

GULF OF MEXICO FISHERY MANAGEMENT COUNCIL

REEF FISH MANAGEMENT COMMITTEE

Hyatt Centric French Quarter New Orleans, Louisiana

JANUARY 28-29, 2020

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 Kevin Anson (designee for Scott Bannon).....Alabama  
 Susan Boggs.....Alabama  
 Leann Bosarge.....Mississippi  
 Roy Crabtree.....NMFS  
 Dale Diaz.....Mississippi  
 Jonathan Dugas.....Louisiana  
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TABLE OF MOTIONS

PAGE 19: Motion that the current red snapper IFQ program sunset on January 1, 2028, to be replaced with a new red snapper IFQ program that provides the council greater flexibility to address concerns related to in-perpetuity ownership of a public resource, bycatch of red snapper in other fisheries, and ensuring that current and future generations of commercial fishermen have an equal opportunity to access the fishery. The motion failed on page 24.

PAGE 25: Motion in Action 1 to add an Alternative 5. The motion carried on page 29.

PAGE 30: Motion in Action 1 to make Alternative 2 the preferred. The motion carried on page 37.

PAGE 39: Motion in Action 2 to add a new Option 2c to Alternative 2 and Option 3c to Alternative 3. The motion carried on page 40.

PAGE 48: Motion in Action 2 to make Alternative 2, Option 2c, the preferred. The motion carried on page 48.

PAGE 49: Motion in in Action 2 to make Alternative 3, Option 3a the preferred. The motion carried on page 49.

PAGE 113: Motion in Action 2 to add an Alternative 4 to revise the OFL and ABC as recommended by the SSC and consistent with the allocation selected in Action 1. The total ACL equals the ABC. Apply the ACL/ACT control rule to revise the buffer between the ACL and ACT for the recreational sector. The commercial buffer is 5 percent, and the recreational buffer is 9 percent. The motion carried on page 114.

PAGE 116: Motion to direct staff to prepare a Framework Action to adjust lane snapper catch levels and present it at the April 2020 council meeting. The motion carried on page 116.

PAGE 119: Motion to delay consideration of Amendment 52 until the red snapper stock assessment is complete. The motion carried on page 122.

PAGE 126: Motion to direct staff to have an agenda item at an upcoming meeting that evaluates possible carryovers of uncaught commercial quota. The motion carried on page 127.

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1 The Reef Fish Management Committee of the Gulf of Mexico Fishery  
2 Management Council convened at the Hyatt Centric French Quarter,  
3 New Orleans, Louisiana, Tuesday morning, January 28, 2020, and  
4 was called to order by Chairman Martha Guyas.

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

10 **CHAIRMAN MARTHA GUYAS:** Our first order of business for Tab in  
11 the Reef Fish Committee is Adoption of our Agenda. Are there  
12 any changes or modifications to the agenda? Chris.

13  
14 **MR. CHRIS SCHIEBLE:** I would like to add an item to new  
15 business, I guess at the end, to request to add a discussion of  
16 the carryover provision, the generic document.

17  
18 **CHAIRMAN GUYAS:** All right. Anything else? Okay. Seeing no  
19 other additions, I would need a motion to approve the agenda as  
20 modified. It's so moved by Mr. Dyskow, and it's seconded by  
21 Kevin. Any opposition to this motion? The motion carries.

22  
23 That takes us to the minutes. Are there any changes to the  
24 minutes? All right. I need a motion to adopt the minutes as  
25 written. Motion by Phil and seconded by Lance. Any opposition  
26 to the motion? The motion carries.

27  
28 Next, we will -- Why don't we do the action guide for the reef  
29 fish and CMP landings, and we'll move right into that, and then,  
30 as we move through our other items, we will visit the action  
31 guide on those items. Okay, Sue.

32  
33 **REVIEW OF REEF FISH AND CMP LANDINGS**  
34

35 **MS. SUSAN GERHART:** Thank you. First, we have the commercial  
36 reef fish landings, and you can see that both gray triggerfish  
37 and greater amberjack closed this year. Gray triggerfish almost  
38 made it to the end of the year, but both of those were closed.  
39 Recall that, for greater amberjack, we do have, in the final  
40 rulemaking stage, a trip limit reduction for the commercial  
41 sector, and so that should extend the season for the next year.

42  
43 Here is recreational landings, starting with greater amberjack,  
44 and we have first this year, which started -- The 2019/2020  
45 season started on August 1, and, as you can see, we only landed  
46 38 percent of the ACT and 32 percent of the ACL during the fall  
47 season, and amberjack is closed now until May, and so, unlike  
48 last year, we do expect that there will be a May season this

1 year. There is enough quota left over. The main difference in  
2 landings from last year were in Florida and Alabama. They were  
3 much lower this year than they were the previous year.

4  
5 Then, if we look at the other landings for the other species,  
6 you can see that we were under quota on gag and red grouper, but  
7 we went over on gray triggerfish. There is no longer a payback  
8 on gray triggerfish, because they are no longer considered  
9 overfished, but, of course, if there was an overage last year,  
10 that means the catch rates were up, and, when we calculate this  
11 year, it will probably be a shorter season than it was last  
12 year, and so be prepared for that.

13  
14 The red snapper for-hire season is shown here. As you can see,  
15 they were well below the ACL last year with the 9 percent buffer  
16 that was in place and is now going to be continued on for this  
17 year and following years.

18  
19 Here's the private angler landings from the states, with the end  
20 dates for each of the states. Of course, they're going to be  
21 giving presentations tomorrow morning, with their final reports,  
22 and we're just receiving all the final reports right now, and so  
23 we will have a compilation of those final reports on our website  
24 when they are completed.

25  
26 Then we have the stock landings for reef fish, and there is four  
27 stocks that are shown here, and these are stocks that were near  
28 or over their ACLs last year, and you can see that we stayed  
29 under those ACLs for all of the species except lane snapper, and  
30 lane snapper did close with a couple weeks left to the season,  
31 but there is a stock assessment that we'll be talking about I  
32 think later today for lane snapper.

33  
34 Here are the coastal migratory pelagic landings. Since you  
35 don't have a committee on that, we're looking at them here.  
36 Remember that each of the zones commercially opens on July 1,  
37 with the exception of the Northern Zone, which opens on October  
38 1, and the Western Zone, which is from the Alabama -- Sorry.  
39 It's the western part of the Gulf, and let's just say that, and  
40 that was closed in November, and then the gillnet is now open,  
41 and it says will open on the 21<sup>st</sup>, and it did open. However, my  
42 understanding is the fishermen haven't gone out yet, because of  
43 various other things, weather and things like that, and so that  
44 fishing hasn't started yet, and we don't have any landings yet.

45  
46 They did have an overage last year, which you can see on the  
47 bottom table, which is last year's landings. The gillnet was  
48 over slightly their quota, and so they do have a payback on that

1 particular sector, and that is taken off of their quota for this  
2 year. The hook-and-line portion of the king mackerel fishery  
3 was under their ACL total, and so that's a good thing.

4  
5 Then, on the next page, you see recreational for king mackerel,  
6 and we have, again, just started in July for that, and so there  
7 are not a lot of landings, and then Spanish mackerel and cobia  
8 are both stock ACLs, and so no sector ACLs, but we do have the  
9 landings broken down, and you can see that those are both fairly  
10 low landings at this point in the year, and that completes my  
11 report. Thank you.

12  
13 **CHAIRMAN GUYAS:** Any questions for Sue? Dr. Shipp.

14  
15 **DR. BOB SHIPP:** Sue, just in general, do you have a reason for  
16 the drop-off in the amberjack landings for the last year to this  
17 year?

18  
19 **MS. GERHART:** I've been trying to explore that, and I really  
20 can't come up with anything, and I'm not sure if the state reps  
21 from Alabama and Florida know if they were perhaps open last  
22 year when the federal season was closed and that's why it was  
23 higher last year, and I don't think that's true, but I really  
24 can't come up with a reason why the landings really dropped off  
25 like that.

26  
27 **CHAIRMAN GUYAS:** I can say, for Florida, our season was  
28 consistent. I mean, this year, we had some storm events in the  
29 fall, but, otherwise, I don't know. Joe.

30  
31 **GENERAL JOE SPRAGGINS:** Just a thing, and, I mean, I am just  
32 going to throw this out here for the fun of it, more than  
33 anything, but Mississippi was 99.1 percent on their snapper this  
34 year, and so, if any of you all have more than that, and you  
35 didn't get your quota, if you want to give us a few, we would  
36 appreciate it.

37  
38 **CHAIRMAN GUYAS:** Kevin.

39  
40 **MR. KEVIN ANSON:** Just to follow back to greater amberjack, our  
41 seasons were consistent as well with the federal season, and so  
42 I have asked our APAIS Program Manager for some input, and she  
43 was out yesterday, and so I don't know if there's any changes or  
44 if there was something different about the sampling from one  
45 year to the next. I looked at the wave conditions, and they  
46 were about similar, 2018 to 2019, for that time period, and so I  
47 don't know.

1 **CHAIRMAN GUYAS:** Anything else? All right. Thank you, Sue. In  
2 that case, let's go ahead and move on to our next agenda item,  
3 which is Draft Amendments 36B and 36C, and I'm going to let Ava  
4 give us an overview of what we're going to talk about today.

5  
6 **DRAFT AMENDMENTS 36B AND 36C: MODIFICATIONS TO COMMERCIAL IFQ**  
7 **PROGRAMS AND PRESENTATIONS**  
8

9 **DR. AVA LASSETER:** Thank you. We have a lot of documents  
10 provided for you, and what we're going to do is start with a  
11 presentation on Amendment 36 broadly, and so we're going to do a  
12 history of how we have gotten to where we are now. The three  
13 36A, B, and C draft documents, and A has gone final, are  
14 provided in your briefing book, but we're not going to go  
15 through those particularly.

16  
17 We have also brought you a presentation on the discards that you  
18 had requested last year, and so we'll wrap up with that, and  
19 then there's a couple of documents supporting the presentation,  
20 and we'll have somebody from the Science Center, Dr. McCarthy,  
21 calling in to provide that presentation.

22  
23 What staff is looking for is we encourage you to have a  
24 discussion about what is in 36B and C and provide us guidance  
25 with where you would like these documents to go, and we really  
26 want to start talking about this purpose and need, come back to  
27 the purpose and need as well.

28  
29 With that, we will move into the Amendment 36 presentation,  
30 located at Tab B, Number 5(a), and it is quite a lengthy  
31 presentation, and so this is how I'm going to break it down.  
32 We're going to start with a brief history, which will be a  
33 timeline and overview of what is contained in each of amendments  
34 -- Beginning in what was in 36, and then it was split out into  
35 36A, B, and then now we have the recent division of B and C.

36  
37 Then we're going to focus on the history of the commercial reef  
38 fish permit action, which is the one action that is in Amendment  
39 36B, and that was the original action from Amendment 36, and  
40 then we're going to talk about -- This is going to be, I hope,  
41 useful for council members that have come on within the last  
42 three or four years.

43  
44 After the first red snapper five-year review was completed, the  
45 council began considering modifications, and that started with  
46 this list of potential modifications, and so we're going to talk  
47 about that and what happened with each of those items, where  
48 they are in the current documents and those that you had



1 considered and have since removed, and so those you could also  
2 bring back, of course, but, that way, you can see all of the  
3 different things that have been considered throughout this  
4 process. Then we'll look at each of the individual amendments a  
5 little more closely.

6  
7 For 36A, final action was taken in April of 2017, and that is  
8 now in place. 36B, we will come back to again, and that's the  
9 one requiring shareholders to have a commercial reef fish  
10 permit, and then the remaining actions that were previously in  
11 B, which are now in 36C, the quota bank and the other actions  
12 there, distributing those shares from those non-activated  
13 accounts. 36C is where we really want to start talking about  
14 that purpose and need again.

15  
16 With that, we'll move on to the beginning section. This is a  
17 brief history of Reef Fish Amendment 36. It actually began back  
18 in August of 2011, and this had one action, and it considered  
19 requiring shareholders to have a commercial reef fish permit.  
20 This was shortly before the red snapper IFQ program opened to  
21 public participation, and that refers to allowing any U.S.  
22 citizen or permanent resident to open a shareholder account and  
23 to purchase shares, and you do still need to have a commercial  
24 reef fish permit to land allocation.

25  
26 The council, before that opened, did consider closing that  
27 requirement, and they did have a preferred alternative, but,  
28 ultimately, they deferred further work on the amendment at that  
29 time, until a five-year review of red snapper was completed.

30  
31 That was completed in 2013, and, in April of 2014, the council  
32 reinitiated work on Amendment 36, beginning with a list of  
33 potential modifications, and, again, this list had that action  
34 from 36 that would include the permit requirement.

35  
36 The council continued work on that document, with those actions,  
37 until January of 2016, and some actions were further along than  
38 others, and the council divided Reef Fish Amendment 36 into A  
39 and B and regarded the A actions as the low-hanging fruit and  
40 continued work on those until April of 2017, at which time final  
41 action was taken.

42  
43 We then continued working on Amendment 36B until August of 2019,  
44 just last year, when the council divided the amendment into B  
45 and C, and so that's kind of where we are now, in terms of the  
46 timeline, and so what is actually in each of these amendments?  
47 We'll come back to each of them in more detail, but, just to  
48 give you the big picture, 36A included three actions that

1 required all reef fish vessels to hail-in whether or not they  
2 were carrying IFQ species.

3  
4 It reclaimed shares from non-activated accounts, accounts that  
5 had never been opened or used since the grouper-tilefish program  
6 came into play, and NMFS is currently holding those shares in an  
7 account, and it also authorized the Regional Administrator to  
8 withhold allocation at the beginning of a year when a quota  
9 reduction is expected to occur.

10  
11 Amendment 36B currently has two actions that are related. It  
12 has alternatives to require some or all shareholders to have a  
13 commercial reef fish permit, and it establishes a process for  
14 share divestment if existing shareholders are unable to meet the  
15 new requirement, the permit requirement, by a particular  
16 deadline.

17  
18 The remaining actions from 36B are now in 36C, and these include  
19 an action to distribute those shares that were reclaimed through  
20 those non-activated accounts back from 36A, or there is an  
21 alternative there that would use those shares to seed the  
22 creation of a quota bank, and so the Action 2 has several sub-  
23 actions that would pertain to development and establishment of  
24 this quota bank, and, finally, Action 3 addresses the estimated  
25 -- Requiring accuracy in the estimated weights in advanced  
26 landing notifications. That's where everything is housed that  
27 is currently or has been executed.

28  
29 Now let's go into this commercial permit requirement. Again,  
30 this is your one action that is currently in 36B. A little  
31 overview information about this requirement, this potential  
32 requirement. For the first five years of each of the IFQ  
33 programs, red snapper, which began in 2007, and grouper-tilefish  
34 began in 2010, a commercial reef fish permit was required to get  
35 more shares and allocation.

36  
37 If a participant had a permit and sold his permit, got rid of  
38 his permit, did not renew his permit, but had shares, they were  
39 allowed to retain those shares, but they could not get any more  
40 shares. As of the beginning of 2010 for the red snapper program  
41 and the beginning of 2015 for the grouper-tilefish program, any  
42 U.S. citizen or permanent resident was able to open an account  
43 and deal in IFQ shares, and we termed this "public  
44 participation".

45  
46 As noted, a commercial reef fish permit continues to be required  
47 for actually landing the IFQ allocation, the quota, and so,  
48 shortly before each of those five-year periods was up, and

1 before public participation began, the council asked NMFS to  
2 publish control dates notifying the public that modifications to  
3 public participation may occur in the future, but the council  
4 did not take action on stopping public participation. It did go  
5 open.

6  
7 This is the action that began what is Amendment 36, and, again,  
8 that was back in August of 2011, and so the council has been  
9 discussing and considering this for some number of years. We  
10 provided you a figure here that shows the number of shareholder  
11 accounts over time -- I'm going to pause for just a moment.

12  
13 **CHAIRMAN GUYAS:** Mr. Dyskow.

14  
15 **MR. PHIL DYSKOW:** Thank you, Madam Chair. Ava, can you give us  
16 some background on why the public participation issue was  
17 brought forth and approved by the council at that time? What  
18 was the logic behind that?

19  
20 **DR. LASSETER:** In designing the programs to allow them to go  
21 open or when the council decided to require the permit?

22  
23 **MR. DYSKOW:** What was the logic behind offering public  
24 participation and allowing non-fishermen to acquire and hold and  
25 resell shares?

26  
27 **DR. LASSETER:** I was not with the council at that time, and so I  
28 may ask Dr. Crabtree to speak up and help us out as well, but my  
29 understanding was that it was a negotiation between members of  
30 the council and commercial fishermen to allow non-fishermen to  
31 enter the program at some time in the future, but maybe Dr.  
32 Crabtree can speak to this.

33  
34 **DR. ROY CRABTREE:** There was a lot of discussion, and some of  
35 the folks who supported this made the argument that they wanted  
36 the maximum amount of economic flexibility, and I seem to  
37 remember one individual arguing that, if someone from New Jersey  
38 or some other state wanted to come in and own this, that they  
39 should be able to do that and that fishermen should be able to  
40 get the best price for their shares or allocation that they  
41 could get.

42  
43 **DR. LASSETER:** I can add that the commercial fishermen did  
44 oppose that. They did want it to be kept within the commercial  
45 sector, and it was commercial fishermen coming to public  
46 testimony before the five years was up and asking the council to  
47 not allow public participation, but, ultimately, it did go  
48 forward, and it opened up.

1  
2 We have provided you a figure here to demonstrate the number of  
3 shareholder accounts. These are just the number of accounts  
4 holding red snapper shares, and so this is not looking at  
5 grouper-tilefish, although there is a great overlap in both  
6 programs, but this shows shareholder accounts with red snapper  
7 shares and not a permit, without a permit, and you can see the  
8 bars represent the number of accounts, and that blue line on the  
9 right axis represents the amount of shares, and the proportion  
10 of all shares totals to 100 percent, that are held in those  
11 accounts.

12  
13 Then we have also marked on there when each of the programs  
14 began and when the public participation began, and you can see  
15 the five-year point after each of those, and this information is  
16 provided in the annual reports.

17  
18 If we move to the next slide, we have the timeline for the  
19 commercial permit requirement, a little more detail to go along  
20 with the previous slide, in terms of what happened year-by-year,  
21 and so, again, as I've noted, in 2011 is when the council  
22 initiated Amendment 36 and had selected a preferred alternative  
23 that would require all shareholders to have a commercial reef  
24 fish permit, and so, essentially, it would not have allowed  
25 public participation in the program.

26  
27 The council, again, did not move forward with the amendment, but  
28 they did establish a control date, letting the public know that  
29 future red snapper public participation was not assured, that  
30 the council might maybe reevaluate this, and, the next year, in  
31 2012, work on Amendment 36 was postponed. Again, we were  
32 working on the five-year review, and they were lumped together,  
33 to be addressed together.

34  
35 The five-year review was finished and approved by the council,  
36 and then the council began discussing some potential program  
37 changes, and we also had law enforcement meetings and AP  
38 meetings, and so a lot of different ideas were being put  
39 forward.

40  
41 Also in that time, in 2014, the council began reviewing these  
42 changes and resumed work on this Amendment 36, and there was an  
43 additional motion at that time to restrict the public  
44 participation, but the council ultimately did not pursue that at  
45 that time, but it did establish a control date similar to the  
46 red snapper program, letting people know that, although grouper-  
47 tilefish public participation was going to begin, it was not  
48 guaranteed into the future.

1  
2 We continued working on Amendment 36, and 2016 is when it was  
3 divided into 36A and 36B, and that was the beginning of 2016,  
4 and, the next year, we continued working on 36, and we finished  
5 36A, and, in 2017, you reviewed the 36B options paper, and so  
6 that was the first time, in the middle of 2017, that you began  
7 working on those items in 36B and C now.

8  
9 Then, over the next couple of years, many motions have been made  
10 to modify the permit requirement action, and then, finally, last  
11 year, the council divided 36B into 36B and C, with 36B retaining  
12 that one action, the commercial permit requirement action.  
13 That's kind of how we got to where we are now with the Action of  
14 36B, and let me pause there for just a moment and see if there's  
15 any questions before we move into this list.

16  
17 Seeing none, let's move on. The next section of the  
18 presentation is going to talk about this list of potential  
19 program modifications. Back in April of 2014, staff compiled a  
20 list of things that the council was wanting to look at.

21  
22 These were compiled from the red snapper IFQ program five-year  
23 review, and the council had created and populated an Ad Hoc Red  
24 Snapper IFQ Advisory Panel that had met and provided some  
25 recommendations. At that time, it was not the LETC, and it was  
26 the advisory panel, and they had some recommendations, and then,  
27 finally, council discussion, and some additional items came from  
28 that.

29  
30 The list went through NOAA GC for legal review, to determine  
31 whether or not a referenda would be triggered, and, if we move  
32 to the next slide, the next two slides actually, it's a lot of  
33 information on there, and I apologize, but I wanted to fit it  
34 in, and so I'm not going to read it all, but you have it there  
35 on your computers as well.

36  
37 This shows, in the left column, all of the items from that  
38 original list. In the margin on the left, you can see where  
39 it's housed now, and, if you scroll to the next slide real  
40 quick, you can see, in that left margin, all of these were the  
41 ones removed, and we can come back to that.

42  
43 Then, in the far-right column, it tracks what happened with that  
44 action. The very top row, this is the action that is in 36B,  
45 and this was considered from the original 36, part of this  
46 modification, and it was the sole action, and then it moved to  
47 B, and, again, currently, it remains in 36B.

1 The next section there, these were the actions that were  
2 finalized through Amendment 36A. One of them was removed,  
3 ultimately, just before final action, and then, the bottom  
4 section, you can see those are the items that remain from that  
5 original list that are now housed in 36C.

6  
7 If you go to the next slide, these are all of the things that  
8 the council had considered from that list, and you can see at  
9 what time it was removed through motions and whatnot, and  
10 there's a process for each of those. I am not going to read  
11 through it, but are there any questions? That information is  
12 really for council members that maybe have not been here for the  
13 last ten years, and you can kind of see where everything has  
14 gone, and I'm happy to talk about any of them. We can  
15 definitely come back to it, but let's move on to the next slide.

16  
17 Now we're going to get into what's specifically in each of these  
18 amendments. Reef Fish Amendment 36A, again, final action was in  
19 April of 2017, and the three actions were to require all reef-  
20 fish-permitted vessels to hail-in and to land at an approved  
21 landing location, and this basically expanded the requirement  
22 that was already in place if you're landing IFQ species, and so,  
23 even if you're landing non-IFQ species, but that are reef fish,  
24 and now everybody must hail-in and must land at an approved  
25 landing location, and this was for law enforcement.

26  
27 The next action reclaimed shares from both of the programs from  
28 accounts that had never been opened, had never been accessed,  
29 since the grouper-tilefish program had come onboard, and then,  
30 finally, there was an action to provide the Regional  
31 Administrator with the authority to withhold IFQ allocation in  
32 the event that we anticipate a quota reduction coming later in  
33 the year, and there's also a time in there by which, if that  
34 reduction has not occurred, that the allocation would be  
35 released to shareholders. Also, in parentheses, you can see  
36 when each of those respective actions was actually implemented,  
37 went into place.

38  
39 Then we move into Amendment 36B, and so we would like to begin  
40 with our purpose and need statement. I have provided the  
41 purpose here, because our purpose should drive our actions in  
42 our amendments, and, currently, the purpose statement states  
43 that the purpose of this action is to limit IFQ share ownership  
44 by shareholders without a valid or renewable commercial reef  
45 fish permit and promote share ownership by fishermen landing  
46 reef fish within the red snapper and grouper-tilefish IFQ  
47 programs.

1 This action considers placing limitations on shareholder  
2 accounts that are not associated with a valid or renewable  
3 commercial reef fish permit, and this is the defining part of  
4 the action. A shareholder account is considered to be  
5 associated with a permit if the exact same entities are listed  
6 on both the shareholder account and permit, and so this is the  
7 way that it would be monitored and enforced through the Regional  
8 Office.

9  
10 If we go to the next slide, we can see our actions in the  
11 amendment, and there are, of course, a range of alternatives for  
12 us to analyze and provide you with, and so, for the permit  
13 requirement, there are alternatives that would require some or  
14 all shareholders to have a commercial reef fish permit, and so  
15 you have some alternatives that would essentially grandfather in  
16 existing shareholders, some or all of them, or you could go  
17 ahead and require -- There is an alternative for requiring  
18 everybody to have the commercial reef fish permit.

19  
20 Then a second action that supports the first action that would  
21 establish the process for divestment of shares if people are  
22 unable to meet the new requirements at the time that this goes  
23 into place, and there are options for a grace period, and then  
24 there's also an alternative there for people whose accounts are  
25 no longer consistent with the requirement in the future, a  
26 divestment process for them as well.

27  
28 B just has those two actions, and the rest of what was in B from  
29 the August 2019 meeting we have moved into 36C, and so we'll  
30 start here with the purpose and need. Right now, the purpose  
31 statement represents three separate motions that the council has  
32 made that we have put together into this purpose statement.

33  
34 It states that the purpose of this action is to assist small  
35 participants and new entrants to the IFQ programs, to reduce  
36 discards, and to increase access to shares to actively-fishing  
37 eligible commercial fishermen, and I am not going to read the  
38 need statement right now. Let's move to the next slide, and we  
39 can see where this purpose statement came from.

40  
41 In parentheses, the meeting at which each motion was made is  
42 provided, but these were motions made directing staff to  
43 construct the purpose for the document, and the first one went  
44 back to August of 2017, when the council passed a motion to  
45 identify quota set-asides to address and assist small  
46 participants and new entrants and to reduce discards, and so you  
47 can see the language in there that's part of the purpose and  
48 need. The purpose part, of course, is referring to who you were

1 trying to help and the idea that quota set-aside is the  
2 structure of the action, and so that's not actually in the  
3 purpose statement, but it's part of the action.

4  
5 A subsequent motion from April of 2018 requested that a quota  
6 set-aside be created from non-activated accounts to run a NOAA  
7 quota bank at that time for addressing commercial discards, and  
8 the council shall create an industry steering committee to  
9 provide advice in the administration of the program. Again,  
10 that idea of the quota bank part doesn't go into the purpose  
11 statement. That was the actions were being created.

12  
13 Then, finally, in January of 2019, a year ago, you passed a  
14 motion specifying that the purpose of this amendment would be to  
15 increase access to shares to actively-fishing eligible  
16 commercial fishermen.

17  
18 Over the last couple of years, we have brought you some lists  
19 and various ways to look at defining and operationalizing some  
20 of these groups, and so who would be a small participant? Who  
21 would be a new entrant? Who would qualify for reducing  
22 discards? These are some of the questions that you have been  
23 grappling with in working through this document.

24  
25 These are the actions, again, in Amendment 36C. The first  
26 action would address distribution of the reclaimed shares from  
27 non-activated accounts, and you are provided various  
28 alternatives for how to distribute those, and we'll look at  
29 those on the next slide in a moment. One of those alternatives,  
30 though, would seed a quota bank. Rather than distributing them,  
31 you would hold the shares and use them to seed this quota bank.

32  
33 The next action, Action 2, would consist of multiple sub-actions  
34 that would go towards creating and establishing this quota bank,  
35 and then, finally, in this amendment, you have Action 3, which  
36 is the accuracy of estimated weights in advance landing  
37 notifications, and this is probably the action in this document  
38 that you have discussed and worked on the most. You have  
39 modified the alternatives at several meetings, and so this is  
40 the one action that I haven't gone into further in this  
41 presentation, because I am not going into specific alternatives  
42 here. We do have the document, if we want to go in and work on  
43 specific alternatives, but, really, let's focus on Action 1 and  
44 2 for the rest of this here.

45  
46 If we take a look at the next slide, Action 1 in Amendment 36C  
47 is the distribution of the reclaimed shares. You have two  
48 alternatives, what would be Alternative 2 and 3, a couple of



1 options as ways to distribute the shares to existing  
2 shareholders.

3  
4 The way the action is set up, if you were to distribute the  
5 shares to existing shareholders, the inference is that you are  
6 not establishing the quota bank. Therefore, the next action  
7 would not be applicable.

8  
9 If you select the final alternative in that action, that is  
10 basically connecting you to the next action and saying, yes,  
11 we're going to use these shares to seed this quota bank and  
12 continue on with Action 2, which is going to establish a quota  
13 bank, and we have provided you a table here of the amount of  
14 shares that were reclaimed, that NMFS is holding in an account,  
15 based on last year's quota, and I don't believe there has been  
16 any change to this year.

17  
18 You also do have one of the alternatives in there that would  
19 distribute them to accounts with shares that have less than 500  
20 pounds, and so, there on the far-right column, you can see the  
21 number of accounts that would qualify at the time we did this  
22 analysis for that particular alternative.

23  
24 We do need to keep in mind that, for distributing these shares  
25 out, a share can only be divided so many decimal points, six  
26 decimal points, and so some amount of shares may not -- It may  
27 not be possible to distribute to the large number of accounts.

28  
29 Let's take a look at Action 2 on the next slide, and I have  
30 mentioned that there is several sub-actions here, and this is  
31 definitely the least-developed part of the document. I think  
32 the first one we have actual alternatives, but a lot of this is  
33 looking for guidance on how you want staff to frame and  
34 delineate some of these alternatives.

35  
36 In establishing a quota bank, some of the questions you would  
37 need to answer that would be established through actions, as  
38 sub-actions, would be assigning allocation to the quota bank.  
39 How much quota would you want to put in there from the red  
40 snapper program only, or is this also for the grouper-tilefish  
41 program?

42  
43 One or more sub-actions would be needed for defining the  
44 eligible recipients for the allocation of the quota bank, and so  
45 you have different parts to go from that purpose and need  
46 statement to talk about assisting small participants, new  
47 entrants, and reducing discards.

1 If you want to maintain those three groups, we would need to  
2 define each one of those, and you also want to think about how  
3 much quota would be available for how many people could be  
4 constituted in each one of these groups, and then we have a sub-  
5 action for determining the amount of allocation for each group  
6 of recipients, small participants, new entrants, reducing  
7 discards, if you're going to maintain those, and each individual  
8 recipient within each of those groups. That would need to be  
9 decided.

10  
11 Then, finally, a sub-action for determining the method of  
12 distributing the allocation in the quota bank. How will this be  
13 distributed, equally, or you could have an option for a lottery  
14 in there, and we've discussed options, and we would need an  
15 action for that as well.

16  
17 One final slide here, and then I will stop talking, but quota  
18 banks. You have been talking about quota banks, and several of  
19 your motions have pertained to this, for some time, and you have  
20 had some presentations at the council meetings, and you can  
21 access these presentations from our council website, or we're  
22 happy to provide them for you.

23  
24 In August of 2016, I did a presentation on national and  
25 international examples of quota banks, and, also, we had Eric  
26 Brazer of the Gulf of Mexico Shareholders Alliance that came and  
27 talked to you about the Shareholders Alliance industry quota  
28 bank, and then, in June of last year, Mr. Brazer came back again  
29 and gave a presentation, and, at the next meeting, we had Mr.  
30 Paul Parker of Catch Together who came and talked about his work  
31 in quota banks, and he is helping with quota banks around the  
32 country, and so you kind of got a national perspective there as  
33 well. I am going to pause there and turn it over for  
34 discussion.

35  
36 **CHAIRMAN GUYAS:** Thank you, Ava, for giving that extensive  
37 history and all of that. It was good. I mean, we haven't  
38 revisited that in a long time, and many of us were not around  
39 the table when all this stuff happened. Are there questions for  
40 Ava or discussion on anything in this presentation? Dr. Shipp.

41  
42 **DR. SHIPP:** Thank you, Madam Chairman. We have -- As you can  
43 see, we've been wrestling with this issue for ten years, and I  
44 want to make a motion as a backdrop to the future discussion,  
45 and I gave the motion to Bernie. I don't know if this motion is  
46 going to go anywhere or not, but I think the essence of it is  
47 worthy of discussion, and it might give us the motivation to  
48 move down the road.

1  
2 The motion is that the current red snapper IFQ program sunset on  
3 January 1, 2028, to be replaced with a new red snapper IFQ  
4 program that provides the council greater flexibility to address  
5 concerns related to in-perpetuity ownership of a public  
6 resource, bycatch of red snapper in other fisheries, and  
7 ensuring that current and future generations of commercial  
8 fishermen have an equal opportunity to access the fishery. If I  
9 get a second, I think it's worthy of discussion.

10  
11 **CHAIRMAN GUYAS:** All right. It's seconded by Dr. Stunz.

12  
13 **DR. SHIPP:** I don't need to say any more at this point, other  
14 than this may give us a timeframe that will prevent us from  
15 going another ten years and ending up at the same place that we  
16 are now. I want to commend Ava, and I think she really hit the  
17 nail on the head with the various issues that we have to  
18 address, and this motion does not preclude acting on any of  
19 those, but it does put a timeframe on it, and hopefully we'll  
20 eventually reach a solution to this problem.

21  
22 **CHAIRMAN GUYAS:** All right. Is there discussion on the motion?  
23 Good morning, everyone. J.D.

24  
25 **MR. J.D. DUGAS:** Just a question. Why 2028?

26  
27 **DR. SHIPP:** We have tossed around, and I have talked to various  
28 council members, and we wanted to make sure there was enough  
29 time for people to adjust their investment plans. If they see  
30 it coming in two years or three years, I think it would disrupt  
31 the market for shares and quota.

32  
33 It's not the intent to do that. The intent is to develop a  
34 program that will smoothly transition and address the purpose  
35 and need, and it's an arbitrary number, eight years, but, in  
36 context of what we've been doing for the last ten years, I don't  
37 think it's out of bounds, but we did want enough time for people  
38 to adjust.

39  
40 **CHAIRMAN GUYAS:** Dr. Crabtree.

41  
42 **DR. CRABTREE:** Well, one, you can't sunset the program just  
43 through a motion, and so you have to do a plan amendment, and  
44 then you would have to have an action in there to establish a  
45 sunset date, and then you would have to look at a reasonable  
46 range of different sunset dates.

47  
48 Then, because you're talking about creating a new red snapper --

1 I assume you would want the old program to sunset at the same  
2 time the new program goes in place, and, if you're going to say  
3 it's a new IFQ program, it will be subject to all the referendum  
4 requirements of the statute, and it's not clear to me what any  
5 of this means, and I don't know what flexibility you think you  
6 need that you don't have now.

7  
8 We have talked a lot about bycatch, but it's not clear to me how  
9 any of this is going to reduce bycatch, and I can't support the  
10 motion. I think our trouble with this amendment is nobody can  
11 clearly articulate what it is we're trying to do and why, but  
12 you've got the amendment in front of you, and I think that ought  
13 to be your focus, but, in order to do this, you would have to  
14 add this as an action to the amendment, I think.

15  
16 **DR. SHIPP:** I am aware of that, Roy, but I just put this out so  
17 we can start the discussion.

18  
19 **CHAIRMAN GUYAS:** Troy.

20  
21 **MR. TROY WILLIAMSON:** To agree with Roy in a fashion, my  
22 concern, of course, would be having to sunset this program and  
23 do another referendum. I am in favor of changes in the program,  
24 and I think everybody is, and that's the reason we've got these  
25 amendments pending, and I think that the 36 amendments to the  
26 program -- We just need to focus on them, and we need to go  
27 ahead and do some -- Although it's been since 2011, and let's go  
28 ahead and vote.

29  
30 I don't think there is anything that is difficult to understand  
31 about the flexibility here. Our charge is to manage these  
32 programs. If, at some point in time, you discover that the  
33 program is not working as you want it to, then you tweak it.  
34 It's a business, and so I agree with the thought behind this,  
35 but I would prefer that we address the current program through  
36 amendments, so that we don't have to go through the referendum  
37 process.

38  
39 **CHAIRMAN GUYAS:** Anybody else? Kevin.

40  
41 **MR. ANSON:** I kind of agree with Troy's comments, although I do  
42 appreciate Dr. Shipp's intent, as he described, to try to spur  
43 some additional conversation and try to get us over the finish  
44 line, so to speak, if people want to get to a finish line, and  
45 the insertion of a date certain, and it really goes a long way  
46 to do that, but I would be a little hesitant, because there are  
47 lots of good things, I think, in the IFQ program that having  
48 something like this, if it could even go that way, where you

1 would kind of be forced to implement a new program and maybe not  
2 have one in place type of thing, would be a step backwards.

3  
4 I think there are some serious issues, or big issues, that are  
5 remaining to be addressed, as it relates to ownership of a  
6 public resource and how those are distributed and such, and so I  
7 think those are some of the big issues that we still need to try  
8 to wrestle with and come to some conclusion on, but I am in  
9 support of additional conversation, and I'm in support of trying  
10 to tweak the program, but I'm not going to be in support of this  
11 motion.

12  
13 **CHAIRMAN GUYAS:** Dr. Shipp.

14  
15 **DR. SHIPP:** I just want to point out that this motion does not  
16 preclude doing any of the things that have been mentioned by the  
17 previous council members. We could still proceed. The intent  
18 of this is to put an end to the timeframe that we're operating  
19 on, and, by suggesting a sunset, it does that, but we could move  
20 on with the discussion of 36C and all the issues that Ava has  
21 brought up.

22  
23 **CHAIRMAN GUYAS:** Phil.

24  
25 **MR. DYSKOW:** Thank you for your motion, Dr. Shipp, and I totally  
26 understand what the purpose is. My question is do we have the  
27 will on this council to address the relatively small number of  
28 modifications to the existing program that would make this  
29 motion unnecessary?

30  
31 We have talked about it, and we have deferred it, and we've  
32 argued about it, and I've been on the wrong side of most of  
33 those arguments myself, but I wonder why we can't simply work  
34 together as a council to address these few issues and then move  
35 forward onto something else, and so, if we get to the point that  
36 this is the only alternative, it sort of signals to me that we  
37 haven't been willing to work together to address these things.  
38 I would prefer that we work together under 36B and 36C, as Ava  
39 has eloquently laid them out for us, so we don't have to do  
40 something this drastic.

41  
42 I don't know how the rest of you feel about that. Are we saying  
43 that this is the only way we can get it done, or are we saying  
44 there is a will and a willingness on the council to address  
45 these issues in a constructive manner and move forward? I would  
46 like to get some feedback on how you all feel about that.

47  
48 **CHAIRMAN GUYAS:** Dr. Stunz.

1  
2 **DR. GREG STUNZ:** Thanks for recognizing me, but Dale has had his  
3 hand up for a while, and I'm happy to go after him.

4  
5 **CHAIRMAN GUYAS:** I'm sorry, Dale.

6  
7 **MR. DALE DIAZ:** That's okay. I want to commend Dr. Shipp. I'm  
8 not going to support his motion, but I do understand why he's  
9 making it. He's trying to light a fire underneath the council  
10 to do something, to move forward or to make a decision on how  
11 we're going to handle this.

12  
13 I don't like that particular method, and I've very sensitive to  
14 the fact that a lot of people have had to borrow money to buy  
15 shares, and I think there's a lot of people that are in debt  
16 buying shares, and I think this motion would put them in a bad  
17 spot.

18  
19 I do hope that we move forward and improve this program, and I  
20 kind of agree with some of the stuff Kevin said. There is some  
21 good stuff in the program, but there's definitely some things  
22 that need to be changed, and I agree with what Roy said. I  
23 don't know that we have got our act together, as far as exactly  
24 where we want to go with this.

25  
26 The thing that bothers me the most about the program is -- I  
27 understand economics, and I understand supply and demand, but  
28 the high cost of lease fees to fishermen that are having to  
29 lease these fish -- I think the folks at the bottom, that have  
30 the boats, that have to have the labor and buy the ice and the  
31 bait and the insurance and the dock fees and all those things,  
32 those guys are having to pay extremely high lease fees, and I'm  
33 not sure it's letting them enjoy the fact that this resource has  
34 done so well, and that bothers me. I do think one or two of the  
35 things we're talking about might help that, but I do hope that  
36 we move forward, and I'm not going to support your motion, Dr.  
37 Shipp. Thank you.

38  
39 **DR. STUNZ:** Thank you, Madam Chair. Largely, Dale made the  
40 point that I wanted to make, and, Bob, I support the intent of  
41 your motion and the whole fact of we've got to do something  
42 here, and there's a lot of good things that we want to keep with  
43 this program, but there's also a lot of bad things that we want  
44 to fix as well, and, if we just keep going down the path that we  
45 are, obviously we're not going to get anywhere.

46  
47 I think Bob's motion really does light that fire, so to speak,  
48 but, even though there's issues with referendums and that kind

1 of thing, the point is we've got to start talking about it, and  
2 so I think I would prefer Mr. Dyskow's path of we've got this in  
3 front of us, but let's start talking about it, and let's make  
4 some real progress, and let's put forward the quota banks and  
5 these in-perpetuity issues that we've all got issues with that  
6 and that kind of thing and begin that discussion with the  
7 frameworks that we have. If we stall again, then maybe a motion  
8 like this becomes relevant again, so we can move this process  
9 along.

10  
11 **CHAIRMAN GUYAS:** Susan.

12  
13 **MS. SUSAN BOGGS:** Thank you, Madam Chair, and I appreciate all  
14 the comments, and, Phil, I agree with what you're saying, and,  
15 Dale, the lighting of the fire. Phil, I think part of the issue  
16 is, and I've seen this in being on the other side of the table,  
17 is the turnover on this council.

18  
19 I mean, you have new members coming on and coming off with  
20 differences of opinion, and so, if we're going to do something,  
21 we've got to do something by June, before we face that again,  
22 but I appreciate your comments, and I think it is important, but  
23 I think that's part of our issue too, is we have differences  
24 coming on and off of the council, and opinions change, and it  
25 kind of presents a stall to it.

26  
27 **CHAIRMAN GUYAS:** Ed.

28  
29 **MR. ED SWINDELL:** My biggest issue with this whole motion right  
30 now -- Yes, there is work that we still need to do with the IFQ  
31 program, but to have in there a sunset provision, which tells  
32 the poor commercial fisherman that is borrowing money, as Dale  
33 pointed out -- If we don't have anything happening before the  
34 January 1 of 2028 that is good enough to replace it, the sunset  
35 -- We say, okay, people, you no longer have shares, and the  
36 program is over, and what is the bank going to tell him? I  
37 mean, he doesn't have any way to really convince anybody that he  
38 can go fishing and earn money.

39  
40 I don't like the whole idea of the sunset on it. I think we  
41 need to keep working on it, and we need to do something,  
42 perhaps, better, and I didn't like the IFQ program when it was  
43 started, at the beginning of the council sessions, but now we  
44 have it, and we have to work with it, and so that's my comment,  
45 and I'm going to vote against the motion. Thank you.

46  
47 **CHAIRMAN GUYAS:** Any other comments? Are we ready to vote?  
48 Okay. Let's do this by a show of hands. **All those in favor of**

1 the motion, please raise your hand; all opposed. The motion  
2 fails one to thirteen.

3  
4 Okay, and so the fire has been lit. We have all morning to talk  
5 about this and the discard presentation, and so we can proceed  
6 however you all would like. Kevin.

7  
8 **MR. ANSON:** Can we just proceed into 36B and start discussions  
9 there? I mean, it sounds like there's a desire to at least talk  
10 about things, and maybe we can get some movement on some of  
11 these issues.

12  
13 **CHAIRMAN GUYAS:** Yes, we can do that, and so you're thinking  
14 like walk through the actual document at this point? Okay. I  
15 think we can do that.

16  
17 **DR. LASSETER:** Perfect. Amendment 36B, the document is located  
18 at Tab B, Number 5(c). Action 1 begins on page 9. You have  
19 four alternatives, with Alternative 1 always being your no  
20 action alternative, which would not establish new requirements  
21 to obtain or maintain IFQ shares.

22  
23 Alternatives 3 and 4 would grandfather some people in.  
24 Alternative 2 would require all shareholders, and so it states,  
25 in order to obtain, which means transfer into, a shareholder  
26 account, or to keep shares that one already has, to maintain  
27 shares, all shareholder accounts must be associated with a valid  
28 or renewable commercial reef fish permit, and then this next  
29 sentence is the same, providing for these three alternatives. A  
30 shareholder account is considered to be associated with a permit  
31 if the permit has the exact same entities listed on both the  
32 shareholder account and the permit, and, again, this is how SERO  
33 would monitor and enforce the requirement.

34  
35 The next alternatives allow some people to maintain shares or to  
36 continue to participate in the program without a permit.  
37 Alternative 3 states, in order to obtain or maintain the shares,  
38 all shareholder accounts that are established as of January 1,  
39 2015 must be associated with a valid or renewable commercial  
40 reef fish permit.

41  
42 Now, that date is when the grouper-tilefish IFQ program opened  
43 to the public. You did previously have an alternative that also  
44 provided a date of when the red snapper program went into place,  
45 and you did remove that alternative and now just considered this  
46 one with that 2015 date. This would essentially grandfather  
47 everybody in that were established prior to that time.



1 Then, finally, Alternative 4 is, in order to obtain or maintain  
2 shares, shareholder accounts established following the  
3 implementation of this amendment must be associated with a valid  
4 commercial reef fish permit, and so the idea there is to  
5 grandfather everybody in until you have completed work on this  
6 document.

7  
8 I will note that, as you discussed this action, you have really  
9 talked about shares and shareholders and not allocation, and so  
10 that's something we probably want to come back to. Would you  
11 want to allow people to continue to transfer allocation, or  
12 would it pertain to shares only? I will turn it over there for  
13 discussion on these alternatives.

14  
15 **CHAIRMAN GUYAS:** Dale.

16  
17 **MR. DIAZ:** I have a question for Ava. If Alternative 4, if we  
18 went forward with that, are there circumstances that would  
19 require people to divest shares under Alternative 4?

20  
21 **DR. LASSETER:** If you're grandfathering in, everybody existing  
22 up until the time that it's implemented, they would not be  
23 required to divest, right, but, in the future, there could be  
24 people that say open an account and don't -- Somewhere in the  
25 future, you may have people that no longer can comply with the  
26 requirement.

27  
28 In the next action, there is an alternative that does pertain to  
29 future divestment, but the idea in Alternative 4 is everybody  
30 would be grandfathered in, even after you've taken final action,  
31 because it would be implementation of this amendment as it is  
32 currently, and so nobody would be required to divest, no.

33  
34 **CHAIRMAN GUYAS:** Chris.

35  
36 **MR. SCHIEBLE:** I would like to make a motion for an Alternative  
37 5, and I sent it to staff here a couple of seconds ago. Back on  
38 October 2, the Reef Fish AP had a preferred control date from  
39 the date of their meeting to have a requirement for permits at  
40 that time, and so, if they pull it up here, maybe it will make  
41 sense. **All you're doing is removing the line in Alternative 4**  
42 **and replacing it with the Reef Fish AP control date of October**  
43 **2.**

44  
45 **CHAIRMAN GUYAS:** Chris, do you mind reading that for us?

46  
47 **MR. SCHIEBLE:** Sure. **Alternative 5 would be to obtain (transfer**  
48 **into a shareholder account) or maintain shares (hold existing**

1 shares in a shareholder account), shareholder accounts  
2 established after October 2, 2019, which is the Reef Fish AP's  
3 meeting date, must be associated with a valid or renewable  
4 commercial reef fish permit. A shareholder account is  
5 considered to be associated with a permit if the permit has the  
6 exact same entities listed on both the shareholder account and  
7 permit.  
8

9 Essentially, it's written exactly the same as Alternative 4.  
10 All I did was change the date to the Reef Fish AP preferred  
11 recommended date of the date of their meeting, which was October  
12 2, 2019. I don't know if it's my lack of patience with this or  
13 what, but I think we need to either get moving on this or stop.  
14 That's one of the things that can happen here, and so I'm hoping  
15 this will be a more acceptable timeline and not create winners  
16 and losers.  
17

18 **CHAIRMAN GUYAS:** All right. I need a second. John Sanchez.  
19 All right. Is there discussion on this motion? Phil.  
20

21 **MR. DYSKOW:** Ava, help me with the definition. All of these  
22 alternatives have a line that says the shareholder account is  
23 considered to be associated with a permit if the permit has the  
24 exact same entities listed on both the shareholder account and  
25 the permit. What happens if this entity dies? Then the permit  
26 can no longer have exactly the same entities listed on it. If  
27 Joe Smith dies, does that allocation retire and return to the  
28 quota bank or whatever? What happens to that quota?  
29

30 **DR. LASSETER:** In the event of death, I actually do not know.  
31 It is considered a permit, due to transfer, and I'm going to  
32 have to ask the SERO staff.  
33

34 **CHAIRMAN GUYAS:** Mara, do you want to jump in?  
35

36 **MS. MARA LEVY:** Well, I can't say for sure what happens. I  
37 mean, generally, when say you have two people on a permit, and  
38 someone passes away, then the remaining person does a transfer  
39 to them, and, I mean, you generally need someone who is acting  
40 on behalf of the estate of the deceased person to agree to it,  
41 and it sort of depends on the circumstances.  
42

43 A lot of people are married, and so they will just transfer the  
44 permit into the surviving spouse's name, and then I assume what  
45 you would do is you would change the names on the account of the  
46 IFQ to match the permit, but I don't know exactly what is meant  
47 by that language, in terms of someone dying. I assume that's  
48 what we mean, but I don't know that we've ever fleshed that out,

1 and it would be worth talking about if you go down this path.

2  
3 **CHAIRMAN GUYAS:** I've got Roy, and then I see you, Susan.

4  
5 **DR. CRABTREE:** I guess my concern would be what is significant  
6 about October the 2<sup>nd</sup>, 2019? Why is that not a pretty arbitrary  
7 date? I was at the Reef Fish AP meeting, and, yes, there was a  
8 meeting that day, but why does that make that the day that the  
9 rules should change?

10  
11 **CHAIRMAN GUYAS:** Chris, to that point?

12  
13 **MR. SCHIEBLE:** The motion from the Reef Fish AP -- Let me see if  
14 I can pull it up here and see exactly how they said it. It was  
15 to recommend that the council establish a control date from  
16 today forward, that anyone who buys shares is required to obtain  
17 a reef fish permit, and today happened to be October 2, 2019, I  
18 guess is what that means.

19  
20 **CHAIRMAN GUYAS:** Susan.

21  
22 **MS. BOGGS:** Thank you, Madam Chair. To Phil's question, and I  
23 am relating this to the charter/for-hire industry, the permit is  
24 tied to the vessel, and, if someone in the family passes -- I  
25 mean, unfortunately, we've had some captains at our marina that  
26 have passed away, and the family sold the vessel and the permit,  
27 and it was just like a regular transfer, and I don't know why it  
28 wouldn't be the same here.

29  
30 I mean, I understand what you're saying, if they don't do  
31 anything with it, but I can't imagine that somehow that wouldn't  
32 be transferred, in some form or fashion, to either another  
33 family member or another someone trying to enter into the  
34 fishery.

35  
36 **CHAIRMAN GUYAS:** Tom.

37  
38 **DR. TOM FRAZER:** I am not sure who to address the question to,  
39 but I'm just curious if anybody knows what percentage of permit  
40 holders are multiple entities on the permit. What percentage of  
41 the permits that have been issued have multiple entities  
42 associated with them? If you could go ahead and find that out  
43 and get back to me.

44  
45 **CHAIRMAN GUYAS:** All right. Any other discussion on this  
46 motion? Phil.

47  
48 **MR. DYSKOW:** Thank you, Madam Chair. I don't want to beat the

1 subject to death. However, that is an issue that needs to be  
2 carefully defined, whatever it means, because there are people  
3 that have a concern with the quota being awarded into  
4 perpetuity, and this would, in theory, put a finite date on it,  
5 in some cases, but we just need to be careful to define what  
6 that sentence means, so we all know, so that, when we vote on  
7 this, we know what we're voting for.

8  
9 **DR. LASSETER:** I guess I just want to make sure that I  
10 understand. My guess is, if somebody did pass away, whoever  
11 their heirs are, they would have access, probably, to their  
12 account and vessel, and so it seems like whatever is done would  
13 be done the same for both of them, and so I'm not sure if this  
14 gets at --

15  
16 **MR. DYSKOW:** I am not trying to read it one way or the other.  
17 I'm just trying to understand what it means. As I understand  
18 the way it's written, this shareholder account can be passed on  
19 to a partner, an heir, an assign, a wife, whatever, and it would  
20 go on, in theory, in perpetuity, but I just need to understand  
21 that, and I don't have a strong opinion one way or the other,  
22 but I want to understand what it's telling us.

23  
24 **CHAIRMAN GUYAS:** I have got Mara and then Roy.

25  
26 **MS. LEVY:** Thank you. I don't really have an opinion about  
27 adding an alternative, but I will sort of just echo what Roy  
28 said, that, when you're thinking about what date to pick, this  
29 one doesn't seem to have any real basis for having a date, other  
30 than it was at a meeting, and the request to establish a control  
31 date is a little bit different than having that be the date that  
32 the cutoff actually occurs, meaning, when you publish a control  
33 date, you are generally publishing a Federal Register notice,  
34 and we've kind of already done in that past. I mean, we could  
35 always update it, but this isn't exactly establishing a control  
36 date.

37  
38 **CHAIRMAN GUYAS:** Roy.

39  
40 **DR. CRABTREE:** I think, because the permits are fully  
41 transferable, and shares are transferable, if someone whose name  
42 is associated with the account passed on, or got out of it, the  
43 permit and the shares would be transferred, either to someone  
44 new or the remaining entities, and so I think that's how this  
45 would work, unless you start putting restrictions on transfers.

46  
47 **CHAIRMAN GUYAS:** John.

1 **MR. JOHN SANCHEZ:** As the seconder, obviously, I will speak in  
2 support of this. This was arrived at by the AP, and we've been  
3 discussing about moving forward on this issue, which we've been  
4 kicking the can for a while, and this may or may not arguably be  
5 arbitrary, but it did come from the AP, and it certainly does  
6 start to move this process forward, and so I'm going to speak in  
7 support of this.

8  
9 As far as people passing on and these issues, I'm pretty sure  
10 it's like anything else in life, that there's a value there, and  
11 somebody passes on and the heirs will make a decision, a  
12 business decision, of, well, I'm not a fisherman, and I'm going  
13 to sell these, and then your target audience is the remaining  
14 universe of fishermen that will probably purchase these.

15  
16 **CHAIRMAN GUYAS:** Kevin.

17  
18 **MR. ANSON:** I'm kind of on the fence on this. To what John just  
19 said, as far as kicking the can down the road, if adding this  
20 will move some votes as to kicking the can or not kicking the  
21 can down the road any further, I'm certainly in support of that.  
22 That date does seem a little suspect, I guess, just on its  
23 merits of having come from the Reef Fish AP on October 2, 2019,  
24 because that's when the Reef Fish AP met, but, in the attempt to  
25 try to move things down the road, if that's what convinces a  
26 couple of people to try to move the can, or not the kick the  
27 can, I'm in support of it.

28  
29 I guess, to Phil's point, as to what does this do, yes, it does  
30 have implications relative to who gets what, as far as the long-  
31 term ownership, and so, as we pick up that topic, this comes  
32 into play, to some degree, as to how many people will be able to  
33 keep what was their financial gain or loss, depending upon what  
34 we do as far as cutting the tie to the permit requirement, and  
35 so I will be in support of this motion, but just consider that.

36  
37 The date that's in this alternative or the date that's in the  
38 Alternative 3, I believe, with 2015, all those things come into  
39 play, as far as those decisions that you make relative to  
40 divestment of shares, if that's in fact where we go, and so  
41 that's all I have to say. Thank you.

42  
43 **CHAIRMAN GUYAS:** Seeing no more hands, I think it's time to vote  
44 on this. **All of those in favor of the motion, please raise your**  
45 **hand; all those opposed. The motion passes thirteen to two.**  
46 Leann.

47  
48 **MS. LEANN BOSARGE:** Ava, I was just wondering. The next time

1 that we see this document -- I am looking at page 8 of 36B, and  
2 the data goes through 2016. Do you think we could maybe -- I  
3 know we've been working on it for a while, but could we update  
4 that, and the thing I was looking at and trying to figure out  
5 is, on page 8 -- So, essentially, the number of shareholder  
6 accounts is just under a thousand, looking at that graph on the  
7 left, in 2016, and I know that, right now, in 2020, I can look  
8 at the NMFS website and see that we have 762 Gulf of Mexico reef  
9 fish permits, and so I know that there will have to be some  
10 consolidation of those accounts if we go down this road, which  
11 I'm not saying is a bad thing, but I just wondered what that  
12 picture looks like today.

13  
14 **DR. LASSETER:** We will definitely get that done, and we did  
15 provide the same information in the presentation, and so, if you  
16 want to see the more recent years, we can look at the figure  
17 there, but I'm going to make it look more like what's in the  
18 document, and we'll get it updated for the next version,  
19 absolutely.

20  
21 **CHAIRMAN GUYAS:** All right. Anything else on Action 1? Troy.

22  
23 **MR. WILLIAMSON:** Back to Dale's point about folks who have  
24 invested and bought into this fishery, and there are, without a  
25 doubt, a lot of good-faith participants in this fishery, people  
26 who bought in and people who are fishermen, who actively go out  
27 and fish, but there are also a number of whatever you want to  
28 call them, brokers or whatever, that are also participating in  
29 this fishery, and it's become, unfortunately, a leasing  
30 business, and, to me, the fallacy of Alternative 3, 4, and 5, is  
31 that you grandfather these folks in.

32  
33 You are not getting rid of what you're trying to accomplish here  
34 by getting rid of the leasing of these shares by these brokers,  
35 if you will, and so, to me, the only alternative is Number 2,  
36 and trust me that these people that have these shares have got  
37 lawyers lined up, and they are going to find a way to associate  
38 their shares with a reef fish permit, and so just giving them  
39 another extension just exacerbates the problem, in my view. **I**  
40 **would make a motion that Alternative 2 be the preferred**  
41 **alternative here.**

42  
43 **CHAIRMAN GUYAS:** We've got that motion on the board now, in  
44 Action 1, that Alternative 2 be the preferred. Is there a second  
45 to this motion? Kevin.

46  
47 **MR. ANSON:** I will second for discussion.

1 **CHAIRMAN GUYAS:** Okay. Any discussion on this motion? Roy.

2  
3 **DR. CRABTREE:** Well, what I seem to get from Troy is that  
4 somehow your view is that leasing is the problem, and it's not  
5 clear to me why that would be the case. If you do this, then  
6 all of the shareholders who are leasing now will buy a permit  
7 and a vessel, and they will pay someone to fish on it, and  
8 things will go on.

9  
10 It does seem to me that what this likely does is reduce the  
11 amount of leasing that occurs, which means that it will be more  
12 expensive to lease, and so a lot of these smaller players, who  
13 don't have the capital to buy shares, will be driven out of the  
14 fishery, because it will be more costly to lease, and there  
15 won't be as much available to lease, which seems to me to be  
16 contrary to some of the concerns that I have heard brought up  
17 around the table.

18  
19 It's just not clear to me, and this is my problem with all of  
20 this is the get-go, what is the real problem, and why is it a  
21 problem, and then how is this going to fix anything, because I  
22 really -- If someone is heavily invested in this fishery, I  
23 can't imagine that many people are going to divest. Most of  
24 them are just going to buy a boat, and they're going to pay  
25 someone to fish on the boat, and so we just come in, and we're  
26 causing them to jump through some bureaucratic hoops, because of  
27 a perceived issue, and it makes the fishery less efficient and  
28 less economically productive, and I don't think it fixes  
29 anything.

30  
31 **CHAIRMAN GUYAS:** Mara.

32  
33 **MS. LEVY:** I am not going to say that you can't pick a  
34 preferred, but I will just note that this document is pretty  
35 incomplete. There is no Chapter 3, the affected environment,  
36 and there is no Chapter 4, the effects analysis, and so I know  
37 you've had a lot of discussion about these, but it might be a  
38 little bit premature to pick a preferred at this point. It  
39 seems like, if you could nail down exactly what you want here,  
40 and staff could actually complete the different sections of the  
41 document, then maybe you would have a little bit more  
42 information.

43  
44 **CHAIRMAN GUYAS:** Troy.

45  
46 **MR. WILLIAMSON:** I think Roy had an interesting comment, and I  
47 guess my question to you is are you advocating that we do away  
48 with the reef fish permit and retain, of course, the VMS and all

1 the things that go with it? In other words, make them available  
2 to all the fishermen out there?

3  
4 **DR. CRABTREE:** No, I'm not advocating that at all, and I don't  
5 know how you could have the VMS requirement without the permit.  
6 I am just trying to understand what it is you're trying to do  
7 and why. I hear people talk about the in-perpetuity problem.  
8 Well, this doesn't change that. Is that what the problem is?  
9 If this is you want to turn this fishery back into a mom-and-pop  
10 fishery, where you have loads of vessels, and they're all small  
11 things, I don't think this is going to get you that at all.

12  
13 If you want to have more people in the fishery and reduce the  
14 size of the entities in it, it seems to me that you would be  
15 talking about the share caps. That's what controls how many  
16 entities can own the fishery, and it just seems to me that we're  
17 just not clear about what it is that we're trying to do and why  
18 is it a problem.

19  
20 If you look at this fishery, it works really well, and they  
21 catch all of the fish, and they get it to the dock efficiently,  
22 and they never go over their quota. It does most of the things  
23 we want. Yes, we hear from people who complain about the cost  
24 of leasing, but, you know, this is a business, and there is  
25 money to be made in it, and so there's capital costs to get into  
26 the business, but I don't really think this changes any of that,  
27 and so I just -- I think that's our trouble.

28  
29 **CHAIRMAN GUYAS:** Joe.

30  
31 **GENERAL SPRAGGINS:** Obviously, Mississippi doesn't have a big  
32 entity with this, but I was listening to it, and I was,  
33 obviously, thinking about what happens in the nature of  
34 business. If I go and tell this person that is selling these  
35 leases that you've got to pay another \$25,000 or whatever to get  
36 you a reef permit, and you've got to do it, I'm just going to  
37 add that to that person who is buying the lease, and I'm just  
38 going to make that person have to pay more for it in the long  
39 run, because I'm not going to absorb it. If I'm the one who  
40 owns it, I'm going to be the one -- It's just like anything else  
41 in life.

42  
43 If you tax me, I'm just going to add it to the end of the  
44 profit, and I'm going to make it be paid for somehow, someway,  
45 and so, if we're trying to help that person that is doing the  
46 lease, that is going out and buying the lease to go and do the  
47 fishery, then we're just costing that person more money, is the  
48 way I look at it, but that's just a point.



1  
2 **CHAIRMAN GUYAS:** Tom.

3  
4 **DR. FRAZER:** I just want to follow up on a comment that both Roy  
5 and Mara made. The document is not mature at this point, but,  
6 ultimately, there will be a section on the effects, and I'm  
7 wondering if we have the economic tools, analytical tools, to  
8 indicate what the consequences would be on lease prices, for  
9 example, and I don't know if we have the tools to do that or  
10 not.

11  
12 **DR. LASSETER:** I will email an economist and get back with you.

13  
14 **DR. FRAZER:** I appreciate that.

15  
16 **CHAIRMAN GUYAS:** John.

17  
18 **MR. SANCHEZ:** While we're looking at that, you might as well  
19 look at what this is going to do to the cost of the permits,  
20 because I will tell you right now that they're going to go up.

21  
22 **CHAIRMAN GUYAS:** Kevin.

23  
24 **MR. ANSON:** There is going to be some impacts with whatever  
25 decision the council makes, and this is certainly one of those,  
26 a biggie, and this is a problem that the council has heard from  
27 many fishermen who aren't fortunate enough to have shares  
28 directly that are theirs, and so they have to lease them.

29  
30 In the business world, sure, it's a cost for someone to acquire  
31 a reef fish permit, and they will add that cost into the cost of  
32 doing business. On the flip side of that, the fisherman is  
33 going to have to make a decision.

34  
35 Well, I'm only making seventy-five cents a pound now, and so, if  
36 I make fifty cents a pound, I can go catch another fish that's  
37 fifty cents a pound, if it gets to fifty cents a pound, and so  
38 that's a decision that they're going to have to make, and then  
39 we get into issues of is there going to be any net biological  
40 loss, because that fisherman who would have brought those fish  
41 in now is just going to discard them, and so there are going to  
42 be some consequences, unintended, potentially, if we go down  
43 this route.

44  
45 Part of that is -- The mantra is, well, it's part of the market  
46 and let the market decide, and we'll let the market decide, and  
47 we let the market roll right now with an IFQ program, and so  
48 we're trying to address those things that we see are not

1 correct, and so this is part of the reason why we've gotten to  
2 this point, is that these are some tough decisions, these are  
3 economic decisions, they are financial decisions, and I have  
4 heard comments offline that this isn't about fish, and, no, it's  
5 not necessarily about fish, but every decision we make about  
6 managing fish ultimately has impacts on somebody's finances, and  
7 so these are things that we're just going to have to fight  
8 through, and we can do some analysis and try to have some ideas  
9 as to what impact that might have, but that's really what it is.

10  
11 What it comes down to, to me, is that a fisherman today has to  
12 pay \$4.50 or \$5.00 a pound in order to bring in a fish, and,  
13 before the IFQ program, they didn't. Now, they had to fight,  
14 and they got less money at the dock, and so I would be curious  
15 to know how much money they're clearing now versus how much  
16 money they were clearing before, when they had an open fishery,  
17 and I suspect that, in today's climate, they're probably making  
18 less money today than they were back then.

19  
20 **CHAIRMAN GUYAS:** Roy.

21  
22 **DR. CRABTREE:** Well, I think you said an open fishery, and this  
23 wasn't an open fishery before IFQ. You had to have a red  
24 snapper license, and there were a very limited number, I think a  
25 little over a hundred, and they had a trip limit, and they had  
26 all kinds of other constraints on them, and so we're not talking  
27 about an open fishery.

28  
29 I agree with you that there are unintended consequences of this,  
30 but what I'm struggling with is I see no benefit from this. I  
31 see we're just inflicting costs on the industry, with no real  
32 benefit or anything good coming out of this, and that's what I  
33 don't follow with it. It's just why do this?

34  
35 **CHAIRMAN GUYAS:** Leann. Go ahead, Kevin.

36  
37 **MR. ANSON:** To that point, just because we have fishermen that  
38 are out there actually putting the sweat and time and labor into  
39 bringing those fish in, and they're not realizing full  
40 potential, and that's why.

41  
42 **DR. CRABTREE:** I fail to see how requiring the existing  
43 shareholders to get a permit changes that. That will be the  
44 case afterwards. I mean, that's my thing. I don't think -- If  
45 your problem is that leasing costs too much, this will make  
46 leasing likely cost more, and so it doesn't fix the problem that  
47 you are trying to fix, and, if we do something that has costs  
48 and no clear benefit, or the benefit doesn't really align with

1 the facts, then it's arbitrary and capricious, and we're not  
2 going to be able to get it done, and so I just --

3  
4 **CHAIRMAN GUYAS:** One more time.

5  
6 **MR. ANSON:** Thank you. It's kind of to that point. I guess  
7 what I'm hearing you say, Roy, is that, if we don't require them  
8 to have the permit, and they continue to have the ability to  
9 share and transfer and lease, in order to try to affect or  
10 change that, is then put a divestment of shares in. For those  
11 that want to, they would have to then go and get the permit,  
12 but, if we don't require it, but then, for those that aren't  
13 landing those fish -- So we've had this in prior iterations of  
14 the documents.

15  
16 If they aren't catching those fish and selling those fish  
17 underneath that permit, and they're being leased another permit,  
18 that you could have a divestment over time of those shares out  
19 of that person, or those persons, that are leasing those fish,  
20 and is that correct?

21  
22 **CHAIRMAN GUYAS:** Go ahead, Roy.

23  
24 **DR. CRABTREE:** I am having a hard time following your argument.  
25 I mean, so we have people who own shares, and they lease them,  
26 and this won't force them to divest themselves. I believe they  
27 will lease a vessel with a permit on it and continue to operate,  
28 and so I'm not sure what you're asking, I guess.

29  
30 **MR. ANSON:** That's essentially what my point, I guess, is. If  
31 we had an action item in either of the documents that addressed  
32 that, for those that are currently leasing those and not  
33 currently fishing them, and it's to have a requirement in there  
34 that they divest from those over a certain time period.

35  
36 **DR. CRABTREE:** Sort of like a cyclical redistribution, like we  
37 looked at with charter boats?

38  
39 **MR. ANSON:** Yes.

40  
41 **DR. CRABTREE:** It might, but it's just that I don't think we  
42 have anything like that anywhere, and we haven't really looked  
43 at it, and so maybe that's a way to do something, and I don't  
44 know.

45  
46 **CHAIRMAN GUYAS:** All right. Leann. Thank you for your  
47 patience.

1 **MS. BOSARGE:** No problem. I had always kind of leaned a little  
2 more towards Alternative 3, which will grandfather some, and  
3 that's when both programs became open to public participation,  
4 and, essentially, my rationale for that mainly for those  
5 original fishermen that were original shareholders in the  
6 program that had a permit, and then we dropped the requirement  
7 to have a permit, and maybe some of them got rid of their  
8 permits, so that they didn't have to go back and buy a permit  
9 again, and I just feel like we kind of flipped and flopped on  
10 those people a couple of times.

11  
12 **I will make a substitute motion, mainly because I want to gauge**  
13 **the council's appetite for Alternative 3, that, in Action 1, to**  
14 **make Alternative 3 the preferred.**

15  
16 **CHAIRMAN GUYAS:** All right. While that's going on the board, is  
17 there a second to this motion? Going once, going twice.

18  
19 **MR. DIAZ:** I will second for discussion.

20  
21 **CHAIRMAN GUYAS:** All right. We've got a second from Dale. Is  
22 there discussion on the substitute motion? Susan.

23  
24 **MS. BOGGS:** I kind of have a general question, because I'm a  
25 little bit confused now, based on what Roy said, and Mara, about  
26 we don't have Sections 3 and 4 moving on, and so we're premature  
27 in making motions, and so, if we don't need to be making motions  
28 today, what is it that we need to be doing, because we've  
29 already had these discussions.

30  
31 **CHAIRMAN GUYAS:** Greg.

32  
33 **DR. STUNZ:** I want to make a quick comment to that, Susan, and  
34 just the preferred and the premature nature of the document. I  
35 prefer -- To speak to the motion, Leann, I prefer the original  
36 motion, and so I'm speaking in opposition to that motion, but,  
37 as far as selecting the preferreds, whether we're really  
38 selecting preferreds or whatever in the status of the document,  
39 I think it's important to get that on the table, because that's  
40 spurring that discussion.

41  
42 If we weren't putting up a motion selecting preferreds, we would  
43 have no intent of where any of us around this table, and so  
44 whether it's premature or not is kind of irrelevant, and it's  
45 spurring on discussion, and so I support that, but I still speak  
46 in favor of the original motion.

47  
48 **CHAIRMAN GUYAS:** I mean, the business of the council gets done

1 in motions, and I will say that. Whether or not the committee  
2 wants to choose preferreds is up to you all, but that's how we  
3 get things done, and so please make motions if you have a  
4 motion. Susan.

5  
6 **MS. BOGGS:** In that case, I will make a substitute. Are we  
7 through with this motion? No, we're not. Never mind.

8  
9 **CHAIRMAN GUYAS:** We can drop a second substitute, if that's what  
10 you would like to do. Otherwise, we can vote through the series  
11 that we already have. All right. Is there anything on the  
12 substitute motion that is on the board right now to make  
13 Alternative 3 the preferred in Action 1? Okay. Let's vote on  
14 it. **All in favor of the substitute motion, please raise your**  
15 **hand; all opposed. The motion fails one to twelve.**

16  
17 That takes us back to the original motion, and so the original  
18 motion was, in Action 1, to make Alternative 2 the preferred,  
19 and so let's go ahead and vote on that as well. **All in favor of**  
20 **the motion, please raise your hands; all opposed. The motion**  
21 **passes eight to five.** Anything else on Action 1? Susan.

22  
23 **MS. BOGGS:** Can I offer my substitute motion now, or make a  
24 different motion for a new action?

25  
26 **CHAIRMAN GUYAS:** You can make an actual motion at this point,  
27 yes.

28  
29 **MS. BOGGS:** Okay. I would like to make a motion, and I emailed  
30 it to staff, to make Alternative 5 the preferred alternative,  
31 the new Alternative 5, with a control date of October 2. Can we  
32 do that?

33  
34 **CHAIRMAN GUYAS:** Yes.

35  
36 **DR. CRABTREE:** What we voted on passed, correct? So we've  
37 already selected a preferred.

38  
39 **CHAIRMAN GUYAS:** At this point, I think we would need a motion  
40 to reconsider, to pull back on the motion that we just make.  
41 The other thing you could do is, if you wanted to roll this out  
42 at Full Council, that would be potentially an option for you.  
43 Anything else on Action 1? Okay. In that case, let's move on  
44 to Action 2.

45  
46 **DR. LASSETER:** I just also wanted to respond to something that  
47 Ms. Boggs said, in terms of what staff was looking for. We were  
48 really looking for what are you trying to do across both of

1 these amendments, and so I do ask that you also consider what  
2 you're doing in this amendment, what you want to do, what you  
3 want to achieve, and what you think you want to achieve, what  
4 you want to do, in C, because they will relate. They will be  
5 impacting the same people, and so kind of be thinking about  
6 that, and, if we're picking preferreds, I'm going to assume that  
7 we should definitely be moving towards a public hearing draft as  
8 well, which would be those Chapters 3 and 4. Let's discuss  
9 Action 2.

10  
11 **DR. FRAZER:** We're going to go ahead and take a ten-minute  
12 break. Thanks.

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

15  
16 **CHAIRMAN GUYAS:** Ava, when you're ready, I will turn it back  
17 over to you.

18  
19 **DR. LASSETER:** Okay. Thank you. Action 2 of Amendment 36B  
20 starts on page 12, and this action is titled "Share Divestment",  
21 and the note at the top states that this action is only valid if  
22 an alternative other than the no action, Alternative 1, is  
23 chosen in Action 1, and so, of course, you have to put the  
24 permit requirement in place through the previous action, in  
25 order to validate creating a system of what to do about people  
26 that are unable to meet the requirement.

27  
28 We have three alternatives here. First, of course, Alternative  
29 1 is always our no action, and Alternative 2 addresses  
30 immediate, short term, and then Alternative 3 is long term.

31  
32 Alternative 2 states that a shareholder account with shares that  
33 is not associated with a commercial reef fish permit must divest  
34 of shares as needed to meet the requirements set in Action 1, or  
35 the shares will be reclaimed by NMFS, and there is two options  
36 for timelines, within one year following the effective date of  
37 the final rule implementing this amendment or within three years  
38 following the effective date of the final rule implementing this  
39 amendment.

40  
41 Then Alternative 3 is very similar, but in the event that people  
42 are not able to meet the requirement sometime in the future, and  
43 maybe they have a permit associated with their account for some  
44 years after this requirement goes into place, and then, at a  
45 later time, they do not renew their permit, they sell their  
46 permit or whatnot, and they're found to be inconsistent with the  
47 requirement.

1 Alternative 3 states then that, after implementation of this  
2 amendment, if a shareholder account no longer has an associated  
3 valid or renewable reef fish permit, in other words, the permit  
4 is transferred or not renewed, the shareholders must divest of  
5 the account's shares, as needed to meet the requirements set in  
6 Action 1, or the shares will be reclaimed by NMFS. There is the  
7 similar options there of within one year following the transfer  
8 or termination of the permit or within three years following the  
9 transfer or termination of the permit. I will pause there for  
10 discussion.

11  
12 **CHAIRMAN GUYAS:** All right. John.

13  
14 **MR. SANCHEZ:** In Alternative 2, I think we had before an option  
15 that had five years. In order to have a range, I kind of would  
16 like to see an option of maybe 2c, the same language, but adding  
17 within five years, so we have a range. I will make a motion.

18  
19 **CHAIRMAN GUYAS:** Okay. Would you also want to do that in  
20 Alternative 3?

21  
22 **MR. SANCHEZ:** Sure.

23  
24 **CHAIRMAN GUYAS:** In Action 2, add a new Option 2c and 3c of  
25 within five years and then whatever the text is after that.

26  
27 **CHAIRMAN GUYAS:** All right, and so we've got our motion. In  
28 Action 2, add a new Option 2c and 3c. Option 2c would be within  
29 five years following the effective date of the final rule  
30 implementing this amendment, and Option 3c is within five years  
31 upon the transfer or termination of the permit. Is there a  
32 second for this motion? It's seconded by Leann. Is there  
33 discussion? Chris.

34  
35 **MR. SCHIEBLE:** I agree with it. I think giving a little bit  
36 more time it is a good idea. The question I have is I also  
37 recall us having a five-year option in here originally, and what  
38 happened to it? I don't remember what happened and why it was  
39 removed.

40  
41 **DR. LASSETER:** I believe I actually told John that I thought it  
42 was five years that was removed, and I think actually an option  
43 that was removed was at the time of implementation that did not  
44 have a time period of allowance, and so I think this rounds out  
45 the range in the other direction. I did speak to John, and we  
46 did not have five, but we had just at the time of.

47  
48 **CHAIRMAN GUYAS:** Roy, was your hand sort of coming up?

1  
2 **DR. CRABTREE:** I have a comment after we vote.

3  
4 **CHAIRMAN GUYAS:** Any other discussion on the motion? **Is there**  
5 **any opposition to this motion? Seeing none, the motion carries.**  
6 Roy.

7  
8 **DR. CRABTREE:** If I'm a shareholder and I don't have a permit,  
9 and so this goes into effect, and let's say, for example, we  
10 choose the five years, and so then I buy a permit that is  
11 transferred to me, and now I'm good, and I turn right around and  
12 sell the permit, and now I have five more years to acquire a  
13 permit, right?

14  
15 All you've got to do is find someone who is willing to transfer  
16 you a permit, and you transfer it back to them, and, I mean,  
17 we're just creating bureaucratic loopholes that accomplish  
18 nothing.

19  
20 **CHAIRMAN GUYAS:** Leann.

21  
22 **MS. BOSARGE:** Roy, I thought about that too, but I think that,  
23 the way this document is structured, we'll have two decision  
24 points, and so one decision point is, if we do go forward with  
25 this, and we say you have to have a permit to own shares, how  
26 long will you have to make that happen once we implement this  
27 amendment? That could be one, three, or five years.

28  
29 Then the second point is, all right, well, if at some point in  
30 the future -- If you do that, you've got so many years, and say  
31 it's five, but then, in the future, if you sell your permit or  
32 you do whatever, that's a different decision point.

33  
34 How long will we give you to either get a new permit or, if it's  
35 a situation where it wasn't renewed or whatever the case may be,  
36 and, in my opinion, that would probably be a shorter number of  
37 years, and I agree with you. There is an initial requirement to  
38 get a permit, but then there's things in the future, and so that  
39 would probably be a shorter time period, in my mind.

40  
41 **CHAIRMAN GUYAS:** Chris.

42  
43 **MR. SCHIEBLE:** I guess my thought process on it is it's like a  
44 five-year notice. You are giving someone that can't have the  
45 possibility of getting another permit, for whatever reason, five  
46 years to straighten out their business.

47  
48 **CHAIRMAN GUYAS:** All right. Anything else on Action 2? All



1 right.

2  
3 **DR. LASSETER:** Just to check in with the committee and your  
4 intent, since you have selected a preferred alternative for  
5 Action 1, staff is going to assume that you want us to move  
6 forward with a public hearing draft. We were looking for kind  
7 of feedback, broadly over 36B and C, kind of in terms of what  
8 you wanted to do, and I wasn't intending to go through the  
9 actual actions in 36C, and we do have this discard presentation,  
10 and so perhaps we can move on to that, and I will give admin  
11 staff a moment to communicate with Dr. McCarthy.

12  
13 I did want to kind of contextualize for you where we are with  
14 this, and so, at your October meeting, you passed a motion to  
15 request that the Science Center provide estimates of discards in  
16 both weight and number of fish, as well as estimated release  
17 mortality for each gear type used to harvest commercial IFQ  
18 species for incorporation into Amendment 36B.

19  
20 We understood that largely to be you're trying to get a sense of  
21 how much quota would even be required to go towards your goal of  
22 reducing discards in the red snapper fishery. However, in the  
23 discussion, Dr. Stunz also related this to some broader issues,  
24 in terms of discards, and so we did want to check in with the  
25 committee and ensure if you're looking for more information than  
26 what we've brought you today, to speak to other things, and are  
27 you looking for more than just red snapper discards, and we've  
28 brought you red snapper and red grouper, and so I just wanted to  
29 raise that issue again, to make sure that we're clear on what  
30 you're looking for.

31  
32 **CHAIRMAN GUYAS:** Phil.

33  
34 **MR. DYSKOW:** Thank you, Madam Chair. Before we get into that,  
35 aren't we going to pick a preferred alternative on Action 2, the  
36 thing we're talking about?

37  
38 **CHAIRMAN GUYAS:** That is certainly the committee's prerogative,  
39 if they would like to do that, but --

40  
41 **MR. DYSKOW:** Well, it seems like it's pretty straightforward,  
42 because it's one year, three years, or five years, and we just  
43 pick one and move forward. At least we've gotten something  
44 accomplished.

45  
46 **CHAIRMAN GUYAS:** Susan.

47  
48 **MS. BOGGS:** Back to Ava's comments. Do you need a motion for

1 the public draft hearing? I'm saying that in the wrong order,  
2 I'm sure, but because it just seems to me that we need to hear  
3 from the fishermen what it is they would like to see happen with  
4 this document, because picking the preferreds, as I've heard  
5 today, is a little premature, and so I guess I'm asking, Ava,  
6 what would you need from this committee, or Full Council, to  
7 move forward with that?

8  
9 **DR. LASSETER:** I would understand motions that have selected  
10 preferreds in a document that only has Chapters 1 and 2 as  
11 direction to us that we need to go ahead and flesh out the rest  
12 of the document as a public hearing draft, and so, if that's  
13 okay with Dr. Simmons, I don't feel that I need a separate  
14 motion for that.

15  
16 **CHAIRMAN GUYAS:** All right. Well, if someone would like to make  
17 a motion to pick a preferred for Action 2, now would be the  
18 time. Otherwise, we are going to move on to this discard  
19 presentation. Phil.

20  
21 **MR. DYSKOW:** I am not trying to drag this out, but could we have  
22 some discussion on the three options, to get a sense of where  
23 people are, and perhaps that would lead to a motion?

24  
25 **CHAIRMAN GUYAS:** Leann.

26  
27 **MS. BOSARGE:** Alternative 2, which is, once we put this  
28 amendment in place, how long will you have to get that initial  
29 permit to go with your shareholder account, if you have one, and  
30 you don't already have a permit, and, to me, that would need to  
31 be a longer period of time, that three to five years, and didn't  
32 John just add a five year? I would not feel comfortable with  
33 the one year. That's a pretty quick turnaround to try and find  
34 a permit and a boat to put it on, and so I would be more  
35 comfortable with the three or five. I'm not real sure -- I'm  
36 maybe leaning towards the five at this point, but I would have  
37 to think about it a little bit.

38  
39 **CHAIRMAN GUYAS:** Troy.

40  
41 **MR. WILLIAMSON:** I guess what we're saying is that Alternative 1  
42 or Alternative 3 don't contain a date certain for taking action  
43 on this share divestment, and it may or may not have a transfer  
44 determination, and Alternative 1 is just left up to good  
45 discretion of the shareholder, and so we're looking really at  
46 Alternative 2 for a date certain in this issue.

47  
48 **CHAIRMAN GUYAS:** Greg.

1  
2 **DR. STUNZ:** I've got to ask a very naïve question, not having  
3 been here early on when the permits, the original permits, were  
4 put into place, and I assume -- Maybe this is a question to Roy  
5 or someone, but I assume that was to curb effort in the fishery,  
6 but we now constrain the effort in the fishery through quota or  
7 allocation or whatever.

8  
9 I guess I'm not just real clear on the need. If Roy is saying  
10 there is problems in defining all these issues around holding  
11 these permits and then all the issues with bycatch and other  
12 things that people that don't necessarily have that permit, or  
13 would like one, what is the value of the permit as it stands  
14 today with this IFQ program, and maybe it's totally obvious, but  
15 I'm kind of missing it, if we're constraining the fishery in  
16 other ways.

17  
18 **CHAIRMAN GUYAS:** Roy, are you wanting to take that, or Ava?

19  
20 **DR. CRABTREE:** You're talking about the reef fish permit?

21  
22 **DR. STUNZ:** Yes, and so the permits that we're talking about  
23 right now, if you don't have one, if you're not divesting of  
24 shares, and, basically, I'm kind of going back to Action 1, in  
25 terms of if we're constraining that now, with the amount of  
26 quota that individuals are allocated, it seems like you could  
27 broaden that permit, and it wouldn't be such an issue, or  
28 broaden access to that permit.

29  
30 **DR. CRABTREE:** Remember though that it's a reef fish permit, and  
31 so it applies to a lot more than red snapper, and, secondly, the  
32 permit is the basis for the requirement to have VMS and all the  
33 reporting requirements and things.

34  
35 They are associated with the permit, and this council decided, I  
36 don't know how many years ago, to put -- I think all of our  
37 commercial fisheries are under limited access, and so, if you're  
38 trying to retreat from limited access, that would be a huge  
39 shift in -- I mean, if you go back, we were dealing with issues  
40 of overcapacity, which I suspect the economic analysis would  
41 still show that there's overcapacity in this fishery, and so I  
42 don't know why you would go down that path.

43  
44 **DR. STUNZ:** Well, that's what I meant, and that's a reasonable  
45 answer, but I guess that the overcapacity now is addressed  
46 through the amount of quota that's available, and so, anyway,  
47 I'm just trying to get a handle on the history of exactly that  
48 permit, and, as far as the VMS requirement and things, I mean,

1 if you're fishing part of that quota, that could be a  
2 requirement, to have that type of gear.

3  
4 **CHAIRMAN GUYAS:** I am going to let Ava jump in.

5  
6 **DR. LASSETER:** Okay, and so I perhaps should have brought into  
7 the overview presentation our goals and objectives on the  
8 problem was well, because reducing overcapacity is one of those,  
9 and each of the five-year reviews that we've had to date did  
10 talk about -- It concluded that, while some overcapacity has  
11 been reduced, more could be achieved, and capacity is not  
12 related to the shares.

13  
14 It's how many people are out there chasing how many fish, and  
15 so, if you did want to go back and revisit your goals and  
16 objectives, we could do that, but it does sound like that kind  
17 of an action is not going to be consistent with the current  
18 goals, and I'm still trying to get a sense of what is it that  
19 you're trying to do in the program, and that feels like we're  
20 kind of going in another direction, and so maybe we do need a  
21 little more discussion overall of what you want the fishery to  
22 look like and what is it that you're trying to achieve.

23  
24 **DR. STUNZ:** Well, I'm not saying at all what I wanted to look  
25 at, but I'm just trying to get a general history of the nature  
26 and if those permits were put into place to curb overcapacity,  
27 and that is what we're talking about here, but that's fine.

28  
29 **CHAIRMAN GUYAS:** Kevin and then Leann.

30  
31 **MR. ANSON:** I am just wondering, based on a comment that Dr.  
32 Crabtree had earlier about loopholes and such relative to  
33 someone acquiring a permit who doesn't currently have one and  
34 then starting all over, I am wondering if we need to make some  
35 reference to that, to make it clear that they had to have had  
36 the permit prior to a certain date, implementation or something,  
37 so that it doesn't start the clock all over again if they go to  
38 acquire a date two years and six months into it, if we choose a  
39 three-year option, and then it starts over again after they  
40 relinquish that permit. They acquire it and have it for a  
41 certain period of time, a month or two, just to show that they  
42 had a permit, and that stops the clock, and does that need to be  
43 input here, and perhaps Mara can talk to that?

44  
45 **CHAIRMAN GUYAS:** Mara.

46  
47 **MS. LEVY:** Well, I think that goes to the Alternative 3 part,  
48 which is the after implementation, and so, after implementation,

1 if someone no longer has a permit, then they have a certain  
2 amount of time to divest, but then, if they don't have the  
3 permit and they get a new one, and then they get rid of it and  
4 that clock starts over, and, I mean, I think you could  
5 potentially add an alternative that says, as soon as you get rid  
6 of your permit, your shares go away, and so you have to have  
7 divested your shares before you transfer your permit.

8  
9 That might solve that problem of that, but then you also have to  
10 think about people just trying to reorganize, and so, if you've  
11 got folks who want to form a corporation, and they want to put  
12 their shares into that corporation, it's the same people, but  
13 they can't do that, because they have to get rid of the shares  
14 before they get rid of the permit, but they can't transfer the  
15 permit, and do you see what I'm saying? There is certain  
16 situations where something might be unintended if you make that  
17 happen, but that is one way to make sure there's no continual  
18 buy-sell of permits to restart the clock.

19  
20 **CHAIRMAN GUYAS:** Ava.

21  
22 **DR. LASSETER:** I wanted to respond to Mr. Williamson's question  
23 about the different alternatives. For this action, you can  
24 select both Alternative 2 and Alternative 3, and you can select  
25 a different option for each of them, and the idea is that  
26 Alternative 2 is directly tied immediately to when the first  
27 action goes into place.

28  
29 Alternative 3 is should in the future people do not maintain  
30 consistency with the requirement, and so, for this action, you  
31 can select both 2 and 3 and the same option for the time period  
32 or a different option.

33  
34 **CHAIRMAN GUYAS:** Roy.

35  
36 **DR. CRABTREE:** Ava, tell me if I'm reading this right, and so my  
37 read is, if you chose Alternative 1 under this action, that  
38 would mean, the day this action becomes effective, any account  
39 that didn't have a reef fish permit would lose all their shares  
40 immediately.

41  
42 **DR. LASSETER:** Honestly, for like NEPA and the design in  
43 Alternative 1, that's something that we kind of struggled with  
44 in here, when actions are tied together, and so that's probably  
45 something that we need to work out more as we flesh out the  
46 document.

47  
48 **DR. CRABTREE:** Mara is telling me that's not the way we've

1 written it, but, when I look at it, if we approve Action 1,  
2 we're saying, to maintain shares, you have to have a reef fish  
3 permit, and if we, in Action 2, don't provide for some time  
4 period, it seems to me that's how it would go.

5  
6 Then it seems to me, in Action 2, if you don't want people to be  
7 able to sort of game the system, you would have to say, if you  
8 transfer your reef fish permit, you lose all your shares, which  
9 basically means, if you're intending to get rid of your reef  
10 fish permit, you need to sell your shares first, and then you  
11 can get rid of your reef fish permit.

12  
13 That does create a host of problems though for somebody who  
14 wants to incorporate, because generally the way that works is  
15 they set up a corporation, and then they transfer their permit  
16 into a corporation, but it seems like we would have to make some  
17 provision in here that would allow you to transfer your shares  
18 and your permit simultaneously or to say, and maybe this does  
19 that, that, if you transfer your reef fish permit to a  
20 corporation, and you're the sole owner of that corporation, does  
21 that mean you can have your shares in a separate account, but  
22 you still own a permit?

23  
24 **DR. LASSETER:** I'm sorry, and I didn't quite understand the end  
25 part of that, but I did want to add, as far as the understanding  
26 of Alternative 1, that that is not how the IPT had originally  
27 laid this out, because there was, previously, for each  
28 Alternative 2 and 3, an option that the council has removed that  
29 would have applied the divestment at the time of implementation  
30 of this amendment, and the council discussed that people would  
31 need some kind of a grace period, and so we had originally  
32 constructed this so that the Alternative 1 did not mean  
33 immediate, but, again, how that ties as a no action --

34  
35 **DR. CRABTREE:** I get that, but what's difficult for me to follow  
36 is, if you don't choose some grace period, then there isn't a  
37 grace period, and it seems like Alternative 1 would do that.  
38 Now, Mara had some comment that -- What I'm getting at is we're  
39 requiring that every shareholder account has to be associated  
40 with permits somehow.

41  
42 If I own a vessel and a reef fish permit and I own shares, if I  
43 incorporate my reef fish permit, and so it's transferred to a  
44 corporation, but, if I'm the owner of that corporation, does  
45 that still meet that requirement, because now I own shares in  
46 one account, and Mara is telling me no, and I'm trying to  
47 understand how that works.

1 **DR. LASSETER:** The shareholder account and your permit must have  
2 the same entities. If you look at Action 1, there is a sentence  
3 at the end of each of the alternatives that defines how this  
4 would be operationalized. A shareholder account is considered  
5 to be associated with a permit if the permit has the exact same  
6 entities listed on both the shareholder account and the permit.  
7 Does that get at your point?

8  
9 **DR. CRABTREE:** Yes, and that tells me that you could do that,  
10 and so what you would have to be able to do then, if you wanted  
11 to incorporate, is you would have to be able to transfer all of  
12 your shares and your permit simultaneously into the corporation.  
13 All right.

14  
15 **CHAIRMAN GUYAS:** Mara, did I see your hand? Are you good?  
16 Okay. Ed.

17  
18 **MR. SWINDELL:** Ava, what if you have an account, and the guy has  
19 so many shares, and he gives half of those shares to one permit  
20 and half of those shares to another permit, and is that  
21 possible?

22  
23 **DR. LASSETER:** The shareholder account would be considered  
24 associated with a permit if at least one of those permits has  
25 the same entities on that permit and that shareholder account.  
26 That shareholder may have additional permits, and there would  
27 not be an issue, but there just has to at least be one permit  
28 for that shareholder to continue to hold shares, and it does  
29 have to have a permit that also has the same entities listed on  
30 both of them, but, yes, we do have entities that own more than  
31 one vessel, and this action would not create a conflict for  
32 those people.

33  
34 **CHAIRMAN GUYAS:** Susan.

35  
36 **MS. BOGGS:** Randy and I tell our daughter not to what-if us to  
37 death, but what if, Ava, you have a shareholder that has shares,  
38 Susan Boggs, and Susan Boggs owns a permit and owns a boat, but  
39 Susan Boggs also has a shareholder account with Susan and Randy  
40 Boggs and Susan and Elizabeth Boggs, and they don't have boats,  
41 and they don't have permits. As long as I'm not exceeding the 6  
42 percent cap, can I not move all of those shares into the Susan  
43 Boggs account that owns the permit and the vessel and be legal?

44  
45 **DR. LASSETER:** That is exactly what you would need to do, yes.

46  
47 **CHAIRMAN GUYAS:** Leann.  
48

1 **MS. BOSARGE:** To follow-up on what Susan said, the other two  
2 accounts, Susan Boggs and whoever, and then the other Susan  
3 Boggs and whoever, those would end up disappearing, and those  
4 would be terminated, because they wouldn't have a permit  
5 associated with them, and so, essentially, if this is  
6 implemented -- Right now, there is 762 permits, and you're going  
7 to have 762 shareholder accounts, maximum.

8  
9 **CHAIRMAN GUYAS:** Phil.

10  
11 **MR. DYSKOW:** In the spirit of moving things forward, I would  
12 propose a motion under Action 2 to make Alternative 2, Option c,  
13 and, in Alternative 3, also Option c, the preferred alternative.

14  
15 **CHAIRMAN GUYAS:** All right. Let's get that on the board. It's  
16 seconded by Dr. Shipp. Is there any discussion on this motion?  
17 Leann.

18  
19 **MS. BOSARGE:** Phil, any appetite to take these one at a time,  
20 because I think they're kind of two different beasts?

21  
22 **MR. DYSKOW:** Leann, I would be perfectly delighted to do them  
23 one at a time. If you would like to propose that, I would  
24 certainly withdraw my motion and allow that as a substitute.

25  
26 **MS. BOSARGE:** Well, I don't think you want me to make the  
27 substitute, because -- Wait. 2c, five years, okay. I am  
28 onboard with that one, and so I will make a substitute that --  
29 That would be my substitute, right, because you were looking at  
30 both alternatives at the same time, and so that takes the first  
31 decision point.

32  
33 **In Action 2, to make Alternative 2, Option 2c, the preferred.**  
34 **Option 2c is the one that John added, within five years**  
35 **following the effective date of the final rule implementing this**  
36 **amendment.** That's, when this originally goes into place, you  
37 will have five years to get a permit if you don't have one  
38 currently associated with your shareholder account.

39  
40 **CHAIRMAN GUYAS:** All right. Is there a second to that motion?  
41 It's seconded by John Sanchez. Is there discussion? **Is there**  
42 **any opposition to this motion? Seeing none, the motion carries.**  
43 Leann.

44  
45 **MS. BOSARGE:** For Alternative 3, to me, that's a little  
46 different beast. That's after you've gotten your initial permit  
47 to meet this requirement. This is at some point in the future.  
48 Two things could happen. You can sell your permit, in which



1 case you understood, when you sold it, that you had some shares  
2 and you were going to have to do something. You either get  
3 another permit or you have to sell those shares. If you don't,  
4 they're going to be taken away from you, or it could be that you  
5 don't renew your permit on time, or you pass away, something  
6 like that, and something causes you not to renew that permit.

7  
8 If you don't renew your permit on time, which happens, and  
9 you've got a lot going on, you do have a one-year grace period  
10 after the expiration date of your permit before the permit  
11 actually terminates, and that is what this action speaks to,  
12 after the permit has terminated, and so whether you forgot to  
13 renew it, or you passed away, and you've got relatives taking  
14 care of this, they still have one year after your permit expires  
15 to renew it somehow, change the name or do whatever they have to  
16 do, and keep it in place.

17  
18 **To me, this ought to be Option 3a. That gives you another year**  
19 **after the permit expires, and so that gives you two years once**  
20 **that permit expires to do something before you lose your shares**  
21 **for not having a permit associated with them, and so I think**  
22 **Option 3a ought to be the preferred there, and that would be my**  
23 **motion.**

24  
25 **CHAIRMAN GUYAS:** It's seconded by Phil Dyskow. We'll get that  
26 on the board. **The motion is, in Action 2, to make Alternative**  
27 **3, Option 3a the preferred.** Is there any other discussion on  
28 this motion? **Is there any opposition to this motion? Seeing**  
29 **none, the motion carries.**

30  
31 Unless there is additional discussion about Action 2, I think  
32 now is the time to move on to that presentation, and so we'll  
33 give it a minute to get the webinar set up, because Dr. McCarthy  
34 is on the webinar.

#### 35 36 **DISCARD PRESENTATION**

37  
38 **MR. KEVIN MCCARTHY:** I would like to start out with some  
39 clarifications. First of all, it's not Dr. McCarthy, although  
40 my mother would have been very proud. It's just Kevin, and a  
41 couple of acknowledgements. I did about 2 percent of this work  
42 that you will see, but Allison Schideler and Steve Smith did the  
43 lion's share of it, with I think some assistance by Serena  
44 Atkinson, and so I just wanted to acknowledge them. Also,  
45 Vivian Matter provided the recreational discard estimates that  
46 you will see in this presentation, and so I've got two parts to  
47 this.

1 The first half is I'm going to talk you through the methods that  
2 we have developed for calculating commercial discards, and then,  
3 in the second half, we'll look at the results for those  
4 calculations for red grouper and red snapper.

5  
6 One other caveat is the presentation you're about to see has a  
7 little bit of a difference from what was provided to the council  
8 last week, and the results are the same, and there's no major  
9 changes in any of -- Well, there's no changes at all in any of  
10 the numbers, but I just cleaned up some of the language and that  
11 sort of thing.

12  
13 The general approach is to calculate a discard rate. For lack  
14 of a better term, I am using discards per unit effort, and so  
15 that's discards divided by effort part of this simple equation,  
16 and then we expand that by the total effort, and so we've got  
17 total discards then is that rate times the total effort, and we  
18 get the rate, that DPUE thing, from the Reef Fish Observer  
19 Program, and we get the total effort from the coastal logbook  
20 program, and so those logbooks that are turned in both the  
21 commercial fishers.

22  
23 The data sources, again, are the reef fish observers, and that  
24 began in mid-2006, and so right before -- It was about five  
25 months before the IFQ began for red snapper, and we use the  
26 first full year of data, and so 2007. We ran red grouper to  
27 2017, because that was the terminal year for the last  
28 assessment, and so we used the numbers from the last assessment.  
29 We ran red snapper through 2018, and those numbers were just  
30 calculated back in August for another council request.

31  
32 Coastal logbook began in 1990. However, the first full year of  
33 reporting wasn't until 1993, and so we've got effort data from  
34 1993 to the present. Our first challenge in developing a method  
35 was to get the proper effort variables, to identify the proper  
36 effort variables, and so we did that by matching observer trips  
37 with logbook trips, and so, for any trip that an observer  
38 reported, we got the logbook that was reported for that same  
39 trip, and so a one-to-one match, and we could identify how are  
40 the observers seeing effort and how are the fishermen reporting  
41 effort, because we want those to be comparable.

42  
43 What we did was to consider a number of effort level variables,  
44 and we compared them using a paired t-test. We can use this  
45 method to look at all the catch dispositions and calculate a  
46 number of things, including discards, but we can also calculate  
47 landings, and that's very important for validating this method,  
48 and I will talk about that a little bit more in a later slide.

1  
2 Another issue, another challenge, I suppose is a better way to  
3 say it, is that logbook data are reported at the trip level, and  
4 so all of the effort and all of the catch for the entire trip,  
5 and observer data are reported at the set level, and so, for a  
6 longline, for example, one deployment and one retrieval of the  
7 gear, as I'm sure you're all aware, that's a set. With vertical  
8 line, a set is defined -- Vertical lines here are handline and  
9 electric or hydraulic reels, bandit rigs, and we combined those  
10 together as vertical line. A set here is fishing at a  
11 particular location.

12  
13 For example, they might fish for five minutes and not catch  
14 anything and pull in the gear and then move on, and that would  
15 be a set, and then they might also be in a good spot, and  
16 they're catching a lot of fish, and they might be there for  
17 several hours and then pull in the gear and then move, and so  
18 that would be a set. It's not currently by time. It's amount  
19 of fishing in a particular spot.

20  
21 Our challenge then was to come up with a trip-level observer  
22 effort that corresponded to a logbook variable for effort, and  
23 so what we want is that denominator of effort, and so effort  
24 under discards, being comparable to the total effort, and so  
25 that's what we were after in the first step.

26  
27 Here, these are just some examples from the vertical line, where  
28 we looked at these different effort variables, and we've got six  
29 of them, I think, and so the first one looked at amount of time  
30 fished, and so, for that set time in hours, we looked at what  
31 are the observers reporting for the gear being in the water. If  
32 the boat was in a spot and they fished for an hour, and then  
33 they pulled in the gear and then moved to another spot and  
34 fished for another hour, and that was the end of their day, and  
35 it wouldn't be, but let's say it is for this example, that would  
36 be two hours of fishing.

37  
38 That is opposed to fishing day, where, if they put the gear in  
39 the water at 6:00 in the morning and pulled it out at the end of  
40 the day, at 6:00 in the evening, that would be a twelve-hour  
41 fishing day, and so we would sum that out, if they were out for  
42 two days, at twenty-four hours of fishing, whereas, in the first  
43 example, that set time -- Maybe they fished for six hours  
44 overall, because they spent a lot of time running in between  
45 sites or something, and we looked at a number of other ones, but  
46 the take-home here is that, for vertical line, the fishing day,  
47 where we're looking at when they put the gear in the water and  
48 when they stopped fishing at the end of the day, including all

1 the run time among sites, that was the value -- That was the  
2 variable that most closely matched what the fishers were  
3 reporting, and there was no significant difference between what  
4 the observers were reporting for a fishing day and what the  
5 fishermen were reporting on their logbooks, and so now we're  
6 comparing apples to apples when we do our calculation.

7  
8 That is just a repeat of vertical line, and we looked at some of  
9 the hours fished for the day, first hook in and last hook out,  
10 and we multiplied that by the number of days that they were  
11 fishing, and that matched up pretty well with what the fishermen  
12 were reporting themselves on their logbooks. With bottom  
13 longline, the effort is variable there. What was comparable was  
14 the number of sets on the trip.

15  
16 We've got our effort variables, and now we wanted to try the  
17 method, and what we came up with, what made a lot of sense to  
18 us, was, okay, instead of calculating discards first, let's  
19 calculate the landings, because we know what the landings are  
20 from the logbooks reports, and so we've got the fish divided by  
21 the effort, and that was all coming from the observer data, and  
22 then we multiply that by the total effort coming from the  
23 fishery for a particular gear, and so let's say vertical line,  
24 and so we would have taken total effort from the vertical line  
25 fishery and multiplied by the effort that we got by the catch  
26 rate, the CPUE, from the observer data, this total catch.

27  
28 If you go to the next one, you can see how well that worked, and  
29 so, here, this is vertical line, and we're looking at red  
30 grouper, and we've converted everything to pounds here. In  
31 green, we've got the logbook reported landings, and, in gold, I  
32 guess that is, the calculated landings, using our method, and  
33 they match up pretty well. It's a pretty close match.

34  
35 Here, this is the same exercising, looking at longline data,  
36 still red grouper, and we have reported landings in green and  
37 observer landings, or calculated landings from the observer  
38 data, I should say, is in gold, and this also matches up pretty  
39 well. We have come up with a way to hindcast the analysis in  
40 the years prior to having observer data, and so prior to 2007.

41  
42 For the results of red snapper and red grouper that I'll be  
43 showing you later, I have limited it to the years when we've got  
44 observer data, which is 2007 forward, but, anyway, these results  
45 give us a lot of confidence that our method is working. This is  
46 our best way to validate this approach, and so now we can move  
47 on and look at discards.

1 Just a quick summary of the discard calculation, and we used  
2 this very simple formula of getting the discard rate and  
3 multiplying it by the total effort in some component of the  
4 fishery, whether it's a particular gear type in an area or a  
5 gear across the Gulf, and we get the discard rate from the  
6 observer program, and we've got a method for expanding that set  
7 level information up to trip level information with using an  
8 effort variable that corresponds well between the two programs,  
9 and so we're not mixing apples and oranges when we're making  
10 this calculation, because would give us a biased results, or an  
11 incorrect result, and so the effort measure for the bottom  
12 longline is number of sets, and vertical line is the total hours  
13 fished per trip, and that includes transit time between  
14 locations.

15  
16 Our estimated landings closely follow the logbook reported  
17 landings, and so we've got a lot of confidence in this method,  
18 and this is now the recommended method of stock assessments  
19 coming out SEDAR reviews.

20  
21 Next, I will get into the results, and so this -- You will see a  
22 number of slides that follow this pattern, and this is discards  
23 in the vertical line fishery, and we were able to separate it  
24 into the eastern and western Gulf, and the east is in blue, and  
25 west is in orange, and then the sum of those, and so the total  
26 number for the Gulf, is in black. Again, discards in number,  
27 and note the scale here, because it differs among some of these  
28 slides.

29  
30 In 2007, and again in 2011, we've got the highest numbers of  
31 discards from this fishery, at about 200,000, and then, in two  
32 or three other years, the lowest amount was about 125,000 for a  
33 few years.

34  
35 This is converting those numbers into pounds, and we were able  
36 to do that because we know, from the observer data, the size of  
37 a discard, and so we can apply some length-weight relationships  
38 and get pounds, and, again, blue is the vertical line, and  
39 orange is the west, and the black is the total for the Gulf.  
40 2011, I think it is, is the high year, with about 700,000 pounds  
41 of discards, and then a couple of other years, 2007 and 2016,  
42 where it's maybe 250,000 pounds.

43  
44 Note the change in scale here, and we're looking at bottom  
45 longline now, the discards in numbers, and it's still the same  
46 color scheme. Blue is east, orange is west, and black is the  
47 Gulf as a whole. Many fewer discards, not surprisingly, and  
48 this is red snapper, and so many fewer from the bottom longline,

1 and a low in 2009 of something under 5,000 fish, and maybe  
2 there's three-and-half to 4,000 fish, and a high in 2018, with  
3 something slightly over 20,000 fish.

4  
5 Here, we have converted those numbers into pounds, with a low,  
6 obviously, still in 2009 of somewhere around 20,000 pounds, and  
7 a high in 2018, at a little over 100,000 pounds, maybe 125,000  
8 or 130,000, and so what does all of that mean? Let's put that  
9 into context, and so here they're compared with the recreational  
10 discard estimates coming out of MRIP.

11  
12 These numbers are using the latest methodology for estimating  
13 recreational discards, and this black line is recreational  
14 discards in the eastern Gulf, including just private boats and  
15 charter boats, and we don't have any shoreline or headboat in  
16 here. In the east, I have combined both gear types, and so  
17 vertical line and bottom longline, and that's on the bottom, and  
18 then I have combined those gears in both the eastern and the  
19 western Gulf, and that's the blue line. Discards in numbers,  
20 because that's how we receive the data from MRIP, and so we're  
21 going to get numbers of fish.

22  
23 If you go to the next slide, this is just a table with the real  
24 numbers, rather than just eyeballing that figure, and this is  
25 commercial east, both gear types combined, and then  
26 recreational, and the commercial account for somewhere between  
27 1.2 and 2.7 percent of the total discards, and so they're a  
28 small fraction of the discards in the east.

29  
30 If we go to the next slide, here we've got the same thing, but  
31 this is combining both gears and both regions of the Gulf, and  
32 that's that third column, and I have sort of grayed out the one  
33 that we just looked at, and so, in this case, we're still just  
34 comparing that to recreational discards in the east. Again,  
35 it's just private and charter modes, and now we're looking at  
36 something like 1.8 to 4 percent, depending upon the year, of  
37 discards that are accounted for by the commercial fishery Gulf-  
38 wide.

39  
40 Those percentages, if we included the western Gulf recreational  
41 discards, would be even lower, and the eastern numbers were just  
42 east B2, and it would be a much bigger lift to include Texas,  
43 for example, but, nevertheless, the message is pretty clear.

44  
45 Now we're moving on to red grouper. Here, the estimates for the  
46 commercial discards are Gulf-wide. These are the numbers that  
47 were used in the last assessment, and so that's why the terminal  
48 year in 2017 here. These are discards in pounds on the left and

1 discards in numbers of fish on the right, and weight is blue,  
2 and number of fish is orange, and so we're at a high of about  
3 700,000 pounds, or a little under 300,000 fish, in 2011, I think  
4 it is, and then a couple of years where it's around 150,000  
5 pounds, maybe 60,000 fish.

6  
7 Note the change in scale, again. This is bottom longline, and,  
8 not unsurprisingly, there is more fish involved here in red  
9 grouper. Again, discards in pounds on the left, and the blue  
10 line, and numbers of discards on the right, and the orange line.  
11 The highest numbers were in 2008, with a little under 1.2  
12 million pounds, and a bit under 500,000 fish.

13  
14 The very next year, they reduced the numbers of discards to  
15 about 400,000 pounds and a bit under 200,000, maybe 175,000,  
16 fish. In 2009, recall it was the year that the -- It was  
17 towards the end of May that year, and so that may account for  
18 that drop.

19  
20 Again, comparing that to recreational discards for red grouper,  
21 in just the east, just private and charter boats, again the  
22 discards are in number of fish, and the numbers combined for the  
23 two gears and Gulf-wide. If we go forward one slide and look at  
24 these numbers in a table, for most years, the commercial  
25 discards accounted for less than 10 percent of the total  
26 discards. There is an exception in 2007, where that 25 percent  
27 of the discards came from the commercial fishery, but, most of  
28 the time, 90 percent or more, the discards came from the  
29 recreational fishery, and, again, this is just in the east, and  
30 it's just private and charter boats.

31  
32 Most of the red grouper are coming from the eastern Gulf anyway,  
33 and so, if we rolled in the spatial discards from the west, it's  
34 unlikely to change these numbers, but --

35  
36 Just to summarize, we've got estimates from the commercial  
37 fishery for the eastern and western Gulf, and vertical line  
38 discards account for more than 90 percent of those commercial  
39 discards. In most years, the majority of discards for red  
40 snapper in the commercial vertical line fishery is coming from  
41 the eastern Gulf.

42  
43 Bottom longline discards, inversely, account for less than 10  
44 percent of the commercial discards, but, still, most years, the  
45 majority of discards from the bottom longline fishery are coming  
46 from the eastern Gulf of Mexico, and there is, of course, more  
47 bottom longline effort in the eastern Gulf, and so that may be  
48 part of that story.

1  
2 The take-home message, I suppose, or one take-home message, is  
3 that 96 to 98 percent, depending upon the year, of the discards  
4 are accounted for by the recreational fishery, for red snapper  
5 anyway, and, if the recreational red snapper discards from the  
6 western Gulf were included, that recreational percentage would  
7 be even higher.

8  
9 Summarizing red grouper, we estimated the commercial discards  
10 for the entire Gulf of Mexico, and we didn't divide it up into  
11 east and west. The vertical line accounts for about 30 percent  
12 of the commercial red grouper discards, except for the period  
13 2009 to 2011, when they were 55 to 60 percent of the commercial  
14 discards. Bottom longline, of course, would be the inverse of  
15 that, accounting for about 70 percent of the commercial  
16 discards, except during that three-year period.

17  
18 Recreational discards, for most years, are accounting for 90  
19 percent or more of the discarded red grouper. There were four  
20 non-consecutive years when that number was a little bit lower,  
21 and most particularly in 2007, when approximately 25 percent of  
22 the discards were coming from the commercial fishery, and so  
23 that, I think, is the end of my presentation, and I am happy to  
24 take any questions. I don't think there's another slide, other  
25 than a do-you-have-questions slide.

26  
27 There is that little bit at the end there. If you throw in the  
28 western Gulf, it might change these percentages a little bit.  
29 If you put in the recreational discards in the west, it might  
30 change the percentage a little bit, but it won't change the  
31 overall message. I am happy to take any questions.

32  
33 **CHAIRMAN GUYAS:** All right. Thank you, Mr. McCarthy. We do  
34 have a couple of hands in the room. The first person is Greg  
35 Stunz.

36  
37 **DR. STUNZ:** Thank you, Mr. McCarthy, for putting this together.  
38 A lot of the council members around this table have been asking  
39 for these type of data for quite a while, and it plays not only  
40 into the discussion at hand here with these 36C discussions that  
41 we're having, but other broader issues that we're dealing with,  
42 and so I really appreciate that.

43  
44 One of my questions that I have regards some of the commercial  
45 discards, particularly in the bottom longline, and I guess my  
46 question is how confident are you in those numbers, given the  
47 recent observer, or lack of, I guess, maybe recent observer  
48 coverage and that sort of thing?



1  
2 **MR. MCCARTHY:** Well, because we're able to very successfully  
3 back-calculate, or calculate, the landings and match those up  
4 pretty closely with what the logbook is reporting, that argues  
5 against a real problem with the observer coverage. Obviously,  
6 we would like to have more. We would like it to be a higher  
7 percentage of the number of trips that have an observer on it,  
8 but it looks like it's holding up pretty well, based upon that  
9 back-calculation.

10  
11 We've got -- What additional observer coverage would do for us  
12 primarily is allow us to reduce the variance of our estimates,  
13 and so I didn't present them for most of these results, but we  
14 stick some error bars around our estimates, and it would have  
15 been a little crowded in some of these figures, but they were  
16 shown when we calculated the landings, and so we could tighten  
17 up those error bars if we had higher observer coverage, and  
18 that's always a good thing.

19  
20 **DR. STUNZ:** Right, and, to follow up with that, we certainly  
21 would support that additional coverage, and the reason I'm  
22 asking is, if you go back one slide, to your Slide 22, or the  
23 second-slide-to-the-end, where it was talking about the red  
24 snapper summary, you probably know that we get a lot of  
25 testimony here at the council from the commercial fishery, and,  
26 in several instances, we've had some from the bottom longline  
27 talking about their discard rate, but you have put in there that  
28 the bottom longline accounts for less than 10 percent of  
29 discards, that 3,400 fish, up to 21,000, but some of the  
30 testimony that we get is that they are discarded 2,000 and 3,000  
31 fish per day, and so it seems like that number might be a little  
32 low, and that's why I was asking about the observer coverage,  
33 and maybe this is just the select few that are testifying here,  
34 but, even just with those individuals, that seems -- My gut  
35 feeling is that that number is probably a little low for those  
36 bottom longline discards.

37  
38 **MR. MCCARTHY:** Well, it's possibly that something different is  
39 going on with the discards than what is going on with the kept  
40 fish, but what our experience has been is that the observers are  
41 pretty good at seeing the disposition, especially on the bottom  
42 longline, because they're only looking at one piece of gear  
43 coming over the rail, as opposed to a vertical line boat, where  
44 there are four or maybe six reels that they're trying to keep  
45 track of.

46  
47 Again, we're able to pretty closely back-calculate the landings  
48 that are reported from the logbooks, and the other thing is that

1 -- I'm not sure if this is still ongoing, but, after 2009 to  
2 when there was the whole issue of fishing a fishery out -- The  
3 bottom longline fishery out to fifty fathoms in the east,  
4 because of turtle interactions, there was a bump-up in funding,  
5 and so they sent out more observers, and they sort of alternated  
6 years.

7  
8 They would do two years with increased coverage in the bottom  
9 longline fishery, and then, on the third year, they would move  
10 those folks over to the vertical line fishery, and that pattern  
11 went on for a while, and I'm not clear if it's still happening,  
12 but there are certainly ways that we could, at least in the  
13 short term, try and address that question.

14  
15 There are CRP monies available to try and get people out on  
16 vessels, if there is a concern that we're not really seeing  
17 what's going on there, but, again, we're able to get a good  
18 estimate of the landings that matches up pretty well with what's  
19 reported, and so that certainly gives us confidence that the  
20 method is working. Does that address your question?

21  
22 **DR. STUNZ:** Yes. Thank you, Mr. McCarthy.

23  
24 **CHAIRMAN GUYAS:** Kevin.

25  
26 **MR. ANSON:** Thank you for the presentation, Mr. McCarthy. The  
27 observer data, were you able to match every observer trip with a  
28 logbook trip?

29  
30 **MR. MCCARTHY:** We weren't able to do that. I am going to ask  
31 Steve if he knows off the top of his head what that percentage  
32 was. He said probably half to 70 percent. It can be a  
33 challenge matching up, because there is no single number, ID  
34 number, that is associated with an observer trip versus a  
35 logbook trip, although we're trying to address that issue moving  
36 forward, but what we would have to do is go back and say, all  
37 right, we've got a vessel, and it fished during these -- It had  
38 a trip during these days, and do we have something that matches  
39 up from the logbook with that, and so that proved to be a  
40 challenge and took quite a while -- That was a big chunk of the  
41 time spent trying to develop this method, and so we weren't able  
42 to get all of them, but we were able to get over half.

43  
44 **MR. ANSON:** What did you do with the half that you didn't match?  
45 Were those just discarded and not use the analysis?

46  
47 **MR. MCCARTHY:** Right, and so what we were doing that matching  
48 for was to identify the proper effort variable, and so what we

1 didn't want to do was to take a measure of effort that the  
2 observers reported and a measure of effort that came through in  
3 the logbook and not be certain they weren't talking about the  
4 same thing. We want them to be measuring effort in the same  
5 way, and so it wasn't absolutely necessary that we match up  
6 every one, because that was just to determine the proper effort  
7 measure, and, once we had that, we were able to then use  
8 everything. We could use all of the observer data, because then  
9 we're just getting a rate, and we could use all of the logbook  
10 data, because we're using that as our expansion factor, and so  
11 their effort from the logbook -- We used all of it.

12  
13 **MR. ANSON:** All right. Thank you.

14  
15 **CHAIRMAN GUYAS:** All right. Are there any other questions?  
16 Leann.

17  
18 **MS. BOSARGE:** On page 17 of your presentation, there is  
19 recreational discards in the east, and those are in numbers of  
20 fish, and I'm trying to get a handle on how many fish are  
21 discarded for every one fish that is landed. Like, in 2018,  
22 that's six-million fish, and do you have any ratios on that? Is  
23 it two-to-one, or three-to-one? What is that, because that's a  
24 lot of pounds.

25  
26 **MR. MCCARTHY:** I don't know what those numbers are. The purpose  
27 of this was just to come up with the number of commercial  
28 discards relative to all -- From all the fishing that's going  
29 on, and so that's something that I don't have. I don't normally  
30 work with the recreational data, and so I don't have a good feel  
31 for what that number might be, but we could compile that. If  
32 the council is interested in those numbers, we can put those  
33 together.

34  
35 **MS. BOSARGE:** I would be interested to know what that ratio  
36 looks like, and then just an observation that seems kind of  
37 strange to me. In 2007, you discarded six-million-and-something  
38 fish, according to this presentation, in the recreational  
39 sector, and, in 2007, they had a recreational quota of a little  
40 over three-million pounds and a six-month season.

41  
42 Then, in 2017, because I don't have the data on 2018 in front of  
43 me, but, in 2017 and 2018, nine-million fish, six-million fish,  
44 and the quota was much higher for them then. They had over an  
45 six-million-pound recreational quota and a forty-two or forty-  
46 nine-day season, depending on if we're looking at private angler  
47 or charter/for-hire, and so I guess what I'm saying is, with the  
48 exception of that nine-million-fish outlier, that 2017 is six-

1 million fish, and 2018 is six-million fish, with a big change in  
2 quota and a big change in season, and it just seems strange to  
3 me that the discards don't change as well.

4  
5 If you can land more fish, you would think you would have lower  
6 discards, but, if you had a shorter season, you would think you  
7 would have more regulatory discards, because you're fishing  
8 outside the season and you have the discarding, but I am not  
9 seeing a lot of change in the numbers, and that's kind of what  
10 made me wonder, and they sure do seem high, if you start  
11 multiplying that times an average pound for each fish. That's a  
12 lot of pounds of fish being discarded. I assume these are the  
13 new FES numbers, or are these the old --

14  
15 **MR. MCCARTHY:** These are the new FES numbers, and one of the big  
16 holes in the data that -- I don't know what the solution to this  
17 is, but one of the things that would be really nice to have from  
18 the recreational fishery that we don't have right now is how big  
19 are these fish that they're throwing back, and we know how big  
20 the commercial discards are, because we've got observers, and,  
21 in this case, I think there may be some discard size  
22 compositions from the headboat, but not from the private or the  
23 charter, and, as I understand it, and I may be misspeaking here,  
24 and so, if somebody knows different, then please correct me.

25  
26 You're right that patterns are maybe not entirely intuitive, and  
27 it could be helpful to know how big these fish are, so we could  
28 understand a little bit more about how the fishery is operating,  
29 when it comes to discards, but these are the latest numbers from  
30 MRIP.

31  
32 **CHAIRMAN GUYAS:** I've got Kevin and then Susan and then Clay.

33  
34 **MR. ANSON:** It might be in the report associated with SEDAR, but  
35 I would be curious to know what the discards were out-of-season  
36 versus in-season for the recreational side, because it could be  
37 interesting to see that change as you talk about a shortening  
38 season and such, and then Clay might be addressing this, but I  
39 did look up on the query on the MRIP website, and the Science  
40 Center and the MRIP numbers are a little off, and they do some  
41 calculations at the Science Center, but it's roughly, for the  
42 eastern Gulf, 2.1 million fish were estimated to have been  
43 harvested in 2018, and so about three-to-one.

44  
45 **CHAIRMAN GUYAS:** Susan.

46  
47 **MS. BOGGS:** Thank you, and just a comment to Mr. McCarthy's  
48 question. The headboats, we don't have observers onboard, but

1 we do have dockside intercepts.

2  
3 **MR. MCCARTHY:** That would still prevent us from, obviously,  
4 getting at the size composition of the discards, and so that's  
5 always a challenge, and we have the advantage in the commercial  
6 fishery that we do have some observer coverage and we're getting  
7 those numbers, and so that's very helpful to the whole  
8 assessment process.

9  
10 **CHAIRMAN GUYAS:** Go ahead, Clay.

11  
12 **DR. CLAY PORCH:** Thank you. It's been well known for a long  
13 time that there tends to be more discards in the recreational  
14 fishery than actually landed, and that number of three-to-one  
15 has been recognized since at least the 1990s, and it's been a  
16 pretty common feature, and, in fact, in some years, if you go  
17 far enough back, it's higher than three-to-one. There were some  
18 years where it was up possibly as high as six or seven-to-one.

19  
20 A lot of them are regulatory discards because of the minimum  
21 size limit, especially when it's up to sixteen inches, and there  
22 are a lot of discards in the closed season, and that's always  
23 been a big factor, when we were trying to compute things like  
24 maximum sustainable yield, and you have this big amount of fish  
25 that are discarded, and a large fraction, or a substantial  
26 fraction, dies, and so this isn't really a surprise. It's been  
27 a feature of red snapper stock assessments for a very long time.

28  
29 I would also add there are some bits of information, and we did  
30 actually have an observer program, the State of Florida did, on  
31 headboats for a little while, and so we had some information  
32 there, and, of course, most of the discards are undersized fish  
33 on the headboats, and it's seldom because of a bag limit, for  
34 obvious reasons, and that ratio was sometimes as high as six to  
35 seven-to-one. Other times, it was two-to-one or three-to-one,  
36 but it was a pretty common feature.

37  
38 **CHAIRMAN GUYAS:** Okay. Are there other questions for Mr.  
39 McCarthy? All right. Seeing none, thank you, Mr. McCarthy, for  
40 that presentation. At this point, we've got about twenty  
41 minutes before we're scheduled to break for lunch, and so I  
42 think now is a good time to circle back and talk about our  
43 timeline and where we're going with these 36 amendments, and I'm  
44 going to turn it over to Ava.

45  
46 **DR. LASSETER:** Since we did start, as I mentioned before the  
47 presentation, since we did start picking preferred alternatives,  
48 we're going to understand that we should move forward with a

1 public hearing draft for 36B. I guess I would like to circle  
2 back to Dr. Stunz a little bit, in terms of the broader  
3 discussion about a discard request. I don't know if you have  
4 had a chance to look at the documents, supporting documents,  
5 that are in the briefing book. Was there additional information  
6 that you were looking for, or were you looking for discards of  
7 all IFQ species?

8  
9 We had understood that this was to contribute to defining how  
10 much quota could potentially need to be in a quota bank, and  
11 then, finally, I think I would like to kind of request some  
12 further discussion on what you're interested in pursuing in  
13 Amendment 36C as well for a few minutes, so that we can get a  
14 sense of what our next steps for that document would be.

15  
16 **DR. STUNZ:** Ava, to that point, I think we're good for now, and  
17 I appreciate that. We wanted these discard numbers for a  
18 variety of things in front of this council right now, and I  
19 mean, obviously, to me, my personal opinion there is there is a  
20 lot of variability in that, and a lot of unknowns, and how  
21 certain we are on those numbers is a little questionable, and  
22 hopefully we can seek ways, through the Science Center and other  
23 things, to increase that observer coverage and get a better  
24 handle on exactly what's going on with the discards, especially  
25 when you hear, in our public testimony, that one vessel in one  
26 day is discarding some of what they estimate here in that bottom  
27 longline fishery, and so, obviously, there is some room for  
28 improvement.

29  
30 I am not faulting anyone. Getting at these discard numbers is  
31 obviously a very elusive target, but it also really impacts some  
32 of the management decisions we make, but, with all that being  
33 said, we certainly need to improve that, but, at some point,  
34 we've got to go with what we have, and what I saw today was, I  
35 guess, pretty reasonable to at least begin to make some future  
36 management decisions, and so I would just encourage, as those  
37 numbers improve, that we just get updates on what that is, but,  
38 at least in my mind, it's fine for now.

39  
40 **DR. LASSETER:** Okay, and I guess, maybe to follow-up with the  
41 rest of what I was wondering, could we bring up the presentation  
42 again, which is the Tab B, Number 5(a), the Amendment 36  
43 presentation? Let's just start with the final section, which  
44 are the last few slides, on Amendment 36C.

45  
46 As I noted before the break, the current purpose statement in  
47 the document states that the purpose of this action is to assist  
48 small participants and new entrants to the IFQ programs, to

1 reduce discards, and to increase access to shares to actively-  
2 fishing eligible commercial fishermen. To accomplish this  
3 purpose, the document contains actions, the primary one being  
4 establishment of the quota bank.

5  
6 I have discussed the sub-actions, the decision points that would  
7 need to be made within that, but it's still a very broad purpose  
8 right now. Small participants, how are we going to define that?  
9 New entrants, how are we going to define that? Who would be  
10 able to qualify for help to reduce discards? How much quota  
11 would need to be there? Can I just kind of throw that out there  
12 a little bit and see if there's any more discussion on what the  
13 council is kind of interested in pursuing in regard to this kind  
14 of broad purpose statement?

15  
16 **DR. STUNZ:** Ava, I would add something in general, and maybe we  
17 can just use the quota bank as an example, but it would apply to  
18 the whole document. One of the things that I would recommend is  
19 I don't know how far we're going to get if we try to figure out  
20 every single last detail and then have this perfectly designed  
21 program that is perfect in places that moves forward, and that  
22 is probably not possible.

23  
24 I would recommend what we do is create a very adaptable program  
25 that can change as the needs change, with some guidance and  
26 oversight, obviously, of the council. I mean, we don't want to  
27 have something run away from us. What that looks like right  
28 now, I don't know. We need to start talking about that, but we  
29 really need to move forward with some of these things.

30  
31 Using the example of a quota bank, let's say we set it up, and  
32 surely we're not going to get perfect the first year, or maybe  
33 even the second, but, if it was governed by a group of the right  
34 folks that could make decisions with our oversight that it could  
35 adapt to the certain needs of that, to meet the goals that we  
36 want, and so, rather than really get way down in the weeds of  
37 focusing on every specific last detail, I would encourage us to  
38 set up a really robust structure that could handle the  
39 adaptation that we're certainly going to need as we move  
40 forward. Anyway, that's what I've got for now, and I have more  
41 if we want to discuss specific aspect of that C component.

42  
43 **CHAIRMAN GUYAS:** Mara.

44  
45 **MS. LEVY:** Well, I mean, I think the issue is the council has  
46 the obligation to at least answer the threshold questions,  
47 right, of how much allocation is going in a bank, who is  
48 eligible to receive from the bank, how is it going to be

1 distributed, and these are not questions, and you can't just set  
2 up a quota bank and tell someone else to figure all this stuff  
3 out, and so you've got a lot of threshold questions that we keep  
4 talking about that we don't really get to any answers, and I  
5 think that's what Ava is looking for.

6  
7 It's basically your obligation to set this up, and we have to  
8 have specific standards, and we can't just approve something  
9 that lets somebody else decide all these policy decisions about  
10 how it's going to operate.

11  
12 **DR. LASSETER:** Maybe one broad kind of decision point that I  
13 could ask for guidance on is, right now, you have three groups,  
14 potential groups, of these entities that you want to help with a  
15 quota bank, small participants, new entrants, and some group to  
16 reduce discards.

17  
18 Is the committee still interested in defining all three of these  
19 groups, and are you still interested in using a quota bank as  
20 the mechanism for helping all three of those groups? Maybe  
21 that's the broadest question, and then, within that, I guess  
22 I'll be speaking in terms of discards, and is this red snapper  
23 only, is this going to be eastern Gulf, and I kind of had that  
24 idea from your discussions, but that hasn't been entirely clear,  
25 and that might help us start delineating some sub-actions,  
26 because we're going to have to develop actions with a range of  
27 alternatives, to kind of move it forward.

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

30  
31 **DR. SHIPP:** I agree with what's being said, and, to reduce it  
32 down, my own opinion is that the quota bank is what we really  
33 need to focus on, and we need to start step-by-step. For  
34 example, the first step is how is the quota bank going to be  
35 funded? Are we going to do a set-aside from the overall quota  
36 or what, but I think those kind of specific questions are where  
37 we need to go, and I think it would be appropriate for other  
38 council members to express their thoughts on what specifics they  
39 are most interested in, but, to me, the quota bank and how it's  
40 funded is a primary issue.

41  
42 **CHAIRMAN GUYAS:** Troy.

43  
44 **MR. WILLIAMSON:** Well, the alternatives that are set forth if  
45 you establish a quota bank, and, personally, I am very much in  
46 favor of a quota bank, and so you have some very specific  
47 alternatives for funding a quota bank, and, now, all three of  
48 your objectives for discards, new entrants, and small entrants,



1 those are admirable, and how you divide that up -- I lean with  
2 Greg here.

3  
4 It's going to be difficult to define those folks, because you're  
5 going to have people come in and say that -- Maybe I'm wrong  
6 about this, but say you have a corporation that has less than X  
7 number of shares, are they a small participant, and yet they  
8 have a related account somewhere else, where they have more, and  
9 so you've got all of these questions to answer, but that doesn't  
10 preclude you from starting something that's beneficial.

11  
12 You work your work through it, and you manage it, and you don't  
13 just stop because there is questions out there. I mean, look at  
14 this whole program. If we had the opportunity, we would turn  
15 around and do a lot of things differently, but what we're doing  
16 is we're addressing these problems as we go along, and so that's  
17 my thought.

18  
19 **CHAIRMAN GUYAS:** Phil.

20  
21 **MR. DYSKOW:** Thank you, Madam Chair. Ava, there are other quota  
22 banks in existence in the marketplace that have wrestled with  
23 these same problems at some level. I think we might look to  
24 those working examples to see what we can learn and how we can  
25 use that information to craft some of these decisions, but I  
26 think, when you look at the quota bank, where can the numbers of  
27 fish come from? It has to come from the total quota allocation.

28  
29 If we allocate 100 percent of the quota, then where is the quota  
30 to establish this bank coming from, and so my guess is we have  
31 to look at a percentage of the allocated total going into the  
32 quota bank, as opposed to being distributed, and that's how we  
33 fund the quota bank.

34  
35 What that number should be, we all have ideas, probably,  
36 everything from zero to whatever, but we have to start  
37 somewhere, and so I would say, as far as the quota bank, we will  
38 establish it by a reduction in the 100 percent allocation of the  
39 quota that currently exists, correct?

40  
41 **DR. LASSETER:** Yes, and we do have that in the document, in 36C,  
42 as an alternative, yes.

43  
44 **MR. DYSKOW:** Okay, and so now your question is how do we define  
45 the three buckets of eligible potential participants in the  
46 quota bank program, right? Is that what you're asking us?

47  
48 **DR. LASSETER:** Yes, to get some guidance on some of the broad

1 characteristics that you want those groups to have.

2  
3 **MR. DYSKOW:** I will start with the easy one. New entrants would  
4 be someone that doesn't currently have let's say red snapper or  
5 other eligible IFQ quota, and he's a non-quota holder.  
6 Therefore, he's a new entrant. He might be an active fisherman,  
7 and he might be active in a different category, and he might be  
8 -- You name it, but essentially, we can define it very simply,  
9 and a new entrant is someone that doesn't currently possess IFQ  
10 quota for these eligible species, and a small participant -- You  
11 pick a number. A small participant is defined as X.

12  
13 **DR. LASSETER:** I am trying to get admin staff to bring up the  
14 section where we have some broad characteristics, and this is  
15 exactly what we were trying to get, was which of these -- I  
16 think I have a bulleted list in -- If we go down to 2.2 and 2.3,  
17 there is a couple of bulleted lists, where we've been outlining  
18 various ways that you could define "small participant" and "new  
19 entrant", and so which ones of these characteristics resonate,  
20 seem important, to you? We have --

21  
22 **MR. DYSKOW:** What page are you on?

23  
24 **DR. LASSETER:** Right now, she's on page 14, and I will just say  
25 something about the part that was up there for a moment. I have  
26 just drawn a blank as to when the council outlined the  
27 parameters of what they would see a fishery finance program to  
28 be about, but you did agree on some characteristics, and it's  
29 been several years, and I think it was like 2014, on how you  
30 would define an entry-level fisherman, which could be your new  
31 entrant, or fishermen who fish from small vessels. These were  
32 going towards, again, this possible finance program.

33  
34 These are the ultimate determinations, but are you interested in  
35 looking at them in terms of now what I did just hear from Phil,  
36 somebody who is not a shareholder? Okay, and so that's  
37 beginning to give us the outlines of how you want us to define  
38 one of these groups for a range of alternatives, and so this is  
39 getting helpful.

40  
41 If we scroll down to the next page, page 15, I think there is a  
42 bulleted list of potential characteristics of a small  
43 participant or new entrant, and this has been in the document  
44 for quite a while, and we have broken them down now in terms of  
45 groups that are already shareholders, and then the section at  
46 the bottom is participants or people without shares, and so  
47 that's getting at what I just heard you say. In this list,  
48 which are the ones that you feel are important for outlining,

1 helping staff to begin outlining, what you want to see to define  
2 these groups?

3  
4 **CHAIRMAN GUYAS:** Go ahead, Dale.

5  
6 **MR. DIAZ:** I don't know, and I'm trying to think about this a  
7 little different. If we go down the road of a quota bank, I  
8 could see us getting bogged down with trying to define new  
9 participants and small participants, and that's something that  
10 takes an extraordinary amount of time.

11  
12 I mean, if we have a quota bank, I do like the idea of trying to  
13 help with discards, because that helps the fishery, but I would  
14 be more interested in coming up with a fair way to distribute  
15 the quota from the quota bank to people at a very reasonable  
16 price, and then, whatever proceeds come from distributing that  
17 quota to folks that use the system, those proceeds would go back  
18 to the quota bank to help enhance the quota bank, by maybe  
19 buying additional shares or funding research or something that  
20 helps the fishery, but I worry, if they get too bogged down on  
21 small participants, that's going to be something that might not  
22 necessarily be necessary. How to fairly distribute it is the  
23 more important question, I think.

24  
25 **CHAIRMAN GUYAS:** All right. I see Greg and Troy, and we're  
26 having some good discussion, but we are right up against lunch,  
27 and so we'll start this now, and then we'll probably have to  
28 finish it in another committee meeting.

29  
30 **DR. STUNZ:** Right, and that's kind of what I was going to say,  
31 Martha, was that we're trying to bite off a huge chunk here in  
32 the last fifteen or twenty minutes or whatever we have, and so I  
33 feel like we've had the best discussion we've had on this  
34 amendment so far, but I agree completely with what Dale said,  
35 and I don't know if that leads to -- Or even what our options  
36 are of a sub-committee or some type of advisory panel that helps  
37 guide on these really nuanced, smaller questions, but to follow-  
38 up, what I wanted to say --

39  
40 I agree, Bob, that obviously the first thing is funding this  
41 thing, but probably secondary after that is defining are we the  
42 oversight group, or is there a board that's going to actually  
43 govern a lot of this, because they could help make some of those  
44 decisions that we define, and I don't know what that looks like,  
45 but it's getting down into that -- I think it's that later two-  
46 point-something section, Ava, about how the distributions  
47 essentially would occur, which would, obviously, be a lot of the  
48 purview of that, and how would revenue coming in be used to

1 further the mission of that quota bank and so on.

2  
3 I am throwing a lot of stuff out here just at the eleventh hour,  
4 but I don't know if we're even going to be able to tackle that  
5 around the table like this, or is there an option to form a  
6 smaller sub-committee or group, or how would that work to hash  
7 through some of these structures, because I feel like what we  
8 really need around here is some alternatives that we can  
9 actually start dealing with, and I don't know. Are we  
10 individually coming up with those alternatives, or should we ask  
11 staff to sort of propose some alternatives? We're sort of in a  
12 difficult situation on a complex topic.

13  
14 **DR. LASSETER:** We would provide you with a range of  
15 alternatives. If you see in this just list for these  
16 characteristics, there is so many ways that you could go about  
17 it, and just pulling a couple would give us some way, so that we  
18 don't have twenty alternatives. I've got one from Phil that you  
19 definitely want to consider new entrants as people that are not  
20 shareholders at all, and so that narrows it down somewhat.

21  
22 Basically, this would be an iterative process, where we need a  
23 little guidance from you, and we'll bring you stuff back, and  
24 you will say, no, no, that's not what we meant, or we want to go  
25 this direction or that direction.

26  
27 Also, what I forgot to bring up before is your more recent  
28 guidance has specified a non-NOAA quota bank, non-NMFS quota  
29 bank, and we're envisioning that as some kind of a non-profit  
30 that would be set up through a shareholder account, and so, of  
31 course, one of our other actions would also -- Part of that  
32 account would need to be excluded from the requirement to have a  
33 permit, we would assume as well, and so that's one of the points  
34 that I brought up, that these two amendments, B and C, are  
35 actually related, because we may be using a shareholder account,  
36 or accounts, in new ways through 36C, because you may have  
37 accounts that are set up as quota banks, and that is how the  
38 Shareholders Alliance quota bank is run, is through a  
39 shareholder account, but this is actually great discussion, and  
40 it's giving us some guidance.

41  
42 **CHAIRMAN GUYAS:** So many hands, and we have two minutes. I had  
43 Troy, and then I see Dr. Shipp, and then I see Phil, and then  
44 we're going to go to lunch. Do you still have something, Troy?

45  
46 **MR. WILLIAMSON:** To tag on to what Dale said, he mentioned the  
47 cost to the new entrants or the small guys, which brings up a  
48 point that I would be in favor of an auction and a quota bank,

1 rather than a lottery giveaway, and, to follow-up with Dale,  
2 again, these monies would come back into a quota bank that we  
3 could do these research things or put cameras on boats or fund  
4 observers, and there are other quota banks, community-based  
5 quota banks, that are able to accomplish this, if we possibly  
6 need to really explore those options, so that we can take  
7 advantage of them, but just giving this quota back on a lottery  
8 basis, another giveaway, doesn't strike a respondent chord with  
9 me.

10  
11 **CHAIRMAN GUYAS:** Bob.

12  
13 **DR. SHIPP:** I just wanted to ask if we are going to revisit this  
14 after lunch? I think the pump is being primed a little bit, and  
15 I would hate to miss the opportunity, and so I will defer my  
16 comments until after lunch if you promise me that that's where  
17 we're going to start.

18  
19 **DR. FRAZER:** We will allocate additional time for this topic  
20 after lunch, Bob.

21  
22 **CHAIRMAN GUYAS:** With that, do you want to wait until after  
23 lunch?

24  
25 **MR. DYSKOW:** I will just make a quick statement that we can  
26 address after lunch if people think it's relevant. We have to  
27 start making some progress on this. We can't just have the same  
28 discussion ad nauseum, meeting after meeting. I would suggest,  
29 after lunch, that we craft a motion to establish a quota bank,  
30 with the funding of that quota bank coming from a reduction in  
31 the allocated quota.

32  
33 In other words, let's say we're going to do this, and then  
34 let's, at the next meeting or meetings, answer all of these  
35 unknown questions, but let's first decide that we're going to do  
36 it, and then we'll work through the where the and the how and  
37 the who, if that's acceptable, and now I will shut up.

38  
39 **DR. FRAZER:** All right. We're going to break for lunch. I will  
40 see people back at 1:30.

41  
42 (Whereupon, the meeting recessed for lunch on January 28, 2020.)

43  
44 - - -

45  
46 January 28, 2020

47  
48 TUESDAY AFTERNOON SESSION

1  
2 - - -  
3  
4 The Reef Fish Management Committee of the Gulf of Mexico Fishery  
5 Management Council reconvened at the Hyatt Centric French  
6 Quarter, New Orleans, Louisiana, Tuesday afternoon, January 28,  
7 2020, and was called to order by Chairman Martha Guyas.  
8

9 **DR. FRAZER:** We'll get started, and I just wanted to acknowledge  
10 that there's a number of past council members in the audience:  
11 Jane Black-Lee, Harlon Pearce, and Johnny Greene. It's good to  
12 see those faces, and I look forward to chatting with you at one  
13 of the breaks, or even after the meeting here. With that said,  
14 if you guys want to pick it back up.  
15

16 **CHAIRMAN GUYAS:** Okay, and so we are going to talk about 36 some  
17 more, and we will, at the most, go until 2:15, and then we're  
18 going to move on. That's just fair warning. I will turn it  
19 over to Dr. Lasseter. She's got some ideas about how to get us  
20 started in a productive discussion.  
21

22 **DR. LASSETER:** Okay, and so, in August, and I believe that was  
23 the meeting that you divided B and C, we brought you a  
24 presentation, and I've gone ahead and had them bring this up,  
25 and I briefly had a discussion with Mr. Dyskow, and, if you want  
26 us to rearrange the order of these actions, of course we could  
27 do that as well. Let me pause there for a moment.  
28

29 **CHAIRMAN GUYAS:** Phil.  
30

31 **MR. DYSKOW:** We can make this easy, Dr. Lasseter. The way you  
32 have it laid out is not the problem, and I would recommend that  
33 we proceed the way you have it laid out, and this would become  
34 the second or third follow-up discussion to date, and so the way  
35 I understand this is, in order to take action to establish a  
36 quota bank, we have to pick a preferred alternative to 2.1,  
37 Action 1.  
38

39 **I would move that we select Alternative 4 as the preferred**  
40 **alternative, which essentially would establish a quota bank, and**  
41 **then we'll have further discussions as to how we fund it,**  
42 **because the funding as laid out in Alternative 4 is just a**  
43 **starting point.**  
44

45 **CHAIRMAN GUYAS:** Let me jump in for a second here. This is our  
46 very, very, very first look at this document, 36C. Go ahead,  
47 Ava.  
48

1 **DR. LASSETER:** Okay. I guess I was looking down to Mara to see  
2 if we wanted to be going towards preferred alternatives yet,  
3 when we don't even have alternatives fleshed out for most of the  
4 actions, and I guess that's my hesitancy. Just let me pause and  
5 let her comment.

6  
7 **MS. LEVY:** Well, I mean, I think that would be my comment. You  
8 have two actions in here that have some alternatives, but you  
9 have a whole host of actions that still need decision points and  
10 don't even have alternatives. You will not be able to have a  
11 document that says to establish a quota bank, fund it, and then,  
12 boom, we're done.

13  
14 All of these other decision points have to happen, and so it  
15 seems like you should be fleshing out all of the actions and  
16 alternatives for all of the decision points before you do  
17 preferreds, but, I mean, that's up to you.

18  
19 **DR. LASSETER:** Carrying on with that, I think, because  
20 Alternative 4 is there, and that is the direction that you're  
21 interested in taking, eventually, once we've developed the  
22 actions that support that, then it would be appropriate to pick  
23 as preferred. At the moment, you don't have all the other  
24 actions fleshed out to know what this would look like, but we  
25 have the first step done here. In the next action, the first  
26 part is how do you seed that quota bank.

27  
28 If we look at that presentation, I had built that off of  
29 comments that Dr. Shipp had made, and we developed a slide that  
30 looked at what a 20 percent set-aside would look like, in terms  
31 of the quota.

32  
33 I was expecting that this might have been added as an  
34 alternative to that action, and that didn't happen back in the  
35 August meeting, I think at the time we divided them, but that  
36 might be something that you want to consider, given the  
37 discussion earlier today, and this is something that you have  
38 seen before, and I could discuss these couple of slides a little  
39 bit and then see if this is the direction that you're wanting to  
40 go for a set-aside for the quota bank, if that makes sense.

41  
42 Again, this is when it was still Amendment 36B, and all of the  
43 text was still -- It's still there, and it's just been lumped  
44 now into C, and so the actions have been reordered, since B has  
45 the first part, and this is now Action 2.1, and it would be  
46 thresholds of allocation to add to a quota bank.

47  
48 The understanding is that this action would be applicable, only

1 applicable, if you did select that Alternative 4 of the previous  
2 action. The alternatives in the document currently specify,  
3 each year on January 1, add to the quota bank the amount of  
4 allocation greater than, and then you provided two alternatives  
5 of the commercial quota at the time each of the respective  
6 programs final approval was taken or the largest commercial  
7 quota between 2007 and 2018. There's a table in the document  
8 that shows you how much quota this would be for each of those  
9 alternatives.

10  
11 The next decision point also is are you wanting to put into the  
12 quota bank red snapper only, grouper-tilefish, all grouper-  
13 tilefish categories, or both, because we were not entirely sure  
14 if the purpose of the quota bank was for the reduced discards,  
15 and were you talking red snapper only, or were you talking both  
16 programs, and so these are the alternatives that were in the  
17 document at the time we reviewed it in August, and then we  
18 brought you this slide, again based on an example that Dr. Shipp  
19 had given, that shows what a quota set-aside in terms of a  
20 percentage of the quota would look like.

21  
22 I believe it was this discussion that began the conversation  
23 about how much quota would we need for addressing those  
24 discards, and then that's kind of the path we went down for the  
25 discard presentation that you just heard. I did hear this  
26 morning this percentage that you were talking about for a set-  
27 aside, and is this something you want to consider adding to the  
28 document as an alternative?

29  
30 **CHAIRMAN GUYAS:** Dr. Shipp.

31  
32 **DR. SHIPP:** Most definitely. I think a percentage of the quota  
33 is something that we need to be given to us in the alternatives,  
34 5 percent, 10 percent, 25 percent, whatever, a series of options  
35 taken as a set-aside from the quota, as reflected in the slide  
36 that's up on the screen right now. I think that's also what  
37 Phil was mentioning right before lunch, and is that right, Phil?

38  
39 **MR. DYSKOW:** Where I'm confused, Ava, and you've explained it to  
40 me, and so I must be just extraordinarily dense, is we have to  
41 select Alternative 4 under Action 1 first before any of this  
42 becomes meaningful, and is that correct?

43  
44 **DR. LASSETER:** When you say first, you would only select that  
45 once the entire document, ideally, is fleshed out, and even  
46 Chapters 3 and 4 are complete, and then you go through and  
47 select your preferreds, but, yes. In order for this action in  
48 the final document to be applicable, you would be selecting that



1 Alternative 4. You just don't need to select it right now in  
2 order to discuss it.

3  
4 **MR. DYSKOW:** I get it, but it all keys on that. If we don't  
5 select that, none of this makes any sense or has any meaning at  
6 all, and so, if we don't circle back to that today, we have to  
7 understand that we've got to circle back to that at some point  
8 in the not-too-distant future.

9  
10 **CHAIRMAN GUYAS:** Roy.

11  
12 **DR. CRABTREE:** I think what we've got to do is flesh out enough  
13 details as to how this would work and what we're doing so that  
14 people are able to analyze it. We seem to just take it as an  
15 article of faith that a quota bank will reduce discards, and I  
16 don't see any evidence of that or any analysis that indicates it  
17 would, and it's not clear to me at all how it would, and it  
18 seems to me that, ultimately, you will have to have an analysis  
19 that shows it really will reduce discards, or you don't really  
20 have a rationale for any of this, but I don't think anybody can  
21 do the analysis of that until they have more details about how  
22 the quota bank would work and who would it go to.

23  
24 **CHAIRMAN GUYAS:** Greg.

25  
26 **DR. STUNZ:** Well, to add to that, since Roy was bringing it up,  
27 because it's kind of a little bit different than how to fund the  
28 quota bank, but, Ava, I think one piece that's missing here  
29 under Action 2, and I don't know if it's a separate sub-action  
30 or however it would work, and I don't really care, but what I  
31 would -- I could make a motion if we need to add it in there,  
32 but something that discusses the administrative structure of  
33 this quota bank and what does it look like.

34  
35 Is it NMFS run, or is it a public-private partnership or  
36 whatever, and is that governed by a board of people, and what  
37 does that generally look like, and to have some actions  
38 developed with that, I mean some alternatives developed with  
39 that, that would specify it.

40  
41 We're talking about, in this document right now, we're talking  
42 about how to fund it, and you already have some actions already  
43 about how to distribute it that we could flesh out more and  
44 begin to discuss it, but we don't have anything about how it  
45 would be run, and that's going to be a critical component, and  
46 that group, obviously, down the road would give some insight  
47 into that as it moved forward.

1 **DR. LASSETER:** I think those are all great points that really  
2 express that there's a lot of decision points that need to be  
3 fleshed out, absolutely, and so, again, this is before you added  
4 the alternative for the non-NOAA quota bank. Previously, the  
5 alternative said to establish a NMFS-administered quota bank  
6 with the reclaimed shares. The current version of the document,  
7 of course, says a non-NOAA quota bank, and we will have to flesh  
8 out exactly what that looks like.

9  
10 I guess I was starting here because this seems to be where we  
11 had left off at the morning, as far as how to add quota, and I  
12 will also note that the alternatives here -- The amount is based  
13 on some period of time that we could use as the rationale, and I  
14 have no rationale for 20 percent.

15  
16 I have no idea if that amount of quota -- I used red snapper as  
17 an example here, and is that for all of the share categories,  
18 and what are you wanting to use it for, and is that enough quota  
19 to address whatever group, and this was an example that Dr.  
20 Shipp had brought up in a previous meeting, and so I used that  
21 example to make this slide.

22  
23 The discard presentation, my understanding of what you were  
24 looking for there was to determine whether the quantity of --  
25 Whether the amount of discards was an amount of allocation that  
26 could be feasibly put into a quota bank or not, and I'm not sure  
27 if that was answered satisfactorily for you. Dr. Stunz seemed  
28 relatively comfortable, possibly, with the presentation, and  
29 that would be kind of a rationale though for an amount to put  
30 in.

31  
32 I don't know what to do with like 5, 10, 15, and 20 percent,  
33 like Dr. Shipp just mentioned, and what would be the rationale  
34 for that if we also don't know how many people are going to need  
35 that much quota and how that would be broken up amongst all of  
36 those individual entities within each of those groups.

37  
38 In that sense, these decisions are iterative, and they go back  
39 and forth. It's difficult to decide how much quota you're going  
40 to need in the quota bank until you have decided who are going  
41 to be your recipients and how much quota are you going to be  
42 providing to them, and so these decisions are related and  
43 complex, and staff can start to throw out and bring some  
44 alternatives when we narrow down a little bit more, and so a  
45 little bit more of refining these characteristics of a small  
46 participant, so we can kind of look in the data and see the  
47 number of people we're even talking about there, if that helps.

1 **CHAIRMAN GUYAS:** Phil.

2  
3 **MR. DYSKOW:** Thank you, Madam Chair. I totally respect Dr.  
4 Crabtree's insightful comments regarding whether or not there  
5 would be sufficient impact to discard reduction, but I want to  
6 point out that, in addition to discard reduction, we're also  
7 trying to provide a vehicle for small participants and new  
8 participants, and so that is just one aspect of what we're  
9 trying to accomplish with a quota bank. The total of those  
10 three is what we really want to address and not exclusively the  
11 reduction of dead discards.

12  
13 **CHAIRMAN GUYAS:** I've got Kevin and then Dr. Shipp.

14  
15 **MR. ANSON:** Ava, could you refresh my memory as to why the NMFS-  
16 sponsored or run quota bank was removed?

17  
18 **DR. LASSETER:** Because of a motion you passed. In the  
19 discussion, you did not want to do a NMFS quota bank anymore,  
20 and I believe I will let Dr. Crabtree continue this as well.

21  
22 **DR. CRABTREE:** Well, I mean, unless something changes, I don't  
23 have the capacity or the funding or the staff to run a quota  
24 bank, and so I don't think we can do that.

25  
26 **CHAIRMAN GUYAS:** A follow-up, Kevin?

27  
28 **MR. ANSON:** I guess, as we talk about all of these decision  
29 points and groups and establishing the criteria for those, I  
30 would assume that most of that would be through the quota bank,  
31 to administer that, but they're still going to require a  
32 substantial amount of data from the agency to help them make  
33 those decisions to determine who is eligible and who is not, and  
34 so we can decide that, but, if we do establish a lot of criteria  
35 that involves data, and they have to show proof, I would assume  
36 that a lot of that has to come from the agency, and do they get  
37 much documentation that they would be able to provide the  
38 paperwork to substantiate their qualifications?

39  
40 **DR. CRABTREE:** That would come to you in putting this document  
41 together, but then, if you set up a private quota bank, and you  
42 give them some amount of fish to then lease out, you're going to  
43 give them guidelines, but it's going to be, I think, up to them  
44 to do it, because they're a private entity.

45  
46 **CHAIRMAN GUYAS:** Bob.

47  
48 **DR. SHIPP:** I would just like to reiterate what Phil said.

1 There are other reasons other than just the discard issue, but I  
2 guess I've got a question. One of the groups that I think most  
3 of us are interested in helping are the commercial guys that are  
4 having to pay the high lease fees. I wonder if the data are  
5 available for individuals, how many pounds of lease they have  
6 had to pay for, because that might give us a base for another  
7 group of recipients that are not necessarily new to the fishery  
8 or small time, and those are really the ones that are suffering  
9 the most.

10  
11 If the data are available, that could be kind of analogous to  
12 when we first set up the IFQ, because the shares were based on  
13 their catch records, and so, if we've got records of people that  
14 are leasing 50,000 or 100,000 pounds a year, those could be  
15 criteria that we could use to set this system up, as to who is  
16 eligible.

17  
18 Along the same lines, numbers like that might help us provide  
19 the rationale that Ava is talking about for what percentage. If  
20 we get a feel, and I think we know what the total amount of the  
21 lease is, and it's 30 or 40 percent of the whole quota is being  
22 leased these days, and so those numbers could also be used to  
23 generate what percentage from the quota needs to be withheld for  
24 the quota bank to function.

25  
26 Finally, as far as expenses go, the way I visualize a quota bank  
27 is they are going to make available quota to fishermen, but at a  
28 much-reduced price, and I don't see them giving it away, and I  
29 don't know, and we can talk about lotteries and auctions and the  
30 rest of it, but I think there are a number of ways that we can  
31 come up with some estimates on what the appropriate percent of  
32 the set-aside should be.

33  
34 **CHAIRMAN GUYAS:** Greg.

35  
36 **DR. STUNZ:** To Bob's point, and Roy's too, to some extent,  
37 that's exactly why I keep bringing up this administrative  
38 structure that could handle that. There's advantages of having  
39 this private partnership that's a non-profit, still governed by  
40 us, and maybe some of us would be on that board, or whatever we  
41 want to call it, groups that are participating in the fishery  
42 and that sort of thing, but they would allow to do that, and the  
43 advantage of having that private partnership, I mean the non-  
44 profit, is to do things just like you're talking about, Bob, and  
45 set that reduced rate for the leasing.

46  
47 **DR. LASSETER:** I am going to build on what Dr. Shipp just said,  
48 as far as trying to get a handle on what volume of quota would

1 be needed based on some defining characteristics of these  
2 groups, and so maybe let's touch on that a little bit, and then  
3 we'll see what we can bring you to respond to that.

4  
5 For reducing discards, I'm thinking we can go back to the  
6 presentations and work on that and come up with some information  
7 to respond to that, and let's talk a little bit more about the  
8 small participants and the new entrants, and potentially we'll  
9 look at how we can look at the IFQ online data on people that  
10 are leasing, and I'm going to assume that means people who are  
11 not shareholders, but are landing so much through their vessel  
12 accounts. Who are small participants? Help us narrow this  
13 down, so that we'll craft a range of alternatives, and here are  
14 some kind of yes or no characteristics that can help us define  
15 that.

16  
17 **MR. DYSKOW:** Certainly we can flesh this out further, but, if  
18 you're looking for a starting point definition, a small  
19 participant would be someone that owns a small amount, or that  
20 controls a small amount, of quota, someone that is desirous of  
21 growing his business in this area, and a new participant would  
22 be someone that doesn't have quota, and that's a starting point,  
23 at least.

24  
25 **CHAIRMAN GUYAS:** Are we talking about red snapper, or are we  
26 talking about IFQ species, or are we talking about reef fish?

27  
28 **MR. DYSKOW:** Well, that's an interesting point, because we can  
29 pick any of those. Obviously, the 800-pound gorilla in the room  
30 is red snapper, and do we want to expand to these other species  
31 or not, and I don't have a strong opinion, and I would certainly  
32 be interested in how the rest of our council would feel about  
33 that.

34  
35 **CHAIRMAN GUYAS:** Leann.

36  
37 **MS. BOSARGE:** I guess I see a quota bank -- When I think about  
38 it, I almost think of it in the realm of actual banking, right,  
39 because it has a lot of similarities. Essentially, what we're  
40 about to do is write down the underwriting standards of this is  
41 what you're going to have to do to qualify, just like if you  
42 walked into a bank and you wanted to get a loan, a business loan  
43 or a home loan or whatever, you're going to have to meet certain  
44 qualifications. You're going to have to provide certain  
45 paperwork.

46  
47 To get specific, in that small participants, I don't think I  
48 would do that as a set number, and I think that ought to

1 probably be a percentage. That way, it has some flexibility.

2  
3 We have landings histories, right, and we have a name that goes  
4 with that landings history, correct, and it's on a permit, and  
5 surely you can associate that with the individual that was  
6 fishing it, right, and so, when I look at it, a small  
7 participant would be somebody that -- Maybe he catches 50,000  
8 pounds of red snapper a year, but the percentage of snapper that  
9 he owns, versus leases, is very small, and that's why I would  
10 look at a percentage.

11  
12 I would want to know what that individual's landings were,  
13 because this is supposed to be for the man on the water, and so,  
14 if he landed 50,000 pounds of snapper last year, he or she, and  
15 I always say he, and that covers everybody, but anyway, if he  
16 landed 50,000 pounds, but he only owns 5,000 pounds, that is a  
17 pretty small participant. He's having to lease the other 45,000  
18 pounds that he is fishing every year. I am just trying to think  
19 through it, and I would probably do it as a percentage, rather  
20 than a hard number of pounds.

21  
22 **CHAIRMAN GUYAS:** Are there other ideas? Are people gravitating  
23 towards what's been put out there already? Troy.

24  
25 **MR. WILLIAMSON:** I was perfectly happy with the examples that  
26 were presented in the document that Ava circulated, and I think,  
27 as Phil says, we can use that as a starting point, if nothing  
28 else, and then we can move on and further refine it. I think  
29 what we're trying to get to, as we keep reiterating, is that we  
30 want to establish a quota bank, and that seems to be pretty  
31 simple, and we've got fifteen minutes to continue to address  
32 this.

33  
34 If we kick this on down the road, we're at another meeting, and  
35 we haven't accomplished what we wanted, and, in the interim, we  
36 can do something like establish a working group to flesh out  
37 these things, like a council AP, and they can come back and make  
38 recommendations to this group as to how they want to or feel  
39 like would be the appropriate methods, and so, at the risk of  
40 being obstinate, I suggest that we go ahead and vote on whether  
41 or not we want that quota bank or not.

42  
43 **DR. LASSETER:** I'm sorry, but you have an alternative, and that  
44 part is clear, as far as establishing the quota bank, and that  
45 part is done. It's the other decision points around it that we  
46 need help with, and I've got now three ways to define, ways to  
47 construct, alternatives for what small participants would be,  
48 and so that's a start. That's what we kind of want to do for

1 new entrants, and are small participants the same thing as new  
2 entrants? Now I'm hearing a new category, although that might  
3 also be an overlap, what Dr. Shipp mentioned in terms of people  
4 who are leasing quota, because that seemed to overlap with what  
5 Leann's definition of a small participant was. This is what  
6 I've been looking for, and so this is great. This is very  
7 helpful.

8  
9 In terms of the discards, I think I've touched on that now as  
10 well, that we're going to go back to that presentation, and so  
11 we can bring some alternatives from that. When you look at  
12 those alternatives, that's exactly what we want to do, is refine  
13 those, yes you do or don't like that, and we'll have to look at  
14 how much quota that would potentially be requiring, in terms of  
15 what you would then want to add alternatives for for putting in  
16 a set-aside, if that sounds good.

17  
18 **MR. WILLIAMSON:** To address your question about whether or not  
19 it should just be red snapper or other species, again, I am  
20 happy with your document, and you mentioned not only red  
21 snapper, but a grouper-tilefish complex as well, and so that  
22 would be my preference.

23  
24 **DR. LASSETER:** Okay. One question. Are small participants the  
25 same as new entrants? Is that going to be an overlap, or is  
26 there a differentiating characteristic?

27  
28 **CHAIRMAN GUYAS:** Bob.

29  
30 **DR. SHIPP:** In my mind, a small participant falls under the  
31 definition that Leann gave, and I really agree with that. A  
32 small participant is someone who has a small percentage of  
33 quota, a small number of quota, and it can be somebody that's  
34 landing a million pounds a year, but only 20,000 pounds of  
35 snapper, and so that would be a small participant, in my mind,  
36 and that would be -- A new participant would be one who had no  
37 quota and wanted to get into the fishery, and so it's probably  
38 an oversimplification, but that's the way I view those two  
39 categories.

40  
41 **CHAIRMAN GUYAS:** Just to clarify, the new participant could be  
42 leasing, but they just don't own? Okay. Other thoughts? Ed.

43  
44 **MR. SWINDELL:** I agree with you, Dr. Shipp, but, at the point  
45 that the new entrant comes in, he becomes a small participant,  
46 and I don't know if that's maybe what it's really saying, that  
47 suddenly you're a new entrant, and that's over with, and now  
48 you're a small participant, once you receive some quota.

1  
2 **CHAIRMAN GUYAS:** Leann.

3  
4 **MS. BOSARGE:** Ava, in my mind, to even be able to apply, you  
5 have to, at a minimum, show a landings history, right? I just  
6 want to get that out there, because we keep talking about these  
7 new entrants, and I made a kind of sarcastic comment, but sort  
8 of not, at the last meeting that I don't think we're looking to  
9 pick people up off the side of the road and make fishermen out  
10 of them.

11  
12 There are fishermen out there in the industry now that are on  
13 the boats and that are fishing, and I think that -- If the  
14 council goes down the road with this quota bank, that's your  
15 target audience, and they have to, at a minimum, show their  
16 landings history. Me personally, I would probably be a little  
17 bit more of a hardtail about it, and I would have to say that I  
18 want to see a little more skin in the game, and I want to see  
19 where you've actually started buying some, and you actually own  
20 a little bit.

21  
22 It's sort of like, when you go to get a loan at the bank, they  
23 want a down payment on it, and you've got to have some skin in  
24 the game, and I guess, if what you're giving out is quota, then  
25 the down payment would almost be to say, here, I own some  
26 already, and I've got my skin in the game, which, you know, you  
27 still have skin in the game if you've got a boat and you've got  
28 a permit, and so I don't want to sound like you have no skin in  
29 the game, but definitely you have to have landings history. I  
30 don't want somebody that has never been a fisherman, never been  
31 on the water, coming in and trying to apply to get quota.

32  
33 **CHAIRMAN GUYAS:** Other thoughts? Roy.

34  
35 **DR. CRABTREE:** That means though, if I'm truly a new entrant,  
36 and I just bought my permit and my boat, I wouldn't qualify,  
37 because I don't have any landings history, and so it's kind of a  
38 misnomer to say "new entrants".

39  
40 **MS. BOSARGE:** To that point, Martha? I agree. I have never  
41 really liked the words "new entrants", and I always use next  
42 generation of fishermen or replacement fishermen. I think your  
43 next generation of fishermen are out there on the water and  
44 working now. If you establish a quota bank, you're essentially  
45 trying to give them a leg up and help them become the leaders in  
46 that fishery.

47  
48 You're going to have to underwrite it, and, I mean, you're going



1 to have to look at cash flow, and you're going to have to look  
2 at balance statements, and you're going to need to look at  
3 credit. I mean, you're giving away something that needs to be  
4 landed and managed properly and provided to the American public  
5 as a food source, and this is a big undertaking, and it's a lot  
6 to think about.

7  
8 **CHAIRMAN GUYAS:** I've got a couple of names here, and then I  
9 think we're going to move on. I've got Greg and Susan and Dale.

10  
11 **DR. STUNZ:** I just wanted to remind the committee, and, Ava,  
12 obviously, you know that we received some presentations or  
13 whatever a couple of meetings ago from other quota banks, as you  
14 all well know, and so it's not like we're reinventing the wheel  
15 here, to some extent. We've got a lot of successful ones that  
16 we can really pattern it out of and then adapt to our specific  
17 needs.

18  
19 As far as to Leann's point, I agree with you completely in  
20 principle, Leann, but we probably want to vet that even a little  
21 further, because what if there are some people that are truly  
22 invested, and I don't know this to be the case, but a deckhand  
23 or something that might inherit some money or whatever, and he  
24 wants to do this, and he's clearly been in it, but he's never  
25 had the opportunity or the resources to do that, and I don't  
26 know, and you want someone that's vested in the fishery, but you  
27 want to make sure you're not totally restricting that from those  
28 that are not new.

29  
30 **CHAIRMAN GUYAS:** Susan.

31  
32 **MS. BOGGS:** Thank you, Madam Chair. Greg just kind of touched  
33 on what I was going to, because, if you have a deckhand that has  
34 fished the boat, and he has an opportunity to go buy a boat and  
35 a permit, and he's got to buy shares, because he has never owned  
36 those, and, in my mind, he's a new entrant, and he has an  
37 opportunity to enter into the fishery, and he's getting started,  
38 and he may have to have a backer to come in and help him borrow  
39 that money that some people do a co-signer at the bank, but, I  
40 mean, I can see that happening very easily.

41  
42 **CHAIRMAN GUYAS:** Dale.

43  
44 **MR. DIAZ:** I am kind of on the same theme, and I don't  
45 necessarily agree with Leann, or maybe as hard of a line as  
46 Leann is coming down with. I think a lot of fishermen diversify  
47 and do more than one thing, and, if you had a fisherman that was  
48 doing another fishery, and they wanted to try to establish

1 themselves in this fishery, as a way of diversifying, I think  
2 that would be reasonable, and so this is kind of what I'm  
3 worried about.

4  
5 I said earlier that I wanted to try to think about fair ways to  
6 distribute shares, but I think we're going to get wrapped up on  
7 a whole bunch of things like this that's going to be really  
8 difficult, and I do like Gregg's idea of looking at what other  
9 quota banks have done and how have other people handled new  
10 entrants or people getting into the fishery and defining some of  
11 these other things, and so maybe we'll have to reinvent the  
12 wheel here. Thank you.

13  
14 **DR. LASSETER:** I hate to make this even a little more  
15 complicated, but we also want to think about what you're doing  
16 in 36B and given some of these different types of participation  
17 that you're talking about.

18  
19 Right now, you do have some what sounds like we're calling small  
20 participants who maybe don't have a permit, because they work on  
21 a boat, and so they work on somebody else's permitted boat, but  
22 they are starting to buy some shares. When we go to look at  
23 landings histories, I'm assuming we're going to be looking at  
24 those vessel accounts, what is being landed through that vessel  
25 account, and so that may not be helping those other types of  
26 people.

27  
28 If you're going to require the shareholders to have a permit,  
29 people without a permit that are crew, that are maybe starting  
30 to build up shares, aren't going to be able to qualify now under  
31 36C, because, under 36B, you're going to be requiring all of  
32 those -- If you have shares, you've got to have a permit, and so  
33 that's going to now be connected, and so think about that change  
34 in 36B and then how we may want to be looking at these different  
35 types of participation and allowing people to -- If they don't  
36 have shares, but they have a landings history now, that's not  
37 going to be true after 36B goes into place, and we're not going  
38 to be able to look at that, unless you're wanting to just grab  
39 some of the data now and then apply -- That wouldn't work  
40 either, but those characteristics, those individuals, later in  
41 the program.

42  
43 That is a drawback to teasing those two out, and then coming  
44 back again to what is it that you're trying to accomplish with  
45 that permit requirement, and does that undermine possibly what  
46 you're maybe trying to do through the quota bank here.

47  
48 **CHAIRMAN GUYAS:** We have a lot to think about. At this point, I

1 think we need to call this discussion done for the day, but  
2 certainly we'll come back to this, presumably at our next  
3 meeting, and we can flesh out more of 36C. We just didn't have  
4 a lot of time to spend on it today, since we spent a lot of time  
5 on 36B and did the discard presentation. With that, let's move  
6 on to our next agenda item, which is Draft Framework Action to  
7 Modify Greater Amberjack, and Dr. Hollensead is going to lead us  
8 through that.

9  
10 **DRAFT FRAMEWORK ACTION TO MODIFY GREATER AMBERJACK RECREATIONAL**  
11 **MANAGEMENT MEASURES**  
12

13 **DR. LISA HOLLENSEAD:** Thank you, Madam Chair. The purpose this  
14 presentation is to give sort of a general overview of progress  
15 that has been done so far. In addition, I've kind of got to go  
16 through a little bit of the decision tree sort of process that I  
17 went through in the last presentation, just to sort of give sort  
18 of pros and cons of the various management measures that are on  
19 the board still.

20  
21 Just a quick background, and so, in October of 2019, the council  
22 made a couple of motions, and the first was to develop a  
23 decision support tool, looking specifically at potential zone  
24 management, and the second motion was to include some options  
25 for split season quota for consideration. In terms of some  
26 updated progress, that decision tool has been created, and,  
27 specifically, it looks at zone management options, and I will go  
28 through those options here in a minute.

29  
30 The tool also allows for setting different seasons within zones,  
31 which is something we haven't explicitly talked about just yet,  
32 but the tool does allow that for some exploration, if the users  
33 are interested in looking at that. Additionally, there is some  
34 option for Gulf-wide split season quota, and so that was that  
35 other motion, and so the tool will also give information for  
36 that.

37  
38 Keep in mind that the tool uses sort of the old MRIP, and so  
39 from the Coastal Household Telephone Survey, and, additionally,  
40 there is a number of potential scenarios that are very numerous,  
41 as you might imagine, which is why the tool was developed, and  
42 so that made it very difficult in trying to come up with a  
43 document to try to keep it -- I didn't want to be too broad, but  
44 I also didn't want to be too prescriptive.

45  
46 Because of those considerations, we sort of pulled away from the  
47 document from now, and instead we're just sort of looking at the  
48 decision tool and the discussions at the committee and council

1 level to help inform any future document that might come before  
2 the committee.

3  
4 I also wanted to just touch really quickly on how the 2019/2020  
5 season is shaping up. For this year's fishing season, the stock  
6 ACT is a little over a million pounds. As Mr. Gerhart mentioned  
7 this morning, it's more likely than last year that we will have  
8 a spring season opening May 1 of 2020.

9  
10 Progress has begun on an operational assessment, to be completed  
11 in the first quarter of 2021 for greater amberjack, and, likely,  
12 that operational assessment would aim to incorporate some of the  
13 new MRIP, and so the FES, and so just keep that in mind. The  
14 tool is in sort of the old MRIP. Of course, moving forward,  
15 things will be sort of transitioning over to the MRIP FES.

16  
17 There is some big decisions still on the table, of course, with  
18 zone management, a potential split season quota, fixed closed  
19 seasons, as well as modifications to those daily bag limits and  
20 possession limits.

21  
22 To try to sort of parse this out, sort of like what I did last  
23 time, we're going to go through sort of this thought exercise,  
24 using this decision tree. At the top of the tree is going to be  
25 just the first question, answering about zone management, either  
26 sort of yes or no, and so, if the committee decides not to move  
27 forward with zone management, there are several Gulf-wide  
28 management measures that could be implemented, and those are  
29 listed here.

30  
31 If the committee decides that, yes, zone management is something  
32 they would be interested in pursuing, there is a whole suite of  
33 considerations there as well. Very broadly, the first sort of  
34 decision trigger would be allocation between the zones and  
35 decide what allocation is going to be between those areas and  
36 potentially different seasons within those, those sorts of  
37 things, and so there's a lot of things to consider, but, very  
38 broadly, those are some of the ones to think about.

39  
40 For the process of our exercise, let's just go ahead and  
41 consider that the committee decides not to go with zone  
42 management, and so what would that look like, and so we would  
43 not have a spatial delineation within the Gulf, and so any  
44 management measure would be implemented Gulf-wide, and so this  
45 is what this would look like.

46  
47 Potentially, what this might look like in a document, one action  
48 you could have was the establishment of recreational seasonal

1 quotas with various alternatives. In this case, here's some  
2 reasonable alternatives that you could have. You could have a  
3 split right down the middle of 50/50, or you could have a 60/40  
4 full spring or a 70/30 full spring, sort of just based on  
5 general historical landings during those time periods.

6  
7 Again, this is what is currently in the tool, sort of hardwired  
8 in the tool, but these are just examples, and these numbers can  
9 certainly be tweaked, or other examinations can be made, and  
10 this is just sort of a launching point of some of these  
11 discussions, since you haven't seen split season quotas in this  
12 framework before.

13  
14 A second potential Gulf-wide action would be modifying the  
15 recreational fixed closed season, and so this language you have  
16 seen before, and so these are the various alternatives that have  
17 been on the table for a while, and so various combinations of  
18 months in the fall and then various days within the spring  
19 season in May, and so those are those combinations that you've  
20 seen.

21  
22 Moving forward in the document, potentially do some alternative  
23 combinations that would sort of look at these different actions  
24 together, and so, for example, here, we've got the allocation  
25 options, and here is our spring and fall, over here in this  
26 first column, and then, in this top row here, we've got, okay,  
27 these are our different sort of fishing seasons, when we would  
28 have our fixed closures and things like that, and then we could  
29 report back, okay, what do we expect percent of that fall or  
30 spring ACT would be, how close are you to reaching that goal,  
31 does this achieve the management goals, those sorts of things  
32 for consideration, and so that's how it would sort of look in  
33 the document.

34  
35 Additionally, the other Gulf-wide measure that's still on the  
36 table is the modification to recreational bag limits and  
37 possession limits. These alternatives you have seen before, and  
38 you've seen these already. The last time these were presented,  
39 initial analyses indicated that this wouldn't necessarily  
40 greatly reduce harvest, and we're looking at something like 12  
41 percent or something like that, and so that's what we discussed  
42 last time.

43  
44 Just to summarize a little bit of these scenarios, these  
45 measures, again, would be applied to the entire Gulf. All three  
46 management approaches could be selected in some shape or form,  
47 but, the minute you start sort of layering these management  
48 measures together, things get very complicated very quickly, and

1 so, obviously, we would try to find the most efficient solution  
2 possible to achieve our management goals.

3  
4 We could still run into the same issue, where one season exceeds  
5 the ACT and we would not be able to open the next season, and so  
6 that's what happened to us in the 2018/2019 fishing year. All  
7 of these changes could be accomplished within a framework  
8 action, and so one of the pros is that this could be implemented  
9 fairly quickly. We couldn't lengthen the season, but a con is  
10 that it might restrict access throughout the Gulf, like we've  
11 had issues with in the past, and some of these measures may not  
12 necessarily reduce harvest considerably, such as the daily bag  
13 limits.

14  
15 Again, thinking about our sort of thought exercise and moving  
16 down our decision tree, what if the committee had decided that,  
17 okay, zone management is something we're interested in pursuing,  
18 and how might the document look moving that forward, and so  
19 here's an example, and it's just fairly simple, and so here's  
20 just some proposed zones, and, again, nothing is really set in  
21 stone, but these are just some launching points, and you could  
22 just cut the Gulf right down the middle, sort of a western zone  
23 that would be comprised of Texas, Louisiana, and Mississippi and  
24 an eastern zone that would be Alabama and Florida.

25  
26 You could also have a three-zone configuration, where you would  
27 retain the western zone, but that eastern zone would be then  
28 further split into a northern and southern zone, using the sort  
29 of Dixie/Levy County line here in Florida and extended out to  
30 the Mississippi/Alabama border.

31  
32 That's some of the proposed zones that we've got. If zone  
33 management is something that the committee is interested in  
34 pursuing, the next sort of trigger decision is going to have to  
35 be, okay, what's the allocation between those zones, and so  
36 that's something that has to be figured out.

37  
38 Again, here's some just numbers for the purpose of our thought  
39 exercise, and so let's say, in this theoretical dimension that I  
40 have created, that this committee has decided that, okay, we're  
41 going to use the average historical landings from 1992 to 2008,  
42 because that was before we put a lot of these recent management  
43 measures in, and so there we're going to look at what was the  
44 percent of landings across the zones during that time period, or  
45 we're going to use that to inform our allocations moving  
46 forward, and so this is what that breakout would look like, and  
47 so that's just an example of sort of the decision-making process  
48 that would go about perhaps deciding those sorts of things.

1  
2 How this might look in an action, it would look something like  
3 this, and so you would have an action that would establish  
4 recreational fishing zones and allocate the recreational quota,  
5 and so those various alternatives would be your two-zone or  
6 three-zone alternatives, and then, within that, for each of  
7 these alternatives, you must also have some allocation options,  
8 sort of justifying how you would break out that quota within  
9 those zones, and potentially you could have some different  
10 season options, potentially, within there as well.

11  
12 When we start talking a little bit about these allocations  
13 between zones, as we start looking into this document, it would  
14 turn more into an amendment rather than a framework action, and  
15 so that's going to take a little bit longer, and so that  
16 amendment would have to go out for public comment and those  
17 sorts of things, and so it couldn't be implemented as quickly as  
18 the framework action, unlike the Gulf-wide measures that I  
19 mentioned earlier.

20  
21 To summarize that, again, we would have to go back, and we've  
22 decided to do zones, how many, and those spatial delineations  
23 across the Gulf would have to be something that was enforceable  
24 and easy for folks on the water to follow.

25  
26 What potential provisions would be made for moving between those  
27 zones, and the data collection and monitoring would need to be  
28 sort of at the appropriate regional or spatial scale, in order  
29 to monitor those landings, and then this would trigger sort of  
30 the second question, as to what would the allocation between  
31 those zones be, what sort of time period would you be looking  
32 at, and so sort of the thought exercise that I gave a little bit  
33 earlier, that time period and then what the breakout might look  
34 like, and so those are some things that would have to be  
35 considered.

36  
37 Some of the accountability measures I haven't really even  
38 touched on, but that's also another suite of decisions that  
39 would have to be made, potentially putting in some sort of zone-  
40 specific payback provisions or those kinds of things. Again, if  
41 you start layering these things, they start to get complicated  
42 quickly, and it's already complicated enough to try to layer  
43 some of these things at a Gulf-wide scale, and doing it  
44 regionally would also make things very difficult very quickly.

45  
46 Some of the pros is that zone management could increase  
47 accessibility regionally, but some of the cons -- MRIP, like I  
48 mentioned before, we're getting some changes in that. If you

1 decide to have a zone between the east and the west, you might  
2 have a lot more changes in the east relative to the west, for  
3 example.

4  
5 What if the zone exceeds that stock ACT? Another zone may not  
6 be able to open, and so that could cause some problems, and  
7 then, of course, we're further dividing the very small amount of  
8 data that we have for greater amberjack further, by zones and  
9 those sorts of things, and so your forecasting ability, which is  
10 not good now, would be hindered even further.

11  
12 To try to deal with some of this, we have developed a decision  
13 tool. Ideally, this is going to be sort of just an easy, back-  
14 of-the-napkin kind of calculation, and so a lot of our  
15 discussions before had been, well, what if we opened two weeks  
16 earlier here, or this here, or a month earlier here, those sorts  
17 of decisions, and you can now calculate those more on the fly,  
18 so that that would give you -- Hopefully, if you look at various  
19 combinations, you're not having to wait two months for us to  
20 come back with something for you, and it will give you all a  
21 little bit of ability to look and explore some of those options  
22 that you might have and be thinking about.

23  
24 This will be the first time you've sort of seen this tool, and  
25 so any feedback you would like to provide or there's something  
26 you would like to see, we can make sure that we get that  
27 incorporated for you. Please note that the tool is focused on  
28 zone management right now, and it does not currently incorporate  
29 those modifications to the bag limits just yet. If there's not  
30 any questions about the presentation, I can move on and show you  
31 the tool, but I will be happy to answer any questions now about  
32 the presentation.

33  
34 **CHAIRMAN GUYAS:** Do we have any questions? It doesn't look like  
35 it, and let's look at the tool. It's actually pretty  
36 interesting.

37  
38 **DR. HOLLENSEAD:** Okay. The first thing that pops up is it gives  
39 sort of a very broad just sort of introduction to the tool, and  
40 we wanted the tool to be accessible by multiple users and the  
41 public, and so we also encouraged folks from the public also to  
42 give us some feedback on the tool through our council website as  
43 well, and so that's what this first pop-up is.

44  
45 Here's the tool, and, just to orient you a little bit to how  
46 it's organized, all of the inputs are going to be on this left-  
47 hand side here, and so whatever management decision you're  
48 interested in looking at would be as an input on the left, and



1 then on the right is going to be your output, and so that's  
2 going to be the result of the management measures that you  
3 previously selected.

4  
5 In order to orient everybody through the tool, there is this how  
6 to use the decision tool button, and so, when that is clicked, a  
7 little pop-up will show up, sort of giving you the background  
8 of, okay, this is why the tool is here, sort of a justification,  
9 and it also highlights what the current ACT is, and so, if  
10 people are interested in looking at some other allocation  
11 options, they have got the value right there that they can take  
12 that fraction from and move along through that.

13  
14 When you select "next", it kind of just walks you through the  
15 tool, and so sort of the first question when we thought about  
16 our decision tree is we come with this first step of are we  
17 interested in zone management or not, and these various buttons  
18 will let you go through and select the various zone options that  
19 I had talked about earlier, and so no zones, two zones, or three  
20 zones. Right now, it is selected at no zones, and so that's why  
21 you see the map there with the associated selection.

22  
23 Then we have a -- Like I had presented earlier, we've got some  
24 breakdowns. In this case, we have selected the no zones, and so  
25 we're looking at Gulf-wide seasonal allocations, and so this  
26 breaks up allocations between the fall and the spring. When you  
27 select a zone, it will then show an allocation breakup between  
28 the zones.

29  
30 Then, moving along, we've got these sliders here, and so this  
31 will allow you to select when you are interested in a fishing  
32 season being open, and so, right now, the default is just sort  
33 of set at what we have now, but these can be moved however you  
34 would like, to select the season that you're interested in  
35 seeing the results for.

36  
37 Those are your inputs for your first outputs, and it will then  
38 populate these value boxes, and, in these value boxes, and this  
39 is kind of blocked by this information box right now, but it  
40 will give you the total of landings during that time period, in  
41 this first column. In the second column right here, it will  
42 give you the number of days that that is open, in this case for  
43 the fall season and the spring season, and then these far-right  
44 boxes will tell you what percent of that seasonal ACT -- You  
45 know, where are you in terms of that target, and so that will  
46 show up right there.

47  
48 Next is a plot, and all this is is just sort of a visual of

1 those other boxes up top, and so what this shows is, okay, the  
2 vertical colored boxes are -- Here's the harvest that we would  
3 expect to catch in the fall during that time period, and here it  
4 is in the spring, and then here these vertical bars are added up  
5 to our total. These horizontal lines then let you know, okay,  
6 these are your ACTs for your fall, spring, and then a total, and  
7 so it's just a visualization of the value boxes.

8  
9 Then, lastly, and, actually, this is sort of where the meat and  
10 potatoes are, actually, and this little table will also pop up,  
11 and this tells you what the daily catch rate is for each of  
12 these months, and so, in this case, we're looking at the whole  
13 Gulf, but, if we were to select zones, it would break out the  
14 daily catch rates by zone and month, and so this is actually  
15 what's being totaled, depending on what you put for the season  
16 opening that you are interested in in those sliders, and this is  
17 what is being added up, and I will get into a little bit of  
18 where these data comes from in a minute.

19  
20 Then, lastly, we've got an information box with some caveats  
21 about the tools, and I'm not going to go into all of it too  
22 deeply, but it just lets folks know that there is some  
23 assumptions that this tool makes. For example, this tool  
24 doesn't take into account any effort overlap between the zones  
25 or anything like that, and there's also an unknown amount of  
26 error that is unaccounted for in the tool, and so just things  
27 like that.

28  
29 Once that's done -- As I mentioned before, these tables right  
30 here, this information is important, these daily landings,  
31 estimated catch rates, and so where do these come from? Up  
32 here, we've got our dashboard tab, but we also have an about-  
33 the-data tab that gives a little information on where those data  
34 come from, and so, when the user clicks on this, it kind of just  
35 gives a little bit of rationale as to why the data was selected  
36 the way it was, and so, for example, for greater amberjack, as  
37 we're well aware, there's been a lot of changes recently, and so  
38 that really constrains the amount of historical years that we  
39 have.

40  
41 The last size limit change was back in 2006, and so our  
42 historical landings were sort of constrained to 2006 and  
43 forward, and, also, it mentions that MRIP collects recreational  
44 data in sort of two-month periods, like these waves, and so,  
45 therefore, your estimates for January and February are going to  
46 be the same, and March and April are going to be the same, May  
47 and June, and so forth.

1 Also, it notes that there have been no recent landings for  
2 several months, and so a lot of assumptions have to be made  
3 there, and so this table down here breaks down where those data  
4 come from and then the rationale for using what was used, and  
5 so, for example, if we look at September and October, since  
6 2016, September and October have been open for harvest only in  
7 2018, and so, therefore, these daily catch rates within  
8 September and October have just come from 2018 landings, and so  
9 that's a sample size of one, and so you can imagine the error  
10 that would be around that, and so that's something to take into  
11 account.

12  
13 Now that I've kind of gone through an overview of the tool, this  
14 is how one would use it, and so let's stick with the simplest  
15 example first, and so let's just say, okay, no zones, and I'm  
16 just going to look at a seasonal split quota, and that's what  
17 I'm interested in at the moment.

18  
19 For the sake of this just tutorial, let's just go ahead and  
20 leave the dates open now, and let's say I'm just interested in  
21 keeping the season that we've got currently, and so that would  
22 populate my vertical bars here, and then let's say that I'm  
23 interested in changing the quota here, and so, as you can see,  
24 the harvest between the fall and the spring isn't going to  
25 change, because I didn't change the sliders down here, but my  
26 target has changed, and so these sliders help populate these  
27 vertical bars, and so that gives you an idea of the playing  
28 field, and then, when I change the allocations here, I am  
29 changing the goalpost, for example, and you can think of it that  
30 way, and so these are moving, but the actual vertical bars are  
31 not necessarily.

32  
33 I noticed when I do this, when I keep sort of the season that we  
34 have now, and I select sort of a 60 fall and 40 for spring, fall  
35 likely would go over, if that was the case, and so that also  
36 shows up here on these value boxes, to let me know that I'm at a  
37 150 percent of that full ACT, and so I know that I've over, and  
38 so that's an example of how to use the tool.

39  
40 Similarly, if you were to select on the zones, and so let's go  
41 to two zones, and so you'll notice my table here, and now I've  
42 got the daily catch rates by zones as well as month here, and  
43 we've got the same sort of utility as before, and so we've still  
44 got the sliders, but now, instead of spring to fall, we are west  
45 and east zones, and I can slide these sliders back and forth and  
46 get an idea of where I'm going to be, in terms of my landings,  
47 as well as my zone allocations, right here.

1 Similarly, you can do this for the three zones. It just  
2 populates you an extra row here, because then we have a western  
3 zone and a north and a south, and, again, the same sort of  
4 visualizations and slider bars for the dates within those zones,  
5 as well as the daily catch rates here that can be added up.

6  
7 That's just sort of a general overview of the tool and what it  
8 can do. Like I said, it's mostly very good for sort of really  
9 quick, back-of-the-napkin kind of calculations, and the tools  
10 are all here though.

11  
12 If you see an allocation breakdown that I don't have hardwired  
13 in the tool, you can -- All of the information is here for you  
14 to figure that out, and so, like I said, you've got the stock  
15 ACT right here, and that value -- You can take whatever  
16 percentage of it you're interested in and add up the numbers  
17 from the tool and see how close you can get, and so you're not  
18 necessarily constrained to these hardwired allocations here, and  
19 you can explore those different options, and all of that  
20 information should be available to you in the tool as well.  
21 With that, I would be happy to take any questions that anybody  
22 has on the presentation or the tool.

23  
24 **CHAIRMAN GUYAS:** Kevin.

25  
26 **MR. ANSON:** Very nice tool, and it has more functions and  
27 capabilities, and it looks better each time we see a new tool,  
28 and so kudos to staff for doing that. I was just wondering  
29 though -- Have you all discussed, or is there a forthcoming  
30 version, that will allow selection of seasons, multiple seasons,  
31 within each zone, if you choose the multiple zones, like if you  
32 want a spring and a fall season? Right now, I can only select a  
33 range, and I would like to do one range in the spring and one in  
34 the fall and see what the results are, but I can't do that,  
35 unless I'm not doing something right.

36  
37 **DR. HOLLENSEAD:** We can put in -- Here's a two-zone example, and  
38 so, if you were interested in, okay, here's the west zone and  
39 here's my interest for fall, but I also want to put something in  
40 for May, we can put those in, and we can easily change the  
41 sliders to allow that.

42  
43 Right now, you can sort of get at that, sort of a workaround,  
44 and so you can put in -- If you know this is your zones, you can  
45 calculate that out and do like here it is for the fall, and the  
46 move it over to May and then add those up, and so you can get to  
47 that, but, to make it easier, so you don't have to do as much  
48 away from the tool, we can put in other slider capabilities, so

1 that you could explore that.

2  
3 **MR. ANSON:** Thank you.

4  
5 **CHAIRMAN GUYAS:** Other questions or ideas for what future  
6 iterations would look like? We have already talked about how  
7 the bag limit is not in here at this point, but, yes, I agree  
8 that this is really cool, really, really cool. It makes it easy  
9 to digest everything and visualize it. Paul.

10  
11 **DR. MICKLE:** I will kick off some discussion and see if I can  
12 encourage the group to weigh-in a little bit. If you remember,  
13 in Galveston, we did talk a good bit about this early document  
14 being a little bit down the road, and we had some discussions  
15 about the zones and the seasonality and things, and this tool is  
16 a really amazing thing, and I think we've all been shown the  
17 value of it. It's a lot better than an Excel sheet that we're  
18 kind of messed with in the past, and really user-friendly.

19  
20 I would like to talk about I guess the seasonality reporting and  
21 the timeline issues that we have with getting the data and the  
22 carryovers and all those complicated issues, with some of the  
23 things that were brought up in Galveston and then shown here  
24 today, but, just to kind of deal maybe with that issue of the  
25 eastern zone and the western zone and when the data actually  
26 gets brought up and sets the TACs, or the ABCs, for the next  
27 year.

28  
29 It seems like, with Texas and Louisiana under their own landings  
30 systems, and Mississippi could potentially add this species to  
31 their current Tails 'n Scales system, and there might be, I  
32 guess, some optimism there of getting at least a western zone  
33 landings for this species, potentially, and I'm not going to  
34 speak for any other state, but, just because they have the  
35 independent capability of establishing landings with a short  
36 timeline, there might be some optimism there on getting those  
37 landings, but, again, we've changed the fishing year on this  
38 species, and we have changed a lot on this species and had some  
39 not good management outcomes from -- Remember that we changed  
40 the minimum length and tried to extend the season, and that did  
41 the exact opposite, and I'm just trying to jog everyone's  
42 memory.

43  
44 Now we have changed the fishing year, and we're actually going  
45 through to see if that actually plays out and has helped, and  
46 Dale and I talk about that here and there, and it seems like  
47 we've gotten a little bit down the road in some success there,  
48 but there is a lot of different ways that we could look at this,

1 and I appreciate the document, but identifying the timelines  
2 could maybe be overcome with some of these zone amendments that  
3 we did talk about at the last meeting and showed that there was  
4 some opposition, and not opposition, but cons to that, but,  
5 maybe if we work through that, we can remove that con from  
6 potentially Action 2, and so I just wanted to bring that up and  
7 maybe spark some conversation. Thank you.

8  
9 **CHAIRMAN GUYAS:** Mara.

10  
11 **MS. LEVY:** I think, at some point during this meeting, it would  
12 be helpful to know whether you want to pursue the zones, as  
13 opposed to Gulf-wide, or stick with the Gulf-wide stuff, and, I  
14 mean, the tool is great, but a caveat is that you can monkey  
15 with it all you want.

16  
17 Right now, if you put in what we already have, everybody gets to  
18 fish in May, and everybody gets to fish during our current fall  
19 season, but we all know that that's not necessarily the reality,  
20 depending on what year it is, and so one year it didn't work,  
21 and this year it looks like it's going to work, and so I guess I  
22 would just caution that changing the things in the tool and it  
23 telling you that, yes, you're going to be able to do this,  
24 knowing that there's so much uncertainty, because of the data  
25 limitations that Lisa talked about.

26  
27 I think the thing we talked about at the last meeting was that  
28 these are -- The zones are sort of an alternative to doing more  
29 things Gulf-wide, and so, if you're going to pick zones, and you  
30 really want to go down the zone road, then it's not necessary to  
31 look at a split between the seasons, in terms of the quota,  
32 because you're going to look at the zones.

33  
34 Now, whether you want to do that within a zone, yes, that's part  
35 of the zone thing, but you wouldn't do it Gulf-wide if you're  
36 going to have zones. Right now, what we were sort of struggling  
37 with in the document was how do we articulate all these  
38 different alternatives to the same problem, and so we were  
39 trying to come up with a first action that has you pick. Are  
40 you doing zones, are you doing split quota between the Gulf-wide  
41 seasons, are you going to modify the Gulf-wide closures to get  
42 what you want, because those are all alternatives that address  
43 the same problem.

44  
45 The issue we were having is, in the zone alternative, you've got  
46 a lot of decision points that you need to make if you pick the  
47 zone alternative, and so it would be a lot easier, if you know  
48 you want to do that, that we just focus on that, or, if you just

1 want to just focus on tweaking the Gulf-wide stuff, that we  
2 focus on that. I'm not saying it's impossible to have them all  
3 in the same document, but I'm just saying that it started  
4 getting really complicated.

5  
6 **CHAIRMAN GUYAS:** Roy.

7  
8 **DR. CRABTREE:** Well, it seems to me that, given that it does  
9 appear that there will be a May season this year, and that we  
10 have a new assessment coming down the pike, and we know we have  
11 all of these changes in the recreational catch estimates  
12 occurring, it seems to me that the best thing we could do right  
13 now is just stay put on amberjack and wait until we get the new  
14 assessment and then come back to it at that point.

15  
16 **CHAIRMAN GUYAS:** I've got Chris and then Susan.

17  
18 **MR. SCHIEBLE:** First of all, I would like to thank staff for  
19 taking the time to put this decision tool together. I guess,  
20 when I asked for it, I was envisioning pivot tables and Excel  
21 sheets and crazy stuff like that, and this is probably the most  
22 user-friendly decision tool that I've seen for any of the stuff  
23 we've dealt with, and so thank you on that part.

24  
25 In some respects, I also agree with Dr. Crabtree. We're coming  
26 up on an assessment, and we may make some decisions after that  
27 that are probably a little more educated than if we do a knee-  
28 jerk reaction now. We've got a potential for a spring season  
29 here, and so there's some charter captains in the east that are  
30 probably able to book some trips because of that, but then they  
31 don't know for sure if next year they're going to have a spring  
32 season again also, and this could go the other way.

33  
34 Maybe splitting these between zones would fix that, and maybe  
35 not, and we're not sure, but I think a stock assessment would  
36 help with this, and so, in some ways, I am inclined to see if  
37 this management works, and it's only been two years now under  
38 this system, and we've had it one way and now the other way, and  
39 so maybe the third year will help.

40  
41 **CHAIRMAN GUYAS:** Susan.

42  
43 **MS. BOGGS:** Thank you. I agree with what Roy just said, and I  
44 believe that I expressed this at the last council meeting. This  
45 is only the second year that we've had the start date of August  
46 1 with the fall season and spring season. Again, it worked one  
47 year, or it didn't work the first year, and it appears it's  
48 going to do what we wanted it to do this year, and it concerns

1 me that we're looking at a decision tool that -- Dr. Hollensead,  
2 thank you very much, and it's wonderful, but it's with MRIP  
3 data, but we're setting seasons to FES data. Again, it's apples  
4 and oranges.

5  
6 The zone management, I still do not think it works for the issue  
7 that seems to be the biggest issue, in my mind, which is  
8 Alabama, Panama City, Destin, because we're still all in that  
9 same zone together, and it doesn't seem like that will do  
10 anything to resolve what seems to be the biggest thing that  
11 we're hearing at the podium on Wednesday afternoons. Thank you.

12  
13 **CHAIRMAN GUYAS:** I guess let me clarify one thing that I think  
14 you said. Right now, I think the data in this tool and what's  
15 being used to track the quota is all the same version of MRIP,  
16 and we haven't gone to FES yet with this fishery, or they're at  
17 least back-calculating it, and so it is, right now, apples to  
18 apples. After we have the assessment, then it's going to be --  
19 We will have to adjust.

20  
21 **MS. BOGGS:** Okay. My apologies. I misunderstood what was said  
22 then.

23  
24 **CHAIRMAN GUYAS:** Other thoughts on amberjack? Leann, I see your  
25 hand going up.

26  
27 **MS. BOSARGE:** Well, except for LA Creel, right, LA Creel and  
28 Texas, and so there's three currencies right now.

29  
30 **CHAIRMAN GUYAS:** Well, and we have the Gulf Reef Fish Survey on  
31 top of that, but that's not been used to track. Kevin.

32  
33 **MR. ANSON:** Picking up on what Susan just commented on, and  
34 comments by a couple of folks around the table, if we're going  
35 to wait and see how this season goes, I think part of the  
36 discussion that goes on in between meetings, not only among  
37 council members, but certainly among members in the audience and  
38 those back in their respective ports, are how this potential  
39 change could benefit me, and so I'm wondering, since we have  
40 some time, if we are going to wait to do anything relative to  
41 amberjack at this time, is how difficult would it be, because  
42 having additional zones with all the things Mara pointed out,  
43 with all the decision points, every zone you create, extra  
44 zones, you have the same type of decision points, and so it's an  
45 iteration, but having extra zones provides more flexibility for  
46 those particular folks, and so would it be possible, or does it  
47 need a motion, if staff could go and create a zone that would  
48 probably separate out the Panhandle and make a fourth zone, and



1 so it's an Alabama thing, and I'm just wondering if that's  
2 possible, and that would kind of help and, again, provide some  
3 information, and then people can look at what would a season  
4 length look like off of Alabama, if you did a split season, or  
5 just a single season, or vice versa for the Panhandle folks.  
6 They can look at how their season would look, and I'm just  
7 wondering if that's something that could be done in the interim.

8  
9 **CHAIRMAN GUYAS:** I am going to kick that, I think, to Dr.  
10 Hollensead, if you heard that. I feel like we've had this  
11 discussion in that past, about trying to break it out more or  
12 less state by state.

13  
14 **DR. HOLLENSEAD:** I am going to defer to John, actually, on that  
15 one.

16  
17 **DR. JOHN FROESCHKE:** Well, I mean, if you look at the MRIP data,  
18 for example, it is available on a state-by-state, and so I  
19 suspect it's possible, although, to the extent that the variance  
20 and difficulties predict this is a problem, the more you slice  
21 it, that probably grows exponentially more difficult.

22  
23 **CHAIRMAN GUYAS:** Susan.

24  
25 **MS. BOGGS:** Of course, if you have one zone that goes over, it's  
26 going to affect the next zone, and you're just creating a  
27 snowball effect, in my opinion.

28  
29 **CHAIRMAN GUYAS:** J.D.

30  
31 **MR. J.D. DUGAS:** Kevin, to that point, would that be more state  
32 management?

33  
34 **MR. ANSON:** Well, I believe that comment was brought up at the  
35 last meeting, and certainly one could look at it that way,  
36 depending upon if it was state-specific zones, but I was just  
37 trying to look at the issue that Alabama has relative to those  
38 folks in the Panhandle, and where most of the greater amberjack  
39 are caught, and trying to slice that just a little bit more.  
40 Again, the needs are different, and so I was just trying to look  
41 specifically into that particular part of the fishery.

42  
43 **CHAIRMAN GUYAS:** Okay. Well, without any motions, are there  
44 other suggestions for the tool or stuff you would like to see  
45 the next time we see this? Otherwise, I think we're going to  
46 move on. I would encourage folks in the back of the room to  
47 mess around with this tool if amberjack is of interest to you,  
48 and certainly let us know your thoughts in public testimony, if

1 that's one of the things you're going to testify on.

2  
3 If there's nothing else on amberjack, let's move on to our next  
4 agenda item, and that's going to be the SSC Report on Lane  
5 Snapper FES-Adjusted Catch Recommendations. Mr. Gregory.

6  
7 **SSC REPORT: LANE SNAPPER FES-ADJUSTED CATCH RECOMMENDATIONS**

8  
9 **MR. DOUGLAS GREGORY:** Good afternoon, Madam Chair, committee,  
10 and council. I will be brief with this one, if we could put  
11 page 7 on the screen of the SSC presentation. The lane snapper  
12 assessment is an update of SEDAR 49, and it was first presented  
13 in 2017 as a data-limited assessment. The SSC, at the time,  
14 approved the methodology and confirmed the assessment was best  
15 available information for a data-limited assessment.

16  
17 In September of last year, we were presented an update of that  
18 assessment, and we have two motions up there that the SSC passed  
19 at our January meeting, but, in September, we approved the  
20 update assessment, with the same data-limited approach, but it  
21 was with APAIS data, and, after the SSC meeting, someone  
22 determined that it would probably be better for the SSC to look  
23 at the assessment with FES-updated data, and that's what we did  
24 in January, and that's what you see here.

25  
26 Basically, the SSC is comfortable with the data-limited  
27 assessment approach and is comfortable, for the most part, with  
28 whichever data you want to use, FES or APAIS, and there are a  
29 couple of people on the SSC that were concerned about the FES  
30 data, because of the extreme variability in the early years, and  
31 not FES currently, but the back-calculations, the calibrations  
32 going back historically, but they were a minority.

33  
34 One thing I will point out -- One of the things that caused the  
35 concern is, with the APAIS data, we estimated the OFL of 600,000  
36 pounds. With the FES data, it was just a little bit over a  
37 million pounds.

38  
39 Now, we're going to look at this again in March, because the  
40 Science Center has determined that they need to refine the  
41 discard information and build that into the assessment, and so I  
42 don't want to focus on this too much, these numbers, but we'll  
43 come back in March with some refined FES data through this data-  
44 limited model, and, again, I don't anticipate any concerns with  
45 this from the SSC, as far as the methodology, or even the data  
46 at that point. I would be glad to answer any questions.

47  
48 **CHAIRMAN GUYAS:** Are there questions for Doug? Leann.

1  
2 **MS. BOSARGE:** So, Doug, you all will look at this again, kind of  
3 like another version of it, at your March meeting, you said?  
4

5 **MR. GREGORY:** Right, and the only thing that will change will be  
6 the numbers, the FES numbers. The discard information needs to  
7 be refined. That's something that was discovered after our last  
8 meeting.  
9

10 **MS. BOSARGE:** Okay, and so --  
11

12 **MR. GREGORY:** So it's an iterative process at this point with  
13 this assessment, but it's the first successful data-limited  
14 assessment we have worked with, and so I think it's going well.  
15

16 **CHAIRMAN GUYAS:** Sue.  
17

18 **MS. GERHART:** Just to let you know, in relation to what Mr.  
19 Gregory is saying, we realized that was shown to the SSC  
20 included the dead discards as well as the landed fish, and so  
21 that's what he is talking about when he is saying there is a new  
22 iteration to look at.  
23

24 I was able to work with some of the people at the Science Center  
25 and get those adjustments up, and, obviously, they do have to go  
26 back to the SSC, but we do have those values, and I think there  
27 is a slide that staff has that they can show that shows those  
28 values.  
29

30 **MR. GREGORY:** Are you talking about the values of just the dead  
31 discards?  
32

33 **MS. GERHART:** No, these would be adjustments to the OFL and the  
34 ABC values that were shown to the SSC, adjusted to remove the  
35 discards.  
36

37 **MR. GREGORY:** No, we haven't seen that.  
38

39 **MS. GERHART:** No, the SSC has not seen that. What I'm saying is  
40 we've had the Science Center review those, and those will go to  
41 the SSC in March, before the next council meeting, and this is  
42 what they will see, but we wanted to show them to the council  
43 already.  
44

45 This is put together by Nancie Cummings, who was the analyst  
46 that did the assessment, and the first row that you see there  
47 shows what was presented to the SSC at their January meeting.  
48 What she did was look at what the proportion of the values were

1 attributable to landed fish versus the discards, and it's 96  
2 percent of those numbers were landed fish, as opposed to  
3 discards, and that's based on a three-year average from 2016  
4 through 2018 on what those were, and so, just to make the  
5 adjustment, those values were taken and multiplied by 0.96, and  
6 then the new numbers without the dead discards included are on  
7 the bottom row there.

8  
9 What you can see is, because 96 percent of those fish were  
10 landed fish, there isn't very much difference between what the  
11 SSC saw and what the new estimates will be, and so, again, the  
12 SSC will have to approve this, obviously, but we wanted you guys  
13 to see that it's not that much different when they will see it  
14 in March.

15  
16 **CHAIRMAN GUYAS:** Paul.

17  
18 **DR. MICKLE:** Since this hasn't gone through the SSC, or at least  
19 the scalar there, why those years 2016 through 2018? Isn't  
20 there more, or is there not, to create that scalar?

21  
22 **MS. GERHART:** I think they looked at the whole time series, but  
23 it was pretty consistent, and I think they just chose the final  
24 three-year average as just a standard way to do it.

25  
26 **CHAIRMAN GUYAS:** Leann.

27  
28 **MS. BOSARGE:** Since the SSC will -- Since this is going to be  
29 updated and sent to the SSC again, will some of their other  
30 questions be able to be addressed when they look at it again? I  
31 think one of their questions was, with the data-limited  
32 assessments, you sort of pick a range of years, somewhere in the  
33 history of the fishery, that you think is most appropriate, as  
34 to the fishery was, I guess, in a good position right there, and  
35 that's -- I don't know how to describe how you picked those  
36 years, but the SSC had a question about, well, you used the same  
37 number of years as you did in the last assessment, but did you  
38 go back and make sure that that was still the best set of years  
39 to use, once you had these new FES numbers? Was that still the  
40 correct series to use, and will the assessment scientists look  
41 at that before they bring it back to you?

42  
43 **MR. GREGORY:** Probably not, because that would require an SSC  
44 discussion, and that was a reference period of years where we  
45 thought the fishery was stable, and that's where we're looking  
46 at catches, using catches, to set ABCs, or ACLs, and the  
47 discussion at the meeting was that beyond the scope of this  
48 particular update, and, if the SSC really wants to go back and

reevaluate that, that would be a different effort. I have a question, Susan. You said discards, but what we're going to see in March will have landed catch plus dead discards, and are you saying that all discards are going to be removed?

**CHAIRMAN GUYAS:** Go ahead, Sue.

**MS. GERHART:** I'm sorry. What you saw before was landed catch plus dead discards. That is what is on the top row there. That includes dead discards. What you're going to see in March is just landed catch, which is the bottom row there.

Just to be clear, the reasoning for that is we don't track dead discards when we track the quota, and so the OFL and the ABC are the basis for the ACL that the council sets, and that needs to be in landed catch, because that's what we track for our quota monitoring, and so we can't use an ACL that includes dead discards, because we have no way to track those.

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

**EXECUTIVE DIRECTOR SIMMONS:** Thank you, Madam Chair. I just wanted to point out the reason we had asked for the lane snapper assessment at that time -- We hadn't received the white paper regarding the recreational surveys and the best practices moving forward, regarding the MRIP-FES data, and so that's why that change was made. Once that white paper came out, we asked, again, the Science Center to update that assessment with MRIP-FES data, because that paper was now out, and so that's why that decision was made.

**CHAIRMAN GUYAS:** All right. Anything else on lane snapper for now? It looks like we'll be chewing on this again in April, after the March SSC meeting, but this is kind of a preview of what this is going to be. Okay. Let's go ahead and move on to our next item, which is the Options Paper for Amendment 53. Before we actually get into the document, we'll go into the SSC report, and Doug is already up there, and so go ahead when you're ready.

#### **DRAFT OPTIONS PAPER FOR AMENDMENT 53: RED GROUPER ALLOCATIONS AND CATCH LEVELS**

**MR. GREGORY:** Again, in September, the SSC approved SEDAR 61 for the red grouper stock assessment as being the best available data with no fishing, and the population was not overfished. This was the first Gulf assessment where we completely used FES data, or Fishing Effort Survey, landings, including historical

1 calibrated data for the full assessment.

2  
3 The important part here is that the assessment decision was to  
4 assume that the 2018 red tide event was as detrimental to the  
5 population as the 2005, and I will come back to that later, when  
6 I refer to the interim assessment that was presented to us.

7  
8 Even though the assessment was in FES data, we were still using  
9 let's say the 76 percent commercial and 24 percent recreational  
10 to establish OFL and ABC, and we estimated those could be about  
11 5.3 and 4.9 million pounds, and that changes when you change the  
12 allocation between the two sectors, because it changes the  
13 selectivity, the recreational selectivity. Even though it has a  
14 larger size limit overall, it selects for and takes more smaller  
15 fish than the commercial sector.

16  
17 Another thing that became important in this motion was the -- I  
18 guess it was the determination by National Marine Fisheries  
19 Service that the ACL monitoring system was going to be used to  
20 provide the landings for the commercial and recreational sectors  
21 for calculations like this.

22  
23 For the recreational sector, there's kind of three sets of data.  
24 There is the MRIP data that exists on the website in D.C., where  
25 they don't really try to fill in the blanks with estimated  
26 weights, and there is the assessment data, where the assessment  
27 scientists have a method of filling in the weights, so they can  
28 do the assessment, and then there's the ACL monitoring database  
29 that does things slightly different.

30  
31 The SSC took a look at this and passed this motion, that the  
32 methodology for doing this was okay with them, and it was up to  
33 the council to determine what series of years they want to look  
34 at, as far as using the FES data for the allocation, and this  
35 table shows those numbers, and you will see that these numbers  
36 for OFL and ABC are less than the ones that we calculated in  
37 September using the 76/24 percent allocation. For some reason  
38 inexplicable to me, no matter what year range you use, you come  
39 up with similar numbers, and it would be highly, I think,  
40 irregular if that happens with other species.

41  
42 Now I want to touch on the interim analysis real quick. This is  
43 something that NMFS has been working on, the Center has been  
44 working on, for a couple of years, and it's still a work in  
45 progress, and so we don't really want to emphasize it, but it  
46 was done to -- The stock assessment ended in 2017, and there was  
47 this question about the 2018 red tide event, and so this interim  
48 analysis was done using the bottom longline index updated

1 through 2019, to include 2018 and 2019, to kind of see if our  
2 projections that we made in September were in the right  
3 ballpark, and the interim assessment has reinforced that, and so  
4 it does seem that the 2018 red tide was pretty substantial, that  
5 it had a pretty substantial impact on the red grouper  
6 population.

7  
8 That, I think, ends the red grouper presentation from the SSC.  
9 Then, later, I only have one more thing to talk about, economic  
10 reports that were presented to us.

11  
12 **CHAIRMAN GUYAS:** Okay. Are there questions for Doug on red  
13 grouper?

14  
15 **MR. GREGORY:** Thank you.

16  
17 **CHAIRMAN GUYAS:** Thanks, Doug. Before we get into the main  
18 document, we're going to take a break.

19  
20 **DR. FRAZER:** We'll take fifteen minutes.

21  
22 (Whereupon, a brief recess was taken.)

23  
24 **CHAIRMAN GUYAS:** I am going to turn it over to Dr. Freeman to  
25 kick us off for red grouper.

26  
27 **DR. MATT FREEMAN:** Great. I will start with the action guide  
28 for this item. Staff will present a draft options paper for an  
29 amendment to modify the red grouper allocations and catch  
30 levels, and the committee should discuss the draft purpose and  
31 need, as well as the draft options, and provide guidance to  
32 staff on further development. The timeline and next steps are  
33 dependent on the committee's recommendations.

34  
35 In addition, the SSC representative will review the SSC's  
36 deliberations on the updated projections for red grouper using  
37 the updated weight estimation procedures for the MRIP FES data  
38 from the NMFS ACL monitoring database. These data have been  
39 determined to be the best scientific information available by  
40 the Southeast Fisheries Science Center. The SSC reviewed the  
41 method by which the OFL and ABC values were determined for each  
42 of the options for time series in Amendment 53, and these  
43 decisions are reflected in the SSC summary report and in  
44 Amendment 53.

45  
46 If we go to page 4 of the document, to the purpose and need,  
47 1.2, just as a refresher, for the committee, there was a  
48 discussion at the October council meeting where the council

1 discussed the implications of the FES-adjusted MRIP recreational  
2 data on allocation.

3  
4 Given that Reef Fish Amendment 30B used the SEDAR 12 2006 stock  
5 assessment and MRFSS data for the recreational sector in  
6 determining sector allocations, the council requested the SSC  
7 review red grouper projections for OFL and ABC using best  
8 available landings data, and they directed staff to begin work  
9 on a plan amendment.

10  
11 First, we'll take a look at the daft purpose and need. I will  
12 read through those, and then I will pause for a moment and get  
13 feedback from the committee on the wording. The purpose of  
14 this document is to revise the red grouper allocation between  
15 the commercial and recreational sectors using the best  
16 scientific information available and to modify the total and  
17 sector annual catch limits based on results of the SEDAR 61 2019  
18 stock assessment and subsequent OFL and ABC recommendations from  
19 the SSC.

20  
21 The need of the document is to use the best scientific  
22 information available for Gulf red grouper sector allocations  
23 and annual catch limits, ensuring that the historical  
24 participation by the recreational and commercial sectors are  
25 accurately reflected and that recreational catch levels are  
26 consistent with the data used to monitor recreational landings  
27 and trigger accountability measures. Again, I will pause there  
28 for a second and see if anyone has any feedback or comments on  
29 those.

30  
31 **CHAIRMAN GUYAS:** All right. It doesn't look like anybody has  
32 anything just yet.

33  
34 **DR. FREEMAN:** All right. Terrific. Then we'll go ahead to  
35 Action 1, and so Action 1 has four alternatives currently for  
36 the committee to review. Alternative 1 is no action, and so,  
37 here, we would retain the allocation established in Reef Fish  
38 Amendment 30B, which uses the MRFSS data for the years 1986  
39 through 2005, and these, again, allocations were derived from  
40 the average landings for those years. The allocations for red  
41 grouper are 76 percent commercial and 24 percent recreational.

42  
43 Alternatives 2 through 4 are using the FES-adjusted MRIP data,  
44 based on the Southeast Fisheries Science Center annual catch  
45 limit monitoring datasets, and so, in the case of Alternative 2,  
46 we would revise the allocation based on the years 1986 through  
47 2005, and so we would still look at these same years as was used  
48 in Reef Fish Amendment 30B, but, again, using the FES-adjusted



1 MRIP data. The resulting allocations would be 59.3 percent  
2 commercial and 40.7 percent recreational.

3  
4 Alternative 3, again, would use the MRIP FES data, in this case  
5 looking at landings from the years 1986 through 2009, and 2009,  
6 in this case, being right before the commercial IFQ program went  
7 into place, and the resulting allocations in this case would be  
8 60.5 percent commercial and 39.5 percent recreational.

9  
10 Alternative 4 would use the average landings, again using the  
11 MRIP FES data, in this case for the years 1986 through 2018,  
12 2018 being the most current landings that we have. The  
13 resulting allocations would be 59.7 percent commercial and 40.3  
14 percent recreational, and so I will pause there and see if  
15 there's any discussion.

16  
17 **CHAIRMAN GUYAS:** Any thoughts on this action, the suite of  
18 alternatives that we have here? This is our first look, really,  
19 at this document, and so now is the time to provide input, if  
20 you would like to see additional alternatives or anything like  
21 that. Kevin.

22  
23 **MR. ANSON:** Well, for the purpose of the document, I guess I  
24 would be interested in looking at a different time series, one  
25 perhaps that is more recent, and we can capture, maybe, some  
26 more of the changes in the fishery that reflect what's going on  
27 today. **I would make a motion to add an Alternative 5 that would  
28 look at the time series from 2009 through 2018.**

29  
30 **CHAIRMAN GUYAS:** All right, and so we've got I think what your  
31 motion is, Kevin, up on the board now. **That would be, in Action  
32 1, add a new Alternative 5, and that would revise the allocation  
33 of ABC between the recreational and commercial sectors as the  
34 average landings, using MRIP FES data, during the years 2009  
35 through 2018, based on the Southeast Fisheries Science Center  
36 ACL monitoring datasets.**

37  
38 **MR. ANSON:** Yes.

39  
40 **CHAIRMAN GUYAS:** Is there a second to this motion? It's  
41 seconded by Dr. Shipp. Is there discussion? Troy.

42  
43 **MR. WILLIAMSON:** Do we know what those percentages would be?

44  
45 **CHAIRMAN GUYAS:** That's a good question.

46  
47 **DR. FREEMAN:** I could have that in time for Full Council. I  
48 have the data, but I just don't have them calculated at the

1 moment.

2  
3 **CHAIRMAN GUYAS:** Dale.

4  
5 **MR. DIAZ:** Could you all refresh my memory? When we got the  
6 stock assessment back, what did they say, that they would give  
7 us some numbers that, with the FES, the new allocation would be  
8 a certain percentage, and what was that percentage?

9  
10 **DR. FREEMAN:** I apologize, but can you ask that question one  
11 more time?

12  
13 **MR. DIAZ:** When we got the stock assessment back, it said in  
14 there that the numbers would be -- Tom has got them right here.  
15 It's 59 and --

16  
17 **CHAIRMAN GUYAS:** It's within Alternative 2, I think is what  
18 you're thinking of, and so, if you take the current time series  
19 and plug in the new series of data for that time series, that's  
20 what you get.

21  
22 **MR. DIAZ:** Okay. Thank you.

23  
24 **CHAIRMAN GUYAS:** Leann.

25  
26 **MS. BOSARGE:** Kevin, what's your rationale for 2009? Why that  
27 starting point? You said more recent, but how did you pick  
28 2009?

29  
30 **MR. ANSON:** We have one alternative that has 2009 as the ending  
31 of it, and, other than that, I don't know of any -- I mean, it  
32 could be 2010 or 2011, but I'm just trying to capture a  
33 relatively lengthy period of time, but one that's more recent,  
34 and so trying to get close to ten years, but the oil spill in  
35 there, which, although it's a Florida thing, and it may not  
36 affect it as much as maybe the northern Gulf, but that's all.

37  
38 **CHAIRMAN GUYAS:** Just to add to the discussion, again, 2009 was  
39 the last year before the commercial IFQ program started, and so  
40 I think that goes a little bit to Kevin's comment and Leann's  
41 question.

42  
43 **CHAIRMAN GUYAS:** Leann.

44  
45 **MS. BOSARGE:** Essentially, you're going to use a time period  
46 that is after the IFQ started, which was a system that does not  
47 allow any overages.

1 **CHAIRMAN GUYAS:** Kevin.

2  
3 **MR. ANSON:** Based on that, and based on conversation that the  
4 council has had relative to other discussion on allocation and  
5 implications of the IFQ programs, I would withdraw my motion,  
6 and I apologize for the time, if the seconder will agree.

7  
8 **CHAIRMAN GUYAS:** All right. The motion is withdrawn. Is there  
9 other discussion or questions? Dale.

10  
11 **MR. DIAZ:** When I was reading through this -- I mean, what I had  
12 hoped, as we go through these, as we get these stock  
13 assessments, I had hoped that we would have -- That we could  
14 kind of have a standard way that we did all of them, but just,  
15 after looking at this one, I mean, I don't know that that's  
16 going to be possible, because there is so much difference, when  
17 you look at each different fish that we manage.

18  
19 Some of them is going to have IFQs, and the IFQs start at  
20 different times, and someone is not going to have IFQs. Some of  
21 them, there is overages with IFQs, and some of them there is  
22 overage without IFQs, and, I mean, there is just so many  
23 variables that is going to go in there, and doing it a standard  
24 way is probably not going to work.

25  
26 Normally, I think, when I look at these, I would prefer the  
27 longest time series that I could look at, but you've got the  
28 complicating factor of the IFQ in here. Right now, I think  
29 Alternative 2, because it brings us back very close,  
30 identically, to where they said we were at when they gave us the  
31 stock assessment, probably makes the most sense to me right now,  
32 but I do think it's going to be more complicated than I was  
33 hoping it was going to be.

34  
35 **CHAIRMAN GUYAS:** I guess the one things that's interesting to me  
36 is that, I guess if you're trying to figure out between  
37 Alternatives 2, 3, and 4, they're all pretty -- The end result  
38 is pretty similar, and so that's kind of interesting and a  
39 different story than when we talked about red snapper last time,  
40 or even when we did like the state allocations for red snapper.  
41 Other thoughts on this action? Leann.

42  
43 **MS. BOSARGE:** The SSC has -- They blessed the stock assessment  
44 as the best scientific information available, and they have  
45 asked though to please review FES numbers and state survey  
46 numbers and see an in-depth methodology of FES and explain the  
47 differences.

1 The South Atlantic SSC went through that exercise and blessed  
2 the FES numbers as the best science available, that those were  
3 the best scientific numbers to use. Our SSC has not gone  
4 through that exercise yet. I understand that they blessed the  
5 stock assessment that used FES, but they had no say-so over  
6 that, and so when will our SSC go through the same exercise as  
7 the South Atlantic SSC and bless these FES numbers that we're  
8 going to use for allocation as the best scientific information  
9 available?

10  
11 **CHAIRMAN GUYAS:** Dr. Simmons.

12  
13 **EXECUTIVE DIRECTOR SIMMONS:** Thank you, Madam Chair. We are  
14 currently working on that. Right now, we have dates in April,  
15 and it looks like April 14<sup>th</sup> and 15<sup>th</sup>. I wanted to thank Dr.  
16 Richard Cody and his staff for saying that they would be able to  
17 work with us to get this workshop together in short order, as  
18 well as Dr. Porch's staff and those folks at the Regional  
19 Office, and so that's the dates that we're looking at, and that  
20 will just be for the MRIP FES data.

21  
22 We were not intending to have the terms of reference, I guess,  
23 and kind of blessing of the BSIA process that the South Atlantic  
24 Council went through, and this was going to be more of an  
25 educational-type workshop, because the SSC -- Well, it was just  
26 going to be more of an educational workshop, and that's the  
27 process we were thinking this was going to be.

28  
29 **CHAIRMAN GUYAS:** Roy.

30  
31 **DR. CRABTREE:** I would say, Leann, given that the SSC accepted  
32 this assessment as the best scientific information available, it  
33 seems to me that is endorsing that the assessment was based on  
34 the best available estimates of the landings, and so I don't  
35 think you can parse it that finely, at least it doesn't seem to  
36 me.

37  
38 **CHAIRMAN GUYAS:** Leann.

39  
40 **MS. BOSARGE:** I think we have to, because, when you get to red  
41 snapper, and when you have an allocation decision to use, you're  
42 going to have FES numbers that get plugged into a stock  
43 assessment, but, for all practical purposes, the rest of the  
44 management is going to be in five state surveys with a different  
45 set of numbers, and so you'll be managing with one set of  
46 numbers and using a different set of numbers in a stock  
47 assessment, and so which one is the best? At some point, we  
48 have to make a determination, certainly before we get down the

1 red snapper road, and figure out which numbers are the best ones  
2 to use when we start looking at allocations, because they are  
3 light years apart.

4  
5 **CHAIRMAN GUYAS:** Roy, to that point, and then Mara.

6  
7 **DR. CRABTREE:** Well, you're going to have calibrations that will  
8 enable you to convert back and forth from them, and, as I  
9 understand it, the assessment is going to use the FES estimates,  
10 and so it does seem to me that the allocations will fall out  
11 from the FES estimates, and we're still going to be using the  
12 FES estimates to manage the for-hire fishery, and so the  
13 private/for-hire split will be based on FES, and then the amount  
14 of fish that is then left for the private sector will be divvied  
15 among the states, according to the proportions that the council  
16 selected in Amendment 50, but then each state's poundage will be  
17 converted into their state currency units, using the  
18 calibration.

19  
20 You have got statistically-valid surveys that give you estimates  
21 of the catch, and they're giving you different estimates, and I  
22 am not prepared to offer a judgment on which ones are the best,  
23 but I think that's how it will come out, but that's a different  
24 situation than what we have here.

25  
26 **CHAIRMAN GUYAS:** Leann, to that point?

27  
28 **MS. BOSARGE:** Yes, to that point. When we looked at allocations  
29 on a state-by-state basis, we had a couple of states that don't  
30 use FES, and we used landings from LA Creel as the basis for an  
31 allocation, and we used Texas Parks and Wildlife landings as the  
32 basis for an allocation, and we didn't adjust those to FES  
33 numbers. Those are the landings that we used.

34  
35 Those are the landings that are showing up on the website as the  
36 landings for the fishery, and so why are we going to use some  
37 other set of landings as the basis for allocation? What are the  
38 landings?

39  
40 **DR. CRABTREE:** Well, I mean, we haven't gotten to red snapper  
41 and deciding what the basis of the allocation is going to be.  
42 You may decide to redo the whole allocation and not use landings  
43 at all, and I don't know what you're going to use on it, but, in  
44 this case, we have a time period that we've chosen and landings,  
45 and I am just laying out to you, and Clay can correct me if I'm  
46 getting anything wrong, but how I think it will be done with the  
47 red snapper assessment. If you want to try and do it some other  
48 way, you will have to figure out what that is, and we'll see if

1 that makes sense when we get there.

2  
3 **MS. BOSARGE:** I think the way to go about that is not me trying  
4 to debate it at this table, and that's why I said when will the  
5 SSC have their meeting, the same way the South Atlantic did, and  
6 look at FES numbers and look at the differences and decide which  
7 one is more accurate and which one is the best, and I understand  
8 the Science Center said this is the best scientific information  
9 available, and I understand that they conduct the stock  
10 assessment, but then we send everything through our SSC, and  
11 they're the one that vets it, and so when will our SSC vet it?

12  
13 **CHAIRMAN GUYAS:** Mara, do you want to jump in, or Dr. Simmons?  
14 Dr. Simmons.

15  
16 **EXECUTIVE DIRECTOR SIMMONS:** I will try to answer. Right now,  
17 we have the dates for our SSC to look at this, April 14<sup>th</sup> and  
18 15<sup>th</sup>, and we have not developed the agenda completely. We are  
19 working with lots of different folks, S&T, the Regional Office,  
20 and the Science Center, to work that out.

21  
22 I spoke to several SSC members after the last meeting, and my  
23 understanding was that, yes, everyone wants to understand a lot  
24 more about these calibrations, but a lot of concerns -- Well,  
25 several people voiced higher concerns about the earlier  
26 calibrations, like the 1986 to 1990 calibrations, and I think  
27 that's one of the things we were planning to focus on during  
28 this workshop.

29  
30 The other thing that I think the council asked us to work on  
31 regarding this was to facilitate an in-person workshop for the  
32 second set of the white paper, that Option 1b that takes the  
33 MRIP FES and then the states' calibration efforts, specifically  
34 I think for red snapper, and when that workshop was going to  
35 happen, and I don't know if you want to ask Dr. Richard Cody to  
36 come up and talk about that, but I know he has been working with  
37 the states on that, and I think they're planning to have a  
38 workshop in the spring.

39  
40 **CHAIRMAN GUYAS:** Come on up, Richard.

41  
42 **DR. RICHARD CODY:** The plan is to, when we have calibrations  
43 ready, to have a workshop, and, right now, we have a workshop  
44 for the Mid-Atlantic to take care of, and we have a workshop for  
45 the Gulf Council as well to take care of, in terms of the FES  
46 comparisons, and so it's most likely that it will occur after  
47 those, and so I'm thinking, at best, at the end of April, but  
48 more likely May, at this point, just because of resources, at

1 this point. That workshop would really focus on development of  
2 the calibrations, how they came out, and then the options that  
3 were presented, as Carrie said, in the white paper.

4  
5 **CHAIRMAN GUYAS:** Thank you, Dr. Cody. All right. Let me circle  
6 back to Mara, I guess. I know you had your hand up a long time  
7 ago.

8  
9 **MS. LEVY:** That's okay. I just -- I mean, I think the SSC  
10 definitely has a role to look at this stuff and provide  
11 recommendations about what the SSC believes is the best  
12 scientific information available, but I just wanted to be clear  
13 that, ultimately, it's the agency's determination as to what the  
14 best scientific information available is, taking into account  
15 all the information they have, including about what the SSC  
16 says.

17  
18 **CHAIRMAN GUYAS:** Kevin.

19  
20 **MR. ANSON:** I'm just curious then. I mean, there's been several  
21 state marine fisheries directors that have written letters  
22 voicing concern about FES, specific potentially to one species,  
23 but from North Carolina, Georgia, Florida, and I believe  
24 Mississippi also wrote a letter, and I'm just wondering if the  
25 agency has responded to each of those letters, or their  
26 concerns, and tried to allay some of the fears that the  
27 directors had and as they kind of take those numbers and try to  
28 apply them in the real-world situations and how many trips that  
29 takes?

30  
31 **DR. CODY:** Several of those letters were part of the reason why  
32 the South Atlantic workshop occurred in the first place, and so  
33 I feel like those have been addressed in the SSC's endorsement  
34 of the FES. With Mississippi and Florida -- Well, Florida,  
35 obviously, was one of the South Atlantic Council letter writers,  
36 but we have approached the states to look at ways of better  
37 explaining the differences between the surveys. We are working  
38 on that, and it takes two to get that done, and so we are  
39 working on that.

40  
41 **CHAIRMAN GUYAS:** Leann.

42  
43 **MS. BOSARGE:** Well, it would be my opinion that this premature  
44 until the SSC goes through that exercise and it comes from our  
45 SSC that they believe that FES landings numbers are the best  
46 scientific information available to use for management, quota  
47 monitoring, and everything else.

1 Otherwise, we're going to have allocation decisions that are  
2 probably going to be vastly and drastically different, and we're  
3 going to have landings numbers on a website that are light years  
4 different than landings numbers that we actually used to  
5 calculate allocations, and that, from a fisherman's perspective,  
6 doesn't make any sense.

7  
8 **CHAIRMAN GUYAS:** All right. Anything else on Action 1? We  
9 will, obviously, come back to this at another meeting, and, of  
10 course, after we hear what happens at that workshop, and we can  
11 move into Action 2.

12  
13 **DR. FREEMAN:** Okay, and so Action 2 has three alternatives.  
14 Alternative 1 would be no action, where we would maintain the  
15 current OFL, ABC, ACLs, and ACTs with current commercial and  
16 recreational buffers between the respective catch limits. The  
17 commercial buffer is 5 percent, and the recreational buffer is 8  
18 percent.

19  
20 You will notice that there is a divider there, where it shows  
21 the current numbers, and then there is the second row that shows  
22 MRIP FES equivalent, in essence for analysis later, that we  
23 could look at the recreational ACL in equivalent MRIP FES terms,  
24 and the 1.00 for the recreational ACL would still remain on the  
25 books in that case, but the 2.10 is what we would consider for  
26 the purposes of analysis.

27  
28 In Alternative 2, we would revise OFL and ABC, as recommended by  
29 the SSC and consistent with the allocations selected in Action  
30 1. In this case, the total ACL equals ABC, and we would  
31 maintain the current buffer between the ACL and ACT for each  
32 sector, and so the commercial buffer would be 5 percent, and the  
33 recreational buffer would be 8 percent.

34  
35 Here, we have three rows currently, depending on which time  
36 series is selected from Action 1, and so, in this case, we have  
37 Alternative 2, which was the 1986 through 2005, using the MRIP  
38 FES data, that 59.3 commercial and 40.7 percent recreational.  
39 Alternative 3 was the 60.5 percent commercial and 39.5 percent  
40 recreational, and Alternative 4 was the 59.7 percent commercial  
41 and 40.3 percent recreational. Let me pause there, before I go  
42 in Alternative 3, and I know there's a lot potentially going in  
43 that table, and see if there's any questions before I proceed to  
44 the next alternative.

45  
46 **CHAIRMAN GUYAS:** Dale.

47  
48 **MR. DIAZ:** The commercial sector is managed under an IFQ, but we



1 have a 5 percent buffer, because there are situations, after  
2 their ACL is caught up, that they could land additional fish,  
3 through -- I think the terms is "aggregations", whenever they  
4 catch multiple species, and so there's a way for that to happen,  
5 where they could actually catch some after the quota is done.

6  
7 Normally, I think what I would like us to do is I would like us  
8 to apply our ACL/ACT control rule, which is the next  
9 alternative, but I have no way of knowing, historically, what  
10 that percentage could potentially be from them catching extra  
11 red grouper in the multispecies category, and so, anyway, when I  
12 was reading through the document, that question kept popping  
13 into my mind, and I don't know if you can speak to that any.

14  
15 **DR. FREEMAN:** I haven't worked specifically on much of the  
16 multiuse documents, but I could look into that for you.

17  
18 **CHAIRMAN GUYAS:** Anything else on Alternative 2? Okay. Let's  
19 go to Alternative 3 then. Dale has already teed that up for us  
20 a little bit.

21  
22 **DR. FREEMAN:** All right. Perfect. Alternative 3 would revise  
23 the OFL and ABC, as recommended by the SSC and consistent with  
24 allocations selected in Action 1. Again, the total ACL equals  
25 the ABC, and we would apply the ACL/ACT control rule to revise  
26 the buffer between the ACL and ACT for each sector. In this  
27 case, the commercial buffer would be zero percent, and the  
28 recreational buffer would be 9 percent. Again, I will pause  
29 there for any questions.

30  
31 **CHAIRMAN GUYAS:** Roy.

32  
33 **DR. CRABTREE:** I think the problem with Alternative 3 is that it  
34 has to do with gag multiuse quota, and the formula for gag  
35 multiuse quota is that it's equal to the red grouper commercial  
36 ACL minus the red grouper commercial quota, which is the ACT,  
37 divided by the gag commercial quota, and so, if you set the  
38 buffer for the commercial guys equal to zero, then that comes to  
39 zero, and I think the grouper fishermen want to have some gag  
40 multiuse quota, and so I would suggest that we add an  
41 Alternative 4 that is basically the same as Alternative 3, but  
42 it sets the commercial buffer at 5 percent, which is what it is  
43 now, and that would allow for us to have gag multiuse, and you  
44 could keep the same recreational buffer at 9 percent.

45  
46 **I will make a motion that we add an Alternative 4, which would**  
47 **basically reflect the same language as Alternative 3, except**  
48 **specify that the control rule -- Where it says "apply the**

1 ACL/ACT control rule to revise the buffer between the ACL and  
2 the ACT", instead of saying "for each sector", say "for the  
3 recreational sector". Set the commercial buffer at 5 percent,  
4 and the recreational buffer remains 9 percent. If I get a  
5 second --

6  
7 UNIDENTIFIED: Second.

8  
9 DR. CRABTREE: Then, when we go out, we will hear from the  
10 fishermen, but my understanding is they would like to maintain  
11 gag multiuse quota in the IFQ fishery, and so this would enable  
12 us to do that.

13  
14 CHAIRMAN GUYAS: Before we talk about this more, I want to read  
15 this motion and make sure that we've got the wording right here.  
16 In Action 2, to add an Alternative 4 to revise the OFL and ABC  
17 as recommended by the SSC and consistent with the allocation  
18 selected in Action 1. The total ACL equals the ABC. Apply the  
19 ACL/ACT control rule to revise the buffer between the ACL and  
20 ACT for the recreational sector and set the commercial buffer at  
21 5 percent and the recreational buffer at 9 percent. Is there  
22 other discussion on this? Is there any opposition to this  
23 motion? Seeing none, the motion carries.

24  
25 Anything else on Action 2? If there is nothing else on Action  
26 2, then any last thoughts on red grouper? Otherwise, we will  
27 move on to our next agenda item. I don't see anybody, and so  
28 we're going to shuffle around a little bit here. Doug has a  
29 flight tomorrow, and so I think next what we'll do is finish up  
30 the SSC report. Do you want to come on up to the podium?

31  
32 **SSC JANUARY 2020 MEETING SUMMARY REPORT**

33  
34 MR. GREGORY: Thank you, Madam Chair. Could we put the last  
35 slide up of the SSC presentation? We were given a presentation  
36 by Dr. Chris Liese, an economist with the Southeast Fisheries  
37 Center on some new standardized economic reports that he has  
38 developed for the Gulf of Mexico reef fish, Gulf of Mexico king  
39 mackerel, and South Atlantic snapper grouper fisheries.

40  
41 The Center had done these in the past with the shrimp fishery,  
42 but never for the other fisheries, and so this basically is --  
43 They sample 10 to 30 percent of a segment of a fishery by asking  
44 the people, when they fill out a logbook, to also provide  
45 economic data during the year, and they collect it at the end of  
46 the year.

47  
48 These are stylized financial statements for the industry, and

1 they're not really based on single species though, but they're  
2 generally on the vessel itself, as an operating unit, and it  
3 includes all species that vessel has captured. These are on the  
4 website under the SSC materials for the January meeting.

5  
6 The interesting thing with these is the net revenues, which is  
7 basically profit, in the Gulf of Mexico turned out to be about  
8 30 percent of their gross revenues, whereas, in the South  
9 Atlantic region, net revenues was about 2 to 5 percent of the  
10 gross revenues.

11  
12 Now, there could be a number of factors involved, the amount of  
13 productivity or area fished, but the economists from the SSC  
14 really thought, and they had this conversation, and they're  
15 speculating this is really due to the IFQ program in the reef  
16 fish fishery, because most of the king mackerel fishermen are  
17 also in the reef fish fishery, and so this seemed to reinforce  
18 the theory about IFQs providing greater profitability for a  
19 fishery, and so that was an exciting point, and so you may want  
20 to take a look at some of those reports.

21  
22 They are available, and I'm sure staff can provide them, and so  
23 that concludes the SSC report. There are some other, more minor  
24 things that we'll be dealing with in the future, one of which is  
25 the workshop being scheduled for April or May. Any questions?

26  
27 **CHAIRMAN GUYAS:** Questions for Doug?

28  
29 **MR. GREGORY:** Well, thank you.

30  
31 **CHAIRMAN GUYAS:** Thank you.

32  
33 **MR. GREGORY:** It's a pleasure to be back and see everybody  
34 again.

35  
36 **DR. FRAZER:** All right, and so we're a little bit ahead of  
37 schedule. Normally, I would just move into a different  
38 committee, or a different part of the agenda, but we've got some  
39 presentations that are scheduled, and I don't think we have the  
40 presenters necessarily, and so I would like to take a five to  
41 ten minute break, but, if I could meet with each of the state  
42 reps, maybe we'll see if we can work through the state  
43 presentations. Let's take a five to ten-minute break, and then  
44 we'll reconvene, and we'll have a plan.

45  
46 (Whereupon, a brief recess was taken.)

47  
48 **DR. FRAZER:** All right, and so I think we're going to try to

1 keep big chunks of our schedule intact for tomorrow as-is, but,  
2 in the interim, what I would like to do, to round out this day,  
3 is to revisit lane snapper. We'll get Ryan to come up and talk  
4 a little bit about that, and we'll give a brief update on where  
5 we are with regard to red snapper sector allocation, Amendment  
6 52, and then we'll knock off a couple of Other Business items.  
7 Chris wanted to talk about carryover, and Roy can provide us an  
8 update on TED regulations for skimmer trawls, and so I think  
9 that will give us enough information to work through the day,  
10 and so, with that said, if you want to hit lane snapper, Martha.

11  
12 **CHAIRMAN GUYAS:** Ryan.

13  
14 **LANE SNAPPER DISCUSSION**

15  
16 **MR. RYAN RINDONE:** Dr. Frazer, exactly what was it that you  
17 wanted me to lead with on this?

18  
19 **CHAIRMAN GUYAS:** Let me help. There was a suggestion that  
20 perhaps the committee would want to -- Since we're expecting the  
21 OFL and ABC to be pretty similar, and we kind of got a preview  
22 of that here earlier in the committee, the question was posed  
23 whether the committee would want to initiate work on an  
24 amendment to modify the OFL and ABCs for lane snapper at this  
25 meeting, and so then, at the next meeting, after those new catch  
26 level recommendations have been reviewed by the SSC, we can jump  
27 right in and get started on that, and so I'm just putting that  
28 out there, if anyone would like to make a motion to start a new  
29 document for lane snapper. Sue is nodding her head, yes, that  
30 this is a good idea, but she's not someone who can make a motion  
31 on this committee, and so we need someone who can. Roy.

32  
33 **DR. CRABTREE:** I had one fisherman talk to me during the break,  
34 and you may recall that last year we had a two or three-week  
35 closure of recreational lane snapper at the end of the year, and  
36 the concern was could we get this done in time to avoid that.  
37 To do that, we need to bring this back in at the next meeting,  
38 basically read to go, and hopefully take final action on it.

39  
40 **I will make a motion to direct staff to prepare a framework**  
41 **action to adjust lane snapper catch levels and bring it to us at**  
42 **our next meeting.**

43  
44 **DR. SHIPP:** I will second it.

45  
46 **CHAIRMAN GUYAS:** All right. It's seconded by Dr. Shipp. Let's  
47 get that motion on the board. Any discussion on this motion?  
48 **Is there any opposition to this motion? Seeing none, the motion**

1 **carries.**

2  
3 All right. That's my first item to cover. Next, we'll go back  
4 to the actual agenda and just, I think very quickly, get an  
5 update on Draft Amendment 52, red snapper sector allocations,  
6 and I will turn that over to Dr. Freeman.

7  
8 **DRAFT AMENDMENT 52: RED SNAPPER ALLOCATIONS**  
9

10 **DR. FREEMAN:** The document, as directed by the council at the  
11 August meeting, no further development has taken place. At the  
12 August council meeting, the council simply asked to bring back  
13 the current document at the January 2020 meeting, and so, if the  
14 committee has direction for staff at this point regarding the  
15 development of the document, that would be helpful.

16  
17 **CHAIRMAN GUYAS:** Dale.

18  
19 **MR. DIAZ:** I don't know about development of the document, and  
20 Dr. Shipp was the one I think made the motion to hold it off  
21 until January, and I believe what his rationale was, and what I  
22 thought the rationale was, is we needed some more information to  
23 really get into this document, and I really don't see us being  
24 able to meaningfully develop this document until after we get  
25 the stock assessment. I think we should put off work on this  
26 document until we get the red snapper stock assessment.

27  
28 **CHAIRMAN GUYAS:** Dr. Shipp.

29  
30 **DR. SHIPP:** Dale is right, and I don't think anything much has  
31 changed since the last meeting, and so I concur.

32  
33 **CHAIRMAN GUYAS:** Dr. Crabtree.

34  
35 **DR. CRABTREE:** Can someone refresh my memory as to when we  
36 expect that we will get the red snapper stock assessment?

37  
38 **MR. RINDONE:** The council has requested a research track for red  
39 snapper to begin in 2021, and, based on our initial estimates of  
40 how long it will take to work through, an anticipated scope of  
41 work for that research track, it should take eighteen months to  
42 maybe twenty or twenty-two months, and it just depends on the  
43 data that are presented and the work that needs to be done to  
44 resolve some of the many outstanding issues that the analytical  
45 teams of the last several years have accumulated over time.

46  
47 After that, an operational assessment, including the most recent  
48 data, should be able to be done relatively quickly, like within

1 a few months or so, and the operational assessment is the item  
2 that yields the management advice, and then that will be  
3 reviewed by the SSC.

4  
5 **CHAIRMAN GUYAS:** When does that actually start, and when do we  
6 think it will end?

7  
8 **MR. RINDONE:** You guys should expect -- At least what we're  
9 estimating right now is the culmination of that effort in 2023,  
10 with the completion of the operational assessment, and so that  
11 2023 would be the soonest you would be taking management action,  
12 under our current SEDAR schedule.

13  
14 **CHAIRMAN GUYAS:** Clay.

15  
16 **DR. PORCH:** I would just modify that by saying that's really on  
17 the outside. That's if there is some unexpected information  
18 that becomes available. I mean, the main change will be the  
19 Great Red Snapper Count, and, in principle, that should be  
20 relatively easy to incorporate that information, if we're  
21 getting what we expect to get, and that is total abundance  
22 estimates, and so I would actually say that's sort of a  
23 pessimistic picture, that we would only have assessment advice  
24 in 2023.

25  
26 **CHAIRMAN GUYAS:** Sometimes it's nice to take that approach and  
27 then feel really good when it comes early, because that often  
28 doesn't happen with SEDAR. Anything else on this? Kevin.

29  
30 **MR. ANSON:** When will the results of the report be issued  
31 publicly from the Great Snapper Count?

32  
33 **CHAIRMAN GUYAS:** Dr. Stunz.

34  
35 **DR. STUNZ:** That's this spring.

36  
37 **CHAIRMAN GUYAS:** Okay. Dale, go ahead.

38  
39 **MR. DIAZ:** I just want to clarify what I was thinking. I mean,  
40 I think us seeing what that FES has on snapper is very  
41 important, and, to my knowledge, we're not going to see that  
42 until we get the next stock assessment. If we happen to see  
43 those numbers before that, then I would be open to taking this  
44 up before that, but I made that statement based on that's when I  
45 think we're going to see those numbers, and so I just wanted to  
46 clarify that.

47  
48 **CHAIRMAN GUYAS:** Susan.

1  
2 **MS. BOGGS:** I am curious, I guess, about gray triggerfish. I  
3 know we were supposed to get it, I thought, at this meeting, and  
4 it's now being delayed, but now I see it down here in 2023.

5  
6 **MR. RINDONE:** I updated this planning schedule that we use for  
7 you guys on the 23<sup>rd</sup>, and we're not the SEDAR Committee here, but  
8 I guess we could touch on this quickly. I added gray  
9 triggerfish research track on there, because discussions during  
10 the assessment webinars for the current gray triggerfish  
11 assessment have several times remarked on the need for a  
12 research track assessment to address several of the concerns  
13 that have come up during the assessment webinars, and, just in  
14 trying to plan ahead and anticipate needs, I have put a research  
15 track assessment on there for 2023 and 2024.

16  
17 We haven't discussed this, and we haven't brought it up to the  
18 SEDAR Steering Committee, and, again, largely we use this  
19 calendar that you see in front of you for our own planning  
20 purposes and to try to tell the SEDAR Steering Committee the  
21 things that we would like to get, but, ultimately, the  
22 assessment schedule is determined by the SEDAR Steering  
23 Committee.

24  
25 **CHAIRMAN GUYAS:** The current assessment is still in process?

26  
27 **MR. RINDONE:** The current assessment is still in progress, and  
28 it should be delivered to the council around the end of  
29 February, and it will be reviewed by our SSC in March, at the  
30 SSC's March 11 and 12 meeting in Tampa.

31  
32 **CHAIRMAN GUYAS:** Go ahead, Susan.

33  
34 **MS. BOGGS:** So that means we'll see it the last week of March?

35  
36 **MR. RINDONE:** Yes. If everything stays on track, yes.

37  
38 **CHAIRMAN GUYAS:** Okay, and so let's circle back to red snapper  
39 allocations, and I think a motion would be helpful here.  
40 There's been some discussion of postponing work on this until an  
41 assessment is released, but I don't think that's reflective of,  
42 I guess, the motion that we had previously on this, which was to  
43 bring it back at this meeting, because we were waiting on the  
44 GAO report, and I think the idea was that we would have new FES  
45 information by this time, which neither of those things have  
46 materialized. Dr. Shipp.

47  
48 **DR. SHIPP:** I will move that we delay consideration of Draft

1 Amendment 52, red snapper, until the appropriate data are  
2 available.

3  
4 **CHAIRMAN GUYAS:** Is there a second for this motion? It's  
5 seconded by Dale. By "appropriate data", people are thinking  
6 either an assessment or FES estimates? It might be helpful to  
7 just reiterate that and get a little clarity here. The  
8 amendment is Amendment 52, and so delay consideration of  
9 Amendment 52 until the appropriate data are available. Roy.

10  
11 **DR. CRABTREE:** Well, we started out until the next stock  
12 assessment. "Appropriate data" is pretty arguable as to what  
13 the means.

14  
15 **DR. SHIPP:** That's why I used it.

16  
17 **DR. CRABTREE:** We have the FES landings now. Do you mean until  
18 we have the next assessment completed?

19  
20 **DR. SHIPP:** I forget what we were missing last time. Dale, can  
21 you refresh my memory? There were two items, it seems like,  
22 that we were missing last time.

23  
24 **CHAIRMAN GUYAS:** Tom.

25  
26 **DR. FRAZER:** I do think there are two things. I mean, I think  
27 we are missing an assessment, right, or the FES data, but,  
28 importantly, we're also missing an allocation policy. We don't  
29 have that yet, which complicates this effort, I guess, moving  
30 forward, and so, again, we have the GAO --

31  
32 **DR. SHIPP:** The GAO was one of them, yes.

33  
34 **DR. FRAZER:** Yes, exactly.

35  
36 **DR. SHIPP:** We're waiting for that report.

37  
38 **CHAIRMAN GUYAS:** Is there any other discussion on this motion?  
39 Does everybody understand what we're sort of doing here? Mara.

40  
41 **MS. LEVY:** I mean, you can pass the motion, but I guess who is  
42 going to decide? I mean, you can decide to bring this back  
43 anytime you want, but, if you're expecting some outside person,  
44 like staff, to decide to bring it back, then that's not going to  
45 tell them when to do it, and that's just my comment.

46  
47 **CHAIRMAN GUYAS:** Paul.



1 **DR. MICKLE:** I think I would like to make a substitute motion.  
2 The motion would be to delay consideration of Amendment 52 until  
3 the red snapper stock assessment is complete. What SEDAR would  
4 it be, potentially?  
5

6 **MR. RINDONE:** We don't have a number for it, but I think that  
7 provides enough direction to staff.  
8

9 **DR. MICKLE:** Yes, and so staff needs exactly when it needs to be  
10 brought up, and that's just, for clarity, when it should be  
11 brought up. Leave the data stuff out. When that's done, it  
12 comes back, and then we can decide from that point on.  
13

14 **MR. RINDONE:** So, in staff's interpretation, a stock assessment  
15 is complete will be that the SSC has also reviewed it and  
16 provided catch recommendations.  
17

18 **CHAIRMAN GUYAS:** While we're getting that on the board, is there  
19 a second for this motion?  
20

21 **DR. SHIPP:** I will second it.  
22

23 **CHAIRMAN GUYAS:** It's seconded by Dr. Shipp, and so our  
24 substitute is to delay consideration of Amendment 52 until the  
25 red snapper stock assessment is complete. Any other discussion  
26 on this? Greg.  
27

28 **DR. STUNZ:** Just a quick question, and maybe Clay or someone can  
29 answer this, but I was hoping that we were going to deal with  
30 this sooner that, and that snapper assessment kept getting  
31 delayed further and further, and so it's putting us further down  
32 the line. I like Bob's motion, and I don't know if I'm going to  
33 support this second one or not, but I am wondering what --  
34 Versus the FES report and the GAO report that we're waiting on -  
35 - I think that's what we were waiting on, versus the assessment.  
36

37 What are we going to get out of the assessment that would not be  
38 captured by the other two documents, or this will have updated  
39 time series with catches or something? I am trying to see how  
40 that's going to be useful in what we're trying to accomplish in  
41 52. I mean, obviously, I know what you get out of a stock  
42 assessment, but how will that help us shed light, in addition to  
43 the FES and GAO report?  
44

45 **CHAIRMAN GUYAS:** Clay.  
46

47 **DR. PORCH:** I am not sure who he was asking.  
48

1 **DR. STUNZ:** I said Clay, Dr. Porch.

2  
3 **DR. PORCH:** I wasn't sure if you were referring to that  
4 particular point, but the main thing that could happen with the  
5 assessment is that the OFL and ABC advice could be higher or  
6 lower in the past, depending on the outcome of the Great Red  
7 Snapper Count.

8  
9 That wouldn't necessarily have direct bearing on the allocation  
10 issue. It might have indirect, in the fact that either -- If  
11 the quota goes up, it might be easier, or more palatable, to  
12 reallocate, and, if quota goes down, less so, and I don't know,  
13 but it wouldn't have a direct implication.

14  
15 **CHAIRMAN GUYAS:** All right. Any other discussion? **Is there any**  
16 **opposition to this motion? I guess raise your hand, in case**  
17 **there are. I see some of these, but no hands going up, and so I**  
18 **think that means that the motion carries.**

19  
20 Okay. That will then take us to Other Business, and we've got  
21 one item for Reef Fish, and that is the Status of Carryover.  
22 Chris, this was your item.

23  
24 **OTHER BUSINESS**  
25 **STATUS OF CARRYOVER**  
26

27 **MR. SCHIEBLE:** I just kind of wanted to prompt a discussion of  
28 this. back, I believe at the June meeting, we had a public  
29 hearing draft of the generic amendment to the fishery management  
30 plan which included reef fish, coastal migratory pelagics,  
31 coral, coral reef, spiny lobster in the Gulf of Mexico.

32  
33 We put up a motion that was to postpone further discussion of  
34 the carryover of the unharvested quota document until National  
35 Marine Fisheries Service conducts the interim stock procedure,  
36 and we have seen some of that today with the red grouper, and so  
37 my thought was we could bring the discussion back up on this  
38 topic, to maybe consider a motion to add it to the agenda for  
39 the next meeting, and perhaps consider a motion to maybe look at  
40 this document with less inclusiveness, not so much in the  
41 document, and that seems to be bogging it down, but maybe  
42 specifically more for red snapper and separate out the coral and  
43 spiny lobster and coastal migratory pelagics from the document  
44 and make it a red snapper only consideration for a carryover  
45 provision. I would like to hear some comments on those  
46 thoughts, if possible, and then I can make a motion if I need  
47 to.

1 **CHAIRMAN GUYAS:** I think part of the reason why carryover got  
2 set aside is because we were -- The Science Center was working  
3 on interim analyses, and so I don't know if it makes sense to  
4 maybe get an update on that right now, and I'm trying to think  
5 how all these things fit together at this point. Clay, do you  
6 have any updates on that, the interim analysis process that you  
7 guys were working on?

8  
9 **DR. PORCH:** As I showed you that last schedule, depending on the  
10 species, some of them we can do routinely in January, and we  
11 just need to know which ones you're interested in seeing, and  
12 obviously it's January now, and so maybe it would have to spill  
13 into February, and anything, for instance, where we're using the  
14 bottom longline -- We can look at that list of species that I  
15 gave in that presentation, and then a few species might have to  
16 wait until May or June, just because it takes a while to process  
17 the information from our survey data, but, yes, as soon as we  
18 get the green light that you want to see interim analyses for  
19 particular species, then we can start that process going.

20  
21 **CHAIRMAN GUYAS:** Dale.

22  
23 **MR. DIAZ:** I certainly don't mind if we address carryover again,  
24 but I do remember, when we addressed it last time, and maybe Dr.  
25 Crabtree can help with some of this, is it seems like we started  
26 talking about there would have to be some paybacks involved, and  
27 that didn't seem like that was all that palatable, and there  
28 might have been a discussion about if there was -- I can't  
29 remember, and there was two reasons that made it not palatable.

30  
31 There was something else about if the ACL was exceeded, even if  
32 it was no fault of maybe some of the states, and I don't  
33 remember, and there was a couple of reasons why we put it to the  
34 side, because I had high hopes for carryover when I first heard  
35 about it, but, the more we talked about it, the less appealing  
36 it seemed, but, if there's a way to dust it off and use it -- I  
37 mean, I could see where, for the State of Florida this year, it  
38 would be very good if you all could carry over that 25 percent  
39 that you did not harvest, and so, I mean -- But I don't know if  
40 we can get past the obstacles. I will have to go back and read  
41 the minutes and see what the other reasons were, but, if we want  
42 to talk about it, I'm certainly open to talking about it.

43  
44 **CHAIRMAN GUYAS:** Chris.

45  
46 **MR. SCHIEBLE:** The SSC gave us I guess a PowerPoint  
47 presentation, and, at the end, they had their recommendations  
48 for it, and they said that they recommend the simulation

1 analysis as best available science, and then the second point  
2 they made was, if a payback, in case of a quota overage, or  
3 carryover, in case of a quota underage, is handled in a one-on-  
4 one fashion in the short term, there is little effect on  
5 rebuilding trajectories, and so they presented that to us, which  
6 seems to be, as long as you have a carryover and a payback in a  
7 one-to-one ratio with the stock, it should work.

8  
9 While going into state management coming up this year for red  
10 snapper, with a payback kind of carryover provision written into  
11 the document, but yet, as a point you just made, Dale, states  
12 that did not go over this year, perhaps they have an underage  
13 next year, but they can't capitalize on that, or utilize it.

14  
15 **CHAIRMAN GUYAS:** Yes, and I think, the way -- John, go ahead.

16  
17 **DR. FROESCHKE:** Just a little more information. The discussions  
18 that were had -- If you think about, in the event that what was  
19 harvested was less, that carryover could be carried over, but  
20 the OFL for the following year remains unchanged, and so, no  
21 matter how much -- Even if you caught nothing, you still  
22 couldn't add that to the next year, only up to the point which  
23 you matched the OFL, and we generally have fairly small buffers  
24 between the ABC and the OFL, for stocks like red snapper and  
25 others, and so the potential to carry over is somewhat limited.

26  
27 However, on the other side, if you go over, the payback is one-  
28 to-one, and that's almost unbounded, and so, if you go over,  
29 you've got to pay back every single pound, and so it could be  
30 that you end up paying back more pounds than you gain on the  
31 years that you're under.

32  
33 **CHAIRMAN GUYAS:** Chris.

34  
35 **MR. SCHIEBLE:** From what I remember in the example, it showed  
36 that 400,000 pounds, in the case of the current allocation, was  
37 the maximum, and it was 2.58 percent of that 400,000 pounds,  
38 which is like right around 200,000 pounds or something like  
39 that, and it was the maximum you could carry over in a carryover  
40 year divided among all five states, if all five states  
41 underfished, correct?

42  
43 **DR. FROESCHKE:** Yes, that's essentially the effect, and I don't  
44 recall the numbers, but yes.

45  
46 **CHAIRMAN GUYAS:** Roy.

47  
48 **DR. CRABTREE:** I would recommend to you, right now, that you not

1 get into an issue of carryover for red snapper. We've got to  
2 get through these calibration issues, and I believe that that is  
3 going to raise a lot of issues for us to deal with, and I don't  
4 think we're going to have productive discussion of carryover  
5 until we resolve the calibration issues satisfactorily, and so,  
6 if we can get through that, then fine. Then come back to  
7 carryover, but I think that is the main task we've got to deal  
8 with.

9  
10 In the very near future, I expect that the final rule for  
11 Amendment 50 is going to publish, or file, very soon, and we had  
12 a lot of comments and things that we had to deal with with  
13 respect to calibrations and all, and we have responded to those,  
14 but I think that's the number-one task we have before us with  
15 state management of red snapper right now.

16  
17 I expect that we may have the calibration models completed by  
18 our March meeting, which I think is the last week in March, and  
19 so we may have them then. If not, we'll have them at the June  
20 meeting, but we're going to have those pretty soon, and we're  
21 going to need to come in and do some type of framework action to  
22 implement the new poundages that go to the states that are  
23 calibrated into the state currencies, and I don't have any  
24 insights as to what the calibration models would be or what  
25 they're going to look like, but I suspect, like most things,  
26 there will be some issues we have to deal with, and so I would  
27 like us to get through those, and then, after that, we can come  
28 back and deal with carryover issues.

29  
30 **CHAIRMAN GUYAS:** In the original, original version of that  
31 carryover document, we had some options for commercial  
32 carryovers too, and then it seems like we streamlined that  
33 document and pulled the commercial stuff out, to make it focus  
34 on recreational, didn't we, and we said we would come back to  
35 the commercial stuff at some point, and are we ever going to  
36 revisit the commercial carryover?

37  
38 **MR. RINDONE:** Yes, you guys pulled the commercial portion of it,  
39 mostly because of the IFQ programs, and because of how any  
40 carryover for those programs would have to be handled within the  
41 way the programs are currently structured, and so there was some  
42 separate, yet not insignificant, hurdles that would have to be  
43 dealt with on that front, and so you guys thought it best to  
44 parse it out.

45  
46 **MS. BOSARGE:** So are we ever going to revisit it and parse it  
47 out and see if we -- Because we don't really have an issue with  
48 overages in those IFQ species, and so you don't have this idea

1 that you're going to underfish one year and, more than likely,  
2 overfish the next year, if you look at past history, and so  
3 that's not too much of an issue, and so I would like to revisit  
4 it at some point, for the fish we're leaving on the table.  
5

6 **MR. RINDONE:** We could have a historical review, I guess, of the  
7 landings from the commercial sector as they relate to the ACLs,  
8 and then you guys could determine if you want to initiate a  
9 document or not, but, right now, we don't have a document for  
10 that.  
11

12 **CHAIRMAN GUYAS:** I think, if there is any interest in  
13 resurrecting any parts of that carryover amendment, we probably  
14 need a motion. Leann.  
15

16 **MS. BOSARGE:** I am not going to make a motion to initiate a  
17 document, but I'm simply going to make a motion to have staff  
18 have an agenda item at an upcoming meeting, hopefully the next  
19 one, but I will leave it up to you to schedule, that evaluates  
20 possible carryovers in our commercial fisheries, carryovers for  
21 uncaught quota.  
22

23 **CHAIRMAN GUYAS:** Is there a second for this motion? It's  
24 seconded by Paul. Okay. Is there any discussion on this  
25 motion?  
26

27 **MS. BOSARGE:** Well, we need the word "commercial" in there  
28 somewhere.  
29

30 **CHAIRMAN GUYAS:** Yes, we do. Direct staff to have an agenda  
31 item at an upcoming meeting that evaluates possible carryover of  
32 uncaught commercial quota. Does that work, Leann?  
33

34 **MS. BOSARGE:** Sure.  
35

36 **CHAIRMAN GUYAS:** Okay. All right. Is there discussion on this?  
37 Mara.  
38

39 **MS. LEVY:** It's a question, because I can't remember. We took  
40 out the IFQ species, right, out of the carryover document, but,  
41 the ones that had no allocations, were those still in there, the  
42 ones that have just a total ACL?  
43

44 **CHAIRMAN GUYAS:** I can't remember.  
45

46 **MR. RINDONE:** No, and we had removed those as well, because, for  
47 those species -- I guess, at the time anyway, those species were  
48 not meeting or exceeding their ACL, which was one of the -- I've

1 got the carryover document in front of me, and that was one of  
2 the rules that we had established, and so we had looked at  
3 different things as kind of qualifying criteria, you know is the  
4 stock under a rebuilding plan, is it overfished, has it had an  
5 ACL closure, is there a peer-reviewed stock assessment, and is  
6 it managed by apportionment with the South Atlantic Council,  
7 because we have a few species that fall under that umbrella.

8  
9 For our species with stock ACLs, where they don't have sector  
10 allocations, until lane snapper very recently, we weren't in a  
11 situation with those stocks where they were having an ACL  
12 closure that was causing their fishing season to end prior to  
13 the end of the calendar year, and so those were not included in  
14 the document, for that reason.

15  
16 **MS. LEVY:** I will take your word for it, but it seems like they  
17 could have still been included, but it just wouldn't have  
18 applied until they actually had a closure, and so I can't  
19 remember -- We totally took them out, and we didn't just say  
20 that it wouldn't apply unless they had a closure, and the reason  
21 I'm asking is because those were partly commercial, and so I  
22 didn't want it to make it seem like we just chopped the  
23 document. I know we got rid of the IFQ for certain reasons, but  
24 I didn't want to make it seem like we just chopped commercial  
25 out, if that's not what we did.

26  
27 **MR. RINDONE:** In Action 1, which is eligibility for carryover  
28 provision for managed reef fish and CMP stocks in the Gulf, no  
29 action, of course, is not to do anything, and the only other  
30 alternative is Preferred Alternative 2, which was establish a  
31 carryover provision for managed reef fish and CMP stocks and  
32 carryover provisions applied to stocks and stock complexes with  
33 sector allocations. Unused portions of sector ACLs for species  
34 managed under a catch share program are excluded from carryover  
35 provisions. Carryover provisions would not apply to the unused  
36 portion of ACL for -- Then we get into the options. The only  
37 commercial component that would be included under the current  
38 way that the document is written is kingfish, king mackerel.

39  
40 **CHAIRMAN GUYAS:** Okay, and so we have this document up now. I  
41 don't know if we really want to go through it, but I think it's  
42 just since you were reading from it, but are there questions? I  
43 think I kind of want to go back to the motion that was on the  
44 board, if we could do that. Anything else on this motion?  
45 Okay. **Is there any opposition to this motion? Seeing none, the**  
46 **motion carries.** Dr. Simmons.

47  
48 **DR. SIMMONS:** Thank you, Madam Chair. I was wondering if we

1 could go back to what Dr. Crabtree mentioned earlier about -- I  
2 think he said in April, at our April council meeting, some  
3 calibrations will be available, and maybe -- We've got all these  
4 different efforts going on, and maybe I'm getting confused, but  
5 could you remind us again, and is that the Option 1b that we're  
6 referring to in the white paper, or is this a different effort,  
7 and what exactly are we going to be talking about on the agenda  
8 again, please?

9  
10 **DR. CRABTREE:** Well, I don't know about the option one, because  
11 I don't remember that, but we expect to get the calibration  
12 models in March sometime, and is Richard still here?  
13 Presumably, once we get those, we'll talk about them.

14  
15 **DR. CODY:** We expect to have the calibration models in March,  
16 but, again, we wanted to have an evaluation workshop after that  
17 to go over them, because, basically, we have Florida and  
18 Mississippi taking the lead on their calibrations, and we're  
19 working with Alabama, and Louisiana has theirs already done, and  
20 so we need some time to evaluate the calibrations.

21  
22 **CHAIRMAN GUYAS:** Dr. Simmons.

23  
24 **EXECUTIVE DIRECTOR SIMMONS:** So these would be -- We would need  
25 to discuss these at the March meeting, or we would wait until  
26 the workshop, your workshop at the end of April, which is after  
27 our council meeting, to discuss them?

28  
29 **DR. CODY:** That would be our preference, to wait until our  
30 workshop, but we could still present what we have at that time.  
31 I mean, that's possible. Does that make sense?

32  
33 **CHAIRMAN GUYAS:** Tom.

34  
35 **DR. FRAZER:** Thanks, Richard, for giving it your best effort.  
36 This is what I think is happening here. The calibration efforts  
37 are underway, and we're shooting for March, and, giving it a  
38 best effort, we might get there.

39  
40 There's no promises, and we have a separate workshop in April  
41 that has to do specifically with the FES numbers, and so, at  
42 some point, if the calibration numbers are available in March,  
43 we might include them in the discussions at the workshop in  
44 April, but that's not the primary focus of the workshop as it  
45 exists now, and so it's possible that, as a Full Council, that  
46 we would see those numbers, those calibration numbers, at the  
47 June council meeting. That's how I see things, and is that  
48 correct with you, Richard?



1  
2 **DR. CODY:** Certainly we would be ready by the June council  
3 meeting. The issue is that we need time to review those  
4 calibrations, once they are available. We can have them  
5 produced, I think, and that's reasonable to have them produced  
6 by March, but we are working with the states, and they are  
7 working with us, and so there are some things at play here,  
8 uncertainties.

9  
10 **CHAIRMAN GUYAS:** Paul.

11  
12 **DR. MICKLE:** Richard, you may have approached this before, but  
13 is the review process -- Is it internal to NOAA, or is the SSC  
14 brought in at any point to review the calibrations of each state  
15 to FES? Is that my understanding? Leann was asking as well.

16  
17 **DR. CODY:** Well, certainly the SSCs can request reviews of the  
18 calibrations. I mean, we would do a peer review with consultant  
19 support and that type of thing ahead of time, and so that would  
20 be an option for the SSCs to review.

21  
22 **CHAIRMAN GUYAS:** Leann.

23  
24 **MS. BOSARGE:** I would, obviously, definitely want the SSC to  
25 review it, and I'm glad that we're finding calibrations, and  
26 that's great, and so we're going to calibrate -- For example,  
27 I'm from Mississippi, and you're going to take Mississippi  
28 landings for red snapper, at some poundage, and find a  
29 calibration formula that will equate that to FES landings, which  
30 are a different poundage?

31  
32 **DR. CODY:** That's right. It's basically a simple ratio-based  
33 approach.

34  
35 **MS. BOSARGE:** Okay, and, at some point in the future, we're  
36 going to have to determine which one of those landings systems  
37 is more accurate, because it is two sets of pounds of dead fish,  
38 and we need to figure out which set is closer to the truth.

39  
40 **DR. CODY:** That really is a separate question, because you will  
41 have to do comparisons with both surveys, the MRIP surveys  
42 versus the state surveys, and look at the differences between  
43 the two. The calibrations will tell you, basically, here's a  
44 correction factor to put them in the same currency as the other.  
45 That's what it's going to tell you, but you are right, and we  
46 want to pursue looking at differences between the surveys.

47  
48 **MS. BOSARGE:** Well, and I guess that's been my beef, if you

1 don't mind, Madam Chairman, is that you have two sets of numbers  
2 for pounds of dead fish, and now that's starting to have  
3 repercussions, and nobody has really sat down and determined  
4 which set is more accurate, and that's what I need somebody to  
5 do before we start making too many decisions on these things.

6  
7 **DR. CODY:** Well, that is a good question, but it's a very  
8 difficult question to determine. I mean, I think that it's  
9 going to take some time before we have the information we need  
10 to be able to say here are some reasons for the differences  
11 between the two surveys and which one is more accurate.

12  
13 **CHAIRMAN GUYAS:** I've got Mara and then Paul.

14  
15 **MS. LEVY:** I mean, I don't know if you're ever going to know  
16 which is, quote, more accurate, but, again, I will just say  
17 that, ultimately, the agency is deciding what the best  
18 scientific information available is, and, at this point in time,  
19 there hasn't been any determination, other than it's MRIP, which  
20 uses FES, and so I totally understand what you're saying, but  
21 you might not get to the point where there is a determination  
22 that X is more, quote, accurate than Y. They're just different  
23 surveys, right, and they're doing a calibration so that you can  
24 look at them and evaluate them in the same currency, but I guess  
25 we'll just have to wait and see what comes of the rest of it.

26  
27 **CHAIRMAN GUYAS:** Paul.

28  
29 **DR. MICKLE:** I have a different point, but, after what Ms. Levy  
30 said, I kind of want to address that, but I won't. Back to the  
31 -- I am optimistic that -- The consultants that were available  
32 when we went through the initial certification for Tails 'n  
33 Scales were quite useful, and they were very knowledgeable about  
34 survey statistics, and I'm optimistic that they will be able to  
35 address the calibration from an independent point of view and  
36 provide that outside opinion of really how the calibrations can  
37 be statistically done in a way where they will be weighting a  
38 ratio base to identify really which numbers can be most accurate  
39 of the sector and the fishery, but I know it's dictated to be  
40 stamping best available science by the agency, but it seems -- I  
41 don't want to say to be a conflict of interest, but the MRIP  
42 numbers come from NOAA, and they're going to stamp the MRIP --  
43 They have, to this point, stamped it as best available science,  
44 and it just doesn't really -- I don't know. That's all.

45  
46 **CHAIRMAN GUYAS:** Let me see if I can put the struggle that I  
47 think people around the table are having into some different  
48 words. So we've got a number of different data collection

1 systems that have all been certified, their methodology has been  
2 certified, but only one of those has been deemed the best  
3 scientific information available, and it's not entirely clearly  
4 why. Richard.

5  
6 **DR. CODY:** Well, we know that the FES has been calibrated, fully  
7 calibrated, all the way back in the time series, and we have  
8 that. That's the difference here. We don't have calibrations  
9 for the state surveys. We will have something pretty soon.

10  
11 The FES-based approaches, the calibrations, have been reviewed  
12 by the NAS and also review panels that included council SSC  
13 members as well as CIE members as well, and so there's that, and  
14 so there are lots of factors to take into consideration when  
15 you're talking about best scientific information available.

16  
17 The thing about the state surveys is that they were designed to  
18 improve precision, to end up with more precise estimates, and,  
19 to Mara's point, that doesn't tell you a whole lot about  
20 accuracy.

21  
22 It tells you that something is more precise, and so there are  
23 questions to be considered here, and the fact of the matter is  
24 we have six different watches telling time in the Gulf, and so  
25 there are a lot of questions, I think, that we'll be able to get  
26 a little bit further along when we have the calibrations, and I  
27 think we'll be in a much better position at that point to look  
28 at the differences between the surveys, which we would hope to  
29 do, in collaboration with the states.

30  
31 **CHAIRMAN GUYAS:** Okay. I think we've beat up this topic.

32  
33 **DR. FRAZER:** Are you done with your committee, Martha?

34  
35 **MR. SCHIEBLE:** I don't know if I'm sorry that I opened that can  
36 of worms or not, but, after hearing Dr. Crabtree speak to the  
37 effect that we need to see what comes of this before we start  
38 talking about overages and underages and having a carryover  
39 provision, I can understand where he's coming from, and so maybe  
40 it would be good to continue to table this until maybe two  
41 meetings from now, but I would like to revisit it as soon as  
42 possible, I think, as we go into state management, especially  
43 for red snapper. We need to have some sort of carryover in  
44 place as soon as possible.

45  
46 **CHAIRMAN GUYAS:** All right, and so, if you do want to do it,  
47 come back to it in two meetings, a motion I think would help,  
48 but that's your call. That's just commercial, and I think

1 Chris's issue is red snapper.

2  
3 **MR. SCHIEBLE:** I can, but I'm not assured that they're going to  
4 be ready to go in two meetings. I don't know what their  
5 timeline is exactly. Richard said they have to have their  
6 public meeting for this first, and I don't know what their  
7 timeline is, and maybe I will just revisit this at the next  
8 meeting and then put a motion up, and you can hear me do this  
9 all over again.

10  
11 **CHAIRMAN GUYAS:** Awesome. Okay. I think that means that we  
12 have completed our Other Business, and, unless there is any  
13 other business for Reef Fish, I will turn it back over to you,  
14 Tom, or we'll adjourn Reef Fish and come back tomorrow morning  
15 and do the state presentations.

16  
17 **DR. FRAZER:** That's correct. Roy, do you feel like giving an  
18 update on the TED regulations for skimmer trawls?

19  
20 **UPDATE ON TED REGULATIONS FOR SKIMMER TRAWLS**

21  
22 **DR. CRABTREE:** Certainly. It would be a pleasure to talk about  
23 something else. Shortly before Christmas, NMFS published a  
24 final rule establishing a turtle excluder device requirement for  
25 skimmer trawls. This was a final rule. Previously, skimmer  
26 trawl vessels had been exempted from the TED requirement, and  
27 they had been under tow time restrictions of fifty-five minutes  
28 in the summer and seventy-five minutes the rest of the year.

29  
30 We published a proposed rule back in December of 2016, and we  
31 proposed to require TEDs to be used in all skimmer trawl vessels  
32 greater than twenty-six feet and also on wing net vessels and  
33 pusher-head nets. After reviewing the public comment, in the  
34 final rule, we made some changes to the requirements, and we are  
35 now going to require skimmer trawl vessels over forty feet to  
36 use TEDs, and we dropped the requirement for pusher-heads and  
37 wing nets.

38  
39 We dropped the requirement for those vessels because, based on  
40 the comments we got, we decided it was likely that TEDs would  
41 not work in wing nets. They often anchor and fish in the  
42 current, and it's not clear there is always enough current to  
43 keep the net open, and there were concerns about the nets  
44 revolving and things.

45  
46 That requirement will go in place and become effective on April  
47 1, 2021, and so over a year from now, and that's to give the  
48 industry time to equip their vessels and buy TEDs. These TEDs

1 are designed to be able to kick out smaller turtles,  
2 particularly smaller Kemp's ridley, which is what we've observed  
3 often being taken in skimmer trawl vessels, and so it has some  
4 changes in the flap mesh requirements and the bar spacing on the  
5 skimmer trawl TEDs. It's three inches, as opposed to four  
6 inches, on the TEDs generally used in the otter trawl fishery.  
7 I think that's most of what I wanted to update you all on, and I  
8 can try to address any questions that you may have.

9  
10 **DR. FRAZER:** Thank you, Dr. Crabtree. Any questions? Okay.  
11 Seeing none, we're going to adjourn until 8:30 tomorrow morning.  
12 Enjoy some New Orleans cuisine.

13  
14 (Whereupon, the meeting recessed on January 28, 2020.)  
15

16 - - -

17  
18 January 29, 2020  
19

20 WEDNESDAY MORNING SESSION  
21

22 - - -  
23

24 The Reef Fish Management Committee of the Gulf of Mexico Fishery  
25 Management Council reconvened at the Hyatt Centric French  
26 Quarter, New Orleans, Louisiana, Wednesday morning, January 29,  
27 2020, and was called to order by Chairman Martha Guyas.

28  
29 **CHAIRMAN GUYAS:** Okay, everybody. We are getting started. We  
30 have one item of Reef Fish business to take care of today, and  
31 that is the State Management Performance Reports on the 2019  
32 Private Angling Red Snapper Fishing Seasons. Our first  
33 presentation is the Florida presentation, and Beverly Sauls is  
34 going to give that.

35  
36 **STATE MANAGEMENT PERFORMANCE REPORTS ON THE 2019 PRIVATE ANGLING**  
37 **RED SNAPPER FISHING SEASON**  
38 **FLORIDA**  
39

40 **MS. BEVERLY SAULS:** Thanks for having me. I'm going to talk  
41 about how our State of Florida monitors our recreational catch  
42 limit for red snapper in the Gulf of Mexico since we were issued  
43 our own portion of the ACL a couple of years ago.

44  
45 Just real quick, the recreational fishery in Florida is a very  
46 large dispersed fishery, and we have a very high participation  
47 rate in the private recreational sector. There are many access  
48 points spread over a very large geographic area, and so we do

1 our best to design surveys that will appropriately sample and  
2 measure all of that dynamic fishery.

3  
4 There are two requirements in our state in order to harvest red  
5 snapper. You have to have a valid saltwater recreational  
6 fishing license, unless you fall under an exemption, but you're  
7 also required to sign-up for our Gulf Reef Fish Survey, which I  
8 will talk about in the next few slides. It is an open-access  
9 fishery, and we currently have over 600,000 people who are  
10 signed up for the survey.

11  
12 Our survey was designed to improve data for both stock  
13 assessment and fisheries management. We conduct it year-round,  
14 on a monthly basis, and it measures effort, landings, and  
15 discards, and discards are also a very important component of  
16 our recreational fishery.

17  
18 It generates separate effort estimates, and so the survey  
19 actually estimates effort in state waters and the EEZ across  
20 three large geographic areas in Florida, the Panhandle, which is  
21 at the top of the figure, and you can fish for red snapper in  
22 the EEZ as well as in state waters in this area, and red snapper  
23 are abundant in both regions. In the Big Bend and the  
24 Southwestern Peninsula, you really need to be farther offshore  
25 in the EEZ to target red snapper recreationally.

26  
27 For the past two years, the State of Florida has been managing  
28 the recreational landings, or the recreational fishery, in state  
29 and federal waters under an exempted fishing permit that was  
30 issued by NOAA Fisheries. Essentially, Florida was given a  
31 portion of the Gulf-wide recreational ACL to manage through  
32 recreational seasons, and we manage that ACL for our private  
33 boat sector, which operates in state and federal waters, as well  
34 as charter boats that are operating in state waters only without  
35 a federal permit.

36  
37 In the first year, our annual catch limit was close to 1.8  
38 million pounds, and there was a payback provision in the EFP,  
39 and we did go slightly over that ACL the first year of the EFP,  
40 and so our ACL was reduced to about 1.7 million pounds in 2019.  
41 As a result, we did set a more conservative season in the second  
42 year of the EFP, and so the first year was a forty-day season  
43 that ran from June to July, and then, the second year, we've  
44 reduced it to thirty-two days, June to July.

45  
46 The way that we set the season was through the data that we  
47 collected through the Gulf Reef Fish Survey. Real quick, I just  
48 want to give you an overview of how the survey in Florida works.

1 The methods were peer reviewed and certified by NOAA Fisheries  
2 as a statistically-valid survey method, and we are currently in  
3 the process of developing a calibration for our survey, so that  
4 the data can be used in federal stock assessments.

5  
6 It consists of two components, a mail survey of anglers who are  
7 signed up for the survey, and, as I mentioned earlier, that's  
8 required in order to legally harvest red snapper on the Gulf  
9 coast of Florida from a recreational boat.

10  
11 I want to make a point that our mail survey is separate from the  
12 MRIP Fishing Effort Survey, and so it's a completely separate  
13 survey run by the state, and it was specifically designed to  
14 directly estimate private boat angler trips that are targeting  
15 reef fishes on the Gulf coast of Florida.

16  
17 We also, in our design, took into account all of the diversity  
18 in our fishery, and we wanted to really be able to account for  
19 potential differences in avidity and non-response bias in the  
20 mail survey, and so we actually sampled fourteen different  
21 groups of anglers in this monthly survey across three different  
22 regions of the state, which have been sub-divided by counties  
23 that are close to the Gulf of Mexico versus counties that are  
24 farther away, and it also includes a group of anglers from  
25 Georgia and Alabama who are signed up for the survey that fish  
26 in Florida, and we lump all of the other states across the U.S.  
27 in a separate strata, and we even stratify by households in  
28 Florida that have a registered recreational fishing boat versus  
29 not.

30  
31 The main point I just wanted to make there is that we have  
32 really designed the survey to try and capture all of the  
33 diversity in the fishery and account for as much non-response  
34 bias as we possibly can through the survey design.

35  
36 The second component of the survey is intercept data that are  
37 collected in the field, at boat ramps and fishing access points,  
38 and we actually incorporate MRIP Access Point Angler Intercept  
39 data that are collected through the MRIP program into our Gulf  
40 Reef Fish Survey estimates, and so we work collaboratively with  
41 NOAA to draw our sample for supplemental reef fish assignments,  
42 along with the MRIP assignments, so that the sample weights are  
43 compatible, and all of that data can be combined, and so we are  
44 somewhat dependent on MRIP data for our estimates, but I did  
45 want to clarify, because I get a lot of questions about is it a  
46 supplemental survey or a separate survey, and it is a separate  
47 survey, and it is using data from the MRIP Angler Intercept  
48 Survey.

1  
2 The point I wanted to make here is that, through the mail  
3 survey, we can actually estimate landings and effort separately  
4 for weekends and weekdays across the months of the survey, and  
5 then that is helping us to provide good guidance to our  
6 fisheries managers who are trying to decide how long to set our  
7 seasons for, so that they keep the harvest within that ACL, and  
8 so we actually calculate a mean daily harvest rate from that  
9 estimate, and so that's been very helpful for giving good  
10 scientific advice to our commission.

11  
12 I wanted to talk first about the timeliness of our group's  
13 estimates, and so the effort estimates are produced about forty-  
14 five days after the end of a fishing month, and so our June  
15 estimates are available by mid-August, and our July estimates  
16 are available by mid-September.

17  
18 However, we are reliant upon that MRIP data to generate our  
19 landings estimates, and, because their survey is conducted on a  
20 two-month wave, the June data actually are available about the  
21 same time that we're producing our effort estimates for the Gulf  
22 Reef Fish Survey, and so that works out well, but, because July  
23 is the first month of a two-month wave, we don't receive those  
24 data until mid-October, and that's getting pretty late in the  
25 season for our commission to consider whether or not to reopen  
26 the fishery, and we really need to give them advice no later  
27 than September.

28  
29 What we've developed is this kind of interim method for  
30 calculating an estimate, where we take our effort estimates from  
31 June and July and multiply it times the CPUE from June, since we  
32 don't have July catch data yet.

33  
34 How that works is, in 2019, we checked our season, and we  
35 developed our June estimate in August, and about 50 percent of  
36 our ACL had been caught in that first month of the open season,  
37 and we then developed our interim estimate for the commission in  
38 mid-September, which indicated that landings through July were  
39 about 75 percent of the ACL, and so, at that point, we felt  
40 fairly confident that there was enough of our catch limit left  
41 over that we could have a fall season, and so the commission  
42 went with a very conservative six-day season over just weekend  
43 days in October.

44  
45 The weather in 2019 was a bit of a challenge for our anglers,  
46 and it was harder for them to get out in June and July, and we  
47 had a hurricane that formed in the Gulf, right over the  
48 Panhandle, at the end of our season in July, and so that



1 effectively cut the season short, and then we had another storm  
2 when we reopened the season in October, and so, at that point,  
3 the commission decided to reopen the season again in November  
4 for an additional weekend, to make up for that last storm.

5  
6 At this time, we have landings through October, which still  
7 indicate that we're at about 76 percent of the catch limit, and  
8 those last two days in November, and we won't have those data  
9 until mid-February, but we don't expect that to add a lot to the  
10 total landings for this year.

11  
12 Just to show you what our landings looked like in the first  
13 year, we had great weather, and, as I mentioned earlier, we did  
14 exceed the ACL by a bit, a little bit, but it was because there  
15 was just really great weather, and people were able to get out  
16 and fish in force, especially during that first month in June.

17  
18 The blue bar is June, and the orange is July. The first column,  
19 the large peaks are the EEZ, and so you can really see that the  
20 majority of our landings are coming from the EEZ, and so, by  
21 having this state-managed season, where we're able to keep the  
22 EEZ open for longer, it's providing a lot more opportunities  
23 throughout our coast to participate in the recreational red  
24 snapper fishery, and so that's been a benefit of this.

25  
26 You can see that the private boat landings in state waters are  
27 smaller, and that's because those landings are really mostly  
28 coming from one area in the Panhandle, and so, by having the EEZ  
29 open, it gives more anglers in different parts of the state  
30 opportunities to participate, and then the last columns are our  
31 state charter boats that are operating in state waters without a  
32 federal permit. You can see that they are contributing a very  
33 small portion of our total catch, and that's, again, because  
34 that's mostly happening in one area in the Panhandle.

35  
36 Then, lastly, I just wanted to mention that we are also  
37 developing methods to give better in-season advice to our  
38 managers, even before our Gulf Reef Fish Survey estimates are  
39 available, and so we're using the intercept data that we collect  
40 through the Gulf Reef Fish Survey, before we even have the MRIP  
41 data available, as an index of fishing effort and catch in-  
42 season, and we can have those data ready and available to  
43 analyze a week after the end of a month.

44  
45 When we tried this in 2019, and this is basically a linear  
46 regression of the data that comes in from the field, regressed  
47 against our final group's estimates, and, when we tried this for  
48 June, our estimates for GRFS and the predictions were pretty

1 close, and it fell apart a little bit in July, but we think  
2 that, as we accumulate more data over these more consistent  
3 fishing seasons, we'll be able to better predict in-season what  
4 the fishing effort and landings are and give some more timely  
5 advice to our commission, so they don't have to wait until  
6 October to potentially open the season.

7  
8 In conclusion, I just wanted to say that the state management  
9 experiment under this EFP has been a success in Florida, and we  
10 are giving our anglers more opportunities to participate in the  
11 fishery, by having a longer season, and we have adapted quickly  
12 to this kind of new method of managing fisheries with ACLs, and  
13 it definitely was a learning process that first year, but I do  
14 feel like we have adapted well to this, and the data that we're  
15 collecting through the Gulf Reef Fish Survey is really giving us  
16 great insight into how to better manage this recreational  
17 fishery. We're learning so much about how effort responds to  
18 the season timing and length, and I think we're going to dial  
19 that in really well, and so, with that -- I didn't know if you  
20 wanted to take questions or wait until the other talks.

21  
22 **CHAIRMAN GUYAS:** I think, if folks have questions now, we can do  
23 that. Does anybody have questions for Beverly? Leann.

24  
25 **MS. BOSARGE:** Thanks. It was a very interesting presentation.  
26 You said that, for your effort survey, you're dividing it up  
27 into fourteen groups, and could you just kind of tell me a  
28 little more about what those are and how that helps?

29  
30 **MS. SAULS:** That was an important point that I wanted to make,  
31 is that, when we went into this design process, we actually had  
32 a series of workshops held across the Gulf, with all the states  
33 involved, and we got a lot of great input from MRIP staff and  
34 from their consultants, and there were people from the  
35 commission and council who were also participating in that and  
36 giving their input on what their data needs were, as well as the  
37 Science Center and the Regional Office, and so this has been a  
38 multiyear process just to develop this survey, but what we  
39 really wanted to do was try and capture all of the regional and  
40 spatial -- The spatial and temporal diversity of recreational  
41 fishing effort in our state.

42  
43 We were able to get passed through our commission requirement  
44 that you sign up for the survey, and, through that, we know  
45 people's physical address, whether they live in the state or  
46 whether they live in another state, and, if they do live in the  
47 state, whether they live in a coastal county or a county farther  
48 away from the Gulf of Mexico.

1  
2 You would expect people who live close to the coast to fish more  
3 often, and even people who have a boat would, obviously, fish  
4 even more often, and so we wanted to separately survey those  
5 groups, to capture all of that variability in the survey and  
6 account for any differences. For example, if people who live  
7 farther away are less likely to return the survey, we need to  
8 account for their different response rates in our survey method,  
9 so that we're not over or underestimating their effort, and so  
10 that was the thought process that went into designing this.

11  
12 **CHAIRMAN GUYAS:** Phil.

13  
14 **MR. DYSKOW:** Thank you, Madam Chair. On behalf of all  
15 recreational anglers, particularly the red snapper fishermen  
16 that reside in Florida, I would like to thank FWC for the  
17 outstanding program you have put together, the flexibility you  
18 have given it, and the enhanced fishing opportunities that  
19 recreational anglers enjoy today. My question was, of the  
20 600,000 people that have signed up for your Gulf Reef Survey,  
21 how many of those are from outside of Florida, Georgia and  
22 Alabama, for example? Is it a big number?

23  
24 **MS. SAULS:** I don't know the numbers offhand, but, yes, it is a  
25 large portion of the people in our survey, and it accounts for  
26 quite a significant amount of fishing effort, especially the  
27 Georgia/Alabama group, because they are closer.

28  
29 **MR. DYSKOW:** Could you guess?

30  
31 **MS. SAULS:** The numbers? I really can't. I can get you that  
32 number though, if you would like to know.

33  
34 **CHAIRMAN GUYAS:** Anything else for Beverly? All right. Thank  
35 you so much.

36  
37 **MS. SAULS:** Thank you.

38  
39 **CHAIRMAN GUYAS:** All right. Next, we have Kevin.

40  
41 **ALABAMA**

42  
43 **MR. ANSON:** I am going to talk to you about our red snapper  
44 reporting program and participation in the EFP. Just some  
45 background, and obviously most of the people in here know much  
46 of the background, but Alabama, as well as the other Gulf  
47 states, received the exempted fishing permit from NOAA to manage  
48 the recreational red snapper, private recreational red snapper,

1 component in 2018 and 2019.

2  
3 Each state was given a specific state ACL, or catch limit, and  
4 Alabama utilized a mandatory reporting program that we call  
5 Snapper Check to estimate red snapper landings during the  
6 season, and landings estimates were available to management each  
7 week to monitor those landings, and decisions related to the  
8 fishing season closure, or extensions, were made using the in-  
9 season landing estimates.

10  
11 A brief history of Snapper Check is we began Snapper Check in  
12 2014, and it's a mandatory reporting program for all  
13 recreational vessels landing red snapper in Alabama, and so that  
14 includes private recreational vessels as well as charter boats,  
15 state and federally-permitted vessels, and the requirement is  
16 that the landing report is to be submitted prior to landing  
17 those fish onshore.

18  
19 It was anticipated that not every trip would be reported, and so  
20 we needed some method to try to determine the ratio or the  
21 number of reports that were not being submitted to us, and so we  
22 incorporated a capture-recapture survey methodology. Basically,  
23 the captures are the reports, those reports submitted by the  
24 anglers, and there only needs to be one person on the vessel  
25 reporting that snapper trip, but that would constitute the  
26 capture. The recapture would be through a dockside survey that  
27 our staff conduct.

28  
29 We send them out to various locations, through a probability  
30 proportional to size sampling program, and that is run through  
31 the MRIP staff. They provide us those locations of sites that  
32 we've already identified, based on a level of red snapper  
33 fishing activity, and there is a program that randomly selects  
34 the assignment based on the level of expected red snapper  
35 fishing effort, and then there's weights assigned to those  
36 assignments that we use and apply to the reports, to generate  
37 the final estimates.

38  
39 We have the capture report, and we have the recaptures through  
40 our dockside sampling, where we interview anglers from vessels,  
41 and, in each of those instances, they provide the same  
42 information, and so essentially, on the report, the anglers are  
43 to provide their vessel ID and the date and time that they are  
44 submitting the report. If that's done electronically, the date  
45 and the time is automatically captured at the time they hit the  
46 submit button, but we do offer paper reporting, and so they  
47 write out the date and the time that they're submitting the  
48 report there.

1  
2 Then the number of anglers, the number of fish that have been  
3 harvested, kept, and then the number of dead discards are what  
4 we capture. Again, that goes to the dockside survey, and we  
5 capture the same information, and we utilize the information  
6 collected in those two different venues, and we try to match  
7 that, to determine the proportion of vessels that are not  
8 reporting, essentially.

9  
10 We use some criteria, and so it's the vessel, the date, the  
11 time, the number of anglers, the number of harvested fish, and  
12 then the time within a three-and-a-half-hour window before the  
13 interview was conducted or after the interview was conducted.

14  
15 We chose that time window because, for one reason, not everybody  
16 reports when they're supposed to, and it's just like people when  
17 they're going down a highway. A lot of people will speed, and  
18 so they will slow down when they see the enforcement, but,  
19 anyway, we chose three-and-a-half hours because we felt like  
20 someone wouldn't be able to come back onshore and unload their  
21 fish and go back offshore and go fishing again and come back  
22 within a three-and-a-half-hour time period.

23  
24 We wanted to make sure that we didn't account for trips that  
25 were being -- You know, two trips in one day on the same vessel,  
26 and we didn't want to give it credit or penalize it,  
27 necessarily, and so that's why we created the three-and-a-half-  
28 hour window. Anyways, we also get mean weight from landed red  
29 snapper, from those dockside validations, or samples.

30  
31 Here is a summary of the actual reported information, and this  
32 is directly from anglers. This is the trip reports, and so we  
33 have the two modes, the state-licensed-only charter vessels and  
34 then the private vessels. You can see in each year, 2018 and  
35 2019, the results of those.

36  
37 The landing reports, I have an asterisk there to remind me that,  
38 when we receive a report, it's angler-provided information, but  
39 we have the vessel registration number, and what we do is,  
40 internally, we'll compare that against federally-permitted  
41 charter boat vessels that are on record through the SERO Office,  
42 and you can download or get their information off their website,  
43 and then our state license sales that we do, and so we combine  
44 those two into one and match their database, if you will, or  
45 file registry of charter boats, and then we send those reports  
46 through that, and, if they match the vessel registration number  
47 that's on the charter boat list to the report, the vessel number  
48 that's on the report, then that trip report, no matter what it

1 was reported as, will be qualified or determined as a charter  
2 trip.

3  
4 There might be instances where a charter vessel goes out on a  
5 private trip and reports it as a private trip, but that's going  
6 to be changed to a charter trip if they show up on that charter  
7 boat list, and so I just wanted to make sure that that was in  
8 there. That's one of the processing things that we do with the  
9 reports.

10  
11 You can see the numbers there for 2018 and 2019, and it was a  
12 substantial increase in the number of reports from 2018 to 2019,  
13 and then the number of anglers that were summed from those  
14 reports in both years, and the number of red snapper that were  
15 reported to be harvested are also provided in those years, and  
16 you can see the inferences there.

17  
18 This is information from the dockside sampling summary, and so  
19 this just summarized, aggregated information from our dockside  
20 surveys. There were forty-eight surveys conducted in 2018 and  
21 seventy-seven conducted in 2019, but you can see the number of  
22 vessels that were surveyed, and part of the increase that you  
23 will see there for the private vessels was that we had more  
24 sampling. More dockside samples were conducted in 2019, and  
25 that ties in with the number of days that we had in the season,  
26 partly, or mostly, due to the reason, and you can see the number  
27 of fish that were weighed and then the mean weight.

28  
29 Here's combining that information together, and so I talked a  
30 little bit about the matching process, and so, basically, we're  
31 using the inverse of the proportion of fish, in this case, if  
32 you're trying to determine the final weight, the number of fish  
33 that were identified from our dockside samples to the number of  
34 fish that were reported, the inverse of that, to determine the  
35 final number, if you will, of the report.

36  
37 So, if we had surveyed, or counted, a hundred fish, and we  
38 received reports from those matched vessels that indicated there  
39 were fifty fish, it would be 100 divided by fifty, which would  
40 be two, and then it's one divided by two, and it would be half.

41  
42 One thing that I wanted to point out here is the mean weight.  
43 If people noticed on the previous slide, it was around seven-  
44 and-a-half pounds for the private recs. You can see it's 8.1  
45 here in 2018, and that has to do with the weighting that goes on  
46 with those samples.

47  
48 There is weight supplied not only at the interview site level,

1 but it's also weighting applied based on the number of  
2 interviews that you actually collect there and then the number  
3 of fish that are actually sampled, and so there is a change that  
4 goes on from the raw mean weight that you would just take from  
5 your samples to what the final weights would be from the  
6 probability of proportional size weighting, but the final weight  
7 is there, and we exceeded 2018's EFP by 2,007 pounds, but we  
8 remained under 2019's EFP ACL for Alabama.

10 Then the PSEs are also provided there, which match up fairly  
11 closely to what you would see for MRIP numbers, and there is a  
12 challenge with trying to get interviews, dockside interviews,  
13 from the state charter boats. They are relatively small in  
14 number and more difficult to try to interview, and so you have  
15 small levels of interviews for those, and the variances are  
16 high.

18 Data concerns, having angler-provided information is a concern,  
19 and trying to validate that information is a concern among folks  
20 in these types of surveys, and the capture-recapture survey  
21 method attempts to measure the rate of non-reporting, or non-  
22 response, to adjust for that, and our assumption with that is  
23 that the rates of non-reports from those public sites that we're  
24 able to access and interview and develop that ratio, or that  
25 adjustment ratio, would be the same as private access anglers,  
26 and so we attempt to, with this, or with these tables, just  
27 provide some information as to how that reporting goes on,  
28 because that is one of the questions that we ask on the report,  
29 is whether or not they're accessing a private access site or a  
30 public access site.

32 That table on the top-right there provides the reporting rates  
33 that we have estimated, and so you can see there was an increase  
34 in reporting rate for private vessels, from 38 percent to 51  
35 percent, over the time period, and then that table at the bottom  
36 is the proportion of landing reports by reported access type,  
37 and you can see the numbers there for private and public, for  
38 both years, and the percentages are provided at the bottom of  
39 that, and you can see that the percentages of the reports that  
40 we're receiving from private and public access sites are staying  
41 consistent, and they have stayed that way. Since 2014 we've  
42 asked that question, and so they've been relatively stable at  
43 that mid-thirties for private access versus the public access,  
44 and so it's private access being in the mid-thirties and public  
45 access being around 60 to 64 percent.

47 Another thing to look at here is to see if we're capturing or  
48 with those two different -- Private access versus public access

1 locations and their reporting rates in the level reporting.  
2 This provides a summary, again, of the number of reports that  
3 were submitted by private and public access and then the mean  
4 reports that were submitted by each unique vessel ID, and so you  
5 can see that they were very similar in 2018, around 2.1 trips,  
6 reported trips, per vessel, and then, of those vessels that were  
7 interviewed at the public access sites, you see the total number  
8 of reports that that accounts for, and then you can see this  
9 2.79 trips from those survey vessels, and so you can see the  
10 survey vessels are reporting at a higher rate than just the  
11 general population of those anglers that are submitting landing  
12 reports, and that occurs, again, in 2019.

13  
14 It was a little bit higher average number of trips from those  
15 survey vessels than the general population of those just  
16 submitting reports, and so there might be a couple of reasons  
17 why that is occurring.

18  
19 One of those just might be the presence of the samplers being in  
20 the field, which would then encourage folks to report, but then  
21 those folks that are also taking more trips just may have a  
22 higher chance of being surveyed too, and so, anyways, that's  
23 just, again, some data just to provide of some things to look at  
24 to kind of get an idea as to the quality of the data that we're  
25 receiving.

26  
27 The season projections, we have determined, essentially, as  
28 Beverly described it, as basically dividing the catch limit by  
29 what we felt like was the anticipated daily landings that would  
30 occur during the season, and so we used 2017 Snapper Check data  
31 to determine the 2018 season length, and there was a couple of  
32 things going on with the 2017 data.

33  
34 There were two federal seasons that were announced in 2017. As  
35 you all recall, we had the first season that was announced prior  
36 to June 1 for just three days, and then, on June 15, we had  
37 another announcement that allowed another thirty-nine days, and  
38 so everybody got geared up for that first three days, and you  
39 can see there, on the graphic there, the actual reports and  
40 estimated vessel trips that were collected for 2017, and the  
41 blue line there in the shaded area is that for the first season,  
42 the first three days, plotted against the wave height.

43  
44 The wave height, I will talk about a little bit later, plays an  
45 important role on how much participation goes on, but the  
46 orange-shaded area represents that second season average number  
47 of vessels that went out on each of those federal days there,  
48 and so you can see there's a significant difference, or drop-



1 off, in the effort that occurred in that second season versus  
2 the first season, the first three days. Mean daily landings  
3 from the second federal season was 18,000 pounds per day,  
4 combined, for private and state landings.

5  
6 We applied the 10 percent buffer to the 984,000 pounds that was  
7 issued to Alabama under the EFP, and we applied that average  
8 second season harvest rate, and we assumed that, if people knew  
9 they had an extended season, that the effort level would be at  
10 that lower rate and not necessarily every day at that higher  
11 rate, is what our assumption was, and so, using that daily  
12 landings into our available ACL, we came up with a forty-seven-  
13 day season.

14  
15 We set the season primarily around Friday through Sunday  
16 weekends, and we did have a length of time there for the week of  
17 the 4<sup>th</sup> of July, where we included some weekdays around the 4<sup>th</sup>,  
18 and that is what we went with.

19  
20 The assumption rate that we used was underestimated. The mean  
21 daily landings for 2018 were nearly two-times higher than 2017,  
22 and so we ended up with, as Beverly noted in her presentation,  
23 that our weather, the seas, wave conditions, were much better in  
24 2018, and it allowed opportunities for many more people to go,  
25 and it allowed opportunities for higher catch rates, bigger  
26 fish, and they went farther offshore than they did in 2017, and  
27 so we had a higher daily harvest rate, and so that prompted us,  
28 as we were monitoring the season each week -- We had to close  
29 the season early. In fact, it was nineteen days less than we  
30 had anticipated for the 2018 season, and we did exceed the catch  
31 limit, as I noted earlier, by 2,007 pounds.

32  
33 2019, we had to determine that season as well, and so, although  
34 we had a bump of 93,000 pounds in that, due to the stock  
35 assessment and incorporating the new ABC or ACL increases, we  
36 had to still account for those good days and estimate, or  
37 assume, what the weather would be for the 2018 season.

38  
39 We did that, and we announced the initial season as twenty-six  
40 days, with three-day, again, weekend seasons, Friday, Saturday,  
41 Sunday, allowing just for the July 4<sup>th</sup>, and not the weekdays  
42 during July 4<sup>th</sup>, and we didn't have a lot of participation during  
43 the weekdays for that week, and so we decided to use those days,  
44 or use those pounds, and add them to just the weekends.

45  
46 Then we, again, monitored the landings each week, and the sea  
47 conditions turned out to be much higher in 2019, during that  
48 season, versus 2018, and you can see -- Provided there is a 1.76

1 feet for each day of the federal season, or the EFP season, that  
2 was open in Alabama in 2018, and then, in 2019, it was 2.77, and  
3 so it's a foot higher, and it makes a big difference, and it  
4 would prompt a lot of those that are in smaller vessels, the  
5 twenty to twenty-five-foot vessels, to reconsider, or really  
6 choose their days, and so we didn't have as much effort going on  
7 during that initial twenty-six-day season, and so we didn't have  
8 as much catch, as much landings, and so we ended up extending  
9 the season a couple more times, and it ended up being ten  
10 additional days were added into the season in the August,  
11 September, and October, and we ended up being 17,000 pounds  
12 lower than our ACL.

13  
14 You can see the graphic there, and it provides all the two  
15 seasons during 2017, in blue and orange, and then the gray is  
16 2018, and then in 2019 is the red, and, again, just to kind of  
17 show you -- If you squint really hard, and I apologize for the  
18 small graphic, but we had real windy days on a few of those  
19 first days of the season, the twenty-six-day season, where we  
20 had some tropical storms come through, although we did have some  
21 landings, and that's one of the issues, is trying to get people  
22 to report on time.

23  
24 We have a lot of reporting that occurred outside of the actual  
25 season, and we'll have reports submitted on Monday, Tuesday, and  
26 Wednesday as well, but we account for those. Those are added to  
27 our landings, and it might be just folks that just decided to  
28 report, and they forget to report, and they're sitting there at  
29 the office, and I forgot to report, and they go report.

30  
31 Looking ahead, in 2020, if it's approved by the Secretary, we'll  
32 go forward with state management, as we did under the EFPs, for  
33 the private recreational sector. Alabama will receive an  
34 increase in the 2020 catch limit of approximately 41,000 pounds,  
35 and that's due to a percentage change, percentage difference,  
36 from the EFPs to the Amendment 50, and we'll operate just as we  
37 did during the 2018 and 2019 seasons, with a sixteen-inch total  
38 length, a two-fish per person daily bag limit.

39  
40 We have not yet determined the 2020 season length, but, based on  
41 the information that we have, and based on the capacity of the  
42 fishery on very good days, or very calm days, to go out there  
43 and catch a lot of fish, it will probably be close to a thirty-  
44 day time window, just, again, so we can account for a very high  
45 fishing effort, like we saw during 2018.

46  
47 Just to let everybody know, as of September 1 of last year, we  
48 did incorporate a reef fish endorsement for all recreational

1 reef fish fishermen that are coming back to Alabama. If you're  
2 in possession of reef fish, you're required to have this  
3 endorsement, and it's required for private anglers, or charter  
4 boats, both federally-permitted charter boats and state charter  
5 boats and that are commercial anglers that are bringing in Gulf  
6 reef fish as well.

7  
8 Down the road, we hope to be able to use that database of  
9 anglers, or contacts, to conduct additional surveys for effort  
10 or those types of things, preferences, and that is it.

11  
12 **CHAIRMAN GUYAS:** All right. Thank you, Kevin. Are there  
13 questions for Kevin? Dale.

14  
15 **MR. DIAZ:** Kevin, great presentation. I really like the way  
16 that you all look at how much effort rated to sea conditions,  
17 and I don't remember seeing that before, and I think that's very  
18 interesting, that you all do that, and I want to commend you all  
19 for setting up a good program. I did notice, on 2019, it looked  
20 like you had some effort in ten-foot seas.

21  
22 **MR. ANSON:** I commented to that a little bit, and we receive  
23 reports throughout the season. The electronic reporting app  
24 that you can use is open from the day before, essentially, the  
25 season is open until a couple of days after the season is  
26 closed, and so, on a day that's not an open season, those  
27 weekdays, because we have primarily weekend seasons, and so, on  
28 Monday, Tuesday, Wednesday, and Thursday, you can still get on  
29 the app and report, and so we believe that those reports are  
30 being submitted primarily from folks that just forget.

31  
32 They take a trip during the weekend, and they don't report like  
33 they're supposed to, again, prior to landing, so that we can  
34 make sure that we have the best data, but they're still  
35 reporting on that day, and so you can get into a situation on a  
36 Friday, where it's four-foot seas, but, as the storm event  
37 comes, you can be in a ten-foot seas on Sunday, and you report  
38 on Sunday for your trip on Friday.

39  
40 **CHAIRMAN GUYAS:** Susan.

41  
42 **MS. BOGGS:** Thank you, Kevin, for the presentation. I just  
43 wanted to clarify that, when you're talking about your landings  
44 estimate, and you have the vessel type as charter-state, is that  
45 just state boats only, or does that include federally-permitted  
46 charter boats as well?

47  
48 **MR. ANSON:** Those are state-permitted charter vessels only, and

1 so the federally-permitted vessels are also supposed to acquire  
2 a state charter boat license, but, if they have a federal  
3 permit, or if there's a federal permit associated with that  
4 vessel registration number, then those are excluded from these  
5 calculations, but we do collect trip reports, and we do develop  
6 estimates for federally-permitted vessels, not only charter  
7 vessels, but headboats as well.

8  
9 **CHAIRMAN GUYAS:** Leann.

10  
11 **MS. BOSARGE:** Thanks, Kevin. I really enjoyed that. Thanks for  
12 giving us so much of the data. You know I love the data. I was  
13 wondering, with the system you have currently, do you have the  
14 ability to know the addresses, sort of like what Florida was  
15 speaking to?

16  
17 Is it somebody that's from out-of-state or in-state that's  
18 fishing, and are they from the coast or off the coast, and I ask  
19 that because you have a good bit of tourism in your state, and  
20 you're really close to Florida, and I'm sure a lot of that  
21 tourism probably goes out on some of the charter boats, maybe  
22 even the federally-permitted ones, which is not really what you  
23 want to collect, but do you have that ability, or will you have  
24 that ability, with the new endorsement, so that, if you wanted  
25 to parse things out into the buckets and apply different effort  
26 methodologies to those, you could?

27  
28 **MR. ANSON:** I think we will once everybody really fully  
29 participates. We'll have a better understanding as to where the  
30 effort is coming from. Currently, we require the vessel  
31 registration number to be reported, and so, on those state-  
32 registered vessels, you can determine, based on the number of  
33 vessel trips, and anglers, because they provide anglers, you can  
34 kind of determine, at least from the state of registration, what  
35 proportion of those anglers are out-of-state, potentially out-  
36 of-state, but you don't know for sure until you make that  
37 contact and ask that specific question. In the future, we can  
38 determine zone or area strata, just like Beverly described, as  
39 far as coastal in-state, non-coastal in-state, and then out-of-  
40 state as well.

41  
42 **CHAIRMAN GUYAS:** Chris.

43  
44 **MR. SCHIEBLE:** Thank you, Kevin. That was a good presentation.  
45 You know, reporting rates are like the holy grail of any survey.  
46 At LA Creel, we try to achieve as much compliance as possible  
47 for that, and have you had a chance, since the season closed  
48 now, to brainstorm or speculate on ways of increasing compliance

1 on the reporting rate for next season?

2  
3 **MR. ANSON:** Just, like we have with every year, we try to  
4 brainstorm and make sure that we hit as many of the places that  
5 the fishermen would go to get their information, and so we've  
6 tried to incorporate local media, of course, and newspapers or  
7 websites and try to go to the fishing shows, and there is  
8 popular podcasts that a lot of anglers utilize. Of course,  
9 they're on the website, and we try to encourage folks to  
10 register there for notifications, because we'll push out  
11 species-specific notifications if they want.

12  
13 Enforcement, though, is another tool in the toolbox to encourage  
14 folks, and having an active presence to monitor those folks and  
15 ensure that they're reporting during the season is another tool,  
16 but those are things we are continually looking at. 51 percent,  
17 I think we're turning the corner, so to speak, and that  
18 percentage change we saw from 2018 to 2019, that dramatic shift  
19 to 51 percent, is the highest reporting rate that we've had  
20 since 2014 for the private recs.

21  
22 I think, if we can get to 70, because we have a lot of  
23 transients, if you will, or out-of-state folks, that do come  
24 down to Alabama and fish, and it is very hard to access those  
25 folks, or get information in front of them, when they're up in  
26 Birmingham, or they're in another state and such, and they're  
27 just thinking about red snapper during their one-week vacation,  
28 and so that's something that we will continue to strive for, and  
29 it's always a challenge.

30  
31 **CHAIRMAN GUYAS:** All right. Any other questions for Kevin? All  
32 right. Thanks, Kevin.

33  
34 **MR. ANSON:** Thank you.

35  
36 **CHAIRMAN GUYAS:** Next up is Carly Somerset from Mississippi.

37  
38 **MISSISSIPPI**

39  
40 **MS. CARLY SOMERSET:** Thank you. Good morning, council and  
41 council staff. This will be a brief summary of the 2019  
42 Mississippi red snapper EFP season. I have information for 2018  
43 here as well, but we're presenting 2019, because they are very  
44 consistent and similar. If you have any questions at the end, I  
45 will be happy to answer them, and Matt Hill and Trevor Moncrief  
46 are also here, if you have any specific questions to one of us.

47  
48 Here's an overview. In accordance with the approved EFP,

1 Mississippi submitted bi-weekly reports to NOAA, including the  
2 following weekly and overall metrics, and I will note that -- So  
3 these are what are reported on the Tails 'n Scales app.

4  
5 It's total trips, number of fish, and we were able to send  
6 preliminary essentially raw data, and then the finalized  
7 estimates were sent at the end of the season. So it was total  
8 trips, number of fish, number of discards, and this is total  
9 discards, number of anglers, and then angler success, average  
10 anglers per vessel, average weight of fish, and biomass  
11 harvested, and so, in addition to these in-season reports, we  
12 submitted a finalized estimate, through the annual report to  
13 NOAA, on December of 2019, and we did this as well in 2018.

14  
15 Our 2019 EFP season, private recreational ran from May 24 to  
16 July 7, and we had a closure from July 8 to July 28. 2018 was  
17 similar to 2019. We had a two-week closure. In 2019, we had a  
18 three-week closure, and then we reopened on July 29 and ran  
19 through August 25, and then we went from August 31 through  
20 September 2, and we wanted to include Labor Day, if at all  
21 possible, and then we had some inclement weather, and so we were  
22 open September 6 through September 8. Then our state for-hire  
23 ran from May 25 to June 12.

24  
25 The private recreational season length was seventy-nine days,  
26 again similar to 2018, very consistent, and the state for-hire  
27 was twenty days, and the federal for-hire season was sixty-two  
28 days, and, obviously, their season and quota was regulated by  
29 NOAA, but we do keep track of them in Tails 'n Scales.

30  
31 Our 2019 EFP season results, the private recreational component  
32 of the ACL estimated harvest was 147,748, and that was 99.5  
33 percent, and the state for-hire estimated harvest was 2,531  
34 pounds, which is 95.8 percent. The total of the ACL was 151,584  
35 pounds, and, of that, Mississippi estimated harvest was 150,279  
36 pounds, which was 99.1 percent of the ACL.

37  
38 Just to show you our trip compliance rates, because they  
39 steadily increase every year, and now they are very close to 100  
40 percent, and we have remained that way, and so, starting in  
41 2015, which was the first year of Tails 'n Scales, we started  
42 around 50 percent compliance, but, as you can see, we are, in  
43 2019, above 90 percent for private recreational, and our charter  
44 captains -- It is a small fleet, but they are near 100 percent  
45 every year for the last -- Since 2017. That was all I had, and  
46 I'm happy to take any questions.

47  
48 **CHAIRMAN GUYAS:** Thanks, Carly. Are there questions? Dale.

1  
2 **MR. DIAZ:** Carly, thank you for your presentation. What kind of  
3 things has Mississippi done to -- By the way, I want to commend,  
4 before I even say this -- I know Matt and Trevor is in the  
5 audience, and yourself and the whole finfish staff put a lot of  
6 hard work into this program, and it's a high-quality program,  
7 and so thank you all for your efforts in building this very good  
8 program. What kind of things have you all done to get the  
9 compliance rate to continually go up since 2015?

10  
11 **MS. SOMERSET:** In 2015, because that was an initial year --  
12 Obviously, starting out, you always have some things to work  
13 through, but we did our best, by getting out press releases,  
14 and, obviously, we conduct other surveys, and so going down to  
15 the dock, and we had business cards that we could hand out when  
16 we saw anglers, at every opportunity, and we have banners  
17 similar to -- I believe Kevin showed one of Snapper Check, and  
18 so we put those out at the ramps with the highest pressure, the  
19 ones that we know red snapper anglers will leave from.

20  
21 We have continued to do that every year, and we also had  
22 cellphones that they could call if they had questions, and so we  
23 put the website and the numbers, and we published those on the  
24 press releases, the banners, the business cards, and so it was a  
25 lot of individual one-on-one discussion, which I think spread  
26 throughout the whole community, and then we tried to do some  
27 news, TV, anything we could possibly do to continue to get the  
28 information out, and, once anglers became used to reporting, and  
29 knew that it would give them more opportunities and flexibility  
30 to harvest red snapper, they were happy to do so, and so I think  
31 that's why our compliance has stayed very high and consistent,  
32 is because they are happy with the program.

33  
34 **CHAIRMAN GUYAS:** Paul.

35  
36 **DR. MICKLE:** Thank you, Carly. We appreciate it. I need to add  
37 that it's also the collaboration with marine patrol and our  
38 other office of allowing that compliance. To go along with the  
39 science of validating, we're also enforcing our trip numbers.  
40 If you don't have a trip number, or if you're in non-compliance,  
41 they ticket you, and they take your fish.

42  
43 **CHAIRMAN GUYAS:** Leann and then Chris.

44  
45 **MS. BOSARGE:** Excellent presentation, and I just wanted to say  
46 thanks to all the staff, and I know you work hard, and you love  
47 our anglers, and they are calling you personally, and you're  
48 making sure that they get the information they need, and you

1 love our commissioners too, who have put a lot of pressure on  
2 you all to make sure that this is the best program it can be.

3  
4 I wanted to follow-up on what Dr. Mickle said. I think that is  
5 one of the unique aspects of our program in Mississippi, is  
6 that, similar to sort of like the commercial IFQ program, you  
7 have a hail-out, almost, and that's that trip authorization  
8 number that you have to get before you leave to go snapper  
9 fishing, and what that does is it allows for even more on-the-  
10 water enforcement, which improves your compliance, and so, if  
11 you were boarded offshore, and you had a snapper on the boat,  
12 and you didn't get that trip authorization number, then you're  
13 in violation, and so I think that on-the-water enforcement piece  
14 really does help complement our compliance rate, and so thank  
15 you all very much to everybody.

16  
17 **CHAIRMAN GUYAS:** To that point, Paul?

18  
19 **DR. MICKLE:** Sure. Just to that point of -- Well, not really to  
20 that point. Do you want me to wait?

21  
22 **CHAIRMAN GUYAS:** Let me go to Chris first then.

23  
24 **MR. SCHIEBLE:** Thank you. Good presentation. Can you offer any  
25 insight as to what you suspect how you'll run the 2020 season  
26 under the first year of state management?

27  
28 **MS. SOMERSET:** Sure, and that's a great question. I would go  
29 back to what I said earlier, is I think the anglers like  
30 consistency, and so they know when to plan trips, and we do have  
31 anglers that come from other areas of the state, from more  
32 northern, and they're not on the coast, and they come  
33 specifically to fish for red snapper, and so I would say that  
34 the main goal for us is to provide consistency within season and  
35 also as much as we possibly can of starting at a similar time  
36 each year.

37  
38 We do like to include the major holidays, because that's when a  
39 lot of people like to fish, and we do -- In 2018, we had the  
40 two-week closure, and, in 2019, we had the three-week closure,  
41 and so anglers have come to expect that, but we do look at --  
42 Obviously, we have projections, as well as in-season  
43 projections, and there are times when it gets really hot, and it  
44 starts to taper off, and I think we can work all of that into a  
45 season that allows anglers a lot of flexibility and opportunity  
46 to fish, and I think they're happy with that, and it's also a  
47 pretty long season, which they also like, and seven days a week,  
48 and so as much as possible.



1  
2 **CHAIRMAN GUYAS:** Paul.

3  
4 **DR. MICKLE:** Thank you, Carly, for the presentation, and we  
5 appreciate it. Would you mind going back to Slide 4? This is  
6 approaching the point of what we discussed yesterday a little  
7 bit about calibration, and I'm glad it came out today with the  
8 presentation here, of how unique Tails 'n Scales is and how  
9 unique the Mississippi fishery is for red snapper, but just to  
10 look at the MRIP, just to do a quick comparison of how  
11 calibration really is unique for Mississippi, and it may go down  
12 a different road or not, and we don't know yet, because  
13 calibrations haven't been completed, but, when you think about  
14 the difference in landings between MRIP and Tails 'n Scales for  
15 2019, it's a 534 percent difference.

16  
17 There is obviously a large disparity in landings, and, if you  
18 look at MRIP, in 2018 to 2019, during the EFP, the difference in  
19 landings, just within MRIP in those two years, is a 233 percent  
20 difference in landings, when the EFPs were essentially almost  
21 the same amount of poundage, the same percentage in the EFP.

22  
23 The point I'm trying to make is -- Here, we have -- Well, we  
24 don't have 2018 presented here in this slide, but our landings  
25 were very similar between years when you look at Tails 'n  
26 Scales, but, to the point of calibration and how different  
27 calibration may end up being for the State of Mississippi, is  
28 the assumptions.

29  
30 When you look at MRIP, and you look at Tails 'n Scales, if you  
31 can establish assumptions on effort, such as things as effort,  
32 as well as landings, if you can assume that there are a similar  
33 number of fishing days from year to year, and if you make that  
34 assumption of effort, calibration, in my mind, can be quite  
35 successful, which I think that's going to be the hardest part,  
36 maybe, is for folks of establishing best available science and  
37 stamping calibration as complete, is that agreeing on what  
38 assumptions are realistic and what assumptions are not, but I  
39 just wanted to make that point, of how unique Mississippi was  
40 and just the large disparity in these programs that have been  
41 presented. Thank you.

42  
43 **CHAIRMAN GUYAS:** Ed.

44  
45 **MR. SWINDELL:** You got compliments for your presentation, and I  
46 will give you another one. It was very good. I am interested  
47 in the number of vessels that actually are in the state for-hire  
48 and for the private rec, and do you have a -- You should have a

1 good handle then of, from the way that you're doing your  
2 program, as to how many vessels you actually have participating  
3 in the red snapper fishery.

4  
5 **MS. SOMERSET:** Right, and so we do, because they all are  
6 registered in the system, and I will answer, and, if Matt or  
7 Trevor want to add anything, but we have about 5,000 anglers  
8 registered in the system, and that is more than the number of  
9 people who take trips, because we encourage anyone who thinks  
10 they may go fishing, or the intention to fish for red snapper,  
11 that they register, because we don't want them to go out there  
12 and decide to fish for snapper, and it was an excellent point  
13 that Paul and Leann made about marine patrol.

14  
15 They do enforce it very heavily now, and so there are a lot of  
16 people registered, and we are able to keep track of those who  
17 take trips, because it's all in Tails 'n Scales. The private  
18 recreational is obviously much higher for us than the state for-  
19 hire vessels, and so our state for-hire, as well as our federal  
20 for-hire is -- It's a very small fleet.

21  
22 Private recreational has been pretty consistent over the years,  
23 as far as the number of trips or those who fish, and state for-  
24 hire has increased slightly every year, and so it's hard to --  
25 It's been hard to project the amount that they will harvest,  
26 because of the effort increase. More vessels have started  
27 taking clients from 2017 to now, but we can keep track of all  
28 that, but it's just -- It's small, but it is increasing, and so  
29 I believe 2018 was about ten to fifteen vessels for state for-  
30 hire, and that has increased to about twenty to twenty-five.  
31 Some are part-time, and so do it more or less full-time. Does  
32 that answer your question?

33  
34 **MR. SWINDELL:** Well, not entirely. I am still trying to reach  
35 also the recreational number of vessels that are actually going  
36 out into the -- The state waters for red snapper are much  
37 further offshore.

38  
39 **MS. SOMERSET:** Right, and so, off the top of my head, I don't  
40 have the exact number, but I can get it for you, and we are able  
41 to -- We can also look at that, because we have the artificial  
42 reefs, and so we know where anglers more or less are fishing,  
43 and we don't specifically ask them where, unless they are  
44 intercepted dockside.

45  
46 **CHAIRMAN GUYAS:** All right. Thank you, Carly. Let's move on to  
47 Louisiana, and Jason Adriance is here. Dr. Simmons.

1 **EXECUTIVE DIRECTOR SIMMONS:** Thank you, Madam Chair. I just  
2 wanted to mention, since Ms. Somerset just finished her  
3 presentation, that we had a lot of highly-qualified candidates  
4 that applied for the fisheries outreach position, but I'm happy  
5 to say that we extended the offer to Ms. Carly Somerset, and so,  
6 the next time you see her, she'll be working for the Gulf  
7 Council, and so thank you, Mississippi DMR.

8  
9 **LOUISIANA**

10  
11 **MR. JASON ADRIANCE:** Thank you, Madam Chair and committee  
12 members. I am here to give you an update on our 2019 EFP  
13 season. Our season opened on May 24, which was the Friday  
14 before Memorial Day, and we opened for a weekend-only season,  
15 Friday, Saturday, and Sunday, and that season included the 4<sup>th</sup> of  
16 July and the Mondays of Memorial Day and Labor Day.

17  
18 We closed just after Labor Day, on September 3, and we got our  
19 landings estimates in and realized that we still had sufficient  
20 fish in the water to continue, and we reopened on September 27,  
21 again for weekends only, and we did add -- During the course of  
22 that, we added the Monday of Veteran's Day as a weekend day, and  
23 landings were still lagging, and so we opened on a daily basis,  
24 seven days a week, beginning on November 28, and so Thanksgiving  
25 Day, and we ended up with 109 total days for red snapper fishing  
26 in 2019 in the EEZ.

27  
28 Our private recreational harvest ended up being 848,340 pounds,  
29 and state charter was 52,667. Federal charter harvest was  
30 estimated at about 102,562 pounds.

31  
32 Our average annual weights are there, and it was 7.4 pounds for  
33 private recreational and 8.65 for charter, and that is lower  
34 than last year. The charter is about a pound lower, and about  
35 six-tenths of a pound for the private recreational from last  
36 year. However, we did end up with a blip there at the end of  
37 the season, and we ended up almost 32,000 pounds over, and so we  
38 will have a payback next year.

39  
40 This is a busy slide, but these are the weekly -- With LA Creel,  
41 you may know that we look at our landings on a weekly basis, and  
42 so this is looking at those landings weekly, and you have it in  
43 front of you, and I'm not going to spend too much time on it,  
44 but that final estimate was about 104 percent of our allocation,  
45 and you can see the variation from week to week that we get.

46  
47 This is going to projections, and we generally come to our  
48 commission at the beginning of the year with some projections,

1 or we look at some projections, and they just -- The minute  
2 folks start fishing, they are useless. We can look at our  
3 landing rates from previous years, and we can factor that in,  
4 but each year ends up being unique, whether it's -- You heard a  
5 lot about weather, and we had weather issues this year as well,  
6 and last year was a little calmer, and so that was -- We had a  
7 lot more days over two feet as well.

8  
9 That kind of bears out. You run these projections based on what  
10 you typically see in the summer, and then weather blows in just  
11 in time for the weekend, and no one goes out fishing, and your  
12 projections, like I said, are useless, but we did end up, as I  
13 mentioned, a little bit over.

14  
15 This is just a graphic in comparison to previous years. 2018  
16 and 2019 are similar, because we've been operating under the EFP  
17 and the same conditions. The previous years don't really  
18 compare as well, because we didn't have a way to parse out  
19 federal charter, and we weren't under the EFP, and we didn't  
20 necessarily have EEZ access. Except, in 2017, there was the  
21 thirty-nine-day season.

22  
23 Most of you are aware of this, and bag limit is not an issue  
24 with red snapper. The average catch rates there per angler,  
25 private or charter, don't change a whole heck of a lot from year  
26 to year.

27  
28 This is just looking at effort on a monthly basis, and you can  
29 see the peaks are obviously the summer months, and there's no  
30 surprise there, and you can get an idea of the amount of trips,  
31 and, obviously, we're not Florida. We don't get the quantity of  
32 trips, but it's still almost 21,000 trips there in July.

33  
34 If you break that down -- With LA Creel, and I know a lot of you  
35 are aware, we look at landings on a weekly basis, and so, when  
36 we're looking at these things, we're not really looking at daily  
37 catch rates, but we're trying to look at what's going to happen  
38 in that week, and especially since the snapper season has been a  
39 weekend-only season for most of this year, and we're trying to  
40 gauge what's going to happen on a weekly basis, but you can see  
41 some of the variation from week to week here.

42  
43 You can see when the season opened, and effort kind of tracked  
44 up, with maybe the exception of some weather weeks in there, and  
45 the 4<sup>th</sup> of July weekend was a pretty week. The amberjack opening  
46 was a pretty big week, and then we tailed off and ended up  
47 actually that little spike there when we went back to open every  
48 day.

1  
2 This is we had voluntary electronic reporting for the two years  
3 of the EFP, and this is -- Once again, I'm sorry, and it's  
4 squeezing a lot of -- We were open a lot of weeks, and so it's  
5 trying to squeeze a lot onto one slide, but that highlighted red  
6 week is where we ended in 2018, and the numbers -- If you add up  
7 2019 through that Week 32, there are fairly comparable to what  
8 happened in 2018. There just wasn't a whole lot of voluntary  
9 effort, and we have actually partnered with LSU, and we did some  
10 attitudinal surveys to try to get at this, and there was some  
11 interesting results.

12  
13 You had a -- I want to say it was about 80 percent of folks that  
14 said that they would love to voluntarily report their red  
15 snapper catch, and then you get to what people actually do, and  
16 there is very little reporting. I think that's it, and I will  
17 be happy to answer anything that I didn't cover.

18  
19 **CHAIRMAN GUYAS:** Questions for Jason? Chris.

20  
21 **MR. SCHIEBLE:** I asked you for landings of amberjack before we  
22 came to the meeting, just to see how our fall season went, and  
23 the landings were less for those as well, compared to last year  
24 in that same period of time, and can you speculate as to what  
25 you think may have happened this fall overall with fishing  
26 during that same time period? Our snapper landings were  
27 protracted, as well as the reduction in amberjack landings  
28 during the same time.

29  
30 **MR. ADRIANCE:** I briefly touched on weather, and that was, I  
31 think, a big issue this year. Also, once we get out towards the  
32 end of the summer, folks are getting ready for hunting season,  
33 and so that's going on, and we had two football teams that were  
34 doing very well, and folks were interested in those games, and  
35 one happened to win the National Championship, and kids are back  
36 in school, and so all of this is going on, and I think it plays  
37 a big factor in what's going on effort-wise.

38  
39 **CHAIRMAN GUYAS:** Leann.

40  
41 **MS. BOSARGE:** I was interested a little bit more in the  
42 electronic reporting piece that you were talking about, and so  
43 electronic reporting kind of covers a lot of ground, and I was  
44 just wondering how you all structured that and what type of  
45 electronic reporting it was, and just kudos to -- I have gotten  
46 two emails from you all, asking me if I have fished, and I don't  
47 even live in your state, and so you're doing a great job.  
48 Thanks.

1  
2 **MR. ADRIANCE:** Sure. That voluntary system is strictly app or  
3 desktop or website-based. It offers folks that have our  
4 recreational offshore landing permit an opportunity to enroll to  
5 voluntarily report their report their red snapper catch, and it  
6 allows them to declare a trip. We have some general locations,  
7 as far as grids, off the coast, and we'll ask them if they're  
8 fishing over natural bottom, artificial reef, or a standing  
9 platform, and number of red snapper kept, number of red snapper  
10 discarded.

11  
12 With it, and I don't know if it has to do with it being  
13 voluntary or just in general folks not wanting to bother with  
14 it, but, as you saw, there was very little folks interested in  
15 actually doing it.

16  
17 **CHAIRMAN GUYAS:** Any other questions for Jason? Troy.

18  
19 **MR. WILLIAMSON:** Good presentation. Which team won?

20  
21 **MR. SWINDELL:** That's the same team that beat Texas A&M.

22  
23 **MR. ANSON:** Ed, could you be more specific? I think there were  
24 quite a few teams that beat Texas A&M.

25  
26 **CHAIRMAN GUYAS:** Okay. I think we're done now. Thank you,  
27 Jason.

28  
29 **MR. ADRIANCE:** Thank you.

30  
31 **CHAIRMAN GUYAS:** Last, but not least, Texas. Lance is going to  
32 give the presentation from Texas.

33  
34 **TEXAS**

35  
36 **MR. ROBINSON:** How do you follow that? I appreciate the  
37 opportunity to come and give you a little update on the Texas  
38 EFP seasons. You have heard a lot of the background and how we  
39 got here, and I'm not going to belabor that point, but, in  
40 Texas, we did look at a simulation model that was used to  
41 project the 2019 federal season in Texas, and the number there  
42 is we projected out about ninety-seven days. I'm going to get  
43 into a little more detail on that as we go through the  
44 presentation.

45  
46 One thing that we have done a little differently perhaps in  
47 Texas is that we have tried to maintain the historical state  
48 season that we have, and so, the allocation that Texas receives,

1 we automatically take off the top a projected number of pounds  
2 that would be needed to allow that state season to occur, and so  
3 whatever is left over is what is used to calculate for that  
4 federal season.

5  
6 As we look at making these projections and this simulation,  
7 there are a number of things that come into play, and you've  
8 heard some of it already touched on in some of the other  
9 presentations, but there's a lot of uncertainties as you project  
10 out what that season might look like and the length it might be.

11  
12 You are relying on, oftentimes, data that occurred in the past,  
13 yet you're making some assumptions that, for instance, latent  
14 demand for that fishery is going to remain the same as it has in  
15 the past or whatever you're using in your projection, and you're  
16 also basing it on that the angler behavior is not going to  
17 change from one year to the next, and then, obviously, weight  
18 ranges could go up or down, because we're using, in our case,  
19 2018 weight ranges to project out.

20  
21 Then, as you have heard in a common theme here, weather plays a  
22 significant role, even in a state-to-state situation and whether  
23 or not you have fishable days or not.

24  
25 To give you a little bit of methodology, and some of you have  
26 heard this before, but just as a reminder, the Texas creel  
27 program, harvest program, is an annual program, and it is  
28 conducted monthly along the coast, and we have eight major bay  
29 systems along the Texas coast, and we do onsite trip-specific  
30 intercept surveys for effort expansion and landings expansions,  
31 and we use a roving survey that we count empty trailers, or  
32 empty wet-slips, at marinas that are surveyed for fishing  
33 activity throughout the season. Then the results of those  
34 onsite surveys are then expanded, based on that relative  
35 pressure at the site that is generated from the roving surveys.

36  
37 Survey design, in Texas, we have two seasons, six-month seasons,  
38 and this primarily is covering the summertime and one covering  
39 the wintertime, and the sampling effort is further stratified  
40 into weekdays and weekends and holidays.

41  
42 We have about 260 or so inventoried boat-access sites in Texas,  
43 and those are all surveyed proportional to the fishing pressure  
44 that exists at each of those sites. Surveys are conducted from  
45 10:00 to 6:00 p.m. on survey days.

46  
47 Just a little bit about sample size. Annually, we conduct about  
48 a little over a thousand survey days, and about two-thirds of

1 those surveys are conducted on weekdays, and a third on  
2 weekends. We intercept, on average, about 14,000 actual  
3 interviews per calendar year.

4  
5 Additionally, there are about two-dozen boat ramps that have  
6 been identified, and access sites that have been identified,  
7 where we see a majority of the Gulf fishing pressure that goes  
8 through, and so we've added some additional surveys days on top  
9 of the previous slide, the surveys that are done, that target  
10 just those Gulf-only sites, or those high-access Gulf sites, and  
11 then the bottom bullet there just kind of indicates that, since  
12 we've been working with Dr. Stunz with the iSnapper app, we have  
13 increased those surveys, so that we can help validate that  
14 reporting.

15  
16 In 2019, one of the things that we wanted to do is kind of get a  
17 flavor from our anglers as to what preferences they may have as  
18 to how a federal season might look, and so, historically, we  
19 have seen problems in the western Gulf with high sea states that  
20 occur in January, and certainly we saw that in 2018, and I will  
21 show you, and it reflects that in some of the data that we have,  
22 just in a minute, but we held scoping meetings with anglers.

23  
24 We were really floating out a number of ideas and trying to get  
25 some ideas of what their preferences might be, and we looked at  
26 split seasons, a spring break kind of season, but, at the end of  
27 the day, the highest support that we heard from our anglers was  
28 to maintain that June 1 opening, and so that's what we did in  
29 2019.

30  
31 Again, I just touched on the monitoring, and I won't spend a lot  
32 of time on this one, but this is -- We were looking at it on a  
33 biweekly basis for landings as well.

34  
35 Here are the results for 2018 and -- I put 2018 up there just  
36 for comparison's sake, and, starting kind of to the right of the  
37 graph, the state-water season, you see in both years, was  
38 projected and set out at a 365-day season. In 2018, we  
39 projected an eighty-two-day season, and weather conditions -- We  
40 had some pretty rough weather in June in 2018, and you will see  
41 that, at the end of the year, we came in under our projected ACL  
42 by a bit.

43  
44 In 2019, and, again, utilizing some of that simulation data from  
45 2018, we projected out a ninety-seven-day federal season, but we  
46 saw opposite conditions in the western Gulf in June, and it was  
47 very good weather conditions, and we had a lot of fishing  
48 pressure, a lot of effort, and we projected that we were going



1 to meet our allocation that we had set aside for federal days  
2 earlier, and so we closed that federal season about a month  
3 earlier than was originally projected and then maintained  
4 through the calendar year for the state season. You will see we  
5 are right at about 98 percent of our ACL. That's all I have,  
6 and I'm happy to answer any questions that folks may have.

7  
8 **CHAIRMAN GUYAS:** Thank you, Lance. Are there questions? Chris.

9  
10 **MR. SCHIEBLE:** Good presentation. Are you able to parse out the  
11 percentage of your ACL that comes from state waters, since it's  
12 a longer duration season, versus the federal waters?

13  
14 **MR. ROBINSON:** With some of the information that we collect in  
15 the surveys, it's where actually the anglers were fishing, and  
16 so, yes, we do have that parsed out, and I didn't break it out  
17 in the slide here, but we do have that.

18  
19 **CHAIRMAN GUYAS:** Anything else? Thank you, Lance. All right.  
20 I think, unless there's any other business to come before the  
21 Reef Fish Committee, I think we are all done for this meeting.

22  
23 (Whereupon, the meeting adjourned on January 29, 2020.)  
24

25 - - -  
26