

GULF OF MEXICO FISHERY MANAGEMENT COUNCIL

REEF FISH MANAGEMENT COMMITTEE

The Lodge at Gulf State Park Gulf Shores, Alabama

April 9, 2024

**VOTING MEMBERS**

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

**NON-VOTING MEMBERS**

- Dave Donaldson.....GSMFC

**STAFF**

- Max Birdsong.....Social Scientist
- Assane Diagne.....Economist
- Matt Freeman.....Economist
- John Froeschke.....Deputy Director
- Lisa Hollensead.....Fishery Biologist
- Mara Levy.....NOAA General Counsel
- Jessica Matos.....Administrative & Accounting Technician
- Emily Muehlstein.....Public Information Officer
- Ryan Rindone.....Lead Fishery Biologist/SEDAR Liaison
- Bernadine Roy.....Office Manager
- Carrie Simmons.....Executive Director

**OTHER PARTICIPANTS**

- Richard Cody.....NOAA

1 Frank Helies.....NOAA  
2 Mike Larkin.....NMFS  
3 Jessica McCawley.....SAFMC  
4 Jim Nance.....SSC  
5 Jessica Stephen.....NMFS  
6 John Walter.....SEFSC

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TABLE OF CONTENTS

1  
2  
3 Table of Contents..... 3  
4  
5 Table of Motions..... 4  
6  
7 Litigation Update..... 5  
8  
9 Adoption of Agenda and Approval of Minutes and Action Guide and Next  
10 Steps..... 9  
11  
12 Review of Reef Fish and IFQ Program Landings..... 9  
13     Presentation..... 10  
14     State Surveys for Private Angling Red Snapper Landings.... 13  
15         Florida..... 13  
16         Alabama..... 14  
17         Mississippi..... 17  
18         Louisiana..... 21  
19         Texas..... 27  
20  
21 Presentation: 2024 Gag and Red Grouper Recreational Season  
22 Projections..... 32  
23  
24 Discussion of Conservation and Management of Wenchman in the Midwater  
25 Snapper Complex..... 45  
26  
27 Draft Options: Reef Fish Amendment 58: Modifications to Shallow-  
28 Water Grouper Complex Catch Limits and Management Measures..... 49  
29  
30 Fishermen Feedback for SEDAR 85..... 78  
31  
32 Review: February 2024 Gulf SSC Meeting Summary..... 81  
33     SEDAR 85: Gulf Yellowedge Grouper Assessment/Projections.. 81  
34     Other Deepwater Grouper Landings Data and Catch Limits.... 81  
35     Gulf of Mexico Red Snapper Research Track SEDAR 74..... 92  
36     Comparison of the Reef Fish and Snapper Grouper Fisheries. 114  
37     2024 Gulf Red Grouper Interim Assessment Review..... 115  
38  
39 Presentation on Reef Fish Amendment 60: IFQ Programmatic  
40 Distributional Issues..... 116  
41  
42 Other Business..... 145  
43     Discussion of Amendment 53..... 145  
44  
45 Adjournment..... 150  
46  
47

TABLE OF MOTIONS

1  
2  
3 [PAGE 46](#): Motion to discontinue work on Reef Fish Amendment 61.  
4 [The motion carried on page 47.](#)  
5

6 [PAGE 48](#): Motion that Amendment 58 be tabled until such time as  
7 the FES 2024 pilot study results have been completed and deemed  
8 consistent with BSIA by the Gulf SSC. [The motion was withdrawn on](#)  
9 [page 49.](#)  
10

11 [PAGE 91](#): Motion that the council recognizes the results of the  
12 SEDAR 85 stock assessment and the SSC's recommendations for catch  
13 limits for the deep-water grouper complex and requests staff to  
14 begin development of a document to modify the deepwater grouper  
15 catch limits accordingly. [The motion carried on page 91.](#)  
16

17 [PAGE 104](#): Motion that the Science Center is requested to use the  
18 two-region model for red snapper assessments. [The motion was](#)  
19 [withdrawn on page 113.](#)  
20

21 [PAGE 145](#): Motion to start a new document to reconsider Amendment  
22 53, using SRFS data and in accordance with the opinion of the  
23 appeals court. [The motion failed on page 149.](#)  
24

25 - - -  
26

1 The Reef Fish Management Committee of the Gulf of Mexico Fishery  
2 Management Council convened at The Lodge at Gulf State Park in  
3 Gulf Shores, Alabama on Tuesday morning, April 9, 2024, and was  
4 called to order by Chairman Tom Frazer.

5  
6 **LITIGATION UPDATE**  
7

8 **MR. KEVIN ANSON:** Good morning, everyone. We're going to go ahead  
9 and get started here in a little bit with the Reef Fish Committee.  
10 Yesterday, there was a short discussion about moving one of the  
11 agenda items from Full Council, regarding the litigation update  
12 that was identified in Other Business in the Full Council agenda  
13 on Thursday, and we're going to have that discussion this morning,  
14 because there are points that may be relevant to a couple of the  
15 agenda items that are in the Reef Fish Committee, and so, with  
16 that, Ms. Levy, are you ready to go into that?  
17

18 **MS. MARA LEVY:** Yes, I am. I feel like I've moved from like late,  
19 late night to primetime. From 4:45 on Thursday to 8:00 a.m. on  
20 Tuesday, and so I've prepared notes.  
21

22 I thought I would talk about both the Amendment 54 litigation and  
23 the Amendment 53 litigation, because the case dealing with the  
24 greater amberjack in Amendment 54 came out -- The decision from  
25 the district court came out right at the end of the last meeting,  
26 and I don't really have a whole lot more to offer, but I can update  
27 you on where we are, and I can just review what that decision was  
28 about.  
29

30 That decision dealt with the appointments clause in the U.S.  
31 Constitution, and the appointments clause basically prescribes the  
32 exclusive means to appoint officers of the United States, which  
33 has a particular meaning, and so I'm not going to get into like a  
34 legal seminar, but, generally, officers of the United States are  
35 appointed by the President, with the confirmation by the Senate,  
36 right, and those are the heads of cabinets that everyone is  
37 familiar with, and there are also lesser officers of the United  
38 States that are kind of supervised by those officers, and they're  
39 ones that are appointed by the ones that are confirmed,  
40 essentially, and so there have been a couple of challenges related  
41 to the appointments clause and whether the council members are  
42 appointed, are required to be appointed, pursuant to that clause,  
43 and, if they are required to be appointed pursuant to that clause,  
44 have they been appointed properly.  
45

46 There was the case in Mississippi, which dealt with Amendment 54,  
47 and there is a case out of New Jersey, and there's a case in Maine,  
48 all dealing with the same issue, okay, and so it's not just a Gulf

1 issue.

2  
3 The Mississippi case -- So two cases have ruled, the Mississippi  
4 court and the New Jersey court, and both upheld NMFS' actions in  
5 promulgating the rules at issue, but the Mississippi court  
6 identified some flaws with the council system, but the court still  
7 rules in NMFS' favor and did not require any remedial action  
8 regarding the rule, and so the Amendment 54 final rule is still  
9 valid, and there's nothing that anybody has to do. The New Jersey  
10 case basically also upheld that rule. The third case is still  
11 pending in the District of Maine.

12  
13 There is no decision as -- There is no court decision that has  
14 ordered a change in council operation or process, and so there's  
15 nothing that you have to do with respect to this decision, but  
16 both of those decisions have been appealed, and so the Mississippi  
17 case is in the 5<sup>th</sup> Circuit now, and then the New Jersey case is in  
18 the 1<sup>st</sup> Circuit, and, with respect to the Mississippi case, the  
19 plaintiffs have filed their briefs in the appellate court. The  
20 government's brief is due at the end of April, and then the  
21 plaintiffs get a final reply at the end of May, and then we will  
22 have to wait to see what the 5<sup>th</sup> Circuit says about it, and so that  
23 was my update on that case. I will pause and see if anybody --

24  
25 **MR. ANSON:** Any questions on Amendment 54? All right. Go ahead.

26  
27 **MS. LEVY:** Okay. All right, and so the other decision, more  
28 recently, that came out March 1, was the decision on Amendment 53,  
29 which, right, was the red grouper catch limits and allocation  
30 percentages change, and so, just to kind of recap, the challenge  
31 came from those groups that represent the commercial sector, and  
32 the challenges included -- There were a number of challenges raised  
33 in the district court, and the district court ruled in NMFS' favor,  
34 and the plaintiffs then appealed. That was in the D.C. court, and  
35 so it was in the D.C. Circuit Court, the appeal.

36  
37 The issues on appeal were more narrow than those in the district  
38 court, and so the appellate court was looking at consistency with  
39 National Standard 4, consistency with National Standard 9, that  
40 the rule was consistent with Section 303(a)(15) of the Magnuson  
41 Act, which is that provision that requires ACLs and AMs, and so  
42 that's the part that says you have to have annual catch limits and  
43 accountability measures, and it was also claimed that NMFS violated  
44 the Administrative Procedure Act by relying on economic analyses  
45 that NMFS previously indicated was not appropriate in Amendment  
46 28.

47  
48 Amendment 28 dealt with the red snapper reallocation, and there

1 were some statements about what you did with economic analysis  
2 when looking at allocation, and so one of the claims was that what  
3 we did in Amendment 53 was inconsistent with what we said in  
4 Amendment 28, and so those were the issues that the D.C. Circuit  
5 was looking at.

6  
7 That court issued its decision on March 1, and that court affirmed  
8 and reversed in part, and it remanded without vacating the rule,  
9 and so the rule is still in place. There hasn't been any action  
10 on that rule, but there is going to be a remand to the district  
11 court, and then to NMFS, to address some of the issues that the  
12 appellate court found that NMFS did not provide enough explanation  
13 for.

14  
15 I will start with -- I will talk about the three issues that got  
16 remanded. The issue that the appellate court upheld was the idea  
17 that this rule was in violation of 303(a)(15), that it did not  
18 appropriately establish annual catch limits and accountability  
19 measures.

20  
21 The claim there was essentially that you had to have some sort of  
22 way to separately monitor and track discards, in order to have an  
23 appropriate catch limit, and the district court, and the appellate  
24 court, determined that that was not required, that you just had to  
25 have catch limits, and they had to account for discards, which  
26 happens in the assessment, but you don't have to have essentially  
27 separate discard levels that you're monitoring separately from the  
28 landed catch.

29  
30 Regarding the economic analysis, the court said that the agency  
31 didn't explain how what was done in Amendment 53 was appropriate  
32 when it indicated, in Amendment 28, that this type of analysis  
33 should not be done, and then the court also said that it was  
34 unclear the weight that NMFS gave to this economic analysis in  
35 determining that National Standard 4 -- Determining that the rule  
36 was in compliance with National Standard 4 and National Standard  
37 9, and so the court remanded on those three issues, and like  
38 explain to us how it was okay to do the economic analysis here, or  
39 how it's different than what you did in Amendment 28, and then  
40 explain to us whether you need to do anything else regarding your  
41 compliance with National Standard 4 and National Standard 9.

42  
43 The decision is not that long, and it's twelve pages, and so I  
44 would encourage you to read it, if you're interested more in what  
45 the court said, and there are a number of statements in there  
46 regarding National Standard 4 and National Standard 9.

47  
48 With National Standard 4, the court was focusing on the promote

1 conservation part of that standard, because that's what was raised  
2 in the appeal, and then National Standard 9 was dealing, just  
3 generally, with whether there was support for the statement that  
4 bycatch was minimized to the extent practicable, and the court's  
5 decision basically is going to allow the agency to provide more  
6 information, and analysis, on those three points.

7  
8 Regarding status, next steps, the deadline for filing rehearing in  
9 the appellate court is April 15. Assuming that no one files for  
10 rehearing, which I cannot predict, at this point, then the mandate  
11 from that court, which is the direction to the lower court, would  
12 issue about a week after that.

13  
14 Once it goes back to the district court, I'm not sure what exactly  
15 is going to happen. You know, we have to see what the mandate  
16 says from the appellate court to the district court, and what is  
17 it telling the district court to do, and then whether there are  
18 further proceedings in the district court, or the district court  
19 just kicks it back to the agency, and we should know more when all  
20 these time limits run out. There is also a deadline for petition  
21 for cert in the U.S. Supreme Court, and that runs at the end May.  
22 All right. I think I'm done.

23  
24 **MR. ANSON:** Thank you for the summary. Any questions? Mr. Gill.

25  
26 **MR. BOB GILL:** Thank you, Mr. Chairman, and thank you, Mara, for  
27 that summary. The Amendment 53 litigation is obviously of high  
28 interest to many here in the room, and listening, and in the Gulf,  
29 and the agency is preparing their response to the appeals court  
30 decision, or opinion, and would it be possible to provide that to  
31 the council, and therefore to the public, so that they can see the  
32 agency's thinking on that topic, when it is submitted?

33  
34 **MS. LEVY:** Right, and so there's no details yet about how that  
35 process is going to work, or exactly what's going to happen.  
36 Whatever the outcome is of that process, it would certainly be  
37 public, right, and like the final output is not going to be like  
38 just like hidden under the rug, but I don't know what that final  
39 output, or what the process is going to look like yet, because  
40 that's going to have to be worked out, once we go back and we see  
41 what the different courts order.

42  
43 **MR. GILL:** Thank you, and so I recognize that it's going to be  
44 public, but what I'm really looking for is that it's made  
45 available, so that it doesn't reside in the public domain  
46 somewhere, and somebody has got to go search to find it, and that  
47 we push it out, if you will, and could we do that?

1 **MS. LEVY:** We can certainly talk about that, and I don't see why  
2 anything that happens wouldn't -- It's like getting a brief, and  
3 circulating it to you all, and I don't see why the final -- Whatever  
4 happens at the end couldn't be shared.  
5

6 **MR. ANSON:** Any other questions for Ms. Levy? All right. Seeing  
7 none, thank you, and so that will move us into the startup of Reef  
8 Fish. Dr. Frazer.  
9

10 **ADOPTION OF AGENDA**  
11 **APPROVAL OF MINUTES**  
12 **ACTION GUIDE AND NEXT STEPS**  
13

14 **CHAIRMAN TOM FRAZER:** All right. Thank you, Mr. Chair. Nothing  
15 like starting the day in fish court. All right, and so I will  
16 call to order the Reef Fish Management Committee. The first item  
17 on the agenda is the Adoption of the Agenda. That will be Tab B,  
18 Number 1 in your briefing materials. Is there any edits, or  
19 modifications, to the agenda? Mr. Gill.  
20

21 **MR. GILL:** Thank you, Mr. Chairman. I would like to add an item  
22 under Other Business titled "Amendment 53".  
23

24 **CHAIRMAN FRAZER:** All right. Thank you, Mr. Gill. We'll do that.  
25 Are there any other edits, or modifications, to the agenda? Okay.  
26 Is there any objection to approving, or adopting, the agenda, as  
27 amended? Seeing none, we'll move forward.  
28

29 The second item on the agenda is the Approval of the January 2024  
30 Minutes, and that's Tab B, Number 2 in your briefing materials,  
31 and is there any modifications to those minutes? All right.  
32 Seeing none, is there any objection to approving the minutes, as  
33 written? Seeing none, we'll consider the January 2024 minutes  
34 approved.  
35

36 The next item on the agenda is Item III, and that will be the  
37 Action Guide and Next Steps, Tab B, Number 3, and it's traditional  
38 that we kind of step through the action guide and the next steps  
39 by specific agenda item, and so, Mr. Rindone, if you want to take  
40 it from here.  
41

42 **REVIEW OF REEF FISH AND INDIVIDUAL FISHING QUOTA PROGRAM**  
43 **LANDINGS**  
44

45 **MR. RYAN RINDONE:** Yes, sir. First up to bat will be Review of  
46 the Reef Fish and Individual Fishing Quota Program Landings. NMFS  
47 SERO staff will review the status of the reef fish for-hire red  
48 snapper and IFQ program landings relative to their respective catch

1 limits, and, following that, representatives from the five Gulf  
2 states will brief the committee on their respective 2023  
3 recreational fishing seasons for red snapper. These landings data  
4 are provided just for your information, and they don't specifically  
5 require any action. I think Frank is going to lead us off, and so  
6 take it away, Frank.

7  
8 **PRESENTATION**

9  
10 **MR. FRANK HELIES:** Good morning. Frank Helies, NOAA Fisheries.  
11 Real quick, all data that's going to be presented today is  
12 preliminary, and, specifically, I want to point you all to our  
13 website, our ACL monitoring website, and that gets updated weekly,  
14 and we can pull commercial landings at any time, and so, if anyone  
15 has any questions specific to a species, feel free to reach out.

16  
17 Red snapper for-hire landings, the season closed on August 25 of  
18 last year, and, this year, the 2024 ACT is 3,076,322 pounds. Last  
19 year, we caught 93 percent of the ACT and 84 percent of the ACL.

20  
21 Greater amberjack, you all took action on greater amberjack last  
22 year, and you reduced the commercial ACL to 65,720 pounds. You  
23 can see that with the dotted lines on the graph. As of yesterday,  
24 we caught 40,132 pounds, which is 68 percent of the ACT.

25  
26 This one is a little messier, and we've got a lot going on with  
27 greater amberjack recreational. We're working on the framework  
28 action that you guys submitted. That will modify the seasonal  
29 closure to the month of August and November through July 31. The  
30 2023-2024, we landed 121,376 pounds, and so that's only 36 percent  
31 of the ACT, and so we anticipate reopening on May 1, because we're  
32 very short of the ACT, and so the rec season will open for a month,  
33 and we'll send out a Fishery Bulletin.

34  
35 I put some of the species of interest that you guys are working on  
36 towards the front of the presentation. Midwater snapper, as of  
37 yesterday, 13,142 pounds, 8 percent of the stock ACL, and, as you  
38 know, this was driven recently by the wenchman landings, and those  
39 have tapered off recently. Any questions on midwater snapper?  
40 You're going to get to that action this morning. Okay. Thanks.

41  
42 Lane snapper, you recently submitted an abbreviated framework on  
43 this species, and it's going to increase the stock ACL to 1,088,000  
44 pounds. As of Monday, we had 6,585 pounds for the stock ACL. I  
45 think it's important to note that, in 2022, total landings were  
46 1,130,000, pounds, which was over the ACL and the OFL, and, in  
47 2023, landings were even higher, at 1,141,921 pounds, which also  
48 exceeded the new proposed OFL and ACL. Any questions on that?

1 Then next slide, please.

2  
3 Gray snapper, we've currently landed 23,964 pounds, which is 1  
4 percent of the stock ACL. Another framework action on gray  
5 snapper, and it's along with the red snapper calibrations, would  
6 increase the stock ACL to over five-million pounds, in FES units,  
7 and so we're going to see a sizable increase in allowable catch.  
8 Feel free to stop me if anyone has any questions.

9  
10 These next few, not a whole lot going on. Gray triggerfish, we've  
11 caught 16,000 pounds, which is 19 percent of the ACT. We do have  
12 some recreational landings for gray triggerfish. Mutton snapper,  
13 we've caught 17,735 pounds, which is 12 percent of the stock ACL.  
14 It's well under the stock ACL.

15  
16 Vermilion snapper, 313,662 pounds, as of Monday, which is 6 percent  
17 of the ACL, and these are all -- For these stock ACL species, these  
18 are all commercial, because we haven't got Wave 1 yet data in for  
19 rec. Yellowtail snapper, I do have some recreational landings to  
20 report on this. Recreational landings, 12,869 pounds, and  
21 commercial is 83,754 pounds, which is 11 percent of the stock ACL.  
22 We're almost done here. Cubera snapper, 461 pounds, which is 9  
23 percent of the stock ACL, commercial.

24  
25 Finally, for reef fish, the jacks complex, 9,762 pounds, which is  
26 3 percent of the stock ACL, and so any questions on reef fish  
27 landings, before we move into IFQ?

28  
29 **CHAIRMAN FRAZER:** Sorry, Dale, and I was focused on these data.

30  
31 **MR. DALE DIAZ:** It's okay. I've got a question about the for-hire  
32 red snapper landings, and Ryan can answer my first question,  
33 probably, but what is our ACT? What's the percent of our ACT for  
34 that fishery at this point?

35  
36 **MR. RINDONE:** It should be -- The ACT should now be 3,076,000  
37 pounds.

38  
39 **MR. DIAZ:** So, what percent are we working off then? Is it 90  
40 percent of the ACL?

41  
42 **MR. RINDONE:** It's 91 percent of the for-hire ACL. It's a 9  
43 percent buffer.

44  
45 **MR. DIAZ:** I guess my question is for Andy. We've been at this  
46 for a while now, Andy, and is that something you think we should  
47 look at? Is there a -- Should we be looking at tightening up the  
48 ACT, to something where -- It looks like we left about 280,000

1 pounds on the table last year for the charter-for-hire folks, and,  
2 anyway, I would be just curious to know what your thoughts are on  
3 that.

4  
5 **MR. ANDY STRELCHECK:** We have, I think, gotten very good at  
6 predicting the charter-for-hire season, and we haven't run into  
7 any overages in that season in quite some time, and so I think it  
8 would be appropriate to look at. I think the timing would be  
9 dependent, maybe, on the assessment results that are coming forward  
10 with the next assessment.

11  
12 **CHAIRMAN FRAZER:** Ms. Boggs.

13  
14 **MS. SUSAN BOGGS:** Since we talked about the reopening of amberjack,  
15 when might the agency announce the red snapper season for the  
16 charter-for-hire fleet?

17  
18 **MR. STRELCHECK:** Typically, we announce it between now and the  
19 first of May, early May, and so we'll be announcing it in that  
20 window, like normal. Sorry to disappoint that we don't have an  
21 answer now.

22  
23 **MS. BOGGS:** I am hopeful that maybe Thursday afternoon.

24  
25 **MR. STRELCHECK:** Well, while I have the microphone, with amberjack,  
26 you know, we were surprised, obviously, to see the landings lower  
27 than what we would have projected. Recall that we had the season  
28 open August 1 to August 25, and so we only had that one-month  
29 timeframe, and we're now shifting to, obviously, a fall season of  
30 September and October, but the season can reopen on May 1, and  
31 that's why we're reopening it until that new fall season goes into  
32 effect.

33  
34 **CHAIRMAN FRAZER:** Dr. Froeschke.

35  
36 **DR. JOHN FROESCHKE:** I just wanted to confirm there's no chance  
37 that that other framework is going to be implemented prior to the  
38 May 1 opening that would jam up that plan.

39  
40 **MR. STRELCHECK:** Correct.

41  
42 **CHAIRMAN FRAZER:** All right. Go ahead, J.D.

43  
44 **MR. J.D. DUGAS:** Thank you, Mr. Chair. A question, maybe for Andy,  
45 and, on Slide 9, lane snapper, there was an overage in 2022 and  
46 2023, and my first question is, is there any sort of payback for  
47 it, and, if there is, how is the MRIP-FES challenge going to affect  
48 that?

1  
2 **CHAIRMAN FRAZER:** Andy.  
3

4 **MR. STRELCHECK:** So, there's no payback. If the catch limit is  
5 exceeded, we will continue to monitor the landings in the following  
6 season and determine when the catch limit will be met, or projected  
7 to be met, and we would have to, obviously, announce any sort of  
8 early season closure, if it's not going to go to the end of the  
9 year. It is monitored in FES, and so we would be using FES landings  
10 data for that monitoring.  
11

12 **CHAIRMAN FRAZER:** Okay. Are there any other questions? I am not  
13 seeing any. Thanks, Frank, for that, and we will go ahead and  
14 move on to the state surveys for private angling red snapper  
15 landings by each of the state representatives. First on the list  
16 of Florida. Dr. Sweetman.  
17

18 **STATE SURVEYS FOR PRIVATE ANGLING RED SNAPPER LANDINGS**  
19 **FLORIDA**  
20

21 **DR. C.J. SWEETMAN:** Okay. If you will pull up our presentation  
22 there, Bernie. Lovely. Okay. Good morning, everyone. We can go  
23 ahead and dive right into Florida's Gulf red snapper season. All  
24 right, and so just a reminder, a standard slide that I throw on  
25 every presentation, and a reminder about Florida's State Reef Fish  
26 Survey. It's required for all fishers in the Gulf, and the  
27 Atlantic, that are targeting, or harvesting, thirteen species of  
28 reef fish from a private vessel. There are two components for  
29 this survey, which include a monthly mail survey and dockside  
30 interviews, which are also supplemented with MRIP angler  
31 interviews.  
32

33 Here is what Florida's season was in the Gulf, and it lasted a  
34 total of eighty-seven days, which represents the longest private  
35 recreational red snapper season since the state took over  
36 management in Florida. The summer component of the Gulf red  
37 snapper season, it opened on June 16, and it was continuous days  
38 through July 31, and then the fall component consisted of three-  
39 day weekends in September through November, plus Labor Day and  
40 Thanksgiving.  
41

42 Where are we at relative to the ACL in 2023? These landings should  
43 be final in about a week or so, and so this is preliminary, but,  
44 in 2023, as of right now, Florida has harvested 99.24 percent of  
45 the quota, and we really only have a handful of days left in  
46 November, and so I'm not expecting the numbers to change all that  
47 much here, and so we're right up against that 100 percent, and so  
48 we've been pretty effective there.

1  
2 Relative to the average weights, 2023 data are similar to recent  
3 years, for both state charter, which is in blue, and the private  
4 recreational, which is in orange, and you can see the average  
5 weight from the private rec is hovering around six pounds, versus  
6 state charter, which is about four pounds, which makes sense,  
7 obviously, and the state charter are limited to state waters, and  
8 private rec can go offshore, where red snapper tend to be typically  
9 larger. There are similar patterns relative to fish length, as  
10 you would expect to see with the weight, and there's nothing else  
11 to go on there.

12  
13 Here's what we have relative to the total number of angler trips  
14 taken in the Gulf of Mexico, and now this includes all thirteen  
15 reef fish species that are included in the State Reef Fish Survey  
16 for each month. Then, when you parse it down to red snapper, and  
17 this shows the CPUE estimated for them, and I should note here  
18 that SRFS operates at the angler level, and not at the vessel  
19 level, and so the CPUE that you see here is per angler trip.

20  
21 You can see, in 2020, and you might be questioning some of these  
22 things, and we offered some larger fall opportunities in that, and  
23 so you see some landings later in the year. Subsequently, you see  
24 that in this year too, because of the way the season was  
25 structured, but CPUE for the month of June was roughly about, in  
26 2023, one fish per angler trip, and then that declined as the  
27 season progressed, and, Mr. Chair, that concludes my presentation.

28  
29 **CHAIRMAN FRAZER:** All right. Thank you, Dr. Sweetman. Are there  
30 any questions for C.J.? All right. Not seeing any, thank you,  
31 C.J. Next on the list would be Alabama and Mr. Anson.

32  
33 **ALABAMA**

34  
35 **MR. ANSON:** Thank you, Mr. Chair. Just as a reminder, Snapper  
36 Check is what the State of Alabama uses to monitor red snapper  
37 harvest, and that is fish that are landed, and that's the point at  
38 which anglers are required to report red snapper, and, during 2023,  
39 the private and state-licensed charter vessel season opened for  
40 four-day weekends, Fridays through Mondays, on Friday, May 26, the  
41 Friday of Memorial Day Weekend.

42  
43 The season temporarily closed on September 4, and reopened for  
44 two-day weekends September 29 through August 2, and four-day  
45 weekends October 6 through 16. It was a sixteen-inch total minimum  
46 size and a two-fish-per-person daily creel limit, the same as it's  
47 been for many years, and the final harvest estimate is 596,083  
48 pounds, which exceeded our allocation by 4,098 pounds. 2023 was

1 the first year that Alabama's allocation was calibrated to the  
2 federal estimate.

3  
4 This is a graph of the daily harvest for the seasons of 2019  
5 through 2023, or, sorry, 2018 through 2023, and it shows basically  
6 the season length and the amount of pounds that were harvested at  
7 the end of each season, and so you can see that 2023 was slightly  
8 -- It had slightly higher landings than 2022, and 2022 was a year  
9 that was marked with very high air temperatures early in the year,  
10 in June, and it also had high gas prices, and we believe that  
11 impacted the harvest during that time period.

12  
13 Next is a graph of the mean weight of red snapper that were measured  
14 at the dock for both the private vessel mode and state charter  
15 modes, from 2018 to 2023, and you can see there is generally a  
16 downturn in the average size of fish, and it spiked up a great  
17 deal in 2023, and that is apparently -- We have limited numbers of  
18 fish. You can see, down at the table at the bottom, the numbers  
19 of fish that went into how many fish weights were collected to  
20 determine the mean weight, and there were a couple of those charter  
21 trips that had very large fish, and some of the captains on state  
22 charter vessels have modified their fishing practices during the  
23 snapper season to target those larger fish, and I think we sampled  
24 a few of those trips.

25  
26 This is just a mean length of the fish during the 2018 through  
27 2023 seasons, and, again, generally a decline, as it was with the  
28 mean weight, with that spike in 2023 to reflect those larger fish  
29 that were sampled amongst some of the vessels within the state  
30 charter fleet.

31  
32 Here's a few graphs, showing some of the metrics of the seasons,  
33 and so, on the left, you have the number of vessel trips, and these  
34 were total estimated vessel trips, and we do make an adjustment  
35 for the number of trips and snapper harvested, because we don't  
36 get census reporting, and so we have to make an adjustment based  
37 on our information that we collected, our dockside surveys, to  
38 account for those trips that are not being reported, and so all  
39 these figures, or at least the mean trips, reflect those -- I'm  
40 sorry. The total vessel trips reflect that adjustment.

41  
42 You can see, in 2022, is where it had a large drop-off, and then  
43 it picked up again in 2023, for private mode in the green there,  
44 and then the blue is the state charter, and it's been fairly  
45 consistent over the time series, and then, in the center, you have  
46 the mean anglers per vessel trip, and that also is fairly  
47 consistent, hovering just over four anglers per vessel trip, in  
48 both the private and state charter modes, and then, in the third

1 graph there, on the right, you have the mean harvest per vessel  
2 trip, and that has fluctuated from about seven to just over eight  
3 harvested fish per vessel trip, in both modes.

4  
5 There is just a table of generally the seasons that have occurred  
6 under state management, for state management, including the first  
7 two years, where were under an exempted fishing permit, and we  
8 have that note of the allocation overages in the first year, and  
9 then in 2023, and, in both cases, it was just a few thousand pounds  
10 of fish.

11  
12 The 2024 recreational season, we will open this year on Friday,  
13 May 24, and we're going to have the mini-seasons, if you will, or  
14 the weekend fishing, throughout the season, until the allocation,  
15 the quota, is met, and we'll be open the week of Independence Day,  
16 and so those weekdays, and then a sixteen-inch total length minimum  
17 size, a two-fish-per-person creel limit, and we have the 591,185  
18 pounds is our allocation, and it will be 664,000, pending approval  
19 of the 2023 council framework action. That concludes my  
20 presentation. Thank you.

21  
22 **CHAIRMAN FRAZER:** Thank you, Mr. Anson. Any questions for Kevin?  
23 Ms. Boggs.

24  
25 **MS. BOGGS:** Thank you for the presentation, Kevin. I was curious,  
26 because, when C.J. made the comment about the private anglers  
27 fished were bigger, because they could get further offshore, and  
28 it kind of made sense to me, but then, when I look at -- When you  
29 present Alabama's, the size of the fish are much bigger for the  
30 charter, the state charter, and would that have something to do  
31 with the artificial reef program that you all have put in the state  
32 waters? Is that something that you think has benefitted those  
33 fishermen?

34  
35 **MR. ANSON:** I would like to think so. I mentioned that a few of  
36 the charter captains who engage in the recreational red snapper  
37 season, that don't have a federal permit, and so they are in state  
38 waters -- Remember that state waters for reef fish in Alabama, as  
39 well as Mississippi and Louisiana, is out to nine miles, and so we  
40 have a fairly significant number of reefs that have been deployed  
41 in the last four years or so, but their fishing practice is that  
42 they will tend to fish in a way that targets those larger snapper,  
43 that aren't necessarily immediately on top of the reef, and they're  
44 kind of swimming around, or between reefs, and so they have an  
45 opportunity to collect those little bit bigger fish, and so I  
46 think, because of the additional reefs that have been deployed  
47 within nine miles, they certainly have more opportunities to fish  
48 on habitat that holds red snapper, and then their fishing behavior

1 allows them to target those larger snapper that are on those reefs.

2

3 **CHAIRMAN FRAZER:** Mr. Strelcheck.

4

5 **MR. STRELCHECK:** First, can you give me the name of the state  
6 charter captains that are catching those nine-pound fish in state  
7 waters? I would like to do some fishing while I'm here.

8

9 No, but, in all seriousness, we'll work with you, Kevin, in terms  
10 of the overage adjustment, and I recognize that it's small, and  
11 probably we'll time that out with when we implement the framework  
12 action, which should be coming up in the next month or so, and so  
13 we'll just coordinate and make sure we have that overage estimate  
14 correct.

15

16 **MR. ANSON:** Thank you.

17

18 **CHAIRMAN FRAZER:** Okay. Any other questions for Mr. Anson? I'm  
19 not seeing any. Thanks, Kevin, for that presentation. Next up is  
20 Mississippi and General Spraggins.

21

22

#### MISSISSIPPI

23

24 **GENERAL JOE SPRAGGINS:** All right. Well, we had a definitely  
25 reduced season this year, this past year, from the past, around  
26 seventy-five days, but we were able to catch right at 80,000 pounds  
27 of snapper.

28

29 You can see, on the first slide, that our days were very limited,  
30 and, as you can see the numbers there, and we start in May, and  
31 then we go to the 4<sup>th</sup> of July, the weekend after the 4<sup>th</sup> of July,  
32 and then we cut off and start looking at it, and so you can see  
33 that most of the days were there, and then a few days in September  
34 and after that.

35

36 The next slide is the average weight is about 5.8, six pounds,  
37 somewhere in that neighborhood, and that's down from the year  
38 before, and, obviously, it's back to the 2019 timeframe, and a  
39 little bit better than that. Our private recreational average  
40 length was about twenty-and-a-half inches, a little over that, and  
41 so it's pretty much back to the 2019, and we're still showing the  
42 same thing as what we had in 2019, and it's almost identical.

43

44 The next slide shows that our anglers per trip, and we still had  
45 about an average of four, and we were down in the numbers of trips,  
46 as you can see there, in 2023, and then, also, if you go back to  
47 the CPUE, it was about the same, about right at four, and so we  
48 exceeded our limit by a small amount, but, according to what we

1 see, you know, the best available science, which was passed by the  
2 SSC, and then brought to the council, and the council agreed with  
3 it, and it says that we should have had a new allocation, and so,  
4 because of that, we don't feel like that there should be any  
5 adjustment, but, Andy, we'll work with you on whatever we need to  
6 do with that. Any questions?  
7

8 **CHAIRMAN FRAZER:** Any questions for General Spraggins? Mr.  
9 Strelcheck.

10  
11 **MR. STRELCHECK:** I mean, we're happy to talk to you about that,  
12 General. If you can go back to Slide 2, and so my concern here,  
13 right, is that you purposely reopened, at about the 240-day mark,  
14 yet you knew, at that point, based on the catch limit that was in  
15 place for 2023, that it had largely been caught.  
16

17 **GENERAL SPRAGGINS:** I'm sorry. I can barely hear you.  
18

19 **MR. STRELCHECK:** So, I'm looking at the graphic, and your catch  
20 limit, for 2023, was, what, 62,000, or 63,000, pounds?  
21

22 **GENERAL SPRAGGINS:** Right.  
23

24 **MR. STRELCHECK:** So, you elected to reopen around the 240-day mark,  
25 and why?  
26

27 **GENERAL SPRAGGINS:** We were below that at that time.  
28

29 **MR. STRELCHECK:** By a few thousand pounds.  
30

31 **GENERAL SPRAGGINS:** Maybe a little bit more than that. The graphs  
32 -- You know, it's hard to put that exactly in the -- I think we  
33 were about 6,000 or so pounds below, at that time.  
34

35 **MR. STRELCHECK:** Okay.  
36

37 **GENERAL SPRAGGINS:** You know, the idea was to be able to look at,  
38 and, once again, we looked at it as the situation being that, if  
39 you look at Amendment 50, and you look at the way it states it, we  
40 did not exceed the limit that was approved by the SSC and by this  
41 council. I realize that had not been signed-off by the Secretary  
42 of Commerce, but it does say it's the best available science, and  
43 that's what we looked at it as.  
44

45 **CHAIRMAN FRAZER:** Ms. Levy.  
46

47 **MS. LEVY:** I'm just going to comment on that, because, ultimately,  
48 the council is making recommendations to the Secretary of Commerce,

1 through NMFS, and the council's recommendations, and the SSC's  
2 recommendations to the council, are not effective, and there have  
3 been no determinations made about what the agency has determined  
4 is either best available science, or consistency with the Magnuson  
5 Act, until the final rule publishes and is effective.

6  
7 I mean, there are several procedures that need to happen, not the  
8 least of which is the procedure under the Administrative Procedure  
9 Act, which requires public notice and comment, and so I just wanted  
10 to emphasize that nothing that the council does is final, and it  
11 hasn't gone through the legal review and public notice and comment  
12 requirements under federal law, and so that is my main point here,  
13 is that we have a public process that happens at the council, but  
14 we also have required federal processes as well that need to happen  
15 before anything is implemented and actually effective, and I don't  
16 want to shortcut that, or make it seem like we can shortcut that,  
17 because they're all legal requirements. Thanks.

18  
19 **CHAIRMAN FRAZER:** I have a couple of questions, General. On the  
20 first part of the season in 2023, how many days -- I mean, you had  
21 two open periods during the year, and so how many days are  
22 reflected in the first?

23  
24 **GENERAL SPRAGGINS:** Forty-three.

25  
26 **CHAIRMAN FRAZER:** Forty-three? Okay. Then how many days are in  
27 the second?

28  
29 **GENERAL SPRAGGINS:** Thirty.

30  
31 **CHAIRMAN FRAZER:** Okay. All right. Thank you. Any further  
32 questions for --

33  
34 **GENERAL SPRAGGINS:** Also, I think we need to look at a lot of  
35 things here, and, obviously, we know what happened to Mississippi  
36 with the stock assessment, what we did as far as being able to  
37 give us an allocation, but, if you go back and look at it too, we  
38 did not -- The Gulf of Mexico did not exceed their limit, and the  
39 number of red snapper for the Gulf of Mexico, from my  
40 understanding, was not exceeded last year, and is that correct?

41  
42 **CHAIRMAN FRAZER:** Andy.

43  
44 **MR. STRELCHECK:** The overall catch limit for the Gulf of Mexico?

45  
46 **GENERAL SPRAGGINS:** Right.

47  
48 **MR. STRELCHECK:** I haven't tallied it up, but most likely it was

1 not exceeded, but -- I appreciate the point, but there is not an  
2 accountability measure that says you aren't authorized to pay back  
3 an overage just because the catch limit for the overall Gulf was  
4 not exceeded, and so that would be something that the council would  
5 have to develop, and implement, in order to avoid a payback. The  
6 payback is specific to the catch limit that is set for the state.  
7

8 **GENERAL SPRAGGINS:** Why would you have a limit and then -- You  
9 know, I don't understand the payback on -- I could understand if  
10 we had caused the Gulf of Mexico to go over their limit, and I  
11 could understand it, but we did not cause it to even come close to  
12 it, and so I will definitely have an issue there.  
13

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

16 **MS. LEVY:** Well, just to that point, I mean, when the council was  
17 developing the Amendment 50 state management document, that  
18 payback was put in place state-specific, in order to encourage the  
19 states to do everything they could to stay within their limit, and  
20 so it wasn't about necessarily the status of the stock, and that's  
21 not why it's in place. It's in place to encourage the states to  
22 manage within the limit that the council recommended, and the  
23 agency approved, and so that was the rationale for it.  
24

25 **GENERAL SPRAGGINS:** I understand that, but that still has nothing  
26 to do with what the stock of the fish is, and it didn't hurt the  
27 stock of the fish, and it didn't hurt the accountability for the  
28 stock of the fish either, and that's what I would like to say for  
29 the State of Mississippi. We did not exceed anything to hurt the  
30 state, and, you know, I could understand it if it had something to  
31 do where we -- That's just a -- As you said earlier, the council  
32 does not -- Everything is not in concrete.  
33

34 You know, you talked about this, and if we, as a council, if we  
35 take the SSC, and then we turn around and say this is the best  
36 available science, then how can I say what you said just now is  
37 best available. In other words, using that -- For each one of the  
38 states not to be able to exceed this, and why? Does that mean  
39 anything? I mean does it now, because it doesn't mean anything in  
40 the other, and so why should it mean anything now?  
41

42 **CHAIRMAN FRAZER:** I will let Ms. Levy respond to that, but then I  
43 think I'm going to end this philosophical debate, actually. Ms.  
44 Levy.  
45

46 **MS. LEVY:** Well, the agency is not making this determination in a  
47 vacuum. The council decided to put this accountability measure  
48 forward as a recommendation when it developed the Amendment 50,

1 and the agency approved, through the process developed in the  
2 Magnuson Act and the APA, the council's recommendations, and so  
3 this -- This came from the council, and the agency implemented it,  
4 and so it's not that the agency is making a separate decision  
5 regarding that, right?

6  
7 **GENERAL SPRAGGINS:** I totally agree, and, once again, if it gets  
8 down to the point where the council says that the State of  
9 Mississippi should take a reduction next year, then we'll  
10 understand.

11  
12 **CHAIRMAN FRAZER:** Thank you. One final question, and can you  
13 remind me, General, what the bag limits are for red snapper in  
14 Mississippi?

15  
16 **GENERAL SPRAGGINS:** Twenty-seven. I'm just joking.

17  
18 **CHAIRMAN FRAZER:** I didn't even know how to respond.

19  
20 **GENERAL SPRAGGINS:** No, and our bag limit is two-per-day, and, you  
21 know, obviously, we try to be able to let people catch as many  
22 possible out there, but two per day is it.

23  
24 **CHAIRMAN FRAZER:** Always a pleasure, sir. We are going to move  
25 on. Next on the list is Louisiana and Mr. Schieble.

26  
27 **LOUISIANA**

28  
29 **MR. CHRIS SCHIEBLE:** Thank you, Mr. Chair. I will try to follow  
30 that up as best as possible. I will just start talking, until it  
31 pops up. We fished with an annual allocation, in 2023, of 934,587  
32 pounds. We opened on May 26, the Friday before Memorial Day, to  
33 a seven-day-a-week season with a three-fish bag limit. We made a  
34 modification to that, starting on July 17, and we moved from a  
35 three to four fish per angler bag limit, and the season lasted 220  
36 days, and that happens to be the longest season we've had under  
37 state management since we started the EFPs in 2018. Our final  
38 tally was 878,464 pounds, which is 94 percent of that allocation  
39 listed above.

40  
41 This kind of breaks down the harvest by sector, and so the private  
42 recs landed 823,355 pounds of that allocation, and the state  
43 charters were 55,109. This is our federal charter estimate, which  
44 is not part of that allocation, but I thought it would be important  
45 to put up here, just so you could see proportionally how that falls  
46 out, and so that left 56,123 pounds, or 6 percent, not harvested,  
47 or on the table, and, since there is no carryover provision, and  
48 all we have is a payback, that remains unutilized.

1  
2 This is the comparison, starting in 2020 through 2023, and you can  
3 kind of see that the seasons sort of trend similarly at the start,  
4 and they tend to deviate, and keep in mind that, in a couple of  
5 those years, we've got hurricane effects in there, which were  
6 essentially shut down because of hurricanes, de facto shut down,  
7 I guess, and not by us, but anyway.

8  
9 Week 21 is the start, the Friday, and then Week 22, down below, is  
10 Memorial Day Weekend, and July 4<sup>th</sup> weekend corresponds to Week 27  
11 on that bottom list, and then Labor Day Weekend is Week 36, and  
12 you can see that, in each of those seasons, once we get to about  
13 Labor Day Weekend, the harvest rate really falls off, sometimes  
14 even before that, and so keep that in mind when I talk about our  
15 season structure for this year, at the end of this presentation.

16  
17 The next slide is the weights, and so you can see that our average  
18 weights really dropped off this year, compared to other years,  
19 with both the state charter and the private recs, and so the state  
20 charter is in blue, and the private recs are orange, and those  
21 estimates are based on over 2,000 fish sampled, and so 584 of those  
22 are from charter, and 1,440 are from private rec weights sampled.

23  
24 The next slide is the average lengths, and it's the same thing.  
25 The weights, or the lengths, this year are more similar to what  
26 they were back in probably 2021, and the average size dropped off  
27 there, and those are the same samples, over 2,000 fish actually  
28 sampled for those length and weight estimates.

29  
30 The next slide, I add on the actual age estimates, to kind of show  
31 that the average age of the fish is not dropping off,  
32 proportionally, as much as the lengths and the weights are, and it  
33 tends to go back and forth, but it stays along pretty much a  
34 similar average over time, and the average age, this time, is more  
35 similar, this year, to 2019, in fact, and the same thing. The  
36 charter are blue, and the private rec are orange on the graphs,  
37 and those are -- There's a bunch of them that are still being  
38 processed, and so we've 365 charter age samples that make up those  
39 data there, and 631 private rec samples that make up the graph.

40  
41 These are -- I think this is interesting, and it's fairly telling  
42 in what's going on in the fishery itself, and why we had such a  
43 long season, and so you look at the anglers per trip graph in the  
44 upper-left there, and it's kind of dropped off for the private  
45 recs, in the orange color, and the charter are blue, again, like  
46 the other graphs, but the anglers on a trip number has gone back  
47 to more similar to 2021.

48

1 However, if you look at the lower graph, at the bottom, that's the  
2 actual vessel trips, and so the number of trips went up, but I  
3 will kind of explain that in the next slide, and it's proportional  
4 to the number of days that people fish, but, also, in that table,  
5 the table shows the estimated red snapper boat trips, on the far-  
6 right column, there is 15,154 private rec trips last year, and,  
7 prior to that, we had 12,479, in the previous year, but, if you  
8 look at 2012, we had more trips than we had this year. However,  
9 our season was long, and so there is changes in the dynamics of  
10 the fishery that are taking place.

11  
12 This kind of explains what you saw with the effort there, and we  
13 had 220 days this year, but, last year, we only fished sixty-two  
14 days, and so the number of trips was higher, but the number of  
15 persons per trip was lower, and I think this is just an artifact  
16 of the number of days that the season was open.

17  
18 We're going to be opening this year next Monday, the 15<sup>th</sup> of April,  
19 with the same allocation as last year, and we're going to start  
20 with the same season structure that we ended with, and so a seven-  
21 day-per-week season, and the four-fish bag limit, beginning next  
22 Monday, April 15<sup>th</sup>. If anyone has any questions, I will be glad  
23 to answer them.

24  
25 **CHAIRMAN FRAZER:** All right. Any -- Bob.

26  
27 **MR. GILL:** Thank you, Mr. Chairman, and I admit that I probably  
28 haven't had enough coffee this morning, but can you explain the  
29 one on Slide 3 that talks about federal charter not part of the  
30 allocation, and what that is, and why it's not part of the  
31 allocation?

32  
33 **MR. SCHIEBLE:** Yes, and so that's the federal for-hire season, and  
34 I just put the amount of pounds that were landed there in the  
35 federal for-hire season by anglers in Louisiana, participating in  
36 the federal for-hire part, and so it's not part of our state  
37 allocation, and it's part of the federal for-hire allocation.

38  
39 **CHAIRMAN FRAZER:** Mr. Gill.

40  
41 **MR. GILL:** Thank you for that, and the methods, for me, on Slides  
42 7, 8, and 9, are pretty obvious. You're just not feeding those  
43 fish enough, Chris.

44  
45 **MR. SCHIEBLE:** So I think it's kind of indicative of what we're  
46 seeing in the stock assessment, when you look at a recovering  
47 stock, and that's kind of what is indicated in the stock  
48 assessment, to me, or it can also be artifacts of a recruitment

1 pulse coming through the system, or a combination of both of those,  
2 I guess, but, yes, it's a lot lower weight, and a smaller average  
3 size fish, but, also, there may be some artifacts of angler  
4 preference.

5  
6 Maybe you don't have to run so far to catch the snapper you want  
7 now, and it used to sort of be a derby season, and people went  
8 after larger fish, and tried to highgrade, and our discard  
9 mortality, or our discard rate, is lower, on our landings as well,  
10 and so perhaps they're just settling for picking up some snapper  
11 on the way home from something else, and they're not as picky about  
12 the size anymore either, and so I really don't know, but it's  
13 something to watch, over the next couple of seasons, to see how  
14 this trend continues or not.

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

17  
18 **MS. BOGGS:** So, if I understood correctly, you all had 6 percent  
19 of your fish left in the water last year, and so now you're going  
20 to open April 15, seven day a week, four fish per person, and how  
21 long do you think you can sustain that season and not exceed your  
22 quota?

23  
24 **MR. SCHIEBLE:** So, it's hard to do analyses to predict these  
25 things. As you can see, last year, we only fished sixty-two days,  
26 and, in this most recent year, we fished 220 days, but we have  
27 never had a season this early before, but, also, there's a  
28 significant drop-off, when you look at that cumulative graph, every  
29 Labor Day Weekend, and a lot of people think that Labor Day Weekend  
30 is a big weekend, but, for us, when you add up the total, it's  
31 about an average three-day weekend, and it's not anything big, or  
32 significant, and so estimate it will go past Labor Day Weekend,  
33 and that's still the goal, and our commission would like to see  
34 the season go past Labor Day Weekend, and there are two factors.

35  
36 We can have a short shutdown in the middle of the season somewhere,  
37 if needed, if we see a trend where we're utilizing quota at an  
38 accelerated rate, and we have the potential to do that, and then  
39 reopen, and we've done that in the past, and, two, we haven't had  
40 a hurricane in two years, and it will be a de facto shutdown if we  
41 have a hurricane, for sure, and who knows? Just statistically, I  
42 think we're probably due for something in the Gulf this year.

43  
44 **CHAIRMAN FRAZER:** Ms. Boggs and then Dakus.

45  
46 **MS. BOGGS:** Then I wanted to ask, on the slide that you -- On Slide  
47 10, you all do vessel surveys or per -- I mean, because you've got  
48 it broken down here twice, but what is it that LA Creel -- When

1 you survey? Then I have one follow-up question.

2  
3 **MR. SCHIEBLE:** So, it's like C.J. said for Florida, and we do  
4 individual-angler-level reporting, and so it's not vessel-level-  
5 effort derived here, and so we do our best to put this together  
6 based on angler effort.

7  
8 **MS. BOGGS:** Then just a quick follow-up, and can you give us an  
9 update, and I don't know if you're the right person to ask, but  
10 how is it going with Mississippi and Alabama trying to come in  
11 line with LA Creel?

12  
13 **MR. SCHIEBLE:** I think it's going excellent, but I'm not in Alabama  
14 or Mississippi. I mean, from the onset, and working with Dave and  
15 his group, to get this kicked-off and going on a very short  
16 timeline, I'm amazed at how well it has gone, and I can say that  
17 they've worked well with us, to get it up and going, and they're  
18 using the same call service, and effort survey, that we do, and so  
19 I think it was pretty ready to go, like up and running, and it  
20 didn't need a lot of adjustment to make it work, but I can defer  
21 to Kevin and, of course, General Spraggins for more.

22  
23 **CHAIRMAN FRAZER:** General.

24  
25 **GENERAL SPRAGGINS:** I can tell you that we very much appreciate  
26 Louisiana, and they have worked hard with us to do this, and we  
27 appreciate what they're doing, and we're trying hard. Hopefully  
28 this is going to get us back to some kind of reality of where we  
29 should be, and which we understand that, and, to give you another  
30 caveat, Andy, and I didn't mean to get into an argument with you  
31 on this other a while ago, but we took a shot that you all were  
32 going to pass the thing last year, by the end of the year, and we  
33 lost, okay, and, you know, you have to roll the dice, to roll one  
34 ever now and then, and we rolled it, and we lost, because it didn't  
35 get passed, and so we understand, you know, what we did, and we  
36 understand that we made a gamble at trying to get that passed, but  
37 we do appreciate what you all are doing over there, and Louisiana  
38 is -- I think this is going to work out really good for us. You  
39 know, I thought doing our Snapper Check was the best thing in the  
40 world, but this might turn out better.

41  
42 **CHAIRMAN FRAZER:** Thank you. Mr. Geeslin.

43  
44 **MR. DAKUS GEESLIN:** Thank you, Mr. Chair. Chris, I didn't catch  
45 that April 15 in your opener, in your earlier slides, and I'm  
46 excited to see that, and we'll be watching you, to see how that  
47 works out, but I think we've built that state management system,  
48 and that in-season monitoring, so that you can -- That dynamic

1 reaction, and so you can manage that effectively, and close down  
2 when you need to, and I will be interested, just like Ms. Boggs,  
3 to see how many days you get out of that, and, really, the pattern  
4 of angling effort through the season, and so all eyes on you, man.  
5

6 **MR. SCHIEBLE:** I appreciate that, Dakus, and I think that's exactly  
7 right. You nailed it on the head, is the ability to have weekly  
8 estimates as a tool to let you adjust the season, to where it fits  
9 better for your anglers. If this works, and the anglers like it,  
10 instead of trying to go fishing in November and December, when  
11 you've got hunting season, and holidays, and wind and cold, and  
12 maybe it will be a little better for them in April, or the early  
13 part of May, to go out there and have access to all of that, and  
14 so we'll see how it goes, and that's part of this whole process,  
15 I think.

16  
17 When you look at that table I put up, that shows the number of  
18 days fished over each year, none of those season structures are  
19 the same. We've had different days, and different bag limits, and  
20 also because the allocation has changed multiple times over that  
21 time period, and so we're adjusting as we go, but, eventually,  
22 we'll get to some stasis point, I think, where our anglers like a  
23 typical season, and they know what to expect, and we know what  
24 we're going to get, as far as landings, and it's predictable, and  
25 we'll move on.

26  
27 **CHAIRMAN FRAZER:** Mr. Anson.

28  
29 **MR. ANSON:** Just to go back and follow-up with Ms. Boggs' question  
30 about how the LA Creel survey is going in Alabama, I will echo the  
31 same comments the General had about appreciation for, Chris, your  
32 staff helping us out, you know, before we started this year, and  
33 certainly having, you know, your experience, and then the  
34 contractor that you've used to conduct the telephone surveys, and  
35 it's made for, you know, a much easier process than trying to start  
36 from scratch with someone new, given the timelines that we had to  
37 get it implemented.

38  
39 I also will say, Dave, that I appreciate your staff, particularly  
40 Gregg Bray, for all the help that was provided to organize, you  
41 know, the efforts amongst the three states to do those, you know,  
42 training sessions, if you will, and to assist along the way, with  
43 the contractual side of the phone effort, and I also thank folks  
44 in NOAA.

45  
46 You know, Dr. Evan Howell has certainly been very supportive of  
47 this effort, and we certainly appreciate his efforts to do that,  
48 and Dr. Cody and John Foster, and I certainly look forward to

1 meeting with them as we go through, you know, review and looking  
2 at the data that is generated through the surveys in each state.

3  
4 You know, we're even talking now of having a mid-year meeting, to  
5 kind of see where we are in the effort, the amount of effort that's  
6 been estimated in each of the states, and, you know, we plan to do  
7 that here in the coming months, and so thank you.

8  
9 **CHAIRMAN FRAZER:** Ms. Boggs.

10  
11 **MS. BOGGS:** I do want to confirm, clarify, and so Mississippi and  
12 Alabama will now be collecting on these other species, instead of  
13 just -- It will be multispecies, as opposed to the limited species,  
14 as they had been in the past, the old system, I guess.

15  
16 **MR. ANSON:** So the survey that Mississippi and Alabama have started  
17 is for effort, and so this is just a phone call of the anglers  
18 that are licensed anglers, from our license database file, and,  
19 you know, contacting them on a weekly basis for the trips that  
20 they may have taken in that prior week, and then estimating the  
21 number of trips, and so, you know, certainly, as far as the FES is  
22 concerned, most people consider the effort side of the equation to  
23 be the one that's of most concern, and so we'll be able to compared  
24 those numbers, you know, in time, and see how they're going.

25  
26 **CHAIRMAN FRAZER:** General Spraggins.

27  
28 **GENERAL SPRAGGINS:** Then, to answer to Ms. Boggs, yes, we will be  
29 able to look at some more, and it will give us a little bit better  
30 estimate of what we're doing, because, right now, all we do is  
31 snapper, as far as reef fish, and so this is going to help us a  
32 whole lot more, to be able to put some more effort into it, and  
33 understand the overall, which I think is fantastic.

34  
35 **CHAIRMAN FRAZER:** Mr. Donaldson.

36  
37 **MR. DAVE DONALDSON:** Thank you, Mr. Chair. Unlike Mara, I'm still  
38 in late night, but I do plan to provide a little more detail about  
39 the effort survey in my liaison report, and so you all need to  
40 stick around and hear that.

41  
42 **CHAIRMAN FRAZER:** I'm on pins and needles, Dave. All right. Any  
43 other questions for Mr. Schieble? All right. Not seeing any,  
44 next on the docket is Texas and Mr. Geeslin.

45  
46 **TEXAS**

47  
48 **MR. GEESLIN:** Thank you, Mr. Chair. All right. Our season opened

1 -- Well, our state-water season opened on January 1, just like it  
2 always does, and we ran our federal season from June 1 through  
3 September 1. We were really hoping to get through Labor Day, but  
4 trying to allocate, or trying to save, some of those pounds through  
5 the fall, for the state-water season, and we felt that we needed  
6 to close a little before Labor Day.

7  
8 Our 2023 allocation was 286,000 pounds, and, again, we ran a long  
9 federal season, ninety-two days, and it was not our longest yet,  
10 but up there, and it ranks second. Our private rec anglers landed  
11 94 percent of our allocation, and part of that is that -- You know,  
12 that in-season monitoring and that art of -- You know, we take our  
13 state accountability, in terms of our settlement agreement back in  
14 2021, that we are to prohibit further landings of red snapper when  
15 our ACL is reached, or projected to be reached, and so we have a  
16 team of modelers that is really looking at angler behavior,  
17 weather, and, you know, when that allocation is projected to be  
18 reached, we close down, and that's why we closed down our state-  
19 water season on November 20. Usually, we try to run that to the  
20 end of the year.

21  
22 Also, I would like to give a quick shoutout to Andy and Frank's  
23 team, particularly Rob Cheshire, Ken Brennan, and Mike Larkin.  
24 Those are the folks that provide those state-water headboat  
25 landings to us, that we incorporate into the private rec landings,  
26 and so that handoff has been working really well, and so I  
27 appreciate the efforts on both sides there.

28  
29 This is just a graph showing our 2023 through 2019 landings, and  
30 you can see that 2023, that second-highest line, is back in the  
31 pastern that we like to see, approaching 100 percent of the  
32 allocation, and you'll see that top line, and that was 2019, when  
33 we exceeded the allocation, and so it's good to see that we're  
34 back up to where we would like to be, and we're a little under  
35 last year, and so this just shows the pattern of catch rates here.

36  
37 This slide shows the boat bag distribution, and we don't include  
38 zeroes here, but you can see that our bag limit, in federal waters,  
39 is two fish, and our bag limit in state waters is four fish, but  
40 those two fish, that let's just say they caught in federal waters,  
41 those do count towards that four-fish state bag, and so you can  
42 see the majority of folks are catching those two fish in federal  
43 waters.

44  
45 This is our length frequency of the -- You can see the difference  
46 in the private, in the orange bars, and the charter-for-hire in  
47 blue, and you can see the mean of our private rec anglers, right  
48 over twenty-one inches, and 23.5 inches for the charter-for-hire,

1 and so the charter boats are catching a little bigger fish, but  
2 it's interesting the pattern, or the distribution, of lengths  
3 there, and you have kind of almost a bimodal distribution there  
4 with the charter-for-hire, and so that's something to kind of keep  
5 an eye on.

6  
7 Mean lengths over time, over the last six years, you can see the  
8 mean lengths have kind of varied, but, over the last two years,  
9 and, to keep it in relative terms, we're talking within -- You  
10 know, it's within an inch, but, the last couple of years, we've  
11 seen a smaller size of fish coming across the docks, and the  
12 average size there is twenty-one, or 21.2, inches.

13  
14 Then we move on to weight, and you can see that the charter-for-  
15 hire, just like the lengths, and that would make sense, right, and  
16 you get the charter-for-hire catching a little bigger fish, at  
17 7.71 average pounds, and the private rec angler catching 5.85  
18 pounds.

19  
20 This is just the bag distribution of per angler trip, and you can  
21 see that the federal anglers are catching a little more fish per  
22 angler trip, and they're larger. The harvest of red snapper is a  
23 little larger within those federal trips, and that makes sense.

24  
25 This just shows the mean weights, and again following that trend  
26 that we see in the lengths, and you can see that the mean weight  
27 -- Again, it's all within, you know, the variability of around a  
28 pound, or a pound-and-a-half, but we do see reduced weights of  
29 snapper within the last couple of years.

30  
31 This slide simply shows the number of fish caught per angler trip.  
32 Again, it kind of follows that pattern of federal boats catching  
33 larger -- More fish per vessel trip than the state-water boats,  
34 and I think that's my last slide, and we are planning to open our  
35 season, federal season, on June 1, and our state waters are open  
36 now. We are continuing to monitor those state headboat landings,  
37 throughout that state-water season, but we'll open our federal  
38 season on June 1.

39  
40 **CHAIRMAN FRAZER:** All right. Thank you, Mr. Geeslin. Mr. Rindone.

41  
42 **MR. RINDONE:** I think Dr. Larkin has his hand up.

43  
44 **CHAIRMAN FRAZER:** Go ahead, Mike.

45  
46 **DR. MIKE LARKIN:** I know there was a discussion about the federal  
47 for-hire landings were -- I would say the 2023 landings are still  
48 preliminary, and so I would really focus, or discuss, any actions

1 until we get final 2023 landings, and so we'll have that -- We  
2 should have that organized in the next couple of weeks, and so,  
3 anyway, I'm just saying that just keep in mind that the 2023  
4 federal for-hire red snapper landings are still preliminary. Thank  
5 you.

6  
7 **CHAIRMAN FRAZER:** Any other questions? Ms. Boggs.

8  
9 **MS. BOGGS:** State waters is four fish per person, and federal is  
10 two fish, or vice versa?

11  
12 **MR. GEESLIN:** That's correct, Ms. Boggs. It's a four-fish bag,  
13 but what we see is folks go out and catch their two fish within  
14 federal waters, and they'll come back into state waters and catch  
15 two additional fish, but those all count towards -- Your two  
16 federal fish count towards your four-fish state bag, and so you  
17 can't land -- An angler could not catch six fish, total.

18  
19 **CHAIRMAN FRAZER:** All right. I've got a quick question, Dakus,  
20 and so I appreciate the fact that you've got a number of analysts,  
21 and modelers, working on your kind of in-season, you know,  
22 projected closure times, and are the models that they use -- Are  
23 those publicly available?

24  
25 **MR. GEESLIN:** We can certainly make those publicly available.  
26 There's a lot of voodoo there, Tom, as you would expect in a model,  
27 and things can change, but what we do, just in a nutshell, is we  
28 look at previous angler behavior and patterns of landings, all  
29 over the last several years, and so it's kind of a rolling model  
30 that incorporates previous years' behavior, based on -- Looking at  
31 wave heights, and, you know, there's a lot of uncertainty there.  
32 It's just like Chris was saying, and if we get, you know, a  
33 hurricane, or a storm, it will -- You know, our models go out the  
34 window, but we do try to pattern, or model, that behavior, the  
35 angling behavior, and pressure.

36  
37 **CHAIRMAN FRAZER:** I appreciate that, and we recognize similar  
38 things, and we don't want to have to recreate the wheel, and so  
39 I'll circle up and find you.

40  
41 **MR. GEESLIN:** Sure. Absolutely.

42  
43 **CHAIRMAN FRAZER:** Thanks. Any other questions for Mr. Geeslin?  
44 All right. I'm not saying any, and I want to say thanks to all  
45 the state reps for providing those updates. Andy, before we get  
46 going?

47  
48 **MR. STRELCHECK:** Not specific to Mr. Geeslin, but just a couple of

1 observations.

2

3 **CHAIRMAN FRAZER:** Okay.

4

5 **MR. STRELCHECK:** So, first, thank you to the states for the  
6 presentations, right, and it's always kind of intriguing to see  
7 trends and changes, and, you know, I look at this in a number of  
8 ways, but, obviously, we have seasons that are changing, and some  
9 are getting longer, and some have gotten shorter, and we have  
10 effort that seems to have come off the high of 2020, and we have  
11 catch rates that may be stable, or trending in one direction or  
12 another, as well as lengths and weights that are trending.

13

14 You know, my concern, always, is when seasons perpetually are  
15 getting longer, and why is that, right, and so I think that's worth  
16 continuing to monitor and explore, right, because that's a good  
17 thing, from a socioeconomic standpoint, but is there something  
18 biologically changing, or not, in the environment, or are there  
19 reasons to explain that, and certainly you've done a good job of  
20 kind of laying out the factors, as to what might be changing, and  
21 so I just appreciate that, in general observation.

22

23 The other comment is Ocean Conservancy had sent a letter, before  
24 the meeting, asking about more transparency, in terms of the  
25 recreational red snapper landings data, and we have posted, in the  
26 past, the annual estimates, but it's pretty much after the season.  
27 What ideally I think would be helpful -- We don't want to be in  
28 the business of compiling your data, but can we point toward your  
29 websites, and can we point toward, you know, information that's  
30 publicly available, so that, when they are driven to our catch  
31 limit monitoring site, we can send them, obviously, to wherever  
32 the most recent data is.

33

34 I know that Alabama has a site, and Louisiana, and I'm just not  
35 sure about the other states, and so I just wanted to mention that,  
36 because we are in this kind of transitional period, where we are  
37 going to hopefully have this Gulf states clearinghouse, through  
38 the IRA funding, ultimately, that will be able to provide this,  
39 but we're not there yet, and that will probably be still a couple  
40 of years down the road, and so I'm just mentioning that, and I  
41 would like to work with the states on how we can compile that data.

42

43 **CHAIRMAN FRAZER:** To that point, C.J.?

44

45 **DR. SWEETMAN:** Yes, and what type of information would you think  
46 you would be looking for there, Andy, just to clarify?

47

48 **MR. STRELCHECK:** Just simply the landings data relative to your

1 catch limit monitoring.

2

3 **CHAIRMAN FRAZER:** Okay. Thank you. Ms. Boggs.

4

5 **MS. BOGGS:** I just want to get some clarification, and it has  
6 nothing to do with the presentations that we just heard, and this  
7 question is actually for the agency. I want to clarify, and make  
8 sure I understood, going back to amberjack, that it will open May  
9 1, and it's projected to be open for the entire month, but it could  
10 be closed, should the quota be met, and is that correct?

11

12 **MR. STRELCHECK:** We won't be projecting in-season, and so I think  
13 the projection, right now, is it would remain open for the entire  
14 month.

15

16 **CHAIRMAN FRAZER:** Okay. Any other questions related to red  
17 snapper? All right. I'm not seeing any, and so we will go ahead  
18 and move on to Agenda Item Number V, and that would be a  
19 Presentation on the 2024 Gag and Red Grouper Recreational Season  
20 Projections, and that presentation will be given by Mr. Strelcheck.  
21 Ryan, did you want to lead us through an action guide here?

22

23 **PRESENTATION: 2024 GAG AND RED GROUPE RECREATIONAL SEASON**  
24 **PROJECTIONS**

25

26 **MR. RINDONE:** Sure, and so Andy is going to review updated gag and  
27 red grouper recreational fishing season projections for 2024. As  
28 you guys recall, the 2023 fishing year landings for both species  
29 were estimated using MRIP-FES for private vessels and resulted in  
30 significantly higher landings estimates compared to previous  
31 fishing years and so SERO has been collaborating with the Florida  
32 Fish and Wildlife Conservation Commission, and the NOAA Office of  
33 Science and Technology, to review all of these landings and  
34 determine whether any of those other intercepts or other data  
35 required further analysis. They provided some update of that at  
36 the last meeting for redgrouper.

37

38 These results of this collaboration, and the resultant season  
39 projections, are going to be presented here for red grouper. The  
40 committee should consider the information presented and make any  
41 recommendations to the council, as appropriate. I don't know why  
42 that last bit is on there, and so --

43

44 **CHAIRMAN FRAZER:** All right, and so we will get that presentation  
45 up, Andy, and the floor is yours.

46

47 **MR. STRELCHECK:** Great. Thank you, Mr. Chair. As you are well  
48 aware, I had talked to you about the gag and red grouper landings

1 at the January council meeting, and I committed to coming back and  
2 presenting, obviously, more information about gag and red grouper  
3 at this meeting, and so, today, I'll be talking about our season  
4 projection for recreational red grouper and the payback overage  
5 for the gag ACL. We do not yet have projected season lengths for  
6 gag, because we want to work closely with the Fish and Wildlife  
7 Commission on that effort.

8  
9 Just to reorient everyone, we had a January 1 through July 20  
10 season last year, and the 2024 catch limit, and catch targets, are  
11 2.02 million pounds and 1.84 million pounds, and the accountability  
12 measure is we close if the ACL is met, or projected to be met,  
13 and, if landings are greater than the catch limit, then we set the  
14 length, so landings do not exceed the ACT, and I underlined "do  
15 not exceed", and I will talk about that in a few minutes.

16  
17 One thing to note is the ACL, and the catch target, had been  
18 exceeded the last three years running, despite our efforts to  
19 shorten the season and try to constrain recreational harvest, and  
20 then the 2023 landings, and these are in MRIP-FES units, are 2.5  
21 million pounds, and that does include that large estimate from  
22 Wave 4, and so I just want to acknowledge that we did look at the  
23 sensitivity around then when projecting the 2024 season.

24  
25 With the closure analysis, and I want to thank Mike Larkin for his  
26 efforts to put this together. We used data from the most recent  
27 four years, primarily the most recent three years, and we're only  
28 using landings through Wave 4, because that's essentially when the  
29 ACT is projected to be met, and then, as I mentioned, given that  
30 high Wave 4 estimate, we did want to explore the sensitivity of  
31 that, and get some sensitivity runs with and without using that  
32 Wave 4 data, kind of supplementing it with other prior years  
33 landings, just to evaluate the sensitivity.

34  
35 This just gets into a little bit more of the details, in terms of  
36 what we were looking, and we were essentially generating one, two,  
37 and three-year averages with landings data, and then that Wave 4  
38 prediction was essentially using a three-year average or using an  
39 actual estimate from Wave 4, but modified to kind of carry out as  
40 if it was open for the entire wave time period.

41  
42 I think the important thing to note, and what I wanted to emphasize  
43 here, is, regardless of your feelings about MRIP-FES, it is telling  
44 a fairly similar story. We did have kind of a little bit of a  
45 deviation from the 2021-2022 pattern last year, where landings  
46 were higher during the earlier months, and then lower during the  
47 kind of May-June timeframe, but then, all of a sudden, spiked up  
48 in the July-August timeframe, but, as you can see, the three years

1 of data are all kind of getting you to the same endpoint, in terms  
2 of when we would estimate the catch limit, or the catch target,  
3 would be met, with, obviously, some variability around that  
4 estimate, from wave to wave and year to year.  
5

6 Based on the projections, the different methodologies, you know,  
7 using different years, using a three-year average, with and without  
8 certain Wave 4 data, you can see the range of projected closure  
9 dates is anywhere from July 13 to August 2, and we have looked at  
10 this carefully, given that we've had three years of exceedances,  
11 and the accountability measures say, you know, do not exceed the  
12 catch target, and we intend to implement a January 1 through June  
13 30 recreational season this year.  
14

15 That would allow us then to evaluate the landings that come in  
16 through June 30, sometime in late August, and determine if we could  
17 reopen, if landings are still left relative to the catch target,  
18 and so that would be our intent, to have a six-month season, with  
19 the ability to reopen, sometime later in the late summer or fall  
20 timeframe, once we've compiled landings data, and so I will stop  
21 there and see if there's any questions up to this point.  
22

23 **CHAIRMAN FRAZER:** Okay. Thank you, Andy. Captain Walker.  
24

25 **MR. ED WALKER:** Thank you, Andy. Just to clarify, when you put  
26 the cumulative years together, all three of those years are -- I  
27 mean, they kind of have to be, but those are all still MRIP  
28 estimates, correct?  
29

30 **MR. STRELCHECK:** Yes, and so, at this point, we are monitoring  
31 with MRIP-FES for private, and we use, obviously, the charter  
32 survey, and the headboat survey, for additional landings, and there  
33 is no shore-based landings that come into play here.  
34

35 **CHAIRMAN FRAZER:** Okay. I'm not seeing any other questions, Andy.  
36

37 **MR. STRELCHECK:** So, transitioning to gag, as you recall, very  
38 high landings estimate for the short fishing season last year, and  
39 so we have looked at how to account for that overage, and there  
40 was also some adjustments that occurred between the previous  
41 meeting and this meeting to the catch estimates, and so I'll talk  
42 about those in more detail.  
43

44 Reorienting everyone, originally, we had a September 1 through  
45 early November season. Given some kind of early indications within  
46 that September season, we determined, or made the decision, to  
47 shorten the season. The accountability measure has a payback for  
48 the ACL overage, unless the best scientific information available

1 determines a lesser, greater, or no overage adjustment is  
2 necessary.

3  
4 This is essentially what you saw in January, on the left column,  
5 and what now are the revised estimates, as of April 2024. The  
6 charter/headboat landings, and LA Creel landings, went up  
7 slightly, but where you can see, obviously, the major differences  
8 are with the MRIP estimate, the SRFS estimate, and the shore-based  
9 estimate.

10  
11 All of those go down, and there's a variety of reasons why they're  
12 going down, and one of the reasons is that data comes into us,  
13 obviously, and is made available for estimating effort on that  
14 two-month wave timeframe, but there are surveys that are going to  
15 come in after the fact, and so we have actually got more data to  
16 estimate fishing effort, which causes then the effort estimates to  
17 be adjusted, and, in this case, it lowered the catch estimates,  
18 based on the additional surveys that we received.

19  
20 The other primary factor, and I talked about this at the last  
21 meeting, is, when you go back and look at the intercepts, and the  
22 data, there are two, two or three, highly-influential catch  
23 interviews, and the weighting of those resulted in a large  
24 expansion of the catch. The statisticians, and Richard Cody is in  
25 the audience here, and he can certainly answer kind of how that  
26 works, and how those adjustments occur, but, ultimately, at the  
27 end of the day, they did look at this data, and they did recognize  
28 that these were highly-influential catch interviews, and they made  
29 some adjustments to how they would be weighted, in order to  
30 generate the estimates, and that also brought down the catches,

31  
32 Then I will note, because it can be confusing, that, well, how  
33 does the State Reef Fish Survey change as well, and why is their  
34 survey changing, and I talked to the Fish and Wildlife Commission,  
35 and, like the federal survey, when they get additional data in,  
36 their effort estimates are going to be modified.

37  
38 They're also using some of those MRIP intercepts to kind of augment  
39 their sampling, and, because our intercept weightings change, that  
40 also affects then the State Reef Fish Survey estimates, right, and  
41 so I know people lose confidence, in terms of kind of like these  
42 are big changes that are happening, but keep in mind that what I  
43 was presenting to you in January was preliminary, and this is,  
44 obviously, getting closer to final, with final estimates hopefully  
45 being available in the next month or so, and so I expect that this  
46 will be very close, if not the final estimates, that we would  
47 expect for gag for 2024, and so I'm going to stop there.

48

1 **CHAIRMAN FRAZER:** We've got a couple of questions for you, Andy.  
2 First is C.J.  
3  
4 **DR. SWEETMAN:** Just to clarify, for this slide in particular, that  
5 title should say "2023 Gulf Gag Landings"?  
6  
7 **MR. STRELCHECK:** Correct. Yes.  
8  
9 **CHAIRMAN FRAZER:** Good catch, C.J. Anthony.  
10  
11 **DR. ANTHONY OVERTON:** I have a quick question, and you said there  
12 were additional responses to the FES surveys, and were they a  
13 higher percentage, and was it how many more, or how many  
14 additional, responses? Just a guess would be fine.  
15  
16 **MR. STRELCHECK:** I wouldn't know that, and I don't know if Richard  
17 Cody, who is in the audience, has that information, or if he could  
18 find that out for us.  
19  
20 **CHAIRMAN FRAZER:** Come on up, Richard.  
21  
22 **DR. RICHARD CODY:** Normally, what happens is that the survey is  
23 administered at the end of a wave, and so in the first few days,  
24 basically right before the end of the wave, the mailout occurs for  
25 the first week. We get responses in for the first forty-five days,  
26 and then the preliminary estimates are made.  
27  
28 It's not unusual to get, you know, a certain percentage, and  
29 generally it's pretty low, in terms of the numbers of additional  
30 intercepts we'll receive after that forty-five day period, but  
31 what we try to do is caveat those estimates by saying that they  
32 are preliminary, until finalized, and, actually, we don't finalize  
33 the estimates until, you know, we produce the annual at the end of  
34 the year.  
35  
36 That could be -- That's in April of the following year, and then  
37 it's still subject to change, if, you know, stakeholders, the  
38 states, find some issues with some of the intercepts, but,  
39 generally, for the estimates, what we try to do is look at a range,  
40 and so, for instance, if you have a value that maybe is causing a  
41 high estimate for catch, what we will do is we will compare it to  
42 a range for the previous five years, and get an assessment of that.  
43 We look at when it occurred, how it occurred, how much -- You know,  
44 we'll also communicate with the states, as far as finding out, you  
45 know, what they can about the intercept that contributed to that.  
46  
47 I will say, you know, there's two components that contribute to a  
48 high catch estimate, and you have the catch per unit effort part,

1 and then you have the FES, and so it's not always the FES that is  
2 the cause, and it can be, you know, a low number of intercepts, at  
3 a certain part of a wave, or a low-productivity wave, or it could  
4 be that there are assignments that go to low productivity sites,  
5 and they are overrepresented in the catch, and so it's a variety  
6 of things that we look at.

7

8 **DR. OVERTON:** Okay. Thank you very much.

9

10 **DR. CODY:** Sure.

11

12 **CHAIRMAN FRAZER:** Any other questions for Richard, while he's up?  
13 Kevin.

14

15 **MR. ANSON:** Thanks, Dr. Cody. Relative to the comment there on  
16 reweighting of several highly-influential catch interviews, and so  
17 several means a few, three or four?

18

19 **DR. CODY:** It depends. I mean, it takes a very low number of  
20 intercepts to produce a catch estimate, more than one, and so, you  
21 know, it depends on what the proportion of trips that we look at  
22 that have catch associated with them, or no catch associated with  
23 them, and so it's a variety, and hopefully I answered your  
24 question, and I'm not sure.

25

26 **CHAIRMAN FRAZER:** A follow-up, Kevin?

27

28 **MR. ANSON:** Then, secondary to that, but on the reweighting, I  
29 guess, is what was -- I guess what was the threshold that you used,  
30 relative to identifying which interviews would be reweighted, in  
31 this particular instance? I mean, is it ten-times the average,  
32 four-times the average, or is it -- I mean, what --

33

34 **DR. CODY:** We look at confidence intervals, and we look at, like  
35 I said, the range over the past five years, or for the entire time  
36 series, and, if it's out of range, generally we'll look at it, and  
37 so it's not unusual to have, you know, up to a hundred intercepts  
38 that we'll evaluate, each wave, to see if they -- You know, if  
39 there's anything about them that we might want to use to reweight.

40

41 For instance, if it's overrepresented, in consultation with the  
42 states, and say, for instance, it's an atypical trip, in terms of  
43 the catch, in terms of the other species caught, different -- You  
44 know, lots of different factors that we look at, and so it's not  
45 -- I wouldn't say there's a single threshold that we would use,  
46 and it's a variety of factors that we would look at, and it may be  
47 -- It may be errors with the input of data for weights and lengths,  
48 although those have been reduced considerably, because of the

1 electronic data recording, and also the work the states do with  
2 checking on the weights and lengths.

3  
4 **CHAIRMAN FRAZER:** C.J.

5  
6 **DR. SWEETMAN:** Thanks, Dr. Cody, and so I'm just curious. The  
7 last council meeting that we had, the council passed a motion to  
8 request that S&T work with the states to look at effort  
9 extrapolation procedures, and how those kind of go into this  
10 process here, and I'm just curious where that stands at the moment.

11  
12 **DR. CODY:** We have documentation, that's readily available, that  
13 describes the procedures that we use for estimation and so on, and  
14 we are putting together a response to the council to work with the  
15 states on those. The estimation itself is well documented, and so  
16 it's not something that I would say requires a lot of -- A lot of  
17 additional material to present publicly, and we can indicate some  
18 of the work that we involve the states in, as far as, you know,  
19 their review of our estimates, and there are a couple of workshops  
20 that we're working on with Gulf States to look at ways to better  
21 include the states and other partners in the review process, and  
22 so we'll have a bit more to report, probably, at the next meeting.

23  
24 **CHAIRMAN FRAZER:** Okay. Specifically, questions for Richard? Go  
25 ahead, Dr. Walter.

26  
27 **DR. JOHN WALTER:** Thanks, Richard, for coming to the council  
28 meeting again, and for Science and Technology's support here. I  
29 think one of the things that probably needs some -- It would help  
30 for people to know is that the working group that's dealing with  
31 the procedures for rare events, or outliers, and I think it's the  
32 precision threshold working group, and maybe you could just give  
33 a short update on where that working group is on dealing with those  
34 kind of events and developing kind of a series of practices.  
35 Thanks.

36  
37 **DR. CODY:** Yes, and so we have a joint working group with the  
38 Southeast Science Center, and we're including people from the west  
39 coast, from the different science centers over there, as well as  
40 the Northeast as well, and so this workgroup has been focused on  
41 ways to address the precision threshold issue that we have with  
42 data, and so, for instance, we have put on our website that we  
43 don't -- You know, we can't support estimates that have PSEs above  
44 50 percent, and so what do you do about that?

45  
46 Are there ways to use the data that we already have that can better  
47 inform the estimate process? What we've come up with is a number  
48 of different approaches, mostly focused, at this point, on

1 multiyear averaging, and so you can use lag, versus middle year,  
2 versus end year, types of approaches

3  
4 You can vary the numbers of years used, and three to five is what  
5 we've been looking at, and then there's a number of different  
6 modeling approaches that we are in the very early stages of  
7 evaluating, in terms of ways to resample data, ways to improve the  
8 precision of the estimates, and that doesn't guarantee that we  
9 will come up with processes that will result in estimates that  
10 meet the precision threshold, but it gives us a chance to look at  
11 options for using more of the data.

12  
13 It also has an added component related to smoothing of outlier  
14 estimates, or reducing the impacts of outlier estimates, and so  
15 that's part of the ongoing work right now that we're doing with  
16 the Science Center, and, I said, it's in the early stages.

17  
18 One particular area of interest to us is the small area estimation,  
19 and that really entails looking at different sources of data, and  
20 it could be regulatory data, and it could be weather data, and it  
21 could be, you know, different sources, and these would be -- I'm  
22 hoping that we can use these to provide for a more formal process  
23 for reweighting of data, or final weighting of estimates, and so  
24 that's in the very early stages at this point.

25  
26 We've worked with the Southeast Science Center, and they've  
27 provided a dataset, basically, that lists all the different  
28 regulatory information that we would need, such as the season  
29 length, the time of the year that it occurs, different things like  
30 that that might help explain why you get a certain estimate that  
31 overly influences the overall estimation process.

32  
33 **CHAIRMAN FRAZER:** Okay. Thank you, Dr. Cody. I think we have  
34 some more questions, actually. Dr. Simmons.

35  
36 **EXECUTIVE DIRECTOR CARRIE SIMMONS:** Thank you, Mr. Chair. Thank  
37 you, Dr. Cody. I guess, just to follow-on what Dr. Sweetman was  
38 asking, regarding the council's letter, I thought, instead of a  
39 response back, we were going to work with you, and your staff, and  
40 look into this specifically for gag and red grouper, and look at  
41 the extrapolation processes used by NOAA S&T for the MRIP program,  
42 compared to SRFS, and we would get that in a form that would come  
43 to the SSC, and then the council, and so could you speak a little  
44 bit more about that, and the timing of that, please?

45  
46 **DR. CODY:** I mean, I was basically waiting on the outcomes of the  
47 workshops that we had planned with the Gulf Commission, and I think  
48 we'll be in a better place, in terms of how we improve let's say

1 the review process for the data and how we can best include  
2 stakeholder input.

3  
4 We're not at a point yet where we have the input from that workshop,  
5 and so I would -- I think, going forward, we'll probably try to -  
6 - Well, we will try to communicate more with you, and include you  
7 in the workshop process, and my understanding was that, you know,  
8 we were pretty much informed on that, but I will do better to get  
9 you more information.

10  
11 **CHAIRMAN FRAZER:** Okay. Kevin.

12  
13 **MR. ANSON:** Thank you. Dr. Cody, following up on the workgroup  
14 that you described, working with some of the Science Center staff,  
15 all the smoothing, and those things you talked about relative to  
16 the data, is that going to occur prior to publishing the numbers  
17 that go on the MRIP website, or is that going to occur prior to an  
18 assessment, or what?

19  
20 **DR. CODY:** That's a good question, and I don't think it's 100  
21 percent clear at this point. I mean, in my perspective, producing  
22 probability-based surveys that have a consistent methodology is  
23 important, and so I think we were looking at it, from the S&T side,  
24 that these would be more pulse estimation tools that would allow  
25 alternative estimation, in some cases, and that could be done at  
26 S&T, some of it, but I would think that it would depend on the  
27 need for assessment purposes, you know, when it would be done,  
28 post or pre.

29  
30 I think there are some things that we're struggling with, in terms  
31 of coming up with a decision framework for the use of different  
32 methods, because there is the potential to have, you know, ten or  
33 so different methods, producing different estimates, at the end of  
34 it all, and so we need some way to constrain that, or at least to  
35 provide justification for the selection of one method over another,  
36 but I would think the discussion is still open, with the Southeast  
37 Center, about when is the best time to introduce those methods, or  
38 make them available, but I think that there are options available  
39 to use different methods for estimation, given that we have a  
40 policy -- At S&T anyway, we don't support the estimates if they  
41 are above that PSE threshold of 50 percent, and so something is  
42 needed.

43  
44 **CHAIRMAN FRAZER:** Kevin.

45  
46 **MR. ANSON:** I appreciate the response. I'm just concerned, you  
47 know, with the estimates currently, and FES estimates are used,  
48 you know, by the agency to monitor harvest, and, you know, set

1 season length, and, you know, I don't know if there are other  
2 instances, or whether or not they're to this magnitude, but, you  
3 know, to have kind of the under-the-hood dive that you all did, in  
4 order to adjust the numbers here as significantly as you did, you  
5 know, just as a one-off, or if this is occurring in other species  
6 that we just don't look at closely, and those types of things, and  
7 so that's what I'm -- I'm just concerned about the manipulation of  
8 the data, you know, and where that manipulation occurs relative  
9 to, again, monitoring toward ACLs, and then also putting that same  
10 data in an assessment.

11  
12 **DR. CODY:** We have an internal review process, and we do pass the  
13 data along to the Science Center, individuals at the Science  
14 Center, and the Southeast Regional Office. I mean, obviously, it  
15 can benefit from more eyes on the data, and I think that's the  
16 whole focus of this goal, or this workshop, is to, you know,  
17 beefing up the review process, but we do have, you know, standard  
18 flags that we look at, in terms of flags for the data, but those  
19 are generally based on just statistical information.

20  
21 I think it's important to recognize that there might be other  
22 factors, such as regulatory or weather or, you know, things that  
23 could contribute to reweighting of the data, beyond what we do,  
24 and ours is very mechanical, in terms of just taking on a range,  
25 or confidence intervals, or some other factors that are  
26 statistically, you know, available to flag, using program code.

27  
28 **CHAIRMAN FRAZER:** All right. We're going to take one more  
29 question, Richard, and then I'm going to try to get us back on  
30 schedule. I appreciate you taking the time to field these  
31 questions on the fly though. Ed.

32  
33 **MR. WALKER:** Thank you. Just following-up with what Kevin had to  
34 say, it seems to me that, you know, you could work with the states  
35 a little bit more, and maybe you could kind of access some of the  
36 stakeholders that way, but you say you have an internal review  
37 process, but it seems to me there's -- I don't know the process as  
38 well you do, obviously, but there's a regional aspect that you  
39 might be missing.

40  
41 Like, you know, the guys in Washington probably don't know that  
42 catching 100,000 pounds of gag grouper from shore is essentially  
43 impossible, and so, you know, you wouldn't know that, because  
44 you're missing the local and regional input there, and somebody in  
45 the review could have said, hold on a second, and that doesn't  
46 look right, and that's wrong, and we should take a closer look at  
47 that, and, you know, it wouldn't have made it this far in the  
48 process.

1  
2 Besides that, what Kevin was saying is these obvious ones, to  
3 laymen like myself, do kind of make us question, you know, what's  
4 happening in the other ones that aren't as obvious, because this  
5 is turning fishing upside down right now, and we're looking at  
6 essentially a 400 percent difference between the MRIP gag estimate  
7 and the state estimate, and they're going to modify that, but the  
8 red grouper they're not, and they're going to stick with the MRIP  
9 number, and that's going to take away a significant amount of  
10 fishing access.

11  
12 I think, for you, my point would be we would like to see at least  
13 our state people, but maybe even a stakeholder or two, informed  
14 stakeholder, may be involved in the review process a little more,  
15 and maybe we can help point out some things that the statistical  
16 guys might have missed, like biological-type things, or fishermen-  
17 related things.

18  
19 **DR. CODY:** I would agree, and I think that's one of the reasons  
20 that we don't close the door on input from stakeholders,  
21 regardless, and the estimates are on the website, and the data are  
22 available for download, the raw data, the microdata, and we do get  
23 input from stakeholders occasionally.

24  
25 I think it's still worth pointing out that, you know, we are a  
26 statistical survey, and you heard from Chris Liese, yesterday,  
27 about statistical estimates versus census-based counts, and that's  
28 why we produce the variance estimates, the PSEs, to go along with  
29 those estimates, so that you can look at that and say, all right,  
30 that doesn't meet the threshold, and so, you know, I don't have a  
31 lot of confidence in this estimate.

32  
33 That's for -- You know, that's a reason for doing that, but I do  
34 agree that we are trying to look at different ways that we can,  
35 you know, more efficiently include stakeholder input, so that, you  
36 know, it doesn't get three years down the line before somebody,  
37 you know, notices something that's problematic, but the estimates  
38 are available always for questioning.

39  
40 **CHAIRMAN FRAZER:** All right. Thank you, Richard. I'm going to  
41 try to keep us on track. I appreciate it. Andy, you have a couple  
42 more slides, right?

43  
44 **MR. STRELCHECK:** Yes, but I do feel like I need to comment on a  
45 few things, and so Ed just mentioned that, you know, Wave 4 would  
46 dramatically affect the red grouper season, and, based on what I  
47 presented previously, that's not the case, right, and we're not  
48 basing a decision to shut down gag on June 30 simply on that Wave

1 4 estimate. The projections did indicate, regardless of Wave 4,  
2 that we could close as early as early July, right, and so I just  
3 wanted to emphasize that.

4  
5 In terms of the regional component that was mentioned, and I  
6 appreciate Kevin's point as well, right, and so we don't want any  
7 of this to be a one-off, right, and we want a process that,  
8 obviously, looks at these anomalous, you know, data, spikes, and,  
9 you know, what I tend to find is people focus on the spikes, and  
10 they don't focus on the low values as well, right, and so I think  
11 it goes both ways, in terms of then looking at, holistically, kind  
12 of what's going on, and are there some anomalous data.

13  
14 We talked to Richard, and team, and one of the things that we're  
15 trying to reengage in is, when we are doing our annual catch limit  
16 monitoring, if we see things that seem out of line, right, that  
17 seem like, you know, they're high or low, or whatever is occurring,  
18 we can flag those for S&T as well to look into, so that there is  
19 another layer of that review process, and so I just wanted to  
20 emphasize that there is, I think, a number of good things that are  
21 coming out of this that will help to continue to improve the catch  
22 limit monitoring process.

23  
24 Really, you know, big uproar, concerns made about the shore mode  
25 estimate that I shared at the last meeting, and this is something  
26 that, obviously, is generated by Science and Technology, and they  
27 readily acknowledge, right, that it shouldn't be used if it's  
28 higher than 50 percent standard error, and we all recognized that  
29 that estimate was highly uncertain.

30  
31 Thanks to Richard Cody, and team, and they dug into -- I asked  
32 them some questions about kind of what's been going on with shore  
33 mode landings between 2018 and 2023, and what they were able to  
34 find is that they essentially encountered about a half-a-dozen  
35 intercepts, all from shore, all from Tampa Bay, and so either  
36 Manatee County or Pinellas County, north or south of the Skyway  
37 Bridge, that caught -- That reported a legal-sized gag. That's  
38 over that, you know, six-year period, relative to at least 240  
39 intercepts with gag catch from shore, that were primarily reporting  
40 releases, and so very rare events, and very unlikely to catch a  
41 legal-sized gag from shore, and they're all occurring in a  
42 consolidated geographic area.

43  
44 We recognize the estimate is highly uncertain, and, given that  
45 uncertainty, and the low number of intercepts, we did not use the  
46 shore landings in the ACL overage calculation, right, and we just  
47 don't think it's a reasonable estimate. Yes, there's probably,  
48 you know, a few more gag that are landed, but we're probably

1 talking less than a hundred pounds, or a thousand pounds, and not  
2 seventy-something thousand pounds, which is the new estimate.

3  
4 Getting into then the annual catch limit for 2024, one of the  
5 challenges we had, and we really didn't think through this very  
6 well, as we transitioned from FES to SRFS, and, if we encounter an  
7 overage, how do we, obviously, put it in SRFS units, State Reef  
8 Fish Survey units, and so we needed a way to account for that  
9 overage in State Reef Fish Survey units.

10  
11 You can see there the 2023 annual catch limit was 404,000 pounds,  
12 roughly, for MRIP-FES, or, excuse me, the 2023 catch limit. The  
13 2024 catch limit, which is now in State Reef Fish Survey, is  
14 288,000 pounds, and so, in order to calculate the annual catch  
15 limit for 2024, we essentially first took -- The Science Center  
16 essentially estimated what the calibrated 2023 catch limit would  
17 have been if it was in the State Reef Fish Survey units, and so,  
18 essentially, we take our charter, and we take out headboat, because  
19 those are not affected by the effort survey, and we adjust the  
20 private landings down from MRIP to units that are consistent with  
21 the State Reef Fish Survey, and we tally all that up, and we get  
22 a catch limit of a little over 211,000 pounds.

23  
24 We then took the landings that I presented on the previous slides,  
25 excluding shore mode, and we tallied that up, and that's 336,000  
26 pounds. The difference is, obviously, the overage, and then we  
27 subtract that from the catch limit that is being specified in  
28 Amendment 56, and we get an overage-adjusted catch limit, for 2024,  
29 of 163,376 pounds. I'm going to pause there, if there's questions.

30  
31 **CHAIRMAN FRAZER:** We're going to take just a couple, right, and I  
32 know that we'll ponder these, but we're scheduled for a break, and  
33 we're a little behind schedule, and so Mr. Gill.

34  
35 **MR. GILL:** Thank you, Mr. Chairman, and so the 163,000 pounds is  
36 in SRFS, and, based on the recreational landing average weight of  
37 fish, which is eight-and-a-piece, and so you're talking 20,000  
38 fish available for the entire season, correct?

39  
40 **MR. STRELCHECK:** Yes, and, I mean, approximately that. I don't  
41 know the exact average weight, but it was somewhere around eight  
42 or nine pounds, yes.

43  
44 **CHAIRMAN FRAZER:** Any further questions for Mr. Strelcheck? Okay.  
45 I'm not seeing any. Andy, thank you for this presentation, and  
46 the update, and, Mr. Chair, we are scheduled for a fifteen-minute  
47 break, if you want to go ahead and take that.

1 **MR. ANSON:** Yes. Let's take a fifteen-minute break, and so we'll  
2 reconvene -- Actually -- Well, try to be back here at 10:15, local  
3 time.

4  
5 **CHAIRMAN FRAZER:** Thank you.

6  
7 (Whereupon, a brief recess was taken.)

8  
9 **CHAIRMAN FRAZER:** We are going to pick back up, and we're going to  
10 go to Agenda Item Number VI, which is a Discussion of the  
11 Conservation and Management of Wenchman and the Midwater Snapper  
12 Complex, and so we'll go to the action guide and Mr. Rindone.

13  
14 **DISCUSSION OF CONSERVATION AND MANAGEMENT OF WENCHMAN IN THE**  
15 **MIDWATER SNAPPER COMPLEX**

16  
17 **MR. RINDONE:** Okay, and so I'm going to present some draft options  
18 for consideration to you guys for the removal of wenchman from the  
19 Reef Fish FMP. Wenchman is in the midwater snapper complex, which  
20 also includes blackfin, queen, and silk snapper, and wenchman  
21 landings are almost attributed to the bycatch from the commercial  
22 midwater trawl fishery, which primarily targets butterfish and  
23 scad.

24  
25 In May of 2023, the SSC recommended removing wenchman from the  
26 midwater snapper complex and set a new OFL and ABC for the  
27 remaining species, excluding wenchman, and, in June of 2023, you  
28 guys passed a motion to consider removing wenchman from the FMP.  
29 We're going to walk you through the considerations in the Magnuson  
30 Act, which are used to determine whether a species requires federal  
31 conservation and management, and so you should review the  
32 information presented and provide us with some feedback, and also  
33 evaluate your justification for consideration of including  
34 wenchman as an ecosystem component species within the FMP, and we  
35 can walk through that as well.

36  
37 We'll go ahead and bring up the presentation, and, as that's  
38 happening, I guess I wanted to kind of talk with Mr. Strelcheck  
39 here about, I guess, kind of a recent evolution in the butterfish  
40 trawl fishery, and the impetus for this document, which came about  
41 because we -- The council was petitioned by some butterfish trawl  
42 fishermen to do something about wenchman, and so, when they're  
43 fishing, they're pulling these trawls a little bit above the  
44 seafloor, and they're primarily targeting butterfish and scad,  
45 but, in several hundred feet of water, you can't really  
46 differentiate between species that are about the same size down  
47 there, and so they don't know what they have until they bring it  
48 up, and the efficiency in their fishery is that they bring in the

1 entirety of the catch, they put it in the hold, and they continue  
2 on.

3  
4 If they have to sort that catch on the deck, which is what they  
5 were having to do with wenchman, especially when midwater snapper  
6 was closed, it crashes the efficiency of that operation, and it  
7 makes it no longer viable.

8  
9 Those guys that were primarily doing that activity are no longer  
10 in the Gulf participating in that fishery, and so that explains  
11 what we've seen recently. When Frank was presenting the landings,  
12 we saw that drop-off in the wenchman portion of those landings,  
13 and so, Andy, I don't know if you want to expand on any of that.

14  
15 **MR. STRELCHECK:** I mean, thanks, Ryan, and so one of the things  
16 we've talked about, amongst our staff, is how do we proceed here,  
17 right, and so the problem, at least in the short-term, may have  
18 gone away, and what we were trying to solve, or resolve, may not  
19 be necessary at this time, and so the -- To me, the options on the  
20 table would be do we table this action, and continue to monitor  
21 the fishery, to see if commercial landings pick up again, right,  
22 and, at that point, come back to this issue, or do we maintain  
23 kind of status quo for the time -- Excuse me. Do we proceed with  
24 looking at changes to the catch limits, and, ultimately, going  
25 through Amendment 61, and deciding whether or not wenchman are in  
26 need of conservation and management, and kind of extensive  
27 analysis.

28  
29 My personal perspective would be to table it, and I think we have  
30 a lot of other priorities on the table that we could focus our  
31 energy on, and so I just wanted to, I guess, propose that, and  
32 certainly Carrie, or others, can weigh-in as well, from a staff  
33 perspective.

34  
35 **CHAIRMAN FRAZER:** We have a couple of responses to that, I think.  
36 Mr. Gill.

37  
38 **MR. GILL:** Thank you, Mr. Chairman. **I'm liking the sound of this**  
39 **discussion, and, in light of that, I would like to move that we**  
40 **stop work on Amendment 61.**

41  
42 **CHAIRMAN FRAZER:** All right, and so we were a little behind  
43 schedule, and I told you that I would make every effort to get us  
44 back on track, and so let's go ahead and, Bernie, if we can get a  
45 motion on the board.

46  
47 **MR. RINDONE:** Mr. Gill, did you say to discontinue or to table?  
48

1 **MR. GILL:** Could you say that again, Ryan?  
2  
3 **MR. RINDONE:** Did you say to discontinue or to table?  
4  
5 **MR. GILL:** I said stop work.  
6  
7 **MR. RINDONE:** Stop work? Okay. Good enough.  
8  
9 **CHAIRMAN FRAZER:** All right. We're going to wait just a second.  
10 All right, and so we've got a motion on the table, by Mr. Gill, to  
11 request staff cease work on Amendment 61, with numerous seconders.  
12 Any discussion? C.J.  
13  
14 **DR. SWEETMAN:** Just a quick question, and, quite frankly, I'm not  
15 sure who I'm directing this to, maybe Carrie or NMFS, but "cease  
16 work", versus "table", and I'm just wondering, technically, what  
17 the proper phrasing might be there.  
18  
19 **CHAIRMAN FRAZER:** Mara.  
20  
21 **MS. LEVY:** Well, a motion to table is non-debatable, and it  
22 normally wouldn't be used in a circumstance where you're not going  
23 to bring it back up, and it's like in order to like address  
24 something that needs to be addressed before you address what you  
25 want to table, and so I wouldn't say "table". I would say  
26 "discontinue work", or "postpone indefinitely", if you want to be  
27 super strict about it.  
28  
29 **CHAIRMAN FRAZER:** All right. Thanks, Mara. All right. Any  
30 further discussion on the amendment, or the motion? Excuse me.  
31 Okay. **Seeing none, is there any opposition to the motion? Seeing**  
32 **none, the motion carries.** All right.  
33  
34 **MR. RINDONE:** Mr. Chair, with that, I will forego further  
35 discussion of the rest of it.  
36  
37 **CHAIRMAN FRAZER:** As I said, don't worry about getting back on  
38 track. We've got a question from Captain Walker.  
39  
40 **MR. WALKER:** Since we have all this extra time now --  
41  
42 **CHAIRMAN FRAZER:** Woah, woah.  
43  
44 **MR. WALKER:** I don't know who I'm asking this to, but are there  
45 any other deepwater trawls operating? I mean, besides shrimpers,  
46 are there any reef fish, or finfish, trawls that operate in the  
47 Gulf?  
48

1 **CHAIRMAN FRAZER:** I will look to Ryan, or John, or folks over at  
2 NMFS.

3  
4 **MR. RINDONE:** Largely, this is the only trawl operation that is  
5 landing any reef fish species, is the butterfish. This is it, and  
6 so, besides the fishery-independent surveys, which, you know, we  
7 obviously wouldn't consider as part of any of that, this is the  
8 only fishery, like directed fishery gear, that is indirectly being  
9 used to harvest a reef fish species.

10  
11 **CHAIRMAN FRAZER:** All right. Any further questions regarding  
12 Amendment 61? All right. Not seeing any, and so we will move  
13 forward to Agenda Item Number 7, which is the Draft Options for  
14 Reef Fish Amendment 58: Modifications to Shallow-Water Grouper  
15 Complex Catch Limits and Management Measures, and so, Mr. Rindone,  
16 if you want to go through the action guide. We've got lots of  
17 questions. Mr. Gill.

18  
19 **DRAFT OPTIONS: REEF FISH AMENDMENT 58: MODIFICATIONS TO SHALLOW-**  
20 **WATER GROUPER COMPLEX CATCH LIMITS AND MANAGEMENT MEASURES**

21  
22 **MR. GILL:** Thank you, Mr. Chairman. Before we get started on 58,  
23 I think the committee needs to consider its priorities and decide  
24 whether to proceed on 58 or not. You all recall that we passed a  
25 motion that said we're not going to discuss, or consider,  
26 allocation decisions until the FES situation is squared away.

27  
28 We did have a caveat that, at such time as regulatory, or other  
29 pressing issues, dictated otherwise, that was okay, and this  
30 doesn't fall under that, and so I would like to move, and, Bernie,  
31 if you would pull up my Amendment 558 motion, that we table this  
32 amendment, since it heavily deals with allocation, and we either  
33 need to decide whether we're going to go with the previous decision  
34 or not, and, if we're going to go with the previous decision, then  
35 discussion on 58 seems moot, to me.

36  
37 **I offer this motion that Amendment 58 be tabled until such time as**  
38 **the FES 2024 pilot study results have been completed and deemed**  
39 **consistent with BSIA by the Gulf SSC.**

40  
41 **MS. BOGGS:** I will second for discussion.

42  
43 **CHAIRMAN FRAZER:** All right, and so we've got a motion on the  
44 board, and it's seconded by Ms. Boggs. Ms. Levy.

45  
46 **MS. LEVY:** So the issue I'm going to have with this is you've got  
47 stocks that are undergoing overfishing, per the latest assessment,  
48 and so you can't just delay, for that reason, and you've got a

1 statutory mandate to end overfishing, and there are, I think, two  
2 stocks, one in shallow-water and one in deepwater that are  
3 undergoing overfishing here, and, yes, I agree there's an  
4 allocation decision, but it's mostly an allocation within the IFQ  
5 system, if you're going to split the complex, and, yes, there's a  
6 rec part of that, but the way that you dealt with that last time  
7 was developed what the catch limits should be on the commercial  
8 side, and then what was left over was the rec portion, and the rec  
9 was kind of managed within the total.

10  
11 There wasn't a specified separate recreational ACL, but maybe we  
12 would need to do that here, but, again, I'm just going to emphasize  
13 that there are stocks undergoing overfishing.

14  
15 **CHAIRMAN FRAZER:** All right. Is there any further discussion? I  
16 guess my inclination, Bob, is to probably withdraw the motion,  
17 given the counsel, the input, but that's up to you.

18  
19 **MR. GILL:** I will agree to withdraw it at this time, Mr. Chairman.

20  
21 **CHAIRMAN FRAZER:** Okay. Thank you, Mr. Gill, and so the motion is  
22 withdrawn. Okay. All right, and so we'll go ahead with the action  
23 guide anyway, I think, Ryan.

24  
25 **MR. RINDONE:** All right, and so I will present an updated version  
26 of a presentation given last August. Between the March and May  
27 SSC meetings, the SSC made separate OFL and ABC recommendations  
28 for scamp and yellowmouth grouper, which were assessed together in  
29 SEDAR 68, and black and yellowfin grouper respectively.

30  
31 In February 2024, the SSC respecified its OFL and ABC  
32 recommendations for black and yellowfin grouper, correcting an  
33 error in the landings that was provided to it at a previous  
34 meeting, and we'll have to talk a little bit about black and  
35 yellowfin grouper specifically, and I'm going to look to Ms. Levy  
36 to help me with that.

37  
38 These four species anyway, they're included in the shallow-water  
39 grouper complex, presently under a single annual catch limit with  
40 a commercial ACL and ACT specified for allowing the functioning of  
41 the other shallow-water grouper component of the grouper-tilefish  
42 IFQ program. Because the OFLs and ABCs were specified explicitly  
43 for pairs of groupers, for scamp and yellowmouth and then for black  
44 and yellowfin, these species can't be managed together a single  
45 complex ACL, with a single quota, because of the probability of  
46 overfishing occurring on either pair, and, in this particular case,  
47 more so overfishing occurring on scamp and yellowmouth.

48

1 Council staff are going to present some revised options for you  
2 guys to consider regarding specifying things like status determine  
3 criteria, complex structure, catch limits, accountability  
4 measures, and share allocation. You guys should consider the  
5 information presented and make recommendations to us about the  
6 types of management options you're looking to explore, so that the  
7 appropriate data can be collected and analyzed prior to bringing  
8 those analyses back at a subsequent meeting, and so it's  
9 presentation time.

10  
11 **CHAIRMAN FRAZER:** All right, and so we have up Dr. Nance, to give  
12 us a review from the February 2024 SSC meeting. Thank you, Dr.  
13 Nance.

14  
15 **DR. JIM NANCE:** This is just for blackfin grouper and yellowfin  
16 grouper, and I just have one slide, and it's that, at our May 2023  
17 meeting, we were presented -- We came up with OFL and ABC  
18 recommendations. It was found out later that Monroe County was  
19 included in those data, and Monroe County is part of the South  
20 Atlantic Fishery Management Council, and so Monroe County was taken  
21 out of the landings data, and we looked at the new landings'  
22 dataset, and this is the motion we have from the SSC.

23  
24 The original OFL and ABC values for Gulf of Mexico black and  
25 yellowfin grouper, provided by the Gulf SSC in May of 2023, should  
26 be revised to reflect corrected landings that remove recreational  
27 landings from Monroe County. The new values are 91,997 pounds  
28 gutted weight for the OFL and 80,717 pounds gutted weight for the  
29 ABC, and so those are the new OFL and ABC values for these two  
30 species from that complex.

31  
32 **CHAIRMAN FRAZER:** Thanks, Dr. Nance. Any questions for Dr. Nance?  
33 Mr. Rindone.

34  
35 **MR. RINDONE:** I don't have a question for Dr. Nance, but this is  
36 where I was trying to tee-up Mara, and so we had some discussions,  
37 at the IPT level, about how we would be able to use this  
38 information, ultimately, and, because black grouper is a regional  
39 stock, and we haven't -- This isn't something that we've had  
40 feedback from the South Atlantic Council on, and, frankly, we don't  
41 even have a reliable stock assessment to use for black grouper at  
42 the moment, to know what's going on there, and our ability to use  
43 these recommendations is pretty severely hamstrung, and so it kind  
44 of puts us back to where we were with the MRFSS data for black  
45 grouper in the Gulf's apportionment of those old MRFSS limits, as  
46 far as how we manage black grouper.

47  
48 We can add an estimate of what the Gulf yellowfin grouper

1 contribution to that black and yellowfin grouper combined catch  
2 limit would be, but that's not something that we have the data for  
3 immediately, and we can have the SSC take a look at that at a  
4 future meeting, and, you know, this development was something that  
5 we just -- It wasn't something that was really expected, because  
6 we do manage our separate sections, and us and the South Atlantic  
7 manage them independently, generally, of one another, unless  
8 there's something that creates some kind of an overlap.

9  
10 There are some ACL, or ACT, setting options that you guys could  
11 explore related to black grouper, further along in the development  
12 of this document, if you wanted to, but, Mara, have I missed  
13 anything?

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

16  
17 **MS. LEVY:** No, and, I mean, I guess I would just add, you know,  
18 from -- That these recommendations are not really legally viable  
19 recommendations, and I didn't pick up on it before, because we  
20 have a stock that is Gulf and South Atlantic, and so we cannot  
21 have an OFL for a stock, for a Gulf stock, and there is no Gulf  
22 stock. It's a Gulf and South Atlantic stock, and we have  
23 established OFLs and ABCs set in the General ACL Amendment, and we  
24 can't update them just for the Gulf.

25  
26 It doesn't work like that, right, and that's not how we've set up  
27 the management scheme, and so I'm sorry that we went down this  
28 path, and it just didn't dawn on me, when we were talking about  
29 this, or anybody else, that we really can't do that, and so, from,  
30 you know, the stock perspective, we just have to stick with what  
31 we have on the books and what we established in the Generic ACL  
32 Amendments and the apportionment that was established between the  
33 Gulf and South Atlantic via those different generic amendments in  
34 those different regions.

35  
36 **CHAIRMAN FRAZER:** My interpretation of that is that we need to  
37 step back, right, and reevaluate. No?

38  
39 **MS. LEVY:** Well, there's no -- I mean, I don't really think that  
40 you can reevaluate unless the South Atlantic and the Gulf are going  
41 to reevaluate the entire stock together, meaning you're going to  
42 come up with some kind of way to update the catch limits, stock-  
43 wide, and you're going to do an apportionment analysis and all of  
44 that, and I don't think you have to do that. We can stick with  
45 what's on the books.

46  
47 We do have OFL and ABC recommendations from the Generic ACL  
48 Amendment that we used for black grouper, and those are still

1 valid. The South Atlantic is managing using those, and we continue  
2 to use those for black grouper, and then we weave in yellow grouper  
3 into this new complex, right, and that's what Ryan was talking  
4 about, in terms of looking at what yellow grouper -- Yellowfin  
5 landings were, and then incorporating that into whatever catch  
6 limits you've set up for that new complex that you're going to  
7 establish in the Gulf.

8  
9 **CHAIRMAN FRAZER:** I appreciate that, but, essentially, in order to  
10 incorporate the yellowfin information, that has to go to the SSC,  
11 right, before it would -- No?

12  
13 **MR. RINDONE:** They will be very excited to see this for a third  
14 time.

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

17  
18 **MS. LEVY:** I mean, I don't know about that. We'll have to think  
19 about that, but, when we have -- I guess I will think about that,  
20 but, I mean, we're not going to go back for anything related to  
21 black grouper, and like black grouper is set, and then it's just  
22 a matter of how we're going to bring yellowfin into it.

23  
24 **MR. RINDONE:** Then -- Sorry, Mr. Chair, to jump in like that, but,  
25 I guess, in that -- With that approach, then we wouldn't need to  
26 bring it back to the SSC at that point, because they've already  
27 made it clear that managing those two species together -- They  
28 don't have any obvious problem with it being done that way, and  
29 so, I mean, they recommended catch limits with them already, and  
30 so clearly that's not a part of the issue, and so, if we're just  
31 taking what we currently have for black grouper, in MRFSS units,  
32 and then appending yellowfin to it, there's -- There doesn't seem  
33 to be a reason to bring it back to them for that, and the yellowfin  
34 landings are remarkably low, like less than a thousand pounds,  
35 usually.

36  
37 **CHAIRMAN FRAZER:** Mr. Rindone, I'm trying to think about the path  
38 forward, the preferred path forward, from your perspective.

39  
40 **MR. RINDONE:** From my perspective, there's still an awful lot of  
41 stuff that we need to talk about with respect to this amendment.  
42 The general purpose of this presentation is to kind of like  
43 introduce you guys to what the landscape looks like, and what you  
44 want to put on it, and not to pick preferreds or anything like  
45 that, but merely to make sure that we have the right actions, and  
46 if there are any particular alternatives that you would like to  
47 see added to things, to -- You know, to throw those into the ring  
48 as well, and we have no expectation of preferred alternatives at

1 all, and so this is -- We're building here. Thank you, Dr. Nance.  
2  
3 **CHAIRMAN FRAZER:** Okay. I get that, and so -- No, Jim, you've got  
4 to sit there until lunch.  
5  
6 **DR. NANCE:** That's okay. I will.  
7  
8 **CHAIRMAN FRAZER:** No, and feel free. All right, and so we'll go  
9 through this presentation, but I think, first, that we are going  
10 to have some comments by Ms. Muehlstein.  
11  
12 **MS. EMILY MUEHLSTEIN:** So, Fishermen Feedback is what you guys  
13 would like to hear?  
14  
15 **CHAIRMAN FRAZER:** Correct.  
16  
17 **MS. MUEHLSTEIN:** Okay. Let's do it.  
18  
19 **MR. RINDONE:** I think it might be better to go through part of the  
20 presentation that concerns most of the shallow-water grouper  
21 stuff, and then, when we get to the deepwater portion, have Emily  
22 talk about Fishermen Feedback, and so we'll just kind of split it.  
23 I know that's kind of atypical, but that might be the best path  
24 forward, given what we're trying to do.  
25  
26 **CHAIRMAN FRAZER:** Sorry about that. That's okay.  
27  
28 **MR. RINDONE:** All is forgiven.  
29  
30 **CHAIRMAN FRAZER:** Thanks. Sorry, Emily.  
31  
32 **MR. RINDONE:** I guess, in the -- Dr. Simmons brought up a good  
33 point, and something to just keep in the backs of your minds is  
34 there are two stock assessments that are kind of plugged into this  
35 amendment. You have SEDAR 68, which assessed scamp and yellowmouth  
36 grouper, and, while it found those species stocks to be healthy,  
37 the catch limit recommendations for those species are going to be  
38 lower than what the current landings are, such that, if we do not  
39 do something, we will ultimately be overfishing those species.  
40  
41 When we talk about SEDAR 68, it is important, again, to remember  
42 that it is scamp and yellowmouth, and that's due to the difficulty  
43 in differentiating between those species at smaller sizes, and I  
44 realize, when they get larger, it's much easier to differentiate  
45 between them, but when they're, you know, under sixteen inches,  
46 and around sixteen inches, it can be difficult, and so that was  
47 the reason for combining them.  
48

1 The other assessment that Emily will speak to, when we get to the  
2 deepwater portion of things, is SEDAR 85, which is yellowedge  
3 grouper, which is a deepwater grouper species, and, while not  
4 overfished, that stock is marginally experiencing overfishing, and  
5 so we'll need to do something about that as well. Dr. Frazer, you  
6 were putting the flare up?

7  
8 **CHAIRMAN FRAZER:** No, and I'm good. Ms. Boggs.

9  
10 **MS. BOGGS:** So, this amendment is going to talk about all four  
11 species in the shallow-water grouper complex. Dr. Nance just gave  
12 us an update on the OFL and ABC for two of those species, but then  
13 SEDAR 68 addresses the other two species, and am I correct?

14  
15 **MR. RINDONE:** Right, but there's the caveat with the black grouper  
16 and yellowfin grouper thing that we just discussed.

17  
18 **MS. BOGGS:** So, SEDAR 68 was only for scamp and yellowmouth,  
19 correct?

20  
21 **MR. RINDONE:** Yes.

22  
23 **MS. BOGGS:** So, they didn't assess the black grouper in SEDAR 68,  
24 or they did?

25  
26 **MR. RINDONE:** They did not.

27  
28 **MS. BOGGS:** Okay.

29  
30 **CHAIRMAN FRAZER:** I got confused when I was reading the agenda,  
31 because I was thinking yellowmouth and yellowedge, and I got all  
32 yellowed out.

33  
34 **MR. RINDONE:** We will petition the fishermen for new, fun names  
35 for these species, to better differentiate them. Let's just dunk  
36 everybody's head in the water, before anyone decides to jump back  
37 out of the pool. Okay.

38  
39 Amendment 1 to the Reef Fish FMP created the shallow-water grouper  
40 complex, which originally had ten species in, and Amendment 3  
41 transferred speckled hind from the shallow-water grouper to the  
42 deepwater grouper complex.

43  
44 Amendment 14 prohibited the harvest of Nassau grouper, and so that  
45 pulls that out of the shallow-water grouper complex, and then  
46 Amendment 29 created the IFQ program in the shallow-water grouper  
47 share category. The Generic ACL/AM Amendment removed rock hind  
48 and red hind from the FMP and established separate ACLs for gag

1 and red grouper and set ACLs for all the other species without  
2 prior ACLs, and so that just gives you kind of a background on the  
3 management.

4  
5 Currently, there are four species left in the other shallow-water  
6 grouper complex, and that is black grouper, yellowfin grouper,  
7 scamp, and yellowmouth grouper, and all four are contained within  
8 the other shallow-water grouper share category in our IFQ program,  
9 and species in the shallow-water grouper complex share the same  
10 quota and allocation, even though they are landed by species, and  
11 so we have species-specific landings from the program on these  
12 four species.

13  
14 In March, the SSC talked about scamp and yellowmouth grouper and  
15 accepted updated projections, and this is March of last year, and  
16 they accepted updated projections from SEDAR 68 and recommended  
17 that the OFL be set at the fishing mortality corresponding with a  
18 40 percent spawning potential ratio, which is more conservative  
19 than it had been in the past, and that the ABC be set as the yield  
20 at 70 percent of that, and so you can see those proposed OFL and  
21 ABC values there, and that is in MRIP-FES, and, again, this is for  
22 scamp and yellowmouth combined.

23  
24 At the June council meeting, you guys told us to modify the  
25 amendment for scamp and yellowmouth catch limits to include black  
26 grouper and yellowfin grouper catch recommendations from the SSC,  
27 and we kind of talked about the issues there, and, in the  
28 amendment, consideration should also be given to implications to  
29 the IFQ fishery involving the shallow-water grouper complex, and,  
30 because we just did not think we were having enough fun, we decided  
31 to also propose adding in consideration of the deepwater grouper  
32 catch limits to this document, primarily because of the interplay  
33 in the IFQ program between the shallow-water and deepwater grouper  
34 complexes and the flexibility measures that allow you to land  
35 different species under different complex quotas.

36  
37 We're going to walk through some possible management actions here,  
38 and the first one would modify the shallow-water grouper complex  
39 within the FMP, and so I told you guys what the current complex  
40 looks like, but, now that scamp and yellowmouth have a distinct  
41 catch limit, they can't be combined with black grouper and  
42 yellowfin grouper, not only because of the difference in the data  
43 units, but also because, as you'll see, the landings for scamp and  
44 yellowmouth, at present, are well above the new proposed catch  
45 limits, and so Alternative 1 just doesn't work anymore. It's not  
46 viable.

47  
48 Alternative 2 would modify the complex to form two subcomplexes.

1 The first one would be comprised of scamp and yellowmouth, and the  
2 second would be comprised of black and yellowfin grouper. This  
3 would create two new share categories, one for scamp and  
4 yellowmouth and one for black and yellowfin grouper. We have some  
5 options down here that get in increasing smaller font, and so sorry  
6 for that.

7  
8 One would be that the current shares could be applied to the new  
9 share categories, and Option 2 would be that current shares are  
10 applied back on the landings history by species, with some sub-  
11 options there of using basically the entirety of the IFQ program  
12 time series, excluding the first year of the program and excluding  
13 2020, and then excluding the first five years of the program and  
14 excluding 2020. Seeing no hands -- There we go.

15  
16 **CHAIRMAN FRAZER:** C.J.

17  
18 **DR. SWEETMAN:** A general question, and I'm trying to understand  
19 it, based on what Mara was saying earlier about a stock is  
20 undergoing overfishing, and I do not see that. Which stock is  
21 undergoing overfishing here?

22  
23 **MR. RINDONE:** Yellowedge is undergoing overfishing, but that's  
24 later, but scamp, as we'll get to -- So the scamp and yellowmouth  
25 landings are around about 450,000 pounds, 400,000 to 450,000  
26 pounds, in a given year, and the -- Bernie, go back two slides, or  
27 three slides. The ABC that was proposed, or that was put forward  
28 by the SSC, is 203,000 pounds, and so, with the combination of  
29 both commercial and recreational harvest of scamp, it's coming to  
30 about 400,000 to 450,000 pounds in any given year. If we do not  
31 reduce the catch limits for scamp, we will be causing overfishing  
32 of scamp at 40 percent SPR.

33  
34 The justification for going to 40 percent from 30 percent was in  
35 line with a lot of the research shown for protogynous  
36 hermaphrodites, or fish that begin life as female and transition  
37 to male later, and the age at which they reach sexual -- The  
38 females reach sexual maturity, and the ages and sizes at which  
39 they start to transition to male, that 30 percent spawning  
40 potential ratio is just -- It's too aggressive, and it can result  
41 in overfishing, and it can result in the spawning stock biomass  
42 being hit pretty hard.

43  
44 We've seen some evidence of that from SEDAR 68, and that can be  
45 reviewed therein, and, if folks are more explicitly interested in  
46 that shift from 30 to 40 percent SPR, there's a lot in the SSC  
47 summaries about that, but, moving to 40 percent SPR, the SSC  
48 expects to do a better job of conserving the stock, in the long-

1 term, and allowing continued harvest.  
2  
3 **CHAIRMAN FRAZER:** Ms. Levy.  
4  
5 **MS. LEVY:** If I made a mistake, I apologize, and I thought something  
6 from the assessment was either overfished or undergoing  
7 overfishing, but, despite that, the recommendations on the ABC are  
8 much lower than current catch limits, and so you would still be  
9 required to do something, but I apologize if I misstated about the  
10 overfishing.  
11  
12 **CHAIRMAN FRAZER:** Again, just for everybody's -- So they understand  
13 this, right, and so it's an anticipated status, right, and so we're  
14 not quite there yet.  
15  
16 **MS. LEVY:** I wouldn't -- That wouldn't be the reason I would say  
17 it either, and I wouldn't have mentioned it if I had just thought  
18 that it was anticipated. I thought that the assessment actually  
19 had something related to scamp, in terms of the overfished and  
20 overfishing, but it looks like I was wrong, but the  
21 recommendations, in terms of catch limits, are lower than what we  
22 have on the books, even though they're in different units, and you  
23 can tell that they're lower.  
24  
25 **CHAIRMAN FRAZER:** Okay. Captain Walker.  
26  
27 **MR. WALKER:** I just had a question. What was the OFL in 2023?  
28 How much less is this OFL than it was previously?  
29  
30 **MR. RINDONE:** There is a unit conversion that's at play with that  
31 also, and it's also -- The current other shallow-water grouper  
32 complex includes what the OFL -- Or what the ABC and the ACL would  
33 be for all four species put together. This is splitting out two  
34 of them, and it's going from MRFSS to FES, and so, because of that,  
35 because we're splitting two of them out, and we're changing data  
36 units, it's not directly comparable. However, the current other  
37 shallow-water grouper quota is 525,000 pounds. The commercial  
38 quota is 525,000 pounds.  
39  
40 **DR. JOHN FROESCHKE:** The ACL is 710,000.  
41  
42 **MR. RINDONE:** The ACL is 710,000.  
43  
44 **DR. FROESCHKE:** That's in MRFSS.  
45  
46 **MR. RINDONE:** Again, that's all in MRFSS.  
47  
48 **CHAIRMAN FRAZER:** Ms. Boggs.

1  
2 **MS. BOGGS:** You said that was commercial only?  
3  
4 **MR. RINDONE:** The 525,000 is commercial only. The 710,000 is all  
5 of it.  
6  
7 **CHAIRMAN FRAZER:** Dr. Sweetman.  
8  
9 **DR. SWEETMAN:** Thanks. Another process question here, and so  
10 thanks for the clarification, Mara, and that was helpful. Now I'm  
11 wondering about the timeframe, along these lines, and, if I  
12 understand that we've got catch level recommendations, and these  
13 catch level recommendations are lower than what the current ACL  
14 would be, and so we would have an issue there, but the timeline,  
15 specifically, as to needing to work on this from statutory  
16 requirements, and I'm just curious along those lines.  
17  
18 **CHAIRMAN FRAZER:** That would be for SERO.  
19  
20 **MS. LEVY:** Well, I am right about something in the deepwater  
21 grouper complex, right?  
22  
23 **CHAIRMAN FRAZER:** Kudos.  
24  
25 **MR. RINDONE:** Gold star.  
26  
27 **MS. LEVY:** So, I guess I would have the same concerns, because of  
28 the way that the IFQ system is set up. When you deal with one,  
29 you kind of have to deal with both, and there is going to be -- Is  
30 it overfishing in the deepwater grouper complex, and so there's  
31 that problem there, and so, once you go down the road of dealing  
32 with deepwater grouper, you're automatically -- You almost have to  
33 pull in shallow-water grouper, and you have an overfishing problem  
34 with deepwater grouper, and does that make sense?  
35  
36 **CHAIRMAN FRAZER:** Mr. Gill.  
37  
38 **MR. GILL:** Thank you, Mr. Chairman. Could you re-explain that? I  
39 didn't buy the tie-in, necessarily, in shallow-water.  
40  
41 **MS. LEVY:** I mean, the Regional Office can maybe speak to it in  
42 more detail, but the IFQ system has flexibility provisions built  
43 in, where some different species can be landed as deepwater grouper  
44 or shallow-water grouper, right, and so they interact, and so,  
45 once you go down the path of dealing with deepwater grouper, and  
46 maybe needing to either split that complex up, or do different  
47 things with ending overfishing there, then it automatically ends  
48 up tying into the shallow-water grouper, because they interact,

1 but I will let staff speak to it.

2  
3 **CHAIRMAN FRAZER:** I think Ryan is pointing out that he has a slide  
4 that deals specifically with this down the road, but, Andy, you  
5 had your hand up?

6  
7 **MR. STRELCHECK:** Yes, and, I mean, in terms of C.J.'s question, I  
8 think we want to probably get back to you on that. I mean, it is  
9 an interesting conundrum, right, when you don't have overfishing  
10 occurring, and so, if it was overfishing, that essentially is you  
11 have to end overfishing immediately, according to, you know, our  
12 guidelines in the Magnuson Act.

13  
14 If it's overfished, you then trigger a two-year rebuilding  
15 timeframe, right, and, in this instance, neither one of those  
16 triggers have been met, but you do have scientific advice that is  
17 saying the catch limits should be considerably reduced, and, you  
18 know, by going above those -- Once adopted, you would be  
19 essentially overfishing and allowing that, you know, higher level  
20 of harvest to continue with existing scientific advice, and it's  
21 the question, in terms of kind of the statutory requirements, as  
22 to when we have to take action as a council, and so let us get  
23 back to you on that one.

24  
25 **CHAIRMAN FRAZER:** Ryan, I'm going to suggest that we get back to  
26 this presentation and maybe circle-back on some of these issues.

27  
28 **MR. RINDONE:** So, we shall, I'm sure. Okay, and so status  
29 determination criteria, and this all gets back to the SEDAR 68  
30 stock assessment for shallow-water grouper. Currently, our status  
31 determination criteria was established in Amendment 48 to the Reef  
32 Fish FMP, and, if it's split into subcomplexes, things could be  
33 maintained using that status determination criteria, which uses a  
34 30 percent SPR proxy for maximum sustainable yield.

35  
36 However, the SSC's catch limits, that they recommended to you, use  
37 40 percent. If you think that that's too conservative, you could  
38 request them to go back to 30 percent, which would -- While it  
39 would marginally increase the catch limits, it does result in more  
40 aggressive fishing on the stock, and, as the landings have shown,  
41 probably, historically, it's been a little bit more than the stock  
42 has been able to -- Is going to be able to sustain long-term, which  
43 is the reason for the decrease in the catch limits.

44  
45 If you modify the MSY proxy for Subcomplex A, to be commensurate  
46 with the SSC's recommendation of 40 percent SPR, you can still  
47 maintain the MSY proxy for Subcomplex B, which is black and  
48 yellowfin grouper, at 30 percent SPR, and so we don't have any

1 reason to change that right now, and we don't have a stock  
2 assessment that says anything about what to do with black grouper,  
3 and so there's no information to merit a change, at this point,  
4 for those two species.

5  
6 We would maintain the current status determination criteria for  
7 things like maximum fishing mortality threshold -- Or sorry.  
8 Minimum stock size threshold and optimum yield for the other  
9 shallow-water grouper, all from Amendment 48, and so those are  
10 listed in the bullets down there. That action is just about,  
11 again, respecifying that status determination criteria, for scamp  
12 and yellowmouth mostly, to be commensurate with SEDAR 68 and the  
13 SSC's recommendations.

14  
15 **CHAIRMAN FRAZER:** Captain Walker.

16  
17 **MR. WALKER:** So, we could choose either a 30 percent or 40 percent  
18 on the scamp and yellowmouth side of it, if we trusted that 30  
19 percent might not overfish, or that maybe the estimates were a  
20 little higher than they really are, and so a little bit more --

21  
22 **MR. RINDONE:** The prerogative for setting the proxy for MSY falls  
23 to the council. The SSC has gone through -- I'm saying what I'm  
24 about to say because of building the record for what is in fact  
25 the best scientific information available, and the SSC has gone  
26 through a considerable amount of research, and reviewed a  
27 considerable amount of research, and had a lot of discussion about  
28 setting these proxies for fishing mortality at maximum sustainable  
29 yield, especially and specific to groupers.

30  
31 It's been talked about for red grouper through yellowedge grouper,  
32 and so from SEDAR 61 all the way to SEDAR 85, and it has started  
33 to result in their desire to modify that to be a little bit more  
34 conservative, based on the stock statuses that we've been seeing  
35 with some of our grouper species, and these are fish that reach  
36 sexual maturity at relatively young ages, roughly three to four  
37 for the shallower-water groupers, but the age, and sizes, at which  
38 they start to transition from female to male can be variable, and  
39 having a better understanding of that is highly desired for all of  
40 those species, and you do a lot of research with that, and so you  
41 know about that as well.

42  
43 These fish are -- You know, we're not seeing a lot of fish in the  
44 larger size compositions that would correspond to males, for  
45 species like red grouper, or gag, or even scamp, and so there's  
46 just -- It's definitely the length compositions of those stocks  
47 are definitely truncated more towards the younger, smaller  
48 individuals, which means less males.

1  
2 **MR. WALKER:** Well, I think what I'm trying to get at is how much  
3 influence has MRIP had on that, I mean, the catch estimates?  
4

5 **MR. RINDONE:** So MRIP will have had increasing influence on what  
6 the catch estimates would ultimately be with time, almost like an  
7 attenuation, because there's been more recreational fishing effort  
8 estimated for scamp as we get towards the present day. As far as  
9 differentiating between MRFSS, like the old data units, and FES,  
10 I would have to go back to the stock assessment to see, you know,  
11 how that changed for scamp and yellowmouth.  
12

13 **CHAIRMAN FRAZER:** Dr. Walter.  
14

15 **DR. JOHN WALTER:** I think one of the things, while the proxy for  
16 MSY is set by the council, the council has to be really clear on  
17 -- If it diverges from the SSC recommendation, what scientific  
18 basis they're making that divergence from, and I think it would be  
19 hard to make a case that is different than what your own SSC did,  
20 and particularly what Ryan explained there on that, and that onus  
21 would be indeed on this body to diverge from that. Thanks.  
22

23 **MR. RINDONE:** Thank you, Dr. Walter, and that was kind of where I  
24 was going with that, is that all of the things that the SSC has  
25 discussed, up to this point, suggest that 40 percent is the way to  
26 go for these two species.  
27

28 Sector allocations, nobody jump up all at once, and you guys have  
29 passed a motion to delay any changes in allocation between the  
30 sectors of any Gulf fishery resources that are subject to MRIP-  
31 FES, until such time as the 2024 pilot study has been completed  
32 and deemed consistent with BSIA by our SSC. However, an allocation  
33 decision, one way or another, is required in this document, and it  
34 is not something that is avoidable.  
35

36 Additional recreational effort, and associated removals using  
37 MRIP-FES, ultimately affect the proposed catch limits, like we  
38 just discussed, because there's been more recreational effort on  
39 these species over time, and, if the council does nothing, then it  
40 serves as an automatic reallocation to the commercial sector,  
41 because that increase in recreational effort and landings isn't  
42 then attributed to the recreational sector, and it's based on the  
43 current allocation scenario, and so doing nothing is still doing  
44 something, just by a function of the data that are used.  
45

46 The recreational sector is managed to the overall ACL though, which  
47 may exceed the 19.9 percent allocated to it, unless the commercial  
48 sector has already harvested its entire quota, and so we'll see

1 more about that in the next slide. Andy.

2

3 **CHAIRMAN FRAZER:** Andy.

4

5 **MR. STRELCHECK:** Ryan, refresh my memory. We did not -- So we  
6 manage with a total catch limit for the shallow-water grouper  
7 species currently, and we did not set an allocation based on like  
8 the typical series of years, right, and so we kind of determine a  
9 commercial quota, and then the remainder is the recreational  
10 sector, but is that correct?

11

12 **MR. RINDONE:** Yes, and we talk more about that on the subsequent  
13 slides, and, Bernie, while we're getting into all of this, and  
14 because we're probably going to need it, can you make sure that  
15 Jessica Stephen is unmuted? Great. Thank you. All right.  
16 Jessica, are you there?

17

18 **DR. JESSICA STEPHEN:** I'm here. Can you hear me?

19

20 **MR. RINDONE:** Yes. Perfect. Thank you. All right, and so we'll  
21 go to the next slide. As far as sector allocations are concerned,  
22 this is assuming that the other shallow-water grouper share  
23 category is divided into those subcomplexes that we talked about.

24

25 The first -- The no action alternative here shows you the lay of  
26 the land as it is presently, which is to maintain the current  
27 allocation. Other shallow-water grouper ACLs assume a black  
28 grouper allocation of 73 percent commercial and 27 percent  
29 recreational and an allocation of 80.1 percent commercial and 19.9  
30 percent recreational for the other three species combined, based  
31 on the Generic ACL/AM Amendment, and those allocations were  
32 specified explicitly there.

33

34 Alternative 2 would modify that sector allocation for the  
35 subcomplexes, and it would be based on what you guys ultimately  
36 choose, and that's the reason for the highlighted Xs, and the rest  
37 of the highlighting, is because this is something that, you know,  
38 we would be seeking guidance from you guys on, especially since  
39 you said you didn't want to do this, and so scamp and yellowmouth  
40 would be split at some percentage to each sector, and that  
41 allocation would be based on what you guys decide.

42

43 Because black grouper is still managed concurrently with the South  
44 Atlantic Council, and we're talking about keeping black grouper  
45 and yellowfin grouper together, for the sake of management  
46 purposes, in the Gulf, Subcomplex B would use an allocation that  
47 was based on 73 percent commercial, and 27 percent recreational,  
48 for the Gulf's apportionment of black grouper, and 80.1 percent

1 commercial, and 19.9 percent recreational, for yellowfin grouper,  
2 using that same ratio from the Generic ACL/AM Amendment.

3  
4 The feedback we would be looking for from you guys here would be,  
5 you know, what sorts of time series would you want us to consider,  
6 and are there years that we should consider excluding? Is there  
7 some other method entirely that you would like the IPT to explore?  
8 Mr. Chair, I will open the floor on that.

9  
10 **CHAIRMAN FRAZER:** All right. Captain Walker.

11  
12 **MR. WALKER:** I'm doing my best to digest this, and it seems, to  
13 me, that the highlighted -- This is what we need to figure out,  
14 and we're going to divide up the allocation based on this. We  
15 have to have some rationale, or reason, to pick a particular  
16 allocation, and I'm not saying that I know what that is, but that  
17 seems to be the -- To me, that's the focus of the issue right here.

18  
19 **CHAIRMAN FRAZER:** Well done, Ed. Well done. Mr. Diaz.

20  
21 **MR. DIAZ:** Thank you, Mr. Chair, and so, Ryan, in past discussions  
22 -- We're converting from MRFSS to FES, right, and, I mean, in these  
23 past discussions, we've said, you know, if -- I am trying to  
24 explain it right. What would be the percentages to bring it back  
25 to what it would have been, had these conversions not taken place?  
26 I mean, I always like to know that, and I don't know if that's an  
27 alternative, but I would at least like to know that. Did I explain  
28 myself right?

29  
30 **MR. RINDONE:** I'm about to seek clarification. Would you be  
31 wanting to know what would the percentages be if we had always  
32 used MRIP-FES or --

33  
34 **MR. DIAZ:** No, and so we've got a conversion factor, and we're  
35 going from MRFSS to FES, and so, now that we're in FES, what would  
36 these percentages be to make everything back -- The number of  
37 pounds that people would have harvested if we hadn't made the  
38 conversions, and how can we make everybody at the same place that  
39 they would be?

40  
41 **MR. RINDONE:** I think that there's a caveat associated with that,  
42 because the time period that we used to determine the -- The time  
43 period that we used to determine that allocation predates the IFQ  
44 program, which, for some years, would have served as a limiting  
45 factor, and other years might not have, but, either way, the IFQ  
46 program itself, from 2010 and forward, serves as a management bias  
47 in our ability to calculate that.

48

1 The years that were used here I think were like 2000 to 2008, and  
2 so they would have predated that, but that's also a period -- It's  
3 getting closer to time periods when recreational landings related  
4 to FES are a little bit less certain, and so as we get away from  
5 the present day, but we can work on providing you guys with  
6 something like that though.

7  
8 **CHAIRMAN FRAZER:** Okay. We've got a number of hands, but I just  
9 want to make sure, Dale -- There's a couple of things, in my mind,  
10 that are embedded in your question, right, and I don't think we're  
11 at a point where we have common currency yet, and I think that's  
12 probably what Mr. Gill was talking about.

13  
14 We've got scamp, right, and yellowmouth, that are now in FES units,  
15 and the issue is that we don't have a completed assessment for  
16 black grouper, right, and it's under -- FWC is responsible for  
17 doing that, and I think it will be delivered in 2025, but, at  
18 present, we don't -- We have different currency, right, for the  
19 complex, and two of those folks, right, the scamp and the  
20 yellowmouth, are in FES, whereas the black and the yellowfin are  
21 still in MRFSS, and so we're in this really weird no-man's land,  
22 in my opinion. Dr. Froeschke.

23  
24 **DR. FROESCHKE:** I guess just what I thought I heard is sort of how  
25 would you have to allocate in order for everybody to be where they  
26 are, and I guessed that that was the question, and you can't get  
27 there. I mean, there's a big cut that has nothing to do with the  
28 calibrations and all that, and it's a biology thing, and they're  
29 just -- They don't have the fish out there to support that level  
30 of catch.

31  
32 Looking at the recent landings, it would take 75 percent of the  
33 total, two-hundred-and-whatever-three-thousand pounds of scamp,  
34 just to make the commercial fishery stay where they're at, and the  
35 recreational is way above that. You could give 100 percent of the  
36 fish to the commercial, and they would still be experiencing a cut  
37 going forward, and so there's no way around it here.

38  
39 **CHAIRMAN FRAZER:** Ms. Levy and then Ms. Boggs.

40  
41 **MS. LEVY:** Well, just to the different units question, I mean,  
42 yes, except for the fact that you're going to need to split the  
43 complex up, right, and so the new subcomplexes do have consistent  
44 units, right, and so the scamp and yellowmouth, right, are using  
45 the new assessment, which has FES, and then the black grouper and  
46 the yellowfin or -- I'm confused.

47  
48 Anyway, I'm going to say black grouper and scamp, and the yellows

1 that go with it, and the black grouper stays in its original, and  
2 these had separate allocations in the generic amendment, right,  
3 and so black grouper had an allocation already, 73/27, and that  
4 doesn't need to change. What you need to do is look at the new  
5 subcomplex, right, because that is what we're updating, in terms  
6 of what data went into that.

7  
8 **CHAIRMAN FRAZER:** Jessica.

9  
10 **MS. JESSICA MCCAWLEY:** Thank you. I'm not on your council, but a  
11 question. Is black grouper ACL split between the Gulf and the  
12 South Atlantic, like mutton and yellowtail? It is? What is the  
13 split between the two councils?

14  
15 **CHAIRMAN FRAZER:** John.

16  
17 **DR. FROESCHKE:** It's a number between zero and a hundred, and I  
18 don't know. We'll have to look it up.

19  
20 **CHAIRMAN FRAZER:** While John is looking that up, Ms. Levy.

21  
22 **MS. LEVY:** 47 of the ABC is South Atlantic, and 53 is the Gulf.

23  
24 **CHAIRMAN FRAZER:** All right. Thank you. Jessica.

25  
26 **MS. MCCAWLEY:** So, wouldn't this need to be a joint amendment with  
27 the South Atlantic, or is the Gulf intending to just operate within  
28 that amount of black grouper that is allocated to the Gulf? I'm  
29 just -- I'm trying to imagine, in my head, and work through this,  
30 and how this relates to the South Atlantic, and what they would be  
31 reviewing, and how they would be responding, because they too are  
32 trying to wait for the assessment, which is really an MSE, for  
33 black grouper, before proceeding with further management on black  
34 grouper, and so I'm just trying to understand what this means for  
35 the South Atlantic.

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

38  
39 **MR. RINDONE:** Ideally, the Gulf would stick within its  
40 jurisdictional apportionment of black grouper, in MRFSS data  
41 units, and not change anything, and so it wouldn't require anything  
42 from the South Atlantic at this time. Once the MSE is completed  
43 for black grouper, and the councils, and their SSCs, go through  
44 that whole process -- Based on our conversations with FWC, probably  
45 sometime in 2026 is when all of that would be available for review,  
46 and, you know, then we would deal with that portion of it, but,  
47 for the sake of this, and for the sake of dealing with these other  
48 species in a timely manner, black grouper would -- We would only

1 use, from black grouper, that which the Gulf is currently  
2 apportioned, in the data units in which it's apportioned.

3  
4 **CHAIRMAN FRAZER:** Captain Walker.

5  
6 **MR. WALKER:** Ms. Levy, you said it was 47/53, or something like  
7 that, and which -- Which is which? It seems odd, to me, that the  
8 Gulf would be close to the South Atlantic on black groupers.

9  
10 **MS. LEVY:** It's in the General ACL Amendment. The South Atlantic  
11 is 47 percent of the ABC, and the Gulf is 53 percent of the ABC,  
12 using 50 percent of the catch from 1986 to 2008 plus 50 percent of  
13 the catch from 2006 to 2008, right, and this is the generic  
14 amendment, and this was 2011, and so that's when all of this was  
15 established.

16  
17 **MR. WALKER:** I wonder if that -- If I still have the mic, but it  
18 just doesn't seem to jibe with what we see fishing. You know, the  
19 South Atlantic clearly has more gag, or blacks, but I'm wondering  
20 if maybe some of that old data has to do with the black and gag  
21 misidentification thing that went on for a long time, and I'm just  
22 talking out loud here.

23  
24 **CHAIRMAN FRAZER:** I don't know, Ed. Ryan.

25  
26 **MR. RINDONE:** I was ready to proceed with asking for input about  
27 time series and things like that, but, if we're not prepared to  
28 talk about that stuff yet --

29  
30 **CHAIRMAN FRAZER:** Mr. Strelcheck.

31  
32 **MR. STRELCHECK:** So, I think one option could be, instead of this,  
33 we could have that as the allocation, and I'm just trying to bring  
34 some levity here. We're getting close to lunch. One of the things  
35 that I thought about, right, is -- It kind of goes back to Bob  
36 Gill's initial motion, right, and do we stop work on this, and not  
37 do anything, because we're dealing with allocation, waiting on the  
38 FES pilot, and, if we could come up with a series of years, right,  
39 and make it flexible, so that, as we work through this amendment,  
40 you could submit it for consideration to the agency, and the pilot  
41 study results become available, and then we could base the  
42 allocation on these series of years, and not the fixed percentages,  
43 right, and so we build the rationale around why we're choosing  
44 this timeframe for allocating the fishery.

45  
46 We have some initial results, based on the current FES, and any  
47 adjustments to FES that take place, between now and final action  
48 and implementation by the agency, we would implement the

1 allocations accordingly, to kind of address this conundrum of the  
2 FES estimates being inflated and too high and then coming down,  
3 right, and so I just wanted to propose that.

4  
5 I don't have specifics, in terms of the actual, you know, time  
6 series we would be considering, and I think we would probably want  
7 staff to provide the kind of normal range, taking into account  
8 regulatory actions and management, and see how much variability  
9 there is between commercial and recreational, but that could be at  
10 least one approach that we could build in, kind of frontloading  
11 the potential for FES pilot results and the future calibration  
12 that may occur from that into an allocation decision for this  
13 amendment.

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

16  
17 **MR. GILL:** Thank you, Mr. Chairman. Andy, for that proposed  
18 scenario, do the timelines match up? My understanding of the FES  
19 results, coming back from the 2024 study -- They work on it and do  
20 their thing in 2025, and so, effectively, it's going to be 2026,  
21 by the time we get through the SSC and do any action, and so this  
22 document here -- We're fairly early in 2024, and it will be done  
23 by then, or pretty darned close to it, unless we can drag our feet,  
24 so that implementing any changes, by FES changes, are functionally  
25 not viable, and what am I missing?

26  
27 **CHAIRMAN FRAZER:** Andy.

28  
29 **MR. STRELCHECK:** I see this as a fairly complex amendment, and  
30 this is going to take some time to work through the council  
31 process, and I don't know if we have specific timelines laid out  
32 yet, but I would expect this will probably carry us into at least  
33 early 2025, if not later, and then we, as you remember, have a  
34 six-plus-month rulemaking process that would begin once we receive  
35 an amendment, and so, you know, talking with Richard Cody, and the  
36 team, we will start seeing results emerge, from that pilot, in the  
37 spring of next year.

38  
39 Then any sort of calibration would be done between, you know, the  
40 spring of next year and the 2026 year, and so, at that point --  
41 So, I guess the way I'm thinking about this is, if we can figure  
42 out a way to build this into the amendment, and, procedurally,  
43 this is how we want to operate, and make these adjustments, you  
44 know, you're not going to have the data to say this is the  
45 allocation, right, but you will have built the rationale to say  
46 these are the years we want to allocate by, and let the chips fall,  
47 based on the results of that pilot, and any adjustments, right,  
48 and so there's a risk-reward there, but the ultimate challenge

1 here is, you know, if you wait, we're not addressing the SSC  
2 advice, and we're potentially moving forward with an allocation  
3 that could be out-of-date as soon as we implement it, versus coming  
4 up with some way of implementing an allocation, or a process to  
5 specify that allocation, that could be updated based on new science  
6 advice.

7  
8 **CHAIRMAN FRAZER:** So, I mean, I agree, Andy, that this is going to  
9 be a very, very complicated document, right, and we, in my opinion,  
10 have just scratched the surface of this, and what I'm concerned  
11 about is, if we think about building a rationale, right, moving  
12 forward, so, when we get the numbers, we've already locked  
13 ourselves into a process, right, about we're always going to deal  
14 with historical time series, and we've had a number of discussions,  
15 around this table over the years, about is that the only way to  
16 make allocation decisions, and, you know, we're just reverting to  
17 that. As an individual, I'm somewhat reluctant to do that, but  
18 that's just my opinion, right, and so -- Andy.

19  
20 **MR. STRELCHECK:** No, and, I mean, I absolute appreciate that, Tom.  
21 One of the things that we have done in the South Atlantic, that's  
22 a little bit different approach, is -- It's known as the kind of  
23 share-the-pain-share-the-gain, with regard to reducing catch  
24 limits for stocks that have been overfishing, or are overfished,  
25 and, in this instance, we have a similar situation, because the  
26 catch limits are coming down, and so you're essentially having the  
27 commercial and recreational sectors reduced proportionally, and  
28 then, as the catch limits come back up, or would remain, in this  
29 instance, you know, they would essentially be equitably having  
30 similar impacts.

31  
32 How we do that, based on the conversion from MRFSS to FES, we would  
33 have to look at, but that's a potential possibility, and I agree  
34 with you, right, that landings history shouldn't be our only basis  
35 for a lot of these allocation decisions.

36  
37 **CHAIRMAN FRAZER:** Okay. Ryan, I don't think you're going to get  
38 resolution on this slide, at the moment.

39  
40 **MR. RINDONE:** I am just waiting to hear Andy's show times on the  
41 porch tonight, and I thought it was 8:00 and 10:00 p.m., and so  
42 the --

43  
44 **CHAIRMAN FRAZER:** Let's go ahead.

45  
46 **MR. RINDONE:** Yes, and we're ready to go. Catch limits, currently,  
47 the ABC for the shallow-water complex, which again includes all  
48 four species, is 710,000 pounds gutted weight, and the commercial

1 ACL is 547,000 pounds, and the ACT is 526,000 pounds. The  
2 recreational ACL and ACT are currently undefined, per the Generic  
3 ACL and AM Amendment.

4  
5 This alternative though isn't viable, because it uses MRFSS data  
6 units, and because the SSC has established a separate OFL and ABC  
7 for scamp and yellowmouth grouper, which we don't share with the  
8 South Atlantic. Black grouper and yellowfin grouper would remain  
9 in MRFSS, under the criteria from the Generic ACL and AM Amendment,  
10 and so, in its current form, Alternative 1 is not consistent with  
11 BSIA.

12  
13 Alternative 2 would establish catch limits for scamp and  
14 yellowmouth grouper based on the SSC's recommendations from SEDAR  
15 68 for the 2024 through 2026 and subsequent years. Catch limits  
16 would expressed, and monitored, in MRIP-FES, and in millions of  
17 pounds gutted weight, and so you guys can see those there, and  
18 it's important to note that the commercial IFQ program is managed  
19 to an ACT, or a quota, and not to expect implementation, obviously,  
20 of this effort this year. The soonest that anything could possibly  
21 be expected would be 2025, and more realistic probably 2026, and  
22 so --

23  
24 **CHAIRMAN FRAZER:** Andy, when you look at this, based on the answer  
25 you just -- Or the discussion we just had, do you see a mechanism  
26 in place to share the pain in this scenario? I didn't say there  
27 was any gain.

28  
29 **MR. STRELCHECK:** The challenge, with kind of the approach that I  
30 talked about, is that it's been used more for rebuilding plans,  
31 right, and so we bring the catch levels down, and then the  
32 allocations change over time, as the stock rebuilds, right, and so  
33 there's maybe slightly differential benefits to the sectors under  
34 rebuilding, and that wouldn't happen, obviously, here.

35  
36 **CHAIRMAN FRAZER:** Thank you. Go ahead.

37  
38 **MR. RINDONE:** This is the scamp and yellowmouth landings, versus  
39 the proposed ABC, and this is what Dr. Froeschke was alluding to  
40 earlier. The red line, or the line highest up on the plot, is the  
41 total landings, commercial and recreational combined, and the  
42 light-blue line, or the one that's mostly on the bottom there, is  
43 the commercial, and then the darker black line is the recreational  
44 landings, which have been increasing in recent years, and so, just  
45 looking at this, you know, you guys can see that any one sector  
46 has the ability to land the ABC in any given year, and so both of  
47 them combined, obviously, put the projected landings well above  
48 the proposed ABC.

1  
2 **CHAIRMAN FRAZER:** Ms. Boggs.  
3  
4 **MS. BOGGS:** So, to make sure that I understood earlier, and I  
5 understand this is just scamp and yellowmouth, but, to get my brain  
6 wrapped around this, the total -- Well, this is OFL though that  
7 you gave us. I guess --  
8  
9 **MR. RINDONE:** The 203,000 is the ABC. The OFL is marginally  
10 higher, but --  
11  
12 **MS. BOGGS:** Just for these two species?  
13  
14 **MR. RINDONE:** Yes.  
15  
16 **MS. BOGGS:** It's the current?  
17  
18 **MR. RINDONE:** For scamp and yellowmouth grouper.  
19  
20 **MS. BOGGS:** Okay. I've got it now.  
21  
22 **MR. RINDONE:** So, for the black and yellowfin grouper catch limits,  
23 the current management is based on the average landings from 2004  
24 to 2008, which resulted in the split for the black grouper  
25 allocation of 27 percent recreational and 73 percent commercial,  
26 and our jurisdictional apportionment, which I think Mara covered  
27 before, is shown there, and it's 47 percent to the South Atlantic  
28 and 53 percent to the Gulf, based on that old Bowtie Method there.  
29  
30 Yellowfin grouper management has a sector allocation of 80.1  
31 percent commercial and 19.9 percent recreational, based on  
32 landings from 2001 to 2004, and so the catch limits for black  
33 grouper and yellowfin grouper combined, in MRFSS data units, are  
34 shown in that table down there. You can see, on the right-hand  
35 side, the difference between the commercial ACT and then the  
36 recreational ACL, and there is no -- There would be no recreational  
37 ACT.  
38  
39 We can't modify the black grouper side of things without some  
40 pretty intricate cooperation from the South Atlantic Council, and,  
41 as Ms. Levy had talked about, we can't use the SSC's  
42 recommendations for black grouper and yellowfin grouper in their  
43 current form, and so, for now, the black grouper jurisdictional  
44 apportionment with the South Atlantic Council, and the sector  
45 allocation and the catch limit, all remains as it is.  
46  
47 Yellowfin grouper could just be added to black grouper, and, again,  
48 the SSC has already not shown any consternation with managing black

1 grouper and yellowfin grouper in a subcomplex, and so I don't think  
2 that we would necessarily have to bring that previous table back  
3 to them to bless in any sort of way, and so it's not like we can  
4 change the black grouper side of things right now anyway.

5  
6 I guess, before we move past that, does anybody have any more  
7 questions about black and yellowfin grouper? This is kind of like  
8 a -- There's not really another option here, and that's why there's  
9 not alternatives for black grouper and yellowfin grouper, and like  
10 this is the only thing that can happen, based on this series of  
11 events we've gotten to up to this point. Everyone looks like  
12 they've got it. Great. Okay.

13  
14 Deepwater grouper, again, because we weren't having enough fun,  
15 and we decided to append deepwater grouper to this as well, and  
16 so, at its last meeting, the SSC talked about SEDAR 85, which  
17 assessed yellowedge grouper, and so the deepwater grouper species  
18 share IFQ program flexibility considerations with shallow-water  
19 grouper, and, because we had yellowedge updated, and the other  
20 deepwater grouper species catch limits updated, and because of  
21 these flexibility considerations, we thought it best to just  
22 discuss all of these species together, because, ultimately, we're  
23 going to have to anyway. Ultimately though, it's a council  
24 decision on how to address deepwater grouper.

25  
26 The SSC recommended OFLs and ABCs for yellowedge grouper and  
27 separately for the rest of the deepwater grouper species, but they  
28 explicitly stated that all four species' OFLs and ABCs could be  
29 combined to keep the deepwater grouper complex together. They're  
30 all in the same data units, and so it's mathematically acceptable  
31 to do it this way, and we don't share management of any of these  
32 species with anybody else, and so we can do what we want.

33  
34 **CHAIRMAN FRAZER:** Alternative 1 would maintain the current ABC for  
35 the complex, and that's at 1.024 million pounds gutted weight, and  
36 this isn't viable though, because it uses MRFSS data units, and  
37 because the SSC established the new OFLs and ABCs for these species  
38 using MRIP-FES, and so Alternative 1 is not consistent with BSIA.

39  
40 Alternative 2 would establish the OFL and modify the ABC for the  
41 complex for 2025 through 2029 and subsequent years. The OFL would  
42 be 731,000 pounds and change, and the ABC would be 555,000 pounds  
43 and change, and these catch limits are established using and  
44 monitored in MRIP-FES, and considerate in this is that yellowedge  
45 grouper is not overfished, but is experiencing overfishing, and so  
46 part of the reduction in catch limits is coming from that.

47  
48 The other part of it is coming from the SSC setting the yellowedge

1 catch limit using an update FMSY proxy of 40 percent SPR, which  
2 the SSC was keen to say was still probably a little aggressive,  
3 because yellowedge grouper don't -- Females don't reach sexual  
4 maturity until they're about eight or nine years old, and they can  
5 live over eighty years old, and so they take twice as long for the  
6 females to reach sexual maturity, and they live three-times as  
7 long as gag, and essentially we have the same FMSY proxy proposed  
8 for them, and so just something to think about here, and like,  
9 even though there's a reduction here, like this is a much longer-  
10 lived species, and it takes a lot longer amount of time to reach  
11 sexual maturity, and so that's included within this complex.

12  
13 The other three species would still be -- They would still use an  
14 FMSY proxy of 30 percent SPR, because we don't have stock  
15 assessments on them, and so there's not scientific information to  
16 justify making that change at this point in time.

17  
18 Flexibility considerations for the IFQ program, and, currently,  
19 the noaction alternative here describes what we have, which is to  
20 maintain the program flexibility considerations for the  
21 subcomplexes. Within the shallow-water grouper complex, scamp can  
22 be landed under a shareholder's deepwater grouper allocation, if  
23 that shareholder does not have any remaining shallow-water grouper  
24 allocation, and warsaw and speckled hind, which are part of the  
25 deepwater grouper complex, can be landed under shallow-water, if  
26 all of the deepwater grouper allocation in a shareholder's account  
27 is depleted.

28  
29 There's a number of reasons why this wouldn't work anymore. The  
30 SSC has established separate catch limits for scamp and  
31 yellowmouth, and, without modification, allowing for scamp and  
32 yellowmouth to be landed under deepwater grouper allocation could  
33 result in overfishing of scamp and yellowmouth grouper, and so  
34 that's the primary reason why this is inconsistent.

35  
36 Also, though, if we go through the division of the other shallow-  
37 water grouper share category, and into the two subcategories, it  
38 obviously changes the landscape of how those flexibility  
39 considerations can operate.

40  
41 This graphic here describes how all the switching around can  
42 happen, and so Alternative 2 would eliminate all the flexibility  
43 considerations for the current shallow-water grouper and deepwater  
44 grouper share categories within the grouper-tilefish IFQ program,  
45 and so this would just get rid of all of them, full stop.

46  
47 Alternative 3 would modify the flexibility considerations in the  
48 program for the two -- For the shallow-water grouper subcomplexes

1 and the deepwater grouper complex. It would start by eliminating  
2 all the current flexibility considerations, and then another  
3 option would be to say that speckled hind and warsaw grouper can  
4 be landed under a shareholder's black grouper and yellowfin grouper  
5 allocation, but only after that shareholder's deepwater grouper  
6 allocation has been landed in a fishing year, and the reason why  
7 scamp and yellowmouth is not listed in here is, again, because of  
8 the recent scamp and yellowmouth landings being about twice the  
9 proposed ABC, and there just simply isn't room to beg, borrow, and  
10 steal from scamp and yellowmouth, compared to anywhere else, and  
11 so --

12  
13 **CHAIRMAN FRAZER:** Captain Walker.

14  
15 **MR. WALKER:** Just to refresh my memory, can you -- If you have a  
16 thousand pounds of shallow-water, can you land a thousand pounds  
17 of speckled hind, and it's not -- Currently, it's not capped, or  
18 it can't be used at the end of your allocation, and it's just an  
19 even swap? I should know this, but I don't remember how it works.

20  
21 **CHAIRMAN FRAZER:** Dr. Stephen, I believe it's if you don't have  
22 any deepwater grouper, correct?

23  
24 **DR. STEPHEN:** That's correct. He has to be out of the share  
25 category, the opposite one, before he can land it under that.

26  
27 **CHAIRMAN FRAZER:** Dr. Stephen, I'm just -- This is more of just an  
28 informational item for me, and I appreciate all the potential  
29 flexibility that's built into the system already, but, in practical  
30 terms, how many -- How many fish are we talking about moving around  
31 every year between these categories? Like thousands of pounds,  
32 ten-thousands of pounds?

33  
34 **DR. STEPHEN:** I don't have those numbers directly in front of me,  
35 but I would say closer to the thousands than the ten-thousands of  
36 pounds. It does depend on the shareholder account and how much  
37 they have and how they use it.

38  
39 **CHAIRMAN FRAZER:** Thank you. Ms. Boggs.

40  
41 **MS. BOGGS:** I don't know that this is a viable option, as far as  
42 a visual, but is there any way that there could be some kind of a  
43 graph created to show how the fish are shared between the accounts,  
44 and maybe not, for privacy reasons, and I don't know, but just so  
45 we can have a better understanding of just like your question,  
46 Tom, and is it a thousand pounds or 10,000 pounds, so we can kind  
47 of at least have a visual of what it is we're trying to manage.

48

1 **DR. STEPHEN:** We should be able to create a graphic, and I think  
2 Alicia has one, and we can display it at the --  
3  
4 **CHAIRMAN FRAZER:** Okay. If she wants to forward it to the council,  
5 we can perhaps find the time to look at it, and we probably won't  
6 do it right at this moment. Dr. Simmons.  
7  
8 **EXECUTIVE DIRECTOR SIMMONS:** Thank you, Mr. Chair, and so, Jessica,  
9 in the annual IFQ report, is there some information regarding this?  
10 I thought I saw that for scamp. I don't know if it's in the five-  
11 year review or the annual report, and perhaps that would be a good  
12 thing we could send around to the council again.  
13  
14 **DR. STEPHEN:** Yes, there is some information in the annual report.  
15 It might not have as much detail as she needs though.  
16  
17 **CHAIRMAN FRAZER:** Can you repeat that, Dr. Stephen?  
18  
19 **DR. STEPHEN:** I was just going to say that it might not have as  
20 much detail as the graphs that we have created.  
21  
22 **CHAIRMAN FRAZER:** Okay, and so, when we have the graphs, and we  
23 have the other information, we'll have the council staff distribute  
24 that. Again, my reason for asking the question is -- It relates  
25 back to a discussion that we had yesterday regarding trying to  
26 simplify our lives, right, and so I don't have a preformed opinion  
27 at all on this, but I'm just -- It seems to be all really  
28 complicated, at this point, but I'm not -- I don't fully understand  
29 the perspective of a shareholder, right, and I would like to learn  
30 a little bit more about that, but, conceptually anyway, if we're  
31 talking about like a thousand pounds of fish, in the grand scheme  
32 of things -- But this is something we may want to say it's not  
33 worth the squeeze, but let me learn a little bit more before I  
34 form an opinion on that. Ms. Boggs.  
35  
36 **MS. BOGGS:** So I had asked to speak earlier, and it was kind of to  
37 Dale's comments about kind of leaving it where it is, and I'm just  
38 going to repeat what I've said a lot, at several council meetings,  
39 and I understand, and so don't jump out of your chair, Ryan, but,  
40 I mean, the commercial fishermen -- They know what they catch, and  
41 it seems like they're always being penalized, and I say  
42 "penalized", and I don't know if that's the right word, but, I  
43 mean, they know what they catch, and it's consistent, and they  
44 stay within their quotas, 99.9 percent of the time, as I see it.  
45  
46 It seems, to me, that we've got a lot more fishermen out there,  
47 and I know we're working on the rec initiative, but you've got two  
48 sectors that have been under a moratorium, and our industry hasn't

1 grown, and so -- Dale, I'm not trying to words in your mouth, but  
2 that's kind of how I understood it, that why should we take fish  
3 away, and I understand there's not enough fish to give, but we've  
4 got to figure out a way that we -- It hurts, and it hurts equally,  
5 in a sense, and I just -- I don't know, Dale, if that's kind of  
6 where you were going with that, but there's pain and gain and all  
7 these things that -- You know, we can use all these different  
8 terminologies, but we've got to find a way that we're not  
9 penalizing sectors that have been good stewards of the fishery.

10  
11 The private rec sector, we're working on that, and I think we're  
12 going to get to that point, and we've made good strides with the  
13 red snapper, but we're just not there yet, and I just don't know  
14 how we keep this fishery together until we get there.

15  
16 **CHAIRMAN FRAZER:** Dr. Froeschke.

17  
18 **DR. FROESCHKE:** I think we can certainly provide alternatives for  
19 proportional reductions across the sectors. I mean, we typically  
20 do that, and so I think that's okay, but it's going to be a  
21 reduction. I mean, just that's the hard news.

22  
23 **CHAIRMAN FRAZER:** Yes, and I appreciate that. I guess where I'm  
24 trying to get -- I mean, so, right now, we have a couple complicated  
25 factors, right, and, in the shallow-water grouper complex, we're  
26 talking about moving into two subcomplexes. In and of itself,  
27 that presents some challenges, but I think we can do it.

28  
29 In the deepwater complex, now you've got yellowedge, who is  
30 undergoing overfishing, right, and that presents a bit of an issue  
31 as well, and there's an option, perhaps, in there to go to some  
32 subcomplexes. Then it's complicated by the fact that, because of  
33 the IFQ program, and the intended flexibility, that you're moving  
34 between those two, and all I'm asking is, I think, for the staff,  
35 right, and the folks that are thinking about how to put this  
36 amendment together, is, if we pull those -- Which is Alternative  
37 2 in this presentation, and essentially eliminate that  
38 flexibility, right, and things get easier.

39  
40 They're still hard, right, and we have to grapple with some  
41 difficult decisions, but they're tractable problems, and so, if  
42 that flexibility only represents, you know, a 1 percent, or a  
43 fraction of a percent, of all of the exchange in the program, you  
44 know, it's unfortunate, perhaps, right, but it may make our lives,  
45 everybody's lives, a lot easier, moving forward, but, again, I  
46 would like to hear, from people that participate in the IFQ  
47 program, if this is something that we should even consider.  
48 Captain Walker.

1  
2 **MR. WALKER:** I think you're exactly right, and it may -- We really  
3 need to know how much of that flexibility is being used, and I  
4 suspect it may be a really small amount, where we could scratch  
5 one problem off of our list of problems here and move forward, and  
6 so I think maybe we could request that somebody get us that before  
7 -- I don't know, but before the end of the meeting at some point.  
8  
9 **CHAIRMAN FRAZER:** Dr. Stephen, I don't know if you can -- Have you  
10 been hearing this conversation?  
11  
12 **DR. STEPHEN:** Yes, I've been hearing it.  
13  
14 **CHAIRMAN FRAZER:** So do you think it's possible to at least, with  
15 the information that you indicated that you would provide already,  
16 and would that be sufficient for us to begin to investigate, again,  
17 the scale of the issue, with regard to kind of that moving around  
18 between the shallow-water grouper complex and the deepwater  
19 grouper complex?  
20  
21 **DR. STEPHEN:** Yes, I think so, and I did find some additional  
22 information. Most of the scamp is landed under its primary  
23 category, but the speckled hind is mostly landed under shallow-  
24 water, instead of deepwater grouper.  
25  
26 **CHAIRMAN FRAZER:** I mean, that kind of makes sense to me. I mean,  
27 hind is a shallow-water species, right, and okay. That's helpful,  
28 and so we can perhaps get that information, and distribute it, and  
29 we can follow-up on this discussion, if necessary, I think, in  
30 Full Council. Is there any further discussions? Mr. Strelcheck.  
31  
32 **MR. STRELCHECK:** I don't want to officially leave without looking  
33 to Ryan, and folks, and have we -- I don't feel like we've given  
34 you a lot of guidance, or recommendations, at this point, and part  
35 of that is just kind of the complexity of this issue, and so, to  
36 me, there's changes in catch limits, and there's changes in  
37 allocation, and there's changes in share categories, and there is  
38 potential flexibility measures that all have to be considered here,  
39 and what would be the most beneficial, in terms of any further  
40 guidance for the IPT, before we leave this conversation?  
41  
42 **MR. RINDONE:** Let me tell you what I have so far, and so, so far,  
43 like we know we have to modify the complex, and that's kind of a  
44 given, and so there's not really getting around that. As far as  
45 what to do with the status determination criteria, the SSC has  
46 developed a really clear record on what to do with scamp and  
47 yellowmouth, and we need to go to 40 percent SPR, and so that's -  
48 - That is what that is.

1  
2 As far as the allocation decisions are concerned, you guys talked  
3 about basically thinking about a time series, and then, you know,  
4 the data would ultimately influence what that percentage would be,  
5 but the time series would be the time series for some sort of  
6 justification or another, and so we could think about some time  
7 series to put in front of you guys about that, for you to chew on  
8 a little bit, and so the IPT will talk about that.

9  
10 **CHAIRMAN FRAZER:** I mean, you could -- That's one part, right, but  
11 you could also include this idea of just a proportional -- I mean,  
12 does that fit with that? I'm just thinking about alternatives  
13 here, right?

14  
15 **MR. RINDONE:** Yes, it all fits within that, yes. As far as the  
16 catch limits are concerned, you know, the catch limits are what  
17 they are, and so, what the SSC proposed for scamp and yellowmouth,  
18 that would be the option there, and then trying to automatically,  
19 on the opposite side of that for the shallow-water grouper, what  
20 we showed you for black grouper and yellowfin grouper, and we can't  
21 change the black grouper, and so that's what we have to use.  
22 That's not an option, and that's more of like a declaration, or a  
23 specification in the document, of like this is what it is.

24  
25 Let's see. Anything else in here? As far as deepwater is  
26 concerned, you know, we viewed the SSC's recommendation for that  
27 catch limit, the 731 and 555, and then we talked about yellowedge,  
28 and so that is what that is, and then we have some things to think  
29 about with the flexibility considerations, and hopefully getting  
30 some feedback during public testimony about that, and I think the  
31 last thing for you guys to hear about is just for yellowedge, and  
32 that's the Fishermen Feedback from Ms. Muehlstein.

33  
34 **CHAIRMAN FRAZER:** Dr. Froeschke.

35  
36 **DR. FROESCHKE:** I guess, the way I was thinking about this, it's  
37 get some feedback from public testimony of if this flexibility  
38 thing is a sticking point. If we could do away with it, we could  
39 make that -- I think we could figure out -- We could say, okay,  
40 these documents could be approached separately, and you could then  
41 make a determination about which one was the highest priority, and  
42 deal with that first, but, if you can't deal with them, and, if  
43 you've got to keep the flexibility, then we're going to have to  
44 tackle this together, and so that, to me, is the decision point  
45 that, maybe during Full Council, we'll have to figure out. The  
46 other parts of it, I mean, I think we can work through those,  
47 similar to what we do with everything else.

48

1 **CHAIRMAN FRAZER:** Yes, I concur, and so that's what I'm trying to  
2 figure out, and so let's get some feedback, initial feedback,  
3 during public testimony, and some discussions kind of around the  
4 halls, to see where we might go. Ryan.

5  
6 **MR. RINDONE:** I guess one last thing is you guys accepting the  
7 results of SEDAR 85, and incorporation of that into this, is  
8 something else that we would have to have you guys do as a  
9 committee.

10  
11 **CHAIRMAN FRAZER:** Okay. Andy.

12  
13 **MR. STRELCHECK:** A couple other things I've thought about, and I  
14 believe the accountability measures are tied to the total catch  
15 limit, and so we have to be looking at, as well, recreational  
16 accountability measures and commercial accountability measures.  
17 Then, given the steep reductions we're talking about, you know,  
18 are there recreational management measures that the council would  
19 want to consider, such as a specified season, and it seems like  
20 that would also be a component of this.

21  
22 **CHAIRMAN FRAZER:** I mean, again, it's complex, any way you cut it,  
23 but I think, if we can -- I think Dr. Froeschke made some pretty  
24 good suggestions, but it all hinges on the flexibility element  
25 here, and so let's get some feedback on that. Is it okay, Ryan,  
26 if we proceed to the yellowedge discussion, or do you want to --

27  
28 **MR. RINDONE:** I would say to do Fishermen Feedback, and then we'll  
29 bring Dr. Nance back up, and you're inching-up on lunch, and so  
30 maybe you want to do it after lunch.

31  
32 **CHAIRMAN FRAZER:** Do you think you can do this in a couple of  
33 minutes? All right. Ms. Muehlstein.

34  
35 **FISHERMEN FEEDBACK FOR SEDAR 85**

36  
37 **MS. MUEHLSTEIN:** I hate being right after lunch. Okay, and so the  
38 first thing that I want to do, while we pull up the Fishermen  
39 Feedback presentation, is just give a little bit of a plug, and we  
40 have talked about a lot of our yellow groupers, and we did,  
41 recently -- In anticipation of that happening, we did recently  
42 publish an article called "You Had Me at Yellow", and it is an  
43 identification guide to the yellow groupers, and so, if anybody  
44 out there is listening, and you heard the yellowedge, the  
45 yellowfin, the yellowmouth, all of that, we have an article on it,  
46 and it can help out a little bit.

47  
48 Most of you are familiar with our Fishmen Feedback tool, and it's

1 a tool that we use to gather information on fish stocks from active  
2 fishermen on trends, or unusual occurrences, that scientists and  
3 managers may have observed. If you see the tool itself, it's  
4 pretty open-ended. We allow for an open-ended response, and we're  
5 not asking directed questions. We're literally just asking what  
6 are you noticing about this fish, or this fishery.

7  
8 We received sixty-four responses from September 15 through October  
9 13 of last fall, and then we have submitted the final report, and  
10 the results, to both the stock assessment analyst and to our  
11 Scientific and Statistical Committee, earlier this year.

12  
13 Not surprisingly, most of our respondents to this tool were private  
14 anglers, and we did have two hotspots. The Tampa Bay area is a  
15 typical hotspot for responses to this tool, and then we did have  
16 a hotspot off of central Louisiana, and I'm thinking that it's  
17 probably Mr. Broussard and all of his friends.

18  
19 We analyze the responses in two ways. The first thing that we do  
20 is we look at overall sentiment, and, when we looked at our overall  
21 sentiment of the comments that we've received, we saw that most of  
22 our comments were neutral in nature. Those neutral comments tend  
23 to be pretty observational, you know, just telling us things about  
24 their fishing experience while targeting the fish, but also,  
25 through our manual analysis, we often get a neutral comment when  
26 we have one sentence, or one thought, that expresses a negative  
27 sentiment and one that expresses a positive sentiment, and those  
28 would cancel each other out and be considered a neutral comment in  
29 this context.

30  
31 What you will see here is we also -- Not only did we divide up the  
32 overall comment sentiment, but we looked at it by sector, and it's  
33 sort of important to notice that the most negative overall comment  
34 sentiment that we got came from the commercial sector, whereas the  
35 most positive came from the charter-for-hire sector. I will say  
36 that this is kind of atypical. Usually, the commercial and charter  
37 sector are a little bit more aligned, and the private sector tends  
38 to be a little bit different in the way they respond, and so I  
39 thought that was interesting, for this tool specifically.

40  
41 We did parse out the overall comment sentiment by location, and  
42 what you will notice is the most negative comments that we received  
43 kind of came in pockets in south Texas, off the coast of  
44 Mississippi, and also in a little pocket in the Florida Panhandle,  
45 and then the most positive comment sentiment came from the  
46 Peninsula of Florida.

47  
48 The next thing that we do in our analysis is we sort comments by

1 abundance, if they said something about abundance or not, and what  
2 you will notice is only thirty-four, of the sixty-some comments  
3 that we received, say anything about the abundance of the stock,  
4 but we did an analysis on those comments, and what we saw was that  
5 they were completely bifurcated. Half of the comments said, hey,  
6 they're awesome, and half of the comments said they're in terrible  
7 shape, and so that was kind of interesting.

8  
9 If you look at the right side of the slide, we also parsed this  
10 out by sector, and what you will notice is the most positive  
11 sentiment came from the private and charter industries, and then  
12 the commercial continued to have the most negative sentiment, and  
13 this, again, is related to abundance specifically.

14  
15 We did see -- We did parse it out by area, and what we saw was  
16 that, in south Texas and Louisiana, we heard the most negative  
17 sentiment about the abundance, or the most negative indications  
18 about the abundance, and then peninsular Florida was more  
19 optimistic about the condition of the stock.

20  
21 We then took all of the words that were in the comments altogether,  
22 and we sorted them by positive and negative sentiment, and what we  
23 saw was the words that contributed most to positive sentiment were  
24 healthy, plenty, like, and large. This, to me, sort of just  
25 implies that the positive perception of abundance was the most  
26 commonly expressed sentiment.

27  
28 Now, for our negative sentiment, the most common words used were  
29 less, limits, loss, and hard, which shows then that sort of our  
30 negative sentiments were associated with declining condition of  
31 the stock. I do want to point out that, across most of the  
32 Fishermen Feedback tools that we've done historically, the word  
33 "shark" always shows up as one of the top three or four negative  
34 species -- Or words that contribute to negative sentiment, and  
35 what you will notice here is that "shark" is not very present, and  
36 so I think that's probably a factor that they're such a deepwater  
37 species that maybe sharks are not an issue, as they are with the  
38 more coastal species.

39  
40 We did have some themes that emerged, and we pulled these out when  
41 we were doing our manual analysis. The positive themes that we  
42 heard were that yellowedge are plentiful, and that there's no real  
43 change in their size or abundance, and the neutral stuff we heard  
44 was that small yellowedge stay near structure, and that the larger  
45 ones are in isolated holes, and then the negative sentiment we've  
46 heard blamed technology for making us more efficient at harvesting  
47 and increasing mortality on the stock.

1 The types of technology that they were referencing included  
2 improved mapping, electric reels, and faster boats. We also heard  
3 that commercial fishing is responsible for the decline, including  
4 longlines and deepwater shrimp trawls, and then we also heard that  
5 recreational fishing is responsible for the decline in the stock,  
6 and so that concludes my report, and I'm happy to field any  
7 questions.

8

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

10

11 **MR. ANSON:** Thank you for the presentation, Emily. I'm just  
12 curious on the automated analysis. When you're looking at those  
13 words like "concerned" or "enough", do you also include like a  
14 "not enough", or "not concerned", and so it's just not focusing on  
15 --

16

17 **MS. MUEHLSTEIN:** Yes, we do have that.

18

19 **CHAIRMAN FRAZER:** Okay. I'm not seeing any other questions, and  
20 I think we're at a good stopping point, Mr. Chair, and we'll pick  
21 up after lunch, I think at 1:30, with the SSC report.

22

23 **MR. ANSON:** Sounds like a plan. Thank you.

24

25 (Whereupon, the meeting recessed for lunch on April 9, 2024.)

26

27 - - -

28

29 April 9, 2024

30

31 TUESDAY AFTERNOON SESSION

32

33 - - -

34

35 The Reef Fish Management Committee of the Gulf of Mexico Fishery  
36 Management Council reconvened at The Lodge at Gulf State Park in  
37 Gulf Shores, Alabama on Tuesday afternoon, April 9, 2024, and was  
38 called to order by Chairman Tom Frazer.

39

40 **CHAIRMAN FRAZER:** We are going to pick up with the SSC summary and  
41 Dr. Nance.

42

43 **REVIEW: FEBRUARY 2024 GULF SSC MEETING SUMMARY**  
44 **SEDAR 85: GULF YELLOWEDGE GROUPER ASSESSMENT AND PROJECTIONS**  
45 **OTHER DEEPWATER GROUPER LANDINGS DATA AND CATCH LIMITS**

46

47 **DR. NANCE:** Thank you. It's good to be here for this part, too.  
48 I'm going to pick up on -- I think the first topic we want to cover

1 is SEDAR 85, yellowedge grouper, and I had the same problem at our  
2 meeting. There was a lot of yellows that we were dealing with,  
3 and so, anyway, this is yellowedge grouper that we're talking about  
4 here.

5  
6 The center presented a model to us at our meeting, and it included  
7 -- It had data inputs, results, diagnostics, and sensitivity  
8 analyses. The terminal data year was 2021 for this model, and it  
9 contained several improvements in relationship to the model that  
10 was given in 2011, which was the SEDAR 22, and the terminal year  
11 for that assessment was 2009.

12  
13 This model was similar, in the fact that it had two regional areas,  
14 the Mississippi River being the division, and it had different --  
15 Each of those areas have different habitat compositions and  
16 different groupings of fishing effort.

17  
18 For model inputs, the hermaphroditism transition rate is fixed, and  
19 so we have that fixed at 50 percent change of transition at forty  
20 years old, and the weight-length relationships were updated for  
21 this assessment. The west fish were slightly larger, and older,  
22 on average, than the ones in the east, and the age and growth curve  
23 development was changed for this assessment. There were slight  
24 differences between the east and west populations for those.

25  
26 For recruitment modeling, recruitment to the fishery, for this  
27 species, begins around eight or nine years old, and so they're  
28 very large when they come into the fishery. Steepness values were  
29 derived externally for the model.

30  
31 **CHAIRMAN FRAZER:** Dr. Nance, we have a quick question from Mr.  
32 Gill.

33  
34 **DR. NANCE:** Yes, please.

35  
36 **MR. GILL:** Thank you, Mr. Chairman, and so, Dr. Nance, I note the  
37 horizontal-level recruitment numbers from 2013 on, and can you  
38 explain what that's all about?

39  
40 **DR. NANCE:** I think it will be explained later on in the  
41 presentation, if that's -- If I don't, then, Bob, you can ask that.  
42 You'll remember. You know, they don't -- Since they don't enter  
43 the fishery -- The last ones that are coming in are 2009, and so  
44 we don't have recruitment values for those last ones. Does that  
45 make sense? I think, if it doesn't come in, then we'll catch it  
46 later.

47  
48 Landings and composition, recreational landings constitute about

1 2 percent of the total removals for the species, and so not a lot  
2 of recreational fishing on this particular species, and the  
3 recreational peak -- They had a peak in 1982, and this seems to be  
4 a common point for a lot of these different species, and so, in  
5 order to counteract that, they averaged over 1981 through 1985 for  
6 that particular peak. Landings were characterized as  
7 recreational, commercial vertical line, commercial longline, and  
8 dead discards.

9  
10 **CHAIRMAN FRAZER:** Dr. Nance, we have a real quick question, if we  
11 can go back two slides.

12  
13 **DR. NANCE:** You bet.

14  
15 **DR. SWEETMAN:** Thanks, Dr. Nance, and so I'm just wondering, and  
16 I'm looking at recruitment begins around age-eight, but, on the Y-  
17 axis, it's age-zero recruits, and can you explain the difference  
18 between those two?

19  
20 **DR. NANCE:** Which ones now?

21  
22 **DR. SWEETMAN:** If you look at this slide right here --

23  
24 **DR. NANCE:** Yes.

25  
26 **DR. SWEETMAN:** Recruitment modeling, the second bullet, it says  
27 that recruitment begins around eight years of age.

28  
29 **DR. NANCE:** Yes.

30  
31 **DR. SWEETMAN:** But then the graph itself, on the Y-axis, it's age-  
32 zero recruits, and so I'm just trying to differentiate between the  
33 phrase "recruitment" here and what we're talking about.

34  
35 **DR. NANCE:** This would be the young-of-the-year, for that graph,  
36 and I should have paid attention to the graphs that were put in,  
37 as opposed to the --

38  
39 **MR. RINDONE:** It's recruitment to the fishery.

40  
41 **DR. NANCE:** For this one, and so around.

42  
43 **MR. RINDONE:** The fish are starting to be selected by the fishery  
44 at around eight years of age, and they're approximately -- The age  
45 at which 50 percent of females are sexually mature is nine years,  
46 and so it's pretty close there.

47  
48 **CHAIRMAN FRAZER:** That's cool, but I guess there's an inconsistency

1 here, and so, on the wording, it says it's recruitment to the  
2 fishery at --  
3  
4 **DR. NANCE:** Age zero.  
5  
6 **CHAIRMAN FRAZER:** Got it.  
7  
8 **MR. RINDONE:** So, recruitment to the fishery begins at eight years  
9 of age.  
10  
11 **DR. NANCE:** The graph here is talking about the age-zero, when  
12 they're coming in, but it's -- I'm talking about recruitment to  
13 the fishery, and so the graph and the text are not similar. How's  
14 that?  
15  
16 **CHAIRMAN FRAZER:** Yes, and so what's the important thing that we  
17 need to be looking at here, the age-zero, for the purposes for the  
18 assessment?  
19  
20 **DR. NANCE:** Yes.  
21  
22 **CHAIRMAN FRAZER:** Okay. Thank you.  
23  
24 **DR. NANCE:** Yes. Okay. I'm sorry about that. For landings and  
25 -- We went over that. Next slide. Okay. For ecosystem  
26 considerations, red tide has no measurable impact on yellowedge  
27 grouper, and so it was not included in the model. Deepwater  
28 Horizon, and we had that oil spill, and there are unclear impacts  
29 on this species. The market stability post-spill was confirmed in  
30 this analysis.  
31  
32 For the model diagnostics, we reviewed the continuation, or the  
33 continuity, of the model, and we looked at a bridging analysis,  
34 for comparisons between the last modeling and this one, and we  
35 noticed poor fits in the indices in the early years of the model,  
36 but, as the model -- In the later years, those were able to be --  
37 The fits became a lot better.  
38  
39 We saw improvements in the length and age composition with time,  
40 which was good, and there were challenges with recruitment  
41 modeling. As we saw, it was low since 2005, and we don't really  
42 have any good fishery-independent index to capture those new  
43 recruits to the fishery.  
44  
45 They don't recruit to the fishery until age-nine, and so, because  
46 of that, any strong recruitment after 2012 is not going to show up  
47 in the landings, in the model, and so those that are coming in  
48 after that -- Because it takes nine years to come into the fishery,

1 you're not going to be able to see those for nine years, and does  
2 that make sense, Bob? A fish that is coming in is a fish that was  
3 born in 2013, and you're not going to see that population in the  
4 fishery for nine years.

5  
6 **MR. GILL:** So, the counting starts from when the fish recruits to  
7 the fishery or when he's born?

8  
9 **DR. NANCE:** It's when he's born for recruitment, but recruitment  
10 to the fishery is when we start to see them being prosecuted.

11  
12 **MR. WALKER:** To my knowledge, recruitment means he's legal size to  
13 harvest, but there's no size limit on yellowedge, and so where do  
14 you establish that?

15  
16 **CHAIRMAN FRAZER:** Ryan.

17  
18 **MR. RINDONE:** That's just based on the length compositions that  
19 are coming in from the directed fleets, and so the lengths that  
20 are being measured by fish that are harvested, and, in the rare  
21 circumstances when those fish are aged, or when those lengths to  
22 converted to age, it's at about eight to nine years, is about how  
23 old the fish are when they start showing up in catches, and so we  
24 don't see fish between age-zero and nearly age-eight, and so those  
25 fish aren't really showing up in retained catches.

26  
27 **DR. NANCE:** Okay. The MSY proxy, in our discussions during the  
28 presentation, the SSC came to the conclusion, the recommendation,  
29 to use F 40 percent SPR for our FMSY proxy for this species. One  
30 reason is the  $A_{50}$  is nine years for this species, and the maximum  
31 age is eighty-five. For gag, which is another one we have, we're  
32 using F 40 percent SPR, and you have an  $A_{50}$  of four years, and a  
33 maximum age of thirty-one, and so this one is a lot more long-  
34 lived, and a lot longer before they become reproductively ready.

35  
36 Selection of recruitment time series of years, we recommend using  
37 1998 through 2012, to capture contrast in the data, and the model  
38 that we observed was consistent with BSIA, and, with that  
39 information, the species is not overfished, but it is undergoing  
40 overfishing.

41  
42 The projections, and so the MRIP effect on the projections is --  
43 I won't say negligible, but it's low, with only 2 to 3 percent  
44 being recreationally landed, and we used the mean of 2021 to 2022  
45 for being able to develop our 2023 and 2024 landings for the model,  
46 and, the SSC catch recommendations for Gulf of Mexico yellowedge  
47 grouper, the SSC recommends an OFL based on five years, 2025 to  
48 2029, of a little over 487,000 -- Well, 487,000 pounds gutted

1 weight and an ABC of 372,000 pounds gutted weight. Mr. Chair,  
2 that ends that presentation on yellowedge.

3  
4 **CHAIRMAN FRAZER:** All right. Thank you, Dr. Nance, and so do we  
5 have any questions about the yellowedge assessment? Ms. Boggs.

6  
7 **MS. BOGGS:** So, right now, the deepwater grouper has one ABC, OFL  
8 and ABC, and now we're looking at dividing it and separating it  
9 out for yellowedge grouper, correct?

10  
11 **CHAIRMAN FRAZER:** Mr. Rindone.

12  
13 **MR. RINDONE:** We are not talking about separating out yellowedge,  
14 and so we'll --

15  
16 **DR. NANCE:** In the next slide, we have an OFL for yellowedge, but  
17 it's going to be with the next deepwater groupers, and so we have  
18 a recommendation for yellowedge, which I went over. For the other  
19 deepwater grouper species, which includes snowy grouper, speckled  
20 hind, and warsaw grouper, we're recommending to keep yellowedge  
21 grouper in the deepwater grouper complex with these other three  
22 species, and we developed an OFL and an ABC for those other three  
23 species as a group with this, and the SSC recommends that the OFL  
24 be 244,035 pounds gutted weight for snowy, warsaw, and speckled  
25 hind, based on Tier 3b of the control rule, and the time series  
26 between 2010 and 2022, and that the ABC, which is 183,026 pounds  
27 gutted weight, be 75 percent of the OFL. Because we're dealing  
28 with the same metrics, these are additive, and so we come up with  
29 an ABC and an OFL for the complex, in a way. Does that, Susan,  
30 answer your question?

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

33  
34 **MS. BOGGS:** It does. I mean, it's kind of back to the conversation  
35 we had before lunch, but it's all tied together, and so, Ryan, I  
36 suppose this question is for you, and so what is the current OFL  
37 and ABC, just for the deepwater grouper complex?

38  
39 **MR. RINDONE:** 1.024 million pounds gutted weight, and so this is  
40 a reduction, but it's also considerate of managing the largest  
41 part of this component of the deepwater grouper complex, which is  
42 yellowedge grouper, at 40 percent SPR, because it's undergoing  
43 overfishing, and it's a late-maturing, long-lived species, and so,  
44 you know, you take all of that into consideration, and that's part  
45 of the reason why the catch limits are lower, and so --

46  
47 I think another thing though, that's germane to this conversation,  
48 when we're looking at this, and we're thinking about things like,

1 you know, effects of the recreational data here, is that you guys  
2 should not be looking at these catch limits, and the recreational  
3 landings, and thinking that the recreational landings are in any  
4 way representative of recreational catches.

5  
6 I mean, Mr. Broussard can speak to this, probably as well as most,  
7 about where you have to go to get some of these species, and it is  
8 not -- These are not the distances, and the depths, and the  
9 equipment required -- The vessels that are going out to catch these  
10 fish, by and large, are not leaving from the public boat ramp, and  
11 they're larger, more heavily-equipped vessels, and likely not  
12 trailered vessels, and so they're not leaving from, and returning  
13 to, public access points with the kind of frequency that we might  
14 expect from say red snapper, or gray snapper, or things like that.

15  
16 There is probably some not small portion of the recreational catch  
17 that is not captured by MRIP here, simply because those vessels  
18 are not leaving from and returning to places where they might be  
19 surveyed.

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

22  
23 **MS. BOGGS:** So, because we just did a stock assessment on  
24 yellowedge, it's in FES, correct, and what does --

25  
26 **MR. RINDONE:** Yes, and so are these.

27  
28 **MS. BOGGS:** Okay. Everything is in FES.

29  
30 **DR. NANCE:** That's what I meant by the same metrics, and they're  
31 all in that FES.

32  
33 **CHAIRMAN FRAZER:** Captain Walker and then Dr. Walter.

34  
35 **MR. WALKER:** So, if I were to average, or add together, these SSC  
36 recommendations for both, would I be correct in seeing that that  
37 would be about a 50 percent reduction from what's current?

38  
39 **DR. NANCE:** I don't know what the current is, but Ryan may be able  
40 to answer that.

41  
42 **MR. WALKER:** He said it's like one-point-something-million, and my  
43 math on this shows it would be about 500,000, combined.

44  
45 **MR. RINDONE:** So, it's 1.024 million for the entire deepwater  
46 grouper complex. What you would be doing is adding the 487,000  
47 for yellowedge to the 244,000 for the other three species, and  
48 that gets you 731,000 and change for the OFL, and then it gets you

1 555,000 and change for the ABC, and so, if you're looking at it  
2 from the current quota to the ABC, yes, it's about half.

3  
4 **CHAIRMAN FRAZER:** John.

5  
6 **DR. WALTER:** Thank you. Back when I did this assessment, a bunch  
7 of years ago, probably ten years ago, I think the recreational  
8 fishery is almost ignorable in the removals, and so I think it's  
9 probably not one that we want to get ourselves too concerned about  
10 for yellowedge, unless it's a lot of the data here, and so I think,  
11 in using the terminology we've said about exposure to FES, our  
12 exposure is really low here, which I think should make the council  
13 process, decision-making, a little bit easier, for sure, in terms  
14 of not having to have the conversations we've had on some of the  
15 other stocks, and I think that bears out in that exposure triage  
16 approach that we saw, and so hopefully this can be relatively  
17 straightforward. Thanks.

18  
19 **DR. NANCE:** Skyler, when she presented that, pointed that out,  
20 because it really is very minimal, the recreational component of  
21 this species, and it's different than most others.

22  
23 **CHAIRMAN FRAZER:** So, the exposure to FES is low, and I get that,  
24 but, by subdividing the complex, now you have a choke species,  
25 potentially, right? Is that how that will work?

26  
27 **MR. RINDONE:** No, and so that's --

28  
29 **CHAIRMAN FRAZER:** Thank you, John.

30  
31 **MR. RINDONE:** So, it's not that way that, you know, the SSC put  
32 everything together, no. In their deliberations, and I will look  
33 to Dr. Froeschke and Dr. Hollensead, since I was absent for this  
34 SSC meeting, but, in their deliberations, the SSC ultimately  
35 decided that it was still a safe thing, and a biologically-  
36 reasonable thing, to keep the four deepwater grouper species  
37 combined under a single catch limit, and so --

38  
39 **CHAIRMAN FRAZER:** John.

40  
41 **DR. FROESCHKE:** Yes, but, to be fair, I don't think they  
42 specifically deliberated about the question that you're asking.  
43 If you have just say a million pounds, and you exceeded yellowedge,  
44 you know, what do you do, because now you know. Before, we didn't  
45 know, and that's what started the scamp, how we started getting  
46 into subcomplexes. We didn't ask them about the subcomplexes, and  
47 it didn't come up, but, to my recollection, it just wasn't there,  
48 and so it may be that, if that is a potential problem, and I don't

1 see why it wouldn't be, that we might have to think about it.

2  
3 **DR. NANCE:** During our discussions, we kept yellowedge in the  
4 complex, but we really didn't discuss, if yellowedge went over,  
5 would it detract from these other three, and we did them  
6 separately, in a way, where we did yellowedge with an assessment,  
7 and we left these other three species using Tier 3b to come up  
8 with an OFL and ABC for those, and so I'm not sure how that works,  
9 as far as for the entire complex.

10  
11 **CHAIRMAN FRAZER:** I mean, we had the same situation in the shallow-  
12 grouper complex with scamp, right, and so I'm just asking, because  
13 I think it does insert some questions into the analysis, as you  
14 move forward, when you decide what you want to do and what the  
15 implications are, and so -- Kevin.

16  
17 **MR. ANSON:** I went and looked at the MRIP website, and I queried  
18 1981 through 2023 for landings for yellowedge, and there were a  
19 few years where there was no harvest indicated. Generally, just  
20 running down the list there, it was around 10,000 pounds a year,  
21 and maybe a little less, but there was one year, in 2005, that it  
22 was 133,000 pounds, and so, depending upon what the payback, the  
23 accountability measures, are, it could be a choke species, or it  
24 could be a species that could cause you problems, in that given  
25 year, if there's a lot of landings, and so just --

26  
27 **CHAIRMAN FRAZER:** Andy.

28  
29 **MR. STRELCHECK:** I mean, good conversation, and so there is,  
30 obviously, some pretty good buffers between overfishing limits and  
31 ABC, and so that gives me comfort that, if we aggregated deepwater  
32 grouper, that we're probably not risking overfishing, but we would  
33 have the potential for the problem of an ABC being exceeded for  
34 yellowedge, right, and being out of compliance with catch limits,  
35 or catch being higher than catch limits or ABC advice, and so I  
36 think this is probably something we're going to have to have the  
37 IPT explore further and look at some alternatives for us.

38  
39 The other thing I will note, because Ed was pointing out the  
40 substantial reduction, and I was looking at landings, and, the  
41 last two years, 56 and 61 percent of the deepwater grouper quota  
42 has been harvested, and so there has been a falloff in the landings  
43 of deepwater grouper in more recent years. Whether that's status  
44 of the stock, or effort changes, I don't know, but it's more in  
45 line with at least some of the catch limit recommendations that  
46 we're talking about.

47  
48 **CHAIRMAN FRAZER:** Susan.

1  
2 **MS. BOGGS:** I just want to confirm that snowy grouper, speckled  
3 hind, warsaw grouper -- Those rec landings are pretty well  
4 negligible too, correct?  
5  
6 **MR. RINDONE:** As recorded.  
7  
8 **CHAIRMAN FRAZER:** Okay. Are there any other questions about  
9 yellowedge grouper, or other deepwater grouper? Okay. I'm not  
10 seeing any. Dr. Nance, you can keep moving.  
11  
12 **DR. NANCE:** Thank you. Let's go to the next slide. This next  
13 series of slides is going to be for the review of the SEDAR 74  
14 research track, and we had a review of that in December of 2023.  
15  
16 **MR. RINDONE:** Sorry to interrupt, but, before we get that far, you  
17 guys have assessment results, to affirm and decide if you're going  
18 to fold into the current Amendment 58 effort, or how you're going  
19 to handle that.  
20  
21 **DR. FROESCHKE:** I think they're going to wait until after public  
22 hearing, public testimony.  
23  
24 **MR. RINDONE:** For accepting the assessment results?  
25  
26 **DR. FROESCHKE:** Well, you said fold into 58.  
27  
28 **MR. RINDONE:** Well, at a minimum, discussion of it, whether or not  
29 to accept the assessment results then.  
30  
31 **CHAIRMAN FRAZER:** Okay. I mean, I'm fine. We can go back to the  
32 assessment results, and you want them for yellowedge, right?  
33  
34 **MR. RINDONE:** Yes, and there's the assessment results from  
35 yellowedge, and there's the updated catch limits for the other  
36 three species, and the fact that the SSC said to combine them, and  
37 so we need some feedback from you guys about that.  
38  
39 **CHAIRMAN FRAZER:** Sure, and so let's go back, if we can, a couple  
40 of slides, and so we'll start there. I guess, Ryan, what you're  
41 -- So we have a couple of potential motions here, right? First of  
42 all, we want to be able to accept the assessment results, and the  
43 catch level recommendations, for yellowedge grouper, as  
44 recommended by the SSC. That would be the first one.  
45  
46 **MR. RINDONE:** Yes, and it could be something combined, that you  
47 guys recognize the results of SEDAR 85, and the SSC's catch limit  
48 recommendations, and you direct staff to begin a document to modify

1 deepwater grouper catch limits accordingly.  
2  
3 **CHAIRMAN FRAZER:** Excellent.  
4  
5 **MR. RINDONE:** I know I sound a lot like C.J. when I talk sometimes.  
6  
7 **CHAIRMAN FRAZER:** I thought that was C.J. C.J., do you want to  
8 repeat that?  
9  
10 **DR. SWEETMAN:** Okay. Ryan, can you repeat that?  
11  
12 **MR. RINDONE:** The committee recognizes the results of the SEDAR 85  
13 stock assessment and accepts the SSC's catch limit recommendations  
14 for deepwater grouper complex species, and directs staff to begin  
15 a document to modify the deepwater grouper complex catch limits.  
16  
17 **DR. SWEETMAN:** I could not have said it better myself.  
18  
19 **CHAIRMAN FRAZER:** Excellent. Thank you, C.J., for that. Is there  
20 a second? Mr. Gill. Further discussion? Mr. Gill.  
21  
22 **MR. GILL:** Thank you, Mr. Chairman, and so I understand the need  
23 for the bottom portion, and my recollection is that's kind of what  
24 the motion is, and so what's the value of the first portion,  
25 because, the SSC's pronouncement, we don't have any choice about,  
26 and we're not going to change the assessment, and so what's the  
27 value of that?  
28  
29 **MR. RINDONE:** I think it's more because there is two components,  
30 right, and there's like the yellowedge side of it, and then there's  
31 the other three species, and so it's a way of recognizing both of  
32 those SSC recommendations together. I mean, you can do it however  
33 you want, and I was just throwing spaghetti at the wall, to see  
34 what stuck, and so, if you guys want to tweak it, tweak away.  
35  
36 **CHAIRMAN FRAZER:** C.J.  
37  
38 **DR. SWEETMAN:** I mean, yes, Bob, theoretically, this could be two  
39 separate motions, but I think the intent here was to get the two  
40 SSC motions all combined into one here, and, if you're  
41 uncomfortable with that language, we can certainly split that up  
42 and do separate motions.  
43  
44 **CHAIRMAN FRAZER:** You look uncomfortable with this, Bob, and it's  
45 not a big deal one way or the other for us, and do you want to  
46 break it out and be more specific?  
47  
48 **MR. GILL:** No, and as-is is fine.

1  
2 **CHAIRMAN FRAZER:** Okay. Is there any further discussion on the  
3 motion? **Is there any opposition to the motion? Seeing none, the**  
4 **motion carries.** Ryan, are you okay if we move down to SEDAR 74?

5  
6 **MR. RINDONE:** Yes.

7  
8 **CHAIRMAN FRAZER:** I'm just trying to make people happy today, you  
9 and Bob. Dr. Nance, are you happy?

10  
11 **DR. NANCE:** I'm very happy.

12  
13 **CHAIRMAN FRAZER:** Excellent.

14  
15 **GULF OF MEXICO RED SNAPPER RESEARCH TRACK SEDAR 74**

16  
17 **DR. NANCE:** You ought to put Bob and Ryan next to each other, I  
18 guess. Anyway. Okay. Now we can go to Slide 12, Bernie. Perfect.  
19 Thank you. Anyway, in December of 2023, we did have a review of  
20 the SEDAR 74 research track assessment, and, at our SSC meeting in  
21 February, we had, I think, a very good discussion with the  
22 Southeast Fisheries Science Center team, and we've be able to  
23 hammer out some differences between recommendations from the  
24 review panel and how we want to move forward.

25  
26 Recommendations we made, we were looking at follow-up on a  
27 benchmark assessment, to move forward with this assessment, and  
28 the panel had a lot of concerns about how complex the model has  
29 become, and that there's ways to simplify the modeling approach,  
30 and the panel gave some suggestions to the analysts, and the center  
31 is responding with some approaches back.

32  
33 The bottom line is the reviewers, at that meeting, didn't accept  
34 the model as it was presented to the panel, and they recommended  
35 another peer review for the next planned assessment.

36  
37 The model structure that was -- The panel recommended -- Once they  
38 saw the approach that was being used, they recommended to return  
39 to a two-region model, which has been the one that's been used for  
40 many years for this species. However, the SSC, in our discussions  
41 during our meeting, we recommended to keep the three-region model,  
42 and we spent a lot of time talking about that, and it certainly  
43 wasn't unanimous in our discussion, and there's pros and cons for  
44 both of these.

45  
46 There's good reasons why to keep a two-region model, and I think  
47 the reviewers went over those, and there is some utility in keeping  
48 the three-region model, and that's the one that was recommended by

1 the SSC. Data limitations in the eastern Gulf region, there are  
2 several indices that required mirroring, or used from other parts  
3 of fisheries, borrowing selectivity functions and things like  
4 that, and the central needs to borrow some, and sometimes the  
5 eastern portion, and so those were a concern, and yet we have  
6 mirroring that occurs throughout even with the two-area model, and  
7 it combines the east and central regions for a lot of the indices.

8  
9 The SSC, during our meeting, acknowledged communication  
10 improvements, as we go through these types of assessments, and so,  
11 as we talk to the analysts, as we look at the what the different  
12 panels, what the different data workshops, what things like that  
13 -- So communication, I think, is something that we could improve  
14 on for each group. I think we had a great assessment development  
15 team, and I think they had very good input into the process, and  
16 I think it was helpful.

17  
18 **CHAIRMAN FRAZER:** We're going to pause for a second, Dr. Nance.

19  
20 **DR. NANCE:** Yes, absolutely.

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

23  
24 **MR. STRELCHECK:** Before we move off of that slide, and so I wasn't  
25 able to listen into the SSC discussion about the two-region versus  
26 three-region model, and so my understanding is, right, the  
27 recommendation for a two-region was primarily because of just the  
28 data limitations, especially with that eastern Gulf portion, and  
29 so we're kind of taxing the data, given it's just limited, right,  
30 and that's a growing population, and more information is emerging.  
31 I'm curious, in terms of the three-region model and kind of the  
32 arguments in terms of going to the three-region model.

33  
34 **DR. NANCE:** I think, Andy, there were, I think, a couple of  
35 different reasons. During the review process, we have -- The  
36 center put out a three-region model, and showing what a two-region  
37 model would look like with the same data, and so, from the review  
38 process, how did they know a two was better than a three? There  
39 was no comparison, and so all you're being given is a three, and,  
40 with this complexity, they felt like we've looked at the two  
41 before, and that's why they were recommending going back to the  
42 two.

43  
44 From a lot -- I won't say a lot, but, from some of the SSC, as we  
45 had discussion, it's we have a -- We spent a lot of time, a lot of  
46 effort, looking at a three-region model, and there was a stock ID  
47 group that spent months, several meetings, to discuss that, and  
48 they came out with the rationale of why a three-region model would

1 be appropriate, and, as we start to go to a three-region, there's  
2 a lot of difference between what happens off of Florida and what  
3 happens in the central Gulf.

4  
5 That's one of the reasons why I think they were recommending a  
6 three-region model. We're starting to see a lot of difference,  
7 and, as we talk to the analysts, and Mr. Smith said that, you know,  
8 he can see some differences, and, with the Florida model, part of  
9 that model was starting to show up, and so I think that kind of  
10 swayed a lot of us to look at three-region model, because there's  
11 utility in it, and the data are all split into three regions now,  
12 and it doesn't take a lot of effort, and time, to be able to do  
13 that, and I think was some of the reasons why, from the SSC's --  
14 I won't say all, because it was certainly not unanimous, but, for  
15 some of the SSC members, a three-region model seemed to be  
16 appropriate.

17  
18 I think the panel's main concern was we had no ability to see if  
19 a two-region model was better or worse than a three-region model,  
20 and there was no comparison to be made.

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

23  
24 **MR. STRELCHECK:** I appreciate that explanation, and I guess the  
25 other question kind of relates to that then. Not having the two-  
26 region model for comparison, but -- Acknowledging, right, that the  
27 SEDAR 74 review for the research track, right, would result in  
28 some pretty substantial changes to the assessment, and did the SSC  
29 also weigh kind of the diagnostics, and kind of the Science Center  
30 input, with regard to -- I mean, obviously, the Science Center  
31 believes they can run the three-region model, and maybe improve  
32 the fits, and so can you kind of talk further about that?

33  
34 **CHAIRMAN FRAZER:** I think -- Ryan, do you have something to that  
35 point? I don't mean to cut you off, Dr. Nance.

36  
37 **DR. NANCE:** I can talk about that too, but Ryan first.

38  
39 **MR. RINDONE:** There were no diagnostics, and so the research track  
40 effort doesn't produce diagnostics, and that was one of the things  
41 that the reviewers said that made it difficult for them to take a  
42 full examination of what was done for SEDAR 74 and how the model  
43 actually performed. There were some things that were able to be  
44 able to be completed kind of short-term, there in the room, but  
45 not to the degree that they -- If you were to compare it to like  
46 a benchmark assessment, or something like that, and, you know,  
47 from the years past, when we had those peer reviews, and those  
48 review workshops, and diagnostics like that weren't what was

1 provided, or like what's normally provided to the SSC when they  
2 review an operational assessment.

3  
4 **CHAIRMAN FRAZER:** Dr. Walter.

5  
6 **DR. WALTER:** So, I think there's a couple of sort of things that  
7 need to be clarified here. I will start with the recommendation  
8 for the three-area model came out of the stock structure working  
9 group, and that was a consensus decision. We implement the  
10 decisions of -- As a Science Center, we implement the decisions of  
11 the SEDAR process, and so, in that case, that's why a three-area  
12 model got put forward, because of all those extensive discussions  
13 and the consensus decision.

14  
15 The reviewers of SEDAR 74, who are the CIE reviewers, had a number  
16 of recommendations, some of which are good recommendations and  
17 others are ones where we probably would not want to do that, and  
18 that's just the case of it with CIE reviewers, and it's an  
19 interesting process, and you don't always get things that you can  
20 use, and sometimes it's useful, but then, other times, the SSC has  
21 to come up with other recommendations.

22  
23 In terms of the now SSC recommendation to retain the three-area  
24 model, I think that's the key there of what the SSC has recommended  
25 at this point. The question now is where do we go with that, and  
26 what looks like there's a contradiction there, and I don't think  
27 that there is, and I think that there's consistency between what  
28 the stock structure in SEDAR was and the SSC retaining that  
29 consistency of the three-area model.

30  
31 I just want to touch on the data limitations and the indices that  
32 required mirroring, just so to clear up any confusion, and the  
33 mirroring is really just borrowing the selectivity of one region  
34 or another. If there is not enough composition data in one area,  
35 then you assume that the selectivity for an index in one area is  
36 the same as the selectivity in another area, and this is a pretty  
37 straightforward assumption, and it's done in almost every single  
38 one of our stock assessments, for one region or another, whether  
39 they're spatially-explicit or if one fleet has got data, and  
40 another doesn't, and we think that they operate similarly, and so  
41 that's simply borrowing information. You can either borrow the  
42 parameters or you can borrow the data, in terms of the way that  
43 the model uses a combined dataset, and I think we've explained  
44 that in a response to the council, to some of those inquiries.

45  
46 I think now it's -- The question is how we move forward with this,  
47 and, if we are going to go with entertaining both a two-area and  
48 a three-area model, largely, that's just going to take a lot more

1 time to be able to do that, and we need to talk about the timing  
2 of which we do that, if that is indeed what this council wants to  
3 proceed with. Extending the timeline for when we might actually  
4 get something useful out of it I think is going to be necessary to  
5 look into. With that, I just wanted to clarify those, and I think  
6 we'll have some further conversation here. Thanks.

7  
8 **DR. NANCE:** Sorry that I didn't explain mirroring properly, but,  
9 because we have used mirroring even with the two-area model, and  
10 it's simply, like John said, borrowing. If you don't have data  
11 within a certain region, you borrow from a different, for  
12 selectivity functions and things like that, and, also, it's that  
13 -- Well, it says "S74", and that's the panel. That's how that is  
14 specified in there. They recommended returning to the model, but  
15 the SSC, in our conversations, kept the -- They wanted to retain  
16 the three-region model.

17  
18 **CHAIRMAN FRAZER:** A couple more questions, Dr. Nance. C.J.

19  
20 **DR. SWEETMAN:** Okay, and so I'm trying to parse this out here, and  
21 so data limitations, even with the two-area model, and, even that  
22 requires some level of mirroring, and I understood that, but, when  
23 you separate it out to a three-area model, you're even further  
24 data limited, correct, and then so I guess I'm wondering about how  
25 that impacts the overall error associated with the model, or lack  
26 of -- Anyways, but, on top of that, relative to the mirroring, I'm  
27 just -- I understand that it's been done, and it's common practice,  
28 I suppose, from what you guys were saying in the assessment  
29 process, but taking -- When you're trying to structure it based at  
30 the region scale, and you're pulling information from one region  
31 to another -- I'm just wondering the appropriateness of that, in  
32 terms of informing what's actually occurring at the stock level.

33  
34 **DR. NANCE:** Fisheries that are operating similarly. Like, for  
35 example, you may have a longline fishery off of upper Florida, and  
36 you don't have that selectivity in the central region, and so  
37 you're using its selectivity functions to put in for that central  
38 region, the same type of fishery. Remember that, in the two-area  
39 model, everything from -- If I'm remembering correctly, it's  
40 Subarea 13 and so everything in Mississippi, Alabama, and Florida  
41 is considered that one area with everything west of the river,  
42 Louisiana and Texas, and so I do think, while it may add some  
43 complexity to the model, and it certainly adds some more variables,  
44 I think it's starting to be able to tease out the differences  
45 between what's happening in the central Gulf and what's happening  
46 in Florida.

47  
48 You may have to mirror some of the different fisheries, but I do

1 think there's -- In my opinion, and this is not the SSC, and this  
2 is Jim Nance, but it's that there's some utility in keeping the  
3 three-area model, because we're seeing -- We're able to see some  
4 differences in those two areas, during the modeling process.

5  
6 **CHAIRMAN FRAZER:** Dr. Walter.

7  
8 **DR. WALTER:** One good way to explain the mirroring is that they're  
9 not necessarily borrowing the data and saying that the data is the  
10 same. You're saying that the process is the same, and so, if you  
11 used a longline in one area, and a longline in another area, that  
12 you didn't have data, your selectivity would be the same.

13  
14 You're using the same scoop, or the same net, or the same hooks,  
15 and it doesn't mean that the data you get back would be the same,  
16 because the ambient age and size structure in those areas are  
17 different, and so what we've got right now is we know there is  
18 older, larger fish in the west, but, if you use the same gear,  
19 that you might have good data on in one area, in that area, you  
20 get bigger fish, but that's because there's bigger fish in the  
21 population.

22  
23 The model tends to know that, from other pieces of information,  
24 but it just happens to be, for some of these surveys that we have  
25 an index for, that we don't have enough composition data to  
26 estimate the selectivity parameters, then you could envision some  
27 of our surveys might only have a small number of fish for the  
28 longline catches, and so it's going to be really kind of flimsily-  
29 informed selectivity, because you're trying to estimate a  
30 functional form, and so you just say, well, we're going to either  
31 assume that it's the same selectivity as another area, or we're  
32 going to combine the data that we have and say that that  
33 selectivity is common across them, combining in terms of, for the  
34 survey, the age comp, to be able to estimate that, but, as it's  
35 applied to that area, it would have a different ambient age comp,  
36 and so it's not actually enforcing the population dynamics of those  
37 two areas. It's just trying to help us get some of the -- What  
38 that selectivity for that gear would be. Thanks.

39  
40 **CHAIRMAN FRAZER:** So I guess -- You know, I want to follow-up on  
41 Andy's question, right, and so this was a research track, and I  
42 understand the people sitting around the table, the scientists and  
43 those folks with the quantitative skillset to kind of pull this  
44 off, would be saying, hey, we're starting to see some interesting  
45 things in the data, and I get why you would want to explore that,  
46 right, because, to the extent that you can become more certain, at  
47 a more granular level, that's always a bit better, but how does  
48 the results of the three-region model actually play into management

1 as we currently know it?  
2  
3 We have a two-region model now, and we manage in the Gulf, right,  
4 and so why I'm raising the question is -- Again, yesterday, and  
5 earlier today, we talked a lot about simplifying our life, and I'm  
6 trying to say, well, if it -- You pointed this out too, John,  
7 right, is you can't run both of them at the same time, because  
8 you're resource limited, right, and so what's the value added,  
9 right, from running the three-region model, and I'm just asking  
10 very objectively, because I don't think the SSC needs to consider  
11 that necessarily, right, and they're thinking about other things,  
12 but it affects our ability to start helping prioritizing where we  
13 put our time, and our resources, and then I just noticed, earlier  
14 in this SSC summary, you know, other species, yellowedge grouper  
15 being one of them, you know, also is a two-region model.  
16  
17 I suspect that most species are, and so -- But we're probably never  
18 going to have enough data, for anything other than red snapper, to  
19 move to a three-region model, and so I'm just -- Again, it's an  
20 interesting academic exercise, probably, but is there real utility  
21 in doing it, and is the cost worth it? I just want you to ponder  
22 that a little bit and give me your thoughts.  
23  
24 **DR. WALTER:** Chair, I can't say, other than the process works it  
25 out such that the stock structure working group looks at all of  
26 the data, and I think found trends that were different in the  
27 different areas in the indices, when they were broken up into three  
28 areas, that suggested that there might be dynamics that needed to  
29 be addressed at those three spatial areas.  
30  
31 Their task was putting together the best stock structure  
32 recommendation for the SEDAR process, and SEDAR is tasked with  
33 developing the best stock assessment model to scientifically  
34 assess the stock. That being said, this council's role is to  
35 develop the best management advice, based on what is provided by  
36 the scientific process, and so, where those two meet, presumably  
37 they harmonize perfectly, but, in fact, what we do with red snapper  
38 is we take the two-area model and we break it up into the states,  
39 and so it's actually managed at the state level.  
40  
41 To get to your point about how we would use a three-area versus a  
42 two-area, really, we're still going to break it up into individual  
43 states, and, because the three-area and the two-area would both  
44 give us an overall stock status, an overall SSB, an overall catch  
45 level, we would still then have to break either one of those up  
46 into their component states, and so they would get the same  
47 management advice, but it's just, I think, right now, we're having  
48 the conversation of is one a better science product or not.

1  
2 I think, from the management perspective, it's pretty clear that  
3 it will get you what you need, either one, and is three-area, or  
4 two-area, better scientifically? That is what the process worked  
5 through, and I think both of the recommendations, absent the CIE  
6 reviewers, who had some different viewpoints, were to stay with  
7 the three-area.

8  
9 **CHAIRMAN FRAZER:** Again, to me, it's just -- Again, I'm not going  
10 to ever really try to tell the SSC how to do their job, right, and  
11 that's not my job, but my question is, again, so we don't really  
12 know -- What I heard, in this conversation, is we don't really  
13 know if the two-region model is ultimately going to be better or  
14 worse than a three-region model, because we haven't run those  
15 diagnostics, right, and so, at the end of the day, we'll get the  
16 results from one of those models, and they're going to be combined,  
17 right, and we're not going to use the spatial data, either a two-  
18 region or a three-region model, to make allocation decisions to  
19 one of the five states.

20  
21 We just don't do that, right, and the allocation decisions are  
22 based entirely on catch history, right, and things of that nature,  
23 and so, although I appreciate the granularity in the data, I don't  
24 see it being translated into management, and that's why I'm asking  
25 about is it more expensive to run a three-region model or a two-  
26 region model. Andy.

27  
28 **MR. STRELCHECK:** I guess I would think about it a little bit  
29 differently, Tom. Not necessarily more expensive, right, but  
30 what's ultimately going to provide the more accurate results,  
31 right, and what's been provided by -- We don't have the comparison  
32 to, obviously, make that happen, but, in terms of your comments  
33 about regionalizing the model, right, you're saying, if we don't  
34 do that -- You're right that that's how we currently do things,  
35 right, and we don't divide up the Gulf based on regional estimates  
36 of biomass and abundance.

37  
38 We could, and whether or not we would want to, whether or not the  
39 data supports that, obviously, lots of questions. The three-  
40 region model would split Florida somewhere around the Panhandle  
41 and Big Bend, right, and so it really complicates things if you  
42 start looking at some of that spatial distribution of biomass and  
43 abundance, and then, as John is pointing out, yes, we divide up  
44 the private quota by state, but we don't do that for for-hire, and  
45 we don't do that for commercial, and so that brings other broader  
46 management implications.

47  
48 Whether you're dealing with two models or three models, right,

1 it's really do we go down the path of any sort of geographically-  
2 explicit catch level setting, based on the scientific advice, and  
3 I don't think we're there yet to make that decision, but that  
4 certainly complicates our life, as you've been talking about,  
5 rather than simplifying it.

6  
7 **CHAIRMAN FRAZER:** Again, I just want to be clear, and I don't want  
8 to just drag this conversation on, and I'm not being critical of  
9 the Science Center or the SSC, right, and I'm just asking, okay,  
10 and, I mean, given everything that they know, right, do they feel  
11 confident, and apparently they do, moving forward with a three-  
12 region model, because it may add some value, is my understanding,  
13 and, you know, what I heard John say, and why I even kind of went  
14 down this rabbit hole a bit, is we can't do both of them, because  
15 there's time involved. I don't know if there is significantly  
16 more time investment, and more resources, that go into a three-  
17 region model than a two, and that's pretty much my question for  
18 John.

19  
20 **DR. WALTER:** Not really, and it's just that, if you're doing both  
21 of -- The three-region isn't that much more time consuming than  
22 the two, but it just requires breaking the data up into three,  
23 which is not that difficult and time consuming to do, but, to add  
24 a two-region model now, to the existing process, is where that  
25 additional time -- That's what it would take, because we would  
26 have to say, okay, continue with the -- Unless we were to full  
27 stop, and say now --

28  
29 Going against the advice here and say we want a two-area model,  
30 regardless, and that would be kind of a full new data pull, index  
31 creation, and we're pretty far along with the three-region model,  
32 and so, unless there's a really strong desire to add, to do both  
33 in parallel, which is going to then extend things and take time  
34 away from other assessments, then I think the recommendation, from  
35 the SSC, is to continue on with the three-region model and then  
36 make some of the improvements that were suggested by the reviewers,  
37 any improvements that were recommended by the SSC, and then a full  
38 -- I think there's some discussion, certainly, around that that is  
39 going to make it a better product, moving forward. Thanks.

40  
41 **CHAIRMAN FRAZER:** Thanks, John. Ryan and then Bob.

42  
43 **MR. RINDONE:** So one of the things that the peer review, which,  
44 again, was -- It wasn't just the CIE, and it was three CIE and  
45 three SSC members, and so it was -- You know, it was three SSC  
46 members and the chair, but it's three at -- Well, it's three SSC  
47 members that are directly involved in the deliberation, and so  
48 there's six people that were on the peer review.

1  
2 One of the things that they noted was, you know, not having the  
3 diagnostics of having both of these run was -- You know, like has  
4 been said, it was difficult in being able to compare them, but  
5 they also commented about the stock ID process, and there were  
6 discussions about the stock ID process might have been better  
7 served by having those data preparations, and comparing them, and  
8 looking for key differences, looking for problems, looking to see  
9 how the mirroring exercise might have certain effects, but, like  
10 Dr. Walter said, having separate data preparations for a two-  
11 region and three-region setup is arduous, but, in a perfect world,  
12 that is what we would do.

13  
14 Even with all of that, and, even if we did two completely separate  
15 models, with different regional setups, and diagnostics were run,  
16 there would still be difficulties in doing apples-to-apples  
17 comparisons between them, even using the same data, and so that's  
18 where the expert judgment of people like our SSC would ultimately  
19 have to come into play. You know, just -- We haven't done anything  
20 like that for any other species before, and so, if that was a route  
21 that you guys decided to go down, like that itself would be a novel  
22 thing, too.

23  
24 **CHAIRMAN FRAZER:** Thanks, Ryan. Mr. Gill.

25  
26 **MR. GILL:** Thank you, Mr. Chairman. Do you wish to continue this  
27 discussion now, or finish Dr. Nance's presentation and get back  
28 into it, and the reason I ask that is I have a motion relative to  
29 it, but it all depends on how you want to run the show.

30  
31 **CHAIRMAN FRAZER:** I'm just looking quickly at the slides, and let's  
32 go ahead and finish this topic, and then we'll come back. Sorry  
33 for the disruption.

34  
35 **DR. NANCE:** We can certainly do that. With the handling of the  
36 recreational data, one of the suggestions by the panel was to take  
37 the recreational landings, commercial landings and so forth, and  
38 create a capture string and run that into the SS model, with a  
39 known value and things like that, and the SSC was opposed to trying  
40 that method. They like the way that it's currently done, and so  
41 the SSC opposed inputting data without error considerations, to  
42 run the data in the model, as opposed to running them outside and  
43 using the data stream to run into SS.

44  
45 One of the reasons was consideration of National Standard 1 for  
46 transparency, so everybody can see what's going on within that  
47 model, and the panel wanted more exploration on how to use the  
48 Great Red Snapper Count data, and how to integrate that into the

1 model, and they felt like just putting it in was not right, to use  
2 that phrase, and so we wanted to explore how to be able to put  
3 that data into the model. It's great data, but how to  
4 appropriately incorporate that into the model.

5  
6 Obviously, further review, and exploration, is needed for the  
7 recreational data component of this species. Concerns about  
8 potential MRIP-FES changes were also brought up by both the  
9 reviewers and the SSC during this discussion. They suggested a  
10 recreational working group for input into the next assessment,  
11 just so they could have a broader discussion on that topic.

12  
13 Other points is the SSC, in our discussions, disagreed with the  
14 reviewers on steepness and natural mortality. They felt like that  
15 -- The reviewers felt like the way steepness and natural mortality  
16 was calculated was incorrect, and the SSC disagrees with that  
17 comment from the review process.

18  
19 The TORs, you know, I think we need to be prescriptive, but we  
20 also need to be flexible. Sometimes our TORs are maybe so  
21 prescriptive that we lose flexibility, and so that's something  
22 that we, as an SSC, probably can do better on, and be able to be  
23 a little more flexible in what we're trying to accomplish.

24  
25 The creation of topical working groups was proposed. Minimally,  
26 a recreational data group, a commercial data group, life history,  
27 Great Red Snapper Count, and indices, with direct participation  
28 from the regional Great Red Snapper Count PIs was suggested, and  
29 documentation of the integration process, for transparency. Mr.  
30 Chair, that ends that portion of the presentation.

31  
32 **CHAIRMAN FRAZER:** All right. Thank you, Dr. Nance. Any additional  
33 questions on these last two slides, before I go to Mr. Gill? Okay,  
34 Bob.

35  
36 **MR. GILL:** Thank you, Mr. Chairman. Thank you, Dr. Nance, for  
37 that, and I think it's important that this committee discuss this  
38 question, because it has, in my mind, far-reaching applicability  
39 to the future. I view it as not simply a science question, but it  
40 impacts the management process, going forward, as well.

41  
42 Recall that, in this discussion, and correct me if I'm wrong, John,  
43 but I understand the stock ID group discussion was much like the  
44 SSC discussion, and it was long, and it was not clearcut, amongst  
45 the stock ID, until they ultimately settled on a three-region  
46 model, but it wasn't an, oh yeah, that's what we ought to do.

47  
48 We had that same thing with the review workshop, when there was

1 quite a bit of discussion, and they decided the other way, and the  
2 SSC had a long discussion, and so it's not a simple snap-and-done  
3 kind of decision, from a science perspective, and I would also  
4 mention that the SSC's decision, in this regard, is not something  
5 that we have to follow. You know, this is part of their advisory  
6 constraints, but it's not a mandatory thou shall.

7  
8 Because it incorporates long-term considerations for the  
9 management process, relative to this species, I think we need to  
10 weigh-in on this aspect. We talked a little bit about complexity,  
11 and, yes, the three-region is more complex, and I think -- Correct  
12 me if I'm wrong, John, but I think the two-region model had  
13 something like 1,700 parameters, and this one had over 2,100, and  
14 over 90 percent of those were estimated, and so you're talking  
15 massive complications, and I would challenge anybody to say that  
16 they really understand all those things.

17  
18 Clearly, it's not going in the direction of simpler, which we  
19 talked about, and, in my view, we badly need, and so it's a more  
20 complex version, amongst other things, and one of the  
21 considerations that have been made is that -- Let's be honest.  
22 The Science Center has a lot of time invested, Matt and LaTreese,  
23 for a long time, three years or thereabouts, and so they have a  
24 lot invested in the three-region model, and I understand that.

25  
26 If I was in their shoes, and somebody told me you've worked your  
27 can off for three years, and, by the way, we're throwing it in the  
28 garbage, I would argue that that was the wrong approach, but that's  
29 already done, and we can't retrieve that, one way or the other,  
30 and the question is, whatever the decision is, it's going to lie  
31 with us for the future. We're going to have it, right, whether  
32 it's three or whether it's two.

33  
34 Now, I understand, and, John, I would ask for a correction here,  
35 if I'm wrong, that, if the council desires to have two, and do a  
36 two-region model, fundamentally, that will start all over on the  
37 two-region model, because you haven't done it. You know, you did  
38 a three-region, and that's where you put your resources, and so  
39 one of the penalties for going to a two is that it's going to take  
40 a little bit longer, because you're starting essentially from  
41 scratch, and is that a fair assessment?

42  
43 **DR. WALTER:** Yes, that would be correct.

44  
45 **MR. GILL:** All right, and so, you know, it's like everything else  
46 in the world, and nothing is for free. You pay a penalty, and the  
47 timeline works out a little bit longer, and I don't know how much  
48 longer is a little bit, but, nevertheless, from my perspective,

1 it's what we're looking at going down the future, and what's the  
2 right path for this council, and this management process, tied in  
3 with the science, going down, and so the decision for three or two  
4 is putting us in the future.

5  
6 Tom mentioned a number of the points that I was going to mention,  
7 and I think it's spot-on. I think there's a tendency, in the  
8 modern world, that models need to duplicate reality, and I think  
9 that's entirely wrong. Models are designed to give you the  
10 information you need to be usable, and, whether a model exactly  
11 follows reality, I don't know, and I don't care, but we can't  
12 identically create reality in a model, because it's huge. It's  
13 bigger than we can handle.

14  
15 I think that the council needs to weigh-in on this subject, and I  
16 personally favor the two-region model, and I would like to make a  
17 motion in that regard, Bernie, if you would pull up my red snapper  
18 motion. **The motion reads that the Science Center is requested to**  
19 **use the two-region model for red snapper assessments.**

20  
21 **CHAIRMAN FRAZER:** We've got a motion on the board that the Science  
22 Center is requested to use a two-region model for red snapper  
23 assessments. Is there a second to that?

24  
25 **DR. SWEETMAN:** I will second for discussion.

26  
27 **CHAIRMAN FRAZER:** It's seconded by C.J. for discussion, and so I  
28 think -- Bob, I think you've asked for some input, and so I think  
29 we should take some time and get it. Kevin.

30  
31 **MR. ANSON:** So, Bob, are you saying, going forward then, that  
32 you're only asking to have the two-region model done, and that no  
33 more work will be done on the three-region model, and is that what  
34 you're -- Okay.

35  
36 **MR. GILL:** Yes, that's correct.

37  
38 **CHAIRMAN FRAZER:** Captain Walker and then Ms. Boggs.

39  
40 **MR. WALKER:** So, does this mean this would be a do-over?

41  
42 **MR. GILL:** Technically.

43  
44 **CHAIRMAN FRAZER:** That's essentially what John said. Bob.

45  
46 **MR. GILL:** Thank you, Mr. Chairman, and so we have a considerable  
47 -- Even moving forward with the three-region model, and I've  
48 forgotten the timeline that was mentioned, but it's a fairly

1 extensive timeline, and, going forward, it's going to take a fair  
2 amount of time anyway, and there's going to be extra for the two-  
3 region model, since it's starting from scratch, but it's not  
4 significantly more. If I'm wrong, John, please correct me.  
5

6 **CHAIRMAN FRAZER:** Ms. Boggs and then Ryan.  
7

8 **MS. BOGGS:** So, Captain Walker kind of asked -- Well, he asked  
9 part of my question, but the first question I have is so what's  
10 the hierarchy between SEDAR and the SSC? So, like the council, if  
11 you get something from the SSC, you can do that or something less,  
12 and you can't exceed, and what's the hierarchy between SEDAR and  
13 the SSC, is my first question.  
14

15 **CHAIRMAN FRAZER:** Ryan.  
16

17 **MR. RINDONE:** So, when it comes to this kind of stuff, this  
18 ultimately stops here. Our representatives for the SEDAR Steering  
19 Committee are the ones that ultimately approve things like our  
20 terms of reference, and they agree to the schedule, and they  
21 approve participants, and things like that, and it's made our SEDAR  
22 approval process very efficient.  
23

24 The council, you know, with that authority delegated to the chair  
25 and the executive director, approves the terms of reference based  
26 on input from the SSC, and so the SSC has said, in this case, that  
27 they think that the three-area model is still the way to go, and,  
28 if you guys decide that, no, we want to do a two-area, then that's  
29 what we put in the terms of reference, is to do the two-area model,  
30 because, ultimately, it stops here, and so, if it's the will of  
31 the council to do the two-area model, that's what we'll put in the  
32 terms of reference, and that's what the Science Center will  
33 ultimately work on.  
34

35 **CHAIRMAN FRAZER:** Ms. Boggs and then C.J.  
36

37 **MS. BOGGS:** So then, I guess, to say this is a do-over -- If you're  
38 saying -- So you, and I guess Kevin and Carrie, put in the terms  
39 of reference the three-model, and now we're -- I guess it sounds  
40 like this process has already started, and so why are we just  
41 hearing this, and making this decision to have to start all over  
42 again, and that's what I'm -- Ed asked the question, and we're  
43 saying it's a do-over, but if the -- I'm real confused, and I think  
44 we need some clarity on how this process works, because this could  
45 have probably been resolved -- We've been doing this for four  
46 years.  
47

48 **CHAIRMAN FRAZER:** Dr. Simmons, to that point, or, John, you can go

1 first.

2

3 **DR. WALTER:** Go ahead, Carrie.

4

5 **EXECUTIVE DIRECTOR SIMMONS:** Thanks. Okay, and so I will start,  
6 and you can help me out. Remember what we embarked on was a  
7 research track assessment. That did not result in management  
8 advice. At the end of that process, we had an operational  
9 assessment slated.

10

11 Based on, I think, the number of things that still had to be sorted  
12 out, non-scientific there for you, to get to that phase, we were  
13 still going to have to have quite a few working groups, I believe,  
14 put together to address that, as well as a longer period of time  
15 to address some of those issues that would result in management  
16 advice.

17

18 At the SEDAR Steering Committee, after we received the results of  
19 the review from December, and then, just before that meeting, we  
20 received the SSC's recommendations, and we asked for a benchmark  
21 assessment for red snapper, under our old process, right, and that  
22 would include a review, and we asked that that review process be  
23 improved upon with the CIE reviewers, by reconsidering that scope  
24 of work, or that frame of work, that the Science Center can have  
25 more input in, before those people are selected to review it, and  
26 to try to help coach, through the SEDAR process, the engagement  
27 and the responsibility of our SSC members that serve on that panel,  
28 and so that's what we asked for last week.

29

30 Now we're here, and so, in May, we're going to work on the terms  
31 of reference for that benchmark assessment with the SSC. Because  
32 the SSC has given us this advice, we've been talking about what to  
33 ask for, and we knew this was going to come to the council,  
34 regarding the two or three-area model.

35

36 My concern with that was, after sitting through four days of the  
37 review workshop, it was the complexities that were brought up, and  
38 whether, like you had mentioned, that additional complexity is  
39 really needed for us to manage, and so that was one of the concerns  
40 that I had. The other concern I had, and I think Mr. Gill brought  
41 this up, is I have read the stock ID report, a couple of times,  
42 the part of that review, and I'm just struggling with our rationale  
43 for these three areas, and how that split was derived, and I don't  
44 think there was good consensus, to be quite honest. That report  
45 came out, and there was three iterations of that report before it  
46 was finalized, and so those would be my concerns, and so I hope  
47 I've answered your questions.

48

1 **MR. RINDONE:** And the additional stock ID meeting.

2  
3 **EXECUTIVE DIRECTOR SIMMONS:** And there was another meeting too,  
4 and so, anyway, I don't think there was good rationale there for  
5 that, and the SSC was really divided too, and I think the vote was  
6 like fourteen to nine, on the two versus three-area model. I think  
7 I've started to try to address the timing issue, but, as far as  
8 the differences, and how long that's going to take, the center is  
9 going to have to answer that question.

10  
11 **CHAIRMAN FRAZER:** I think, Susan, before we go to -- John, do you  
12 want an opportunity to weigh-in on this?

13  
14 **DR. WALTER:** I think one of the things that -- In terms of the  
15 question, the request was originally to have a stock structure  
16 working group to evaluate this, and to look at the information,  
17 the indices, et cetera, as to what would be the partition. Yes,  
18 it was not a unanimous and easy decision, because nothing with red  
19 snapper is easy, and rarely unanimous, but that process played  
20 itself out, and we have got to -- We did the research track, and  
21 it went through this process, and now we're here at the council  
22 floor, discussing did that process achieve what we wanted.

23  
24 In this case, maybe it didn't, but it's still part of the process,  
25 the way that it played out, and I think, for the council to then  
26 supersede that process, and say that they would go back on that,  
27 there would have to be a pretty clear rationale as to why that  
28 needs to be done, and I think that, in this case, the council would  
29 have to say how is it going to use a two-area model, versus a  
30 three-area model, to develop management advice, and I think it's  
31 kind of clear that it would still use the same management advice  
32 coming out of the two-area or three-area model, and break it up  
33 five different ways, and it wouldn't really be a different set of  
34 management advice.

35  
36 The question comes back to what's going to give the best management  
37 advice, and the process did come up with a three-area model, and  
38 that was what the SSC and what the stock structure working group  
39 came up with, and there is a record as to how they came up with  
40 that, and I think the challenging thing is do we go and redo that  
41 all over again, and are we going to be in the same place, and what  
42 I would bring up is that a lot of the major issues that we're  
43 dealing with for this assessment, and management, are not based on  
44 a two or three-area model, and it's based on things like  
45 uncertainty in FES, and it's based on uncertainty about the  
46 absolute magnitude of the stock, and reconciling the Great Red  
47 Snapper Count with the stock assessment.

48

1 Those are some of the things that I think the Executive Director  
2 talked about how we're going to improve the process and be able  
3 to, I think, have some topical working groups that address those  
4 key things that I think transcend this two versus three discussion,  
5 and so I would like us to make sure that we have time in the  
6 process to -- When we do this, and I think it's going to be a  
7 benchmark, that we have those topical working groups focusing on  
8 the key uncertainties and not get too lost in things that are  
9 probably going to be giving about the same answer overall, however  
10 we partition the stock up, and I don't know that we get a vastly  
11 different answer, but the inputs would be about the same, and it's  
12 just whether you break those inputs into two versus three chunks.  
13 Thanks.

14  
15 **CHAIRMAN FRAZER:** Thanks, John. We've got a number of people.  
16 Susan Boggs.

17  
18 **MS. BOGGS:** So this, based on what Dr. Walter just said, and, of  
19 course, I'm absolutely not a scientist, but, if you've got three  
20 regions now, and it looks like, basically, you've got the west,  
21 and then the east, and that's two regions, correct, and, in my  
22 simple math, it's just add the two together, and you've got two  
23 regions again, but I'm sure it's not that simple in the science  
24 world, but I just -- The question that I was going to ask is, if  
25 this council goes against the recommendation of the SSC, which I  
26 understand you said the vote was very close, and, I mean, that's  
27 okay, and it's just they're not going to be happy with us, I guess,  
28 and is that kind of how -- I mean, there's no -- I don't want to  
29 use the word "repercussions", because I don't mean it that way,  
30 but is there any disadvantage to not?

31  
32 **CHAIRMAN FRAZER:** Well, I will just weigh-in, and I know there's  
33 a number of people here, and so I just want to make it really  
34 clear, right, that we have the SSC for a reason, right, and I  
35 respect everyone that sits on the SSC as scientific colleagues,  
36 and I'm not -- Again, John, I'm not trying to tell them what to do  
37 here, and I would be very reticent to go against the advice of our  
38 SSC, and I just don't think that's a generally right thing to do.

39  
40 Where I was trying to draw the line before is that the scientific  
41 community, and the SSC in particular, isn't necessarily  
42 constrained, or weighed down, by some of the political realities,  
43 or, you know, the management side of things, that fall under this  
44 council, and nor would I want them to be, right, and so that's why  
45 I was asking the question. Is there a cost, you know, other than  
46 just doing the science part of it, a real cost, in terms of time  
47 and effort, that plays out here?

48

1 You know, it sounds, to me, like -- This is, again, my personal  
2 opinion, based on the discussion, that probably not, you know, a  
3 significantly greater cost, and I do think we tend to put, you  
4 know, too much stock in these models, as Bob said before, and I  
5 think they're overcomplicated, right, and we don't use them  
6 appropriately, but, nevertheless -- Again, I don't think that I  
7 would go against the SSC in general, right, for that reason, but  
8 I just was trying to get some validation of the approach, right,  
9 and that's all I was asking here, and so next is C.J.

10  
11 **DR. SWEETMAN:** Thanks, Mr. Chair. A general question, and at the  
12 risk of this being an ignorant question, but I've heard, a couple  
13 of times, that we would have to start from scratch if we went to  
14 the two-region model, and is that really the case, that we would  
15 be starting from scratch, just simply because the previous  
16 assessment has been a two-region model, or would it just be more  
17 or less updating what has been previously done in the past, along  
18 those lines?

19  
20 **CHAIRMAN FRAZER:** Dr. Walter.

21  
22 **DR. WALTER:** For some of the inputs, like an index that was broken  
23 up into three, and now you would have to create it almost entirely  
24 from scratch then. The basic data is there, but you would have to  
25 refit the model, and most of our indices are model-based. For the  
26 age and length compositions, they would have to be recompiled, and  
27 so, yes, and the question would be is there a way to fast-track  
28 some of the data workshop aspect of evaluation of things, and  
29 probably not, because I think that the proposal is to have a data  
30 workshop, an assessment workshop, and a review workshop, I think  
31 returning more to the benchmark-type assessment.

32  
33 I think there's going to be -- Again, I think the focus should  
34 really be focusing on some of other major uncertainties that I  
35 think didn't get quite enough attention, like uncertainty in the  
36 recreational catches, and I think those are other things that we,  
37 looking through the process at the SEDAR Steering Committee, said,  
38 yes, those might need topical working groups, and so I would say  
39 it probably would be about the time commitment of starting from  
40 scratch.

41  
42 **CHAIRMAN FRAZER:** Kevin.

43  
44 **MR. ANSON:** So it sounds a lot like the discussions that we had  
45 when we were first talking about doing a research track assessment,  
46 and, you know, it sounds like there's going to be things that will  
47 be included for the redo, if this motion were not to pass, that  
48 were in -- At least at this table, and maybe not at the SSC, but

1 at this table that were talked about being included, and the one  
2 main one was the reconciliation of the Great Red Snapper Count,  
3 that that apparently did not get as much attention the first go-  
4 around in the research track, but it sounds like it will be, you  
5 know, included in maybe one of the topical working groups, or with  
6 more participation from the PIs that were part of that research,  
7 but I still don't know where I'm going to land on this motion.

8  
9 As Tom had mentioned, we certainly rely upon our SSC for making  
10 those scientific decisions for us, and recommendations, but, you  
11 know, we did invest a lot of time, and resources, into the research  
12 track, going the three-region route, and three regions are more  
13 complex, and we did not end up with anything, and so, you know, it  
14 might be worthwhile to restart and redo the two-region model,  
15 because at least we have something that's comparable to what we  
16 have been managing the fishery to over the years, and so there  
17 will be just one less thing that's potentially causing a difference  
18 in the management advice that we get, and so thank you.

19  
20 **CHAIRMAN FRAZER:** Okay. I'm going to take a couple more questions,  
21 right, because we've devoted a lot of time to this, and I'm not  
22 sure we're completely settled yet, but I want to keep us on track,  
23 and there's five people that I have on the list. Ed Walker.

24  
25 **MR. WALKER:** Okay. I will keep it brief, but, in listening to the  
26 discussions, I tend to agree with Dr. Walter. It seems like we  
27 could stretch this thing out. If we had to essentially start over,  
28 we could spend another year, or two or three, and come up with the  
29 same thing, which doesn't benefit anybody, and I'm certainly a fan  
30 of addressing the key uncertainty factors, which it appears that  
31 the difference between two or three regions is not the primary  
32 uncertainty factor here, and so I think -- I think we keep things  
33 going the way they are, with the three region, and focus on those  
34 important uncertainty factors.

35  
36 **CHAIRMAN FRAZER:** Thank you, Ed. Chris Schieble.

37  
38 **MR. SCHIEBLE:** Thank you, Mr. Chair. I have a couple of questions,  
39 and I guess they're for Dr. Walter, and so remind me. The terminal  
40 year of this current assessment, the data that's going into it is  
41 2019, and is that correct, or is it 2020?

42  
43 **DR. WALTER:** This one is the research track, and I will have to  
44 find out. In terms of if we were to embark on a benchmark, it  
45 would be to give advice, and I'm not sure we've determined what  
46 that terminal year would be, but it would be a lot more current,  
47 because the goal would be to give advice, and Ryan might have that.

1 **MR. RINDONE:** I had put 2023 in the terms of reference, given that  
2 we're looking for a late 2024 start, and we would be putting a  
3 request for 2023 for the terminal year.  
4

5 **MR. SCHIEBLE:** Okay, and the second question is, based on what you  
6 described a minute ago, saying that we would have to basically  
7 start over, before we get any management advice out of this  
8 assessment, if we were to start this process, we're looking at  
9 probably 2027, would be the potential, and could you speculate on  
10 that at all, or not? How long would it take?  
11

12 **DR. WALTER:** I don't know, and I'm trying to do the math in my  
13 head, adding six months of regulatory process, and another six  
14 months of other stuff, in terms of when it actually hits the books,  
15 and probably 2028, at the earliest, is my guess, just given that  
16 we usually take longer to develop management advice and for it to  
17 finally hit the water, but I could be wrong, and I just did that  
18 on the fly.  
19

20 **MR. SCHIEBLE:** Thank you, Dr. Walter. That's what I needed to  
21 know, and I think I will not be in favor of this motion, based on  
22 that answer.  
23

24 **CHAIRMAN FRAZER:** Susan Boggs.  
25

26 **MS. BOGGS:** So, I don't know who this question is for, but the  
27 three-regional rationale -- Was that because we're seeing more  
28 fish in the southeastern Gulf than we have in the past? I'm trying  
29 to figure out why did we determine to go to the three-region versus  
30 the two-region.  
31

32 **CHAIRMAN FRAZER:** Dr. Nance. The question is, you know, what is  
33 the scientific -- Or what are the data that compelled the SSC to  
34 consider the three-region model?  
35

36 **DR. NANCE:** What are the data that --  
37

38 **CHAIRMAN FRAZER:** Compelled the --  
39

40 **DR. NANCE:** Well, for a lot of us, it was the -- It had gone  
41 through the process, with a lot of iterations, with the stock ID  
42 group that came to the decision, as a group, and it was not  
43 unanimous, for sure, but it looked like a three-area-model would  
44 be better than the two. The other part was that, as we talked to  
45 the analysts, that we've gone down the road, and the model  
46 converges, and we don't have any blowups from the model. The  
47 indices were able to function well in the three areas, as opposed  
48 to the two, and we'll never have a comparison between the two, but

1 the compelling -- From my perspective, it was looking at the three-  
2 area model converged, and we had indices that seemed to be very  
3 functional in those three areas, and it gives us the opportunity  
4 to focus on some differences in those areas that we were able to  
5 see within the model.

6  
7 **CHAIRMAN FRAZER:** Thank you, Jim. Dr. Simmons.

8  
9 **EXECUTIVE DIRECTOR SIMMONS:** Thank you, Mr. Chair. Through the  
10 stock ID process, there was no genetic differences that were  
11 discerned from that process, and it was purely based on the data  
12 that was available, is my understanding, and it wasn't like there  
13 is distinct genetic stocks, or there was other rationale, to  
14 develop these three areas, and so I just wanted that to be clear.

15  
16 **CHAIRMAN FRAZER:** Thank you, Dr. Simmons. Ryan.

17  
18 **MR. RINDONE:** When you guys -- Think about what we requested the  
19 states to provide, the length comps and the weight comps, and  
20 things like effort, and we see some similarities, amongst the state  
21 data, for the private recreational fleets.

22  
23 Over the last several years, we've seen a relatively flat trend in  
24 the age composition of the retained catch, but the length  
25 composition has been declining, and so we've seen that -- You know,  
26 with a couple of annual exceptions from Alabama, that's been pretty  
27 standard across the states, and so there wouldn't be large-scale  
28 area differences for that particular fleet, but, for other fleets,  
29 like the vertical line fleet, there are more distinct differences  
30 in the age and length compositions from the eastern Gulf versus  
31 the western Gulf, and for the longline fleets in those areas, and  
32 differences over time.

33  
34 We do see regional differences in selectivity, both at age and at  
35 length, but not for everything, and, again, at the end of the day,  
36 all of this is summed together for one estimate, and so the  
37 ultimate ability to discern what the effects on uncertainty are  
38 going to be, from using a two versus a three, are likely beyond  
39 our ability to calculate anyway, and we're kind of masking all of  
40 that anyhow, because we're summing it all together. We're taking  
41 our smaller amounts of samples regionally and combining them into,  
42 you know, more -- A larger number of -- A larger sample size for  
43 a single region, and so we're kind of masking things a little bit  
44 here anyhow.

45  
46 Like I forget which committee member it was that had said it, but  
47 this is not the main thing that was the hang-up for SEDAR 74, and  
48 there are much larger issues at play, mostly having to do with

1 those recreational data, and I would say that would probably be  
2 the largest elephant in the room, compared to whether to do a two  
3 or a three-region approach.

4

5 **CHAIRMAN FRAZER:** Okay. Thanks, Ryan. Andy.

6

7 **MR. STRELCHECK:** I appreciate the discussion around the table,  
8 and, Bob, I think floating the motion -- I think it's been helpful.  
9 I think my concern here, and, to be honest, I tend to agree that  
10 maybe a two-region would be better than a three-region model, but  
11 we're playing Monday morning quarterback here, and we're -- We are  
12 -- Some of us around this table have been more engaged in the red  
13 snapper assessment than others, and so, if this is going to come  
14 to a vote around this table, I think a lot of people are going to  
15 be voting simply on the conversation they've heard, and I don't  
16 think that's really fair to the process, and it undermines the  
17 scientific integrity and all the effort and input that the  
18 scientists have put into making the recommendations, and the  
19 decisions, they've made to us.

20

21 I feel like I can make an informed decision, and I'm not taking  
22 anything away from other council members, but I think it's really  
23 putting a lot of the council members in a very unfair spot to just  
24 make a decision on the fly, just based on a quick, you know,  
25 thirty-minute, or forty-five-minute, conversation around this  
26 table, and so I'm going to vote against this motion.

27

28 **CHAIRMAN FRAZER:** Okay. Andy, I totally agree with that, and my  
29 intention wasn't to make a rash decision here, right, but it's  
30 just a discussion that needed to be had, and I'm fairly comfortable  
31 with it, and I think it was an important one, and, ultimately, Bob  
32 made the motion. Bob, it's up to you whether you want to vote  
33 this up or down now, and we can certainly withdraw this motion, if  
34 you are willing, and we can talk about it a little bit more, and  
35 there's no harm in doing that, and I won't push you into that  
36 decision, but I do think there's potential harm, right in making  
37 a decision, as Andy pointed out, that might be a little premature.

38

39 **MR. GILL:** I agree, Mr. Chairman, and I will withdraw the motion.  
40 I will bring it back, because the whole purpose of me making this  
41 motion to start with, aside from the fact that I think it's the  
42 right thing to do, is to generate discussion, and that we just  
43 don't fall directly in line with the direction we were going  
44 without some discussion, and so we've had quite a discussion, and  
45 that's good, and it's not clear, to me, that -- I do hear the  
46 sentiment around the table not supporting it, but, nevertheless,  
47 I think the council needs to weigh-in on this definitively, and so  
48 I will bring it back at Full Council to do that.

1  
2 **CHAIRMAN FRAZER:** Thank you, Bob. I appreciate that. All right.  
3 We're going to move forward. Dr. Nance.

4  
5 **COMPARISON OF THE REEF FISH AND SNAPPER GROUPER FISHERIES OF THE**  
6 **SOUTHEASTERN U.S.**  
7

8 **DR. NANCE:** I thought that was a good discussion. If Dr. Barbieri  
9 was here, he may give Bob a different opinion, and, as I said, we  
10 had a great discussion at our SSC, and I think this was a good  
11 discussion today, also.

12  
13 We had a presentation on the comparison of reef fish and snapper  
14 grouper fisheries in the southeast United States, and it was an  
15 economic report that provided a financial overview of fisheries  
16 since 2014. It included cash flow, income, and budget statements  
17 that they were able to pick up from these various fisheries.

18  
19 There was a management regimes comparison, from this data, on the  
20 input controls measured in the South Atlantic, and catch share  
21 management in the Gulf of Mexico, with the higher number of trips  
22 and vessels in the South Atlantic, compared to the Gulf of Mexico.

23  
24 The analysis showed that there was lower revenue in the South  
25 Atlantic fishery, compared to the Gulf, and that IFQ, as what's in  
26 the Gulf, can increase resource rent in fisheries. Allocation and  
27 share prices reflect fishermen's outlook on the future, and so, as  
28 catch prices go up, it looks like the fishermen have a higher and  
29 better outlook on the future, because of those things.

30  
31 We then, after the presentation, had an extended question-and-  
32 answer session between the economists and our SSC, and they  
33 inquired, or we inquired, about the crew wage decreases that were  
34 shown in their analysis, and they came back with it is variable  
35 between vessels, and there is not one standard for crew wages on  
36 a vessel, and so it's variable, the vessels sampled each year, and  
37 the crew wage questions are challenging for respondents, because  
38 it was so variable between each of the participants.

39  
40 Fleet reduction, prior to the IFQ program, and that was a question  
41 that was asked, and they responded that quota is a limiting factor,  
42 and not vessels, and consideration for policy regime changes impact  
43 the IFQ program. Use of economic data as stock health indicators,  
44 and that was a question that was asked, and, as the economists  
45 pointed out, allocation, and share prices, could reflect the  
46 fishermen's outlook for the future, and so, as those go up, they  
47 have a brighter outlook for the future. As price shares go down,  
48 they probably are more pessimistic about what's happening within

1 that fishery. Mr. Chair, that ends that presentation on that  
2 subject.

3  
4 **CHAIRMAN FRAZER:** All right. I think I'm going to try to keep us  
5 on time, Dr. Nance, and, if you would, just move into the interim  
6 analysis.

7  
8 **2024 GULF RED GROUPER INTERIM ANALYSIS REVIEW**

9  
10 **DR. NANCE:** You bet. The last presentation is on the 2024 red  
11 grouper interim analysis, and that was given to us at the SSC  
12 meeting, and no catch advice was given for this interim analysis.  
13 This was simply showing us where we're at within this fishery.  
14 It's based on, as each of you know, based on the National Marine  
15 Fisheries Service bottom longline survey data. That's what we're  
16 using for the interim analysis. As you know, the SEDAR 88 stock  
17 assessment is underway for this species, with an expected review  
18 at the October 2024 SSC meeting, is when that's supposed to be  
19 out.

20  
21 Data and methodology, similar to other interim analyses that we've  
22 had, extended time series from the previous interim analysis, and  
23 we used the National Marine Fisheries bottom longline, and also  
24 the summer groundfish trawl indices, and the bottom longline gives  
25 us a track of the older members of the biomass, whereas the summer  
26 groundfish index gives us representation of what's happening with  
27 the younger, the age-one and twos.

28  
29 The stability, we've seen stability within that bottom longline,  
30 and so it hasn't really trended either up or down, but we've seen  
31 an increase in the summer groundfish trawl index, and so the ones  
32 and twos, and we've seen some increase there over the past few  
33 years.

34  
35 Potential implications, reports of increased juvenile abundance by  
36 fishery participants, and so that's the ones and twos are starting  
37 to come into the fishery, and they indicate an upcoming pulse in  
38 the fishery, and so I think that's good news, and shares should go  
39 up now, but we will see anyway, but that's where we'll end the  
40 presentation, Chair.

41  
42 **CHAIRMAN FRAZER:** Thank you, Dr. Nance. All right, and so we've  
43 come to the end of the SSC summary. Is there any questions for  
44 Jim at this point? All right. I'm not seeing any. Thanks, as  
45 always, Jim.

46  
47 **DR. NANCE:** Thank you. I appreciate that.

1 **CHAIRMAN FRAZER:** Mr. Chairman, we are scheduled for a break.  
2 Would you like to take one?

3  
4 **MR. ANSON:** Yes, and let's go ahead and take one. We are running  
5 just a hair behind schedule, and so let's try to make it a ten-  
6 minute break, because fifteen usually lasts a little longer, and  
7 so let's try to come back here at 3:21 local time, or 3:22 local  
8 time.

9  
10 (Whereupon, a brief recess was taken.)

11  
12 **CHAIRMAN FRAZER:** We're going to pick up with a Presentation on  
13 Reef Fish Amendment 60: Individual Fishing Quota Programmatic  
14 Distributional Issues, and Dr. Diagne is going to lead that session  
15 and first take us through the action guide. Dr. Diagne.

16  
17 **PRESENTATION ON REEF FISH AMENDMENT 60: INDIVIDUAL FISHING QUOTA**  
18 **PROGRAMMATIC DISTRIBUTIONAL ISSUES**

19  
20 **DR. ASSANE DIAGNE:** Thank you, Mr. Chair. For the action guide,  
21 Dr. Jessica Stephen, from SERO, will give a presentation on  
22 essentially the goals and objectives of the IFQ programs, I mean  
23 the red snapper as well as the grouper and tilefish programs, and  
24 mainly discuss Reef Fish Amendment 60. This amendment is being  
25 developed in response to a motion that the council approved during  
26 the October 2023 meeting, which directed staff to initiate a plan  
27 amendment that evaluates options for equitably distributing shares  
28 currently held by the agency and recovering and redistributing  
29 shares associated with inactive accounts.

30  
31 Potential management measures to consider in this amendment could  
32 include the equitable distribution of shares held by NMFS, and  
33 those, as you recall, were held since Reef Fish Amendment 36, both  
34 shares and annual allocation recovered from inactive IFQ accounts  
35 and share and allocation that could be recovered from divestment  
36 by shareholders who would not meet the requirements that the  
37 council may implement through Reef Fish Amendment 59.

38  
39 This amendment, Amendment 60 that is, would also address how shares  
40 from deceased shareholder accounts should be handled. The  
41 committee should discuss the information presented and make  
42 recommendations, as warranted. In particular, the committee  
43 should discuss, in detail, how it envisions the equitable  
44 distribution of IFQ shares and allocation, and, finally, the  
45 committee should advise on next steps, as needed. Thank you.

46  
47 **CHAIRMAN FRAZER:** All right. Thank you, Dr. Diagne. We will go  
48 ahead and start with a presentation. Dr. Stephen.

1  
2 **DR. STEPHEN:** As a reminder, I kind of want to walk the council  
3 through some of the motions that we had in the October meeting.  
4 There was a motion to direct the staff to initiate a plan amendment  
5 that helps to evaluate the options for equitably distributing  
6 shares currently held by the agency and recovering and  
7 redistributing shares associated with inactive accounts.

8  
9 As we think about this, and move forward, I want the council to  
10 consider, within the motion, the why, the who, the how, and the  
11 when, as we talk through things. Before we get too far into it,  
12 I do want to go over some of the underlined words and some key  
13 thoughts that we have, to make sure that we're all on the same  
14 page as we're moving forward.

15  
16 First, what I want to really talk to you about is equity overall,  
17 and so how do we define "equity"? The NOAA Fisheries equity and  
18 environmental justice strategy defines "equity" as the consistent  
19 and systematic fair, just, and impartial treatment of all  
20 individuals. This definition is defined under the Executive Order  
21 13985 and Executive Order 14091.

22  
23 We also have some definitions when we look at it through the  
24 National Academy of Sciences study, and they report on assessing  
25 equity in the distribution of fisheries management benefits, and  
26 that report was just completed this year. That study was done as  
27 part of an effort to address the goals and advance equity, as  
28 stated, in the EEJ strategy, basically to provide an independent  
29 review of the data and information needed and available to assess  
30 that equity in the distributional benefits to the current fisheries  
31 management practices.

32  
33 One of the key things that I want to point out here is, from the  
34 National Academy of Science study, is the idea that equity is  
35 really multidimensional. That means that it includes multiple  
36 parts, or aspects, when we're considering it, and equity is more  
37 likely to be realized through an approach that does account for  
38 different types of dimensions or parts.

39  
40 What I'm showing you here is a graph that came from the National  
41 Academies of Sciences report, and, again, the academy defines  
42 "equity" as being broadly concerned with fairness, and it  
43 recognizes having those multiple dimensions, and some of those  
44 multiple dimensions we show here, and they are dimensions that  
45 consider distributional equity, procedural equity, contextual  
46 equity, and recognition equity.

47  
48 To go over these slightly, distributional equity considers the

1 distribution of the benefits and costs to individuals, or groups,  
2 at different various scales. Measuring this regional equity can  
3 actually be quite complex, and what may be perceived as fair, or  
4 equitable, distribution of costs and benefits to one party may not  
5 be viewed that way by all.

6  
7 When we look at procedural equity, that requires a consideration  
8 of who is involved in those decision-making processes and who is  
9 missing from the room, and so it talks, and thinks, about the idea  
10 of inclusion and effective participation of all relevant  
11 individuals and groups.

12  
13 We then have recognitional equity, which involves acknowledging  
14 the rights, knowledge, values, interests and priorities of a  
15 diverse group of individuals and groups and incorporating those  
16 into management, and an example of this may involve the recognition  
17 of potential management consequences based on the imbalance of  
18 power among different individuals or groups.

19  
20 Then, finally, we have contextual equity, which is really  
21 crosscutting. What we're doing is we're looking at the different  
22 social, economic, environmental, cultural, and even political  
23 histories and circumstances that can affect other forms of equity.  
24 Consideration of the context can help shape which dimensions of  
25 equity are prioritized and how subjects of equity are both  
26 characterized and identified.

27  
28 The main point on this slide, again, is that no single dimension  
29 can define an equitable system. Instead, we look at elements from  
30 each dimension that should be included.

31  
32 What I'm going to show you here is one of the measures that we  
33 look at, and we call it equitable distributions from an economic  
34 perspective, and so, as we mentioned on the previous slide, one of  
35 the most common measures for distributional equity is looking at  
36 what we call a Gini coefficient. That Gini coefficient is a  
37 statistical measure of economic distribution and equality within  
38 a population in looking at the dispersion of income or  
39 distributional wealth.

40  
41 A few things to know when you're looking at a Gini coefficient,  
42 and the first is that they range from zero to one, and, when you  
43 have them at zero, that means that everybody has the exact same  
44 amount, and, when you're looking at the one, one means that one  
45 person has them all.

46  
47 When we look at the Gini coefficients, a decisionmaker needs to  
48 look at other things as well, and not just solely looking at the

1 coefficient, to determine whether that particular distribution is  
2 considered inequitable. That can often be done by comparing those  
3 Gini coefficients to similar distributions, which I will show you  
4 shortly, and another thing to consider, when you're looking at the  
5 Gini coefficients, is how close to zero should be appropriate for  
6 that fishery. One of the other things we can do is compare pre-  
7 and post-IFQ programs and compare IFQ programs to other non-IFQ  
8 fisheries.

9

10 **CHAIRMAN FRAZER:** Jessica, we have a question from Mr. Gill.

11

12 **MR. GILL:** Thank you, Mr. Chairman, and thank you, Dr. Stephen.  
13 So, this slide caused me a little bit of problem. The previous  
14 two slides talk about equity, and they define the multidimensional  
15 aspect of equity, and this slide is entitled a technique to analyze  
16 equity, but then you inject the Gini coefficient, which is not  
17 equity, and it's equality, and, more to the point, the second  
18 bullet tends to indicate that the goal should be to reduce the  
19 Gini coefficient appropriately to achieve equity. I would argue  
20 you that, number one, equality and equity are not the same. The  
21 multidimensional aspect of equity suggests that there's a lot more  
22 to it, and the Gini coefficient, and I'm not an economist, would  
23 most likely advise -- Not advice, but would inform the equitable  
24 thing, relative to equality, but the goal is not to have, if you  
25 will, a Gini coefficient of zero, and could you comment, and, if  
26 I'm wrong, tell me where?

27

28 **DR. STEPHEN:** I will comment, and then I will probably like Assane,  
29 or Mike Travis, add on to this, since I am also not an economist.  
30 One of the things that I mentioned is that, when we're looking at  
31 the Gini coefficients, they're looking at how the distribution is,  
32 and what you want to do is look at that in context to other things,  
33 and so the next two slides I'm going to do is look at the  
34 coefficients in context to other things.

35

36 There are many other things that also may affect the distribution,  
37 and how we're looking at it, and it is just a measure of how the  
38 distribution is, and I wouldn't say that there's any right Gini  
39 coefficient value that we should be aiming for, and, Assane, you're  
40 up there, and do you want to add anything to that?

41

42 **CHAIRMAN FRAZER:** Dr. Diagne.

43

44 **DR. DIAGNE:** Absolutely there is a difference between equity and  
45 equality. That being said, there is no metric to measure equity  
46 itself. As you mentioned, it's a multidimensional, essentially,  
47 concept, equity and fairness and so forth, and what is equitable  
48 to one would not be necessarily the case for the other.

1  
2 As Dr. Stephen mentioned, the Gini coefficient is just one  
3 instrument that is used, not only in its value by itself, but in  
4 its changes, as one implements let's say distributional changes,  
5 and so it is not the value itself, but how the value has changed  
6 over time, after let's say a redistribution, and that could help  
7 inform whether we are getting closer to equity or whether we are  
8 moving away from it.

9  
10 At the IPT level, we are having a discussion on this very topic,  
11 and we are considering alternative, or additional, ways to better  
12 capture this notion of equity. We are looking, perhaps, at, for  
13 example, looking at the concentration of IFQ shares, and you would  
14 use other metrics to measure that, with the understanding that,  
15 the more concentrated IFQ shares are, perhaps the further away we  
16 are moving from an equitable distribution, and so I will just stop  
17 here for now, and maybe add to that if you have a follow-up  
18 question.

19  
20 **CHAIRMAN FRAZER:** Bob.

21  
22 **MR. GILL:** Thank you, Mr. Chairman. Perhaps what triggered me is  
23 the second bullet that says more equitable distribution should  
24 lower the Gini coefficient. I would argue that that's not  
25 necessarily true, because equitable distributions don't demand  
26 equality, because of the other dimensions, and it may be true,  
27 depending on the situation, but -- Therefore, it should not be a  
28 goal of what we're trying to achieve, and it should be considered,  
29 but not the goal, is where I'm coming from.

30  
31 **DR. DIAGNE:** Yes, and perhaps -- I mean, we will temper this point  
32 and say "may", instead of an absolute statement, yes, and it is  
33 not, I mean, as you said, necessarily -- I guess the main point is  
34 that this multidimensional construct, and we would need more than  
35 the Gini coefficient to capture it.

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

38  
39 **MR. STRELCHECK:** Just to add to that, certainly we're not saying  
40 here that we are trying to achieve full equality by trying to drive  
41 the Gini coefficient to zero, and that's a decision that I think  
42 we need to make as a council, whether it's the Gini coefficient or  
43 any other information that we're looking at, to first evaluate  
44 equality and determine then if it's equitable, in terms of the  
45 decision we've reached, and I think what you will find, in the  
46 next slide, is that we have a lot of inequality in our fisheries,  
47 regardless of whether it's IFQ or not, right, and so that is partly  
48 how our fisheries have operated for quite some time.

1  
2 **CHAIRMAN FRAZER:** Okay. Dr. Stephen.

3  
4 **DR. STEPHEN:** All right, and Andy was stealing some of my thunder  
5 here, and what we did is we did compare the Gini coefficients, in  
6 this case, between catch share programs and non-catch share  
7 programs, across the entire United States, and so we were looking,  
8 here, to see if there were differences that seemed to be directly  
9 influenced from catch share programs.

10  
11 I do want to make a note that this data does contain all of the  
12 catch share programs that we currently have in the country, but it  
13 is only comparing them to a limited subset of non-catch-share  
14 fisheries, and those non-catch-share fisheries were generally  
15 chosen to be placed into these economic indicator page because of  
16 their relation to the catch share fisheries.

17  
18 When we look at it here, you can see the non-catch shares are in  
19 orange, and the catch share programs are in the sort of teal color,  
20 as we're going through, and it does show that we can have  
21 inequality, or let me choose my words a little better there. We  
22 can have different Gini coefficients for the distribution in both  
23 the catch-share and the non-catch-share programs.

24  
25 I do want to point out that the Gini coefficients in this graph,  
26 and the following graph, were based on vessel landings as that  
27 proxy for wealth, or income, that is typically used for the Gini  
28 coefficients, and the main point here is that we do have a wide  
29 range of Gini coefficients in both catch-share and non-catch-share  
30 programs.

31  
32 This one, in particular, shows the fisheries within the Gulf of  
33 Mexico, and so what we've done here is we've taken the grouper-  
34 tilefish program and broken it into the different share categories  
35 in the red snapper, and our comparison fishery is vermilion snapper  
36 and other species within the reef fish complex.

37  
38 As we're looking at this, we want to take note that we have seen  
39 that most of our fisheries do have a varying range of Gini  
40 coefficients over time, and there does not seem to be any  
41 particular trend that has been occurring in the catch share  
42 fisheries after the catch share programs did begin.

43  
44 The next topic that I want to talk about is different  
45 distributions, and so, in this slide, we're going to cover what  
46 we've done in the past and what are potential alternatives to ways  
47 that we could do distributions moving forward. The original shares  
48 from the programs were based on catch histories that were

1 associated with the vessels and reef fish permit holders at the  
2 time. If you want to have more information on what years were  
3 used, please look in the annual reports, and you can see the  
4 different time series used for red snapper and grouper-tilefish.  
5

6 What we've done since then is, whenever there has been a quota  
7 increase, whether it's at the start of the year or an in-season  
8 quota increase, we've distributed those extra quota proportionally  
9 based on the shareholdings at the time.

10  
11 If we want to think about how we can do things different, there's  
12 some potential alternative ways to think of distributions, and to  
13 think about it in the context of what you want to do within this  
14 amendment. We could have distributions that look at inverse  
15 proportional distributions, basing it on shares or landings, and  
16 that means that those with the smallest amounts would get more  
17 from the distribution, and you could look at proportional  
18 distributions based on landings, instead of shares, and you could  
19 also look at considering creating some type of reserve pool, or a  
20 quota bank, that would just distribute allocation each year to  
21 whatever you deemed to be the eligible candidates.

22  
23 Some of the things we've talked about are replacement fishermen,  
24 or fishermen that, you know, really rely heavily on leasing  
25 allocation, in order to participate within the program, and I do  
26 want to say that the distribution of shares will function a little  
27 bit different than the distribution of allocation, which leads me  
28 into the next slide.

29  
30 Here, I just want to remind the council of a couple of key terms.  
31 When we think about shares, shares are a percentage of the IFQ  
32 quota, and they result in the distribution of allocation at the  
33 start of the year, or if we have any mid-year increase, whereas  
34 allocation is annual, and it's the amount of pounds, in gutted  
35 weight for our program, that a participant is allowed to possess,  
36 land, or sell different IFQ species, and so shares result in  
37 allocation, and then allocation is frequently traded throughout  
38 the year within the program.

39  
40 Another key term that I want to talk about is the idea of inactive  
41 accounts. In our annual reports, we determine what accounts are  
42 inactive annually, and, within that year, if an account has not  
43 had any landings, nor has transferred any allocation, and that's  
44 either into or out of their account, we consider them an inactive  
45 account. I will state that we don't look at transfer of shares,  
46 because, typically, if we see no activity in landings or  
47 allocation, we are also not seeing that activity in shares, or  
48 their only activity is to transfer all the shares out of that

1 account completely, and so keep those in mind as we go through the  
2 next couple of slides.

3  
4 When we're thinking about both distribution and the idea of shares  
5 and allocation, I want to kind of talk over these two points, to  
6 show you what's going on. When we're thinking about shares, that's  
7 typically a one-time action, and it can be limited in its impact,  
8 due to the timeframe of when you're distributing those shares, and  
9 so, when you think about shares, we distribute them, and they're  
10 given out, and there's nothing else to give, and so it has a narrow  
11 space and time for the distribution, but, individually, to a  
12 person, it could have a long-term impact, as they now have shares  
13 that will result in allocation each year.

14  
15 When we're looking at distributing allocation, it's annual by  
16 nature, and so that means the distribution would occur each year,  
17 and that we could have the flexibility to have that allocation  
18 going to whatever area of concern is being addressed by the  
19 council.

20  
21 Allocation does have a more short-term impact, both in its  
22 distribution being only for that year and to the individual  
23 receiving it, because it is only beneficial to them at that point  
24 in time for that year, and so, as you're thinking about ways to do  
25 distributions, think about whether you want to do shares or  
26 allocation or some combination of both of those.

27  
28 **CHAIRMAN FRAZER:** Mr. Gill.

29  
30 **MR. GILL:** Thank you, Mr. Chairman. It seems, to me, that the  
31 consideration that you will have does not allow for a periodic  
32 action, on some kind of basis, and that it's going to be  
33 repetitive, and it could be based on the number of shares  
34 available, or whatever the basis, workload or you name it, and was  
35 that included because it's imperfect, or there's some other reason?

36  
37 **DR. STEPHEN:** I'm sorry. You broke up, Mr. Gill, and can you say  
38 that again?

39  
40 **CHAIRMAN FRAZER:** Mr. Gill, can you repeat your question?

41  
42 **MR. GILL:** The council consideration cloud did not include the  
43 potential for periodic action, and periodic being not annual, but  
44 every X years, or time of shares available, based on however  
45 they're created, et cetera, and that was not included, and could  
46 you tell me why?

47  
48 **DR. STEPHEN:** Yes, and so I get to that later in the presentation.

1 As we were looking over the idea of a share distribution, we did  
2 want to consider some mechanism that would allow the agency, as we  
3 gather maybe more shares, from more of the sources that are coming  
4 through, to redistribute them again at a future point in time, and  
5 so that's why I said the impact is limited to that distribution  
6 timeframe, and I believe, in my later slides, I will get into  
7 different ways we could generate when shares would be redistributed  
8 again.

9

10 **CHAIRMAN FRAZER:** Mr. Strelcheck.

11

12 **MR. STRELCHECK:** Bob, great suggestion, and I think we're building  
13 toward that, and we've certainly made some comments in our  
14 presentation as well, right, in terms of things the council would  
15 want to consider, and one of the frustrations that I have is that  
16 we've been holding these shares that have been pulled back, and  
17 are unable to redistribute them, and so having that regular  
18 mechanism that the agency can do this, right, and make sure that  
19 we're properly pulling back shares, and then distributing them in  
20 a timely manner, would be, to me, a big win, and how often we do  
21 that would be really up to the council in helping us decide that.

22

23 **CHAIRMAN FRAZER:** Captain Walker.

24

25 **MR. WALKER:** So, to that, I think maybe we should clarify, and are  
26 we trying to develop a distribution method for excess shares, if  
27 you will, for good, going forward, if there was some kind of more  
28 shares that came in later, where we would run this same protocol  
29 for distribution, or is this just for this one amount that we have  
30 here, because this one is really small. It's so small that it  
31 affects, to me, and I've thought about this a lot, and I contacted  
32 a lot of the shareholders, thinking about this discussion, but  
33 this is such a small amount, and it's not going to make a difference  
34 to anybody.

35

36 We could give it to the disadvantaged, the guy with no shares, the  
37 big share guy, and I contacted maybe five of the biggest  
38 shareholders in the Gulf, and most of them said they don't even  
39 want it, but it's not -- As best I can tell, there is 250 pounds  
40 of gag, and so we could give it all to one guy, and it's not going  
41 to make a difference. 6,000 pounds of red snapper, divided among  
42 300 participants that don't own any quota, is one fish apiece, and  
43 so I think it would make a difference, to me, if we clarified if  
44 we're developing a protocol for distribution of reacquired shares  
45 going forward, and say we got a big amount at one time, or is it  
46 just for this particular time, or have we decided on that yet?

47

48 **CHAIRMAN FRAZER:** Mr. Strelcheck.

1  
2 **MR. STRELCHECK:** We haven't decided on any of that at this point,  
3 right, and so we have the shares that are held by the agency, and  
4 Jessica has estimated, obviously, that there's more accounts that  
5 have gone inactive since we pulled back those shares, but then  
6 we've also talked, at times, around this table, about when there's  
7 quota increases, right, and, rather than just distributing them,  
8 you know, proportionally, based on shareholdings, do we do  
9 something different, and what does that look like, and so I feel  
10 like lots of options are on the table, and Jessica will go through  
11 a number of those. It's certainly not a comprehensive list, and  
12 it's really intended to just frame some actions, and alternatives,  
13 that we could start moving forward with Amendment 60 on.

14  
15 **CHAIRMAN FRAZER:** Okay, Jessica. You can move forward.

16  
17 **DR. STEPHEN:** All right. I am not seeing the next slide. Have  
18 you moved on to it?

19  
20 **MS. JESSICA MATOS:** Hold on one moment. We might be having internet  
21 difficulties.

22  
23 **CHAIRMAN FRAZER:** Okay. Dr. Stephen, just sit tight for a minute  
24 while we work through our technical issue.

25  
26 **DR. STEPHEN:** Sure.

27  
28 **CHAIRMAN FRAZER:** All right, and so one of the council members is  
29 feeling the need to fill the void with some discussion.

30  
31 **MR. WALKER:** We might as well talk, instead of sitting here waiting  
32 for the internet. As is often the case, Dr. Stephen comes up with  
33 some really interesting and outside-the-box ideas, one of which I  
34 hadn't thought of, and that is proportional distribution based on  
35 landings, and so what that would do is that would probably put  
36 some shares into the hands of participants that only lease fish,  
37 which, to a lot of people, is kind of the goal here. Again, it's  
38 such a small amount that it wouldn't make a difference, but so  
39 these would be -- It would benefit both, but it would benefit those  
40 who are active participants in the fishery, but maybe have to lease  
41 quota from the other guys all the time, and so I just noticed that  
42 one, and I think it's an interesting idea, and maybe something to  
43 think about.

44  
45 **CHAIRMAN FRAZER:** Bob.

46  
47 **MR. GILL:** Thank you, Mr. Chairman, and so I guess my comment is  
48 to Ed's comment about the small amount of shares, and that's -- If

1 you look at this slide, and that's the top-left box, is all we're  
2 talking about, but what we're looking at here is potential sources  
3 for shares, and, if you look at those in the aggregate, you could  
4 be talking a substantial number of shares, depending on how the  
5 council chooses to do it.

6  
7 Thinking that we've got nothing to work with, and it makes no  
8 difference where they go, or how they go, I don't think is looking  
9 at the picture correctly, because there are other accounts that -  
10 - There are potential -- As Andy mentioned, the quota increases,  
11 the lower-right-hand box, and, for other sources of shares that  
12 need to be considered, and I think it's appropriate to consider  
13 them not individually, but in the aggregate, as to how the council  
14 chooses to deal with them, and that's a world of difference,  
15 instead of just working on the left-hand-upper box.

16  
17 **DR. FROESCHKE:** You might just want, because, for example, Dr.  
18 Stephen -- She's not going to be able to hear if you have a  
19 question, or a comment, for her, until she gets signed back in.

20  
21 **CHAIRMAN FRAZER:** Andy.

22  
23 **MR. STRELCHECK:** I mean, since we're just, to me, having kind of  
24 a brainstorming conversation around this, I agree with Bob's  
25 comments, and, you know, Ed, you shared concerns about such a small  
26 amount, and I fully agree, right, but a small amount could be a  
27 big deal to a person that's getting into this, that's trying to  
28 build some capacity, and I think there's probably some things we  
29 want to think about, in terms of, if we're distributing to some of  
30 these newer entrants, or people that lease only allocation, and  
31 like are there minimum quantities that we would essentially be  
32 distributing, and what's kind of the thresholds that we decide  
33 that, in terms of who receives or wouldn't receive allocation, and  
34 does the same, you know, criteria apply to each go-round, if you  
35 don't have sufficient allocation to distribute to everyone, and so  
36 lots of things that I think we would have to really think through,  
37 given the quantities of allocation, or quota, we're talking about.

38  
39 **CHAIRMAN FRAZER:** All right. It looks like we might have Dr.  
40 Stephen back online. Are you there, Jessica?

41  
42 **DR. STEPHEN:** Yes. Can you hear me?

43  
44 **CHAIRMAN FRAZER:** We can. All right, and so you can pick up where  
45 you left off.

46  
47 **DR. STEPHEN:** All right, and so the next slide I was going to show  
48 you are different sources that we could use for shares or

1 allocation, and, as kind of mentioned here, as we had those  
2 technical difficulties, we have the reclaimed shares that were  
3 from Amendment 36A from back in 2018, and we also have the  
4 potential to reclaim shares that would not meet any requirements,  
5 which would be part of Amendment 59, which is still a work in  
6 progress.

7  
8 There's also the potential to reclaim shares from what we're  
9 calling inactive accounts, and then, finally, there's also the  
10 potential of using quota increases, and this would typically be an  
11 allocation-only mechanism, in order to do some redistributions.

12  
13 I'm going to start here with the shares from Amendment 36A, and,  
14 as folks have mentioned, it's not a lot of shares, and what I've  
15 shown you here is the share amount that the agency is holding, the  
16 2024 quota, and basically what those shares amount to in what we  
17 call equivalent pounds. Keep in mind that those equivalent pounds  
18 can change if the quota changes, and so it's always the percentage  
19 times the quota to equate to the equivalent pounds.

20  
21 As you can see here, our largest amount is just in red snapper,  
22 just under 6,000 pounds, but we have at least categories that have  
23 roughly 300 or less pounds available to it, and so, in and of  
24 itself, there's probably something that could be done with it, but  
25 there are also potential other sources that we could combine with  
26 this to move forward.

27  
28 In this slide, what I'm showing you is the amount of pounds that  
29 we see in what we are calling inactive accounts each year, and so  
30 there's the potential to reclaim the shares from these inactive  
31 accounts, and, again, this is where, as we mentioned earlier, the  
32 potential to give the agency the authority to do this on a  
33 reoccurring basis would be an avenue that we might want to explore,  
34 as inactive accounts may occur continuously over time.

35  
36 If you're looking here, you can see that there generally has been  
37 a decrease in the amount of pounds from accounts that are inactive  
38 overall, and this has been due to people contacting them, and maybe  
39 they are selling their shares to someone else, and, therefore,  
40 those pounds are then getting used within the system from other  
41 accounts, or they're actually being transferred and moved forward.

42  
43 I will caution that we have not done the analysis yet, but we will  
44 be looking at how many of these accounts are the same accounts  
45 year after year, and, for example, in 2020, there were thirty-four  
46 red snapper accounts that had inactive pounds remaining within  
47 them, and then, in 2021, there were thirty-one. Are those thirty-  
48 one part of the thirty-four, or are they slightly different? We

1 will eventually be working through the analysis, to give you an  
2 idea of how many are consecutively inactive accounts over time.

3  
4 **CHAIRMAN FRAZER:** Dr. Stephen, we have a question on that slide  
5 from Mr. Gill.

6  
7 **MR. GILL:** Thank you, Mr. Chairman, and, to that point, Jessica,  
8 I looked at this originally and said, all right, there's -- Let's  
9 use red snapper, and thirty-four accounts, and there's 3,126, and  
10 my immediate reaction was, oh, okay, the number of accounts --  
11 It's the same accounts, but they're decreasing, but that's not  
12 correct, I don't believe, and they're different accounts, and  
13 that's how you wind up with more pounds in 2021, for example, than  
14 you do in 2020. I guess my first question is, is my conclusion  
15 correct?

16  
17 **DR. STEPHEN:** We haven't looked into exactly which accounts are  
18 making up all these, and so there very well could be different  
19 accounts. My guess is a good chunk of them are the same inactive  
20 accounts year-to-year, but some of them may change each year.

21  
22 **MR. GILL:** My second question is that I think it would be helpful,  
23 in future presentations on Amendment 60, relative to this slide,  
24 if you provided a matrix of accounts that are inactive for one  
25 year, for two years, three years, four years, et cetera, so that  
26 the council can consider something other than eliminating an  
27 account just because it happened to be active in one year, and  
28 there's a variety of reasons for that, and my suspicion is the  
29 council would wind up somewhere in a greater number, say in three  
30 years, but I think it would take some information provided by you  
31 to do that, and I think that would be extremely helpful. Thank  
32 you.

33  
34 **DR. STEPHEN:** Thank you, and that was our intention in the next  
35 presentation of 60, to get some more information on this, and this  
36 was kind of our first cut at it.

37  
38 **CHAIRMAN FRAZER:** Okay. We've got another question from Ms. Boggs.

39  
40 **MS. BOGGS:** Thank you, Dr. Stephen, for the presentation, and so  
41 a couple or three things. So, from year to year, those are  
42 obviously -- As Bob alluded, they're different accounts, and so,  
43 in 2020, you have thirty-four red snapper, and thirty-one and  
44 twenty-one, and so, in theory, three people went and did something  
45 with their account, assuming it's the same accounts.

46  
47 The next question is how hard would it be to get the 2023 data,  
48 and then the third thing is it seems like there's a lot of gag and

1 red grouper hanging out there, but could that have something to do  
2 with the reductions in allocation, and then I see the same thing  
3 with the deepwater grouper and the shallow-water grouper, and I'm  
4 not sure what's going on there and why there's so much sitting in  
5 those accounts.

6  
7 **DR. STEPHEN:** You're correct, and, with the gag grouper, remember  
8 that the quota was significantly higher in 2020 to 2022, and I  
9 believe it was 0.939 million pounds, and so, in 2023, it was the  
10 -- Because the quota decreased, you will see a significant decrease  
11 in the amount of pounds that are there for these inactive accounts.

12  
13 **CHAIRMAN FRAZER:** Ed, are you okay?

14  
15 **MR. WALKER:** That's pretty much what I was going to say. The gag  
16 number that I saw was 250 pounds, and I'm assuming that's based on  
17 the reduction, unless I saw the wrong thing, because there was,  
18 what, a -- It was divided by four or more, but so that's not the  
19 number we're looking at right there, and maybe we don't have 2023,  
20 or maybe it's on the next page or something, but definitely that  
21 gag number, the only one that I'm familiar with, that's less than  
22 a thousand now.

23  
24 **CHAIRMAN FRAZER:** Mr. Anson.

25  
26 **DR. STEPHEN:** We will have the 2023 available, and we just didn't  
27 have it at the time of this presentation.

28  
29 **CHAIRMAN FRAZER:** Kevin.

30  
31 **MR. ANSON:** Just kind of in the same vein as Captain Walker's  
32 comment, and, I mean, we talk about the amount of pounds here that  
33 would be available to kind of impact folks that do not have -- So  
34 there is some volatility here, or changes over time, on how many  
35 accounts, and pounds that are available, but, Dr. Stephen, I guess,  
36 if we were to make a decision -- I guess the anticipation would be  
37 that a lot of any pounds that would be identified prior to making  
38 a decision -- There is a good chance that those accounts are  
39 relatively active enough, where folks would move out those pounds,  
40 or use those pounds, within those accounts. Correct?

41  
42 **DR. STEPHEN:** Correct, and some of them may use them. Again,  
43 there's different reasons that people are inactive for a year, and  
44 so you could be inactive due to a health reason that you're not  
45 out fishing, and you could be inactive because your vessel is down  
46 for repairs, and you could be inactive because a hurricane hit and  
47 destroyed infrastructure, or your vessel, and so those are some of  
48 the considerations that just looking at one snapshot of a year

1 does not tell you enough information.

2  
3 **CHAIRMAN FRAZER:** Okay. Andy, real quick, and I had a question  
4 for Jessica, and then I will get to you, and so, based on the  
5 discussion around the table here, so we recognize that there is  
6 some variability from year to year, you know, depending on share  
7 price and things of that nature, but I guess what I'm asking is,  
8 to really look at these data across time, are they standardized  
9 for those kind of variations, or --

10  
11 **DR. STEPHEN:** So we haven't had a mechanism to standardize them  
12 across time, but things we do look at, when we see differences,  
13 are where things have happened in each year, and so, actually, if  
14 you want to move to the next slide, I can show you -- I can  
15 illustrate some of those points there.

16  
17 **CHAIRMAN FRAZER:** Okay. We'll wait for that, and I think Andy had  
18 a comment, or a question. Andy.

19  
20 **MR. STRELCHECK:** I mean, just for clarification, the low gag  
21 poundage amount on the prior slide was the ones that NMFS is  
22 holding currently, and so this is more recent data, and these  
23 haven't been pulled back, right, and so some subset of these, if  
24 we did move forward with an action, would potentially be  
25 allocation, quota share, that could be pulled back and  
26 redistributed.

27  
28 With gag, I will note, as the example right, that we're looking at  
29 poundage here, and not shares, right, and so you would have to  
30 take that poundage and divide it by the quota at the time, which  
31 becomes the share percent, and then apply that to the now current  
32 quota, to give you an idea of kind of the current allocation, which  
33 would be far less than those amounts that are shown on the screen.

34  
35 **CHAIRMAN FRAZER:** All right. Dr. Stephen.

36  
37 **DR. STEPHEN:** All right, and so, if you move to the next slide,  
38 you have set me up perfectly, and so what I did is took the poundage  
39 in those tables and divided it by overall quota, so you can roughly  
40 see the percentages. Those could be considered proxies for shares  
41 of the inactive accounts over time.

42  
43 When you look at some of the things that I mentioned before, that  
44 there is different things that are occurring, and so, if you look  
45 in 2019 in particular, you see a lot of drops in the inactive  
46 accounts, and what happened, at that point in time, is, in 2018,  
47 we had taken back the shares from what we call inactive accounts,  
48 people who had never logged in. What that also did is got a lot

1 of people looking at the accounts that were inactive for  
2 consecutive years and going towards them and kind of working within  
3 the industry themselves to obtain things from them.

4  
5 We also can see, in say 2017, we see some higher values, and what  
6 we have in 2017 is Hurricanes Harvey and Irma that were occurring  
7 that did mean that a lot of people couldn't fish, or harvest, that  
8 way, and it might have even had impacts into 2018, if their vessels  
9 were destroyed, or needed some repairs, or infrastructure was  
10 destroyed.

11  
12 The point, on this slide, is to show that we do have variability  
13 over time, and to give you a proxy for how many shares those  
14 inactive accounts would equate to, and again to think about the  
15 different challenges for why someone may not fish for a single  
16 year, as I mentioned before, like health issues, vessel repair, or  
17 natural disasters that are impacting things.

18  
19 This slide is talking about the source that could potentially come  
20 from Amendment 59. In Amendment 59, we've been talking about  
21 actions, and alternatives, where shareholder accounts might have  
22 to have a permit, or have certain activity, and, if they don't, we  
23 may reclaim those shares.

24  
25 One thing to keep in mind, with this one, is that this source of  
26 shares is probably going to be limited in volume, as well as  
27 timing, and so it's probably going to be a rare event, with some  
28 small amounts that we're taking back, which, again, is a  
29 consideration that, if the agency hits a certain number of years,  
30 or a certain threshold of shares that they're holding, we would do  
31 a redistribution of those shares again, and so the idea that, even  
32 though they're one-time share distributions, they might happen on  
33 some set frequency.

34  
35 I also want to point out, in Amendment 59, we talked a lot about  
36 deceased shareholders, and I'm going to talk about them later, and  
37 I do not include them currently within any of these sources.

38  
39 This final source was the idea of potential quota increases, and  
40 what we could do is take the quota increase off the top. You know,  
41 it's above X amount, where we set a threshold, and we use that  
42 allocation in something like a quota bank, or some other way, in  
43 order to distribute to those -- Again, it's a single-year impact,  
44 and not a long-term impact.

45  
46 Another sort of out-of-the-box thought is that, instead of just a  
47 quota increase, do you want take a certain set percentage off the  
48 top of each of the quotas and use them to fund a quota bank year-

1 to-year, and, again, the council could decide to change the set  
2 amount that they're taking off year-to-year and how to distribute  
3 those, moving forward.

4  
5 Here is where kind of some of the ideas of what do we do for  
6 reclaiming shares when we think that we could have some continuous  
7 action with that from different sources over time, and those  
8 sources would be from those inactive accounts or anything resulting  
9 from Amendment 59. One of the things we were thinking is that, in  
10 this amendment, if we want to move forward with that, and give the  
11 authority to redistribute those, we would not have to kind of do  
12 a new amendment in order to do any redistributions in the future.

13  
14 Different ways we can think about triggering that redistribution  
15 could be after a certain amount of years or when a certain  
16 threshold of shares have been reclaimed, and that could be by share  
17 category, and so, if you have different years, we may be  
18 distributing shares for different share categories.

19  
20 Now I want to dig into a little bit on the deceased shareholders,  
21 because this was a topic that came up in our conversations before.  
22 A couple of caveats, and the agency is typically only informed of  
23 the death of a shareholder when someone comes to us and informs  
24 us, and so we have had people inform us as soon as a couple of  
25 months after a shareholder has passed away and as much as multiple  
26 years.

27  
28 We do have a mechanism that does require people to supply us  
29 information, which is their contact information, address and phone  
30 number, as well as their citizenship, and that takes place every  
31 two years, for people who do not have a permit, and every year for  
32 those who have a permit. What we often see is that, when there is  
33 a deceased shareholder that we're not informed of, you see that  
34 their account becomes what we call suspended, because they haven't  
35 given us that renewal information, in order to keep the account  
36 active.

37  
38 When we're thinking about deceased shareholders, we need to think  
39 about how the structure is of the different shareholder accounts  
40 within the program, and we have some shareholder accounts where  
41 they're the sole owner, and so think of a sole proprietorship on  
42 an account, and we have people who are in partnerships, one or two  
43 names on an account, and we have shareholders who are part of a  
44 business, or are held within a trust, and so there's a variety of  
45 different entities that are available.

46  
47 When a sole proprietorship passes away, we ask for the personal  
48 representative, who could either be an executor or administrator,

1 some legal document that grants them access to it, and we ask that  
2 they send that information to us, including a copy of the court  
3 order that appointed them the representative, as well as a  
4 notarized statement requesting access.

5  
6 When we have accounts with multiple shareholders on it, it gets a  
7 little more trickier. In that case, we have surviving members who  
8 still have access to that. If a representative of the deceased  
9 shareholder wants access, they still supply us with that  
10 documentation, and we do ask them to work first with the partners,  
11 or the other members of the account, but they do have equal access  
12 to it at that point in time.

13  
14 Typically, what we request, prior to public participation, was  
15 that people -- Prior to public participation, you couldn't have  
16 those shares, and you couldn't open a new account, without a  
17 permit, and so, when we had that, folks would have to sell those  
18 shares or obtain a permit, in order to grab an account and keep  
19 those shares, and they could not continue to operate under that  
20 deceased shareholder account.

21  
22 After public participation, it became very easy for someone to  
23 just open an account and transfer those shares into that new  
24 account, even though it did not have a permit, and so, when we're  
25 thinking about deceased shareholders, I think the requirements in  
26 Amendment 59 will play largely into this, and, before we consider  
27 this as an avenue to reclaim shares and redistribute them in 60,  
28 we should see how it plays out within Amendment 59.

29  
30 We're getting here closer to the end of the presentation, and I  
31 want the council to think about what does equity mean, in the IFQ  
32 programs, to the council, and what are you trying to achieve with  
33 this motion? That's what is going to help us drive the purpose  
34 and need and actions, and so what are your sources of the  
35 privileges, and we've just gone over quite a few, and who are you  
36 trying to assist with that equitable distribution? What types of  
37 methods would be best to get to those intended stakeholders, and  
38 how does this play into Amendments 58 and 59, as they're kind of  
39 all moving forward together jointly?

40  
41 What we've done here is we've taken those questions and formed for  
42 you some potential actions, to kind of get us started on the  
43 amendment process. When we're thinking of the sources of the  
44 privileges, a potential action could be to reclaim shares from  
45 those inactive accounts and any account that would not meet the  
46 requirements to hold shares, and we would reclaim those for the  
47 equitable distribution.

1 Different alternatives under that could be considering say the  
2 number of years of inactivity for those inactive accounts. Another  
3 potential action would be for any quotas above a certain amount,  
4 and you utilize that allocation for a quota bank or distribute in  
5 a way that is really not proportional to shareholders, and so  
6 trying to get to those who may have to lease that allocation in  
7 order to participate.

8  
9 We could have alternatives that would include which share  
10 categories you want to include with this for set quota levels at  
11 a certain trigger, where that excess quota then does go into this  
12 allocation bank. I want to take note that the council can choose  
13 options for both shares and allocation, and this is not an  
14 either/or, and you can do any combination that you desire, and the  
15 other thing is that, at any time when we are taking back things  
16 from participants, we do need to probably go through an appeals  
17 process, and we'll flush that out more as this amendment develops.

18  
19 This next one deals with who should be eligible for distribution,  
20 and so a potential action could say include the following criteria  
21 for someone to be eligible to receive either shares or allocation  
22 from the reclaimed privileges. Those alternatives could consider  
23 small shareholders, and that would have to be most likely by share  
24 category, and allocation-only shareholders, replacement fishermen,  
25 maybe ways to address fishery discards or other criteria as the  
26 council goes through discussion.

27  
28 When you're thinking about this distribution, consider if the  
29 options should be solely by share category or if you want to  
30 determine who is small across share categories, or a mixture of  
31 share categories, or even by individual share categories, and those  
32 will have different impacts, and effects, as we walk through the  
33 different people who could be eligible for distributions.

34  
35 Other options might be to consider that how you're going to  
36 distribute may differ by share categories, and is there something  
37 about red snapper, or gag, that you want to treat differently than  
38 shallow-water grouper, deepwater grouper, or tilefish? Is there  
39 certain areas where you have high discard mortality, and you might  
40 want to set an allocation bank up differently, and those are  
41 different thoughts, as we develop this amendment, that would be  
42 informative for the council to have discussions on.

43  
44 Then we get to the methods of distribution, and so, when you're  
45 thinking about actions with that, you could distribute shares to  
46 your eligible participants, and so as the previous slide, or  
47 potentially using the landings history, and you might want to  
48 consider a proportional or inversely proportional on those

1 landings histories, and you might want to consider different time  
2 periods, and do you want to do a single year? That's typically  
3 not considered a good metric, or do you want to use three, four,  
4 or five years of the landings history for redistribution?  
5

6 Are there certain triggers that would help for the redistribution  
7 of reclaimed shares in the future, without council action, and,  
8 again, this is what I mentioned earlier. If you want to consider,  
9 every set number of years, to take all the reclaimed shares and  
10 redistribute, or, when reclaimed shares hit a certain percentage,  
11 the agency shall distribute. Another potential action, on the  
12 allocation side, would be the idea to create a quota bank to allow  
13 for that equitable distribution of allocation each year.  
14

15 Finally, I just wanted to talk, again, about some of the  
16 interactions, going forward, and I know we've had a lot of  
17 discussion about 58 today, but, considering that there could be  
18 potential changes to share categories in the other shallow-water  
19 grouper, you might want to think about how that impacts what we're  
20 doing in this amendment, particularly in the taking back of shares,  
21 and how those two would play together.  
22

23 There is the idea that potentially we could create new share  
24 categories in Amendment 58, and that might be something where you  
25 might want to take that category out of Amendment 60, to some  
26 extent, until you figure out what's going on with it, and so just  
27 be aware of those interactions, and, as we move forward, and I  
28 think we have the same team working on all three of these  
29 amendments, and so we're going to be well-versed in those  
30 interactions and let the council know about them.  
31

32 With Amendment 59, again, that's changing the potential to  
33 participate in the program, and that's again, where that continuous  
34 process for reclaimed shares is probably going to come into play,  
35 as we will continuously have people who may not meet those  
36 criteria. That's also where that deceased shareholder idea comes  
37 into play.  
38

39 One thing to keep in mind, with deceased shareholders, is that  
40 probate can take a number of years, and so sometimes it is multiple  
41 years before resolution occurs within an estate, and we might want  
42 to consider that, just in general, as we're working through  
43 Amendment 59, and the next slide I think is my last, and so I'll  
44 take any questions that you guys have not asked me to-date.  
45

46 **CHAIRMAN FRAZER:** All right. Thank you, Dr. Stephen. Do we have  
47 any questions? J.D.  
48

1 **MR. DUGAS:** Thank you, Mr. Chair. Jessica, do you know how many  
2 accounts do not have any landings at all?  
3

4 **DR. STEPHEN:** I am not sure of that, off the top of my head, but  
5 we can get that for you for the next council meeting, if maybe not  
6 by Full Council.  
7

8 **MR. DUGAS:** Thank you.  
9

10 **CHAIRMAN FRAZER:** Any other questions? Mr. Anson.  
11

12 **MR. ANSON:** I know I'm going in the minutia here, but, Dr. Stephen,  
13 there's been discussion, over the years, of the issue of -- Or the  
14 benefit of the shares, relative to property right and how that is  
15 used to leverage additional capital, potentially, and is that  
16 informed, or is that acknowledgement of those shares -- Is that  
17 just simply generated from a letter that you all produce that says  
18 Mr. or Mrs. so-and-so has X shares, percentage shares, of the red  
19 snapper, or the shallow-water grouper or tilefish? I'm guess I'm  
20 just trying to think of, for those, as we go into additional  
21 options of how we redistribute these shares -- I'm just wondering  
22 if there could be potentially the same benefit offered for those  
23 that may only get allocations and not shares, going forward, and  
24 that that could be also beneficial and useful to them.  
25

26 **DR. STEPHEN:** So, are you talking about the idea of related  
27 accounts, and how someone could be involved in an account with  
28 shares and also involved in an account that only received smaller  
29 allocations?  
30

31 **MR. ANSON:** Only in the sense of those that have shares that are  
32 issued to them, that, again, that's looked at, or treated, as a  
33 property right that can be used, potentially, to leverage  
34 additional capital, and so it's a -- At this point in time, it's  
35 a share is perpetually given to an individual, or retained by that  
36 individual, unless they choose to sell it, and so it has a value  
37 at that commodity, or level, but, if it's only an allocation, it  
38 potentially also has value, and maybe lesser value, but, in the  
39 sense that the agency confirms the number of shares that that  
40 particular individual may have, that then they can forward, or  
41 take with them to a bank, how is that communicated to that  
42 individually, currently, under share ownership?  
43

44 **DR. STEPHEN:** I see what you're asking now, and so, within the IFQ  
45 system, each shareholder has access to a variety of different  
46 ledgers. Those ledgers are what are sent, with the agency  
47 watermark on them, so that they know that they're legitimate, and  
48 they come out as PDFs, and they can show the history of their

1 shares, and what they currently have, as well as allocation and  
2 landings, and so we have not typically generated letters for any  
3 lending institute, or things like that. If someone asks for it,  
4 we refer them back to their own access within the account and the  
5 ledgers available within that.

6  
7 **MR. ANSON:** Thank you.

8  
9 **CHAIRMAN FRAZER:** Okay. Are there any other questions? Ms. Boggs.

10  
11 **MS. BOGGS:** Well, I don't necessarily have a question, but I do  
12 have a comment. On Slide 21, it would seem to me like the council  
13 needs to prioritize the order of how things are done, because we've  
14 got the amendment, and do you have a permit, or do you not have a  
15 permit, and you're going to have to know that before you go forward  
16 with this, and it looks like, here, there's a lot of definitions  
17 that have to be clarified.

18  
19 We've been talking about what is a new entrant for three years,  
20 and so, not to get the cart before the horse, and, I mean, you're  
21 trying to structure something, but you don't exactly know what  
22 you're structuring around, because a small shareholder -- How is  
23 that defined, you know, and new entrant, or replacement fishermen,  
24 and, I mean, there's a lot of unknowns here that I think first you  
25 need to come up with your definitions, before you move forward  
26 with creating a plan.

27  
28 **CHAIRMAN FRAZER:** I think that's a good comment, actually, and I  
29 think it kind of gets to Bob's point early on, when he had the  
30 discussion about equality and equitability, right, and I think  
31 what we have in -- My impression of where we're not at, right, is  
32 I don't think we've defined equitability, right, and so I don't  
33 know what we're shooting for here, and so maybe that should be  
34 part of this discussion. Mr. Gill.

35  
36 **MR. GILL:** Thank you, Mr. Chairman, and you're thinking right down  
37 the shafts that I am, and that is it seems, to me, that the first  
38 steps, and I would argue that we should discuss them at council,  
39 and probably not here, you know, off the top, but we need to set  
40 the stage, and it relates to Dr. Stephen's Slide 19 questions,  
41 and, if we can, create a vision statement for what we're trying to  
42 design for the future and a purpose and need statement.

43  
44 That would set the goal if you will, for what Amendment 60 is  
45 trying to get at, which is precisely the set of questions that  
46 Jessica has in Slide 19. It's not easy, and I'm going to be  
47 working on it, and I hopefully can bring something back on  
48 Thursday, but, nevertheless, you know, everybody ought to be

1 thinking about that, about what we want to do, and how we want to  
2 do it, and what we plan to accomplish in 60.

3  
4 In terms of the amendment itself, it seems, to me, the structure  
5 is -- My first reaction on what the structure should be is we have  
6 alternatives for sources, and then we have alternatives for the  
7 use, the distribution, the uses, and, you know, at the end of the  
8 day, some may get merged, and one may go to Considered but  
9 Rejected, but, nevertheless, it establishes the framework on,  
10 okay, here's all the things, and, yes, Susan is right that there's  
11 a bunch of definitions that have be done along the way, but that  
12 sets the structure for the amendment, and what it's trying to  
13 accomplish, according to the purpose and need and the vision  
14 statement.

15  
16 **CHAIRMAN FRAZER:** I think you're right, Bob, and I guess what I'm  
17 trying to think is what's the appropriate way to structure that  
18 conversation, and that discussion, right, and so, Dr. Diagne, we'll  
19 see some version of this document again in August, I believe,  
20 right, and so I'm wondering, and just maybe we can have a bit of  
21 a discussion, right, about this particular topic, or maybe in June,  
22 and I don't know yet, but we need to have a directed discussion,  
23 where people perhaps have enough time, in my mind, to think about  
24 what they're going to talk about, and, you know, it doesn't need  
25 to be four hours necessarily, right, but we know that we need to  
26 do that now, right, because this is what is coming out of this  
27 discussion, and so maybe we can plan accordingly.

28  
29 Then, by the time we see a document again in August, that will be  
30 a little more fleshed out, and with a purpose and need and some  
31 more clarity with regard to how the alternatives might -- The  
32 actions and alternatives might be structured. Dr. Diagne.

33  
34 **DR. DIAGNE:** Just as a question, essentially, in June, let's say  
35 if time is set aside on the agenda to allow for this in-depth  
36 discussion, but what is it that this committee would need from us  
37 to bring, essentially, to facilitate that discussion, if anything,  
38 because it seems, to me, that one of those slides, or a couple of  
39 those slides here, meaning 19, 20, et cetera, lay out the  
40 fundamental questions that, you know, perhaps we need to get more  
41 information on, but, if there is anything that this committee  
42 thinks we should bring, to help support that discussion, maybe we  
43 can get some information on that.

44  
45 **CHAIRMAN FRAZER:** I will get back to that in just a sec. Mr.  
46 Strelcheck.

47  
48 **MR. STRELCHECK:** I will offer a suggestion, and I agree with Bob,

1 right, and so I don't know if we're all on the same page as to  
2 what the purpose and need is, and so even having a little bit of  
3 that discussion now might be helpful.

4  
5 Jessica laid out, obviously, the question about equity, in terms  
6 of kind of -- That, to me, goes directly to the purpose and need,  
7 and what we're trying to accomplish here, and how we're trying to  
8 define kind of the benefit for this, and then we did lay out, in  
9 the presentation, obviously, some actions, and alternatives, that  
10 we feel like could start framing out the amendment, and I think  
11 that would be good to give direction to staff, in terms of, you  
12 know, are we in agreement with those actions, are there other  
13 alternatives that maybe haven't been presented today that you would  
14 like considered, so that we can start building the amendment.

15  
16 **CHAIRMAN FRAZER:** Thanks, Andy. Bob.

17  
18 **MR. GILL:** Thank you, Mr. Chairman, and, relative to your comments  
19 about bringing something back in June, we ought not forget that  
20 June is scheduled for having a discussion on 59, and that might  
21 suck a lot of the air out of the room on this question.

22  
23 **CHAIRMAN FRAZER:** Fair deal. I mean, what I'm just suggesting is  
24 -- I mean, we're close to 5:00 today, right, and I would like to  
25 think about, if we're going to have a very focused discussion --  
26 It's pretty clear, to me, that -- I mean, the group has done a  
27 good job, right, in trying to put this presentation together, and  
28 it's fairly organized, and it seems that the issue is clear, and  
29 so the amendment is dealing with how do we distribute shares that  
30 are held currently by NMFS, right, or are in inactive accounts.

31  
32 There are then two parts to that. You know, what's the source of  
33 those, ultimately, and then who are the users, and I think, again,  
34 Jessica, great job on this presentation, and I think, Andy, I  
35 guess, asked a legitimate question, and are there other things  
36 that we should consider, that weren't in this presentation, at  
37 least today, right, and I guess that might be the first thing.

38  
39 The other thing is to -- I still think we have to have a discussion,  
40 to Bob's point, to really articulate at least what the vision of  
41 this is, right, because that will help us refine, or hone, the  
42 purpose and need, because I don't think we're quite there on the  
43 vision, to be honest with you. Andy.

44  
45 **MR. STRELCHECK:** Well, to that end, you know, what I haven't heard  
46 is that we're wanting to use this amendment to take away  
47 shareholdings of active participants, right, and so, to me, the  
48 purpose is clear, in terms of we are distributing shares that are

1 inactive or that are based on a future change in catch levels,  
2 right, if we want to go there, right, and so that needs to be  
3 clear, right, and then I think the other component then is who are  
4 we distributing those to, and Jessica laid out, in her  
5 presentation, a number of things, right, and we've heard a lot,  
6 around this table, and we've received a lot of public testimony,  
7 right, about the challenges of purchasing quota allocation, the  
8 cost of purchasing quota allocation, the cost of entry, and there's  
9 people that can afford that, and can get loans, and then there's  
10 others that can't, right, but, to me, we have to have an identified  
11 universe of participants.

12  
13 We have to know that they at least exist in the fishery, and are  
14 operating in it, right, and I don't think we can really, you know,  
15 distribute shares to people that aren't currently fishing, unless  
16 we're going to go outside and say, well, if you land reef fish,  
17 non-IFQ, we're going to also consider you as part of this program.

18  
19 To me, I think the beneficiaries, if we're going to look at  
20 redistribution, has to be those either smaller shareholders, or  
21 those allocation-only participants, that we're looking to  
22 redistribute, and, you know, this is where it becomes a little  
23 more difficult, in terms of then the equity argument, right, and  
24 what are we trying to accomplish there.

25  
26 To me, the way I look at it is we're trying to provide them with  
27 an ability to afford to participate in the fishery that's going to  
28 be a little bit fairer, in terms of leveling the playing field,  
29 rather than paying very expensive allocation costs, right, and so  
30 those are some of my thoughts.

31  
32 I realize that there are a hundred different ways that you could  
33 operate in this fishery, and different ways that you can afford to  
34 get into this fishery, but certainly I think that points to some  
35 of the purpose and need that we really need to be thinking about.

36  
37 **CHAIRMAN FRAZER:** Thanks, Andy. Captain Walker.

38  
39 **MR. WALKER:** I agree with Andy. I think that there is an appetite,  
40 among most of the shareholders, to try and help out the guys that  
41 are leasing quota exclusively, but I think one of the main things  
42 we should identify is, you know, it's a different argument if  
43 you're talking about -- Originally, I had just thought about this  
44 small amount, that was like a housekeeping thing, and how are we  
45 going to get this out of the account, but, if you're talking about  
46 increases now, there's a 10 percent increase on something next  
47 year, and that is a -- It can be a very large number, and I think  
48 it may affect the discussion.

1  
2 You know, talking about 6,000 pounds distributed among 300  
3 qualifying participants is different than 100,000 pounds, to me,  
4 just -- I think it may affect the discussion, and so maybe -- I  
5 don't know if we can set that as a goal to clarify that or not,  
6 but it's a discussion point, I believe.

7  
8 **CHAIRMAN FRAZER:** I guess, Ed, to your point, what I didn't see in  
9 here, for example, is if there was a change in, you know, in OFL,  
10 or in ABC, for example, that's going to result in an increase --

11  
12 **UNIDENTIFIED:** Or decrease.

13  
14 **CHAIRMAN FRAZER:** Either one, right, but what I don't see in here,  
15 in any of the actions, or the alternatives, is how you take  
16 advantage of that, right, and so, you know, by way of example, for  
17 the last several or years or so, we've seen some increases in red  
18 snapper catch, right, and, because we were already locked into a  
19 process, we automatically kind of just redistributed those shares  
20 proportionally, and we lost that opportunity to take advantage of  
21 it to solve some of these problems, and so maybe, Dr. Diagne, we  
22 might be able to think about adding something like that into this  
23 document.

24  
25 **DR. DIAGNE:** Yes, Dr. Frazer, and you are referring to alternative  
26 distribution methods when we have quota increases?

27  
28 **CHAIRMAN FRAZER:** Yes.

29  
30 **DR. DIAGNE:** I think Dr. Stephen mentioned that, and, essentially,  
31 the options would be to distribute allocation only, going forward,  
32 because, of course, we can have quota decreases, and then we are  
33 -- I believe, if I'm not mistaken, that is in the presentation.

34  
35 **CHAIRMAN FRAZER:** It may well be, and I just overlooked it, and it  
36 wasn't clear to me, and so, if I did overlook it, I'm sorry,  
37 Jessica. Mr. Walker.

38  
39 **MR. WALKER:** Thank you, Dr. Frazer. To me, if we're talking about  
40 a small amount, it's not worth the trouble for NMFS to set up a  
41 quota bank and deal with distributing every year and all that. If  
42 it's a large amount, maybe it's a consideration, but to set up a  
43 quota bank and distribute out, you know, twenty pounds to a handful  
44 of guys annually, is hardly, I'm assuming, worth the time over at  
45 NMFS, but, you know, if we're talking six figures, or something  
46 like that, then it might be part of the discussion, and so these  
47 are the things that I point out, that I think it kind of matters  
48 how much we think we're talking about here and how to proceed with

1 this.

2

3 **CHAIRMAN FRAZER:** Mr. Anson.

4

5 **MR. ANSON:** Because I have some history here on the council, and  
6 particularly on this issue, I know we have used, in the past,  
7 control dates for certain triggers, or actions, that were pending,  
8 that the council is considering, and so I'm just throwing this out  
9 for consideration amongst the council members, that maybe we might  
10 want to consider a control date for certain things, particularly  
11 like for deceased shareholders and such.

12

13 Yes, I know that not everyone knows when they're going to pass,  
14 but, inasmuch as transferring those shares prior to any action  
15 that comes, because the amendment will take time to develop and  
16 such, and so, if it is the intent, or the direction that the  
17 council wishes to go, relative to the agency pulling those shares  
18 back from a deceased shareholder account, then maybe there ought  
19 to be a control date set up too, so that there won't be any transfer  
20 of shares by someone who is actively participating, but yet they  
21 could get out in advance, to pass that on to somebody else, and so  
22 it's something to consider.

23

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

25

26 **MR. STRELCHECK:** A control date doesn't quite work that way, and  
27 so it's not like a regulation that would prevent, or allow, us to  
28 do something, and it just puts people on notice that the council  
29 may be taking action, or the agency may be taking action, in the  
30 future, and that you could have your access limited, but like,  
31 what you're suggesting, nothing would prevent people from  
32 continuing to transfer that quota allocation out of their account.

33

34 **CHAIRMAN FRAZER:** All right, and so, Dr. Diagne, let me ask you a  
35 question, since we've gone a little bit quiet here. What would  
36 you like from us, specifically, to help move this forward?

37

38 **DR. DIAGNE:** Given, I guess, you know, the time, and I understand  
39 that people need to collect their thoughts, to come back and offer,  
40 essentially, suggestions to make progress, and so, at this point,  
41 we could plan on setting aside time in June to further this  
42 discussion, and it's saying that I don't think that -- Let's say  
43 staff, in general, would necessarily have to bring anything, other  
44 than the starting questions that we have here.

45

46 To hone-in on let's say a purpose and need, we may have a draft  
47 for you to consider, and then also talk about what it is that you  
48 envision for these programs, because we can have alternatives that

1 are counter to your vision of what the IFQ programs should look  
2 like in the future, and so it seems to me that those points were  
3 made earlier, that perhaps an in-depth discussion on your vision  
4 for the IFQ programs, going forward, and then we would take that,  
5 with perhaps a purpose and need, a refined one, with some  
6 discussions, to prepare for the document that will come in August,  
7 because, for June, we have to discuss, in detail, Amendment 59,  
8 essentially, and that may give us more clarity on the potential -  
9 - Some of the potential quota that we may retrieve down the line,  
10 based on our discussions on activity requirements and permit  
11 requirements. At this point, just to make a plan to further this  
12 discussion in June, and that would suffice.

13  
14 **CHAIRMAN FRAZER:** Thank you, and so, obviously, the agenda is the  
15 purview of the c=Chair, right, and the Executive Director here,  
16 but certainly, maybe for consideration, if we could find a little  
17 bit of time in June, and I think perhaps I would be willing to  
18 work with some folks to maybe draft a prompt of some kind that's  
19 related to the vision, right, and some potential action items, and  
20 distribute that as part of the briefing materials for a discussion  
21 later, or something like that, and that might help, and it doesn't  
22 have to be four hours, but maybe an hour or so. Mr. Strelcheck.

23  
24 **MR. STRELCHECK:** I'm going to offer two suggestions, and so we've  
25 spent a lot of time talking about IFQ, but not accomplishing a  
26 whole lot, and I'm concerned, right, that we're going to kick the  
27 can to June, and then to August, right, and we're making progress,  
28 but it's very incremental.

29  
30 To me, I think we could come back, for Full Council, with at least  
31 a draft purpose and need statement for discussion, and maybe a  
32 list of actions, and not necessarily alternatives, but actions,  
33 and that would kind of pave the way for the IPT to move forward,  
34 and so that's my first suggestion. My second, and I apologize,  
35 because I'm, you know, surprising council staff, and my staff,  
36 with this suggestion, but, in the South Atlantic, we've just gone  
37 through a subcommittee process with their wreckfish ITQ program.

38  
39 Jessica McCawley sat on that subcommittee, as well as Kerry  
40 Marhefka and Tim Griner, and we went to that because we were  
41 getting bogged down with discussions about the ITQ at the council  
42 meeting, and the level of detail, and, to me, it was a highly-  
43 effective process. It still involved council members, and you  
44 still have a public notice requirement, but it kind of happens  
45 between council meetings, and then recommendations can be brought  
46 back to the council by that subcommittee.

47  
48 I offer it as a suggestion, and not, obviously, having talked to

1 staff about time and commitment and everything else, but maybe it  
2 will give us an opportunity to get a little more, you know,  
3 tailwind behind us, in terms of progress on the IFQ actions.

4  
5 **CHAIRMAN FRAZER:** So, I guess -- I mean, I always think that  
6 smaller working groups are likely to be more productive, and they  
7 can be super helpful. In the South Atlantic, when did they carry  
8 out those subcommittee meetings? I mean, were they virtual, or  
9 maybe just -- Jessica, can you elaborate a bit?

10  
11 **MS. MCCAWLEY:** Sure, and so we had one that was in-person, and  
12 then we had one or two that were virtual, and so it was a  
13 combination of both. We also paired up -- You know, wreckfish is  
14 a fairly small fishery, and so we paired up a shareholders meeting  
15 of the shareholders first, followed directly by a subcommittee  
16 meeting, to look at the program, and so they were kind of going  
17 through the document, and then we were going through the same  
18 document, with their feedback, and so we had one of those in-  
19 person meetings, and then the rest were virtual, and they were at  
20 least four hours each, where we spent a lot of time going through  
21 the document, making motions and recommendations, and so our  
22 equivalent, on the South Atlantic, is the Snapper Grouper  
23 Committee.

24  
25 Those motions then came back from the subcommittee to the Snapper  
26 Grouper Committee, and we went back through the whole document and  
27 explained -- The subcommittee explained why we made a bunch of  
28 those decisions, but we were very bogged down, at the council  
29 process, because it's a challenging topic to discuss.

30  
31 I mean, we're down in the weeds on the -- As you guys have been in  
32 the past, but on landing requirements, offloading sites, and times,  
33 and all of the things, and not all the council members were  
34 participating, and so we just went to this other process. The  
35 meetings were noticed, and we were also skipping and bringing this  
36 back to every-other council meeting, so that the subcommittee could  
37 do the work, and the IPT could do the work in between, and so I  
38 think it's been an effective process. I believe we're set to  
39 finalize these changes to the wreckfish program at the next council  
40 meeting, after five years.

41  
42 **CHAIRMAN FRAZER:** Good job. Andy, just thinking about how to make  
43 the most of this discussion, and these suggestions, and, you know,  
44 between now and Full Council, and then also at Full Council, and  
45 in between the next meeting, and I would be interested in your  
46 thoughts and what you think might be the best way to go.

47  
48 **MR. STRELCHECK:** In terms of the subcommittee idea, I would love

1 to sit down and talk to Carrie, talk to Jessica, and my team, and  
2 whether or not that's worth pursuing. I think, between now and  
3 Full Council, as I suggested, I'm happy to work with others on a  
4 draft purpose and need that could be discussed, and then a list of  
5 actions, and maybe not the detailed alternatives, but the list of  
6 actions that we would want in this amendment that would give  
7 guidance to the IPT to help frame out the alternatives.

8  
9 Then, maybe at minimum, we could at least have that brought back  
10 to us in June, with just, you know, some alternatives framed around  
11 the actions for discussion at that point, but limit that  
12 discussion, just to make sure that we are capturing all the actions  
13 and alternatives.

14  
15 **CHAIRMAN FRAZER:** Okay. Does that seem pretty reasonable to folks  
16 around the table? All right. Thanks, Andy, for those suggestions,  
17 and we'll try to make that happen. Is there any further discussion  
18 on this particular presentation, or topic? All right. I'm not  
19 seeing any. We had one Other Business item. Mr. Gill, you wanted  
20 to talk about Amendment 53?

21  
22 **OTHER BUSINESS**  
23 **DISCUSSION OF AMENDMENT 53**  
24

25 **MR. GILL:** Thank you, Mr. Chairman, and so we heard, this morning,  
26 and Mara gave us an update on the litigation, and the status  
27 relative to the 53 litigation, and the fact that it was in part  
28 remanded and part not, but the discussion of the appeals court,  
29 relative to Amendment 53, were there are things in there that  
30 needed correction, and certainly, at the least, explanation by the  
31 agency.

32  
33 We also have, on top of that, the fact that 53 was done in FES,  
34 and the ongoing assessment is being done in SRFS, and so it seems  
35 appropriate that we reconsider 53, given that, using those inputs,  
36 using SRFS and the opinion of the appeals court, and so, Bernie,  
37 if you would pull up my Amendment 53 motion, and I would offer it  
38 for consideration.

39  
40 **The motion is to start a new document to reconsider Amendment 53,**  
41 **using SRFS data and in accordance with the opinion of the appeals**  
42 **court.**

43  
44 **CHAIRMAN FRAZER:** Okay, and so we've got a motion on the board.  
45 Ryan. Let's read the motion again, and so the motion is to start  
46 a new document to reconsider Amendment 53, using SRFS data, in  
47 accordance of the opinion of the appeals court. Do we have a  
48 second for that? It's seconded by Captain Walker. Ryan, you want

1 to weigh-in on that?  
2

3 **MR. RINDONE:** Thank you, Mr. Chair. I just -- I kind of wonder if  
4 the committee thinks that this might be a little bit premature,  
5 because we don't even have a stock assessment for red grouper using  
6 SRFs yet, and so I don't have any data to use to work on this, and  
7 the Science Center doesn't have any peer-reviewed data to pass  
8 along, as far as, you know, like catch limits to recommend to the  
9 SSC, and like there's -- At this point in time, there is no  
10 information to allow us to reconsider it in SRFs, with an updated  
11 catch limit, until after the assessment is completed and reviewed  
12 by the SSC, and that's not going to be until August or September,  
13 or somewhere around there. Then that will necessitate also  
14 revisiting sector allocations under SRFs.

15  
16 **CHAIRMAN FRAZER:** Bob.

17  
18 **MR. GILL:** Thank you, Mr. Chairman, and, yes, I understand that,  
19 but, given the speed at which -- Given the workload we have, and  
20 the speed at which a new document is likely to proceed, they're  
21 all going to merge, down towards the end of the year, and I don't  
22 know the exact timing, but the point is that trying to address the  
23 deficiencies noted by the appeal court, recognizing that any future  
24 consideration is not going to be in FES, so that, if you're trying  
25 to combine the two, you need to get started.

26  
27 By the time the assessment gets down to the council, this thing  
28 might be started, in terms of structure, but not in terms of  
29 content, but the idea is to start that thinking pattern ahead of  
30 time and incorporate, if you will, an unusual input that we don't  
31 normally have to consider.

32  
33 **CHAIRMAN FRAZER:** Ryan.

34  
35 **MR. RINDONE:** I will be frank with you, Mr. Gill. It's going to  
36 take days, if that, to make a shell of a document, but, without  
37 the data to support the analyses, or to frame-out the alternatives  
38 -- Like there's nothing to put in there. Everything hinges on  
39 what ultimately will come out of that SSC meeting, and so, I mean,  
40 a lot of like the background information, and stuff like that, is  
41 very easy to port over, and to update, and, you know, the landings  
42 are very straightforward to request from the Regional Office, but  
43 there's really not a lot to do until we get concrete information,  
44 consistent with BSIA, from the SSC.

45  
46 **CHAIRMAN FRAZER:** So, Mara, let me just ask a quick question,  
47 right, and, as I recall, the presentation, or the update, that you  
48 provided earlier -- I mean, the appellate court still has to give

1 direction, right, to the district court, and they haven't received  
2 that, and so we don't really know what they're asking, right?

3  
4 **MS. LEVY:** We don't know what exactly is going to be in their order  
5 back to the district court, but we do know what they're saying,  
6 which is on the record before them, which was the record developed  
7 for Amendment 53, and they felt like there was not explanation  
8 about certain things that would allow them to decide, like  
9 compliance, right, and so, basically, they said we don't see enough  
10 information here, and we need the agency to provide further  
11 explanation, or rationale, for these three particular points, on  
12 that record, right, and so the problem I have with this -- I mean,  
13 if you want to start a new document, I mean, get the data and  
14 whatever, that's fine, but there's nothing to fix in a new  
15 document, right?

16  
17 We're talking about the record that was developed for something  
18 that's already been implemented, and then what the agency needs to  
19 do on remand to comply with the court's order, and, I mean, the  
20 agency still -- You know, we're very early, but it's not something  
21 that the council is going to fix. That record is done, and the  
22 agency has it, and the agency is obligated to respond to the remand  
23 order, and so I guess that's where I'm going with this piece.

24  
25 **CHAIRMAN FRAZER:** Okay. Bob, I'm always conscious of the workload  
26 that we impose upon the staff, right, and so it's not clear what  
27 they're trying to fix, for one, and that's what I'm hearing, and  
28 there's a considerable amount of work that may have to go into  
29 this, and we're not necessarily fixing anything, and so, again, we  
30 still don't know how NMFS might have to respond to some of these  
31 things. Is this a necessary endeavor?

32  
33 **MR. GILL:** I guess my reaction is that it will be a necessary  
34 endeavor, and it would be an unusual one, because we don't normally  
35 respond to litigation and changes for our documents, right, and so  
36 I think the mindset of recognizing that, and so this, to me,  
37 doesn't require immediate action.

38  
39 It says put it on the schedule, recognizing this is the content of  
40 what we're ultimately going to get to, and so I'm not as concerned  
41 as has been mentioned, in terms of the workload, because it will  
42 be on the action schedule, and that's important, and it will mesh  
43 with the oncoming assessment, and the two will then combine down  
44 the road, but it's already set on the schedule pattern, rather  
45 than wait until that thing comes down and say, oh, let's add this  
46 to the schedule. I disagree with the fact that it's not  
47 worthwhile.

1 **CHAIRMAN FRAZER:** So, let me redirect my questions to Dr. Simmons  
2 and Mr. Rindone. I mean, so we do have a planned assessment,  
3 right, and we know when that's scheduled for, and it's 2024, this  
4 year, right, in August?  
5

6 **MR. RINDONE:** Well, it's going on now, and it's going to be reviewed  
7 by the SSC in September.  
8

9 **CHAIRMAN FRAZER:** So, I guess what Bob is asking is, okay, as soon  
10 as we get that, are we going to modify Amendment 53, right, with  
11 any record corrections, or, in absence, start a new thing, and go  
12 ahead.  
13

14 **MR. RINDONE:** Mr. Chair, my expectation would that, you know, Dr.  
15 Nance, or whoever the SSC decides is the chair at that point,  
16 because we'll have, you know, repopulated, but, anyway, someone  
17 from the SSC will come and present the assessment results to you  
18 guys, and you guys will, you know, direct us to start work on a  
19 document, and you'll say that I want this, that, and the other  
20 thing included in it, and we'll start it.  
21

22 I mean, functionally, whether you say to do that now, or then, it  
23 isn't really of an awful lot of consequence, because we can't  
24 really start it until we have the information to put something in  
25 it, and so, I mean, if you want to make this -- I won't speak to  
26 the legal side of it, and I will let Ms. Levy do that, but, as far  
27 as like the science side, the data side, of what we need to actually  
28 build it out, like we can't start it until then anyway.  
29

30 **CHAIRMAN FRAZER:** All right. Again, I'm of the opinion, Bob, that  
31 I probably won't support this particular motion, and I understand  
32 where you're coming from, and it's going to happen one way or  
33 another, probably at the August meeting, and so I don't see a huge  
34 advantage to moving it forward, and it's going to be on the  
35 schedule one way or another, but that's my personal opinion. Are  
36 there others? Dakus.  
37

38 **MR. GEESLIN:** Mr. Gill, I fundamentally agree with what you're  
39 trying to do here. I think that the notion of using state data is  
40 a good one, and it's just the timing. I'm hearing that maybe the  
41 question -- But if it's simply getting it on the action guide,  
42 "start" could mean a lot of different things. At some point, that  
43 will have to start, and so, with that, if we call the question,  
44 I'm supporting you.  
45

46 **CHAIRMAN FRAZER:** Ryan.  
47

48 **MR. RINDONE:** So, you guys have to vote on whether to call the

1 question, and it constitutes an end of discussion.  
2  
3 **CHAIRMAN FRAZER:** Okay. I thought you had something else to say  
4 other than that. Sorry. All right. All those in favor of the  
5 motion, raise your hand.  
6  
7 **MR. RINDONE:** This is a vote in favor of calling the question,  
8 which ends discussion.  
9  
10 **CHAIRMAN FRAZER:** All right, and so all those in favor of calling  
11 the question, raise your hand.  
12  
13 **MR. RINDONE:** That passes.  
14  
15 **CHAIRMAN FRAZER:** My name obviously is not Robert. All right.  
16 Now may I proceed?  
17  
18 **MR. RINDONE:** Now you may proceed.  
19  
20 **CHAIRMAN FRAZER:** All those in favor of the motion, raise your  
21 hand.  
22  
23 **EXECUTIVE DIRECTOR SIMMONS:** Five.  
24  
25 **CHAIRMAN FRAZER:** All of those opposed.  
26  
27 **DR. SWEETMAN:** I abstain.  
28  
29 **MR. RINDONE:** Ten, with two abstentions.  
30  
31 **CHAIRMAN FRAZER:** C.J. abstained and the chair abstained. All  
32 right.  
33  
34 **MS. BOGGS:** Can I ask a question that's not related? Well, it's  
35 related, but not to that motion.  
36  
37 **CHAIRMAN FRAZER:** Go ahead.  
38  
39 **MS. BOGGS:** So, Mara, as you provided updates on this lawsuit,  
40 moving forward, once the opinion comes in from the appeals court,  
41 we will -- The council will have an opportunity to comment on that,  
42 before you all take action, or, I mean, there's nothing that this  
43 council can do, from this point forward, and is that correct?  
44  
45 **MS. LEVY:** Correct, and, I mean, the opinion is already -- So  
46 there's a legal procedure, right, and like the appellate court  
47 issues a decision, but the actual mandate, which is the direction  
48 to the lower court, because that's what it was reviewing, doesn't

1 come out until after the time for rehearing has passed, and so  
2 rehearing is still an option for people to file, up until the 15<sup>th</sup>.  
3 After that passes, the court will issue its direction to the lower  
4 court, and then the lower court will probably end up issuing some  
5 direction, and so we've got to kind of trickle back down.

6  
7 **CHAIRMAN FRAZER:** All right. Is there any other business to come  
8 before the committee? I am not seeing any. Mr. Chairman, this  
9 concludes the Reef Fish Committee.

10  
11 (Whereupon, the meeting adjourned on April 9, 2024.)

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