

GULF OF MEXICO FISHERY MANAGEMENT COUNCIL

REEF FISH MANAGEMENT COMMITTEE

Crowne Plaza @Bell Towers Shops Fort Myers, Florida

June 22, 2022

**VOTING MEMBERS**

- 10 Tom Frazer.....Florida
- 11 Kevin Anson (designee for Scott Bannon).....Alabama
- 12 Patrick Banks.....Louisiana
- 13 Susan Boggs.....Alabama
- 14 Leann Bosarge.....Mississippi
- 15 Billy Broussard.....Louisiana
- 16 Dale Diaz.....Mississippi
- 17 Jonathan Dugas.....Louisiana
- 18 Phil Dyskow.....Florida
- 19 Bob Gill.....Florida
- 20 Robin Riechers.....Texas
- 21 Bob Shipp.....Alabama
- 22 Joe Spraggins.....Mississippi
- 23 Andy Strelcheck.....NMFS
- 24 Greg Stunz.....Texas
- 25 C.J. Sweetman.....Florida
- 26 Troy Williamson.....Texas

**NON-VOTING MEMBERS**

- 29 Dave Donaldson.....GSMFC
- 30 LCDR Lisa Motoi.....USCG

**STAFF**

- 33 Assane Diagne.....Economist
- 34 Matt Freeman.....Economist
- 35 John Froeschke.....Deputy Director
- 36 Beth Hager.....Administrative Officer
- 37 Lisa Hollensead.....Fishery Biologist
- 38 Ava Lasseter.....Anthropologist
- 39 Mary Levy.....NOAA General Counsel
- 40 Natasha Mendez-Ferrer.....Fishery Biologist
- 41 Emily Muehlstein.....Public Information Officer
- 42 Ryan Rindone.....Lead Fishery Biologist/SEDAR Liaison
- 43 Bernadine Roy.....Office Manager
- 44 Charlotte Schiaffo.....Administrative & Human Resources Assistant
- 45 Carrie Simmons.....Executive Director
- 46 Carly Somerset.....Fisheries Outreach Specialist

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1 Richard Cody.....NOAA  
2 Judd Curtis.....SAFMC  
3 Nick Haddad.....Florida Sea Grant  
4 Peter Hood.....NMFS  
5 Dan Luers.....NOAA  
6 Jessica McCawley.....FL  
7 Jim Nance.....GMFMC SSC  
8 Kelli O'Donnell.....NOAA  
9 Clay Porch.....SEFSC  
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PAGE 36: Motion to modify the need in the document to read as follows: The need is to end overfishing and rebuild the greater amberjack stock as required by the Magnuson-Stevens Fishery Conservation and Management Act, update existing greater amberjack catch limits and allocations to be consistent with best scientific information available, FMP objectives, and contemporary data collection methods. The motion carried on page 37.

PAGE 66: Motion in the action to make Alternative 2 the preferred alternative. The motion carried on page 72.

PAGE 103: Motion to request that NOAA Fisheries implement interim measures to reduce overfishing of gag grouper that include actions related to catch limits and seasons: Alternative 2 of Action 1, and to open the recreational fishing season on September 1 and close it on November 10th. The motion was tabled on page 109. The motion was untabled on page 124. The motion carried on page 126.

PAGE 109: Motion in Action 1 of the proposed interim rule to make Alternative 2 the preferred alternative. The motion carried on page 112.

PAGE 112: Motion in Action 2 of the proposed interim rule to make Alternative 2 the preferred alternative, with a season closure date of November 10th. The motion carried on page 122.

PAGE 132: Motion to add up to five representatives from the Gulf SSC to the South Atlantic Council SSC workgroup in an effort to develop a cooperative workgroup focused on establishing a method for evaluating catch limits for federally-managed species currently closed to harvest, including southeastern U.S. goliath grouper. The motion carried on page 134.

- - -

1 The Reef Fish Management Committee of the Gulf of Mexico Fishery  
2 Management Council convened at the Crowne Plaza @Bell Towers  
3 Shops in Fort Myers, Florida on Wednesday morning, June 22,  
4 2022, and was called to order by Chairman Tom Frazer.

5  
6 **ADOPTION OF AGENDA**  
7 **APPROVAL OF MINUTES**  
8 **ACTION GUIDE AND NEXT STEPS**  
9

10 **CHAIRMAN TOM FRAZER:** I would like to convene the Reef Fish  
11 Management Committee, and so the first order of business is the  
12 Adoption of the Agenda, and that would be Tab B, Number 1. Is  
13 there any modifications to the agenda? Not seeing any, is there  
14 any opposition to adopting the agenda as written? Seeing no  
15 objections, we will consider the agenda adopted.

16  
17 The second order of business is the Approval of the April 2022  
18 Minutes, and that would be Tab B, Number 2 in your briefing  
19 materials. Is there any edits or modifications to the minutes?  
20 Not seeing any, is there any objection to approval of those  
21 minutes? Not seeing any there, and so we'll consider the April  
22 2022 minutes approved. That will move us into Item III, the  
23 Action Guide and Next Steps, Tab B, Number 3, and Mr. Rindone.

24  
25 **MR. RYAN RINDONE:** Mr. Chair, if you like, we can just go  
26 through this as we do each item.

27  
28 **CHAIRMAN FRAZER:** Perfect.

29  
30 **MR. RINDONE:** So, the next item up then would be the review of  
31 the reef fish and IFQ landings from Ms. O'Donnell. This is  
32 information only, and then, after she goes through the landings  
33 with everybody, Dr. Cody is going to brief you guys, real quick,  
34 on the progress made thus far by the MRIP Transition Team. Ms.  
35 O'Donnell.

36  
37 **REVIEW OF REEF FISH AND INDIVIDUAL FISHING QUOTA (IFQ) LANDINGS**  
38

39 **MS. KELLI O'DONNELL:** The same as with CMP yesterday, the 2022  
40 landings are preliminary. The 2021 rec and commercial landings  
41 are final. The 2022 recreational landings are through Wave 1,  
42 and the commercial landings are through May 24. Now, within  
43 these, we will have a note, underneath each slide, whether they  
44 are either in MRFSS, CHTS, or FES units.

45  
46 We don't have much to show for this year for gag, because they  
47 are closed at the beginning of the year, and so you're not  
48 seeing a line for the 2022 fishing year, but we can see that,

1 unlike some of the other species, gag has had a little bit  
2 higher landing than what they did in their 2017 to 2019 fishing  
3 year average.

4  
5 Red grouper, we've had a couple of changes in there. Just  
6 recently, on June 1, the ACL was reduced, and so you can see  
7 that with the different lines there, the two lines on the  
8 bottom, the ACL and the ACT, and the light green and light  
9 purple are the current ones that just were implemented and  
10 effective, and these are now in FES units, although we were able  
11 to provide the FES-equivalent ACL, which is that top green and  
12 purple line, and all of these landings are shown in FES units,  
13 including the 2017 to 2019 fishing year average.

14  
15 Gray triggerfish, as we've heard from stakeholders, landings  
16 have been lower, and, from what we've been hearing, it's a  
17 little bit difficult for them to harvest their ACT under their  
18 current trip limit, and that could be true, based on what we're  
19 seeing on here, because we are seeing that everything is lower  
20 than what their 2017 to 2019 fishing year average is, and 2020  
21 is when that reduced trip limit was implemented.

22  
23 Recreational landings are rebounding from what we say in 2020  
24 and 2021, and they did have a closure, and it was even higher  
25 than what their 2017 to 2019 fishing year average was, and these  
26 are still in CHTS.

27  
28 Greater amberjack commercial, they have slowly been declining  
29 with their landings, and this also is something that we've  
30 heard, that it is difficult for targeted trips to occur under  
31 the reduced trip limits that were implemented, and they also  
32 have a step-down, but the step-down has not been triggered since  
33 that was effective, and so they have been under that 1,000-pound  
34 trip limit, and we are seeing that landings have been lower than  
35 what they have been since the 2017 to 2019 fishing year average,  
36 with a steady decline each year.

37  
38 Recreational landings, since we have changed the fishing year,  
39 and the seasonal closure has been pretty on par for what their  
40 average has been across all of the years with an increase in the  
41 2020 to 2021 fishing year as well.

42  
43 Gray snapper has kind of been on track in the beginning of the  
44 year, and we'll see what happens in the later part of the year,  
45 if it ends up ticking up towards their 2017 to 2019 fishing year  
46 average or if it stays on par to what their past couple of years  
47 have been since 2020.

48

1 Overall, for the stock, the recreational sector is the one that  
2 has more landings for gray snapper, although we've seen they've  
3 still been below their ACL in the past couple of years, and they  
4 were below it for their average overall.

5  
6 Lane snapper, this one, again, we've seen that the commercial  
7 landings are a little bit less than what they've been in  
8 historic years, and they just had a change to their ACL at the  
9 end of 2021.

10  
11 Here's where my typo was, and so I thought that we had an FES-  
12 equivalent ACL that we could provide for the 2012 to 2020  
13 previous CHTS ACL, but, within the document, we had only  
14 provided what the increased CHTS ACL would have been, and so I'm  
15 unable to provide that, and so we're just seeing what their  
16 actual FES ACL is there and their landings in FES for the  
17 recreational sector.

18  
19 Vermilion has been the same as the other species, and a little  
20 bit lower than what they have been in previous years, and they  
21 are a species that the ACL is still in CHTS. For this, we can  
22 see that it's almost been 50/50, in some years, for recreational  
23 and commercial, as far as having the landings, and landings were  
24 starting to slowly increase in the 2021 fishing year, and so we  
25 will see what happens through the rest of this year, if it gets  
26 to be back up on par with what their 2017 to 2019 average was.

27  
28 Yellowtail did start off low this year, but they have had a slow  
29 uptick in their landings, and we'll see if they are able to  
30 catch up to what they were prior to 2020, and, overall, we can  
31 see, for the stock landing, it's the commercial that does land  
32 more of yellowtail over the recreational sector, but they're  
33 still not landing, overall, close to what they were doing in  
34 their 2017-2018 to 2019-2020 fishing year.

35  
36 Cubera, we have these still in here, because cubera did go over  
37 their ACL last year, and so their post-season accountability  
38 measures will have us projecting, to see if an in-season closure  
39 is needed for them this year. We can see that landings, so far,  
40 are lower than what they have been in the past couple of years,  
41 and we should hopefully have that projection out in the next  
42 month or two. Overall, with the stock landings -- I mean, it  
43 really varies, if it was either more commercial or more  
44 recreational landings, and so we'll be keeping an eye on that,  
45 to see what happens.

46  
47 As with cubera, mid-water snapper also has a closed season  
48 accountability measure trigger, where we will be projecting to

1 see if an in-season closure is needed this year. We see that  
2 landings are a little bit lower than what they were last year,  
3 and so, again, we should hopefully have that out in the next  
4 month or two.

5  
6 Overall, commercial landings are higher for this stock, and so  
7 we are keeping our close eye on what commercial landings are  
8 doing, and that may be our trigger for if an in-season closure  
9 is needed.

10  
11 Jacks also will have an in-season closure projection done for  
12 them, but we also see that their landings are a little bit lower  
13 than what they were last year, as far as the commercial sector,  
14 but it is the recreational sector that does land more of this  
15 stock, and so we will be looking to see what our Wave 2 landings  
16 say, as we start looking into making a projection for this stock  
17 as well. I think that's the last slide for this one, and we'll  
18 switch over to the IFQ presentation, if we don't have any  
19 questions on this, Mr. Chair, or do you want me to just wait for  
20 each one, or go through both?

21  
22 **CHAIRMAN FRAZER:** We'll go ahead and stop here. Are there any  
23 questions? Ms. Bosarge.

24  
25 **MS. LEANN BOSARGE:** I was trying to follow that red grouper  
26 landings slide, if we can go back to that one, and I think it's  
27 page 3, because we had a couple of different -- I appreciate you  
28 putting those ACLs and ACTs on there. That's very helpful.  
29 Thank you. The green line was our first ACL, that top green  
30 line, the higher green line?

31  
32 **MS. O'DONNELL:** That is correct

33  
34 **MS. BOSARGE:** Okay. From 2019, to about the middle of 2022, and  
35 that was the 2.1 million pounds?

36  
37 **MS. O'DONNELL:** Yes, and that was the FES-equivalent ACL that  
38 was provided.

39  
40 **MS. BOSARGE:** Okay, and so everything is in FES?

41  
42 **MS. O'DONNELL:** Yes.

43  
44 **MS. BOSARGE:** That's helpful, too. Thanks. All right, and then  
45 we decreased it June 1, is when we, I guess, finally got that on  
46 the books and decreased that, trying to decrease that fishing  
47 pressure, right, and rebuild that stock?

48



1 **MS. O'DONNELL:** That is correct.

2  
3 **MS. BOSARGE:** Okay, and so we did an allocation shift, and we  
4 put red grouper allocation into the recreational sector, and it  
5 looks like they hit their quota, their original quota, at the  
6 end of May, is what that looks like. They hit the ACL, and we  
7 knew we had something lower coming, but the season stayed open  
8 until September 15, and so another three-and-a-half months, it  
9 looks like, and we ended up -- If I do my math right, if you go  
10 by the higher ACL, and not the lower, but the higher one, and so  
11 I'm giving the benefit of the doubt there, we were over by 30  
12 percent on rec landings.

13  
14 **MS. O'DONNELL:** Yes, and so we are really keeping a close eye on  
15 red grouper now. As you can see from that black dot, Wave 1  
16 landings are already higher than they've been since the 2017 to  
17 2019 average, and it happened to be that we got Wave 1 and Wave  
18 2 landings in, and they weren't even close to their ACT at that  
19 point, but then, when we finally got Wave 3 landings in, it had  
20 shown they had already blown through it, and then that's when we  
21 had to do a quick closure.

22  
23 **MS. BOSARGE:** Yes, and I'm not faulting you all, and I'm sorry,  
24 and you just happen to be at the podium. Sorry, but the point  
25 is that we took -- We need to rebuild this stock, right, and  
26 it's not in a healthy condition, and we took fish -- I am making  
27 a point. We took fish out of the commercial sector, where we  
28 have census-level reporting, and they have to hail-in and hail-  
29 out, and we pretty much know what they land, because it's an IFQ  
30 system, the way it's managed, and we have pretty decent  
31 confidence in what's going with it.

32  
33 We took it out there and said, no, you're going to have to cut  
34 back on what you catch, because we have to rebuild this stock,  
35 and so we took a cut in overall quota, and then we took  
36 allocation out of that one where we know what they're catching,  
37 and I want to say it was about a 20 percent reduction there,  
38 just if you look at the percentage change in allocation that we  
39 took from them, and we let the other side go over by 30 percent,  
40 and so we totally offset what we did.

41  
42 They are taking it on the chin, and, yet, we're not really  
43 contributing to rebuilding, because we put it in a sector that  
44 we still cannot manage, from a data-collection perspective, and  
45 that's what frustrates me. At some point, that has to change.  
46 We have to recognize that, and we have to reward accountability,  
47 and, until this council -- It's not the rec sector's fault, but,  
48 until this council has the gumption to do what we need to get

1 the data, then I'm sorry, but don't put it into that sector.  
2 We're shooting ourselves in the foot every time.

3  
4 **CHAIRMAN FRAZER:** Okay. Mr. Strelcheck, did you have something  
5 to say here?

6  
7 **MR. ANDY STRELCHECK:** Well, not to comment on Leann's comments,  
8 but I just want to, obviously, kind of give the reality of this,  
9 which is you can see, obviously, the big jump-up in 2021, which  
10 caught us by surprise. If you look at historical landings data  
11 prior to then, landings, especially in that kind of May-June  
12 timeframe, are historically lower than what they were last year.

13  
14 By the time we received, obviously, the May-June wave landings,  
15 it was the middle of August, late August, by the time they were  
16 turned around, and so that's why we ended up having a September  
17 closure. As Kelli just noted, we are monitoring this much more  
18 closely, and we just received Wave 2 landings within the last  
19 couple of days, and they are slightly lower than what we saw  
20 last year, but we are on track to likely close this fishery very  
21 early this year.

22  
23 How early is to be determined, and we're looking at those  
24 projections, but I do want to emphasize that we are likely to  
25 bump up against the catch limits and catch targets in the coming  
26 months, and so we will be working toward estimating when that  
27 closure date will be. We have the framework action that's  
28 following Amendment 53 that is yet to be, I think, finalized,  
29 and I don't know the exact date and timing of that, but that  
30 will increase the catch limit slightly, and we'll be basing that  
31 closure estimate off of that information.

32  
33 **CHAIRMAN FRAZER:** Thank you, Mr. Strelcheck. All right, Ms.  
34 O'Donnell. Go ahead. Hold on. I might have spoken too soon.  
35 Ms. Boggs.

36  
37 **MS. SUSAN BOGGS:** Sorry, Mr. Chair, and thank you. Kelli,  
38 greater amberjack, the recreational landings, why are they  
39 continuing to be reported in CHTS, when our documents are in  
40 FES? I guess I don't understand the streamline of how we start  
41 -- It's apples and oranges.

42  
43 **MS. O'DONNELL:** For this one, we'll have to -- On the books  
44 currently, the ACL and ACT is in CHTS, and so that's how we are  
45 currently monitoring them, and so, once 54 would be implemented,  
46 it would switch over to FES.

47  
48 **CHAIRMAN FRAZER:** Are you okay with that? There you go, and so

1 we will get the IFQ presentation up.

2  
3 **MS. O'DONNELL:** Okay, and so, the same for the other species,  
4 our commercial landings are through May 24. We're presenting  
5 our six months into the year IFQ landings, to show where they  
6 are at, and so I want you to keep in mind that some of these  
7 species that have recent ACL quota changes -- So, while we do  
8 show the 2017 to 2019 fishing year average, which makes it look  
9 like they didn't reach their quota, that's because it was  
10 slightly less during that timeframe, and so you can see, from  
11 since their quota was increased, and so 2020 and 2021, they are  
12 right up against their quota by the end of the fishing year.

13  
14 For red grouper, we kind of see the same thing, where it is  
15 looking like they exceeded the quota, but they didn't, because  
16 the quota has changed, and now we are looking at a quota that's  
17 in FES units, versus CHTS, and so a lot of things going on with  
18 red grouper, but we can see that they are also a species that  
19 gets right up against their quota every year. Whatever they do  
20 have, they land it.

21  
22 Gag, surprisingly, we've seen a little uptick in landings, and  
23 they're landing them a little bit faster than what they have in  
24 previous years. They have always been below their quota, and  
25 you can see it's probably about half of what their quota is, and  
26 so it will be interesting to see, as the rest of the year plays  
27 out, what happens with these commercial gag landings for this  
28 year.

29  
30 **CHAIRMAN FRAZER:** Do we have any questions on the IFQ landings  
31 from Ms. O'Donnell? This is your last presentation, correct?

32  
33 **MS. O'DONNELL:** Yes, the last one.

34  
35 **CHAIRMAN FRAZER:** Ms. Bosarge.

36  
37 **MS. BOSARGE:** It's not for you, Ms. O'Donnell, but did I miss  
38 it? Did we have recreational red snapper landings? Did we get  
39 an update on that?

40  
41 **CHAIRMAN FRAZER:** Not yet.

42  
43 **MS. BOSARGE:** Why do I have to ask for this at every meeting?

44  
45 **CHAIRMAN FRAZER:** It's coming.

46  
47 **MS. BOSARGE:** It's coming?

48

1 **CHAIRMAN FRAZER:** Yes.  
2  
3 **MS. BOSARGE:** In a different presentation?  
4  
5 **CHAIRMAN FRAZER:** It's next.  
6  
7 **MS. BOSARGE:** All right.  
8  
9 **MS. O'DONNELL:** That is the states that present the recreational  
10 red snapper.  
11  
12 **CHAIRMAN FRAZER:** I am happy to go get you a coffee, Leann, if  
13 you want. All right. Ms. Boggs.  
14  
15 **MS. BOGGS:** Okay, and so, to Leann's point, and, Kelli, you just  
16 commented that it's the states that will present, and what about  
17 the charter/for-hire and headboat landings? Does that come with  
18 the state presentation?  
19  
20 **MS. O'DONNELL:** Those are in the table, which we don't go over  
21 right now. I can start putting those in the presentation, if  
22 you guys would like to see what those landings are as well.  
23  
24 **MS. BOGGS:** It will be nice. I will take Leann's position then.  
25  
26 **CHAIRMAN FRAZER:** All right. Any more questions for Ms.  
27 O'Donnell? Mr. Chair.  
28  
29 **MR. DALE DIAZ:** If we're not going to go over the charter boat  
30 landings, I want to make a comment.  
31  
32 **CHAIRMAN FRAZER:** Go ahead.  
33  
34 **MR. DIAZ:** First off, I want to commend Andy and Mr. Hood and  
35 the staff at the Southeast Center. I know you all went -- You  
36 tried to go the extra mile, last year, to get the charter boat  
37 folks to where they caught their ACT, and, anyway, I appreciate  
38 you all doing that, and so they landed 100.2 percent of their  
39 ACT and 91.2 percent of their ACL, which is a big improvement  
40 over the previous year, and so thank you all for providing that  
41 extra season last fall and working very hard to make that  
42 happen. I know it was a lot of effort on you all's part to do  
43 that, and so we appreciate it. Thank you.  
44  
45 **CHAIRMAN FRAZER:** Mr. Anson.  
46  
47 **MR. KEVIN ANSON:** Thank you, Mr. Chair. Ms. O'Donnell, I'm just  
48 curious on the average for the 2017 to 2019 fishing years, and

1 would that be more beneficial to move that, and so it would be  
2 like the 2019 to 2021 fishing year average, or have it the 2017  
3 to 2021 fishing year average?

4  
5 **MS. O'DONNELL:** Currently, we had kept it at the 2017 to 2019,  
6 because we're still unclear of the effects that COVID may have  
7 had on fishing behavior, and so we're thinking that, by keeping  
8 it to 2020, that may be more reflective of what previous fishing  
9 behavior was, and it will be interesting to see, once we have  
10 three years of data post-COVID, and maybe that is our new  
11 normal, and I don't know, and we'll have to see, as things  
12 change over time.

13  
14 I did want to mention, for those of you that were interested in  
15 the red snapper for-hire, it is in your briefing book. It's in  
16 a table, and it will show what the current for this year is so  
17 far and what the final was for last year.

18  
19 **CHAIRMAN FRAZER:** Thank you, Ms. O'Donnell. Ms. Bosarge.

20  
21 **MS. BOSARGE:** Okay, and so I hear we're not going to get red  
22 snapper landings, recreational, private recreational?

23  
24 **CHAIRMAN FRAZER:** Yes. I misspoke.

25  
26 **MS. BOSARGE:** That's okay. I feel better, because I thought  
27 that I didn't do my homework. I looked at everything, and I  
28 didn't see it. Okay, and so I feel better about not missing  
29 something, but I'm not feeling better about the fact that, you  
30 know, we have much more timely data now, with the state  
31 programs, and I've always been excited about that, and I know in  
32 Mississippi -- I think we do our landings weekly, and I think,  
33 Louisiana, you all do yours weekly, right, and MRIP waves still  
34 for Florida, and, Alabama, yours is -- Is yours weekly? It's  
35 weekly in Alabama, and Texas is -- What are you all, Robin? I  
36 forget. Okay, and it's biweekly during the federal season.

37  
38 All right, and so this is June 22, and so we should have some  
39 landings. We should be getting -- We get MRIP landings, which  
40 only come in two-month waves for everything, at every meeting,  
41 and the buck stops here with red snapper management, at this  
42 table, although the states are managing the quota for the  
43 private anglers, but we still have to be cognizant of what's  
44 going on as a stock, and we cannot do that if we don't get the  
45 most basic data on how we manage, which we're managing to a  
46 quota.

47  
48 We have to have that update at every meeting, just like we get

1 it for every other species, and so maybe we didn't ask the  
2 states to bring it this time, and so I'm putting it out there  
3 that we don't need to ask every time, and this is something that  
4 we should be getting, as a council. That's the species we spend  
5 the bulk of our time on, and we should have an update at every  
6 meeting on the landings.

7  
8 **CHAIRMAN FRAZER:** All right. Thank you, Ms. Bosarge. I have  
9 twisted the arms of our state representatives, and each one of  
10 them will be willing to give you an update, and so we'll start  
11 out with Florida.

12  
13 **DR. C.J. SWEETMAN:** Our season just started, about five days  
14 ago, and so we don't have any landings to report, from that  
15 perspective, and it opened on June 17, and it's going to run  
16 consecutively through July 31. We're going to reopen for twelve  
17 select fall weekend days, and those will be October 8<sup>th</sup> through  
18 the 9<sup>th</sup>, the 15<sup>th</sup> through the 16<sup>th</sup>, and the 22<sup>nd</sup> through the 23<sup>rd</sup>,  
19 and then, again, in November, for some extended weekend days,  
20 November 11<sup>th</sup> through the 13<sup>th</sup>, and that's Veterans Day weekend,  
21 and November 25<sup>th</sup> through the 27<sup>th</sup>, Thanksgiving Day weekend, and  
22 so that's our plan for the season this year for recreational red  
23 snapper, and we will certainly provide updates on the landings  
24 at the next meeting.

25  
26 **CHAIRMAN FRAZER:** Ms. Bosarge.

27  
28 **MS. BOSARGE:** So, let's see. So, you'll get -- You'll have your  
29 landings for this MRIP wave that we're in right now before you  
30 start any of those fall seasons, essentially, and that's how  
31 you've lined it up, so you can look at what's coming in during  
32 your, I guess, regular peak summer season and evaluate that and  
33 move forward, or maybe adjust, or whatever, your fall season?

34  
35 **DR. SWEETMAN:** Yes, that's correct, Leann.

36  
37 **CHAIRMAN FRAZER:** All right. Thank you, C.J. We'll move over  
38 to Mississippi and General Spraggins.

39  
40 **GENERAL JOE SPRAGGINS:** We don't have any this year. We quit.  
41 We decided that we just didn't want any snapper anymore, and so  
42 we just quit fishing. No, but we have our season, and it opened  
43 the same thing. It opened on -- Well, ours opened on Memorial  
44 Day weekend, and we will keep it open until July the 4<sup>th</sup> at  
45 midnight.

46  
47 Then, at that point, we will stop and reassess and see where  
48 we're at with our snapper allocation. At this point, we have

1 51,000 -- Actually, what I did I say? I had it here in front of  
2 me. It's 51,063 pounds that we've caught, and so we will look  
3 at that, and we will readjust, and then we will decide what we  
4 need to do, whether or not we have the allocation to continue or  
5 not, after that point, and we will do that --

6  
7 Once we do it in July, we will look at it, and then we will make  
8 -- You know, there will probably be some adjustments of -- We'll  
9 open by different days, instead of open continuous seven days a  
10 week, and we'll adjust what we need to do, and we'll adjust  
11 again, probably, as the time goes, in September. After Labor  
12 Day, we'll adjust even more, to see where we're at. We have  
13 never, and we hope not ever, exceeded our ACL, and we're going  
14 to continue to do that.

15  
16 **CHAIRMAN FRAZER:** Ms. Boggs.

17  
18 **MS. BOGGS:** Thank you, Mr. Chair. General Spraggins, that's  
19 consecutive days that you're currently open?

20  
21 **GENERAL SPRAGGINS:** We are right now, and that will be our --  
22 Like I said, at midnight on the 4<sup>th</sup> of July, we will start  
23 assessing it, and then we usually change it and open it a week  
24 at a time, or open it Friday through Sunday, or something like  
25 that, and so we'll work on what we need to do, and that's just  
26 to kind of help spread the thing along and to ensure that we  
27 don't exceed our allocation.

28  
29 **CHAIRMAN FRAZER:** All right. Thank you, General Spraggins.  
30 We'll go back and start on this side of the table with Alabama  
31 and Mr. Anson.

32  
33 **MR. ANSON:** Thank you, Mr. Chair. We post our landings,  
34 generally weekly, on outdooralabama.com, under Snapper Check  
35 information, and, currently, the graphic that we have there has,  
36 for the prior weekend, for the 13<sup>th</sup> of June, and so, by Thursday  
37 or Friday of this week, we'll have our landing through this  
38 Monday, two days ago, and, right now, it's 138,281 pounds, which  
39 we also have 2020 and 2021 harvest on the graphic, and it  
40 represents about 40 percent, approximately, of what we would, or  
41 have, harvested in those two years.

42  
43 Our reports are down about the same amount, compared to what  
44 they have been, and the fish are about the same size. The catch  
45 rates are down slightly, compared to last year at least, and we  
46 believe that the effects of windy weather, during at least the  
47 first couple of weekends -- This last weekend was almost ideal  
48 conditions for fishing, and so we'll see how that compares to

1 the previous weekends, but certainly the first weekend had  
2 higher seas than 2020 and 2021's weather, but that's where we  
3 are.

4  
5 We are at four-day weekends. We opened on May 27<sup>th</sup>, the Friday  
6 before Memorial Day, and we have a two-fish bag limit and a  
7 sixteen-inch size limit, just like we've had for years, and we  
8 will continue to monitor the landings, and, when we approach our  
9 quota, we will close down, but, as you can see here, unless  
10 things change drastically, we probably will not exceed our quota  
11 for this year, and fuel prices are also having an effect on  
12 people's decisions to go fishing. Thank you.

13

14 **CHAIRMAN FRAZER:** Thank you, Mr. Anson. Ms. Bosarge.

15

16 **MS. BOSARGE:** I just want to say thanks, Kevin. When you give a  
17 report, I love the extra tidbits that you give. That really  
18 helps me to understand what's going on, so that I don't maybe  
19 assume one thing, when really it's something else driving it.  
20 You talked about CPUE, and you told me whether the landings and  
21 effort are up or down, and they're kind of following each other,  
22 and I appreciate that. Thank you.

23

24 **CHAIRMAN FRAZER:** Any more questions for Mr. Anson? I am not  
25 seeing any. Thank you, Kevin. We'll move on to Louisiana and  
26 Mr. Banks.

27

28 **MR. PATRICK BANKS:** Thank you, Mr. Chairman. I emailed my  
29 presentation, and I was mistaken and thought we were supposed to  
30 give a presentation at this meeting, and so we prepared one, and  
31 so I have about thirty-five slides that I will go through.

32

33 We started, just like Kevin and Alabama, on May the 27<sup>th</sup>, or  
34 Memorial Day weekend. We have our annual ACL is 809,000 pounds,  
35 which is we had a payback from last year, and we went over about  
36 7,000 pounds last year, and so we had to pay that back, and so  
37 our ACL this year is about 810,000 pounds.

38

39 We are opening for just the weekends only, with three fish per  
40 person each day, and we had a directive by our commission, based  
41 on some public input, which is another value of state  
42 management, is the public has a lot of input on how we manage  
43 the season, and they wanted to make sure that enough fish were  
44 saved for Labor Day, and so we're in the process of evaluating  
45 the way the landings are coming in, as well as the way that  
46 landings have occurred in previous years, to try to project how  
47 much fish we'll need to hold back for Labor Day, which, as we  
48 all know, projections are very tough, and so we're going to do



1 our best, but we're going to try to stop the season early enough  
2 so that we save enough fish for Labor Day.

3  
4 We had a really good opening weekend, where we landed a lot of  
5 fish. If I recall, it was about 14 percent of our overall  
6 annual allocation, but it certainly dropped off that second  
7 weekend, but our trajectory is very similar to what it was in  
8 previous years.

9  
10 This is just the graph that you just saw, and this is it in  
11 numbers, and so we landed about 14 percent of the annual quota  
12 that first weekend, and then that second weekend was about 4  
13 percent, and I should be getting the next update today or  
14 tomorrow, and so I can pass that on to all of you, if you want,  
15 and I usually send it to at least the chair of the council and  
16 some of the staff, and maybe I should send it to all of the  
17 council members, and I will be happy to do that.

18  
19 We have been directed, like Kevin talked about, and we've been  
20 directed by our commission to post these landings online, and so  
21 we do that, and I will be happy to answer any questions.

22  
23 **CHAIRMAN FRAZER:** Okay. I am not seeing any questions or hands  
24 raised. Thank you, Mr. Banks. We'll have a quick update from  
25 Texas, and then we'll try to get back on schedule.

26  
27 **MR. ROBIN RIECHERS:** Thank you, and like -- Of course, our  
28 season opened at a different timeframe, but, like Patrick just  
29 described, our first weekend, anecdotally, and by the fish we  
30 saw at the docks, was a heavy weekend, whether it was pent-up  
31 demand or great weather or a combination of both.

32  
33 The second weekend, not so much, and so where we are at the  
34 moment, through June 17, including any fish that were landed  
35 when we had only the state waters open, and also including when  
36 we had state and federal waters open, which started on June 1,  
37 through the 17<sup>th</sup>, we are at 67,472 pounds, and, if you want to do  
38 the 0.4 pounds, we can include that as well. That puts us at  
39 25.5 percent of our quota.

40  
41 **CHAIRMAN FRAZER:** All right. Thank you, Mr. Riechers. A  
42 question, real quick, or a comment, from General Spraggins.

43  
44 **GENERAL SPRAGGINS:** I just wanted to let you know -- I didn't  
45 give you the number of vessels, but, in our first week, we had a  
46 total of 654 vessels. If you use MRIP, it says we have 1,600,  
47 or 1,500, a day, and, in total, we haven't had 1,600 in four  
48 weeks, but that's just to get right at 1,600 in four weeks, and

1 so, just to give you an idea of where we're at, we've had one  
2 day of MRIP in four weeks.

3  
4 **CHAIRMAN FRAZER:** All right. Thank you, General Spraggins.  
5 We're going to try to keep focused on the data right now.

6  
7 **GENERAL SPRAGGINS:** I had to throw that in.

8  
9 **CHAIRMAN FRAZER:** I know you did. All right, and so we will go  
10 ahead, and the next item on the agenda is the Status of Revised  
11 Recreational Red Snapper Calibration Ratios with Dr. Cody.

12  
13 **STATUS OF REVISED RECREATIONAL RED SNAPPER CALIBRATION RATIOS**

14  
15 **DR. RICHARD CODY:** What I had planned to do is just provide kind  
16 of a context in terms of the workshop that occurred in February  
17 of this year, and we had a transition team workshop in February  
18 of 2022. That workshop basically identified two approaches, or  
19 two processes, that we would follow to complete the transition  
20 process for the Gulf states and then also to identify drivers  
21 for differences between those surveys.

22  
23 General Spraggins just made the point that, you know, obviously,  
24 there is a big difference between what MRIP produces, in terms  
25 of an estimate, versus what the state surveys produce, and so,  
26 in the workshop, as I said, we identified two tracks, and the  
27 idea was to allow the transition process to continue, but also  
28 to have some focus on the research that needed to be done to  
29 look at the differences between the surveys, and especially  
30 related to non-sampling error that is present in every survey,  
31 but would help us elucidate why there are such big differences  
32 between the surveys.

33  
34 Following the workshop, there was a report, produced with Paul  
35 Rago and input from the workshop participants, and this was  
36 produced in May of this year. Paul's report really consists of  
37 workshop proceedings, but it does contain some preliminary input  
38 from the consultants, in terms of research directions that we  
39 could take.

40  
41 It's very preliminary. The details of the different research  
42 plans and so on have to be ironed out, and so the other part  
43 that I mentioned relates to the transition plan, and so, in the  
44 workshop, there was a transition plan outlined presented, and  
45 this was used as a basis for a full transition plan for all of  
46 the state surveys, and so, right now, we have a number of  
47 different folks, from the states and from the regional offices  
48 and the council, that are involved in writing and filling out

1 this plan, basically.

2  
3 We have identified a couple of folks that have taken on the task  
4 of the research planning process, and so I'm happy to announce  
5 that Dr. Tom Frazer, with Greg Bray from Gulf States, will be  
6 involved in co-chairing that process, and we'll have input from  
7 states, and also from NOAA Fisheries, the Science Center and S&T  
8 as well, to that group.

9  
10 That's where we are, in terms of just the general products  
11 produced by the workshop. Also, in the workshop, there were a  
12 couple of other items that were identified. One related to  
13 coming up with specific terms of reference for the SRFS gag data  
14 to be included in an assessment, and so we developed a set of  
15 terms of reference that largely focused on providing  
16 documentation for the methods used, and Florida submitted their  
17 documentation back in May.

18  
19 We reviewed that, and the reviewers for those calibrations were  
20 Dr. Lynn Stokes, and also Dr. Rob Ahrens. As you recall, both  
21 of those had been involved in the Great Red Snapper Count review  
22 process as well, and so they were, you know, familiar with the  
23 biology, as well as the statistics, behind the calibrations.

24  
25 We completed that review, and, in NOAA's opinion, there was  
26 nothing in the comments provided by the reviewer that prevented  
27 us from going forward with using the Florida SRFS calibration,  
28 or calibrated data, for the assessment, for the gag assessment.  
29 Right now, we're in the process of developing a decision memo,  
30 along with compiling the review materials, background materials,  
31 and we should have that available tomorrow, and so that will be  
32 available for the assessment.

33  
34 The second component of that related to SEDAR 74, and I know  
35 there's been some concerns about the level of review that has  
36 gone into a calibration produced by John Foster in the Office of  
37 Science and Technology, and so just a bit of background on that  
38 calibration.

39  
40 Essentially, what John did was take one year of data, which is  
41 all we had for the FES in Texas, from 2016, and applied the  
42 effort estimates to the CPUEs that were produced by the Texas  
43 surveys and came up with an approximation for what the catch  
44 might have looked like, had it been produced using the MRIP  
45 surveys.

46  
47 Obviously, you know, this is a data-limited approach, and it was  
48 presented initially as part of a sensitivity analysis, where

1 John compared what the estimates would have been like in the  
2 different states had different methodologies been applied, and,  
3 generally, what that sensitivity analysis showed is that, even  
4 though there are major differences between the estimates  
5 produced by all of the surveys, the trend information was  
6 similar. That's not to say that there aren't several  
7 considerations there and several assumptions that had to be  
8 made.

9  
10 In presenting this to the consultants, John did not get any red  
11 flags from the consultants, but, obviously, that's not a full  
12 review, similar to what occurred for gag, and less recently for  
13 all of the surveys in the development of the ratio calibrations,  
14 and so what we've done is we have presented John's calibrations  
15 to the consultants.

16  
17 It's unlikely they will have their opinions on that calibration  
18 until I would say the first week of August, and John has  
19 presented this to the data workshop, and presented a writeup of  
20 the methodology that is currently being reviewed by the  
21 consultants for consideration. It was not the intent of the  
22 Office of Science and Technology to force the issue with the  
23 Texas information. However, we had, available to us, a  
24 methodology that would allow for a conversion, if that was the  
25 choice that people wanted to make.

26  
27 I don't want to speak too much to the data workshop process or  
28 to the assessment process, and I'm going to leave that to the  
29 Southeast Science Center and the Regional Office folks that are  
30 here, but that's an update as to where we stand right now with  
31 the work of the calibration, or of the workshop that we had in  
32 February.

33  
34 I can provide links to workshop materials, as well as the  
35 proceedings report that Paul produced, and it's on our website,  
36 for folks that are interested, and I will pass that along to the  
37 Gulf Council staff, and so that's basically what I have at this  
38 point.

39  
40 **CHAIRMAN FRAZER:** Thank you, Dr. Cody. It looks like -- If you  
41 would go ahead and send to the staff, and they will forward to  
42 the council members, the links to the reference materials that  
43 you just talked about, but we're going to go ahead, and it looks  
44 like we've got a question from Mr. Banks and then Dr. Sweetman.

45  
46 **MR. BANKS:** Thanks, Dr. Cody, for that update. I understand why  
47 you guys are looking at calibrations and all for gag and some  
48 other things, but I thought all of that work had been done for

1 red snapper, and so I'm curious as to what you anticipate  
2 happening on the red snapper side, since you've already done the  
3 calibration work, but it sounds like you're continuing to work  
4 on some calibration efforts throughout the Gulf, and do you  
5 anticipate making changes to those calibration tables that we've  
6 been sort of looking at for the last year or so? Thanks.

7  
8 **DR. CODY:** Thanks, Patrick. I don't anticipate that, at this  
9 point. I think there are some unknowns that we need to deal  
10 with, in terms of the research needs, and, you know, instead of  
11 having a process that we -- As we complete, let's say, the  
12 different pilot studies and research that's needed, we make  
13 changes, because I think that's incredibly disruptive process,  
14 and, you know, we have pretty good evidence to show that, when  
15 we introduce calibrations in any format, that it is disruptive  
16 to management, as well as to the assessment process.

17  
18 At least my perspective on this is that, before we introduce any  
19 new information that might alter the calibrations, that we  
20 consider a plan to make improvements to the survey that are  
21 reflected in those pilot studies, and so I think, for that, we  
22 would need a level of coordination between the states and NOAA  
23 to accomplish, in a way that would be -- That would reduce the  
24 amount of disruptions it would cause, and so hopefully that  
25 answers your question.

26  
27 It kind of pushes it out to the future a bit, but, as I said,  
28 you know, we have what we have, in terms of calibrations here,  
29 and we've chosen the ratio-based approach. At some point, we  
30 have to get to a point where an independent review can be done  
31 and the approach evaluated, but, before that, I think we need to  
32 complete some of the research that's needed.

33  
34 **CHAIRMAN FRAZER:** Okay. Thank you, Richard. C.J.

35  
36 **DR. SWEETMAN:** Thank you for the update, Dr. Cody. I am curious  
37 why the calibration process was a bit different for Texas than  
38 some of the other states. Obviously, Florida, and the other  
39 states, went through quite a rigorous calibration process, with  
40 several years of data and independent consultant review, and so  
41 I'm wondering if you can just speak to that, please.

42  
43 **DR. CODY:** I think some context is needed here. You know, we  
44 had MRIP surveys and, previously, before that, the MRFSS  
45 surveys, being conducted in Louisiana through Florida. We  
46 didn't have that in Texas, and so Texas wasn't developing any  
47 new survey that required calibration, or a transition planning  
48 process, we'll say.

1  
2 They didn't present their methodology for certification, and,  
3 largely, that's because it's a survey that has been used in the  
4 assessment process for many years, and so there's a history  
5 there of using the Texas data.

6  
7 We have produced a procedural directive related to transitioning  
8 surveys, and, in that, there are exceptions made for legacy  
9 surveys, and so, right off the bat, the situation for Texas was  
10 different than it was for the other states that were producing  
11 new methods, that were working with NOAA to develop those  
12 methods, and to get more timely and more precise estimates of  
13 catch.

14  
15 With that, we had an advantage over the Texas survey, in that we  
16 had the ability to do side-by-side comparisons for a number of  
17 years. In the case of Louisiana, you know, we got started on  
18 this process at a point where Louisiana had determined that they  
19 were no longer going to do the MRIP survey, and so the first  
20 workshop we had, for instance, was in late 2013, and so  
21 Louisiana's new survey was unveiled in 2014, as far as I  
22 remember, and so there were limited options there, in terms of  
23 getting side-by-side for the APAIS survey, the dockside survey,  
24 and the FES.

25  
26 We did get a number of years of FES running in the State of  
27 Louisiana, but only one year of the APAIS was done, and there  
28 are some practical considerations there. It's difficult to do  
29 two dockside surveys without running into folks at the dock  
30 trying to do the same types of work, and, also, there are  
31 impacts to the survey design, as well as the way it's being  
32 implemented, when it comes to, you know, interference from one  
33 survey or another.

34  
35 The survey, the MRIP survey, was done for one year, in a side-  
36 by-side, and in a limited fashion as well, and so we didn't do a  
37 full complement of assignments, and so that limited what we had  
38 available to us for Louisiana. I still think that there was  
39 enough there to do a basic ratio-based approach, and Louisiana  
40 worked with us on that, to get that done, and so I would say the  
41 situation, for Texas, is very different than it was for the  
42 other states.

43  
44 They didn't have a survey that they were presenting for  
45 certification, and, you know, there was a certification  
46 requirement for the other state surveys as well, and so that's  
47 another difference between the two. Hopefully that gives you  
48 some context and the reason for why Texas is a different

1 scenario, really, than the other states.

2

3 **CHAIRMAN FRAZER:** Thank you, Dr. Cody. Mr. Anson.

4

5 **MR. ANSON:** Thank you, Mr. Chair. I know you're watching the  
6 clock, and I just have a few questions. First, to Dr. Cody,  
7 and, during your discussion just a few minutes ago, you had  
8 mentioned something about getting further review, or approval,  
9 of the simple ratio estimator, and I thought that had already  
10 been approved, reviewed and approved, by the consultants and is  
11 what's being used for management, and I don't recall there being  
12 any need for it to be reevaluated, and maybe I misunderstood.

13

14 **DR. CODY:** I can elaborate to that. If you recall, I think in  
15 the 2021 appropriations, Congress called for an independent  
16 review, and so they did a -- Basically, they had three  
17 requirements in there, and one was to evaluate the surveys for  
18 improvements, make the improvements, and then conduct an  
19 independent review. I mean, that will come sometime in the  
20 future. I mean, that is something that Congress has required,  
21 and so it will have to happen.

22

23 We had approved, or we had gotten a review of, the ratio-based  
24 approach for the state surveys, and had proceeded with that,  
25 based on the workshops that we had in which we looked at, or  
26 evaluated, two different approaches. One was a more  
27 sophisticated modeling-based approach that would take some to  
28 complete, and the other was a simple ratio-based approach, where  
29 there was precedent for that type of methodology, and a  
30 conversion could be done at the estimate level.

31

32 We went with that, in the interest of saving time, and that --  
33 You know, that has been reviewed by the consultants, and they  
34 have said it is a reasonable way to proceed. Obviously, there  
35 are different statistical methods that can be used, and  
36 calibrations are not static. As more data become available, the  
37 need to reevaluate the calibrations is there, and so, in the  
38 case of all of these surveys, or, well, I would say Mississippi  
39 though Florida, we are continuing to collect data on the federal  
40 side as well the state side, and so there is -- There is always  
41 an opportunity to revisit calibrations, and I think there's a  
42 duty, really, to do that, once more data become available.

43

44 What the transition team will have to grapple with is the  
45 challenge of, given how destructive calibrations can be, is  
46 there the appetite, or is there a process that we can develop,  
47 that will reduce the destructiveness of it, and I think that,  
48 you know, those are things that are being addressed in the

1 transition plan outline, in terms of what it might look like,  
2 how it might be scheduled, those kinds of logistics, and how we  
3 can integrate the research and make improvements to the surveys  
4 in a way that is less disruptive than it has been for management  
5 and so hopefully that addresses some of your concerns, Kevin.

6  
7 **MR. ANSON:** Thank you for the response, and so certainly time is  
8 of the essence, regarding management and use of the state data.  
9 We're going through a research track process right now, which is  
10 designed to be an opportunity for new information to be  
11 incorporated into the assessment process, and so, relative to  
12 timing, that's a question I think for Dr. Frazer, really, but,  
13 in light of Richard's comments regarding reevaluating  
14 calibration, I would also --

15  
16 In light of where we are in management, I think there's a need  
17 to reevaluate the simple ratio numbers, or not the process or  
18 not the methodology, but at least the numbers that were used for  
19 the calibration that we have currently been looking at, and  
20 that's a comment that Patrick had made just a few minutes ago.

21  
22 Dr. Frazer, since you're chair of the transition, when do you  
23 anticipate, or have you had any discussions, for us to start  
24 planning for our next meeting on the transition team, to start  
25 looking at some of these issues?

26  
27 **CHAIRMAN FRAZER:** We haven't met, and I haven't discussed any  
28 details or plan moving forward, and it's a pretty recent  
29 development, but I appreciate your comments, right, and so, as  
30 soon as we have a path forward, I will let folks know what  
31 that's going to look like, and we'll certainly communicate with  
32 Carrie and the council staff, and the rest of the council as  
33 well, and so we'll keep you posted, Kevin. All right. We had  
34 one more question from Ms. Bosarge.

35  
36 **MS. BOSARGE:** Dr. Cody, thanks for the presentation. While I  
37 have you on the line, just a general question, and so, for FES,  
38 the Fishing Effort Survey, ballpark it for me. What portion of  
39 the population, the universe, is that actually sampling?

40  
41 **DR. CODY:** That's a question that I would prefer to leave to Rob  
42 Andrews, who is more familiar with the sample sizes. I mean,  
43 it's in the tens of thousands for coastwide, if not over  
44 100,000, samples. The method that we use is called the Neiman  
45 Method, and so what it tries to do is achieve a certain level of  
46 precision based on the funding we have available, the sample  
47 sizes we have available, and we try to achieve a 20 percent  
48 precision level for the FES survey at the state level.



1  
2 For some states, they get larger sample sizes than others,  
3 largely because there are differences between response rates and  
4 the effectiveness of the survey in different states, and I can  
5 provide you with that information. There is an annual report  
6 that we produce that has those numbers in there, and so it gives  
7 you the actual samples that we administer, in terms of the  
8 mailouts, and then also the response rates for those.

9  
10 **MS. BOSARGE:** I'm just talking about Gulf-wide, like general  
11 ballpark, and so do you think that, of all the trips taken with  
12 our FES survey that we are mailing out -- Are we sampling 30  
13 percent of the entire universe of trips, 2 percent of the entire  
14 universe? I mean, just get me close. I'm trying to figure  
15 where we're at.

16  
17 **DR. CODY:** It's a small percentage. I would say it's well under  
18 10 percent. There are an awful lot of trips that are taken in  
19 the Gulf, and we don't sample trips, per se. We sample  
20 households, coastal households, and we use license information  
21 from the states to augment our survey, or to improve the  
22 effectiveness of it, and so, for instance, we can identify  
23 matches in the license database with the households, to get a  
24 higher hit rate on licensed anglers, for instance.

25  
26 There are things that we do that, you know, I would say that  
27 improve the effectiveness of the survey. Obviously, we would  
28 love to have more samples, or increased sample sizes, and we  
29 would like to be able to do it at the monthly level as well,  
30 but, for now, I mean, based on our -- You know, our funding  
31 ability, we'll say, and what we have in place, that's the level  
32 of precision that we try to achieve, and so that's not quite  
33 answering your question, Leann, because I don't want to throw  
34 out a number that's inaccurate.

35  
36 **MS. BOSARGE:** Actually, I mean, less than 10 percent, that gets  
37 me in the ballpark, and so, of that, our response rate is about  
38 40 percent that we get a response?

39  
40 **DR. CODY:** That's right. About 30 percent, yes.

41  
42 **MS. BOSARGE:** 30 percent. All right. Thank you.

43  
44 **CHAIRMAN FRAZER:** All right. One last question from the Chair.

45  
46 **MR. DIAZ:** I just want to make a comment, and nobody even needs  
47 to respond. I think that report that came out from the people  
48 that we had review the transition team had some positive

1 comments that could help with Mississippi's issues, and I want  
2 to echo what Kevin said, and I think time is critically  
3 important on how fast we move on all these issues, but I was  
4 pleased with some of the stuff that came out in that report, and  
5 I think there's a path forward to address some of the big  
6 problems that we laid out last August. Thank you.

7  
8 **CHAIRMAN FRAZER:** Thank you, Mr. Chair, and so, again, hopefully  
9 we can make some progress, moving forward. This has been a  
10 slow-moving train, and I appreciate the frustration around the  
11 table, but I think everybody is committed to finding an  
12 appropriate way forward, for the benefit of everybody, and so  
13 we're going to try and stay on track right now, and, if we can,  
14 Mr. Rindone, or I guess John is going to talk about Draft  
15 Amendment 54.

16  
17 **DRAFT AMENDMENT 54: MODIFICATIONS TO THE GREATER AMBERJACK CATCH**  
18 **LIMITS AND SECTOR ALLOCATIONS AND OTHER REBUILDING PLAN**  
19 **MODIFICATIONS**  
20

21 **DR. JOHN FROESCHKE:** Yes, I can run through it. If you just  
22 scroll up on the action guide, I can kind of ad-lib and tell you  
23 what's happening here, and so there are a number of different  
24 things happening at this meeting related to amberjack  
25 management, and so the first thing we're going to look at is a  
26 presentation, and then we have a document as well, on Draft  
27 Amendment 54, which revises the catch limits, and potentially  
28 the allocations, for amberjack, as a consequence as the SEDAR 70  
29 stock assessment.

30  
31 Just as a reminder, we have received a letter that the stock is  
32 overfished and overfishing, in April of 2021, and we have two  
33 years from that time to implement regulations, and so it's going  
34 to be a fairly aggressive timeline for this, and so there's  
35 going to be some heavy lifting and some decisions that will need  
36 to be made in the next couple of meetings, and so I'll kind of  
37 try to prepare you for that.

38  
39 That's the first thing, and then I will just kind of tell you --  
40 We can come back to it if you want, but Item VI is a draft  
41 emergency rule for amberjack that would affect the season length  
42 in 2023, which, for the recreational, is fishing year 2022-2023,  
43 and so the landings that would begin when the fall recreational  
44 season starts later this year, which count toward that 2023 ACL.

45  
46 We'll come back to that, but there is a few decision points in  
47 there, as well as public hearings, that I want to bring up, and  
48 so I would like to start with a presentation on Amendment 54.

1  
2 We've put together a presentation, council staff did, and the  
3 idea of this was there were a few requests for some additional  
4 background information at the last meeting, and so we wanted to  
5 provide those in a presentation format, so everyone can see  
6 them, and we wanted to talk about the modifications to the  
7 alternatives, some IPT recommendations, and then next steps.

8  
9 Just some background, and the stock is overfished, and it has  
10 been a for a long time, which you will see in the figures.  
11 Amendment 54 considers alternatives for new ACLs, all of which  
12 are substantially reduced from what's currently in place, and  
13 the next item on the reef fish agenda will review a draft  
14 emergency rule that NOAA SERO has prepared to modify the  
15 recreational seasons in 2023, and so that's a related item, but  
16 it's not specific to this, and so we'll consider those  
17 independent.

18  
19 What we have this week is we're going to look at the amendment,  
20 as well as, again, this draft emergency rule. Looking forward,  
21 I'm going to be asking you today for some feedback, and the plan  
22 would be to review a public hearing draft at the next council  
23 meeting in August, select preferred alternatives, and we would  
24 take those out to public hearing, or some virtual format, and  
25 discuss that, and then we would come back for final action in  
26 October of 2022.

27  
28 I realize that's a very aggressive timeline, and there will be  
29 some hard decisions that will need to be made, but, in order to  
30 get the regulations in effect sometime in early 2023, that's  
31 essentially where we would need to be.

32  
33 There was a request for some additional background figures and  
34 information, and so Dr. Lasseter put some of these together, and  
35 so I'm going to go through these. A few things here, and so, on  
36 the bars here, the blue and the gray bars -- The blue are the  
37 commercial landings through time, and the recreational are the  
38 gray, in CHTS currency. That's what we're currently in, and  
39 then the orange and yellow lines are the corresponding season  
40 lengths, and so what you will see is the commercial is -- Most  
41 were open all year, and, in about 1998, the commercial season  
42 was reduced, in response to management, and, in 2008, the  
43 recreational season began ratcheting down as well.

44  
45 The green dots, what you will see is a number of assessments  
46 that have occurred through time, and so, beginning in 2000, with  
47 the original one, each of the assessments has found that the  
48 stock is overfished and overfishing, despite what -- You will

1 notice in the timeline that there is a whole suite of management  
2 changes that have occurred.

3  
4 In terms of a stock level, the blue bars represent the summation  
5 of the recreational and the commercial landings, and then the  
6 orange line is the stock, either the total allowable catch, the  
7 TAC, or the annual catch limit, the ACL, and we have switched  
8 the terminology through time.

9  
10 What you will notice is, so in 2008, when we began the ACLs,  
11 with the implementation of Amendment 30A, that's when we had the  
12 sector allocations that were implemented, and what's  
13 interesting, to me, is, despite all the assessments and things,  
14 since that time, and the management advice that has occurred,  
15 we've been relatively flat, in terms of what the ACL has been,  
16 with some very minor deviations, and so this assessment will  
17 deviate from that plan, and hopefully lead to some success, in  
18 terms of rebuilding the stock.

19  
20 In this figure, what you will see are, again, the recreational  
21 landings in blue, and then the orange bars are the quota, the  
22 recreational, beginning in 2008, when the recreational quota was  
23 first put in place, and so a couple of things. You will see  
24 there are years that there are some overages, and there are some  
25 slight underages. In most years, the quota has been fully  
26 utilized, and you will see, for the commercial sector, that's  
27 true as well, and then the green line, again, is the season  
28 length, and then the black squares indicate some of the changes  
29 in management.

30  
31 We went from a twenty-eight-inch minimum size limit in 1990, and  
32 we've stepped that up to thirty, and then thirty-two, and now  
33 thirty-four, along with several changes in closed season, in  
34 order to best balance the access to this without exceeding the  
35 ACL. It's been a very dynamic management history for this  
36 stock.

37  
38 On the commercial, also a number of changes. You will see the  
39 step-downs in the season length in the green bars, or in the  
40 green line. If you look at the blue, and the corresponding  
41 orange bar, which is the quota, you will see that, on this side,  
42 the quota has been fully utilized, and there are some slight  
43 overages and underages in each of the years, but, again, the  
44 stock has been caught, virtually in its entirety, every year.

45  
46 In about 2013, we began with some trip limits, in order to  
47 extend the season for the commercial sector. It was closely  
48 early, and we've stepped these down, in order to continue this,

1 because they haven't achieved the desired effect, and so now  
2 we're at a thousand-pound trip limit, and, when 75 percent of  
3 the ACT is met, it's stepped down to 250 pounds, and so, in  
4 terms of extending the season length, it certainly has been  
5 effective. However, it has changed the nature of the directed  
6 fishery for this, and it's really difficult for the individuals  
7 that were previously doing that to continue.

8  
9 This is a response -- At the last meeting, you recall we had  
10 some discussion about the trajectory of the biomass over time,  
11 and we discussed this relative to the minimum stock size  
12 threshold, meaning that where it was a stock that had fluctuated  
13 for two reasons, and, one, the state of the stock had changed  
14 through time, but, also, in 2017, we changed the definition of  
15 the minimum stock size threshold. That alone had an effect, and  
16 so what we did is we extracted some figures from the assessment  
17 that gives a longer picture of where we're at.

18  
19 I'm going to start with this Panel B, with the purple line, and  
20 on the Y-axis is the spawning stock biomass, and on the X-axis  
21 is time, and so what you will see, early in the time series, it  
22 was well above the management target, and so that black line is  
23 MSY, and so we're well above MSY. As the fishery develops, and  
24 it's fished down, what you will see is that, in about 1979 or  
25 so, you fell below MSY, and then this red-dashed line is the  
26 minimum stock size threshold, according to the current  
27 definition. It wasn't always that, but that's what it is now,  
28 and so, based on this, we've been well below that since the  
29 early 1990s.

30  
31 In terms of rebuilding, we first need to get above that red  
32 line, but we've got to get all the way to the black line, and so  
33 there's quite a bit of work to do there.

34  
35 On the Panel A, on the left, is the Kobe plot, and what this  
36 does is it looks at two items, the overfishing, and the fishing  
37 mortality rate is on the Y-axis, and so this is a continuous  
38 rate of fishing mortality, and then on the X-axis is the long-  
39 term biomass, and so what you see in Panel B.

40  
41 A typical fishery, as it's developed -- In the 1950s, for  
42 example, that red dot in the lower-right-hand corner, the stock  
43 is neither overfished nor overfishing, and so there's low  
44 fishing effort, and there's lots of biomass in the water. As  
45 the fishery developed, you would expect to deplete the biomass  
46 down towards MSY, and so you would expect those red dots to move  
47 to the left-over time, which they obviously do.

48

1 In a perfect scenario, what you would see is a red dot at the  
2 SSB, in the green section, and meet at the one on the X-axis and  
3 the one on the Y-axis, and that would mean that you're achieving  
4 MSY, and you're not overfishing. If you go above that, on the  
5 Y-axis, that means that you're overfishing, and so, before the  
6 late 1970s, or the early 1980s, we did that, and, if you  
7 continue to overfish, you will deplete the biomass below MSY,  
8 and, in that line, vertical line, 0.5 is MSST, and so you kind  
9 of see where we've been, and so that kind of shows you how the  
10 fishery has developed through time.

11  
12 In management, what we would hope to do is you would see the  
13 fishing mortality first fall into that yellow quadrant on the  
14 lower-left, meaning that you ended overfishing, and, if you do  
15 that, with, of course, enough time, you will begin to see the  
16 biomass rebound, and you will build it up towards that green box  
17 over on the bottom-right, and so that's where we want to be, and  
18 that's what -- This actually is hopefully designed to get us  
19 there.

20  
21 What I am going to do now is talk about the modifications to the  
22 document since you saw it last time, and there is not wholesale  
23 modifications, and so, in totality, I would like to get your  
24 feedback on the state of the actions and alternatives, such that  
25 we could develop this into a public hearing draft, meaning  
26 develop Chapter 3 and 4, which we like to get the actions and  
27 alternatives stable before we do that.

28  
29 In Action 1, the bulk of the discussion last time was around  
30 this Alternative 6, and so this alternative, if you recall, was  
31 different from the other ones, and it essentially would hold the  
32 commercial allocation constant, or the commercial percentage  
33 constant, and the way that we had done it before is it was a  
34 dynamic allocation through time, because the commercial  
35 allocation was held at this 484,000 pounds throughout the time  
36 series.

37  
38 We worked with the Science Center, and we were able to modify  
39 that, based on the committee's request, and so I will go through  
40 that, and then Action 2 carries forward the modified catch  
41 levels for Alternative 6.

42  
43 This is a look at Action 1, Alternative 6, and so, originally,  
44 what was done was that the commercial ACL in 2022, the 484,380  
45 pounds -- That's what it is right now, and we carried that  
46 through, all the way through 2027. However, the OFL and ABC  
47 increases each year, with the expected rebuilding of the stock,  
48 and so, as a consequence, the allocation between the

1 recreational and the commercial would change each year, because  
2 the commercial would constitute a smaller proportion of a larger  
3 pie each year.

4  
5 What we've done is we have modified that, such that the  
6 commercial ACL increases in proportion to the increase in the  
7 ABC each year, and so the allocation would stay the same, and  
8 the commercial and recreational ACLs would increase at the same  
9 pace.

10  
11 The next part of this, we went through this, and the IPT looked  
12 at this, and mechanistically looked at the way that the model --  
13 The alternative, I think, is okay, and the IPT's concern is  
14 that, historically, this fishery has been prosecuted as  
15 predominantly recreational, and its allocation is 73 percent  
16 recreational and 27 percent commercial. Alternative 6 would  
17 certainly flip that on its head and make it a commercially-  
18 dominated fishery.

19  
20 The need statement that is underlined in the bottom, and I will  
21 just read the underlined portion, and it says, "while ensuring  
22 the historical participation by the recreational and commercial  
23 sectors is accurately reflected by the OFL, ABC, and sector  
24 ACLs".

25  
26 Our concern is that flipping the fishery on its head is not  
27 consistent with the need, and so it seems that the IPT's  
28 recommendation would be to remove this alternative. I guess the  
29 other way we could go is to consider modifying the need, so it  
30 would better encompass the suite of alternatives in the  
31 document, and I'm going to stop there, in case there is  
32 questions or input.

33  
34 **CHAIRMAN FRAZER:** Any questions for Dr. Froeschke? Mr. Banks  
35 and then Mr. Gill.

36  
37 **MR. BANKS:** This certainly seems messy. I know that we spent  
38 some time and broke mackerel out into two documents, to deal  
39 with these two issues, and what are the thoughts on this  
40 document doing the same thing? Would that help streamline some  
41 of this and make it a little bit less messy?

42  
43 **CHAIRMAN FRAZER:** Dr. Froeschke.

44  
45 **DR. FROESCHKE:** Good question, and so mackerel is a little bit  
46 different. The reason that they're combined, and it's the same  
47 as the discussion we had with red grouper, and so, in the stock  
48 assessments for these two stocks, the selectivity effects is

1 different between the sectors, and so, when you change the  
2 selectivity -- Excuse me. When you change the allocation, you  
3 change the proportion of the fleet, or the catch that's targeted  
4 by a particular fleet, which does affect the overall OFL and the  
5 ABC.

6  
7 When you change the allocation, you change the OFL, and so  
8 they're nested, in a way that is different than king mackerel,  
9 which is not done that way. It is -- I mean, you could modify  
10 the catch limits and keep the 73/27 allocation, and so that is  
11 an alternative in the document, but it would -- Based on the use  
12 of FES, it would change the allocation, sort of in the de facto  
13 way that we talked about for red grouper.

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

16  
17 **MR. BOB GILL:** Thank you, Mr. Chairman. Relative to the need,  
18 my comment is, when I look at the need we have in front of us,  
19 my druthers would be to put a period after "methods" and,  
20 starting with "while", delete all of the remainder, because I  
21 think that adequately describes what the need really is,  
22 recognizing that that may not be very popular.

23  
24 I would argue that the inclusion of the bottom part of the need,  
25 which talks about including the OFL and ABC being accurately  
26 reflecting historical participation, that's wrong. We don't  
27 control OFL and ABC. The best we can do with that is ask the  
28 SSC to reconsider it, and they may or they may not, but, at the  
29 end of the day, we're given the OFL and ABC, and that's what we  
30 have, and, whether it reflects historical participation or not,  
31 we have very little say in that, if any, and so I think those  
32 two ought to be deleted, if we're not going to delete the entire  
33 portion starting with "while". Thank you.

34  
35 **CHAIRMAN FRAZER:** Thank you, Mr. Gill. John, real quick, for  
36 the purposes of your presentation, you provided information on  
37 the purpose and need, and is this the verbiage lifted directly  
38 from the amendment?

39  
40 **DR. FROESCHKE:** It is, and we certainly can pull up the  
41 amendment, and it's in there if we want, but, yes, that's what  
42 is in there.

43  
44 **CHAIRMAN FRAZER:** Okay. We have probably a couple of other  
45 questions, right, and I anticipate we'll pull up the document  
46 and start to work through that. All right. Mr. Strelcheck.

47  
48 **MR. STRELCHECK:** I mean, we oftentimes don't spend enough time



1 on the purpose and need, and I appreciate the comments around  
2 the table. I guess a point of emphasis, for me, would be --  
3 Yes, we need to align the allocation, or catch levels, relative  
4 to, obviously, the data collection system, but, with that said,  
5 for recreational fisheries, it's up to the council to decide  
6 what our allocation is, and it should be consistent with the  
7 fishery management plan objectives and the discussion and  
8 decisions around this table with regard to what is an  
9 appropriate allocation. I think the need needs to probably  
10 reflect that, in terms of the allocation decisions within this  
11 document.

12

13 **CHAIRMAN FRAZER:** Thank you, Mr. Strelcheck. Ms. Levy.

14

15 **MS. MARA LEVY:** I mean, I think maybe the part that Bob pointed  
16 out is supposed to reflect that, but it does it in an indirect  
17 way, right, and so it talks about historical participation is  
18 accurately reflected by the catch limits, but, really, it's  
19 accurately reflected by the allocation, is what it seems to be  
20 getting at, because you're right that we don't control the OFL,  
21 but you do control the allocation, which then goes into what the  
22 OFL is, and so maybe we need to think about that.

23

24 **CHAIRMAN FRAZER:** Thank you, Ms. Levy. All right. I am not  
25 seeing any other questions at this time for Dr. Froeschke, and  
26 so I think, John, there's another slide with next steps, right?

27

28 **DR. FROESCHKE:** Just to clarify, it sounds like the will of the  
29 committee is to modify the need and keep the alternative in the  
30 document as it stands, and is that correct?

31

32 **CHAIRMAN FRAZER:** I think we can probably, after this next  
33 slide, move to the document, and then we can work on some of the  
34 language, as it's related to the need, and then we can probably  
35 look at the various alternatives, right, and see where we land.  
36 J.D., did you have a question, real quick?

37

38 **MR. J.D. DUGAS:** That was my question, Mr. Chair, is are we  
39 going to work on the document now or after.

40

41 **CHAIRMAN FRAZER:** I think Dr. Froeschke has one more slide, and  
42 then we'll move to that document, but Ms. Bosarge had a quick  
43 question.

44

45 **MS. BOSARGE:** John, will you back up to your slide on the  
46 commercial quotas, landings, and management measures, that has  
47 the graph in it? Dr. Lasseter and Dr. Froeschke, I love these  
48 graphs that you all have put together, and it's very helpful for

1 me to think about, you know, the different -- Especially in this  
2 type of fishery, where neither sector had a hard quota until  
3 2008, I think it is, and it's helpful to understand, well, what  
4 did we do to try to constrain catch, because it's been  
5 overfished since the first assessment, I think, and so we've  
6 been trying to rebuild this ever since, really, we started  
7 managing it and assessing it.

8  
9 I think one thing we might could add in here, for the commercial  
10 side, is when did we put in place a mandatory permit to be able  
11 to fish this species, when did we put in mandatory reporting for  
12 the species, and then when did we limit participation? When did  
13 it stop being an open-access fishery, because that's us trying  
14 to limit effort, when we say a moratorium on permits, and you've  
15 got to go find somebody that has one if you want to go into this  
16 fishery.

17  
18 You can't just go on up to NMFS and get a permit and go be an  
19 amberjack fisherman, but I think that's also relevant on the  
20 for-hire side too, because you all have a moratorium, and you're  
21 limited on your effort on that moratorium, to a degree, right,  
22 and so that was -- Those are all steps the council has tried to  
23 take to rein-in this fishery, and so I think those would be  
24 helpful in there. That's all I have for now. Thanks.

25  
26 **CHAIRMAN FRAZER:** Thank you, Ms. Bosarge. Ms. Boggs.

27  
28 **MS. BOGGS:** Well, I don't know if this is the appropriate time,  
29 and I haven't seen it in any of the documents, but, at one time,  
30 and I know I keep bringing this up, but, at one time, the  
31 recreational sector could sell their catch, and is that still  
32 true for the amberjack, because I know there were several boats,  
33 out of area, that they were weekend warriors, and they would go  
34 out and catch the jacks and come back and sell them.

35  
36 I know that may not be a lot, but I'm looking at every possible  
37 way that we can trim this down and, one, give fish back to the  
38 commercial fleet, if you will, and, I mean, if you're a  
39 commercial fisherman, you're a commercial fisherman. If you're  
40 a recreational fisherman, you should be recreational fishing. I  
41 don't think it should overlap.

42  
43 **CHAIRMAN FRAZER:** Does anybody want to take a stab at answering  
44 Ms. Boggs' questions? I don't have the answer, Susan. I don't  
45 believe that recreational catch of amberjack is being sold in  
46 any significant way.

47  
48 **MS. BOGGS:** Well, and that's -- I am just bringing it, and, I

1 mean, I'm asking the question. Is that still the case, and we  
2 have a species that is in dire straits. The commercial sector  
3 is trying to save what they can to be able to catch and make  
4 their living, and it just seems to me like these smaller boats,  
5 that go out and catch these fish and are allowed to sell them,  
6 they don't have to meet all the requirements of the commercial  
7 fishery to do that, and it might just be a way -- I am trying to  
8 find fish, I guess is my point.

9

10 **CHAIRMAN FRAZER:** To that point, Mr. Rindone?

11

12 **MR. RINDONE:** Thank you, Mr. Chair. That's not the case with  
13 the reef fish species. You have to have a commercial license to  
14 be able to sell it, and you have to sell to a federally-  
15 permitted seafood dealer, and so it's not like the very limited  
16 situation we've talked about at previous meetings with cobia.  
17 If it's happening, it's illegal.

18

19 **CHAIRMAN FRAZER:** All right. Thank you, Mr. Rindone. Okay.  
20 I'm not seeing any other questions, John, and so if you want to  
21 go back to the next steps.

22

23 **DR. FROESCHKE:** Yes, and these are just brief, and we might need  
24 to revisit these after we take a look at the document, but,  
25 again, today, we're looking for feedback on the actions and  
26 alternatives and the purpose and need, which I think we're on  
27 way to getting that.

28

29 At some point, and we may even want to do it after we discuss  
30 the emergency rule, but we're going to need to talk about the  
31 public hearings, and the current schedule we're going to have is  
32 to do them between August and October, which means we would kind  
33 of need to think about the locations, if we were to go the in-  
34 person route, and we would need to think about that now, but  
35 let's bring up the document.

36

37 **CHAIRMAN FRAZER:** John, real quick, before we get started, just  
38 based on Mr. Gill's comments earlier, and some input provided by  
39 Ms. Levy, do you want to start with the purpose and need, before  
40 you go through the action items and the alternatives?

41

42 **DR. FROESCHKE:** Yes, we can do that, and it's verbatim from the  
43 presentation, but we'll go ahead to that. If you have specific  
44 edits, we can just make it right here in track changes, or  
45 strikethrough or something, just so everyone can see what is  
46 being proposed.

47

48 **CHAIRMAN FRAZER:** Mr. Gill.

1  
2 **MR. GILL:** Thank you, Mr. Chairman, and so, to elucidate my  
3 comment earlier, I think the last part of the need is trying to  
4 reflect the reallocation question, and, if that's true, it only  
5 covers part of it. We talked about, and we approved, the  
6 allocation review policy, and that incorporates a whole lot of  
7 criteria and considerations for reallocation, and this is just  
8 one.

9  
10 I would argue that the purpose and need, or, excuse me, the need  
11 of this document, would be satisfied if we put a period after  
12 "methods", and I think that adequately describes what the need  
13 of the document is, and the other basically is reflecting one  
14 aspect of the reallocation question, and, therefore, I consider  
15 it inappropriate and that, when we doing reallocation  
16 consideration -- We've already agreed that there's a whole host  
17 of issues that we need to consider before we go down that path.  
18 Well, if we're going to do that, then that ought to be in the  
19 need, and that's overkill. Thank you.

20  
21 **CHAIRMAN FRAZER:** All right. Just for everybody's, I guess,  
22 understanding, the way that the need would read now is limited  
23 to a single sentence, and it was a single sentence before, but  
24 the need is to end overfishing and rebuild the greater amberjack  
25 stock, as required by the Magnuson-Stevens Fishery Conservation  
26 and Management Act, update existing greater amberjack catch  
27 limits to be consistent with the best scientific information  
28 available and contemporary data collection methods, hard stop.  
29 Mr. Strelcheck.

30  
31 **MR. STRELCHECK:** I would recommend adding, after "catch limits",  
32 "and allocations", and also "to be consistent with best  
33 scientific information available, FMP objectives, and  
34 contemporary data collection methods."

35  
36 **CHAIRMAN FRAZER:** Okay, Andy. We're going to get that back on  
37 the screen here in just a second, to make sure that that  
38 captured -- All right. We have some modifications here to the  
39 need. I guess, Dr. Froeschke, do you want a motion to adopt  
40 this, or are we --

41  
42 **DR. FROESCHKE:** Sure.

43  
44 **CHAIRMAN FRAZER:** Let's go ahead and make a motion. Mr. Gill,  
45 do you want to make that motion?

46  
47 **MR. GILL:** Sure. Thank you, Mr. Chairman. I move that we add  
48 "and allocations" after "amberjack catch limits" in the need

1 statement and we delete all after "methods", and put a period,  
2 and so, after "while" is deleted. Also, the "FMP objectives"  
3 after "best scientific information available".  
4

5 **CHAIRMAN FRAZER:** All right. Thank you, Bob. Is there a  
6 second? Second by Mr. Sweetman. All right. Any further  
7 discussion? I am not seeing any. **Is there any opposition? Not**  
8 **seeing any, and so the motion carries, and we've got a modified**  
9 **need statement in the document.** John, if you want to move on to  
10 the action items.

11  
12 **DR. FROESCHKE:** Thank you for that input. We can bring up --  
13

14 **CHAIRMAN FRAZER:** Excuse me. Ms. Levy.  
15

16 **MS. LEVY:** I just want to make sure that, when we have the  
17 motion to modify the need -- Like I don't want it to read like  
18 we took out the purpose, because we only put the need statement  
19 in there.  
20

21 **CHAIRMAN FRAZER:** Okay, and so that's a friendly amendment. All  
22 right. Okay. Go ahead, John.  
23

24 **DR. FROESCHKE:** Let's go to Action 1. We can go through these,  
25 but, with the exception of Alternative 6, the other alternatives  
26 are unchanged, but I will go through these and just kind of  
27 reorient everyone.  
28

29 Alternative 1 would retain the CHTS information, what we have on  
30 the books, and this is really not a viable alternative. Again,  
31 this reflects the 73/27 allocation. For reference, we have  
32 provided what we consider the equivalent OFL to what's in FES  
33 currency, and so you can get an idea of the magnitude of the  
34 increase that is solely attributed to the change in currency. I  
35 see a question here, and I'll just stop.  
36

37 **CHAIRMAN FRAZER:** Ms. Bosarge.  
38

39 **MS. BOSARGE:** So, a couple of things. The magnitude of the  
40 change that's based solely on the change in currency, and so we  
41 killed more fish than what we realized, what our data collection  
42 was originally showing us, right, and we changed our data  
43 collection and realized that, historically, we had killed more  
44 fish.  
45

46 That killing more fish did not make more fish out there, right,  
47 and I think the killing of more fish -- Because that's what the  
48 OFL would tell you, right, that it made more fish, that it

1 created more fish somehow. Killing more fish created more fish.  
2  
3 Well, what happened is that there were more fish out there,  
4 right, and we realized this because we changed our data  
5 collection system, and we plugged that into our model, and it  
6 said, well, actually, there would have been this many fish out  
7 there to be harvested, right, and the stock was different than  
8 what you once perceived it to be. The size of the fish, the  
9 size of the total population, at that point in time, was  
10 different from what you thought it was.  
11  
12 It's not that, because we killed more fish, we created more  
13 fish, and so it's just what led us to the realization that the  
14 population was different than what we thought, right, and so,  
15 along that train of thought, we need to carry that line out, and  
16 I said the same thing with a different species earlier in the  
17 week, I think king mackerel.  
18  
19 In 2020, had we known then what we know now, we would have had  
20 an OFL around three-and-a-half-million pounds, right, and that's  
21 a bigger population of fish that we would have been harvesting  
22 on that what we have in 2020 in the books, okay? Had we known  
23 that, then the rec ACL would have been higher, and so would the  
24 commercial ACL, okay, and we would have been able to harvest  
25 about 791,000 pounds.  
26  
27 Did the rec side actually get to have the opportunity to harvest  
28 more, potentially, yes, because we don't have a great data  
29 collection program for a piece of that fishery. Would the  
30 commercial sector have that same potential? Not really, and  
31 it's that way with pretty much every commercial species we  
32 manage. We have mandatory reporting at a census level, and, for  
33 some species, it goes even further than that, if it's an IFQ  
34 species, and that's the piece that I think we keep missing from  
35 this puzzle.  
36  
37 These FES numbers, if you buy into them, show us that the  
38 recreational component was catching way more fish, pretty much,  
39 by and large, for the last thirty years, and it also shows you,  
40 right there, that the overall OFLs were potentially higher. The  
41 commercial missed out on catching those extra fish for thirty  
42 years, and I am not telling you to go reallocate to commercial  
43 on every single species, but we at least have to have it in the  
44 document to show what we missed out on, because the other side  
45 really didn't miss out on it. They did harvest more than what  
46 we had on the books to be harvested. They did access that  
47 larger population of fish. That's the whole reason that we now  
48 know that it was larger, and so I think we have to carry that

1 line out.

2

3 **CHAIRMAN FRAZER:** Dr. Froeschke.

4

5 **DR. FROESCHKE:** I will just give you a summary of our  
6 deliberations, and so I discussed this at length, the various  
7 iterations of the way we did that, and the reason it's not in  
8 there is the 73/27 was based on a ratio of the historical  
9 participation during the reference years, right and so, in 1981  
10 through 2004, we had the estimate of the landings that were  
11 caught by both sectors at that time, and there was an average  
12 computed, and it was 71/29, and then there was a 2 percent  
13 adjustment, but it was essentially based on what the best  
14 estimate of the historical participation was in both sectors in  
15 that timeframe, using the data they had.

16

17 In order to carry this out, you would either have to assume that  
18 -- If you had different information, meaning the FES landings at  
19 that time, the council, at that time, would have retained that  
20 73/27 allocation, or they would have applied the same  
21 methodology to the new one, and both of those would -- But,  
22 essentially, the gist of the story is you have to know what that  
23 allocation would be, and I didn't really feel like we could say,  
24 yes, the council would have definitely kept it at 73/27, even if  
25 they knew that the historical participation was different, or  
26 they would have picked a different number, and all of those  
27 iterations of that are options in the document, and that's why  
28 it's not in there. It's not a straightforward carryout of the  
29 logic.

30

31 **CHAIRMAN FRAZER:** Ms. Bosarge.

32

33 **MS. BOSARGE:** So, this is the status quo alternative, and there  
34 is an allocation on the books that is our status quo, and so,  
35 had we known the population in 2020 that could have been  
36 harvested was actually larger, or go back in time, back to when  
37 we established the allocation. Had we known the population  
38 would have been larger, you're telling me that we would not have  
39 allowed the commercial sector to access that? This is status  
40 quo. That is the status quo allocation, and we should carry the  
41 line out to show that.

42

43 **CHAIRMAN FRAZER:** Ms. Levy.

44

45 **MS. LEVY:** I don't -- Showing commercial ACL in an MRIP-FES  
46 equivalent doesn't tell you anything, meaning the commercial  
47 sector has had that catch limit, and what you're comparing it  
48 to, in all the other alternatives, is the catch limit that they

1 will get, and you're not changing how it's being monitored, and  
2 there is no equivalent to show, in terms of doing a comparison  
3 to the change, right, and that's not true for the recreational  
4 sector.

5  
6 The recreational sector has a catch limit in one unit, and we  
7 are changing the units in which we're measuring it, and so, to  
8 do a comparison, you kind of have to know what their catch limit  
9 would have been in the units we're now changing it to. It  
10 doesn't make sense to have a commercial ACL MRIP-FES equivalent,  
11 and I agree with John that you don't know what the allocation  
12 would have been had the council know what it knows now, and you  
13 can't second-guess that.

14  
15 If the council had the information it has now about what the  
16 totals would have been, and what the recreational catches would  
17 have been under FES, the allocation might be completely  
18 different, and it might be whatever Alternative 3 is, because it  
19 just updates the allocation based on those new numbers, and we  
20 can't speculate about what would have happened.

21  
22 **CHAIRMAN FRAZER:** All right. John, I think what we should do,  
23 at this point, and I appreciate the comments and the dialogue  
24 between Ms. Bosarge and Ms. Levy, but I think the theme of the  
25 discussion will kind of continue through this document, and so  
26 let's go ahead and move through the other alternatives.

27  
28 **DR. FROESCHKE:** Okay, and, not to beat a dead horse, but the  
29 intent of that line is really to frame the ratio, and so how  
30 much faster you would expect the FES -- The landings from the  
31 recreational sector to accumulate and the estimate based on  
32 that, and so that's how that can be used in the way it's  
33 provided.

34  
35 Alternative 2, again, just as with red grouper, there are  
36 selectivity differences between the fleets, and so the OFL and  
37 the ABC are conditional on the allocation, and so what you will  
38 see, as we go through the alternatives, is that the OFL, ABC,  
39 and the corresponding ACLs do change slightly from alternative  
40 to alternative.

41  
42 For all of the alternatives, they increase year-over-year, and  
43 this is to be expected, based on the yield schedule. Anytime  
44 you're rebuilding a stock, you're going to have these kinds of  
45 increases. For all of the alternatives, you will see a very big  
46 gap between the OFL, which is based on equilibrium, and the ABC,  
47 which is based on a rebuild. The ABC and the total ACL are  
48 equivalent, and the recreational and the commercial ACLs are



1 just portions based on the allocation ratio that is in the far-  
2 right column.

3  
4 What you will notice is that, relative to Alternative 1, all of  
5 the reductions are very large.

6  
7 Alternative 2, this retains the current recreational 73  
8 percent/27 percent commercial allocation, and so that's what we  
9 have on the books, but it would not accommodate the fact that,  
10 under FES, the recreational landings are going to accumulate  
11 much faster.

12  
13 Alternative 3 applies the same methodology that was used to  
14 calculate the current allocation, and so use the catch levels  
15 from 1981 to 2004, but the recreational would now be calculated  
16 in FES, and it applies that same average, and, using these data,  
17 you would result in 84 percent recreational and 16 percent  
18 commercial, as compared to the 73/27, but you will see, relative  
19 to Alternative 2, the commercial is reduced, and the  
20 recreational is increased by the corresponding amount.

21  
22 This is equivalent to what was done methodologically to the  
23 preferred alternative in red grouper, Amendment 53, and so we  
24 just applied method, new data, and went with the corresponding  
25 allocation.

26  
27 **CHAIRMAN FRAZER:** Dr. Stunz.

28  
29 **DR. GREG STUNZ:** John, just for my clarity, and maybe, if I'm  
30 following what Mara just said, and so this alternative would  
31 assume that we didn't have the allocation right in the first  
32 place, and we're fixing it, and is that true?

33  
34 **DR. FROESCHKE:** This alternative assumes that, if we knew at the  
35 time what the FES numbers are -- If we knew now what the  
36 recreational numbers were then, and we just put them in place  
37 and made the same calculation, that's the number. That's the  
38 result we would have gotten.

39  
40 **DR. STUNZ:** Okay.

41  
42 **DR. FROESCHKE:** Are you ready for Alternative 4?

43  
44 **CHAIRMAN FRAZER:** Yes, and I just want to put a finer point on  
45 what Greg said, right, and that assumes that the commercial  
46 catch, as Leann said, was constrained at that point, and is that  
47 right? I just want to make sure that I understand that.

48

1 **DR. FROESCHKE:** There really weren't constraints in place, but  
2 it doesn't change those understandings, other than the  
3 constraints that were applied in Reef Fish Amendment 1, which is  
4 a thirty-six-inch size limit, and I can't recall when the three-  
5 month closed season was put in place.

6  
7 **CHAIRMAN FRAZER:** Ms. Bosarge.

8  
9 **MS. BOSARGE:** Well, if you go back and look at that chart, there  
10 were constraints. We've had season closures since the 1990s,  
11 and that's a constraint on catch. You didn't let us fish year-  
12 round, and you were trying to rein us in. We may not have had a  
13 quota, but, if you go back and read the anecdotal data in the  
14 very first amendment, you will see that the fishermen say that I  
15 think we have a problem, and I realize that you don't have  
16 enough scientific data to give us maybe some quota level, ACL,  
17 on this, but we have a problem, and that's why we started trying  
18 to rein things in.

19  
20 That's why, in 1990, you see that we put in a thirty-six-inch  
21 size limit on the commercial sector, and that's why you see, in  
22 1998, we took them from a 365-day season down to a two-hundred-  
23 and-something-day season. We did not back off the 365-year-  
24 round open season on the recreational side until 2008, I think  
25 it was, and we've been reining that commercial sector in since  
26 the 1990s.

27  
28 We have constrained catch, and there was a bigger population out  
29 there in the 1990s than what we once thought, and we didn't  
30 constrain the recreational sector, and they ended up fishing on  
31 that larger stock, and that's what FES is -- Their landings were  
32 higher than what we once thought, because we did not have an  
33 adequate data collection procedure, and we still don't, and so  
34 that is what frustrates me about this whole -- And it's like  
35 this with every species that we're looking at, and it's almost  
36 like, if you play by the rules, and you do what NMFS forces you  
37 to do, mandatory reporting, census-level reporting, not a year-  
38 round season, closures every year, that will be punished.

39  
40 You didn't get the opportunity to go fish off the radar and  
41 harvest on that larger population that was out there, and, heck,  
42 if you go back and look at the size limit -- Just go back to the  
43 first thing we did, that size limit, and we put a thirty-six-  
44 inch size limit on the commercial sector. That's a mature fish.  
45 That fish is sexually mature.

46  
47 If you go back and look at the document, we implemented a  
48 thirty-inch size limit on the recreational side, and there was

1 some conversation, on the recreational side, that maybe we don't  
2 need a size limit at all, and a thirty-inch fish, at that point  
3 in time, if you read the document, we knew it was not sexually  
4 mature. We knew we were killing babies, and, yet, we had a  
5 stock that was overfished and undergoing overfishing, and we  
6 were okay with that.

7  
8 We put a thirty-six-inch limit on the commercial. The very  
9 smallest fish that was sexually mature at that point in time, we  
10 estimated to be thirty-two to thirty-three inches, at that point  
11 in time when we put that measure in place, and so we allowed  
12 fishing on juveniles.

13  
14 We just, just in 2016 or 2017, whenever we changed the  
15 recreational size limit to thirty -- What is it now, thirty-  
16 three or thirty-four? That's when we finally got above sexual  
17 maturity, and so that is what frustrates me. We've done our  
18 part, on the commercial side, to try and rebuild this stock, and  
19 we have been constrained. We have not had the access to that  
20 larger population, and this is how we're rewarded.

21  
22 **CHAIRMAN FRAZER:** Okay. We're going to move forward. John.  
23 Mr. Chairman.

24  
25 **MR. DIAZ:** I think I understand Leann's point, and I do agree  
26 that the commercial fishery has been constrained sometimes, and  
27 I wasn't on the council back in 1990, but we do -- We have to  
28 recognize that we treat different sectors different based on  
29 what those sectors target, and, I mean, right now, we have a  
30 different size limit on red snapper for commercial than we do on  
31 recreational, and I think there's rationale and reasons for  
32 that. I don't know what the rationale was back in 1990, but you  
33 do make a good point, Leann, and I think the comments have  
34 opened my eyes to some stuff that I haven't considered before  
35 you made them, and so I appreciate you doing that. Thank you.

36  
37 **CHAIRMAN FRAZER:** Mr. Strelcheck.

38  
39 **MR. STRELCHECK:** I also want to thank Leann for the comments,  
40 and I think what you're pointing out, Leann, is there is a lot  
41 of factors to consider here beyond just updating landings  
42 history, right, and so we modified the need in the amendment  
43 already, and I know you've offered Alternative 6 as an option in  
44 this amendment for consideration, and so it's really up to the  
45 council to discuss the pros and cons of whatever action and  
46 alternative you want to select, in terms of allocation going  
47 forward.

48

1 I do want to comment though on the recreational landings change,  
2 right, that I keep hearing they're not constrained, or they were  
3 over their quota, and I think that's really an unfair  
4 characterization. Hindsight is 20/20. We know that we've had  
5 data improvements, and, if we had known that back then, maybe we  
6 would have done a lot of things differently, right, and we can't  
7 go back and rework history at this point, and so I just want to  
8 make sure that there's not an unfairness placed on the  
9 recreational sector for new information that has emerged as  
10 well, ultimately that changes, obviously, how we look at the  
11 data and information and the science before us.

12  
13 **CHAIRMAN FRAZER:** Thank you, Andy, for those comments as well.  
14 Okay. We're going to try to keep on track, John, here, and  
15 we're going to let you work through the next three alternatives.

16  
17 **DR. FROESCHKE:** Okay. Alternative 4 uses a reference period of  
18 landings, and, in this case, it's 1993 through 2007, and so it's  
19 different from 1981 through 2004, and I will explain the  
20 rationale. Keep in mind, from the IPT perspective, we're just  
21 providing the background information and the rationale for each  
22 of these, and that's it, and I do agree with the concept that  
23 using landings as a basis -- In a perfect sense, you would have  
24 unregulated fisheries on both sides, and all of this complicates  
25 that discussion, and we fully acknowledge that, and that's why  
26 we're trying to provide the information to you all as best we  
27 can.

28  
29 This one, prior to 1993, the landings on the commercial side  
30 weren't identified, as they came in, to greater amberjack, and  
31 all the jacks were lumped together, and they were subsequently  
32 parsed apart on the analytical side, and so there is some degree  
33 of uncertainty there, and so the option of -- That's why this  
34 alternative considers removing those years.

35  
36 If you think about it from the 2007, and so the allocations  
37 started in 2008, and so the management, you would assume, and it  
38 largely was, would hold the fishery to the 73/27 allocation and  
39 so, considering years beyond that, you're, in effect,  
40 reinforcing the allocation we have in place, and so this would  
41 consider this 1993 through 2007.

42  
43 The contrast of that, if you go down to Alternative 5, you will  
44 see this extends that. It's the same years, beginning in 1993,  
45 for the same logic that I just mentioned, but it does extend the  
46 time series through 2019. The rationale for doing this is that  
47 the, longer the time series that you have, potentially the more  
48 accurate conversion you could achieve through this, and so it

1 encompasses a more recent and a longer time series, noting that,  
2 from 2008 through 2019, there already is an allocation in place  
3 that would likely be reflected in what you see.

4  
5 A couple of just general points about these. On balance. Most  
6 of the alternatives, in terms of the OFL, ABC, and the total  
7 ACL, are not that different among the alternatives. There's  
8 less than a 5 percent difference, and so the selectivity  
9 component alone is not as big as it was, for example, with the  
10 red grouper.

11  
12 The other consideration is between Alternatives 3, 4, and 5, and  
13 the allocation that results, based on the calculation, is in the  
14 same ballpark, and it's not drastically different, and so that's  
15 just some general information, and then Alternative 6, if you  
16 can scroll down to this one, this is the one that kind of flips  
17 everything on its head, and so the alternative -- For example,  
18 Alternative 5 was an 80 percent recreational and 20 percent  
19 commercial, and this would be a 24 percent recreational and a 75  
20 percent commercial. Again, the total ACL is not that different,  
21 but it would just be split -- The commercial would stay at the  
22 484,380 in 2022, and it would rebuild, based on a 75.6 percent  
23 allocation of the total ACL, through 2027.

24  
25 The commercial, relative to what we have now, by the 2027, they  
26 would be approximately double what they are right now, and the  
27 recreational ACL would be well below what we have in place. I  
28 will stop there for questions and input.

29  
30 **CHAIRMAN FRAZER:** I think, John, in order to keep us on time  
31 here, I think it was good to go through the various  
32 alternatives, and we have to make a decision on the preferred,  
33 certainly, at the August meeting, but that will give time for  
34 folks to think about that a little bit. We are scheduled for a  
35 break right now, and then we'll talk about the emergency rule,  
36 but I also understand that we need to talk about whether we  
37 should schedule the public hearing meetings virtual or in-  
38 person, and maybe, immediately after the break, we can take that  
39 up, before we jump into things. Go ahead, Dr. Froeschke.

40  
41 **DR. FROESCHKE:** Just quickly, my main objective here is that,  
42 the next time you would see this document, we would prepare  
43 Chapters 3 and 4, and so my question is, on balance, are you  
44 satisfied with the range of alternatives that you have before  
45 you, or are there different -- Do you want modifications to  
46 these, or something like that? Otherwise, we would proceed with  
47 this, and then, again, if you want to go through Action 2, which  
48 is the ACT, which carries forward the buffers, we can do that.

1  
2 **CHAIRMAN FRAZER:** I'm just looking around the table, and is  
3 there an appetite to add alternatives to the document at this  
4 point? J.D.  
5  
6 **MR. DUGAS:** Thank you, Mr. Chair. Not to add, but we had a  
7 recommendation from the IPT to remove.  
8  
9 **CHAIRMAN FRAZER:** Okay. We did. Again, I will let people  
10 ponder that a bit, and we'll bring it up in Full Council, I  
11 think. I want to make sure we stay on schedule here.  
12 Otherwise, I fear we'll get a bit too far behind. Mr. Gill.  
13  
14 **MR. GILL:** Thank you, Mr. Chairman. Relative to Dr. Froeschke's  
15 comments, I would argue that Sections 3 and 4 need to cover, in  
16 much greater detail than we normally do, all those factors that  
17 we talked about consideration for reviewing allocation. I would  
18 expect to see an extensive analysis, et cetera, so that the  
19 discussion, relative to the alternatives that are left in this  
20 document, are adequately covered in the socioeconomic and all  
21 those other factors that we approved at our last meeting. Short  
22 of that, I won't support any of it. Thank you.  
23  
24 **CHAIRMAN FRAZER:** Ms. Bosarge.  
25  
26 **MS. BOSARGE:** In that analysis, we have to start talking about  
27 the uncertainty involved in constraining let's say the  
28 recreational sector, but I'm starting to feel better about -- We  
29 have a better data collection system that we put in place on the  
30 for-hire side, and I know this fishery is important to them, but  
31 we're getting down into ACLs that are a million pounds or less,  
32 and can you imagine what those MRIP numbers are going to do?  
33  
34 They're going to do this, up and -- It's just not made to  
35 constrain catch, in two-month waves, to those kind of numbers,  
36 and so we better start talking about the uncertainty surrounding  
37 moving more fish over to that side, and are we actually going to  
38 be able to -- If you want to rebuild the stock, number one,  
39 you've got quit killing babies, because you need to reproduce to  
40 rebuild the stock, and, number two, you have to constrain catch  
41 to the levels that are projected by your assessment.  
42  
43 Generally, quit killing so many fish, and don't kill the ones  
44 that haven't reproduced yet. I mean, it's not rocket science,  
45 right, and so we've got to talk about the uncertainty with do we  
46 think we can actually constrain catch to those levels, and what  
47 will that take, but I think that piece has got to be in there,  
48 especially if you're looking at shifting more fish into that

1 component, where you have so much uncertainty.

2  
3 **CHAIRMAN FRAZER:** Okay. Thank you, Ms. Bosarge, and so we had  
4 some comments and some suggestions, John, for Sections 3 and 4  
5 of the report. I appreciate that there's a lot in the comments  
6 that were made, and we'll expect to see those sections in our  
7 August meeting. I am going to keep us on track here, and we  
8 will take a break, Mr. Chairman, if that's all right with you,  
9 for fifteen minutes, and then we'll come back and talk about the  
10 public hearing process.

11  
12 **MR. DIAZ:** We'll come back at 10:20.

13  
14 (Whereupon, a brief recess was taken.)

15  
16 **DR. FROESCHKE:** Next up, we're going to do Item VI, which is the  
17 Draft Emergency Rule to Modify Greater Amberjack Management, and  
18 I think Ms. O'Donnell is giving that presentation.

19  
20 **CHAIRMAN FRAZER:** John, do you want to go over the public  
21 hearing schedule first?

22  
23 **DR. FROESCHKE:** Yes. I never got my coffee.

24  
25 **CHAIRMAN FRAZER:** I'll get you a cup while you do that.

26  
27 **DR. FROESCHKE:** The thinking is a couple of ideas. In order to  
28 take final action in October, to meet our deadline, we would  
29 need to bring a public hearing draft in August. If it were  
30 approved, we would have to do some sort of public hearing in  
31 between there, which is kind of difficult, given that, in  
32 September, there's always a hurricane somewhere in the Gulf.

33  
34 If we were to do that, we would want to start thinking about  
35 locations now, so that we could start working on it, and that's  
36 one thing to think about, and so I have a little bit of  
37 information about. The other thing that's kind of new is we  
38 have used Fish Rules, in the past, to outreach to participants  
39 on both the commercial and the recreational side. They now have  
40 a stronger relationship with Fishbrain, which is an app-based  
41 thing, which is a pretty wide reach, and, because we work  
42 closely with them, are well integrated, and we can pursue that  
43 avenue as well.

44  
45 If we wanted to do a combination of outreach through Fish Rules  
46 and virtual hearings, that would be one possibility, and it  
47 might give us flexibility on timeline. If we wanted to consider  
48 in-person public hearings, we could start thinking about

1 locations, and so, in general, the states -- Like, for example,  
2 Texas, in August, we have a council meeting in Corpus Christi,  
3 and we could perhaps do something additional down there.

4  
5 As far as public hearings, we generally have gotten the best  
6 participation in Galveston, and New Orleans, and it seems like  
7 we would want something in the Panhandle, central Florida, and  
8 south Florida somewhere, but perhaps, with a suite of virtual  
9 and in-person or something, we could accomplish this without  
10 trying to run all over the Gulf in a pretty short timeline.

11  
12 **CHAIRMAN FRAZER:** Mr. Gill.

13  
14 **MR. GILL:** Thank you, Mr. Chairman, and your comments lead me to  
15 think that we're in a different world on public hearings than we  
16 have been historically, and, consequently, we ought to think,  
17 philosophically, about how we want to move forward in thinking,  
18 as opposed to the normal, okay, everybody wants some in their  
19 state, and we go around, and we have them all over the Gulf  
20 regardless, and so it suggests, to me, that, number one, virtual  
21 ought to take a higher priority, in terms of how we approach  
22 public hearings, and other way to approach this, that allows for  
23 public participation, is that we consider using Fish Rules,  
24 virtual public hearings, and we do in-person public hearings in  
25 the areas of significant landings, where it's warranted.

26  
27 For example, AJs -- In this case, we're taking a drastic  
28 difference from where we've been, and so the need for some  
29 public participation I think ought to be allowed, and scheduled,  
30 in the areas where AJs are a significant part of the community.

31  
32 On a routine basis, I could see, where we don't have drastic  
33 changes, and just modest changes, for example, we just do  
34 virtual and Fish Rules, but I think that the difference, in my  
35 mind, is that, if we think of public hearings, going forward, as  
36 based on virtual and Fish Rules, and utilize the in-person on an  
37 as-needed basis, it's a better approach, and I would recommend  
38 consideration of that for the AJ consideration. Thank you.

39  
40 **CHAIRMAN FRAZER:** C.J.

41  
42 **DR. SWEETMAN:** Thank you, Mr. Chair. Just for some perspective,  
43 FWC has been kind of holding a lot of both virtual and in-person  
44 meetings, and we certainly have had much better participation  
45 with the in-person meetings. I think we could get a lot more  
46 information from that.

47  
48 **CHAIRMAN FRAZER:** Thanks, C.J. Susan.



1  
2 **MS. BOGGS:** Thank you, Mr. Chair, and I do agree with what C.J.  
3 is saying, especially on an issue that, in my mind, is going to  
4 be kind of contentious, and I was talking to Kevin, and, to kind  
5 of help with some meetings, if maybe Pensacola would draw your  
6 Mobile and Orange Beach crowd, and Panama City and Destin folks  
7 could come that direction as well, and, that way, you're not  
8 trying to meet -- Those are all hotspots, but I think that would  
9 be a happy medium, to get people to participate, because I think  
10 there's still a lot of participation.

11  
12 **CHAIRMAN FRAZER:** Mr. Rindone.

13  
14 **MR. RINDONE:** Thank you, Mr. Chair. Just with respect to trying  
15 to draw the Panama City and Destin crowd to Pensacola, we've had  
16 difficulty with that in the past. We typically get great  
17 participation when we're actually in town there, in that  
18 neighborhood, but, if we do Pensacola, and then we say skip down  
19 to Tampa, we tend to miss that, a good chunk of that crowd and  
20 that participation.

21  
22 **CHAIRMAN FRAZER:** Okay. Any more suggestions? Who am I missing  
23 here? Emily.

24  
25 **MS. EMILY MUEHLSTEIN:** Thank you for recognizing me. We did put  
26 together a little bit of information, informally, about the  
27 different communities that rely heavily on greater amberjack,  
28 and, if you guys did want to do some in-person meetings, I think  
29 we have some reasonable guidance on what might be a good place  
30 in each state, with two being in Florida, and I can sort of  
31 discuss those now, or we can talk about it later, and that's up  
32 to you guys.

33  
34 **CHAIRMAN FRAZER:** I would go ahead, Emily, and give us a little  
35 breakdown.

36  
37 **MS. MUEHLSTEIN:** Okay, and so, based on the data that we pulled  
38 from the fishery in both sectors, sort of based on where  
39 landings are high, and also based on attendance from our last  
40 greater amberjack effort, it looks, to me, like the most  
41 appropriate locations would be Galveston for the State of Texas,  
42 Kenner or New Orleans for Louisiana.

43  
44 In Alabama, it's a little bit split. Commercial participation  
45 is centered around Bayou La Batre, and recreational  
46 participation is centered in Orange Beach, and so I would  
47 suggest the consideration of splitting the difference and doing  
48 the hearing in Mobile, because, you know, you've kind of got

1 them from either side of the bay there.

2  
3 In Mississippi, Biloxi looks like the appropriate location, and  
4 then, in Florida, it looks like there's kind of two hotpots.  
5 Recreational participation is in both Destin -- Or it's Destin,  
6 and commercial is in Panama City, when we're talking about the  
7 Panhandle area, and so, you know, you kind of have to choose  
8 between those two, and then, also, there was a pretty good  
9 amount of landings and participation in the Keys, and so I would  
10 suggest either Marathon or Key West as appropriate in Florida,  
11 and so those are sort of just my thoughts, based on looking at  
12 that historical participation in both our hearings and in the  
13 fishery itself.

14  
15 **CHAIRMAN FRAZER:** John, a real quick question, and, I mean, from  
16 a staff and a council perspective, did you have an idea of how  
17 many locations you wanted to target, from a budgeting  
18 perspective?

19  
20 **DR. FRAZER:** I think, from a budgeting, we can carry out  
21 whatever the will of the council is. In my mind, when I was  
22 looking at some of the information that we had from Emily, I was  
23 thinking Galveston, New Orleans, somewhere in the Panhandle,  
24 like central Florida, and south Florida, and then we could fill  
25 the gaps with virtual hearings and Fish Rules and things like  
26 that.

27  
28 That's a little bit condensed from what we've historically done,  
29 from the one per state, and we could certainly do that, and  
30 we're just trying to weed through some of the areas that we just  
31 got less than two or three people in, and so not a good value.

32  
33 **CHAIRMAN FRAZER:** Ms. Boggs.

34  
35 **MS. BOGGS:** Well, if you're going to skip Alabama, I would go  
36 back to Pensacola, and that would be a happy medium. I mean,  
37 those Panama City and Destin folks, they drive to New Orleans,  
38 and they come to Texas, and they come all over, and that's an  
39 easy drive for them, is Pensacola. I mean, you're going to have  
40 to get the Alabama folks, because they're wanting to be a part  
41 of this.

42  
43 **CHAIRMAN FRAZER:** Okay, and so, John, I guess what I'm hearing  
44 here is that there's a preference for public meetings to be held  
45 in person, and it looks to me like we've got -- You know, the  
46 only real situation, for the council staff to consider,  
47 probably, is whether you want to do it in the north-central  
48 Gulf, right, and so perhaps, John, over the next couple of days

1 or something, we can come back, during Full Council, with some  
2 suggested locations, and is that okay with you?

3

4 **DR. FROESCHKE:** Yes.

5

6 **CHAIRMAN FRAZER:** All right. Excellent, and so we'll go ahead  
7 and move on to the next agenda item then.

8

9 **DR. FROESCHKE:** Do you want me to run through the action guide?

10

11 **CHAIRMAN FRAZER:** Yes, please.

12

13 **DRAFT EMERGENCY RULE TO MODIFY RECREATIONAL AND COMMERCIAL**  
14 **GREATER AMBERJACK FISHING SEASONS**

15

16 **DR. FROESCHKE:** All right, and so, before I got distracted, Ms.  
17 O'Donnell, from NOAA SERO, is going to come up and give a  
18 presentation on a draft emergency rule for amberjack, and what  
19 this is about -- When we started looking at the reductions that  
20 are going to be in place from Amendment 54, and particularly in  
21 the recreational sector, the 2023 ACL landings will begin  
22 accumulating in August of 2022, or whenever that season opened,  
23 and carry through through the end of July of 2023, and so the  
24 concern is, if the season goes off as scheduled, that the ACL  
25 would be caught in its entirety, but the overage could be enough  
26 to require a payback of the entire season for the following  
27 year, and so we would have a whole season, perhaps, plus some  
28 additional fish that may not be accounted for, and so you could  
29 lose the season, which we desperately don't want to do.

30

31 **CHAIRMAN FRAZER:** Okay. Thanks, John, Ms. O'Donnell, welcome  
32 back.

33

34 **MS. O'DONNELL:** Thank you, Mr. Chair. As Dr. Froeschke was  
35 mentioning, as we were starting to do the analysis for 54, and  
36 looking at when ACTs would be met for both sectors, as you  
37 mentioned, we saw, for the recreational sector, right now a  
38 projection, with the current sector allocation, would show that  
39 they would meet the new ACL that would be implemented from 54 by  
40 August 24, and so, basically, if we do not look at changing the  
41 fixed closed season currently, pretty much from mid-August on,  
42 they would be expected to be overharvesting what their new ACL  
43 would be, which will be implemented in the spring of 2023.

44

45 For those of you who may be wondering why we're not mentioning  
46 the commercial sector here at all, when we did the analysis for  
47 them, it was not showing that they were projected to meet their  
48 ACT throughout the timeline of this potential emergency rule,

1 which, right now, we did analysis based on an August 1 to July  
2 31 timeline, and we'll get some more into that too, of why we  
3 did the analysis for the full year.

4  
5 Another one of the differences, and we haven't really done too  
6 many emergency actions, and so to kind of talk about some of the  
7 differences between that and what you'll be seeing for the gag  
8 presentation later, which we're looking at an interim rule for,  
9 the emergency rule has to meet some certain criteria, which we  
10 believe the situation with greater amberjack will be needing.

11  
12 What we're going to want to do, for this presentation, is detail  
13 that need for this emergency action, our timeline to get that  
14 into place, and what we have so far for our preliminary  
15 analysis.

16  
17 Why do we need to do this? Current regulations only allow for  
18 an in-season closure based on the current codified ACT, which is  
19 based on what our current ACT is now, and we cannot do an in-  
20 season closure based on what the future ACT will be under 54,  
21 when it's implemented, and so, basically, if 54 is implemented  
22 before July 31, which we anticipate this could be hopefully  
23 implemented in the spring of 2023, it would reduce that codified  
24 ACT and ACL, and the ACL by approximately 78 percent, and so a  
25 drastic cut, and so all of those landings that would start on  
26 August 1 of this year would be associated to that 2022-2023  
27 fishing year under the 2023 ACL and ACT that is selected in 54.

28  
29 Our projections are showing that, if we let the season run as  
30 currently, August 1 to October 31, and then the month of May,  
31 we're looking at potentially exceeding the 2023 ACL by more than  
32 double. Now, current regulations also state that, for  
33 accountability measures, a payback only occurs in the year after  
34 the overage.

35  
36 Now, this overage is so much under our projections, currently,  
37 that it looks like there most likely will be a complete closure  
38 in the 2023-2024 fishing year, and there would still be fish  
39 that were over even that ACL, but regulations do not allow us to  
40 carry over that additional overage into the second year, and so  
41 the issue with that is this could impact rebuilding, because  
42 that would be approximately 400,000 pounds of fish that would be  
43 unaccounted for, and this could affect the rebuilding timeline  
44 and future ACLs and ACTs, which may have to be reduced again in  
45 the future to make up for possibly not meeting that rebuilding  
46 timeline.

47  
48 Where I was mentioning earlier that there's a little bit

1 different criteria for an emergency rule versus an interim rule,  
2 and so, Number 1, results from recent and unforeseen events, or  
3 recently-discovered circumstances, and so that was with the  
4 analysis that we have been currently conducting after we got the  
5 ACLs and ACTs under the various allocations from the January  
6 meeting, and then into April, as we were seeing what we were  
7 going to be looking at for our 54 allocations and catch limits  
8 resulting from that, and that's where we were seeing what this  
9 potential overage could be, and so this addresses Number 2, that  
10 it could present serious biological conservation issues for the  
11 stock and possibly may make them not meet their rebuilding  
12 timeline of 2027.

13  
14 Addressing Number 3, doing the emergency regulations would  
15 outweigh the value of having advance notice and the public  
16 comment timeline period and the cooling-off period, and so,  
17 basically, we would be implementing regulations without having a  
18 proposed rule, and it would be going straight to final rule, and  
19 so there would not be public comment taken beforehand, except  
20 for at this meeting, and what we hear from the council and from  
21 stakeholders that want to give us some feedback on what they  
22 would like to see.

23  
24 With the emergency rule, it is set for 180 days, and that puts  
25 us into about the January or February timeline, if we are able  
26 to get this implemented by August 1, and we can extend it for up  
27 to 186 more days. Now, since there's a lot of moving factors  
28 with this, we could possibly extend it for this 186 days, if we  
29 would not be able to open in May, if we already are seeing our  
30 landings are over, based on when we would open in the fall.

31  
32 During this straight-to-final rule, we will be taking public  
33 comment at that time, to see what people would want to see  
34 happen and would they want us to extend this, or would that they  
35 rather see that May season, even if it meant potentially over,  
36 and there's a lot of moving factors with this, which we will get  
37 into as we get into our alternatives.

38  
39 Again, as I mentioned earlier, the recreational landings are  
40 projected to exceed the ACL by more than double, which would  
41 result in negative biological impacts, and we are currently  
42 recommending an emergency to be for that first 180 days, and  
43 most likely extended, and, whenever Reef Fish 54 would be  
44 implemented, it would supersede this emergency rule, if it was  
45 extended for that second 186 days.

46  
47 We have already started developing the assessment, which you  
48 have in your briefing book materials. We are wanting, from the

1 council, some recommendations on what they would like to see and  
2 move forward with with the alternatives, and also wanting to get  
3 some public stakeholder feedback on what they would like to see  
4 as well.

5  
6 We would be developing that final emergency rule at the end of  
7 this month and into next month, with the hopes that it would be  
8 effective by August 1, the start of the recreational fishing  
9 year.

10  
11 Current management measures are a sector allocation of 73  
12 percent to the recreational sector and 17 percent ACT buffer,  
13 and I bring that up because we were originally doing our  
14 projections on when they could possibly meet the ACT, but, with  
15 the drastically-reduced catch limits from 54, they were already  
16 meeting their ACL, within the first couple of weeks of August,  
17 and the current fixed closed season is November to April and  
18 June to July, and they do have an in-season closure, if the ACT  
19 is met or projected to be met, and the post-season is a payback,  
20 where the ACL and the ACT would be reduced by any amount of the  
21 overage in the previous fishing year.

22  
23 What are the alternatives that we're looking at? The no action,  
24 which would be retaining the current fixed closed season, which  
25 I mentioned they would be reaching their proposed ACL from 54  
26 around August 24, and so what are the other alternatives? We  
27 would have just the month of August open, just the month of  
28 September open, just the month of October open, or open for  
29 September and October.

30  
31 You can see that, right now, none of these are showing a May  
32 option, and that's currently because, even with Alternative 2,  
33 they would be meeting that reduced ACL by August, mid-August,  
34 and so they would still have a payback on the next fishing year,  
35 which would mean no opening in May possible, and the opening in  
36 September or October potentially could have a May season, but  
37 there's a lot of unknown with if effort and harvest would shift  
38 if August was closed, and we don't want to say for sure that,  
39 yes, there could be a May season, because effort and landings  
40 may shift if August was closed, and still increase the landings  
41 enough that a May opening couldn't happen.

42  
43 Kind of the combination, and hopefully a happy meet-in-the-  
44 middle, would be Alternative 5, which would be to have September  
45 and October open, and, based on historical landings, it's not  
46 looking like an overage would occur, but, again, landings would  
47 be too close to the ACL, and we would not be able to be open in  
48 May.

1  
2 This shows what we were looking at within our analysis and how  
3 even looking at the most recent three years of fishing, which  
4 also includes what happened during COVID, which we're still  
5 uncertain as to how that affected fishing effort, and what  
6 average landings are expected to be, and so you can see we have  
7 very high landings in August, and they dropped down a little bit  
8 in September and October, and then we have a bump-up in May  
9 again, when that month is open.

10  
11 Here's what we're looking at, as far as the numbers, and so,  
12 under the current sector allocation, which is what we did all of  
13 our analysis on, the 2022-2023 fishing year ACL would be  
14 473,770, and so the overage would be almost a million pounds,  
15 and so, basically, we would expect them to be landing right  
16 around 1.4 or 1.5 million pounds, and so the 2023-2024 ACL,  
17 under the current allocation, is only 562,000 pounds, and so  
18 that would mean, if the current season occurs, there would be no  
19 opening in the 2023-2024 fishing year, if historical landings  
20 continue.

21  
22 With just the month of August open, as I mentioned, they are  
23 projected to meet that ACL by mid-August, and have a slight  
24 overage for the last couple of weeks of August, and so they  
25 would be able to open in 2023 and 2024, but they would have a  
26 payback on that fishing year as well.

27  
28 With an opening of just September or October or an opening of  
29 September and October, they are not projected to meet their ACL,  
30 and an overage is not projected to occur, based on what  
31 historical landings were. Now, as I just mentioned, if effort  
32 shifts, if August is closed, that may change slightly.

33  
34 What we really need your feedback and recommendations on is what  
35 the council and stakeholders want to see, and is it more  
36 important for them to have an August opening, so that they don't  
37 need to reschedule any of their trips, even though we are  
38 projected to have a payback with an August opening, and, with  
39 not changing the season at all, right now a current projection  
40 of no season opening at all in the 2023-2024 fishing year, or  
41 shift to an opening of September or October, which neither one  
42 has a projected overage, although these August trips that are  
43 currently on the books would have to be rescheduled.

44  
45 Another pro of a September opening is that we're no longer  
46 splitting a wave, and so that would help with reducing  
47 uncertainty in the landings that we do get in, but, again, if  
48 effort shifts, we're not sure how much that could shift, and it

1 could, again, still lead to a possible overage, although average  
2 landings in September and October are right around 170,000  
3 pounds, and so we have a little bit more wiggle room, and, if we  
4 did move forward with an opening of either September or October,  
5 we would be able to revisit the landings, which we would have in  
6 time, before we would need to make a decision of whether we're  
7 going to extend this emergency rule for the second 186 days, and  
8 be able to see if potentially we could have a May reopening. I  
9 know that was a lot to take in, and so I wanted to make sure  
10 that I left some time for questions.

11  
12 **CHAIRMAN FRAZER:** Thank you, Ms. O'Donnell. We have a question  
13 from Mr. Diaz.

14  
15 **MR. DIAZ:** It's kind of a comment and a question. First, I did  
16 talk to some of the folks that work for Mississippi DMR, and  
17 they thought that splitting a wave was something that would be  
18 best to avoid, if possible. Mississippi is in the calibration  
19 issue it's in right now because of these waves, and we've got  
20 some quota numbers that cannot be explained, and I would hate  
21 for that to happen with this.

22  
23 The other thing about moving into September is fishing competes  
24 with football and dove season, and I think there are some field  
25 seasons in some states and some other things that would draw  
26 some people that would compete with trying to fish for this  
27 amberjack, which might take a little bit of pressure off of  
28 them, and so I just wanted to mention those two things, and I  
29 don't want to throw out anything past that. Thank you.

30  
31 **CHAIRMAN FRAZER:** Mr. Strelcheck and then Mr. Riechers.

32  
33 **MR. STRELCHECK:** First, Kelli, thanks for the presentation.  
34 Excellent job. I wanted to just add a little more context here.  
35 Obviously, emergency rulemaking recommendations are not, in my  
36 opinion, the most desirable approach, right, and we have a very  
37 stakeholder-driven process, lots of public input.

38  
39 With that said, obviously, with the split season, it becomes a  
40 timing issue, as well as when we complete Reef Fish 54, as Kelli  
41 discussed, and so, to me, what we are really looking for is ways  
42 to mitigate, and potentially avoid, some substantial overharvest  
43 that could then affect future seasons to come, and so, you know,  
44 really it becomes how risk-averse or how risk-prone we want to  
45 be in terms of setting that season, going forward.

46  
47 I know, in the past, there's also been a lot of discussion about  
48 the geographic differences, in terms of desire as to when the



1 season would be, and, Dale, you just mentioned, obviously, some  
2 of the reasons why September might lower effort, and it may be  
3 less desirable, from the standpoint of other competing uses.

4  
5 We have a very tight timeline to kind of get this in place, and  
6 so one of the things that I did want to mention is, with the  
7 August 1 season, if we do emergency rulemaking, we potentially  
8 would, obviously, allow for trips that are already planned to  
9 proceed, but, if we decide that we would want to go to a  
10 September or October opening in place of that, we potentially  
11 are letting people know, in a very short time period, that we  
12 are not going to be opening on August 1, and so there would have  
13 to be a lot of public outreach and education, obviously, in  
14 advance of that start date, to ensure that people know the  
15 regulations have changed and the season would be shifting.  
16 There's definitely some pros and cons that Kelli laid out that  
17 we would want to talk about.

18  
19 **CHAIRMAN FRAZER:** Thanks, Andy. Mr. Riechers.

20  
21 **MR. RIECHERS:** As we look at that spring season, and realizing  
22 that you're not contemplating that, but how does your emergency  
23 rules react to that? If we reach the point of doing the one-  
24 month, or two-month, open seasons in the fall, do you see that  
25 there aren't -- The 180 days gets you to January 1 or so, and  
26 you want to extend that, and do you get the date certain, or how  
27 does your second emergency rulemaking occur there, or the  
28 extension of it? Do you have flexibility in possibly allowing a  
29 May season, a spring season, of some form, if you thought you  
30 had poundage?

31  
32 **MS. O'DONNELL:** There is nothing holding us to have to extend  
33 it, and, if we're open in September, for example, we should have  
34 those landings in by December, and that would -- With the  
35 original 180 days not ending until January or February, that  
36 would still give us enough time to make a decision on if there  
37 was enough pounds left, under the proposed 54 catch limits, that  
38 we could not renew the emergency rule for the second 180 days,  
39 to allow for May to open, because we would revert back to the  
40 current seasonal closure.

41  
42 **CHAIRMAN FRAZER:** Go ahead, Robin.

43  
44 **MR. RIECHERS:** So, if you revert back, would you have to do  
45 another emergency rule, if you couldn't support the full length  
46 of time, or would you open and then just close when you reach  
47 the quota?

48

1 **MS. O'DONNELL:** That would be one of the things that we're  
2 having to look into, because, if we weren't under the emergency  
3 rule, we would revert back to a closure could only to what the  
4 current ACT is, which would not have been close to meeting that,  
5 with the landings that we would assume for then, and so we could  
6 possibly, I guess, have to do another emergency rule, if we were  
7 going to want to project a May season, but we haven't talked  
8 about anything like that, and so I couldn't quite say what would  
9 happen during that.

10  
11 **CHAIRMAN FRAZER:** To that point, Andy?

12  
13 **MR. STRELCHECK:** I think, mechanistically, the way it would work  
14 is we would see what was landed in the fall and determine where  
15 that is relative to the new catch targets and catch limits we  
16 would set in 54. If we felt like there was enough quota  
17 remaining, or catch remaining, for May, we would essentially let  
18 the emergency rule expire and revert to the existing  
19 regulations. I don't think there would probably be a case where  
20 we would do a revised emergency rule for that.

21  
22 **MS. O'DONNELL:** Well, and I can also add to that. Based on  
23 historical landings, if we were just open in September or  
24 October, if landings stayed the same, and effort didn't really  
25 shift, and landings didn't increase that much, it's still  
26 showing that there would be enough of the 54 proposed catch  
27 limit to still keep all of May open, based on what May's  
28 historical landings have been. Now, of course, there is still  
29 just the uncertainty of even if effort would shift in May, if we  
30 had it open.

31  
32 **CHAIRMAN FRAZER:** Okay. It looks like I have Susan and then Dr.  
33 Stunz.

34  
35 **MS. BOGGS:** Thank you, Mr. Chair. Thank you, Kelli. I've  
36 talked to several of the charter captains out of Orange Beach,  
37 and I've heard from other captains around the Gulf, and August  
38 seems to be the consensus for a closure. For red snapper,  
39 thanks to NMFS, we have an extended season this year, and so  
40 September and October, either/or or both, and they don't have a  
41 preference there, but they have agreed that August -- But I do  
42 have a question about May.

43  
44 I ask it all the time, but I read that, in the documents, that  
45 amberjack, for the commercial fishery, is closed for, what is  
46 it, May and June for the spawn, but yet we're opening it for the  
47 recreational fishermen in May, during the spawn, and so we're  
48 not consistent in what we do, and I don't understand why that

1 is.

2

3 **CHAIRMAN FRAZER:** Dr. Stunz.

4

5 **DR. STUNZ:** Thank you, Mr. Chairman, and, Kelli, kind of to your  
6 earlier point, and I just want to throw this out there, and it  
7 might help our deliberations, but, you know, we're making --  
8 Your group is making an assumption, I guess, that the effort is  
9 going to stay the same, and I don't know if it's like what you  
10 see with red snapper.

11

12 You know, when you begin to compress these seasons, in some work  
13 that we did, at least out in Texas, especially to a month or  
14 less, then, all of a sudden, you start getting that effort  
15 really compressed, kind of the race for the fish, and so you  
16 don't really accomplish anything, other than just have all that  
17 fishing in that short period of time, plus this is typically  
18 when the weather is really good, and so weather is not as much  
19 of a factor in curbing that.

20

21 Obviously, other than Alternative 1, Alternatives 2, 3, and 4  
22 are a month long, and I don't know even where I'm at on any of  
23 these alternatives, but at least Alternative 5 gets you two  
24 months, where you can spread that effort out just a little bit  
25 more.

26

27 As Dale mentioned, it curbs -- There is other things going on at  
28 that point that might help that, and so, I mean, I'm kind of  
29 leaning towards Alternative 5, just to spread that out and not  
30 have the same behavior that we saw, at least in red snapper, and  
31 who knows if that would occur, of just compressing the effort  
32 into a shorter period of time, and, also, based on what Susan  
33 just said, and others, you know, maybe there is -- Alternative 5  
34 might be a better option, and I don't know. I'm just putting  
35 that out there.

36

37 **CHAIRMAN FRAZER:** Ms. O'Donnell.

38

39 **MS. O'DONNELL:** To that point, just to keep in mind that, if you  
40 did select the September and October opening, under historical  
41 harvest levels, there definitely wouldn't be enough poundage  
42 left to reopen in May, and so that would be one of those  
43 situations where would most likely be extending the emergency  
44 rule.

45

46 **CHAIRMAN FRAZER:** Thank you, Kelly. Mr. Anson.

47

48 **MR. ANSON:** I am just curious, Andy, if you all have started to

1 look at any of the SEFHIER reporting, and I know you've got the  
2 historical information that you can refer to, and it will  
3 provide much more better information, but I'm just curious, if  
4 we had a -- Alabama required all of the for-hires and the  
5 private recs to report triggerfish and greater amberjack last  
6 year, and so it was just our first year of reporting, but kind  
7 of to show, I guess, the benefit of that, the timeliness, but we  
8 actually had more charter boats -- More fish reported on charter  
9 boats than what was estimated to have been harvested through the  
10 MRIP survey, and so there are some differences there.

11  
12 I know you've got to keep things consistent, as far as data  
13 collection, and I'm just curious, Andy, as to when you might  
14 start relying upon that, and are you going to go to the full  
15 three-year side-by-side, or are you going to start looking at  
16 that earlier?

17  
18 **MR. STRELCHECK:** Well, we're certainly not at the point where  
19 the for-hire logbook reporting can be used for landings and  
20 catch estimates. You know, we've had a phase-in period over the  
21 last year-and-a-half, and we just implemented VMS logbook  
22 requirements, as of March, and we've talked, in the past, and we  
23 talked to the South Atlantic Council last week about bringing  
24 back a summary comparison and information to the council, later  
25 this year, and I think that's probably the first step in the  
26 process, that we need to provide you with some just general  
27 statistics, what's working and what are some of the challenges.  
28 There's definitely been a ramp-up period though, in terms of  
29 compliance.

30  
31 **CHAIRMAN FRAZER:** Ms. Bosarge.

32  
33 **MS. BOSARGE:** I was thinking the same thing you were. Do you  
34 think you could get a number? I am just wondering, because I  
35 know this is important to the for-hire fishery, and I know we  
36 have a new data collection program there, and do you think, at  
37 some point, you could give us some numbers on what you all had  
38 actually just reported from the for-hire fishery for amberjack  
39 last year?

40  
41 Then do you all -- Patrick, does Louisiana require -- Have you  
42 all been requiring for-hire to report amberjack to you all, or  
43 no, under your system? I am just wondering if the for-hire  
44 landings are going to eclipse the whole quota, and those would  
45 come in first, regardless of this whole estimation procedure.

46  
47 If they're reporting landings, through their new system, and the  
48 nominal landings are exceeding whatever the recreational quota

1 is, you wouldn't wait until you got MRIP landings in for the  
2 other portion of that fishery to close something, right? I  
3 mean, if you're getting nominal landings in that exceed the  
4 quota, we have to shut it down, right?  
5

6 **CHAIRMAN FRAZER:** Mr. Strelcheck. I think that's a question for  
7 Andy, first, before you get to Patrick.  
8

9 **MR. STRELCHECK:** Let me get this straight. So the red snapper  
10 landings are too high, but the greater amberjack landings are  
11 too low? Is that what we're saying about MRIP? I'm sorry. I  
12 just had to say that on the record.  
13

14 **MS. BOSARGE:** I didn't follow you. I'm talking about SEFHIER.  
15 For SEFHIER --  
16

17 **MR. STRELCHECK:** We are not at the point of using SEFHIER  
18 landings. We've talked about that there is multiple years that  
19 we need side-by-side comparison testing, in order to use this,  
20 and so, right now, the basis for any catch limit monitoring is  
21 going to be MRIP-FES statistics, once 54 is in place, and CHTS  
22 statistics, currently.  
23

24 **MS. BOSARGE:** So, we have mandatory reporting at a trip level  
25 for the for-hire sector, and you will be getting those landings  
26 in at each trip, before they offload. If you see that those  
27 landings exceed the recreational quota at some point, we will  
28 not shut the recreational sector down? They will continue to  
29 fish?  
30

31 **MR. STRELCHECK:** Well, keep in mind that we have mandatory  
32 reporting, but not everyone has been reporting at this point.  
33 We're still working on compliance and improvements, and we're  
34 not using just the basic, raw nominal data for quota monitoring.  
35 That would need to be integrated into our science, ultimately  
36 inform our catch limits, and then be used, obviously, for  
37 monitoring going forward.  
38

39 **CHAIRMAN FRAZER:** Ms. Bosarge.  
40

41 **MS. BOSARGE:** Right, and so the non-compliance though would  
42 increase the landings over and above the nominal reported  
43 landings that are already there. I realize there may be some  
44 QA/QC that has to go into effect with the nominal reported, but  
45 it seems crazy, to me, if we have a mandatory reporting system,  
46 and people are reporting landings that exceed the quota, that  
47 somehow we're not going to shut the fishery down.  
48

1 **CHAIRMAN FRAZER:** Ms. O'Donnell.

2  
3 **MS. O'DONNELL:** I just wanted to speak to the case of this  
4 emergency rule. There's kind of a couple different things going  
5 on with accountability measures, and so, right now, we would  
6 only be looking at changing the fixed closed season, and so we  
7 still wouldn't be able to project a season to the 54 catch  
8 limits, because they're not what's on the books, and so, even if  
9 we saw that you open the month of September, and effort levels  
10 changed, and landings went way up, we would not close within the  
11 month of September, because we're not modifying that  
12 accountability measure, and we wouldn't be able to project a  
13 closure based on catch limits that aren't on the books right  
14 now, and so that's why we're just looking at doing the season  
15 and looking at the historic average landings, looking like we  
16 would be able to be open that whole month of September, but this  
17 is also going back to the point of where I said, if you're open  
18 the month of August, we are projecting that an overage would  
19 occur, if you're open that whole month of August, even though  
20 we're not going to be able to close earlier in the month when  
21 we're projecting that they would meet the new ACL under 54.

22  
23 **CHAIRMAN FRAZER:** C.J.

24  
25 **DR. SWEETMAN:** Thank you, Mr. Chair. I think the elephant in  
26 the room here really is to how effort will shift during this  
27 emergency rule. I think it's kind of appropriate to consider  
28 what we'll be talking about later today with the gag interim  
29 rule, and it could actually shift more effort towards AJ,  
30 depending upon the season that we select, and I know the council  
31 has tried really to throw the kitchen sink at this fishery, with  
32 limited success, and, considering where we're at, again, I think  
33 it's kind of appropriate to take a little bit more conservative  
34 approach here and consider that potential unknown shift in  
35 effort.

36  
37 **CHAIRMAN FRAZER:** Thanks, C.J. All right. I am not seeing any  
38 other hands at this point. It's clear to me that we have to  
39 make some recommendation moving forward, but we would benefit  
40 from the public testimony that we're going to receive on  
41 Thursday afternoon, but, having said that, I think we should be  
42 prepared, in Full Council, to make a recommendation on which  
43 alternative we would like to pursue, moving forward, so this can  
44 go final and it can be as least disruptive to the fishery as  
45 possible, moving forward. Okay. We will then move on from AJs,  
46 and I think the next item is the Draft Options: Modification of  
47 Catch Limits for Gulf of Mexico Red Snapper. Ryan.

48

1       **DRAFT OPTIONS: MODIFICATION OF CATCH LIMITS FOR GULF OF MEXICO**  
2                               **RED SNAPPER**

3  
4       **MR. RINDONE:** We're going to review the options in this draft  
5 framework action looking at new catch limits for red snapper  
6 based on the SSC's recommendations from the data derived from  
7 the Great Red Snapper Count for Florida, Alabama, Mississippi,  
8 and Texas and from the LGL Ecological Associates study for  
9 Louisiana.

10  
11 This results in a combined estimate of about eighty-five-million  
12 age-two-and-older red snapper, and the SSC had recommended  
13 revising the overfishing limit from 15.5 million pounds to 18.91  
14 million pounds and the ABC from 15.1 million pounds to 16.31  
15 million pounds.

16  
17 You guys have transmitted two previous framework actions, one to  
18 revise the red snapper catch limits based on the SSC's last set  
19 of catch limit recommendations and one to calibrate those catch  
20 limits to the Gulf states survey quota monitoring. Neither of  
21 these yet have been implemented, but they are pending. If this  
22 framework action were to go through, and we're at draft options  
23 now, and so the first opportunity for it to go final would be in  
24 August, and then would take the place -- These catch limits  
25 would take the place, ultimately, when implemented, of the one  
26 that you guys passed last time. Are there questions, before we  
27 dive in?

28  
29 **CHAIRMAN FRAZER:** Any questions from the council?

30  
31 **MR. RINDONE:** That's a good point that Dr. Froeschke mentioned,  
32 and this document, if implemented, would affect the values that  
33 are currently published in the calibration amendment, and so  
34 those would all adjust according to these revised catch limits.  
35

36 **CHAIRMAN FRAZER:** Mr. Anson.

37  
38 **MR. ANSON:** I'm just curious about the figure there for the age-  
39 two-and-older red snapper, and I thought it was ninety-two  
40 million.  
41

42 **MR. RINDONE:** No, and it's 85.6, and that's based on the  
43 inclusion of the LGL Ecological Associates study supplanting the  
44 Great-Red-Snapper-Count-derived data for Louisiana, and also a  
45 post-stratification of the data off of Florida for the  
46 shallowest depth strata, and it's broken out from ten to forty  
47 meters, to ten to twenty-five meters, and twenty-five to forty  
48 meters, to try to create a better representation of where the

1 fish are found, commensurate with the data from other surveys.

2  
3 **CHAIRMAN FRAZER:** Okay. I am not seeing any more hands up, and  
4 so, Ryan, if you want to dive into the alternatives in the  
5 action item.

6  
7 **MR. RINDONE:** Sure. I am going to kind of breeze through this a  
8 little bit. There's a lot of background information in the  
9 introduction, and, generally speaking, you guys have been  
10 briefed on this in chunks over the last several meetings, most  
11 of it from Dr. Nance through his SSC presentations to you guys,  
12 about where we started and where we've ended up and where we are  
13 now with this revised SSC recommendation.

14  
15 This is kind of a dense read, but we thought that the history of  
16 how we're getting to these recommendations was important, and  
17 so, barring any questions about that progression, I will go from  
18 here into the purpose and need. I know it's a lot to read, but  
19 it's not something that I want to re-read right now either.

20  
21 We'll go to 1.5, and so the purpose is to modify the Gulf red  
22 snapper catch limits, including the OFL, ABC, sector ACLs, and  
23 sector ACTs, based on the 2022 catch analysis completed by the  
24 Southeast Fisheries Science Center and approved as the best  
25 scientific information available by the SSC.

26  
27 The need for this action is to use the best scientific  
28 information available to prevent overfishing, while achieving  
29 optimum yield, consistent with the red snapper rebuilding plan  
30 and the requirements of the Magnuson Act. Any consternation?  
31 Without any consternation, we'll go to 2.1.

32  
33 Here's the meat, and here's the only action in the document.  
34 Alternative 1 represents status quo. This is a viable  
35 alternatives that you guys could select, if you were so  
36 inclined, and so maintain the catch limits as they are. The  
37 overfishing limit is still 15.5 million pounds, and the ABC is  
38 15.1, and you can see everything else broken out there,  
39 according to the council's established allocations, based on the  
40 previous amendments.

41  
42 If you scroll on down to Alternative 2, Alternative 2 would  
43 modify the catch limits for 2022 and subsequent years based on  
44 the OFL and the ABC recommendations from the council's SSC at it  
45 determined at its March meeting this year. These catch limits  
46 are based on data derived from the Great Red Snapper Count,  
47 including a post-stratification analysis of the data in Florida  
48 and on the LGL Ecological Associates study for Louisiana. All



1 of these values are considered MRIP-CHTS-equivalent currencies,  
2 and this is not in FES.

3

4 You can see here, for Alternative 2, compared to Alternative 1,  
5 and so Alternative 1 has a buffer between the OFL and the ABC of  
6 about 400,000 pounds. We have a considerably larger buffer here  
7 of about 2.6 million pounds, and that's representative of the  
8 increased scientific uncertainty that the SSC considered to be  
9 present in the data that was presented. Of course, like  
10 Alternative 1, all the other established allocation scenarios  
11 are applied thereafter, and the ACL is still set equal to the  
12 ABC.

13

14 **CHAIRMAN FRAZER:** Okay. Thank you, Mr. Rindone. Dr. Stunz.

15

16 **DR. STUNZ:** Ryan, I just have one little thing, just for maybe  
17 clarity in the document, when you talk about the OFL here of  
18 18.9 million pounds, but, earlier in the document, and I have to  
19 -- On the Table 1.2.1, and it's probably just what you said, and  
20 now I think I've realized it, but it's just an either FES or  
21 MRIP conversion or something, and the reason I'm asking is it's  
22 twenty-five million pounds, and, when I was reading this  
23 earlier, I was trying to reconcile -- I think that you just need  
24 some clarity of what that 25.6 number means relative to the  
25 Alternative 2 of eighteen-point-whatever million pounds. I  
26 think it's just that -- It was in 2021, right, and what unit  
27 that was in, and I don't know, but something is not mentioned.

28

29 **CHAIRMAN FRAZER:** Mara, did you want to respond?

30

31 **MS. LEVY:** Well, I just think it would be -- I mean, we  
32 structured the alternatives the way we did because we have  
33 framework actions that haven't been implemented yet, and so  
34 Alternative 1, in a sense, really isn't viable, because you  
35 would be going backwards, because you've already submitted  
36 things that would change that, and I think it would be most  
37 helpful to look at Table 2.1.3, which shows what is on the books  
38 now, what the catch limits would be, based on the frameworks  
39 that are currently with the agency to review and implement, and  
40 then what the change would be here, right, so that you can see  
41 that the 25.6 OFL comes from the previous frameworks that are  
42 still undergoing implementation.

43

44 **DR. STUNZ:** Right, and all I'm saying, Mara, is designate that  
45 in the text, so it's clear where that 25.6, versus the 18.9 --  
46 It's in this table here, but you've got to get down to that  
47 table, and so I was trying -- I mean, if we're confused, others  
48 reading that, that don't know, will probably -- I am just saying

1 note that somewhere.

2  
3 **MS. LEVY:** Right, and maybe this type of thing has to be more in  
4 the beginning or something.

5  
6 **MR. RINDONE:** We can do that.

7  
8 **CHAIRMAN FRAZER:** Okay. Mr. Anson.

9  
10 **MR. ANSON:** I am wondering, Ryan, if you can include a table  
11 that would identify the CHTS landings by state, where  
12 appropriate, over the time series, when you provided the  
13 summarized recreational landings here. I think it would be more  
14 informative and helpful to break that out by state.

15  
16 We had some discussion earlier today, with Dr. Cody, while he  
17 was on the phone, relative to the calibrations, and I know those  
18 are in a separate document, and they've been mentioned here in  
19 the document already, but the other framework action that has  
20 identified the calibrations, and my take on it is that those  
21 calibration ratios need to be updated for Alabama, because they  
22 are no longer applicable, and so, as long as we're using CHTS  
23 landings, and it looks like those are being created currently,  
24 and then those landings are then back-calculated per state, and  
25 that will work fine, but my understanding is that, in reviewing  
26 the documentation provided to the council back in 2020, when the  
27 first calibrations, the simple calibrations, were applied, is  
28 that the state landings would be converted to CHTS.

29  
30 If you do that nowadays, I think those two numbers are  
31 drastically different, if you apply, or look at, the CHTS-  
32 generated landings versus imputed CHTS landings from the  
33 Alabama's Snapper Check landings, and so it would be helpful if  
34 you could add that in there, in the document. Thank you.

35  
36 **MR. RINDONE:** Can do.

37  
38 **CHAIRMAN FRAZER:** All right, and so we had a couple of  
39 modifications to the document, to provide some text that Dr.  
40 Stunz and Mara Levy discussed, and we'll add the tables that Mr.  
41 Anson requested. I am thinking that this is something that  
42 we're going to plan to take final action on in August, right,  
43 and so it would be helpful, I think, if we can at least pick a  
44 preferred, if we're willing to do that now, or we should  
45 certainly do it -- Mr. Banks.

46  
47 **MR. BANKS:** I will make that motion, to make Alternative 2 the  
48 preferred.

1  
2 **CHAIRMAN FRAZER:** Okay, and so we have a motion by Mr. Banks to  
3 make Alternative 2 the preferred. Is there a second for that  
4 motion? It's seconded by Billy Broussard. Is there any further  
5 discussion on the motion? Mr. Strelcheck.

6  
7 **MR. STRELCHECK:** I mean, I don't -- I won't vote in opposition  
8 to the motion. I just really am struggling with this one, to be  
9 honest with you, and I think the SSC has struggled with it, in  
10 some light, and we do have, obviously, this huge, great body of  
11 science, led by Greg Stunz, that now tells us that we have two-  
12 and-a-half-times as many red snapper that we thought we had in  
13 the Gulf of Mexico, but we also have a lot of other things that  
14 seem to be pointing us in the direction that things maybe aren't  
15 as rosy as we had hoped, or that we haven't really gained a lot,  
16 in terms of understanding the dynamics between the inshore and  
17 offshore population, and some of that has been presented to the  
18 SSC, like the longline survey index that's been in decline for a  
19 number of years now that is supposedly representative of this  
20 population offshore.

21  
22 Dale complimented the agency for extending the for-hire season,  
23 and I look at that as kind of a double-edged sword, because the  
24 season is getting longer in part because the catch rates have  
25 been dropping in the for-hire sector, and then we heard  
26 evidence, certainly, during public testimony of commercial  
27 fishermen saying that catch rates are declining.

28  
29 When the season opened at the start of this year, I received a  
30 number of phone calls saying the fish are less abundant and  
31 smaller in certain areas, right, and so I just caution the  
32 council, as we think about these things, as to what's in the  
33 best interest of the fishery, and, overall, we have science  
34 telling us one thing, and we have a lot of other indicators  
35 maybe telling us that things are changing, and it's certainly  
36 very geographically-dependent, based on fishing experience.

37  
38 **CHAIRMAN FRAZER:** Thank you, Mr. Strelcheck. Dr. Stunz and then  
39 Ms. Boggs.

40  
41 **DR. STUNZ:** I just want to follow-up with a couple of things  
42 that Andy said, and, Andy, I don't disagree, and part of what  
43 the Snapper Count -- What we don't talk about much was that  
44 tagging component that we had that clearly showed there is a lot  
45 of potential, the way the fishery is exploited, for localized  
46 depletion, especially as you increase season lengths and that  
47 kind of thing, I mean what we all know.

1 Good fishing spots close to shore get depleted quickly, because  
2 that's the way it takes place, but it also doesn't necessarily  
3 account for all those areas where the fish occur that aren't --  
4 That are generally unknown, especially over uncharacterized  
5 bottom. I am also receiving similar calls, but I'm also  
6 receiving a lot of calls -- In fact, I had some discussion with  
7 some commercial fishermen, and others, about fish out at 300 or  
8 500 fathoms, kind of crazy depths that never occurred there  
9 before, and so you've also got that dynamic happening as well,  
10 and maybe just a shift of the populations.

11  
12 So, you know, I guess the reason I'm saying that is we really  
13 look at this is surely it's expected, as you increase fishing  
14 effort, your days open or poundage or whatever we want to do,  
15 you're going to see smaller fish closer to shore, in these  
16 easily-accessible spots, but that doesn't mean there is not  
17 other fish still around there, and I just wanted to get that on  
18 the record.

19  
20 **CHAIRMAN FRAZER:** Thanks, Greg. Susan and then Patrick and  
21 Clay, unless, Clay, you want to specifically to that point.

22  
23 **DR. PORCH:** Yes, it is to that point and to Andy's point.  
24 Looking at the longline indices, which do occur in the  
25 uncharacterized area, there has been some indication of a small  
26 decline since the Great Red Snapper Count was conducted, and the  
27 SSC was aware of that, which is why they advised some caution.

28  
29 **CHAIRMAN FRAZER:** Thanks, Clay. Susan.

30  
31 **MS. BOGGS:** I have been speaking to the fleets, up and down the  
32 Gulf, and I can speak from, I guess, experience with our fleet,  
33 with our vessels, and I talked to a captain the other day whose  
34 first waypoint was thirty-six miles, and everything within  
35 fifteen miles, and I know -- You know, I didn't think anything  
36 could get worse than twenty to twenty-one, and now twenty-two,  
37 but, within fifteen miles from past Orange Beach, there is  
38 regionalized depletion, because no one wants to go any further  
39 than that, because they're paying six-dollars-plus for a gallon  
40 of fuel.

41  
42 Even further out, the fish that are being caught are much  
43 smaller fish. I do all the fishing reports, and I do vessel  
44 reports daily, when we fish, and it's almost one-for-one. For  
45 one that you catch, you release one, and sometimes it's greater  
46 than that, because of the size of the fish.

47  
48 I know, on our boats, we're fishing anywhere upwards of twenty-

1 eight to thirty-five miles a day, on a six-hour day, and so the  
2 captains, which we don't typically hear this, they don't want  
3 more fish. They feel like that we're going in the wrong  
4 direction with this.

5  
6 Yes, the extended seasons are great, and I have always said this  
7 about amberjack in May, and you know you're not going to catch  
8 it, but it's an opportunity to sell a fishing trip, and that's  
9 kind of the way that I look at it. It's an opportunity to sell  
10 a fishing trip. Yes, if you go out there, and you catch a red  
11 snapper, that's a bonus for the day.

12  
13 The vermilion snapper, which I know we're not talking about, are  
14 very healthy right now. They're bringing in vermilion snapper  
15 that sometimes I'm like, oh my god, that's a red snapper, but  
16 it's not. It's a vermilion snapper, and so the vermilions are  
17 healthy, but I've also talked to some recreational fishermen,  
18 private recreational fishermen, and I've talked to them about  
19 this, that we're looking at another increase, and they're asking  
20 me why, because they're seeing the same thing. I know this is  
21 going to pass, but, again, I think we need to take caution in  
22 what we're doing here. Thank you.

23  
24 **CHAIRMAN FRAZER:** Thanks, Susan. It looks like we have Patrick  
25 and then Kevin.

26  
27 **MR. BANKS:** I mean, certainly we hear from a lot of folks during  
28 the time -- I know that folks call concerned about things, and  
29 some folks call and say everything's okay, and we hear a lot, in  
30 Louisiana, that things look a lot better than what I hear around  
31 the table, on a variety of things, whether it's cobia, snapper,  
32 AJs, and, I mean, we're hearing very good things in Louisiana  
33 about AJs, and that's not what I am hearing around the table.

34  
35 We all will have those different experiences. I mean, I can  
36 even go so far, and I'm even hesitant to say this, as a  
37 scientist, because I know this is one data point, but the  
38 winning red snapper at a tournament on the Florida Panhandle,  
39 just last weekend, was nearly twenty-nine pounds.

40  
41 I mean, that's -- To listen to folks in Florida, you never  
42 encounter something like that, and so, I mean, I guess my point  
43 is you're going to hear all of these things from a lot of  
44 different folks, and I know that it's important to take those  
45 under consideration, but what I'm relying on, for this motion,  
46 is we have a solid study, from Greg and his group, and we have  
47 some additional information from the LGL study, and it's been  
48 reviewed multiple times by the SSC.

1  
2 The SSC, in my opinion, was extremely conservative with its  
3 recommendation, and so they've already taken a lot of this into  
4 account and been very conservative with their recommendation to  
5 us, and so I feel like this motion is an already overly-  
6 conservative approach to the situation, and so I just feel like  
7 we need to follow the advice of our scientists. Thanks.

8  
9 **CHAIRMAN FRAZER:** Thank you, Mr. Banks. Mr. Anson.

10  
11 **MR. ANSON:** Just to I guess address one of the comments that  
12 Susan brought up regarding the distance from shore that folks  
13 are having to go out and catch red snapper, and I've been here,  
14 for the last year, or two years, saying that, you know, under  
15 state management, you know, with an increase in fish being  
16 caught, based on how Snapper Check is being used and relative to  
17 the allocation, more fish are being caught than they were  
18 before.

19  
20 Because of economics, because of the larger number of vessels  
21 that can access those closer waters, those are being hit hard,  
22 and, you know, they're continuing to be hit hard. You know,  
23 within twenty miles off of Alabama, except for a few locations,  
24 all of those places where those fish are being caught are on  
25 artificial structures, and so they didn't exist, you know, fifty  
26 or a hundred years ago, and, you know, that just something that  
27 we all have to realize, and there is a limit as to what those  
28 artificial structures can carry, but they were included in the  
29 Great Red Snapper Count, and they were included as part of the  
30 new number for the Gulf-wide estimate and the number of fish.

31  
32 One of the benefits that might be occurring, and that's another  
33 point that Susan brought up, is with other species, and an  
34 increase in the harvest of red snapper may be a benefit to other  
35 species that those red snapper are eating, and so we might see  
36 an increase in the number of vermilion snapper, and you might  
37 see an increase in the number of gray snapper, because there is  
38 less fish they have to compete with, as far as less red snapper  
39 that they have to compete with, and so there's changes in the  
40 fishery, for sure, but -- I don't know, but just we are where  
41 we are at this point, and I just wanted to address those two  
42 things. Thank you.

43  
44 **CHAIRMAN FRAZER:** Thank you, Mr. Anson. I am looking around the  
45 table, to see if there's any more commentary on this motion, and  
46 I am not seeing any hands, and so we have a motion on the board,  
47 I guess, to make Alternative 2 the preferred. Bob Shipp.

48

1 DR. SHIPP: I request a roll call count.  
2  
3 CHAIRMAN FRAZER: Okay-doke, and so we can do that. John, are  
4 you ready?  
5  
6 DR. FROESCHKE: I'm ready. Mr. Banks.  
7  
8 MR. BANKS: Yes.  
9  
10 DR. FROESCHKE: Ms. Bosarge.  
11  
12 MS. BOSARGE: I am going to abstain.  
13  
14 DR. FROESCHKE: Mr. Strelcheck.  
15  
16 MR. STRELCHECK: Yes.  
17  
18 DR. FROESCHKE: Mr. Williamson.  
19  
20 MR. WILLIAMSON: Yes.  
21  
22 DR. FROESCHKE: Mr. Gill.  
23  
24 MR. GILL: Yes.  
25  
26 DR. FROESCHKE: Dr. Shipp.  
27  
28 DR. SHIPP: No.  
29  
30 DR. FROESCHKE: Dr. Stunz.  
31  
32 DR. STUNZ: Yes.  
33  
34 DR. FROESCHKE: General Spraggins.  
35  
36 GENERAL SPRAGGINS: Yes.  
37  
38 DR. FROESCHKE: Mr. Dugas.  
39  
40 MR. DUGAS: Yes.  
41  
42 DR. FROESCHKE: Mr. Riechers.  
43  
44 MR. RIECHERS: Yes.  
45  
46 DR. FROESCHKE: Mr. Dyskow.  
47  
48 MR. DYSKOW: Yes.

1  
2 **DR. FROESCHKE:** Dr. Frazer.  
3  
4 **CHAIRMAN FRAZER:** I will abstain, as the Chair.  
5  
6 **DR. FROESCHKE:** Ms. Boggs.  
7  
8 **MS. BOGGS:** No.  
9  
10 **DR. FROESCHKE:** Mr. Broussard.  
11  
12 **MR. BROUSSARD:** Yes.  
13  
14 **DR. FROESCHKE:** Dr. Sweetman.  
15  
16 **DR. SWEETMAN:** Yes.  
17  
18 **DR. FROESCHKE:** Mr. Anson.  
19  
20 **MR. ANSON:** Abstain.  
21  
22 **DR. FROESCHKE:** Mr. Diaz.  
23  
24 **MR. DIAZ:** Yes.  
25  
26 **DR. FROESCHKE:** Twelve yes, two no, three abstain.  
27  
28 **CHAIRMAN FRAZER:** Okay. **The motion carries.** All right. Dr.  
29 Stunz.  
30  
31 **DR. STUNZ:** Thank you, Mr. Chair. I just wanted to make a brief  
32 comment, and it was something that Patrick mentioned, which I  
33 think is very important as we talk about differences around this  
34 table, and just of maybe set the stage a little, because it has  
35 to do with red snapper, obviously, but cobia, king mackerel, all  
36 of these species that we're having a lot of difficult  
37 discussions on, and that's just sort of the perspective of your  
38 region around the coast.  
39  
40 Patrick, I agree that the western Gulf perspective is very  
41 different, and one thing that really is highlighted for me, at  
42 every Gulf Council meeting, is you go to someplace like Orange  
43 Beach, and you see the amount of effort, you know, that can be  
44 expended on fisheries, with sort of all that tourism and that  
45 sort of thing, versus other regions that don't have that  
46 capacity.  
47  
48 You know, there is very different regionality, in terms of what



1 those perspectives are, and so I think that's just -- You know,  
2 it gets kind of back to regional management and a whole variety  
3 of other options that we have, that there are some very  
4 different -- I would say probably more than opinions, and a lot  
5 of it, yes, is anecdotal, but a lot of it is based in science,  
6 that the western Gulf doesn't seem have to near the issues that  
7 others are experiencing.

8  
9 I'm not saying that it's not real in the other areas, but it's  
10 something that will need to be considered as we start  
11 deliberating what our management objectives and goals are, is  
12 that they're very different.

13  
14 **CHAIRMAN FRAZER:** Okay. I have Ms. Bosarge and then Mr. Gill.

15  
16 **MS. BOSARGE:** Can we go back to that table that we had on the  
17 board just a second ago? I am starting to get so confused. All  
18 right, and so I'm looking at a recreational ACL of 7.991, but  
19 we're not actually really -- I'm trying to think about nominal  
20 numbers that are coming into the agency, right, and what we're  
21 comparing those to, what are we actually trying to manage to.

22  
23 On the state side, you've got a quota, for the private angling  
24 component, that's in CHTS, right now, and I'm not talking about  
25 in the future, but right now, but you have nominal landings  
26 coming out of state currency, and they are being compared  
27 against a CHTS quota, for quota monitoring, but this  
28 recreational ACL -- All right, and so, in MRIP terms, and I am  
29 thinking beyond red snapper, and so, for MRIP terms, MRIP comes  
30 in in FES, but most of our quotas are CHTS, right, for  
31 recreational management, and so we have landings coming in in  
32 FES numbers, and you're back-calibrating those, somehow, down to  
33 a CHTS, to make sure that we don't exceed some quota that's on  
34 the books, but we're still not doing that on red snapper, right?  
35 We're still comparing nominal numbers coming into CHTS quota,  
36 and is that right? Is that what we're still doing?

37  
38 **CHAIRMAN FRAZER:** Mr. Strelcheck.

39  
40 **MR. STRELCHECK:** I think you have me confused now, Leann. The  
41 current catch limits are in CHTS, and we have the framework  
42 action that was submitted to the agency, that we'll be  
43 publishing soon, that would convert the quotas for each of the  
44 states, based on their calibration ratio, and that would be  
45 essentially then monitoring future catch levels based on state  
46 survey units. Right now, we have FES estimates that are back-  
47 calculated into CHTS to do quota monitoring. I hope that didn't  
48 confuse you further.

1  
2 **CHAIRMAN FRAZER:** Ms. Boggs.  
3  
4 **MS. BOGGS:** To Andy's comments, at some point, will this be  
5 converted to FES? That's going to be a scary number.  
6  
7 **CHAIRMAN FRAZER:** Go ahead and repeat that, for Andy.  
8  
9 **MS. BOGGS:** Will these numbers, at some point, be converted to  
10 FES?  
11  
12 **CHAIRMAN FRAZER:** Ryan, do you want to weigh-in, real quick?  
13  
14 **MR. RINDONE:** Sure, and so the SEDAR 74 research track is  
15 currently underway, and, right now, the commensurate data  
16 currency that's being used for the private vessels is MRIP-FES,  
17 pending further work by the MRIP Transition Team to consider  
18 calibrations and utilization of the state survey data, what  
19 ultimately is used for management from the SEDAR 74 operational  
20 track, and, if those data are peer reviewed and the calibrations  
21 are replaced, to better utilize those state data, and those  
22 calibrations are updated, pending any review of additional  
23 information -- I mean, that's still a few years away. Right  
24 now, the SEDAR 74 research track is proceeding with using MRIP-  
25 FES as the Gulf-wide commensurate data currency for the private  
26 vessels.  
27  
28 **CHAIRMAN FRAZER:** Thank you, Ryan. Okay. Ms. Bosarge.  
29  
30 **MS. BOSARGE:** So if we were to actually calibrate the state-by-  
31 state landings and get it to a CHTS, we would be overshooting  
32 the CHTS quota for the rec side, in most years? Is that  
33 correct, on the whole, the private angler CHTS quota? If we  
34 were to convert the state landings, that are in some other  
35 nominal currency, convert them all into CHTS, we would be  
36 exceeding the rec CHTS quota, most years?  
37  
38 **CHAIRMAN FRAZER:** Leann, if you could walk through the logic,  
39 and I guess I don't understand.  
40  
41 **MS. BOSARGE:** I'm just -- I'm trying to be forward-thinking  
42 here, right, and so we're exceeding catch limits, and we know  
43 we're exceeding -- We just had a conversation about what we're  
44 seeing on the water, right, and so we're exceeding catch limits,  
45 and we know that we're exceeding catch limits, and so I guess  
46 we're fishing down this population, and we know that, and I am  
47 just thinking through everything into the future, right, and so  
48 are we also going to use all these years, at some point in the

1 future, to say, well, we need to change allocation and shift --  
2 We know we're exceeding what we should, and so that's  
3 justification?

4  
5 You all, it's gotten so complicated, and so backwards, to me,  
6 and I feel like we don't have the conservation piece of this  
7 anymore, and we can't even focus on it, because it's so  
8 complicated, all the different numbers that we're dealing with,  
9 but I feel like, on the whole we have quotas, and we're not  
10 managing to them, and we know we're exceeding them, and is that  
11 essentially what we've kind of been doing since 2018, or, well,  
12 2017, I guess, because that's the year we extended the season by  
13 forty-two days, and we know we blew that out of the water and  
14 went over the OFL, I'm pretty sure, that year.

15  
16 Even since then, we've been exceeding quotas every year, and we  
17 find it strange that it's getting harder to catch fish, and  
18 that's kind of why I abstained on this.

19  
20 This is increasing the quota, and there's a piece of me that  
21 says, well, it doesn't seem like it matters if you exceed it on  
22 the recreational side, and fish more than what, you know, is on  
23 the books to fish, and so why the heck should I be responsible  
24 and not vote for a quota increase, to at least let the  
25 commercial side get some more fish too, and things are going  
26 down, but nobody cares on one side, and why should I care on the  
27 other, and I think that's where we've gotten, at this council  
28 table, if we don't get a grip on this and actually start to  
29 focus on the big picture again and really truly get some  
30 accountability built into the system.

31  
32 Get a good data collection system for all these species that  
33 we're managing and have accountability that's equal on both  
34 sides. Otherwise, it starts to make the sector that you do have  
35 census-level mandatory-type reporting not even want to play the  
36 game anymore either, and that's sad, but that's almost where I'm  
37 at, and that's why I just abstained.

38  
39 **CHAIRMAN FRAZER:** Ryan, you had your hand up. Do you still want  
40 to carry on? Okay. As I think about this, Leann, I mean, we've  
41 had a discussion here today that people expressed some concerns  
42 about localized depletion, for sure, right, and I don't think  
43 the discussion bore directly on overfishing the population as a  
44 whole, and I think that discussion here was focused on that.

45  
46 The way that I read this particular action, moving forward, is  
47 that there is calibration ratios that do need to be applied in  
48 2023, and this would take place in 2022. If they're applied, we

1 should not exceed the catch level, right, and so the real  
2 question here is whether or not we're going to be disciplined  
3 enough to apply those calibration ratios, moving forward.  
4 That's what I am thinking right now.

5  
6 **MS. BOSARGE:** I agree with you, but the dilemma, in my mind, is,  
7 because we haven't applied those for however many years now,  
8 five years or so, we have essentially fished this population  
9 down some, okay, and so, if I am going to be a responsible  
10 steward, and I know that, and I can see that, and I hear it  
11 anecdotally, and I know that we have exceeded quotas, and that's  
12 why I asked the question of, if we go back and calibrate all of  
13 this, have we actually been exceeding recreational quotas, and I  
14 believe the answer is yes, and that's why we're fishing it down,  
15 and so how could I vote to increase any kind of quota at this  
16 point, knowing that we've fished it down because we didn't do  
17 those calibrations?

18  
19 Yes, sure, the calibrations are going to take place in the  
20 future, for 2023, but we've already fished it down, and, I mean,  
21 Clay just told you that you can see that on the surveys, and so  
22 that's the frustrating part to me, though.

23  
24 I feel like my side played by the rules, and we didn't exceed  
25 our quota, but, yet, I can't vote hardly to give us more fish,  
26 because some other portion of the fishery -- We, again, did not  
27 have the gumption around the table to do what needed to be done  
28 to truly hold things to the level they were supposed to be held  
29 to, and so now my side -- If I want to be a responsible manager,  
30 I have to make my side pay the price for that and not vote in  
31 favor of increasing any quota.

32  
33 **CHAIRMAN FRAZER:** Mr. Banks.

34  
35 **MR. BANKS:** Leann, I hear what you're saying, and the commercial  
36 sector should be commended for sticking to their quota and  
37 putting the data collection things in place to hold themselves  
38 where they are, and here's where I feel okay voting for  
39 something like this, for a variety of things.

40  
41 One, it does reward the commercial quota, by increasing their  
42 fish as well, and so that's good. The second thing is the SSC  
43 has considered all the data in front of us, and not just the  
44 stock assessment, but all this other science as well, and this  
45 is their recommendation.

46  
47 In addition, this still maintains a 20 percent buffer for the  
48 recreational. Now, maybe that's not enough, and maybe not, but

1 the fact is it does try to take into account some of our  
2 uncertainty in trying to constrain their catches, and so I feel  
3 like this -- While it's not -- Maybe it's not perfect, and it  
4 certainly shows a willingness to be extremely conservative.

5  
6 When you've got eighty-five-point-whatever-million fish out  
7 there, and, if you just throw a seven-pound per average, which  
8 may be right and may not, you're talking about 600 million  
9 pounds of fish, and we've got an overfishing limit of basically  
10 nineteen million, and so it just seems like this is a very  
11 conservative approach already.

12  
13 In my opinion, and, I mean, I would almost like to consider  
14 something higher, but this is the only way that we get some fish  
15 to that accountable sector, which is the commercial, and they  
16 get the benefit of the full increase, whereas the recreational  
17 gets only 80 percent of their increase, and so I feel like there  
18 are some additional constraints, because we don't do enough, in  
19 my opinion, to monitor what the recreational catch is. I know  
20 we do it in Louisiana, and my comment is for the Gulf in  
21 general, but, anyway, and so that's why I feel a little bit  
22 comfortable about it. Thank you.

23  
24 **CHAIRMAN FRAZER:** Mr. Anson and then Mr. Rindone.

25  
26 **MR. ANSON:** Leann, thank you for your comments and explaining  
27 your vote. You and I voted for the same reason. I'm  
28 frustrated, too. You know, Alabama, because of the calibration  
29 issue, because of the current calibration ratio, we're going to  
30 be married to the situation we were in back in 2014 and 2015 and  
31 2016, and that is very short seasons for Alabama, and it's going  
32 to compress that effort, and it's going to turn around and cause  
33 those FES landings to jump right back up, because, if you look  
34 at the FES landings from 2017, which, actually, I think that was  
35 calibrated to CHTS in that year, but the year you mentioned  
36 about going to forty-two days that year, and it was estimated,  
37 FES landings, of eight million pounds.

38  
39 That's supposed to represent what we caught, and it's not tied  
40 to any calibrations, and it's not tied to any currency, and  
41 that's just supposed to be an estimate of how many fish were  
42 landed, and all those things get added together to give us -- To  
43 put in the assessment to tell us how many more fish we can go  
44 out there and catch.

45  
46 That's just totally unrealistic, when you look at the Great Red  
47 Snapper Count and how it fits into the whole Gulf of Mexico, and  
48 so, going back and using these calibrations, which is going to

1 constrain our recreational fishery back to a situation where  
2 we're going to have, you know, twenty-day seasons, maybe, or  
3 less, in order to fit into those poundage, we're going to cause  
4 the FES landings to go up, because, this last year, in 2021,  
5 FES, if I remember correctly, was about 2.5 million pounds for  
6 Alabama, FES landings, and so you go to eight million pounds to  
7 2.5 million pounds, and, yes, there's more fish being caught,  
8 and, yes, there are fewer out there, but that is not the reason  
9 why.

10  
11 The reason why is we went from a twenty-eight-day season, or so,  
12 in 2018 to a 142-day season last year, and that goes back to the  
13 comments of the National Academy of Sciences, when they reviewed  
14 the federal recreational data collection program, multiple  
15 times, and they said that is not a tool for in-season monitoring  
16 or for short-season fisheries.

17  
18 You get into a situation where you're going to constrain that  
19 catch to the pounds that are going to be available, which are  
20 going to be reduced now, and you're just going to set up another  
21 situation where we go back to very high landings again, and so I  
22 don't know where else to go with this.

23  
24 We've been trying to get the recalibration, or the issue of  
25 calibration readdressed, through this transition team process,  
26 but we have not made much traction in that regard, and we're  
27 just faced with the same thing that we were faced with years  
28 ago, and we're trying to look for a way out, and the state  
29 management was the best way for us to try to do that, because,  
30 you know, we would come to this, and we would hear comments  
31 that, well, the reason why Alabama catches so many fish is  
32 because there's all those artificial reefs, and all those  
33 artificial reefs are attracting all those fish from the natural  
34 bottom and such, and it's constantly just being removed there,  
35 or being removed as far as the fish can get there.

36  
37 Well, the Great Red Snapper Count showed that, actually, they're  
38 not, and we have, per mile, and I mentioned this before, but,  
39 per mile of coastline, we had twice as much as the average per  
40 mile in the Gulf of Mexico, and we have about 25 percent of our  
41 water bottom, or our fish, are associated with artificial reefs,  
42 and the rest are on natural bottom, and so they're not being  
43 attracted there, and they're all distributing.

44  
45 There's enough recruitment, and we've had our survey, that we've  
46 been conducting for ten years, essentially the same methodology  
47 that was used for the Great Red Snapper Count and being able to  
48 monitor the population off of Alabama.

1  
2 Anyways, I just wanted to -- I appreciate your description of  
3 why you abstained, and I appreciate the commercial fishermen and  
4 their perspective and how they feel, looking from the outside  
5 with this process, and I wish it were better for everyone.

6  
7 **CHAIRMAN FRAZER:** Thank you, Kevin. We've got two other hands  
8 up, for the time being, Mr. Rindone and Mr. Strelcheck.

9  
10 **MR. RINDONE:** Thank you, Mr. Chair. Just a point of  
11 clarification about the 20 percent buffer for the private  
12 angling component of the recreational sector, and you will see  
13 that italicized in the table there, and that is present -- It's  
14 still in the codified regulations, but it's presently not  
15 functional, as long as Amendment 50 and its sub-amendments  
16 remain in effect.

17  
18 The only buffers that are currently in place in this catch  
19 limits that you have in front of you are between the OFL and the  
20 ABC, which, again, is about 2.6 million pounds, and then between  
21 the for-hire ACL and the for-hire ACT, which is about 300,000  
22 pounds, or 9 percent of the for-hire ACL. Other than that,  
23 there are no buffers.

24  
25 **CHAIRMAN FRAZER:** Mr. Strelcheck.

26  
27 **MR. STRELCHECK:** The conversation, I feel like, has veered off  
28 in a direction that we're not even deliberating, or discussing,  
29 in this action. I guess I want to recenter it a little bit, and  
30 so there is certainly conversation about the validity of  
31 calibrations, and Kevin just went through reasons why  
32 calibrations might have changed, and why they might change going  
33 forward, and that's not what we're discussing here, right, and  
34 we're not talking about calibration. That is before the agency  
35 for consideration.

36  
37 As I said, I'm hoping that the proposed rule will be publishing  
38 shortly, and that we'll be taking comment on it, but we can't  
39 have it both ways. We can't set quotas in one set of units and  
40 then monitor landings in another set of units.

41  
42 With that said, I'm hearing comments about revisiting the  
43 calibration, and I'm also -- We've also gone through the  
44 transition process, and we're going through the transition  
45 process, and we need, obviously, time to carry that out, and  
46 it's not an easy answer to determine why these stark differences  
47 in some of our survey estimates, but it's certainly before the  
48 council.

1  
2 If you guys want to take up calibration again, we can do so,  
3 right? If there is concerns about calibration and the ratios  
4 that are used, we can do that, and I would caution against it,  
5 because of the stock assessment and other things going on, but  
6 it's certainly worth discussing, and it's certainly within the  
7 purview of this council, and it's the same with allocation,  
8 right?

9  
10 The state allocations were based on, you know, decisions made  
11 five years ago now, and no one wants to really debate  
12 allocation. We talk about it all the time with commercial and  
13 rec, but certainly the council could come forward and re-look at  
14 the private recreational allocations amongst the states, and so  
15 there's options before us to take a look at these.

16  
17 I agree with Leann though, and it's gotten so overly  
18 complicated, with all of the different statistics and  
19 machinations of survey estimates, that it's really hard to  
20 follow, but there are some things within your purview that you  
21 certainly could consider, if you wanted to do something.

22  
23 **CHAIRMAN FRAZER:** All right. So a lot to consider here, folks,  
24 but I think we've had some pretty good discussion, and we will  
25 reel this one in for this morning, and we'll bring it back at  
26 Full Council and decide where we want to go, but I think, Mr.  
27 Chair, if it's all right with you, we'll go ahead and take a  
28 lunch break, and we'll pick up with gag, at whatever time you so  
29 choose.

30  
31 **MR. DIAZ:** Yes, that is okay with me. Let's go ahead and break  
32 for lunch, and we'll come back at our designated time, which is  
33 1:30. We can start back at 1:30, promptly. Thank you.

34  
35 (Whereupon, the meeting recessed for lunch on June 22, 2022.)

36  
37 - - -  
38  
39 June 22, 2022

40  
41 WEDNESDAY MORNING SESSION

42  
43 - - -

44  
45 The Reef Fish Management Committee of the Gulf of Mexico Fishery  
46 Management Council reconvened at the Crowne Plaza @Bell Towers  
47 Shops in Fort Myers, Florida on Wednesday afternoon, June 22,  
48 2022, and was called to order by Chairman Tom Frazer.



1 **CHAIRMAN FRAZER:** We are going to roll on over into gag grouper,  
2 and we've got a presentation on regional fishery dynamics  
3 provided by Mr. Rindone.  
4

5 **PRESENTATION AND DISCUSSION OF GULF OF MEXICO GAG GROUPE**  
6 **INTERIM RULE**  
7

8 **MR. RINDONE:** All right, and so I'll read the scope of work here  
9 for you guys, and so SEDAR 72 was reviewed by the council's SSC  
10 and used MRIP-FES and a new ecosystem-informed model for  
11 incorporating episodic mortality from red tide. In reviewing  
12 this, the SSC determined that gag grouper is overfished and  
13 undergoing overfishing, and they recommended revising the proxy  
14 for determining fishing mortality at maximum sustainable yield.  
15 That's currently set at Fmax, and the SSC is recommending that  
16 be revised to F 30 percent SPR.  
17

18 What I'm going to do first is I'm going to review -- We're not  
19 going to have that landings in there, like I said for the scope  
20 of work, and I'm going to review the fishery dynamics though  
21 with you guys about gag grouper fishing throughout its range,  
22 and then Mr. Dan Luers will go through the proposed interim rule  
23 presentation for you guys, and this interim rule is intended to  
24 reduce fishing mortality, ahead of the development and  
25 implementation of Amendment 56, which will be the rebuilding  
26 plan for gag grouper. You guys should consider this information  
27 and make those recommendations, as appropriate.  
28

29 I put this together based on a lot of conversations that I've  
30 had with fishermen throughout Florida, which is where the  
31 majority of gag are landed, and also based on my personal  
32 experiences, having fished for this species from the Panhandle  
33 all the way down to the Keys, and so this is -- I've had several  
34 fishermen look at this, also, and give feedback on this, and so  
35 this is hopefully a characterization for the species that some  
36 of you might not have caught, or might not know much about the  
37 fishery dynamics, and so I am interested in your feedback and  
38 how this goes and if this would be something that you guys find  
39 useful.  
40

41 Again, SEDAR 72 found that gag was overfished and undergoing  
42 overfishing and that only about 2 percent of the spawning stock  
43 biomass outside of the marine protected areas is thought to be  
44 male. Lately, both sectors, commercial and recreational, have  
45 not been landing their ACLs, and we're working, right now, to  
46 reduce fishing mortality and to establish that rebuilding plan  
47 for gag.  
48

1 A little life history about gag, and they're protogynous  
2 hermaphrodites, which means that they're born female and then  
3 transition to male later on. 50 percent of the females are  
4 sexually mature by just under four years, which is right about  
5 our current minimum size limit of twenty-four inches total  
6 length, and they spawn mostly between January and April, with  
7 peak spawning in mid-February to mid-March.

8  
9 Juveniles will settle inshore, in seagrass beds and shallow  
10 relief, and then the adults will start to move further offshore,  
11 to nearshore and offshore reef habitat, and it was previously  
12 thought that gag moved inshore in the winter, but there's some  
13 tagging data that refutes this assumption, to some degree. Some  
14 of these gag that have been tagged in twenty or thirty feet of  
15 water are -- They stay there all year, and then some move to  
16 other areas, and so there's probably some unknowns associated  
17 with why those fish move to different places. They are  
18 aggregate spawners, and one male can fertilize several females.

19  
20 Talking about the directed fleets, obviously, the recreational  
21 and commercial sector, and the recreational sector is broken up  
22 into the for-hire fleet and then private vessels and the state  
23 for-hire fleet, and then the commercial sector between -- It's  
24 operated under an IFQ program, with vertical line and longline  
25 landings.

26  
27 Landings typically spike for the recreational sector when the  
28 fishing season opens on June 1. Anglers will be running fish in  
29 deeper, cool water, to try to find those actively-feeding gags,  
30 and landings will drop off considerably in June, as that water  
31 starts to warm up, and they will remain low until mid to late  
32 October, and, generally, what anglers are waiting for is the  
33 first series of cold fronts to move in, when the water  
34 temperature will start to drop.

35  
36 Landings will then pick up in November and remain high through  
37 the end of the fishing season, or until the ACL is projected to  
38 be met. Recreational spearfishing, in particular, is more  
39 popular in November and December, because the hurricane season  
40 is over, and the summer rains are starting to dissipate, and the  
41 water clears up quite a bit, and Clearwater begins to come by  
42 its name more honestly, and that cool water is really what's  
43 needed to see that active gag grouper bite, especially in those  
44 nearshore waters, and so twenty meters and less, especially.

45  
46 The commercial sector, which is managed under the grouper-  
47 tilefish IFQ program, fishing is permitted year-round, for those  
48 that hold allocation, and hook-and-line landings tend to be

1 higher in the beginning of the year, January through March, when  
2 water temperatures are cool, and so the commercial fishermen  
3 don't necessarily have to run out into 150 to 200 feet of water  
4 to catch a good hold of gag.

5  
6 Hook-and-line landings will decrease into the summer. As the  
7 water temperature starts to warm, fishermen will have to run  
8 further and further offshore to find that cooler water and  
9 actively-feeding gag, and so, again, more expense when you have  
10 to run further, and it's probably exacerbated a little bit, at  
11 least temporarily, with the increase of fuel prices.

12  
13 Then landings will increase again in the fall and early winter,  
14 as the bite starts to pick up again, as the water temperatures  
15 decrease. Commercial longline landings account for about a  
16 third of the commercial harvest, and they tend to come from  
17 deeper waters, just by a function of the way that fishery  
18 operates.

19  
20 I broke things out into three regions here, to talk a little bit  
21 further about the fishery dynamics, and so you have the  
22 Panhandle, the Big Bend, and the West Florida Shelf. Barring  
23 any hands popping up, I'm just going to keep rolling.

24  
25 In the Panhandle, the recreational fishing coincides with FWC's  
26 private angling and NMFS' federal for-hire red snapper seasons.  
27 Anglers tend to be able to fish for species concurrently, which  
28 is very popular with the for-hire operations, and recreational  
29 landings in this region are generally lower than they are  
30 compared to the rest of Florida, and this may be, in part, due  
31 to most of the biomass being found in the Big Bend and the West  
32 Florida Shelf.

33  
34 When the red snapper season is open, obviously, that's a  
35 priority target for for-hire operators operating out of that  
36 region, and having to run to areas that are going to be more gag  
37 dense is going to be a further run than it would be to be able  
38 to find the red snapper.

39  
40 Down in the Big Bend, you have lower angler density, but a  
41 larger resident biomass of gag. The FWC occasionally has a  
42 special spring season in state waters, from April to June, off  
43 of a few of the counties out of the Big Bend, and large swaths  
44 of seagrass and low-relief natural bottom are kind of a hallmark  
45 of this part of the West Florida Shelf, and fishing for gag here  
46 gets very popular in the fall, when the water temperatures drop  
47 down, and nearshore visibility improves with that decreased  
48 rainfall, when you get out of the hurricane season.

1  
2 Also found in this area is the Madison-Swanson and Steamboat  
3 Lumps Marine Protected Areas, which were created to protect  
4 known spawning aggregations of gag. The male-female sex ratio  
5 here is about 5 percent males, and it's a little bit higher than  
6 what's observed outside of the MPAs, and you guys recently  
7 passed a generic framework action to close those areas to all  
8 fishing, including trolling, in an effort to ramp down on any  
9 perceived poaching that might be happening in that area.

10  
11 The big part of it, the West Florida Shelf, has the highest  
12 recreational fishing effort for gag, and also is home to a large  
13 resident stock biomass, and the fishing effort here also spikes  
14 in June, but it drops quickly once that water starts to warm up,  
15 and it's pretty low from July all the way into October, waiting  
16 on that first cold front to move in.

17  
18 Once that water starts to cool down, the gag bite really starts  
19 to pick up, especially in the shallower waters, and that clearer  
20 water also means that anglers, in some cases, can see gag from  
21 the surface. It's great for spearfishing, and it's great for  
22 sight-casting for them, especially in those shallower, nearshore  
23 waters. Fishing effort will remain high on that West Florida  
24 Shelf area from November all the way through the end of the  
25 fishing season, for private and for-hire anglers, and this is  
26 really one of the most popular months for recreational gag  
27 fishing in that part of Florida.

28  
29 Just to give you an example of what I'm talking about, that's  
30 eleven feet of water, and so I saw that fish when I cast to it,  
31 and so it's definitely a neat experience.

32  
33 Some management considerations for you guys, as we get into Mr.  
34 Lures' discussion of the interim rule presentation, and SEDAR  
35 72, of course, found that gag are in trouble. They seem to be  
36 very vulnerable to red tide, and they've been hit a few times in  
37 recent history, 2005, 2014, and 2018, and then again last year,  
38 and we've had lower-than-average recruitment over the last  
39 decade or so, and so perhaps there's a linkage between that low  
40 recruitment and gag's vulnerability to episodic mortality from  
41 red tide, and we don't know the answer to that, but certainly it  
42 would be something to mull.

43  
44 The female-to-male ratio outside of the MPAs is very, very low,  
45 and it's pretty low inside the MPAs, but we also -- We also have  
46 a need to understand a little bit more what is enough, what is  
47 an appropriate male-to-female ratio for these fish, to make sure  
48 that we have a healthy spawning stock.

1  
2 The SSC recognized the reproduction limitation when they were  
3 going through SEDAR 72 and making recommendations to you guys.  
4 They recommended that future estimations of stock status and  
5 catch limits be considerate of the male spawning stock biomass,  
6 which is a deviation from the female-only approach that's been  
7 used over the last couple of assessments.

8  
9 There appears to be a pretty clear need to try to conserve the  
10 males and bolster recruitment, and those males are generally  
11 found in that deeper, cooler water far offshore, and also to  
12 reduce discard mortality across-the-board, and Mr. Haddad is  
13 going to talk to you guys a little bit more about that later  
14 today, with our last agenda item for the committee.

15  
16 When we're talking about protecting the males, these males are  
17 generally found in deeper water, and they're much larger fish,  
18 and they're typically fished in the summertime, or are subject  
19 to directed fishing effort in the summertime, when the water is  
20 warm in the shallower depths, and that warm water is correlated  
21 with a slow bite, and so those inshore, nearshore gag aren't  
22 feeding nearly as aggressively, and all of those fish that are  
23 nearshore are female.

24  
25 Talk to some of the guys that fish both nearshore and offshore,  
26 and they will tell you that they just don't see males closer to  
27 shore, inside of twenty meters or so.

28  
29 Anglers go to those deeper waters, where they can find the fish  
30 near the bottom, that are in that cooler water, and those fish  
31 will bite, but those deeper-water gag are more likely to be  
32 large, sexually-mature females, and possibly, although, you  
33 know, given the sex ratio, there's a lower probability, but  
34 that's where you're going to find the males. You're not going  
35 to find the males nearshore. They're going to be farther off.

36  
37 Summer fishing may result in a disproportionate targeting of  
38 males large and females, if it's directing that fishing pressure  
39 further offshore, and so reducing fishing pressure on deepwater  
40 gag may increase the probability and the speed of stock  
41 recovery, by protecting those important members of the spawning  
42 stock, the ones that are most reproductively contributory, and  
43 it may also help improve the ratio of females to males in the  
44 spawning stock biomass.

45  
46 We're talking about reducing discard mortality, and summer  
47 fishing can drive anglers to those deeper waters. Reef fish  
48 caught in deeper waters are potentially subject to barotrauma,

1 which can cause internal bleeding and organ damage, and the  
2 severity of which can increase with depth, and so venting and  
3 descending devices, that we've seen through multiple  
4 presentations to the council, and in the stock assessment  
5 process, can certainly do a lot to mitigate the effects of this,  
6 but, when we get into really deep waters, in excess of a hundred  
7 meters, or 330 feet, discard mortality is exceptionally high,  
8 and it may exceed 90 percent. By the time that fish gets up and  
9 gets back down, it has suffered so much internal damage that it  
10 may have pretty poor chances of recovery, and so never mind  
11 depredation.

12  
13 In an effort to reduce discard mortality, approaches that tailor  
14 fishing effort away from the larger, older fish in deeper waters  
15 might be a benefit, especially to the more reproductively-  
16 important members of the spawning stock biomass, including the  
17 males. That may increase recruitment and the probability and  
18 speed of stock recovery, and you guys heard some public  
19 testimony, at the last council meeting, that winter fishing  
20 primarily -- It's pretty popular primarily in the nearshore  
21 waters of less than twenty meters, and, in these nearshore  
22 waters, the likelihood of barotrauma is substantially reduced.

23  
24 The fish aren't being hauled up from near as deep depths, and  
25 they're also being pulled up in cooler winter water, which folks  
26 have reported in the past that they think the fish are a little  
27 bit more vibrant when released in that cooler water than in hot,  
28 summer, kind of bathtub water. Also, the probability of  
29 catching a male in those nearshore waters is near zero, per the  
30 fishermen and empirically-collected research. Any questions?

31  
32 **CHAIRMAN FRAZER:** All right. We've got one from Mr. Banks.

33  
34 **MR. BANKS:** Just a quick one, and I just was curious to know --  
35 What was the terminal year of the stock assessment for SEDAR 72?

36  
37 **MR. RINDONE:** 2019.

38  
39 **CHAIRMAN FRAZER:** Dr. Stunz.

40  
41 **DR. STUNZ:** Ryan, obviously this seems pretty ripe for some type  
42 of depth or distance closure, especially if you're trying to  
43 protect the males which occur out there, and I know very little  
44 about this fishery, but do we know, or is it separated out, what  
45 the sex ratio looks like in recreational versus commercial  
46 fisheries?

47  
48 **MR. RINDONE:** It's considered uniform, because, as far as hook-

1 and-line selectivity would be concerned, the only -- The thing  
2 that's going to differentiate between the commercial and the  
3 recreational sectors is the willingness to travel out to the  
4 fish, and so it really depends on the time of year when that  
5 fishing is taking place.

6  
7 When you have that cooler, winter water, neither the  
8 recreational nor the commercial fishermen have to go as far to  
9 catch those fish, and so, if you specifically want to target  
10 larger, older gag, you will have to travel to deeper waters, but  
11 you're going to drive right over the top of nearshore fish with  
12 a hot bite in order to get there.

13  
14 **DR. STUNZ:** Well, that's what I'm wondering, and I would have  
15 thought that let's say the commercial fishery, which typically  
16 operates deeper than the recreational fishery, for a lot of the  
17 fisheries, and would they have a disproportionate number of  
18 males versus recreational, or whoever is fishing more inshore or  
19 something? I don't know, and I'm just trying to see if there is  
20 some way to redirect the fishing effort to focus more on the  
21 females than the males, since they're occurring closer to shore.

22  
23 **MR. RINDONE:** I don't have that information, and we can  
24 certainly ask about it, and, also, in the beginning of your  
25 comment, you had mentioned a closure, and I just wanted to make  
26 it clear that the presentation is not inferring that like a  
27 spatial -- Another special closure or anything like that is or  
28 is not appropriate, but it's just saying that, if the idea is to  
29 try to rebuild the stock, then clearly the spawning stock needs  
30 to be protected, and the majority of those larger, older,  
31 sexually-mature individuals are occurring in deeper waters.

32  
33 One of the things that Mr. Luers is going to demonstrate to you  
34 guys is the effects of moving the fishing season start date for  
35 the recreational sector and what that looks like, as far as the  
36 amount of fishing days that you can get, but the other  
37 consideration is that, the later in the fall you move that  
38 fishing date, the better the fishing is going to be nearshore.

39  
40 It doesn't necessarily mean that you're telling people that,  
41 Greg, you can't go to eighty miles offshore to catch gag, and  
42 you still could do that, but you're going to drive right over  
43 the top of some great fishing, inside of, you know, ten nautical  
44 miles, in order to do that.

45  
46 **CHAIRMAN FRAZER:** Peter, go ahead.

47  
48 **MR. PETER HOOD:** I just wanted to say a little bit about sex

1 ratios. I did some work looking at otoliths and reproductive  
2 biology from gag that were caught in the late 1970s to early  
3 1980s, and we found about a 17 percent ratio of males to  
4 females.

5  
6 Chris Koenig, in the 1990s, did some work, and the sex ratio,  
7 during then, was about 1 to 2 percent, and then, finally, when I  
8 was working for Grant Gilmore, over at Harbor Branch  
9 Oceanographic Institute, and this is anecdotal, and I wasn't  
10 able -- This was work done before I showed up there, but Grant  
11 would sit down on the bottom, and he would watch spawning  
12 aggregations of scamp and gag.

13  
14 What he observed is that -- Of course, he's down there trying to  
15 observe the spawning aggregations, and he would have crew up on  
16 the boat, and, of course, they were kind of bored, and so they  
17 decided to go fishing, and so they threw lines overboard, and  
18 one of the things that Grant noticed was that males -- Again,  
19 it's anecdotal, but they seemed to go after the bait, and they  
20 were more aggressive about bait than the females were.

21  
22 There may be some sort of selective removal for males, just  
23 because they're more aggressive. Again, it's anecdotal, and I'm  
24 sure, when Grant was doing his work, when they came back up,  
25 they told the guys on the boat to cut it out, because we're  
26 trying to watch the spawning aggregations. Thank you.

27  
28 **CHAIRMAN FRAZER:** Thanks, Peter. We've got a question from  
29 Leann and then C.J.

30  
31 **MS. BOSARGE:** If we could go back to Slide 9, and this is  
32 probably a Florida question, Jessica, and so that says  
33 occasional special spring season in state waters from April to  
34 June off of specific counties, and how occasional is occasional?  
35 What's it been in recent history? Is it open -- Was it open  
36 this year? Just give me a little background.

37  
38 **MS. MCCAWLEY:** That's been in place I believe since 2012, but  
39 we've spoken to our commission about the status of gag, and the  
40 thought process we have is that we need to remove this four-  
41 county season until the status of gag improves, and so we've  
42 talked to the commission about that, and so, yes, it was in  
43 place for this year, but we are talking to them about removing  
44 it for the upcoming year.

45  
46 **CHAIRMAN FRAZER:** Thanks, Jessica. C.J.

47  
48 **DR. SWEETMAN:** Thank you, Mr. Chair. Touching on the low male-



1 to-female ratio, I think another consideration at play, from  
2 some of Sue Barbieri's work, shows that these females, the  
3 transitionals, they form these inshore pre-spawning  
4 aggregations, and some of her work indicates that there's a  
5 potential bottleneck there, where some of this harvest of these  
6 transitional females is potentially accounting for a lack of  
7 transition overall and affecting the overall percentage for the  
8 male-to-female ratio.

9  
10 I just think that's another consideration, and it's not just the  
11 excess harvest of the deepwater males, and I think there's other  
12 factors that are at play too, because they do seem to migrate  
13 inshore a little bit, based on some of the work that we've seen,  
14 and it's just something to consider.

15  
16 **CHAIRMAN FRAZER:** Mr. Rindone.

17  
18 **MR. RINDONE:** Thanks, and, to that point about the pre-spawning  
19 aggregations and the transitions, and something that's been  
20 evident in Sue's work, is it's difficult to find those  
21 transitional individuals. I think they found one a couple of  
22 months ago, which is the first one that they've found in a  
23 while, and so one of the outstanding questions is the speed at  
24 which these fish transition from female to male, and is it based  
25 on their ontogeny, or is it based on some sort of socially-  
26 mediated cue, and there's still a lot of unknowns, as it relates  
27 to it, and so room for more funding requests, I'm sure.

28  
29 **CHAIRMAN FRAZER:** Mr. Banks.

30  
31 **MR. BANKS:** Just going back to the question about the terminal  
32 year of the stock assessments, there's a stock assessment  
33 showing that we have a problem, but the terminal year was 2019,  
34 and what other metrics, Ryan, did you guys look at between then  
35 and now, to try to give us some idea of whether the picture of  
36 the stock, as of 2019, is still the picture of the stock today?

37  
38 **MR. RINDONE:** When we were doing the projections, we assumed  
39 that 2020 landings were as reported, and so 2021 landings were  
40 not entirely finalized yet, and so, in that case, we looked to  
41 what's been reported preliminarily, and we looked towards the  
42 previous three years and take an average, and so 2022,  
43 obviously, we're in that.

44  
45 If we're looking at ways to keep our finger on the pulse of it  
46 all, then we could look to the interim analysis process to try  
47 to find a representative index of relative abundance, to give us  
48 an idea to -- Kind of like we do for red grouper, and it's the

1 same thing there.

2  
3 The SSC can review that, and if it looks like the stock is  
4 improving, or it's not improving, then it can advise the council  
5 accordingly, and so what you guys did with red grouper, when red  
6 grouper were found to be in not-so-great a way, is you had  
7 requested annual interim analyses, regardless of whether they  
8 resulted in catch advice, but you wanted the SSC to review them,  
9 and, if the SSC thought it appropriate, they could make an  
10 updated catch advice recommendation to you guys, which the SSC  
11 has done about every other year.

12  
13 That's certainly something that is in the toolbox for you guys,  
14 to request the same for gag, and I believe Dr. Shannon Cass-  
15 Calay is on the line for the Science Center, and so she could  
16 speak a little bit more about the viability of an index of  
17 relative abundance for gag and what it would look like, as far  
18 as requesting an annual interim analysis, if you guys decide to  
19 go that route.

20  
21 **CHAIRMAN FRAZER:** Okay, Ryan. I appreciate the presentation,  
22 and I'm not seeing any other hands, and so we will go ahead and  
23 transition into the presentation having to do with interim  
24 measures for gag.

25  
26 **MR. DAN LUERS:** Hi, everyone. I'm Dan Luers, and I work at the  
27 Southeast Regional Office, and I haven't met a lot of you. You  
28 have heard my voice before, I think, but this is the first time,  
29 since I've been working for the Southeast Office, that I've  
30 actually got to speak at a meeting, and so it's nice to meet you  
31 all.

32  
33 Anyway, today, I'm going to talk to you about interim measures  
34 for gag in the Gulf. A lot of this presentation, you've seen  
35 before, and there are just a couple of things that we wanted to  
36 examine more thoroughly, and so we're going to look at that  
37 today.

38  
39 Under the MSA, the council may request the Secretary to  
40 implement interim measures to reduce overfishing, and that's  
41 limited to 180 days' duration, but it also could be extended one  
42 time, for up to 186 more days.

43  
44 The council notified -- We notified the council of the stock  
45 status on January 26, and so we have two years from that to put  
46 measures in place to reduce, or the action to end overfishing  
47 and implement a rebuilding plan, and so that needs to be done by  
48 2024, January 26 of 2024. Then the interim measures we're

1 looking to put in place to begin at the beginning of 2023.

2  
3 From April, the council made the following request, to develop  
4 an interim rule to reduce overfishing for the 2023 fishing year,  
5 to include options for distributing the quota to the  
6 recreational and commercial fishery sectors in an equitable  
7 manner, a proportional reduction in catch, using the data from  
8 2017 to 2019, given an ABC of 660,000 pounds, based on a  
9 rebuilding timeframe of twice the minimum time that it would  
10 take to rebuild, and then options to maximize the number of  
11 fishing days for the recreational sector, based on various  
12 fishing season start dates in 2023, including October 1 and  
13 November 1.

14  
15 We have two actions in this interim rule. The first would look  
16 at new catch limits and catch targets, and then there would be  
17 an allocation decision for commercial versus recreational  
18 allocation, and then a decision on red grouper multiuse  
19 provision, and that would be for this interim rule only. The  
20 second action would be season start date and the length of the  
21 season, and we'll go over what that looks like, based on that  
22 starting date.

23  
24 Just a review of status quo management measures, the ACT for the  
25 recreational is about 90 percent of the recreational ACL. We  
26 noted that it's open from June to December, and the counties in  
27 northern Florida, but looks like they are going to address that.  
28 The minimum size limit for both fisheries is twenty-four inches.  
29 Recreationally, it's two per person within the four-grouper  
30 aggregate, and then, if the ACL is exceeded, the ACT is using  
31 the following year to project the closure, and there may be a  
32 payback provision, if overfished and the ACL is exceeded.  
33 Commercially, the IFQ program serves as the AM.

34  
35 Potential alternatives for Action 1, we have the no action, and  
36 so the stock ACL currently is at 3,120,000 pounds. Commercial  
37 is 39 percent of that, and then the commercial quota is at  
38 939,000 pounds. The recreational ACL is at 1,903,000, and the  
39 ACT is -- You can see that we don't actually -- We would use  
40 that only as an accountability measure.

41  
42 Alternative 1 would allow gag fishing at the same effort and  
43 catch levels, which would not reduce or prevent overfishing.  
44 Note that Alternative 1 stays in CHTS for recreational, and so,  
45 based on that it would allow overfishing to continue, and so,  
46 for these reasons, Alternative 1 is not a viable option, because  
47 it's incompatible with the purpose of the interim rule.

1 For Action 2, all of these alternatives are based on your  
2 previous recommendation of T<sub>min</sub> times two, and then we just  
3 change the allocations. You can see that, originally, you  
4 requested 660,000 pounds, and that number goes up and down a  
5 little bit, based on the allocation, because recreational has  
6 more discards, and so it won't be -- It will actually be -- For  
7 Alternative 2, it's the highest, because the stock -- The  
8 allocation would stay the same as what it is now, at 61 versus  
9 39 percent, and so you can see the commercial ACL, in  
10 Alternative 2, is two-hundred-and-fifty-eight-thousand-and-some-  
11 change, and then the recreational ACL is close to 404,000. Note  
12 that, for Alternatives 2 through 4, that the rec ACL would be in  
13 FES units.

14  
15 It would use the current allocation split, and you can see there  
16 is, obviously, large cuts to both sectors. One thing about this  
17 is, because the -- Because the Florida State Reef Survey  
18 landings are more similar to CHTS than FES, this alternative  
19 would avoid shifting the allocation more towards the  
20 recreational sector in 2023, and then shifting allocation back  
21 to the commercial sector in 2024, if we use the SRFS-based stock  
22 assessment catch data.

23  
24 For Alternative 3, you can see the stock ACL has dropped a  
25 little bit, because the allocation change shifts toward  
26 recreational, and so, rather than 660,000 pounds, the stock ACL  
27 would be 611,578 pounds. The commercial ACL, which would be  
28 20.5 percent of the stock ACL, would be 125,374, and the rec ACL  
29 would be 486,204.

30  
31 This is based on the original reference period for landings for  
32 gag, which was 1986 through 2005, and so, using that split,  
33 using FES data, you would end up with 79.5 percent recreational  
34 and 20.5 percent commercial, and so large cuts to catch limits  
35 for both sectors. The allocation to the commercial sector would  
36 be lower relative to Alternative 2, and lower stock ACL relative  
37 to Alternative 2 as well.

38  
39 Alternative 4, and this is the alternative that we came up with  
40 based on the council's previous recommendation of a proportional  
41 reduction in harvest, and so, here, the stock ACL drops again to  
42 605,000, and this is based, I should have mentioned, on 82  
43 percent stock ACL, or 82 percent recreational and 18 percent  
44 commercial, and the way that this was developed was looking at  
45 landings from 2017 through 2019 for both commercial and  
46 recreational.

47  
48 One of the things about 2017 to 2019 is that neither -- In any

1 of those years, neither did the commercial or the recreational  
2 ACLs were harvested, or even close to harvested, and so this may  
3 be sort of a -- Some may look at it as a balanced way to look at  
4 harvest and how it would occur if fishermen were just allowed to  
5 fish, and so not that that is necessarily the case, but you can  
6 maybe make that case. In any case, you're looking at a  
7 commercial ACL of 108,930 pounds and a recreational of 496,235.  
8 That would be, again, large cuts to both sectors, and this is  
9 the lowest commercial allocation of all the alternatives.

10

11 **CHAIRMAN FRAZER:** Dan, can we just stop for just a second?

12

13 **MR. LUERS:** Sure.

14

15 **CHAIRMAN FRAZER:** I think Leann had a question on one of the  
16 alternatives, and I didn't want you to get too far down the  
17 road.

18

19 **MR. LUERS:** Sure.

20

21 **MS. BOSARGE:** Thanks, and I guess it applies to this one too,  
22 and I just wondered if these decreasing stock ACLs that we see,  
23 as you're shifting the allocation from commercial to  
24 recreational -- Is that a factor -- Is that coming because of  
25 discards, or is that coming -- Is that coming about because,  
26 generally speaking, they catch a smaller fish, and the stock  
27 assessment is in numbers of fish, and so that's a greater number  
28 of fish that are killed, generally speaking? Do you know what's  
29 driving it, which one of those?

30

31 **MR. LUERS:** It's probably a more technical question than I can  
32 answer, and maybe Andy can help me out.

33

34 **CHAIRMAN FRAZER:** Go ahead, Andy.

35

36 **MR. STRELCHECK:** Clay had to step away, but Shannon is on the  
37 line, and I don't know if she can answer this directly.

38

39 **DR. SHANNON CALAY:** Thank you very much. We think that it's  
40 mostly because the recreational fish are smaller, but, you know,  
41 we do notice sometimes, also, that, when there are many discards  
42 from a recreational fleet, that can also have implications, but,  
43 in this case, it's mostly the difference in selectivity and that  
44 the recreational-caught fish are smaller.

45

46 **CHAIRMAN FRAZER:** Okay. Thank you.

47

48 **MR. LUERS:** So, I stand corrected on what I said earlier. Sorry

1 about that.

2  
3 **CHAIRMAN FRAZER:** All right. Any other questions on any of  
4 these alternatives in Action 1? Mr. Chairman.

5  
6 **MR. DIAZ:** A lot of times, we've set an alternative, and it  
7 might not even apply here, but we'll set an alternative based on  
8 the previous years that the original alternative was set on, and  
9 so the no action is 39 percent commercial and 61 percent  
10 recreational, and did you all have any discussions about setting  
11 an alternative based off of the same years that that was  
12 calculated on, and what was entailed in that discussion?

13  
14 **MR. LUERS:** If I understand your question correctly, I think  
15 Alternative 2 is that alternative, and so the years were 1985  
16 through 2006, and then we used the same allocation of 39 and 61  
17 percent, and so I think that's -- Correct me if I'm wrong, if  
18 that's not what you're asking for. It's Alternative 3. My  
19 apologies.

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

22  
23 **CHAIRMAN FRAZER:** Mr. Banks.

24  
25 **MR. BANKS:** Remind me, and you may have said it, or somebody may  
26 have, and I missed it, but why, on an IFQ situation, we would  
27 have a commercial quota different from the ACL commercial?

28  
29 **MR. LUERS:** I will let Andy answer that. He will give you a  
30 better answer than I will.

31  
32 **MR. STRELCHECK:** Thanks, Patrick, and so that's to allow for  
33 multiuse allocation, and so you have to have a buffer,  
34 essentially, between the catch limit and the quota, to allow for  
35 shifting of the quota under the multiuse.

36  
37 **CHAIRMAN FRAZER:** Thanks, Andy. Ms. Boggs.

38  
39 **MS. BOGGS:** Thank you, Mr. Chair, and I didn't ask this when we  
40 were talking about amberjack, but commercial fishermen report  
41 their fish, and their numbers don't change, and so I'm hung up  
42 on that, and I was actually going to talk to John Froeschke,  
43 because I think people understand why does that number change,  
44 and I'm sure I've asked this before, but, I mean, their numbers  
45 of fish don't change.

46  
47 What they catch is what they catch, and the only thing that's  
48 shifting, or changing, in my mind, and I thought that's how it

1 was with vermilion snapper, is the commercial stayed stagnant,  
2 and the charter fleet and the private rec fleet shifted, because  
3 we were converting to FES, and, whether it's in CHTS or MRFSS or  
4 SRFS or whatever, if they caught a gag grouper, they caught a  
5 gag grouper, and that number doesn't change, and I'm having real  
6 trouble understanding why the commercial quotas continue to  
7 change.

8

9 **MR. LUERS:** Are you asking between the alternatives?

10

11 **MS. BOGGS:** Period. I mean, what they catch is what they catch.  
12 Their numbers are not changing. What is changing is these  
13 conversions, these calibrations, on the rec side. The  
14 commercial fishermen, they're their numbers, and that's what I  
15 am not understanding, is why are their numbers changing.

16

17 **CHAIRMAN FRAZER:** Go ahead, Andy, and I may follow-up.

18

19 **MR. STRELCHECK:** I am seeing a few perplexed looks, and so, in  
20 this situation, with gag, yes, we have FES, right, and we have  
21 an updated stock assessment, and we also have information that  
22 indicates that the stock is in far worse shape than what we  
23 previously thought, and so the changes are taking place based on  
24 the change in the catch level, and so we can't allow the same  
25 level of harvest for commercial as historically has been  
26 allowed, to prevent overfishing and end overfishing, but also  
27 then it's changing based on decisions about allocation, and  
28 whatever the council decides with regard to allocation can then  
29 be allocated to the commercial sector.

30

31 **CHAIRMAN FRAZER:** Ms. Boggs.

32

33 **MS. BOGGS:** I won't belabor it after this, but the hang-up, with  
34 me, is the recreational ACL continues to grow, and the  
35 commercial sector continues to go down, and, in my simple mind,  
36 you always have to look at them separately, because, yes, you  
37 can do a reduction of commercial, but I don't think recreational  
38 should benefit while the commercial is suffering.

39

40 **CHAIRMAN FRAZER:** I think, Susan, what you see is there's a  
41 couple of alternatives in here, right, and so Alternative 2, for  
42 example, is essentially maintaining those allocations, right,  
43 and so there is no change there. As you go through the other  
44 alternatives, right, and you move to Alternative 3 and 4, and a  
45 couple of things are going on.

46

47 You're changing the reference period, or the historical  
48 reference period, right, and then, in the last alternative,

1 you're actually using -- It looks to me like the SRFS data for  
2 that reference -- It's a shorter reference period, and so all of  
3 that results in a slightly different overall catch level, right,  
4 and, because of the way that things are allocated, and because  
5 of the selectivity among the sectors, you're going to have  
6 slight differences amongst the alternatives there.

7  
8 It's a little tricky, right, because you've got two or three  
9 things going on here. You've got currency in FES, and you've  
10 got using State Reef Fish Survey data in one of the  
11 alternatives, and you have different reference periods amongst  
12 all of the alternatives, and so that's the reason you see the  
13 differences.

14  
15 **MR. LUERS:** Alternative 4 is FES, and it's not SRFS data, and so  
16 each of the alternatives after Alternative 1 are FES data.

17  
18 **MR. RINDONE:** That's because, at this point, we don't have an  
19 approved catch limit from the SSC using the SRFS currency, and  
20 so the SSC is scheduled to review the council's requested  
21 alternative model run of the accepted SEDAR 72 base model at  
22 their meeting in July, and so that will be reviewed there, and,  
23 if the SSC, at that time, determines that run is consistent with  
24 BSIA, then it, at its discretion, can recommend revised catch  
25 limits and rebuilding periods for gag, based on things like Tmin  
26 times two and the change in the FMSY proxy to 30 percent SPR,  
27 which is what the SSC had recommended last time. If you guys  
28 want to pick the brain directly, Dr. Nance is happily seated  
29 back there, and he can answer your questions.

30  
31 As far as to what Ms. Boggs was talking about, the decrease  
32 overall for the stock ACL, and like Dr. Calay had mentioned, and  
33 Dr. Frazer had touched on too, it's a twofold issue, because you  
34 have -- You have a smaller length composition of fish that's  
35 landed by the recreational fleet compared to the commercial  
36 fleet, combined with the higher probability of discards with  
37 increased allocation to the recreational fleet, because the  
38 majority of the discards in this fishery, across all fleets,  
39 come from the private recreational component.

40  
41 I'm sure we can drum something up to help you guys visualize  
42 that, but the discards from the private recreational component  
43 are substantially more than they are for any of the other  
44 fleets, and so, even if you're in a situation where -- I'm going  
45 to make numbers up here, just for conceptualization.

46  
47 If the commercial fleet is discarding a thousand fish, and 90  
48 percent of them die, and the recreational fleet is discarding



1 100,000 fish, and 10 percent of them die, the dead discards from  
2 the recreational fleet are still far greater than they are from  
3 the commercial fleet.

4

5 **CHAIRMAN FRAZER:** Thanks, Ryan. Susan.

6

7 **MS. BOGGS:** To what Ryan was saying, and I'm just bringing this  
8 up, and I'm not saying that I support it or don't support it,  
9 but, if we look at a closure in June and July, when you have all  
10 your charter fleet out snapper fishing, and they're going to  
11 encounter these gag grouper, are you not going to increase your  
12 mortality? I mean, there's just so many -- I understand there's  
13 a lot of variables, but I think that's maybe something too that  
14 needs to be considered, because, to me, you would have much more  
15 of an encounter with these fish than you might in the fall, when  
16 most people are fishing.

17

18 **CHAIRMAN FRAZER:** Mr. Rindone.

19

20 **MR. RINDONE:** There is certainly the potential for discards,  
21 regardless of when they're fishing, and so, I mean, if you're in  
22 the right spot at the right time, and you happen to get one, you  
23 happen to get one, but, if you recall back to the presentation,  
24 there are ways that, in broad, sweeping motions, that we can  
25 examine the way that the fishermen are currently fishing for  
26 gag, and consider the ways that they told us they prefer to fish  
27 for gag, and, without denying them the opportunity to fish where  
28 they want to fish, and still present a situation where, because  
29 of where the bite happens to be hottest, we are decreasing the  
30 probability of dead discards, because those fish are being  
31 caught nearer to shore, later in the wintertime.

32

33 They are being caught in shallower water, and the fight is not  
34 as long, and they're not being pulled up from the same depths,  
35 and they tend to release a little bit better, but it doesn't  
36 mean that those fishermen still can't go further off.

37

38 Now, in the situations where they might come across the  
39 occasional deeper-water gag, when they are red snapper fishing  
40 in the summertime, obviously, with the DESCEND Act, and with  
41 additional education, hopefully we do our best to release those  
42 individuals, but we're also -- If the season doesn't start until  
43 later, you reduce any direct targeting of gags. The gag are no  
44 longer our primary or our secondary target species on a  
45 multispecies recreational charter/for-hire or private vessel  
46 fishing trip, because the season is closed, and maybe people  
47 focus more on trying to get red snapper higher up in the column,  
48 or getting beeliners or something.

1  
2 It's less about trying to drop live bait down towards the bottom  
3 and more about we've got these fish schooled up a little bit,  
4 and let's -- We can fish them mid-water, and maybe some of the  
5 fishermen might comment on this, and you have a lower  
6 probability of interacting with gag higher up in the water  
7 column.

8  
9 **CHAIRMAN FRAZER:** Andy, can I ask a quick question? In order to  
10 get this in place by 2023, what's kind of the timeline here for  
11 the council to make a decision on these alternatives and the  
12 various actions?

13  
14 **MR. STRELCHECK:** We're asking the council to make a motion, a  
15 recommendation, at this meeting, so that we can implement the  
16 interim measures by the end of the year for the 2023 fishing  
17 year.

18  
19 **CHAIRMAN FRAZER:** Okay. I just was trying to think back to the  
20 last meeting and the discussion that we had with regard to the  
21 State Reef Fish Survey data, and so, essentially, we're going to  
22 move that data into the amendment down the road for  
23 consideration? Okay. Go ahead, Dan.

24  
25 **MR. LUERS:** Here's just a summary of commercial and recreational  
26 landings since 2016, and you can see that 2016 was the highest  
27 year. The ACLs for both, and the overall ACL, has been the  
28 same, and so you can see the commercial was at 75 percent in  
29 2016, and it's down to 39.1 percent in 2020, and the  
30 recreational has dropped from about 41 -- It's been up and down,  
31 but, overall, it's dropped about 10 percent, from 55 percent to  
32 44 percent, of catching the ACL.

33  
34 There is the summary of the alternatives here, and so you can  
35 kind of just look at those and how the stock ACL goes down with  
36 each successive alternative, as does the allocation split and  
37 the commercial ACL.

38  
39 The other part of this is that, with the rebuilding plan, the  
40 red grouper multiuse will be set to zero, and so that's not  
41 necessarily the case with this interim rule, and so there's a  
42 decision to be made on the red grouper multiuse, which is  
43 currently set at about 11.5 percent of the commercial ACL, and  
44 so, for this interim rule, setting the red grouper multiuse at  
45 zero may decrease gag harvest and overall mortality and increase  
46 red grouper discards, including dead discards.

47  
48 You can see that, under these alternatives -- Under Alternative

1 1, which isn't viable, that's what is currently the red grouper  
2 multiuse and the gag multiuse. As you go down the alternatives,  
3 you can see that they approach zero for red grouper multiuse and  
4 gradually approach 100 percent for gag multiuse.

5

6 **CHAIRMAN FRAZER:** Go ahead, Andy.

7

8 **MR. STRELCHECK:** Knowing that we have some newer council  
9 members, just to clarify, and so, when we're talking multiuse,  
10 this is a flexibility measure that was built into the IFQ  
11 program, and so, when we talk about red grouper multiuse, you  
12 can land red grouper or gag grouper, using the multiuse  
13 allocations provided to IFQ fishermen. The same is true for gag  
14 grouper.

15

16 The reason you're seeing these pretty substantial differences,  
17 in terms of the percentage of overall allocation that would be  
18 allocated for multiuse, is because we have substantially  
19 different quota levels that are being considered, and so gag is  
20 in the hundred-thousand, or two-hundred-thousand, pound range,  
21 whereas red grouper is, obviously, in the millions of pounds,  
22 and so that's why it's setting up very differently and where you  
23 could have a substantial amount of multiuse for gag, and that  
24 wouldn't be the case for red grouper.

25

26 **CHAIRMAN FRAZER:** Mr. Gill.

27

28 **MR. GILL:** Thank you, Mr. Chairman. Andy or Dan, historically,  
29 how much of the red grouper multiuse has been actually used? In  
30 essence, that's a cap, if I recall correctly, but it doesn't  
31 necessarily say that it's been used to that cap.

32

33 **MR. STRELCHECK:** I would have to look up, in terms of how much  
34 has been used. We summarize that information in our annual  
35 report, and so I could get that later for you.

36

37 **CHAIRMAN FRAZER:** Okay. I am not seeing any other questions,  
38 Dan. Go ahead.

39

40 **MR. LUERS:** Okay. That's the end of Action 1, and so I can move  
41 into Action 2, if there's no more questions. Action 2 involves  
42 actions for changing the recreational fishing season, and so  
43 this would be assuming different start dates and using 2017 to  
44 2019 MRIP-FES landings, by wave, in order to estimate the season  
45 lengths.

46

47 The reason we did 2017 to 2019 is, first of all, we didn't have  
48 complete 2021 data when we developed this, but, also, 2020 data,

1 we weren't sure how appropriate that was to use, given COVID and  
2 fishing effort and that sort of thing, and so we thought it was  
3 safer to kind of look at 2017 to 2019 as kind of a baseline.

4  
5 Shifts in fishing effort could considerably change landings and  
6 result in overharvest, or underharvest, of catch. Note here  
7 that all the season lengths would be based on NMFS' projections  
8 only, because, generally, the season lengths are too short to  
9 monitor in-season.

10  
11 As you know, we get the data, the recreational data, in waves,  
12 two-month waves, and we get that a month after, and so, unless  
13 the fishing season is at least three months long or something,  
14 we're probably not going to have that data in time to close or  
15 to open, and so we just have to project what the length of the  
16 season is going to be.

17  
18 Maybe if there was -- I know SRFS data comes in quicker, and  
19 monthly maybe, and so, if that changed, potentially we could,  
20 but that would not be an option for this rule, and so the  
21 options that we're exploring are beginning the season on June 1,  
22 which is the traditional starting date, and then September 1,  
23 October 1, and November 1.

24  
25 The no action is a June 1 start date, and so, with that, we're  
26 looking at a sixteen to nineteen-day season, a fifteen-day  
27 minimum, and so, on this chart, for each of the alternatives,  
28 the number of days, projected end date, and the range are based  
29 on the 95 percent confidence limit for the 2017 to 2019  
30 landings.

31  
32 The earliest season end date is based on the highest observed  
33 landings from 2017 to 2021, and so that's why those numbers  
34 might be -- Like the earliest end date might be significantly  
35 outside the range of what is shown there, and so Alternative 1  
36 provides the shortest season of any of the alternatives.

37  
38 The rec ACL is not met during the June season. NMFS may receive  
39 landings data in time to reopen the season and allow for harvest  
40 of the remaining ACL, and so that's the only alternative which  
41 that would be the option, because, if it was a short season, if  
42 we projected the only fourteen days, and then it turns out that  
43 we didn't catch, you know, 100,000 pounds, or 200,000 pounds, we  
44 could reopen before the end of the year and allow harvest of the  
45 remaining quota. For the other alternatives, that won't be the  
46 case.

47  
48 Alternative 2 looks at a September 2 start date, and so the

1 September 1 start date, and so we're looking at an eighty to  
2 ninety-day season is the projection, based on the confidence  
3 limits. The earliest season end date that you can see is  
4 September 27, and so, at some point, there would have to be a  
5 decision made on how we actually decide what that season length  
6 would be, but when -- Recently, and it was either in 2020 or  
7 2021, and I'm not sure which year that was, there was a season  
8 where September landings were big enough to close within twenty-  
9 seven days, based on the new catch limits, and so it would be a  
10 shorter season. That's based on Alternative 2, and you can see,  
11 for Alternative 3 and Alternative 4, where the rec limits are  
12 slightly higher, that it would move out to October 3.

13  
14 In general, September effort and landings for gag are  
15 historically very low, but, possibly because of COVID and  
16 decreased fishing effort, it kind of changed when people were  
17 putting pressure on fishing for gag, and so September landings,  
18 within the last two years, have been a bit higher.

19  
20 Delaying the season start date to September 1 may shift effort  
21 and landings, and so people who were traditionally fishing on  
22 June 1, that went out for gag, may shift all of their effort to  
23 September 1, and so we don't know what kind of effect that is  
24 going to have, and so the average landings that we look at may  
25 not be a great predictor for what the 2023 season length would  
26 be, and so there's a lot up in the air with moving the season,  
27 and that's the case for each of the alternatives, aside from  
28 Alternative 1, which is -- Which we've already seen, and that  
29 happens every year.

30  
31 Alternative 3 looks at an October 1 start date, and the  
32 projection is for a fifty-five to sixty-two-day season. Again,  
33 a twenty-seven-day minimum season, and so there has been higher  
34 October landings within one of the last two years. Alternative  
35 3 provides the second-longest season of any of the alternatives,  
36 and, again, October effort and landings for gag are historically  
37 very low, aside from the last couple of years, and so, again,  
38 the same things. Implementing an October 1 start date could  
39 increase effort in October, relative to what it's normally been,  
40 which may increase landings, and so, again, that might not make  
41 previous landings a great predictor for what's going to happen  
42 in 2023.

43  
44 Finally, Alternative 4 is a November 1 start date. November  
45 effort and landings have traditionally been higher than  
46 September and October, and so this season is projected to be  
47 somewhere between twenty-nine and thirty-six days, with a  
48 nineteen-day minimum season. It's the second-shortest of any of

1 the seasons, and, again, even though November effort is pretty  
2 high traditionally, it can still go up, based on the fact that  
3 all those who have generally fished in June for gag could shift  
4 their effort to November, and so we're not sure how good of a  
5 predictor those previous landings will be.

6  
7 I think this is the last slide, but this just kind of shows all  
8 of the alternatives and what you're looking at for a decision  
9 point, and, again, you can see the number of days projected, but  
10 then we have to factor in the earliest season end date as well,  
11 since, in the past several years, we've seen increased landings  
12 late in the year.

13  
14 **CHAIRMAN FRAZER:** All right. Thank you, Dan. That was a really  
15 nice presentation. I just want to apologize, quickly, to Susan,  
16 for giving you some wrong information. I was going back and  
17 reading the tables, and I misinterpreted one of the tables, with  
18 regard to the State Reef Fish Survey, and, Ryan, thanks for  
19 correcting me on that one. Anyway, are there questions with  
20 regard to this action item? Mr. Rindone.

21  
22 **MR. RINDONE:** Thank you, Mr. Chair. I just think it's important  
23 to stress that the Regional Office, and staff, are really  
24 looking for feedback from you guys on this at this meeting.

25  
26 **CHAIRMAN FRAZER:** Ms. Bosarge.

27  
28 **MS. BOSARGE:** I think, at the last meeting, I asked for some  
29 uncertainty surrounding these projections and keeping the rec  
30 sector within that quota, and did we bring those uncertainties?  
31 I mentioned, last time, that we essentially -- When that lawsuit  
32 came through on red snapper, that's what we had to do, is we --  
33 Because we weren't really doing a very good job of constraining  
34 catch to the quota, we had to go back and look at the  
35 probabilities that we would actually achieve that, and the  
36 uncertainty surrounding landings and projected seasons, and we  
37 had to buffer things down for that. Did we bring any of those  
38 uncertainties to look at, surrounding that recreational data?

39  
40 **CHAIRMAN FRAZER:** Mr. Strelcheck.

41  
42 **MR. STRELCHECK:** We don't have necessarily the probabilities  
43 calculated, Leann, but, in Dan's presentation, we provided the  
44 upper and lower confidence limits, to give you an idea of what  
45 the range would look like, as well as that shortest season  
46 projection, which essentially takes the highest landings that  
47 we've observed over the last five years and assumes that that  
48 will be the case for the 2023 fishing season, right, and so

1 we're still using historical landings as proxies for what will  
2 happen in the future, but that was our intent, was really to  
3 kind of bracket the range and get at some of the uncertainty,  
4 and you can see that, for some of the projections, it does make  
5 it a pretty substantial difference with regard to what  
6 assumptions you make about the season data that's used to inform  
7 those projections.

8  
9 **CHAIRMAN FRAZER:** Okay, and so, if we can scroll back to the  
10 alternatives in Action 2, and it doesn't really matter which  
11 one, and the format is the same.

12  
13 **MS. BOSARGE:** So, you give us a 95 percent confidence interval,  
14 I guess, and so our uncertainty surrounding whether we can hold  
15 the recreational ACL, say that first one there, that 403,000,  
16 and it's only plus or minus about four days, and is that what  
17 we're seeing here, that we feel that good about the data and our  
18 ability to hold it there?

19  
20 **CHAIRMAN FRAZER:** Mr. Strelcheck.

21  
22 **MR. STRELCHECK:** Let's just take Alternative 2, and so, based on  
23 average landings data, we would project a twenty-nine-day  
24 season, and so it would close on November 29. Based on the  
25 confidence limits surrounding those years of data that we were  
26 using for that projection, it would be eight days shorter, and  
27 it would be twenty-one days, or about 25 percent, 30 percent,  
28 reduction in the season length, in order to constrain catch to  
29 that particular catch limit.

30  
31 Then, if we took the single-highest year of landings that we  
32 observed in the time series in recent years, it would be a  
33 nineteen-day season, and so that's how we would try to account  
34 for that uncertainty, with regard to projections, and not just  
35 base it simply on average catch, knowing that that's some  
36 fluctuation around that average.

37  
38 **CHAIRMAN FRAZER:** Go ahead, Ms. Bosarge.

39  
40 **MS. BOSARGE:** All right, and so it's the way you presented it,  
41 but I think you explained it, and so I was looking for that 25  
42 or 30 percent number. That's kind of your uncertainty around  
43 those recreational landings, essentially?

44  
45 **MR. STRELCHECK:** In this instance, yes, it works out to be about  
46 25 or 30 percent, but it would be really based on the data, and  
47 so the way confidence limits work is that, if the landings are  
48 very similar from year to year, that confidence limit will be

1 narrower, and so the range around that average will be very  
2 small.

3  
4 If the spread of the data is more variable from year to year,  
5 then the confidence limit will be wider, and our uncertainty  
6 will be greater. In this instance, it was, you know, 25 or 30  
7 percent kind of off of the confidence limit.

8  
9 **CHAIRMAN FRAZER:** Go ahead, Leann.

10  
11 **MS. BOSARGE:** So, essentially, when we try and monitor with  
12 MRIP, for a season that's that short, where the pounds are only  
13 going to be about 400,000 pounds, your volatility, from year to  
14 year, on what landings are reported goes up by an extreme  
15 amount, and it gets extremely volatile, but we didn't account  
16 for that uncertainty when we tried to do this right here,  
17 knowing that that's the situation that we're going into.

18  
19 **CHAIRMAN FRAZER:** Andy.

20  
21 **MR. STRELCHECK:** I am not understanding you, in terms of we  
22 didn't account for that uncertainty. We are presenting to you  
23 what the average is and what, you know, the kind of uncertainty  
24 bounds would be, under the confidence limit and kind of a more  
25 extreme example of the highest landings possible, and so the  
26 council has a couple of options here, right?

27  
28 One is to set the start date, and I think, based on the current  
29 regulations, the Regional Administrator has the authority to  
30 then project the season and determine when the closure date  
31 would be. The other option would be to advise the Fisheries  
32 Service, in terms of a fixed season, and say do you want the  
33 emergency rulemaking to have the recreational sector open for a  
34 set amount of days, and so I feel like you have that information  
35 before you for consideration and could take into account,  
36 obviously, the uncertainty in the landings estimates.

37  
38 **CHAIRMAN FRAZER:** Mr. Anson.

39  
40 **MR. ANSON:** I just want to confirm -- It's in the presentation,  
41 but I just want to make sure that -- The only alternative,  
42 relative to the season start date, that you would be able to add  
43 days within the year would be if Alternative 1 were selected, a  
44 June 1 start date, because of the timing of the data, correct?

45  
46 **MR. LUERS:** Yes, that's correct. That's also -- Just I will add  
47 a little bit to Andy. That's the only action that there is no -  
48 - That assumptions aren't violated with the confidence limits,



1 because, when you're changing the season, then you are -- There  
2 is an unknown that goes with the shifting of effort that you  
3 can't account for, and so June is the one that both of those  
4 applied.

5

6 **CHAIRMAN FRAZER:** Go ahead. A follow-up, Kevin?

7

8 **MR. ANSON:** Yes, and just to that point is, relative to the  
9 historical data, correct, but that was with the perception,  
10 amongst the anglers, that the season would be longer than what's  
11 going to be announced with this, and so there still may be a  
12 compression of effort, if you will, for those trips that would  
13 have occurred later on, but now those folks feel like they may  
14 have to take them earlier.

15

16 **CHAIRMAN FRAZER:** Okay. Are there any more questions? I am not  
17 seeing any. Thank you for the presentation. Patrick.

18

19 **MR. BANKS:** I was just wondering if you were about to move off  
20 of this topic.

21

22 **CHAIRMAN FRAZER:** Not yet, and so I was just making sure where  
23 we were in the schedule.

24

25 **MR. BANKS:** I was just remembering what Ryan said about leaving  
26 some direction.

27

28 **CHAIRMAN FRAZER:** Absolutely, and so I will open the floor for  
29 thoughts on where we want to go. Mr. Gill.

30

31 **MR. GILL:** Thank you, Mr. Chairman. I will just start the  
32 discussion, and, from my vantage point, it's probably a little  
33 earlier. **Looking at Action 2, and keeping in mind C.J.'s**  
34 **comment that we need to be cognizant of what we do here,**  
35 **relative to what do with AJs, to make sure we're coordinated**  
36 **with that, at least in my thinking, I would like to move that,**  
37 **in Action 2, Alternative 3 is the preferred.**

38

39 **CHAIRMAN FRAZER:** Okay, and so we have a motion, and we'll put  
40 it on the board. I will wait just a second for that. Okay.  
41 We've got a motion on the board. Is there a second for this  
42 motion?

43

44 **MR. ANSON:** Second for discussion.

45

46 **CHAIRMAN FRAZER:** It's seconded by Mr. Anson. Andy, you had a  
47 comment?

48

1 **MR. STRELCHECK:** Yes, and, I mean, I'm going to leave it up to  
2 the council how you want to approach this, and so what we would  
3 ultimately want, walking out of this meeting, would be a motion  
4 to request the Fisheries Service to implement interim measures,  
5 and that would include then whatever decisions are made with  
6 regard to the alternatives, rather than a motion for each action  
7 and alternative, but I will leave it up to the Chair to decide  
8 how to proceed.

9  
10 **CHAIRMAN FRAZER:** Okay. Well, we have a motion on the board,  
11 and I appreciate that we need to actually have a motion to  
12 request that the council implement the interim rule, but, in  
13 this particular case, I think we'll go ahead and entertain this  
14 motion right now, right? Do you want to withdraw the motion?

15  
16 **MR. GILL:** If that's your pleasure, Mr. Chairman, I will  
17 withdraw the motion.

18  
19 **CHAIRMAN FRAZER:** That's my pleasure. It will make life easier.  
20 Kevin, you're all good? All right, and so the motion is  
21 withdrawn. Given the advice from Mr. Strelcheck, would you like  
22 to make another?

23  
24 **MR. GILL:** I haven't thought about this, and so I'm not sure of  
25 the wording, and I would defer to Mr. Strelcheck to correct me,  
26 but I move that we start an action to consider interim rules for  
27 gag grouper.

28  
29 **CHAIRMAN FRAZER:** Okay. Bob, and Andy can correct me if I'm  
30 wrong here, but the motion is really to request that the agency,  
31 right, initiate an interim rule. Is that how you would like it  
32 worded, Andy?

33  
34 **MR. STRELCHECK:** Yes, and my suggestion would be to request NOAA  
35 Fisheries implement interim measures to reduce overfishing of  
36 gag grouper that includes the following, and then whatever the  
37 following is that you would want us to implement.

38  
39 **CHAIRMAN FRAZER:** Okay. I thought you crafted that well, Mr.  
40 Gill.

41  
42 **MR. GILL:** Obviously this is Mr. Strelcheck's motion.

43  
44 **CHAIRMAN FRAZER:** Would you like to add the following actions in  
45 there, perhaps? Essentially, we've got two actions involved  
46 here, and so we're asking them to implement the rule, and the  
47 rule itself is going to include actions that relate to catch  
48 limits, right, and seasons. Leann.

1  
2 **MS. BOSARGE:** I think it would be my preference to almost -- I  
3 don't think we need to try and list everything in this motion,  
4 because I don't think we're ever going to agree on everything,  
5 but, if Bob wants to take that preface and then add what he had  
6 a minute ago, which had to do with the seasons, and we could see  
7 if we could pass that, and -- Am I on the wrong track, and then  
8 do this again for some of those other things, and we just have  
9 this same preface for each motion? You want to do this all at  
10 once? You want to do allocation, season, and quotas all in one  
11 motion?

12  
13 **CHAIRMAN FRAZER:** Bob, what would you like to do with your well-  
14 crafted motion?

15  
16 **MR. GILL:** I am thanking the Regional Administrator for his  
17 support. As I see it, we pass this motion, which covers the  
18 total action we're talking about, and then, in subsequent  
19 motions, address individually the seasons and the quotas.

20  
21 **CHAIRMAN FRAZER:** Ms. Boggs.

22  
23 **MS. BOGGS:** So, a point of order. Did we ever get a second to  
24 this?

25  
26 **CHAIRMAN FRAZER:** Not yet. I was hoping you were going to do  
27 that. It's seconded by Mr. Dyskow. All right. Is there any  
28 further discussion on this motion? Ms. Levy.

29  
30 **MS. LEVY:** Well, I mean, I guess I'm not going to object too  
31 strongly, except this doesn't do anything. It doesn't tell the  
32 agency to do anything. I mean, what you need are the actual  
33 catch limits and seasons that you're recommending. I think he  
34 intended those to be inserted.

35  
36 **CHAIRMAN FRAZER:** I don't think it -- I mean, we realize that  
37 we're headed down that path, right, and that motion, in and of  
38 itself, doesn't provide much guidance, right, and so we can  
39 certainly follow this up with motions related to catch limits  
40 and seasons. Go ahead, Ms. Levy.

41  
42 **MS. LEVY:** Well, just so -- When you get to Full Council, right,  
43 you're going to be making a request to the agency to do  
44 something, and, if this goes to Full Council, and you do a roll  
45 call vote on this, again, it means nothing, and so, I mean, I  
46 guess you can decide how you want to structure it, but, when  
47 you're actually taking final action to ask the agency to do  
48 this, and you're going to do a roll call vote, et cetera, and I

1 would just keep in mind that changing the season does nothing to  
2 reduce overfishing, and so the big question is the catch limits,  
3 right, because, without the reduction in the catch limits,  
4 you're not necessarily, you know, getting to what you want,  
5 which is reducing overfishing, which is the purpose of this  
6 motion.

7

8 **CHAIRMAN FRAZER:** Mr. Anson.

9

10 **MR. ANSON:** I guess Andy had mentioned having to bring this back  
11 to the next meeting, and we would be voting on it at that time,  
12 and so -- No?

13

14 **CHAIRMAN FRAZER:** No, I think that's incorrect.

15

16 **MR. ANSON:** In this one? Okay. Well, so okay. That changes  
17 that. Thank you.

18

19 **CHAIRMAN FRAZER:** Okay. I appreciate what Ms. Levy is saying,  
20 right, and so we could -- Andy, go ahead. I am thinking on the  
21 fly.

22

23 **MR. STRELCHECK:** Well, so what I was hoping the motion would  
24 head toward is advice saying to include the following actions,  
25 and then you could walk through what Dan just presented and give  
26 some explicit advice to the Fisheries Service with regard to  
27 what you want us to implement, and so that would be the  
28 allocation and ACLs associated with it, and it would be the  
29 fishing season start date, and possible end date, for the  
30 recreational fishery and whether or not you wanted us to also do  
31 away with red grouper multiuse or continue to allow red grouper  
32 multiuse.

33

34 **CHAIRMAN FRAZER:** Hold on. Dr. Froeschke.

35

36 **DR. FROESCHKE:** What about if we went back to the first way and  
37 passed all those motions to identify the preferences of the  
38 council and committee, and then, once you had all that done, you  
39 could wrap all of that into the final motion with this language  
40 that includes those previous recommendations?

41

42 **CHAIRMAN FRAZER:** Ms. Levy, would that keep us out of hot water?

43

44 **MS. LEVY:** However, you want to get to the final motion that  
45 tells the agency what to do, or what you think they should do,  
46 I'm good with it.

47

48 **MR. RINDONE:** Mr. Chair, you could -- In order to do that, you

1 could table this motion for now, until you have addressed the  
2 decision points from the actions that were in the presentation.  
3  
4 **CHAIRMAN FRAZER:** Okay. Let's table this motion. Mr. Gill, we  
5 can go back to address the various items. I would suggest,  
6 however -- Ms. Boggs.  
7  
8 **MS. BOGGS:** I am trying to keep you straight. **I would like to**  
9 **make a motion to table this motion.**  
10  
11 **CHAIRMAN FRAZER:** Fair deal. Is there a second?  
12  
13 **MR. ANSON:** Second.  
14  
15 **CHAIRMAN FRAZER:** It's seconded by Mr. Anson. **Is there any**  
16 **opposition to tabling this motion? Seeing none, the motion is**  
17 **tabled.** Thank you, Ms. Levy, for the warning. No pun intended.  
18 Okay. We will try to tackle -- My suggestion is that we tackle  
19 some of the items that are of interest to the agency in the  
20 interim rule, and so those would be the catch limits and dealing  
21 with the allocation, and we need to make a decision on the red  
22 grouper multiuse provision, and then we can move to the season  
23 start dates, and so I would prefer to go in that order. Mr.  
24 Banks.  
25  
26 **MR. BANKS:** Just a quick question for Andy and Mara. If the  
27 council did not give a recommendation, what would the agency be  
28 forced to do?  
29  
30 **MR. STRELCHECK:** It's good to have you back, Patrick. Well,  
31 there's two options. One, we could choose to do nothing. The  
32 other would be that the agency does have authority to go forward  
33 with interim measures, but our preference would be to,  
34 obviously, have the council make recommendations to the agency.  
35  
36 **CHAIRMAN FRAZER:** Mr. Gill.  
37  
38 **MR. GILL:** Thank you, Mr. Chairman. In accordance with your  
39 druthers, I think you all know my preference here that an  
40 interim rule is not the place for us to be discussing and  
41 deciding on allocations. **In accordance with that, I move that,**  
42 **in Action 1, the preferred be Alternative 2.**  
43  
44 **CHAIRMAN FRAZER:** Okay, and so we have a motion on the board  
45 that, in Action 1, Alternative 2. C.J. seconded. Is there any  
46 further discussion on the motion? Mr. Riechers.  
47  
48 **MR. RIECHERS:** Just a little clarification, because we do have

1 several things moving in these different alternatives at the  
2 same time, and, of course, Alternative 1 -- Alternative 2,  
3 Action 1 is the one that is using the SRFS landings, which have  
4 not yet been, quote, unquote, adopted in this kind of --  
5

6 **CHAIRMAN FRAZER:** I misspoke earlier, when I was talking. I  
7 read the table originally the same way that you did, Robin.  
8

9 **MR. RIECHERS:** I am not reading the table. I'm reading the  
10 actual discussion of it, but go ahead.  
11

12 **CHAIRMAN FRAZER:** Well, when I was looking at this alternative -  
13 - For example, if I went back to Action 1, Alternative 2, I was  
14 reading the bulleted points down there, and I was quickly  
15 reading it, and, for some reason, I was thinking that they had  
16 used the SRFS data for that, but that's not the case, and that's  
17 why I asked Andy for clarification. Patrick.  
18

19 **MR. BANKS:** I am going to speak in favor of the motion, and I'm  
20 going to give you a little bit of reasoning why, and it's not  
21 that I really have any dog in this fight with gag grouper, and  
22 it's a Florida thing, and so I appreciate Bob making the motion,  
23 but, just to a larger issue that I've been struggling with, and  
24 it's all of this transfer to FES, which I believe we have to do,  
25 and we have to calibrate to this currency, but the tremendous  
26 impact it's having on one sector versus another, and so I think  
27 Bob is correct that we need to have these allocation  
28 discussions, and they need to be a much more robust allocation  
29 discussion than what we're doing with all of these different OFL  
30 and ABC adjustments.  
31

32 I don't think we're really giving allocation enough attention in  
33 those situations, and, as we all know, that's the hardest part  
34 of all of this, and we're just blowing through it, because it's  
35 all wrapped up into this FES, and so I support -- Not  
36 necessarily for gag, because we don't have a dog in the fight,  
37 but I support that concept that you expressed.  
38

39 **CHAIRMAN FRAZER:** Thank you, Mr. Banks. Any further discussion  
40 on the motion? Ms. Bosarge.  
41

42 **MS. BOSARGE:** I agree with both Bob and Patrick, and, in fact,  
43 I've been sitting here this whole time and trying to listen to  
44 what's being said, and, at the same time, pull some sort of  
45 history on this species and the management and the landings and  
46 the quotas, because this is not the first rebuilding plan for  
47 gag that we've been through. We've been through this in the  
48 past.

1  
2 I know we tried to cut quotas, but did we actually attain that,  
3 right, and we were striving to reduce catch, and some of these  
4 alternatives for shifting quota -- Does it actually include the  
5 overages? CHTS landings and CHTS quotas, and were there  
6 overages on the recreational side, and we're letting that fly  
7 and go into this new allocation, when we trying to constrain --  
8 I have no idea, because it's not presented to us, and we only  
9 have landings that were presented to us back to, what, 2016 or  
10 something in this presentation, and so we don't have all the  
11 information in front of us that we need.

12  
13 Now, that aside, we have a greater uncertainty surrounding  
14 landings on that recreational side than we do on the commercial  
15 side, right, and uncertainty -- That's because we have volunteer  
16 - As I've said many times in the meeting today, we have  
17 voluntary reporting that is sample-based that is somewhere south  
18 of a 10 percent of the total effort that even gets sampled, on  
19 the trip side, and so -- Then you have only about 30 percent of  
20 that 10 percent that actually gets reported, and there's non-  
21 reporting on the rest, and so there's a whole lot of uncertainty  
22 surrounding those landings data.

23  
24 Uncertainty, in my mind, equates to risk, and so think about it  
25 kind of from a different perspective that all of us are used to  
26 when we think about risk and uncertainty. Think about your 401K  
27 and the stock market, and think about what is happening right  
28 now.

29  
30 When things start to tank, and things get bad, what do you want?  
31 You take risk off the table. That's what most people are doing  
32 in the stock market right now, and they're getting the heck out  
33 of things that are high risk, like a bitcoin or something like  
34 that, right, and they're trying to take their money and put it  
35 into things that are extremely transparent, that have a long  
36 history of reporting, and reporting profits and things like  
37 that, and so they're taking risk off the table.

38  
39 To me, when you look at any allocation shift from commercial to  
40 recreational, you're doing exactly the opposite. You're putting  
41 more risk and uncertainty on the table. If you want to rebuild  
42 this stock, you should be shifting towards those less-risky  
43 components, with less uncertainty, where you have more certainty  
44 that you will actually constrain the catch to that lower catch  
45 level, because, if you don't, you're not doing anything to  
46 actually rebuild the stock, and so I don't think we should be  
47 looking at any sort of reallocation in this measure.

48

1 **CHAIRMAN FRAZER:** So, you're essentially in favor of the motion?  
2

3 **MS. BOSARGE:** Yes, Tom.  
4

5 **CHAIRMAN FRAZER:** I appreciate that. Ms. Boggs.  
6

7 **MS. BOGGS:** I certainly understand and appreciate what Leann is  
8 saying, and I, like her, was -- I know what document I want to  
9 look at, but I, again, can't do it and have a conversation at  
10 the same time, but the reason I will speak in favor of this  
11 motion today is it's an interim rule, which gives us time,  
12 because, otherwise, the agency is going to do something without  
13 any guidance, and I think the agency would be fair and do the  
14 right thing, but, you know, I can't guarantee that. Sorry,  
15 Andy.  
16

17 That's what I'm looking at, is that, okay, this is an interim,  
18 and it's going to hurt, and there is a commercial fisherman, and  
19 I won't call him out, and he said, it's always got to hurt, and  
20 it's got to hurt equally, and it is going to hurt, but it's for  
21 an interim period of time, but I -- Like you, Leann, I want to  
22 go back, and I want to look, because I don't want to do the same  
23 thing with gag grouper that we did with red grouper, and I'm  
24 very cognizant of that, but, at the same time, I don't want  
25 something more to happen, where we do an 79/21 split, where the  
26 commercial fishermen are really taking a hit, and so I only  
27 support this because I know that it's an interim rule and that,  
28 yes, this council is going to have to dig in deep and fix this  
29 issue. Thank you.  
30

31 **CHAIRMAN FRAZER:** All right. Thank you, Ms. Boggs. All right.  
32 Is there any other discussion on this motion? **Is there any**  
33 **opposition to this motion? Seeing none, the motion carries.**  
34 C.J.  
35

36 **DR. SWEETMAN:** Thank you, Mr. Chair. **I would like to make**  
37 **another motion. In Action 2, to make Alternative 2 the**  
38 **preferred.** If I get a second, I can provide some discussion.  
39

40 **CHAIRMAN FRAZER:** Real quick, before we get there, I want to ask  
41 Andy a quick question. In the motion that just passed, right,  
42 in Action 1, Alternative 2, the multiuse is still -- I mean, the  
43 table at the end of the presentation suggests -- Let me go back  
44 to it, real quick. That 2.1 percent goes to red grouper, and  
45 75.3 percent for gag, right? What I'm asking, Andy, is whether  
46 we need a motion specifically to deal with multiuse, or, because  
47 of the way that the motion was crafted, and the alternatives  
48 were provided, that the multiuse stays as it is indicated in the



1 presentation?

2  
3 **MR. STRELCHECK:** Based on current regulations, once gag is under  
4 a rebuilding plan, red grouper multiuse would be prohibited. In  
5 this instance, if you don't explicitly tell the Fisheries  
6 Service not to have to red grouper multiuse, then we're going to  
7 move forward and assume that it's the council's direction to  
8 have red grouper multiuse under the interim measures, and then  
9 that change would be made, obviously, with the rebuilding plan.

10  
11 **CHAIRMAN FRAZER:** Okay, and so we're going to move forward with  
12 that assumption, unless I hear otherwise from the council. Mr.  
13 Gill.

14  
15 **MR. GILL:** Well, if you could, Andy, I could use some  
16 clarification. What that says is the rebuilding plan is going  
17 to go to zero on multiuse, and so there is benefit to including  
18 that as a constraint in the interim rule, right, because you're  
19 setting up for what you're going to anyway.

20  
21 What we have on that slide, the 2.1 percent that Dr. Frazer  
22 mentioned, my interpretation of what that means is that, based  
23 on the decision we just made, there is an option for 2.1 percent  
24 of the red grouper quota to be converted to gag, and, with the  
25 corresponding large -- Whatever that number is, and I don't know  
26 what the translation is, five-to-one, given the current numbers,  
27 and so up to, for talking purposes, 10 percent, or whatever the  
28 right number is for gag, it might be coming from the red grouper  
29 quota, and the bad about that is that the directed gag quota  
30 will be utilized by red, and the good about that is that it  
31 reduces discards, to some extent, in the red grouper fishery.  
32 Am I close to on target here?

33  
34 **MR. STRELCHECK:** By allowing red grouper multiuse -- I guess,  
35 first, with the action you just passed, and so there's a catch  
36 level, and then, obviously, that's broken out rec and  
37 commercial, and there's a quota set for gag, right, and so  
38 there's a buffer there.

39  
40 That buffer, obviously, allows for multiuse between red grouper  
41 and gag, and is intended to reduce discards, based on how the  
42 fish are being caught, right, but not to exceed the overall  
43 catch limit, and so, in this instance, you could prohibit red  
44 grouper multiuse, which would be a change to the existing  
45 regulations, or, if you choose to allow it, continue it, you're  
46 still going to maintain it within the catch limit for the  
47 commercial quota, and the question is, is there consequences,  
48 obviously, from the commercial sector standpoint, of maintaining

1 it versus getting rid of it?

2  
3 Is there a benefit to maintaining it, versus getting rid of it,  
4 right now, or would the council want to go ahead and move  
5 forward and make that decision to change it now, knowing that  
6 that change will also take place going forward in the rebuilding  
7 plan?

8  
9 **CHAIRMAN FRAZER:** So, the way things stand, we're going to  
10 assume, unless we make a motion otherwise, that we're going to  
11 retain the multiuse option in the interim rule. Okay. C.J.,  
12 we're going to go back to your motion. Mr. Strelcheck.

13  
14 **MR. STRELCHECK:** Just one other point, and so the percentages  
15 that we also presented -- They're formulaic, and so, depending  
16 on the -- It's not something you just choose, and it's not  
17 something that we're grabbing out randomly, and so I just wanted  
18 to let you know that as well.

19  
20 **CHAIRMAN FRAZER:** Thanks, Andy, for clarifying there. C.J.,  
21 your motion is, in Action 2, to make Alternative 2 the  
22 preferred. Okay. Is there a second for that motion? It's  
23 seconded by Ms. Boggs. Okay. Any discussion? C.J. and then  
24 Bob.

25  
26 **DR. SWEETMAN:** I figured I would provide some rationale for why  
27 I put this motion here, and so, obviously, gag grouper is  
28 primarily a Florida fishery, and we discussed this at the last  
29 May commission meeting with our commissioners, and they advised  
30 -- We discussed the entire interim rule, at least what was  
31 presented at the last council meeting, and they advised us to go  
32 for the longest possible season, and, if we did that, then they  
33 would consider removing that four-county box, and we'll call it  
34 Jefferson, Taylor, and Franklin Counties, and that has an  
35 opening starting season date of April 1. Landings can be quite  
36 significant in that area, and so that's part of the  
37 justification for why I'm advocating for this longest-possible  
38 interim season.

39  
40 **CHAIRMAN FRAZER:** Thanks, C.J. Bob, did you want to follow-up,  
41 or no? All right. That's good. Ms. Bosarge.

42  
43 **MS. BOSARGE:** I am trying to follow this. Okay, and so this is  
44 what happens when you're presented with a document at a meeting  
45 that has multiple actions in it and you have about this long to  
46 try and evaluate all of them and come up with something.

47  
48 All right, and so a start date of September 1, and we're going

1 to let this season go for eighty days, and would that be right?  
2 That's under the row for Alternative 2, which we chose a minute  
3 ago, right?

4

5 **CHAIRMAN FRAZER:** That's correct.

6

7 **MS. BOSARGE:** Okay. All right. So, for eighty days, and so  
8 that's -- Let's see. Thirty days in a month, and so that's two-  
9 and-a-half, or two-and-two-thirds, months, and am I doing my  
10 math right, on the fly? Okay. All right.

11

12 So, we're going to project that it's going to end around  
13 November 19, and so that's one wave and a piece, almost one-and-  
14 a-half waves, of MRIP. Okay, and tell me on the MRIP waves --  
15 Do we have a wave that starts on September 1?

16

17 **CHAIRMAN FRAZER:** Yes, we do.

18

19 **MS. BOSARGE:** Okay, and so it runs all through September and all  
20 through October. On October 31, that wave ends, or right around  
21 there? Okay, and then when do you actually have the data on  
22 that wave, where you could say, okay, we've hit it and stop?

23

24 **MR. RINDONE:** Mid to late December.

25

26 **MS. BOSARGE:** Mid to late December, and so, essentially, we are  
27 going to -- It is what it is, and it's going to be November 19,  
28 because you're not going to have the data, and so we're just  
29 hoping and praying that we don't exceed it, because there will  
30 no monitoring and potential closure. You have either overshot  
31 it or you didn't, and is that right?

32

33 **CHAIRMAN FRAZER:** Can I weigh-in real quick? I mean, it's  
34 possible. I mean, we still have State Reef Fish Survey data,  
35 right, state monitoring, right, to evaluate at a finer  
36 resolution than we would using the MRIP wave.

37

38 **MR. RINDONE:** Dr. Frazer, the State Reef Fish Survey reports  
39 monthly, and so the State of Florida could certainly advise the  
40 Regional Office as to the landings that it's observing as part  
41 of the State Reef Fish Survey, and provide at least a little bit  
42 more resolution.

43

44 If we're relying only on MRIP for this, then, Ms. Bosarge, your  
45 assumption is correct that, really, there's not a scenario where  
46 the season would still be open when the data from the requisite  
47 MRIP wave would be available.

48

1 **CHAIRMAN FRAZER:** Leann.  
2  
3 **MS. BOSARGE:** Then I have some reservation about this. If  
4 that's the case, and it's going to be eighty days, and it could  
5 be more, but it won't be less, my crystal ball says, and, even  
6 if you give us a one-month -- If you get it after a month,  
7 unless we exceeded it in that month, then we're waiting another  
8 month, plus some, and so here's what worries me.  
9  
10 From what I understand, there is some gag showing back up, just  
11 like the red grouper showed back up a little bit last year, and,  
12 if you go look at what happened in recreational red grouper last  
13 year, with these MRIP waves, the red grouper showed up, and your  
14 landings increased.  
15  
16 We had cut quotas, trying to constrain catch, and we constrained  
17 the commercial catch to those lower quotas that we implemented  
18 way back. In I think 2019, we had an interim rule on red  
19 grouper, and the rec sector, when the red grouper showed back up  
20 this past year, they hit a-hundred-and-seventy-something percent  
21 of their quota, and so all our sacrifice on the commercial side  
22 to constrain catch, which we did, means nothing, because we just  
23 caught extra on the recreational side, because we cannot monitor  
24 it and stop it in time.  
25  
26 I don't think that eighty days is conservative enough. If the  
27 gags are showing back up, which I hear they are, then you're  
28 probably going to blow it out of the water. Yes, we'll take it  
29 on the chin and cut our commercial quota, and not go over it,  
30 but it's just going to get eaten up on the other side, and  
31 that's what I'm getting at with these uncertainties.  
32  
33 You're going to have a short season, and you know that makes  
34 landings more volatile, and you know it makes more people go  
35 rush after it, and I'm just tired of doing the same thing over  
36 and over, and what are we going to do about it? Are we going to  
37 put some better buffer on this thing, and then, if you haven't  
38 hit it, once you get your MRIP data, maybe we could look at  
39 having a few days at the end of the season, at the very end of  
40 the year, sort of like states do, where they shut down early,  
41 and, if they've got some left, they open it up later.  
42  
43 **CHAIRMAN FRAZER:** Mr. Strelcheck.  
44  
45 **MR. STRELCHECK:** Well, Leann, it's certainly the purview of the  
46 council if you want to recommend a shorter season and end date  
47 for the recreational season. I will say that we're talking  
48 about a season that's over a year away right now, and so, as

1 structured, if you're recommending just the start date, we're  
2 going to have additional data for the 2022 fishing year, and  
3 we're going to need to update our projections, and we're going  
4 to need to determine, based on that best available information,  
5 when the end of the season would be.

6  
7 Within the last five years, you can see that there's a pretty  
8 wide range, in terms of when we would project the season would  
9 close, and the average closure date was approximately eighty  
10 days, but it could be as short as less than a month, right, and  
11 so there's some variability there, but, the way that it's  
12 structured right now is we're setting a start date, and there is  
13 existing accountability measures that would allow NOAA Fisheries  
14 Service, me, to essentially close when we project the season to  
15 be met, and so we will base that on whatever the latest and  
16 newest information is, unless you tell us otherwise and say you  
17 want a fixed season, and these are the dates of the fixed  
18 season.

19  
20 Now, the other thing, under interim measures, is that it doesn't  
21 have to prevent the overfishing, and that's certainly my goal,  
22 is try to get this fishery to prevent the overfishing, but you  
23 can reduce overfishing without preventing it, under an interim  
24 measure.

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

27  
28 **MR. DIAZ:** Thank you, Mr. Chair. Ms. Bosarge, I have no way of  
29 knowing if what you just laid out is going to happen or not, and  
30 it very well might, but I will note that, in the motion that we  
31 just passed a minute ago from Mr. Gill, we did pick Alternative  
32 2, which is the most favorable to the commercial, and it gives  
33 the highest percentage to the commercial, and so that does bring  
34 the recreational percentage down, and I think that somewhat  
35 hedges against the scenario that Ms. Bosarge laid out, although  
36 I don't know that it solves it, because we don't have a data  
37 collection system that can collect data in real time.

38  
39 We just don't have it, and so I don't know how that will turn  
40 out, but I think -- I just wanted to point out that I think  
41 that, in the last motion that we just passed, we're doing the  
42 best we can do to control what we can control that could  
43 potentially happen with what Ms. Bosarge has laid out.

44  
45 **CHAIRMAN FRAZER:** Thank you, Mr. Diaz. Mr. Gill and then Ms.  
46 Boggs.

47  
48 **MR. GILL:** Thank you, Mr. Chairman. You all recollect, before

1 we started on this path, that I had gone with Alternative 3, and  
2 the reason that I went with Alternative 3 was that the start  
3 date of 1 September, with a long season, gives a greater  
4 possibility to effort shift and a greater possibility, in my  
5 mind, especially relative to Alternative 3, that we will do  
6 further harm to the gag stock.

7  
8 **I understand the situation that C.J. is laying out, and so I'm**  
9 **not comfortable, but I'm going to make a substitute motion, in**  
10 **Action 2, to make Alternative 3 the preferred, as I did**  
11 **previously.**

12  
13 **CHAIRMAN FRAZER:** Okay, and so we have a substitute motion from  
14 Mr. Gill. The motion, substitute motion, is, in Action 2, to  
15 make Alternative 3 the preferred. Is there a second for that  
16 substitute motion? It's seconded by Dr. Shipp. Okay. Is there  
17 any further discussion on the motion? Ms. Boggs.

18  
19 **MS. BOGGS:** Well, this is not what I was going to ask, but, now  
20 that we've gone down this rabbit hole, C.J., I have a question  
21 for you. The closure of those four counties in April for  
22 Florida, approximately how many gag do they catch during that  
23 period of time in a year?

24  
25 **CHAIRMAN FRAZER:** Go ahead. C.J.

26  
27 **DR. SWEETMAN:** It can be pretty significant. Depending on the  
28 month that we're talking about, it can range anywhere from  
29 200,000 pounds and going up, and this is just state waters here,  
30 up to about 400,000 pounds.

31  
32 **CHAIRMAN FRAZER:** Ms. Boggs.

33  
34 **MS. BOGGS:** So, I would speak in opposition to Mr. Gill's  
35 motion, because that's your entire quota. Thank you.

36  
37 **CHAIRMAN FRAZER:** Okay. Ms. Bosarge.

38  
39 **MS. BOSARGE:** So the rec quota is going to be somewhere between  
40 about 400,000 and 500,000 pounds, depending on which one of  
41 those you choose, right, and so, if you go back to the  
42 presentation that we received earlier today on gag landings, and  
43 you look at last year's landings, what they landed between  
44 September, to the best of my ability to draw a line on this  
45 graph, and mid-November was about 600,000 pounds.

46  
47 If the stock is getting a little better, and gags are showing up  
48 more now, why would we think this is going to work? That's more

1 than what's on that page. That page maxes out at about 500,000  
2 pounds for catch, and I just -- I don't think all the  
3 information is really being presented to us here and us really  
4 being given clear guidance on whether this is really going to  
5 succeed or not, and should we look at something more  
6 conservative.

7

8 **CHAIRMAN FRAZER:** Ms. Boggs.

9

10 **MS. BOGGS:** Okay, and so, again, it's interim, and I, again,  
11 understand everything Leann is saying, and, as Andy suggested, I  
12 suppose we could set specific closures, but a couple of things  
13 with Action 2, Alternative 2, I believe is what the first motion  
14 was, and I know we have to vote this down, up or down, but I'm  
15 trying to make this point.

16

17 There is a lot of variables, as there is all throughout the  
18 year. I did not know, when that motion was made by C.J., but  
19 that's one of the caveats, is what was mentioned, is to close  
20 those other areas, and so I think that's a good thing, to help  
21 this fishery.

22

23 Number two, September, October, and November -- As we've seen in  
24 the red snapper fishery, when you compress a season into three  
25 days, nine days, whatever, your effort is so, so much more. The  
26 other thought process I had there is, in September, October, and  
27 November, that's when we have these tropical occurrences that  
28 none of us like, and that's a gamble, yes, Leann, that we take,  
29 that you're going to have some decent weather or not, and I  
30 agree that the grouper are showing back up. They're showing  
31 back up in our area, and not a lot, but they are coming back.

32

33 I just -- My concern is, if we constrain it anymore, we're  
34 really going to make the effort that much more, and so I'm  
35 willing to gamble, in the interim, to do this, because I think,  
36 once we get past this interim rule, we're going to find out that  
37 there's a lot more fish, and, when we go through this process --  
38 It's a gamble. No matter what we do, it's a gamble. Other than  
39 just shutting it down, I don't know what else you can do to  
40 prevent overfishing.

41

42 **CHAIRMAN FRAZER:** I just want to, again, ask Andy a question,  
43 right, and so I know there was some discussion, and I might have  
44 been reading something a little earlier about that, but the  
45 State of Florida, and this is a Florida-dominated fishery,  
46 right, and so, at the end of the month, you will have SRFS data,  
47 and so how long -- At what frequency is it available to help  
48 guide in the decision-making?

1  
2 **DR. SWEETMAN:** We need -- We can't provide SRFS estimates until  
3 we have the MRIP intercept data that are available for  
4 inclusion. We do monthly estimates, and that's our waves, but  
5 we need to include the MRIP intercept data within that.  
6  
7 **CHAIRMAN FRAZER:** So, when would you get the MRIP intercept  
8 data, typically?  
9  
10 **DR. SWEETMAN:** I can get back to you.  
11  
12 **CHAIRMAN FRAZER:** I think it's key, right, Andy, because the  
13 important thing that I'm trying to get at here, to address  
14 Leann's concern, is, if you've got information prior, right, to  
15 when your projected end date might be, you can potentially use  
16 that information to close a fishery, so you don't exceed your  
17 allocation. Would you be able to do that, from an agency  
18 perspective, to draw on the state data?  
19  
20 **MR. STRELCHECK:** We're talking about seasons that are two or  
21 two-and-a-half months, and so, by the time that Florida even has  
22 like a month of data, it's already going to be toward the end of  
23 that season, and so I don't see how, practically, we would be  
24 able to use that information for in-season projections. We're  
25 going to have to do this in advance, and so, in response to  
26 Leann, I mean, if there is concern about going way over, then  
27 the council would need to lean on being more conservative with  
28 regard to the season and make a specific recommendation about an  
29 end date for the season.  
30  
31 **CHAIRMAN FRAZER:** C.J.  
32  
33 **DR. SWEETMAN:** I have an answer for you. Forty-five days,  
34 basically, and Wave 5, which is September and October, and  
35 forty-five days after the end of Wave 6, which would be November  
36 through December.  
37  
38 **CHAIRMAN FRAZER:** Okay, and so not enough time. Mr. Anson.  
39  
40 **MR. ANSON:** I am not going to be in -- I'm not in favor of the  
41 substitute motion, partly from what Susan just said regarding  
42 compression of effort, but I do understand, you know, Leann's  
43 concerns about the fishery.  
44  
45 I, like Patrick, sitting from a state perspective, defer to  
46 Florida's decision, but, in light of kind of their commission's  
47 commitment to closing an area where there is some catches, and  
48 that is helpful, but also, in light of potentially an increasing



1 population, and the chance of exceeding it, but having some  
2 additional buffer, I'm just throwing out there that Andy  
3 mentioned that we could set any date, and it doesn't have to be  
4 married to the projected end date, but maybe using the 95  
5 percent upper confidence limit as the end date, and that takes  
6 off nine days, in this case, for Alternative 2, and so it kind  
7 of goes -- It threads the needle a little bit, and it still  
8 provides the most number of days, which satisfies your  
9 commission.

10  
11 **CHAIRMAN FRAZER:** Okay. That will require a modification of the  
12 second substitute, I think that would be, if somebody is willing  
13 to make that. You can do substitutes, but then you run out.

14  
15 **DR. SWEETMAN:** Let's see how to phrase this. Can you scroll up  
16 to the original language, and I will just modify it from that.  
17 **In Action 2, to make Alternative 2 the preferred, with an end**  
18 **date of November 10.**

19  
20 **CHAIRMAN FRAZER:** All right, and so the second substitute motion  
21 is, in Action 2, to make Alternative 2 the preferred, with  
22 November 10 as the end date. Mr. Rindone.

23  
24 **MR. RINDONE:** Just semantics, and maybe say to make Alternative  
25 **2 a preferred with a season closure date of November 10.**

26  
27 **CHAIRMAN FRAZER:** Perfect. Okay. Is there a second to this  
28 second substitute motion? It's seconded by Ms. Boggs. All  
29 right. We're going to try to move along here. Is there any  
30 further discussion on this motion? Ms. Boggs.

31  
32 **MS. BOGGS:** Thank you, Mr. Chair, and I just want to make a  
33 clarification. So, we're going to go final at this meeting,  
34 correct, with this document?

35  
36 **CHAIRMAN FRAZER:** We're going to make a recommendation to the  
37 agency at this meeting, yes.

38  
39 **MS. BOGGS:** Okay, and so, provided this motion passes -- I am  
40 asking this of the State of Florida, and does this mean that, in  
41 April of 2023, the FWC would close, or would it be after this?

42  
43 **CHAIRMAN FRAZER:** C.J., go ahead.

44  
45 **DR. SWEETMAN:** Thanks for the question, Susan. Sometime this  
46 year, we'll bring this back to the commission, and we will ask  
47 for direction, and so it would -- If the commission approves it,  
48 that's the intention of us, is to have this in effect for -- We

1 would not only go consistent with this, but the four-county box  
2 would be removed there as well for next year.

3

4 **CHAIRMAN FRAZER:** Susan.

5

6 **MS. BOGGS:** If the commission doesn't approve this -- I mean, so  
7 now I'm hearing "if", and so -- I understand. I understand, but  
8 I'm just -- I'm just trying to make sure that we're not painting  
9 ourselves into a box, because then I will maybe regret this  
10 decision that I'm making, and I understand that it's 50/50, but  
11 that's why I'm putting it on the record.

12

13 **CHAIRMAN FRAZER:** Ms. McCawley.

14

15 **MS. MCCAWLEY:** Thank you. As you guys know, we can't commit the  
16 commission to a future decision, but this was how it was stated  
17 in their direction, was to advocate for the longest possible  
18 season and that we would come back to them with information,  
19 following this council meeting, and our intent was to ask them -  
20 - Once that season was passed by the council, we would be asking  
21 them to go consistent with that new season, which we indicated  
22 would include the removal of that special box season, is what we  
23 call it, and so I can't say that they would definitely pass it,  
24 but that was how it was worded when they provided the direction  
25 to us.

26

27 **CHAIRMAN FRAZER:** Even with the change in the closure date, that  
28 would be the longest possible season, given the Action 1. Okay.  
29 All right. We're going to vote the second substitute motion up  
30 or down. **Is there any opposition to the second substitute**  
31 **motion? One in opposition. The motion carries.** Okay, and so  
32 let's see where we are in the grand scheme of things here. Ms.  
33 Bosarge.

34

35 **MS. BOSARGE:** I guess this goes without saying, but I'm going to  
36 ask it anyway, and so, based on what Susan just said, and this  
37 is for you, Andy, and if, for some reason, the commission does  
38 not shut down that occasional state-water season that they have,  
39 and I was looking at the numbers, and they would probably land  
40 the whole quota in that state-water season. They would land the  
41 four-hundred-and-something-thousand pounds, and so, if that  
42 opens from April to whatever it is, May 31, then we will -- You  
43 would go back to this and take that into account, and we  
44 wouldn't have a recreational federal season for gag, correct?

45

46 **CHAIRMAN FRAZER:** Mr. Strelcheck.

47

48 **MR. STRELCHECK:** Mara may want to weigh-in, and so there's still

1 accountability measures that provide me with authority to close  
2 the fishery once we determine the catch limit has met, or is  
3 projected to be met, and so, in your scenario, if Florida  
4 decided to remain open, then we would take that into  
5 consideration in determining what the fall season would be.

6  
7 **CHAIRMAN FRAZER:** Ms. Bosarge.

8  
9 **MS. BOSARGE:** So, I'm thinking through the timing, and so, if  
10 that season ends essentially May 31, and that's the end of a  
11 wave as well, right? Okay, and so that's the end of a wave, and  
12 so when would you get these landings and have some sort of  
13 preliminary or final landings from that little state season?

14  
15 **MR. STRELCHECK:** We would have it the middle of August.

16  
17 **MS. BOSARGE:** So, is that enough time for you to go in and stop  
18 a September 1 opening for a federal season?

19  
20 **MR. STRELCHECK:** It's not ideal, but we would have a good idea  
21 of whether they're opening or not well in advance of, obviously,  
22 April of next year, and so we can, obviously, estimate landings  
23 that would come out of that season.

24  
25 **CHAIRMAN FRAZER:** Mr. Diaz.

26  
27 **MR. DIAZ:** Based on the discussion that we've had recently, I  
28 mean, I think it's pretty important that we try to start moving  
29 towards getting an interim analysis done for gag. Ms. Bosarge  
30 said that catches are picking up, and Ms. Boggs says it, and,  
31 right now, for our stock assessment schedule, we're not  
32 scheduled to get any information back from the stock assessment  
33 on gag until the fourth quarter of 2026. I think we need to try  
34 to move in that direction, if at all possible.

35  
36 **CHAIRMAN FRAZER:** Real quick, I mean, we can have this  
37 discussion, and I'm sure that Andy wants to speak to that, but I  
38 want to go back, perhaps, before we get there, to the tabled  
39 motion, and we still have to make a recommendation. John.

40  
41 **DR. FROESCHKE:** What about the multiuse provision? Did you make  
42 a recommendation on that?

43  
44 **CHAIRMAN FRAZER:** We're good. It was the will of the council  
45 just to accept the facts, right, and so, because we selected, in  
46 Action 1, Alternative 2, we accepted the multiuse provision that  
47 came with that, and so then we have motions for two actions,  
48 right, and now we need to go back to the overall motion that

1 says we want to suggest to the agency, right, that they  
2 implement this interim rule, with these actions, and so can we  
3 go back? Where is the tabled motion? All right.

4  
5 To request NOAA Fisheries implement interim measures to reduce  
6 overfishing of gag grouper that include actions related to the  
7 catch limits and seasons, and how specific do we need to be  
8 here, Ms. Levy? We have these two other motions, right, and so  
9 we -- Go ahead.

10  
11 **MS. LEVY:** I would just put the catch limit that applies, right,  
12 and like, whatever applies, I would put it in there. You could  
13 just copy-and-paste the information that's on the slide for  
14 Action 1, Alternative 2 and then put what you want for the  
15 season start and end.

16  
17 **CHAIRMAN FRAZER:** Okay. We'll do that. Go ahead, Ms. Boggs.

18  
19 **MS. BOGGS:** I would like to make a motion to bring the motion  
20 back. To request NOAA Fisheries implement interim measures to  
21 reduce overfishing of gag grouper that include actions related  
22 to catch limits and seasons, to include Action 1 --

23  
24 **MS. LEVY:** I think, if you just take what's on the slide, in  
25 terms of what you want the stock ACL and commercial ACL -- Just  
26 put it in there, and then put what you want the season, so it's  
27 all in one place, and then you can vote it.

28  
29 **CHAIRMAN FRAZER:** I appreciate what Ms. Boggs is trying to do  
30 here. You are adopting the proper procedure, and so we have a  
31 motion on the board to untable the motion that was tabled. Is  
32 there a second to that? It's seconded by Mr. Anson. **Any**  
33 **opposition to that? Seeing none, we have untabled the motion.**

34  
35 Bob, this was your original motion, right? The motion now  
36 reads: To request NOAA Fisheries implement interim measures to  
37 reduce overfishing of gag grouper that include actions related  
38 to catch limits and seasons, and so now we need to add in there  
39 the specifics. Leann, while staff is --

40  
41 **MS. BOSARGE:** Okay, and so I was thinking back, and good  
42 discussion, and we've done some good stuff. I am still not  
43 completely comfortable, and so, when we got our preliminary  
44 results on this assessment, and our presentation, we weren't  
45 sure if we were even going to be able to have a fishery, if we  
46 were going to be able to get a quota out of that assessment or  
47 not, and things were that bad.

48

1 We were in a position where we may have to shut down the  
2 fishery, right, and we've been lucky enough that we have been  
3 able to get some quota. What I said, at a previous meeting,  
4 was, if we are able to get a catch recommendation at all from  
5 the SSC, we have to change something in that recreational data  
6 collection so that we have more certainty around those landings.

7  
8 I thought that maybe we could beef up and get some extra  
9 intercepts, or get some extra effort surveys with SRFs, and it  
10 doesn't sound like that's possible, really, but -- So we put a  
11 nine-day buffer on it, and I'm not sure that's going to do it,  
12 and so I feel like we're going down the same path though, and we  
13 haven't changed anything on the data collection side.

14  
15 My question is coming to you, Jessica, and so you all have a  
16 program, and we're going to maybe talk about it next, on  
17 goliath, where you're wanting to have some sort of season on  
18 goliath, but, to do that, you were going to require an extreme  
19 amount of accountability and data collection, right, if somebody  
20 wanted to land a goliath.

21  
22 Well, at 400,000 pounds, and I don't know what that is in  
23 numbers of fish, but that's not much, and is there any way  
24 possible to have the recreational gag go under something similar  
25 in September?

26  
27 **CHAIRMAN FRAZER:** Ms. McCawley.

28  
29 **MS. MCCAWLEY:** I don't know about that. I just think that might  
30 be a bridge too far to get something ready. I think about our  
31 licensing system, and other things that we're using to implement  
32 the goliath, which the draw will occur in the fall of this year,  
33 and then the harvest would occur in 2023, and I just don't know  
34 that we can do this, or that the commission would be willing to  
35 pass something like that for gag grouper.

36  
37 I'm not saying it's a complete no, and I think it would be  
38 better if we ramped-up the way that we do the State Reef Fish  
39 Survey, but we would have to have additional funds to do that,  
40 and we don't have that right now.

41  
42 **MS. BOSARGE:** So maybe we can revisit it then when we get to  
43 your presentation that we're going to have on goliath, because I  
44 guess I need to hear exactly how you all are planning on  
45 carrying that out, to see if I understand better if there's a  
46 way to fit this piece into it, if we need to ask you to present  
47 something like that to your commission, possibly, and just get  
48 their feedback, but, at some point, we have to change something,

1 right, and something has to change, especially when we get into  
2 these short seasons. Our data is going to get worse and worse.

3  
4 **CHAIRMAN FRAZER:** Okay. I agree that we have an issue with  
5 timely data collection, right, and availability in the  
6 recreational sector, but I think it's beyond the scope of this  
7 particular discussion right now, and so we have a motion on the  
8 board to consider NOAA Fisheries implement interim measures to  
9 reduce overfishing of gag grouper that include actions related  
10 to catch limits and seasons where the commercial ACL is 39  
11 percent of the stock ACL and the recreational ACL is 61 percent  
12 of the stock ACL. As part of that motion, to open the  
13 recreational gag grouper season from September 1 through  
14 November 10. Is there any -- There is already a second to this  
15 motion, and so is there any further discussion on this motion?  
16 Ms. Boggs.

17  
18 **MS. BOGGS:** Well, this is very minor, but should it say to  
19 include actions related to catch limits and seasons, as follows,  
20 or as listed below, because then it kind of flows that, okay,  
21 we're looking at what is coming below that. Then remove the  
22 asterisk next to the "recreational ACL 61 percent of the stock  
23 ACL".

24  
25 **MS. ROY:** I am unable to do that.

26  
27 **MS. BOGGS:** Well, then do we need to define what the asterisk  
28 is?

29  
30 **CHAIRMAN FRAZER:** We can move the asterisk prior to Full  
31 Council. All right. **With those minor changes there, is there**  
32 **any opposition to the motion? Seeing none, the motion carries.**  
33 Mr. Strelcheck.

34  
35 **MR. STRELCHECK:** You're doing a great job, Chair. Going back to  
36 Patrick's comment, and, Ryan, maybe you can help me out as well,  
37 and so there was a request that I believe I made at the January  
38 meeting for an interim analysis, and so that's already something  
39 that has gone to the Science Center as a request, and I think it  
40 was more along the lines of evaluate the potential for an  
41 interim analysis and an index that could be used for that  
42 interim analysis, and I don't recall the response back.

43  
44 Keep in mind there is a couple of moving parts here, and so we  
45 just made motions related to the gag assessment, based on the  
46 Fishing Effort Survey data, and the Fish and Wildlife Commission  
47 came in, late last year, and requested the SRFS-based stock  
48 assessment, and so the results of that will be known hopefully

1 in July, and reviewed by the SSC, and come back before us in  
2 August, and so I think the earliest the interim analysis can be  
3 performed will be after that, and it would be once we have an  
4 OFL and ABC and at least some guidance advice, with regard to  
5 allocations, that the Center could use for that interim  
6 analysis.

7  
8 **CHAIRMAN FRAZER:** Thanks, Andy, for reminding us of that. Mr.  
9 Rindone.

10  
11 **MR. RINDONE:** Thank you. Yes, and just some considerations for  
12 you guys, between multiple chats, and if, ultimately, the SSC,  
13 at its July meeting, reviews the SRFS version of the SEDAR 72  
14 base model and considers it consistent with BSIA, and recommends  
15 a new OFL and ABC, I think -- Obviously, that's going to mean  
16 that these values that you see before you right now are too  
17 high, because these are based on FES currency, and the SRFS  
18 currency is somewhat lower than that.

19  
20 The principles of what you guys are talking about here I think  
21 are the things that can still be carried forward as advice to  
22 NOAA Fisheries for how to proceed with the interim rule, things  
23 like you wanted to use the longest rebuilding timeline, the Tmin  
24 times two, and you're supporting consideration of the revision  
25 of the FMSY proxy, and you're not looking to change sector  
26 allocations right now, and how all of that would then apply to  
27 having a September 1 through November 10 fishing season.

28  
29 The numbers themselves might change, based on the data currency,  
30 which we've had ample conversations about, but the main  
31 recommendations that you're making to the agency would still  
32 remain the same.

33  
34 **CHAIRMAN FRAZER:** Dr. Simmons.

35  
36 **EXECUTIVE DIRECTOR SIMMONS:** Thank you, Mr. Chair. Hello,  
37 everyone. I think one thing we might consider, and I think  
38 we've done this for red grouper, while the council was working  
39 on Amendment 53, in regard to the interim analysis, is we could  
40 just use that simply as a health check. Just request the  
41 Science Center look at that fishery-independent index and give  
42 us an idea of whether that's going up or down, without the catch  
43 advice at that time, since we are currently working on various  
44 units.

45  
46 You know, we have this interim measure that's going to be put in  
47 place with the FES, and now we're going to be giving the new re-  
48 run of the stock assessment and the State Reef Fish Survey, and

1 potentially be doing the rebuilding plan in that, and perhaps  
2 that's the best path forward right now, to give us an idea of  
3 which direction the stock is going in.

4  
5 **CHAIRMAN FRAZER:** I think that's a good suggestion. Clay is not  
6 here right now, but perhaps we can circle back with him in Full  
7 Council and ask what is the appropriate time, or what he thinks  
8 the best time is to receive that interim advice, based on some  
9 index value. Patrick.

10  
11 **MR. BANKS:** Thank you, Dr. Simmons, for saying that, and that's  
12 sort of what I was talking about all along, and it wasn't some  
13 major analyses, but it was just a little bit of information, to  
14 give us an idea of, hey, the stock assessment terminal year was  
15 three years ago, and what is the stock doing right now, and I  
16 didn't need some major analysis that was all involved. Thank  
17 you.

18  
19 **CHAIRMAN FRAZER:** Okay, and so we'll revisit this in Full  
20 Council. Mr. Chairman, we might be up for a ten-minute break,  
21 before we pop into the next section here. Thank you, and so we  
22 can reconvene at 4:00.

23  
24 (Whereupon, a brief recess was taken.)

25  
26 **CHAIRMAN FRAZER:** I am going to try to keep us on schedule here,  
27 and we're scheduled to go through 4:45, and I think we can do  
28 it, and so our first presentation, or update, is by Dr.  
29 Lasseter, and that update is related to the IFQ Focus Group  
30 update. Dr. Lasseter.

31  
32 **IFQ FOCUS GROUP UPDATE**

33  
34 **DR. AVA LASSETER:** Thank you, Mr. Chairman. Just a real quick  
35 note to everybody is we did send an announcement out to your  
36 email that the IFQ Focus Group meeting has been scheduled for  
37 August 2 and 3, at the council office in Tampa, beginning at  
38 9:00 a.m. each day, until 5:00 p.m. on the 2<sup>nd</sup> and 4:00 p.m. on  
39 the third, and the facilitators are busy communicating with the  
40 focus group members now, and we're planning the meeting, and Bob  
41 Gill will be our council representative, and that's all I have.  
42 Thank you so much.

43  
44 **CHAIRMAN FRAZER:** All right. Thank you, Dr. Lasseter. We will  
45 move on to our second item in this session, and that would be  
46 the Science Center's analysis of historical red grouper stock  
47 assessments using alternative Marine Recreational Information  
48 Program landings data, and so the SSC Chair, Dr. Nance. The



1 presentation is Tab B, Number 10(a).

2  
3 **REVIEW OF SEFSC ANALYSIS OF HISTORICAL RED GROUPER STOCK**  
4 **ASSESSMENTS USING ALTERNATIVE MARINE RECREATIONAL INFORMATION**  
5 **PROGRAM LANDINGS DATA**  
6

7 **DR. JIM NANCE:** Thank you. If we go to Slide Number 6, the  
8 Southeast Fisheries Science Center came to our SSC meeting and  
9 reviewed an analysis, which the intent was the apply the MRIP-  
10 FES-adjusted recreational catch and effort data to the SS model  
11 that was used in SEDAR 42, which was in 2015, to evaluate the  
12 stock of the Gulf red grouper.

13  
14 To allow this analysis to happen, corrections were needed to  
15 update the SEDAR 42 model. These two corrections were, first,  
16 corrected for an identified error related to the model's initial  
17 conditions, and so that was changed, and, also, an update of the  
18 estimate of red tide mortality, which occurred in 2005. Once  
19 those two updates were completed, recreational landings data,  
20 which were informed by MRIP-FES, were then used to replace the  
21 MRIP-CHTS data used in the approved SEDAR 42 assessment model.

22  
23 That left us with basically three models we were looking at  
24 projections and output. The first was the SEDAR 42 original  
25 model, which is in CHTS values, and we next have the SEDAR 42  
26 corrected model, which was also in CHTS values, and, finally,  
27 the SEDAR 42 corrected model, which was in FES currency.

28  
29 Generally, the corrected version of the SEDAR 42 base model  
30 estimated a lower sustainable stock biomass compared to the  
31 original, and so, once those corrections occurred, it gave us a  
32 lower standing stock biomass. Then we applied the FES data to  
33 that model, and it created -- That version created a little  
34 higher estimate of SSB above that corrected model. So,  
35 basically, the corrected version gave us a lower SSB, and then  
36 the FES took it back up to about where it was during the  
37 original model.

38  
39 The SSC discussed the projections of the catch limits for the  
40 various models, understanding that the intent was to explore the  
41 effects of MRIP-FES on the catch limits, as parameterized under  
42 the SEDAR 42. During those discussions at our SSC meeting, the  
43 SSC noted that assessment functions, like selectivity,  
44 retention, and discards are largely affected by sector  
45 allocations. That, Mr. Chair, is my presentation on that topic.

46  
47 **CHAIRMAN FRAZER:** Thank you, Dr. Nance. Is there any questions  
48 from the council with regard to the analysis of red grouper?

1 Okay. I'm not seeing any, and so we can jump right into the  
2 goliath discussion.

3  
4 **DISCUSSION OF GOLIATH GROUPEL CLOSURE AND FEDERAL CATCH LIMITS**  
5

6 **DR. NANCE:** Okay. Perfect. Slide Number 9, we had a discussion  
7 of goliath grouper closures and federal catch limits, and so the  
8 council staff, at our meeting, reviewed the management history  
9 of goliath grouper. Amendment 18B included a rebuilding plan  
10 for goliath grouper based on the then-pending results of SEDAR  
11 6, which was in 2004. When the SEDAR 6 stock assessment was not  
12 accepted for use in management, the development of Amendment 18B  
13 stopped.

14  
15 Later SEDAR assessments of goliath grouper, and that was SEDAR  
16 23 in 2010 and SEDAR 47 in 2015, both of those also were not  
17 accepted for informing fishery management.

18  
19 Dr. Luiz Barbieri summarized recent management related to  
20 developments concerning goliath grouper. With the OFL set at  
21 zero, any harvest, even in state waters, could be seen as an  
22 overfishing action on that stock. The Southeast Regional Office  
23 indicated that FWC state-water limited harvest of goliath  
24 grouper is outside the federal management purview.

25  
26 Dr. Barbieri then summarized the limited-harvest program of  
27 goliath grouper in state waters that was approved by the FWC in  
28 the spring of 2022. This limited-harvest program is as follows.  
29 Only 200 harvest permits will be issued, and each harvested fish  
30 must be tagged. Permits awarded are via lottery, and tags are  
31 limited to one per person per year. One permit begets one tag,  
32 and that tag must be immediately attached to the fish. Permit  
33 holders are only allowed to harvest goliath groupers between  
34 twenty-four and thirty-six inches total length, and this allows  
35 the targeting of some adult fish and avoids the larger, older  
36 goliath grouper that are in federal waters.

37  
38 Dr. Barbieri recounted that the previous stock assessments on  
39 goliath grouper have not been successful, and, as such, the  
40 stock status has not been able to be revised or new catch limits  
41 estimated. The SSC had a lengthy discussion exploring what  
42 modeling approaches may be feasible for goliath grouper, as it  
43 may be informative not only for goliath grouper management, but  
44 also for other species which have been closed to harvest for an  
45 extended time period. Dr. Barbieri replied that the South  
46 Atlantic SSC came to a similar conclusion in their  
47 deliberations.

48

1 An SSC member, at our meeting, asked whether it would be  
2 productive to form a working group between the councils' SSCs to  
3 further consider this issue. The SSC discussed the formation of  
4 a joint working group to look at establishing a method, or  
5 methods, for evaluating catch limits for federally-managed  
6 species currently closed to harvest, including goliath grouper.

7  
8 Dr. Judd Curtis, who was on the call with us, noted that the  
9 South Atlantic SSC had been charged with looking specifically at  
10 stocks which have OFLs that are currently set at zero pounds or  
11 are otherwise undefined.

12  
13 With that deliberation, the SSC formalized this motion. The  
14 motion, as stated, is for the council to consider adding  
15 representatives from the Gulf SSC to the South Atlantic SSC  
16 workgroup, in an effort to develop a cooperative workgroup  
17 focused on establishing a method for evaluating catch limits for  
18 federally-managed species currently closed to harvest, including  
19 southeastern U.S. goliath grouper. That motion carried without  
20 opposition, with one absent. Mr. Chair, that ends my  
21 presentation.

22  
23 **CHAIRMAN FRAZER:** Thank you, Dr. Nance. Are there any questions  
24 for Dr. Nance? Mr. Gill.

25  
26 **MR. GILL:** Thank you, Mr. Chairman, and thank you, Dr. Nance.

27  
28 **DR. NANCE:** You're welcome.

29  
30 **MR. GILL:** Was there any discussion on, should this motion be  
31 offered and passed, and that we join together in this joint  
32 workgroup, in what the possible timeline of such a workgroup's  
33 effort would be?

34  
35 **DR. NANCE:** I think the South Atlantic -- From my understanding,  
36 the South Atlantic SSC has a workgroup which has already been  
37 put together. What we were trying to do is be able to add some  
38 representatives from our SSC to that working group, so that we  
39 could come together and be able to discuss this. They have the  
40 same issues we do, and maybe be able to come to some consensus  
41 on modeling expertise that would allow us to move forward on  
42 goliath grouper and some other federally-managed species, what  
43 we're looking at and what they're looking at in the South  
44 Atlantic, and so that's the intent.

45  
46 **CHAIRMAN FRAZER:** A follow-up, Bob?

47  
48 **MR. GILL:** My question though related to an expected timeline,

1 how long you all are going to be working and with a target of  
2 results in those discussions.

3  
4 **DR. NANCE:** I don't know on that, and I have not been involved  
5 in any discussion on that. What we wanted to do, at this  
6 meeting, was, if the council considered this something that they  
7 would like to have happen, to be able to recommend that, so that  
8 we could then initiate our discussion with the South Atlantic  
9 Council SSC, to be able to then become part of that.

10  
11 **MR. GILL:** Jessica, could you shed some light on my question,  
12 perhaps?

13  
14 **MS. MCCAWLEY:** I don't know if I know the timeline, and I was  
15 looking for the committee reports from last week, and I believe  
16 that we discussed this -- We got an update, and we discussed  
17 this last week as well, but I'm still looking for the document.

18  
19 **CHAIRMAN FRAZER:** Mr. Gill.

20  
21 **MR. GILL:** Thank you, Mr. Chairman. I would like to -- If you  
22 would put the motion on the table, I need to modify it a little  
23 bit. **I would make that motion. If you would delete "for the**  
24 **council to consider adding" and add "representatives from the**  
25 **Gulf SSC", et cetera. Thank you.**

26  
27 **CHAIRMAN FRAZER:** Okay, and so we have a motion on the board to  
28 **add representatives from the Gulf SSC to the South Atlantic SSC**  
29 **workgroup, in an effort to develop a cooperative workgroup**  
30 **focused on establishing a method for evaluating catch limits for**  
31 **federally-managed species currently closed to harvest, including**  
32 **southeastern U.S. goliath grouper. Is there a second? Seconded**  
33 **by C.J. All right. Any further discussion? Ms. Boggs.**

34  
35 **MS. BOGGS:** Any time we look at an appointment to the SSC, we  
36 look at the makeup of the membership, biologists and  
37 anthropologists and economists, and I can't remember all of  
38 them, and so, not to complicate, but do we want to be specific  
39 here, and do we want to limit the number? I mean, we certainly  
40 don't want to appoint all of our SSC members, but sometimes I  
41 think, if we're not specific, we get kind of carried away, and  
42 that's just a thought.

43  
44 **CHAIRMAN FRAZER:** I was at that meeting, and Dr. Nance can  
45 certainly talk to this too, but I think we were just looking at  
46 a couple of members, to be consistent with the composition  
47 coming from the South Atlantic Council.

48

1 **DR. NANCE:** Yes, that was our intent, and it's not to have a big  
2 group, but just some representatives from our SSC, so that they  
3 can speak formally about the things that are happening within  
4 the Gulf, and so two or three members, at the most.

5

6 **CHAIRMAN FRAZER:** Mr. Burris.

7

8 **DR. RICK BURRIS:** I think Dr. Nance answered my question, but so  
9 the SSC would bring forth the representatives, or would the  
10 council decide that?

11

12 **CHAIRMAN FRAZER:** I think the SSC would work amongst themselves  
13 to identify the appropriate representatives.

14

15 **DR. NANCE:** We can certainly do that in the July meeting. If  
16 that needs to be brought up to the council -- Sometimes the  
17 council asks for different representatives for different things,  
18 and we make motions for people to be able to identify if they  
19 would like to participate in that. Ryan.

20

21 **MR. RINDONE:** Thank you, and we can ask for suckers at the next  
22 SSC meeting. We also have Dr. Judd Curtis that has his hand up,  
23 and he's me for the South Atlantic SSC, and so he can talk a  
24 little bit more about this, if you would like.

25

26 **CHAIRMAN FRAZER:** Go ahead, Dr. Curtis.

27

28 **DR. JUDD CURTIS:** Hello, and thank you, council. Just to shed a  
29 little bit of light on -- As far as the composition, we have  
30 five members from the South Atlantic SSC appointed to this  
31 unassessed stocks group, and that would also probably include a  
32 member from the Southeast Fisheries Science Center, as well as  
33 any other subject experts on that, and so, if you wanted to name  
34 up to five from the Gulf, then we would have equal composition  
35 from the South Atlantic and the Gulf.

36

37 As far as a timeline was discussed, it wasn't discussed exactly  
38 how this would proceed, and we were just looking to form this  
39 joint workgroup between the South Atlantic and Gulf, as a first  
40 step, and then, from there, develop a timeline on how to  
41 approach the objective for the workgroup. Thanks.

42

43 **CHAIRMAN FRAZER:** Thank you, Dr. Curtis. Ms. Boggs.

44

45 **MS. BOGGS:** Based on that, Bob, would you consider to say to add  
46 up to five representatives from the Gulf SSC? I mean, I just  
47 feel like we need to do something there, and then, kind of to  
48 Ryan's point -- I mean, I don't know that it has to be in the

1 motion, but I suppose, like at the next SSC meeting, you ask for  
2 volunteers, and, if nobody is sucker enough, then the council  
3 goes in and figures out who we're going to send?  
4

5 **CHAIRMAN FRAZER:** Again, I think there was some interest among  
6 the SSC members to participate in that working group, and so, if  
7 there's less than five, and there's only two that are willing,  
8 then I think that would be sufficient, and so, if you want to  
9 modify the motion to say to add up to five representatives --  
10 Bob, are you good with that change? Okay. C.J., as the  
11 seconder, are you good with that change? All right. Is there  
12 any further discussion on this motion? Mr. Dyskow.  
13

14 **MR. PHIL DYSKOW:** Thank you, Tom. I am, obviously, supportive  
15 of this, the way it's written, but my concern is that it's open-  
16 ended, so that there could be other species included in this  
17 project, and I would feel quite different about it if suddenly  
18 red drum was on the table, as opposed to goliath grouper.  
19 That's my concern, is that it's very open-ended as to what this  
20 group will do, and they could look at any federally-managed  
21 species that's currently closed to harvest, and the difference  
22 between studying red drum and studying goliath grouper are quite  
23 significant, as far as what people's response might be.  
24

25 **CHAIRMAN FRAZER:** Dr. Nance, do you want to speak to that?  
26

27 **DR. NANCE:** I certainly will. We did talk about red drum, in  
28 fact, and the intent is to be able to look at maybe some methods  
29 that would be applicable to goliath grouper, and, as I  
30 mentioned, to other species that have a zero limit right now in  
31 the Gulf of Mexico.  
32

33 **CHAIRMAN FRAZER:** Okay. Is there any other questions or  
34 discussions related to this motion? Ms. Boggs, did you --  
35 You're good? Okay. All right. **Is there any opposition to the**  
36 **motion? Two in opposition, and the motion carries with two in**  
37 **opposition.** All right. **The motion carries with two in**  
38 **opposition.** Ms. Bosarge.  
39

40 **MS. BOSARGE:** A question for Florida down there. For your  
41 state-water fishery that you're going to have on goliath, how do  
42 people get entered into the lottery? I know they apply, but, I  
43 mean -- Okay, and so you've got a date, and, on that date, you  
44 say, hey, come to our website and sign-up, and people can sign-  
45 up through this date, and then, on this date, we'll pick random  
46 people, and how is it logistically being carried out?  
47

48 **CHAIRMAN FRAZER:** Ms. McCawley.

1  
2 **MS. MCCAWLEY:** There is a window, a timeframe, with which people  
3 apply, and there's actually two draws, and so you have a draw  
4 for the ability to take a fish inside Everglades National Park  
5 and then all other areas that are open to harvest, and so you  
6 can technically apply for both of those lotteries. It's a  
7 maximum of fifty fish from Everglades National Park, and I  
8 believe it's a window, maybe a two-week window, and it's listed  
9 in the rule, that you would apply.

10  
11 A hold would be put on your credit card. There is an  
12 application fee for each one of those lotteries that you want to  
13 enter, and then, if you are selected, then you would be  
14 notified, and your card would be charged for the cost of the  
15 tag, and then you would be getting a package that would have the  
16 tag itself and information about how to release fish that you're  
17 not going to keep, information about how to report the fish, et  
18 cetera, and so it's a pretty extensive process, but you go  
19 through our licensing system, in order to do this, kind of like  
20 you would with a quota hunt or something like that.

21  
22 **CHAIRMAN FRAZER:** Leann.

23  
24 **MS. BOSARGE:** So say you win the lottery, and so you're issued  
25 both a permit and a tag, one permit and one tag, all right, and  
26 so you don't notify anybody before you go fishing, I guess, and  
27 you just go out fishing, but then how -- So you have a lot of  
28 data requirements that they have to give you when they catch  
29 that fish, right, and you have to give weights and lengths and  
30 different things, and how do they get that info to you?

31  
32 **MS. MCCAWLEY:** It depends on where the fish is harvested, and so  
33 I believe Everglades National Park will have a lot of additional  
34 requirements on top of what we have. We have not finalized  
35 exactly what all people will be reporting to us. There will be  
36 multiple methods with which people report whatever data we're  
37 going to ask for from them, and so you could use the Go Outdoors  
38 Florida app, or you could submit on the website, or you could  
39 submit via phone, but all of that is in the process of being  
40 worked out with our Go Outdoors Florida vendor right now.

41  
42 **MS. BOSARGE:** All right, and so you're going to have that nailed  
43 down, and this is supposed to start in the spring, but it is  
44 mandatory reporting for any goliath that you catch? Okay. The  
45 recreational mandatory reporting. Then what is the average  
46 weight on a gag grouper in Florida? I am moving to gag. On  
47 gag, what is the average weight, usually, on a gag,  
48 recreationally, in Florida?

1  
2 **DR. SWEETMAN:** We are trying to get you that information, Leann.  
3  
4 **MS. BOSARGE:** Okay. We'll follow-up in a minute. Thank you.  
5  
6 **CHAIRMAN FRAZER:** Ryan.  
7  
8 **MR. RINDONE:** A twenty-four-inch gag is going to weigh like six  
9 to seven pounds, and so the majority of the fish that you're  
10 going to see harvested by the recreational fleet are going to be  
11 skewed more towards the minimum size limit and trail off  
12 precipitously after that. The retention will be knife-edge  
13 right there at that minimum size limit, and so the majority of  
14 fish are going to be under ten pounds or so, as they are close  
15 to that minimum size limit.  
16  
17 **MS. BOSARGE:** (Ms. Bosarge's comment is not audible on the  
18 recording.)  
19  
20 **CHAIRMAN FRAZER:** So, we're going to -- Okay. Is there a  
21 timeframe, and are we expecting it like in one minute or five  
22 minutes? Is this an MRIP kind of situation, or is it going to  
23 be --  
24  
25 **DR. SWEETMAN:** I think we can get it today, yes.  
26  
27 **CHAIRMAN FRAZER:** All right, and so we can move on? Excellent.  
28 All right. Mr. Anson.  
29  
30 **MR. ANSON:** Thank you, Mr. Chair. Jessica, I think I know the  
31 answer to the question, but so you had coordinated with the  
32 National Parks Service before it was identified as site? Okay.  
33 Then, as far as the mandatory reporting, if you are issued a  
34 tag, and a permit, you're required to report the status of that  
35 tag, whether it's been used or not, and then, as far as the data  
36 that you'll be asking, is that part of the requirement, that  
37 something will have to be filled in, or, if they just partially  
38 provide information, does that count as a full submission?  
39  
40 **MS. MCCAWLEY:** I would have to look into those details, as to  
41 how that's worded in the rule, and then we have our law  
42 enforcement rep, Scott Pearce, here that might be able to answer  
43 some of these questions, and so I'm going to have to dive into  
44 the rule language itself.  
45  
46 **CHAIRMAN FRAZER:** Okay. I am not seeing any more questions for  
47 Dr. Nance at this point, or Jessica. You're off the hook, sir.  
48 Thank you, as always.



1  
2 **DR. NANCE:** Thank you, Mr. Chair.

3  
4 **CHAIRMAN FRAZER:** All right, and so we are -- Mr. Diaz.

5  
6 **MR. DIAZ:** Are you leaving this topic?

7  
8 **CHAIRMAN FRAZER:** Yes, I am.

9  
10 **MR. DIAZ:** I just wanted to mention that we have a former  
11 council member out in the audience, Mr. John Sanchez, and I  
12 wanted to recognize him and welcome him. John, thank you for  
13 coming over to see us, and so he's back in the back back there.  
14 All right. It's good to see you, John, and we'll talk to you  
15 later.

16  
17 **CHAIRMAN FRAZER:** Okay, and so we are going to move on to the  
18 final presentation of the Reef Fish Committee, and I would like  
19 to invite Mr. Nick Haddad to come on up and talk to us a little  
20 bit about the Return 'Em Right program. Nick, we'll get your  
21 presentation up here right now. The floor is yours, sir.

22  
23 **PRESENTATION: RETURN 'EM RIGHT**

24  
25 **MR. NICK HADDAD:** All right. Well, thank you, guys, for having  
26 me. My name is Nick Haddad, and I'm the Sustainable Fisheries  
27 Communications Manager for Florida Sea Grant, and, surprising to  
28 most, I am not related to Ken Haddad in the back, or at least we  
29 have not confirmed that through ancestry.com yet, but so I'm  
30 here to give you a brief overview of Return 'Em Right, and I'm  
31 going to provide a little bit of a program update as well.

32  
33 Just a brief overview, and Return 'Em Right is a seven-year  
34 project focused on reducing catch-and-release mortality in our  
35 reef fisheries in the Gulf of Mexico, and it's funded through  
36 the Deepwater Horizon oil spill settlement funds, and so the  
37 project is designed to restore the fisheries impacted from that  
38 oil spill.

39  
40 There are three major components, an education and outreach  
41 component, which is being led by Florida Sea Grant, a fish  
42 descending device distribution or release gear component, and  
43 that's also being led by Florida Sea Grant, and a research and  
44 monitoring component that is being led by the Gulf States Marine  
45 Fisheries Commission, and I'm not going to touch too much on  
46 that today.

47  
48 The goals are to reduce mortality of the reef fish resulting

1 from barotrauma and release, improve angler experiences with  
2 release gear, and both of those things, in turn, should improve  
3 the overall health of the reef fisheries.

4  
5 The project plan is we wanted to build a program that was  
6 independently branded that resonated with anglers, and so we  
7 wanted to be guided by anglers, but grounded in science, and a  
8 program that promoted all best release practices and not  
9 strictly barotrauma mitigation.

10  
11 We also wanted to distribute gear to anglers and not only  
12 provide the knowledge, but also the tools to allow anglers to  
13 successfully release reef fish out on the water, but, from a  
14 gear distribution perspective, education is a prerequisite,  
15 because just giving people gear that they don't know how to use,  
16 or don't know when to use it, won't do much, and, from DESCEND  
17 Act component, we feel our project adds value significantly to  
18 the DESCEND Act, which requires venting tools or descending  
19 devices onboard, rigged and ready to use, in federal waters of  
20 the Gulf of Mexico when fishing for reef fish.

21  
22 This program adds significant value to that, by teaching anglers  
23 what barotrauma is, when to expect it, what the signs are, why  
24 it's important to lower discard mortality, and show them how and  
25 when to use the devices, and all of that will hopefully prevent  
26 them from just sitting in a cupholder and getting rusty on the  
27 boat, just so they're compliant.

28  
29 Our plan was to phase-out distribution of release gear by  
30 sector, starting with federal for-hire reef fish permit holders,  
31 captains, and crew, and then expanding to all recreational  
32 anglers in the Gulf of Mexico, and the reason for that was, one,  
33 from a logistics perspective, we wanted to make sure that  
34 education, our online education module, was running properly,  
35 and also from procuring, warehousing, and distributing gear.  
36 We're working with a smaller group off the start.

37  
38 Secondly, or, actually, more importantly, we find that that  
39 is an extremely good group to be the educators of the sport,  
40 especially for offshore reef fishing. Most people that I know  
41 that got into offshore reef fishing first went on charters,  
42 headboats, et cetera, to learn what to do out on the water.  
43 Then, from there, expanding.

44  
45 What we've done so far, I think the official title of this  
46 project was "Reducing Post-Release Mortality from Barotrauma in  
47 Gulf of Mexico Recreational Reef Fish Fisheries", and so,  
48 thankfully, we don't have to say that anymore, and we can just

1 say "Return 'Em Right", and so we went through a branding  
2 process, with a program name, a logo, slogan, iconography,  
3 typography, and brand guidelines, to give this program a  
4 consistent deal, and so anglers could recognize it across the  
5 Gulf.

6  
7 Return 'Em Right is focused on returning fish to depth, and so  
8 emphasizing descending devices, but also still allowing venting  
9 and teaching proper education for venting techniques, and then  
10 emphasizing that there's a right and wrong way to do things.

11  
12 Our slogan is "Earn Another Bite", and so I know we like to talk  
13 about currency here, and so properly releasing a fish is  
14 basically currency for the future, and so it's a fish that you  
15 can catch, whether it's in-season, of size, or it can produce  
16 for the next generation of anglers.

17  
18 We went through a device procurement process, where we had an  
19 open invitation to bid process through UF, and we had -- We  
20 awarded a contract to several descending device manufacturing  
21 companies to provide the gear to distribute to anglers, and we  
22 established digital media, a website, and we've had over 28,000  
23 website users in less than a year, since we launched the  
24 website.

25  
26 Social media, we have Return 'Em Right on Facebook, Instagram,  
27 Twitter, YouTube, and Vimeo, and we have reached over 500,000  
28 anglers, or 500,000 users, in less than a year, and we do not  
29 have a TikTok yet, but I'm hoping that Captain Dylan Hubbard can  
30 show me how to use that, and we built an online education  
31 module, again focused on situational awareness, because we know  
32 there's not one practice that fits every situation offshore, and  
33 we emphasize barotrauma mitigation with venting and descending  
34 techniques. Finally, we launched Phase 1 and 2 of the project,  
35 which was publicizing the program and gear distribution.

36  
37 A little recap. In September 14 of last year, we publicized the  
38 program and launched the website. Our launch post reached  
39 26,000 people, and we established a preregistration list, and  
40 so, although we weren't ready to start distributing gear yet to  
41 the Gulf reef fish angling community, we established a  
42 preregistration list, through this call to action piece in  
43 *Florida Sportsman* magazine, and we got over 3,200 anglers  
44 preregistered before our Phase 2 launch, and then, about a month  
45 later, we launched our education module to federally-permitted  
46 captains and crew in the Gulf.

47  
48 Just from October to December, we had around 155 captains and

1 crew receive training and get gear delivered to them. We did  
2 put a pause on outreach efforts to this group, to focus on  
3 education module improvements. We lost a team member, part of  
4 the crew that helped with programming, and we had a little bit  
5 of setback, and we had to pivot and focus on making an education  
6 module that was very seamless and user friendly, especially on  
7 mobile devices, and so we went through a little bit of an  
8 improvement period there.

9  
10 Then, moving on to the Phase 2 launch, a little bit over a  
11 month-and-a-half ago, we launched Gulf-wide to recreational  
12 anglers, and we launched a new education module, which is live  
13 on our website, and you can see, on the bottom-right, there's an  
14 example of a screen, and it shows your progress, and, also,  
15 there's an interactive component, where you put the different  
16 symptoms of barotrauma on a fish, and it was built on a platform  
17 that is much more mobile and user-friendly, and we expanded this  
18 program to the Gulf of Mexico reef fish anglers, and our social  
19 media post, and we have a promotional video that we put  
20 together, that reached over 50,000 people, and it was shared  
21 over 120 times in the Gulf, and so I can't thank enough everyone  
22 that has made this launch successful to start.

23  
24 Our press release was picked up by over twenty-five news  
25 outlets, and we did two podcasts, a live radio show, and we did  
26 editorials in *Texas Saltwater Fishing Magazine*, *Florida*  
27 *Sportsman Magazine*, and a couple of other things as well.

28  
29 Just some stats from -- This is Phase 2 only, and so this does  
30 not include the Phase 1 launch. Just from our launch in early  
31 May to June 7, and so I just wanted to note this data is from a  
32 couple of week ago, but we had 6,235 completions by eligible  
33 anglers that fish for reef fish in the Gulf of Mexico, and you  
34 can see it's a density map for participants per county of  
35 residents. You can see, from New Orleans through Mississippi  
36 and Alabama, all the way over to Panama City, we've had a high  
37 level of participation.

38  
39 It's the same with Pinellas County and the Tampa Bay area and  
40 all the way down through this region, and we hope to use some of  
41 this data to help target our next outreach efforts for areas  
42 we're missing and areas we need to -- So we had seventy-one  
43 federal for-hire, and so we're continuing to hit some of them,  
44 and 120 state for-hire, and over 6,000 private rec.

45  
46 That number is over 7,000 now, and I did run some numbers last  
47 night, and so, as of the most recent data, it's over 7,000  
48 completions, over the last month-and-a-half or so.

1  
2 The average completion time was fourteen minutes, and we didn't  
3 want to add to much fluff, and I know there's a lot that you can  
4 teach anglers, but we do want to keep it clear and concise, to  
5 give the anglers what they need to know and focus on venting and  
6 descending education.

7  
8 One of the coolest things that I think, personally, so far, is  
9 we've had over 3,700 follow-up surveys voluntarily completed,  
10 and, within those, we've had over 500 responses, open-ended  
11 responses, of what people liked, what people wanted to see  
12 improvements on, what they wanted more from education-wise, and  
13 so people are voluntarily telling us that, hey, we actually want  
14 more education on this topic, this topic, this topic, and so all  
15 of that can help future outreach efforts.

16  
17 Just to share some public response, again, this is a Facebook  
18 post from Tampa Offshore Fishing, and this is probably the best  
19 idea that I've seen in my fifty years of Florida fishing, and I  
20 promise that I did not post that, and there is the Whole Truth,  
21 and The Whole Truth is a fishing forum, and so you can see that  
22 the training was informative.

23  
24 It was amazing timing, and I, just today, had to use some peer  
25 pressure to encourage a boat to actually release a reef fish  
26 properly, and that was another forum, the Pensacola Fishing  
27 Forum, and what's nice is that they already have it rigged with  
28 a three-pound weight, and so part of our package of gear is a  
29 SeaQualizer pre-rigged to a three-pound weight, and we're trying  
30 to eliminate some of those barriers and make this as easy as  
31 possible on anglers.

32  
33 I don't believe that's actually commercially available yet  
34 either, and so it's a pretty unique setup that we're  
35 distributing, and then, lastly, a couple of emails. After  
36 snapper fishing with a descending device the last four days, I  
37 wanted to report that they worked flawlessly, and we did not  
38 have one floater. This was much easier and more effective than  
39 venting, and everyone on the boat was impressed with all the  
40 ease of use and how well it worked, and another person suggested  
41 that every one of the fishing shows should be using descending  
42 devices and should be role models in this effort.

43  
44 Some next steps, again, I want to go back to the federal for-  
45 hire captains and crew and focus more outreach efforts on that  
46 group. I find that it's extremely important, as they're the  
47 educators of the sport. I know how busy they are right now, in  
48 red snapper season, and so it might be a little bit delayed,

1 through the fall.

2  
3 Evaluating the follow-up surveys, and we have over 4,000  
4 responses now, and tons and tons of open-ended responses, and  
5 people want more videos on dehooking, and they want specific  
6 videos on how to rig your descending devices properly, what the  
7 most efficient system is to have on your boat, and so  
8 identifying those areas to produce more products for anglers and  
9 new videos for anglers and improve the current education module.

10  
11 We're going to expand outreach to tournaments and in-person  
12 events, and so we'll be at the Alabama Deep-Sea Fishing Rodeo  
13 this year, and then we'll be at ICAST, and we want to do more  
14 fishing club presentations and localized events, to be a part of  
15 the fishing community.

16  
17 As I mentioned, produce new outreach products based on those  
18 follow-up surveys and build partnerships with industry leaders.  
19 I think all of us know how important it is here to have  
20 partners, and, especially in the fishing industry, we as a  
21 community need to all work together to make this the norm and  
22 make sure that strings of fish floating behind the boat are not  
23 the norm anymore in the Gulf of Mexico.

24  
25 Lastly, I wanted to touch on some of the recommendations that  
26 the council has from the release mortality symposium back in  
27 2019. One of them was the conversation should extend  
28 barotrauma, to encompass all fishing and handling practices, and  
29 so we touch on that in our education module. We touch on  
30 reducing handling and air exposure, using proper hooks, using  
31 the proper gear to minimize fight time, avoiding predators the  
32 best you can, even though it's not always possible, and then  
33 another one is achieve consistent messaging to anglers across  
34 the Gulf.

35  
36 One central voice should assemble research-based fishing  
37 practices, and so we hope we're progressing to be a leading  
38 voice for reducing barotrauma mortality, or catch-and-release  
39 mortality, in the Gulf of Mexico, and, through that branding  
40 process, we hope our program stays recognizable for anglers from  
41 here through Texas.

42  
43 A central command website, Return 'Em Right, houses information  
44 on barotrauma handling, and we compile some of the research that  
45 supports best practices, from venting to descending, and we also  
46 collect resources from all the state agencies as well and have  
47 it all housed in one place.

48

1 We house stock images and footage for use, and we have Flickr  
2 account, which is a photo-sharing website, with over 500  
3 pictures just on barotrauma and reef fish and releases, and it's  
4 open for use for anyone who wants to promote this education, and  
5 creating narrative content by fishermen by fishermen, and so  
6 working with editors of some of these magazines, like *Florida*  
7 *Sportsmen* and *Saltwater Sportsmen*, and our promo video was shot  
8 with the people that do Sportfish TV, and so we want to maintain  
9 that fishy feel to that program.

10  
11 With that being said, I do want to thank everyone for helping  
12 support this program over the last year and more, but  
13 particularly the last month-and-a-half, over the launch, all of  
14 the NGOs, the state agencies, the marinas, tackle shops,  
15 universities, and we've had a broad range of support, and we  
16 hope to keep the momentum moving throughout the next few years,  
17 and hopefully see a positive impact on the Gulf reef fishery.

18  
19 **CHAIRMAN FRAZER:** Nick, that was a great presentation. Thanks  
20 for being here.

21  
22 **MR. HADDAD:** Thank you. Thanks for having me.

23  
24 **CHAIRMAN FRAZER:** We've got a couple of questions, I think. Mr.  
25 Diaz.

26  
27 **MR. DIAZ:** Thank you, Mr. Haddad, for being here. I've got to  
28 say that I'm more excited about this presentation than anything  
29 I've seen in a while. I would like to have you back, at some  
30 point in the future, to give us an update on how things are  
31 going, and maybe let you get this year under your belt, if we  
32 could get you back either towards the end of this year or the  
33 first of next year, but you did mention keeping it going for a  
34 couple of years, and that was one of my questions. With the  
35 funding that you have -- I mean, how long can the program be  
36 supported with the funding that you have?

37  
38 **MR. HADDAD:** We don't have a specific number, because, again,  
39 based on the price of the package, we can either reduce the  
40 value of the package and reach more anglers, or keep the package  
41 as-is, but we are hoping to have funding to supply gear to  
42 anglers for at least three more years, probably in the range of  
43 40,000 to 60,000 anglers, and we're at a little over 7,000 right  
44 now.

45  
46 **MR. DIAZ:** So the big benefit, for us, is if we can translate  
47 the impact that you're having into reduced mortality, and, I  
48 mean, that's huge, and mortality is a big deal for us, and it

1 cuts back on the amount of fish that we can utilize otherwise,  
2 but where it really benefits us is if, in the future, we can use  
3 some of these results to help inform a stock assessment, and so  
4 I'm hoping that that loop can be closed up, and we can use some  
5 of these and show some results from this, and so that's my hope.

6  
7 **MR. HADDAD:** Just to add to that, and I didn't touch too much on  
8 the commission's work, doing the research and monitoring, but  
9 they are funding observer programs to monitor descending device  
10 use around the Gulf of Mexico, and we also just finished a  
11 baseline survey, which includes attitudes, perceptions, and use  
12 of descending devices across the Gulf, and so, within a few  
13 years, we'll have another survey that will hopefully show the  
14 change in use over time, and we want to make sure that this  
15 translates to a positive impact through the stock assessment  
16 process as well.

17  
18 **CHAIRMAN FRAZER:** All right. Are there any other questions for  
19 Mr. Haddad? I am not seeing any, Nick. Thanks for the time,  
20 again. I thought the presentation was excellent.

21  
22 **MR. HADDAD:** Thanks for having me.

23  
24 **CHAIRMAN FRAZER:** Okay, and so, Mr. Chairman, I tried to keep us  
25 on time, and it's right at 4:45, and I'm going to ask, real  
26 quick, if there's any other business to come before the  
27 committee. I am not seeing any, although C.J. does have  
28 information for Leann. C.J., if you want to give Leann her  
29 data.

30  
31 **DR. SWEETMAN:** Sure. Leann, the answer to your question is, in  
32 state waters, over the last couple of years, not including 2020,  
33 because of COVID, the average weight of gag grouper was about  
34 eight to eight-and-a-half pounds in state waters, compared to  
35 EEZ of 9.6 to ten pounds.

36  
37 **CHAIRMAN FRAZER:** Thank you, C.J., for rounding that data up so  
38 quickly, and I will let you talk with Leann offline, and, if we  
39 need to bring it back at Full Council for some discussion, we'll  
40 do that. Okay. I am going to close this committee up and hand  
41 it back to you, Mr. Chairman.

42  
43 (Whereupon, the meeting adjourned on June 22, 2022.)

44  
45 - - -