

GULF OF MEXICO FISHERY MANAGEMENT COUNCIL

280<sup>TH</sup> MEETING

FULL COUNCIL SESSION

Via Webinar

September 30, 2020

**VOTING MEMBERS**

- Kevin Anson (designee for Scott Bannon).....Alabama
- Susan Boggs.....Alabama
- Leann Bosarge.....Mississippi
- Roy Crabtree.....NMFS
- 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
- Chris Schieble (designee for Patrick Banks).....Louisiana
- Bob Shipp.....Alabama
- Joe Spraggins.....Mississippi
- Greg Stunz.....Texas
- Ed Swindell.....Louisiana
- Troy Williamson.....Texas

**NON-VOTING MEMBERS**

- Dave Donaldson.....GSMFC
- Lt. Nicholas Giancola.....USCG

**STAFF**

- Assane Diagne.....Economist
- Matt Freeman.....Economist
- John Froeschke.....Deputy Director
- Beth Hager.....Administrative Officer
- Lisa Hollensead.....Fishery Biologist
- Ava Lasseter.....Anthropologist
- Mara Levy.....NOAA General Counsel
- Jessica Matos.....Document Editor & Administrative Assistant
- Natasha Mendez-Ferrer.....Fishery Biologist
- Emily Muehlstein.....Public Information Officer
- Kathy Pereira.....Meeting Planner & Travel Coordinator
- Ryan Rindone.....Lead Fishery Biologist/SEDAR Liaison
- Bernadine Roy.....Office Manager
- Charlotte Schiaffo.....Administrative & Human Resources Assistant

1 Camilla Shireman.....Administrative & Communications Assistant  
2 Carrie Simmons.....Executive Director  
3 Carly Somerset.....Fisheries Outreach Specialist  
4

5 **OTHER PARTICIPANTS**

6 Anna Beckwith.....SAFMC  
7 Shane Bonnot.....CCA, TX  
8 Ryan Bradley.....MS  
9 Eric Brazer.....Shareholders Alliance  
10 Catherine Bruger.....Ocean Conservancy  
11 Jason Delacruz.....FL  
12 Randy Edwards.....FL  
13 Blakely Ellis.....AL  
14 Jim Green.....Destin, FL  
15 Peter Hood.....NMFS  
16 Chris Horton.....Congressional Sportsmen's Foundation  
17 Dylan Hubbard.....FL  
18 Gary Jarvis.....Destin, FL  
19 Edwin Lambert.....Mobile, AL  
20 Lawrence Marino.....LA  
21 Jay Mullins.....  
22 Clay Porch.....SEFSC  
23 Chris Schieble.....LA  
24 Joe Spraggins.....MS  
25 Ted Venker.....CCA  
26 Bob Zales.....Panama City, FL  
27 Jim Zurbrick.....Steinhatchee, FL  
28

29 - - -  
30

TABLE OF CONTENTS

1  
2  
3 Table of Motions.....4  
4  
5 Call to Order, Announcements, and Introductions.....6  
6  
7 Induction of New Council Members.....9  
8  
9 Adoption of Agenda and Approval of Minutes.....11  
10  
11 Public Comment.....13  
12  
13 Committee Reports.....46  
14     Reef Fish Committee Report.....46  
15     Administrative Budget Committee Report.....104  
16     Shrimp Committee Report.....105  
17     Sustainable Fisheries Committee Report.....108  
18     Mackerel Committee Report.....124  
19     Coastal Migratory Pelagics and Red Drum AP Appointments....130  
20  
21 Other Business.....130  
22     5<sup>th</sup> Court Aquaculture Appellate Decision .....130  
23     Discussion of HMS Sharks.....131  
24     Discussion of Upcoming Council Meetings.....135  
25  
26 Election of Chair and Vice Chair.....137  
27  
28 Adjournment.....140  
29  
30  
31

- - -

TABLE OF MOTIONS

- 1  
2  
3 [PAGE 48](#): Motion to have the council review IFQ data at each  
4 upcoming council meeting through January 2021 to assess the need  
5 for a possible emergency action due to the COVID-19 pandemic.  
6 [The motion carried on page 48.](#)  
7  
8 [PAGE 51](#): Motion to direct council staff draft a letter to the  
9 NOAA OST recommending an examination (pilot program, other  
10 method) be used to examine whether those publicly-available  
11 sampling location catch rates are appropriate for application to  
12 the full shore effort, or whether an alternative method is (more  
13 appropriate/preferable/possible) for private access locations.  
14 Further, NOAA OST should prioritize developing a protocol and  
15 automated check program to detect and flag extreme or unusual  
16 values in MRIP/FES catch estimates and determine the source of  
17 those extreme values, such as input data or calibration  
18 procedures. [The motion carried on page 52.](#)  
19  
20 [PAGE 66](#): Motion to instruct council staff develop an  
21 appropriate document that provides private recreational red  
22 snapper conversion (calibration) options for council  
23 consideration that includes, but not limited to, conversion  
24 ratios as presented by NOAA, no action, buffers for each state  
25 weighted by each state's current allocation percentage, et  
26 cetera. Time decisions that involve converted (calibrated)  
27 state survey data for the private recreational red snapper  
28 fishery to coincide with the results of the Great Red Snapper  
29 Count are known and reviewed by the SSC. [The motion carried on](#)  
30 [page 92.](#)  
31  
32 [PAGE 95](#): Motion to direct staff develop a white paper that  
33 would develop separate sector allocations between the private  
34 and for-hire components of the recreational sector for the  
35 following four reef fish species: red and gag groupers, greater  
36 amberjack, and gray triggerfish. [The motion carried on page](#)  
37 [102.](#)  
38  
39 [PAGE 105](#): Motion to approve the 2020 budget as funded. [The](#)  
40 [motion carried on page 105.](#)  
41  
42 [PAGE 114](#): Motion in Action 4.1 to accept the recommended  
43 changes. [The motion carried on page 114.](#)  
44  
45 [PAGE 115](#): Motion in Action 4.1 to make Options 2b, 3b, and 4d  
46 the preferred. [The motion carried on page 115.](#)  
47  
48 [PAGE 115](#): Motion in Action 4.2 to accept the recommended

1 changes. [The motion carried on page 115.](#)  
2  
3 [PAGE 116](#): Motion in Action 4.2 to make Alternative 1 the  
4 preferred. [The motion carried on page 116.](#)  
5  
6 [PAGE 116](#): Motion to take Draft Amendment Reef Fish 48/Red Drum  
7 5: Status Determination Criteria and Optimum Yield for Reef Fish  
8 and Red Drum out for public hearing via webinar. [The motion](#)  
9 [carried on page 116.](#)  
10  
11 [PAGE 118](#): Motion to direct staff start a document to allow the  
12 States of Alabama, Mississippi, and Louisiana to manage red drum  
13 out to nine nautical miles. [The motion carried on page 122.](#)  
14  
15 [PAGE 126](#): Motion to direct staff start a plan amendment to  
16 reduce the fishing mortality in the commercial and recreational  
17 cobia fishery in the Gulf of Mexico, which will include bag  
18 limits, vessel limits, size limits, and catch limit options.  
19 [The motion carried on page 129.](#)  
20  
21 [PAGE 130](#): Motion to request an analysis of king mackerel sector  
22 landings and quotas for the past five to ten years with  
23 recreational landings and quotas in FES currency. [The motion](#)  
24 [carried on page 130.](#)

25 - - -  
26  
27

1 The Full Council of the Gulf of Mexico Fishery Management  
2 Council convened via webinar on Wednesday morning, September 30,  
3 2020, and was called to order by Chairman Tom Frazer.

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

7 **CHAIRMAN TOM FRAZER:** We will go ahead and call the meeting to  
8 order now, and I will read our opening statement. Welcome to  
9 the 280<sup>th</sup> meeting of the Gulf Council. My name is Tom Frazer,  
10 Chair of the council. The Gulf Council is one of eight regional  
11 councils established in 1976 by the Fishery Conservation and  
12 Management Act, known today as the Magnuson-Stevens Act. The  
13 council's purpose is to serve as a deliberative body to advise  
14 the Secretary of Commerce on fishery management measures in the  
15 federal waters of the Gulf of Mexico. These measures help  
16 ensure that fishery resources in the Gulf are sustained, while  
17 providing the best overall benefit to the nation.

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

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

28  
29 Public input is a vital part of the council's deliberative  
30 process, and comments, both oral and written, are accepted and  
31 considered by the council throughout the process. Anyone  
32 wishing to speak during public comment should call the toll-free  
33 number that is provided on our website and onscreen during the  
34 public comment period of the meeting. A digital recording is  
35 used for the public record, and therefore, the purpose of voice  
36 identification, please unmute your line when your name is called  
37 and state your name, first and last name.

38  
39 **MS. CAMILLA SHIREMAN:** Kevin Anson.

40  
41 **MR. KEVIN ANSON:** Kevin Anson.

42  
43 **MS. SHIREMAN:** Chris Schieble.

44  
45 **MR. CHRIS SCHIEBLE:** Chris Schieble.

46  
47 **MS. SHIREMAN:** Susan Boggs.  
48

1 MS. SUSAN BOGGS: Susan Boggs.  
2  
3 MS. SHIREMAN: Leann Bosarge.  
4  
5 MS. LEANN BOSARGE: Leann Bosarge.  
6  
7 MS. SHIREMAN: I don't believe Glenn is there. Roy Crabtree.  
8  
9 DR. ROY CRABTREE: Roy Crabtree is here.  
10  
11 MS. SHIREMAN: Dale Diaz.  
12  
13 MR. DALE DIAZ: Dale Diaz.  
14  
15 MS. SHIREMAN: Dave Donaldson.  
16  
17 MR. DAVE DONALSON: Dave Donaldson.  
18  
19 MS. SHIREMAN: J.D. Dugas.  
20  
21 MR. J.D. DUGAS: J.D. Dugas.  
22  
23 MS. SHIREMAN: Phil Dyskow.  
24  
25 MR. PHIL DYSKOW: Phil Dyskow.  
26  
27 MS. SHIREMAN: Tom Frazer.  
28  
29 CHAIRMAN FRAZER: Tom Frazer.  
30  
31 MS. SHIREMAN: Thank you. Lieutenant Nicholas Giancola.  
32  
33 LT. NICHOLAS GIANCOLA: Lieutenant Nate Giancola.  
34  
35 MS. SHIREMAN: Thank you. Martha Guyas.  
36  
37 MS. MARTHA GUYAS: Martha Guyas.  
38  
39 MS. SHIREMAN: Robin Riechers.  
40  
41 MR. ROBIN RIECHERS: Robin Riechers.  
42  
43 MS. SHIREMAN: John Sanchez.  
44  
45 MR. JOHN SANCHEZ: John Sanchez.  
46  
47 MS. SHIREMAN: Bob Shipp.  
48

1 **DR. BOB SHIPP:** Bob Shipp is here.  
2  
3 **MS. SHIREMAN:** Thank you. Joe Spraggins.  
4  
5 **GENERAL JOE SPRAGGINS:** Joe Spraggins is here.  
6  
7 **MS. SHIREMAN:** Thank you. Greg Stunz.  
8  
9 **DR. GREG STUNZ:** Greg Stunz.  
10  
11 **MS. SHIREMAN:** Ed Swindell.  
12  
13 **MR. ED SWINDELL:** Ed Swindell.  
14  
15 **MS. SHIREMAN:** Troy Williamson. Anna Beckwith.  
16  
17 **MS. ANNA BECKWITH:** Anna Beckwith.  
18  
19 **MS. SHIREMAN:** Okay. Thank you.  
20  
21 **CHAIRMAN FRAZER:** Okay. Before we get moving with the induction  
22 of the new council members, I just wanted to say a few words in  
23 memory of two folks that passed away recently, but were  
24 considered really valued members of the fisheries community.  
25  
26 The first would be Thomas Schultz, Jr., or Tommy Schultz.  
27 Captain Tommy was born into the shrimping industry. He began  
28 working on his father's boat at a young age, and he acquired his  
29 first vessel in 1962. Tommy was the first person in Biloxi to  
30 own a steel-hulled boat. The Reva Rose was one of the earliest  
31 electronically-equipped shrimp trawlers, and he used it to test  
32 and perfect new forms of shrimping in the Gulf.  
33  
34 Tommy also worked as the physical plant supervisor for the  
35 Mississippi State University Coastal Research Extension Center.  
36 He was involved in the Department of Improved Energy Technology  
37 and Fuel Consumption Monitoring for Vessels, and he was  
38 instrumental in the development of the turtle excluder devices.  
39 He was a long-time member of the council's Shrimp Advisory Panel  
40 and a true advocate of the industry. His leadership and  
41 expertise will be missed.  
42  
43 I would also like to say a few words about Fred Toole. Fred was  
44 a private recreational fisherman from Alabama. He was  
45 passionate about conservation of our natural resources, and he  
46 served a single term on the Coastal Migratory Pelagic Advisory  
47 Panel, and applied to be appointed before his passing earlier  
48 this year. Again, we will miss Fred Toole.

1  
2 We will now move on with the induction of new council members,  
3 and, Dr. Crabtree, if you want to provide some words and  
4 instruction here, that would be appreciated.  
5

6 **INDUCTION OF NEW COUNCIL MEMBERS**  
7

8 **DR. CRABTREE:** Okay. Thank you, Mr. Chairman. All of the  
9 council members who are appointed by the Secretary are required  
10 to take an oath, and, this morning, that would be Phil Dyskow,  
11 Bob Shipp, and Greg Stunz. It's my understanding that all of  
12 you have been provided with a copy of the oath, and so I think  
13 the best way to do this is just to have each of you individually  
14 read the oath into the record, and so what we can do is just go  
15 east to west, and that means we would start with you, Phil, if  
16 you would like to read the oath.  
17

18 **MR. DYSKOW:** Thank you. I, Phil Dyskow, as a duly appointed  
19 member of a regional fishery management council, established  
20 under the Magnuson-Stevens Fishery Conservation and Management  
21 Act, hereby promise to conserve and manage the living marine  
22 resources of the United of States of America by carrying out the  
23 business of the council for the greatest overall benefit of the  
24 nation.  
25

26 I recognize my responsibility to serve as a knowledgeable and  
27 experienced trustee of the nation's marine fishery resources,  
28 being careful to balance competing private or regional interests  
29 and always aware and protective of the public interest in those  
30 resources.  
31

32 I commit myself to uphold the provisions, standards, and  
33 requirements of the Magnuson-Stevens Fishery Conservation and  
34 Management Act and other applicable law, and I shall conduct  
35 myself at all times according to the rules of conduct prescribed  
36 by the Secretary of Commerce. This oath is freely given and  
37 without mental reservation or purpose of evasion.  
38

39 **DR. CRABTREE:** Thank you, Phil, and congratulations, and welcome  
40 back to the council, and we appreciate your willingness to  
41 serve. Next, we'll go to Alabama and Dr. Shipp. Bob, if you  
42 would read the oath.  
43

44 **DR. SHIPP:** I will. I, Bob Shipp, as a duly appointed member of  
45 a regional fishery management council, established under the  
46 Magnuson-Stevens Fishery Conservation and Management Act, hereby  
47 promise to conserve and manage the living marine resources of  
48 the United of States of America by carrying out the business of

1 the council for the greatest overall benefit of the nation.

2  
3 I recognize my responsibility to serve as a knowledgeable and  
4 experienced trustee of the nation's marine fishery resources,  
5 being careful to balance competing private or regional interests  
6 and always aware and protective of the public interest in those  
7 resources.

8  
9 I commit myself to uphold the provisions, standards, and  
10 requirements of the Magnuson-Stevens Fishery Conservation and  
11 Management Act and other applicable law, and I shall conduct  
12 myself at all times according to the rules of conduct prescribed  
13 by the Secretary of Commerce. This oath is freely given and  
14 without mental reservation or purpose of evasion.

15  
16 **DR. CRABTREE:** Thank you, Dr. Shipp, and welcome back to the  
17 council, and thank you for being with us. Next, we'll go to  
18 Texas and Greg Stunz. Go ahead, Greg.

19  
20 **DR. STUNZ:** Thank you, Roy. Thank you. I, Greg Stunz, as a  
21 duly appointed member of a regional fishery management council,  
22 established under the Magnuson-Stevens Fishery Conservation and  
23 Management Act, hereby promise to conserve and manage the living  
24 marine resources of the United of States of America by carrying  
25 out the business of the council for the greatest overall benefit  
26 of the nation.

27  
28 I recognize my responsibility to serve as a knowledgeable and  
29 experienced trustee of the nation's marine fishery resources,  
30 being careful to balance competing private or regional interests  
31 and always aware and protective of the public interest in those  
32 resources. I commit myself to uphold the provisions, standards,  
33 and requirements of the Magnuson-Stevens Fishery Conservation  
34 and Management Act and other applicable law, and I shall conduct  
35 myself at all times according to the rules of conduct prescribed  
36 by the Secretary of Commerce. This oath is freely given and  
37 without mental reservation or purpose of evasion.

38  
39 **DR. CRABTREE:** Thank you, Greg, and welcome back to the  
40 council. Congratulations. With that, Mr. Chairman, I will turn  
41 it back to you.

42  
43 **CHAIRMAN FRAZER:** All right. Thank you, Roy, and, again,  
44 congratulations to Phil, Bob, and Greg. It's great to have you  
45 back with the group, and so, obviously, you're well-respected  
46 members of the team here. Anyway, we'll get started with our  
47 business, and so the first order of business would be the  
48 Adoption of the Agenda, and that would be Tab A, Number 3.

1  
2 **ADOPTION OF AGENDA AND APPROVAL OF MINUTES**  
3

4 **MR. DIAZ:** Mr. Chairman, I would like to add, under Other  
5 Business, if I could, a discussion on red drum.  
6

7 **CHAIRMAN FRAZER:** Thank you, Mr. Diaz. We will add that as an  
8 Other Business item. Dr. Simmons.  
9

10 **EXECUTIVE DIRECTOR SIMMONS:** Thank you, Mr. Chair. Could we add  
11 a brief discussion of the November 30 and December 1 council  
12 meeting? I would like to talk a little bit about the potential  
13 of having a hybrid meeting and just letting everyone know that  
14 we do plan to hold that meeting. We need to get quite a bit  
15 done before the end of the year. Thank you.  
16

17 **CHAIRMAN FRAZER:** Thank you, Dr. Simmons. We will add that also  
18 as an additional business item. Are there any other business  
19 items that we might need to consider later today? Ms. Bosarge.  
20

21 **MS. BOSARGE:** I would like to add a short discussion on HMS  
22 sharks, please.  
23

24 **CHAIRMAN FRAZER:** Okay. Thank you, Ms. Bosarge. We will add  
25 that to the list of Other Business items. Are there any other  
26 additions or modifications of the agenda?  
27

28 **MS. MARA LEVY:** Mr. Chairman, maybe I missed it, but did you add  
29 what you wanted to move over from the Reef Fish Committee other  
30 business?  
31

32 **CHAIRMAN FRAZER:** That's a good point, and so we will in fact  
33 modify the agenda, and we will start our committee meetings with  
34 the Reef Fish Committee Report. Thank you, Mara.  
35

36 **MS. GUYAS:** Mr. Chair, I don't know if you wanted to move the  
37 Reef Fish Other Business to Other Business as well, and we had  
38 two things on that list, and one was John brought up a CFA  
39 proposal, and Leann raised the SEAMAP fall survey.  
40

41 **CHAIRMAN FRAZER:** Martha, I think that both of those items will  
42 be noted in the Reef Fish Committee Report, and we can certainly  
43 follow-up at that time.  
44

45 **MS. GUYAS:** Sounds good.  
46

47 **CHAIRMAN FRAZER:** All right. Thank you, everybody. Is there  
48 any further additions or modifications to the agenda? Seeing

1 none, is there any objection to approving the agenda as modified  
2 and with the additional items? Okay. Hearing none, I will  
3 consider the agenda, as modified, approved.

4  
5 The next order of business would be the Approval of the Minutes.  
6 That would be Tab A, Number 4. Can I get a motion to approve  
7 those minutes?

8  
9 **MS. BOSARGE:** So moved, Mr. Chairman.

10  
11 **MR. DIAZ:** Seconded.

12  
13 **CHAIRMAN FRAZER:** Okay. It was moved by Ms. Bosarge and  
14 seconded by Mr. Diaz. Is there any additional discussion on the  
15 minutes? Seeing none, is there any opposition to approving  
16 those minutes? Seeing none, the motion carries, and we'll  
17 consider the minutes approved.

18  
19 We will now go ahead, and we're about right on schedule, and  
20 we'll perhaps two minutes, to begin our public comment. It's  
21 scheduled at 9:30, and I want to make sure that the public has  
22 every opportunity to get on the line. Okay. It's 9:30, and so  
23 we will start our public comment period, and I will go ahead and  
24 read the Chair's statement.

25  
26 Good afternoon, everyone. Public input is a vital part of the  
27 council's deliberative process, and comments, both oral and  
28 written, are accepted and considered by the council throughout  
29 the process.

30  
31 The Sustainable Fisheries Act requires that all statements  
32 include a brief description of the background and interest of  
33 the persons in the subject of the statement. All written  
34 information shall include a statement of the source and date of  
35 such information.

36  
37 Oral or written communications provided to the council, its  
38 members, or its staff that relate to matters within the  
39 council's purview are public in nature. Please email any  
40 written comments to the staff at [gulfcouncil@gulfcouncil.org](mailto:gulfcouncil@gulfcouncil.org), as  
41 all written comments will also be posted on the council's  
42 website for viewing by council members and the public, and it  
43 will be maintained by the council as part of the permanent  
44 record.

45  
46 Knowingly and willfully submitting false information to the  
47 council is a violation of federal law. If you would like to  
48 provide testimony, please dial the toll-free-operator-assisted

1 number at 1-(833)970-2435, as shown on the screen. Please press  
2 \*1 on your telephone now to be placed in the speaker queue. The  
3 operator will come on the line and let you know when it's your  
4 turn to speak.

5  
6 When your line is unmuted, please introduce yourself by stating  
7 your first and last name for the record and begin your  
8 testimony. Stay tuned after speaking for any questions the  
9 council may have for you. You will lose your place in the queue  
10 if you are not present when called. To re-enter the queue, you  
11 must press \*1. If you get disconnected from the phone call, you  
12 will have to call back in and press \*1 to re-enter to queue.

13  
14 You will have three minutes to comment. There will be a  
15 countdown timer visible on the screen. We accept only one  
16 registration per person, and I will now go to the operator for  
17 our first speaker.

18  
19 **OPERATOR:** Your first speaker is Bob Zales.

20  
21 **PUBLIC COMMENT**

22  
23 **MR. BOB ZALES, III:** Bob Zales, and I'm speaking on behalf of  
24 the Southern Offshore Fishing Association. Yesterday, in  
25 discussion, there were questions or concerns about the 2017,  
26 2018, and 2019 landings of red grouper and why they were so low  
27 and that kind of thing, I guess getting into whether or not they  
28 want any carryover.

29  
30 In talking to the guys down in Madeira Beach, part of the reason  
31 why they claim that their catches have been low for the past  
32 several years is, number one, we clearly have the red tide  
33 issue. Aside from that, they've got areas where they have  
34 traditionally fished that apparently they can't fish on a whole  
35 lot anymore, because they are covered up with red snapper, and  
36 they don't have quota to catch red snapper, and they don't want  
37 to discard the fish.

38  
39 Shark and dolphin predation has been a significant problem, and  
40 apparently the weak hook situation has created problems for the  
41 fishery, and so the other issue is that, because of the way  
42 things have been with regulatory issues and whatnot, they have  
43 got some new entrants into the fishery, new captains, new  
44 deckhands, and they are not quite as experienced as the old ones  
45 have been in the past, with knowing where to go and what to do,  
46 and so all of these factors have kind of contributed to the low  
47 quota that has been met, and so part of that, I suspect, has to  
48 do with the recent stock assessment, where it's indicating that

1 red grouper is probably having some issues, and so those are  
2 kind of the reasons why they haven't reached that 90 to 95  
3 percent of their quota. I will be glad to answer any questions,  
4 if anybody has any.

5  
6 **CHAIRMAN FRAZER:** Thank you, Bob. We'll wait just a second, to  
7 make sure I don't see any hands. Thank you, Captain Zales. I  
8 don't see any questions at this time. I appreciate your  
9 comments.

10  
11 **MR. ZALES:** Okay. Thank you.

12  
13 **OPERATOR:** Your next speaker is Gary Jarvis.

14  
15 **MR. GARY JARVIS:** I'm Captain Gary Jarvis, Executive Director of  
16 the Charter Fishermen's Association. We would just like to ask  
17 the council to make a motion and vote to direct the Gulf Council  
18 staff to develop a charter/for-hire white paper, similar to  
19 Amendment 40, to explore the development of sector allocations  
20 for the four other major reef fish species. Those species would  
21 be red and gag grouper, greater amberjack, and gray triggerfish.

22  
23 We continue to support the timely implementation of the SEFHIER  
24 program, and this is how and why our industry is committed to  
25 improving our portion of recreational fisheries accountability  
26 and management, and we hope to help launch this program in 2021.  
27 When implemented, it will give managers a solid basis to address  
28 and establish sector allocations for the charter/for-hire  
29 sector, to assist in better recreational fishery management for  
30 that particular portion of recreational fisheries, and it will  
31 help speed the rebuilding plans for red grouper and greater  
32 amberjack, who both are having management issues.

33  
34 We need the National Marine Fisheries Service and the Gulf  
35 Council to establish a program that will explore every option  
36 available to create solutions to reduce marine interaction and  
37 predation of our hooked and released fish.

38  
39 We also are still having issues with the illegal charter  
40 operations, and they continue to flourish and harm legal  
41 operator and endanger anglers on unsafe and uninsured vessels,  
42 and it needs to be stopped, and we just ask for your continued  
43 support and increased LEO efforts in any way possible.

44  
45 We respectfully ask that the crew size rule for dual-permitted  
46 charter/for-hire and commercial vessels are removed, because,  
47 with VMS and LEO requirements, this arcane rule no longer has  
48 relevance to its original concept, and it would allow a few

1 extra crew to enhance the efficiency in the fishery and greatly  
2 improve operational safety, with more folks to share the  
3 workload.

4  
5 We also really would like to see some serious attempts to fix  
6 the issue of cobia in the northern Gulf. The new stock  
7 assessment, as in years past, is not robust enough, and it's  
8 data poor, to give a realistic picture of the status of the  
9 stock. Anecdotal evidence, in some cases, is more accurate and  
10 easier to validate than other datasets. Fishers Gulf-wide have  
11 seen a steady fifteen-year decline in the biomass of these fish,  
12 and we ask the council to follow Florida's lead and actually  
13 apply their rule of one cobia person, two per boat, Gulf-wide,  
14 and that's all I have today. Thank you very much.

15  
16 **CHAIRMAN FRAZER:** Thank you, Captain Jarvis. We'll just a few  
17 seconds to see if anybody has any questions. It looks like we  
18 have a question from Bob Shipp. Dr. Shipp.

19  
20 **DR. SHIPP:** Thank you. Gary, thanks for coming over, and I  
21 share your concern about cobia, but you mentioned the last  
22 fifteen years, and has there been a steady decline, or was there  
23 a period where suddenly there was a sharp drop-off, which is  
24 something that has been described over here? Thank you.

25  
26 **MR. JARVIS:** Actually, Dr. Shipp, it's been a little of both.  
27 The last really productive season was right around 2001 to 2003,  
28 where things seemed to be normal. Since then, it's just gotten  
29 worse and worse and worse, but we see a precipitous decline  
30 three years ago, and, for the last three seasons, from 2017,  
31 2018, and 2019, that's basically where it seemed like it fell  
32 off the table.

33  
34 The good news, for us, is that these fish grow eight to ten  
35 pounds a year, and that's why we're asking for such restrictive  
36 measures, because the people that are passionate about this  
37 sport, and this is what I grew up on. I've fished for these  
38 fish for forty-three years, and here's where anecdotal evidence  
39 comes in. I have seen the fishery in full bloom, and I have  
40 seen it on the edge of collapse.

41  
42 Some people, in their anecdotal evidence, who have only been  
43 fishing maybe for five or ten years, they might think everything  
44 is great, because they have one or two good days a season, but,  
45 for those of us that have gray hairs and have been passionate  
46 about this particular fishery, and who have talked to people  
47 from Key West all the way to Brownsville, Texas, everyone, even  
48 the people that don't think one per person is a good limit,

1 every single one of them will tell you that there's not as many  
2 as there used to be.

3  
4 In our portion of the Gulf, it's been a precipitous drop-off,  
5 and it's not just in Destin. I've talked to guys from  
6 Clearwater all the way to Mississippi, and, in our portion of  
7 the Gulf of Mexico, especially in the eastern Gulf, it's been a  
8 severe decline.

9  
10 **CHAIRMAN FRAZER:** Okay. Thank you, Bob, for that question, and  
11 thank you, Gary. It looks like we've got a couple more  
12 questions, perhaps. J.D. Dugas from Louisiana.

13  
14 **MR. DUGAS:** Mr. Jarvis, with the cobia issue you're seeing, have  
15 you had any talks with any people in Louisiana? Are they seeing  
16 in the same thing?

17  
18 **MR. JARVIS:** Some of the pushback actually came from folks over  
19 in that area, and it's not that I'm just some eastern Gulf guy.  
20 I spent sixteen years fishing out of Belle Pass, from 1994  
21 through 2007, and a little bit prior to that, and I remember  
22 pulling up the rigs and seeing thirty and forty fish come up and  
23 swim around your boat.

24  
25 The last few times I have fished over in that area, there might  
26 be four or five, and I guess, if you've only been fishing for  
27 ten years, and you pull up the rig in the summertime and six  
28 cobia swim up, and you catch them all, you think cobia fishing  
29 is great, but I also watch all the websites and the posting of  
30 fish, and you don't see racks of cobia, even coming out of  
31 Venice or Grand Isle or Belle Pass.

32  
33 My friends that fish out of there, and that's where their  
34 charter operations are, every single one of them, to a man,  
35 especially the guys that have been fishing for longer than five  
36 or six years, will confirm what I'm saying. The days of fish  
37 aplenty definitive have diminished greatly.

38  
39 **MR. DUGAS:** Okay. Thank you.

40  
41 **CHAIRMAN FRAZER:** All right. Do we have any more questions for  
42 Captain Jarvis? Okay. Seeing no hands, thank you, Gary. We  
43 appreciate your comments.

44  
45 **MR. JARVIS:** Thank you, Mr. Chairman. Thank you, council.

46  
47 **OPERATOR:** Your next speaker is Jason Delacruz.

48

1 **MR. JASON DELACRUZ:** Good morning, council. Thank you,  
2 everybody, for the opportunity to speak. Real quick, the only  
3 thing I really want to hit is, after some of the conversation  
4 yesterday, I think I want to clarify a little bit of history on  
5 an issue that's real close to me, which is the powerhead issue,  
6 the spearfishing issue.

7  
8 There was a lot of conversation about why that rule was put in  
9 place back in the day, and I will be honest that the original  
10 rule was put in place before I was active in this process, but  
11 it did come back up in the late 1990s, and I was at the meeting  
12 when it happened, and the conversation happened, and, at the  
13 time, we had all rallied and showed up at the meeting to talk  
14 about what it meant, the powerheads, as far as the commercial  
15 spearfishing goes and what it means to spear fishermen from the  
16 standpoint of safety.

17  
18 Oddly enough, the one reason the hogfish thing came up is one  
19 particular council member said, well, what about hogfish, and do  
20 you guys count on hogfish, and a good friend of mine, Paul  
21 Renner, who is one of the premier guys in the commercial  
22 spearfishing of amberjack, said, well, nobody spearfishes or  
23 powerhead for hogfish, and it was kind of a joke, and so they  
24 said, well, we'll just make that one that we prohibit and kind  
25 of move on, and I think everybody just doesn't realize that this  
26 rule even existed.

27  
28 The truth of it is that there's only a few times a year where  
29 we're in that stressed area, and this is actually where the  
30 spearfishing is illegal, unbeknownst to them, because it's only  
31 certain times of the winter when those fish come there.

32  
33 Now, we've done the management of this fish so tragically bad in  
34 the past, and we keep trying to adjust the rules, and I have  
35 always said that we need to manage this fish in a way that it  
36 goes to the people that are really full-time users of it, and I  
37 am fortunate enough that I get to do a little bit myself, but,  
38 truthfully, I actually buy from two or three guys that  
39 commercial spearfish for amberjack, and these guys land, of  
40 mixed reef fish, 30,000 pounds a year, and these are full-time  
41 participants, and they're not part-time charter guys that go  
42 catch a few in the winter. These guys will fish for them year-  
43 round.

44  
45 The problem we have is, if you take these powerheads away from  
46 them, in that shallow water during the winter, when they  
47 actually can access some of those fish close to shore, where  
48 they don't have to go far offshore, you're putting them at a

1 significant risk.  
2  
3 DCS, decompression sickness, in the wintertime is way worse in  
4 the cold water, and so the chance of them sticking a line into a  
5 forty or fifty or sixty-pound amberjack and it dragging them  
6 around in shallow water and hurting them is pretty damn  
7 significant, and so it's better for the fish quality to be  
8 powerheaded, and it's better and safer for the divers to  
9 powerhead those fish, and so I think this needs to be looked at  
10 for what it truly is, which is just a commercial diver issue.  
11  
12 It's a safety issue, and it's not just a random thing to throw  
13 out because at one time we were doing it for goliath. It makes  
14 sense, and goliath is still closed, and I am not advocating for  
15 that, but I do think having access to powerheads in this  
16 stressed zone is a useful thing in the relative context of  
17 safety of divers in commercial spearfishing. Thank you.  
18  
19 **CHAIRMAN FRAZER:** Thank you, Jason, for your comments. Are  
20 there any questions for Jason? I am just waiting a few seconds,  
21 Jason, to make sure that I don't have any hands. Okay. I am  
22 not seeing any hands. Again, thanks, Jason, for your comments.  
23  
24 **OPERATOR:** Your next speaker is Jim Green.  
25  
26 **MR. JIM GREEN:** Good morning. Thank you all so much for the  
27 opportunity to speak today. I will make it short, and I'm on  
28 the boat, out on a trip, and so I don't know if it will cut me  
29 off or not, but I'm speaking on behalf of DCBA, and we have  
30 wholeheartedly support the CFA plan, and we hope to see that be  
31 pushed forward, to where we can flesh out some more ideas for  
32 long-term, sustainable management plans for our industry.  
33  
34 We support the ELBs, and we would like to get that -- Get our  
35 harvest data getting turned in as quick as possible, and we look  
36 forward to that in January, getting started, and we look forward  
37 to the vessel monitoring being fleshed out as we move along.  
38  
39 I sent an email to everybody about marine mammal interactions,  
40 and please take note of that. That's a very serious issue in  
41 our area, and we have a lot of predation from mammals, from  
42 dolphins, but also sharks are a very big problem for us.  
43  
44 Cobia, we wholeheartedly support the Gulf Council moving to  
45 regulations, the same as the FWC, the two fish per vessel and  
46 one fish per person, and I'm a director of the local tournament,  
47 and we have dropped the big fish category and gone to an  
48 aggregate tournament, trying to promote catching -- Not putting

1 the prize on the biggest fish.

2  
3 Illegal charters, I commend the Coast Guard on what they're  
4 doing with that, but we can continue that discussion and make  
5 sure that that doesn't get lost in the weeds of what all we have  
6 going on, and that's pretty much all I've got for testimony, and  
7 I really appreciate the opportunity to speak today.

8  
9 **CHAIRMAN FRAZER:** Thanks, Captain Green, for making the effort  
10 out on a trip. We appreciate that. Do we have any questions  
11 for Captain Green? I am not seeing any hands, Jim, and so,  
12 again, thanks for the call, and good luck fishing today.

13  
14 **MR. GREEN:** Thank you so much. You all have a good one. Thank  
15 you for the opportunity.

16  
17 **OPERATOR:** We have no other speakers at this time.

18  
19 **CHAIRMAN FRAZER:** We are going to wait just a bit. Our  
20 experience last time indicated that some folks might join on in  
21 the session, and so we'll sit tight for maybe five minutes or so  
22 here. We'll give it five minutes.

23  
24 **OPERATOR:** We do have speaker Shane Bonnot.

25  
26 **CHAIRMAN FRAZER:** Okay. Shane, are you on?

27  
28 **MR. SHANE BONNOT:** Sorry. I forgot to press \*1, and so my  
29 apologies. Good morning, council members, and I appreciate the  
30 opportunity to call in and give comments. My name is Shane  
31 Bonnot, and I'm from Texas, and I work for the Coastal  
32 Conservation Association, and so I'm here to represent  
33 recreational anglers.

34  
35 I am just going to comment on the red snapper calibration, and I  
36 heard a lot of swirling conversation yesterday about calibration  
37 options, and the options that were listed on the PowerPoint were  
38 no action and then convert private angler ACL to state surveys,  
39 a conversion from CHTS to the state surveys, and then there's an  
40 option of a 23 percent buffer.

41  
42 I think, at this time, I would recommend that the council don't  
43 do anything and just use the harvest data from the state  
44 surveys, unadjusted harvest data, and I think the states need  
45 more time. We need more time for the states and NMFS to get  
46 together and work through any disagreements that there might be  
47 between those two survey systems.

48

1 You've got to look at what the states have done to work through  
2 the EFP and then work through Amendment 50, and they've spent a  
3 lot of time working on their programs, and they've put a lot of  
4 money into working on their programs, and those programs are  
5 tailored to what's best for their private recreational anglers,  
6 and it makes no logical sense to make any conversions back to a  
7 system that you all know is broken, and it's not truly  
8 reflective of what's going on on the water, both from a fishing  
9 pressure standpoint and from a stock abundance perspective.

10  
11 The Great Red Snapper results are going to be released here in  
12 the immediate future, and that count alone is going to provide  
13 you with the estimated population abundance for the precise  
14 years that are in question, and so, on behalf of private  
15 recreational anglers here in Texas, and really across the Gulf,  
16 I would ask that you just defer any action on calibration until  
17 we have a little more clarity and until the states and NMFS have  
18 a little more time to work together to work out their  
19 differences, and that concludes my comments, and I appreciate  
20 the opportunity this morning.

21  
22 **CHAIRMAN FRAZER:** Great. Thank you, Shane. We will wait just a  
23 minute and see if we have any input from the council, or any  
24 questions. It looks like Greg Stunz.

25  
26 **DR. STUNZ:** Thank you, Mr. Chairman. Not to the last testimony,  
27 but some of the public are questioning, and they say that  
28 they're in line, but they're having trouble with the request for  
29 a seven-digit code or something, and I don't know, and it looks  
30 like there's some people that would like to provide testimony,  
31 but they're struggling to get through the system, and so I just  
32 wanted to make sure that you're aware of that.

33  
34 **MR. BONNOT:** I had the same problem, and I had to tell the  
35 operator that I was for the Gulf Council meeting, but they did  
36 ask me for a seven-digit code, and I did not have one, and I had  
37 to tell the live operator that it was for the Gulf Council  
38 meeting.

39  
40 **CHAIRMAN FRAZER:** Thanks, Greg, and thanks, Shane. I am going  
41 to kind of see if we can remedy this problem, and so just sit  
42 tight real quick and let me talk with Bernie here.

43  
44 **MS. BERNADINE ROY:** Christy, are you able to speak to that?

45  
46 **OPERATOR:** People should be able to get in with a code or the  
47 title, and either one is fine, for anyone that doesn't have the  
48 codes.

1  
2 **MS. ROY:** Can you provide the general code then, I guess, for  
3 the public? Is it the same code?  
4  
5 **OPERATOR:** It is. The ID number is 3454732.  
6  
7 **CHAIRMAN FRAZER:** I appreciate, again, people's patience, and it  
8 looks like what we have -- If you can see the screen, we have  
9 the appropriate dial-in number, as well as an ID code up there,  
10 and you can use either the ID code, which is 3454732, or simply  
11 indicate that you're with the Gulf Council. Again, to get into  
12 the queue, I just want to remind people that, after you dial the  
13 number, you need to press \*1 to enter the queue to speak.  
14 Christy, do we have folks in the queue at this time?  
15  
16 **OPERATOR:** Not at this time.  
17  
18 **CHAIRMAN FRAZER:** Okay. We're going to sit for a few minutes,  
19 again, to let people -- To provide them an opportunity to dial  
20 in and get situated.  
21  
22 **OPERATOR:** We do now have speaker Dylan Hubbard.  
23  
24 **CHAIRMAN FRAZER:** Thank you. Dylan.  
25  
26 **MR. DYLAN HUBBARD:** I appreciate the opportunity to speak. That  
27 was awfully tricky. I consider myself pretty technically  
28 savvy, but I'm glad I figured it out. I wanted to speak today  
29 in support of the electronic logbook SEFHIER program. As others  
30 stated, I look forward to getting this off the ground in  
31 January, the hail-out electronic reporting of our catch.  
32  
33 I definitely have some questions on the vessel monitoring  
34 portion, but I understand it's still being fleshed out, and I'm  
35 looking forward to seeing all of that being worked through and  
36 getting up and running, so we can better record and tally our  
37 catch through the year in our federal for-hire fleet in the Gulf  
38 of Mexico.  
39  
40 We have a big problem with marine mammal interactions, and it's  
41 getting worse and worse and worse every year, and, also, sharks  
42 and goliath grouper in my area are a big problem, too. There's  
43 a lot of predation on the fish we have hooked, the fish we  
44 discard, and it's a growing issue, in central west Florida,  
45 specifically, and across the Gulf.  
46  
47 As far as cobia is concerned, as far as the discussion yesterday  
48 goes, I would support moving toward Florida's state regulations

1 for the entire federal EEZ, one fish per person, two per boat,  
2 and we have a huge illegal charter issue here in southwest and  
3 central Florida, and I know the Coast Guard has been working  
4 hard recently. More and more this year, I've seen the Coast  
5 Guard out there, and NOAA as well, but I just wanted to continue  
6 to reiterate the big problem that we have, and hopefully we can  
7 continue working towards solving that.

8

9 Then, also, I want to speak in support of the sector allocation  
10 discussion and white paper, the CFA plan, as it's been called,  
11 and I look forward to fleshing that out and further  
12 investigating it, to allow our federal for-hire fleet to  
13 continue on in the trend that we have of fishing under our ACL  
14 and more solid seasons and better access for the private  
15 recreational anglers who visit our fleet. Thank you for your  
16 time.

17

18 **CHAIRMAN FRAZER:** Thank you, Captain Hubbard. Do we have any  
19 questions for Captain Hubbard? It looks like Susan Boggs has  
20 her hand up. Susan.

21

22 **MS. BOGGS:** Thank you, Mr. Chairman. Thank you, one, for  
23 calling in today and giving testimony. You had mentioned that  
24 you had some questions about the VMS portion of the SEFHIER  
25 plan, and could you give me a very brief summary of what those  
26 issues might be?

27

28 **MR. HUBBARD:** The Gulf Council did a great job with the  
29 outreach, and Emily did all those meetings across the Gulf with  
30 the PowerPoint presentation, and I was blessed to attend three  
31 different iteration of that meeting, and I became really well  
32 versed in the PowerPoint presentation, and that's what I use to  
33 tout support for the SEFHIER program, and I just wanted to  
34 reiterate the importance of the agency sticking along to that  
35 PowerPoint presentation and what was talked about at those  
36 meetings and the concerns the fleet had, because I personally  
37 went out and supported this and got as many people as I could to  
38 support this, and I really tried to back it, and so I'm hoping  
39 and praying that a lot of those issues and industry problems  
40 that were brought up at those meetings are made a part of the  
41 SEFHIER program.

42

43 For example, the biggest issue is you've got clients on the  
44 dock, and you're about to ready to leave for a trip, and your  
45 VMS isn't functioning, and there has to be work-arounds for  
46 that, and the shutdown provisions -- All those intricate details  
47 of the vessel monitoring program I know are still being worked  
48 on, but I just want to reiterate the importance that the program

1 needs to follow along with what was discussed by Emily at those  
2 different meetings across the Gulf, and that's what I meant by  
3 that, Susan. Thank you.

4

5 **MS. BOGGS:** Thank you, Captain Hubbard.

6

7 **CHAIRMAN FRAZER:** Okay. We will give a few seconds here, to see  
8 if there is any additional questions. It looks like we have Ed  
9 Swindell has his hand up. Mr. Swindell.

10

11 **MR. SWINDELL:** Dylan, thanks for coming and giving us some  
12 input. Of the problems that you're having with the VMS system,  
13 just what are they? What kind of problems are occurring, and is  
14 this giving a major problem to everybody?

15

16 **MR. HUBBARD:** I don't have any problems with the VMS system,  
17 because it hasn't come to fruition yet, and we haven't used the  
18 VMS systems. I was a part of the pilot program with NOAA to  
19 test some of the GPS archival units, and so those are the only  
20 units that I have actually personally used, and I didn't have  
21 any issues with them at all. They were all very simple to use  
22 and pretty straightforward. The VMS units are tested, and  
23 they've been used in the commercial industry for years, and so I  
24 don't think there will be very many issues, as far as that's  
25 concerned.

26

27 My problem that I was bringing up was the fact that the  
28 charter/for-hire industry is so different from the commercial  
29 industry, in the fact that we don't have flexibility on times of  
30 trips. If you have clients standing there, I don't want to  
31 cancel a trip because my VMS unit isn't functioning, and so the  
32 problem that I was bringing up, sir, was the fact that, if a VMS  
33 unit isn't functioning, or a GPS archival unit isn't functioning  
34 before a trip, the SEFHIER program needs to have the flexibility  
35 to where a user could call in and say, hey, I'm having a  
36 problem, and I will fix it after my trip, and I'm going out  
37 fishing now, and be able to still operate their business. That  
38 was the point I was trying to make, and I guess I did a poor  
39 job.

40

41 **MR. SWINDELL:** No, and I appreciate it. I was just wondering if  
42 there's kind of a problem that we can work on with the people  
43 that are developing these VMS systems, to make certain that  
44 problems are lessened, so to speak. Thank you.

45

46 **MR. HUBBARD:** Well, I appreciate it. Thank you.

47

48 **CHAIRMAN FRAZER:** Okay. Do we have any further questions for

1 Captain Hubbard? Okay. I am not seeing any at this time, and  
2 so thanks for those comments, Dylan, and for answering the  
3 questions.

4

5 **MR. HUBBARD:** Anytime. Thanks for your time.

6

7 **OPERATOR:** Your next speaker is Ken Haddad.

8

9 **MR. KEN HADDAD:** Good morning, council members. Thanks for  
10 allowing me to have the time to speak. I am representing the  
11 American Sportfishing Association, which is the trade  
12 organization for the industry. I wanted to speak on the red  
13 snapper state management issues.

14

15 One, we hope that you will revisit a discussion on the  
16 unadjusted state harvest estimates being used in the stock  
17 assessment, and we think it deserves a good bit of attention,  
18 and the states deserve a hard, very hard, look on the use of  
19 their data.

20

21 We understand that the Great Snapper Count is coming, and we  
22 would like to see a good discussion on how that data can be used  
23 in the interim stock assessment, and it's been discussed a bit,  
24 but I don't think the council has kind of signaled any direction  
25 that they would like to see, and we would like to see it used to  
26 reset the base, essentially reboot the stock assessment, and not  
27 just an ancillary data piece, and I believe Clay Porch, last  
28 night in the discussions, indicated that that actually could be  
29 done.

30

31 Kind of, finally, the whole issue is becoming confusing to those  
32 of us sitting on the outside and trying to figure out where  
33 everything is headed on state management, and it's all  
34 surrounding the calibrations and the ratios and the interim  
35 stock assessment and how is all of this going to piece together,  
36 and so we would like to see some sort of public input, or public  
37 document, that we can look at that says here's all the moving  
38 pieces on state management, and here's how they fit together,  
39 and here are the decisions that need to be made, and what are  
40 the implications of those decisions.

41

42 Right now, we just see everything from court challenges to  
43 arguments on ratios to you name it, and it's very difficult to  
44 understand where all of this is headed, and so, if that can be  
45 clarified between this meeting and the next meeting, that would  
46 be a great thing for us. Thank you. That concludes my  
47 testimony.

48

1 **CHAIRMAN FRAZER:** Thank you, Mr. Haddad. Are there any  
2 questions for Ken at this point? Ms. Guyas.  
3

4 **MS. GUYAS:** Thanks, Mr. Chairman. Hi, Ken. Thanks for joining  
5 us. Can you expand more on what you're looking for in I guess  
6 this document, because, obviously, we've dispensed with  
7 Amendment 50, in terms of, I guess, the mechanics of management,  
8 and that's in place now, but I think you're getting at some of  
9 these calibration issues, and can you just expand on that a  
10 little bit more?  
11

12 **MR. HADDAD:** Well, it is the calibration issues and the conflict  
13 between them and which data are to be used to kind of set  
14 baselines. Right now, there seems to be an argument within the  
15 council on the use of the state data versus calibrating  
16 everything to MRIP.  
17

18 We see that MRIP, for red snapper, is not the best, and it may  
19 be good for other species, but, for a lot of the reef species,  
20 the calibration is going in the wrong direction, and so that is  
21 kind of why I was saying the states should be given more  
22 credence in the use of their data and this whole calibration  
23 process, and that takes you back to the unadjusted harvest  
24 estimate motion that was withdrawn, and so we would like to see  
25 that revisited.  
26

27 The confusion is bigger, I think, than just the state -- Than  
28 just the calibration and ratios. That's a big part of it, but  
29 it's more where is state management going based on decisions  
30 that are going to be made, and do we -- What are the risks that  
31 the council might be taking when a decision is made that leaves  
32 a state feeling they have been slighted in the process? Is it  
33 going to blow up everything, and what are the legal  
34 ramifications, and it's just hard to understand how this can  
35 play out across the council with all these different moving  
36 parts, and so that's -- It's so complicated that it's hard to  
37 even see all the parts.  
38

39 Based on the discussions and the arguments, I am left fairly  
40 confused, personally, and I know this stuff just about as good  
41 as most folks.  
42

43 **MS. GUYAS:** Thanks, Ken. Yes, it is quite complicated, and I  
44 appreciate that.  
45

46 **CHAIRMAN FRAZER:** Okay. Are there any additional questions for  
47 Ken? I am not seeing any additional questions. Thanks, Ken,  
48 for your comments.

1  
2 **OPERATOR:** Your next speaker is Erik Brazer.

3  
4 **MR. ERIC BRAZER:** Thank you, Mr. Chairman. I am Eric Brazer,  
5 Deputy Director of the Gulf of Mexico Reef Fish Shareholders  
6 Alliance. Thank you, guys, for the chance to provide comments.  
7 First off, we support the removal of the powerhead prohibition.  
8 Jason said it better than I could have, and so I'm not going to  
9 repeat what he said, but only that this would really mean a lot  
10 to a small, but important, group within the commercial fishery.

11  
12 We don't, honestly, have much more to say on calibration on this  
13 point, without repeating what we've said previously, and I just  
14 really hope that, wherever the council ends up later today, you  
15 guys can look back over this week and feel that you've made  
16 progress. You know, it's not going to get solved today, but  
17 we're just hoping to move forward.

18  
19 Regarding the IFQ carryover, we're not opposed to the council  
20 initiating this process. I do think it's going to be much more  
21 complicated than we may initially believe, based on what Roy and  
22 Jessica and others had said yesterday, and I think we're really  
23 going to need to have a good understanding of the biological  
24 implications of this and what it actually means to carry over  
25 something like red grouper. That being said, a carryover could  
26 probably be pretty helpful for some of the individual IFQ  
27 fishermen that, for whatever reason, can't go catch the  
28 allocation they have available this year.

29  
30 We hope the council starts the process to evaluate the CFA  
31 proposal. Clearly, they have put some time into this, and they  
32 should be given some credit for getting proactive and coming to  
33 you guys with an idea and putting it in front of you to move  
34 forward.

35  
36 Then, finally, we would be really appreciative of any supporting  
37 statements or actions that you can take to formalize the  
38 industry's concerns over increased shark and marine mammal  
39 interactions. Look. We're not calling for open season on  
40 sharks, and we're definitely not calling for open season on  
41 dolphins, for that matter, but we just want a better  
42 understanding of what the science says and where the gaps are  
43 and then what management options exist, legally, under the MSA  
44 and under the MMPA.

45  
46 Finally, we also hope that we see the Office of Protected  
47 Resources and HMS more frequently come in front of you guys to  
48 help inform you guys and inform us about the science and the

1 management end of things. That's all I have for you today, and  
2 thank you for the chance to comment.

3  
4 **CHAIRMAN FRAZER:** Thank you, Eric. I am going to wait a few  
5 seconds to see if I can see any hands on the screen. Seeing no  
6 hands up, Eric, thank you for your comments. I appreciate it.  
7 I appreciate your time.

8  
9 **MR. BRAZER:** Thank you, Mr. Chair.

10  
11 **OPERATOR:** Your name speaker is Jim Zurbrick.

12  
13 **MR. JIM ZURBRICK:** Thank you very much, and I am so sorry for  
14 yesterday. That was a whirlwind, and I know that my time is  
15 running, but you guys tried like heck to get me squared away.

16  
17 I've got a list here of things, and, for one, Eric just talked  
18 about the powerheads. For years, the powerheads were not  
19 allowed to be used in any of the stressed areas, and amberjack  
20 harvest is the one area that I know that it is necessary, and I  
21 did amberjack harvesting, and it's very dangerous to try to  
22 harvest amberjack while spearfishing without a powerhead.

23  
24 The most important part is there is very few discards, and you  
25 are not catching a fish and traumatizing him because he's short.  
26 You're picking out a big fish, and it is selective, but, in  
27 amberjack, because of the mortality and the rebuilding, it's  
28 obviously the one fish that I would use as the poster-child for  
29 allowing powerheads.

30  
31 The logbooks, Dylan said it so well. It's time to move forward.  
32 I, as a commercial guy, but, having been a charter guy for all  
33 those years, I'm excited for the charter guys. We're actually  
34 going to count these fish and do a lot better job, and we're  
35 going to know where we're at.

36  
37 Yesterday, Jay Mullis mentioned my name, that, yes, I've been  
38 talking this up, but I really haven't mentioned it at the  
39 council level, but I've been talking and trying to figure out  
40 from other people, and, listen, the numbers of fish are  
41 tremendously down, from St. Marks down to Crystal River. They  
42 are further offshore, and the numbers are down, but not the  
43 size.

44  
45 The size is the issue, because, after the red tide, we had many,  
46 many small fish, and, I mean, the red snapper was the first  
47 thing to start to come back, and so the numbers are down, but  
48 the size limit is increased.

1  
2 Also, the carryover, and I don't know, but here's what is going  
3 on, just so you guys know. People are going to have to give  
4 things away. Here in another six weeks, because there's going  
5 to be quota left, fishermen, besides not being able to get the  
6 price for the snapper, they are going to have to start finding  
7 people to fish for it or just go out so they can get their lease  
8 price back, and we're talking about the people who bought, who  
9 paid, for allocation, and I do it, but I'm down to the ones that  
10 I own now, and so, if I lose those, I lose those, but, for all  
11 the folks who do nothing but lease, it's a real issue.

12  
13 Also, the red grouper calibration. At a time when we're  
14 starting to finally see -- If you look at some of the landings  
15 up here, from Crystal River up to Apalachicola, we're starting  
16 to see a little bit of an uptick. There's a lot of small fish,  
17 and, obviously, small fish are an issue, because there is  
18 discards, and that can be a problem with maybe why some of the  
19 red snapper are leaving. Maybe red grouper is re-establishing  
20 itself.

21  
22 My personal opinion is that we should require a reef permit to  
23 be a fisherman. I think that someone really needs to move that  
24 forward, because of the speculation, and people who were in it,  
25 and it really does -- Every year that goes by, we have more  
26 people in the speculation and buy-in. It was lucrative, and  
27 there was money invested for a while there, but we do need to  
28 move it forward. With that, I thank you very much.

29  
30 **CHAIRMAN FRAZER:** Thank you, Jim. It looks like we have a  
31 question from Ms. Bosarge.

32  
33 **MS. BOSARGE:** Mr. Zurbrick, thanks. I'm glad you were able to  
34 speak today, and I know you had technical difficulties during  
35 the roundtable last night. Will you elaborate, because you  
36 talked about leasing and carryover and the people you were  
37 worried about. I'm going to paraphrase what you said, to make  
38 sure I understand what side of the lease you're talking about.

39  
40 You are concerned about fishermen that own little to none in  
41 shares, and, therefore, they have to lease the pounds that they  
42 want to go fish, and they are going to have to lease it from  
43 somebody that owns it, right, and so they have already leased  
44 their pounds, more than likely at the beginning of the year,  
45 because that's when a lot of leasing takes place, and they go  
46 fishing on it throughout the year, but, because of the pandemic,  
47 that's obviously been difficult, or, when they're able to fish,  
48 they're taking a lower price at the dock for what they catch,

1 and they are coming to kind of a drop-dead point, where they are  
2 going to have to say, all right, do I really think that I'm  
3 going to be able to catch these fish, that we're not going to  
4 freeze up in market, and then I can catch them before the end of  
5 the year, or do I just need to go ahead and take a loss on the  
6 fish that I have leased by re-leasing to somebody that can go  
7 ahead and catch them and cut my losses. I will take a loss, but  
8 I won't lose the whole amount of the lease that I have already  
9 paid to somebody, and is that what you're saying, Mr. Zurbrick?

10  
11 **MR. ZURBRICK:** Yes, Leann. That is exactly it. Listen. These  
12 are different times. These are unchartered waters, and we have  
13 never had an issue where we've left anything on the table,  
14 unless it was the oil spill time or something, and, of course,  
15 then the quota wasn't even nearly what it is now, but, yes,  
16 that's exactly it.

17  
18 I could give you my numbers, and the bottom line is here I sit,  
19 and I have two guys that fish for me, and they make seventy-five  
20 cents a pound less than what they made, and, if they did pay  
21 \$4.00, they are at seventy-five cents to a buck-and-a-quarter  
22 for the fish, and, from this moment forward, because we're  
23 getting ready to enter October, and we think we're going to have  
24 the tourist trade that's going to come, and Disney World,  
25 yesterday, laid off 28,000 people, and I'm wondering if people  
26 are thinking that we're going to have a place to sell the fish  
27 like we thought we were.

28  
29 Yes, I am concerned, but it's the people who leased them. It's  
30 not the people who own them or went out and leased them and  
31 aren't even going to fish them and don't have a boat, don't have  
32 a permit, but it's a different animal. I want to take care of  
33 the actual guy that is out there pounding it out, like my two  
34 guys and myself.

35  
36 **CHAIRMAN FRAZER:** Okay. Are there any additional questions for  
37 Captain Zurbrick? I am not seeing any. Jim, thanks for your  
38 time today. I appreciate it.

39  
40 **MR. ZURBRICK:** Thank you.

41  
42 **OPERATOR:** Your next speaker is Randy Edwards.

43  
44 **DR. RANDY EDWARDS:** This is Randy Edwards, and many of you may  
45 not know me, but I'm a retired PhD marine scientist with  
46 verifiable experience and expertise, with over forty-five years  
47 in fish and fishery biology and aquaculture and marine nutrient  
48 dynamics.

1  
2 I am commenting today because I have been closely following the  
3 issue of marine fish farms, particularly the Kampachi, now Ocean  
4 Era, so-called pilot project proposed for the southwest Florida  
5 Gulf area, where I live and where I have worked for most of my  
6 career.

7  
8 First, let me point out that, being retired, I have no  
9 professional or financial self-interest and no really interest,  
10 other than for the environment for fisheries. Having said, that  
11 I can say that marine fish farming has great potential, great  
12 economic potential, to provide seafood products for the nation,  
13 and perhaps even reduce pressure on wild fish stocks. However,  
14 it also has great potential to do severe damage to the marine  
15 environment and to wild fish stocks.

16  
17 The recent ruling by the 5<sup>th</sup> Circuit Court, which is on your  
18 agenda for later today, but I thought I would make this comment  
19 now, when more people are attending, and it's probably the best  
20 thing that could have happened. Because of it, marine fishery  
21 managers have been given a reprieve, a reprieve that I urge you  
22 as a council and NOAA NMFS as an organization to take full  
23 advantage of.

24  
25 It is my understanding that the 5<sup>th</sup> Circuit Court ruling will  
26 require that legislative action be required before any agency  
27 can be given the authority to permit fish farms in federal  
28 marine waters, and that probably means that a congressional act  
29 will be required through a process that might take well over a  
30 year, and so, with that reprieve in mind, I strongly urge the  
31 council and NMFS to take the opportunity of this additional time  
32 to ensure that the best possible permitting and monitoring  
33 criteria be developed during this time in which no special  
34 interest group from any side can pressure anyone to immediate  
35 permit or prohibit marine fish farms.

36  
37 My old tarpon fishing and tarpon research buddy, Roy Crabtree,  
38 is listening right now, and I think he's there, and I hope that  
39 Roy will take this time and opportunity and relative freedom  
40 from pressure to do the right thing, which is to develop the  
41 best permitting and monitoring possible. If Roy is not hearing,  
42 I hope somebody else will relay this to him.

43  
44 As I've said, I've considered that the pilot project, Kampachi,  
45 in-depth, and my scientific conclusion is that this was perhaps  
46 the worst project, in terms of its potential negative effects on  
47 the environment and on marine fisheries. First, it would be  
48 sited in an area that is an epicenter for devastating red tides,

1 in a region where red tides are not only frequent, but also in  
2 an area of the southwest Florida Gulf of Mexico where algal  
3 blooms and red tide development are nitrogen limited, and  
4 nitrogen is the primary pollutant from such fish farms.

5  
6 I have used my aquaculture experience to calculate the nitrogen  
7 pollution from this one offshore fish farm cage, using the  
8 parameters of fish biomass in cages and feeding rates and  
9 conversion rates and so forth, and it's clear that the nitrogen  
10 effluent from even this one cage is substantial, and, depending  
11 on currents and mixing and so forth, the effluent could  
12 potentially fuel development of red tide blooms, just one cage,  
13 and imagine how many cages would be deployed if this pilot  
14 project were to be found economically successful. Probably a  
15 dozen or so, even at this one site, because the logistics of  
16 monitoring teams could easily care for a large number of cages  
17 at one site.

18  
19 The reason for this worse location is because, throughout most  
20 of the Gulf of Mexico, from about Cedar Key to the Texas border,  
21 red tides are rare, and never devastating, like they are in  
22 southwest Florida. Additionally, through the rest of the Gulf  
23 of Mexico, nitrogen is not the limiting nutrient to algal  
24 blooms, and so nitrogen pollution has much less potential  
25 effects.

26  
27 Another factor that makes the Kampachi project the worst  
28 possible is the species cultivated, the almaco jack, a member of  
29 the jack family, and one doesn't even have to be a fish  
30 biologist. You just need to be a Gulf of Mexico fishermen to  
31 know what fish would be attracted and aggregated around those  
32 cages, and there would be thousands, tens of thousands, of blue  
33 runners and round scad, or cigar minnows, as you call them,  
34 attracted to those cages, a perfect vector for transmitting  
35 diseases and parasites.

36  
37 However, after carefully reviewing and evaluating the permitting  
38 criteria and U.S EPA monitoring requirements for that pilot  
39 project, although they are no moot, is my conclusion that such  
40 criteria are completely inadequate. Evaluation and monitoring  
41 of infections and monitoring infection potential is very vague,  
42 and it would provide almost no assurance that such infection  
43 would not occur, and the same thing applies for the monitoring  
44 of the nutrient pollution.

45  
46 It is totally inadequate, and the EPA was using methodology and  
47 approaches that they used to monitor a simple point source  
48 pollution in a river, runoff from a parking lot to a large

1 river, and the EPA has no experience and no expertise in this  
2 kind of monitoring and this issue.

3  
4 For saying all of that, I'm not asking you to take my word. On  
5 the contrary. I am strongly urging you to obtain the best  
6 possible expert evaluation of permitting and monitoring of this  
7 new and important activity. It's going to be there, and it's  
8 going to grow, and you and National Marine Fisheries Service  
9 should not be listening to a few self-proclaimed experts on  
10 different sides of the issues.

11  
12 Instead, you should develop a process in which the very best  
13 impartial scientific evaluation and recommendation is developed  
14 during this time that's given by the 5<sup>th</sup> Circuit Court decision.

15  
16 **CHAIRMAN FRAZER:** Dr. Edwards, I just want to be respectful of  
17 the guidelines for the speakers at this point, and so I am going  
18 to ask you to wrap it up, but I know that we have questions for  
19 you.

20  
21 **DR. EDWARDS:** I am going to wrap it up. This is such an  
22 important issue to not only the entire Gulf of Mexico, but to  
23 all coasts of the Unites States, that anything other than the  
24 scientifically most rigorous evaluation should not be accepted.

25  
26 With that in mind, I am suggesting that this issue is so  
27 important, so technically complicated, that it must be evaluated  
28 by something like, if not exactly, a National Academy of Science  
29 panel. I'm sure if NOAA NMFS puts its mind to it, they could  
30 get the National Academy to develop this kind of impartial and  
31 totally scientific review, and I hope you're listening, Roy,  
32 because I think that, if you put your mind to it, and you got  
33 together with your counterparts in other regions, that you could  
34 get the National Academy to do this type of review, so that,  
35 when this issue comes back, we will have the proper permitting  
36 and monitoring concepts and criteria. Thank you.

37  
38 **CHAIRMAN FRAZER:** Thank you, Dr. Edwards. Roy, would you like  
39 to share a few words?

40  
41 **DR. CRABTREE:** Good morning, Randy. It's good to hear from you,  
42 and it's been a long time, and I hope you're doing well. I  
43 don't want to get into any of the specifics of this particular  
44 project, but I did want to point out that the court decision  
45 does not mean that aquaculture is prohibited in the Gulf until  
46 legislation passes.

47  
48 It really just means that NMFS NOAA does not have a permitting

1 role, and our permits are no longer required, and so the only  
2 permits required to fish farm in the Gulf of Mexico right now  
3 are permits issued by the EPA and the Army Corps of Engineers,  
4 and so they are the action agencies, and they are the permitting  
5 agencies right now, and so NOAA NMFS does not issue any permits  
6 for this, and I don't think it would have any ability to deny  
7 the project anyway, and so I just wanted to clear the record on  
8 that.

9  
10 **DR. EDWARDS:** I wasn't sure about that, but I do think that NOAA  
11 should ultimately be given that permission. The court ruling  
12 was simply that there was no legal standing for NOAA to have  
13 that ability, but I suggest that you, and people that are  
14 concerned, work through Congress to develop an act in which NOAA  
15 is given that permitting authority.

16  
17 **CHAIRMAN FRAZER:** Thanks, Roy, for chiming in there. We also  
18 have some questions from other council members. Mr. Williamson.

19  
20 **MR. TROY WILLIAMSON:** Good morning. Could you give us some  
21 examples of fish farms in various areas of the world that you  
22 believe are examples of environmentally-safe fish farms?

23  
24 **DR. EDWARDS:** To tell you the truth, I haven't really followed  
25 the worldwide development, and I know it's developed throughout  
26 the world, and, beyond the well-known salmon farm, I'm not  
27 familiar, but I'm sure there are, and there are potentially fish  
28 farms that could be safe. Certainly the thing that you don't  
29 want to use is a species that has a great potential for disease  
30 and parasite vectors, such as using jacks, when you have jacks  
31 so abundant.

32  
33 Even if the Gulf of Mexico, outside of that red tide zone,  
34 something like a cobia farm, or a dolphin farm, shouldn't be --  
35 It shouldn't have such a large possibility for negative impacts,  
36 and the nutrients would be less important, and so less  
37 potentially damaging, and so those are the kinds of examples I  
38 would say, and I'm not a proponent for aquaculture, but I do  
39 think the potential is there for safe, if it's done safely and  
40 done with the analysis of the issue, very correctly, and that's  
41 why I think that we need to bring in the best and most  
42 independent scientists to come up with these kinds of criteria  
43 for permitting and monitoring.

44  
45 **CHAIRMAN FRAZER:** Thank you, Troy, for that question, and it  
46 looks like we have Ms. Bosarge.

47  
48 **MS. BOSARGE:** Thank you, sir, for your testimony. You went

1 through a lot of information very quickly, and a lot of it was  
2 rather scientific, and I was just going to ask you, if you  
3 wouldn't mind, could you maybe put some of that testimony in  
4 writing and submit it on the council's website? I would really  
5 like to read it and go through it again, because you brought up  
6 some topics that I would like to research on my own and learn a  
7 little more about, but I would like to read your testimony  
8 again.

9  
10 We will have some opportunities, the council will, to interact  
11 with aquaculture, mainly on this Executive Order that was just  
12 passed, and so they're going to be coming back and talking to  
13 us, NMFS' aquaculture arm, and maybe there are some items that  
14 we could flag to them that they can bring up in their  
15 discussions with other government agencies, and so, if you could  
16 submit that in writing, I would love to read through it again,  
17 and thank you for your time.

18  
19 **DR. EDWARDS:** I will try, and it's going to be a draft. I'm not  
20 going to spend a lot of time to compose this rigorously, but,  
21 yes, I will provide that.

22  
23 **CHAIRMAN FRAZER:** Thank you, Dr. Edwards, for your willingness  
24 to do that, and, again, thank you, Leann, for that question. I  
25 am not seeing any other hands at this time, and so thank you  
26 again, Dr. Edwards, for your testimony, and we're going to move  
27 on to our next speaker.

28  
29 **DR. EDWARDS:** Thank you for the opportunity.

30  
31 **OPERATOR:** Your next speaker is Catherine Gruber.

32  
33 **MS. CATHERINE BRUGER:** Good morning. Thank you, Chair Frazer  
34 and members of the council, for the opportunity to speak. I  
35 would also like to thank the council staff for their hard work  
36 and for making this meeting possible. I am Catherine Bruger,  
37 and I'm here today on behalf of Ocean Conservancy, where my role  
38 is Policy Analyst for the Gulf team.

39  
40 Ocean Conservancy supports sustainable state management for  
41 private recreational anglers. However, the council must  
42 establish a path forward at this meeting to address the  
43 calibration issues in Amendment 50 in time for fishing to start  
44 sustainably in 2021.

45  
46 As a reminder, the state surveys were created with the intent to  
47 supplement the data we receive from MRIP and not to replace it.  
48 MRIP collects data and/or coordinates with state partners

1 throughout the country and for more species than just red  
2 snapper. Somewhere in the process, we lost hold of the rope  
3 that tethers us back to our stock assessments, and we are  
4 considering replacement rather than integration.

5  
6 All of our management advice, that is the future of our  
7 fisheries, is based on our historical understanding of the  
8 stock, and so while, yes, the state survey designs are  
9 certified, they continue to lack a fundamental component, which  
10 renders Amendment 50, as currently written, incapable of  
11 constraining landings to the private angler ACL and out of  
12 compliance with the Magnuson-Stevens Act.

13  
14 Yesterday's presentation showed that the overfishing limit was  
15 exceeded in 2019, and this means that red snapper is undergoing  
16 overfishing. The commercial and for-hire sectors did not  
17 contribute to these overages, but they could ultimately be  
18 penalized. There has been a lot of consideration on market  
19 impacts, yet an overfishing designation is ignored in those  
20 discussions.

21  
22 If the council chooses to disregard a common currency, the  
23 council will be in direct opposition with both your SSC and  
24 NMFS. The SSC summary states: The survey results show that  
25 there are significant differences between state surveys and the  
26 Coastal Household Telephone Survey, especially for small  
27 coastline states. Ultimately, the differences must be  
28 reconciled, in order to establish a consistent time series for  
29 both assessment and management.

30  
31 Your SSC has recommended using similar units to manage and  
32 assess the stock, and they passed a near-unanimous motion  
33 validating the calibration ratios, and they further cautioned  
34 discrepancies between the quotas and landings.

35  
36 Disregarding the development of a common currency also puts you  
37 in opposition with NMFS, which is identified in Amendment 50 as  
38 being non-compliant with the MSA until these discrepancies are  
39 addressed. Amendment 50 violates federal law, and the council  
40 is failing to address overfishing. The lack of calibration is  
41 jeopardizing not only the success of state management, but also  
42 the downstream impacts of years of overage. To maintain  
43 uncalibrated state landings is a no-action alternative.

44  
45 I urge the council to implement this simple ratio calibration  
46 recommended by the SSC in time for the 2021 fishing season.  
47 It's time to do the right thing and make sure that state  
48 management is sustainable and works for the long-term. Thank

1 you for your time, and that concludes my testimony.  
2  
3 **CHAIRMAN FRAZER:** Thank you, Ms. Bruger. I will wait a few  
4 seconds to see if we have any questions from the council. Okay.  
5 I am not seeing any hands. Again, thank you for your comments,  
6 Ms. Bruger. We appreciate it.  
7  
8 **MS. BRUGER:** Thank you.  
9  
10 **CHAIRMAN FRAZER:** Excuse me. Leann, did you have a question  
11 that you can at least put on the record?  
12  
13 **MS. BOSARGE:** No, sir. I'm sorry. If my hand was still up, it  
14 was from last time. I apologize.  
15  
16 **CHAIRMAN FRAZER:** All right. Thank you. We will move on to our  
17 next speaker.  
18  
19 **OPERATOR:** There are currently no further speakers at this time.  
20  
21 **CHAIRMAN FRAZER:** Okay. Again, we're going to wait just a few  
22 minutes. Again, I'm going to remind people who might be on the  
23 line that, once they call in to the number (833)970-2435, that  
24 you need to press \*1 to get into the queue. Just simply raising  
25 your hand isn't going to work, necessarily. We will wait just a  
26 few minutes.  
27  
28 **OPERATOR:** We do have speaker Lawrence Marino.  
29  
30 **CHAIRMAN FRAZER:** Okay. Go ahead, Lawrence.  
31  
32 **MR. LAWRENCE MARINO:** Good morning. My name is Larry Marino,  
33 and I'm here on behalf of Louisiana Attorney General Jeff  
34 Landry. Regarding calibration of the red snapper private  
35 angling landings, Attorney General Landry urges awaiting more  
36 complete information, which is imminent, and completion of the  
37 ongoing analysis and discussions about calibration before taking  
38 any action, but, in any event, Attorney General Landry certainly  
39 opposes adding a buffer, which is one of the alternatives  
40 apparently being considered. Either the data supports a change  
41 due to the calibrations, once the work is complete, or it  
42 doesn't, but it's not proper to address the problem by  
43 withholding quota. Thank you.  
44  
45 **CHAIRMAN FRAZER:** Thank you, Mr. Marino. I will wait a few  
46 seconds to see if we have any questions. All right. I am not  
47 seeing any hands. Again, thank you, Mr. Marino, for your  
48 comments.

1  
2 **MR. MARINO:** Thank you very much.

3  
4 **OPERATOR:** Your next speaker is Ted Venker.

5  
6 **MR. TED VENKER:** Good morning, everybody. My name is Ted  
7 Venker, and I'm with the Coastal Conservation Association, and I  
8 appreciate the chance to speak today. Really, I just wanted to  
9 say a few words of encouragement to the states and thank them  
10 specifically for all the work they've done on these state  
11 management programs.

12  
13 I think it's significant that, several times in the short  
14 history of this program, you've seen the states tally their data  
15 in-season and determine that the season needed to end earlier,  
16 but, in those cases, you didn't hear a huge outcry from the  
17 recreational angling community, and I think that's because the  
18 state programs are already so much more accepted and  
19 understandable to anglers, and I think that's a significant  
20 achievement.

21  
22 Those programs have been able to respond relatively quickly to  
23 things like bad weather events and add days to the season and  
24 respond even to good-weather events and end seasons prematurely,  
25 and so, all in all, we believe that's been a solid transition,  
26 and I just want to commend the states for building those systems  
27 so quickly and for continuing to evolve them, so that they are  
28 improving as we go along.

29  
30 All that said, it seems like it would be a step backwards to try  
31 to tie that state data back to MRIP. This entire state  
32 management effort was undertaken because no one had much faith  
33 in the MRIP numbers, and there were a lot of questions about it,  
34 and the council decided to try to find a better way to count  
35 angler harvest.

36  
37 While I think there is certainly an argument to be made to  
38 calibrate state data with other state data, to get a common  
39 currency eventually, it's less clear why that should be  
40 calibrated back to MRIP, to me.

41  
42 I think I understand the requirements of MSA and the possible  
43 implications for future seasons, particularly 2021, but, if  
44 there was ever a moment when you might consider a break from a  
45 pretty chaotic past in this fishery, this may be the time to  
46 make that break and start over from scratch. If that causes  
47 short-term disruption, so be it. I believe that anglers will  
48 eventually understand what is at stake, and they will be

1 grateful that you took this action now.

2  
3 I don't know that I would say that if you didn't also have the  
4 results of the Great Red Snapper Count looming, which may  
5 provide an entirely new snapshot of this population, and it's  
6 very possible that everything we thought we knew about red  
7 snapper has to be revised, and it may be possible that an  
8 east/west split is the best option, and it may come to light  
9 that the states actually could be responsible for the biomass  
10 off their coast and manage it with their own data system.

11  
12 In short, it seems that a reasonable course of this action at  
13 this time is not to get boxed into a corner with calibrating  
14 state data with MRIP data at this time, and we would ask you to  
15 wait on making decisions on that until two things occur, until  
16 the results of the Snapper Count are known, and, more  
17 importantly, fully understood, and until the differences between  
18 MRIP and the various state systems are better understood.

19  
20 I would end by asking the council to do whatever it can to  
21 position the state data collection systems for recreational red  
22 snapper harvest to be adopted as the best available science for  
23 management purposes going forward, and so thank you very much,  
24 and I appreciate the time.

25  
26 **CHAIRMAN FRAZER:** Thank you, Ted, for those comments. I will  
27 wait, again, for just a few seconds, to see if we have any  
28 questions from the council. I am not seeing any hands. Thanks,  
29 Ted, for your comments.

30  
31 **OPERATOR:** We have no speakers at this time.

32  
33 **CHAIRMAN FRAZER:** Okay. I am going to, again, take a few  
34 seconds and remind people of the dial-in number. It's (833)970-  
35 2435. Once you get in on that phone call, you need to press \*1,  
36 in order to enter the queue to speak.

37  
38 **OPERATOR:** We do have speaker Chris Horton.

39  
40 **CHAIRMAN FRAZER:** Go ahead, Chris.

41  
42 **MR. CHRIS HORTON:** I'm Chris Horton, and I'm the Senior Director  
43 of Fisheries Policy for the Congressional Sportsmen's  
44 Foundation, and, really, I just have two quick comments. The  
45 first is relative to the Executive Order for the recommendations  
46 for removing burdens to domestic fisheries.

47  
48 During the South Atlantic and the Gulf Council workshop, it has

1 become apparent, as the workshop for alternative management --  
2 It's become apparent that there's a little bit of conflict there  
3 about what options are available for alternative managing our  
4 fisheries, and it comes down to National Standard 1 versus MSA,  
5 and the National Standards are basically the regulatory vehicle  
6 for implementing the intent of Congress as enacted through the  
7 Magnuson-Stevens Act.

8  
9 Recently, the Modern Fish Act clarified the intent of Congress  
10 that fisheries can be managed with things like extraction rates  
11 and fishing mortality targets. However, the National Standard 1  
12 Guidelines continue to say that fisheries must be managed in  
13 weight or numbers of fish, and so the overriding enabling  
14 legislation, MSA, is no longer consistent with how NOAA  
15 Fisheries is interpreting the law, and so NS 1 -- One of the  
16 recommendations that I would hope that the council makes, as the  
17 South Atlantic Council has, is that the National Standard 1  
18 should be reviewed and updated to be in compliance with today's  
19 --

20  
21 The second is that we fully support the motion yesterday, and it  
22 was withdrawn this motion, but the motion that the state data be  
23 used as the best available science to inform red snapper  
24 management until the differences between MRIP and the FES and  
25 the state data collection programs are resolved, as well as  
26 until the results of the Snapper Count can also help inform  
27 better management.

28  
29 It really doesn't do any good to have a really good time series  
30 if the data in that time series isn't actually doing what it's  
31 supposed to do in predicting or assessing what's actually  
32 happening with the population, and so I think hopefully the  
33 Great Red Snapper Count is going to be able to help inform  
34 better management in the future, and I think we look forward to  
35 seeing those results, and that's all I have.

36  
37 **CHAIRMAN FRAZER:** Thank you, Chris, for your comments. I will  
38 wait, again, just for a few seconds, to make sure that there's  
39 no questions from the council. I am not seeing any hands up.  
40 Chris, thanks again for your time.

41  
42 **MR. HORTON:** Thanks.

43  
44 **OPERATOR:** Your next speaker is Blakely Ellis.

45  
46 **MR. BLAKELY ELLIS:** Hello. How are you all this morning?

47  
48 **CHAIRMAN FRAZER:** Doing great. Thank you.

1  
2 **MR. ELLIS:** I just wanted to take this opportunity to speak in  
3 favor of the state management for red snapper for recreational  
4 anglers that we've had the last few years. I do believe, and I  
5 could speak directly for our Alabama managers, that they've done  
6 a really good job, and they do care.

7  
8 They care a lot, and Alabama anglers are paying an additional  
9 license fee to help cover the cost of this data collection on  
10 our end, and I do believe it's a superior method and should be  
11 allowed to continue forward, especially since we don't have the  
12 results of the Great Red Snapper Count, and that was a pretty  
13 large undertaking, and a lot of money and time and effort went  
14 into that Great Red Snapper Count over this two-year period, and  
15 so I think, if anything has to be done, I think we should wait  
16 until we have the results of that and we can get a better feel  
17 for all of this.

18  
19 **CHAIRMAN FRAZER:** Thank you, Mr. Ellis. I am looking to see if  
20 we have any questions from the council. I am not seeing any  
21 hands, and, again, I just want to thank you, Mr. Ellis, for your  
22 testimony today.

23  
24 **MR. ELLIS:** Thank you.

25  
26 **OPERATOR:** Your next speaker is Ryan Bradley.

27  
28 **MR. RYAN BRADLEY:** Hello, council. Good morning. I hope  
29 everybody is doing well and staying healthy. I had a couple of  
30 comments in regard to the President's Executive Order on  
31 promoting American seafood. I have submitted comments on behalf  
32 of Mississippi Commercial Fisheries United to that regard,  
33 primarily about the offloading requirements for IFQ species that  
34 limit commercial IFQ vessels from offloading.

35  
36 They are currently limited to 6:00 a.m. to 6:00 p.m., and this  
37 particular regulation is very burdensome on dayboat fishermen.  
38 Essentially, you have to stop fishing about one or two o'clock  
39 in the day, to get in and to get offloaded before that 6:00 p.m.  
40 time slot, and so, if there was any way that the council could  
41 consider an exemption, to allow some of these day boats -- Maybe  
42 even look at vessels landing under a certain amount of pounds  
43 and allow them to be exempt from that 6:00 a.m. to 6:00 p.m.  
44 requirement, and that would allow those vessels to maximize  
45 their fishing capacity for the day and make their trip more  
46 profitable, and that would be a big burden that would be  
47 relieved. I would be glad to discuss that further, some of the  
48 ideas we have to make that work.

1  
2 Additionally, on Amendment 36B, I hope to see some discussion  
3 continued on that at the next council meeting, and we've got  
4 some really good proposals, and we've done a lot of thinking  
5 through how to make that work and to provide some more equity  
6 into that system for those fishermen that are actually on the  
7 water, and so a couple of the things that we're looking at is  
8 requiring the income qualifier, and, if I'm not mistaken, I  
9 think the spiny lobster had a 10 percent income requirement, and  
10 I think, if we could do something like that similar for the reef  
11 fish permit, it would be great.

12  
13 Also, we're not looking for any type of forced divestment, and I  
14 don't want to see any shareholders be forced to divest anything,  
15 and we don't want to harm them, but I think that, if we could go  
16 with a regulation that says you have to have a reef fish permit  
17 in order to purchase shares, going forward from the date of  
18 implementation, that would limit the buyer pool for shares and  
19 start to correct some of the valuation on these share prices.  
20 That has, in my opinion, been overvalued, but that's all I had  
21 for today, and I would be glad to answer any questions. Again,  
22 thank you, and have a great day.

23  
24 **CHAIRMAN FRAZER:** Thank you, Ryan, for those comments. I will  
25 wait a few minutes, to see if we have any questions from the  
26 council. I am not seeing any hands up, Ryan, and so, again,  
27 we're going to move on to the next speaker, but, again, thank  
28 you for taking the time.

29  
30 **OPERATOR:** Your next speaker is Jay Mullins.

31  
32 **MR. JAY MULLINS:** Good morning. I have very major concerns  
33 about a carryover of any sort. That seems to be pretty much in  
34 straight contradiction of Magnuson-Stevens, where we're not  
35 supposed to be able to collect royalties off of any species of  
36 fish until the fish is landed across the dock. Therefore, back  
37 when COVID hit us, as some of the members do know, certain  
38 shareholders were holding very tightly to their shares, and they  
39 would not lease them out, so they could show a financial loss.

40  
41 I guess what I am trying to say is a carryover is detrimental to  
42 the sustainability of fish stocks, especially our red snapper  
43 stock in this eastern Gulf, and so that does drive major  
44 concerns. If there's a number that can sustainably be taken out  
45 of a system per year, adding a million pounds, or two million  
46 pounds, to that sustainable number that NOAA recommends can be  
47 taken out of the stock, how can that be sustainable to a stock?

48

1 That is blatant disregard to Magnuson-Stevens, not to mention  
2 are we going to go back to an income qualifier and the way the  
3 whole IFQ program began, where we all need boats and permits and  
4 the whole nine yards, where the fishermen are the ones that are  
5 doing the fishing now? It seems that everybody has lost sight  
6 of the common welfare, which is the reason why Magnuson-Stevens  
7 was enacted in 1976, was for the common welfare of fishermen,  
8 and it had nothing to do with shareholders and stakeholders or  
9 anything, and it clearly states fishermen, and we have been put  
10 on the back-burner, in utter disregard to our welfare.

11  
12 We are being used and exploited and desecrated, and the impacts  
13 of this program has destructed my homeport of where I grew up,  
14 Madeira Beach, Florida, where there used to be hundreds of  
15 boats, and now it looks like a ghost town full of drug addicts  
16 that are overdosing on a weekly basis, but it seems that nobody  
17 cares about them, and we all care about the mighty dollar and  
18 not about the welfare of fishermen and the sustainability of  
19 fish stocks, and so I have major, grave concerns about the  
20 future of our fishery and the direction it's headed. The  
21 evidence is there in the past thirteen years that the IFQ  
22 program has been instituted, that we're showing some major  
23 stress signs socially and across-the-board.

24  
25 If we go with -- We talked yesterday about there has been a  
26 slight decline, which doesn't raise any concern, I guess, for  
27 certain members, but any sort of a decline in a fish stock  
28 definitely goes against the Magnuson-Stevens Act, and that does  
29 not show sustainability. If there is a decrease in numbers,  
30 that we means we have to look at what is going on, and, with all  
31 the smokescreens that are being thrown at this Gulf reef  
32 council, I don't feel that there's been pertinent attention as  
33 to the true apple of why you guys sit on this Gulf reef council,  
34 and that's to protect our fishery and our fishermen, and so I  
35 have major concerns about it. Thank you.

36  
37 **CHAIRMAN FRAZER:** Thank you, Jay, for your comments. Are there  
38 any questions from the council? I am not seeing any hands, and  
39 so, again, thank you, Captain Mullins, for your comments. I  
40 appreciate it.

41  
42 **MR. MULLINS:** Thank you.

43  
44 **OPERATOR:** Your next speaker is Edwin Lambert.

45  
46 **MR. EDWIN LAMBERT:** Good morning. My name is Edwin Lambert, and  
47 I'm a recreational fisherman from Mobile, Alabama, and I  
48 appreciate the opportunity to speak this morning. First of all,

1 like some of your other speakers, I would like to thank the  
2 state directors for their efforts regarding red snapper state  
3 management. It's gone as well as it possibly could be, given  
4 the confines of the program as set forth by the federal  
5 government, and the efforts have been excellent, in my view. We  
6 have an excellent state commissioner and head of Marine  
7 Resources here in Alabama who is constantly responding to  
8 anglers' concerns and questions, and I appreciate what they do.

9  
10 They have developed a system that essentially allows us to make  
11 real-time decisions about the quotas and whether anglers,  
12 recreational anglers, are meeting their quota. Recreational  
13 anglers in Alabama are more accountable than they have ever  
14 been, and it's because of the system that our state has  
15 developed. Each angler is required to have a reef fishing  
16 permit, and each angler is required to report their catch, and  
17 the system is not perfect, but it is far and away the best  
18 available science and the best way for people to make decisions  
19 about the management of this resource.

20  
21 I understand that the council is considering tying or replacing  
22 that with the MRIP FES data, because of disagreement, or  
23 discrepancies, regarding the MRIP data and the state surveys.  
24 The state surveys are clearly superior, and they should be  
25 considered the best available science for managing the  
26 recreational sector.

27  
28 For the last couple of years, it's clearly been the best way for  
29 our state to manage the resource. The data is superior to MRIP,  
30 and it doesn't make sense to go back to the federal data system,  
31 and there shouldn't be any rush to do so, especially when the  
32 council doesn't even understand why there are these  
33 discrepancies and hasn't really looked into it, and I echo the  
34 concerns of the other speakers that there is no need to do this  
35 when the Great Red Snapper Count data is coming. Thank you.

36  
37 **CHAIRMAN FRAZER:** Thank you, Mr. Lambert, for those comments.  
38 Are there any questions from the council? I am not seeing any.  
39 We have a hand up from Dr. Shipp.

40  
41 **DR. SHIPP:** Thank you. I would like to ask Edwin what is his  
42 opinion of the attitude of the fishermen, and, you know, people  
43 don't normally like to fill out forms or report data or  
44 anything, and what is your observation on how the fishermen are  
45 responding to these requirements?

46  
47 **MR. LAMBERT:** I think, Dr. Shipp, at first, I think people did  
48 not like it, but, as people became educated about the reasons

1 behind it, and, again, a lot of that education had to do with  
2 organizations and our state employees, who were going out and  
3 educating people about why these things need to be reported and  
4 why compliance is so important.

5  
6 I now think that the attitude has completely changed, and folks  
7 are willing to participate, and that's why you see the  
8 participation rates go up significantly, and, by the way, that  
9 has occurred both in fishing and in hunting in Alabama, where we  
10 have similar reporting requirements.

11  
12 Every year, you see the participation rates increase, and that's  
13 because the level of education increases, and, as people see the  
14 government respond to the data that they have, by improving the  
15 management of the resource, they are more likely to provide the  
16 data requested. That's my view of it.

17  
18 **CHAIRMAN FRAZER:** Okay. It looks like we have another question  
19 from Mr. Williamson. Mr. Williamson.

20  
21 **MR. WILLIAMSON:** Mr. Lambert, this is kind of a question for  
22 data collection. Were you ever a participant in a Coastal  
23 Household Telephone Survey, or have you ever received an FES  
24 survey?

25  
26 **MR. LAMBERT:** I don't think -- Thinking back as to whether I  
27 received a telephone survey, I want to say that I have, but I'm  
28 not completely concern about that. I have received several  
29 surveys by mail, but I don't think I have ever gotten an FES  
30 survey by mail. Most of the ones that I receive by mail are  
31 hunting-related, and I'm not sure that I have ever received one  
32 that is fishing related.

33  
34 **MR. WILLIAMSON:** How long have you been fishing?

35  
36 **MR. LAMBERT:** Basically all my life, since I was old enough to  
37 hold a rod.

38  
39 **MR. WILLIAMSON:** Thank you.

40  
41 **CHAIRMAN FRAZER:** Okay. Thank you, Mr. Williamson, for your  
42 questions. Again, Dr. Shipp, for yours as well, and thank you,  
43 Mr. Lambert, for your comments and answers to those questions.  
44 It looks like we might have one more hand up from Mr. Dugas.

45  
46 **MR. DUGAS:** It's not for Mr. Edwin, but I would like to make a  
47 comment when he's completed, for staff.

1 **CHAIRMAN FRAZER:** Okay. I think that we are done with Mr.  
2 Lambert right now, and so go ahead, J.D.

3  
4 **MR. DUGAS:** Okay. I have missed a couple of names of who is  
5 speaking, and I saw Patrick put a message up, and Bernie said  
6 that there is no way to list the names of the people speaking,  
7 and so my question is, the little yellow box that is being typed  
8 in, can we maybe add a line right there to put the person's name  
9 who is speaking?

10  
11 **CHAIRMAN FRAZER:** Certainly we can do that, J.D., moving  
12 forward. It looks like we're approaching our scheduled time,  
13 and it doesn't look like we have any additional speakers in the  
14 queue, and so I would like to remind people that might be  
15 listening that, if you want to provide written comments, you can  
16 certainly do that, and I encourage you to visit the council  
17 website, in order to prepare those comments and submit them.

18  
19 We are going to go ahead and take our scheduled break, our lunch  
20 break, and we will return at the reconvene the council at 12:00,  
21 and so I will see everybody at that time. Thank you, guys, and  
22 enjoy your lunch.

23  
24 (Whereupon, the meeting recessed for lunch on September 30,  
25 2020.)

26  
27 - - -

28  
29 September 30, 2020

30  
31 WEDNESDAY AFTERNOON SESSION

32  
33 - - -

34  
35 The Full Council of the Gulf of Mexico Fishery Management  
36 Council reconvened via webinar on Wednesday afternoon, September  
37 30, 2020, and was called to order by Chairman Tom Frazer.

38  
39 **CHAIRMAN FRAZER:** All right, everybody. Again, I appreciate  
40 your patience as we struggled through some of those technical  
41 challenges. We are going to start off with the committee  
42 reports, and, as indicated earlier in the morning, we're going  
43 to adjust the schedule slightly, and so we're going to start  
44 with the Reef Fish Committee report, and so I realize that Mr.  
45 Anson withdrew his motion for discussion later today, and we'll  
46 see how that goes, but, if we can try to move efficiently  
47 through the report, I think it's the last item on the report,  
48 and we might be able to talk about it there, and so I will let

1 Martha proceed. Go ahead, Martha.

2  
3 **COMMITTEE REPORTS**  
4 **REEF FISH COMMITTEE REPORT**

5  
6 **MS. GUYAS:** Thank you, Mr. Chair. Okay. The Committee adopted  
7 the agenda, after adding a discussion of the management proposal  
8 offered by the Charter Fishermen's Association and an update on  
9 the status of the Southeast Area Monitoring and Assessment  
10 Program (SEAMAP) trawl survey for fall 2020.

11  
12 The minutes from the June 2020 meeting were approved as written.  
13 A Committee member noted that there was a gap in the verbatim  
14 minutes related to a technical issue with the recording, which  
15 has since been addressed and is unlikely to occur in future  
16 meetings.

17  
18 Review of Reef Fish Landings, Mr. Peter Hood from the National  
19 Marine Fisheries Service's Southeast Regional Office reviewed  
20 the reef fish landings for the Gulf of Mexico recreational and  
21 commercial sectors by species. Wave 2 and 3 data for 2020 from  
22 the Marine Recreational Information Program (MRIP) were not  
23 available, due to the COVID-19 pandemic. In 2019, only gray  
24 triggerfish recreational landings and lane snapper stock  
25 landings exceeded their respective annual catch limits.

26  
27 The committee asked about the effects on dockside sampling due  
28 to COVID-19. Mr. Hood said that samplers were not sent out in  
29 late March through April. Dr. Richard Cody added that the  
30 Fishing Effort Survey using postal mail continued unimpeded  
31 throughout MRIP Waves 2 through 4. However, dockside sampling  
32 through the Access Point Angler Intercept Survey was largely not  
33 conducted during those waves.

34  
35 NOAA OST anticipates generating an annual intercept estimate, as  
36 opposed to wave-specific estimates, for 2020. The committee  
37 requested a presentation on how NOAA OST would handle the gaps  
38 in sample coverage due to COVID-19 for 2020.

39  
40 Discussion of Fishing Industry Impacts Due to COVID-19 and  
41 Potential Emergency Rule Requests, Dr. Jessica Stephen reviewed  
42 an analysis of the impacts of COVID-19 on individual fishing  
43 quota program fisheries for red snapper, red grouper, and gag  
44 grouper.

45  
46 Dr. Stephen compared 2020 landings to both 2019 landings and the  
47 average of 2017 through 2019 landings. Overall, trends are  
48 similar to what was observed in recent years. However, some

1 notable differences may be attributable to COVID-19. Fewer red  
2 snapper trips were taken in 2020, but seasonal patterns remain  
3 similar. Ex-vessel value for red snapper is lower for 2020, but  
4 has been increasing steadily in 2020 towards the average value  
5 observed from 2017 to 2019. Likewise, weekly ex-vessel prices  
6 were at their lowest near weeks fifteen and sixteen, but are now  
7 approaching pre-COVID-19 levels.

8  
9 Gag grouper showed a similar pattern to red snapper. However,  
10 Dr. Stephen noted that 2020 ex-vessel values for gag grouper are  
11 currently above the average for 2017 through 2019. Red grouper  
12 was also observed to be similar to gag grouper and red snapper,  
13 with the caveat that the difference in landings values reflects  
14 the quota decrease in 2019 and 2020, in response to the 2018 red  
15 tide event.

16  
17 Pounds of red grouper landed in 2020 now exceed that landed in  
18 2019, although the weekly price per pound did decrease. Dr.  
19 Stephen followed landings data with allocation total values and  
20 prices per pound. Red snapper allocation values in 2020 have  
21 been very similar to those in 2019. Gag and red grouper were  
22 similar to each other, with 2020 allocation values being less  
23 than 2019.

24  
25 Landings comparisons through August 2020 showed that commercial  
26 red snapper is on track to reach its quota for the 2020 fishing  
27 year. Red grouper, gag grouper, deepwater grouper, shallow-  
28 water grouper, and tilefish quotas are not anticipated to be  
29 met, but landings for those species, or species groups, haven't  
30 typically reached their respective quotas in recent years. SERO  
31 will closely monitor landings for the remainder of 2020,  
32 especially, deepwater and tilefish, as the percent landed is  
33 less than typically landed in previous years.

34  
35 A committee member was concerned with the decrease in landings  
36 and price per pound due to COVID-19 and what may happen if cases  
37 increase and cause another economic shutdown. Dr. Stephen  
38 responded that SERO has not made landings projections, because  
39 each state has different safety procedures. However, she does  
40 expect to see a general decline if shutdown procedures are  
41 reinstated.

42  
43 When discussing a possible carryover of unused quota for the red  
44 snapper IFQ program, Ms. Leann Bosarge said she would be in  
45 favor of one for those who have to lease their IFQ allocation.  
46 Dr. Crabtree noted that, if the economy shuts down again,  
47 everyone invested in the program will potentially lose money.  
48 Further, carryover can be very difficult to implement, and it

1 requires a complex decision-making process. Applying a  
2 carryover could also possibly distort the markets in the  
3 following year. Several committee members agreed that a  
4 carryover may not be necessary.  
5

6 Dr. Stephen concluded her presentation with an explanation of  
7 what will need to happen if a carryover were implemented and  
8 noted that any carryover amount cannot be calculated until  
9 December 31, and carryover dissemination would not be available  
10 until the first quarter of the following year.  
11

12 A mechanism would also have to be built into the IFQ system  
13 software to monitor the carryover amount to prevent an overage.  
14 The committee expressed a desire to receive updates on IFQ  
15 program landings at subsequent council meetings.  
16

17 **The committee recommends, and I so move, to have the council**  
18 **review IFQ data at each upcoming council meeting through January**  
19 **2021, to assess the need for a possible emergency action due to**  
20 **the COVID-19 pandemic.**  
21

22 **CHAIRMAN FRAZER:** Okay. Thank you, Martha. We have a committee  
23 motion on the board, and we'll make sure that we get that up.  
24 All right. Is there any further discussion of this motion?  
25 **Seeing none, is there any objection to the motion, or**  
26 **opposition? Seeing none, the motion passes.** Go ahead, Ms.  
27 Guyas.  
28

29 **MS. GUYAS:** A committee member noted that it would be ideal to  
30 have a placeholder on all agendas to address impacts of COVID-19  
31 for the remainder of the year for all sectors. Dr. Joe Powers,  
32 chair of the council's Scientific and Statistical Committee,  
33 summarized the SSC recommendations on carryover in the red  
34 snapper IFQ program. The SSC addressed the stock rebuilding  
35 plan and discussed carryover implications, determining that  
36 recreational and commercial carryover should not impede the  
37 status of the rebuilding plan.  
38

39 Status of Gulf State Recreational Data Collection Programs and  
40 2020 Red Snapper Seasons, Florida's 2020 season for red snapper  
41 was open June 11 through July 25. The Florida Fish and Wildlife  
42 Conservation Commission's Gulf Reef Fish Survey was expanded on  
43 July 1 to include the whole state, becoming the State Reef Fish  
44 Survey. FWC estimates that 30 percent of the 2020 Florida  
45 private angling ACL was caught in June, and the July data are  
46 pending. Further, the Gulf Reef Fish Survey/State Reef Fish  
47 Survey mail survey was not interrupted by COVID-19.  
48

1 If I may, Mr. Chairman, let me also just insert a little update  
2 here. Yesterday afternoon, Governor DeSantis announced a six-  
3 day fall weekend opening for Florida. Based on some new  
4 information we have, we're estimating that probably about 70  
5 percent of the quota was harvested during that summer season,  
6 and so we will be open in Florida on October 17 and 18, 24 and  
7 25, and then October 31 and November 1. Now back to the report.

8  
9 Alabama held a thirty-five-day season for its private angling  
10 component for red snapper beginning on May 22, with fishing  
11 allowed Friday through Monday. In late June, the Alabama  
12 Department of Conservation and Natural Resources announced the  
13 closure of the red snapper private angling component on July 3.

14  
15 As of July 3, 2020, approximately 994,000 pounds whole weight  
16 had been landed in Alabama. Alabama DCNR then reopened the  
17 private angling component for red snapper for a three-day  
18 fishing season from October 10 through 12. Of note, through the  
19 end of June 2020, daily vessel trips were higher than that  
20 reported for Alabama in 2018 or 2019.

21  
22 Mississippi's Department of Marine Resources opened its fishing  
23 season for its private angling component for red snapper on May  
24 22 through July 5, with fishing allowed seven days a week. MDMR  
25 observed more people fishing during COVID-19 than expected.  
26 MDMR reopened private angling for red snapper for one day on  
27 September 5, 2020, during which it observed 470 trips taken.  
28 MDMR reported landings of 142,526 pounds whole weight for 2020,  
29 or approximately 93 percent of Mississippi's 2020 private  
30 angling ACL, and 4,372 total trips were taken.

31  
32 The Louisiana Department of Wildlife and Fisheries reported a  
33 large increase in the number of private vessel trips targeting  
34 red snapper, but also far fewer fishermen participating in the  
35 LDWF dockside intercepts, due to COVID-19. LDWF's LA Creel  
36 survey reported the harvesting of approximately 777,000 pounds  
37 whole weight of its adjusted 784,000 pounds whole weight ACL for  
38 2020, which accounted for its 2019 overage. Louisiana's 2020  
39 fishing season was open from Friday through Sunday weekly from  
40 May 22 through August 13, including Memorial Day and from  
41 September 4 through 7.

42  
43 Texas Parks and Wildlife Department noted they weren't measuring  
44 as many fish through dockside surveys, due to COVID-19, in late  
45 March and April of 2020, but were now back to full survey  
46 capacity. Texas' private angling season for red snapper in  
47 state waters opened on January 1 and in federal waters on June  
48 1, with the federal waters season closing on August 2. The

1 season in state waters is still open.  
2  
3 TPWD estimated that 2020 private angling landings totaled  
4 approximately 69 percent of Texas' original 2020 private angling  
5 ACL. TPWD briefly discussed the lawsuit by the State of Texas  
6 against NMFS with regard to Texas' estimated 2019 landings and  
7 overage and the subsequently revised 2020 ACL, as determined by  
8 National Marine Fisheries Service.  
9  
10 NMFS SERO Presentation on the 2019 Recreational Red Snapper  
11 Season, Mr. Jeff Pulver compared the 2019 Texas private angling  
12 landings estimates for red snapper, as calculated by NMFS  
13 Southeast Fisheries Science Center and TPWD. The Southeast  
14 Fisheries Science Center estimates that landings equaled 375,616  
15 pounds whole weight, while the TPWD estimates 260,606 pounds  
16 whole weight.  
17  
18 Likewise, the Southeast Fisheries Science Center estimated that  
19 Texas private anglers landed 65,626 fish, while TPWD estimated  
20 53,793 fish were harvested. Based on Southeast Fisheries  
21 Science Center estimates, the Texas 2020 revised private angling  
22 ACL, accounting for an estimated overage of 110,526 pounds whole  
23 weight in 2019, equals 154,579 pounds whole weight. Further,  
24 SERO estimated that the private angling component overage in  
25 2019 resulted in an overage of the red snapper stock OFL,  
26 meaning overfishing may have occurred in 2019.  
27  
28 The committee asked whether NMFS has officially determined that  
29 overfishing occurred in 2019 for red snapper. Dr. Roy Crabtree  
30 replied that such a determination is in review, and, if  
31 confirmed, the council would need to act to end overfishing.  
32  
33 An issue was identified by the Southeast Fisheries Science  
34 Center with how average weights are determined between the  
35 Southeast Fisheries Science Center and TPWD and the number of  
36 fish harvested.  
37  
38 Texas 2019 high-use season data, which is May through November,  
39 were uploaded to the GulfFIN and received by SERO and the  
40 Southeast Fisheries Science Center in July 2020, and analyses  
41 resulting in the overage estimation for the 2019 fishing season  
42 were determined thereafter, since the Southeast Fisheries  
43 Science Center requires all landings data from 2019 to calculate  
44 an annual estimate.  
45  
46 NOAA General Counsel advised that, since this topic is the  
47 subject of active litigation between NMFS and the State of  
48 Texas, that the council should refrain from discussions beyond

1 the information already publicly available.

2  
3 The committee asked about the accuracy of MRIP estimates due to  
4 sampling coverage gaps within the APAIS because of COVID-19  
5 safety procedures. Dr. Cody noted that the coverage gaps are  
6 why NOAA OST has not published completed wave data beyond Wave 1  
7 from 2020. He added that the state surveys produce more precise  
8 and timely data than MRIP, but noted that the accuracy of the  
9 state-survey-generated data has not yet been resolved for all  
10 Gulf states.

11  
12 MRIP-FES Calibration Workshop, Dr. Powers summarized the SSC's  
13 review of the new recreational catch estimation procedures and  
14 calibration of historical estimates to MRIP-FES. Previous  
15 methods under CHTS relied on contacting fishermen via landline  
16 telephone. The increase in the use of cellphones versus  
17 landlines resulted in reduced participation in the effort  
18 survey. The FES is a mail-based survey and is intended to  
19 provide deeper insight into fishing effort.

20  
21 Overall, the SSC noted that the conversion of historical data to  
22 MRIP-FES maintained the trends of the time series. However, the  
23 magnitude of the estimates tended to increase. Ultimately, NMFS  
24 determined that the estimates from MRIP-FES were suitable for  
25 estimating biomass and productivity in stock assessments.

26  
27 Given that MRIP-FES increases estimates of the proportion of  
28 shore-based effort, the SSC proposed, as a research  
29 recommendation, the possibility of a pilot program to further  
30 examine if sampling on publicly-available locations is  
31 appropriate to estimate the full shore effort or if an alternate  
32 method should be used to account for shore effort from private  
33 access locations. The SSC also recommended a reevaluation of  
34 the assumptions used for data-limited species, as these may  
35 change with the pursuit of MRIP-FES calibration efforts.

36  
37 **The committee recommends, and I so move, that council staff**  
38 **draft a letter to the NOAA OST recommending an examination**  
39 **(pilot program or other method) be used to examine whether those**  
40 **publicly-available sampling location catch rates are appropriate**  
41 **for application to the full shore effort, or whether an**  
42 **alternative method is (more appropriate/preferable/possible) for**  
43 **private-access locations. Further, NOAA OST should prioritize**  
44 **development of a protocol and automated check programs to detect**  
45 **and flag extreme or unusual values in MRIP-FES catch estimates**  
46 **and determine the source of those extreme values, such as input**  
47 **data or calibration procedures.**

1 **CHAIRMAN FRAZER:** Okay. We have a committee motion on the  
2 board. Is there any further discussion of that motion? **Seeing**  
3 **no hands up, is there any opposition to the motion? Seeing**  
4 **none, the motion carries.** Go ahead, Ms. Guyas.  
5

6 **MS. GUYAS:** Dr. Cody mentioned that NOAA OST has already begun  
7 developing a protocol to examine outlier data. The committee  
8 had questions about a failed motion that proposed to include the  
9 SSC early in the process of determining data to be used in a  
10 stock assessment. The motion failed due to issues with protocol  
11 on how to integrate this step into the SEDAR process. The  
12 motivation behind the motion was to allow the SSC to weigh-in  
13 early in the process, instead of at the end of an assessment.  
14

15 Review of the August 5, 2020 MRIP Red Snapper State Data  
16 Calibration Webinar, Dr. Cody reviewed the progression of NOAA  
17 OST workshops working on calibration issues for recreational red  
18 snapper in the Gulf. The first three workshops focused on  
19 coordination among data collection partners, integrating  
20 specialized surveys into MRIP, and meeting management and  
21 assessment needs.  
22

23 Three independent consultants, contracted by NOAA OST, suggested  
24 making improvements to the MRIP general survey and incorporating  
25 supplemental surveys to augment MRIP.  
26

27 The fourth workshop focused on the implementation of the Gulf  
28 state surveys, many of which were already certified by MRIP as  
29 statistically valid in their experimental design. Further, the  
30 fourth workshop examined calibration options between the FES  
31 estimates and the state-survey-generated estimates.  
32

33 Modeling approaches for calibration were identified as time-  
34 intensive, and, as such, a simple ratio method was identified as  
35 a timelier option. A calibration approach using modeling could  
36 also be considered in the future. Calibrations are necessary to  
37 express the MRIP-CHTS-based ACLs in the state survey units for  
38 quota monitoring purposes. These data currencies need to be  
39 convertible in both directions, for stock assessment and  
40 fisheries management purposes.  
41

42 The goal of the fifth workshop, which was August 5, 2020, was to  
43 focus on the state survey calibration ratios for Florida,  
44 Alabama, Mississippi, and Louisiana and their methods for  
45 determining those ratios, followed by SERO adjustments to those  
46 ratios.  
47

48 An additional subgroup from the original MRIP transition team of

1 Gulf state and regional partners, the transition team subgroup,  
2 will also explore these calibrations, data management, and  
3 access by all partners, understanding drivers for differences  
4 between the surveys, and other related research questions  
5 pertaining to this process. The Gulf States Marine Fisheries  
6 Commission was identified as a suitable conduit for facilitating  
7 data sharing between the partners.

8  
9 Generally, the NOAA OST consultants had no major concerns with  
10 the calibration methods offered by Florida, Alabama, and  
11 Louisiana. However, Mississippi's meta-analytical method could  
12 not be recommended for the purpose of generating that state's  
13 calibration to MRIP-CHTS. The consultants recommended  
14 consistency in approach, wherever possible, and that NOAA OST  
15 compile all methods into a single report for reference  
16 documentation.

17  
18 The committee asked about the response rate for FES mailed  
19 questionnaires, which Dr. Cody said ranges from 30 percent to 35  
20 percent and varies by state, with about 100,000 surveys mailed  
21 to fishing license holders annually nationwide. The ability of  
22 MRIP to target license holders is limited to the accuracy of  
23 those data, as provided by the respective states, and the  
24 ability to solicit feedback on the effort of more than one  
25 individual using the same vessel for a trip is being explored.

26  
27 Non-responses to surveys are addressed by sending another  
28 follow-up survey, which can include an incentive for providing a  
29 response. Demographic information is also collected and  
30 compared to responses, to help detect biases related to those  
31 data.

32  
33 The committee asked whether the SSC should be determining which  
34 survey represents best scientific information available for each  
35 species. Dr. Roy Crabtree clarified that NMFS makes the  
36 determination of BSIA, but not without consultation from other  
37 scientific experts. The deliberations of the SEDAR process, the  
38 SSC, the Southeast Fisheries Science Center, and others all  
39 contribute to such a determination.

40  
41 The committee acknowledged that there are many ways to present  
42 catch and effort data and noted concern by cooperating state  
43 partners that MRIP estimates are not viewed as reasonable for  
44 all states. Concern was expressed that the red snapper research  
45 track (SEDAR 74) and the subsequent operational assessment may  
46 not be available for management action until 2023 or later.

47  
48 Dr. Greg Stunz noted that, prior to the implementation of FES,

1 the National Academy of Sciences found CHTS to exhibit several  
2 flaws, many of which were directly addressed through the  
3 implementation of FES. A recent NAS study found FES to be  
4 unsuitable for the purpose of in-season quota monitoring. Dr.  
5 Stunz thought that the Gulf state survey programs were likely  
6 more suitable for that purpose, and he expressed a desire to  
7 further the science of querying catch and effort, in  
8 consultation with the experts on the SSC.

9

10 Mr. Kevin Anson agreed that many critical decisions come before  
11 the council with respect to red snapper in the near-term.  
12 However, the calibration of recreational data remains a  
13 persistent concern for the states and the council. Alabama, in  
14 particular, could see its season substantially reduced if the  
15 ratio adjustment proposed by NMFS is used.

16

17 Mr. Anson asked Dr. Porch about how the integration of the Great  
18 Red Snapper Count data will affect catch recommendations in the  
19 interim analysis previously requested by the council. Dr. Porch  
20 replied that suppositions about the use of the data from the  
21 Great Red Snapper Count and the effect on catch limit  
22 recommendations will only be possible once the data are  
23 analyzed.

24

25 It may be possible to generate abundance-at-age estimates and  
26 use those estimates to inform comparisons with previous  
27 assessments and determinations of spawning stock biomass.  
28 However, these analyses will have to wait until the Southeast  
29 Fisheries Science Center can work with the Great Red Snapper  
30 Count data.

31

32 Mr. Phil Dyskow recommended the priority be to resolve any  
33 discrepancies between the state survey methods, to better allow  
34 those data to be used for management. The Great Red Snapper  
35 Count may ultimately show greater levels of SSB than existing  
36 NMFS surveys. Therefore, he thought the council needed to be  
37 able to move between different data currencies and not focus  
38 only on using MRIP.

39

40 Ms. Bosarge stated that, if red snapper has undergone  
41 overfishing, as was suggested by the data presented by SERO,  
42 then the council must act to correct that status determination.  
43 She added that overfishing the stock affects everybody. Ms.  
44 Bosarge then asked whether the data generated from the Great Red  
45 Snapper Count will be peer-reviewed before being used for  
46 management. Dr. Porch stated that the SSC would be the review  
47 body for the Great Red Snapper Count.

48

1  
2 Dr. Cody acknowledged that MRIP does not do a good job of quota  
3 monitoring for the purposes of in-season management, but he  
4 added that MRIP is designed to work for all species in all  
5 areas, and it performs other survey responsibilities well. Dr.  
6 Frazer added that improvements will be made to data collection  
7 systems over time, being incorporated as available.  
8  
9 SSC Recommendations, Dr. Powers reviewed the SSC's evaluation of  
10 the calibrations presented by each Gulf state for converting  
11 between a state's survey and MRIP-CHTS, the data currency  
12 against which the state survey programs were designed.  
13  
14 Dr. Powers also reviewed the SSC's motions regarding those  
15 calibrations. He reiterated that these calibrations could be  
16 used for stock assessment purposes, but that it was a more  
17 difficult task to determine how these calibrations would relate  
18 specifically to allocation issues between the Gulf states. Dr.  
19 Powers also emphasized the importance of the anticipated work of  
20 the MRIP transition team subgroup and the continued examination  
21 of improved methodologies for standardizing state survey  
22 estimates. In the meantime, in order to monitor landings across  
23 the Gulf states, the SSC recommended using the prescribed  
24 calibration ratios.  
25  
26 SERO Presentation on Options for Private Recreational Red  
27 Snapper, Mr. Hood presented options for addressing quota  
28 monitoring and catch levels for the private angling component  
29 for recreational red snapper. Two methods were proffered:  
30 applying the prescribed calibration ratios to adjust each  
31 state's ACL and applying a 23 percent buffer to the private  
32 angling component's ACL and then allocating quota to each state  
33 based on the allocations prescribed in Reef Fish Amendment 50.  
34  
35 Otherwise, reallocating among the states would require a plan  
36 amendment, perhaps with an emergency rule implemented while the  
37 amendment is being developed.  
38  
39 When examining state-by-state ACLs under the buffer option, Mr.  
40 Hood noted that Alabama and Mississippi would receive greater  
41 respective ACLs than they would under an option applying the  
42 calibration ratios, albeit at the expense of the ACLs for the  
43 other Gulf states.  
44  
45 Mr. Robin Riechers clarified that there should be no expectation  
46 of revising calibrations by the spring of 2021, by when the  
47 council would hope to have revised management measures in place.  
48 He instead recommended focusing on the immediacy of the need to

1 resolve the 2021 ACLs and the issues surrounding the calibration  
2 ratios.  
3  
4 Dr. Stunz explained that, although the Great Red Snapper Count  
5 could estimate a level of SSB much different than that  
6 determined by SEDAR 52, the Great Red Snapper Count is not  
7 supposed to replace that assessment, but rather enhance current  
8 knowledge of stock biomass. The Great Red Snapper Count could  
9 help evaluate SSB estimation methods currently in use and help  
10 calibrate those methods for future assessments. Close  
11 collaboration with the Southeast Fisheries Science Center will  
12 be key to see how the Great Red Snapper Count data can be  
13 incorporated into a stock assessment.  
14  
15 **CHAIRMAN FRAZER:** Martha, excuse me real quick. Mr. Riechers,  
16 do you have a question?  
17  
18 **MR. RIECHERS:** I was trying to type in and tell you to wait, but  
19 I just think, in that sentence there, and I apologize, Martha,  
20 that I didn't review this earlier, as we didn't get it in time,  
21 I don't think, but I think just a clarification on my point  
22 there. It was that I think I was speaking not to calibrations  
23 at that point, when you were talking about the spring of 2021,  
24 but there had previous comments earlier in the day about  
25 allocations, and that's what I was trying to speak to. Of  
26 course, with the technological difficulties, maybe it was just a  
27 -- Maybe it couldn't be heard very well or something.  
28  
29 **CHAIRMAN FRAZER:** Thanks, Robin. We'll amend the report  
30 accordingly. Go ahead, Martha.  
31  
32 **MR. RYAN RINDONE:** Just for clarity, so we make sure we do the  
33 right thing here, Mr. Riechers, you're saying it's revising  
34 allocations by the spring of 2021?  
35  
36 **MR. RIECHERS:** Yes, Ryan, and I believe that's what I -- You can  
37 double-check the record, but I believe that's what I was --  
38 Based on the way you summarized it, that's what I was  
39 referencing at that point, yes.  
40  
41 **MR. RINDONE:** Okay. We will make that tweak.  
42  
43 **CHAIRMAN FRAZER:** Go ahead, Martha.  
44  
45 **MS. GUYAS:** Thanks, Robin.  
46  
47 **CHAIRMAN FRAZER:** Excuse me. We've got Clay's hand up. Go  
48 ahead, Clay. I think you might be on mute, Clay. He just typed

1 and said when we're done with the report. All right. Go ahead,  
2 Martha.

3  
4 **MS. GUYAS:** Okay. I think this is where I am, but sorry if I'm  
5 skipping anything or reading anything twice. Dr. Porch added  
6 that the Great Red Snapper Count is an independent assessment of  
7 biomass using new technologies to stitch together an estimate of  
8 absolute abundance of Gulf red snapper. It will also inform  
9 scientists of how to improve current survey methods. The issue  
10 of state survey data calibrations, however, is separate from the  
11 Great Red Snapper Count.

12  
13 Mr. Anson stated that many issues remain unresolved with respect  
14 to the catch and effort estimates generated by MRIP-FES. After  
15 offering a motion, Mr. Anson added that such a measure would  
16 serve as a temporary fix until those unresolved issues can be  
17 addressed. Dr. Simmons reminded the committee of the council's  
18 request to the Southeast Fisheries Science Center for an interim  
19 analysis of red snapper using the Great Red Snapper Count data,  
20 to be reviewed by the SSC in January 2020, before the January 25  
21 to 28 council meeting.

22  
23 Motion that the Gulf of Mexico Fishery Management Council  
24 instructs that management advice for Gulf of Mexico red snapper  
25 be derived using the unadjusted harvest estimates from the state  
26 surveys (TPWD, LA Creel, Mississippi Tails n' Scales, Alabama  
27 Snapper Check and Florida Gulf Reef Fish Survey) until such time  
28 as the causal factors and relationships explaining the  
29 disagreement between the MRIP FES survey and the state surveys  
30 are established. This motion was seconded, but not voted on.  
31 This motion was withdrawn on Wednesday morning for discussion in  
32 Full Council.

33  
34 Other Business, due to a shortage of time, the two items  
35 previously added by the committee for discussion under Other  
36 Business were not reviewed: Charter Fisherman's Association  
37 proposal and Status of the Southeast Area Monitoring and  
38 Assessment Program (SEAMAP) trawl survey for fall 2020. Mr.  
39 Chair, this concludes my report.

40  
41 **CHAIRMAN FRAZER:** Thank you, Ms. Guyas. I appreciate the  
42 lengthy responsibility of the Reef Fish Chair, and you do a  
43 great job. Clay had a comment in the chat, and he was wanting  
44 to know when we might be able to provide some general comments  
45 on the report, and so I think that will be the first order of  
46 business. Clay, if you've got some specific comments you would  
47 like to address, now would be a good time.

48

1 **DR. PORCH:** Great. Thank you, Chair. Two points that I saw.  
2 One is regarding the catch statistics that the State of Texas  
3 provided and that we provided, and I think there's a statement  
4 there that we have different estimates of the total number of  
5 fish caught, but I believe we actually have the same estimates,  
6 but it's just that our report came later, but we're using their  
7 data at Gulf States, and so I don't know if Mr. Riechers wants  
8 to comment on that, but I think, in terms of the number, we have  
9 exactly the same estimates. The issue is more the weight, and  
10 maybe some other subtleties. I have another point besides that  
11 later in the report.

12  
13 **CHAIRMAN FRAZER:** Okay. Clay, let me just -- I will give Robin  
14 a chance to chat in just a second, but I just want to make sure  
15 that these numbers -- In my recollection, they came from Mr.  
16 Pulver's report, in a presentation, and so we'll go ahead and  
17 let Robin respond to that, but we may circle back with the folks  
18 at -- With Mr. Pulver, perhaps. Robin.

19  
20 **MR. RIECHERS:** As you suggest, that was coming out of their  
21 report, and I am not certain about the statements that were  
22 made, but that is not for me to discuss here.

23  
24 **CHAIRMAN FRAZER:** Sure. Okay. Clay, I am going to circle back  
25 with you a bit, and so those numbers came directly out of the  
26 presentation that was provided by the SERO staff, and is there -  
27 - Do we need to modify those numbers in some way, or perhaps you  
28 would like to work with the SERO staff to provide us the correct  
29 numbers, if they are in error? I don't hear Clay, but I see  
30 that Mara has her hand up. Ms. Levy.

31  
32 **DR. PORCH:** Sorry. I got kicked off, and so I didn't hear the -  
33 - I just called back in, and I didn't hear what the response  
34 was, but I suppose that Mara and Roy did, and so I will defer to  
35 them, and I do have another point to come back to later  
36 regarding the Great Red Snapper Count.

37  
38 **CHAIRMAN FRAZER:** Okay. Great. We'll put you on hold, Clay,  
39 for just a second, and we'll let Mara have the floor, and then  
40 Roy. Ms. Levy.

41  
42 **MS. LEVY:** Thank you. NMFS can speak more to this, but that's  
43 true that those numbers are in the report, but I think, if you  
44 look at the sources, that the Texas numbers of fish says it came  
45 from the 2019 final EFP report that Texas provided, whereas the  
46 Science Center number of fish came from data from July 29, 2020,  
47 which is later in time, and so I believe that there were  
48 additional fish reported after that Texas report was generated,

1 and so it's listed in there, and, again, NMFS can speak more to  
2 this, and so I just wanted to point out the different dates of  
3 when those data came into play.  
4  
5 **CHAIRMAN FRAZER:** Thank you, Ms. Levy. Dr. Crabtree.  
6  
7 **DR. CRABTREE:** I think Mara got it right. It's that the Texas  
8 report has the number of fish caught, and the later report that  
9 came out showed a large number more fish were caught than the  
10 earlier report did that we saw in January on the EFP.  
11  
12 **CHAIRMAN FRAZER:** Okay. I guess, moving forward, I'm going to  
13 deflect over to Mr. Rindone a bit, and we can work with the  
14 appropriate folks at SERO, and perhaps the Science Center, to  
15 make sure that those numbers are in fact reflective of where  
16 we're at. Mr. Rindone.  
17  
18 **MR. RINDONE:** Thank you, Mr. Chair. Based on the nature of the  
19 discussion, it seems that the main thing that was -- Like the  
20 main subject anyway was the discrepancy in the total number of  
21 pounds that were landed, if it comes to pass that the number of  
22 fish landed is in fact the same, and, if that's the case, then  
23 the sentence that begins likewise, "the SEFSC", et cetera, that  
24 sentence could just be removed, because, if the number of fish  
25 landed is the same, then that sentence is no longer  
26 consequential to the discussion. If there's not any  
27 disagreement with that, I would just remove that sentence, the  
28 whole sentence, and so including "while TPWD estimated" blah,  
29 blah.  
30  
31 **DR. PORCH:** I would agree with that.  
32  
33 **CHAIRMAN FRAZER:** Okay. Thank you.  
34  
35 **MR. RINDONE:** We'll just delete that, and then that will be  
36 that.  
37  
38 **CHAIRMAN FRAZER:** I just want to quickly check back with Dr.  
39 Crabtree and Ms. Levy. Are you guys okay with that change?  
40  
41 **MS. LEVY:** I'm okay with that change. I mean, the other option  
42 is just to note where the data came from, but I will leave that  
43 up to you.  
44  
45 **CHAIRMAN FRAZER:** Okay. Roy.  
46  
47 **DR. CRABTREE:** I'm fine if Clay and Mara are fine.  
48

1 **CHAIRMAN FRAZER:** Okay, and so we'll move forward, and we'll  
2 remove that sentence, as it is struck from the report. Dr.  
3 Porch, you had some additional comments?  
4

5 **DR. PORCH:** Yes, and thank you, Chair. Later, where we talk  
6 about the SSC being the review body for the Great Red Snapper  
7 Count, what I actually said is they would be the review body for  
8 the interim analysis that was based on the Great Red Snapper  
9 Count.  
10

11 I think the Great Red Snapper Count itself will undergo a more  
12 thorough review during the upcoming SEDAR assessment process,  
13 and so what I would recommend is changing that language to say  
14 any interim analyses that would be based on the Great Red  
15 Snapper Count would be reviewed by the SSC, something to that  
16 effect.  
17

18 **CHAIRMAN FRAZER:** Okay, and so we're going to find that language  
19 in the report right now. What page is that on, Clay? Do you  
20 happen to -- Were you just listening?  
21

22 **DR. PORCH:** No, I couldn't see it. It was getting towards the  
23 end. It's in the paragraph that says "Ms. Bosarge".  
24

25 **CHAIRMAN FRAZER:** Okay. I think we've got you squared away  
26 here. We're going to do this in a couple of ways. First of  
27 all, Clay, hold that thought, and let me get Leann's comment  
28 here. Ms. Bosarge.  
29

30 **MS. BOSARGE:** Well, my comment is more about the process. If  
31 you want to finish editing something in the document, I will  
32 hold my thoughts.  
33

34 **CHAIRMAN FRAZER:** Okay. Thank you. Clay, let's go ahead and  
35 look at that sentence that's up on the board right now. The  
36 sentence you're worried about, or would like to modify, says,  
37 "Dr. Porch stated that the SSC would be the review body for the  
38 Great Red Snapper Count." You would like to change the wording  
39 to say?  
40

41 **DR. PORCH:** After "review body for", you could say "for any  
42 interim analyses that might be based on the Great Red Snapper  
43 Count." If you want to be more explicit, you could say "interim  
44 ABC analyses".  
45

46 **CHAIRMAN FRAZER:** Okay. We will go back and place "ABC" after  
47 "interim".  
48

1 **DR. PORCH:** Then you could say, because I think I also said it,  
2 that the Great Red Snapper Count will be further reviewed during  
3 the upcoming stock assessment, or research track stock  
4 assessment.

5  
6 **CHAIRMAN FRAZER:** All right, and so we're good with that change.  
7 Thank you, Clay, for catching that. Ms. Bosarge.

8  
9 **MS. BOSARGE:** Thank you, Mr. Chairman. In some ways, I guess  
10 it's six to one and a half-dozen to the other, but I like the  
11 fact that our science is reviewed through our SSC in a very open  
12 and transparent way. I think that we have just as wonderful  
13 scientists within the Southeast Fisheries Science Center, but  
14 I'm worried about the way this is being presented as the review  
15 will take place.

16  
17 Somebody like me is not going to have the benefit of actually  
18 hearing the tough questions asked and listening to the responses  
19 and taking it in on my own and saying, okay, I like this, and I  
20 feel good about it. That's what I get when the SSC reviews  
21 something. They ask the tough questions, and God bless those  
22 scientists from the Southeast Center, and they are so tough. I  
23 would go home and cry if people reviewed my work like that, but,  
24 anyway, it's a great system.

25  
26 It doesn't look like the Great Red Snapper Count is going to go  
27 through that system that we usually have, and we're going to use  
28 it, and the only thing that we're going to evaluate are the  
29 outputs, rather than the actual data that went into it, and so I  
30 do hope that, at some point, the actual Great Red Snapper Count  
31 will be presented to our SSC, even though a lot of those people  
32 worked on it, and I realize that, but I hope it will be  
33 presented to them, specifically, in addition to being presented  
34 to the Southeast Fisheries Science Center, and let them review  
35 it for people like me, in an open and public meeting. Thank  
36 you.

37  
38 **CHAIRMAN FRAZER:** Thanks, Leann. I am certainly prepared to  
39 speak to that point, but I see that Clay Porch and Roy Crabtree  
40 both have their hands up, and so I will let Clay go first.

41  
42 **DR. PORCH:** Maybe, Mr. Chair, you were going to say the same  
43 thing I'm going to say, but the SEDAR research track assessment,  
44 when it reviews that information, will actually include members  
45 of the SSC, as well as an independent peer review, but none of  
46 that would prevent the SSC from actually reviewing the Great Red  
47 Snapper Count all by itself. We're not saying that that  
48 couldn't happen. I am just saying that there is going to be

1 further review, including an independent peer review, as part of  
2 the SEDAR 74 research track.

3  
4 **CHAIRMAN FRAZER:** Thank you, Clay. Dr. Crabtree.

5  
6 **DR. CRABTREE:** I think, Leann, when the interim analysis that is  
7 based on the Great Red Snapper Count is presented to the SSC,  
8 that there will have to be a presentation about the Great Red  
9 Snapper Count itself, because the SSC is going to want to know  
10 more about it and have a chance to ask questions, and so I think  
11 they will see all that, and I believe, Tom, that we had the  
12 Great Red Snapper Count presentation on the SSC agenda at one  
13 point, didn't we?

14  
15 **CHAIRMAN FRAZER:** Yes, we did, and so, at some point, I will  
16 work with Dr. Simmons and the SSC to make sure that it's back on  
17 the agenda in an appropriate meeting. I would also point out  
18 that I was going, again, in fact say all of those things that  
19 Clay said, but, when the SSC looks at and reviews the interim  
20 analysis, that meeting, of course, would be open to all the  
21 council members and the public, and so there's an opportunity  
22 there, Leann, also to hear what's going on, but I knew you  
23 already knew that. Okay. Patrick.

24  
25 **MR. BANKS:** Thank you, Mr. Chairman. My question is mainly  
26 about the timing of when the SSC will have the opportunity to  
27 review that interim analysis that includes the Great Red Snapper  
28 Count information. Let's just assume, for a minute, that the  
29 Great Red Snapper Count -- That Dr. Stunz and his team release  
30 that sometime let's say at the end of October.

31  
32 At that point, I think what I heard Dr. Porch say was they could  
33 then use that and discuss with Greg and his team about that  
34 assessment and then use it in an interim assessment, and when  
35 would that interim assessment be able to be sent to the SSC,  
36 because this is critical for us to try to make some decisions  
37 before the 2021 season, and I'm just hopeful that we'll all see  
38 how important it is to have that reviewed by the Science Center  
39 and then have that interim analysis, or interim assessment,  
40 whatever you call it, sent to our SSC for review, so that us, as  
41 a council, can know what the SSC thinks about the interim  
42 assessment, which includes the Great Red Snapper Count  
43 information, and can somebody speak to that timing? Do you  
44 think all of that can get done so that the council can make some  
45 really hard decisions on the 2021 season in time? Thanks.

46  
47 **CHAIRMAN FRAZER:** Again, Patrick, I appreciate those comments,  
48 and I think they're on the mind of all the council members

1 today, and so it's in everybody's best interest to see that  
2 Great Red Snapper Count data moved along, but I am not the one  
3 in the position to talk about the timing, and so I'm going to  
4 first let Dr. Porch talk about that process, from his side of  
5 things and when he might receive the data, and then when he  
6 might be able to pass it on to the SSC, and so, Dr. Porch.

7  
8 **DR. PORCH:** Thank you, and I appreciate the question, Patrick.  
9 I mentioned this in a couple of interventions in earlier days,  
10 but the issue here is that we don't know exactly what we're  
11 going to get, and so we're going to have to work very closely  
12 with Dr. Stunz and his team to understand the data that they  
13 have and think of the best way to utilize that to give interim  
14 advice.

15  
16 Our intent is to have something by the end of January, but  
17 that's a tenuous deadline when we don't know exactly what we're  
18 going to get. I know Dr. Stunz was optimistic that we'll be  
19 able to come up with something, and I hope he's right. Again,  
20 it would have been nice if we could have had this in the  
21 summertime, and not as we're coming up towards the holidays, but  
22 we'll see.

23  
24 Again, the tentative deadline for us is January, but that  
25 depends very much on what we're able to get and any further  
26 analyses we might have to do. It's possible that it could take  
27 a couple of months after that. I am pretty optimistic, however,  
28 that we can give some type of interim advice, based on the Great  
29 Red Snapper Count, enough in advance of the upcoming season that  
30 the SSC could review it and the council will act.

31  
32 **CHAIRMAN FRAZER:** Thank you, Dr. Porch. Dr. Crabtree, would you  
33 like to follow on?

34  
35 **DR. CRABTREE:** Yes, Tom. I mean, I think everybody's desire is  
36 going to be to implement new catch levels in time for next  
37 year's season, and there is widespread hope that the catch  
38 levels will be able to be increased based on this new science.  
39 We'll see about that, and so I think, if you are able to take  
40 action in January, that's the best situation, and then the  
41 agency can get new catch levels in place.

42  
43 Even if you come to the April meeting, you could probably still  
44 get new catch levels put in place, but you would probably have  
45 to expedite the rulemaking somehow or another, but most of the  
46 fishing doesn't take place until starting in June anyway, and  
47 very few of these fisheries are going to close, and so I think  
48 you would still have time to get it done.

1  
2 I do think though that, in order to raise the catch levels,  
3 you're going to have to be able to demonstrate that your plan is  
4 in compliance with the Magnuson Act, and that means you are  
5 going to have to adjust for these calibration ratios in some  
6 fashion, and so there are a number of decisions that you are  
7 going to need to make to get this done, and I suspect, as  
8 difficult as it may be, you are going to need to do some  
9 tweaking of the state-by-state allocations, in order to get  
10 through all of this, and so there's a lot of work to be done,  
11 but I think it can be done in time for next year's season, and I  
12 hope it will be done, because, like many of you, I am hopeful  
13 that we're going to get some good news.

14  
15 **CHAIRMAN FRAZER:** Thank you, Roy. Dr. Stunz.

16  
17 **DR. STUNZ:** Thank you, Mr. Chairman. I just wanted to comment  
18 that, and I've said this before, but there's no one that wants  
19 to finish this project up faster than me and our team, and we're  
20 working as fast as we can to meet the timelines that are here.

21  
22 Also, just keep in mind some comments that several of us made  
23 yesterday too, and this is beyond just some of the critical  
24 needs that we have right now in the fishery. You know, we've  
25 got a bunch of fundamental issues to deal with that are well  
26 beyond the snapper count and other science issues that we're  
27 dealing with here that we discussed yesterday, and so, while  
28 certainly we hope that this project helps and can help with some  
29 immediate issues we have, it goes much beyond that.

30  
31 **CHAIRMAN FRAZER:** Understood. Thank you for those comments, Dr.  
32 Stunz. Ms. Bosarge.

33  
34 **MS. BOSARGE:** I will be quick. I'm just listening to the timing  
35 of all this, and I wanted to throw it out there, and I know Dr.  
36 Simmons is probably going to have to look at SSC agendas and  
37 when we have meetings scheduled for them, and I'm not real  
38 comfortable acting in a management capacity and changing fishing  
39 levels without the SSC having gone through a detailed  
40 presentation on the Great Red Snapper Count, if that is what is  
41 supporting an interim analysis.

42  
43 Those presentations like that should be -- The ones we usually  
44 get for the SSC are usually seventy or eighty PowerPoint slides  
45 long, and so it's not a quick thing, and so my suggestion would  
46 be, Dr. Simmons, as you look that, if it looks like we can't get  
47 that done in time for the council to take action on it by the  
48 January meeting, if the SSC can't fit that in their schedule

1 before then, we might need to look at adding another meeting in  
2 between January and April, to make sure we have enough time to  
3 get it in place for our recreational fishermen that will benefit  
4 from this.

5

6 **CHAIRMAN FRAZER:** Dr. Simmons.

7

8 **EXECUTIVE DIRECTOR SIMMONS:** Thank you, Mr. Chair. I am  
9 prepared right now -- We're planning on having this review done  
10 prior to the January council meeting, but, like Dr. Stunz and  
11 Dr. Porch have mentioned, we don't know if it's going to be  
12 ready or not, and so certainly we can plan to have a meeting  
13 before the April council meeting, an SSC meeting before the  
14 April council meeting, and I just looked, and the April council  
15 meeting looks like it's the 12<sup>th</sup> through the 15<sup>th</sup>, and so it is in  
16 the middle of the month, but certainly we can plan to do that.  
17 Right now, we're prepared for January.

18

19 **CHAIRMAN FRAZER:** To add to that, I mean, we're certainly  
20 mindful of the timing and what needs to take place in order to  
21 take appropriate action for the 2021 season, and so your point  
22 is well taken, Leann. Okay. I am not seeing any other hands at  
23 this point. I think that was some good discussion, and I think  
24 it will parlay nicely into the next item, and, again, I think I  
25 owe Mr. Anson the courtesy of revisiting his motion that was  
26 withdrawn earlier this morning, or at least a discussion of that  
27 motion, in the context of the discussion that we just had. Mr.  
28 Andon.

29

30 **MR. ANSON:** Thank you, Mr. Chair, for providing me the  
31 opportunity to go ahead and continue with the motion and making  
32 the adjustment in the schedule to allow the Reef Fish Committee  
33 to go forward in front of the other committees.

34

35 What oftentimes happens when motions are kind of put on the  
36 board, is they get tweaked, and so I'm wondering if you can  
37 provide me some liberty to go ahead and tweak my motion, as  
38 Martha read at the end of the minutes, and I would like to  
39 change the language, after "derived", to the following: Derive  
40 using the uncalibrated state-derived harvest estimates from  
41 state surveys.

42

43 **CHAIRMAN FRAZER:** Kevin, let's get situated here, and we clearly  
44 have the motion up on the board, and we want to make sure that  
45 your -- We're going to move it the motion page, and, as we get  
46 it up, we'll allow some crafting there.

47

48 **MR. ANSON:** Of course, this would need approval from the

1 seconder, General Spraggins, but --  
2  
3 **CHAIRMAN FRAZER:** We'll get it up on the board first, and, as  
4 we're doing that, let's make sure it says what you want to say,  
5 and so here's the original, and we will start to clean it up,  
6 and so you would like, Kevin, to start the edits where?  
7  
8 **MR. ANSON:** After "derived", and the new edits would be: Using  
9 the uncalibrated state-derived harvest estimates from state  
10 surveys.  
11  
12 **CHAIRMAN FRAZER:** I will read this, just so everybody is clear  
13 and you're good with this, Kevin. **The Gulf of Mexico Fishery**  
14 **Management Council instructs that management advice for Gulf of**  
15 **Mexico red snapper be derived using the uncalibrated state-**  
16 **derived harvest estimates from the state surveys, and the state**  
17 **surveys are Texas Parks and Wildlife Department, LA Creel,**  
18 **Mississippi Tails 'n Scales, Alabama Snapper Check, and Florida**  
19 **Gulf Reef Fish Survey, until such time as the causal factors and**  
20 **relationships explaining the disagreement between the MRIP-FES**  
21 **survey and the state surveys are established. Is that how you**  
22 **want it to read, Mr. Anson?**  
23  
24 **MR. ANSON:** That is how I want it to read. Thank you.  
25  
26 **CHAIRMAN FRAZER:** All right. I believe the original seconder to  
27 this motion was General Spraggins.  
28  
29 **GENERAL SPRAGGINS:** I agree with that, and I will second the  
30 motion as it is written.  
31  
32 **CHAIRMAN FRAZER:** Thanks. It's seconded by General Spraggins,  
33 and so I will open the floor to discussion, but, before I open  
34 it up, I just wanted to point out, real quick, that, in the June  
35 council meeting, we had a motion to direct staff to essentially  
36 begin the drafting of a document, and you don't necessarily need  
37 to bring this up, Bernie, at this point, and I'm just recalling  
38 for the benefit of the council, but that, again, would direct  
39 the staff to start to review the various options, moving  
40 forward, and so this potentially might be one of those options,  
41 and I just want to -- I'm not saying that we have to just throw  
42 this motion out at this point, but I am just reminding you, and  
43 I will circle back to that other motion, to make sure that it's  
44 not duplicative. Okay. Go ahead, Kevin.  
45  
46 **MR. ANSON:** Well, I talked a little bit about it yesterday, the  
47 rationale for it, and everyone that's on the call was there, at  
48 least the council members, and so the tweak that I made just now

1 was just to really hone-in on the actual issue and make it very  
2 clear as to what it is that we would like to use as the basis  
3 for getting the estimates, landings estimates, and that's all.  
4 That's all I needed to add. Thank you.

5  
6 **CHAIRMAN FRAZER:** Okay. Great. Thank you, Kevin. I see Ms.  
7 Levy has her hand up. Mara.

8  
9 **MS. LEVY:** I took it down, but I was just going to make it clear  
10 that this is a new council motion with a second, but I think  
11 that that happened. Thanks.

12  
13 **CHAIRMAN FRAZER:** Okay. Mr. Sanchez.

14  
15 **MR. SANCHEZ:** Thank you. I appreciate that, because I'm having  
16 trouble on the computer. I joined via browser, and I can't seem  
17 to see my hand go up or now, and so thank you for acknowledging  
18 me. The one thing I see in this motion that kind of, in my  
19 mind, is lacking is there is really no timeframe for this all to  
20 happen, and there is no real specific actions on how we're going  
21 to use this uncalibrated data, and there is no discussion of  
22 what are the paybacks for non-compliance.

23  
24 If we could incorporate all of those, then I think we would be  
25 addressing some of the things that have got us precisely where  
26 we are right now, and I really don't see this motion getting us  
27 off of that, and, as we've heard in discussion earlier, counting  
28 on entirely, pretty much, the Great Snapper Count to be the  
29 salvo to move this in the direction I think we all want it to  
30 go, because we all fought long and hard for state management and  
31 getting private anglers more recreational fishing opportunities,  
32 but we're not addressing what we're going to do with calibration  
33 on this and arriving at a common currency.

34  
35 Even if we do, fortuitously, come into additional biomass to  
36 alleviate some of the problems, we're not addressing the  
37 calibration issue and the common currency issue, and so I would  
38 like to hear some discussion on that, as I'm kind of tempted to  
39 offer a friendly amendment to do that, but I don't feel  
40 comfortable doing that completely, and so I definitely want to  
41 hear some more discussion on this. Thank you.

42  
43 **CHAIRMAN FRAZER:** Thank you, Mr. Sanchez. Dr. Crabtree.

44  
45 **DR. CRABTREE:** Well, I am trying to understand better what  
46 exactly the motion is asking to be done, and so I guess, Kevin,  
47 are you asking that a new stock assessment be done that uses the  
48 state survey and then uses the conversions to correct the whole

1 time series back in time to reconstruct the state survey-based  
2 time series for each state and then re-run the stock assessment  
3 and generate everything anew from that? Is that what you're  
4 asking for?

5

6 **CHAIRMAN FRAZER:** Mr. Anson.

7

8 **MR. ANSON:** Thank you, Mr. Chair. It's not what I'm asking for  
9 in this motion, as it's written, but certainly those ideas I  
10 could support. You know, I was looking at this as just a simple  
11 way to kind of underscore, at least from Alabama's perspective,  
12 the issue at hand relative to calibrations to the federal data,  
13 and, when you look at the federal data, and you try to look at  
14 the lay of the land, at least from our perspective, and I kind  
15 of summarized that in that presentation provided at the last  
16 council meeting, with ways to look at the federal recreational  
17 data and how it translates into biomass off of Alabama and the  
18 Gulf, is it's not realistic, or practical.

19

20 I think, to Dr. Frazer's comments regarding kind of laying out,  
21 or addressing, the previous motion about coming back with  
22 specific action items, if you will, or things that could be  
23 done, what you're recommending would be probably one of those  
24 that could be added, and all I was simply trying to do with this  
25 is to just emphasize that there is unease with the federal data  
26 as it's applied and used for monitoring the recreational  
27 fishery.

28

29 **DR. CRABTREE:** If I could follow-up, Tom, I get that, but then  
30 it's not clear to me what the motion is saying or asking for.  
31 What particular advice are you asking to be derived from it? I  
32 am afraid that I just don't understand what the motion means,  
33 Kevin.

34

35 I mean, we're managing now, the states are, based on the state  
36 surveys, and so we have that, and so that's continuing, but we  
37 have multiple estimates of catch, and then we have this currency  
38 issue, with respect to the stock assessment and the state  
39 surveys, and we have to figure out a way to be able to convert  
40 between those to make judgments about where we are relative to  
41 the overfishing level from the assessment, because that is in  
42 the CHTS currency, and we've got to deal with that, but it's  
43 just not clear to me what this motion actually does, or what  
44 it's asking for.

45

46 **CHAIRMAN FRAZER:** Maybe, Roy, I can ask Kevin, or actually even  
47 a little more directly, but, I guess, and I apologize if I might  
48 be putting words incorrectly into your mouth, Roy and/or Kevin,

1 but I think, Roy, your concern is that you are obligated, under  
2 the law, to manage -- Be compliant with MSA to manage to the  
3 ACL, and the only way that you can do that is by converting the  
4 state catches into a currency which requires the calibration.

5  
6 A failure to do that would leave you in a non-compliant state,  
7 and so, Kevin, I guess what Roy is saying is, if you're  
8 suggesting that we simply use the unadjusted state numbers to  
9 derive the catch estimates and manage to that quota, I guess,  
10 that leaves you without a reference point, right, and so that's  
11 a bit of a concern, in the short-term, and so I just want to  
12 make sure that -- That's how I understand the situation, Roy and  
13 Kevin, and am I incorrect somewhere? I will let Roy go first,  
14 because I tried to capture his comments, and then Kevin.

15  
16 **DR. CRABTREE:** There is two critical metrics. One is the  
17 overfishing level, which comes out of the stock assessment, and  
18 that is in the Coastal Household Telephone Survey metric. The  
19 other concern is the recreational quota, and remember that  
20 Section 407(d) of the statute requires us to essentially not  
21 exceed the recreational quota, and the recreational quota  
22 currently is in the CHTS currency. Those come out of the stock  
23 assessment.

24  
25 Any scientifically-defensible look at this, where we make  
26 determinations of are we above or below those numbers, we're  
27 going to have to be comparing the common currency, and, if we  
28 don't do that, then we're not in compliance with the statute,  
29 and so it's just not clear to me how we can proceed forward and  
30 comply with the statute without addressing the calibration or  
31 conversion or whatever you want to call it issue, and so, yes, I  
32 think you summed it up, Tom.

33  
34 **CHAIRMAN FRAZER:** Okay. I guess, to that point, the original  
35 motion that was made at the June meeting was directing staff to  
36 kind of look at the various options, and this could be one of  
37 those options, where in fact there would be an analysis that  
38 laid out the potential problems with that option, if in fact  
39 they are problems, and so that's why I was thinking -- Kevin,  
40 I'm not trying to get rid of your motion, but I'm just wondering  
41 if there is some value in incorporating it into a broader suite  
42 of motions, or options, excuse me, and it's one of potentially  
43 many.

44  
45 **MR. ANSON:** Could I address that point?

46  
47 **CHAIRMAN FRAZER:** Yes, please do.

48

1 **MR. ANSON:** It could be that this could be incorporated into  
2 another motion that encompasses other options and such, and I  
3 guess, from what I was looking at for this motion, it's that it  
4 specifically identifies the MRIP-FES survey, and so I understand  
5 that the CHTS is no longer being conducted, but it was my  
6 understanding that they still are able to generate CHTS  
7 estimates.

8  
9 Now, how much they depend upon the FES methodology now to  
10 generate those, going in time, I am uncertain as to the reliance  
11 upon that, but we've heard, and we saw in the report, that  
12 there's a big gap of data that is missing, albeit not to the  
13 agency's fault, but due to COVID, and so that's going to have to  
14 be estimated, somehow or another.

15  
16 I was looking at this as a way, again, just to identify, or  
17 circle, that FES survey as being taken out of that equation, if  
18 at all possible, as we go forward with trying to look at the  
19 2021 season.

20  
21 **CHAIRMAN FRAZER:** Okay. Thank you. I'm sure we're going to  
22 come back to this, but I just want to give a couple of other  
23 folks a chance to weigh-in here. General Spraggins.

24  
25 **GENERAL SPRAGGINS:** Thank you, sir, very much. I think my  
26 understanding too, with what we're looking for here, is,  
27 obviously, we understand that there is an MRIP-FES survey that  
28 has been done, but we also had adopted something called our  
29 state surveys that we were being able to do, and each state,  
30 under Amendment 50, was given that.

31  
32 What I think that my understanding is that we're asking here is  
33 to give us time to be able to look at that and not make an  
34 adjustment to anything until that time happens, and give us time  
35 to look at it and let us just -- You know, like the MRIP and the  
36 FES survey and Mississippi, and we all can tell you, and I  
37 believe even Roy -- I believe he would understand this too, and  
38 agree, but it's hard to put MRIP against Mississippi and to say  
39 that it works the way it does in other states.

40  
41 As was stated yesterday, in Florida, which is a lot bigger  
42 scale, then it works a little better for Florida than it would  
43 for Mississippi, and I think what we're asking here is to give  
44 us a little time before you make any adjustments. Give us time  
45 to look at this and let us be able to work these out, and then,  
46 obviously, the Great Red Snapper Count coming in with that, to  
47 be able to adjust, but give us time to look at it.

1 I think, if we were given that time, that there might be some  
2 adjustments that could be made to where we decide that, between  
3 the states and between the surveys, that they all match up a  
4 little better, and there is ways to look at it a little better,  
5 and so I'm not sure if that helps your conversation at all, and,  
6 Roy, I'm not sure if that helps you understand what we're trying  
7 to reach here, but that's kind of the idea of the way that I'm  
8 looking at it, and we're mainly asking for time, and I realize  
9 that it does not give a factor of what time, but it says until  
10 the factors and relationships and the disagreements between them  
11 and the state surveys could be established.

12  
13 Right now, I don't think there's been anything. As far as I  
14 know, Mississippi has not been addressed with the fact of being  
15 able to take our surveys and show where Tails 'n Scales matches  
16 up and where MRIP does not work for us, and then where it does  
17 not work in this policy, and it does not match up in the way  
18 that you're showing it.

19  
20 Until we get time to do that, I don't see how the -- That we  
21 need to move forward with anything, and I think that's what  
22 we're asking, and I hope that I didn't confuse it, but that I  
23 helped it.

24  
25 **CHAIRMAN FRAZER:** Again, General, I think those comments are  
26 well taken. Again, I think I am going to speak on behalf of all  
27 of the council members here when I say that I think each of the  
28 states has gone to great lengths to improve their data  
29 collection efforts, and they should be commended for that.

30  
31 I think the degree of -- Again, as Dr. Cody pointed out, the  
32 approach has been essentially verified, or approved, as being a  
33 viable one, but we still have yet to figure out whether or not  
34 they are accurate, in and of themselves, and so there is that  
35 issue, and so we need some time to figure that out.

36  
37 I would agree with your assessment that there is a lot of issues  
38 that we need to consider, moving forward, and all I'm suggesting  
39 here at this point is that, as we have this discussion, that we  
40 think about all the options that might be on the table that  
41 allow us to buy time, and, in so doing, manage the fishery in a  
42 responsible way, so that we're not impacting, in an unintended  
43 way, perhaps one of the other sectors or in some way not  
44 achieving compliance with the Act.

45  
46 There is a lot to consider here, and I do not disagree that we  
47 need some time to improve on our efforts, but I'm just trying to  
48 figure out what's the best way to do that, moving forward, and,

1 hence, the nature of this discussion. Having said that, Patrick  
2 Banks.

3  
4 **MR. BANKS:** Thank you, Mr. Chairman. You just brought up  
5 something, and you talked about a previous meeting and a motion  
6 about developing options, but we don't have any kind of options  
7 document, and I know that NOAA presented some options in a  
8 presentation, and some of those options I didn't really care for  
9 very much, but I can understand that those are options out  
10 there.

11  
12 I think one of those options was that 23 percent buffer across-  
13 the-board, and has there been any work -- I guess this is a  
14 question for staff, but has there been any work on a document  
15 that can be brought in front of the council for us to look at  
16 all of these options and try to understand what the impact of  
17 just a straight calibration, or straight conversion, adjustment  
18 would be, versus a 23 percent buffer, versus any other options  
19 that we can come up with?

20  
21 I think that's what I would like to see, some kind of set of  
22 options for us to choose from, because, as of right now, the  
23 only options that we've even discussed was the fully implement  
24 the ratio conversions or do some sort of a 23 percent across-  
25 the-board or do nothing, and there has got to be other options  
26 out there. Can council staff let me know whether any kind of  
27 document is being prepared, based on that motion from a meeting  
28 ago, or a couple of meetings ago? Thanks.

29  
30 **CHAIRMAN FRAZER:** Sure, Patrick. Again, the motion was made in  
31 the June council meeting, and so I will look over to Dr. Simmons  
32 to provide perhaps a status update of the development of that  
33 document, but I think, ultimately, before she gets on the line  
34 here, what we're leaning towards, based on the discussion to-  
35 date, is we do need to develop some type of a document that lays  
36 those options out.

37  
38 Whether or not we need to take action in October or November or  
39 January or December, I do think that we have some time, but, as  
40 Dr. Crabtree pointed out, we don't have an incredible amount of  
41 time, and so we do need to put those options together in fairly  
42 short order, and, in fact, some of those options may proactively  
43 consider what might happen with the Great Red Snapper Count  
44 coming into the mix. Having said that, I will open the floor  
45 here to Dr. Simmons to provide an update of where the staff  
46 might be.

47  
48 **EXECUTIVE DIRECTOR SIMMONS:** Thank you, Mr. Chair. We have not

1 started a document yet. We had these workshops and SSC  
2 meetings, and, in reporting this information to you all, the  
3 Regional Office put together a short PowerPoint presentation  
4 that you received yesterday, and we are just waiting on guidance  
5 on how to move forward with the development of a document.

6  
7 **CHAIRMAN FRAZER:** Thank you, Dr. Simmons. Go ahead, Patrick.

8  
9 **MR. BANKS:** I was just thanking her, just like you did, Mr.  
10 Chair.

11  
12 **CHAIRMAN FRAZER:** I have a couple of hands up. We'll go to John  
13 Sanchez and then Robin Riechers.

14  
15 **MR. SANCHEZ:** Thank you, Mr. Chair. I guess I will roll up my  
16 sleeves and try to offer a friendly amendment, if I could get  
17 some help wordsmithing, I guess. I would like to proceed from -  
18 - I will read this, and then we'll kind of make the changes when  
19 we get to where the changes begin.

20  
21 **CHAIRMAN FRAZER:** Okay.

22  
23 **MR. SANCHEZ:** The Gulf of Mexico Fishery Management Council,  
24 instead of "instructs", "recommends" that 2021 management advice  
25 for Gulf of Mexico red snapper be derived using the unadjusted  
26 catch estimates from the state surveys, as enumerated there,  
27 Texas Parks and Wildlife, LA Creel, Mississippi Tails 'n Scales,  
28 Alabama Snapper Check, and Florida Gulf Reef Fish Survey.  
29 States will provide monthly catch estimates and the detailed  
30 protocols used to calculate the estimates to NMFS within sixty  
31 days of the end of each month, starting December 2020. Any  
32 overages that occur in 2020 and/or 2021 will be proportionally  
33 accounted for the following year, or years, if the overage is  
34 larger than the state sub-ACL by the state, or states, that  
35 contributed the overage through a reduction in state private  
36 angler sub-ACLs. If you need me to re-read anything --

37  
38 **CHAIRMAN FRAZER:** John, that looks like a fairly lengthy and  
39 complicated amendment to the motion, and so is it possible that  
40 you could email that, or are you not in a position to do that?

41  
42 **MR. SANCHEZ:** I can try to email it.

43  
44 **CHAIRMAN FRAZER:** Or put it in the chat, either/or. Mr.  
45 Rindone.

46  
47 **MR. RINDONE:** John, if you wrote that out, and you want to just  
48 take a picture of it, we can use that too, if you just want to

1 text it to me.  
2  
3 **MR. SANCHEZ:** I will do that. I will text it to you. Thank  
4 you.  
5  
6 **CHAIRMAN FRAZER:** Okay. We're just going to sit tight for a  
7 minute, until we can get this motion squared away up on the  
8 board, an amended motion. Excuse me.  
9  
10 **MR. SANCHEZ:** Okay. I'm going to shoot that over to Ryan.  
11 Ryan, you should be getting that.  
12  
13 **MR. RINDONE:** I got it. We're going to work on it. Give me  
14 just a sec.  
15  
16 **MR. SANCHEZ:** Thank you. Let me know if you have any questions.  
17 My handwriting is not wonderful.  
18  
19 **MR. RINDONE:** Mr. Sanchez, what do you think?  
20  
21 **MR. SANCHEZ:** After the parentheses, the first sentence,  
22 "states", plural. I think you've got it. Thank you very much.  
23  
24 **MR. RINDONE:** Thanks, John.  
25  
26 **CHAIRMAN FRAZER:** All right, John, and so it's a fairly  
27 substantial modification of the original motion, but my take is  
28 that they are fundamentally similar, in the sense that they're  
29 both asking, or suggesting, that we maintain the status quo  
30 through 2021, essentially, and so I guess it's up to the  
31 original motion maker, Mr. Anson, if he wanted to accept that as  
32 a friendly amendment, or would you prefer to see that as a  
33 substitute motion? Mr. Anson.  
34  
35 **MR. ANSON:** Although I can see that they are similar in intent,  
36 they are structured such that they each could be a stand-alone  
37 motion, and so I would just recommend that it be a substitute  
38 motion.  
39  
40 **CHAIRMAN FRAZER:** Okay. We will entertain it as a substitute  
41 motion, if there in fact is a second to that.  
42  
43 **DR. SHIPP:** I would second it.  
44  
45 **CHAIRMAN FRAZER:** Second by Dr. Bob Shipp. John, do you want to  
46 elaborate a bit on the motion?  
47  
48 **MR. SANCHEZ:** This is just an attempt to give us some time,

1 because we worked really hard on state management, and, going  
2 back to when I started on the council, on this odyssey,  
3 opportunity was in far worse shape. We've gained a lot of  
4 ground, and I think everybody is better off with state  
5 management than we were pre-state management, but, at the same  
6 time, we're not really trying to address the calibration issue,  
7 and so this is kind of an attempt at steering it in that  
8 direction.

9

10 I am not entirely comfortable that everybody has to pay with  
11 kind of a broad-brush buffer across the whole Gulf of Mexico for  
12 perhaps some tweaking that is needed with some state programs,  
13 and I am not being critical of them, because I think we're all  
14 doing great work, and we're moving in a great direction, but I  
15 guess I'm trying to establish some boundaries, so that, once we  
16 all get our product refined and organized, and we've got a  
17 common currency, then anybody who breaks rank should be the ones  
18 made to pay for their own shall we say indiscretion.

19

20 I don't think everybody should be made to pay for something, and  
21 then, of course, there is some impacts to other sectors, and so  
22 that's kind of why I'm trying to put some parameter and some  
23 guidance. Thank you.

24

25 **CHAIRMAN FRAZER:** Okay. Thank you, John, for those comments.  
26 We've got a number of folks on the board. I am going to first  
27 go to Robin Riechers and Roy Crabtree.

28

29 **MR. RIECHERS:** Certainly, John, I appreciate the effort on the  
30 motion there, because I think you made some good points in your  
31 statement that you just made as well, and, following up on that,  
32 I would say that, if you look at the actions in the 2019 season  
33 by the states themselves, the individual actions that states  
34 took, you can clearly see a set of states trying to adhere and  
35 do the things that we had agreed that we would do, and so I  
36 think everyone is acting in good faith, in that respect, and are  
37 trying to do that.

38

39 Some of the parts of the substitute motion are things that we  
40 are doing, John, and so I want you to know that, and so I  
41 certainly don't have any issue with them, as far as the  
42 reporting and those sorts of things, but I'm going to take one  
43 step back now away from the motions and just talk for a second  
44 about a couple other things that we've been involved in recently  
45 as a council.

46

47 You know, we were just involved in a joint Gulf and South  
48 Atlantic Council meeting, where we're looking at these different

1 landings systems and different ways to do things and trying to -  
2 - Basically, trying to look at those options and are there  
3 things that we can do that are better, and it was kind of a  
4 joint effort in trying to answer a question from Congress, and  
5 so I think that's important.

6  
7 I think it's important that we recognize that, if we're asking  
8 those kinds of questions, then how are we going to start  
9 incorporating that data, and, I mean, I certainly understood the  
10 comments yesterday by Dr. Cody regarding systems are designed  
11 for different things, and so we definitely have multiple systems  
12 that can be designed, or can be more appropriate for certain  
13 things, but not as appropriate for others, and that kind of  
14 leads me to this whole notion that I hear agencies speak to all  
15 the time and putting in goal statements and all those sorts of  
16 things, but it's that whole notion of adaptive management.

17  
18 While it's a buzz word to many, what we're trying to do is live  
19 it here, frankly, because we basically are bringing in new  
20 science, and we've got both the adaptive in how we incorporate  
21 that science, but also we have got to also understand that there  
22 may be some growing pains, in that respect, and so I will stop  
23 there, but I definitely appreciate the at least sentiment of  
24 both the motions that are on the board.

25  
26 **CHAIRMAN FRAZER:** Thank you, Mr. Riechers. Dr. Crabtree.

27  
28 **DR. CRABTREE:** Well, it seems to me, in the substitute motion,  
29 that some of that, when you start talking about how you're going  
30 to deal with overages, that's already laid out in Amendment 50,  
31 and so, if you want to change that, you would have to go through  
32 a plan amendment process and change the accountability measures,  
33 but I guess the thing in both of the motions though that I am  
34 having a difficulty understanding is when it says "management  
35 advice", and both of them basically talk about management advice  
36 for next year's season.

37  
38 That is where you're losing me, and I am thinking of management  
39 advice being advice on what the catch level should be, a new  
40 ABC, how to set the catch levels and things, and that sort of  
41 advice generally comes from a stock assessment, and so that's  
42 where I am not really following what's going on here or what  
43 these mean. What management advice exactly are we talking about  
44 here? That's just not at all clear to me with either motion.

45  
46 **CHAIRMAN FRAZER:** Okay. Again, I think that your comment gets  
47 to the point that, in order to use this for management advice,  
48 it has to be tied to something, and the concern here is that

1 this is essentially, from my perspective anyway, a bit of a  
2 status quo measure without full consideration of all of our  
3 options, and I will come back to that in a minute, but I see  
4 that Ms. Guyas has her hand up.

5  
6 **MS. GUYAS:** Thanks for recognizing me, and sorry for the  
7 background noise. My neighbors apparently are having their lawn  
8 cut right now, and I have the windows open. Anyway, someone  
9 mentioned -- I guess I'm going to try to cover both motions  
10 here.

11  
12 Anyway, someone mentioned, a while back in the conversation, not  
13 impacting commercial or for-hire, and I'm certainly sensitive to  
14 that, and I'm also sensitive to avoid overfishing and putting  
15 ourselves in a bad position there, and I guess, in regard to  
16 Kevin's motion, one thing I like about it is I feel like it  
17 maybe helps us light a fire here to resolve some of these issues  
18 with the state surveys and FES, not just for red snapper, but  
19 for other species as well.

20  
21 I mean, I went off on gag a little bit yesterday, and we have  
22 this -- At least in Florida, we have the State Reef Fish Survey  
23 data for a number of reef fish species, and it is a big  
24 investment, and it gives us greater confidence, and we just need  
25 to be, I think, doing all we can to find ways to be using these  
26 data for assessments.

27  
28 For John's motion, let me, I guess, just explain a little bit  
29 about how -- In more detail how our system works. We have  
30 monthly waves for our survey, and so we do produce monthly catch  
31 estimates, but, as you all might recall, at the end of the day,  
32 we do incorporate MRIP wave data from the APAIS interviews into  
33 our final results as well, and so, for something like this to  
34 work, I think, for us, we could have just our State Reef Fish  
35 Survey data only available within sixty days after the end of  
36 each month, and our mail survey goes out -- Let's say, for  
37 August, our mail survey went out on September 1, and then it's  
38 about a month when we get the surveys back from people, and then  
39 a couple of weeks to run the data, and so it's roughly forty-  
40 five days after the end of that month that we have data  
41 together, but that's just SRFs data.

42  
43 If we don't have the MRIP data available, because that's  
44 remember that's on a two-month wave system, then we would need,  
45 I think, for -- I guess the flexibility to just produce  
46 preliminary estimates within those sixty days, knowing that we  
47 will incorporate the MRIP APAIS data when it is available.

1 I just wanted to explain that issue and kind of put that out  
2 there for everybody, and so we do have the most confidence in  
3 our survey, I think, when we do have both the State Reef Fish  
4 Survey data, or Gulf Reef Fish for the past survey, and the MRIP  
5 data together. Thanks.

6  
7 **CHAIRMAN FRAZER:** Okay. Again, thank you, Martha. I am going  
8 to perhaps grab one quick comment from Susan Boggs, and I see  
9 there's a couple of other folks in the line, but let me first  
10 entertain Susan's question.

11  
12 **MS. BOGGS:** Thank you, Mr. Chair. I appreciate that, and I know  
13 that Roy kind of touched on this, but what I would really like  
14 to understand is, if either of these motions were to pass, what  
15 is the implications to the charter/for-hire and the possible  
16 access of them to the fishery? I mean, I do too appreciate what  
17 the states have done, and I think they've worked really hard,  
18 and I think we are moving in the right direction, but I would be  
19 remiss if I didn't get some clarification of how this could  
20 affect the charter/for-hire industry, should the motion pass.  
21 Thank you.

22  
23 **CHAIRMAN FRAZER:** Thank you, Susan. I think, again, I'm hearing  
24 some common themes here, and a lot of these have to do with  
25 there is a tremendous amount of value in the states and their  
26 efforts to develop their data collection programs, and I see  
27 that they will continue to be refined over time, and they will  
28 certainly be better.

29  
30 There is an interest of all parties to figure out, if we move  
31 forward with a particular direction or option, what the  
32 consequences might be on not just the recreational fishery, but  
33 on other sectors and how it might affect the OFL and what the  
34 payback provisions might look like, et cetera.

35  
36 We also need to be in compliance with the Act, and so all of  
37 these things need to be laid out, and my fear, at this point, is  
38 that these motions, while well intentioned, don't necessarily  
39 capture the full suite of options and/or provide us any  
40 discussion about, again, what those consequences might be, and  
41 so I am going to actually offer another substitute motion here,  
42 if that's okay, and I will send it to Bernie, and we'll put it  
43 on the board.

44  
45 This is somewhat in line with the motion that we had in June,  
46 and I will read it here for folks. The motion reads: Instruct  
47 council staff develop an appropriate document that provides  
48 private recreational red snapper conversion or calibration

1 options for council consideration that includes, but not limited  
2 to, conversion ratios, as presented by NOAA, a no action  
3 alternative, I guess, which is tantamount to the prior motions,  
4 buffers for each state weighted by each state's current  
5 allocation percentage, and others that we might come up with  
6 here during this discussion or that staff might come up.

7  
8 The reason that I wanted to put this motion forward, and I  
9 typically wouldn't do that, is because I realize that time is of  
10 the essence, but we do not have to make that decision,  
11 necessarily, today, and I would like to have the council be  
12 exposed to all options that might be considered, at least in the  
13 short term, whether we make a final decision in October or  
14 November or January, and, as Roy pointed out, I mean, I think  
15 our drop-dead date might be April.

16  
17 I would hate, at this point, to make a premature decision,  
18 especially one that we may not be able to defend, and so I'm not  
19 saying that it could not be defended, but I do have some  
20 concerns, and so I just wanted, again, all of the options to be  
21 on the table, and so would there be anybody that might be  
22 willing to second that substitute motion?

23  
24 **DR. CRABTREE:** I will second it.

25  
26 **CHAIRMAN FRAZER:** It's seconded by Dr. Crabtree, and so I will  
27 entertain further discussion. I am not seeing an appetite for a  
28 lot of discussion, and I have a couple of hands up that were  
29 still on hold a bit. Kevin Anson and then Patrick Banks.

30  
31 **MR. ANSON:** Specific to the second substitute motion, as I read  
32 it then, Tom, what you're saying, and I did hear about your  
33 concern about the legal standing, I guess, with what goes on  
34 with the council, but all of these options would then be tied in  
35 with the calibration, is what I'm seeing, except for the no  
36 action option, and is that correct?

37  
38 **CHAIRMAN FRAZER:** You're right that the no action was intended  
39 to kind of cover the two motions above, and we can be more  
40 explicit if you want to be, and, again, there may be -- I am  
41 happy to include them here, in one way or the other, and so as  
42 long as the staff recognizes what we're trying to do, is to  
43 develop a fairly comprehensive suite of options, moving forward.

44  
45 **MR. ANSON:** All right. Thank you.

46  
47 **CHAIRMAN FRAZER:** Okay. Mr. Banks.

48

1 **MR. BANKS:** Thank you, Mr. Chair. I am in support of your  
2 motion, because it includes the thoughts in the first two  
3 motions, but I am also very interested in making sure that we  
4 give ourselves some time to go through the Great Red Snapper  
5 Count and give ourselves some time for Clay and his folks to  
6 evaluate it and to present it to the SSC and for the SSC to  
7 provide us their thoughts on the Great Red Snapper Count.

8  
9 I don't know if I need to make a separate motion to try to  
10 specify that, or if you would welcome an amendment to yours that  
11 said something to the effect of postponing decisions that  
12 involve the calibrated state survey data, basically until such  
13 time as the results of the Great Red Snapper Count are reviewed  
14 by the Southeast Fisheries Science Center and by the SSC.

15  
16 I don't know exactly the right way to go about that, whether I  
17 should add a friendly amendment to that effect to yours or make  
18 a separate motion afterwards, but I just want to make sure that  
19 your motion there allows for us to have some time to go through  
20 this updated Great Red Snapper Count and hear from our SSC as to  
21 whether that's the best scientific data available. Thanks.

22  
23 **CHAIRMAN FRAZER:** Sure, Patrick. Again, I think that's a good  
24 comment, and the intent would be, of course -- It is to buy some  
25 time here, right, and so, to the extent possible, if we can  
26 evaluate those options in light of any information that might  
27 come from the Great Red Snapper Count, we would certainly  
28 incorporate that into the options, and so that would, in fact,  
29 be the intent.

30  
31 If you want to provide some type of amended language, I would be  
32 more than willing to accept it. I don't know if I want to use  
33 the word "postpone", because, as Dr. Porch pointed out, we may,  
34 in fact, run into a situation where we don't get that in time,  
35 but the intent, of course, is to get it in January, and  
36 everybody is pushing it to move forward as quick as possible,  
37 and so I would like to incorporate the ability to capture the  
38 Great Red Snapper Count in that interim assessment and how that  
39 might influence these options, moving forward, and so perhaps  
40 you can think about that, some wording there for just a minute,  
41 and I will let Roy speak to this, in the interim. Dr. Crabtree.

42  
43 **DR. CRABTREE:** I support the motion, and I think it gets us part  
44 of the way towards where we need to be, but the other part of  
45 this is, of course, the timing, and I think we all support  
46 getting the interim assessment done and the management advice  
47 that is going to come out of that and from the Great Red Snapper  
48 Count.

1  
2 My guess is that we will end up in this amendment that is the  
3 topic of this motion -- We will probably end up adding another  
4 action to it, which will be to adjust the overall quotas and  
5 catch levels across-the-board, and that's assuming, if we get a  
6 new ABC that's higher, that we would take action to do that, and  
7 hopefully the timing would work out that you could do all of  
8 this at once.

9  
10 I think this gets us down the road, and I don't know that we  
11 need to talk about postponing or anything, and the fact is that  
12 we've got to write a document and develop it and analyze it and  
13 make decisions about it, and I suspect that's going to get you  
14 to January, at any rate, just to get through that process, but I  
15 think that's the timing, and I know the General was asking about  
16 time.

17  
18 I think you have some time here, but I know, if we do get a new  
19 ABC and it's higher, everybody is going to want to put that in  
20 place, and I think, to do that, we'll have to address these  
21 conversions and make sure we're in compliance with the plan, and  
22 so we have time here, but we're going to have some things we  
23 want to get done.

24  
25 I think, the issue of figuring out why we're seeing differences  
26 between the FES and the state surveys, that is a high priority  
27 on everybody's radar, but I don't know how long it will take to  
28 figure that out, and so it would be great if that was figured  
29 out by January, but I expect that that won't be, and that's  
30 going to take considerably longer than that.

31  
32 In the meantime, I think this motion gets us there, and I think  
33 we all understand that, depending on the timing of the Great Red  
34 Snapper Count and getting a new ABC, we may want to come in and  
35 add another action here that would actually increase the quotas  
36 and the catch levels.

37  
38 **CHAIRMAN FRAZER:** Thanks, Roy, and I agree with all of that. We  
39 do have some time, and we'll come back in October, and we can  
40 certainly expand on this motion, and it doesn't have to be in  
41 October, and it could be in December, and we could add an  
42 action, et cetera, but I am hoping that this motion at least  
43 gives us a workable path forward, without losing sight of the  
44 prize here, what we're trying to get, and I just want to do it  
45 in a responsible way. Patrick.

46  
47 **MR. BANKS:** While you guys were talking, I tried to work on some  
48 language to try to capture what I was thinking, and so I sent it

1 to Bernie and to Carrie, because, for some reason, I was not  
2 remembering the correct email address to send motions to, and so  
3 I apologize.

4  
5 **It says to delay decisions that involve converted (calibrated)**  
6 **state survey data for the private recreational red snapper**  
7 **fishery until the results of the Great Red Snapper Count are**  
8 **known and reviewed by the SSC.** I don't know if -- I would like  
9 to offer that as a friendly amendment, but I guess that's you to  
10 determine whether you like that wording or not.

11  
12 Again, I am not trying to get us past the 2021, and let me be  
13 clear with my intentions. I have a few intentions. One is my  
14 intention is to not impact the commercial sector and to not  
15 impact the charter/for-hire sector with these decisions.

16  
17 My intent is for us to take a serious look at the calibration  
18 issue and try to address it, but I don't think it's fair for us  
19 to address it right now, or even in October, because we may end  
20 up with a much better picture of the red snapper population out  
21 there once we know the results of the Red Snapper Count.

22  
23 Now, maybe we won't be, but, at that time, then we'll have to  
24 make some very hard decisions, in terms of much shorter seasons,  
25 due to this calibration issue, but I want it to be clear to the  
26 public that we're serious about calibration, and we're serious  
27 about addressing it, but we need some time, like General  
28 Spraggins said, to look at it more and get these results from  
29 the Great Red Snapper Count and have our SSC give us some advice  
30 on what their thoughts are with the red snapper count, and then  
31 we can make a decision at that point, and hopefully all of that  
32 works out to where we can make a decision that puts all these  
33 things in place for 2021.

34  
35 **CHAIRMAN FRAZER:** Again, Patrick, I appreciate the effort, and I  
36 understand where you're going, and I, again, understand that the  
37 intent is not to extend this beyond the 2021 season. My unknown  
38 here is whether or not we'll actually get the analysis, an  
39 interim analysis, that incorporates the Great Red Snapper Count  
40 data.

41  
42 **I hope that we do, and I think that we all hope that we do, and,**  
43 **again, I see Mara's hand is up, and I will come to her in a**  
44 **minute, and I suspect she's going to say, well, you never know**  
45 **for sure, and you may not want to tie your hands here, and so**  
46 **perhaps, Patrick, in part of that, maybe before "delay", you**  
47 **could say "and, if possible, delay decision".** Do you understand  
48 why I inserted that, Patrick?

1  
2 **MR. BANKS:** I do. I am just -- Again, I think the points that  
3 General Spraggins made were important. We just need some time,  
4 and we need to have some assurances that some kind of major  
5 decision won't happen in October that's going to blow the world  
6 up, that will possibly end up blowing up Amendment 50, and it  
7 turns out, by the time that January or February rolls around,  
8 we've got a tremendous amount more fish out there that would  
9 have saved the whole darn thing, and so I'm just -- Again, I'm  
10 just -- You know, I understand if you don't want to accept the  
11 friendly amendment, and I don't know that I'm comfortable with  
12 "if possible", but I appreciate --

13  
14 **CHAIRMAN FRAZER:** Sure, and I guess I will let Mara weigh-in on  
15 this. Again, I don't think -- It's going to take some time for  
16 staff to develop this document, and I don't think you're going  
17 to see it in October, for sure. My intent is I think exactly  
18 the same as yours, and the General's, to buy as much time as  
19 possible to explore, as fully as possible, all of our options,  
20 recognizing that an interim assessment and incorporation of the  
21 Great Red Snapper Count may influence greatly what we decide to  
22 do. Having said that, I'm going to go Mara and then to Ms.  
23 Bosarge. Ms. Levy.

24  
25 **MS. LEVY:** Thank you. I mean, I would be a little uncomfortable  
26 with delaying, the delay language, and, ultimately, I mean, the  
27 council can decide when it wants to make a final decision about  
28 something, right, and so the second substitute is instructing  
29 council staff to develop options to deal with this calibration  
30 issue, and that doesn't mean that to develop options means to be  
31 acted upon in October, because you all are the ones that decide  
32 when you want to act.

33  
34 I would suggest that you do get staff moving on providing these  
35 options, because I think, as Roy said, things are going to  
36 happen really quickly, and you're talking about a time between  
37 October and January, which is the holidays, which always slows  
38 things down, and, if you don't start developing this document  
39 now, you're not going to have what you want in January, even if  
40 you do get the results and the interim assessment information  
41 from the Red Snapper Count.

42  
43 **CHAIRMAN FRAZER:** We have three hands up, and I think we'll  
44 entertain questions from Leann, Robin, and Kevin, and then we're  
45 going to try to wrap this up and make some headway. Ms.  
46 Bosarge.

47  
48 **MS. BOSARGE:** Thank you, sir. I have a lot of thoughts, and I

1 haven't really weighed-in yet, and so I may ramble just a little  
2 bit here. One issue I have -- First, let me start by saying  
3 that you have seen me trying to ask the tough questions of FES,  
4 Dr. Cody mainly, of how does he weight this, what assumptions  
5 are being made there on non-response, and I have tried my best  
6 to parse through any data that is presented to us with a fine-  
7 tooth comb and try and understand, for myself, what the  
8 differences are.

9

10 That's why I ask those questions, and I am trying to understand  
11 how state surveys can give such a different picture of landings  
12 than the FES survey, but I am not doing it just for red snapper,  
13 and that's what frustrates me about this motion.

14

15 It frustrates me that nobody cares about anything but red  
16 snapper, and I guess that's because that's the only thing being  
17 managed directly by the states, and so, therefore, you're going  
18 to have to answer to those private recreational anglers if you  
19 essentially take FES handed to you on it, and how about the  
20 commercial guys that have been screaming about FES on red  
21 grouper?

22

23 We have state landings for red grouper for the private recs from  
24 GRFS, which is a beefed-up MRIP, and I don't hear you saying a  
25 word about what it's doing to the overall stock assessment and  
26 what's coming out of it for these different species and then  
27 what implications it has for your fishermen there. Your  
28 commercial fishermen are just as much your stakeholders as your  
29 private anglers are.

30

31 When you pass this, it worries me that that's all you're hearing  
32 about, and we have to look at the big picture. If you have an  
33 issue with FES, if you think their numbers are too high, why in  
34 the heck am I the only one that's coming in there with guns  
35 blazing with questions to ask about FES, to try and understand  
36 where the differences are?

37

38 You want to buy more time, but I have seen nobody else actually  
39 ask tough questions and try and pick apart FES. You can't just  
40 come in and say that my data is better, and you're essentially  
41 up against the incumbent, or the status quo. If you're going to  
42 unseat MRIP, whether it's CHTS or FES, you have to come in there  
43 ready to show why it's overestimating, if that's what you  
44 believe, and nobody has done that.

45

46 I don't have a whole staff of biologists and scientists working  
47 for me that have degrees in statistics that could actually  
48 probably make a whole lot more headway on this than I have, but

1 at least I'm trying, and so this whole notion of we need to buy  
2 more time -- I started screaming about this two years ago, and I  
3 went to my first FES versus state survey meeting, to try and  
4 take apples and oranges and kiwis and make a fruit salad out of  
5 it in 2018. That's the meeting that we just got the meeting  
6 summary for a couple of months ago.

7  
8 I am frustrated that people now think they need more time. We  
9 need to get off of our behinds and start making our case, if we  
10 don't think that FES is the way to go, and quit thinking about  
11 it just for red snapper. Remember that you have other  
12 stakeholders out there, as well as the health of the stock.

13  
14 We have species that it's a stock ACL, and you double that stock  
15 ACL and then go turn both components loose on it, and do you  
16 want to look at three sub-components, total, loose on it, the  
17 for-hire, the private anglers, and commercial, and see what we  
18 do to the health of that stock? We had better be sure that we  
19 thought that FES was the true picture of reality before we do  
20 that.

21  
22 That is my fussing, and I am proud of the states for their data  
23 collection programs that they stood up, but I expect them to be  
24 just as motivated to find the differences between FES and their  
25 state data, and, that way, we can make a justifiable case for  
26 which way we need to go with this, and not just mine is better.

27  
28 I will say one thing for FES, that they are transparent, and  
29 they are public, and that poor Dr. Cody. I mean, I just rake  
30 him over the coals every time he comes, but he keeps coming, and  
31 he never gets an attitude with me, and he provides me with any  
32 information I want, and he will give us a presentation, and he  
33 will try and explain it so that I can understand it better, and  
34 I respect that.

35  
36 We have to do that on both sides, and there is a slight lack of  
37 transparency in the state data, and I haven't picked much of it  
38 apart, and I am very proud of it, but I can't pick anything  
39 apart, because I really can't see the nuts-and-bolts of it, and  
40 so we do need to address that.

41  
42 Now, let me get to my question. This motion is going to kick  
43 the can down the road, and I haven't decided if I'm okay with  
44 that or not yet, and I'm frustrated that people are thinking  
45 only about one component here. I have never been -- Since I've  
46 been on the council, I have never been in a situation where we  
47 have exceeded the OFL.

48

1 When we come back to our meeting in October, that will more than  
2 likely, in my opinion, be the news that we get, that, all right,  
3 it's official now, and we told you that it was preliminary, but  
4 now it's official, and we have exceeded the overfishing limit  
5 for red snapper in 2019.

6  
7 We have to take immediate action, per MSA, to end overfishing,  
8 and somebody tell me what that means. Does that mean at that  
9 meeting, or does that mean you've got three years to do it, one  
10 year to do it, or what do we have to do in October, because that  
11 will help me understand whether this is something that we can  
12 actually do or whether we're just -- I won't say what I'm  
13 thinking, but whether it's a waste of time, and I need to know,  
14 when we have to take immediate action, what repercussions do the  
15 commercial and for-hire sectors pay. Susan asked that question,  
16 but she didn't get an answer.

17  
18 **CHAIRMAN FRAZER:** Thank you, Ms. Bosarge. Again, there is Robin  
19 Riechers and Kevin Anson, but I just want to say, quickly, I  
20 think there are two things here. One is that we have to deal  
21 with an issue that is specific to red snapper, and Dr. Stunz and  
22 others made the point earlier that we have bigger issues to  
23 tackle, and we need to be a little more assertive in tackling  
24 those issues, and so I do agree with you, in that regard, but  
25 the motions on the table are to deal, in my view, with the red  
26 snapper issue at-hand. Next on the board I believe is Robin.

27  
28 **MR. RIECHERS:** I am going to just offer this, Tom, and possibly  
29 you may want to do this or not, and it sounds like a lot of  
30 people are supportive of the notion of the information that your  
31 motion would provide, and I think having options is always a  
32 good thing.

33  
34 There certainly though is the -- When we're talking about  
35 options, there is the option here of also passing both your  
36 motion, if it weren't as a substitute, and also one of the two  
37 previous motions, if there were enough votes for one of those  
38 two motions, because then your options will roll in, and, if  
39 they are better than anything else, or the decision points that  
40 we have to make are a little more clear, there is also -- You  
41 then have those options available to you.

42  
43 One of my concerns is exactly how you started your discussion,  
44 and it's no comment on staff at all, but apparently this is very  
45 similar to a motion that we had already passed, and I realize  
46 that all of these things take time, and we're all dealing with  
47 the issues of virtual meetings and so forth, and so, again, no  
48 comment on staff there, but we really don't know how long it

1 will take to really think through those options and determine  
2 what they are and look at impacts, either at a rough coarse  
3 scale or even a more granular scale, and so I will just leave it  
4 at that. Thanks, Tom. I appreciate it.

5  
6 **CHAIRMAN FRAZER:** Thank you, Robin. I have Kevin Anson and then  
7 Dr. Crabtree and Greg Stunz, and then we're going to draw a hard  
8 line there. Mr. Anson.

9  
10 **MR. ANSON:** Thank you, Mr. Chair. Leann, I appreciate your  
11 comments, and I certainly appreciate your frustration, and this  
12 whole conversation was prompted based on the potential for a  
13 lawsuit, but there's been lots of dragging going on, and  
14 delaying, for the last couple of years, and you said it  
15 correctly, but we are here right now, and, as far as addressing  
16 these other species, I am with you.

17  
18 If there are issues, we ought to bring them to the forefront,  
19 but, unfortunately, we're still dealing with red snapper, and it  
20 always gets the attention, but I guess, specific to the second  
21 substitute motion which you have offered, Tom, I am wondering if  
22 Dr. Porch can answer a question I had.

23  
24 I heard a response that Dr. Porch had to a question from Ken  
25 Haddad yesterday, and I thought I heard -- The question was, as  
26 I recall, is can an assessment be conducted without recreational  
27 data, and that might not be using the correct terminology, but,  
28 essentially, can you get management advice, OFL, from an  
29 assessment that did not use recreational data, but in fact used  
30 the data from the Great Red Snapper Count, and I thought Dr.  
31 Porch said that an assessment could be done with that, and so  
32 I'm just wondering if I heard correctly and if he could respond  
33 to that.

34  
35 **CHAIRMAN FRAZER:** If Dr. Porch is available.

36  
37 **DR. PORCH:** It depends on what you mean. In the interim  
38 analysis, we could take the Great Red Snapper abundance at-age  
39 estimates and multiply that by an estimate of the fishing  
40 mortality rate that would produce a target SPR of 26 percent.

41  
42 Now, in principle, that would still be in the CHTS currency,  
43 because that F metric came from that, although it's a subtle  
44 point, because it involves what the relative allocation is  
45 between the commercial and recreational, and that would be  
46 different, whether you're using FES estimates or CHTS, but the  
47 gist of it is that, essentially, you could take what we had from  
48 the previous assessment, in terms of the fishing mortality rate

1 at-age and multiply it by the abundance at-age for the interim  
2 analysis, but there's a lot of subtleties there.

3  
4 If you think about it, data from Greg Stunz's group is a couple  
5 of years old, and we may want to account for trends after that,  
6 which one could, basically, do sort of a mini update assessment  
7 and account for recreational landings after that, and so I am  
8 saying this just to make it clear that there's still a number of  
9 ways we could move forward with interim advice, and we need to  
10 see what Greg Stunz's group will provide and work with them to  
11 figure out the best way to move forward, but the short answer to  
12 your question is it's conceivable that we could give interim  
13 advice independent of what the recreational or commercial catch  
14 estimates are, just based on the Great Red Snapper Count  
15 information and the past results from the assessment, but that  
16 would only be for the interim analysis.

17  
18 When we start moving forward, and we get further away from the  
19 year when the Great Red Snapper Count occurred, we're going to  
20 need to do a full stock assessment, in which case I imagine we  
21 will do something like re-scaling the assessment to match the  
22 Great Red Snapper Count data, and that's something we will take  
23 up during the 2022 assessment, and so does that get at your  
24 question, Kevin?

25  
26 **MR. ANSON:** You did, and I guess the -- To pick up on where  
27 Leann left off is the timing, and so could that analysis be done  
28 in the interim analysis? Could that be done simultaneously with  
29 providing some management advice relative to just incorporating  
30 the Great Red Snapper Count?

31  
32 **DR. PORCH:** I don't know that it could only incorporate the  
33 Great Red Snapper Count. I think we would have to use the  
34 estimates of selectivity and such that we got from the previous  
35 stock assessment.

36  
37 **MR. ANSON:** But, inasmuch as we're looking at maybe having  
38 something available as late as -- No later than April of next  
39 year, is that something -- I know the timing of when you get the  
40 data is of concern, but is that something that's realistic  
41 within that timeframe, assuming you get the data in a few weeks?

42  
43 **DR. PORCH:** I think so. I think we should be able to get  
44 something by April. January may be possible, but, until we see  
45 the data and really start working with Greg Stunz's folks, it's  
46 hard for me to promise January, but I'm pretty confident that  
47 we'll get something meaningful and defensible by March or April.

1 **CHAIRMAN FRAZER:** Thank you, Clay, and thank you, Kevin. I want  
2 to try to move as quickly as possible through the next couple of  
3 folks. Dr. Crabtree.

4  
5 **DR. CRABTREE:** Just to come back to one of Leann's questions  
6 about what happens if you go over the OFL and you get a  
7 determination of overfishing, and then you need to take an  
8 action to stop overfishing, which is what this is. The remedy  
9 right now for the issue we have, and what's caused us to go over  
10 the OFL, is to properly calibrate, or properly put in place  
11 these conversions, and so I don't regard this as kicking the can  
12 down the road.

13  
14 I regard this as moving forward, because we need to develop a  
15 document, and so I think you will be well along the way of  
16 taking the appropriate action, as needed, and bear in mind too  
17 that all of that -- The magnitude of the OFL will likely change  
18 in the interim assessment anyway.

19  
20 I wonder if, with Patrick's concerns in the language at the  
21 bottom of the motion, I wonder if, rather than saying "delay  
22 decisions", I wonder if it would be okay, Patrick, to say "it is  
23 the council's intent to make decisions that involve converted  
24 (calibrated) state survey data for the private recreational red  
25 snapper fishery and implement the results of the Great Red  
26 Snapper Count simultaneously", or something to that effect.

27  
28 **CHAIRMAN FRAZER:** Patrick, do you want to respond to that?

29  
30 **MR. BANKS:** I would have to think on it, Roy, because I --

31  
32 **CHAIRMAN FRAZER:** I am going to let you think on it for a  
33 minute, Patrick, and I'm going to go to Greg Stunz and Dale  
34 Diaz, and then I'll come back to you, and then we'll wrap this  
35 up. Greg Stunz.

36  
37 **DR. STUNZ:** Thank you, Mr. Chairman, and this is in regard to  
38 your second substitute motion, and, Tom, while I really  
39 appreciate the diplomacy, and, in a way, I support that motion,  
40 but I don't support it here in this line of motions, as a second  
41 substitute motion, and I think it would be made more  
42 appropriately independent or in follow-up with the motion that  
43 we did at the last meeting, which was similar, and so I'm going  
44 to oppose that second substitute motion in favor of going with  
45 one or the other motions that are on the floor, for several of  
46 the reasons that a lot of us pointed out here. I am struggling  
47 with this, but I'm sharing Leann's frustration and Robin's  
48 points as well, and I think the appropriate course here, at

1 least in my mind, is either the first or original substitute  
2 motion.  
3  
4 **CHAIRMAN FRAZER:** Thank you, Greg. Mr. Diaz.  
5  
6 **MR. DIAZ:** Thank you, Tom. I wanted to just make a suggestion,  
7 and it's very similar to what Dr. Crabtree just made, and it's a  
8 little different language, and, anyway, what I would propose is,  
9 if you could scroll the screen up to where Patrick's language  
10 was at.  
11  
12 **It would be to strike the word "delay" and insert the words**  
13 **"time decisions that involve converted state survey data for the**  
14 **private recreational red snapper fishery", and then strike**  
15 **"until", and it would be "to coincide with". I think that's**  
16 **very similar to what Dr. Crabtree proposed.**  
17  
18 **CHAIRMAN FRAZER:** Let's make sure that we get the wording right.  
19 Let's make sure you read that in its entirety, the way that you  
20 want it to read.  
21  
22 **MR. DIAZ:** Time decisions that involve converted state survey  
23 data for the private recreational red snapper fishery to  
24 coincide with -- That looks fine like that. That's what I am  
25 proposing, but I want to see if Patrick will accept that. That  
26 was my purpose.  
27  
28 **MR. BANKS:** Yes, I'm fine with that. Thank you, Dale and Roy.  
29  
30 **CHAIRMAN FRAZER:** Okay. I am happy to accept that as amended  
31 language, a friendly amendment, to the second substitute. Roy,  
32 are you fine with the amended language, as the seconder?  
33  
34 **DR. CRABTREE:** Yes.  
35  
36 **CHAIRMAN FRAZER:** Okay. Thank you. All right. We'll get it in  
37 its entirety up on the board, and we will vote this motion up or  
38 down.  
39  
40 **DR. SHIPP:** Can I request a roll call vote?  
41  
42 **CHAIRMAN FRAZER:** Sure. Okay. I think the language is close  
43 enough, and it certainly captures the intent here, and so we  
44 have a request for a roll call vote. Dr. Simmons, if you would  
45 take us through that.  
46  
47 **EXECUTIVE DIRECTOR SIMMONS:** Thank you, Mr. Chair. Mr. Diaz.  
48

1 MR. DIAZ: Yes.  
2  
3 EXECUTIVE DIRECTOR SIMMONS: Mr. Banks.  
4  
5 MR. BANKS: Yes.  
6  
7 EXECUTIVE DIRECTOR SIMMONS: Ms. Guyas.  
8  
9 MS. GUYAS: Yes.  
10  
11 EXECUTIVE DIRECTOR SIMMONS: Ms. Bosarge.  
12  
13 MS. BOSARGE: Yes.  
14  
15 EXECUTIVE DIRECTOR SIMMONS: Dr. Shipp.  
16  
17 DR. SHIPP: No.  
18  
19 EXECUTIVE DIRECTOR SIMMONS: Mr. Dyskow.  
20  
21 MR. DYSKOW: To be clear, we're voting on the second substitute  
22 motion? Is that correct?  
23  
24 EXECUTIVE DIRECTOR SIMMONS: Yes.  
25  
26 MR. DYSKOW: Yes.  
27  
28 EXECUTIVE DIRECTOR SIMMONS: Mr. Williamson.  
29  
30 MR. WILLIAMSON: No.  
31  
32 EXECUTIVE DIRECTOR SIMMONS: Dr. Crabtree.  
33  
34 DR. CRABTREE: Yes.  
35  
36 EXECUTIVE DIRECTOR SIMMONS: Dr. Stunz.  
37  
38 DR. STUNZ: No.  
39  
40 EXECUTIVE DIRECTOR SIMMONS: Mr. Riechers.  
41  
42 MR. RIECHERS: No.  
43  
44 EXECUTIVE DIRECTOR SIMMONS: Ms. Boggs.  
45  
46 MS. BOGGS: Yes.  
47  
48 EXECUTIVE DIRECTOR SIMMONS: Mr. Sanchez.

1  
2 **MR. SANCHEZ:** Yes.  
3  
4 **EXECUTIVE DIRECTOR SIMMONS:** Mr. Anson.  
5  
6 **MR. ANSON:** No.  
7  
8 **EXECUTIVE DIRECTOR SIMMONS:** Mr. Dugas.  
9  
10 **MR. DUGAS:** No.  
11  
12 **EXECUTIVE DIRECTOR SIMMONS:** General Spraggins.  
13  
14 **GENERAL SPRAGGINS:** No.  
15  
16 **EXECUTIVE DIRECTOR SIMMONS:** Mr. Swindell.  
17  
18 **MR. SWINDELL:** Yes.  
19  
20 **EXECUTIVE DIRECTOR SIMMONS:** Nine to seven, the motion carries.  
21  
22 **CHAIRMAN FRAZER:** All right. The motion carries nine to seven.  
23 Let's see where we're at on the agenda here.  
24  
25 **EXECUTIVE DIRECTOR SIMMONS:** Mr. Chair, could I ask a question?  
26  
27 **CHAIRMAN FRAZER:** Dr. Simmons, please.  
28  
29 **EXECUTIVE DIRECTOR SIMMONS:** Just before we leave this topic, I  
30 was wondering if Dr. Crabtree, or maybe Ms. Levy, could speak a  
31 little bit to this, concerning timing. In thinking about this a  
32 little bit, if the Red Snapper Count is not available in  
33 January, where we can incorporate it into this potential  
34 document for final action, potentially in January, would it be  
35 possible, if it's available in March, and say we even had a  
36 special council meeting to address it in March.  
37  
38 I still have concerns about it being implemented in time for the  
39 end of the potential 2021 season, and so would it be possible  
40 for the council, perhaps in March or April, to ask for an  
41 interim or emergency rule? Can you speak to that, Dr. Crabtree  
42 or Ms. Levy?  
43  
44 **DR. CRABTREE:** Well, I think, depending on the facts before us,  
45 it might be possible. If we have new and unforeseen information  
46 that seems necessary to address issues that would meet emergency  
47 criteria, then I think we would be able to do that. Potentially  
48 an interim rule would be appropriate, but only if we had a

1 determination that overfishing was occurring and this action was  
2 necessary to end the overfishing, which might also be possible,  
3 and so I would say, for right now, let's plan on doing a  
4 framework, but with the understanding that some more expedited  
5 vehicle might be appropriate, with the unknown circumstances and  
6 the timing.

7

8 **EXECUTIVE DIRECTOR SIMMONS:** Thank you.

9

10 **CHAIRMAN FRAZER:** Okay. Kevin, did you have your hand up?

11

12 **MR. ANSON:** I do, but it's not specific to what Carrie was  
13 addressing, and if you wanted to let Mara jump in, and then I  
14 will come after that.

15

16 **CHAIRMAN FRAZER:** Sure. Mara.

17

18 **MS. LEVY:** Thank you. I think Roy covered it. I do think  
19 though that, given all the discussion we're having about this,  
20 the idea that there might be an emergency, I think you would  
21 have to develop a strong record for that, but I think it's true  
22 that we would need to look at the facts at the time.

23

24 **CHAIRMAN FRAZER:** All right. Mr. Anson.

25

26 **MR. ANSON:** On second thought, I will lower my hand. Thank you.

27

28 **CHAIRMAN FRAZER:** Okay. We have two Other Business items to  
29 discuss in this committee area, and so the first one is the  
30 Charter Fishermen's Association proposal. Ms. Bosarge, I didn't  
31 see your hand. I apologize.

32

33 **MS. BOSARGE:** That's all right. I just had one more comment  
34 before we left this and you got into Other Business. I was  
35 wondering if red grouper is slated to be on our October agenda,  
36 and it ties back to this motion, where essentially we're  
37 delaying anything that's going to change allocations or change  
38 quotas, state-by-state quotas, or anything based on FES numbers.

39

40 We have already gone too far with FES numbers on red grouper,  
41 and we plugged them into a stock assessment, and not only are we  
42 going to change quotas, but we're going to go so far as to  
43 change allocation with these FES numbers, and so, based on us  
44 backing up on FES right here for red snapper, if we intend to  
45 bring that red grouper amendment back up, it probably needs to  
46 be after we decide what we're going to do with FES with red  
47 snapper, because we can't go forward on one and not on the  
48 other. You just have to make sure that the catch level is below

1 the ABC that the recommended, and that's all you've got to do.

2  
3 **CHAIRMAN FRAZER:** The red grouper is on the agenda for the  
4 October meeting, Leann, and so I understand your comments, and  
5 we will consider how we take that up in the October meeting.  
6 Mara and Roy both have their hands up again. Ms. Levy.

7  
8 **MS. LEVY:** Thank you. I will be brief. I mean, with respect to  
9 red grouper, you have a new assessment that you're looking at  
10 that incorporated the FES numbers, and that's already gone  
11 through SSC review, and the SSC has recommended that it is  
12 determined to be the best scientific information available and  
13 has given you new catch advice based on that assessment, and so  
14 it's a little bit of a different circumstance. I mean, you  
15 could certainly discuss it in October, but it's not in the same  
16 position as the red snapper stuff.

17  
18 **MS. BOSARGE:** If I may, Mr. Chair.

19  
20 **CHAIRMAN FRAZER:** Yes, Ms. Bosarge.

21  
22 **MS. BOSARGE:** Yes, and so it's not all that different. This, on  
23 red snapper, is essentially we have a preliminary determination  
24 of overfishing, and we're not going to use FES calibrations to  
25 stop that, and so, to me, the fact that you would go and use FES  
26 data to adjust allocations, when you refuse to use it to end a  
27 preliminary determination of overfishing right now, no, it's  
28 pretty much one and the same, and I hope that that will be noted  
29 as we move forward with anything on red grouper.

30  
31 **CHAIRMAN FRAZER:** Dr. Crabtree.

32  
33 **DR. CRABTREE:** Mara is correct. The overfishing determination  
34 we have now is not based on FES, and it's based on the CHTS  
35 currency overfishing level. We do not have an FES-based  
36 overfishing level at the moment, and the assessment is based on  
37 the prior version of MRIP, and so the coming benchmark  
38 assessment, which we'll have down the road, would likely be  
39 where FES is dealt with, and so it is different than red  
40 snapper, and it's not possible to make overfishing  
41 determinations based on FES at this time, because that's not the  
42 basis of the overfishing level, and so we would be comparing  
43 apples and oranges, in terms of currencies.

44  
45 **CHAIRMAN FRAZER:** Thank you, Dr. Crabtree. We're going to go to  
46 Dale Diaz and Kevin Anson, and then we're going to turn our  
47 attention to two Other Business items, and then perhaps take a  
48 quick break. Mr. Diaz. Dale, you might be on mute. Dale,

1 we're having a hard time hearing you, and so I'm going to go  
2 ahead to Kevin and circle back to you. Kevin.

3  
4 **MR. ANSON:** Thank you, Mr. Chair. While the second substitute  
5 motion is still up on the board, I am reading the last sentence  
6 there, and I read that to mean that we're just going to do --  
7 Make the decisions involving the 2021 season based on the  
8 calibrated state data, and it's just going to be done coinciding  
9 with the results of the Great Red Snapper Count, and I don't see  
10 anything in there that gives any indication that there is going  
11 to be any interim analysis that is going to be conducted using  
12 the Great Red Snapper Count data, and is that kind of -- I know  
13 there was lots of discussion about it, but, if someone were to  
14 come in and just read the motion as-is, I don't get the  
15 impression that that's going to be included in any of the  
16 options or any of the discussion moving forward relative to  
17 decisions that are made in the 2021 season.

18  
19 **CHAIRMAN FRAZER:** The intent there, I think, Kevin, is to be  
20 able to incorporate that Great Red Snapper Count data and the  
21 interim analysis in this, as we evaluate these options moving  
22 forward, and that is the intent.

23  
24 **MR. ANSON:** Thank you.

25  
26 **CHAIRMAN FRAZER:** Mr. Diaz.

27  
28 **MR. DIAZ:** I had lowered my hand, Tom. It was up from earlier.  
29 Sorry about that.

30  
31 **CHAIRMAN FRAZER:** Okay. Thank you. We're going to deal with  
32 two Other Business items, and the first one has to do with the  
33 Charter Fishermen's Association proposal that was brought up by  
34 John Sanchez. John, is there a motion associated with it?

35  
36 **MR. SANCHEZ:** Yes, Mr. Chair, and this is a lot easier than the  
37 other one. **To direct staff to develop a white paper that**  
38 **evaluates sector allocations for the remaining four species of**  
39 **reef fish (red and gag grouper, greater amberjack, and gray**  
40 **triggerfish) for council consideration.**

41  
42 **CHAIRMAN FRAZER:** Okay, John. We're going to have to slowly re-  
43 read that one more time. I apologize.

44  
45 **MR. SANCHEZ:** **To direct staff to develop a white paper that**  
46 **evaluates sector allocations for the remaining four species of**  
47 **reef fish (red and gag grouper, greater amberjack, and gray**  
48 **triggerfish) for council consideration.**

1  
2 **CHAIRMAN FRAZER:** Okay. We have a motion on the board to direct  
3 staff to develop a white paper that evaluates sector allocations  
4 for the remaining four reef fish species (red and gag groupers,  
5 greater amberjack, and gray triggerfish) for council  
6 consideration. Do we have a second for that motion?  
7  
8 **MS. BOGGS:** I second.  
9  
10 **CHAIRMAN FRAZER:** It's seconded by Susan Boggs. Is there any  
11 further discussion of that motion? John, go ahead. Do you want  
12 to explain kind of the intent of the motion, a little  
13 background, and then I will let Roy follow-up?  
14  
15 **MR. SANCHEZ:** Okay. Thank you. The rationale for it is, and  
16 you heard it in testimony, the charter boats, the for-hire  
17 sector, has been asking for this for a while, and the reason is,  
18 as we develop these fisheries, and some of them are challenged,  
19 and we look at all of the challenges we've had with calibrations  
20 and landings and this and that, yet, conversely, you look at  
21 that sector, and they're abiding by their allocation, and  
22 they're staying within it, in terms of red snapper, and they've  
23 done a good job of doing that, and they're about to get, I guess  
24 at some point in the not so distant future, their SEFHIER  
25 program up and running.  
26  
27 They have been proponents of accountability, in terms of  
28 landings reporting, and hopefully SEFHIER will get us that in  
29 real time, and so they won't be challenged with all of the  
30 challenges that we're facing right now, and I think they deserve  
31 an opportunity to share in the success they have had in red  
32 snapper with being able to participate in these fisheries before  
33 they get, perhaps, equally compromised. Thank you.  
34  
35 **CHAIRMAN FRAZER:** Thank you, John. Dr. Crabtree.  
36  
37 **DR. CRABTREE:** John, I think you need to clarify in the motion  
38 what you mean by "sector allocations". I think what you mean is  
39 developing separate allocations for the for-hire sector, or you  
40 could mean revisiting commercial and recreational allocations,  
41 the whole thing, but I think what you mean is developing  
42 separate allocations for the for-hire sector.  
43  
44 **MR. SANCHEZ:** That would be correct, Dr. Crabtree. I am  
45 agreeable to any wordsmithing that somebody wants to offer.  
46  
47 **CHAIRMAN FRAZER:** Okay. We will work on the modifications for  
48 the language. In the interim, Susan Boggs.

1  
2 **MS. BOGGS:** Thank you, Mr. Chair, and I'm sure I will be  
3 amenable to any wordsmithing that's done and agree as the second  
4 on this as well, and I am in support of this motion, but just a  
5 reminder, and you know I'm pretty passionate about this, but we  
6 had Amendment 42 that was proven for the -- Excuse me. The Gulf  
7 Headboat Collaborative Program that led to Amendment 42 that was  
8 proven, and, from the white paper that I read from CFA, a lot of  
9 the things that they're looking for with this sector separation  
10 from the recreational sector is asking for a lot of those things  
11 that were providing in the Gulf Headboat Collaborative, and so  
12 I'm in support of this motion, and I think this thing with the  
13 red snapper is certainly testimony to what can be done with  
14 something like this. Thank you.  
15  
16 **CHAIRMAN FRAZER:** Thank you, Ms. Boggs. Kevin Anson.  
17  
18 **MR. ANSON:** I had my hand up, but I didn't need it up. Thank  
19 you.  
20  
21 **CHAIRMAN FRAZER:** Okay Ms. Levy.  
22  
23 **MS. LEVY:** Same here. I didn't mean to have my hand up. Thank  
24 you.  
25  
26 **CHAIRMAN FRAZER:** Okay, and so staff is working to take the  
27 comments of Dr. Crabtree and Mr. Sanchez to re-craft the motion,  
28 and we want to make sure that it's okay. Let's see where we  
29 landed.  
30  
31 It currently reads: **To direct staff to develop a white paper**  
32 **that would develop separate sector allocations between the**  
33 **private and for-hire components of the recreational sector for**  
34 **the following four reef fish species: red and gag groupers,**  
35 **greater amberjack, and gray triggerfish.** Are you okay with that  
36 language, Mr. Sanchez?  
37  
38 **MR. SANCHEZ:** Yes, sir.  
39  
40 **CHAIRMAN FRAZER:** Ms. Boggs?  
41  
42 **MS. BOGGS:** Yes, I am, Mr. Chair.  
43  
44 **CHAIRMAN FRAZER:** Okay. Is there any further discussion on this  
45 motion? Ms. Bosarge.  
46  
47 **MS. BOSARGE:** What landings stream are you going to look at?  
48 You have some species in there that have a lot of Florida

1 influence, when you get into the groupers and the triggerfish,  
2 where a large component of your private recreational angler  
3 landings are coming out of Florida, and it's going to be very  
4 important what you decide you think the best estimates of those  
5 landings are, and you just pushed back on using MRIP landings to  
6 manage red snappers, and you think the state surveys seem to be  
7 more accurate, and so, based on that last discussion we had,  
8 what are you going to put in this document? Are you going to  
9 put those GRFS landings in for the groupers and the gray  
10 triggerfish, so that you can at least look at the difference  
11 between GRFS and MRIP?  
12

13 **CHAIRMAN FRAZER:** That's an excellent question, Leann, and I  
14 think -- I mean, this is to initiate the development of a white  
15 paper, and so we'll give staff a fair amount of latitude, and I  
16 would imagine that we're going to modify and redirect, as  
17 appropriate, and so we're -- I don't want to get too far in the  
18 weeds now, recognizing that that is an important question, and  
19 so we'll give staff some liberty to start the white paper. Dr.  
20 Stunz.  
21

22 **DR. STUNZ:** Thank you, Mr. Chair. John, I'm not supportive of  
23 your motion. I just think we've got so many balls in the air,  
24 and so many things that are pulling council time in different  
25 directions, and we haven't quite got the snapper situation under  
26 control, obviously, based on the discussion we had this morning  
27 up until now, and I just think this is something to consider at  
28 a later time, and so I'm not going to support the motion.  
29

30 **CHAIRMAN FRAZER:** Mr. Dugas.  
31

32 **MR. DUGAS:** Tom, thanks. I was going to say what Greg just  
33 said. We can't even get past red snapper, and I don't think  
34 we're prepared to take this challenge on. Thanks.  
35

36 **CHAIRMAN FRAZER:** Thank you, J.D. Dr. Crabtree.  
37

38 **DR. CRABTREE:** Well, I just wanted to say, relative to Leann's  
39 question about the currency, we need to use the landings stream  
40 that's in the same currency as the quota that we're allocating,  
41 and so, if it's a species where the quotas are based on FES,  
42 then that's the landings stream. If it's a species where the  
43 quotas are still based on the CHTS, then that would be the  
44 appropriate landings stream, but we need to keep -- If we're  
45 allocating a currency, then we need to use the landings stream  
46 consistent with that currency.  
47

48 **CHAIRMAN FRAZER:** Thank you, Dr. Crabtree. Ms. Guyas.

1  
2 **MS. GUYAS:** I mean, I guess this is just another example of why  
3 we need to deal with these data issues between, at least in my  
4 state, the Gulf Reef Fish Survey and the State Reef Fish Survey,  
5 and FES. We need to have a plan, a concrete plan, and implement  
6 it sooner rather than later.

7  
8 The other thing I was going to say, if we move forward with this  
9 motion, what I would want to see would be consideration for each  
10 of these four individual species, right, and so there may be  
11 different factors at play for red grouper versus greater  
12 amberjack versus gray triggerfish, and, rather than just look at  
13 these four things as a whole, if that makes sense, and so do we  
14 do sector separation for all four, or do we not -- I would like  
15 to see consideration for individual to red grouper, individual  
16 to gag grouper, greater amberjack, et cetera. For example,  
17 greater amberjack is overfished. Does that bring up additional  
18 considerations? Does that make sense? That's just what I  
19 wanted to contribute there, if this moves forward.

20  
21 **CHAIRMAN FRAZER:** Thank you, Martha. Mr. Sanchez.

22  
23 **MR. SANCHEZ:** In the spirit of this motion, it was to just start  
24 to look at it, and I understand that we'll talk about it with a  
25 lot of other issues, and even shall we say more pressing issues,  
26 but it's just to start to look at it, for all the reasons that  
27 were discussed.

28  
29 As some of these species are biologically challenged, it seems,  
30 to me, that the for-hire sector have been great stewards of the  
31 resource. If they are given an allocation, they stay within it,  
32 and so I think, for the very same reasons that we're concerned  
33 about these species, I feel it appropriate to give them some  
34 kind of sector allocation, because they're going to manage it  
35 properly and report it properly, and so I would like to at least  
36 start to look at this, and we could flesh out all of those more  
37 detailed items, should it be the desire of the council to pursue  
38 this. This is just a white paper that I'm asking for. Thank  
39 you.

40  
41 **CHAIRMAN FRAZER:** I've got two more council members with  
42 questions or comments, and then we're going to take a vote on  
43 this. Ms. Bosarge followed by Ms. Boggs.

44  
45 **MS. BOSARGE:** On the last motion that we had to start a paper  
46 for red snapper, I ended up voting for that, and that's because,  
47 in the end, I thought, you know what, they're right. We need to  
48 get started on this and start to look at it, and each going

1 around the table and fussing about it doesn't get us anywhere,  
2 and we've got to put a pencil to a paper, and I think the same  
3 thing can be said here.

4  
5 I have some questions about the way we're going to go about it,  
6 but, if we don't get started, we will never answer the  
7 questions, and so I think John is right. Let's get started on a  
8 white paper and look at this, the same way we just did with red  
9 snapper.

10  
11 **CHAIRMAN FRAZER:** Thank you. Ms. Boggs.

12  
13 **MS. BOGGS:** Thank you, Mr. Chair. I certainly agree with Leann.  
14 We've got so many datasets out there that I don't know which one  
15 to look at and which to believe and which not to believe, and I  
16 think everybody is really trying hard though to get to consensus  
17 and get some answers, and I do understand, J.D., that, yes, our  
18 plates are full, but I have never known the Gulf Council not to  
19 have their plate full, and so it's just another challenge.

20  
21 Not that this really has any bearing, but kind of the difference  
22 too with the charter/for-hire sector, inclusive of the  
23 headboats, is we're a finite group. We're a small group,  
24 compared to the recreational sector, and I think, with what we  
25 did with Amendment 40 and the red snapper, this hill is not  
26 going to be a hard one to climb, because we've already done it,  
27 and we've learned from the heartaches there, and I think we can  
28 do it. Thank you, Mr. Chair.

29  
30 **CHAIRMAN FRAZER:** Thank you, Ms. Boggs. John, have you got a  
31 quick one? We're going to bring this to a vote.

32  
33 **MR. SANCHEZ:** Very quick. I would just request a roll call  
34 vote. Thank you.

35  
36 **CHAIRMAN FRAZER:** Okay. Dr. Simmons will get a roll call vote  
37 ready. Go ahead.

38  
39 **EXECUTIVE DIRECTOR SIMMONS:** Thank you, Mr. Chair. Mr. Sanchez.

40  
41 **MR. SANCHEZ:** Yes.

42  
43 **EXECUTIVE DIRECTOR SIMMONS:** Dr. Stunz.

44  
45 **DR. STUNZ:** No.

46  
47 **EXECUTIVE DIRECTOR SIMMONS:** Mr. Dyskow.

48

1 MR. DYSKOW: No, not at this time.  
2  
3 EXECUTIVE DIRECTOR SIMMONS: Dr. Shipp.  
4  
5 DR. SHIPP: No.  
6  
7 EXECUTIVE DIRECTOR SIMMONS: Mr. Dugas.  
8  
9 MR. DUGAS: No.  
10  
11 EXECUTIVE DIRECTOR SIMMONS: Dr. Crabtree.  
12  
13 DR. CRABTREE: Yes.  
14  
15 EXECUTIVE DIRECTOR SIMMONS: Ms. Guyas.  
16  
17 MS. GUYAS: Yes.  
18  
19 EXECUTIVE DIRECTOR SIMMONS: Mr. Diaz.  
20  
21 MR. DIAZ: No.  
22  
23 EXECUTIVE DIRECTOR SIMMONS: General Spraggins.  
24  
25 GENERAL SPRAGGINS: No.  
26  
27 EXECUTIVE DIRECTOR SIMMONS: Mr. Swindell.  
28  
29 MR. SWINDELL: Yes.  
30  
31 EXECUTIVE DIRECTOR SIMMONS: Mr. Anson.  
32  
33 MR. ANSON: Yes.  
34  
35 EXECUTIVE DIRECTOR SIMMONS: Mr. Banks.  
36  
37 MR. BANKS: Yes.  
38  
39 EXECUTIVE DIRECTOR SIMMONS: Mr. Riechers.  
40  
41 MR. RIECHERS: No.  
42  
43 EXECUTIVE DIRECTOR SIMMONS: Ms. Boggs.  
44  
45 MS. BOGGS: Yes.  
46  
47 EXECUTIVE DIRECTOR SIMMONS: Mr. Williamson.  
48

1 **MR. WILLIAMSON:** No.  
2  
3 **EXECUTIVE DIRECTOR SIMMONS:** Ms. Bosarge.  
4  
5 **MS. BOSARGE:** Yes.  
6  
7 **EXECUTIVE DIRECTOR SIMMONS:** Dr. Frazer.  
8  
9 **CHAIRMAN FRAZER:** Yes.  
10  
11 **EXECUTIVE DIRECTOR SIMMONS:** The motion carried nine to eight.  
12  
13 **CHAIRMAN FRAZER:** The motion carries nine to eight. We will  
14 move to the second Other Business item. The second Other  
15 Business item has to do with the status of the Southeast Area  
16 Monitoring and Assessment Program, or the SEAMAP, trawl survey  
17 for fall of 2020, and I guess, Clay, do you want to give us a  
18 status update, if possible, and I can't think of anybody else  
19 that might do that. Clay, are you on the line?  
20  
21 **DR. PORCH:** Sorry. Yes, I'm on the line, but I'm multitasking  
22 with other meetings. I missed the question.  
23  
24 **CHAIRMAN FRAZER:** That's okay. The question is whether or not  
25 we might be able to get a quick update on the SEAMAP trawl  
26 survey for the fall of 2020.  
27  
28 **DR. PORCH:** Sure, and I can give that very quick. Right now,  
29 we're on schedule to conduct it, and the Oregon II was out doing  
30 surveys for our bottom longline, and so we do have crews that  
31 are ready to go out and do the survey.  
32  
33 The problem there was the boat had to come in a bit early,  
34 because the clutch went out, but that should be repaired, and  
35 the vessel should go out on schedule in a few weeks, and the  
36 only concern we have there is whether we can get the full number  
37 of days out, because OMAO, the NOAA organization that runs the  
38 white ships, has modified the criteria they use to govern how we  
39 go out on the cruises, and we have included now two tests for  
40 the Corona virus, and also a period of sheltering in place, and  
41 then, once the boat has been out long enough, it has a period  
42 of, I forgot, but fourteen or sixteen days, that it needs to  
43 stay in port and get all cleaned up again.  
44  
45 What that means for us it chews up some of the time that the  
46 ship could be out, and so we're trying to juggle schedules now,  
47 to get the full number of days, which is normally about forty  
48 days, and we're trying to get -- I think, at this point, we have

1 twenty-eight days on the schedule, and we're still working to  
2 see if we can get those complete, but that's where we are. We  
3 plan to go ahead as scheduled, and it's just a matter of seeing  
4 if we can work with the other trips scheduled, so that we can  
5 get as close to the full number of days as we can, so we have a  
6 precise survey.

7  
8 **CHAIRMAN FRAZER:** Thanks, Clay, for that update. We will take  
9 two quick questions, one from Dave Donaldson and one from Leann  
10 Bosarge, and then we're going to take a break.

11  
12 **MR. DONALDSON:** Thank you, Mr. Chairman. Not a question, but  
13 just a little more information. The state vessels are planning  
14 to go out as well, as planned, assuming that we don't have any  
15 more -- You may recall, during the summer cruise, they had an  
16 issue with COVID, but, as of right now, Mississippi, Alabama,  
17 and Florida are planning to go out, as well as our western  
18 states, and so I just wanted to let the group know.

19  
20 **CHAIRMAN FRAZER:** Thanks, Dave, for that update. Ms. Bosarge.

21  
22 **MS. BOSARGE:** Thanks. This was one of my Other Business items,  
23 and I'm glad to hear that it's going out, the Oregon that is, to  
24 do the sampling. I had brought it up in case that was not the  
25 situation, so that we could start to think of a backup plan.  
26 From what I understand, there was some -- Well, we have a fleet  
27 of trawl vessels in the Gulf of Mexico, and let's start with  
28 that, right, that know how to pull the same net that the Oregon  
29 pulls, and that's a shrimp net, essentially.

30  
31 Just know that that's an option, if things go south again, as a  
32 Plan B, to make sure that we do carry out these trawl surveys.  
33 I have talked to a few people in the shrimp fleet, and there  
34 seemed to be some willingness to work with NOAA through that  
35 process, if we could be of any assistance in providing a vessel  
36 to do that type of trawling, the shrimp fleet that is, and so  
37 just keep that in mind, and I know it takes a lot of re-routing  
38 of funds from NOAA white ships, and I guess it's some other line  
39 item, but it is an option, if need be.

40  
41 **CHAIRMAN FRAZER:** All right. Thank you, Ms. Bosarge. It looks  
42 like Clay might want to weigh-in just briefly.

43  
44 **DR. PORCH:** Thank you, Chair, and thank you, Ms. Bosarge, for  
45 that offer. It's something that we definitely want to look  
46 into, and I think I mentioned earlier that we're actually  
47 looking into reinventing our entire survey enterprise, and it's  
48 something that we're doing through the SEAMAP program, and we've

1 contracted some folks to work on this, along with Jeff Rester at  
2 the Gulf States Marine Fisheries Commission.

3  
4 One of the things we want to look at is using fishing vessels to  
5 help us conduct a lot of these surveys. It's not something that  
6 we do necessarily overnight, because there is a lot of  
7 coordination that needs to be involved, and we need to make sure  
8 that we can calibrate things, and I know that "calibration" is  
9 sounding like a bad word, but, with surveys, it's something you  
10 absolutely must do, just for continuity of the advice.

11  
12 In other words, with the shrimp vessels, if we were going to  
13 switch from using the Oregon II to shrimp vessels, what we would  
14 want to do is some side-by-side trawls, to see what the catch  
15 rates are with the Oregon II versus the shrimp boats, and  
16 develop those calibration coefficients, so that the advice is  
17 consistent once we start moving to other types of vessels, and  
18 so something like that is really important to do, but I think  
19 it's definitely on our radar, because we need to have some  
20 viable options, should we have the kind of problems that we have  
21 just recently had with COVID-19 and other things that could crop  
22 up, and so we are keen to do cooperative research like that.  
23 It's just a matter of working out some of the details and  
24 getting funding in a way that's a little more flexible for us.

25  
26 **CHAIRMAN FRAZER:** All right. Thank you, Dr. Porch. We've been  
27 at it here for quite a while, and so we are going to take a ten-  
28 minute break. It's 3:12 right now, and we'll come back at 3:22,  
29 and we will pick up with the Administrative and Budget Committee  
30 Report. Mr. Dyskow, we'll put you on the spot for that one.  
31 All right. See you guys in ten minutes.

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

34  
35 **CHAIRMAN FRAZER:** It looks like we've got about everybody on,  
36 and so we will pick it up with the Administrative Budget  
37 Committee Report. Mr. Dyskow, the floor is yours.

38  
39 **ADMINISTRATIVE BUDGET COMMITTEE REPORT**

40  
41 **MR. DYSKOW:** This the Administrative Budget Committee Report. I  
42 am Phil Dyskow, Chair of the Administrative Budget Committee.  
43 The committee adopted the agenda, which is Tab G, Number 1, as  
44 written and approved the minutes, which is Tab G, Number 2, of  
45 the June 2020 meeting as written.

46  
47 Review and Approval of Funded 2020 Budget, which is Tab G,  
48 Number 4, the staff presented the original draft 2020 budget

1 alongside a proposed funded budget. We received \$13,536 more in  
2 funding than we originally budgeted. The total funding received  
3 for 2020 is \$3,964,336.

4  
5 The additional funding was added to the telephone expense line,  
6 as we are incurring more costs there than originally  
7 anticipated, due to the change to the Adobe Connect platform for  
8 virtual council meetings and the additional technology required  
9 for that platform.

10  
11 Due to the significant uncertainty we are facing with regard to  
12 holding future in-person meetings, no other budget lines have  
13 been adjusted at this time. Staff plans bring an update on 2020  
14 expenditures compared to the budget and the no-cost extension  
15 for 2015 to 2019 to the council for review during the October  
16 meeting. **The committee recommends, and I so move, to approve  
17 the 2020 budget as funded.**

18  
19 **CHAIRMAN FRAZER:** Thank you, Mr. Dyskow. We have a committee  
20 motion on the board to approve the 2020 budget as funded. Is  
21 there any further discussion of that motion? **Seeing none, is  
22 there any opposition to that motion? Hearing none, the motion  
23 carries.**

24  
25 **MR. DYSKOW:** Mr. Chair, that concludes my report.

26  
27 **CHAIRMAN FRAZER:** Thank you, Mr. Dyskow. Unless there is any  
28 other business to come in front of the Administrative and Budget  
29 Committee, we will move forward to the Shrimp Committee. I am  
30 not seeing any other business, and so Ms. Bosarge. Let's sit  
31 tight for just a second and see if we can get Leann reconnected.

32  
33 **MS. BOSARGE:** I am here, Dr. Frazer. Sorry.

34  
35 **CHAIRMAN FRAZER:** That's all right. You probably had important  
36 things to be taking care of. Whenever you are ready, you can  
37 begin.

38  
39 **SHRIMP COMMITTEE REPORT**

40  
41 **MS. BOSARGE:** Shrimp Committee Report, the committee adopted the  
42 agenda, Tab D, Number 1, and approved the minutes, Tab D, Number  
43 2, of the April 2019 meeting as written.

44  
45 Gulf Fishery Analytical Requirements, Program Updates, and  
46 Reporting Options, Tab D, Number 4(a), Dr. Gloeckner provided  
47 the committee with an overview of analytical requirements,  
48 program updates, and reporting options.

1  
2 Four types of shrimp data are required to complete an array of  
3 SEFSC/SERO outputs: effort data, bycatch rates, landings data,  
4 additional data for economic and regulatory analysis. Bycatch  
5 information is acquired through observer programs and covers  
6 about 2 percent of offshore trips. Landings, economic, and  
7 regulatory data are collected through monthly dealer-reported  
8 state trip tickets and through the gear, landings, and economic  
9 paper surveys completed by fishermen.

10  
11 Effort data is derived from time-stamped GPS coordinates  
12 collected by the 3G cellular electronic logbooks (cELBs). The  
13 3G technology will be phasing out at the end of 2020. The  
14 shrimp industry is currently required by the states to report  
15 monthly, but not electronically. This data is then subsequently  
16 transmitted to NMFS for federal data analysis purposes.

17  
18 Shrimp effort is measured in units of days fished. A CPUE is  
19 derived by matching trip level cELB effort with state trip  
20 tickets, and match efficiency generally ranges from 50 to 80  
21 percent. It was noted by Dr. Gloeckner that cELB are mostly on  
22 offshore vessels, which may provide bias in the effort estimate  
23 toward offshore vessels.

24  
25 The Southeast Fisheries Science Center proposed four possible  
26 options to continue vessel reporting following the end of the 3G  
27 reporting capabilities. Option 1 would no longer produce effort  
28 data through vessel reporting. Option 2 would retain the status  
29 quo of vessel reporting with electronically-transmitted time-  
30 stamped GPS data.

31  
32 Option 2a would require a trip ticket link, which would improve  
33 the match efficiency. Option 2b would require census-level  
34 coverage. Option 3 would build upon the requirements in Options  
35 2a/2b, in that vessels would electronically report gear  
36 information upon returning to port. Option 4 would build upon  
37 the requirements in Option 3, in that vessels would  
38 electronically report landings in weight by shrimp species at a  
39 tow-by-tow level.

40  
41 Per the presentation, the council would need to pursue an  
42 amendment, if it decides to make changes to the expiring cELB  
43 effort data collection program, require shrimp dealer permits,  
44 or require weekly electronic reporting to NMFS by all permitted  
45 shrimp dealers.

46  
47 The committee inquired how new reporting requirements and  
48 technology would be implemented if 3G will no longer be

1 available at the end of 2020. Dr. Gloeckner stated that another  
2 method for collecting this information needs to be identified.

3  
4 The shrimp industry is working on having a proof of concept  
5 completed for NMFS to scale up, pending the results of the pilot  
6 study. After discussions with the industry, P-Sea Windplot,  
7 which is a software currently used on a majority of the vessels,  
8 was identified as a potential option for replacing the 3G cELB.

9  
10 The committee discussed that the causes for unmatched or  
11 mismatched data needs to be better understood, in order to  
12 properly address any issues, and encouraged a thorough review of  
13 the unmatched data list as a first step.

14  
15 The committee inquired as to the costs from dealer reporting  
16 going from monthly to weekly. Dr. Gloeckner stated that the  
17 primary cost to dealers would be if they needed to purchase a  
18 computer and/or internet connection, but that the time required  
19 would be comparable.

20  
21 The committee inquired if there would be additional costs to  
22 fishermen. Dr. Gloeckner stated that, unless the reporting  
23 program is expanded to the entire fleet, the only costs would be  
24 if fishermen didn't have an onboard computer, and they would  
25 need to purchase a computer for on-vessel use, the cost of P-Sea  
26 Windplot software, and a reoccurring transmitting cost.

27  
28 The committee stated that, for the industry to pursue the P-Sea  
29 Windplot proof of concept, council and Southeast Fisheries  
30 Science Center support would need to be voiced. In response,  
31 Dr. Porch expressed support for the proof of concept project, as  
32 did several state representatives on the committee.

33  
34 The committee suggested that an amendment may not be needed, if  
35 only the platform is changing for reporting. Ms. Levy noted  
36 that council action and rulemaking may be needed, if switching  
37 to the new platform will change equipment requirements or costs  
38 borne by the permitholders. The committee asked that the Shrimp  
39 AP be convened to be briefed on the proof of concept project,  
40 discuss potential costs to the industry, discuss the issue of  
41 unmatched data, and any other relevant topics. Mr. Chair, this  
42 concludes my report.

43  
44 **CHAIRMAN FRAZER:** Thank you, Ms. Bosarge. Unless there is any  
45 other business to come before this committee report, I think we  
46 will move forward, and I will wait just a second. Okay. Seeing  
47 none, we will now move to the Sustainable Fisheries Committee  
48 and Mr. Diaz.

1  
2 **SUSTAINABLE FISHERIES COMMITTEE REPORT**  
3

4 **MR. DIAZ:** Thank you, Mr. Chair. The Sustainable Fisheries  
5 Committee Report, the committee adopted the agenda and approved  
6 the minutes of the June 2020 meeting as written.  
7

8 Ms. Emily Muehlstein discussed the new protocol implemented to  
9 handle public comments received between council meetings. Ms.  
10 Muehlstein indicated that comments that do not pertain to an  
11 ongoing regulatory action are collected and presented with the  
12 relevant agenda item at the first opportunity. Others will be  
13 added to general comments under Full Council.  
14

15 Aquaculture Aspects of the Executive Order, Doctors Jess Beck  
16 and Ken Riley of NOAA Fisheries gave a presentation on the  
17 aquaculture aspects of the Executive Order 13921. Dr. Beck  
18 noted that the presentation focuses on Section 7 of the  
19 Executive Order, which addresses aquaculture opportunity areas.  
20

21 She noted that, based on available data and industry interest,  
22 southern California and the Gulf of Mexico were selected as the  
23 first regions to host aquaculture opportunity areas. She  
24 further indicated that the determination of aquaculture  
25 opportunity areas is a proactive process to identify areas that  
26 would be potentially suitable for aquaculture.  
27

28 Aquaculture operations within the aquaculture opportunity areas  
29 would be subject to all applicable federal and state laws and  
30 regulations. Dr. Beck discussed the steps included in the  
31 process to identify aquaculture opportunity areas and stressed  
32 the importance of stakeholder input and collaboration between  
33 NOAA and the council throughout the process.  
34

35 Dr. Ken Riley stated that aquaculture opportunity areas will be  
36 identified using a science and community-based approach to  
37 expand sustainable domestic seafood production. The process  
38 aims to minimize interference with other enterprises, protect  
39 the ecosystem, account for fishing patterns, and minimize user  
40 conflicts.  
41

42 Dr. Riley discussed the steps planned during the first year of  
43 the process to identify aquaculture opportunity areas and noted  
44 that the publication of an Aquaculture Opportunity Atlas is  
45 expected by May 2021. A programmatic environmental impact  
46 statement would be developed subsequently. Dr. Riley discussed  
47 the diverse range of tools and technology available to NOAA's  
48 National Centers for Coastal Ocean Science to assist in the

1 identification of aquaculture opportunity areas, including the  
2 AquaData catalog, the Gulf AquaMapper, the Marine Cadastre, and  
3 environmental models.  
4  
5 Dr. Riley presented starting points for the Gulf of Mexico study  
6 areas and discussed the workflow for siting analyses. He  
7 further noted that military boundaries, industrial, biological,  
8 navigation, and oceanographic data will be used in site  
9 suitability models.  
10  
11 Committee members noted that Gulf states have experience in the  
12 siting of aquaculture operations and could provide valuable  
13 insights. The committee inquired about the size of the  
14 aquaculture opportunity areas. Dr. Riley noted that each area  
15 could include three to five aquaculture operations and that the  
16 maximum size per area would be approximately four square miles.  
17  
18 The committee noted that the use of heat maps for fishing  
19 activity should be limited. For example, for the shrimp  
20 industry in the Gulf of Mexico, the use of the actual effort  
21 tracks would be more informative.  
22  
23 The committee asked whether the cell scores used in the site  
24 suitability model were based on continuous scales. Dr. Riley  
25 answered that, if the data available were continuous, a  
26 continuous linear scale was used, but a discrete scale was used  
27 if the source data were discrete.  
28  
29 The committee expressed its appreciation for NOAA's efforts to  
30 keep the council in the loop and for the agency's willingness to  
31 provide updates to the council. Dr. Simmons noted that a  
32 Federal Register notice for the council's October meeting has  
33 already been sent, but staff will make sure to include an  
34 aquaculture agenda item at the next council meeting, which was  
35 scheduled for November 30 to December 1st.  
36  
37 Recommendations on Executive Order 13921, Ms. Muehlstein  
38 described the process for using the Something's Fishy Tool to  
39 solicit suggestions from stakeholders on ways to reduce burdens  
40 on domestic fishing. She summarized that the ninety-three  
41 comments received from recreational and commercial fishermen are  
42 broken down by degree of complexity.  
43  
44 Dr. Simmons provided the committee with a list of the  
45 regulations suggested for possible removal discussed during the  
46 June 2020 Sustainable Fisheries Committee meeting. She reminded  
47 the committee of a remaining regulation discussed by the council  
48 in 2018 for possible removal, which is the restriction on the

1 use of powerheads and roller trawls within the stressed area for  
2 reef fish. The committee requested additional background  
3 information about the regulation for further discussion.

4  
5 The following information on the Reef Fish Stressed Area is  
6 included for the committee's information. The original Reef  
7 Fish FMP in 1980 implemented this regulation to restrict the use  
8 of some fishing gears and identified an area where there was  
9 evidence of overfishing, including a reduction in catch rate and  
10 size of harvested fish. Harvest limits are now in place for all  
11 federally-managed species, to prevent or end overfishing on an  
12 annual basis. The Reef Fish Stressed Areas may no longer be  
13 necessary to prevent or reduce overfishing, as other, more  
14 comprehensive management measures are in place.

15  
16 Within the Reef Fish Stressed Area, the use of powerheads,  
17 roller trawls, and fish traps was prohibited. The gear  
18 restrictions were enacted to reduce fishing effort within the  
19 stressed area and to reduce the potential for user conflicts.

20  
21 Prohibiting the use of powerheads for taking reef fish was  
22 expected to reduce harvest in the areas by fishermen using spear  
23 guns and targeting larger, more fecund female reef fish. Roller  
24 trawls, which are otter trawls equipped with very large rollers,  
25 allowing operation over rough bottoms, were prohibited, due to  
26 their potential to damage coral reef habitat.

27  
28 Most recently, Reef Fish Amendment 43, which was implemented in  
29 2017, added hogfish to the list of species for which the use of  
30 powerheads is prohibited in the Reef Fish Stressed Area, as  
31 hogfish was the only managed species of reef fish not included  
32 in the prohibition on powerheads.

33  
34 The committee discussed the list of potential regulations to  
35 recommend for removal that were identified during the June 2020  
36 meeting. The committee retained all items on the list, with two  
37 suggested revisions highlighted below.

38  
39 Do not close additional areas to commercial and recreational  
40 fishing unless recommended by the council in that jurisdiction.  
41 Increase testing for banned substances in seafood imported to  
42 the U.S. Require country of origin labeling for seafood on  
43 restaurant menus nationwide. Support young fishermen  
44 development programs. Recommend that the council's Scientific  
45 and Statistical Committee review stock assessments for highly  
46 migratory species. Review and revise the U.S. Coast Guard  
47 safety compliance programs, such that they are replaced by  
48 tailored regional approaches that address the drivers of

1 fatalities in each region. Consider measures to reduce  
2 agriculture runoff into the Mississippi River and reduce hypoxia  
3 that creates the Dead Zone in the Gulf of Mexico.

4  
5 The committee proposed additional regulations that could  
6 potentially be included to reduce burdens on domestic fishing,  
7 creating the following list: add seafood to public school menus  
8 in a real and meaningful way; create a direct to consumer online  
9 platform for fishermen and fish houses to strengthen the supply  
10 chain (Etsy-like platform for seafood, that connects buyers with  
11 dealers anywhere in the country); amend the Harmonized Tariff  
12 Schedule of the U.S. (HTSUS) code to break out wild-caught warm-  
13 water shrimp imports from farm-raised warm-water shrimp imports;  
14 increase the speed of distribution for fisheries disaster relief  
15 funds; increase funding for fisheries-independent monitoring;  
16 remove the ACL for spiny lobster; decrease shark depredation on  
17 fish stocks; development of a commercial electronic logbook  
18 program; allow a permit to be transferred if the permit is  
19 currently expired but within the twelve-month grace period.

20  
21 Draft Letter on RESTAURANTS Act of 2020, staff explained that  
22 all of the Regional Fishery Management Councils had been  
23 contacted by the Senate Committee on Commerce, Science, and  
24 Technology for a response on the RESTAURANTS Act. Staff  
25 reviewed the draft response letter and asked for feedback from  
26 the committee.

27  
28 **CHAIRMAN FRAZER:** Mr. Diaz. Sorry to interrupt, but it looks  
29 like Ava Lasseter has her hand up. Ava, do you need to chime  
30 in?

31  
32 **DR. AVA LASSETER:** When this list was put together, I was just  
33 thinking in advance of how we would be constructing this letter,  
34 and I wanted a little more clarification about this last one,  
35 with the permit transfer. I reached out to Leann, and I had  
36 provided a little extra text, just to ensure that we understood  
37 what she intended here, as far as allowing the permit to be  
38 transferred, because, currently, permits can be transferred when  
39 they are renewable status, but there's a couple of little -- It  
40 would be really complicated, and possibly not thought of in  
41 advance of a permit holder, and so this language is coming up  
42 right here. This is just how staff is going to understand this  
43 item.

44  
45 **CHAIRMAN FRAZER:** I will go ahead and read it.

46  
47 **DR. LASSETER:** Thank you, Tom.

1 **CHAIRMAN FRAZER:** All right, and so are we replacing the bullet  
2 point above, or would this expand the language?  
3

4 **DR. LASSETER:** It just carries on at the end of the part that's  
5 already in your committee report.  
6

7 **CHAIRMAN FRAZER:** I've got you. Okay. The revised language  
8 reads as follows: Allow permits that have expired, but are  
9 renewable, to be transferred without requiring the permit holder  
10 to have signed and notarized the permit before its expiration  
11 date or requiring the permit to be renewed (with attending  
12 vessel requirements before being transferred). Leann, does that  
13 clarify the intent?  
14

15 **MS. BOSARGE:** Yes, and so, essentially, the stuff in yellow is  
16 how you can transfer a permit now. If it's expired, you either  
17 have to renew it in the name of the person or company that  
18 currently owns it, and it's got to be on a boat in that name,  
19 and that boat has got to have a VMS operating, if it's a reef  
20 fish boat, and, anyway, you have to do all of that, and then,  
21 once the old owner gets the new permit in his hands, then he can  
22 go and transfer it and sell it to somebody he wanted to, or that  
23 other option is what is allowed right now, where, if you  
24 essentially had a sale for it, and you signed the back of the  
25 permit and notarized the transfer before the permit expired, if  
26 the date of that notary was before the permit expired, then  
27 they'll go ahead and process the paperwork.  
28

29 What Ava is saying is, now, this will be a new allowance, where  
30 you can transfer it, if it is expired, without having to do one  
31 of those two things first. This is an additional option, and  
32 you would be able to transfer it to a new owner, so long as that  
33 new owner can provide all of the documentation to meet the  
34 requirements associated with that permit.  
35

36 You have to have a boat registered in the same name that he's  
37 going to put the permit in, and he's got to sign the permit, and  
38 he's got to have an operating VMS on that boat, or cELB,  
39 depending on the permit, yada, yada, yada, and so I think Ava  
40 has done a good job here of just clarifying what I was trying to  
41 say.  
42

43 **CHAIRMAN FRAZER:** Okay. Thanks, Ava, for jumping in and making  
44 sure that we got that clarified. Thanks, Leann, for also  
45 chiming in. We will go ahead, and, with that amended language,  
46 Dale, you can pick it up in the RESTAURANTS Act language.  
47

48 **MR. DIAZ:** Thank you, Mr. Chair. The committee discussed

1 country of origin labeling on restaurant menus and noted that  
2 the RESTAURANTS Act could provide additional incentives, such as  
3 tax reliefs, if restaurants incorporated country of origin  
4 labeling. Ms. Levy noted that councils are prohibited from  
5 advocating for legislation, but they could provide information  
6 on how proposed legislation would impact the management of  
7 fisheries. Dr. Simmons noted that council members could address  
8 any additional feedback on the draft letter during Full Council.  
9 I will just pause right there to see if there's any additional  
10 feedback.

11  
12 **CHAIRMAN FRAZER:** I think we're good. I'm not seeing any hands  
13 up, and I think Ava's hand up is a holdover. All right.

14  
15 **MR. DIAZ:** Presentation on Depredation by Marine Mammals, Ms.  
16 Laura Engleby, National Marine Fisheries Service Marine Mammal  
17 Branch Chief, discussed the challenges related to interactions  
18 between marine mammals and fishing activities. The Marine  
19 Mammal Protection Act prohibits all take of marine mammals,  
20 which includes harassment and injury to the animals.

21  
22 Ms. Long summarized the guidelines, specific measures, and  
23 prohibitions of marine mammal deterrents included in the  
24 proposed rule, which was published on August 31, 2020, and is  
25 accepting public comments. The proposed rule provides  
26 guidelines for allowable deterrence methods, so long the  
27 measures do not pose harm to marine mammals.

28  
29 National Marine Fisheries Service is interested in hearing from  
30 the council and its constituents to figure out the best way to  
31 reduce harmful interactions with marine mammals. The guidelines  
32 proposed in the rule open the door to research projects that  
33 could look at the effectiveness of the applications of the  
34 deterrents and associated behaviors of the marine mammals.

35  
36 The committee inquired about the best method to reduce marine  
37 mammal interactions with fishing practices. Although there is  
38 no one way to reduce interactions, one of the issues that should  
39 be address is reducing illegal feeding of marine mammals, to  
40 limit learning the behavior of associating boats with food.

41  
42 The committee reiterated that fishermen continue to report an  
43 increase in dolphin sightings and interactions, and they asked  
44 if there was an app to report such events. Ms. Engleby answered  
45 that, at the moment, the available apps are used to report sick,  
46 injured or stranded dolphins, and whales. Developing an app to  
47 monitor fishing interactions could be something to be explored  
48 with feedback from the council and fishing community.

1  
2 Public Hearing Draft Amendment Reef Fish 48/Red Drum 5: Status  
3 Determination Criteria and Optimum Yield for Reef Fish and Red  
4 Drum, staff reviewed the draft amendment, focusing on Action 4  
5 that includes alternatives to define optimum yield for several  
6 reef fish species and red drum. Council staff also presented  
7 the Scientific and Statistical Committee recommendations from  
8 the March 2020 meeting.

9  
10 The SSC recommended that OY should be a scalar of maximum  
11 sustainable yield instead of as a function of yield at FMSY.  
12 This recommendation was made because a scalar of MSY is more  
13 intuitive to interpret, as opposed to modifying fishing  
14 mortality that doesn't correspond directly to change in  
15 allowable harvest.

16  
17 For Action 4.1, the SSC also recommended inserting "long-term"  
18 before OY in the alternative text to explicitly define OY as a  
19 more static determination criterion. NOAA staff indicated that  
20 the inclusion of the added language was redundant, could cause  
21 confusion, and recommended that while the adjusted scalar of MSY  
22 be retained, the words "long-term" should be removed.

23  
24 Ms. Anna Beckwith, representing the South Atlantic Fishery  
25 Management Council, provided a draft definition for OY developed  
26 by the South Atlantic Fishery Management Council which  
27 acknowledges the differing long-term goals of the commercial and  
28 recreational sectors. The committee decided to include the  
29 revised Action 4.1 alternatives recommended by the SSC and  
30 presented by the Science Center in the document but removed the  
31 "long-term" descriptor of OY.

32  
33 **The committee recommends, and I so move, in Action 4.1, to**  
34 **accept the recommended changes below.** I am not going to read  
35 those changes below, but, basically, the words "long-term" was  
36 removed from each alternative, and the percentages for the a, b,  
37 and c options were changed 85, 90, and 95 percent. Mr.  
38 Chairman.

39  
40 **CHAIRMAN FRAZER:** Thank you, Mr. Diaz. We will go ahead and  
41 copy that motion into the motions page, just so everybody can  
42 see it. It is a committee motion. Let's just wait and make  
43 sure that we can see the whole motion. Again, I am not going to  
44 read the entire motion either, but, in essence, in Action 4.1,  
45 it's to accept the recommended changes, as indicated by Mr.  
46 Diaz. Is there any further discussion on the motion? **Seeing**  
47 **none, is there any opposition to the motion? Seeing none, the**  
48 **motion carries.** Mr. Diaz.

1  
2 **MR. DIAZ:** Staff indicated that the scalar adjustment of MSY  
3 used for the action alternatives was directly analogous to the  
4 yield at MSY that was previously presented. Therefore, all  
5 analyses appearing in the document were robust to the  
6 adjustment, and preferred alternatives could be selected.

7  
8 The committee acknowledged that OY had previously been set  
9 equivalent to 90 percent of MSY for several reef fish species.  
10 However, goliath grouper posed a unique case since harvest has  
11 been prohibited since 1990 and defining OY as a scalar of MSY  
12 would not be consistent with current management.

13  
14 For goliath grouper, Option 4d was selected as preferred  
15 instead, and that would set OY at zero, given that harvest is  
16 currently prohibited for this species. The committee selected  
17 the following Action 4.1 alternatives as preferred.

18  
19 **The committee recommends, and I so move, in Action 4.1, to make**  
20 **Options 2b, 3b, and 4d the preferred.** Again, I am not going to  
21 read those options, but they can be placed in the motion on the  
22 board, Mr. Chair.

23  
24 **CHAIRMAN FRAZER:** Thank you, Mr. Diaz. We will make sure that  
25 we get those in the motion up on the board. Okay. Is there any  
26 further discussion of the motion? It is a committee motion, I  
27 would remind folks. **Seeing none, is there any opposition to the**  
28 **motion? Seeing none, the motion carries.** Mr. Diaz.

29  
30 **MR. DIAZ:** When considering Action 4.2 for defining OY for red  
31 drum, the committee agreed that the SSC's suggestion for  
32 adjusting the OY definitions as a scalar of MSY should be  
33 incorporated into the document, as was similarly done for reef  
34 fish in Action 4.1. **The committee recommends, and I so move, in**  
35 **Action 4.2, to accept the recommended changes below.** Mr. Chair.

36  
37 **CHAIRMAN FRAZER:** Okay. We've got a similar situation here, and  
38 we'll go ahead and put that committee motion on the board. Is  
39 there any further discussion of the motion? **Hearing none, is**  
40 **there any opposition to the motion? Hearing none, the motion**  
41 **carries.** Mr. Diaz.

42  
43 **MR. DIAZ:** When considering the Action 4.2 alternatives, red  
44 drum differs slightly from the managed reef fish species,  
45 because an OY for red drum was defined in Amendment 2 to the red  
46 drum fishery management plan. The OY definition red drum is  
47 based on a 30 percent juvenile escapement rate of juveniles.  
48 The committee agreed that, until a stock assessment is made

1 available for red drum, that the definition of OY should remain  
2 unchanged.  
3  
4 **The committee recommends, and I so move, in Action 4.2, to make**  
5 **Alternative 1 the preferred action. Alternative 1 is no action,**  
6 **maintain the red drum optimum yield for red drum. Mr. Chair.**  
7  
8 **CHAIRMAN FRAZER:** We've got the committee motion on the board.  
9 I will just reiterate that the motion is, in Action 4.2, to make  
10 Alternative 1 the preferred, and Alternative 1 is no action,  
11 maintain the red drum optimum yield, OY, for red drum. Is there  
12 any further discussion on this motion? **Seeing none, is there**  
13 **any opposition to the motion? Seeing none, the motion carries.**  
14 Mr. Diaz.  
15  
16 **MR. DIAZ:** The committee asked staff to update Actions 4.1 and  
17 4.2 and approved the draft amendment for public hearing. **The**  
18 **committee recommends, and I so move, to take Draft Amendment**  
19 **Reef Fish 48/Red Drum 5: Status Determination Criteria and**  
20 **Optimum Yield for Reef Fish and Red Drum out for public hearing**  
21 **via webinar.** The motion carried with no opposition. Mr. Chair.  
22  
23 **CHAIRMAN FRAZER:** All right, and so we have a final committee  
24 motion on the board. Is there any further discussion of the  
25 motion? Mr. Anson.  
26  
27 **MR. ANSON:** I just have a question after the report is  
28 completed.  
29  
30 **CHAIRMAN FRAZER:** Okay. We'll circle back with you, Kevin. Is  
31 there any further discussion on the motion? **Hearing none, is**  
32 **there any opposition to the motion? Hearing none, the motion**  
33 **carries.** Mr. Diaz.  
34  
35 **MR. DIAZ:** Mr. Chair, this concludes my report.  
36  
37 **CHAIRMAN FRAZER:** Thank you, Mr. Diaz. We will circle back to  
38 Kevin. Kevin.  
39  
40 **MR. ANSON:** Thank you. If Dr. Crabtree, or maybe Mara, could  
41 respond, and is there any mechanism that the agency has to  
42 extend state waters, or extend jurisdictional areas, for states  
43 to take over management of a fish species, or is that only done  
44 through delegation at the agency level, or through congressional  
45 action?  
46  
47 **CHAIRMAN FRAZER:** Roy, do you want to grab that one?  
48

1 **DR. CRABTREE:** We have no authority to extend state waters, but  
2 we could open up red drum out to nine miles and put in place  
3 some management measures, and, if we want to pursue that, and  
4 that, obviously, would only affect off of Mississippi,  
5 Louisiana, and Alabama, we would have to re-look at the ACLs and  
6 the AMs and come up with something. I suspect that, if you did  
7 open it up from three to nine miles, that it really wouldn't  
8 cause a huge change, or much of a change, in the landings, and  
9 so you could certainly do that.

10  
11 **MR. ANSON:** Thank you, Mr. Chair.

12  
13 **CHAIRMAN FRAZER:** We've got a couple of folks here, and so Mr.  
14 Williamson and then Mr. Diaz.

15  
16 **MR. WILLIAMSON:** Mr. Chairman, I would like to add to the  
17 recommendations to the Executive Order a request that the  
18 Secretary review the National Standard 1 as it applies to the  
19 Modern Fish Act. The National Standard 1, NOAA's interpretation  
20 of it is that fisheries are managed by weight and numbers of  
21 fish, whereas there is a conflict with the Modern Fish Act that  
22 recreational fisheries can now be managed with various methods,  
23 other methods, including extraction rates and harvest control  
24 rules. It's just something I would like for them to review.

25  
26 **CHAIRMAN FRAZER:** Okay. Troy, I think we're circling back to  
27 the list that was earlier in the report, and that's an added  
28 item, and so we can add that directly under the modified piece  
29 that Ava and Leann talked about. After we get it up on the  
30 board, we'll just make sure that that language is consistent  
31 with what you're recommending. Are you asking the Secretary of  
32 Commerce, or who is going to review this, I guess?

33  
34 **MR. WILLIAMSON:** Whoever is reviewing the recommendations that  
35 were requested in that Executive Order, and I'm sure that  
36 someone is.

37  
38 **CHAIRMAN FRAZER:** Okay.

39  
40 **DR. CRABTREE:** Tom, if I could, that will be the Fisheries  
41 Service, and the issue Troy is bringing up has to do with the  
42 definition of an annual catch limit, and, obviously, we can  
43 manage with extraction rates and harvest control rules and all  
44 those things, and some are trying to say that the annual catch  
45 limit can be something other than a limit on catch, and, as I've  
46 stated on a number of occasions, that doesn't seem to correct  
47 me, and it isn't consistent with the guidelines. I guess Troy  
48 is asking that that be revisited.

1  
2 **CHAIRMAN FRAZER:** Okay. We have added that to the list. Ms.  
3 Bosarge. Sorry. I got out of line here. Mr. Diaz.  
4  
5 **MR. DIAZ:** Tom, this is kind of going back to the discussion  
6 that Mr. Anson and Dr. Crabtree just had, and so I listed,  
7 during Other Business, a discussion about red drum, but it ties  
8 in exactly to what they were just talking about. If you want me  
9 to handle it here, I can, or I can wait until Other Business  
10 later, whatever your preference is.  
11  
12 **CHAIRMAN FRAZER:** I think I would prefer to handle it here,  
13 Dale, and provide a little continuity.  
14  
15 **MR. DIAZ:** Okay. Well, if staff would, I had sent a motion  
16 earlier, and if they would put the motion on the board. While  
17 they're doing that, I will talk a little bit, and so there is a  
18 real issue. You know, Texas and Florida, their coastline is  
19 recognized out to nine nautical miles by the federal government,  
20 but the states of Mississippi, Alabama, and Louisiana is not  
21 recognized out to nine nautical miles.  
22  
23 I would like to see us try to do something to correct that, and  
24 so, anyway, my motion is coming up on the board, and, if I get a  
25 second, I will try to give a little bit more rationale about  
26 what I'm thinking about.  
27  
28 **The motion is direct staff to start a document to allow states,**  
29 **the states of Alabama, Mississippi, and Louisiana, to manage red**  
30 **drum out to nine nautical miles.**  
31  
32 **MR. BANKS:** I second it.  
33  
34 **CHAIRMAN FRAZER:** We've got a motion on the board by Mr. Diaz,  
35 and it's seconded by Mr. Banks, and so you can go ahead and  
36 expand upon that a little bit if you want, Dale.  
37  
38 **MR. DIAZ:** The issue is basically the states of Alabama,  
39 Louisiana, and Mississippi are in the -- Well, let me back up,  
40 first. The states legislature, and the state governors, in  
41 Alabama, Mississippi, and Louisiana have all passed laws  
42 claiming waters out to nine nautical miles, and so the state  
43 agencies and the fishermen in all those states are in the  
44 awkward position of what do you do, and how do you advise  
45 people.  
46  
47 Folks will ask these state managers what should they do, and  
48 they have to tell them to fish at their own risk, and I think

1 that's a bad spot to be in, and I would like to see us try to  
2 correct that. You know, I have talked before, and this area is  
3 important to our charter fishery in Mississippi, and red drum is  
4 the most important fish that they target, and it's their bread-  
5 and-butter here, and charter fishermen have talked to me before  
6 that they are very uncomfortable, if the fish move outside of  
7 three miles, about what they should do.

8  
9 I really don't think this would cause a whole lot more harvest,  
10 but I can't tell you that it won't cause some more harvest, and  
11 I don't have any way to really document that, but it would be  
12 something that I think would be beneficial. Let me see. I've  
13 got a list of things here.

14  
15 I would envision what I am proposing here to be something  
16 similar to what we did with regional management, and staff could  
17 start a document, and we could look at it, and it would be a  
18 scoping document that we just look at in the beginning and see  
19 if there was ways to do this. Red drum would continue to be  
20 managed like it's managed now, and states would manage it at a  
21 30 percent escapement rate. That's kind of what I'm thinking,  
22 and, like I say, I'm just hoping that we can do something here  
23 with this red drum and get in a better situation with it. Thank  
24 you, Tom.

25  
26 **CHAIRMAN FRAZER:** All right. We have Leann Bosarge next, and  
27 then followed by Dr. Crabtree. Leann.

28  
29 **MS. BOSARGE:** I guess we've got two different things going on  
30 here, and I had raised my hand for the bullet that we just added  
31 to the Executive Order, and I think Mr. Williamson added it, and  
32 I was going to comment and talk about that, but now we've moved  
33 to a motion, and this motion I don't guess has anything to do  
34 with the Executive Order, and it's something different, and so  
35 can I back up for a minute and go back to that bullet, or do you  
36 want me to just hold it for now?

37  
38 **CHAIRMAN FRAZER:** I would prefer that you just hold that  
39 question, and let's kind of deal with this motion right now. I  
40 suspect that Dr. Crabtree is going to speak to the motion. Dr.  
41 Crabtree.

42  
43 **DR. CRABTREE:** To allow the states to manage them, I guess  
44 you're talking a delegation of authority, like you did with red  
45 snapper, and that would be a very complicated amendment, and you  
46 will have to do state-by-state allocations and all of the things  
47 we went through with red snapper.

48

1 I have no objections to opening it up out to nine nautical  
2 miles, but it would be much easier, and far less work, to just  
3 open the fishery out to nine miles and put a bag limit on it and  
4 revise the ACL and the accountability measures, but I will leave  
5 that up to you.

6  
7 **CHAIRMAN FRAZER:** Okay. Ms. Guyas.

8  
9 **MS. GUYAS:** I just had a question about -- I know there's that  
10 Executive Order regarding harvest of red drum in the EEZ, and  
11 I'm wondering how that would come into play here. Although the  
12 states have, I guess, claimed those nine miles, they are still  
13 part of the EEZ.

14  
15 **DR. CRABTREE:** If I could, Tom, I mean, there is an Executive  
16 Order, and I think, if you tried to open commercial fishing, you  
17 may run into a conflict with the Executive Order, but I don't  
18 think opening it for the recreational fishery would do anything.  
19 As I recall, the Executive Order is basically making red drum a  
20 gamefish.

21  
22 **CHAIRMAN FRAZER:** Ms. Boggs.

23  
24 **MS. BOGGS:** I am not real versed on redfish, but Martha just  
25 brought up something about red drum in the EEZ, and you're  
26 talking about recreational fishing, and so how does that affect  
27 your state guideboats?

28  
29 **CHAIRMAN FRAZER:** I think there's a lot of questions here. I am  
30 trying to think about a path forward. I guess the start of a  
31 document would allow us to start to explore some of those  
32 consequences of doing that. As Dr. Crabtree pointed out, it's  
33 likely to be a fairly complicated thing to do. Are there any  
34 more comments? Okay. Seeing no further comments, let me just  
35 double-check to make sure that Leann still doesn't have a  
36 comment on this particular issue.

37  
38 **MS. BOSARGE:** No, sir.

39  
40 **CHAIRMAN FRAZER:** All right. So we have a motion on the board  
41 here.

42  
43 **DR. CRABTREE:** Tom, can I request a roll call vote on that?

44  
45 **CHAIRMAN FRAZER:** Yes, you can. Let me get Dr. Simmons ready.

46  
47 **EXECUTIVE DIRECTOR SIMMONS:** I am ready, Mr. Chair.

48

1 **CHAIRMAN FRAZER:** All right. Go ahead, Dr. Simmons.  
2  
3 **EXECUTIVE DIRECTOR SIMMONS:** Thank you. Dr. Stunz.  
4  
5 **DR. STUNZ:** Yes.  
6  
7 **EXECUTIVE DIRECTOR SIMMONS:** Mr. Swindell.  
8  
9 **MR. SWINDELL:** Yes.  
10  
11 **EXECUTIVE DIRECTOR SIMMONS:** Ms. Boggs.  
12  
13 **MS. BOGGS:** Yes, for conversational purposes.  
14  
15 **EXECUTIVE DIRECTOR SIMMONS:** Mr. Sanchez.  
16  
17 **MR. SANCHEZ:** Yes.  
18  
19 **EXECUTIVE DIRECTOR SIMMONS:** Mr. Williamson.  
20  
21 **MR. WILLIAMSON:** I have a real problem with this, and I don't  
22 suppose a document will do any harm, but the fishery for redfish  
23 is such an important economic driver in all of our states, and  
24 it seems to me that this is tantamount to going out in the  
25 pasture and shooting your herd bull. I will vote yes, with  
26 reservations.  
27  
28 **EXECUTIVE DIRECTOR SIMMONS:** Thank you. Mr. Dugas.  
29  
30 **MR. DUGAS:** I feel the same as Troy. Yes.  
31  
32 **EXECUTIVE DIRECTOR SIMMONS:** Mr. Dyskow.  
33  
34 **MR. DYSKOW:** Yes.  
35  
36 **EXECUTIVE DIRECTOR SIMMONS:** Mr. Anson.  
37  
38 **MR. ANSON:** Yes.  
39  
40 **EXECUTIVE DIRECTOR SIMMONS:** Mr. Banks.  
41  
42 **MR. BANKS:** Yes.  
43  
44 **EXECUTIVE DIRECTOR SIMMONS:** General Spraggins.  
45  
46 **GENERAL SPRAGGINS:** Yes.  
47  
48 **EXECUTIVE DIRECTOR SIMMONS:** Dr. Shipp.

1  
2 **DR. SHIPP:** Yes.  
3  
4 **EXECUTIVE DIRECTOR SIMMONS:** Ms. Guyas.  
5  
6 **MS. GUYAS:** Yes.  
7  
8 **EXECUTIVE DIRECTOR SIMMONS:** Mr. Diaz.  
9  
10 **MR. DIAZ:** Yes.  
11  
12 **EXECUTIVE DIRECTOR SIMMONS:** Mr. Riechers.  
13  
14 **MR. RIECHERS:** Yes.  
15  
16 **EXECUTIVE DIRECTOR SIMMONS:** Dr. Crabtree.  
17  
18 **DR. CRABTREE:** Yes.  
19  
20 **EXECUTIVE DIRECTOR SIMMONS:** Ms. Bosarge.  
21  
22 **MS. BOSARGE:** No.  
23  
24 **CHAIRMAN FRAZER:** The motion carries with one opposed. Okay.  
25 Leann, at this point, if you want to circle back to the bulleted  
26 item.  
27  
28 **MS. BOSARGE:** Yes, sir. All right, and so we were talking about  
29 the Executive Order. I will wait a minute, until we get it back  
30 on the board. We had a bullet that was added, and it's a little  
31 different from all the other bullets that we had in there, and  
32 so it's an Executive Order with the Title of Executive Order on  
33 Promoting American Seafood Competitiveness and Economic Growth.  
34  
35 When it goes and talks about the purpose, I mean, it's very  
36 clear to me that this is about commercial fishing, and that's to  
37 provide seafood to the nation. I grow tomatoes in my backyard,  
38 but I don't purport to be a farmer and provide tomatoes to the  
39 nation. That's for me and my family, and so the purpose is  
40 America needs a vibrant, competitive seafood industry to create  
41 and sustain jobs and put safe and healthy food on American  
42 tables and contribute to the American economy, and so it says  
43 seafood industry.  
44  
45 That last bullet that was added, to review National Standard 1  
46 as it applies to the Modern Fish Act, well, I can't say that I  
47 remember all that much about the Modern Fish Act, but I thought  
48 it was fairly recreationally oriented. I don't mind asking

1 somebody to review National Standard 1 as it applies to the  
2 Modern Fish Act, but I don't think it's appropriate for it to be  
3 asked for under an Executive Order on promoting the  
4 competitiveness of the commercial fishing industry. I don't  
5 think it fits within the Executive Order, and I think it should  
6 be removed from that list, and then Mr. Williamson maybe could  
7 make it as a stand-alone motion, and the council could write a  
8 letter asking that, if we feel like it, but I don't think it  
9 really jibes with the Executive Order.

10  
11 **CHAIRMAN FRAZER:** Thank you, Ms. Bosarge. I am going to ask Dr.  
12 Simmons to provide some background here, based on some  
13 information that we received at the most recent CCC meeting.  
14 Dr. Simmons.

15  
16 **EXECUTIVE DIRECTOR SIMMONS:** Thank you, Mr. Chair. This list is  
17 certainly up to the council, but we did talk at the CCC meeting  
18 that the councils can cast a wide net for this exercise, and it  
19 doesn't just apply to the commercial industry and the commercial  
20 sector, but it's certainly in the purview of the council on what  
21 they would like to choose to put in this letter and carry  
22 forward with this process.

23  
24 I will note that, when you see this again in October, we are  
25 going to use a format that was provided to us by Headquarters on  
26 identifying the regulation, what the issue is, how it could be  
27 removed, and we'll spend some more time going through those  
28 things at the next council meeting. Things that are not under  
29 the purview of the council, my understanding is we would draft  
30 those in a letter requesting those items outside of the council,  
31 in NMFS' jurisdiction. Thank you.

32  
33 **CHAIRMAN FRAZER:** Again, I wanted her to talk about that a  
34 little bit, Leann, just, again, because there was a lot of  
35 discussion about how broad those recommendations might be, and  
36 so, at this point, I think there is a very wide net being cast,  
37 and hopefully, when we see this again in October, we can revisit  
38 it, if necessary. Mr. Williamson.

39  
40 **MR. WILLIAMSON:** I don't have the Executive Order in front of  
41 me, but I think it spoke in terms of burdensome regulations, and  
42 I was under the impression that it applied -- That it  
43 specifically stated commercial and recreational fisheries.

44  
45 **MS. BOSARGE:** Mr. Chairman, maybe we could bring that up at the  
46 next meeting, because I've read it several times, and I have  
47 seen the word "recreational" in it. I mean, it talks about the  
48 competitiveness of the seafood industry, and, with all due

1 respect to other councils, this is the Gulf Council, and I read  
2 it, and it's purely commercial to me, and we can move forward at  
3 the next meeting, but I would encourage everybody to actually  
4 read the Executive Order before the next meeting, and then you  
5 can make your determination as to the, I guess, the  
6 competitiveness of recreational fishing against imported seafood  
7 and other things, and it doesn't fit. It has nothing to do with  
8 what's in this Executive Order.

9  
10 **CHAIRMAN FRAZER:** I appreciate your thoughts there, Leann. Dr.  
11 Simmons has another comment.

12  
13 **EXECUTIVE DIRECTOR SIMMONS:** Thank you, Mr. Chair. I was just  
14 going to suggest that, perhaps in October, we could get Ms.  
15 Kelly Denit to come and assist us with this process. She has  
16 helped a lot in answering other councils' questions and  
17 developed, I think in coordination with her team, the format  
18 they're requesting this information in.

19  
20 **CHAIRMAN FRAZER:** Thank you, Dr. Simmons. I would encourage  
21 folks to go ahead and read that Executive Order, and we will  
22 certainly provide it as background information as part of the  
23 briefing materials for the October meeting, and we'll have  
24 additional discussion to clarify what's expected in our  
25 response, and so okay. I am looking to see if there are any  
26 other discussion items in this particular committee, and I'm not  
27 seeing any. I think we'll just continue to move forward, and  
28 we'll go to the Mackerel Committee, Mr. Riechers, if you're  
29 ready.

30  
31 **MACKEREL COMMITTEE REPORT**

32  
33 **MR. RIECHERS:** Mr. Chair, the Mackerel Committee was convened on  
34 September 28, 2020. The committee adopted the agenda, Tab C-1,  
35 as modified, to include a discussion on a data request for king  
36 mackerel landings, and approved the minutes, Tab C, Number 2, of  
37 the October 2018 meeting as written.

38  
39 Next, we turned to Tab C, Number 4, which was the Coastal  
40 Migratory Pelagics Landings Update. Mr. Peter Hood from  
41 National Marine Fisheries Service reviewed the recent commercial  
42 and recreational king mackerel, Spanish mackerel, and cobia  
43 landings, and he noted that recreational landings for 2020 are  
44 delayed, due to sampling issues in Waves 2 and 3.

45  
46 After that, we had a review of the SEDAR 28 Update, the Gulf of  
47 Mexico Migratory Group Cobia Stock Assessment, which was Tab C,  
48 Number 5. Dr. Joe Powers reviewed the results from the SEDAR 28

1 Update assessment for Gulf cobia, with 2018 as the terminal year  
2 of data.  
3  
4 Based on the SEDAR 28 update, the SSC determined that Gulf cobia  
5 is not overfished, but is experiencing overfishing. I am just  
6 going to refer to the SEDAR 28 update from this point on as  
7 SEDAR 28. SEDAR 28 included recreational catch and effort data  
8 adjusted for MRIP-FES.  
9  
10 Gulf cobia landings come predominantly from federal waters and  
11 are attributed to the recreational sector. The results from  
12 SEDAR 28 indicate the fishing mortality rate is higher than the  
13 fishing mortality rate at maximum sustainable yield. The SSC  
14 decided to use the projections at 75 percent of FMSY, with MSY  
15 defined using a proxy of 30 percent of the spawning potential  
16 ratio.  
17  
18 The SSC recommends the following overfishing limit and allowable  
19 biological catch that are in Fishing Effort Survey units in  
20 millions of pounds whole weight for the years 2021 to 2023.  
21 There is a table there, and it lists the year, the OFL, and the  
22 ABC, and I'm going to read those off for the three years. 2021  
23 OFL is 3.03 million pounds, and the ABC is 2.34 million. 2022  
24 is 3.21 million pounds OFL and ABC of 2.6 million pounds. For  
25 2023, the OFL is 3.21 million pounds, and the ABC is 2.76  
26 million pounds.  
27  
28 The committee questioned how it is possible that Gulf cobia had  
29 undergone overfishing every year from 1975 through 2018, with  
30 the exception of 1993 and 2009, yet the stock is not overfished.  
31 Dr. Powers indicated that this is not a unique condition. It is  
32 possible for a stock to experience high fishing mortality rates,  
33 while remaining overall stable, but below biomass at MSY  
34 conditions. Dr. Porch also mentioned that a stock is not deemed  
35 overfished until the stock is below the minimum stock size  
36 threshold that is well below the spawning stock biomass at MSY,  
37 in this case spawning stock biomass at an SPR of 30 percent.  
38  
39 The committee asked what percent reduction from the current  
40 catch limits is currently being recommended. Council staff  
41 explained that, although the proposed catch limits seem to have  
42 increased relative to status quo, the proposed catch limits are  
43 in MRIP-FES currency whereas the current catch levels are based  
44 on SEDAR 28 in MRIP Charter Household Telephone Survey, and so  
45 the units that are lower than MRIP-FES. If SEDAR 28 had  
46 included catch recommendations in MRIP-FES, the current  
47 recommendations would result in an approximately 30 percent  
48 reduction in allowable harvest.

1  
2 Council staff reviewed the results from its Something's Fishy  
3 tool, where the majority of respondents identified with the  
4 private recreational sector. Analyses point towards respondents  
5 reporting smaller and fewer fish than have been observed  
6 historically.

7  
8 **The committee recommends, and I so move, to direct staff to**  
9 **start a plan amendment to reduce the fishing mortality in the**  
10 **commercial and recreational cobia fishery in the Gulf of Mexico,**  
11 **which will include bag limits, vessel limits, size limits,**  
12 **seasons and catch limit options.** The motion carried with no  
13 opposition.

14  
15 **CHAIRMAN FRAZER:** Thank you, Mr. Riechers. We've got a  
16 committee motion up on the board. There are hands up, and so,  
17 with regard to discussion, Ms. Guyas.

18  
19 **MS. GUYAS:** Thinking about this more, and I can just cut to the  
20 chase and put out a substitute motion, but I'm a little bit  
21 hesitant about including seasons in this potential amendment,  
22 given that this is a migratory stock. I think it could get  
23 really sticky if we try to do that, and I think it could be a  
24 fairly simple document, and I think that would really slow it  
25 down.

26  
27 **I guess, if I could here, I would offer a substitute motion,**  
28 **which is the same as this motion on the board, but just deleting**  
29 **the word "seasons".**

30  
31 **CHAIRMAN FRAZER:** Okay. We will copy and paste and remove the  
32 word "seasons". We've got a substitute motion on the board. is  
33 there a second to that motion?

34  
35 **MR. DIAZ:** I second.

36  
37 **CHAIRMAN FRAZER:** All right. It's seconded by Mr. Diaz. Mr.  
38 Swindell.

39  
40 **MR. SWINDELL:** Thank you, Mr. Chairman. I don't know that I  
41 agree with taking seasons out at this point, and I would like to  
42 at least see what the committee can recommend and see if a  
43 season of some sort will maybe fit this fishery. I didn't like  
44 the wording of the "which will include", and why don't we say  
45 "which may include" or -- You at least include some recognition  
46 to look at it and see what is needed. If you need bag limits  
47 and vessel limits and size limits, do you need all of that, or  
48 just some of it? That's my question, and so I think you just

1 change the wording a little bit, so that you don't have to pick  
2 out the seasons, as such. Thank you.  
3  
4 **CHAIRMAN FRAZER:** Okay. Is there any further discussion on the  
5 motion? Essentially, I am not seeing others, and so we have two  
6 motions on the board, the original and the substitute, and the  
7 only difference between the two is that the substitute motion  
8 excludes the consideration of seasons. Ms. Boggs.  
9  
10 **MS. BOGGS:** Just to Mr. Swindell's point, I mean, you could say  
11 "to include bag limits, vessel limits, season limits", I mean,  
12 just to help it a little bit.  
13  
14 **MR. SWINDELL:** Mr. Chairman, why don't you use "may include"?  
15  
16 **CHAIRMAN FRAZER:** Well, it's Ms. Guyas' motion. Ms. Guyas,  
17 would you like to accept that friendly amendment?  
18  
19 **MS. GUYAS:** I think I would really prefer to leave it as it is.  
20 I mean, we may not choose all these options in the end, but I  
21 think, if we're going to talk about changing anything, all of  
22 these are reasonable options. I felt like seasons, especially  
23 given that we'll be working with the South Atlantic Council on  
24 this, is probably -- And that it's migratory, and it's just  
25 going to get complicated, and so my preference would be to leave  
26 it as-is. If we end up not choosing all of these things in the  
27 end, okey-dokey, but I think we should leave them on the table.  
28  
29 **CHAIRMAN FRAZER:** Dr. Shipp.  
30  
31 **DR. SHIPP:** I agree with Martha. This is such a seasonal fish,  
32 and it could lead to all sorts of complications in different  
33 regions, and it appears in one region in one season of the year  
34 and another at another time, and so I think the original motion  
35 is my preference.  
36  
37 **CHAIRMAN FRAZER:** I just want to make sure that I'm  
38 understanding you correctly, Dr. Shipp. You are agreeing with  
39 Martha, but your preference is for the original motion and not  
40 the substitute motion.  
41  
42 **DR. SHIPP:** I agree with Martha, yes.  
43  
44 **CHAIRMAN FRAZER:** Okay. All right. I am not seeing any other  
45 hands up, and we'll go ahead and take a vote on the substitute  
46 motion. It seems like there might be a little -- Several  
47 opinions on this particular one, and so we will take a roll call  
48 vote. Dr. Simmons.

1  
2 **EXECUTIVE DIRECTOR SIMMONS:** Thank you, Mr. Chair. Ms. Guyas.  
3  
4 **MS. GUYAS:** Yes.  
5  
6 **EXECUTIVE DIRECTOR SIMMONS:** Mr. Williamson.  
7  
8 **MR. WILLIAMSON:** Yes.  
9  
10 **EXECUTIVE DIRECTOR SIMMONS:** Mr. Dyskow.  
11  
12 **MR. DYSKOW:** Yes.  
13  
14 **EXECUTIVE DIRECTOR SIMMONS:** Ms. Bosarge.  
15  
16 **MS. BOSARGE:** I am going to abstain.  
17  
18 **EXECUTIVE DIRECTOR SIMMONS:** Mr. Riechers.  
19  
20 **MR. RIECHERS:** Yes.  
21  
22 **EXECUTIVE DIRECTOR SIMMONS:** Mr. Diaz.  
23  
24 **MR. DIAZ:** Yes.  
25  
26 **EXECUTIVE DIRECTOR SIMMONS:** Mr. Banks.  
27  
28 **MR. BANKS:** Yes.  
29  
30 **EXECUTIVE DIRECTOR SIMMONS:** Ms. Boggs.  
31  
32 **MS. BOGGS:** Yes.  
33  
34 **EXECUTIVE DIRECTOR SIMMONS:** Mr. Dugas.  
35  
36 **MR. DUGAS:** Yes.  
37  
38 **EXECUTIVE DIRECTOR SIMMONS:** Mr. Anson.  
39  
40 **MR. ANSON:** Yes.  
41  
42 **EXECUTIVE DIRECTOR SIMMONS:** Mr. Swindell.  
43  
44 **MR. SWINDELL:** No.  
45  
46 **EXECUTIVE DIRECTOR SIMMONS:** Dr. Crabtree.  
47  
48 **DR. CRABTREE:** No.

1  
2 **EXECUTIVE DIRECTOR SIMMONS:** General Spraggins.  
3  
4 **GENERAL SPRAGGINS:** Yes.  
5  
6 **EXECUTIVE DIRECTOR SIMMONS:** Dr. Stunz.  
7  
8 **DR. STUNZ:** Yes.  
9  
10 **EXECUTIVE DIRECTOR SIMMONS:** Mr. Sanchez.  
11  
12 **MR. SANCHEZ:** Yes.  
13  
14 **EXECUTIVE DIRECTOR SIMMONS:** Dr. Shipp.  
15  
16 **DR. SHIPP:** Yes.  
17  
18 **EXECUTIVE DIRECTOR SIMMONS:** The motion carried with two no and  
19 one abstention.  
20  
21 **CHAIRMAN FRAZER:** All right. The substitute motion carried  
22 thirteen to two with two abstentions. Mr. Riechers.  
23  
24 **MR. RIECHERS:** Part of this next sentence was stuff that Ms.  
25 Guyas just went over, but I will read it, since it's in the  
26 report. Ms. Guyas noted that Florida has a one fish per person  
27 bag limit for the commercial and recreational sectors, and a  
28 vessel limit of two fish, whichever is less, for both sectors.  
29  
30 The Committee also highlighted the importance of encouraging  
31 fishermen to use nets instead of gaffs when landing cobia to  
32 reduce fishing mortality. The committee asked about the level  
33 of involvement by the South Atlantic Fishery Management Council  
34 required for this document. Council staff indicated that Gulf  
35 cobia is jointly managed in the CMP Fishery Management Plan with  
36 the South Atlantic Council, and a portion of the Gulf cobia  
37 stock is apportioned for management by the South Atlantic  
38 Council in the Florida East Coast Zone. Therefore, both the  
39 Gulf and South Atlantic Councils will be involved in the  
40 development of the document.  
41  
42 The committee then turned to Other Business, a data request on  
43 king mackerel, Tab C, Number 6. As the committee is scheduled  
44 to review the SEDAR 38 update stock assessment for Gulf king  
45 mackerel during the October 2020 Council meeting, Mr. Sanchez  
46 requested to see an analysis of king mackerel sector landings  
47 and catch limits in MRIP-FES data currency.  
48

1 The committee recommends, and I so move, to request an analysis  
2 of king mackerel sector landings and quotas for the past five to  
3 ten years with recreational landings and quotas in FES currency.  
4 The motion carried with no opposition.

5  
6 **CHAIRMAN FRAZER:** Okay, and so we'll go ahead and put that  
7 committee motion up on the board. The motion is to request an  
8 analysis of king mackerel sector landings and quotas for the  
9 past five to ten years with recreational landings and quotas in  
10 FES currency. Is there any further discussion on the motion?  
11 **Seeing none, is there any opposition to the motion? Seeing**  
12 **none, the motion carries.** Mr. Riechers.

13  
14 **MR. RIECHERS:** Mr. Chairman, that concludes my report.

15  
16 **COASTAL MIGRATORY PELAGICS AND RED DRUM ADVISORY PANEL**  
17 **APPOINTMENTS**

18  
19 **CHAIRMAN FRAZER:** All right. Thank you, Robin. We've got a  
20 couple of other items here to take care of. We will move now to  
21 the Coastal Migratory Pelagics and Red Drum AP Appointments, and  
22 we'll put those up on the board.

23  
24 I will just read these into the record here, and so these are  
25 the final selection of the Coastal Migratory Pelagics and Red  
26 Drum Advisory Panel members. For the CMP AP, 2020 to 2023, the  
27 members are: Charles Bergmann II, James Bruce, Charles Cravey,  
28 Joshua Ellender, Martin Fisher, Kesley Gibson, Neil Gryder,  
29 Chris Jenkins, Christopher Mallory, Thomas Marvel, Jeffrey  
30 Matthews, George Niles, Keltly Readenour II, William Stein III,  
31 Ed Walker, James Whitfield, and Robert Woithe.

32  
33 With regard to the Red Drum AP appointees for 2020 to 2023: John  
34 Aukemam, Douglass Boyd, Mike Frenette, Ben Graham, John Green,  
35 Joseph Hendon, Mark Luitjen, James McClellon, Burt Moritz III,  
36 Herb Murphy, Lance Nacio, Harris Pappas, Thomas Prewitt III,  
37 Erman Rawlings, Derek Shoobridge, William Stein III, Rudy  
38 Valenciano. Congratulations to all those folks.

39  
40 Next on the list is the Other Business items, and we have --  
41 First on that list is the 5<sup>th</sup> Court Aquaculture Appellate  
42 Decision, and if somebody from the SERO staff is going to  
43 provide that update.

44  
45 **OTHER BUSINESS**  
46 **5<sup>TH</sup> COURT AQUACULTURE APPELLATE DECISION**

47  
48 **MS. LEVY:** I can provide that, real quickly.

1  
2 **CHAIRMAN FRAZER:** Thank you.

3  
4 **MS. LEVY:** I think that you're all aware that the 5<sup>th</sup> Circuit  
5 Court of Appeals upheld the lower court decision, which  
6 basically said that the agency does not have authority under the  
7 Magnuson Act to regulate aquaculture, and they vacated the Gulf  
8 aquaculture rule, and so that ruling stands, based on this 5<sup>th</sup>  
9 Circuit opinion.

10  
11 The 5<sup>th</sup> Circuit issued its mandate, I think last week, which  
12 means it's their final decision, and there was no petition for  
13 rehearing filed, and there is the time to file a petition for  
14 review in the Supreme Court, but, absent the federal government  
15 doing that, then that decision would be final.

16  
17 It basically just went into the reasons why the court thought  
18 that the Magnuson Act didn't allow the regulation of  
19 aquaculture. If anybody has any questions, we can talk about it  
20 now, or we can defer it to the next meeting.

21  
22 **CHAIRMAN FRAZER:** Thank you, Ms. Levy. Again, probably in the  
23 interest of time, if you think you have some questions, and you  
24 want to kind of compile them, we can talk about them again in  
25 the next meeting. We have a couple Other Business items, and  
26 the first one on my list is HMS sharks, and that was a Ms.  
27 Bosarge item. Leann, if you want to take a few minutes and  
28 speak to that.

29  
30 **DISCUSSION OF HMS SHARKS**

31  
32 **MS. BOSARGE:** Thank you, Mr. Chair. I promise not to be cranky  
33 this time. So HMS sharks, and we've been hearing a lot about  
34 them from all of our different groups of fishermen, and we heard  
35 about it again in public testimony, as well as during what I  
36 call the roundtable with Dr. Crabtree and Dr. Porch and some  
37 others, our Chairman, Dr. Frazer. The fishermen talked about it  
38 there, and one of the fishermen said that he attends the HMS AP  
39 meetings, and he said that it was an issue from fishermen from  
40 Maine to Texas, and so that kind of struck me a little bit.

41  
42 Our fishermen have asked us to do something, and it's kind of  
43 hard to figure out what we can do. In my mind, it starts with  
44 the science. Right now, the science says that some of these  
45 shark species are not doing so well, and some are okay, and we  
46 don't see much of that science though.

47  
48 We get a presentation every now and then from HMS that they're

1 actually going to implement a new regulation, based on the stock  
2 assessment that they had, and a lot of that is very D.C.-  
3 centric, in my opinion.

4  
5 We do have a council liaison, and I think Dr. Stunz is the chair  
6 of that committee, and he attends a lot of those HMS meetings,  
7 but I think it's time to have a broader council involvement in  
8 that, and I think it has to start by simply understanding the  
9 science that is generating the catch levels for some of those  
10 sharks and the status for some of those stocks, and so what I  
11 would propose is two things.

12  
13 I think one thing that we can do is use our Something's Fishy  
14 tool and have Ms. Muehlstein push that out before the shark  
15 assessment, and maybe even go ahead and push one out here in the  
16 near future, because the stock assessment for sharks are kind of  
17 few and far between, and we won't get another one, from what I  
18 see on the SEDAR schedule -- Hammerheads would be the next one,  
19 and it's in a research track, and it won't start until the  
20 middle of next year, and you won't get catch data until 2023.

21  
22 Maybe something we want to go ahead and push out the Something's  
23 Fishy tool to our anglers, so we can kind of get a general  
24 consensus on what they're seeing, so we can speak intelligently  
25 about this as a council, and then I would recommend that the  
26 last HMS assessment for a shark that's in the Gulf of Mexico,  
27 which I think it was blacktip -- Whatever the species was, let's  
28 have our SSC take a look at that assessment, and that's an open  
29 meeting, and our fishermen will be able to hear it.

30  
31 We do take public comment during those meetings. If they have a  
32 question about that stock assessment, they can ask a question.  
33 I think, even though that stock assessment came out I think  
34 about a year or so ago, I think it's still an opportune time to  
35 take a look at it, so that, as we're going through it, if we see  
36 a gap somewhere that maybe doesn't match with what fishermen are  
37 seeing on the water, we have time to address that data gap  
38 before we start the next stock assessment on sharks in the Gulf.

39  
40 I would like, in all of our SSC's spare time, for them to review  
41 the last HMS shark assessment for a Gulf species, and I would  
42 like to push that Something's Fishy tool out, in an effort to  
43 get started on addressing some of the fishermen's concerns and  
44 understanding the science better.

45  
46 **CHAIRMAN FRAZER:** Thank you, Ms. Bosarge. I see that Greg Stunz  
47 has his hand up. Dr. Stunz.

48

1 **DR. STUNZ:** Thank you, Mr. Chairman. I agree with Leann, and  
2 she's right. I do represent us for that committee, and there's  
3 been quite a bit of discussions in the last few meetings.  
4 Unfortunately, there wasn't enough time, I guess, at this  
5 meeting to do that, and I am happy to update that at our next  
6 meeting, if there's time, or when it's appropriate.

7  
8 However, there's no solutions there, but I do agree with Leann  
9 that we need to start talking more about it and getting some  
10 presentations and just other information, so we can make the  
11 most informed decision, but I also would just remind this group  
12 too that we did a good job reducing shark population numbers  
13 from fishing, and this is probably us seeing signs of what a  
14 recovered shark fishery looks like in the Gulf of Mexico.

15  
16 Yes, it's a problem, and I feel the problem directly. Not only  
17 do they eat fish off of our lines, but they eat the ones that we  
18 put little \$700 transmitters in, and so they give us a lot of  
19 grief, but, at the same time, in a way, that's not necessarily a  
20 bad problem to have, in terms of the health of the ecosystem,  
21 but it would be nice to hear a little bit more information about  
22 what's the status and that sort of thing, and so I agree that we  
23 need to move in that direction.

24  
25 **CHAIRMAN FRAZER:** All right. Kevin Anson.

26  
27 **MR. ANSON:** I appreciate Leann's comments, and I like what I  
28 hear, for the most part. It is a concern, and we've heard lots  
29 about shark depredation here in the last couple of meetings, and  
30 it is of interest here in the part of the world that I live in,  
31 and I'm just a little concerned about giving the charge to the  
32 SSC to review an HMS assessment, or review anything that we  
33 don't have direct jurisdiction over.

34  
35 Certainly, as much as getting a better understanding, I mean,  
36 that would be great, but I just am a little leery, or a little  
37 uncomfortable, with taking up SSC time to do that, and then the  
38 outcome of it is -- You know, there's really nothing that we can  
39 do about it, and we just we have the SSC agree to the results,  
40 or, if they find something they disagree with, that could be  
41 good, I guess, but, again, it's not directly in our wheelhouse  
42 for making any management recommendations on, and so I'm just  
43 providing comment.

44  
45 **CHAIRMAN FRAZER:** Thanks for the comments, Kevin. I've got Roy  
46 Crabtree and then J.D. Dugas.

47  
48 **DR. CRABTREE:** I agree with Kevin, and I just don't think it's

1 an appropriate use of our SSC's time to review an HMS  
2 assessment.

3

4 **CHAIRMAN FRAZER:** Mr. Dugas.

5

6 **MR. DUGAS:** Thanks, Tom. I agree with Kevin. This isn't in our  
7 wheelhouse. Sharks are a problem, and I hear a lot of issues  
8 from the anglers off the coast of Louisiana, but I don't think  
9 this is a path that we need to go down. We have other  
10 priorities right now. Thank you.

11

12 **CHAIRMAN FRAZER:** Thank you, J.D. Ms. Bosarge.

13

14 **MS. BOSARGE:** I just want to be clear that I'm not asking the  
15 SSC to review this in the sense of declaring this the best  
16 scientific information available. Not at all. I want them to  
17 get a presentation on this, the same way they do a multitude of  
18 things that they don't declare the best scientific information  
19 available.

20

21 There are metrics from fishermen in the Gulf of Mexico that go  
22 into some of these stock assessments, and it is affecting our  
23 fishermen. If we don't ever start down the path of better  
24 understanding the science, then we'll never make it anywhere.  
25 All we'll do is sit here and complain and get nowhere, and  
26 that's what our fishermen are tired of, and so I do think it's  
27 time for us to become better educated on this, and I think that  
28 starts with our scientific body.

29

30 **CHAIRMAN FRAZER:** Okay. Thank you, Leann. We've got -- Is  
31 there any more discussion on this particular item? I am not  
32 seeing any, and so I think -- Kevin Anson.

33

34 **MR. ANSON:** That's great, I guess, if they generally know what  
35 the status of sharks are, I guess, and get a review of the  
36 assessment from HMS, Leann, but, I mean, I think we're gathering  
37 that information from other data that we collect, and that's  
38 probably being used in the HMS assessment, but, I mean, I am  
39 just making the comment that we can try it for one and see how  
40 it goes, but I just don't see -- Relative to the amount of time  
41 that we request out of our SSC to review data and information to  
42 help assist us in management of our species that we are charged  
43 for, I just don't know if there's -- If the benefit outweighs  
44 the loss of time and resources, and that's all. Thank you.

45

46 **MS. BOSARGE:** Understood, Kevin, and thanks for allowing me at  
47 least one assessment, and it doesn't have to be any time soon.  
48 The assessment came out a while back, and there's no pressure to

1 get it on the agenda ASAP.

2

3 **CHAIRMAN FRAZER:** Mr. Dugas.

4

5 **MR. DUGAS:** I have a question. We can collect all the data  
6 possible with sharks, but what can we do once we have the data?  
7 We don't have any legal authority to do anything, and I'm asking  
8 that question for someone to answer.

9

10 **CHAIRMAN FRAZER:** J.D., I'm just going to -- Again, this is  
11 clearly an issue, and it's affecting fishermen in the Gulf, and,  
12 I mean, the assessment, as Leann pointed out, and others, is  
13 generally handled by HMS. I think there's an opportunity here  
14 for the Gulf Council, either through our liaison, which would be  
15 Dr. Stunz at this time, to open up the lines of communication a  
16 bit or invite one of the HMS representatives to a council  
17 meeting in the near future to talk about how HMS actually  
18 operates and what they may or may not be willing to do with  
19 regard to council input, and I think that would be important  
20 too, and I think that gets to Leann's issue.

21

22 Let's start the dialogue, and let's see where the data might lie  
23 and where there might be opportunities to contribute to  
24 resolving the issue, and so, in the short term, we can certainly  
25 work on the Something's Fishy tool to deal with sharks, before  
26 the next assessment, and I think we can do a little homework  
27 with the HMS folks in the interim and then come back and revisit  
28 this issue, Leann, and how we're going to improve our  
29 communication and get a better understanding of the data that  
30 will help us better manage our fisheries here in the Gulf of  
31 Mexico, if that's okay with you.

32

33 **MS. BOSARGE:** Yes, sir. Thank you.

34

35 **CHAIRMAN FRAZER:** All right. We have our final Other Business  
36 item, and I am going to hand it over to Dr. Simmons to talk  
37 about our upcoming council meetings.

38

39

#### DISCUSSION OF UPCOMING COUNCIL MEETINGS

40

41 **EXECUTIVE DIRECTOR SIMMONS:** Thank you, Mr. Chair. I just  
42 wanted to let everyone know that we do need to have the November  
43 30 and December 1 council meeting. We have a lot of items to  
44 take care of before the end of the year, and so, originally, we  
45 were thinking that it may be just tentative, but please keep  
46 this on your calendars, mark it as permanent, and we'll be  
47 working on the agenda for that.

48

1 One thing we wanted to start considering and looking into, and I  
2 think, due to time, what we could do is send out a survey to  
3 council members, is start looking at having a hybrid meeting, a  
4 hybrid meeting meaning having in-person and virtual, some people  
5 virtual, and so we were thinking this might be a good meeting to  
6 test that out on.

7  
8 We are now allowed, in the State of Florida, to have gatherings  
9 of up to fifty people, and so we're getting some information  
10 from the hotels in the Tampa/St. Pete area about what they're  
11 doing regarding safety and protection and cleaning and what  
12 social distancing measures they're taking, and so we're getting  
13 all of that information together, and we're sending a poll out  
14 to council members to consider having a hybrid meeting for this  
15 November/December date, and so I will stop there.

16  
17 **CHAIRMAN FRAZER:** Thank you, Dr. Simmons. Mr. Diaz.

18  
19 **MR. DIAZ:** Just I would ask Dr. Simmons to kind of -- A lot of  
20 the council might not have ever heard the words "hybrid  
21 meeting", and can you just elaborate a little bit on what kind  
22 of things you think about when you talk about a hybrid meeting,  
23 just for everybody's benefit?

24  
25 **EXECUTIVE DIRECTOR SIMMONS:** Sure. I mean, I think there's  
26 certainly going to be some staff and council members and,  
27 obviously, the public that are not going to be able or don't  
28 feel comfortable attending the meeting in-person, and so they  
29 would have the virtual option, and we would have to limit the  
30 number of people in the meeting space and use precautions and  
31 start looking into having an in-person/hybrid, some people on  
32 the webinar meeting, so that there's a mix, as we start moving  
33 forward at the end of the year and into next year with council  
34 business.

35  
36 **CHAIRMAN FRAZER:** Dale, is that enough information?

37  
38 **MR. DIAZ:** Yes, I think so. I mean, she's describing it pretty  
39 much like I'm thinking. Whenever we decide to have this type of  
40 meeting, whether it's December or further down the road,  
41 whenever it happens, I mean, I just envision it being for  
42 council members and staff, and it's going to be a voluntary  
43 thing, and I don't think that we would push anybody at all into  
44 coming to a meeting until, I guess, we are sure that all of this  
45 COVID thing is 100 percent behind us.

46  
47 Just, whenever Dr. Simmons talks about this, what conversations  
48 we have had, and we have heard from other councils, is I think

1 that's what folks are thinking. Whenever you start back, it's  
2 going to be slow, and, by all means, people that do not feel  
3 safe, there will be a virtual option, and they can participate  
4 just fine that way also and make sure that they have their  
5 concerns met. Thank you, Tom.

6  
7 **CHAIRMAN FRAZER:** Thank you, Dale. I agree that, any action  
8 that we take, certainly we'll make sure that the safety and  
9 wellbeing of the council and the staff, and the public as well,  
10 is first and foremost in our thoughts, and so I guess we'll  
11 follow-up a little bit with that. The only remaining agenda  
12 item is the Election of the Chair and Vice Chair, and I'm going  
13 to turn that over to Mr. Donaldson.

14  
15 **ELECTION OF CHAIR AND VICE CHAIR**

16  
17 **MR. DONALDSON:** Thank you, Mr. Chairman. Before I open up the  
18 floor for nominations, I believe that John Sanchez wanted to  
19 make a couple of comments.

20  
21 **MR. SANCHEZ:** As we recall, at the last, I guess, SOPPs meeting,  
22 Admin meeting, as we were discussing the SOPPs, I had brought up  
23 that, due to the COVID and all the disruptions and meetings  
24 being cancelled and everything, I don't think that our Chair,  
25 Dr. Frazer, and Dale had an opportunity to really have a second  
26 term, which we allow, and so I brought up the idea of allowing  
27 them to have -- Perhaps for us to consider a one-time exception  
28 to our SOPPs to allow for them to be able to have a third term.

29  
30 Again, it's all COVID-related and this and that, and I fully  
31 understand that we still probably have to go through the  
32 formality of actually nominating them and then, of course,  
33 voting them in, but I guess our discussion last time, at least  
34 in my mind, left the door open for them to be able to be  
35 considered for this third term.

36  
37 With that, I don't know how we're going to do this, being that  
38 we're virtual, and I know that sometimes somebody comes around  
39 and we pass a paper, and so, if appropriate, I would make a  
40 motion that we -- **I would nominate Dr. Frazer as Chair, again,**  
41 **for a third term and, as Vice Chair, Dale Diaz.**

42  
43 **MR. DONALDSON:** Well, we do have to go through the process of  
44 actually nominating, and I sent an email out earlier, or I guess  
45 at the end of last week, and we're going to do it via text to  
46 vote, and you text both Carrie and I, and we'll tally them up  
47 independently and then talk and make sure that we get the same  
48 vote.

1  
2 I will open the floor to nominations, and John made nominations  
3 for Dr. Frazer as Chairman and Mr. Diaz for Vice Chair. I need  
4 a second for that. Can I get a second for that?  
5  
6 **DR. SHIPP:** I will second it.  
7  
8 **MR. DONALDSON:** Second by Dr. Shipp. Are there other  
9 nominations?  
10  
11 **GENERAL SPRAGGINS:** I understand the problems that we're talking  
12 about with having someone having been -- We don't know what's  
13 going to happen next year even, and so we don't know where we're  
14 at and the situation of what we're doing, and I do believe that  
15 we need to stand by our SOPPs, unless we're going to change  
16 them, which I think that we would have to bring that up to a  
17 vote to change them, before we could look at a third term.  
18  
19 With that said, and all due respect for Tom, and, Tom, I think  
20 you've done an outstanding job, you and Dale both, but I just  
21 think that we ought to stick by it, and I would like to nominate  
22 Dale Diaz as Chairman.  
23  
24 **MR. DONALDSON:** All right. I need a second for Dale.  
25  
26 **MR. SWINDELL:** I second it.  
27  
28 **MR. DONALDSON:** Thank you. All right. Are there other  
29 nominations?  
30  
31 **MR. SWINDELL:** I would like to say a few more things about my  
32 recommendation for Dale. I was on the council when we first  
33 started this whole process, and, as I remember, we established  
34 the kind of two-year timeframe for the Chairman and Vice  
35 Chairman to be involved as a way to move around the five states,  
36 and it's a large group here, and you don't want to have it so  
37 that it's only bogged down into one state always doing the  
38 leadership work of directing the council as Chairman.  
39  
40 What we did in those days is that the Vice Chairman kind of --  
41 At the end of the two-year period, the Vice Chairman was kind of  
42 automatically nominated and moved up to be Chairman, and then  
43 you elected another Vice Chairman, and, with that in mind, Mr.  
44 Chairman, I think that -- And Tom Frazer has done an excellent  
45 job, and, going through all this pandemic, I highly appreciate  
46 what he has done, but, with that, we're still going to be going  
47 through it for some time.  
48

1 With all of that in mind, I do believe that we need to adjust  
2 and to go on and do what the SOPPs has in place for the two  
3 years, and I recommend that Dale Diaz be Chairman, and I would  
4 like to also nominate Patrick Banks for Vice Chairman. That  
5 moves it around the states a little bit more. Thank you.

6  
7 **MR. DONALDSON:** Thank you, Mr. Swindell. We're going to take  
8 the Chair first, and then we'll open it up for Vice Chair, just  
9 so it doesn't get complicated. Right now, we have a nomination  
10 for Dr. Frazer and a nomination for Mr. Diaz. Do I have other  
11 nominations, or are we good with that slate? I can't see if  
12 anyone has their hand up, but it doesn't appear so.

13  
14 What we'll do is everyone text myself as well as Dr. Simmons  
15 their vote, and then we'll tally it up, and then we'll open the  
16 floor for Vice Chair. Go ahead and send your votes, please.

17  
18 **MR. SANCHEZ:** Could you kindly put up the telephone numbers? I  
19 know I have Carrie's, and I may have yours, Dave, but I'm not  
20 100 percent sure. If I need to send it to both of you, that  
21 would be probably the easiest thing to do, would be to post them  
22 on the screen there.

23  
24 **MR. DONALDSON:** It's up under Important Notes.

25  
26 **MR. SANCHEZ:** Okay. I had to come in through my browser, and so  
27 I don't know if I've been missing stuff all day or what, but all  
28 right.

29  
30 **MR. DONALDSON:** We counted up independently and talked, and Tom  
31 Frazer is the Chairman for the Gulf Council for another year,  
32 and so congratulations, Tom.

33  
34 **CHAIRMAN FRAZER:** Thanks, guys. I have to try to keep us moving  
35 along, and Dale will be a good Chair when his turn comes around,  
36 and so I appreciate the confidence, and I hope we will do a good  
37 job moving forward.

38  
39 **MR. DONALDSON:** All right. We will open the floor for  
40 nominations for Vice Chairman.

41  
42 **CHAIRMAN FRAZER:** I would like to nominate Dale Diaz.

43  
44 **DR. SHIPP:** I will second it.

45  
46 **MR. DONALDSON:** It's seconded by Bob Shipp. Any other  
47 nominations?

48

1 **DR. CRABTREE:** I will move that nominations be closed and that  
2 Dale Diaz be elected by acclamation.  
3  
4 **MR. DONALDSON:** Thank you, sir. Congratulations, Dale.  
5  
6 **CHAIRMAN FRAZER:** Congratulations, Dale.  
7  
8 **MR. DIAZ:** Thank you, Mr. Donaldson. Thank you, Tom.  
9  
10 **MR. DONALSON:** I will turn it back to you, Mr. Chairman.  
11  
12 **CHAIRMAN FRAZER:** All right. Thank you, Mr. Donaldson. I think  
13 that our business here is done, and I appreciate everybody's  
14 patience as we've struggled through some of our technological  
15 challenges, and we had a heavy agenda for a short period of  
16 time, and so, again, I appreciate everybody hanging in there,  
17 and we will reconvene in October, and we'll pick up where we  
18 left off, and so it's good to see everybody, and drive safe, if  
19 you're headed home, and I will see you soon.  
20  
21 (Whereupon, the meeting adjourned on September 30, 2020.)  
22  
23 - - -  
24