

GULF OF MEXICO FISHERY MANAGEMENT COUNCIL

REEF FISH MANAGEMENT COMMITTEE

Perdido Beach Resort Orange Beach, Alabama

October 26-27, 2021

VOTING MEMBERS

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

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- 30 LTJG Adam Peterson.....USCG

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- 35 John Froeschke.....Deputy Director
- 36 Lisa Hollensead.....Fishery Biologist
- 37 Ava Lasseter.....Anthropologist
- 38 Mary Levy.....NOAA General Counsel
- 39 Natasha Mendez-Ferrer.....Fishery Biologist
- 40 Emily Muehlstein.....Public Information Officer
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- 42 Bernadine Roy.....Office Manager
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PAGE 15: Motion to add an action to the Framework Action: Modifications to Vermilion Snapper Bag Limits and Gray Triggerfish Recreational Fixed Closed Season to adjust the commercial gray triggerfish trip limits. The motion carried on page 16.

PAGE 39: Motion to recommend approval of Framework Action: Modification of Gulf of Mexico Red Grouper Catch Limits and that it be forwarded to the Secretary of Commerce for review and implementation and deem the codified text as necessary and appropriate, giving staff editorial license to make the necessary changes in the document. The Council Chair is given the authority to deem any changes to the codified text as necessary and appropriate. The motion carried on page 40.

PAGE 73: Motion to retain fishery dependent data. It is the council's desire to avoid a total shutdown of any species, if at all possible. The motion carried on page 79.

PAGE 96: Motion that the charge of the IFQ Focus Group be expanded to require a review of the current IFQ programs goals and objectives and recommend their replacement/retention. The revised goals and objectives shall serve as the bases for the Focus Group recommendations. The motion carried on page 100.

PAGE 103: Motion to add to the membership of the IFQ Focus Group a person who is well versed in the program but does not hold shares or allocation. The motion carried on page 107.

PAGE 107: Motion that the process document provided be utilized to advertise and solicit members of the IFQ Focus Group. The motion carried on page 108.

PAGE 108: Motion to take Reef Fish Amendment 36B out for public hearings. The motion failed on page 110.

PAGE 116: Motion in Action 1 to make Alternative 2 the preferred alternative. The motion carried on page 116.

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1 The Reef Fish Management Committee of the Gulf of Mexico Fishery
2 Management Council convened on Tuesday morning, October 26,
3 2021, and was called to order by Chairman Martha Guyas.

4
5 **ADOPTION OF AGENDA**
6 **APPROVAL OF MINUTES**
7 **ACTION GUIDE AND NEXT STEPS**
8

9 **CHAIRMAN MARTHA GUYAS:** Okay, folks. We are going to start the
10 Reef Fish Committee. Let's talk about who is on the Reef Fish
11 Committee, since we have a new committee structure. If you're
12 wondering if you're on it, the answer is yes. Everyone is on
13 Reef Fish, and so come on over to the table. Okay.

14
15 Our first item of business is Adoption of the Agenda. Are there
16 any additions or modifications to the agenda? I have one. I
17 would like to add a brief discussion of goliath grouper to the
18 end of our agenda, if we have time. Otherwise, we can take it
19 up at Full Council.

20
21 **MR. RYAN RINDONE:** So noted, Madam Chair.

22
23 **CHAIRMAN GUYAS:** Okay. Thanks. Bob Gill.

24
25 **MR. BOB GILL:** A question, Madam Chair. I would like to have a
26 discussion, probably in the gag segment, about fisheries
27 closures. Would you like me to add that to the agenda or just
28 bring it up?

29
30 **CHAIRMAN GUYAS:** I think you could just bring it up.

31
32 **MR. GILL:** Thank you, Madam Chair.

33
34 **CHAIRMAN GUYAS:** Okay. We need a motion to adopt the agenda as
35 modified.

36
37 **MR. GILL:** So moved, Madam Chair.

38
39 **CHAIRMAN GUYAS:** All right. Motion by Mr. Gill. Is there a
40 second? We have a second. Any opposition to that motion? The
41 motion carries. Next, we have Approval of our August 2021
42 Minutes. Are there any changes to the minutes? Seeing none,
43 any opposition to approving the minutes as written? Seeing
44 none, the minutes are approved.

45
46 Okay, and so we will hit up the action guide as we move through
47 our agenda, and so let's jump right into Item IV, which is the
48 Review of Reef Fish and IFQ Landings. I think it looks like

1 Kelli O'Donnell is first on deck for that, after we go through
2 the action guide for that.

3
4 **REVIEW OF REEF FISH AND IFQ LANDINGS**
5

6 **MS. KELLI O'DONNELL:** Thank you, Madam Chair. I'll get going
7 with the landings. They're a little bit longer this time,
8 because we tried to add in some other items that may be of
9 interest to the council, and so, as with the landings for CMP
10 yesterday, for reef fish, the same thing. 2021 landings are
11 preliminary, and commercial landings are through August 31, and
12 recreational landings are through Wave 3 and include MRIP, LA
13 Creel, and headboat. No Texas landings were available yet.

14
15 Gag has been pretty much -- It's hard to see the blue line, but
16 it is pretty much right behind the 2019 and the fishing year
17 average yellow-dashed line, and so they are pretty much having
18 landings go similarly to what they have in the past couple of
19 years, outside of COVID.

20
21 Red grouper recreational landings, you can see there have been
22 really high landings this year, which led to the closure, and we
23 actually saw that the landings had exceeded their quota by the
24 end of Wave 3, and, looking at this in more detail, we saw that,
25 for Wave 2 and Wave 3, there were a lot higher West Florida
26 charter landings this year than in previous years, and so we're
27 pretty sure that's what we're attributing this high increase to.

28
29 Gray triggerfish commercial landings, they just got out of their
30 seasonal closure, and they are still running a little bit lower
31 than what they have in past years. They didn't have a closure
32 in 2020, and, right now, we do not have any projected closure
33 for 2021, but we'll see, since they're just coming out of their
34 closure, their seasonal closure, and there's a couple more
35 months to go in the fishing year, and we'll see what happens
36 with them, but we're not anticipating, I guess, right now, that
37 they're going to have a closure, due to the increased ACL and
38 ACT that is in effect now, which are those higher dotted lines
39 at the top, and so that should stay open for the rest of the
40 year.

41
42 Recreational landings have been on par to exceed their quota, as
43 they have routinely in past years. The blue line for 2021, we
44 actually added the dashed-blue line, which is what the
45 projections were based off of, and so, even though they
46 currently aren't showing, through Wave 3, that they have reached
47 their ACT, the projection using the 2020 landings that were from
48 the reopening of the 1st through the end of October, we're

1 projecting that a closure would need to happen by the 15th,
2 since, again, we only have landings through the end of June,
3 and, even with the closure, we would anticipate that they are
4 going to meet even that increased ACT by the 15th, and so you can
5 see, by that dashed line, where that was going to happen at.

6
7 It's kind of hard to tell by these charts, and so the
8 September/October at the bottom is pretty much the end of
9 October, and so you can see, at the beginning, the
10 January/February, the landings don't start at the zero, and they
11 start from the end of that wave, and so the middle of each dash
12 mark at the end of the wave.

13
14 Commercial landings for 2021 for greater amberjack are still
15 running low, and they have not even reached their step-down
16 accountability measure yet, which, if you remember, once they
17 reach 75 percent of their ACT, their trip limit would be stepped
18 down to 250 pounds, and we still are not close to that trigger
19 yet, and so we'll see what happens with them as they continue
20 their fishing year as well.

21
22 Recreational landings have increased more in this past fishing
23 year than what they were in the last year, but, again, since
24 they have the August through July fishing year, we actually have
25 their landings through the end of their 2020/2021 fishing year,
26 and they still did not reach their ACT and trigger an in-season
27 closure at all, and so they have now just started their
28 2021/2022 fishing year, in August, but we do not have those
29 landings yet.

30
31 Gray snapper commercial landings, again, a little bit lower
32 still in the 2021 fishing year, and they're still well below
33 their stock ACL that would do a closure. Adding on the
34 recreational landings, they're still well below what their stock
35 ACT is for this current fishing year.

36
37 Lane snapper commercial landings are pretty on par to what they
38 have been the past couple of years, and, when we add to those
39 the recreational landings, because this is a stock as well, you
40 can see that the commercial landings have been pretty much on
41 par for the past couple of years, and, while this slide
42 currently shows that they are under their ACL, again keep in
43 mind that we only have landings for the recreational sector
44 through the end of June, but, if we look at the next slide,
45 breaking the recreational landings down by wave from 2018 to
46 2021, it shows that the landings that we currently have are on
47 par with the previous three years, where they have ended up
48 exceeding their ACL, and so that is why a closure had to occur,

1 and, as Andy has mentioned, and others, we're working as quickly
2 as possible to get this lane snapper document implemented before
3 the end of this calendar year, so that we can reopen lane
4 snapper before the end of the year.

5
6 Vermilion snapper is another one of those ones where landings
7 this past year have continued to decrease from what they were in
8 previous years. Even adding on recreational landings, they are
9 still well below their stock ACL, with recreational landings
10 even being slightly lower as well this year compared to previous
11 years.

12
13 Yellowtail snapper commercial also has had lower landings this
14 year than what they've had in previous years, and, again, this
15 is another species that is on an August to July fishing year,
16 and so this is through the end of their 2020/2021 fishing year,
17 and you can see that, even with those landings, they are still
18 well below what they have been in recent years. Even adding on
19 the recreational, because yellowtail is a stock, they're still
20 below their stock ACL, with recreational landings also being a
21 little lower than what they have been in previous years.

22
23 We added a couple of new species to this presentation this year,
24 just to give some background of what's going on, and so midwater
25 snapper has a post-season accountability measure that, if they
26 exceed their ACL in one year, then, in the next year, a
27 projection or closure has to be made when the ACL is met, or
28 projected to be met.

29
30 Last year, they had just gone over their ACL, and so, this year,
31 they had to close when their ACL was met, and you can see this
32 is mostly a commercial-landed fishery, and they do have a fairly
33 low ACL, and so, if it happens to be a good year for these
34 species, it could be something that a closure happens again next
35 year, but, since they have definitely exceeded their ACL this
36 year, we will also have to do a projection next year, to see if
37 they will need to close before the end of the fishing year.

38
39 Other stocks of note are the jacks complex. While they have not
40 exceeded their ACL yet this year, they're at about 98.5 percent
41 of landings, and we still have another couple of months to go,
42 and so, while they wouldn't close this year, because they also
43 only have a post-season closure accountability measure, if they
44 do exceed their ACL this year, that would also be a stock
45 complex that we will have to do a projection for next year, to
46 see if they will need to close, and the same thing for cubera.

47
48 While they have already exceeded their ACL this year, they do

1 not have an in-season closure accountability measure, and only a
2 post-season, and so they also will be getting a projection next
3 year, to see if an in-season closure is needed. I think that is
4 my last slide, and I will be here if there is any questions.

5
6 **CHAIRMAN GUYAS:** All right. Thanks, Kelli. Are there questions
7 about this presentation? I've got a few, but go ahead, Susan.

8
9 **MS. SUSAN BOGGS:** Thank you, Madam Chair, and thank you, Kelli,
10 for the presentation. I really do like these graphs. My
11 question is, and I think it's Slide 10 for lane snapper
12 commercial landings, and it says their ACL is 301,000 pounds,
13 but, when I look at the graph, unless I am misreading it, it
14 goes to 30,000, and are they far under, or is that hundreds of
15 thousands of pounds that I should be looking at?

16
17 **MS. O'DONNELL:** Well, keep in mind that lane snapper is a stock,
18 and so it does say on the note that the stock ACL is 301,000
19 pounds, and so that is the combined commercial and recreational
20 landings, to have to meet that ACL, and we just show how much of
21 that ACL, broken down, is being caught for a sector, by showing
22 the commercial and then the recreational.

23
24 **MS. BOGGS:** Okay. I understand now. Thank you.

25
26 **CHAIRMAN GUYAS:** Leann.

27
28 **MS. LEANN BOGGS:** Thank you, Madam Chair. I mentioned this
29 yesterday, and Dr. Simmons said we would be getting a little
30 more information on that midwater snapper stock landing, and
31 this was brought up at the SSC meeting, and, at that point in
32 time, I think they were actually discussing a SEDAR schedule and
33 a slot that was open to be looked at, and one of the members had
34 mentioned that maybe we need to look at that midwater snapper
35 and getting a new catch level recommendation on that, since we
36 have exceeded it, and so a couple of questions.

37
38 Is this a data-poor type situation, where we essentially
39 probably have a ten-year average in landings, and that's kind of
40 where our quota is coming from, because I do see a large, I
41 guess relatively speaking, commercial increase there, and is it
42 something that would be simple to go back and possibly get a new
43 quota on, if it's just a ten-year average, or is even that
44 pretty in-depth, if we're seeing some new commercial effort
45 there and shifting possibly from other species that are down?

46
47 **MS. O'DONNELL:** I don't think that's a question for me, and
48 maybe Clay or someone from the Science Center, or maybe Dr.

1 Larkin, and I think he might be listening in, and he may be able
2 to provide some information as well.

3

4 **CHAIRMAN GUYAS:** I think Andy is going to take that one, Kelli.

5

6 **MS. O'DONNELL:** Okay.

7

8 **MR. ANDY STRELCHECK:** I don't recall exactly how we specified
9 the ACL for midwater snapper, and I think you're right, Leann,
10 that it's probably based on some historical average landings.
11 This is a situation where we have seen commercial harvest
12 increasing for this species in the last few years, and it's a
13 joint ACL between commercial and rec, right, and it's
14 unallocated, and we just, unfortunately, and I will take
15 ownership, but we missed the mark in terms of closing the
16 fishery when we saw that the catch limit had been met. That,
17 obviously, doesn't address your concern, which is, is the catch
18 limit set too low, based on the information we have, but that's
19 certainly something we could revisit as a council.

20

21 **MS. BOSARGE:** Well, maybe the best starting point is this gives
22 us just about three or four years of data, and maybe, at our
23 next meeting, if we could get maybe a longer time series of data
24 and a little more information, and then I think we might could
25 make some educated recommendations at that point, but it's
26 probably something we want to look into sooner rather than
27 later, and I don't -- It's okay if you miss the mark, and I'm
28 looking at this chart, and, I mean, it's only like 50,000
29 pounds, and so it's not like we went millions of pounds over the
30 ACL.

31

32 **CHAIRMAN GUYAS:** Along those lines, if we look at this some
33 more, I would be curious as to the species breakdown of these
34 four, and I could maybe guess what probably is driving these
35 landings, but I would like to see that, and then I would be
36 curious about, since a lot of this is commercial, what gear
37 these are being caught on, and are these longline, or are these
38 largely hook-and-line, and what's going on. Andy, go ahead.

39

40 **MR. STRELCHECK:** Kelli can correct me if I'm wrong, but I
41 believe, when we looked at this, that it was actually trawl gear
42 that was harvesting this, primarily.

43

44 **MS. O'DONNELL:** That is correct for the midwater.

45

46 **CHAIRMAN GUYAS:** Ryan.

47

48 **MR. RINDONE:** Thank you, Madam Chair. Just to Ms. Bosarge's

1 question about the data that were used, and so, during the
2 General Annual Catch Limits and Accountability Measures
3 Amendment, we used data from 2000 to 2008, and we applied Tier
4 3a of the council's ABC Control Rule, which would set the ABC at
5 the mean of the landings plus some standard deviation, based on
6 an estimate of risk of overfishing the stock.

7
8 From that amendment, the OFL for midwater snappers is 209,000
9 pounds, and the ABC is 166,000 pounds, and so the ACL was set
10 equal to the ABC, and then those have an ACT of 136,000 pounds,
11 and, just for those wondering what species midwater snapper
12 includes, it's silk snapper, wenchman, blackfin snapper, and
13 queen snapper.

14
15 **CHAIRMAN GUYAS:** Chris.

16
17 **MR. CHRIS SCHIEBLE:** This is just a technical question for
18 Kelli, and I think I ask this almost every meeting, and I can't
19 recall the answer, and so it said the recreational landings are
20 current including MRIP, LA Creel, and the headboats through June
21 30. I know we send the LA Creel landings weekly, and so I'm
22 curious, and is that just because the MRIP and the headboat
23 landings are current through June 30?

24
25 **MS. O'DONNELL:** Yes, and we did a standard of just ending
26 everything at June 30, but you are correct that we do have LA
27 Creel through a more current time period, and I can't remember
28 what we have it through, but we just kind of picked an end date
29 of what we had the most data for, and we just picked the end of
30 the wave for that.

31
32 **MR. SCHIEBLE:** Thank you.

33
34 **CHAIRMAN GUYAS:** Dr. Simmons.

35
36 **EXECUTIVE DIRECTOR SIMMONS:** Thank you, Madam Chair. Thank you,
37 Kelli, for putting this together, and I have a question again,
38 and you said that the gear type that was driving the commercial
39 landings for midwater snapper was trawl gear, and can you
40 provide more information on that, because that doesn't make any
41 sense to me. These fish are going to be on high relief.

42
43 **MS. O'DONNELL:** That's what it was coming in listed as, was
44 otter trawl, and it was mostly wenchman landings that were
45 driving that up.

46
47 **CHAIRMAN GUYAS:** That's a little interesting. I don't know what
48 to say about that one. If I was going to pick a species that

1 would be probably caught, it wouldn't have been wenchman. Andy.

2
3 **MR. STRELCHECK:** Well, I think the council's reaction is similar
4 to some of ours when we looked into this, and certainly we're
5 happy to dig into it further. I guess a couple of thoughts
6 here, and so, going back to Leann's comment, with the comp ACL
7 amendment that we put in place many years ago, obviously, we set
8 ACLs for the data-poor species, and it's certainly worth
9 considering redoing that, especially with the new recreational
10 data and looking at, obviously, updating ACLs that maybe have
11 been static for quite some time.

12
13 The other two things I wanted to mention are, with lane snapper
14 and red grouper, they were kind of intertwined, and everyone was
15 believing that, well, MRIP was driving the lane snapper closure,
16 and this is not in fact the case.

17
18 We closed lane snapper because the catch limit had been met, and
19 we are working to update and increase that catch limit, based on
20 council action.

21
22 Right now, there's a proposed rule that we're soliciting public
23 comment on, and that closes, I believe, November 2, and our goal
24 is to turn around a final rule as quickly as possible after that
25 and waive cooling-off, so that we can implement that new catch
26 limit before the end of the year, hopefully in November,
27 ideally, to reopen that fishery.

28
29 For red grouper, we're definitely seeing an increase in the
30 landings, as Kelli shared, and we're not, obviously, certain
31 exactly what's driving that, and she did mention, obviously,
32 charter landings were higher, and we do know that, obviously,
33 catch rates have been reported to be higher, and we've seen that
34 in the commercial sector as well, and so I think that's a good
35 thing, in terms of seeing observed higher abundance, but it led
36 to an earlier closure this year because of that.

37
38 **CHAIRMAN GUYAS:** Kevin.

39
40 **MR. KEVIN ANSON:** I don't know if I'm going to provide much more
41 information, but, in regard to the comments for the wenchman, we
42 were contacted, and not me directly, but people on staff were
43 contacted by an Alabama fisherman catching wenchman as a
44 bycatch.

45
46 **CHAIRMAN GUYAS:** All right. Any other questions on this item?
47 Okay. Then our next item under this tab is a presentation on
48 gray triggerfish by Dr. Simmons.

1
2 **GRAY TRIGGERFISH COMMERCIAL LANDINGS AND MANAGEMENT REVIEW**
3

4 **EXECUTIVE DIRECTOR SIMMONS:** Thank you, Madam Chair. Can we
5 pull up Tab B, Number 4(c)? Just to remind everybody, the
6 council requested that staff look into the commercial gray
7 triggerfish landings history since the implementation of the
8 framework action, which increased the catch levels for both the
9 recreational and the commercial fisheries, and that was
10 implemented in July of 2021.

11
12 The Reef Fish AP did have a chance to look at this earlier this
13 year, and they did make the following motion. They requested
14 the council consider to start a document that would consider
15 adjusting the commercial triggerfish trip limits in response to
16 the increased quota, and I will just provide a little bit of
17 background on the discussion that was held earlier this year in
18 regard to this topic.

19
20 The Reef Fish AP commented that increasing the commercial trip
21 limit would reduce dead discards, but there is not currently a
22 directed commercial fishery for gray triggerfish, and they
23 suggested that, if the council decided to raise the trip limit
24 from sixteen to twenty, or even up to twenty-five, fish per
25 trip, they didn't feel that this would harm the stock or create
26 a directed fishery, but it would just reduce discards.

27
28 Just to remind everybody where the current regulations are for
29 gray triggerfish, the commercial sector specifically, the trip
30 limit is sixteen fish per vessel. It is closed during the peak
31 spawning, in June and July, like the recreational sector, and
32 the minimum size limit is fourteen inches fork length, and the
33 commercial annual catch target is set 5 percent below the
34 commercial annual catch limit. We do have some accountability
35 measures on the books. There is an in-season accountability
36 measure that, when the landings reach, or are projected to
37 reach, that annual catch target, the sector is closed for
38 harvest for the remainder of its fishing year.

39
40 If we don't do a good job of that, then, post-season, if the
41 landings exceed that annual catch limit, then, the following
42 year, an overage adjustment is applied, and you will see that in
43 the next slide, for a couple of years, and reducing the
44 commercial ACL, the annual catch limit, by the amount of the
45 overage and adjust the commercial ACT accordingly, the annual
46 catch target.

47
48 Hopefully everyone can see this on their computers, and

1 hopefully the public can see it back on the large screens, and
2 you can see, in 2012, there was an overage, even with a mid-year
3 closure. In the more recent time, in 2018, there was a minor
4 overage, even with the closure in October. In 2019, the season
5 closed for the last month, with no overage, and then, in 2020,
6 the commercial landings did not reach the ACL or ACT.

7
8 For July, I think Kelly has taken us through, Ms. O'Donnell has
9 taken us through, some more recent landings for 2021, and I just
10 pulled these from the website, and so I think she has some more
11 recent information regarding where we are with 2021 landings.

12
13 If the council did want to consider this increase in the
14 commercial trip limit for gray triggerfish, we are suggesting
15 that this could be added to the framework action that is looking
16 at modifications for the vermilion snapper bag limits and the
17 gray triggerfish recreational fixed closed season. I would note
18 that, currently, this is a C priority on our action schedule,
19 and we have had a lot of other very high-priority species and
20 stocks that we've been trying to tackle, between cobia and red
21 grouper, and those are both slated for final action.

22
23 As we learn more, in the next month, about gag and greater
24 amberjack, we'll have to balance where some of those priorities
25 are going to land, but, in talking to Mr. Hood, we were hoping
26 that maybe we could bring something to the council in June,
27 perhaps, on this, and decide to add it to this particular
28 action, and so, Madam Chair, that concludes my report.

29
30 **CHAIRMAN GUYAS:** Thanks, Dr. Simmons. Any questions or ideas
31 about a path forward here? Leann.

32
33 **MS. BOSARGE:** I am not sure about ideas, but I do remember, at a
34 couple of different meetings, we did have some public testimony
35 from the commercial guys about, hey, if we're going to land
36 that, we need to look at this and see about increasing that
37 limit on our side. I don't -- I am not sure what the options
38 should be, as far as what you should increase it to, and that's
39 not my wheelhouse, but hopefully we could get some public
40 testimony on it.

41
42 I just wondered, and so, the document that you're talking about
43 adding it to, is that going to slow anything down considerably,
44 and does it need to be in its own document? Will that be a
45 burden, or do you need a motion to add it? All sorts of things.

46
47 **CHAIRMAN GUYAS:** Go ahead, Dr. Simmons.

1 **EXECUTIVE DIRECTOR SIMMONS:** Thank you, Madam Chair. I mean,
2 it's up to the council if they want to separate it and try to
3 request it to be a higher priority. It is, and I think I forgot
4 to mention, about a 45 percent increase in the current ACL from
5 where we are now for the commercial sector, and so it's really
6 up to the council, and we'll have to balance these priorities
7 with the Chair and Vice Chair and see what we can do.

8
9 **CHAIRMAN GUYAS:** Susan.

10
11 **MS. BOGGS:** Thank you, Madam Chair. I wouldn't be opposed to
12 adding it to the other document, but -- We say this all the
13 time, that it seems like it should be a pretty easy document, if
14 we put it in one by itself, and it should move through fairly
15 quickly, so the commercial fishermen can start retaining the
16 fish instead of releasing them. I would certainly take guidance
17 from the staff, but I would think it could just be in a
18 standalone document and we get it through fairly quickly. Thank
19 you.

20
21 **CHAIRMAN GUYAS:** Carrie.

22
23 **EXECUTIVE DIRECTOR SIMMONS:** I understand where you're coming
24 from, but I think we need the Regional Office staff to help us
25 with the analysis, and so, I mean, I think the question is for
26 those other two items for the vermilion bag limit, and fixed
27 closed season, and we would also need their help with that, and
28 so is it better to put it all in one or separate it, and, again,
29 I think it depends on how quickly we want things to move, but,
30 regardless, we're going to be relying on the Regional Office,
31 and I know they're down one staff member, regarding that type of
32 analyst.

33
34 **CHAIRMAN GUYAS:** Go ahead, Susan.

35
36 **MS. BOGGS:** All right. I would like to make a motion then to
37 add, and I don't know how to exactly word it, but to add
38 consideration of adjusting the commercial triggerfish trip
39 limits to the Framework Action to modify Modifications to
40 Vermilion Snapper Bag Limits and Gray Triggerfish Recreational
41 Fixed Closed Season.

42
43 **MR. GILL:** Seconded.

44
45 **CHAIRMAN GUYAS:** All right. We've got a motion and a second,
46 and we'll just get that on the board here. While staff is doing
47 that, Mara, did you have something to add?

48

1 **MS. MARA LEVY:** Well, just, I mean, I assume what you want to do
2 is add an action to adjust the gray triggerfish trip limits,
3 right, and so I don't know if you want to change it to say that
4 or we just know that.

5
6 **MS. BOGGS:** Well, I mean, I wasn't really, I guess, prepared to
7 make a motion, and I would certainly have help with it, but,
8 yes, to add an action to the current framework action -- I mean,
9 there's a lot of words there, and so, Bernie, you start it, and
10 we'll finish it.

11
12 **CHAIRMAN GUYAS:** Bernie is on it, and so I think we've got to
13 add an action to the current framework amendment to consider
14 adjusting commercial triggerfish trip limits. I think we know,
15 from the discussion, that the framework that we're talking about
16 is this framework dealing with vermilion and the recreational
17 triggerfish season. Okay.

18
19 **MR. GILL:** I think identification of what the current FA is
20 needs to be in the motion, so that the motion can be standalone.

21
22 **CHAIRMAN GUYAS:** We're getting there, and so the framework is
23 Modifications to Vermilion Snapper Bag Limits and Gray
24 Triggerfish Recreational Fixed Closed Seasons. I picked the one
25 with the longest title for you all. Okay.

26
27 **Here is our motion to add an action to the current vermilion
28 snapper bag limit and gray triggerfish recreational fixed closed
29 season framework action to consider adjusting commercial gray
30 triggerfish trip limits.** I think this is clear what we're doing
31 now, right? **Is there any opposition to this motion? Seeing
32 none, the motion carries.**

33
34 Let's move on then to our next item, which is a presentation by
35 Dr. Cody on the imputed 2020 landings for Gulf-managed species.
36 I see Dr. Cody is at the table and ready to roll. Sorry. Hang
37 on one sec. Leann.

38
39 **MS. BOSARGE:** So there was one other thing in our briefing book,
40 the Gulf of Mexico Reef Fish Annual Catch Limit Landings, this
41 one that goes through gag and red grouper commercially, and the
42 other stuff did recreationally, and will we go through that when
43 we get closer to red grouper and gag discussions, which is fine,
44 and it's probably more valuable at that point anyway, but we
45 haven't gone over the commercial landings for gag and red
46 grouper in that first presentation on landings.

47
48 **CHAIRMAN GUYAS:** Let's take those up when we go to those

1 actions, and how about that, and so, I guess, Kelli or Andy or
2 whoever from SERO is going to do that, and so just know that
3 we're going to call on you for that. Okay. Go ahead, Dr. Cody.

4
5 **IMPUTED 2020 LANDINGS FOR GULF-MANAGED SPECIES**
6

7 **DR. RICHARD CODY:** Thank you, Madam Chair. Basically, today,
8 what I will be presenting is a summary of the impacts of the
9 imputation methods that we put in place for the 2020 MRIP
10 estimates on a select few species, and these were requested by
11 the council formally earlier on this year, and so we have gag,
12 red grouper, red snapper, king mackerel, gray triggerfish,
13 greater amberjack, and cobia included in these. What I will try
14 to do is present the information in terms of the impacts
15 relative to the inclusion in the estimation process.

16
17 Just a couple of points that I will try to make. In reference
18 to the 2020 catch and effort estimates, there were relatively
19 few impacts, if any, on the FES, the conduct of the FES, survey.
20 That went on largely unimpeded by COVID, because of its nature,
21 because of the fact that it's a mail survey and there is no need
22 for contact. The APAIS, on the other hand, is where we see most
23 of the impacts of COVID-19 on the conduct of the survey.

24
25 Really, the data gaps and imputation methods that we apply were
26 variable across the states and fishing modes, but limited at the
27 annual and regional levels, and so, by using the imputed data,
28 we didn't see the extreme or unexpected results at the annual or
29 regional level, and this is more variable, of course, at a
30 higher level of resolution, like wave level and by mode, and for
31 certain states, also.

32
33 What I will do is I will go over some of the data gaps, and
34 you've seen some of these already, in an earlier presentation
35 that I have given to the SSC and the council related to COVID-
36 19, and I will go over the data imputation and estimation
37 methods, briefly, and there is a reference for all of these
38 materials, and we're updating our current manual to include more
39 detailed documentation on the imputation methods for 2020 as
40 well.

41
42 Then I will go over the catch and effort estimates for the
43 recent time series, 2018 through 2020, and we will look at 2020
44 estimates, in particular with reference to with imputed records
45 included and without imputed records.

46
47 As I mentioned, most of the data gaps for 2020 are -- They were
48 in the APAIS survey itself, and so that's the source of our

1 catch and our catch rate information, but it also impacts the
2 effort estimates as well, because there is supplemental
3 information that's included in the APAIS that is used to make
4 adjustments to the base effort estimates that we get from the
5 FES, and those are in the adjustments for out-of-state angling
6 effort, and, also, for the for-hire component, there is an
7 adjustment that we use to look at on-frame and off-frame
8 adjustments for new boats entering and leaving the fishery.

9
10 Most of the impacts, in general, were earlier in the year, in
11 Wave 2 in particular, primarily April, and we did see some loss
12 of sample in late March, as COVID began to ramp-up. Most states
13 though I would say had resumed sampling towards the end of May,
14 and we were in full, or close to full, production for the rest
15 of the year.

16
17 There were some exceptions to that. Some states had different
18 policies on social distancing, and the ability of samplers to do
19 their job was impacted, and so Connecticut, New Jersey, and
20 Virginia started up a little bit later, in July and August, and
21 you will see this in a graph that we have later on, and then, as
22 far as some other impacts, and these don't really impact the
23 Southeast, but we had some impacts to our at-sea observer
24 programs in the Northeast and the Mid-Atlantic, where samplers
25 could not do at-sea observer trips throughout the end of the
26 year, and so that did not resume in 2020.

27
28 Then, with the Southeast Science Center, there was a loss of
29 sampling associated with the Southeast Regional Headboat Survey,
30 but the validation component did continue, as well as QA visits,
31 and, of course, the reporting by vessels continued as well.

32
33 This slide you've seen before in a previous presentation, and I
34 will just draw your attention to the gray boxes, and you will
35 see they are listed there between the numbers four and five on
36 the vertical axis, which is April to May, and you will see that
37 resumption of sampling, and this reflects where sampling was
38 suspended, and so the gray areas reflect the data loss, or data
39 gaps, in the APAIS survey.

40
41 You can see, for most states, there was a resumption of activity
42 by the end of May, and certainly, from the start of June and
43 onwards, the survey was back in production. You can see the
44 three states that I referred to earlier on of Connecticut,
45 Virginia, and New Jersey, and those were later at resuming, and
46 those are reflected there in the later resumption of their
47 surveys.

48

1 That slide really reflected interviews, angler intercepts, but
2 this next slide here that I am showing shows the length
3 information, and there was a concern, a valid concern, that this
4 would be greatly impacted by COVID, and you can see, from this
5 graph, that it's a bit more patchy than the last graph, and
6 there are some gaps through the end of the year, and that's
7 largely a result of, I think, hesitancy of some anglers to allow
8 samplers to get close enough to them to measure their catch, and
9 then, also, sampling protocols that were varied by state, in
10 terms of what the sampler could do, per the guidance that was
11 given by the states, and that's the length information that we
12 get from the observed catch, once it's landed.

13
14 I won't spend too much time on this, but this is the weight
15 information that we collect as well, and you can see a similar
16 type of pattern there, but, largely, there is a fair amount of
17 weight and length information that was collected through the end
18 of the year, once sampling had resumed, and so that, I think,
19 was the best-case scenario for us, and we really didn't expect
20 that level of sampling throughout the end of the year.

21
22 **CHAIRMAN GUYAS:** Richard, we've got a question for you. Go
23 ahead, Bob.

24
25 **MR. GILL:** Thank you, Madam Chair, and thank you, Dr. Cody.
26 Would you explain the difference between the blank spots that
27 are white and the gray spots that show no --

28
29 **DR. CODY:** White is -- There were no assignments scheduled
30 during those periods, and so some states don't start the survey
31 until later in the year, and they don't have a full year of
32 survey, and so, in those states, you will see a white area.
33 Then it depends, also, on the mode for the different states, and
34 some states have different regions and modes that are
35 represented here, and it's a little difficult, and they're not
36 outlined, and they're not identified, on the graph, but I can
37 provide some additional information that will provide more
38 resolution. What the black area really refers to is where we
39 have loss of sampling, true loss of sampling.

40
41 **CHAIRMAN GUYAS:** One more question for you from Leann.

42
43 **MS. BOSARGE:** What months did you see the greatest impact in
44 that 2020 MRIP year? What months did you see the greatest
45 increase, or gap, for both the weight measurement and the length
46 measurement?

47
48 **DR. CODY:** April was probably the greatest impact, I would say,

1 without exception, and there were a couple of states that
2 continued into April a little bit, but, for the most part, most
3 states had shut down sampling for April. Then there was a slow
4 resumption in May, but most states were back online by the end
5 of May.

6
7 **MS. BOSARGE:** Okay, and I say that just because those lengths
8 and weights, as we saw with red grouper, that's what we use to
9 convert numbers of fish to pounds of fish, right, for landings,
10 for total landings, and so it's pretty important that that be
11 pretty close to real life, and so I assume there's going to be a
12 lot of imputation, or more imputation, than normal, right?

13
14 **DR. CODY:** Yes, more than normal, certainly.

15
16 **MS. BOSARGE:** So we probably need to take a look at that when we
17 start to, I guess, use these numbers for whatever purpose it may
18 be, assessment or otherwise, and maybe look at some other
19 methodologies to kind of groundtruth what we're seeing.

20
21 **CHAIRMAN GUYAS:** Susan.

22
23 **MS. BOGGS:** Thank you, Madam Chair, and kind of a follow-up, Dr.
24 Cody, to what Mr. Gill was just asking, and so I was going to
25 ask the same thing, and so the white spaces -- There was nothing
26 scheduled, but, if you look at the -- Maybe I'm confused, but
27 the first graph, the 2020 MRIP data gaps, that's where they
28 actually intercepted and interviewed the people?

29
30 **DR. CODY:** That's correct.

31
32 **MS. BOGGS:** Then the other two graphs, and I am looking at
33 Virginia, and so you have intercepts in Virginia, and are these
34 people not doing the weight and the lengths as well, and the
35 gaps don't match up, is what I'm asking.

36
37 **DR. CODY:** I think that's a difference in the safety protocols
38 that were involved in some of the states. In Virginia, they
39 resumed sampling, but they didn't -- As far as getting close
40 enough to the angler to get at their catch, that was probably
41 it, and the safety protocols are different.

42
43 **MS. BOGGS:** Okay, and so that's my question. Are the same
44 people doing the intercepts for the interview as well as the
45 length and weight, and so my question being, if that's the case,
46 then those should be gray, as opposed to blank, because they
47 were there, but it's just the people didn't allow them to gather
48 the lengths and weights.

1
2 **DR. CODY:** Well, keep in mind that this is based on an average.
3 What you're seeing here is a heat map based on the average for
4 the previous three years, and so, in some cases, there were
5 samples in those cells, but, in some cases, there wasn't.
6
7 **CHAIRMAN GUYAS:** Richard, now I'm like really scratching my
8 head, because, before COVID, we've got -- If we look at the
9 graph on page 4, versus 5 and 6, we've got a lot more white on
10 lengths than weights, well before COVID shutdowns, and so what's
11 going on? I mean, people have an assignment, and their
12 assignment is to interview and --
13
14 **DR. CODY:** And get lengths and weights.
15
16 **CHAIRMAN GUYAS:** They're supposed to be, if they can, be getting
17 lengths and weights, and so what's the story there?
18
19 **DR. CODY:** Yes, and I would agree. I would agree, but, in some
20 cases, we don't get a lot of lengths and weights. It depends on
21 the mode of fishing as well, and, in some cases, for instance,
22 if the catch is largely released catch, then there's not going
23 to be very much in the way of lengths and weights, and I would
24 say that, for the for-hire mode, we're far more successful in
25 getting lengths and weights than we are at the private boat
26 mode.
27
28 **CHAIRMAN GUYAS:** But why are they white squares instead of gray
29 squares, because gray is a zero, right?
30
31 **DR. CODY:** That's based on the average for the previous three
32 years, and so, if there was nothing in that cell for the
33 previous three years, then that's what it is compared to.
34
35 **CHAIRMAN GUYAS:** Go ahead, Susan.
36
37 **MS. BOGGS:** Okay, and Martha is kind of on the same track that I
38 am. It would seem to me, if I am assigned by DCNR to go out and
39 do the interview and gather the weights and the lengths, it's
40 the same people doing all of this, and so wouldn't it not be
41 gray, because they were there, but it's just the person on the
42 dock said, no, I don't want you to come weigh my fish, but yet
43 they're still doing the interview, and it seems like it would
44 track together.
45
46 **DR. CODY:** What we did was we took, independently of the
47 intercept, and so you have weights, and you have lengths, and we
48 just took that created the heat map from that, and so it doesn't

1 take into consideration that you have an assignment there.

2
3 If there is a color there, it means you did have an assignment,
4 but, if there's no data to compare that happened in the previous
5 three years, documenting lengths or weights, then it's not going
6 to show up, and it's going to show up as white. If there were
7 data in the previous three years, and none was collected this
8 year, then it would show up as gray.

9
10 **CHAIRMAN GUYAS:** Ryan and then Leann.

11
12 **MR. RINDONE:** Thank you, Madam Chair. Dr. Cody, is there like a
13 proportion of what has to be happening within that three-year
14 period for a cell to be coded in a certain way, or is it, if
15 sampling occurred in two out of the three years, is the cell
16 coded differently than if it happened once or if it happened at
17 all?

18
19 **DR. CODY:** It's an average, and so, if there's nothing in there,
20 it would be an average of nothing, and so that's how it works.

21
22 **MR. RINDONE:** So if it's an average of nothing, and so,
23 basically, the coding corresponds then to the average over the
24 three years, and so I guess I'm just trying to understand the
25 differentiation between what you described as being a true loss
26 of sampling versus no sampling assignment for that state at that
27 time, and I think that's where some of this confusion might be
28 coming from.

29
30 **DR. CODY:** I mean, the only way I can explain it is that, if
31 there was something in the cell for the average, and we compare
32 it, and it's either higher or lower or there's no sampling, and
33 so, in that case, it would come up with a gray area. Really,
34 all it is is this is just a heat map to show you where the
35 sampling gaps were, and, when we scheduled assignments, and they
36 weren't completed, that's where you would see the large gray
37 areas, and so that's all this is really trying to do, and it's
38 not a major analysis of it.

39
40 **CHAIRMAN GUYAS:** Leann.

41
42 **MS. BOSARGE:** I think my suggestion, to help us in the future,
43 as we look at these, would be to have the raw data in a
44 background document and not in a presentation. That's way too
45 much data, but in the briefing book, because, the last time that
46 we had a presentation, where we were trying to get into, well,
47 what were these average weights and how many samples, and, when
48 I went to the raw data, that's when I could understand it.

1
2 That's when I could understand, all right, what did the raw data
3 look like, and what did these averages or imputations, and where
4 are those coming into play, and then I think you really can see
5 the picture a little better, and so I would suggest that, as we
6 have these presentations, we make that request as well and put
7 it in the background information for the briefing book, that
8 will actually break it down by state and by mode and by wave,
9 and that's very helpful.

10
11 **DR. CODY:** We can certainly do that, but, I mean, this is really
12 for illustration purposes, more than anything else, and the raw
13 data itself is probably -- Without the programs to run it, it
14 might not be too informative, but we can certainly do that.

15
16 The next slide is data imputation and estimation, and so we have
17 -- As I mentioned, we had APAIS sampling suspension and gaps
18 that varied by state, but these are known, and one of the things
19 that we did was we worked with the commissions, both the
20 Atlantic and the Gulf Commission, and the states, to try and
21 track, as best we could, when the sampling was being conducted
22 and when it wasn't.

23
24 We do know where the gaps are, and we used a simple imputation
25 approach to fill those gaps, and so, basically, if there was a
26 known data gap, such as April, we filled that with an average of
27 2018 to 2019 data, and so we used 2018 and 2019 data as a proxy
28 for 2020 data, and we downweighted each of the years, since
29 we're using two years, so that they are equally represented, and
30 the method that we used as well was discussed with the
31 consultants, with the MRIP consultants, and they were in
32 agreement that it was an appropriate method, in that it was the
33 least disruptive to the estimation methods, and it produced the
34 most fidelity to the current methods, for comparison purposes.

35
36 Going to a more sophisticated approach would have meant more of
37 a deviation from the current methodology and probably make the
38 estimates a little less comparable than they currently would be.

39
40 We used standard two-month wave estimation, and we didn't
41 produce two-month wave estimates during 2020, but we compiled
42 these at the end of the year, and that's what was used to
43 identify the data gaps and to pull the 2018 and 2019 data to
44 fill those gaps.

45
46 As I mentioned, more complex methods were considered, such as
47 modeling, and they were considered more resource intensive, and,
48 as I said, there would be a larger deviation from the current

1 methodology, and, lastly, I will make a point that, for modeling
2 methods as well, we would have had to use some auxiliary forms
3 of data, and we did attempt to do this, early on in the year,
4 and I mentioned this in a previous presentation as well, where
5 we tried to modify the APAIS questionnaire.

6
7 Going through the PRA approval process, we were not successful,
8 and so the OMB Office of Information and Regulatory Affairs
9 blocked those changes to the survey, and so we were unable to
10 make changes to the survey that would have provided some
11 auxiliary information.

12
13 The other thing that I will point out as well, and I pointed
14 this out in an earlier presentation, is that we will revisit the
15 2020 estimates when the 2021 estimates become available. Note
16 that, for this first round of imputation, we used the two most
17 proximate years, of which one is 2018. With the revisit, we
18 will use 2021 plus 2019, the two shoulder years, so they are
19 more proximate to the 2020 year.

20
21 The presentation that I have been showing you contains a number
22 of different things, and I will have, on each slide, graphs that
23 show annual landings for 2018 through 2020 for the seven
24 species, and we'll start with one and progress through them.
25 Then, underneath the landings, and underneath the releases
26 portion, we'll have a comparison of estimates with and without
27 imputation.

28
29 The first one is gag, and I apologize for the -- It's hard to
30 see what's on these graphs, but the three states for the Gulf
31 are represented, and the landings are represented for 2018,
32 2019, and 2020 in the top graph, and the graphs are represented
33 with landings on top, and then, if you go below the hash line,
34 you've got releases, and so it's the same type of information
35 for both landings and released catch.

36
37 As you will see in the first one -- I mean, obviously, for gag,
38 Florida is the major driver of the recreational component of the
39 fishery, and you will see that there is an increase in landings
40 that is estimated for 2020, but, if you look at the graph
41 underneath that, you will see the landings estimated with and
42 without imputed data included, and, with imputed data, there is
43 very little change from if you don't include the imputed data.

44
45 We would contend that this makes it unlikely that the imputed
46 data is the driver for the change in those estimates, and you
47 will see a similar pattern for the released catch on the bottom,
48 with the imputed estimates included and without being fairly

1 similar.

2

3 **CHAIRMAN GUYAS:** Hang on, Richard. Leann.

4

5 **MS. BOSARGE:** These graphs that you -- Are we still on the same
6 slide, or did it move? I wanted to go back to whatever slide we
7 were on, if we're not on that one now. These are in numbers of
8 fish?

9

10 **DR. CODY:** Numbers of fish, yes.

11

12 **MS. BOSARGE:** Okay, and so you're giving us the differences here
13 with the imputation, but, to me, it sounded like your biggest
14 data gaps were not necessarily in numbers of fish, and your
15 APAIS interviewers were able to get out there and do the
16 interviews to count numbers of fish, but it seems like we had
17 some pretty significant gaps in measuring the length of the fish
18 and/or the weight of the fish, and that's what we're going to
19 use to convert these numbers of fish to pounds landed, which is
20 what we measure in, right, and that's our ACL, and that's our
21 landings.

22

23 Do you have any information on how big those differences are,
24 when you get into that sort of imputation, because I'm guessing
25 the imputation on some of those waves is probably 100 percent on
26 some species.

27

28 **DR. CODY:** Well, I would say that the impact to a lot of the
29 fisheries is fairly minimal, because it was earlier in the year
30 for some of these reef fish species, and so that wave is only
31 one wave of the year, and, obviously, you would like to get that
32 data from that wave, if that's where the fish are measured, and
33 you want to get that data as close to that wave as possible, but
34 I think what the imputation comparison points out is that the
35 data gaps in that wave had a relatively overall minimal impact
36 on the amount of data that we collected for that fishery and the
37 estimation process.

38

39 It doesn't tell us anything about length and weight differences
40 at all, but we use our standard weight and length imputation
41 process for that, and that didn't change, and that stayed
42 exactly the same, and so there would be an influence of those
43 2018 and 2019 data if they were used in the weight imputations,
44 and it's likely that there was some of that that happened.

45

46 **MS. BOSARGE:** So like on some waves, and I remember looking at
47 red grouper, and I think I was looking at 2017 data, and we
48 manage federal fisheries, right, and so, for that offshore

1 component, for for-hire and for private anglers, and so private
2 anglers land a large portion of that, and so sometimes, for some
3 waves, you would two intercepts that you got a weight sample
4 from, right, and so, if COVID had an effect on how many weight
5 samples you were able to get, and you're starting at a baseline
6 of somewhere between two and fifteen, on average, sample weights
7 that you're getting per wave, for something like red grouper for
8 the offshore component of the private anglers, then that, to me,
9 is going to have a significant impact when you start to convert
10 these numbers of fish to pounds of fish by wave for that private
11 angler component, that recreational component, and so that's
12 what I am trying to hammer down to.

13

14 Let's see what -- Really what our uncertainties are in this,
15 and, for numbers of fish, I can see where you might not have had
16 that big of an impact, but we have to convert that to pounds, to
17 look at ACL monitoring and landings, and so I would like to know
18 what kind of impacts we might be seeing there to understand how
19 to interpret those landings if we use them for management.

20

21 **DR. CODY:** I mean, there is certainly a component of the 2018
22 and 2019 data that would be included in the imputation, and so
23 that's a valid concern. I don't know how you get around it. I
24 mean, obviously, the more information you have to help you with
25 a decision would be beneficial, and so we'll try to get at that
26 concern. This is red grouper, I think.

27

28 **CHAIRMAN GUYAS:** Hang on. We've got a list. Bob.

29

30 **MR. GILL:** Thank you, Madam Chair. Perhaps I should have known
31 this already, Dr. Cody, but I noticed that the releases are
32 almost an order of magnitude greater than the landings, and so
33 that strikes to -- I grant you that selectivity is markedly
34 different, but that strikes to discard mortality estimates being
35 very high relative to landings, and so could you confirm that
36 that scales are correct and that order of magnitude number is in
37 fact correct as well?

38

39 **DR. CODY:** That's correct. The scales are correct on the
40 graphs, but that's -- I don't think that's too unusual for many
41 of the recreational species, that there is a very high component
42 of released catch.

43

44 **CHAIRMAN GUYAS:** Dale.

45

46 **MR. DALE DIAZ:** Thank you, Dr. Cody, for your presentation. On
47 the graphs that you have here, on the very top one, if you look
48 all the way over to the right, it's got Mississippi, and then

1 it's got zero, and so these are in numbers of fish, and it's got
2 zero, or no imputation, and then, with the red, there is nothing
3 there, and then, if you go down to the third line, we've got the
4 same situation, where there is zero with no imputation, and then
5 there is a minus 97.4 fish, and so I'm just -- Is there an
6 explanation for that? It's probably something simple, but I
7 just don't work with this type of stuff.
8

9 **DR. CODY:** The zero just refers to the difference between the
10 current year and the previous year, and so that just means that
11 the catch is so small there that there's not really any real
12 difference in it, percentage-wise. If you go down to -- Which
13 graph are you referring to?
14

15 **MR. DIAZ:** On the third line down.
16

17 **DR. CODY:** The released catch?
18

19 **MR. DIAZ:** Yes, and so it's got --
20

21 **DR. CODY:** So there would have been a 97 percent difference,
22 reduction, from the previous year. The zero just refers to
23 there is no -- 2019 is not being compared to anything, and so
24 there's a zero on that one, but, compared to 2020, there is a 97
25 percent reduction, and that generally reflects that the catch
26 was small enough that it didn't take much for a big change to be
27 reflected.
28

29 **MR. DIAZ:** Thank you, Dr. Cody.
30

31 **CHAIRMAN GUYAS:** Before you jump back in, let me just ask what
32 sounds like a basic question, I know, but just to make sure that
33 I understand this, but, when you're doing these imputations,
34 what are you considering a data gap, given that there is blocks
35 ahead of this where there were missing data or those red cells,
36 and so like I guess what is your threshold for -- Like is it
37 just a zero or a white cell, or how -- Can you give me a little
38 bit more information here?
39

40 **DR. CODY:** If we didn't have any sampling that occurred, and
41 say, for instance, in April, and we took the data from 2018 and
42 2019 and substituted it in there, into the different cells that
43 are reflected in there, and so, in general, there would be
44 almost 100 percent substitution for April for most states, and
45 less so in some of the other states, or some of the other
46 months.
47

48 **CHAIRMAN GUYAS:** Okay, and so I have another question then, and

1 so how -- The headboats didn't get started up again until when?
2 Then how are you handling that, because I know that was longer
3 than just April and May, right, and so they were shut down for
4 quite some time, and how is that being handled?
5
6 **DR. CODY:** Well, the headboats are handled in a separate survey,
7 and it's not reflected here in our estimates. The charter
8 boats, the charter fleet, is reflected, and so --
9
10 **CHAIRMAN GUYAS:** I guess then what is the plan for handling the
11 headboat survey?
12
13 **DR. CODY:** What's that?
14
15 **CHAIRMAN GUYAS:** What is the plan, I guess, for handling the
16 headboat survey?
17
18 **DR. CODY:** Well, that is handled separately, for stock
19 assessment purposes, and so they provide their own estimates
20 through the Southeast Science Center.
21
22 **CHAIRMAN GUYAS:** But there was a very large gap in which there
23 was no data collected for the headboat survey, a larger gap of
24 time, right?
25
26 **DR. CODY:** Yes, there is, but there is reporting that continued
27 throughout it, and so the captains did continue to report.
28 There is a loss of biological information, for sure.
29
30 **CHAIRMAN GUYAS:** So it would just be to use the logbooks to
31 substitute for the headboat survey?
32
33 **DR. CODY:** Well, you would have to check with the Science Center
34 on that they are doing.
35
36 **CHAIRMAN GUYAS:** Clay.
37
38 **DR. CLAY PORCH:** I mean, we do have the self-reported effort
39 estimates, and, on top of that, we've been validating that and
40 just checking, and that's where all that controversy came about
41 of looking at cameras and seeing if people were actually going
42 out in vessels and all that, but we are validating the effort.
43 What we don't have is samples during that time period. We
44 weren't able to do the dockside sampling.
45
46 **CHAIRMAN GUYAS:** Anybody else? Go ahead, Richard.
47
48 **DR. CODY:** Okay. I think we can probably move to the next

1 slide, and these slides are fairly similar, and this is red
2 grouper, and so, if you look, again, Florida is the major driver
3 of the red grouper fishery, and so it kind of dwarfs the other
4 two states, and so it's pretty hard to see what's on those
5 graphs, but we have landings on the top, and then we have the
6 releases on the bottom, and, again, I will just point you to the
7 estimates with and without imputed data included, and there is
8 very little difference between the two, and this is largely
9 because those fisheries started a little later than Wave 2, and
10 the impact on the fishery was fairly minimal.

11
12 It's probably not necessary for me to go through all of these,
13 but you can show the next set of graphs there, and this is red
14 snapper, and so there is a sizeable component for each of the
15 states reflected here, and what you will note is that, compared
16 to 2018 and 2019, there is a reduction, with respect to 2019 for
17 2020, for Alabama and Florida, and I don't have the precision,
18 or the variance estimates, included on this, and so it's showing
19 up as a reduction, but there may be overlap there in the
20 variance, but, if you note, underneath the landings for the with
21 and without imputed data included, there is a slight drop with
22 Florida, and, for Alabama, it's very similar whether you include
23 imputed data or not. The same is basically reflected there in
24 the released catch as well.

25
26 This is king mackerel, and king mackerel, again, there is a
27 little bit more of a difference between the imputed, the with
28 and without imputed estimates included, for Florida at least,
29 and there's a slight difference there. There is more of an
30 impact in a couple of the waves for the imputed data being
31 included for king mackerel, and so that might speak to Leann's
32 concerns about perhaps the loss of some size data that may be
33 overrepresented by one wave or another in the imputation
34 process. If you look at the bottom there as well, it's a
35 similar pattern for the released catch, but, for triggerfish --

36
37 **CHAIRMAN GUYAS:** We've got a hand, Richard. Andy.

38
39 **MR. STRELCHECK:** I guess just a question for the council, and I
40 think he has explained, obviously, imputation, and, I mean, we
41 can certainly go through all these in detail, if we would like,
42 and I think the presentation is in the briefing book and fairly
43 straightforward at this point, and so I'm wondering if we're
44 good to kind of complete this presentation and move on, given we
45 have so much other business today.

46
47 **CHAIRMAN GUYAS:** Leann.

48

1 **MS. BOSARGE:** Well, I am selfish, and I've got a question about
2 red grouper, and maybe you can move on after that, but I wanted
3 to back up one slide, or a couple of slides, and just make sure
4 I understand what that means, and so it would be Slide 13, if I
5 could ask a question on that. Then, Andy, we can entertain your
6 idea.

7
8 That top graph there, and I'm looking at the Florida piece of
9 it, because it's a Florida-centric species, these red grouper,
10 and so the blue bar is the MRIP final landings for 2018, and
11 that had zero, and that's your baseline, right, I guess, no
12 imputation, and then 2019 MRIP final is the red bar, and it has
13 some imputation.

14
15 **DR. CODY:** No. 2019 is just the decrease from 2018, and that's
16 what that is showing, the first top graph.

17
18 **MS. BOSARGE:** Okay, and so these don't -- Is it the next graph
19 that shows us the amount of the imputation?

20
21 **DR. CODY:** Yes, and the next graph shows you the differences
22 with imputed versus not imputed data.

23
24 **MS. BOSARGE:** Okay, and so the last bar on the top graph is
25 green, and it says 2020 MRIP with imputation, and we had to use
26 -- In other words, we had to pull data from somewhere else to
27 fill in the gaps, and so that was a COVID deal, and so I get
28 that, and so that 49.7 percent there -- That means that landings
29 were up by that much, and so then, when you go to that second
30 graph, we only have a blue and a red bar, and so we don't have
31 the -- How much imputation was in the green bar? That's what I
32 am trying to get to.

33
34 **DR. CODY:** The green bar contains -- That's the imputed estimate
35 for 2020. That's the actual estimate, and so, in the second
36 set, what you're looking at, the red bar is really that green
37 bar, and so you're looking at the impact, or the relative
38 contribution, of imputed data to the estimate, the difference if
39 you include it or if you don't include it, and so that's
40 basically all it's doing, and what it shows you there is that
41 there is -- If you didn't include imputed data, the estimate
42 would probably be slightly higher. If you include imputed data,
43 it's a little lower.

44
45 **MS. BOSARGE:** Okay, and so, eventually, you can get us this
46 imputation and get us some charts like this that show us
47 landings in pounds and the imputation that we're having to use
48 there, since that's a lot of the samples that we're missing, are

1 the lengths and weights, which is what we use to convert from
2 these numbers of fish on this graph to pounds, and eventually --
3 We might be a little early for that, but we can get a
4 presentation on that at some point?

5
6 **DR. CODY:** Yes, and, on the website too, we have a graphic that
7 shows the relative contribution, whether it's weight or whether
8 it's numbers of fish, and so you can get the information on how
9 much the imputed data contributed to the estimate overall, and
10 so that's available.

11
12 **CHAIRMAN GUYAS:** Okay, and so Andy suggested that maybe we fast-
13 forward this presentation a little bit, and so there's a bunch
14 more catch estimates for individual species. Is there any
15 heartburn, I guess, if we fast-forward through there, and,
16 Richard, I know you have effort information in this
17 presentation.

18
19 **DR. CODY:** Yes, and I have a little bit of effort information
20 that I can get to very quickly, but, if people have any
21 additional questions on these graphs, I would be happy to handle
22 those outside.

23
24 **CHAIRMAN GUYAS:** Okay. Thanks. So do we want to walk through
25 the effort information? Yes. Okay, and so let's go ahead and -
26 - I think that takes us to Slide 24 or 25, and where do you want
27 to start, Richard?

28
29 **DR. CODY:** The effort estimates are presented similarly to what
30 I just showed you, and you have 2018 to 2020, and it's annual
31 effort by region and state, and all modes are combined, and so
32 you have both modes included together, and then I have a
33 presentation, or I have a slide, showing the charter and
34 headboat modes broken out.

35
36 It's showing the impacts of imputed data on the overall
37 estimates of effort, and, as you recall, there is an impact to
38 the effort estimates from the catch information supplied by the
39 APAIS.

40
41 This shows the three states in the Gulf, again, and it shows
42 2018 through 2020, and you can see, for at least Florida at
43 least, there is an increase in the effort estimates for 2020
44 relative to 2019, but 2018 is a similar level of effort.

45
46 If we look at this information by wave, what this is
47 illustrating here, really, is that the effort level for the area
48 waves was probably down compared to -- It was down compared to

1 earlier years, for Wave 2 anyway at least, and it seems like
2 some of that effort was displaced to later in the year, to Wave
3 5, where you see a fairly large increase in overall effort for
4 the Gulf.

5
6 This is the Gulf charter effort, and what it shows here is 2018
7 through 2020, again, and you can see there is a slight reduction
8 in overall effort for the charter fleet in the Gulf for 2020
9 versus 2019, but they are fairly similar to what estimated for
10 last year, in previous years.

11
12 Then this is just the similar graph that I showed with imputed
13 versus not imputed data included, and so you can see that there
14 is a relative small impact of the imputed data on the overall
15 estimate, and it led to an increase, in the case of Florida, a
16 slight increase, but, for the others, it's fairly minimal. I
17 think that's it for slides.

18
19 **CHAIRMAN GUYAS:** All right. Thanks, Richard. Are there any
20 other questions about this presentation? Leann.

21
22 **MS. BOSARGE:** Just to make sure I'm on the same page, you said
23 that the survey, the effort survey, during COVID, that was
24 pretty much normal, because it's a paper mailout thing, and so
25 it went out and came back in, but I see some imputation here,
26 and do we always have imputation, or was that imputation due to
27 some little bit of COVID issues or what?

28
29 **DR. CODY:** Recall that I mentioned the APAIS does contribute to
30 the overall effort estimate, and so we get corrections for off-
31 frame effort from the APAIS survey, and so, in the case of the
32 private boat and shore mode, those would be anglers from out of
33 state, and so we get that information, the proportion of anglers
34 that are interviewed, from the APAIS survey, and so that's how
35 we correct for the fact that those are not included in the mail-
36 out survey. We only ask them about fishing in their state.

37
38 Then, for the charter mode, we have a correction that we do for
39 off-frame effort, in terms of the vessels that are on our list,
40 and so, as vessels are added, we need to correct the list for
41 that.

42
43 **MS. BOSARGE:** Okay. Thank you, and I just also wanted to thank
44 you for Slide 24. It's something that I often ask about, with
45 the PSEs around the MRIP-FES, and you put that in the
46 presentation, and I really appreciate that, so that we could see
47 it. Thank you.

48

1 **CHAIRMAN GUYAS:** Kevin.

2
3 **MR. ANSON:** I was at least one, if not the only one, who asked
4 for this presentation at the last meeting, and so, Richard, I
5 appreciate you and other NOAA staff that were included in
6 gathering all the data, and so I do appreciate it.

7
8 **DR. CODY:** Thank you, Kevin, and we're continuing to look at
9 things as well, and so there may be more information that we're
10 able to add to this, and I think, as we get closer to the end of
11 the year, when we start looking at 2021 estimates, I think we'll
12 continue to try and add indicators, to the queries at least, to
13 help people with the interpretation.

14
15 **CHAIRMAN GUYAS:** All right. Thanks, Dr. Cody. Dale.

16
17 **MR. DIAZ:** Thank you, Madam Chair. Thank you, Dr. Cody.
18 Bernie, can you go to Slide 4, please? I want to tell you what
19 my take-away is on this presentation, and I don't want to take
20 up a lot of time, but 2020 was a very abnormal year, and, if you
21 call can remember, and go back to March of 2020, you couldn't
22 get a haircut, and you couldn't go to the gym, and it was hard
23 to go to the store.

24
25 A lot of businesses were closed down, and, I mean, there was a
26 lot of fear out there, and a lot of people's livelihoods were
27 disrupted, but our state people went back to work, and I hope
28 that the state directors at this table goes back to your staffs
29 that handle this MRIP data, and Louisiana and Texas, which their
30 data programs do, and tell them this Gulf of Mexico Fishery
31 Management Council recognizes and appreciates it.

32
33 I think they're essential workers, and especially the Southeast.
34 I think all of the states should be commended, but, if you look
35 at the graph on page 4, there is a lot of green in there, and
36 there's a lot of the yellow color, and, I mean, that's where
37 folks were out there actively trying to get these surveys, and
38 so, anyway, I am proud of our state people. Thank you, Madam
39 Chair.

40
41 **FINAL ACTION: DRAFT FRAMEWORK ACTION: MODIFICATION OF GULF OF**
42 **MEXICO RED GROUPER CATCH LIMITS**

43
44 **CHAIRMAN GUYAS:** Thanks, Dale. All right, and so let's move on
45 then to Item V on our agenda, which is the red grouper catch
46 limits draft final action, or draft framework action. Excuse
47 me. The first item we have on here is going through the public
48 comments received, and also, Leann, I know you wanted to look at

1 the commercial landings table. Maybe we can do that once we get
2 into the document. Bob. Sorry. I didn't see your hand.

3
4 **MR. GILL:** No problem. Thank you, Madam Chair. This document
5 is predicated on approval of Amendment 53, and so I would like
6 to ask, I guess Andy, for an update on that timeline, and not
7 that I expect a problem, but so that we're updated and that what
8 we're considering is consistent with where we are at the moment
9 relative to 53.

10
11 **MR. STRELCHECK:** Thanks, Bob. Right now, it's still under
12 review with the Fisheries Service, and we haven't moved forward
13 yet with a proposed rule, but we're working toward that, and so,
14 at this point, it hasn't cleared my office or General Counsel.

15
16 **MR. GILL:** A follow-up, and so I'm not sure what to ask here.
17 Does that suggest, from the agency's position, that they do not
18 see any interference with 53 relative to the document that we're
19 about to discuss?

20
21 **MR. STRELCHECK:** I am not sure what you mean by interference,
22 but, no, we are proceeding with our normal rulemaking process
23 and working to, obviously, publish the proposed rule as quickly
24 as possible.

25
26 **CHAIRMAN GUYAS:** Let me see if I can help, Bob. I think, when
27 we've talked about this in the past, the idea was that Andy's
28 office, obviously, has to -- They will do what they're going to
29 do with 53, and then this action would come behind it and modify
30 the quotas accordingly, right, and so, like in a perfect world,
31 I feel like they could do those things like one day after
32 another, and, on Monday, we do 53, and then, on Tuesday, we
33 implement the framework, but that's beyond our control, and so
34 we're looking at Andy on that one.

35
36 **MR. GILL:** Thank you, Madam Chair, and so that's my
37 understanding, and I was just trying to see if there was any
38 update and any hiccup on that, and I guess the answer is who
39 knows?

40
41 **MR. STRELCHECK:** Well, if you're asking whether we're going to
42 approve it or not, we're not at that point. The framework
43 action, obviously, is predicated on Amendment 53 being
44 implemented, right, and so that is moving ahead before the
45 framework action at this point, ever so slightly.

46
47 **CHAIRMAN GUYAS:** Okay. That's probably as good as we're going
48 to do on that one, it sounds like. All right, and so I guess

1 our first item under here is the public comment, and it sounds
2 like Emily is going to go through those, if you're on the line.

3
4 **MS. EMILY MUEHLSTEIN:** I sure am. Thank you for the
5 opportunity. We only received three comments on this amendment,
6 and we did have -- Since this was not a full-fledged amendment,
7 we produced a public hearing video, and we got 160 views on that
8 video, and so people were interested, but they didn't respond as
9 such.

10
11 In the comments that we did receive, we heard support for
12 Alternative 2. We heard that it's the only alternative that is
13 consistent with Amendment 53, and we also heard mention that the
14 59.3 percent commercial and 40.7 percent recreational allocation
15 is not equitable, because the recreational sector is huge and
16 should not be closed while the commercial sector remains open,
17 and that's it.

18
19 **CHAIRMAN GUYAS:** Any questions for Emily? All right. Thanks,
20 Emily. I think next we'll go to Dr. Freeman, and I totally blew
21 through the action guide, but I think our charge, or decision,
22 in front of us is whether we want to recommend that the council
23 goes final on this document, but, Dr. Freeman, if there's
24 anything you want to add to that, please do. Otherwise, take it
25 away.

26
27 **DR. MATT FREEMAN:** Thank you, Madam Chair. I think you
28 summarized what was in the action guide pretty accurately, and
29 so I will take you through the presentation at this point. As a
30 reminder for the committee, the Science Center conducted an
31 interim analysis for Gulf red grouper and presented this to the
32 SSC at its August 2021 meeting.

33
34 The interim analysis was based on OFL that included an
35 adjustment to the recreational landings in weight projected by
36 the SEDAR 61 assessment model.

37
38 This is some of the discussion that took place just a few
39 moments ago that this framework is contingent upon approval of
40 Amendment 53. The council transmitted the document and the
41 related materials in September. The analyses conducted by the
42 Science Center are reliant upon the new sector allocations that
43 would be in place in Amendment 53.

44
45 At its August 2021 meeting, the SSC accepted the new mean weight
46 estimation methodology for recreationally-caught red grouper,
47 and they also accepted the updated methodology and interim
48 analysis results for red grouper. The SSC then recommended an

1 OFL of 5.99 million pounds gutted weight, as well as an ABC of
2 4.96 million pounds gutted weight.

3
4 As a reminder the purpose of this framework action is to modify
5 the OFL, ABC, ACLs, and ACTs for Gulf red grouper based on the
6 results of the new stock analysis for Gulf red grouper. The
7 need is to revise OFL, ABC, ACLs, and ACTs consistent with the
8 best available science for Gulf red grouper and to continue to
9 achieve optimum yield consistent with the requirements of the
10 Magnuson-Stevens Act.

11
12 We have simply one action in front of the committee, and the
13 committee did select a preferred in August. Alternative 1,
14 which was no action, would retain the red grouper OFL, ABC,
15 ACLs, and ACTs that are established in Amendment 53, and I will
16 show that table in the next slide. The commercial and
17 recreational sector allocations are, respectively, 59.3 percent
18 and 40.7 percent. The commercial buffer between the ACL and ACT
19 is 5 percent, while the recreational buffer is 9 percent.

20
21 The council's current preferred alternative is to modify the
22 OFL, ABC, ACLs, and ACTs based on the recommendation of the SSC,
23 as determined from the 2021 red grouper stock analyses, and so
24 we can go ahead and look at the next slide with the table of
25 those values, and, as discussed in August, the values under
26 Preferred Alternative 2 for OFL, ABC, ACLs, and ACTs are all an
27 increase from Alternative 1, and those values are in millions of
28 pounds gutted weight.

29
30 As a reminder, the ABC was based on the three-year moving
31 average relative to the OFL, and the SSC chose to use the three-
32 year moving index average, because it was slightly more
33 conservative in its value and thought to be representative of
34 recent population trends than the five-year index average, and
35 because of uncertainty regarding the impacts of the 2021 red
36 tide event in Florida. Madam Chair, I will stop there, and
37 that's the end of the presentation, and see if there are any
38 questions or comments.

39
40 **CHAIRMAN GUYAS:** Thanks, Dr. Freeman. Are there any questions?
41 We have a preferred here. Bob.

42
43 **MR. GILL:** I have a question on the document and not on the
44 presentation. Is that appropriate at this time?

45
46 **CHAIRMAN GUYAS:** I think so, yes.

47
48 **MR. GILL:** Thank you, Madam Chair, and so I am looking at Figure

1 1.1.1 on page 3 of the document, and it shows, in the 1989 to
2 1990 timeframe, effectively a doubling of the landings, and that
3 seems rather remarkable. As far as I know, there was no
4 regulatory change, and so I guess one question would be for Dr.
5 Nance, and did the SSC discuss this doubling of recreational
6 landings, as depicted in that figure, and have any comment, and
7 I guess, if not, I would ask Dr. Porch if there's any thoughts
8 that he might proffer on this as well. Nothing from Dr. Nance.
9 Dr. Porch?

10
11 **CHAIRMAN GUYAS:** Clay, if you need a minute, John Froeschke has
12 got his hand up. John.

13
14 **DR. FROESCHKE:** Bob, are you talking about Figure 1.1, the
15 average size figure? Is that the one you're talking about?

16
17 **MR. GILL:** I am talking about 1.1.1 on page 3, where it compares
18 the mean weight.

19
20 **DR. FROESCHKE:** I suspect those early years were probably not
21 well estimated. That's probably the issue.

22
23 **CHAIRMAN GUYAS:** Andy.

24
25 **MR. STRELCHECK:** I would want to confirm this, but I believe
26 that's when the size limit was imposed for red grouper in 1990,
27 the twenty-inch size limit, which is likely the jump in the
28 average weight.

29
30 **CHAIRMAN GUYAS:** Thanks. That's helpful. Anything else, Bob?
31 All good? Okay. Are there other questions for Dr. Freeman? We
32 have codified text too, but we did want to go back to the IFQ
33 landings, right, and so maybe this is the time to do that,
34 before we go through codified text and make any motions, and so
35 I don't know who from SERO wanted to briefly discuss that, and,
36 Leann, I don't know if you have any specific questions that you
37 wanted to get at with that, or if you just wanted to look at it.

38
39 **MS. BOSARGE:** No, and I just wanted to look at it. I mean, our
40 landings have been down, both commercially and recreationally,
41 in that species, in that fishery, and so, to me, as we're
42 changing quotas and catch level recommendations, it would
43 behoove us all to kind of see how we're doing on that, and I
44 think it's going to line up with what we're seeing in this
45 document, but, when we get those presentations, and I think it
46 was Kelli that gives them to us, typically an IFQ species, she
47 only shows us a graph of the recreational landings for that
48 species, and so, if we actually want to see the full picture of

1 the fishery, we have to go to this other document that we have,
2 and we just didn't go through that one.

3
4 **MS. O'DONNELL:** Madam Chair, I am available to go over those, if
5 you would like me to.

6
7 **CHAIRMAN GUYAS:** Let's just go ahead and do that, real quickly,
8 at least for red grouper and for gag, right, since we're going
9 to do gag later. Go ahead, Kelli.

10
11 **MS. O'DONNELL:** I think we had discussed, at the June, or maybe
12 the August, meeting that we were just providing these tables
13 because it was asked to provide the actual poundage amount at a
14 certain date, because it was here for the states to use this as
15 a reference to look back on, but we had also mentioned that the
16 IFQ landings -- You can go to the website at any time to see a
17 real-time landings report, and so we were kind of getting away
18 from actually presenting the IFQ landings, but, if you would
19 like to have us put those into the actual figures, we could do
20 that as well, and so, basically, we are looking to address a
21 comparison from October 13 of where gag, red grouper, and red
22 snapper commercial landings are to what the end of year for 2020
23 landings were in the table below that.

24
25 You can see that, for gag, we're still a little bit lower. For
26 red grouper, we're just under where we were at the end of last
27 year, and, for red snapper, we're still a little bit under as
28 well, and sometimes the annual reports for the IFQ species that
29 are released every year could probably give a better historical
30 look at the species, but, again, like I said, if you did want us
31 to put these species into the actual figures, so you could see
32 where they were, we could do that as well.

33
34 **CHAIRMAN GUYAS:** Thanks, Kelli. I was just thinking that might
35 be helpful. One of the things that I was thinking about, I
36 think maybe at the June meeting, when we took up the red grouper
37 amendment, is we were hearing a lot that landings were coming in
38 at a faster rate than they had in past years, and it would just
39 be interesting to kind of see the rate throughout the year and
40 kind of where we are. I mean, obviously, we're at 77.6 percent
41 as of the 13th, but it just would be interesting, to me, and I
42 would have to go back and look at our last meeting and what the
43 percentage was, but my read is maybe the catch rate has slowed
44 down a little bit as we've gotten later in the year, and I'm
45 just curious. Leann.

46
47 **MS. BOSARGE:** Kelli, your suggestion about adding the commercial
48 landings for red grouper, gag, and red snapper to your first

1 document that you give us, with the charts and graphs, I think
2 that would be extremely helpful, because you actually give a
3 longer time series for data there than what we get here, and
4 it's just very helpful, for me, to see it on a graph, and so I
5 still like this document we're looking at now, and don't get rid
6 of it, but if you could just add those species, the commercial
7 landings for those species, to your other document with the
8 graph, that would be great. Thank you so much.

9

10 **MS. O'DONNELL:** Okay. Will do.

11

12 **CHAIRMAN GUYAS:** Any other questions for Kelli? All right.
13 Thanks. Let's go back to I guess the document itself, or maybe
14 we should go to the codified text next, unless there is other
15 questions about the document. Mara, do you want to walk us
16 through that?

17

18 **MS. LEVY:** Sure. It's pretty straightforward, and it's a lot
19 easier than yesterday's, and it's essentially just putting in
20 the numbers from the preferred alternatives in the appropriate
21 places in the quota section and the ACL/AM section. You can
22 scroll down and look where those numbers are in there, but
23 that's all it's changing, is the actual catch limits and catch
24 targets.

25

26 **CHAIRMAN GUYAS:** Okay. Questions on the codified text? Seeing
27 none, we have a preferred alternative already chosen in this
28 document, based on the landings we just looked at, and this
29 action would increase the commercial quota by a little bit, and
30 so give them a little bit of breathing room, hopefully, if they
31 keep catching at their current rate, and so I think we're at the
32 point now if the committee would like to offer a motion to
33 recommend that the council approves this at Full Council. I
34 would be willing to accept that at this time and maybe suggest
35 that we do that. Anyone? Everyone is on the committee,
36 everyone at this table. Bob.

37

38 **MR. GILL:** Madam Chair, I will take a fling at it, unprepared as
39 I am. **I move that we recommend to send the Preferred
40 Alternative 2 to Full Council and further transmittal to the
41 Secretary for approval.**

42

43 **CHAIRMAN GUYAS:** Staff is helping you out here, and they've got
44 the language on the board. Susan, did you have a question? Go
45 ahead.

46

47 **MS. BOGGS:** I do, and so I'm looking at the codified text, and I
48 always thought, when we dealt with recreational fisheries, that

1 we dealt with whole weight, but, here, it's talking about the
2 recreational ACL for red grouper in gutted weight, and that
3 seems inconsistent, if I'm not mistaken, to what we've done in
4 the past.

5
6 **CHAIRMAN GUYAS:** Anyone from the NMFS side of the table want to
7 talk about that? John.

8
9 **DR. FROESCHKE:** The ACL for red grouper is specified in gutted
10 weight, and they take the recreational data that is collected in
11 whole weight and apply a conversion factor.

12
13 **CHAIRMAN GUYAS:** Thanks, John. Let's go back to the motion.
14 **Bob, your motion is to recommend approval of Framework Action:**
15 **Modification of Gulf of Mexico Red Grouper Catch Limits and that**
16 **it be forwarded to the Secretary of Commerce for review and**
17 **implementation and deem the codified text as necessary and**
18 **appropriate, giving staff editorial license to make the**
19 **necessary changes in the document. The Council Chair is given**
20 **the authority to deem any changes to the codified text as**
21 **necessary and appropriate. We need a second for this motion.**
22 **It's seconded by Troy Williamson. Any discussion? Is there any**
23 **opposition to this motion? Seeing none, the motion carries.**

24
25 Okay. Cool. We are clawing our way, sort of, to being closer
26 to back on schedule. We've got about twenty minutes until our
27 scheduled lunch break. Do we think we can knock out maybe Dr.
28 Nance's presentation on amberjack in twenty minutes? Okay.
29 Andy.

30
31 **MR. STRELCHECK:** Just real quick, before we leave red grouper, I
32 just wanted to remind the council that we have, obviously,
33 Amendment 53 under review, and, if that proceeds forward, we
34 would hold back red grouper quota for the commercial sector at
35 the start of 2022, with, obviously, then this framework action
36 that you just voted up, and assuming the council votes it up
37 later in the week to follow that, that would then increase the
38 quota to the commercial sector later in the year, and so I just
39 wanted to make sure that you understood kind of the process
40 going forward with regard to the holdback in the quota increase.

41
42 **CHAIRMAN GUYAS:** Thanks, Andy. Leann.

43
44 **MS. BOSARGE:** Since he brought up 53, I just -- That Slide 24 in
45 Dr. Cody's presentation that we skipped over, it finally gives
46 us something that I have been asking for, and I know that 53 is
47 behind us, but it's something that I think we have to think
48 about moving forward when we look at the changes to the

1 recreational data, and so the PSEs, which describes error,
2 right, in a particular survey or dataset, and so, for red
3 grouper in particular, it's 24.9 percent, and so call it 25
4 percent.

5
6 That is for whole fish, and that's not -- That doesn't include,
7 I assume, any PSE calculations that may involve converting from
8 whole fish to pounds of fish landed, right, and so that's just
9 whole fish -- Numbers of fish, I mean, landed, and so I assume
10 that would probably be higher when you looked at it from a
11 pounds perspective, and so the old MRIP -- My understanding is,
12 for MRIP-CHTS, that was a slightly lower number, that this
13 number maybe actually went up some as we moved to FES, but,
14 regardless of whether it went up or down, it is a much higher
15 number, or it is a higher number, than what we associate with
16 commercial landings.

17
18 They are known with somewhat more certainty, right, and we don't
19 have that high of an error, and there is some error still, and
20 don't get me wrong, but -- So that was a factor that I had tried
21 to illustrate, but, without the numbers in front of us, you
22 really could not take that into account when you looked at
23 historical landings, and you're using those as that is the
24 gospel, even though there is a significant amount of error that
25 is surrounding some of those figures, and that should affect how
26 you interpret them and how you use them when you go to look at
27 allocations and changing those allocations and the credence that
28 you give to each dataset, and maybe the leniency that you give,
29 in some circumstances, but we weren't presented with that.

30
31 We are now, and it's after the fact, but I'm glad that we at
32 least have it, so that, going forward, when we're looking at
33 some of these things, we can take that into account, because he
34 did give it for all the species he presented today, and so thank
35 you for that.

36
37 **CHAIRMAN GUYAS:** All right. Anything else before we move on to
38 amberjack? Ryan, do you want to tee us up on amberjack and the
39 action guide for this one, before Dr. Nance presents?

40
41 **PRESENTATION ON SEDAR 70: GREATER AMBERJACK STOCK ASSESSMENT**
42 **REPORT**

43
44 **MR. RINDONE:** Sure. Dr. Nance is going to summarize the SSC's
45 discussions about the revised projections for SEDAR 70, which
46 the SSC reviewed in January of 2021, and there is a revision to
47 the method by which the projections are done for the stock
48 assessments, and that resulted in some changes in the way that

1 the results were interpreted for SEDAR 70.

2
3 In January of 2021, the SSC had certified that the greater
4 amberjack stock was overfished and experiencing overfishing, as
5 of the end of the 2018 fishing season, and SEDAR 70, like most
6 of our recent assessments, used the updated recreational catch
7 and effort information from MRIP-FES, and so the SSC got a first
8 look at the new projections method in August of 2021, but, due
9 to changes in how the projections are associated with the model
10 and the resulting change in stock status that can come with how
11 the projections are parameterized, the SSC wanted some more
12 information, and so they had the Science Center bring it back to
13 them at their September 2021 meeting, and they will go through a
14 final review of that information, based on the council's
15 preferred allocation scenarios, at their November meeting.
16 Madam Chair.

17
18 **CHAIRMAN GUYAS:** All right. Thanks, Ryan. Dr. Nance.

19
20 **DR. JIM NANCE:** Thank you, Madam Chair. I appreciate being able
21 to be here today. Let's bring up Slide Number 4, and then we
22 can go ahead and go to the next slide, which is Number 5. In
23 our meeting a few weeks ago, Dr. Katie Siegfried from the
24 Southeast Fisheries Science Center presented a decision tree for
25 determining projection settings.

26
27 Greater amberjack was used to demonstrate the new statistical
28 code, and what this code does is it supplements the Stock
29 Synthesis forecasting capabilities, and it also allows
30 consideration for differing allocation scenarios.

31
32 As we know, projections require several decisions to be made,
33 and these include the years used for averaging fishing
34 mortality, selectivity, and recruitment, retention parameters,
35 treatment of interim landings, and sector allocation ratios, if
36 applicable.

37
38 Dr. Nathan Vaughan from Vaughan Analytics presented a new R
39 statistical code for determining yield projections for stocks
40 with sector allocations. Several assumptions are critical to
41 forecasting for greater amberjack, such as future recruitment
42 defines productivity and variability, fleet selection and
43 retention functions, fishing sector allocations, and benchmark
44 targets.

45
46 Fishing to SSB 30 percent SPR under different recruitment
47 scenarios for greater amberjack results in different estimates
48 of forecasted recruitment, SPR, and allowable future fishing

1 mortality.

2
3 A time period for informed recruitment is necessary for
4 projections. This can be problematic if recruitment varies from
5 historical recruitment, if recent recruitment varies from
6 historical recruitment. It could infer a variety of stock
7 states, such as overfishing or a regime shift. As you see in
8 the graph there, the long-term average from 1970 through 2018 is
9 higher than the recent average of 2009 through 2018.

10
11 Recruitment, in millions of fish, varies based on the time
12 series selected and used. A more recent ten-year average, which
13 is 2009 through 2018, the stock is less productive than in the
14 past, and recruitment is estimated at 1,650 million fish. If
15 you use the long-term average of 1970 through 2018, recruitment
16 is estimated at 2,805 million fish. If you use just the data-
17 rich time period, which is 1984 through 2018, the recruitment is
18 estimated at 2,156 million fish.

19
20 You can use different -- Depending on what you use for selecting
21 recruitment, you get some different recruitment scenarios.
22 There is high uncertainty in annual recruitment estimates pre-
23 1984 and 2016 through 2018. It's inappropriate to assume a
24 fixed level of recruitment from a longer-term average. It may
25 be too optimistic or too pessimistic, depending on the data in
26 the short term.

27
28 For greater amberjack, this may mean a lower equilibrium yield
29 must be accepted in the short-term. It best reflects the
30 current state of nature, low recruitment, and the SSC will
31 continually reevaluate recruitment through time, as we look at
32 the data. The SSC noted that using this approach with a stock
33 that may be experiencing a regime shift presents a special case.

34
35 We had a long discussion on this, going back and forth, and we
36 considered that you could use a long-term series to inform OFL
37 and then use a short-term, or recent years, of forecasting ABC,
38 if it was felt that the real recruitment was at the long-term
39 average, or the real recruitment was the short-term average, but
40 it gives different things. However, if you did that scenario,
41 the OFL would be a lot higher than the ABC, and we had a long
42 discussion on that topic.

43
44 The SSC provided input on how to set up projections for greater
45 amberjack, specifically the treatment of recruitment in the
46 future. The SSC was cautious about assuming optimistic
47 recruitment, in other words using the long-term average. The
48 SSC specified its preferred projection settings for SEDAR 70.

1 The SSC did not want to set overly optimistic catch advice based
2 on possibly implausible high average recruitment, in other words
3 using that long-term average.

4
5 We felt that the long-term recruitment may represent a
6 rebuilding goal and setting ABC at a more recent recruitment
7 level better reflects contemporary stock and fishery dynamics.
8 Ultimately, the SSC decided to use the recruitment period from
9 2009 to 2018 to inform the OFL projections. The SSC maintains
10 that setting the ABC equivalent to 75 percent of SSB SPR 30, as
11 was done when the SSC last reviewed the greater amberjack catch
12 limits, following its initial review of SEDAR 70 in January.

13
14 OFL and ABC projections, based on the sector allocation options
15 required by the council, was compared. ABC projections
16 performed to rebuild the stock under each scenario by 2027.
17 Generally, if you look at each of those different scenarios, as
18 additional fish are allocated to the recreational sector, the
19 overall predicted yields are reduced. Combined with reduced
20 recruitment and stock size, this is expected to result in lower
21 long-term yields.

22
23 The SSB for greater amberjack has oscillated, but remains
24 generally consistent since about the 1990s. Defining conditions
25 of a regime shift is difficult. Changing assumptions about
26 recruitment affects decisions regarding how to best define ABC.

27
28 The SSC thought it most appropriate to continue using the
29 current MSY proxy, which is F SPR 30, while also using the
30 current SPR curve. The SSC recognizes the yield reductions
31 necessary for greater amberjack and thought that careful
32 consideration would be needed in determining future management
33 of catch and effort.

34
35 The motions from our meeting, the first motion was to continue
36 with the 30 percent SPR reference point rebuilding projections
37 using the spawner curve recruitments and ABC based on the lower
38 recruitment scenario (2009 through 2018) for greater amberjack.
39 The motion carried fourteen to eight with three abstentions.

40
41 Our next motion was the SSC determined that the SEDAR 70
42 operational assessment of Gulf of Mexico greater amberjack
43 represents the best scientific information available and, based
44 on assessment results, as of 2018, the stock is undergoing
45 overfishing and is overfished. The motion carried seventeen to
46 five with three abstentions. That completes my report. Thank
47 you.

1 **CHAIRMAN GUYAS:** Thanks, Dr. Nance. That was a good summary.
2 Andy.

3
4 **MR. STRELCHECK:** Thanks, Dr. Nance, for the presentation. I am
5 curious with the motions, and I didn't have a chance to listen
6 in to the SSC meeting, and so the first motion was fairly
7 divided in terms of votes, fourteen to eight, and is the eight
8 dissenting votes that didn't support this largely based on the
9 recruitment scenario considered?

10
11 **DR. NANCE:** It was mainly based on the differences in the things
12 you could pick. Some felt that a longer-term average would be a
13 better indication, and a lot of us felt like a shorter-term
14 average would be our best indication, and so we had a long
15 discussion on it, and even the topic where we had setting OFL
16 using the longer-term recruitment and ABC using the shorter-term
17 recruitment, but we felt like OFL and ABC needed to use the same
18 recruitment scenario, and so that's where we went with that, but
19 there was considerable discussion on which recruitment scenario
20 to use. A lot of us felt like could we rebuild to that higher
21 level, or should we rebuild to that lower, using that for the
22 shorter-term and seeing where we go with that.

23
24 **CHAIRMAN GUYAS:** Bob Gill.

25
26 **MR. GILL:** Thank you, Madam Chair. I guess this question is for
27 Ryan, and I would like to clarify where we are going forward,
28 and so, if I understand it correctly, the Science Center is
29 rerunning projections, and the SSC will get those at the
30 November meeting and make determinations, as a result, for OFL
31 and ABC, and we'll get those at the January meeting, for
32 consideration of moving forward, and does that accurately
33 describe what we're looking at?

34
35 **MR. RINDONE:** Generally, yes, Mr. Gill, and so, once we get the
36 information from the Science Center, and the SSC makes that
37 catch limit recommendation, we expect that to come back to you
38 guys at your January meeting, and that will include all the data
39 that are necessary for providing that management advice,
40 including all the management benchmarks and everything as
41 modified by the different allocation scenarios that are
42 selected.

43
44 Similar to what was done with red grouper, an option that the
45 SSC has is to say that, depending on the allocation scenario you
46 decide to move forward with, these are the circumstances that
47 relate that that allocation scenario, certifying that --
48 Depending on that allocation scenario, that the math has been

1 done correctly, to briefly state it anyway.
2
3 **CHAIRMAN GUYAS:** Are there any questions of Dr. Nance or about
4 where we are with amberjack? Tom.
5
6 **DR. TOM FRAZER:** When the SSC was talking about, or considering,
7 the time periods, I guess do they take into account the current
8 structure of the stock, and, I mean, with amberjack, typically,
9 they're a fairly long-lived fish, but, right now, my look at the
10 data suggests that most of those fish are younger than ten years
11 old, but I don't know that for sure, and I'm just wondering if
12 they had this discussion.
13
14 **DR. NANCE:** I can't remember discussing age-specific for them.
15 I know that we discussed that, for some of our indices, they may
16 be more towards the eastern Gulf and not the western Gulf, and
17 so we may not have a true picture of the entire stock that we're
18 looking at. We did have some discussions on that.
19
20 **DR. FRAZER:** Okay. I appreciate that, and so I will follow-up
21 with you, Jim, and get some specifics.
22
23 **CHAIRMAN GUYAS:** Leann.
24
25 **MS. BOSARGE:** I was looking at a slide that was from the
26 presentation that was in the SSC meeting, and it's Slide 7 that
27 Dr. Siegfried gave to the SSC, and it shows the two time periods
28 of like historic recruits and then recent recruits, and the
29 question at the bottom says should we use historic recruits,
30 which is essentially going all the way back to, I guess, 1930-
31 ish, it looks like, present to 1930-ish, or should we use recent
32 recruits with high uncertainty, and it looks like this
33 uncertainty starts, and the recent recruits starts, in the early
34 1980s, and so, essentially, this -- I have no idea if these two
35 things are related, but the FES, the back-calibrated FES
36 numbers, and they go back to about the early 1980s. Are what
37 we're seeing here --
38
39 **DR. NANCE:** Which graph are you -- Are you talking about the
40 graph in my presentation, Leann?
41
42 **MS. BOSARGE:** No, and it's from Katie Siegfried's presentation
43 that she gave to you all, the SSC Slide 7 from the SSC meeting.
44 If I go back, I can give you the name of it, but then I will
45 have to get back to the thing, and let's see. It would be
46 Letter B, Presentation, Discussion of MSY Proxy and Projections.
47
48 **CHAIRMAN GUYAS:** You said that was from September, Leann, or

1 November?

2

3 **MS. BOSARGE:** The last SSC meeting. The question is this, and
4 we had this kind of discussion, theoretically, when we were
5 talking about some other species, probably one of the red ones,
6 about, as we get these new FES numbers, and we plug them into
7 these assessments, is it going to show us that, historically,
8 the stock was larger than what we thought it was, and maybe
9 there has been some fishing down of that stock, but is it also
10 going to change our impression of the productivity of the stock,
11 and therefore lead us to believe that the stock is slightly less
12 productive than what we once thought it was as well, and that
13 was a discussion on a different species, but is that essentially
14 the debate that you all were having here for amberjack as well?

15

16 **DR. NANCE:** That was one of the debates we were having, yes. If
17 we have that longer-term average, and I don't think we go back
18 to 1930, and I can't remember seeing data, and I know that it
19 was back -- On my graph, it's 1970, and we certainly have a
20 period of, if you look at that graph, pretty high variability in
21 there, but you need to have -- From that standpoint, try to
22 determine if that average is carrying through through a longer
23 period of time. You have what was termed a -- This would be --
24 I think 1970 through 2018 would be what we considered the data-
25 rich period. Maybe that's what you're talking about, Leann.

26

27 There is one -- What we looked at was the long-term average of
28 1970 through 2018, using that, and we could use that to estimate
29 recruitment. If you use what was termed the data-rich period,
30 and, in other words, what we felt very comfortable about having
31 good data, and we didn't have to go back to 1970 and that type
32 of thing, and that was 1984 to 2018, and we have low variability
33 there in the dataset, or use the most recent years, where we've
34 seen a decrease in recruitment, and that was 2009 through 2018.

35

36 We felt comfortable using that, and that's the most recent time
37 period, and we felt comfortable, and we're there right now with
38 recruitment, and so we're using that to set the OFL and ABC
39 using the years 2009 to 2018, but the discussion was which one
40 was the most appropriate to use for recruitment. That's why we
41 had a little bit of -- For that first motion, fourteen to eight,
42 and that was some wanted the longer-term and some wanted the
43 shorter-term and that type of thing.

44

45 **CHAIRMAN GUYAS:** Clay, go ahead.

46

47 **DR. PORCH:** I just want to be clear here, and I believe what the
48 SSC decided to do was to use the spawner-recruit relationship,

1 which, of course, is fitted effectively to the whole time
2 series, to set the benchmarks, and so the stock status is going
3 to be based on that, but, for the near-term assumption of what
4 recruitment will be in the very near future, which is what the
5 ABC and the OFL is based on, they assumed that it would be equal
6 to that lower period, the data-rich period.

7

8 **DR. NANCE:** Thank you, Dr. Porch, for that clarification.

9

10 **CHAIRMAN GUYAS:** Andy.

11

12 **MR. STRELCHECK:** Maybe, to put it a little bit different, we've
13 been struggling with kind of similar issues in the South
14 Atlantic, but, if you assume the longer-term average
15 recruitment, and set your catch levels accordingly, and that's
16 not realized, then, potentially, you're setting yourself up for
17 failure, in terms of rebuilding and allowing for continued
18 overfishing.

19

20 If you, obviously, set it based on a shorter-term, lower-average
21 recruitment, and you end up getting higher recruitment, then,
22 ultimately, that's a good thing for the stock, but you
23 potentially have catch levels now set at a level that you're
24 bumping up against more quickly, and so, to me, it does not make
25 a lot of sense, obviously, to go way back in time, when there's
26 really considerable uncertainty in terms of the long-term
27 average. You want to at least use a time series in which we're
28 able to estimate recruitment fairly well.

29

30 The more recent years are a little bit more problematic, because
31 you're relying on the fish then recruiting into the fishery to
32 actually groundtruth the estimates coming out of the stock
33 assessment in those fill-in years, but, to me, it makes sense,
34 obviously, to use that lower-term average recruitment in the
35 short term and then reevaluate it in future stock assessments.

36

37 **CHAIRMAN GUYAS:** Thanks, Andy. Yes, I would agree with that.
38 Any other questions on amberjack? Kevin, and then we're going
39 to break for lunch.

40

41 **MR. ANSON:** I am just curious, and what is the uncertainty, or
42 the higher uncertainty, in the recent time series more tied to?
43 Is it tied to the lack of data or just the variability of data
44 or a combination, as far as lack of data and not enough indices,
45 a combination of all the above?

46

47 **CHAIRMAN GUYAS:** Ryan, do you want to jump in on that?

48

1 **MR. RINDONE:** Kevin, do you mean at the tail-end, like towards
2 the terminal year, because there's nothing on the other side of
3 it.

4
5 **MR. ANSON:** Well, I guess I mean the characterization of the
6 2009 to 2018 time period of having lower recruitment, but higher
7 uncertainty, relative to the more long-term historical having
8 higher recruitment, and I took that to mean more certainty, I
9 guess, in the earlier data, and maybe it was I just didn't hear
10 right, that there was that dichotomy of the two different time
11 series.

12
13 **MR. RINDONE:** Well, when we use the longer time series, we're,
14 obviously, including a lot more data, and so the model is better
15 informed and has a better version of what's actually going on,
16 or what's being estimated to go on, due to the recruitment is
17 estimated through the stock-recruit relationship. When we're
18 only using the last ten years, and especially like the last two
19 to three years, because there are no data beyond 2018, and
20 there's nothing to tell the model what actually happened in
21 2018, or 2017, to give it more confidence, if you will, to give
22 the model confidence that those estimates for those years are in
23 fact similarly precise as the years preceding them.

24
25 When we make assumptions though about the projections, about
26 what we're willing to assume for future recruitment, then that
27 helps provide some of that contrast to those terminal year
28 estimates, and that's where the model is being informed by the
29 projections, in terms of making those estimates for the
30 management measures.

31
32 **MR. ANSON:** I guess I didn't think through it properly before I
33 asked the question, but those are all fitted recruitment
34 estimates and the uncertainty associated with that?

35
36 **DR. NANCE:** Yes, that's correct.

37
38 **CHAIRMAN GUYAS:** Okay. I think we're ready for lunch break, and
39 I think we're more or less done with amberjack, and so we will
40 come back with gag, and we're more or less on schedule after
41 lunch. Dale.

42
43 **MR. DIAZ:** Thank you, Ms. Guyas. Let's go ahead and break for
44 lunch, and we're going to come back at 1:40 and start it back
45 up. Thank you, all.

46
47 (Whereupon, the meeting recessed for lunch on October 26, 2021.)
48

1 - - -

2
3 October 26, 2021

4
5 TUESDAY AFTERNOON SESSION

6
7 - - -

8
9 The Reef Fish Management Committee of the Gulf of Mexico Fishery
10 Management Council reconvened on Tuesday afternoon, October 26,
11 2021, and was called to order by Chairman Martha Guyas.

12
13 **CHAIRMAN GUYAS:** Our next item is the presentation on the gag
14 stock assessment report, and so, Dr. Nance, please come on up.
15 Ryan, do you want to do the action guide for this, while he's
16 coming up?

17
18 **PRESENTATION ON SEDAR 72: GAG GROUPER STOCK ASSESSMENT REPORT**

19
20 **MR. RINDONE:** I can. All right. Dr. Nance will do an encore
21 performance with summarizing the SSC's deliberations about the
22 SEDAR 72 stock assessment for gag grouper. This was presented
23 to the SSC at its September 2021 meeting and estimates that gag
24 grouper is overfished and experiencing overfishing as of 2019.

25
26 The assessment used the updated FES recreational catch and
27 effort estimates and an ecosystem-informed model for
28 incorporating episodic mortality from red tide. The new
29 projection code that was previously talked about for amberjack
30 is also being used for gag, and, during its September meeting,
31 the SSC had several discussion points that it was considering as
32 it related to gag and the projections, and Dr. Nance had delved
33 into those.

34
35 During the upcoming November 18, 2021 SSC meeting, the SSC is
36 expected to decide on any changes, as it relates to the stock
37 status estimated by the assessment and corresponding overfishing
38 and acceptable biological catch projections for gag, and so you
39 guys should consider the information presented and ask
40 questions, and you should also consider if you want to request
41 any alternative allocation scenarios to be considered, because
42 projections will need to be run individually for each of those
43 allocations scenarios, and staff will drum up a memo to send to
44 the Science Center with any requests of that nature, and the SSC
45 would likely be able to review those as soon as the January 2022
46 meeting, depending on what else is on their plate. Madam Chair.

47
48 **CHAIRMAN GUYAS:** Thanks, Ryan. All right. Dr. Nance.

1
2 **DR. NANCE:** Thank you so much. It looks like our November
3 meeting is going to be filled with stuff too, and we had a -- I
4 don't know if any of you listened to our SSC meeting a few weeks
5 ago, but we had a four-day meeting packed with material, and we
6 tried our best to go through all the material, but we were not
7 successful.

8
9 Gulf gag grouper was last assessed in the SEDAR 33 update in
10 2016 using female-only spawning stock biomass, and, at that
11 time, it was determined to be sustainably managed. Several data
12 inputs used in the SEDAR 33 update were modified in SEDAR 72.
13 One of the updates was conversion from MRIP-CHTS to MRIP-FES.

14
15 We know that gag is vulnerable to episodic red tide events, and
16 the model accounts for that explicitly in SEDAR 72.
17 Improvements were also made in retention and the recreational
18 fleets' selectivities. Improved differentiation in commercial
19 discards between black grouper and gag were also made. There
20 was updated information on the maturity schedule, sexual
21 transition timing, and the influence of the observed sex ratios.

22
23 Dr. Ailloud did an outstanding job in her presentation to us,
24 and she took us through a step-wise progression from the SEDAR
25 33 update to SEDAR 72, including the updated data inclusions,
26 adjustments made to selectivities, the red tide analysis, and
27 model variability, which was critical for comparing the
28 inference of model parameters on the resulting outputs.

29
30 Some SSC members contended that data estimated prior to the MRIP
31 time period, which is pre-1981, should be excluded, due to the
32 lack of precision and plausibility. We had a long discussion on
33 that scenario. During the discussion, the Southeast Fisheries
34 Science Center let us know that removing the pre-1981
35 recreational catch and effort didn't have a substantial effect
36 on the stock status, but it did help in tuning the model to the
37 initial estimates of exploitation rates, and they also let us
38 know that the commercial data pre-1981 were thought to be very
39 plausible.

40
41 A sensitivity run was conducted to examine the recreational
42 catch and effort data generated by the Florida Gulf Reef Fish
43 Survey, which is now termed the State Reef Fish Survey, or SRFS.
44 Hindcasting for the data, calibrated to MRIP-FES values, are
45 available back to 1981. Prior to 1981, mean catch per unit
46 effort data for 1981 through 1985 were used to estimate
47 historical catch per unit of effort.

1 Trends in model outputs are commensurate with SRFS. However,
2 the lower level of landings reported through SRFS compared to
3 FES does result in lower estimates of spawning stock biomass,
4 exploitation rates, and age-zero recruits. The SSC discussed
5 the merits and feasibility of using SRFS for monitoring
6 recreational catch and effort for gag grouper in the future, and
7 we spent some time deliberating that discussion.

8
9 SRFS has increased precision and reporting frequency compared to
10 MRIP. SRFS may be more appropriate for monitoring gag private
11 angler landings, since gag is a Florida-centric stock and almost
12 all the harvest is recorded through that system.

13
14 The SSC discussed, and a motion was made, that the SRFS
15 sensitivity runs receive a full suite of model performance and
16 diagnostics, just like the FES model. We discussed that, and,
17 during that discussion, the Southeast Fisheries Science Center
18 recommended using a scalar to convert the recreational portion
19 of the recommended catch levels, or limits, to SRFS currency,
20 and the Southeast Fisheries Science Center preferred such model
21 effort to occur during the SEDAR process. The motion from the
22 SSC was taken off the table at that time. After that, the SSC
23 requested that the scalar approach be described by the Southeast
24 Fisheries Science Center for review by the SSC at a future
25 meeting.

26
27 Standing stock biomass can be characterized by female-only
28 mature biomass or combined male and female mature biomass.
29 Female-only standing stock biomass provides the best estimates
30 of biological reference points if the potential for decreased
31 fertilization is weak. Combined standing stock biomass is best
32 when the potential for decreased fertility is moderate or
33 unknown.

34
35 Increasingly skewed sex ratios may result in reduced
36 fertilization rates and, as a consequence, reduced population
37 growth. Recent research that we looked at estimates the males
38 account for less than 1 percent of the fish stock and less than
39 5 percent at the Madison-Swanson Marine Protected Area. The
40 last strong year class was 2006/2007, and the relationship
41 between sex ratio and fertilization success is poorly
42 understood.

43
44 Under both the female-only and the sex-combined scenarios for
45 standing stock biomass, gag grouper is overfished and has been
46 overfished since 2006, with overfishing occurring since 2001.
47 The SSC discussed using sex-combined estimates for standing
48 stock biomass, considering the currently skewed sex ratio and

1 the recruitment since 2006/2007, but the SSC made a motion.

2
3 The SSC determined that the SEDAR 72 operational assessment for
4 Gulf of Mexico gag, based on combined sexes for standing stock
5 biomass, represents the best scientific information available.
6 The motion carried with one opposed and one absent.

7
8 **CHAIRMAN GUYAS:** Dr. Nance, we have a question for you. Bob.

9
10 **MR. GILL:** Thank you, Madam Chair, and thank you, Dr. Nance. I
11 am a little bit confused, because the discussion that you're
12 relating to on the SSC consideration of SRFS inclusion seemed to
13 indicate, to me, that the body of the SSC thought that that was
14 BSIA, but it ultimately was not included, nor was it voted, and
15 yet, without that, since it's now in the considered for the
16 future as a scalar, you still voted the current information as
17 BSIA, and I see that as a bit of a conflict, and could you
18 explain some of that?

19
20 **DR. NANCE:** I disagree with that, in that we considered -- We
21 looked at SRFS, and it was run as a -- I am trying to think of
22 the term here.

23
24 **CHAIRMAN GUYAS:** A sensitivity run.

25
26 **DR. NANCE:** Thank you. A sensitivity run. We looked at it as a
27 sensitivity run, and there was a lot of discussion with that,
28 and it didn't receive the full-blown analysis through an
29 assessment, and so there was a motion made to do that. With the
30 Southeast Fisheries Science Center, we had discussions back and
31 forth during that meeting, and they proposed using a scalar
32 instead, instead of running that full-blown assessment, and
33 running the assessment with that, to use the scalar instead, and
34 the motion was then withdrawn and not considered, and then we
35 continued our discussion.

36
37 Right now, the way we would like to do it is we have that
38 scalar, or the way we're talking about doing it, is having that
39 scalar approach, and the Southeast Fisheries Science Center
40 would bring that scalar approach to the SSC, and we would review
41 it at a future meeting, and certainly, when gag comes up for a
42 research track assessment, using the Florida reef fish survey
43 would be one of the things that would be used there.

44
45 **CHAIRMAN GUYAS:** Go ahead, Bob.

46
47 **MR. GILL:** So, currently, the Center is taking the bases that
48 the SSC defined and providing projections, and SRFS is not part

1 of that, and so the projections will be as-is, and the scalar
2 may get involved in a future assessment, and not this one, and
3 presumably, whenever projections come back from the Center,
4 that's when you will come up with your stock status
5 determination, et cetera.

6
7 **DR. NANCE:** Maybe I am wrong here, but I think the scalar is
8 used not in the assessment process, but the scalar is used to
9 monitor the catch that is taken from --

10
11 **CHAIRMAN GUYAS:** Yes, you're right, Dr. Nance. What the SSC
12 talked about, at the Science Center's suggestion, was, instead
13 of using the State Reef Fish Survey data in the assessment, to
14 inform the outcome and characterize the status of the stock, it
15 would simply be used for management, where you would get
16 projections in FES and then back-calculate them to the State
17 Reef Fish Survey for setting quotas.

18
19 **DR. NANCE:** That's correct. You would be able to take the data
20 that is produced and scaled to be able to monitor the fishery.
21 Does that make sense?

22
23 **MR. GILL:** Thank you.

24
25 **DR. NANCE:** So yes, and so, based on that, as the motion
26 indicated, the assessment that was presented we considered the
27 best scientific information available. Dr. Ailloud reviewed the
28 previously parameterized projections using the sex-combined --
29 So she ran -- On Thursday, she provided us with new projections
30 using the sex-combined estimates for standing stock biomass.

31
32 We incorporated three red tide scenarios into that, and there
33 was a 10 percent, 10 percent of the intensity of 2005, and there
34 was a 30 percent, which we considered medium, and a 72 percent,
35 which we assumed was high, and we don't know exactly how much
36 effect the new red tide has on it, and so we're going to look at
37 three different scenarios.

38
39 Those scenarios assumed that the 2021 red tide dissipates in
40 mid-November, based on historical patterns and Ecospace
41 modeling. All scenarios -- We had a brief look at the
42 scenarios, and all the scenarios predict that gag grouper is
43 still overfished and undergoing overfishing. However, at F SPR
44 30, the degree to which the stock is overfished is much greater
45 than at Fmax.

46
47 The SSC recognizes that closing the fishery would result in loss
48 of critical fishery-dependent and biological information needed

1 to monitor rebuilding. In other words, if you close it down
2 completely, age and length composition data would not be
3 collected from the fleets. The current FMSY proxy is Fmax.
4 Changing that proxy would require a plan amendment.

5
6 The SSC supports using the medium severity red tide scenario,
7 which is 30 percent, based on the Ecospace model. We viewed it
8 as a more precautionary than the low severity value of 10
9 percent. Due to time constraints, the SSC will revisit these
10 gag projections at its November 2021 meeting. Madam Chair, that
11 ends my presentation.

12
13 **CHAIRMAN GUYAS:** Thanks, Dr. Nance. Are there questions? I
14 have some. I want to go back up to your slide that has the
15 motion on it, where it talks about how the stock has been
16 overfished since 2006, with overfishing occurring since 2001.

17
18 Maybe I missed this at the SSC meeting, but did you all discuss
19 what is driving this change? I mean, I wouldn't argue that
20 there is an issue with gag now, but, from what I recall, the
21 last assessment of gag was quite a bit rosier, and it certainly
22 didn't -- I mean, basically, what this is saying is, since the
23 2005 red tide, which was pretty severe, that we've been
24 overfished since then, and we've had overfishing occurring this
25 whole time. Ryan has got his hand up, and he wants to help you
26 out here.

27
28 **DR. NANCE:** Go ahead, Ryan, and I will weigh-in, too.

29
30 **MR. RINDONE:** Sure, and just to speak to the last assessment,
31 and, if we had used sexes combined for the last assessment, we
32 would have had a different stock status, and I can't recall
33 explicitly if it was just undergoing overfishing or if it was
34 overfished and undergoing overfishing, assuming sexes combined
35 last time, but, at the time the SSC -- This was --

36
37 **DR. NANCE:** 2016.

38
39 **MR. RINDONE:** Yes, it was 2016, and so the SSC had considered
40 the merits of looking at females only or sexes combined and had
41 thought that females only still was the best representation, at
42 that time, for the spawning stock biomass.

43
44 **CHAIRMAN GUYAS:** Yes, but this bullet is saying that, no matter
45 which of those models you used, and, again, like thinking
46 backwards, we still would have been in this situation back then,
47 and so that's what I am kind of wondering.

48

1 **DR. NANCE:** I think the key is -- What I mentioned is that
2 several data upgrades were made between the SEDAR 33 update and
3 SEDAR 72. We went to FES, and we now have a better methodology
4 to include episodic red tide events, and we have improved -- The
5 Southeast Fisheries Science Center made improvements to
6 retention and recreational fleet sensitivities and improved
7 differentiation between commercial discards between black
8 grouper and gag, and we have some really good information,
9 updated information, on the maturity schedule, sex transition
10 timing, and those influences on the observed sex ratio. All of
11 those new data inputs have helped the model, SEDAR 72, be
12 improved over the SEDAR 33 update, and I think that's why we see
13 that difference between the two.

14
15 **CHAIRMAN GUYAS:** Okay. Thanks. That's helpful. Anybody else
16 want to jump in? Leann.

17
18 **MS. BOSARGE:** A couple of questions. One is going to be on the
19 red tide incorporation into this model, and then the other is
20 going to be this female-only versus combined-sexes idea, to help
21 me understand it, and so I think I'll start with red tide, and
22 that, for me, is the easier question for me to ask.

23
24 When we did red grouper, when we completed that assessment, we
25 did take into account some effects for red tide, but what I
26 remember is that those were accounted for me in the projection
27 side, right, looking at what had red tides historically been and
28 what impacts for those versus this more recent red tide and what
29 do we feel -- How significant do we feel that is, since it
30 occurred after the terminal year of the assessment, and so we
31 sort of buffered the projections down, the catch levels down,
32 based on that.

33
34 With gag, it sounds like there's this new model, I guess, maybe
35 for red tide, or some sort of model for red tide, and we
36 actually incorporated that model into the stock assessment
37 model, which we put some output from a red tide model, and I
38 don't know if we created an index or what we did, and we
39 incorporated that into the actual stock assessment model, and
40 not the projections, but the meat of the model itself, and is
41 that the difference in how we handled red tide between those two
42 different assessments?

43
44 **DR. NANCE:** Clay may be able to answer better on that one.

45
46 **DR. PORCH:** With red grouper, we did both things, and we
47 actually had an index of red tide from the past, and that would
48 include like the 2005 and the 2014 events, and then we made

1 projections assuming certain levels of red tide that we weren't
2 exactly sure about.

3
4 With gag, we had a different model for creating the index of red
5 tide, and that was the Ecosim model that was presented to the
6 SSC, but still it was basically an index of red tide that was
7 incorporated, and now we're talking about also how do we account
8 for the severity of the red tide in the projections.

9
10 **MS. BOSARGE:** So we now have an -- You said an Ecosim model, I
11 think is what you called it.

12
13 **DR. NANCE:** I think it's called Ecospace.

14
15 **MS. BOSARGE:** Ecospace, and so this -- I guess this is the first
16 time that I've heard of us truly incorporating an ecosystem
17 model into the stock assessment to model, and we've had
18 ecosystem data in there before, right, and red tide is kind of
19 an ecosystem data component, and but so I wondering how deep did
20 we get into the red tide model that went into the stock
21 assessment model when we did this review? I'm sure you ran some
22 sort of sensitivity analysis or something like that, to see what
23 the effects of that particular modeled index was, and can you
24 speak to that a little bit?

25
26 **CHAIRMAN GUYAS:** Go ahead, Clay.

27
28 **DR. PORCH:** This is the first time we've used Ecospace to create
29 that index, and there was quite a lot of discussion about that
30 and a pretty extensive review by the SSC, but, ultimately, it's
31 still producing -- The way we used it was just as an index of
32 red tide, and so we didn't use any other aspects in the gag
33 assessment, and so it was just a somewhat different way to
34 measure the severity of red tide.

35
36 **MS. BOSARGE:** Okay, and so then my other topic that I am trying
37 to understand a little better, because I remember there was this
38 debate about should we use female-only spawning stock biomass
39 for our outputs or should we use this combined sexes, and so I'm
40 trying to understand a little better what drives -- What factors
41 drive your decision to go one way or the other, and you have a
42 slide, Slide 20, but I need you to put that in layman's terms
43 for me.

44
45 It says female-only spawning stock biomass provides the best
46 estimates of a biological reference point if the potential for
47 decreased fertilization is weak. I guess -- Let me put it in
48 layman's terms, and you tell me if this is right.

1
2 You've got -- In the gag population, we've been seeing fewer and
3 fewer males and more and more females, and we know that one male
4 can impregnate many females right, and that's just the way it
5 is, and so what you're saying is, as long as you have a species
6 where, as you get more and more females, those few males do
7 actually sow their wild oats and go and impregnate more females,
8 and then you can use the female-only biomass, but, if that
9 relationship doesn't hold true, and the males aren't quite, I
10 guess, as promiscuous, and they don't seem to impregnate more
11 and more females, as there are more and more females in the
12 population, then you need to use combined, and is that what that
13 is saying, and which one did we use?

14
15 **DR. NANCE:** Well, there are several things that are occurring
16 here. If you have a situation where you have potential for
17 decreased fertilization, and that relationship is weak, you
18 would want to use the female-only as your standing stock
19 biomass. You would use the combined standing stock biomass if
20 the potential for increased fertility is moderate or unknown,
21 and we looked at -- There is research to show which one.

22
23 We have increased skewed sex ratios that may be resulting in
24 reduced fertilization rates, which we've seen that. We've seen
25 that the males account for less than 1 percent of the fished
26 stock, and, at the Madison-Swanson Marine Protected Area, they
27 are less than 5 percent of the standing stock biomass, and the
28 last strong year class was 2006/2007, and so those indicate that
29 we wanted to go with -- We have a potential decrease of
30 fertility that is moderate or unknown, and that's why we went to
31 the combined standing stock biomass instead of female only,
32 because that was more appropriate.

33
34 **CHAIRMAN GUYAS:** Clay.

35
36 **DR. PORCH:** I would just add that this debate has been going on
37 for quite a few gag stock assessments, and it always hinges
38 around is there evidence that males are limiting, and so, right
39 now, if you just use female-only spawning biomass, you're saying
40 males are never going to be limiting, and so you could have one
41 male -- Until there is no males, but, basically, one male could
42 carry the whole population, which, of course, isn't true, and
43 so, in the extreme, that doesn't make sense, but we don't know
44 exactly how many females a male can fertilize, and so there's
45 not any real hard data there.

46
47 Conversely, if you use combined spawning biomass, you're
48 effectively saying that, on a fish-per-fish basis, that males

1 are more important, by virtue of the fact that they weigh more,
2 and, now, it's a fish-per-fish, and there are still going to be
3 a lot more females in the population, because they transition to
4 males at an older age, and so there's not going to be as many,
5 but that's the kind of argument that is going on.

6
7 Unfortunately, we don't have really hard data on fertilization
8 rates, and so there is nothing really concrete to grab. The
9 concern was though that males, at some point, must be limiting,
10 and so this particular group came up with a different decision
11 than previous groups and thought the best thing for now, based
12 on the literature that's been produced, is to go with the
13 combined biomass model.

14
15 It could be that, down the road, we'll do something that maybe
16 has two metrics, a minimum male threshold and combined with
17 female spawning biomass, but, right now, they haven't come up
18 with that alternative, and so this group felt that the weight of
19 the evidence supported more combined biomass, male and female,
20 versus female only.

21
22 **CHAIRMAN GUYAS:** Are there other questions? Susan.

23
24 **MS. BOGGS:** Thank you, Martha, and this may be a separate
25 conversation, and I would like to go back to red tide. I've
26 been sitting here looking at the Florida maps of red tide, and
27 maybe I don't understand red tide enough, because the grouper
28 are in deeper waters, from what I understand, and the red tide,
29 from what I understand, typically is along the shore, and maybe
30 I'm wrong, and maybe it extends way out, and so I'm just
31 wondering, and, if you decrease the lower numbers in the gag,
32 the catch levels, if you will, because of the red tide, and
33 they're just not going fishing, and maybe the gag grouper
34 themselves are not affected, because they're in the deeper
35 water. I mean, I'm just trying to put all the pieces together,
36 and this may be a conversation after today, but --

37
38 **DR. NANCE:** The one for the 2021 red tide, we would be using
39 that red tide event in our projections. It wouldn't be included
40 in the assessment itself, but, for our projections, is it
41 affecting -- Do we feel like it's affecting the gag grouper
42 tremendously, moderately, or not at all, and so those are the
43 discussions we'll have when we look at our projections.

44
45 **CHAIRMAN GUYAS:** Susan, can I jump in, too? Tom can talk to
46 this, and so like, oftentimes, what we see with the red tides is
47 they actually originate offshore. We see it when they come
48 onshore, because that's where the people are, and so there is

1 that, and then, with gag, gag is a little bit different, and
2 they have a pretty interesting life history, where they are
3 using seagrasses at various points in their life, and they have
4 these onshore and offshore movements, depending on their life
5 cycle, and seasonal as well.

6
7 It's a little bit different situation than red grouper and some
8 of the other deepwater groupers, but it probably would be good
9 to -- Once we get to the point where we're talking about
10 management, I think it would be good to kind of break some of
11 that down, so that we kind of understand what we're working with
12 a little bit with gag.

13
14 Sue Barbieri has given some interesting presentations to the
15 Reef Fish AP, and I think the SSC also, and that might be
16 interesting for you to go and look at. They've been in the past
17 year, and I don't know which meetings they were, but I thought
18 she did a good job of explaining kind of the big picture of
19 what's going on in a gag's lifetime.

20
21 **DR. NANCE:** Yes, she did a very good job, and her report is
22 available, and it would be good reading, for sure.

23
24 **CHAIRMAN GUYAS:** Tom.

25
26 **DR. FRAZER:** Jim, I wasn't able to attend the SSC meeting, and
27 so I'm just trying to capture some of the conversation, and so
28 one of the comments that you made early on in the slides was we
29 have better information, and one of them had to do with timing
30 at maturity, right, and so I think that's what I heard.

31
32 **DR. NANCE:** I can't see, but maybe so. Anyway, go ahead and ask
33 your --

34
35 **DR. FRAZER:** Anyway, if that's the case, essentially, female
36 animals are maturing at two years old, or three years old, as
37 opposed to some older time, and it gets to this issue of whether
38 or not there is sperm limitation in the population, right, and
39 so, if the population kind of makes that adjustment, they're
40 making a decision, essentially, that it's worth it to put their
41 energy into eggs rather than somatic growth, with the
42 implication that they're going to be fertilized. Otherwise, it
43 wouldn't be an evolutionarily-stable strategy, right, and so I'm
44 just trying to figure out if that assumption of whether or not
45 sperm is limiting in a population is a good one and whether or
46 not we should revisit some of that.

47
48 The other question I have is, because males are only 1 percent

1 or less of the population overall, is there any functional
2 difference in running the models with a combined sex versus the
3 females only?

4

5 **DR. NANCE:** I think both models were run.

6

7 **DR. FRAZER:** I don't have the answer, and I didn't know if you
8 did.

9

10 **DR. NANCE:** We have models and had that to compare, and there
11 was -- In one of the slides, we said that there was no
12 difference using the female only or the combined sexes for
13 overfished and overfishing, and both gave us the same input. We
14 felt better about using the combined sexes given the fact that
15 the amount of males, the number of males was so low in the
16 population, and that's why we went with that scenario. I can't
17 remember, and it probably was discussed, Tom, but I don't
18 remember the timing discussion. Ryan, I don't know if that -- I
19 can't remember whether we did or not, and I'm sorry.

20

21 **DR. FRAZER:** No problem. Thanks.

22

23 **CHAIRMAN GUYAS:** Go ahead, Ryan.

24

25 **MR. RINDONE:** I was taking notes, and so I missed part of that,
26 but, Tom, you and I have talked about this question a couple of
27 times. Both models were run, the sexes combined and the females
28 only, and both resulted in similar estimates of stock status, in
29 terms of the stock being overfished and experiencing
30 overfishing.

31

32 The amount of samples to inform that age and size at transition
33 is a very limited amount, and there was some uncertainty about
34 how long it actually takes for that transition to occur, and
35 when it where it occurs. Also, in terms of the movement of the
36 species throughout where we find them on the West Florida Shelf,
37 there is gag that have been tagged that stayed in the exact same
38 place for well over a year and have been caught and released in
39 the same reefs, the same fish released in the same reef, a few
40 times throughout the course of the year.

41

42 Then there is some that do move considerable distances, but
43 there's usually some sort of explanatory variable to that, like
44 tropical storms and things like that that can shift many
45 different species of fish.

46

47 There are still a lot of outstanding questions as it relates to
48 what is happening with these fish between when they are these

1 young adult females and when they may be in a position to
2 transition to male and the degree to which that is influenced by
3 reaching a certain size or is socially mediated, et cetera.

4
5 Insofar as it relates to the fish that were caught in the
6 reserves, like at Madison-Swanson and Steamboat Lumps, it's
7 still the vast preponderance of fish that are caught out there
8 right now are females, and there aren't usually as many males
9 that are harvested, and the males are still rare, by comparison.

10
11 **DR. FRAZER:** I wasn't so interested, necessarily, in the time at
12 transition from females to males. What I was trying to figure
13 out is the timing of maturity and if that's occurring earlier.

14
15 **MR. RINDONE:** I don't think we have much of a revision on that.
16 That's still estimated to happen before the fish are -- It's
17 starting to be happening before the fish are entering the
18 fishery, and so twenty-three inches or twenty-four inches, the
19 size at which 50 percent of the females are sexually mature.
20 Our minimum size limit still corresponds well to that, and, if
21 you guys remember, when you increased the commercial minimum
22 size from twenty inches to -- I think it's twenty inches to
23 twenty-four inches, those few years back, there were two reasons
24 for doing that. One was the size at which 50 percent of
25 individuals are thought to be sexually mature and to have
26 commensurate regulations between the commercial and recreational
27 sectors for gag.

28
29 **CHAIRMAN GUYAS:** Dr. Simmons.

30
31 **EXECUTIVE DIRECTOR SIMMONS:** Thank you, Madam Chair. I think I
32 have a question just for the Science Center, and, Dr. Porch, I
33 don't know if you know why we are using, for spawning stock
34 biomass for red grouper, numbers of eggs per recruit, but, for
35 gag, we're using metric tons, or estimate of metric tons, for
36 spawning stock biomass. Could you explain that a little bit?

37
38 **DR. PORCH:** We have much better information on red grouper, in
39 terms of the number of eggs females produce at age, than we do
40 for gag, and so gag is done in biomass, and that's the main
41 reason. However, there is a similar debate with regard to red
42 grouper, to the extent to which males are limiting. They spawn
43 a little differently, and red grouper form smaller harems than
44 gag, spawning in much bigger aggregations, but that debate
45 applies to red grouper as well, but it's just that, because we
46 had actual egg production by females, that group elected to go
47 ahead and use female fecundity.

48

1 **CHAIRMAN GUYAS:** Go ahead, Dr. Simmons.
2
3 **EXECUTIVE DIRECTOR SIMMONS:** Thank you, Madam Chair, and so
4 would the Science Center see that as a high need, research need,
5 to try to better inform the gag assessment, so we could get a
6 better understanding of contribution of egg production for the
7 females of a certain age class and size?
8
9 **DR. PORCH:** It certainly would be useful to know, along with
10 getting a better idea of how limiting males might actually be,
11 because we don't really have any information there, and that's a
12 hard thing to get at, and it's easier to get at egg production,
13 but I imagine, the next time we do a benchmark for -- Or a
14 research track for red grouper, this same discussion will come
15 up, or maybe even in the operational assessment, if we have a
16 topical working group.
17
18 **CHAIRMAN GUYAS:** Leann.
19
20 **MS. BOSARGE:** I am not sure if this will be for Dr. Porch or for
21 Dr. Nance, but, with a lot of the stock assessments that we
22 receive, we'll have this slide somewhere in the assessment
23 PowerPoint that the SSC receives where it shows us the changes
24 from the previous model and kind of what the impact of each one
25 of those was, and so like it will show us -- Most recently,
26 we'll have the change from CHTS to FES, right, and what impact
27 did that have on biomass, and that brought this down by this
28 much, and what did it do to other things, and so did you get
29 something like that in this?
30
31 I am just trying to visualize, and so we have sort of a change
32 from the last model in how we handled red tide, and we obviously
33 had the change from CHTS to FES, and I'm not sure what the other
34 changes were, and I ask because -- Are you done with your slides
35 on gag? Okay. I ask because I think the punchline, that we
36 haven't really gotten to yet, is that it's in really bad shape,
37 so bad shape that, although you all did not set catch level
38 recommendations, there was this discussion of closing the
39 fishery.
40
41 **DR. NANCE:** Well, we viewed some projections. We didn't have
42 the time, on our late afternoon Thursday, to make any
43 recommendations.
44
45 **MS. BOSARGE:** So I guess for me, as a manager, before we get to
46 that point, I would like to see a little more in-depth
47 information on what the big drivers were in this decrease in
48 biomass, and I think that we have the capacity to -- The Science

1 Center has the capacity to show us that sort of analysis, given
2 the different changes from the last assessment, what was really
3 driving things in that downward trend.

4
5 **DR. NANCE:** From my perspective, or the SSC's perspective, Dr.
6 Ailloud did a very good job in showing the different changes
7 that occurred between the 33 update and 72, what those changes
8 were, and she showed how those different changes affected the
9 model, and so they're in the report, and it's a long report, but
10 it's well summarized in there, and, during our presentation, she
11 went through each of those in slides and showed us the -- She
12 took us through, step-by-step, the different things.

13
14 **CHAIRMAN GUYAS:** Dr. Simmons.

15
16 **EXECUTIVE DIRECTOR SIMMONS:** Thank you, Madam Chair. Once we
17 get the projections from the Science Center, and the SSC looks
18 at them, we could ask the analysts to provide a short summary,
19 overview summary, of the stock assessment with those
20 recommendations, and I think we've done that in the past, but we
21 weren't quite there yet with this one.

22
23 **CHAIRMAN GUYAS:** All right. Well, we're not going to be able to
24 leave this topic without talking about the State Reef Fish
25 Survey, and so we have a --

26
27 **DR. NANCE:** Madam Chair, did you want me to stay or -- I will do
28 whatever you need.

29
30 **CHAIRMAN GUYAS:** You can stay. It's fine.

31
32 **DR. NANCE:** Okay. What I mean is sit down or stand here.

33
34 **CHAIRMAN GUYAS:** Well, I know this was a discussion at the SSC.

35
36 **DR. NANCE:** Go ahead. I will stand then.

37
38 **CHAIRMAN GUYAS:** We have this data stream now that solves some
39 of these issues that we've seen with MRIP-FES, or at least
40 partially addresses them, uncertainty in estimates having more
41 precision and more frequent waves, and we have not used that
42 data for this assessment, even though, in my opinion, I think
43 we're at a place where we could, and so I think it would be
44 helpful for the council to hear why the Science Center rejected
45 that approach for this assessment. They certainly fought
46 against it at the SSC meeting, and why are we not using the
47 State Reef Fish Survey for this assessment?

48

1 **DR. PORCH:** We didn't really reject the approach. We used it as
2 a sensitivity analysis, but there is several issues that come to
3 play. First of all, as we had discussed earlier in the week,
4 the transition plan never followed through with determining what
5 the best available science was in terms of a time series that is
6 calibrated back in time.

7
8 That was originally part of the transition plan, but that's kind
9 of gotten lost, and I don't know whether it was because of COVID
10 or whatever happened, but the transition plan never really
11 addressed coming up with a calibrated time series back in time.

12
13 There wasn't really anything to review, also because the
14 statement of work that was put forward did not specify trying to
15 review the calibrated time series back in time, and it just
16 specified it as a sensitivity run, and so it didn't get the
17 attention of a special topical working group to evaluate it,
18 but, even so, the issue, more fundamentally, is what would they
19 evaluate, and what was supposed to happen during the transition
20 process, which I hope will reinvigorate, was to actually review
21 calibrations of the state surveys, all the way back in time, so
22 that they could be used in stock assessments. That's one thing.

23
24 The other thing is that, although FWC presented their calibrated
25 estimates for the private recreational mode, you had to somehow
26 stitch that in with all the other information, and so the shore
27 mode is still FES, and then you have all the data from the other
28 states, and, granted, that's a smaller fraction, and most of the
29 catch is private recreational boats off of Florida, but there
30 was still other information, and there wasn't any guidance how
31 to stitch that in, and so, for the convenience of the
32 sensitivity run, our analyst took some liberties, but none of
33 that was reviewed.

34
35 Then there was also calibrating the time -- Well, extending the
36 time series back to 1963, because the assessment goes back to
37 1963, and so the analyst wasn't given guidance on how to do
38 that, and so she went ahead and came up with a reasonable way to
39 do it, but none of that was reviewed.

40
41 You have, both in terms of the way we implemented wasn't fully
42 reviewed, because it was just a sensitivity run, which, by the
43 way, showed very similar trends, and the magnitude is a little
44 bit lower, as we've seen, when you use something like GRFS or
45 state surveys that estimates and catches are less than FES, and
46 then the estimates of the magnitude of the stock abundance will
47 be a little bit lower, and we saw that here, but the trends
48 almost mirror each other, and the SSC did see that, which lends

1 some comfort, in terms of stock status.

2
3 The bottom line is we didn't have a peer-reviewed time series to
4 put into the stock assessment, and it didn't get any additional
5 review during the operational assessment, and so that's why it
6 was not recommended, from our perspective, for a base analysis.

7
8 **CHAIRMAN GUYAS:** So the peer review that it's been through with
9 the certification and the calibration level through the SSC and
10 then in the assessment process itself is not sufficient?

11
12 **DR. PORCH:** There has not been a peer review of a time series
13 calibrated back in time. In fact, there hasn't really been any
14 review. There has been some level of review of the calibrations
15 looking at the recent time period, but not how that gets
16 extended back.

17
18 **CHAIRMAN GUYAS:** We can talk about this more later, but I think
19 this is a mistake to not include this data in this assessment,
20 and I think it's a big one. Andy.

21
22 **MR. STRELCHECK:** Martha, can I dig into that further? Can you
23 talk to us about why you think it's a mistake?

24
25 **CHAIRMAN GUYAS:** Well, I mean, this survey has been going on for
26 quite some time now. I mean, think back to red grouper, when we
27 just went through this, and there were a lot of questions of why
28 we didn't have the State Reef Fish Survey data in that
29 assessment, and ultimately use that to inform management, and I
30 agreed with that decision, and so that assessment only went
31 through 2017, which really would have only left like a year or a
32 year-and-a-half of State Reef Fish Survey data, which it wasn't
33 appropriate to use those data for that assessment, and that's
34 just the bottom line. The timing was not right.

35
36 Here, we do have a more substantial time series, and I think to
37 not use this information is -- I think it's going to violate
38 some public trust a little bit. I mean, we have been -- We have
39 seen this need in the MRIP program, and FES aside, and, even
40 before that, I mean, we know that MRIP does not capture offshore
41 fishing as well as it could, and this is the reason why we came
42 up with this program.

43
44 We use MRIP, and we worked with the MRIP folks in NOAA, when we
45 were developing it, to fill this need, and now we have an
46 opportunity, and we are not doing it, and I think that's a huge
47 problem, and I don't see a clear, concrete path forward, at this
48 point, for us to be able to do that for Florida-centric species.

1 To me, this is an easy one, right, and we have a stock, and we
2 have one survey for Florida, and essentially all the catches are
3 for Florida on the recreational side, and this should not be
4 this hard. I understand that it's more difficult for things
5 like amberjack or red snapper, where we have different surveys
6 happening in different places, and there's just a lot to figure
7 out with other states, but this is a no-brainer, to me, and I
8 think there's definitely reluctance, if not outright -- I mean,
9 listening to the SSC meeting, I mean, the Science Center staff
10 that were on there were not about this, and they did not want to
11 include this data in this assessment, as the model run, to run
12 diagnostics.

13
14 They did not, and, in listening to the SEDAR Steering Committee
15 meeting, there was, again, resistance to this, and I just find
16 that very disappointing, and I am not trying to pick on your
17 people, Clay, or anything like that, but it's very frustrating
18 that we have gone through this whole process, and this is not
19 news that we have these surveys out there, and we haven't -- We
20 don't have a plan -- We haven't come at this from, oh gosh, we
21 have these new pieces of information that are solving a problem
22 and how can we use this data to inform assessment and
23 management, and we haven't come at this from that perspective.

24
25 We haven't even bothered to consider how this can be helpful to
26 us is the problem that I have with this, and it's just no, no,
27 no, and this is why we can't, and I haven't heard any reasons or
28 any willingness to figure out how we can in a timely fashion.
29 Andy.

30
31 **MR. STRELCHECK:** I think it's a little disingenuous to say that
32 no, no, no, we're not willing to do this. I think you heard me,
33 earlier in the week, talk to you about the need to resolve
34 process and procedure here, in terms of not only how we address
35 this with gag, but all of our stock assessments, and this is a
36 much bigger issue than just the State of Florida, right? All
37 the states have their own surveys, and so all of us need to
38 reach an agreement with regard to, scientifically, how is this
39 data going to be funneled into the stock assessment process.

40
41 We have transition plans, and we maybe didn't convey those as
42 well as we should have, and so I'm on that, and, at the end of
43 the day, there has been discussion of the potential to adjust
44 the gag assessment into GRFS units, or SRFS units, right, but
45 that doesn't seem to be satisfactory, and that, to me, at least
46 addresses part of the issue here.

47
48 I think my bigger concern is we want to have our cake and eat it

1 too, right, and we talk about calibration, and it's appropriate
2 for gag, but we're going to wait on red snapper, and we talked
3 about needing to get to this state and federal cooperative
4 workshop and resolve these differences, yet we want to run with,
5 you know, putting this into an assessment, right, and so we're
6 essentially, I think, talking in conflict with one another, but,
7 in reality, we all have the same goal.

8
9 We want to get to that endpoint where we can use these surveys,
10 where we want to include them in the stock assessment process,
11 where we want to be able to understand the differences, and so
12 it's a matter of then how do we get from where we're at today to
13 where we need to be, and I can appreciate your frustration, but
14 I think, procedurally, we're missing a few steps in the process.

15
16 **CHAIRMAN GUYAS:** Well, you know, for other assessments, we have
17 found a way. For Atlantic red snapper, once again, FWC fills a
18 need, and we do an assessment, or we do a survey, specifically
19 for the Atlantic red snapper season, and we have for many years,
20 and those data are used in those assessments without question.
21 There was no certification, and there was no calibration, and
22 those data are used to characterize the landings that are coming
23 from Florida.

24
25 The approach that NMFS has taken across these assessments, and
26 across regions, is very different, and it's just baffling to me
27 that we're kind of picking and choosing when we do these things,
28 even with calibration, and so we've moved forward calibration
29 for red snapper, and now I'm hearing maybe, well, maybe that's
30 not quite it for gag, and I just -- I don't know. I am
31 frustrated. Leann, I saw your hand up.

32
33 **MS. BOSARGE:** I try and look at it holistically. We have a
34 stock assessment that is saying we're in extremely bad shape
35 with gag, and there are some new things that went into the stock
36 assessment, and I was trying to ask enough questions to figure
37 out what was really driving this stock down so far, and I asked
38 these questions because, as somebody that sits around this
39 table, I think we have wonderful science, but I do know that
40 there are some assumptions that we have to make.

41
42 What I have to square is what the science shows me with the men
43 and women that I also consider scientists, and that's the ones
44 that are on the water every day, and they see it. They know
45 what that gag does, and they know where he is and where he goes,
46 and so what I have heard from our fishermen is, yes, we have an
47 issue with gag, and they're not in great shape, but I have not
48 heard them come to the podium and say I think we just caught the

1 last one, which is almost what this stock assessment is saying,
2 and, obviously, it's not saying that, but, when you talk about
3 closing the fishery completely, no commercial and no
4 recreational and no for-hire fishing for a decade, in order to
5 possibly rebuild it to an acceptable place, from a health
6 standpoint, from a biomass standpoint, I mean, that's pretty far
7 gone, if you have to close it for a decade.

8
9 So these two things don't match up, in my mind, and I do put a
10 lot of stock in what our fishermen have to say, and so they're
11 converging, or they're diverging, and they're not converging,
12 and so, when I have that, and I ask these questions about, okay,
13 and so what was new in this assessment and what was really
14 driving this change, and I don't really get concrete answers,
15 and, I mean, that almost leads me to go down Martha's path and
16 say, well, all right, and maybe we need to look at something
17 different and see if there is another picture of reality out
18 there that may jibe a little better with what we're seeing on
19 the water.

20
21 I hate to -- I don't want to -- I am not questioning our
22 science, but I am just saying that I have unanswered questions,
23 and I am a little frustrated about that, and maybe we can get
24 the lead stock assessment analyst to come in and present to us
25 next time and answer some more of my questions, but I do have to
26 say that the presentation we got, and I guess it maybe was a
27 couple of years ago, from is her name Beverly that's from
28 Florida, and I called her Dr. Bev, for some reason, and that's
29 what is stuck in my mind, but, anyway, she came in and she told
30 us about the Florida GRFS system.

31
32 It essentially takes MRI{ and beefs it up, and it builds upon
33 the MRIP platform, and I really thought they made some smart
34 changes, and she called them buckets, and they divide their
35 anglers into these buckets, so that, when they have to make
36 assumptions and fill in holes for non-reporting or this or that,
37 they actually have some buckets that they can really kind of
38 drill down a little further and get a little more precise in
39 their assumptions.

40
41 I mean, I do have some faith in that system, and I think they
42 made some smart changes, and so I am not willing to throw
43 anything out at this point, and I have big reservations that
44 what I am seeing here just is not really completely matching up
45 with what I am hearing from the fishermen, and I certainly have
46 reservations about closing any fishery completely. Very rarely
47 do we ever open it again, from what I have seen, and so, before
48 we go down that path, I think we should explore all of our

1 options.

2

3 **CHAIRMAN GUYAS:** Thanks, Leann. Bob.

4

5 **MR. GILL:** Thank you, Madam Chair. I might be piling on a
6 little bit here, but this whole discussion smacks, to me,
7 directly to the discussion we had at the SEDAR Committee, and
8 hopefully we'll be discussing again, but we've got a stock that
9 is in dire shape, and I think the anticipation is that SRFS
10 ought to provide better data than we currently have, and we're
11 facing dire straits in terms of the results of the assessment.

12

13 I come away with what we need to think about and execute is a
14 highly-accelerated program to look at SRFS to see if that is a
15 mechanism that will help us better define where gag really is
16 and what we ought to do, because the alternative is disastrous,
17 and that goes to the heart of the motion that we discussed in
18 the SEDAR Committee and hopefully we'll do here in a moment, but
19 I think that, whatever the needs are, in order to do that, that
20 the agency needs to hoist it aboard and make it happen.

21

22 Then we'll have to deal with the outcome, whatever that is, and
23 maybe it will provide better data, and maybe it will provide a
24 slightly better answer, or maybe worse, and I don't know, but,
25 when you're facing jumping off the cliff, then we need to figure
26 out how to stop that wagon, however we need to do it, and that
27 says a higher priority than treating it as business as usual,
28 and so that goes to the heart of what that motion was all about,
29 and I would hope you all would take that aboard and address it
30 and, let's get the wagon stopped, before it falls off. Thank
31 you.

32

33 **CHAIRMAN GUYAS:** Phil.

34

35 **MR. PHIL DYSKOW:** Thank you, Madam Chair. I agree with what Bob
36 said, and I agree with what Leann said, and we're going to be
37 asked to make a very important decision that's going to affect a
38 lot of fishermen and their pocketbook, from all sectors, and, if
39 there's additional information available to us, whether you like
40 it or not, whether the science matches up perfectly or not, I
41 would like to see it.

42

43 I think saying we're only going to look at this, and we're going
44 to make our decision based on this, puts us in a difficult
45 position, and, if we're going to make this tough call at some
46 point, I want to see all the information available from all the
47 resources that are out there, and so that's my two-cents on
48 this. If there's information that we're not considering, I

1 think we should consider it, whether it's better or worse or
2 compatible or not, and I don't really care. At this moment in
3 time, I want to see all the information that's available.

4

5 **CHAIRMAN GUYAS:** Clay.

6

7 **DR. PORCH:** I just want to make it clear, and I think we're kind
8 of missing each other. The information was examined, and it was
9 as a sensitivity analysis, and it wasn't as a full-blown model
10 with all the diagnostics and such, consistent with the terms of
11 reference that the assessment was conducted under.

12

13 The SSC saw that, and stock status is about the same with GRS,
14 and so it's not that, when you use the SFRS information, that it
15 gives you a different perception of what's going on with the
16 stock. If we could pull up the graph, and I'm sure it's in the
17 SSC files, and I have it right in front of me, but the trends
18 track each other almost exactly, because it's just a constant
19 calibration applied back in time, and so you would expect the
20 trends from the assessments to be the same whether you're using
21 SRFS or whether you're using the FES statistics.

22

23 I don't think that you're going to get a different perception on
24 how the stock is doing. I do agree that we need an accelerated
25 schedule for completing the elements of the transition process,
26 and we all recall, if you look at the letters from Dr. Werner to
27 the states, when the surveys were certified, it elucidated the
28 next steps that we were supposed to take, which includes
29 reviewing calibrations back in time, having an independent
30 review of that, so we can use it for the assessment.

31

32 For some reason, that has not happened yet, and so I agree that
33 that does need to be put on the front burner, and I think it's
34 something that should be taken up by this January working group.
35 It may take a little time to get the answer, because it's not a
36 simple solution, but I agree that we need to put it on an
37 accelerated time schedule, and trust me that no one would like
38 to see that happen more than my staff.

39

40 **CHAIRMAN GUYAS:** Leann.

41

42 **MS. BOSARGE:** Dr. Porch, you were talking about the sensitivity
43 run you did with the state data, and you said it has the same
44 trends, and I think you said it produces the same stock status,
45 and so overfished and undergoing overfishing, but I am guessing
46 the magnitude is different though, and so does it also result in
47 a decade-long possible closure of the fishery in order to get it
48 back to an acceptable level, or is that not something that was

1 output, because it was just a sensitivity analysis?
2

3 **DR. PORCH:** It's similar. It's not exactly the same, but it's
4 pretty close. I mean, with all these things, you change one
5 little thing, and it might make a year difference, in terms of
6 how fast the stock recovers, but it's in pretty much the same
7 ballpark.
8

9 **CHAIRMAN GUYAS:** Dale.
10

11 **MR. DIAZ:** Dr. Porch had mentioned that January meeting of that
12 transition team, and is that the right group of folks to examine
13 that? It seems like there would be a lot of your stock
14 assessment people that would be involved in what you're talking
15 about, rather than that transition team.
16

17 **CHAIRMAN GUYAS:** Go ahead, Clay.
18

19 **DR. PORCH:** I don't even think it's a stock assessment issue so
20 much, and it's looking at what drives the differences between
21 the surveys and looking at how you would extend them back in
22 time, and so the issue, for instance, is the relationship of the
23 SFRS survey to FES -- Would that really be constant back in
24 time, or are there other aspects that you might have expected to
25 change in time.
26

27 Just to give you an illustration, when we calibrated the FES
28 survey back in time, because that only started relatively
29 recently, then we looked at things like the transition to
30 cellphone usage, and so, the more people started using
31 cellphones, they stopped answering their landlines, and so the
32 phone survey wasn't doing as good of a job, and so they looked
33 at things like that, to try and figure out how much to calibrate
34 the FES survey back in time with each year, and it basically
35 attenuates to the point where FES is almost the same. The
36 calibrated FES is almost the same as the CHTS in the very early
37 years, because nobody had cellphones.
38

39 There were other factors that they looked at that probably Dr.
40 Cody could speak to better than I could, but we need to do a
41 similar analysis to look at how you would calibrate the SRFS
42 survey, or any state survey, back in time relative to the FES,
43 so that you can use that in the stock assessment, and that's the
44 missing piece.
45

46 **CHAIRMAN GUYAS:** In the case of SRFS, of course, that includes
47 MRIP data, and so you should see that same attenuation. It
48 should be there, inherently, and so it should be pretty simple.

1 Anything else on gag? This is going to come back in front of us
2 in -- Bob.

3
4 **MR. GILL:** If you're thinking of leaving gag entirely -- Thank
5 you, Madam Chair. I would like to bring up the subject of
6 fisheries closures, and I just alluded to it a moment ago. We
7 had a pretty good discussion in the SEDAR Committee over it, and
8 the concept, to remind everybody, although I think most
9 everybody was there, was that, although this is not an action
10 motion, it is a motion that sets the stage and the psychology
11 for how we handle imminent closures of fisheries, and I'm not
12 talking in-season closures. I am talking where the SSC comes
13 back with an ABC of zero for some period of time.

14
15 It seems to me that the process starts early. By the time it
16 gets to us, if we get an ABC of zero, we don't have options, and
17 there may not be any, but, on the other hand, as the assessment
18 progresses and the SSC looks at it, I think they need to be
19 cognizant of an approach that says we're going to do everything
20 we possibly can to avoid prescribing an ABC of zero.

21
22 To a certain extent, we do that now, but what I think we need to
23 do is imprint that this thought process needs to start at the
24 beginning and not at the end. Bernie, if you would bring up the
25 motion from the SEDAR Committee, I would like to make the
26 following motion. I would invite discussion around the table to
27 clarify any concerns or any misunderstandings, or potential
28 misunderstandings.

29
30 **The motion is to retain fishery dependent data. It is the**
31 **council's desire to avoid a total shutdown of any species, if at**
32 **all possible.** As I said, I would like to see discussion, so
33 that there's full understanding of what both the intent and the
34 value of this motion is and we can make a rational decision.
35 Thank you, Madam Chair.

36
37 **CHAIRMAN GUYAS:** Thanks, Bob. Is there a second to this motion?
38 It's seconded by Phil Dyskow. Any discussion on this? Dakus.

39
40 **MR. GEESLIN:** Thank you, Madam Chair. You will recall that,
41 yesterday, I did not vote on this, and I felt like it somewhat
42 came out of left field, but I believe I understand the purpose
43 of the motion, but I've got a question, being the new kid on the
44 block, and is it not understood that a fishery closure is
45 absolutely the last resort?

46
47 **CHAIRMAN GUYAS:** Well, if you want to answer that, you can. Go
48 ahead, Bob.

1
2 **MR. GILL:** Thank you, Madam Chair. I think it's understood, but
3 it's how you approach it. You know, it's kind of like, well, I
4 know I'm going to lose my house in a month, and you may or may
5 not do anything until the next-to-last day, and what I'm trying
6 to do is get the mindset that says, man, as soon as we know
7 we've got an issue, we're going to have to figure out and bend
8 over backwards to do what we can to avoid getting to that point,
9 thinking way down the road and not waiting until the last
10 minute.

11
12 I am not faulting anybody, and I think that's how we've done
13 business, and we need a heightened sense of concern early on, by
14 all of us. It's not unique to any one body, and so that, to me,
15 is what I am trying to drive at, and perhaps thinking out of the
16 box and taking extraordinary measures to avoid it might come up
17 with something, and maybe not, and it may be an idealistic,
18 misplaced thought, but, on the other hand, if we don't try, we
19 won't know, and I want us to try just as hard as we can to avoid
20 that situation, if there is any room at all. Thank you.

21
22 **CHAIRMAN GUYAS:** Susan.

23
24 **MS. BOGGS:** Thank you, Madam Chair, and I understand where Bob
25 is coming with this, and I am kind of like Dakus. I mean, I
26 think it's understood that this council wants to avoid a
27 shutdown if at all possible, and maybe it's getting to
28 semantics, but I thought a motion required some kind of action,
29 and I don't know that we can have a formal action for this.

30
31 It's saying we'll do our best not to do it, but we can't
32 guarantee that we won't. I mean, I understand the premise
33 behind it, and I think, now that we're kind of all on record
34 saying, yes, we agree, and we don't want to have a closure, if
35 we can avoid it, but I don't know that we can really do anything
36 with this. I'm not opposed to the idea, and please understand
37 that. Thank you.

38
39 **CHAIRMAN GUYAS:** Let me see if I can help here, and I see you,
40 Chris, but it's more than just the council that ultimately has a
41 hand in this, right, and so we can have this conversation here
42 and say we don't want to close things down. However, if the SSC
43 hands us an ABC of zero, this is our only option, and the SSC,
44 in this case, they've been having this discussion with gag.

45
46 They recognize that this is an issue, and it is an issue, and so
47 I'll give you an example. We're going to talk about goliath
48 grouper later today, or maybe on Thursday, if we run out of

1 time, and that fishery has been closed for thirty years, and we
2 -- I don't know if, Susan, you were on the council the last time
3 we got a goliath assessment, but we've had multiple failed
4 assessments, because we don't have any fishery-dependent data
5 for that species, even though people have seen that, hey,
6 there's goliath again, and, hey, they're big, and we have --
7 It's obvious to fishermen and just people that are diving or
8 whatever, but we can't quantify it, because we don't have that
9 fishery-dependent data.

10
11 I mean, that's kind of a simple example, and, the last time we
12 had an assessment that was rejected, the SSC, at the time, had
13 the discussion of, well, how do we get out of this box, and we
14 kind of can't unless we get fishery-dependent data, but they
15 couldn't, at the same time, recommend anything.

16
17 They didn't also see how they could get off of that ABC of zero,
18 and so it's a conundrum that can happen when these closures
19 happen, and so I'm onboard with what Bob is offering here, and I
20 kind of spoke for it in SEDAR, but, even when we do have cases
21 where that is either an option or our only option, is to have a
22 shutdown, to me, what I would love to have, kind of going into
23 the management and having to close things down, is what is the
24 plan for reopening it, and what data can we scrap together, so
25 that we can assess the fishery to be able to reopen, or we need
26 to be thinking more forward and not just this is where we're at,
27 and we have to shut it down, and then, five years later, when we
28 try to do an assessment, realize that, oops, we actually don't
29 have the information that we need to make a change. Go ahead,
30 Susan.

31
32 **MS. BOGGS:** I appreciate the comments, and I understand, but
33 it's just -- I don't know how you fix the motion to say, okay,
34 if we're facing a closure, we're going to have -- I agree that,
35 at any time, if there is any kind of a proposed -- If there is
36 ever a proposed closure, we know we need to have sunset in it or
37 -- I agree that, yes, you're not going to have data, but then
38 you maybe have to -- I am just thinking out loud, and I
39 apologize, but then you slowly reopen the fishery, to start
40 gathering that data, but I just -- I don't know how the council
41 can pass this motion and assure the people sitting in the
42 audience that we will do this, because I don't know that we can.

43
44 I mean, it says "desire to avoid", and it kind of gives us an
45 out too, and it doesn't say we will not shut down the fishery,
46 and I just don't see what this does and what confidence or
47 comfort maybe that gives to the fishermen. Thank you.

48

1 **CHAIRMAN GUYAS:** I am going to go to Kevin and then Mara.

2
3 **MR. ANSON:** I am a little torn right now. I think I will
4 probably support it right now, just to kind of have further
5 conversation at this point. To Susan's point just now, there is
6 an out, and I see it as an out, the "if at all possible", and
7 I'm sure we might hear a comment about Magnuson and whether or
8 not this violates Magnuson.

9
10 Martha, you mentioned that this is mostly coming from our SSC,
11 and they have that responsibility of providing us the scientific
12 advice, and so they have that first cut, if you will, and, if
13 the science and the manipulation of the science and the data
14 turns out that an ABC of zero is warranted, then that's
15 something we'll have to deal with.

16
17 Now, to further your point on what is a path forward,
18 specifically as it relates potentially to gag, that is certainly
19 an issue, or a conversation, we should be having right now, and
20 that we ought to be posing those types of questions to the SSC,
21 so that they have it on their radar for what it is that they
22 would at least like to see, as far as making those decision or
23 what trigger points would be needed in order for a fishery to
24 reopen, because I am concerned, and that's why I will be voting
25 in support of this, but I am concerned that red drum is also one
26 of those fisheries that we've been trying to deal with as well,
27 trying to reopen it, but we don't have any data, fishery-
28 dependent data.

29
30 I mean, these are issues that are arising now, and, as this
31 council goes forward, and other councils go forward, with issues
32 related to prosecution, issues related to climate change and
33 those impacts on stocks, there could be situations where this
34 creeps up, and so I think it's a good discussion to have, and
35 it's a good motion to have, to help try to further that
36 discussion, and those are my comments.

37
38 **CHAIRMAN GUYAS:** Mara.

39
40 **MS. LEVY:** Thanks. I mean, I wasn't going to say that it
41 violates Magnuson, but what I was going to say was I think, and
42 I hear you talking about, if you're going to shut down fishing
43 for a species, to have a plan, and, I mean, I see this coming
44 into play if you have a stock assessment and it says that a
45 stock is overfished and you've got that it can rebuild, in the
46 absence of fishing mortality, in ten years or less, right, and
47 then the Act is very constraining.

48

1 Your Tmax for rebuilding is ten years or less, and, in those
2 cases, there is more of a likelihood, right, that there is going
3 to be the potential for no fishing for a number of years, but my
4 expectation is that you would have the projections about when it
5 would rebuild, and so there would be a time set into that
6 rebuilding plan that would allow for it to open to fish, right,
7 and so, I mean, I think, at least under the way the Act is
8 currently, you would have that when you would expect to reopen.

9
10 I guess you could potentially get an assessment down the road
11 that says you're not there, and then you're potentially still
12 closed, but I see that as a completely different situation than
13 something like red drum, which is not a prohibition on fishing,
14 right, and, I mean, the federal plan takes into account that
15 fishing is occurring in state waters, and that's a little bit
16 different than -- Yes, you have some of the same problems,
17 because you don't have the fishery-dependent data from federal
18 waters, but it's not the same situation as something like gag,
19 where you have been saying, because it's overfished, we're going
20 to shut down fishing.

21
22 **CHAIRMAN GUYAS:** Thanks, Mara. Susan.

23
24 **MS. BOGGS:** One last comment. Dr. Frazer made the comment
25 yesterday about that he would like to SSC bring back a suite of
26 options, and I was sitting here thinking about red snapper, and,
27 my gosh, red snapper has been in trouble since I've been
28 involved in the fishery now, for twenty-two years, and we've
29 never had to shut it down, and we've had nine-day seasons and
30 three-day seasons. I mean, we have danced around it, and worked
31 around it, I guess you could say, but we never had a closure.

32
33 I think we have options available to us. With gag grouper, you
34 only open it in January every year, instead of -- I mean, I
35 think we have options, and I do like Tom's idea for the SSC to
36 bring back a suite of options of, you know, yes, you probably
37 should have a closure, but these are a couple of options that we
38 think will work to avoid that closure, but I -- Anyway, thank
39 you for indulging me.

40
41 **CHAIRMAN GUYAS:** Andy, I think you're going to be the last word,
42 because I think we've got to move on. Go ahead.

43
44 **MR. STRELCHECK:** Bob and I talked after this came up earlier in
45 the week, and, to me, this is understood, and I can't speak for
46 the council members around the table, but certainly I think we
47 all want to avoid closures, and we all want to prevent that from
48 happening, and that's the worst-case scenario. I guess where --

1 I feel like this just doesn't go far enough, to be honest with
2 you, Tom, and I just got done with the September South Atlantic
3 Council meeting, where we talked snapper grouper management, and
4 you were there, and the council had an important conversation
5 about kind of relooking at how we're managing the fishery as a
6 whole.

7
8 I feel like this is a component to that overall picture, right,
9 and this is one small aspect of that bigger picture, and so I
10 certainly would hope that we as a council could start talking
11 more from a broader vision and not just about a single species
12 and whether it may or may not close, but how do we want to
13 successfully manage the reef fish fishery as a whole.

14
15 I will speak from my opinion, and I think we're hanging our hat
16 a lot on data collection right now, and data will solve some of
17 our problems, but I think the trends have certainly been heading
18 in the wrong direction for some species, with or without those
19 data improvements, and so I just want to caution us, as we kind
20 of go forward, in terms of kind of how we think about this, and
21 I think it's probably time for a new day, in terms of how we
22 manage these fisheries and really thinking outside the box.

23
24 State and regional management was a huge step forward, and I
25 hope we can kind of provide that creative thinking going
26 forward, and so I'm not opposed to the motion, but I just would
27 like to see it more broadly discussed. Thanks.

28
29 **CHAIRMAN GUYAS:** Is it quick, Troy? I am not picking on you,
30 but we've got to move on. Go ahead.

31
32 **MR. TROY WILLIAMSON:** Well, nobody else got a time limit, but I
33 am very sympathetic with Bob's sentiments here, and I think it
34 precipitated a lot of really great discussion around this table,
35 and it also illuminated that it's a very complex issue, and I
36 don't necessarily disagree or agree with the motion, but it just
37 doesn't cover the subject, and I think our discussion here
38 covers the subject and not the motion, and so, for that reason,
39 I will probably oppose it, or abstain, one of the two. My time
40 is up, and I will yield.

41
42 **CHAIRMAN GUYAS:** Thanks, Troy. Okay, and so I'm sensing we
43 might need to do a hand vote here, and so, all of those in favor
44 of this motion, will you please raise your hand, and I know, Dr.
45 Shipp, you're on the webinar, and so you can raise your hand or
46 shout it out, whatever you need to do.

47
48 **DR. BOB SHIPP:** Yes.

1
2 **CHAIRMAN GUYAS:** All opposed. I think we have eleven in favor
3 and one opposed. Okay. The motion carries. We are going to
4 take just a quick five-minute break, and then we're going to
5 shuffle things around on the agenda a little bit. We're going
6 to go, right after the break, to the IFQ program agenda item,
7 and our first speaker has some time constraints there, and so a
8 very quick break, and then we'll jump to that, and then we'll
9 come back to yellowtail later.

10
11 (Whereupon, a brief recess was taken.)
12

13 **CHAIRMAN GUYAS:** Ava, do you want to introduce this next topic,
14 while we are pulling up our presentation from our speakers? Are
15 you on the line, Ava, or Ryan, someone.
16

17 **INDIVIDUAL FISHING QUOTA (IFQ) PROGRAMS**

18
19 **DR. AVA LASSETER:** Thank you, Madam Chairwoman. Just a brief
20 introduction for this next agenda item, and this will cover us
21 for the IFQ programs today, and so the following presentation on
22 the use of LAPPs in mixed-use fisheries is the first of two
23 reports that you will receive at this meeting, and this was
24 mandated by the Modernizing Recreational Fisheries Act from the
25 National Academy of Sciences, and your second one will be
26 presented tomorrow during the Data Committee.
27

28 After we hear from Doctors McCay and Smith on this presentation,
29 we're going to have time for questions and discussion, and
30 they're going to move into discussion of that IFQ focus group,
31 and so Andy -- We'll hear from the Regional Administrator on
32 their proposal for establishing an IFQ focus group, and then
33 we'll have discussion on that, and then hopefully staff will
34 have some guidance, so that we know how to pursue the IFQ
35 program amendments before the next meeting, and, with that, I
36 will turn it over to the National Academy of Sciences Committee.
37

38 **CHAIRMAN GUYAS:** Thanks, Dr. Lasseter, and thank you, Dr. McCay
39 and Dr. Smith, for being here virtually to present to us. We've
40 got your presentation up, and so go ahead and start whenever
41 you're ready.
42

43 **PRESENTATION FROM THE NATIONAL ACADEMY OF SCIENCES ON THE USE OF** 44 **LIMITED ACCESS PRIVILEGE PROGRAMS IN MIXED-USE FISHERIES**

45
46 **DR. BONNIE MCCAY:** Thank you very much. This is Bonnie McCay,
47 and I'm the Committee Chair for this committee for the National
48 Academy for Sciences, Engineering, and Medicine. The title, as

1 you can see, is *The Use of Limited Access Privilege Programs in*
2 *Mixed-Use Fisheries*, and we're pleased to talk to you today
3 about what this committee was asked to do and some of the
4 results of the committee's work, as well as recommendations that
5 perhaps can lead to a good discussion with you, and so I'm going
6 to talk about the first part of it, and really set the scene for
7 it, and then Marty Smith, from Duke University, is going to
8 follow-up with the results and the recommendations.

9
10 The committee members represent a wide range of people and of
11 disciplines, mostly economics, anthropology, and biology, with a
12 great deal of experience in fisheries on the east coast and in
13 the Gulf area, and actually a little bit on the west coast, but
14 the focus of the work is on the east coast and the Gulf.

15
16 The word "LAPP", limited access privilege program, is not often
17 used in these discussions, but it is the technical congressional
18 term for a variety of programs that fit within the criteria that
19 include the IFQs with which you're familiar, and so, basically,
20 it's a kind of catch share program, and it's distinct from a
21 more open-access one, where people who are involved in the
22 fishery will get some kind of share of an allowable catch, and
23 there are different forms of that, but, basically, the most
24 common one is assigning these shares to individuals, and those
25 individuals may or may not be able to transfer them.

26
27 Sometimes the term "ITQ" is used as a variation of what you know
28 as an IFQ, and it's the transferable version, and the two that
29 are relevant to the Gulf Council are technically ITQs, even
30 though they're called IFQs, and so they're permits that are
31 issued to allow the holder to harvest a quantity of fish, as
32 represented usually by a portion of a total allowable catch, and
33 that person, or organization, will hold that for its exclusive
34 use for some period of time, usually an entire fishing year.

35
36 These LAPPs, in particular the ITQs, or IFQs, have become quite
37 popular in many fisheries, because they do seem to, in the
38 assignment of these rights, but also responsibilities to
39 individuals, and also the incentive structure, in helping
40 attaining greater efficiency, as well as, to some extent, better
41 conservation, depending, of course, on all else that is going on
42 in the fishery, including effective monitoring and
43 accountability measures.

44
45 This has been well studied in many other contexts, and the
46 question here is how does this impact the overall fishery,
47 including those fishing sectors that are not part of the LAPP
48 program, not part of the IFQ program itself, but target the same

1 species, and so this is the question that was posed, actually,
2 in the Modernizing Fisheries Act of a few years back. What it's
3 asking the study to do is to look at the impacts of LAPPs in
4 these mixed-use fisheries, where there are recreational, for-
5 hire, and commercial groups that are targeting the same species
6 or groups of species.

7
8 The committee's charge is outlined here, and, basically, first
9 of all, it's to look at how each relevant LAPP in the study has
10 met its goals and the goals of the Magnuson-Stevens Act, and
11 then also to look at, for each relevant LAPP, how each sector of
12 the fishery is affected by it, in terms of social effects,
13 economic effects, and ecological effect, and then, to think
14 about, how are the stakeholders in this mixed-use fishery
15 affected by the existence of a LAPP program in one of the
16 sectors.

17
18 Then, finally, these last two are to identify and recommend
19 information and factors to be considered when either designing a
20 new one, establishing a new one, or maintaining and adapting an
21 existing one in a mixed-use fishery, with the goal of mitigating
22 impacts that may exist on stakeholders.

23
24 In doing this, we need to review best practices and challenges,
25 and, there, we're asked to look at all council regions and not
26 just the areas that are included in this particular study, and,
27 finally, to recommend policies.

28
29 We were asked to look at these particular fisheries, which have
30 been identified by the National Marine Fisheries Service as
31 exemplars of mixed-use fishing systems, and so they are quite
32 diverse, and they varied greatly in catch volume and degree of
33 quota allocations by sector and geographic range and the nature
34 of mixed use. The two Atlantic coast fisheries, golden tilefish
35 and wreckfish, have very low recreational participation, if any,
36 and the commercial participants are very small in numbers. For
37 example, there are only thirteen shareholders, initially, in the
38 golden tilefish and only six, initially, in the wreckfish
39 fishery.

40
41 In sharp contrast, the Gulf of Mexico reef fish fisheries,
42 including the LAPPs for red snapper and the grouper-tilefish
43 complex, are extremely large, as you know, and I think the
44 initial shares were about 554 for red snapper, and then, when
45 the grouper-tilefish was traded, it became 766 for them, and
46 then they have major recreational sectors, with high percentages
47 of the allocation of TAC, especially for red snapper and the
48 shallow-water groupers, and so it's quite a contrast there.

1
2 Then the bluefin tuna fishery, which is managed by the Highly
3 Migratory Species Division of the National Marine Fisheries
4 Service, is the most complex, in terms of the variety and number
5 of sectors, and it's not only the recreational sector, but there
6 is purse seine, trap, harpoon, general category, hook-and-line,
7 and then pelagic longline, and so it's a very complicated one,
8 but the pelagic longline sector is the only one with a LAPP, and
9 it's managed through an individual quota for bycatch, which is
10 small relative to the others in the bluefin tuna fishery.

11
12 For example, its actual allocation is a little more than 8
13 percent, whereas the recreational allocation is 19.7 percent.
14 The recreational is very important there, but it's quite a
15 different and very complex fishery.

16
17 I should mention, and I forgot, and I wasn't looking at the
18 slide as much as I should have, how we approached it, but we did
19 it in an ordinary committee way, and we examined all the data
20 that was available to us, which included testimony from the
21 participants and the councils involved and the original experts,
22 through a series of meetings, all of which were virtual, and we
23 did literature reviews of peer-reviewed studies that had looked,
24 in particular, at LAPPs and their impacts in general and in
25 mixed-use fisheries.

26
27 This was quite a methodological challenge, and it's not easy to
28 be straightforward about what a change in a fishery management
29 system does and how to explain the observed changes, in terms of
30 the object of the study, in this case LAPPs, and, okay, ideally,
31 you have two comparable fisheries, one with a LAPP and one
32 without, to be able to look at the effects of LAPPs, but, more
33 common, what we really have is a system where you know about a
34 fishery before the LAPP was implemented and then you look at it
35 afterwards, and you kind of think, well, the LAPP might have
36 caused these consequences.

37
38 That is problematic, and there are real limitations to doing
39 that, and one obvious limitation is that there are lots of other
40 things that are going on, and so you might have -- If you're
41 doing a before and after study, or even LAPP and non-LAPP, you
42 have variations in the conditions of natural conditions,
43 economic and political conditions and so forth, as well as what
44 is actually happening in the fishery management system, whether
45 or not a LAPP was accompanied by, as often happens, very often
46 happens, much stricter control on overfishing, whether or not
47 it's accompanied by a rebuilding program, whether or not there
48 is greater accountability and better catch monitoring and

1 differences in enforcement, and so it's very, very challenging
2 and difficult to tease out the effects of this system of sharing
3 catches in relationship to everything else going on.

4
5 That was the committee's task, in part, and part of it was to
6 embrace the interdisciplinarity of the effort and of the
7 questions that are being asked, and so we're concerned about
8 managing for economic efficiency, but also social justice and
9 ecological resilience, and so we have an appropriately
10 multidisciplinary team that works on this committee to come up
11 with some understanding and ideas about what is happening, and
12 it requires, in that case, a lot of interaction among the
13 committee members to respect the divergent ways of knowing and
14 standards of evidence for coming up with conclusions.

15
16 This is just the background to what we did, and we'll move on
17 now to what we found out, and so I'm going to turn this over to
18 Dr. Smith from Duke University, who is one of the committee
19 members, and talk about the overall findings of this study.
20 Thank you.

21
22 **DR. MARTIN SMITH:** Thanks, Bonnie. The starting place of our
23 overall findings is to say something about the main charge of
24 the committee, and that overall finding was that the use of
25 LAPPs in the mixed-used fisheries that we reviewed show little
26 discernable impact on recreational and for-hire stakeholders.

27
28 The outcomes of the LAPPs in these mixed-use fisheries, by and
29 large, are similar to experience in LAPPs that lack mixed-use
30 components, and so, in other words, the impacts of the LAPPs
31 that we found, whether they be economic, ecological, or social,
32 were impacts that are consistent with findings from other LAPP
33 fisheries that don't have mixed-use components.

34
35 The economic impacts, we'll start there. The first thing is we
36 find very strong evidence showing that LAPPs mediate the race to
37 fish, and strong evidence, and not quite as strong evidence, for
38 increased profitability in the LAPP fisheries.

39
40 Now, when I say very strong evidence, I mean that that causal
41 linkage that Bonnie referred to was really tight for showing
42 that LAPPs slow down the race to fish, and that means that we
43 had a study that was published in *Nature* that actually showed
44 that using a really strong matching of control fisheries to
45 treated fisheries before and after and comparing, but many of
46 the -- Much of other evidence we used was evidence more like
47 showing what happened before and after in the LAPP, and so
48 evidence of increased profitability mostly fits in that.

1
2 There was some evidence that the LAPPs modestly reduced
3 economically-wasteful overcapacity, and, for most LAPPs, there
4 was no evidence that the associated consolidation with the quota
5 holders had in some way contributed to market power in the quota
6 market, and so that's something that is often raised as a
7 concern, but we found no evidence of that, and, in fact, for
8 most of the LAPPs, those markets have enough participants that
9 that is not a concern, currently.

10
11 Ecological impact, the one LAPP in our study that was explicitly
12 designed to produce ecological impacts actually showed very
13 strong evidence of positive ecological impacts, and that is the
14 individual bycatch quota LAPP designed for bluefin tuna, and
15 that was manifested as reducing regulatory discards and creating
16 overall incentives for avoiding bluefin tuna in the longline
17 fishery.

18
19 There was weak evidence of what we considered modest ecological
20 benefits in the other LAPPs that we studied, and so weak
21 evidence showing that there might have been some improved stock
22 status for some of the species, but what's really an important
23 context here is we found no evidence whatsoever of ecological
24 harm, and so the modesty of that, and the weakness of the
25 evidence for those benefits on the ecological side, are not
26 being counterbalanced by evidence going in the other direction,
27 and some of that is suggesting the possibility that some of the
28 increased accountability measures that went along with LAPPs,
29 for instance, could have contributed to slight improvements in
30 the stock status.

31
32 Again, thinking about that causation that Bonnie raised, one of
33 the difficulties in teasing out the ecological benefits, of
34 course, is that many of the LAPPs that we studied, including
35 some of the ones in the Gulf of Mexico, coincided with new
36 accountability measures in those fisheries anyway, and so
37 attempts to rebuild fisheries that were driven by the 2007
38 reauthorization of Magnuson coincided with, shortly thereafter,
39 creating some of these LAPPs, for instance in grouper-tilefish,
40 and so teasing out the effect of the LAPP versus the effect of
41 the broader fishery management context becomes very challenging.

42
43 On the social side, there is strong evidence that LAPPs led to
44 improvements in safety-at-sea, and this was an impact that
45 really links directly to the mediation of the race to fish, and
46 so undoing the race to fish, derby fishing conditions, actually
47 creates a safer environment for fishing activities in the
48 commercial sector, and some of the evidence in support of this

1 also has to do with looking at the weather conditions when
2 fishing is taking place before and after the formation of the
3 LAPP and some very low numbers in anecdotal information, before
4 and after, looking at accidents at-sea.

5
6 There is mixed, and I would say largely inconclusive, effects of
7 LAPPs on labor, with some indications that some of the
8 participants end up being better off and others end up being
9 worse off, and so some of what we found in this area was that
10 the nature of labor relations changes in some of the LAPP
11 fisheries and some of the move away from, for instance, the
12 share system, but that, in some cases, could benefit certain
13 stakeholders and harm other ones, but, overall, the evidence, in
14 terms of the bottom line for labor conditions, was largely
15 inconclusive.

16
17 Importantly, in this last point, there is no direct evidence of
18 either positive or negative effects of the LAPPs in the study
19 fisheries on communities, but we really want to emphasize here
20 that there is a significant lack of access, lack of data, to
21 assess the social and community impacts, and so, because we
22 found no evidence, it doesn't mean that there are no positive or
23 negative effects on communities, but it's simply a matter that
24 there isn't enough evidence to say one way or the other.

25
26 For the mixed-use impacts, again, just to reiterate, there is no
27 evidence for direct effects of LAPPs on the private recreational
28 anglers or the recreational for-hire providers. In the
29 commercial sector, the greater accountability in the commercial
30 sector, due to the LAPPs, may be leading to pressures to attain
31 greater accountability on the part of the recreational sector.

32
33 In other words, the positive experiences of the LAPP fisheries
34 in the commercial sector could be creating some pressure to try
35 to replicate that in the recreational sector, but, again, that
36 linkage is a bit -- It's a bit tentative, and so that's a bit of
37 a tentative assessment.

38
39 Moving on to conclusions and recommendations, LAPPs are designed
40 to address the economic, social, and ecological impacts, or
41 they're designed for those impacts, for LAPPs, and we reviewed
42 future use of LAPPs in mixed-use fisheries, and so that's what
43 our conclusions and recommendations focus on.

44
45 Many of our results are applicable to LAPPs in single-sector
46 fisheries, and so a lot of the recommendations that we make
47 aren't limited to what you ought to do or what you ought to
48 consider for a LAPP in a mixed-use fishery, and that really

1 stems directly from the fact that the economic and social and
2 ecological impacts are largely not discernable from non-mixed-
3 use fisheries, and so the recommendations pertain to best
4 practices and recommendations for how additional data, research,
5 or syntheses of existing research could enhance decision-making
6 capacity when designing, establishing, or maintaining a LAPP in
7 a mixed-use fishery.

8
9 We sort of divided that out in these bins here, the existing and
10 future LAPPs, data collections and future research, and then
11 really thinking much more intensively about how to do all of
12 this in a more deliberate interdisciplinary way, and I will talk
13 about that more in a second.

14
15 Let's talk first about impacts on recreational stakeholders, and
16 so one of the things that is a possible impact, and this is
17 something that, again, we didn't find direct evidence of this,
18 but it's a potential impact, is that creation of a LAPP could
19 lead to more fishing effort in other sectors, and so we have one
20 example of this in the literature, where forming the New England
21 sector program actually still caused effort to spill over into
22 the Mid-Atlantic fisheries, because some of the fishery
23 participants were permitted to fish in both of those.

24
25 The mechanism here that's at play, or what one might be worried
26 about, is, if you actually create a LAPP that reduces capacity
27 in the LAPP fishery, that capacity may want to go somewhere
28 else, and so you can think of it as some sort of elaborate
29 whack-a-mole game.

30
31 LAPPs may be viewed as barriers to expanding recreational access
32 to the fishery, because they can shift decision-making structure
33 by creating a new class of a quota shareholder, and so, in other
34 words, there are now new stakeholders that never used to be in
35 the fishery, the people that own quota, and, as you know, some
36 of those quota shareholders don't necessarily fish, and so that
37 creation of that new class can change the political economy on
38 some level.

39
40 Increases in the accountability of the commercial sector, due to
41 the incentives for higher compliance associated with LAPPs, may
42 highlight accountability problems in the recreational sector and
43 increase pressure for management, and so we already talked about
44 that, and I just want to emphasize it again. Success in one
45 might say, look, maybe this is something to replicate in the
46 other, and then additional tools really are needed to improve
47 the accountability across sectors.

48

1 Impacts on commercial participants, the LAPP design features
2 have enduring effects, and so, when you put a LAPP into place,
3 how that's configured isn't something that just plays out in the
4 first year or two and then goes away. It really, really lasts
5 for a long time, and many of the objections that are expressed
6 in the literature about the way that LAPPs might transform
7 fishing communities and issues like that, that emerge in the
8 academic literature, much of those objections really stem from
9 those initial design features and their associated long-term
10 effects.

11
12 Our report advises councils to put more effort, via data
13 collection, research, and deliberation, into development and
14 design of new LAPPs, and reform of existing ones, building on
15 known issues, such as such programs have in achieving both
16 efficiency and equity, and so a lot of the tension here is
17 between the economic benefits that the LAPP might create and the
18 stakeholders who might feel that they have been squeezed out, in
19 some sense, and so that really leads us to zero-in particular
20 attention on the initial allocation.

21
22 I know that that's a subject that all of you are quite familiar
23 with, and one of the issues that comes up again and again in the
24 literature is this idea that LAPPs make it harder for new
25 entrants to participate in the fishery, especially new entrants
26 who, pre-LAPPs, might have followed a career trajectory of being
27 say a deckhand, moving on to a first mate, becoming a captain,
28 and eventually purchasing their own boat and their own permit,
29 and then fishing that permit.

30
31 With LAPPs, as the economic success of a LAPP occurs, the quota
32 prices go up, which is a good reflection of the economic
33 benefits, but that makes it harder and harder for those people
34 to buy into the fishery, even though they have invested a lot of
35 their careers in building up to that point.

36
37 That led to some recommendations about ways that councils might
38 consider thinking about that a little differently, including the
39 possibility of vesting fishing crew and fishing captains into
40 their time in the fishery as a potential alternative to
41 grandfathering initial allocations purely on the basis of catch
42 histories attached to the permits. That's not a recommendation
43 to adopt that as a solution, but rather a recommendation to
44 consider that as a possibility.

45
46 Impacts on fishing communities, LAPPs can affect communities
47 through changes such as increases in social conflict, diminished
48 employment or loss of product for processing plants, and these

1 are some of the things that occur in the literature on LAPPs,
2 and mostly not literature associated with the LAPPs that we
3 studied.

4
5 The lack of community dimension data in the fisheries that we
6 studied really presents a major challenge to evaluating the
7 effects of LAPPs on the broader mixed-use fishing community, and
8 so we were very limited in assessing to what extent do these
9 impacts that come up in the broad literature, the global
10 literature, on the use of LAPPs -- To what extent do we see
11 these impacts happening in the ones that we studied.

12
13 Our recommendations really underscore the importance of the
14 human dimensions overall and explicitly argue that NOAA needs to
15 build more data and social indicator data into the study of
16 coastal and fishing communities.

17
18 Our recommendations on data collection and future research are
19 we -- I keep saying it, but I will just say, again, that there
20 are major information gaps here. There is a really great deal
21 of importance of economics and social data for the design and
22 assessment of programs like LAPPs with explicit economic and
23 social goals, but we really need more data on the human
24 dimensions in mixed-use fisheries, and, as you all are aware,
25 you spend a great deal of your time in council meetings talking
26 about the stocks themselves, and the stock assessments, and
27 there is not a companion amount of information on the human
28 dimensions.

29
30 Interdisciplinary impact assessment, this is one where we're
31 really broadening out to say fisheries policy we know has major
32 economic, social, and ecological dimensions that require more
33 interdisciplinary conceptualization, but finding ways to
34 integrate divergent disciplinary perspectives is really a
35 challenge.

36
37 What we have right now, to a large extent, when you look at the
38 literature on fisheries, is you have a lot of studies based on
39 qualitative data, and those are often done by anthropologists
40 and sociologists and human geographers, and you have a lot of
41 data done -- A lot of data on the quantitative dimensions, more
42 commonly done by economists, and so finding ways to get these
43 kinds of data to talk to each other and integrate more
44 effectively could lead to new insights and new hypotheses and
45 much more informed decision-making. That is sort of the long
46 run that we're recommending.

47
48 Our overall conclusions is the use of LAPPs in the mixed-use

1 fishery cases that we reviewed had little discernable impact on
2 the recreational and for-hire sectors, but the LAPP participants
3 are held to higher monitoring, data collection, and enforcement
4 standards relative to non-LAPP fishery counterparts and to
5 business as usual scenarios, and that's, of course, quite
6 important to remember.

7
8 To the extent that this eliminates overfishing, and stocks are
9 no longer overfished, it's possible that there will be more
10 resiliency in the overall ecological system that benefits all
11 fisheries sectors. In other words, if something that is
12 happening in one sector improves the stock status overall,
13 that's a benefit to all the sectors.

14
15 The improved monitoring of the commercial sector with LAPPs may
16 lead to pressure on these other sectors to do a better job, with
17 the goal of staying within fishing mortality rates and reducing
18 bycatch and discards, and so, thus, the LAPPs may improve
19 accountability, and hence conservation, maybe in a serial
20 manner, in mixed-used fisheries in ways that really deserve more
21 scrutiny.

22
23 The last slide here is the committee's appraisal of the
24 influence of LAPPs is constrained, really, by the scarcity of
25 data and studies that would enable a better picture of how the
26 commercial, for-hire, and recreational fisheries for particular
27 species and complexes interact, and I want to end on this point.

28
29 A lot of what we do in the report is really to say here are ways
30 that we can do better, and here are things that we don't really
31 know, and we need more data and more methodology to explore, and
32 it doesn't mean that the LAPPs aren't doing a good job, and, in
33 fact, in many respects, the LAPPs are doing what they were
34 designed to do quite effectively.

35
36 When we talk about all of the sort of ways of improving, they
37 really should be seen in that context, ways of improving
38 existing LAPPs, ways of improving future LAPPs, relative to what
39 we've done in the past, and I will stop there, and Bonnie and I
40 will take questions. Thank you.

41
42 **CHAIRMAN GUYAS:** Thank you very much for your presentation.
43 Does anybody have questions for our presenters about this
44 report? Tom.

45
46 **DR. FRAZER:** Thank you for the presentation. I had a quick
47 question on when you were going over the impacts, the economic
48 and the ecological and social impacts, and, on the social

1 impacts slide, you had that there was no direct evidence,
2 whether positive or negative, effects of LAPPs on communities,
3 but I guess what I was trying to figure out is what types of
4 measures would you be looking to assess in that regard, and what
5 type of data would you need to generate to assess those effects?
6

7 **DR. SMITH:** That's a very good question, and so one of the
8 particular outcomes that we looked at was to use NOAA's social
9 indicators data and to design our own quasi-experiment basically
10 looking at communities on the Gulf coast that were potentially
11 treated with LAPPs and then compare them to -- The Gulf coast of
12 Florida, sorry, and then compare them to communities on the
13 Atlantic coast of Florida that were not treated with LAPPs and
14 look at the effects on employment.

15
16 What we found was there was no discernable impact on employment.
17 We did this in a number of different ways, including looking at,
18 specifically, communities that had a higher dependence on
19 commercial fishing and kind of focus in on just those
20 communities, both the Gulf coast of Florida and the Atlantic
21 coast of Florida, and so that's just one example.

22
23 Some of the things, of course, that people talk about are not as
24 readily measured as something like employment, and so we might
25 think about the characteristics of a traditional fishing
26 community, and that's not something that lends itself rather
27 obviously to a quantitative measurement, but one of the reasons
28 that it's very difficult to discern whether LAPPs are having
29 some kind of impact on fishing communities, as an example, is
30 that a lot of things are having impacts on fishing communities
31 kind of all at once.

32
33 Globalization of seafood markets is one that we talk about
34 specifically in the report, and that pertains to communities
35 that have LAPPs and communities that don't LAPPs. Climate
36 change is another one, and storm events, like hurricanes, the
37 same thing.

38
39 **DR. FRAZER:** That's helpful. Thank you very much.

40
41 **DR. MCCAY:** If you don't mind, I just want to also mention that
42 there is also -- We need to have a better, perhaps a broader,
43 understanding of communities as such, to the extent that
44 communities are deemed important, and they certainly have been,
45 but, as you know, in the Gulf region, and actually throughout
46 the Atlantic too, there are not many places that are just
47 fishing communities, in terms of the municipality dependency and
48 so forth. They are quite scattered, and so that's one of the

1 problems too, is identifying and getting a better handle on the
2 nature of community in the areas.

3
4 Secondly is to know just how basic information about, for
5 example, which places really are involved in the two IFQ
6 fisheries in the Gulf and who are the people involved in these
7 fisheries, and where do they live, where do they land their
8 fish, and so forth, and so those patterns are really, really
9 difficult to get a handle on when you're doing an assessment.
10 You know, has there been a major shift from one area to another
11 that is related to a LAPP program? What about how the -- In
12 terms of the mixed-use question, how do the commercial fisheries
13 with LAPPs interrelate with the recreational fisheries in the
14 same port? We just found no information on those questions.

15
16 **CHAIRMAN GUYAS:** Thanks. Dr. Shipp, I see your hand is up. Go
17 ahead.

18
19 **DR. SHIPP:** I appreciate the presentation. One of the problems
20 we're presented here in the Gulf is the expansion or the ability
21 to get new applicants into the fishery, and you mentioned the
22 progression from a deckhand to a boat owner, and are there any
23 other areas, or any other ideas, that are in the report that may
24 offer additional ways to get people into the LAPP program?

25
26 **DR. SMITH:** Well, the idea of vesting initial allocations, based
27 on participation in the fishery as labor and not exclusively as
28 a permit holder, is the thing that we -- It's one of the ideas
29 that we focused on in the report, but you can also imagine
30 allocations where there is a set-aside that could be auctioned
31 as well, or you could also imagine auctioning all of the quota,
32 if you were starting a new LAPP.

33
34 I think that's not something we considered explicitly as a way
35 to get more participants into the fishery, because, if the
36 fishery is doing extremely well, and you auction the quota, you
37 would expect those quota prices to be high as well, and so the
38 thing that you certainly wouldn't want to do is to start
39 subsidizing participation in fisheries and really start going
40 back and doing things that we know have contributed to
41 overfishing in the past.

42
43 **DR. SHIPP:** One of the things that we have discussed is a
44 possible tax, especially if the quota is increased year by year,
45 and possibly using some of that as a set-aside, as you
46 mentioned, to encourage others to participate in the fishery,
47 but we see this as a really big problem. The IFQ system in the
48 Gulf is working well, but there are aspects of it that make it

1 very difficult for additional participants to join in. Thanks a
2 lot.

3
4 **DR. SMITH:** Thank you for bringing that up, and I think it's a
5 really interesting idea that is, in many respects, consistent
6 with this idea of getting people to vest in. Ultimately, you're
7 going to have to figure out who qualifies. If you do a set-
8 aside, who qualifies, and that means collecting data on people
9 who are working in the fishery, but not necessarily registered
10 as permit holders, or quota owners.

11
12 **DR. MCCAY:** There is one other thing that our report does
13 discuss, and that is the importance of reforming the markets
14 that exist for quota, to make them much more understandable and
15 much more transparent, so that people who do want to get
16 involved can have a better sense of the possibilities of
17 obtaining quota.

18
19 The markets are often quite -- Not disorganized, but not very
20 centralized and so forth, and it's quite difficult, oftentimes,
21 for people to even know, unless they're already in the system
22 and in the know, to understand where there might be quota
23 available to them at a reasonable price, and even just to know
24 what prices should be like, that sort of thing, and so we did
25 underline that.

26
27 **DR. SMITH:** Thanks, Bonnie, for adding that, and this image here
28 of the wreckfish ITQ ticket is a reminder that sometimes we've
29 designed these things in ways that really are not very
30 efficient, and so making transactions, when you have these
31 individual tickets like this, become much more difficult.

32
33 **CHAIRMAN GUYAS:** Troy.

34
35 **MR. WILLIAMSON:** Thank you for the presentation. You mentioned
36 an auction, and how would you design it, and where would you get
37 the shares, or the quota, to populate the auction?

38
39 **DR. SMITH:** We're getting a little off-topic for the report,
40 because we didn't get into auction design in the report
41 explicitly, and so I am happy to comment on that, but I want to
42 be clear that it's not a reflection of the consensus study, but
43 rather just my own opinion as an economist.

44
45 I think the easiest way to set up an auction, obviously, is to
46 set it up at the stage of the initial allocation, and then you
47 don't have to sort of carve out from somebody else's allocation
48 in order to set aside a chunk for the auction, but, as one of

1 the previous questions really referred to, if you're increasing
2 quota over time, it might be easier to carve some of that out,
3 and so taking some of that and setting it aside for an auction,
4 but, yes, that is the basic idea.

5
6 I think having more of a detailed conversation, just on the
7 webinar, is probably not the best way to go about it, because
8 the devil is really in the details, and you want to make sure
9 that you set up an auction that allows for the possibility that
10 the quota goes to the highest bidder, and that's what you're
11 doing with an auction.

12
13 **CHAIRMAN GUYAS:** All right. Are there any other questions on
14 this presentation? If not, I want to thank you, Dr. McCay and
15 Dr. Smith, for joining us this afternoon, and we will roll into
16 our next agenda item under this topic, which I think is going to
17 the Tab B, Number 9(d), and we're going to talk about the focus
18 group formation, and, Andy, you're going to lead us on that one,
19 right? Ava, I'm sorry. Go ahead.

20
21 **DR. LASSETER:** I had a question that I am just hoping will be
22 elaborated on a little bit, and this really comes from reading
23 the report, and I feel like it may have been answered on the
24 slide where you had the three bubbles of recommendations, with
25 the left bubble including recommendations for both existing and
26 future LAPPs, but I thought I would go ahead and ask it, to get
27 a little further clarification, and this is kind of thinking
28 forward for the council's work.

29
30 The specific wording of the recommendations in the report is
31 largely directed toward the development of new LAPPs, rather
32 than existing LAPPs, and I think there was one place where the
33 text acknowledged the difficulties of incorporating and adding
34 these provisions in existing LAPPs, and I think that's kind of
35 noted in here as well, but I am wondering if the recommendations
36 should be read narrowly, where it specifically applies to new
37 LAPPs only, or, in the instances where recommendations talk
38 about applicability to new LAPPs, we could interpret those to
39 also be recommendations for our existing LAPPs, and could you
40 maybe comment on recommendations in terms of existing versus
41 future LAPPs?

42
43 **DR. MCCAY:** I think that it should be read broadly, because
44 focusing on the difficulty of doing this in existing LAPPs is
45 just a warning that it is hard, but it doesn't mean that those
46 issues are not either important nor are not even addressable. I
47 mean, yes, the initial allocation is a done deal, by the time
48 you have a LAPP program, but then rethinking the results of that

1 initial allocation and then deliberating on what went wrong, if
2 people are unhappy with it, and that certainly is -- I assume
3 that's where you are, but you can then think about, well, what
4 other kind of allocation is there.

5
6 By our focus on initial allocation, we're really suggesting that
7 you look at the whole general system of allocation and reforming
8 some of the effects of the initial allocation, if people agree
9 that there are serious problems.

10
11 **DR. SMITH:** I agree with what Bonnie just said, and, just to
12 remind everyone, I think it's just easier, in principle, to
13 design equity into the initial allocation from the get-go than
14 to try to backfit an equitable solution for things that have
15 become objectionable over time, and that is a reflection of the
16 broader point that we made that LAPPs have enduring effects,
17 including that initial allocation.

18
19 **DR. LASSETER:** Thank you so much.

20
21 **CHAIRMAN GUYAS:** All right. I think that was really our last
22 question this time, and so thanks again, presenters, and then we
23 will move on to Tab B, Number 9(d) on the focus group. Andy.

24
25 **DISCUSSION: FOCUS GROUP FORMATION**

26
27 **MR. STRELCHECK:** Thanks, Martha. I volunteered to report out on
28 the focus group, and we had a meeting between Martha, Dale,
29 myself, and council staff to discuss the focus group
30 composition, as well as our thoughts and ideas, in terms of how
31 the focus group would operate, and we took a little bit
32 different approach than the shrimp focus group, in that we did
33 not identify participants at this point, but rather set up the
34 framework for a conversation at today's meeting.

35
36 If you recall, Bob Gill, I believe, made the motion at the last
37 council meeting to come up with a focus group that would really
38 spend time focusing on three things, and one would be addressing
39 minimization of discards in the IFQ program, and the second item
40 would be fairness and equity, and the third would be new entrant
41 issues, and that any findings from this focus group would be
42 reported back to the SSC and appropriate advisory panels, as
43 well as advice back to the council.

44
45 We spent quite a bit of time kind of thinking about the
46 composition of this group with regard to that charge and
47 identified nine members that would voluntarily serve on the
48 focus group, and these would be individuals that would apply,

1 and there would be a solicitation of applicants from the council
2 before the next council meeting, and participants could then
3 apply to the various positions within the focus group that we're
4 trying to populate.

5
6 The idea is that we want to cover a broad range of knowledge and
7 expertise and participation in the fishery, and so we looked at
8 fishermen that are permitted, operating in the program with
9 shares, and we also wanted to look at dealers that were
10 participating in the program, but then also there were public
11 participants and crew members and permit holders that didn't
12 have shares that we wanted to include as part of the process as
13 well, and so you can see kind of the list of the variety of
14 different participants that we suggested, including an eastern
15 Gulf longliner, given that that's been a concern, about red
16 snapper discards in the eastern Gulf.

17
18 We put some kind of definition around each of those participants
19 on the focus group, and the idea being that we weren't going to
20 be overly prescriptive and that, for many of these, the Regional
21 Office IFQ team can help to determine where a shareholder falls,
22 in terms of their IFQ shareholdings and what category they would
23 qualify in for participation on this focus group, as well as
24 validate landings and other information that may be required as
25 part of meeting the criteria for the focus group.

26
27 Probably the most important thing to talk about beyond,
28 obviously, composition is then how we envision the focus group
29 working, and so we really view this as a consensus-driven group,
30 and we don't view it as kind of a typical advisory panel that is
31 reacting to actions and alternatives and kind of the details and
32 specifics that the council often presents to our advisory panels
33 to respond to.

34
35 Rather, they focus more on the holistic kind of problems and
36 big-picture ideas and overarching kind of recommendations, with
37 pros and cons as to ways we can potentially look at those
38 particular issues and how they might be beneficial to the
39 fishery as a whole, and so those are largely our
40 recommendations, and I will stop and look to Dale and Martha and
41 see if they want to add anything else.

42
43 **CHAIRMAN GUYAS:** Andy, I thought you did a good job summing up
44 kind of our discussion and our ideas here. Bob.

45
46 **MR. GILL:** Thank you, Madam Chair. Thank you, Andy, for
47 reporting out. That's a job that I always avoid, and I thought
48 you did an excellent job, and thank you for the three members

1 putting this together, and I think you came up with a good
2 strawman and a good working, as Andy mentioned, discussion
3 document, and it's a little bit different than I had envisioned,
4 which is fine, and I think there are some things, at least from
5 my point of view, that I would like to recommend that we
6 consider for improving the document.

7
8 I have got several of them, and I don't want to monopolize the
9 conversation, but let me start with perhaps the first one, which
10 is the most important one, and, Bernie, if you will put up the
11 motion, please, that I sent you in the email.

12
13 One of the things that is missing, and I take ownership, and I
14 did not put it in the motion, and we did have it in discussion
15 at the last meeting, but I think that the focus group needs to
16 be guided by reconsidering and redefining what the goals and
17 objectives of the programs are.

18
19 They may or may not be -- **The result may or may not be what**
20 **currently exists, but certainly they ought to consider that, and**
21 **recommend changes accordingly, and then, whatever their**
22 **recommendation for the ultimate goals and objectives of the**
23 **program would be, the basis for all of the recommendations, and**
24 **so I offer this motion as an improvement to the current**
25 **document, and I would like to hear some discussion on it, if I**
26 **get a second.**

27
28 **CHAIRMAN GUYAS:** Let's get it on the board, and I will read it.
29 Are you going to second it, Kevin?

30
31 **MR. ANSON:** I will second it if Bob would agree to changing
32 "bases" to "basis".

33
34 **MR. GILL:** It's the plural, Kevin, and that's why it's "bases".

35
36 **CHAIRMAN GUYAS:** Let me read this out loud. **That the charge of**
37 **the IFQ Focus Group be expanded to require a review of the**
38 **current IFQ programs goals and objectives and recommend their**
39 **replacement/retention. The revised goals and objectives shall**
40 **serve as the bases for the Focus Group recommendations.** Kevin
41 will second the motion. Any discussion? I think you've already
42 explained where you're coming from, Bob, but if you have
43 anything else.

44
45 **MR. GILL:** Well, I think this is a sine qua non. We really need
46 it to have a focus point for the focus group, because just
47 taking the current system and saying, okay, I think we ought to
48 change this is a little bit unfocused, and this provides the

1 look forward from where we are and where they think we ought to
2 go, and we can utilize that as the basis for the
3 recommendations.

4

5 **CHAIRMAN GUYAS:** Tom.

6

7 **DR. FRAZER:** Thanks, Bob, for those changes, or offered changes,
8 but I guess I wanted to go back to the document itself, and I
9 look at kind of the charge, right, and Item Number 1 says to
10 define the changes needed for an improved IFQ program for red
11 snapper and grouper-tilefish, to specifically address minimizing
12 the discards, fairness and equity, and new entrant issues.

13

14 I guess what I'm trying to figure out is if there's already a
15 preidentified -- We have some specificity already in the
16 document, and I don't know what you would be looking for above
17 and beyond that for this motion.

18

19 **CHAIRMAN GUYAS:** Go ahead, Bob, and then I see you, Kevin.

20

21 **MR. GILL:** I see those as issues for the focus group to address,
22 but it doesn't necessarily apply in terms of their
23 considerations of what the overall IFQ programs goals are
24 objectives are stated within the program itself, and so that's a
25 subset, if you will, and, if they don't think that the current
26 goals and objectives of the IFQ system are right, that they
27 ought to be changed, then that changes their discussion, and
28 perhaps their ultimate recommendations, for the issues that they
29 will specifically be addressing.

30

31 **CHAIRMAN GUYAS:** Kevin.

32

33 **MR. ANSON:** I would agree with that, and I think the way you
34 described it earlier, Bob, about this kind of would give them
35 some good background, if you will, and it is, I think, more
36 inclusive of potentially what things they could discuss, and
37 these are very prescriptive, the ones that are in the program,
38 and I guess my question would be then do we need to be more
39 prescriptive in Number 1 then, if this doesn't capture the
40 intent of what Bob is trying to do, and that would be my
41 question.

42

43 I agree with what Bob is saying, is that review could
44 potentially prompt some further discussion about other things
45 that may not be as defined in Number 1 here, and, if we need to
46 give them the latitude to do that, then I think that would be a
47 second motion that would probably need to come forward or
48 tailoring this one, if people don't feel this would allow for

1 additional discussion besides the three items that are presented
2 in Number 1.

3

4 **CHAIRMAN GUYAS:** Mara.

5

6 **MS. LEVY:** Thanks. Just a process question, I guess, if this
7 passes, and so the council has decided the current goals and
8 objectives for the program, and I think we've talked about them,
9 at multiple council meetings, and whether they've been achieved
10 and whether the council would want to modify any of those goals
11 and objectives.

12

13 I guess I'm wondering -- So this group would look at them and
14 recommend potential replacement or retention, and, to me, that
15 would have to come back to the council, and the council would
16 actually have to consider that and decide to change the goals
17 and objectives before the focus group could use them as the
18 basis for the further recommendations.

19

20 I guess I'm just pointing that out, because it seems like it's
21 potentially going to prolong the process, and you're going to
22 get away, potentially, from focusing on the things that you've
23 already identified in the document as the issues that you want
24 to address.

25

26 **CHAIRMAN GUYAS:** Thoughts on that, Bob?

27

28 **MR. GILL:** Thank you, Madam Chair, and so, as I see it, if we
29 step back a little bit, the whole point of this group is to help
30 give us a sense of direction to 36B and provide a talking
31 discussion and foot place, or baseline, and call it what you
32 like, for the council to move forward, because it's been sitting
33 there for ten or eleven years, whatever it is, and we've,
34 effectively, not made good progress on where we're going and how
35 we're going to get there.

36

37 I don't see the process, Mara, the way that you do, and I see
38 that this group looks at the problems holistically, and comes
39 back with recommendations, and, if they think that the current
40 set of goals and objectives is not appropriate, then they ought
41 to say so and shape the recommendations accordingly, and then
42 the council, ultimately, when it gets through the SSC and the
43 AP, the council will deal with that at the end of the road, and
44 so I don't quite see it the same way that you do.

45

46 **CHAIRMAN GUYAS:** Dale.

47

48 **MR. DIAZ:** What I am worried about with this motion, and maybe I

1 am overly concerned, is, in some of the discussions we had when
2 we were talking, I mean, just like Bob just said, we've been
3 wrestling with this for a long time, and it's incredibly
4 complicated, and this group is going to be together for some
5 short period of time.

6
7 I am just worried that we -- That this is going to make it so
8 difficult for them to get through and come up with some
9 suggestions, and, I mean, just think, and we've been working on
10 this forever, and we go round and round about these issues, and
11 we're trying to get them to operate by consensus also, and so, I
12 mean, their lift is already pretty heavy, and so, I mean, I'm
13 just concerned that we're setting them up for something that we
14 haven't even been able to get even close to, and so thank you.

15
16 **CHAIRMAN GUYAS:** Thanks, Dale. Susan.

17
18 **MS. BOGGS:** Thank you, Madam Chair. To Dale's point, that's
19 what I have been sitting over here struggling with. I mean, we
20 were pretty specific in identifying some issues that seemed to
21 be holding us up, and to give this focus group the opportunity
22 to address these issues, and to move 36B and 36C along, or come
23 back in January and say, okay, we're going to scrap this and
24 start over again and then go to this step, because I am kind of
25 like Dale.

26
27 This is just, to me, prolonging it, after we've already spent
28 the time discussing and identifying, and, like I said, if
29 something happens that we can't move with this, then I think it
30 was suggested at the last meeting that we scrap this, and we not
31 scrap the IFQ, but scrap 36B and 36C and go back to the drawing
32 board and figure out what does this fishery need to move it
33 forward, but I'm kind of like Dale, and I don't want to stall in
34 -- I am kind of caught off-guard with this, and I need to think
35 about it, but my initial reaction is let's see where we get with
36 this, and, if that doesn't work, in August, when we have new
37 council members at the table, we kind of start all over again,
38 and I am mixed on this.

39
40 **CHAIRMAN GUYAS:** Thanks, Susan. Bob.

41
42 **MR. GILL:** Thank you, Madam Chair. To Dale's point, recollect
43 that this group is facilitated, and I view the facilitator as
44 the driver to get to the endpoint, and we haven't had that, and
45 that's something new, and, in my mind, that drives it to a more
46 efficient process that has a likelihood of getting to the
47 answer, whereas, clearly, the process we've been involved with
48 has not, and so I don't see it as delaying, and I, frankly, see

1 it as expediting, because they are focused and driven in trying
2 to get to that answer. Is it complex? Sure. Is it going to be
3 hard? Sure, and I don't disagree with it, but we need a place
4 to land that gives the hope of the council ultimately coming up
5 with a document that's going to work.

6
7 **CHAIRMAN GUYAS:** All right. Are we ready to vote on this? It
8 looks like yes. Okay. Let's raise hands for this one, and, Dr.
9 Shipp, you can either raise your hand or shout it out, whatever
10 is more convenient to do for you. **All in favor of this motion,**
11 **please raise your hand.**

12
13 **DR. SHIPP:** Yes.

14
15 **CHAIRMAN GUYAS:** Thanks, Bob. **Nine in favor. All opposed,**
16 **please raise your hand.** Okay. **The motion passes nine to five.**

17
18 **MR. DIAZ:** I just wanted to make a comment, while we're talking
19 about stuff for them to review, and we just went through the
20 presentation from the folk from the National Academy of Science
21 on the use of limited access privilege programs in mixed-use
22 fisheries, and I think that presentation, or having that report
23 accessible to them, and having that presentation during that
24 timeframe, would be something that would be good for the group
25 to have access to. Thank you.

26
27 **CHAIRMAN GUYAS:** Thanks, Dale. Leann.

28
29 **MS. BOSARGE:** When we -- I think we made this motion at our last
30 meeting, to form this focus group, right, or so August, and we
31 have preferreds. In 36B, we have preferreds on everything, and
32 I asked when we were going to go out to public hearings on that,
33 and we said, well, I guess we better wait until we do the focus
34 group and hear back from them, and I wasn't real excited about
35 that, because we've been working on that document for a long
36 time.

37
38 That document is purely about a permit requirement tied to
39 ownership of shares, right, and the options for how long we get
40 somebody to do that and then will anybody be grandfathered, but
41 it's just about that one topic.

42
43 Now I see where we're going to advertise this before January,
44 and now we'll meet in January, in closed session, to review the
45 applicants and populate it, and so that means we won't get any
46 kind of report back on them meeting until April, at the
47 earliest, if you convene them between the January and the
48 March/April meeting, and so we won't see 36B again until June,

1 probably, and, I mean, that's my last meeting, and I sure had
2 hoped to maybe finish that, since I've been working on it for
3 like six years or something at this point, before I roll off the
4 council.

5
6 I mean, do we have to hold 36B up, at least from public
7 hearings, to wait for nine people to give us their opinion? I
8 do have some fears about a nine-person group recommending those
9 sorts of changes for an entire industry. I mean, I know we had
10 a focus group in shrimp, but that focus group was really for one
11 tiny change to -- A change to one tiny piece of one type of data
12 collection, and it wasn't to change the whole scope of shrimp
13 management in my fishery.

14
15 I don't know, and, I mean, I don't think it's a bad idea, and I
16 think it's a worthy endeavor, but I do think we're pretty far
17 along in 36B, and, if you want some feedback on whether it's
18 good or bad from the industry, I think it's time to take that to
19 public hearing across the Gulf of Mexico and get feedback from
20 all of them and not just from nine of them, and I think that's
21 fleshed out enough, and so that's my question. Can we see 36B
22 again before this group meets and we get a report and all that?
23 Can we send it to public hearings and get a broader perspective
24 on it from the fishery?

25
26 **CHAIRMAN GUYAS:** While people are thinking about that, I'm going
27 to go to Ava, because her hand is up.

28
29 **DR. LASSETER:** Thank you, Madam Chairwoman, and so I had my hand
30 up before you passed the motion, and so I'm good with that
31 motion carrying, because what I wanted to comment on was the
32 idea that, at the council, we have really struggled with
33 addressing these goals and objectives, and so I did like the
34 idea of this focus group diving into those, but I do think it's
35 very important that they tie any problems that they want to
36 recommend be addressed and how to address those to the goals and
37 objectives.

38
39 When Mara made the comment about procedural terms, in that
40 having them address the goals and objectives, while you guys may
41 not be willing to accept those, I think we definitely need to
42 accept that, and this group, within the same meeting, could
43 address potential recommendations for goals and objectives as
44 well as some of these changes to make, but I just really think
45 kind of keeping those things together I think is important for
46 the progress of whatever document might come out of this as
47 well. I think that's kind of moot, because the motion did
48 carry, and so I will turn it back over.

1
2 **CHAIRMAN GUYAS:** Dr. Simmons.

3
4 **EXECUTIVE DIRECTOR SIMMONS:** Thank you, Madam Chair. Dr.
5 Lasseter, I don't know if you heard some of the questions and a
6 request that Ms. Bosarge was asking about regarding 36B, but,
7 from what I recall, where we left 36B, and I'm hoping you can
8 help out with, is there is quite a few things that still needed
9 to be addressed, including updating the information, in order
10 for the council to sign-off on that revised public hearing
11 draft, and then we had planned to do a direct mailout to receive
12 comments, and we had not planned to do in-person public
13 hearings, and is that correct, and could you give us an update
14 on that, please?

15
16 **DR. LASSETER:** Yes, absolutely, and so the plan for public
17 hearings was to do one, or possibly, two virtual webinar public
18 hearings and to do a mailout to all shareholders and permit
19 holders. Where we last left the document, yes, I believe there
20 were preferreds on everything, but we had not actually fleshed
21 out --

22
23 We haven't written the effects sections for some of those sub-
24 actions, and then we did have to pull an additional data request
25 that pertained to updating the numbers of accounts, and I'm not
26 sure how long SERO staff would need for that. I will remind the
27 committee that the preferred alternatives for 36B were not to
28 have that permit requirement go into effect until it was
29 implemented, and so, if you did take final action, if you do go
30 to public hearings now, before January, and you took final
31 action in January, that document would be going through
32 rulemaking next year while this focus group is meeting and
33 discussing, and so you just may want to keep that in mind as
34 well, that you may have moving parts going at the same time.

35
36 I'm sorry, and probably one more point is that, on your focus
37 group, you have a potential participation role for a public
38 participant, and your preferred alternative in 36B is to no
39 longer allow that in the future, and so you may want to think
40 about how that potential role would be in that program, because
41 it would basically be a participation role that is not going to
42 continue in the future, except for those that already have their
43 shares.

44
45 **CHAIRMAN GUYAS:** Thanks, Dr. Lasseter, for that reminder.
46 Leann.

47
48 **MS. BOSARGE:** Right, and so there is one public participant on

1 the focus group, whereas, when we take it out to public hearing,
2 every public participant that happens to be part of that program
3 will have the opportunity to give feedback, and so I just don't
4 see holding up that document for the nine-person focus group
5 when we can send it out across the Gulf to all stakeholders and
6 get feedback and begin to continue our work on that document.

7
8 **CHAIRMAN GUYAS:** Okay. Whatever we do or don't do with 36B and
9 C right now, we still need to deal with this, and I kind of
10 looked at your cards, and I know you have some more motions
11 here, and so I don't know if other people have things to say
12 about this group. We do need to provide some direction,
13 ultimately, about what we're going to do with this group. Go
14 ahead, Bob.

15
16 **MR. GILL:** Well, I don't want to monopolize the discussion, and
17 so, if other folks have thoughts about this document that they
18 want to share, I am happy to do it. I do have a couple more
19 motions on changes that I think would improve it, and, if nobody
20 has any discussion, I will discuss them.

21
22 **CHAIRMAN GUYAS:** I would say, if people have motions that they
23 would like to put on the table, it is 4:41, and it is the time.

24
25 **MR. GILL:** Thank you, Madam Chair. One of the -- We just talked
26 about the public participant, and one of the things that I would
27 like to suggest, or flashed in front of my face, was I think it
28 would be helpful for this group that not everybody has a vested
29 interest in the outcome, and so my thinking about the public
30 participant is that he's not a shareholder or holds allocation,
31 and so, on the other hand, you want somebody that knows and
32 understands the program well enough that he can be a contributor
33 and have something to say about it, and so I have a motion to
34 that effect, Bernie, the participant motion, the first one, that
35 little two-liner.

36
37 Part of my thoughts are that, if he's not in the program, one,
38 he's not vested, but, two, he has a different perspective, and
39 he is one of nine, and so he's not a driver, but he can help
40 provide a different viewpoint that may not be seen by everybody
41 that's vested in the program.

42
43 **My motion is that the public participant in the IFQ focus group**
44 **be well versed in the program, but not hold shares or**
45 **allocation.** I am thinking it might be an academic, or it might
46 be somebody who studies IFQ programs, et cetera, and it might be
47 Doctors McCay and Smith or whomever, as opposed to a participant
48 in the program.

1
2 **CHAIRMAN GUYAS:** Just to clarify, we are speaking more to a true
3 member of the public and not necessarily -- Not a public
4 participant in the way that we have described it and discussed
5 it in the context of the IFQ program, where we've talked about a
6 public participant being someone that doesn't have the permit.

7
8 **MR. GILL:** Correct.

9
10 **CHAIRMAN GUYAS:** Okay. Are you saying, Bob, that we should
11 replace the public participant on this list with a member of the
12 public that has knowledge?

13
14 **MR. GILL:** That was my intent, and I wasn't hung up on the
15 terminology, but you're right, and you're describing it as I was
16 thinking.

17
18 **CHAIRMAN GUYAS:** Okay. Is there a second for the motion? I
19 will read it. **That the public participant in the IFQ focus**
20 **group be well versed in the program, but not hold shares or**
21 **allocation.** Are you seconding, or are you raising your hand?
22 Are you seconding, Troy? Okay, and so it's a second contingent
23 on a terminology change. How about this -- Andy, go ahead.

24
25 **MR. STRELCHECK:** You, I think, stated it, and so a "public
26 participant" is defined with regard to what the council did in
27 terms of allowing public participation in the program without a
28 permit, right, and so it's anyone that is actively involved in
29 the program that doesn't hold a reef fish permit, and so that
30 was our intention here.

31
32 It sounds like what you're suggesting could be a tenth role, or
33 participant, in this group, unless you're really wanting to
34 exclude the true public participation role that operates within
35 the IFQ program.

36
37 **CHAIRMAN GUYAS:** Let me see if I can try to reword your motion
38 here, Bob, to I think what you mean, and you don't have to
39 accept this, but I think your motion is to replace the suggested
40 public participant on the focus group with a person who is well
41 versed in the program, but does not hold shares or allocation.

42
43 **MR. GILL:** That works for me. Thank you, Madam Chair.

44
45 **CHAIRMAN GUYAS:** Okay. Replace "public participant in the IFQ
46 program" with "a person who is well versed in the program, but
47 does not hold shares or allocation". Okay. I think we're
48 there. Okay. Here is what I think the motion is, and you all

1 take it or leave it. **Replace the public participant in the IFQ**
2 **Focus Group with a person who is well versed in the program, but**
3 **does not hold shares or allocation.** Bob, yes. Troy, since
4 you're the seconder.
5

6 **MR. WILLIAMSON:** I don't think you want to replace the public
7 participant on the focus group. Those folks have a dog in the
8 hunt. What you want is a neutral party in addition to the
9 people that are now populating, and you want ten people on the
10 focus group, and one of those ten is going to be a neutral
11 party, just somebody that is well versed in the IFQ program, but
12 doesn't hold shares or allocation. That's what we're looking
13 for.
14

15 **CHAIRMAN GUYAS:** I hear what you're saying, but I don't think
16 that's Bob's motion, and so you can withdraw your second, if you
17 want.
18

19 **MR. GILL:** I think that's a different concept, and I am not
20 opposed to it, but I think that ought to be a substitute,
21 because it projects a totally different idea on how to do it,
22 and I would support it, but I think it ought to be another
23 motion.
24

25 **CHAIRMAN GUYAS:** So do you want to keep -- Are you still
26 seconding this motion, Troy?
27

28 **MR. WILLIAMSON:** Well, I would make a substitute motion.
29

30 **CHAIRMAN GUYAS:** Well, if we don't have a second for this
31 motion, then this motion is gone, and this is why, and so is
32 there anyone who would like to second this motion? Going once,
33 going twice. I am not seeing a second.
34

35 **DR. SHIPP:** I will second it.
36

37 **CHAIRMAN GUYAS:** Bob Shipp saves the day. Thanks, Bob. Okay.
38 We've got a motion on the table.
39

40 **DR. FRAZER:** I would like to make a substitute motion.
41

42 **CHAIRMAN GUYAS:** Go right ahead.
43

44 **DR. FRAZER:** The substitute motion would be add to the
45 membership a public participant who is well versed in the
46 program, but does not hold shares or allocation, and so it is a
47 tenth member.
48

1 **CHAIRMAN GUYAS:** I think you mean a person who is well versed in
2 the program, but does not hold shares or allocation.
3
4 **DR. FRAZER:** Okay. **Add to the membership a participant.**
5
6 **CHAIRMAN GUYAS:** I think the problem is that "participant" is
7 used specifically as someone who is participating in the IFQ
8 program, and so this is not a participant. Right?
9
10 **DR. FRAZER:** All you have to do is add to the membership --
11
12 **CHAIRMAN GUYAS:** I would suggest that your motion be to add to
13 the membership of the focus group a person who is well versed in
14 the program, but does not hold shares or allocation.
15
16 **DR. FRAZER:** Yes, that's my intent.
17
18 **CHAIRMAN GUYAS:** Yes. Okay, and so here is our substitute. **Add**
19 **to the membership of the IFQ Focus Group a person who is well**
20 **versed in the program, but does hold shares or allocation.** Is
21 there a second for the substitute? All right. The motion is
22 seconded. Is there discussion on the substitute? Andy.
23
24 **MR. STRELCHECK:** Just to, I guess, understand better what we're
25 looking for here -- I mean, a person who is not holding shares
26 and allocation is very broad, and so we could get all sorts of
27 applicants, and are we thinking academic or a federal Fisheries
28 Service employee or an NGO representative, or what is the
29 thought process around this, so that we can have a better
30 understanding and maybe lay this out better for applicants?
31
32 **DR. FRAZER:** Well, in my view -- I mean, we just listened to a
33 presentation where there were kind of economic considerations
34 and ecological considerations and social justice considerations,
35 right, and the participant list, as I see them now, don't
36 necessarily capture all of that, in my view, and so it's just
37 adding one.
38
39 **CHAIRMAN GUYAS:** Bob.
40
41 **MR. GILL:** Thank you, Madam Chair. At the end of the day, the
42 council is going to make the selection of who is in and who is
43 out, and we'll have the discussion of the concerns that you
44 raised, Andy, at that time, and I don't quite see that we need
45 to go into that detail in the motion.
46
47 **CHAIRMAN GUYAS:** Any other discussion on this? All right.
48 Let's vote on the substitute motion here. **Is there any**

1 **opposition to this motion? I see one opposed. The motion**
2 **passes.** Ava.

3
4 **DR. LASSETER:** Thank you very much. Just building a little bit
5 on what Andy was just saying, we may get a lot of people just
6 clicking this box and saying, hey, I can do this, and I don't
7 have shares or allocation. Is there maybe something that could
8 help us as staff, when we do try to start organizing all of
9 this, to put forward to you, in terms of should they maybe have
10 -- How would they demonstrate their well-versedness in the
11 program? I heard academic and NGO and all of this thrown out.
12 With this just the one position, I would be a little worried
13 about getting just blanket people from the public applying, and
14 I won't know how to organize that for you.

15
16 **CHAIRMAN GUYAS:** Susan.

17
18 **MS. BOGGS:** I mean, I just have to say that this is how we take
19 something that seems so simplistic and complicate it to the
20 point that we are so back far in the weeds that it may this time
21 next year before we get past this discussion.

22
23 **CHAIRMAN GUYAS:** All right. Any guidance for Ava right now? I
24 guess we can think on this a little bit and come back to this at
25 Full Council, if we have to, at least in regard to what kind of
26 direction we would want to provide staff as they solicit members
27 of this group and applications, I guess. Okay.

28
29 What else have you all got? We're done with this motion, yes,
30 and we voted on this. We are not done with the focus group
31 though, because we need to -- If we are happy with this group,
32 or I guess the proposal for this group, as we have modified it
33 through motions, then we probably need to tell staff that we
34 want to move forward with getting applications. I would
35 suggest, if everybody is satisfied, that we get some kind of
36 motion to that regard, and then we can close out the discussion
37 on the focus group. Once again, we need a motion. What are we
38 doing? Bob.

39
40 **MR. GILL:** I will make a whirl. **We move that the process**
41 **document provided be utilized to advertise and solicit members**
42 **of the focus group.**

43
44 **CHAIRMAN GUYAS:** Okay. Is there a second for this motion? It's
45 seconded by Leann, and I think it's clear that we've made some
46 motions to modify this a little bit and that all that would be
47 wrapped up in this. Any discussion on this? **Is there any**
48 **opposition to this motion? Susan is opposed. Any other**

1 **opposition to this motion? The motion passes with one opposed.**
2 Okay. Leann, I know you had something to say.
3
4 **MS. BOSARGE:** A couple of things. First, let's start with 36B,
5 and then I will kind of get on to something else that I want to
6 see happen with this. **For 36B, I would like to make a motion**
7 **that staff take 36B out to public hearings.** By take it out to
8 public hearings, if it's virtual or whatever, so be it, and
9 that's just my language for getting public hearings.
10
11 **CHAIRMAN GUYAS:** Okay. We have a motion on the board to take
12 Reef Fish Amendment 36B out for public hearing. Is there a
13 second for this motion? It's seconded by Susan. Any
14 discussion? Carrie.
15
16 **EXECUTIVE DIRECTOR SIMMONS:** Well, when you say public hearing,
17 do you mean the virtual hearings, or do you mean in-person
18 hearings, or do you mean the mailout? Can you clarify that,
19 please?
20
21 **MS. BOSARGE:** However you plan to do it, and that's fine. I
22 want to garner broader input from the public, over and above the
23 nine-member focus group that we have, and so I think it's
24 important to get that diverse feedback from the public on that
25 document, so that we can look at that along with some focus
26 group feedback, but I would be remiss in making a decision on
27 36B without that broader feedback to go along with the focus
28 group, and I think we're far enough along in that document that
29 it's time, and we should look at feedback from both of those
30 groups together and then make a decision on what we're going to
31 do.
32
33 **CHAIRMAN GUYAS:** Thanks, Leann. Emily.
34
35 **MS. MUEHLSTEIN:** Just to talk through this idea for the public
36 hearings and what we can do, I think we can set a number of
37 webinars, as Ava suggested, as well as complete a direct mailout
38 to shareholders and permit holders. The other thing I would
39 like to suggest is that we put an ad on commercial Fish Rules,
40 and potentially recreational Fish Rules, in order to sort of get
41 the information out to the broader audience that might not be
42 shareholders or owners.
43
44 **CHAIRMAN GUYAS:** Thanks, Emily. Carrie.
45
46 **EXECUTIVE DIRECTOR SIMMONS:** Thank you, Madam Chair. Ava, I
47 guess, just so we all understand, the version of the document,
48 Amendment 36B, that's on the website currently, for amendments

1 under development, that doesn't have the most recent changes
2 from whenever we talked about this, the August council meeting,
3 and these are running together, but incorporated into it yet,
4 and is that correct?

5
6 **DR. LASSETER:** My understanding is that it would -- What's
7 posted is probably the last version that would have been taken
8 to the council meeting, and so, at that meeting, I think you did
9 make some changes. I apologize, and I didn't look this up right
10 before, and I am pretty sure the last time you looked at it,
11 which would be the version that's posted, you did also make
12 those last decisions, from the presentation that I gave, and so
13 the document online has not been modified to reflect all of
14 that, because we generally upload a new version for the next
15 council meeting, and so, when you put it on hold at the end of
16 that, we just -- I think I have a version that I started making
17 the changes in, but I haven't posted it.

18
19 **MS. BOSARGE:** It's my recollection that we picked preferreds at
20 that meeting on everything, and the changes we made to the
21 document -- We didn't add anything to the document, and we
22 actually removed things from the document at that meeting, and
23 we streamlined it a little bit, and so I don't think it is out
24 of the realm to take it out to public hearings, either before
25 the January meeting or, at the latest, before the April meeting,
26 so that we could have that feedback, along with focus group
27 feedback, in April.

28
29 **CHAIRMAN GUYAS:** Thanks. Greg.

30
31 **DR. STUNZ:** What I heard Carrie say -- Personally, I wasn't in
32 favor of moving this out to public hearing yet, even though we
33 picked preferreds, Leann, and I understand that, because I
34 thought there was more work, at least in my mind, that we could
35 do to improve that document.

36
37 I felt that Bob's workgroup, when we were having that
38 discussion, whenever that was the last time, was going to help
39 improve not only this motion, I mean not only C, but B as well,
40 and so I think it would -- In my mind, it would be best to wait
41 to hear what this group says and not rush this. I mean,
42 obviously, we've been debating this for a long time, and we want
43 to get this right, and so I'm in favor of holding off for the
44 public hearing, at least for now and until we can hear a little
45 more from this workgroup and others.

46
47 **CHAIRMAN GUYAS:** Thanks, Greg. Okay Let's vote on this,
48 because we're a little bit pressed for time, and we probably

1 need to move on, unless there's other motions that people have.
2 **All in favor of this motion, which is to take Reef Fish**
3 **Amendment 36B out for public hearings, please raise your hand.**

4
5 **DR. SHIPP:** Yes.

6
7 **CHAIRMAN GUYAS:** Three. All opposed. The motion fails three to
8 eleven. Anything else IFQ related right now? Leann.

9
10 **MS. BOSARGE:** So we're pretty far down this focus group path,
11 but I'm still going to throw it out there, and I don't know if
12 it's something that we want to look into or not, but I guess I
13 always thought -- So 36B, to me, is pretty streamlined, and it's
14 something that really had been talked about since the program
15 was first implemented, this idea of ownership and permits, and
16 that had the sunset, in order to get the votes to implement the
17 program, and, anyway, it was a pretty direct question, right?

18
19 Now, 36C, that document, to me, was the one that was all over
20 the place, and I really didn't feel like it had a direction, and
21 where was it headed, and what was the purpose, and I kind of
22 always thought that maybe a good idea would be to -- We formed
23 that ad hoc IFQ AP, or ad hoc IFQ, right, and it is a very
24 diverse group of individuals.

25
26 If you listened to the meetings, you certainly would walk away
27 with that, even not knowing any of the players in the room,
28 because, I mean, there are shots across the bow constantly, and
29 everybody is disagreeing, and so it's pretty diverse.

30
31 I kind of thought what we should do is go back to that group
32 with a facilitator and have it be a roundtable discussion.
33 Don't send them our document that really has no direction
34 whatsoever, and it's all over the place, but have a roundtable
35 discussion and say, all right, hindsight is 20/20. If you were
36 redoing this IFQ, what would you have done differently, looking
37 back?

38
39 Get an answer and write some things down, and then say, all
40 right, well, guess what, we're not starting over, and we have a
41 program that's up and running, and it's established, and it's
42 people that are vested, and so are there any of these things
43 that we can somehow get to, and how would you get to those, and,
44 to me, that was the path that I probably would have taken.

45
46 I don't know if that can run in conjunction with our focus
47 group. I do, Bob, think your focus group is a good idea,
48 because it's a smaller number of people, and there's something

1 to be said for that, about getting results from a smaller group,
2 and I also have a lot of faith in that ad hoc that we have, and
3 is that something that we want to entertain as an idea as well?
4 We can get feedback from both at the same time, and you've
5 already populated one, and you just have to convene them. I
6 don't know, and it's just an idea.

7
8 **CHAIRMAN GUYAS:** Thanks, Leann. It's something to think about,
9 certainly. It is about 5:04, and we are scheduled to go until
10 5:30, and today is our last day with Dr. Nance in-person, and
11 so, at this point, I think we need to move on, and we're going
12 to jump way ahead, and back to Dr. Nance, so that he can talk
13 about the SSC discussion on the final Great Red Snapper Count
14 and LDWF red snapper abundance, and then we'll figure out where
15 we are and decide how we want to take up the rest of the stuff
16 on our agenda. Welcome back, Dr. Nance.

17
18 **DISCUSSION: SSC RECOMMENDATION ON FINAL GRSC REPORT AND LDWF RED**
19 **SNAPPER ABUNDANCE STUDIES**
20

21 **DR. NANCE:** Thank you, Madam Chair. I appreciate being here. I
22 just wanted to go over the -- Let's bring up Slide 25. We had
23 Dr. Benny Gallaway from LGL Ecological Research that presented
24 an overview of a project commissioned by the Louisiana
25 Department of Wildlife and Fisheries to estimate absolute
26 abundance of red snapper off of Louisiana.

27
28 The draft Great Red Snapper Count report imputed data for waters
29 off of Louisiana from Texas data. The Louisiana red snapper
30 management area was divided into three regions of west, central,
31 and east, and each zone was further divided into four depth
32 zones of ten to twenty-five meters, twenty-five to forty-five
33 meters, forty-five meters to 100 meters, and 100 meters to 150
34 meters. Sampling of 106 sites, thirty-five on the west, thirty-
35 three on the central, and thirty-six on the east, occurred
36 during the summer and fall months of 2020.

37
38 Hydroacoustics were used to identify red snapper and estimate
39 abundance. Submersible rotating video sampling was deployed at
40 discrete sites near structure and paired with the hydroacoustic
41 sampling. A generalized additive model was used to quantify
42 total fish density, while a generalized additive mixed model was
43 constructed to identify the proportional density of red snapper.

44
45 The LGL study estimates an absolute abundance of around six-
46 million red snapper in the offshore waters of Louisiana. The
47 standard error for this estimate was about 13.1 percent. Most
48 snapper were thought to occur off the UCB, the uncharacterized

1 bottom, approximately 63 percent, following by standing
2 platforms at 22 percent, natural banks at 10 percent, pipeline
3 crossings at 3 percent, and, lastly, artificial reefs at 2
4 percent.

5
6 Red snapper abundance and biomass estimates from the LGL study
7 were markedly less than the Great Red Snapper Count for
8 Louisiana. Several SSC members commented that the difference
9 could be heavily influenced by catch rates observed between the
10 two studies.

11
12 The SSC discussed the limitations of interpreting the LGL study
13 results without more information on the sampling design. The
14 SSC requested written documentation from the Louisiana Wildlife
15 and Fisheries detailing the sampling design used in the study,
16 and so our next steps outlined from the SSC were, number one,
17 evaluate the LGL study sampling design, determine if the LGL
18 study can supplement the Great Red Snapper Count for Louisiana,
19 and compare those independent study abundance estimates with the
20 National Marine Fisheries Service bottom longline survey. This
21 would require a future dedicated meeting to be able to do that,
22 or part of our January meeting.

23
24 Dr. Stunz then reviewed the final results of the Great Red
25 Snapper Count and the response to reviewer comments received in
26 April of 2021. A stratified random sampling design was used in
27 place of the original random forest approach. Additional
28 variability was captured. Estimators and calibrations were
29 redefined, and modification of post-strata based on suggestions
30 from the reviewers.

31
32 The contribution of the uncharacterized bottom was reevaluated.
33 Alternate estimator of variance was captured, which captured
34 additional uncertainty, and another to reduce bias were
35 developed. Final results were 118 million red snapper age-two,
36 with a CV of 15 percent.

37
38 The SSC discussed how to get from an estimate of absolute
39 abundance to a point where a catch level could be recommended.
40 The SSC members thought that having the Great Red Snapper Count
41 move through the SEDAR process, for thorough consideration, was
42 most appropriate. The SSC was clear that the Great Red Snapper
43 Count and the LGL study should be treated completely separately
44 and not directly compared.

45
46 The motion was considered with the SSC, and the motion read: SSC
47 recommends the design and data of the Great Red Snapper Count
48 are suitable for consideration in the SEDAR 74 process. The SSC

1 also recommends further evaluation of the estimates of absolute
2 abundance and the methods and analysis used for estimation of
3 the red snapper population, and that motion carried with no
4 opposition. That, Madam Chair, is my report.

5
6 **CHAIRMAN GUYAS:** Thanks, Dr. Nance. Are there any questions on
7 this item? Bob.

8
9 **MR. GILL:** Thank you, Madam Chair, and I think this question is
10 for Ryan, but I guess I'm a little bit confused how this is all
11 going together. We have the recommendation from the SSC to take
12 the GRSC to the Science Center and do their thing, in terms of
13 the SEDAR process. On the other hand, we have the LGL study,
14 which is undergoing review by LGL, and then it's going back, I
15 guess, to the SSC at some point in time.

16
17 **DR. NANCE:** That's correct.

18
19 **MR. GILL:** How does this all integrate together, at the end of
20 the day, and what does that timeline look like?

21
22 **MR. RINDONE:** At this point, the SSC needs to see more
23 information about the sampling design for the LGL study before
24 they can make any determination about what to do with that
25 information, and so, right now, all they're really left with, in
26 terms of studies that estimate the absolute abundance in the
27 Gulf, and specifically Louisiana, is the Great Red Snapper
28 Count. Right now, for absolute abundance estimates, that's it.

29
30 Now, once the LGL study, the sampling design for it, can be
31 evaluated, then the SSC can consider whether that estimate
32 should also be considered as part of the SEDAR process for SEDAR
33 74 for red snapper.

34
35 Given the nature of those data, and the fact that we're trying
36 to use these absolute abundance estimates to help better inform
37 some of these indices of relative abundance that are most often
38 used for a lot of our stock assessments, red snapper being no
39 exception, the SSC thought that the SEDAR process is still the
40 best path to move forward on. There are so many other things
41 that are at play besides just how many fish are out there that
42 are two years old or older, and Dr. Nance can speak more to the
43 nuances of the SSC's discussion on that.

44
45 **CHAIRMAN GUYAS:** Are there other questions? Dale.

46
47 **MR. DIAZ:** I think we're wrapping up, and I just want to take a
48 minute to thank you, Dr. Nance. One, for being willing to be

1 the chair of this group, but the SSC did a long four-day meeting
2 the last time, and I've been to two or three SSC meetings, and
3 two days just kills me, and, I mean, it's like I am so worn out,
4 and for you all to go over that technical stuff for four days in
5 a row, just make sure that the SSC knows that we appreciate it,
6 all your hard work, and we appreciate the good scientists that
7 we have on there, also. Thank you, Dr. Nance.

8
9 **DR. NANCE:** I want to say that the SSC members that are on that
10 committee are great, and I appreciate the council and their
11 deliberations in putting those individuals on it, and I think we
12 have a great group of scientists that are providing good
13 information, and I will certainly pass that on, and I
14 appreciate, when I come here, to be able to present to the
15 council, and I appreciate that opportunity. Thank you.

16
17 **CHAIRMAN GUYAS:** All right. Thanks, Dr. Nance. We've got
18 fifteen-ish minutes. Dr. Diagne, do you want to do vermilion
19 snapper? I feel like this is déjà vu, where you get the last
20 agenda item of the day, and we are kind of rushing you, and I
21 feel like this happened at the last council meeting. Are you
22 available to walk us through vermilion snapper?

23
24 **DRAFT FRAMEWORK ACTION: MODIFICATION OF VERMILION SNAPPER CATCH**
25 **LIMITS**

26
27 **DR. ASSANE DIAGNE:** Thank you. Fifteen minutes will be plenty
28 of time to cover vermilion snapper. Thank you.

29
30 **CHAIRMAN GUYAS:** Awesome. We're ready.

31
32 **DR. DIAGNE:** I will wait for Bernie to put the document, please,
33 and, before that, I will just say that, as you know, this
34 framework action is a follow-up to SEDAR 67, and the conclusions
35 were that vermilion snapper is not overfished, and overfishing
36 is not going on. If we scroll down to the purpose and need
37 statement, we will quickly go over the purpose and need and then
38 present the two alternatives that are included in the framework
39 action.

40
41 The purpose of this action is to modify the OFL, ABC, and ACL,
42 as applicable, and consistent with the most recent stock
43 assessment for Gulf vermilion snapper and with the SSC and the
44 Reef Fish AP's recommendations, and so it's a pretty
45 straightforward purpose for this action.

46
47 If we scroll down to the management alternatives, we only have
48 two alternatives here, a status quo alternative, Alternative 1,

1 which is going to be no action, and this alternative would
2 retain the existing OFL, ABC, and ACL for vermilion snapper, as
3 implemented in 2018 by Reef Fish Amendment 47, and the little
4 table here gives us the OFL, ABC, and ACL. We would like to
5 remember that, here, the measurement unit is in CHTS.

6
7 For that reason, the catch limits in Alternative 1 do not
8 represent the best scientific information available, and so, as
9 such, Alternative 1 is not a viable alternative, and so we are
10 left, essentially, with Alternative 2.

11
12 Essentially, for this alternative, Alternative 2 would set a
13 constant catch ACL, which is equal to the ABC, for the years
14 2021 to 2025, and, of course, consistent with the
15 recommendations made by the SSC, and that's the time interval
16 between 2021 and 2025, and then the ACL would be maintained at
17 that level until modified in a future council action. These are
18 the two alternatives included in this document, and I am going
19 to pause here and take questions, if the committee has any.

20
21 **CHAIRMAN GUYAS:** Hang on, Assane. We've got a question for you
22 from Bob.

23
24 **MR. GILL:** Thank you, Madam Chair. Assane, did the SSC just
25 provide a constant catch yield, or did they provide a yield
26 stream from which they derived a constant catch? Normally, we
27 tend to see constant catch as an alternative to a yield stream,
28 but this doesn't seem to be the case here.

29
30 **DR. DIAGNE:** My recollection is that is not the case, but I may
31 be mistaken here, and I would look to John, perhaps, Dr.
32 Froeschke, if he could add something to that.

33
34 **DR. FROESCHKE:** I don't recall, but I suspect, since the stock
35 was very healthy, and it is probably over BMSY, that it resulted
36 in a declining yield stream, and so they may have elected to go
37 with the constant catch, and I would have to check.

38
39 **CHAIRMAN GUYAS:** Okay. I don't see any other hands up right
40 now, Assane, if you have more to present.

41
42 **DR. DIAGNE:** Then I would just ask the committee whether --
43 About the next steps, and our plan would be to bring a document
44 ready for final action next time, but that would presuppose the
45 selection of a preferred alternative. Although there is no
46 analysis in the document, given that Alternative 1 is not a
47 viable alternative, then, by default, I guess we would assume
48 that Alternative 2 is going to be the preferred alternative when

1 we write the document, unless the council wants to offer a
2 motion in that direction.

3

4 **CHAIRMAN GUYAS:** Right. Thanks, Assane. Bob.

5

6 **MR. GILL:** Thank you, Madam Chair. **I would like to make motion**
7 **that, in Action 1, to make Alternative 2 the preferred.**

8

9 **CHAIRMAN GUYAS:** All right. Thanks, Bob. We will get that on
10 the board.

11

12 **DR. SHIPP:** I will second it.

13

14 **CHAIRMAN GUYAS:** All right. Thank you for the second. Is there
15 any discussion on this? This is a pretty straightforward one,
16 relatively speaking, at least the way our day has gone so far.
17 All right. **Our motion is on the board now. In Action 1, to**
18 **make Alternative 2 the preferred. Is there any opposition to**
19 **this motion? Seeing none, the motion carries.** I think, with
20 that, Assane, I think we more or less are ready to take this
21 final the next time we see it.

22

23 **DR. DIAGNE:** Yes, Madam Chair. We will bring, in January, a
24 document ready for final action. Thank you.

25

26 **CHAIRMAN GUYAS:** We've got one hand from Kevin though. Hang on
27 just a second. Kevin, go ahead.

28

29 **MR. ANSON:** I meant to catch it earlier, but Assane moved from
30 the purpose and need into Action 1, and I am just curious, and I
31 noticed, since we've had some stock assessments, and some
32 results of stock assessments, and trying to take
33 administratively care of those, that the purpose and need of
34 some prior framework actions to modify the OFL and such, based
35 on those stock assessments, referred to -- Their language is a
36 little different, in the second paragraph at least, whereas --
37 I'm looking at the red grouper one, and it says the need is to
38 revise the OFL, ABC, ACLs, and ACTs, although this wouldn't
39 apply, necessarily, to ACTs and such, but consistent with the
40 best available science for vermilion snapper, and I just
41 wondered, just to make it consistent with the other documents.
42 Again, it was something that I think we had made some emphasis
43 in changing in those other documents, for those species, and I
44 just didn't know if we needed to carry it over to this one too,
45 for consistency purposes.

46

47 **CHAIRMAN GUYAS:** Thanks, Kevin. Go ahead, Assane.

48

1 **DR. DIAGNE:** Thank you, Madam Chair. Thank you, Mr. Anson. we
2 will certainly revise the need statement to make it consistent
3 across documents, but the intent is the same.
4

5 **CHAIRMAN GUYAS:** Anything else on vermilion? All right. It
6 looks like we're good to go. The items that we have left, and
7 we have six minutes remaining, are yellowtail and other
8 business, and so, Mr. Chair, I will look to you about how you
9 want to handle the rest of this committee.

10

11 **MR. DIAZ:** Okay. Being as we have a question-and-answer session
12 scheduled for this afternoon, and I know that some folks are
13 already outside for it, and the agenda items that we have left
14 will probably take at least thirty minutes, and so I don't see
15 us taking them up now, and can you handle that other business
16 item during Full Council, when we get to Full Council?
17

18 **CHAIRMAN GUYAS:** Yes.
19

20 **MR. DIAZ:** So we'll take care of that there, but I am going to
21 try to apply something that I learned from Madam Chairwoman
22 Bosarge, and we're going to start at 8:00 in the morning,
23 instead of 8:30, and we'll take up the last agenda item and try
24 to get through that in thirty minutes. I don't want to cut into
25 Ms. Boggs' time, and she's got a full agenda for Data Collection
26 tomorrow, and so, if it's all right with everybody, we're going
27 to start at 8:00 in the morning. Ms. Somerset, can you tell us
28 a little bit about what we're doing tonight with the virtual
29 public hearing, please?
30

31 **MS. CARLY SOMERSET:** Sure. Thank you. We will be doing our
32 question-and-answer session immediately following when we wrap
33 this up, and it will be a virtual and in-person, and so feel
34 free to stay. We're going to be focusing on the SEFHIER
35 reporting, the for-hire reporting requirements, first, but we'll
36 also take general questions after we've taken some of those,
37 just because the implementation date for the VMS portion is
38 coming up soon, and so we'll get that started, and we'll get the
39 webinar up as soon as we can, and we'll get that going for
40 everybody.
41

42 **MR. DIAZ:** What's your estimate of time for when we're going to
43 start that, just so folks will kind of know?
44

45 **MS. SOMERSET:** As soon as we get the webinar going, and so five
46 or ten minutes, at the max, if that's okay with you, Mr. Chair.
47

48 **MR. DIAZ:** Yes, ma'am. Thank you.

1
2 (Whereupon, the meeting recessed on October 26, 2021.)

3
4 - - -

5
6 October 27, 2021

7
8 WEDNESDAY MORNING SESSION

9
10 - - -

11
12 The Reef Fish Management Committee of the Gulf of Mexico Fishery
13 Management Council reconvened on Wednesday morning, October 27,
14 2021, and was called to order by Chairman Martha Guyas.

15
16 **MR. DIAZ:** Good morning, everyone. We're going to go ahead and
17 get started. We have one item left to cover this morning that
18 is left over from Reef Fish, and Ms. Guyas is going to guide us
19 through that item. Ms. Guyas.

20
21 **CHAIRMAN GUYAS:** All right. Thank you, Mr. Chair. We will
22 resume the Reef Fish Committee, and we are on yellowtail
23 snapper, which is Tab B, Number 8(a), and Ryan is going to walk
24 us through that one.

25
26 **DISCUSSION: DRAFT SNAPPER GROUPER AMENDMENT 44 AND REEF FISH**
27 **AMENDMENT 55: MODIFICATIONS TO SOUTHEASTERN U.S. YELLOWTAIL**
28 **SNAPPER JURISDICTIONAL ALLOCATIONS, CATCH LIMITS, AND SOUTH**
29 **ATLANTIC CATCH LIMITS**

30
31 **MR. RINDONE:** Thank you, Madam Chair. This is formally going to
32 be Snapper Grouper Amendment 44 and Reef Fish Amendment 55, and
33 it's kind of a working title, but, generally speaking,
34 Modifications to the Southeastern U.S. Yellowtail Snapper Catch
35 Limits, Jurisdictional Allocation, South Atlantic Sector
36 Allocation, and South Atlantic Commercial Management Measures.

37
38 What I am going to try to focus on in this presentation is the
39 stuff that is targeting things that will affect the Gulf
40 Council, and so we're going to walk through this, and we're kind
41 of in the options stage at this point, trying to figure out
42 exactly what to put in for actions and alternatives for you
43 guys. The South Atlantic Council mapped out quite of what they
44 wanted for actions and alternatives for their portion of the
45 yellowtail management.

46
47 The impetus for this amendment is to address the outcomes from
48 the SEDAR 64 stock assessment, which found yellowtail to be

1 healthy, but there were a couple of corrections made in this
2 model from the last model, and that resulted in a lower estimate
3 of the overall biomass of yellowtail, and so, even though we've
4 incorporated MRIP-FES here, the actual biomass estimated to be
5 present was revised downward a little bit.

6
7 You guys should give us some feedback as we go through this
8 presentation and let me know what you think about what we're
9 proposing putting in here for actions and alternatives for the
10 Gulf Council, and then we will get a document together for you
11 guys to look at next time.

12
13 We manage yellowtail jointly with the South Atlantic Council,
14 and yellowtail is primarily a Florida stock. More than 99
15 percent of the yellowtail landed in the Gulf are landed off of
16 Florida, and more than 99 percent of yellowtail landed in
17 general are landed off of Florida, whether it's the Gulf or the
18 South Atlantic, and we split management with the South Atlantic
19 Council at the jurisdictional boundary near the Tortugas.

20
21 I guess just a little interesting thing, and so this bar right
22 here is from a commercial vessel, and this is how yellowtail are
23 dehooked when commercial fishing for them is going on. They
24 drop the fish down into that hatch there right behind that bar,
25 and they pull the line down over that horizontal bar, and the
26 hook just pops right out, and this is a really efficient
27 dehooking method for these fish, and, given their small mouths
28 and everything, that's why we made that revision a few years ago
29 to allow the use of j-hooks for yellowtail, because they dehook
30 very quickly with this method. I just thought that was
31 interesting.

32
33 The fishing season for yellowtail is August 1 to July 31, and
34 this was designed to allow any closure to occur during the peak
35 of the yellowtail spawning season, due to the warm nature of the
36 waters in which most of the biomass exists, which is around the
37 Keys and southeast Florida, and yellowtail do spawn year-round,
38 but it peaks in the summertime. There is no commercial
39 possession limit, and the recreational limit is ten fish per
40 person per day with a minimum size limit for both sectors of
41 twelve inches total length.

42
43 For the Gulf Council, it's apportioned 25 percent of the total
44 yellowtail stock ABC, and we manage with a stock ACL, meaning
45 that there are no sector allocations, and, based on the last
46 application of the council's ACL/ACT Control Rule, we have
47 established an 11 percent buffer between the Gulf's portion of
48 the ABC and the Gulf ACL.

1
2 We have the post-season accountability measure for yellowtail,
3 and it states that, if the ACL is exceeded, then, the following
4 year, the season is closed when the ACL is expected to be met.

5
6 There is a little bit more to the management in the South
7 Atlantic Council's jurisdiction, which gets 75 percent of the
8 stock ABC, and they have sector allocations over there, with
9 52.56 percent going to the commercial sector and 47.44 percent
10 to the recreational sector, and this is based on an allocation
11 formula that they've used for several species.

12
13 The commercial accountability measures are, for in-season
14 monitoring, when the ACL is reached, and this should say the
15 sale of yellowtail is closed, and, for a post-season, if
16 yellowtail snapper is overfished, and the ACL is exceeded, then
17 the following year's ACL is reduced, and so, if the stock is in
18 a bad way, they payback provisions are used.

19
20 For the recreational accountability measures, for post-season,
21 again, if the ACL is reached, the following year's season is
22 reduced, to make sure that the ACT is reached. Overall though,
23 like I said, if the stock is overfished, and the ACL is
24 exceeded, the following year's ACL will be reduced by the amount
25 of that overage.

26
27 We are here because of SEDAR 64, which had a terminal data year
28 of 2017, and so it's starting to get a little dusty on that one,
29 and that's why we put it on the SEDAR calendar for 2025. This
30 stock assessment updated the recreational catch and effort data
31 using FES, which adjusted those estimates back to 1981, and, of
32 course, the recreational landings and effort under FES are
33 greater than previously estimated through CHTS, and this could
34 have impacts on the allocation between the Gulf and South
35 Atlantic Councils. Importantly though, yellowtail is still
36 considered to be healthy and not overfished and not undergoing
37 overfishing.

38
39 The stock ABC is 4.05 million pounds whole weight, and this
40 accounts for -- This does account for discards, and the ABC is
41 split 75 percent to the South Atlantic and 25 percent to the
42 Gulf, and it's based on the historical landings from 1993 to
43 2008, and so a 50 percent weighting to the average landings from
44 that time period, and then 50 percent weighting to the average
45 landings for the last three years of that time period.

46
47 This jurisdictional allocation used data from the Marine
48 Recreational Fisheries Statistics Survey, which predated MRIP,

1 and you can see the proportions of the ABC allocated to each
2 council down there, and so about three-million pounds to the
3 South Atlantic and about a million pounds to the Gulf.

4
5 Both councils' Scientific and Statistical Committees met about
6 yellowtail, and the resulting catch limits begin higher than the
7 current MRFSS catch limits, but we're using the MRIP-FES data
8 currency here, and so that's important to remember, and so the
9 current limit in MRFSS is 4.05 million pounds, and the proposed
10 MRIP-FES limits for 2021 to 2025 and subsequent years are shown
11 down there, and we're fishing down to that lower equilibrium,
12 and that's because the stock biomass is above the biomass at
13 maximum sustainable yield.

14
15 Some actions to consider are modifying the jurisdictional
16 allocation for yellowtail between councils, based on FES,
17 modifying the catch limits, the OFL, ABC, ACLs, and the South
18 Atlantic Council's ACTs, modifying the South Atlantic sector
19 allocation to account for FES, and modifying the South Atlantic
20 commercial trip limits.

21
22 If we applied MRIP-FES using the same formula that gave us the
23 75/25 split we have now, it would result in a revised allocation
24 to the council of 81 percent to the South Atlantic and 19
25 percent to the Gulf, and this just recognizes that there is more
26 recreational fishing that's going on in South Atlantic waters,
27 and so the majority, historically anyway, of yellowtail landings
28 in the Gulf have come from the commercial fleet, but we've seen
29 increases, recently, in recreational landings, and so we're
30 starting to see more yellowtail even off of Tampa Bay, which has
31 been kind of fun.

32
33 It's important to note, as far as the landings are concerned
34 though, that Monroe County counts as part of the -- The Monroe
35 County landings count towards the South Atlantic Council and not
36 the Gulf.

37
38 This table here shows you the proposed catch limits under the
39 current 75 percent/25 percent split, and so it would be very
40 similar to what we have now. This shows what it would be under
41 the 81 percent/19 split for updating to MRIP-FES, and, just as a
42 frame of reference, in recent years, the Gulf has not been
43 landing its portion of the ABC, and, in some years, it's landed
44 only about half of its ABC.

45
46 You guys are generally pretty familiar with how all of this
47 works with the catch limits, and so we don't use an ACT for
48 yellowtail in the Gulf, and we have a buffer set between the

1 Gulf's portion of the ABC and then the Gulf ACL, and we use the
2 ACL/ACT Control Rule to determine that buffer, and so to account
3 for management uncertainty.

4
5 If we compare the last four years of yellowtail landings, which
6 accounts for the season change to that August 1 to July 31
7 fishing year, you can see -- Again, remembering that these
8 average landings that are shown in that right-most column, those
9 are in MRFSS, and the ABC that is shown for the 25 percent to 19
10 percent, those are both in FES.

11
12 If we're looking at this, you guys can think about -- Thinking
13 about the fact that the majority of these landings are
14 commercial, and even if there was a marked increase in the
15 estimate of the recreational landings, and, after we do some
16 more digging into the data and do a seasonal closure, we'll know
17 more about whether the Gulf would face any sort of quota closure
18 as a result of the new proposed catch limits.

19
20 **CHAIRMAN GUYAS:** Ryan, we've got a question from Bob.

21
22 **MR. GILL:** Thank you, Madam Chair. Ryan, on that graph, we've
23 got apples and oranges, and so, from the same timeframe that
24 you're talking, the up to 0.543 average landings, was it
25 consistently below the ABC during that same time, on an apples-
26 to-apples basis, because you can't tell from this one.

27
28 **MR. RINDONE:** It generally was, and I used that time period to
29 show that, because it's all the same fishing season, and we had
30 received some updated recreational information for the landings
31 in FES, but there were oscillations in the landings, from about
32 38,000 pounds to 250,000 pounds to 12,000 pounds, and, because
33 of those very wild swings in the MRIP estimates of the
34 recreational landings, we wanted to do some more investigation
35 before we dug deeper into trying to put those data in front of
36 you and use those for analysis.

37
38 Clearly there should be some questions, if we have a 200,000-
39 pound swing in the course of a year, and then it goes back down
40 to 12,000 pounds a couple of years later, for the estimated
41 landings in FES, and so we just wanted to dig into those data a
42 little bit more before we put those in front of you guys for any
43 kind of decision-making.

44
45 I realize that this is apples and oranges here, but just
46 remembering that, historically, the majority of the yellowtail
47 landed in the Gulf have been commercial, and so, even if 10
48 percent of these landings were recreational, which, in most

1 years, it's much less than that, but, even if it was 10 percent,
2 and you multiplied that threefold, in most cases, even under the
3 19 percent scenario, until we get to the out years, like 2024
4 and 2025, it would be unlikely that we should be looking at a
5 closure under those circumstances, all other things assumed
6 being equal, but, again, we have to dive a little bit more into
7 those data that I was just talking about before we put those in
8 front of you.

9
10 **CHAIRMAN GUYAS:** Leann.

11
12 **MS. BOSARGE:** Thanks. I appreciate this table, and that was
13 actually very helpful. Those are MRFSS, and I get what you're
14 saying, that 0.543 is in the MRFSS, but most of it's commercial,
15 and so the first question is, when you say most of it, what
16 usually like 85 percent of it or so?

17
18 **MR. RINDONE:** Better than 90 percent, historically.

19
20 **MS. BOSARGE:** Better than 90. Okay. Then you did take a look
21 at that back-calibrated FES numbers that we could plug into
22 there, and you said sometimes it's like 12,000 pounds, and
23 sometimes it's 200,000, and so the question -- If it was, we
24 would, obviously, be over the ABC some years, with these wild
25 fluctuations.

26
27 **MR. RINDONE:** Yes.

28
29 **MS. BOSARGE:** Do we have a payback, because, if we do, we would
30 actually have no commercial season the next year, because the
31 payback would be double the quota for the next year.

32
33 **MR. RINDONE:** I mean, you wouldn't have any kind of season,
34 because it's a stock ABC, and so it's the recreational and the
35 commercial sectors fish off the same number.

36
37 **MS. BOSARGE:** Right. Well, that's what I am getting at. We
38 would have a zero TAC the next year.

39
40 **MR. RINDONE:** We don't have a payback, and it's that the ACL is
41 closed in the following year when it's projected to be met, and
42 so, if it goes over in Year X, then, in the following year, X
43 plus one, the season is closed when it's projected to be met,
44 but it doesn't close the first year.

45
46 **MS. BOSARGE:** So we would probably have an extremely short
47 season, and that would project, if you landed double the quota,
48 or triple the quota, the year before.

1
2 **MR. RINDONE:** Right, and, given the variability in the landings,
3 at least based on the data that we received, where it's
4 fluctuating 100,000 or 200,000 pounds between years for a stock
5 that is still, at least historically anyway, has been a
6 predominantly commercial fishery, and we acknowledge that that's
7 changing, and that there's more yellowtail being caught
8 recreationally in the Gulf. It would result in it probably
9 being pretty difficult to accurately predict what the season
10 should be.

11
12 **MS. BOSARGE:** Last question, if I may, and did we have the same
13 wild swings under CHTS? I guess you would have to look at it on
14 a percentage basis.

15
16 **MR. RINDONE:** I would have to look at that.

17
18 **CHAIRMAN GUYAS:** John.

19
20 **DR. FROESCHKE:** Just as a follow-up to Leann's question though,
21 in the event that you have highly variable catch rates year over
22 year, in the event you have a very high one, unusually high, and
23 then you had to do a projection on the following season and
24 close, the projection is more complex than just saying, well,
25 the catch rate in the previous year was three-times higher, and
26 so we're going to assume that it's going to be that next year.

27
28 We would do a similar process that SERO has done, where they use
29 a projection took that incorporates a number of years and things
30 like that, and so it wouldn't necessarily mean that the next
31 season is bound to be as short as it could be, assuming the
32 catch rate stays at a very high level.

33
34 **CHAIRMAN GUYAS:** Tom.

35
36 **DR. FRAZER:** Just to clarify, right, you're not carrying forward
37 any overage, and you would just --

38
39 **MR. RINDONE:** No.

40
41 **DR. FRAZER:** I just wanted to make sure.

42
43 **MR. RINDONE:** There is no payback provision for yellowtail in
44 the Gulf. Again, yellowtail are not overfished or undergoing
45 overfishing, and our current buffer between the ACL and the ABC
46 is set at 11 percent. If we use the most recent management
47 regime of that August 1 opening date, and we look at the
48 landings in the Gulf, based on the way that the data are

1 collected for the commercial and the recreational fleets, and
2 the fact that we haven't had any overages, it gives us a total
3 stock ACL buffer of 8 percent.

4
5 The options that we're going to propose to you guys are to keep
6 our current 11 percent buffer, use the 8 percent buffer, or just
7 set the ACL equal to the ABC for the Gulf allocation, which is
8 something that you guys often consider when a stock is not
9 overfished or undergoing overfishing.

10
11 This shows you the difference between the Gulf ABC and the Gulf
12 ACL under the different scenarios, and so, if we keep the
13 current jurisdictional allocation of 25 percent to the Gulf,
14 those three left columns will show you what the ACL would be
15 under the 11 percent and the 8 percent ACL buffers, and, if we
16 drop to 19 percent, using MRIP-FES to redo the jurisdictional
17 allocation, you can see the same thing in those two right-most
18 columns, the 11 percent and the 8 percent buffers. Of course,
19 if we set the ACL equal to the ABC, then that's implied by those
20 columns.

21
22 The South Atlantic actions are going to be similar to the Gulf,
23 for a couple of them anyway, to modify the South Atlantic's
24 acceptable biological catch, determination of optimum yield, and
25 the annual catch limits, and it will modify the South Atlantic's
26 sector allocations, using that same Bow Tie approach for its
27 commercial and recreational sectors. Modify the South
28 Atlantic's sector ACLs and ACTs, using their formulas for that,
29 and also an examination of the South Atlantic commercial trip
30 limits, and that's partly in an effort to try to extend the
31 commercial fishing season.

32
33 Right now, they don't have a commercial trip limit, and so I've
34 been on a couple of those yellowtail trips, and some days you
35 just really hit it, and you can land a thousand pounds of
36 yellowtail in a matter of a couple of hours, and then some days
37 it takes all day to land 300, but, when they're really getting
38 after it, they can land quite a bit of fish, and so, by
39 instituting commercial trip limits, part of the thinking is that
40 they can extend the season and carry it into the summer and
41 hopefully provide some consistency for that fleet. That's what
42 we have.

43
44 **CHAIRMAN GUYAS:** Thanks, Ryan, and so I have a procedural
45 question. This is sort of a joint amendment, but it's not,
46 because it's not like CMP, and so, I mean, we have Gulf actions,
47 and I think we have South Atlantic, and would we be voting on
48 the South Atlantic ones, ultimately, and they would be voting on

1 the Gulf ones, or everybody is kind of doing their separate
2 thing here, and so it's just all in one document?

3
4 **MR. RINDONE:** It's all in one document, and the Gulf would need
5 to select its preferreds, and then the South Atlantic would need
6 to select its preferred, and I think, because it is going to be
7 a joint document, and I guess I would look to Mara, and what do
8 you think about that? I don't know that we've talked about that
9 specifically.

10
11 **MS. LEVY:** I can give my thoughts, and, also, I will note that,
12 from my office, Jocelyn D'Ambrosio is the lead attorney on this,
13 and she is on the line. I think you would have to agree on the
14 allocation between the Gulf and South Atlantic, and so that's
15 why having one document is helpful in that regard. With respect
16 to the other actions, I think we would have to talk about it. I
17 mean, I can see that you could just -- The Gulf could vote on
18 its own Gulf actions, and the same for the South Atlantic, on
19 its own South Atlantic actions, but I'm not sure how many
20 conversations we've had about that. Jocelyn might have some
21 further insight on that, but we will definitely let you know.

22
23 **MS. JOCELYN D'AMBROSIO:** I agree with what Mara said. There is
24 allocations that would need to be decided on, and I think it's
25 probably okay for the Gulf to vote on its actions and the South
26 Atlantic to vote on its actions, and then the document, as a
27 whole, I think, would need to be approved, and so it would take
28 close coordination, but I don't -- If you're wondering about if
29 the South Atlantic is going to choose the buffers and things
30 like that for the Gulf, I believe that's not something
31 necessarily to worry about, but, the holistic picture of
32 management, I think there should be agreement on that.

33
34 **MR. RINDONE:** Jocelyn, you were a little difficult to understand
35 there at the end. Could you repeat it one more time?

36
37 **MS. D'AMBROSIO:** Sure, and I was just repeating some of the
38 things that Mara had introduced. If you're talking about the
39 overall allocations and that whole holistic picture of
40 management, then that's where you want there to be agreement
41 between the councils, but we can continue to discuss it, but it
42 seems like the individual sort of Gulf-specific actions -- The
43 Gulf would vote on, but, again, I can continue to follow-up with
44 others and continue to provide advice on that.

45
46 **MR. RINDONE:** Jocelyn, just procedurally, so when the councils
47 are looking at the amendment, and we're presenting this in front
48 of them, would it be helpful to put maybe just a header or

1 something in front of the actions that says this is a joint
2 action, this is a South Atlantic Council action, this is a Gulf
3 Council action, just so that the councils know specifically what
4 they need to be having concurrent preferreds on and what they
5 need to deal with on their own accord?
6

7 **MS. D'AMBROSIO:** Yes, I think that's a great idea.
8

9 **MR. RINDONE:** Okay.
10

11 **CHAIRMAN GUYAS:** Okay. Bob and then Tom.
12

13 **MR. GILL:** Thank you, Madam Chair. I recognize this is largely
14 a South-Atlantic-driven document, and certainly that was the way
15 it was handled in the SSC, but, from a council perspective, I
16 think consideration of a constant catch alternative ought to be
17 in there, and you have a roughly million-pound difference
18 between starting year and ending years, assuming they used five
19 years, and so you're talking a considerable change, and I think
20 one consideration might be a constant catch alternative to
21 accommodate that rather large swing. Thank you.
22

23 **CHAIRMAN GUYAS:** Tom.
24

25 **DR. FRAZER:** Just, again, for clarity, the mutual decision point
26 has to do with allocation between the two councils, and I am
27 trying to understand, maybe from Mara, what is the process to
28 kind of have those negotiations, if there are in fact some
29 negotiations.
30

31 **MS. LEVY:** Well, I mean, I think it's kind of like what you do
32 with CMP, right, and you would pick a preferred, and the South
33 Atlantic would pick a preferred, and that's how you would -- I
34 mean, unless you're going to have some joint meeting to discuss
35 it, and you just have to come to the same conclusion on what you
36 want that to be.
37

38 **MR. RINDONE:** I would see it -- I would envision it to be
39 similar to the CMP process, and so, for the actions that are
40 labeled that this is a joint Gulf and South Atlantic Council
41 action, like the jurisdictional allocation and the stock ABC and
42 the council-specific ACLs, and those are going to be ones that
43 we're going to need to agree upon, and then it would be similar
44 to the CMP process, where we would say the Gulf and South
45 Atlantic Council preferred alternative is Alternative 2 or
46 whatever.
47

48 For the council-specific ones, you guys can move through those,

1 but until -- Basically, this document needs to be fleshed out in
2 such a way that, at the end of it, both councils are going to
3 approve it, because it has joint actions within it.

4
5 **DR. FRAZER:** I appreciate that. I mean, the initial step,
6 right, in order to move to all of those subsequent types of
7 decision points, you have to decide whether or not the Gulf
8 Council is going to have 25 percent of the allocation or an
9 adjusted allocation of 16 percent or whatever it is, and so I
10 don't think that's going to necessarily be an easy discussion,
11 and so what I am trying to figure out, in anticipation of that,
12 is how do we actually put a working group or something together
13 to make sure that there is some agreement, moving forward,
14 because it will be difficult.

15
16 **CHAIRMAN GUYAS:** We can bring back the South Florida Committee.
17 I am kind of saying that as a joke, but, I mean, this is why the
18 committee brought this together. Leann.

19
20 **MS. BOSARGE:** A couple of things. One idea, Tom, is we have
21 been known to have joint meetings, council meetings, with the
22 South Atlantic, and we did that -- Gosh, it's been a while back,
23 but, anyway, we had a lot of mackerel discussions going on at
24 that point, and we had a joint meeting with them, and it was
25 interesting, but I think it was productive. Then that was all
26 about that, and, Ryan, I think one thing that would be helpful -
27 - You're looking for input to bring stuff back to us, right?

28
29 **MR. RINDONE:** Yes, ma'am. I was just pitching this in front of
30 you to make sure that the things that we're proposing for
31 actions and alternatives are reasonable, and so, thinking about
32 what you've seen today, and the main things for the Gulf Council
33 are options for the jurisdictional allocation would be to retain
34 the current 75/25 split or to revise it using the FES data to
35 the 81 percent/19 percent.

36
37 For the setting of the Gulf ACL, with respect to the Gulf's
38 portion of that jurisdictional allocation, the ACL could be set
39 equal to the Gulf's portion of the ABC, and we could use our
40 current 11 percent buffer, and that was calculated when we used
41 MRFSS, but just carry that 11 percent and use that, or we could
42 update it, based on the most recent years of information, and
43 have an 8 percent buffer between the ACL and the ABC.

44
45 **MS. BOSARGE:** Okay.

46
47 **MR. RINDONE:** Those are really the only Gulf-specific actions,
48 is what's the split and what is our ACL ultimately going to be,

1 and the rest of it is going to fall to the South Atlantic
2 Council, the things like the commercial trip limits and stuff,
3 and that's all to them.

4
5 **MS. BOSARGE:** Okay, and so I think one thing that would be
6 really helpful on that allocation discussion is to see what the
7 South Atlantic landings have been by sector, right, over or
8 under their allocations and then the total quota that they have,
9 because they have sector allocations, right, commercial and
10 recreational, and so, if you could bring that back to us in
11 MRFSS and FES, sort of like you do for us with our allocations,
12 that would be great, so we can understand that, because that
13 plays a role in how much we shift, right, because if there is
14 some underfishing going on over there, then we may think twice
15 about going from 25 to 19, and we may find some medium ground,
16 or some compromise, there. That would be very helpful for me to
17 see.

18
19 The other thing that -- I'm trying to be proactive here, and I'm
20 a little pessimistic, given what you told me about the
21 fluctuation in the rec landings, and, although we don't have a
22 payback, if we have a year where you have a large spike in rec
23 landings, due to variability in the data, what's going to happen
24 is you will -- On a TAC that small, you're very likely going to
25 exceed your ABC, and possibly something worse than that, and I
26 don't know, and so we may end up in a situation where they come
27 to us, NMFS comes to us, and says, well, you're overfishing, and
28 you've got to end overfishing immediately.

29
30 Then, because of some fluctuations in data, we're looking at, on
31 a fishery that's mainly commercial, and we have maybe one data
32 point that was outside the realm, recreationally, and we're
33 trying to implement bag limits and shortened seasons and so
34 stuff that's maybe not necessary, and so, to be proactive, I
35 would like to see some of this data in a very big table format,
36 and you said you were going to look into it, and I would like to
37 see how many intercepts there are.

38
39 Bring me back some info on how many yearly intercepts we're
40 getting on yellowtail, because it is a south Florida fishery,
41 right, Martha, and so MRIP is a Gulf-wide survey, and we know
42 that sometimes there are some issues, when you try and pick out
43 a little piece of coastline and get really precise data. Maybe
44 there is something we can do on the frontend to remedy that, and
45 maybe there is some way to beef it up, and I don't know, but I
46 want to be proactive, and I don't want to wait until we're in an
47 overfishing spot and put new regulations on an almost purely
48 commercial fishery because we had one intercept somewhere

1 recreationally, and so can you bring us as much info as you can
2 get on that?

3

4 **MR. RINDONE:** We will dig out all we can.

5

6 **MS. BOSARGE:** Okay.

7

8 **CHAIRMAN GUYAS:** I see you, Mara, but, if we do that, let's see
9 if we can break it down by MRIP region too, right, because the
10 Keys is going to be one story, but we have heard of the
11 yellowtail kind of creeping up the coast on the west coast, and
12 it would be kind of interesting to see the intercepts there, and
13 are they increasing in frequency and that kind of thing.

14

15 **MR. RINDONE:** From an FWC perspective, it's pretty much all
16 still in the same zone though, and it's all that West Central
17 Florida Zone.

18

19 **CHAIRMAN GUYAS:** Monroe County is separate though.

20

21 **MR. RINDONE:** Right, and Monroe County Keys is its own, but
22 that's all going to the South Atlantic. You've got the five
23 data collection zones for recreational, and it's Northwest, West
24 Central, Keys, Southeast, and Northeast.

25

26 **CHAIRMAN GUYAS:** I guess, depending on when we look at this, we
27 might be able to pull what we have for the State Reef Fish
28 Survey, but it just hasn't been running long enough with
29 yellowtail, probably, to give us a good picture, because we do
30 have smaller regions for data collection there, which is more
31 informative.

32

33 **MR. RINDONE:** Well, and even if that could serve as like a heat
34 check to the recent data that we have received from the Regional
35 Office from FES, and that would probably help, to some degree,
36 and we'll look at that, and we'll pull the APAIS intercepts, and
37 we'll figure out all we can.

38

39 **MS. BOSARGE:** Bring me anything I guess -- Do you all put that
40 on your Reef Fish Survey? Is yellowtail on there?

41

42 **CHAIRMAN GUYAS:** It was added last June, and so we only have a
43 year of it right now, but we added the south Florida species and
44 extended it to the Atlantic side and the Keys, and it did not
45 cover the Keys before.

46

47 **MS. BOSARGE:** Well, maybe any -- I mean, it doesn't have to be
48 specific, or, really, it should be specific, but any specific

1 information you have, and I am just spit-balling here, but maybe
2 we can find a way for your data to supplement the MRIP data in
3 years where we have a very low intercept, and I just want to get
4 ahead of it, and I can see it probably becoming an issue.
5

6 **CHAIRMAN GUYAS:** Mara and then Kevin.
7

8 **MS. LEVY:** Thank you. I was just going to ask Ryan, and so are
9 you looking for specifics from the council about the range of
10 alternatives and such, because, right now, there are two
11 allocation alternatives, and the end year of that allocation is
12 2008, and so I don't -- I mean, how is it not reasonable to at
13 least look at some more recent years? I am just wondering where
14 -- Jocelyn can chime in if she wants, but I am not exactly sure
15 where the IPT is in the process, but it seems like, from what
16 you said, you were looking at bringing back two alternatives in
17 the document.
18

19 **MR. RINDONE:** If the council wants to propose using the most
20 recent ten years, or the most recent twenty years, or something
21 like that, we can certainly put those forward as options as
22 well. The South Atlantic Council, historically, has liked to
23 use this weighting of a long time series and 50 percent of the
24 weighting going towards the total series and then 50 percent
25 going to the most recent few years, which more heavily weights
26 the more recent landings than it does the total time series.
27

28 Typically, in the Gulf, we just look at the average landings by
29 sector across the single time series, but you guys can certainly
30 propose different options, if there's something else that you
31 would like to see, and it doesn't have to be done the way that
32 it's always been done.
33

34 **MS. LEVY:** So is the second alternative here -- Because it
35 wasn't clear, and so, right now, it's 50 percent of average
36 landings from 1992 to 2008 plus 50 percent of average landings
37 from 2006 to 2008. Would the new alternative update those
38 years, or I can't tell, from this, whether it would be using
39 those same years, but just using the FES data.
40

41 **MR. RINDONE:** It would use the same years with FES data.
42

43 **MS. LEVY:** Okay, and so it's not even using that same formula,
44 but then updating the years, and, I mean, I think maybe -- I
45 don't know what the council is going to want to do, but I don't
46 know what the IPT talked about, but maybe there are some other
47 options that the IPT could talk about or the council could come
48 up with.

1
2 Then, just before I leave the mic, Bob had asked about a
3 constant catch, and I believe, right, that the SSC gave the ABC
4 in the declining catch level, and so, if you want a constant
5 catch, the SSC either has to give you that, or the only constant
6 catch you could basically choose is the lowest, right, because
7 you can't go over it, once you get down there, and so I just
8 wanted to raise that as an issue.

9
10 **CHAIRMAN GUYAS:** Thanks, Mara. Kevin.

11
12 **MR. ANSON:** I had a couple of thoughts as well, and Leann
13 brought up some of those, and then Mara as well, but I have
14 several questions. Just to confirm, Ryan, what you said is, for
15 yellowtail only, all of the landings that are brought into the
16 Keys are associated to the South Atlantic Council's
17 jurisdiction, correct?

18
19 **MR. RINDONE:** Correct.

20
21 **MR. ANSON:** Because they do ask if you're fishing in the Gulf,
22 on the survey at least, the APAIS survey. Where you're landing,
23 regardless of where they're fishing, all of those are being
24 attributed to the South Atlantic?

25
26 **MR. RINDONE:** Right. Monroe County is credited to the South
27 Atlantic.

28
29 **MR. ANSON:** So the issue then, as far as being proactive, what
30 Leann had mentioned, I think that's something that ought to be
31 considered. Yes, I'm concerned as well about FES and the
32 fluctuations and how just a few samples can really change what
33 the landings are, and so I would be interested in including some
34 sort of options to address that.

35
36 Then this issue with the years and going to your comment related
37 to seeing more off the Tampa area, and we've got a situation
38 with climate change, and so being proactive in that sense, or at
39 least trying to account for that in the most recent time series,
40 and I think we ought to look at including some times, or years,
41 for allocation, or determining allocations, between the
42 councils.

43
44 Now, this is just dealing with, right now, one state, east coast
45 versus west coast, and so it's not too critical, but at least,
46 if we go through the exercise, maybe as far as that accounting
47 of those intercepts and the numbers of intercepts and where
48 they're occurring, that might give us some indication as to the

1 relative change, east coast versus west coast.

2
3 On paper, at least, it looks like there's more habitat on the
4 west coast, and so, if they are moving up north, there might be
5 a chance for more fish actually to accumulate on the west coast
6 versus the east coast, and so those types of things would be
7 valuable

8
9 Then the issue with the constant catch, and just a question, and
10 is it because of the declining OFL, and is it because of just
11 the uncertainty, or -- I mean, we're not changing anything
12 relative to the amount of harvest that's going to be occurring,
13 and so I am just curious, and it's a rather large difference in
14 OFL at the beginning of the time series to five to six years
15 later. You're essentially 25 to 30 percent less, that OFL, and
16 can you explain that? Ryan, do you recall why the --

17
18 **MR. RINDONE:** Sure, and so the stock assessment had estimated
19 that the spawning stock biomass at the terminal year, at 2017,
20 was quite a bit greater than spawning stock biomass at maximum
21 sustainable yield, and so there's this surplus, if you will, of
22 biomass out there above what's necessary to maintain the
23 spawning stock biomass at maximum sustainable yield, and so the
24 projections allow for an increased harvest in the short-term,
25 and you eventually fish down to that lower equilibrium.

26
27 The thing to remember with the catch limit recommendations that
28 came out is that they were agreed upon, and had to be agreed
29 upon, by both the Gulf and the South Atlantic SSCs, and so, in
30 just differences in how each SSC typically provides catch
31 recommendations to its council, that could be part of why there
32 weren't multiple alternatives offered of like, if you want to do
33 annual yields, do this. If you want to do constant catch, let's
34 do that, but, if you guys really wanted to see constant catch,
35 then we could put that back in front of the SSCs, and we would
36 just have to get both of them to agree on revised catch
37 recommendations based on that.

38
39 **CHAIRMAN GUYAS:** Kevin.

40
41 **MR. ANSON:** To that, I guess, thinking ahead or such, since
42 there is a little bit of a different philosophy between the two
43 SSCs regarding that, procedurally, is it available for the SSCs
44 to choose either or, and, for instance, could the Gulf SSC
45 choose the constant catch and the South Atlantic choose their
46 declining OFL catch series?

47
48 **MR. RINDONE:** No, I don't think so. I think that they would

1 need to agree on what they were going to do, insofar as it
2 relates to the ACL in the short-term. If the Gulf Council
3 wanted to set it at something below the ABC, such that the ACL
4 wouldn't exceed the ABC, but it could be held at some constant
5 level through time, then you guys could look at that, but,
6 because of the joint nature of how the stock is managed, the
7 determination of the catch limits, I think that they would need
8 to agree on, but we could seek some clarification on that and
9 see if the South Atlantic wants to have a declining trend versus
10 the Gulf having a constant catch.

11
12 I think just thing that becomes kind of cumbersome with that is
13 that, at some point, in the out years, it could be possible,
14 depending on the number that's chosen, that the combined Gulf
15 and South Atlantic ACLs exceed the stock ABC.

16
17 If the South Atlantic takes an annual yield approach, and that's
18 on a declining trend at some lower asymptote, but we fix the
19 Gulf constant over say a three-year period, under the
20 presumption that we tend to revisit these things with some
21 regularity, usually, we could end up in a situation where
22 there's an imbalance, and so that's the main reason why having
23 them done the same way is preferable, but the South Atlantic
24 Council staff could go back to the South Atlantic Council and
25 ask them about a constant catch situation, and they may say they
26 think that's a great idea. Then that makes the process a lot
27 easier, as opposed things being disparate.

28
29 **CHAIRMAN GUYAS:** Let me add one more thing to the mix, and I
30 know the AP has talked about this, and the message from our Gulf
31 Reef Fish AP was basically don't mess this up, and everything is
32 fine right now. Whatever you all do, don't mess this up.

33
34 Looking at what the South Atlantic is working on, or they're
35 going to be looking at commercial trip limits, and so all of
36 these people that have these commercial permits, and most of
37 them are in the Keys, and some of them have both permits, and
38 some have Gulf, and some have Atlantic, and, you know, they're
39 docked on one side or the other, and they're kind of all, for
40 the most part, working out of the same areas.

41
42 I think it probably would be worthwhile for us to look at
43 whatever trip limit the South Atlantic is looking for for
44 commercial, just for consistency's sake. I mean, I don't know,
45 necessarily, and maybe this is a Mara question, or Jocelyn,
46 since this is her jam, if you have both commercial permits, Gulf
47 and South Atlantic, and you're jumping from side to side, and
48 the South Atlantic has a trip limit and the Gulf doesn't, what

1 are the implications of that, and how does that work, and I
2 understand from a state and federal perspective, but not
3 necessarily from two separate council jurisdictions.

4
5 Just for simplicity's sake, it might be helpful for us to look
6 at that item as well, to look at the commercial trip limits, and
7 maybe we decide not to move forward with it, but I just think
8 that we probably need to, just given the population of people
9 that are going to be -- The overlapping permits and just the
10 small area in which all these people are working.

11
12 **MR. RINDONE:** Okay. Do you have any idea of about what you want
13 to see for that, or do you want to see what the commercial
14 landings tend to be by trip first, and so, I mean, like I was
15 describing, sometimes it can be pretty variable.

16
17 **CHAIRMAN GUYAS:** I don't know. I mean, the only reason I say
18 that is just so that we -- If the South Atlantic is going to go
19 down that road, we need to at least thing about it too.

20
21 **MR. RINDONE:** Okay, and so maybe, for the time being, whatever
22 the South Atlantic thinks is appropriate for establishment of
23 commercial trip limits, like whatever poundages they think are
24 appropriate, to look at those first.

25
26 **CHAIRMAN GUYAS:** Yes, and I know that they've had, on their
27 side, commercial fishermen asking for trip limits, and I can't
28 remember, off the top of my head, what they were, and I have not
29 looked at the data close enough to be able to really give a
30 recommendation at this point, but I just think we just need to
31 keep our eye on that, and, if we're going to think about, we
32 probably need to put it out there now, but, again, I get the
33 message that everything -- The management that we have in place
34 now in the Gulf is working, and I am not trying to mess that up,
35 but just trying to think bigger picture here. Jocelyn.

36
37 **MS. D'AMBROSIO:** Thank you. On that trip limit question, I
38 think sometimes, depending on if you're fishing in areas that
39 cross jurisdiction, it can be an enforcement issue, just trying
40 to make sure you're understanding where the fish were caught and
41 whether they're compliant with the trip limit, and so sometimes
42 it makes sense to see if you want to do things compatible, but
43 definitely a good issue to raise.

44
45 On the constant catch front, if I could go back to that for a
46 second, I just wanted to say it sort of depends on how you get
47 to a constant catch and what we're talking about maintaining
48 constant. If we just want an ACL that doesn't change, you can

1 probably take the declining catch advice from the stock
2 assessment and just find an ACL that would meet all of the
3 requirements under the National Standard 1 Guidelines, and so
4 the ACL not exceeding the ABC, and the ABC usually is reduced
5 from the OFL, and so you could find an ACL that works constant
6 within that framework.

7
8 If you wanted to change that catch advice coming from the
9 assessment, that would certainly need to go back to the SSC, and
10 that's where you would want to have the same approach in the
11 Gulf and South Atlantic, because those measures are for the
12 stock, and you want to have the overfishing limit for the stock
13 and the ABC for the stock, and so there is two ways to do it,
14 but I am just trying to be clear about what you're trying to do,
15 and, obviously, if you're maintaining the declining advice, and
16 you have an ACL that tries to meet all those requirements of
17 Magnuson, you might need to pick that lowest ACL, but that's
18 just something to think about, how you would want to get to a
19 constant value and an agreement with the South Atlantic, if
20 you're changing the values for the stock ACLs and ABCs.

21
22 **CHAIRMAN GUYAS:** Leann.

23
24 **MS. BOSARGE:** On the trip limit topic, I am hoping that maybe
25 Bill Kelly or somebody is listening in right now, and I would
26 really like to hopefully -- He's the one that usually gives us
27 feedback on yellowtail, and we may have some other fishermen in
28 the room, or listening in, but I'm hoping that maybe we can get
29 a little feedback on that idea of a trip limit for yellowtail,
30 because I do kind of -- I don't know, but, to me, it creates an
31 inefficiency if it's not needed, right, and you just put a limit
32 on them, and that makes the trip slightly more inefficient if
33 they could in fact exceed that limit.

34
35 Anyway, I have a little bit of reservation about throwing that
36 in just to make things easy from a jurisdictional perspective.
37 Of course, I don't know how often they are crossing the line, if
38 they're really fishing back and forth within that trip
39 constantly, if that's happening or not, but maybe we could also
40 get some more information from law enforcement, where, if you do
41 hold both permits, just where are the boats physically at at
42 that moment or what, and so thanks.

43
44 **CHAIRMAN GUYAS:** Go ahead, Ryan.

45
46 **MR. RINDONE:** I just wanted to note to the committee that we are
47 going to bring this information in front of the Reef Fish AP, at
48 its January 5, 2022, meeting in Tampa, and, based on the

1 discussion, I'm thinking I should give it a little more time
2 than I have, but we will certainly get some feedback for you
3 guys for the January council meeting on sentiments from the Reef
4 Fish AP.

5
6 **CHAIRMAN GUYAS:** Okay. Then, if the Reef Fish AP talks about, I
7 guess this has got to go back to the South Atlantic, and I am
8 trying to understand the timeframe here and kind of what Tom was
9 saying, the path forward, I guess, with working with them, and
10 so we're thinking this is going to be a back-and-forth, and I
11 don't know.

12
13 **MR. RINDONE:** The problem with doing it in separate documents is
14 that you guys would still ultimately have to agree on whatever
15 the council jurisdictional allocation is, and that, ultimately,
16 affects everything downstream from that, and so, even if you did
17 it separately, if you disagreed on that, it keeps the rest of
18 the document, for both councils, from going forward, and so it
19 will be necessary to have agreement between the councils before
20 these can go forward, and the Gulf Council can't submit that we
21 like 25 percent, and the South Atlantic says we think the Gulf
22 should have 19 percent, and then Andy says, no.

23
24 **CHAIRMAN GUYAS:** I get that. I'm just trying to think what is
25 the most efficient way for us to get there, right, especially
26 since we're dealing with some potentially thorny topics here,
27 with allocations and all that, and so I don't know, and I guess
28 I need to think about it more, but it might be -- The idea of
29 kind of having some kind of sub-committee or group or a joint
30 meeting may not be a bad one, to at least hammer out the
31 allocation issues and look at ABCs and all that.

32
33 **MR. RINDONE:** Myra Brouwer is the lead for the South Atlantic,
34 and I will talk to her and the IPT, and we'll see if we can't
35 figure out some way to get some joint small committee or
36 something like that, and representatives of the council, similar
37 to the south Florida situation, or maybe some new idea, and just
38 talk to the council leaderships and figure out the best way.

39
40 **CHAIRMAN GUYAS:** Cool. Anybody have anything else on
41 yellowtail? I think we've probably pushed our limits on time on
42 this this morning, and so thanks, Mr. Chair, for giving us the
43 time.

44
45 **MR. DIAZ:** Thank you, Ms. Guyas.

46
47 (Whereupon, the meeting adjourned on October 27, 2021.)