willing to make a motion to that effect, now would be
4 the time.

5

6 **MS. BOSARGE:** Sure. I will make that motion.

7

8 **CHAIRMAN FRAZER:** Okay. Ms. Bosarge, let's get the motion up on
9 the board. We are getting the staff to get that together, Ms.
10 Bosarge. In the interim, is there a second to the motion?

11

12 **MR. DIAZ:** I will second it.

13

14 **CHAIRMAN FRAZER:** It's seconded by Mr. Diaz. Okay. We have a
15 final action motion on the board, and I will read it into the
16 record. **It's to approve the Framework Action: Gulf of Mexico
17 Red Snapper Recreational Data Calibration and Recreational Catch
18 Limits and that it be forwarded to the Secretary of Commerce for
19 review and implementation and deem the codified text as
20 necessary and appropriate, giving staff editorial license to
21 make the necessary changes in the document. The Council Chair
22 is given the authority to deem any changes to the codified text
23 as necessary and appropriate.** Is there any further discussion
24 of the motion before we take a roll call vote? I am not seeing
25 any hands. Leann, is that an old hand?

26

27 **MS. BOSARGE:** No, sir. That's from earlier.

28

29 **CHAIRMAN FRAZER:** Okay. Thank you. All right. Dr. Simmons.

30

31 **EXECUTIVE DIRECTOR SIMMONS:** Thank you, Mr. Chair. Mr.
32 Riechers.

33

34 **MR. RIECHERS:** Yes.

35

36 **EXECUTIVE DIRECTOR SIMMONS:** Mr. Diaz.

37

38 **MR. DIAZ:** Yes.

39

40 **EXECUTIVE DIRECTOR SIMMONS:** Mr. Banks.

41

42 **MR. BANKS:** No.

43

44 **EXECUTIVE DIRECTOR SIMMONS:** Mr. Anson.

45

46 **MR. ANSON:** Yes.

47

48 **EXECUTIVE DIRECTOR SIMMONS:** Ms. Guyas.

1
2 **MS. GUYAS:** Yes.
3
4 **EXECUTIVE DIRECTOR SIMMONS:** Ms. Bosarge.
5
6 **MS. BOSARGE:** No.
7
8 **EXECUTIVE DIRECTOR SIMMONS:** Dr. Shipp.
9
10 **DR. SHIPP:** Yes.
11
12 **EXECUTIVE DIRECTOR SIMMONS:** Mr. Dugas.
13
14 **MR. DUGAS:** Yes.
15
16 **EXECUTIVE DIRECTOR SIMMONS:** Dr. Stunz.
17
18 **DR. STUNZ:** Yes.
19
20 **EXECUTIVE DIRECTOR SIMMONS:** Ms. Boggs.
21
22 **MS. BOGGS:** No.
23
24 **EXECUTIVE DIRECTOR SIMMONS:** Mr. Sanchez.
25
26 **MR. SANCHEZ:** No.
27
28 **EXECUTIVE DIRECTOR SIMMONS:** General Spraggins.
29
30 **GENERAL SPRAGGINS:** Yes.
31
32 **EXECUTIVE DIRECTOR SIMMONS:** Mr. Swindell.
33
34 **MR. SWINDELL:** No.
35
36 **EXECUTIVE DIRECTOR SIMMONS:** Mr. Strelcheck.
37
38 **MR. STRELCHECK:** No.
39
40 **EXECUTIVE DIRECTOR SIMMONS:** Mr. Dyskow.
41
42 **MR. DYSKOW:** Yes.
43
44 **EXECUTIVE DIRECTOR SIMMONS:** Mr. Williamson.
45
46 **MR. WILLIAMSON:** Yes.
47
48 **EXECUTIVE DIRECTOR SIMMONS:** The motion carried ten to six with

1 **one abstention.**

2
3 **CHAIRMAN FRAZER:** Okay, and so we have some limited time, Ms.
4 GUYAS, and I want to make sure that we tack off a few of these
5 remaining items that are essential, and I am going to suggest
6 that we give an opportunity to Mr. Strelcheck to provide some
7 discussion of the DESCEND Act of 2020, if he feels like he's
8 prepared to do that.

9
10 **MR. STRELCHECK:** Thanks, Tom. If we could bring up the
11 presentation, I will move through it very quickly, and we do
12 have at least one decision point that we would like the council
13 to weigh-in on.

14
15 **CHAIRMAN FRAZER:** Okay, and we'll get that presentation up on
16 the board, and that would be Number 12.

17
18 **MR. ANSON:** Mr. Chair, if I could interrupt very quickly. My
19 name wasn't on the list, or at least the last time I saw it, and
20 so I just want to make sure it's for the record.

21
22 **CHAIRMAN FRAZER:** Sure.

23
24 **MR. ANSON:** Thank you.

25
26 **CHAIRMAN FRAZER:** All right. It was a yes vote for Mr. Anson.

27
28 **MR. ANSON:** Correct. Thank you.

29
30 **CHAIRMAN FRAZER:** Go ahead, Andy.

31
32 **MR. STRELCHECK:** Thanks, Tom. Real quickly, the DESCEND Act was
33 approved, I believe, in January of this year. It added a new
34 section to the Magnuson Act which requires commercial and
35 recreational fishermen to possess a venting tool or descending
36 device that's rigged for use when fishing in the Gulf of Mexico.

37
38 It requires the Department of Commerce to contract with the
39 National Academy of Sciences to conduct a study and produce a
40 report on discard mortality, and then, after completion of that
41 study, it requires us and the Gulf Council to develop guidance
42 for reporting discards and associated mortality and develop a
43 plan for that.

44
45 Today, I really am going to speak to kind of the first
46 component. You can read the materials on the second and third
47 item on this list, but I think, due to time considerations, I
48 won't cover those in depth today.

1
2 There is specific language, obviously, in Section 321 speaking
3 to venting tools and descending devices. As I mentioned, it
4 took effect on January 13, 2021, and there's also a sunset five
5 years after date of enactment and that the new kind of
6 requirements will be in place within one year of implementation
7 of the Act.

8
9 NMFS is planning on developing rulemaking to clarify definitions
10 for both descending device and venting tool. Specifically, the
11 Act calls out a venting tool as defined by the council, and
12 that's the decision point that we need from the council today.

13
14 As I mentioned, the Act says that a venting tool is defined as a
15 meaning given to us by the Gulf of Mexico Fishery Management
16 Council, and so we have two possible definitions. One is
17 already in the Code of Federal Regulations, and you can read it
18 there. It's a fairly generic definition, but it states: Device
19 intended to deflate the abdominal cavity of a fish to release
20 the fish with minimal damage.

21
22 The other definition is actually in the council's policy on the
23 use of venting tools and descending devices, and I won't read
24 that in detail, but you can, obviously, see the definition
25 there, and so what we would like is the council's input on which
26 definition is most appropriate, since you were specifically
27 called out in the Act with regard to determining the meaning of
28 a venting tool, and we would then incorporate that into any
29 rulemaking, and so I will pause there, because this is really
30 the main decision point, and then we can talk about descending
31 devices next.

32
33 **CHAIRMAN FRAZER:** Okay. Let's see if there are any hands. I
34 will wait just a second, because there's a bit of a delay on my
35 end. Okay. Andy, while we're waiting for hands, I see Martha.
36 Go ahead, Martha.

37
38 **MS. GUYAS:** Just kind of like thinking off the cuff here, but I
39 guess the definition in the policy that we came up with -- I
40 know there was a lot of consideration that went into how to
41 define that, and I believe we got a lot of input from our O&E
42 Technical Committee, and probably others, and it's also pretty
43 specific, and so general people that are trying to understand
44 what venting tools are would probably appreciate that, and maybe
45 lawyers maybe would not, but just, like I said, at first blush,
46 I think I would prefer the council policy version, if I had to
47 choose right now.

48

1 **CHAIRMAN FRAZER:** Okay. Thank you, Ms. Guyas. Is there any
2 other -- Mr. Dyskow.

3
4 **MR. DYSKOW:** Thank you, Mr. Chair. I think the second
5 definition is most consistent with what the Outreach and
6 Education Committee has been using. It provides some necessary
7 additional detail, to clarify what is and what is not a venting
8 tool, and so I would recommend the second version.

9
10 **CHAIRMAN FRAZER:** Thank you, Mr. Dyskow. Ms. Levy.

11
12 **MS. LEVY:** Thank you. I just wanted to point out that -- As
13 Andy said, there's going to be rulemaking to do this, and so I
14 would expect that, at some point in the future, you might have
15 another opportunity to comment, if we line up the comments with
16 the rulemaking, potentially, and so I know it's rushed right
17 now, and so I don't think that anything is going to necessarily
18 get rushed through before the next meeting, and so I think NMFS
19 wants to start working on this, because we want this in place
20 before the law becomes effective next January, but, if folks
21 want to give further thought at the next meeting, we could
22 probably incorporate that.

23
24 **CHAIRMAN FRAZER:** Okay. Just to clarify there, and I will
25 address this through Andy, and you're not actually looking for a
26 motion at this point, but you're just looking for a suite of
27 opinions that will help you move forward, and is that correct?

28
29 **MR. STRELCHECK:** Yes, that would be correct, and I agree with
30 Mara that we can bring this back to you at a later date. We
31 just don't want to go down a path and then find out that the
32 council wanted us to use an alternative definition.

33
34 **CHAIRMAN FRAZER:** All right. Thank you. I will wait a few more
35 minutes, to see if we have other hands. Mr. Diaz.

36
37 **MR. DIAZ:** Thank you, Mr. Chair. I agree with Mr. Dyskow. Out
38 of the two that's in front of us now, the second one is a lot
39 better, and I am thinking about the Law Enforcement Committee.
40 The first definition would be -- I think it would be very
41 difficult for law enforcement to enforce that effectively, and
42 so the second one would be a lot better, and I am in favor of
43 seeing some more information at the next meeting, to give us a
44 little bit more time to think this through. Thank you.

45
46 **CHAIRMAN FRAZER:** Thank you, Mr. Diaz. Martha Guyas.

47
48 **MS. GUYAS:** Thanks. As we're talking about this, I am reminded

1 of testimony that we've gotten in the past, people like Dylan
2 Hubbard, and he has his own special device that he uses that
3 doesn't quite fit this definition, and so I'm glad to hear that
4 we'll have another bite at this and opportunities for some
5 public feedback, and so I'm just kind of putting that out there,
6 that we may want to take a harder look at this again next time
7 and think about how we can make this work for all the various
8 devices that are out there that people are using legitimately.

9

10 **CHAIRMAN FRAZER:** Thank you, Martha. Mr. Williamson.

11

12 **MR. WILLIAMSON:** Thank you, Mr. Chair. I agree with Phil and
13 Dale. The second definition seems to capture what we're trying
14 to accomplish here. I guess the having it in possession on the
15 boat doesn't mean that you're going to use it, unfortunately,
16 and I think the devil comes in trying to enforce this, but
17 that's true with a lot of things. That's all.

18

19 **CHAIRMAN FRAZER:** Okay. Mr. Anson.

20

21 **MR. ANSON:** I didn't think I had my name up, but I was going to
22 ask a question, but I was going to research it a little bit
23 first, but, since I'm on the spot, I will go ahead and ask the
24 question. It pertains to the comments related to Dylan's tool
25 that he's come up with relative to this definition, and
26 potentially needing a bigger gauge, but should there not be a
27 reference or a maximum gauge that enforcement could use to help?

28

29 I mean, we don't want somebody taking -- Or at least I don't
30 think so, but we wouldn't want somebody taking a quarter-inch
31 diameter, or three-eighths-inch diameter tube, that is much
32 larger than a sixteen gauge, because that just physically leaves
33 a hole in the flesh without it being able to close in on itself,
34 and so I'm just wondering if there needs to be something in
35 there about that.

36

37 **CHAIRMAN FRAZER:** Good comment there for consideration for Andy
38 moving forward. Mr. Swindell.

39

40 **MR. SWINDELL:** Does the venting tool have to meet both of these
41 definitions listed here or only one of them?

42

43 **CHAIRMAN FRAZER:** I think that's the decision point, Mr.
44 Swindell, we're trying to figure out, which is the definition
45 that we might adopt moving forward.

46

47 **CHAIRMAN FRAZER:** Andy, do you think you have enough information
48 to get started on this one?

1
2 **MR. STRELCHECK:** Yes, this is helpful, and so let me just
3 briefly go back to the presentation, and I will cover two more
4 slides, and then we can move on.

5
6 **CHAIRMAN FRAZER:** Okay.

7
8 **MR. STRELCHECK:** In the DESCEND Act, it does define "descending
9 device", and you can read the definition there, but,
10 essentially, it's an instrument that will release fish at a
11 depth sufficient for the fish to be able to recover from the
12 effects of barotrauma. It's a weighted hook, lip clamp, blah-
13 blah-blah, lowered to a depth, or another device determined to
14 be appropriate by the Secretary and is capable of releasing the
15 fish automatically, releasing the fish by actions of the
16 operator of the device, or the fish to escape on its own.

17
18 I do want to point out the statement of "another device
19 determined to be appropriate by the Secretary". That,
20 obviously, gives our agency some authority and discretion with
21 regard to adding to this definition, and we can't modify the
22 definition.

23
24 This is my last slide, and so we, obviously, intend to review
25 that definition more carefully, and we likely will add more
26 detail regarding the weight used and the length of line, and I
27 would just note two possibly sources for kind of enhancing that
28 definition.

29
30 One comes right out of your Gulf Council policy, and the other
31 is from the South Atlantic Council and codified regulations that
32 exist there, and so we're not asking for necessarily input from
33 the council today, but I just wanted to acknowledge that this
34 will be part of the definition and considerations as we develop
35 them, and we certainly can bring that back to the council for
36 review at a later date. That's all I have, Mr. Chairman.

37
38 **CHAIRMAN FRAZER:** Thank you, Andy. We look forward to seeing
39 that at a later date. Martha, I will let you just pop right
40 into Other Business, and I think the other summary reports are
41 available, and folks can read them if they need to, or wish to,
42 and I would hope that they would, but do you want to pick up
43 with Other Business?

44
45 **MS. GUYAS:** I also have a question for I guess the group on red
46 grouper, and I don't know which one you want to cover first.

47
48 **CHAIRMAN FRAZER:** Let's go ahead and do Other Business.

1
2 **MS. GUYAS:** Okay. Other Business, Historical Captain Permits,
3 this item was postponed until Full Council on Thursday, April
4 15, 2021, and I believe this was Ms. Bosarge's item.

5
6 **MS. BOSARGE:** Yes, ma'am. Thank you. I will be quick. I was
7 just going to ask Andy if he could maybe bring us an update,
8 hopefully at the next meeting, and I don't think that it would
9 take too long, on how that's going. We implemented that
10 amendment here a while back, where we were going to allow the
11 transfer of those historical captain's permits into regular
12 permits, and I just wanted to see how many people were taking
13 advantage of that.

14
15 Then the other thing we did in that document was we essentially
16 terminated, as of the date of implementation, the historical
17 captain letters, but we gave people an opportunity to do
18 something with those before then, and there were a lot of them,
19 and I just wondered how many people were able to take advantage
20 of that, and so just a quick update from Andy, maybe, at the
21 next meeting on that.

22
23 **MR. STRELCHECK:** Sure, Leann. We can get you that information.

24
25 **CHAIRMAN FRAZER:** Thank you, Andy. Kevin.

26
27 **MR. ANSON:** Thank you, Mr. Chair. This question is also for
28 Andy, and, Andy, I'm being sincere in the question, but I'm just
29 wondering if you can maybe give a timeline as to when the agency
30 might have a decision document to go to the Secretary for
31 signature, when they might be sending that up, for the
32 calibration.

33
34 **MR. STRELCHECK:** Kevin, I can't give you something on the spot.
35 I can circle back with the council, but I need to talk to my
36 staff, based on, obviously, when we get it from the council and
37 some of the timelines that would move that forward.

38
39 **MR. ANSON:** All right. Thank you.

40
41 **CHAIRMAN FRAZER:** Okay. Ms. Guyas.

42
43 **MS. GUYAS:** Just to come back to red grouper and the public
44 hearings really quick, Mr. Sanchez made a comment about wanting
45 to have an in-person hearing, I think in Madeira Beach, and I
46 just wanted to note that Ms. Muehlstein outlined a plan for
47 reaching out to the public on red grouper in committee, and I
48 believe it does not include in-person public hearings, and so

1 I'm wondering if we need to revisit that or confirm that the
2 staff plan is okay, given in light of where we are with the
3 status of COVID, et cetera.

4
5 I thought that Emily had a very thoughtful plan, with a lot of
6 different options for people, and there was several different
7 ways that she would be reaching out to people, but I just wanted
8 to hopefully get some clarification on that, so that the council
9 is receiving what they would like.

10
11 **CHAIRMAN FRAZER:** Sure. Ms. Muehlstein, if I could ask you to -
12 - She can't talk. I have stolen her earbuds. I'm going to give
13 them back to her.

14
15 **EXECUTIVE DIRECTOR SIMMONS:** Mr. Chair, we went through this
16 during committee, and I guess I'm not sure what we're asking.

17
18 **CHAIRMAN FRAZER:** I guess what I'm asking is just to, again,
19 briefly let people know that we've got a public hearing plan,
20 right, and so, if John, in particular, thinks that we need to
21 modify the plan, if I could hear from him briefly.

22
23 **MR. SANCHEZ:** I think this Amendment 53 is of utmost importance
24 to the Madeira Beach area, and I think we should have an in-
25 person hearing, if we're going to impact people's livelihoods.

26
27 **CHAIRMAN FRAZER:** Okay, and so I'm not opposed to that,
28 actually, and we have some constraints, perhaps, as they pertain
29 to COVID and how we actually deal with some of these issues, and
30 so I am going to ask Ms. Muehlstein if that's problematic for an
31 in-person public hearing meeting.

32
33 **MS. MUEHLSTEIN:** Honestly, I would probably defer to the Chair
34 and to the Executive Director on sort of whether or not we are
35 ready to do that, and so I think, as long as we can leave it to
36 staff discretion, with the understanding that we will try, I'm
37 comfortable with that.

38
39 **EXECUTIVE DIRECTOR SIMMONS:** Mr. Chair, if I might, I think the
40 bigger question is, is the council ready for us to take this out
41 for public hearings? We certainly want to have confidence that
42 the council is ready for us to do that and the proposed plan,
43 and, if we can, try to have an in-person meeting.

44
45 Certainly, we're working towards a hybrid meeting in June, if we
46 can, and we're sending another survey out to council members,
47 and I know some people are getting vaccines currently, and they
48 may be more comfortable traveling here in the near future, but I

1 think it's something that, internally, we need to discuss more,
2 regarding in-person public hearings. Thank you.

3
4 **CHAIRMAN FRAZER:** That's a good question. So we're essentially
5 saying -- Are we prepared to continue on with the public hearing
6 schedule, is what I'm asking, or does the council have
7 reservation, or concern, about the status of this document that
8 we wait to kind of work through it, and again in June, and we
9 might be in a better position to conduct more traditional public
10 hearings. I will take some input from folks. J.D.

11
12 **MR. DUGAS:** Thank you, Mr. Chairman. Not so much to the
13 document, but I was going to wait until the end of the meeting
14 to bring this up, but, being that Mr. Sanchez is on the same
15 path, I personally am ready for in-person meetings, and I am
16 wondering, what do we have to do as a council to get there>

17
18 **CHAIRMAN FRAZER:** J.D., that's a good question, and we continue
19 to kind of evaluate all of the logistics as they surround public
20 gatherings, and I think that many, many folks are anxiously
21 awaiting the opportunity to attend a meeting in-person, but
22 there are, nevertheless, still various restrictions, and we have
23 to be cognizant of that, both at the local and regional and
24 state levels, and it's possible, if folks want to push this as a
25 public hearing document out right after the June meeting --
26 That's one decision point, and, if you want us to try to
27 accommodate an in-person public hearing meeting in Madeira
28 Beach, again, we would have to look at -- I'm not opposed to
29 doing that, but we just certainly have to look at the logistics
30 involved.

31
32 If you are willing to leave that to the staff's discretion, and
33 myself and Dr. Simmons, we will certainly pursue every
34 opportunity to keep the affected stakeholders involved, but we
35 will have to adhere to any local regulations. The bigger
36 question right now is do you want to move it forward for public
37 hearing, or do you want to sit for a while, until we revisit
38 this in June? Ms. Guyas.

39
40 **MS. GUYAS:** I mean, I think I'm comfortable taking it out. I
41 mean, whether we wait or we take it now, I think the questions
42 are going to be the same. I'm comfortable there, and I agree
43 with the approach of leaving it up to you and staff to kind of
44 hammer out whether doing something in-person is logistically
45 possible at this point.

46
47 I mean, as we all know from this situation, there's always a lot
48 up in the air, and, locally, if people are just not willing to

1 make that happen, then it kind of puts the council in a tough
2 place, and so those are my thoughts.

3
4 **CHAIRMAN FRAZER:** Thank you. Mr. Sanchez.

5
6 **MR. SANCHEZ:** Thank you, Mr. Chair. I'm comfortable leaving it
7 to you, Tom, and to staff. I would ask that you act like we're
8 going to have an opportunity to meet in public on this issue,
9 and maybe do some reconnaissance and see if there is a place
10 that meets social distancing guidelines, or something along
11 those lines, available in the Madeira Beach area for this, but,
12 as far as I know, Florida is open for business, and so I think
13 we would be in good shape there, but, again, I will leave it to
14 you guys to do that.

15
16 **CHAIRMAN FRAZER:** Okay. Thank you. I think what we'll do is
17 I'm leaning toward -- I tend to agree with Ms. Guyas that a
18 public comment period, whether it's virtually or in-person, is
19 going to yield some valuable input and discussion that will help
20 us inform our own discussions in June. We will explore the
21 opportunity to have an in-person public hearing meeting in the
22 Madeira Beach area, and I will work with Carrie and the staff to
23 see if we can make that happen. I think, Martha, it's back to
24 you. Do you have more business? Ms. Bosarge.

25
26 **MS. BOSARGE:** Thanks. I was just going to say, if you can't
27 make an in-person public hearing happen in Madeira Beach, then I
28 would sit on it and not do public hearings. I feel that
29 strongly that it's important, for an allocation document, for
30 reallocations of this magnitude, that you go to the fishermen in
31 person.

32
33 **CHAIRMAN FRAZER:** Okay. Again, I think we have a bit of a plan,
34 and we're going to try our very best to have an in-person
35 meeting in Madeira Beach and see if, logistically, we can make
36 that happen. If we are having an incredibly hard time with
37 that, we will circle back and see where we go from there, but I
38 think we'll be able to pull that off. Okay. Back to you, Ms.
39 Guyas.

40
41 **MS. GUYAS:** Okay. That was our last item of Other Business.
42 However, we did have two other items remaining from committee
43 that potentially we could cover now, if you wanted to, or people
44 could ask questions, and those were the Remaining Items from the
45 January 2021 SSC Summary Report and Remaining Items from the
46 February 2021 Reef Fish AP Summary Report. I'm not even sure if
47 those people are on the line to go through those things at this
48 point, but those are in the briefing book.

1
2 **CHAIRMAN FRAZER:** I'm going to weigh-in a little bit, in the
3 interest of time, and say that those are certainly available in
4 the briefing book, and people can certainly look at them, and
5 they should look at them. Okay. So we do not have to do it
6 here.

7
8 **MS. GUYAS:** That concludes my report.
9

10 **CHAIRMAN FRAZER:** Thank you, Ms. Guyas. You did an admirable
11 job, as usual. We have a couple of other things that we need to
12 tackle here, and I think we might be able to quickly go through
13 some of the liaison reports, and there's some important
14 information in them, and so I will just go down the list. Spud,
15 would you care to provide a liaison report from the South
16 Atlantic Council.

17
18 **SUPPORTING AGENCIES UPDATE**
19 **SOUTH ATLANTIC COUNCIL LIAISON**
20

21 **MR. WOODWARD:** Thank you, Mr. Chair. I know the hour is late,
22 and everybody is weary, and so I will certainly keep it very,
23 very short. On the subject of South Atlantic red snapper, we're
24 still awaiting our decision from NOAA Fisheries regarding
25 whether we'll have a recreational fishing season for this year.
26 Just as a refresher to everybody, we fish on a recreational ACL
27 of 29,656 fish, and, for the past couple of years -- We had a
28 four-day season in 2020 and a five-day season in 2019.

29
30 After five years, we are finally getting our Dolphin Wahoo Plan
31 Amendment 10 close to the finish line, and it's had its
32 challenges, FES recalibrations and a variety of other things,
33 and we've also had an opportunity to provide input to NOAA
34 Fisheries leadership regarding the Executive Order 14008,
35 Section 216(c), in both verbal and written formats.

36
37 If possible, it would be good for the Gulf Council to look at
38 our letter, and it covers a lot of things, and there's at least
39 one excerpt out of it that I would like to just read, because I
40 think it captures some of what we're all facing.

41
42 That is: Climate change will likely increase the need for inter-
43 council cooperation and expand the range of constituent voices
44 the council may need to include in this process. NOAA Fisheries
45 should work with the councils, within regions and nationally,
46 through the Council Coordination Committee, to identify and
47 resolve governance restrictions that hinder council decision-
48 making and result in constituents feeling disenfranchised. This

1 is particularly an issue for on the Atlantic coast, where we've
2 got fish moving in places where they typically haven't been in
3 great abundance.

4
5 Lastly, we have convened a private recreational reporting
6 workgroup, trying to grapple with some of the same issues that
7 the Gulf Council has been dealing with. The goal of our
8 workgroup is to develop recommendations for consideration by the
9 council for coordinating state and federal data collection and
10 permitting programs to improve estimates of catch and effort in
11 private recreational snapper grouper fishing activities.

12
13 There is multiple objectives, but I would like to just point out
14 three that I think really capture what we're trying to
15 accomplish, and that is to outline the steps necessary for
16 state-collected data to be certified as acceptable by MRIP,
17 considered in the SEDAR stock assessment process, and used to
18 develop council management plans. With that, Mr. Chair, I will
19 conclude my report.

20
21 **CHAIRMAN FRAZER:** Thank you, Spud. I appreciate the update. I
22 am looking to see if there's any immediate questions. I think
23 people are always appreciative of the information. Okay. We're
24 going to move forward, and I'm going to give the NOAA Office of
25 Law Enforcement an opportunity, and so Lieutenant Scarpa is on
26 the line.

27
28 **NOAA OFFICE OF LAW ENFORCEMENT**

29
30 **LT. JOE SCARPA:** I will keep it short. The council has our
31 report, and I just wanted to highlight some things. SED created
32 a total of 234 incidents, and, out of those, 100 were in the
33 Gulf of Mexico, and that's referenced in pages 3 through 5 of
34 the report.

35
36 Page 7 is our summary of incidents referred by other agencies,
37 and you can see that Florida completed the most, followed by
38 Coast Guard District 8 and then Louisiana, and so good job to
39 them for patrolling federal waters.

40
41 Page 9, you will see incident dispositions. One thing to note
42 there is you will see a high number of closed incidents with no
43 violations, and the reason for that is OLE, when they're out in
44 the field working, officers and agents, they maintain a presence
45 in their OAR, and so all their interactions are documented,
46 whether it be with industry or in the recreational sector, and
47 so we get a lot of incidents, and all those interactions are
48 documented as incidents, and not all of them result in

1 violations, and so that just explains that spike in large number
2 of incidents with no violations. Incidents don't necessarily
3 align with violations there.

4
5 Moving on to operations and patrols, each of our districts does
6 either daily or weekly multi-agency patrols, according to their
7 milestones, their annual milestones. Some of the highlighted
8 patrols did an operation, an operation in Texas, a week-long TED
9 operation. Officers had a 100 percent TED compliance rate on
10 all the vessels that they inspected off of Texas, and that
11 included vessels in nearshore Galveston Bay all the way out to
12 forty nautical miles, and so that was encouraging to see a 100
13 percent TED compliance rate there.

14
15 The other notable operation was one down in the sanctuaries
16 called Operation Reefline, and officers documented quite a bit
17 of violations, covering many different laws and regs and
18 programs. Even though the focus was on sanctuaries, they
19 stopped a lot of vessels that were in the EEZ, a lot of fishing
20 vessels, and documented everything from expired Gulf of Mexico
21 shrimp permit, no dive flags, discharging chum, or fishing
22 feeding in a SPA, and we had some out-of-season blueline
23 tilefish and out-of-season grouper and some fishing in Western
24 Sambo. We even had a TED violation. In that particular patrol,
25 the officers logged thirty patrol hours and stopped and boarded
26 twenty-six vessels.

27
28 Lastly, in other OLE items, SED has its first illegal charter
29 working group. The update from that, one of the action items
30 for the liaison, compliance liaison, Matt Walia, was to create a
31 web story. He did that, with the folks that assisted him, and
32 that story went out on Friday the 9th, and it's titled, "Making
33 Sure Your Charter Fishing Trip is Legal and Sustainable", and
34 you can find that on the SERO website, on Twitter, and some NOAA
35 stakeholder feeds. I am advised that that was also shared with
36 the council members.

37
38 Other highlights, the SEFHIER group folks did a really good job
39 assisting law enforcement, both of the state and federal side,
40 with putting out a training PowerPoint and getting them up to
41 speed with SEFHIER regs, and so thank you to them.

42
43 Lastly, I just want to update you on the current OLE staffing
44 plan for the Southeast Division. I will just highlight the two
45 most notable, and that is that Officer Matt Roach, and he's our
46 enforcement officer in Galveston, he has accepted a position, a
47 special agent position, in Honolulu, Hawaii, and so he'll be
48 leaving us at the end of May and reporting to Hawaii as a

1 special agent, and so we'll miss him. He's been doing an
2 excellent job out there.

3
4 Lastly, in agent positions, Assistant Special Agent John
5 O'Malley officially replaced Charles Tyre, and, formerly, John
6 was a special agent with OLE in the Keys and in Corpus Christi,
7 and he's a former Texas game warden, and he's also currently a
8 U.S. Coast Guard special agent reservist.

9
10 On the officer side, we have a new officer that will be the
11 Galveston IUU position, and his name is Zach Salinas. He's a
12 former Navy veteran, and he has graduated his twelve-week
13 program, and he graduated with the highest grade point average
14 of the entire academy, and he is currently in his twelve-week
15 field training and evaluation program.

16
17 The last officer update would be Corpus Christi, Texas.
18 Enforcement Officer Glenn Sheckles is a transfer from the Alaska
19 Division, and he reported yesterday. That was his first day in
20 Corpus Christi, and so we're looking forward to work with him
21 and to the wealth of knowledge, and that's all I have.

22
23 **CHAIRMAN FRAZER:** Thank you, Lieutenant Scarpa, for moving
24 through that so quickly, and it sounds like you've got some
25 really good folks on your team. We're glad to hear that, and,
26 as always, I appreciate the work that you all do. Ms. Bosarge
27 has a quick question, I think. Leann, did you want to ask a
28 question?

29
30 **MS. BOSARGE:** Yes, I had a quick question. Thank you,
31 Lieutenant. That was an excellent, excellent report. I was
32 wondering, on kind of like the last page, page 22, of your
33 report, there's a lot of violations there for the area to be
34 avoided, and it says areas to be avoided activity, and is that
35 referring to that area, mainly, I guess, on the south side, or
36 the east side, depending on how you want to look at it, of the
37 Florida Keys National Marine Sanctuary, that area to be avoided
38 down there, and is that what that is?

39
40 **LT. SCARPA:** Yes, you're correct, and thank you for bringing
41 that up. I glossed over that, but, yes, the area to be avoided
42 in the Florida Keys National Marine Sanctuary is an area -- It's
43 generally the perimeter of the Atlantic side of the Keys, and
44 it's an area to be avoided by vessels over fifty meters in
45 length or tank vessels, and we have seen an increase in ATBA
46 violations this year, I think a pretty significant increase, and
47 so that is the area that is referring to.

48

1 **MS. BOSARGE:** Okay, and I understand, and I've never heard this
2 second part of the regulation that you just talked about, and I
3 knew that it was the area to be avoided for vessels over fifty
4 meters, and so a 150-foot-long boat, right, which we don't
5 really have, that I know of, very many fishing boats in the Gulf
6 of Mexico that are over 150 feet, but what is this tank vessel
7 part?

8
9 **LT. SCARPA:** That would be vessels carrying liquid chemicals,
10 oil, hazardous liquid chemicals, and that's also part of the
11 regulation.

12
13 **MS. BOSARGE:** Okay, and so you weren't citing fishing vessels,
14 because you're allowed to fish in there, but you just can't have
15 a boat that's over 150 meters, and you were citing some other
16 kind of commercial vessels and not fishing vessels?

17
18 **LT. SCARPA:** Well, they could be a fishing vessel, if it's over
19 fifty meters. We do frequently cite recreational yachts that
20 are in excess of fifty meters that transit through the area, and
21 so it's both -- It's any vessel over fifty meters, irregardless
22 of what type it is, or that is hazardous-tanker-type vessels.

23
24 **MS. BOSARGE:** Gotcha. Thank you.

25
26 **LT. SCARPA:** You're welcome.

27
28 **CHAIRMAN FRAZER:** I am not seeing any more hands. Again, I also
29 thank you, Lieutenant Scarpa, for your presentation. Thank you
30 so much.

31
32 **LT. SCARPA:** You're welcome.

33
34 **CHAIRMAN FRAZER:** We will move on to the Mississippi Law
35 Enforcement Efforts and Sergeant Carron.

36
37 **SERGEANT CARRON:** Good afternoon. I'm here.

38
39 **CHAIRMAN FRAZER:** All right. Glad to have you.

40
41 **MISSISSIPPI LAW ENFORCEMENT EFFORTS**

42
43 **SERGEANT PATRICK CARRON:** Thank you, and I will try and be brief
44 as well. Our last presentation was given in April of 2019, and
45 we didn't give one in 2020, due to COVID, and so, moving right
46 into our enforcement effort, basically over the course of the
47 last two years, our man hours, our underway patrol hours, we're
48 looking at about 72 percent was spent underway in vessels and 28

1 dockside for the past two years.

2
3 We patrolled for a total of 4,204 man hours, and we also
4 performed almost 1,400 vessel hours of patrols. In the process,
5 we managed to make contact with 1,427 stakeholders, and that's
6 everyone across-the-board, whether it be dockside inspections or
7 underway boardings, commercial vessels and recreational vessels,
8 and also dealer inspections.

9
10 This will go into our enforcement priority summaries, and the
11 first one -- Our first priority is TED enforcement. Overall,
12 the observed compliance is 93 percent. We had twelve
13 enforcement actions over the past few years, and I don't have
14 the exact breakdowns in front of me, but that could be anything
15 from an actual TED violation that was referred to NOAA or a
16 written warning or a verbal warning for a slight issue with a
17 TED that was corrected on-site.

18
19 Moving forward to reef fish enforcement, we made contact with
20 598 recreational fishermen and seventeen commercial fishermen.
21 There were eight enforcement actions over the two years, with an
22 observed compliance of 99 percent.

23
24 Moving forward to IFQ landing enforcement, this is where we
25 visit the reef fish fishermen when they're unloading their catch
26 at the docks, and we don't have a tremendous amount of it in
27 Mississippi. Those that we have encountered, we haven't had any
28 issues, and we've got an observed compliance of 100 percent.

29
30 Moving forward to IUU and Lacey Act enforcement, 96 percent
31 observed compliance, and there were only two enforcement
32 actions, and this is a relatively new priority, and we're still
33 getting the feel of all the processes that we're going through
34 with it, but, generally, there's pretty good compliance.

35
36 Moving forward to HMS and general enforcement, this year -- I
37 noticed, when I was putting together this presentation that, the
38 last time we gave it, we had a prohibited shark species in the
39 presentation, and it seems to be fairly consistent that we're
40 having at least one occurrence of possession of prohibited
41 species of shark every year. That observed compliance of 95
42 percent is a fairly decent distribution between recreational and
43 commercial contacts, and there's a total of nineteen enforcement
44 actions.

45
46 If we advance to notable cases, we refer quite a few cases to
47 NOAA, running the gamut between minor violations to large, long-
48 term, complex investigations, and this is just press releases

1 from two of our larger cases that were actually prosecuted by
2 the U.S. Attorneys Office that were worked through the JEA
3 program, or have a nexus because of the federal violations
4 involved, and so, with that, that will bring me to the final
5 slide and conclude the presentation. Is there any questions?

6
7 **CHAIRMAN FRAZER:** Okay. Are there any questions for Sergeant
8 Carron? I am not -- Leann.

9
10 **MS. BOSARGE:** No question, but I just wanted to thank him for
11 all he does. We appreciate your hard work, sir.

12
13 **SERGEANT CARRON:** Thank you, Ms. Leann.

14
15 **CHAIRMAN FRAZER:** Okay. I am not seeing any more hands,
16 Sergeant Carron, and so, again, I also thank you for your
17 presentation and thank you for all the work that you do, you and
18 your team, and so we'll let you off the hook, and we'll move on
19 to the Gulf States Marine Fisheries Commission and Dave
20 Donaldson, if you're on.

21
22 **GULF STATES MARINE FISHERIES COMMISSION**

23
24 **MR. DONALDSON:** Thank you, Mr. Chairman. I just have a couple
25 of issues that I wanted to update you all on. The first is the
26 CARES Act. As of the end of March, we have distributed over
27 \$7.4 million to over 2,000 applicants. Mississippi and Alabama
28 have distributed all of their funds, and Louisiana is almost
29 complete with their first round, and they should be finalizing
30 that here in the next few weeks, and then, also, finalizing the
31 second-round final payments to everybody, and so, hopefully, in
32 the near future, Louisiana will be completed.

33
34 Texas closed their application process in the middle of last
35 month, and they are currently reviewing the applicants, and they
36 should be providing the commission with a list of approved
37 applicants soon after that.

38
39 Round two of the CARES Act, we have recently -- Myself and the
40 other two executive directors of the commissions met with NOAA
41 Fisheries. As you are aware, there is an additional \$255
42 million. About \$26 million is coming to the Gulf, excluding
43 Florida, because Florida is dealing with the Atlantic
44 Commission. The eligibility and the approach are going to be
45 the same as the first round of the CARES Act.

46
47 One of the stipulations is these rounds of -- This round of
48 funding needs to be distributed by the end of September of this

1 year, and so we're hopeful that the money will be distributed in
2 a more timely manner, or a timelier manner.

3
4 The other issue is the barotrauma project that we're working
5 with the NOAA Restoration Center on. We just recently awarded a
6 grant to Southwick Associates to conduct the human dimensions
7 survey, which is -- The purpose of that is to gather data to
8 measure the knowledge, behavior, attitudes, and perceptions
9 regarding handling and release practices of reef fish. We're
10 hopeful that we'll actually start the survey later this year,
11 probably August or September.

12
13 Then we're also reviewing four proposals to conduct validation
14 studies to test the effectiveness of fish descending tools, and
15 the purpose of those proposals are to investigate the release
16 mortality estimates for reef fish and the effectiveness of
17 descending devices and how it relates to depredation, and so two
18 of those proposals hopefully will start in the August timeframe,
19 and the other two later in the year, in October or November,
20 but, with the four proposals, we'll have a complete Gulf-wide
21 coverage of this issue, and that is my brief report, and I will
22 gladly answer any questions, if there are any.

23
24 **CHAIRMAN FRAZER:** Thanks, Dave, for making efficient work of
25 that report. Let's see if there's any hands. I am not seeing
26 any, and so, again, Dave, thanks for the report. We will go
27 ahead to the U.S. Coast Guard and see if Lieutenant Giancola has
28 an update for us.

29 30 **U.S. COAST GUARD**

31
32 **LT. GIANCOLA:** Good afternoon. I have a brief three-part update
33 to provide. The first is regarding enforcement efforts for
34 domestic LMR. Currently, this far this fiscal year, the Coast
35 Guard has had a total of twenty-three cases resulting in one or
36 more significant LMR violation, and, of those violations, 78
37 percent were due to gear, the TEDs and BRDs.

38
39 The second update is regarding other law enforcement, which is
40 our enforcement of the Mexican lancha threat of illegal,
41 unreported, and unregulated fishing in the U.S. EEZ. The Coast
42 Guard has had a total of fifty-three interdictions and lancha
43 seizures thus far this fiscal year. When compared to historic
44 trends, this is the largest -- We're on track to have the
45 largest number of seizures of actual lanchas this year, if
46 efforts keep at this current pace.

47
48 The last update that I will provide is in regard to mask

1 wearing. At the last Law Enforcement Technical Committee
2 meeting, questions were asked on what the Coast Guard's stance
3 was on the Executive Order 13998, Promoting COVID-19 Safety in
4 Domestic and International Travel, and the CDC order that
5 expanded the mask requirements in the marine transportation
6 system.

7
8 Since that time, the CDC pushed out an updated FAQ, frequently
9 asked questions, and it clarifies what that means for the
10 maritime industry, and specifically the commercial fishing
11 industry, and this is what the Coast Guard is going off of.
12 Under Title 42 of the U.S. Code, Section 268, the Coast Guard is
13 changed with enforcing CDC quarantine orders.

14
15 Onerous operators and crew of vessels that fail to implement the
16 mask wearing order may be subject to civil or criminal penalties
17 from the CDC. Again, the FAQ can be found on the CDC's website,
18 and it clearly outlines who it affects and what it applies to.
19 Pending any questions, that includes my update for the Coast
20 Guard. Thank you for your time.

21
22 **CHAIRMAN FRAZER:** Thank you, Lieutenant. Do we have any
23 questions regarding the Coast Guard's activities or the mask
24 updates? I am not seeing any hands up on my screen, and so,
25 again, I just want to say thank you, Lieutenant, for that
26 update, and we will continue to move on.

27
28 We have two Other Business items. The first one has to do with
29 the USDA dietary guidelines from the Department of Health and
30 Human Services. Ms. Bosarge, if you want to take a few minutes.

31
32 **OTHER BUSINESS**
33 **USDA DIETARY GUIDELINES FROM DEPARTMENT OF HEALTH AND HUMAN**
34 **SERVICES**

35
36 **MS. BOSARGE:** I will be quick. I have been spewing negativity
37 for a while now, and so I've got to balance that out, and this
38 is my positivity segment for the meeting. I wanted to just kind
39 of give you all a little update.

40
41 The Department of Agriculture and the Department of Health and
42 Human Services publish dietary guidelines for Americans about
43 every five years, and they just published some new dietary
44 guidelines, which highlighted some things that relate to what we
45 do around this council table, and I thought I would just take a
46 moment to kind of step back and hopefully emphasize why we do
47 what we do, right?

48

1 The 2020 to 2025 dietary guidelines recommend two to three
2 servings of seafood per week as part of a healthy diet pattern
3 for all Americans over the age of six months, and so the two
4 kind of big things that came out -- Before, this had never been
5 recommended for children under twenty-four months, or two years,
6 of age, nor for breastfeeding women, and so pregnant women or
7 women that are breastfeeding after they have had a child, and so
8 this was pretty cool, I thought.

9
10 I think that there was a new recognition that seafood is an
11 essential, nutrient-dense, health-promoting dietary component as
12 early as six months old, and so I thought, wow, we need to shout
13 this to everybody, to the masses.

14
15 Now, the other thing that came out, which is probably not as
16 positive, was that about 90 percent of Americans are not getting
17 enough seafood in their weekly diets, and that's Americans of
18 all ages and not just infants, but all ages, and seafood is
19 important.

20
21 I am not a doctor, but I do know a little bit, just the basics,
22 and seafood contains omega-3 fatty acids, and that's known to
23 support brain health and functioning, and my mom -- She had
24 cancer, and she was diagnosed with cancer, I don't know,
25 probably three or four years ago now, and so one of the things
26 that I do in all my free time is read all these different health
27 journal articles, right, and it seems like, whether I'm reading
28 an article about cancer, or about heart disease, or ADHD,
29 there's this one word that seems to recur over and over and over
30 in all these articles that I read, and that's this chronic
31 inflammation and how that chronic inflammation is related to so
32 many different terrible health conditions in our society.

33
34 Those omega-3 fatty acids that are contained in seafood actually
35 have anti-inflammatory properties, and so I just wanted to take
36 a second, and sometimes we get so immersed in our day-to-day
37 activities in our respective fisheries and all that that entails
38 that we rarely have a chance to step back and see our efforts
39 from a broader vantage point, and I thought that these dietary
40 guidelines really highlighted the importance of seafood in the
41 daily lives and the health of the people that we love, our
42 children, our friends, our family, and just the citizens of this
43 country in general.

44
45 It was an opportunity for each of us to take a step back and
46 say, yes, that's why I do what I do, and it doesn't matter
47 whether you're the -- That applies if you're a commercial
48 fisherman out there on the water and working in the elements,

1 the hard, physical labor, a labor of love, to bring that fish or
2 that shrimp or that oyster to the plate for somebody else to
3 enjoy, or if you're a fisheries manager, like a lot of you state
4 representatives around this council, spending sleepless nights
5 pouring over briefing book documents for your next meeting, or
6 fisheries scientists working to unearth that data that helps us
7 to better understand our fisheries and then better manage them.

8
9 This is why we do it, and I think sometimes it's nice to hear
10 that the hard work that you do every day is actually making a
11 difference in the quality of other people's lives, and so that's
12 my positive note for the meeting. Thanks, Mr. Chairman.

13
14 **BACKGROUND INFORMATION ON OTHER EXECUTIVE ORDERS FROM NMFS**
15 **HEADQUARTERS**
16

17 **CHAIRMAN FRAZER:** Thank you, Leann, for shining a little
18 sunshine on the end of our meeting. All right. The last item
19 in Other Business, and you guys can reference that at your
20 convenience, and it's background information on the various
21 Executive Orders coming from NMFS Headquarters that may, in one
22 way or another, involve the council and the things that we do.
23 I believe it was Mr. Diaz that asked for a compilation of those
24 at the last meeting, and so folks can go and review those at
25 their convenience, and certainly, if there's questions that come
26 up, don't hesitate to give staff a call, and we can track it
27 down, if you have a specific question about things.

28
29 Is there any other business to tackle before we adjourn this
30 meeting? I am not seeing any. Again, I would like to say to
31 everybody that I appreciate everybody hanging in there and
32 continuing to deal with virtual meetings that often are
33 technologically challenging, and you guys do a really good job,
34 and I appreciate your collegiality, and so I'm looking forward
35 to seeing you all in Key West in June, and I'm hoping that we
36 can pull that off without a hitch. You guys have a good one,
37 and I will see you in a couple of months. Take care.

38
39 (Whereupon, the meeting adjourned on April 15, 2021.)
40
41

- - -