

GULF OF MEXICO FISHERY MANAGEMENT COUNCIL
SUSTAINABLE FISHERIES COMMITTEE

The Lodge at Gulf State Park Gulf Shores, Alabama

April 6, 2022

VOTING MEMBERS

- 10 Greg Stunz.....Texas
- 11 Kevin Anson (designee for Scott Bannon).....Alabama
- 12 Susan Boggs.....Alabama
- 13 Leann Bosarge.....Mississippi
- 14 Billy Broussard.....Louisiana
- 15 Tom Frazer.....Florida
- 16 Jessica McCawley.....Florida
- 17 Chris Schieble (designee for Patrick Banks).....Louisiana
- 18 Bob Shipp.....Alabama
- 19 Joe Spraggins.....Mississippi
- 20 Andy Strelcheck.....NMFS
- 21 Troy Williamson.....Texas

NON-VOTING MEMBERS

- 24 Dale Diaz.....Mississippi
- 25 Dave Donaldson.....GSMFC
- 26 Jonathan Dugas.....Louisiana
- 27 Phil Dyskow.....Florida
- 28 Dakus Geeslin (designee for Robin Riechers).....Texas
- 29 Bob Gill.....Florida

STAFF

- 32 Assane Diagne.....Economist
- 33 Matt Freeman.....Economist
- 34 John Froeschke.....Deputy Director
- 35 Beth Hager.....Administrative Officer
- 36 Karen Hoak.....Administrative & Financial Assistant
- 37 Lisa Hollensead.....Fishery Biologist
- 38 Ava Lasseter.....Anthropologist
- 39 Mary Levy.....NOAA General Counsel
- 40 Ryan Rindone.....Lead Fishery Biologist/SEDAR Liaison
- 41 Bernadine Roy.....Office Manager
- 42 Carrie Simmons.....Executive Director
- 43 Carly Somerset.....Fisheries Outreach Specialist

OTHER PARTICIPANTS

- 46 Peter Hood.....NMFS
- 47 Jessica Stephen.....NMFS
- 48 Laurilee Thompson.....SAFMC
- 49 John Walter.....SEFSC

TABLE OF CONTENTS

1
2
3 Table of Contents.....2
4
5 Table of Motions.....3
6
7 Adoption of Agenda and Approval of Minutes and Action Guide and
8 Next Steps.....4
9
10 Final Action: Framework Action: Historical Captain Permits
11 Conversion.....5
12
13 Allocation Review Guidelines.....10
14
15 Adjournment.....36
16
17 - - -
18

TABLE OF MOTIONS

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16

PAGE 8: Motion to recommend the council approve Framework Action: Historical Captain Permits Conversion and that it be forwarded to the Secretary of Commerce for review and implementation and deem the codified text as necessary and appropriate, giving staff editorial license to make the necessary changes in the document. The Council Chair is given the authority to deem any changes to the codified text as necessary and appropriate. The motion carried on page 10.

PAGE 34: Motion to approve the Allocation Review Guidelines document. The motion carried on page 34.

- - -

1 The Sustainable Fisheries Committee of the Gulf of Mexico
2 Fishery Management Council convened at The Lodge at Gulf State
3 Park on Wednesday morning, April 6, 2022, and was called to
4 order by Chairman Greg Stunz.

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

10 **CHAIRMAN GREG STUNZ:** We'll call to order the Sustainable
11 Fisheries Committee, and you can find the materials for this
12 committee on Tab E, and so our committee members for this
13 committee are Dr. Shipp as Vice Chair, Mr. Schieble, Mr. Anson,
14 Ms. Boggs, Ms. Bosarge, Mr. Broussard, Dr. Frazer, Ms. McCawley,
15 General Spraggins, Mr. Strelcheck or Mr. Hood, and Mr.
16 Williamson. Andy and Phil, I know you all are out on the phone,
17 and sometimes it's hard for us to see the hands up, and so feel
18 free just to jump in if you're not being recognized in a timely
19 manner.

20
21 We'll have a relatively short, but important, agenda today.
22 Just as sort of a preview, we've got a final action that we need
23 to deal with for the historical captains, and then we'll review
24 some of these allocation guidelines that we've been talking
25 about for some time, but we'll get there in just a minute, but,
26 before we begin, obviously, the first thing we need to do is the
27 Adoption of the Agenda, and so are there any modifications that
28 need to be done to the agenda?

29
30 Looking around and seeing none, could someone please make a
31 motion regarding approval? All right. We have a motion and a
32 second. Seeing no opposition to that motion, we'll consider the
33 agenda adopted.

34
35 Our next item of business is the Adoption of the Minutes. Are
36 there any modifications that we need to do to the minutes?
37 Seeing none, we would need a motion for the minute approval.

38
39 **GENERAL JOE SPRAGGINS:** So moved.

40
41 **MR. KEVIN ANSON:** Second.

42
43 **CHAIRMAN STUNZ:** It's moved and seconded. Any opposition?
44 Seeing none, the minutes are approved. Dr. Diagne, since we
45 only have two items, I guess you probably can just go ahead and
46 review our Action Guide and make sure we're on track for what we
47 need to accomplish here, and are you available to take us
48 through that, please?

1
2 **DR. ASSANE DIAGNE:** Yes, Dr. Stunz. Good morning. We have a
3 very short agenda for the Sustainable Fisheries Committee today.
4 First, we have a final action to deal with the historical
5 captains permits conversion into standard for-hire permits. We
6 would present an abbreviated framework that would provide an
7 opportunity to replace remaining historical captain permits with
8 standard for-hire permits. We have a very small number of
9 permits now, but we'll get into that.

10
11 The committee is expected to review the information that we
12 present and discuss it, and, if deemed appropriate, recommend
13 that the council take final action on the abbreviated framework
14 action, and that is the first item. Dr. Stunz, would you like
15 me to review both items now? That's what you -- Is that what I
16 understand?

17
18 **CHAIRMAN STUNZ:** Yes. If you want to go ahead. That way, I
19 think we can just kind of -- That would be fine.

20
21 **DR. DIAGNE:** Thank you, sir. For our second item, we will
22 present the allocation review guidelines. Essentially, we have
23 updated those guidelines to account for the revisions and the
24 comments that we heard during the last council meeting, or at
25 least two council meetings ago. I will present those, and the
26 committee is expected to review the information and give us
27 feedback, and, if warranted, the committee would recommend that
28 the council approve the guideline for publication on the website
29 and essentially have these as our allocation review guidelines.
30 Thank you.

31
32 **CHAIRMAN STUNZ:** Okay. Thank you for that summary, Dr. Diagne.
33 That will bring us to that Item IV, the final action, the
34 framework action, for the historical captain permit conversion.
35 We'll have a presentation here in just a minute from Dr. Diagne,
36 and the document, of course, is provided for your information,
37 as well as the codified text at those particular tabs, and so,
38 Dr. Diagne, if you're ready, and I assume you're the one that is
39 making the presentation regarding this.

40
41 **FINAL ACTION: FRAMEWORK ACTION: HISTORICAL CAPTAIN PERMITS**
42 **CONVERSION**
43

44 **DR. DIAGNE:** Yes, Dr. Stunz. We have prepared a short
45 presentation to go over this abbreviated framework action, and,
46 as indicated, it will allow the conversion of historical captain
47 permits into standard federal charter/headboat permits, or just
48 standard permits, if you would.

1
2 A little bit of background, and, as you recall, the council had
3 approved a previous action, and that action allowed for the
4 replacement of valid or renewable historical captain, CMP and
5 reef fish, permits with standard for-hire permits. That action
6 also allowed the owners, or folks that still had outstanding
7 letters of eligibility for historical captain permits, to redeem
8 those letters and get a historical captain permit, but that
9 redemption had to be done before the final rule became
10 effective, and that date was May 21 of 2020. The council also,
11 at the time, indicated that the newly-issued historical captain
12 permits would not be eligible for the replacement.

13
14 To date, all eligible historical captain permits were converted
15 into standard permits, and, essentially, that is for thirty-one
16 CMP permits and thirty reef fish permits. In terms of the
17 letters of eligibility, three entities redeemed those letters of
18 eligibility, and that resulted in three new historical captain
19 CMP permits and three new reef fish permits.

20
21 This action that we are discussing today provides an opportunity
22 to replace those six permits that I just mentioned -- To replace
23 those with standard for-hire permits, and, consistent with the
24 previous action approved by the council, each newly-issued
25 permit, standard permit, would have the same permit capacity as
26 the historical captain permit it would replace, and, second,
27 historical captains will have two years from the implementation
28 date of this action to replace their permits with the standard
29 permit.

30
31 Now, if we look at the number of permits that we have in the
32 Gulf, we have about 1,300 CMP and 1,300 reef fish for-hire
33 permits, and so this action would result in a minute change to
34 the number of for-hire permits in the Gulf, and, perhaps more
35 importantly, should the three entities decide to convert their
36 permits, this will allow us to eliminate one class of permits,
37 because there won't be any outstanding historical captain
38 permits in the Gulf. Thank you. I will stop here and try to
39 answer questions, if you have any.

40
41 **CHAIRMAN STUNZ:** Well, thank you, Dr. Diagne. I will open that
42 up to the committee for questions. While we're waiting, just to
43 refresh everyone, and some of you newer committee members, we
44 have been talking about this for a long time, with kind of these
45 awkward permits that were sitting out there, and the idea was to
46 convert it back and so to streamline the process, obviously.

47
48 I mean, I don't want to assume anything around this table, of

1 course, but, in the past, there wasn't a lot of opposition to
2 this, and, in fact, there was support to get it done, from
3 public testimony as well as staff and around the table and
4 others, but hopefully that hasn't changed. If it has, certainly
5 we would want to discuss that.

6
7 I am a little surprised that there was only three in each
8 category, and I suspected more than that, but we had to give
9 them time to get through that paperwork and the need for
10 conversion, but here we are. At this point, if there is any
11 questions or comments we have before taking this to final
12 action, now is the time. Dr. Diagne, this is a pretty quiet
13 group, for a change. I'm not seeing any hands, and I don't know
14 if Andy or Phil out there.

15
16 During the presentation, by the way, we don't see the hands list
17 always, and so I don't know if you all have any comments or
18 questions, but -- Kevin.

19
20 **MR. KEVIN ANSON:** Just to the number that's provided in this
21 presentation, it differs from the number that was in the SEFHIER
22 presentation, and I'm just -- I was trying to go back and look
23 to see if there was a difference between the two groups, as to
24 why that was, but I don't know, Dr. Diagne, if you have any --
25 If you're familiar with the other presentation, and it looks
26 like 1,328 Gulf for-hire federally-permitted vessels.

27
28 **CHAIRMAN STUNZ:** Yes, Kevin, that's a good point, and, also,
29 there were two versions of the presentation we just heard before
30 in the Data Collection Committee that had different numbers for
31 these too, and so that's a great point, Kevin, and obviously,
32 maybe at the next meeting, if we can't resolve it here, and we
33 want to make sure we're at the bottom of what's really out
34 there, because there is several different numbers floating
35 around right now.

36
37 **DR. DIAGNE:** If I just may, the number of permits is depending
38 on essentially the day, or the date, that that number was
39 provided, and then the numbers would fluctuate, and so that is
40 expected, and so, essentially, the numbers that I have here were
41 provided by the Permits Office, by Mr. McIntosh, on March 8, and
42 so depending on the dates on the presentation that was given
43 earlier, and so it is expected that the numbers may be slightly
44 different.

45
46 **CHAIRMAN STUNZ:** Okay. Thank you, Dr. Diagne. I think Mr.
47 Anson has a follow-up, and I also see that Jessica, Dr.
48 Stephen's, hand is up, and maybe she has some clarity. Mr.

1 Anson is recommending that we hear from you, Jessica, if you
2 have a comment to that.

3
4 **DR. JESSICA STEPHEN:** The difference too is when we're counting
5 permits if we're counting vessels. Keep in mind that a number
6 of these vessels have both the CMP and the reef fish, but not
7 all of them do, and so sometimes we will see a difference in
8 that number, depending on how we're calculating that, as well as
9 to the point in time that you're looking at.

10
11 **CHAIRMAN STUNZ:** Okay. Thank you. Mr. Anson.

12
13 **MR. ANSON:** Dr. Stephen, part of that point-in-time issue is
14 that a permit might expire, but there is a window whereby the
15 person can still provide some paperwork, and so it can be re-
16 issued, and that's why some may fall off but then come back on,
17 so to speak?

18
19 **DR. STEPHEN:** Yes, that's correct, and so there's also the
20 difference if you're looking at the valid permits that can
21 currently fish, or what we call the valid and renewable, those
22 that are in expired status, but they have within that year
23 timeframe to renew and then be fishing again.

24
25 **CHAIRMAN STUNZ:** All right. I am not seeing any hands up on the
26 screen, and I am not seeing anyone else around the room that
27 wants to weigh-in on this, and so, at this point, and, Mr.
28 Chairman, you can correct me, but I think we probably need a
29 motion to move this forward, if that's correct. I also don't
30 remember if we do the roll -- Is there a procedure of the roll
31 call vote at --

32
33 **MR. DALE DIAZ:** At Full Council.

34
35 **CHAIRMAN STUNZ:** All right. Thank you. Dr. Frazer.

36
37 **DR. TOM FRAZER:** Thank you, Dr. Stunz. **I was going to make a**
38 **motion to recommend that the committee recommends that the**
39 **council take final action on the abbreviated framework action.**

40
41 **CHAIRMAN STUNZ:** Thank you, Dr. Frazer. Do we have a second for
42 that motion? Ms. Bosarge seconds that. Any discussion on the
43 motion? I will wait a minute, to let everyone have a chance to
44 read that. Tom, so this is a final action, and do you mind
45 reading that motion, please?

46
47 **DR. FRAZER:** No problem. **The motion is to recommend that the**
48 **council approve Framework Action: Historical Captain Permits**

1 Conversion and that it be forwarded to the Secretary of Commerce
2 for review and implementation and deem the codified text as
3 necessary and appropriate, giving staff editorial license to
4 make the necessary changes in the document. The Council Chair
5 is given the authority to deem any changes to the codified text
6 as necessary and appropriate.

7
8 **CHAIRMAN STUNZ:** Thank you, Tom. Mara Levy, you had your hand
9 up?

10
11 **MS. MARA LEVY:** Well, just to note that the codified text is in
12 your briefing book at Tab E-4(c), and it's very similar to the
13 prior codified text when you did this before, but it doesn't
14 have an eligibility date, because there's only six potential
15 permits, and it does allow twenty-five months after the date of
16 publication to actually submit the application to do this, like
17 you did before, and it also makes clear that the permit will
18 retain the same maximum passenger capacity, and so that won't
19 change, and it will just be sort of replacing it.

20
21 **CHAIRMAN STUNZ:** Okay. Good. I think that helps too, to make
22 us feel good that everyone will have plenty of opportunity, at
23 this point, to resolve this matter. Mr. Anson.

24
25 **MR. ANSON:** I think this was also asked the last time we dealt
26 with this issue, but I just want to ask it again, and that's, if
27 this were to be action to go final, as approved by the agency,
28 letters, or some sort of communication, would go to those six
29 individuals that this is -- Or it would automatically happen,
30 once they renew the next time, that they will get the next
31 permit status, the upgrade?

32
33 **CHAIRMAN STUNZ:** I would assume so, Kevin, and I'm not sure, and
34 is that answer from Mara or Andy, perhaps?

35
36 **MS. LEVY:** I don't think it's automatic, right, and so it's
37 voluntary, and so they will get a renewal application, and they
38 will have to indicate that they want to do the -- Change the
39 permit, right, and so it's not an automatic thing. I'm sure the
40 Fisheries Service will send out some sort of notice, and it will
41 come with their renewal, I believe, but I will let NMFS speak to
42 that, and I don't know their back process, but I just wanted to
43 make clear that it's not automatic.

44
45 **MR. ANDY STRELCHECK:** I think that's correct, Mara, and
46 certainly, when we publish the rulemaking, we would do a Fishery
47 Bulletin and announce this, but I would work with my Permits
48 Branch Chief, Kevin McIntosh, to also communicate out on this

1 change, so that people are aware of the change and know what
2 steps would need to be taken to convert over permits.

3
4 **CHAIRMAN STUNZ:** Okay. Thank you, Andy. I am not seeing anyone
5 else. **If there's nothing else, we'll go ahead and take a vote**
6 **on this, and we'll do the roll call vote at Full Council, is**
7 **what staff is telling me, and so, looking around, is there any**
8 **opposition to this motion?**

9
10 **MS. SUSAN BOGGS:** Mr. Chair, I abstain.

11
12 **CHAIRMAN STUNZ:** Okay. Ms. Boggs is abstaining. **Other than**
13 **that, I am seeing no opposition, and we'll consider this motion**
14 **approved with one abstention.**

15
16 All right. Thank you, everyone. With that, moving on to our
17 next agenda item, the Allocation Review Guidelines, Dr. Diagne,
18 I believe you've got a presentation for that as well, to update
19 us on the status of that guideline.

20 21 **ALLOCATION REVIEW GUIDELINES**

22
23 **DR. DIAGNE:** Thank you. For this agenda item, we would like to
24 discuss the allocation review guidelines. A little bit of
25 background, as you recall, the council established its
26 allocation review triggers, as directed by NMFS' allocation
27 review policy, and the council also published the expected
28 starting dates for the initial reviews.

29
30 The council also noted that it could initiate allocation
31 reviews, as needed, at any time. These guidelines that we are
32 going to discuss detail the process that the council would
33 follow to conduct its reviews, and just to note here that,
34 should the council decide to develop an FMP amendment at some
35 moment in time, it can do that, and that would imply that,
36 essentially, a formal allocation review would be skipped, and,
37 in those cases, these guidelines would not be relevant,
38 essentially, and they would not apply. For example, I mean, we
39 did look at a change in allocation for red grouper, and,
40 essentially, we went directly to the development of an action.

41
42 In today's discussion, I will cover the contents of the
43 guidelines, and we will start with the terms of reference and
44 end with resetting the clock for the allocation review, and, in
45 today's discussion, I would like to emphasize the allocation
46 review criteria, because that is the area that essentially
47 brought most of the comments and suggestions the last time we
48 had these discussions with the council.

1
2 For the terms of reference, they could be developed by the
3 Science Center or by the council staff, in conjunction with the
4 Science Center and SERO. It is expected that our SSCs will
5 review draft terms of reference and provide recommendations, and
6 those recommendations, along with the terms of reference, would
7 be reviewed by the council, and these guidelines indicate that a
8 council motion is required, or will be required, to formally
9 approve the terms of reference.

10
11 The membership of the review panel, as we discussed previously,
12 it could be done either by our planning teams, the IPTs, which
13 typically would include SERO, the Science Center, and council
14 staff, or the reviews could be conducted by SSC members, with
15 support from NMFS and council staff, and these SSC members would
16 be selected by the council, or the council may elect to choose
17 independent experts to conduct specific allocation reviews or
18 any combinations of these alternatives that we just listed.

19
20 One point here is that, during the selection of the members of
21 an allocation review panel, special attention needs to be placed
22 on potential conflicts of interest, when it comes to the people
23 that would be appointed to serve on these panels.

24
25 These guidelines also call for the publication of a Federal
26 Register notice prior to the initiation of each allocation
27 review, and the notice would include the species and allocation
28 to be reviewed, the membership of the review panel, the starting
29 date of the review, as well as anticipated locations and dates
30 of review panel meetings, if applicable, and a note here is that
31 our planning teams, meaning IPTs, are exempt from meeting notice
32 requirements, and so, should an allocation review be conducted
33 by an IPT-type group, then a notice would not be required, would
34 not be necessary.

35
36 In terms of the allocation review criteria, we have a list here,
37 and the criteria are in the document, obviously, and the first
38 one is FMP objectives, and this is specifically stated in NMFS'
39 allocation review policy, meaning that each allocation review
40 would have to look at the FMP objectives and determine whether
41 or not the allocation under review is consistent with the FMP
42 objectives.

43
44 The criteria for review would also include looking at the
45 regulatory structure, and, by that, we mean looking at the
46 current management measures and, if relevant, looking at the
47 changes over time. For example, one could look at how bag
48 limits have changed over time, and, for this item, we could

1 gather a lot of the information from the history of management
2 that we typically include in our regulatory actions.

3

4 Another criterion to be looked at has to do with the status of
5 the stock, or stocks, under review, and this item, essentially,
6 would discuss the findings of the latest stock assessment.

7

8 Next, the ABC, ACL, and ACTs will be looked at, and for the
9 different user groups, or sectors that are concerned by the
10 allocation, and, if warranted, a discussion relative to the
11 change in the units of measurement would also be included under
12 this item. For example, the changes that we are seeing, and
13 continue to see, in the recreational sector from CHTS to FES.

14

15 Another criterion would be looking at accountability measures,
16 and this, obviously, would include seasonal closures and quota
17 paybacks and, as warranted, include a comparison across user
18 groups. Landings histories would have to be looked at, and
19 landings histories by user group, or by sector, or within
20 sector, if applicable, and, again, here, the changes in the
21 units of measurement may be relevant, for example for the
22 recreational sector, as we just mentioned.

23

24 In landings history, it may be also needed to look at aggregate
25 landings. For example, when we are looking at a particular reef
26 fish species, aggregate reef fish landings may be relevant and
27 may add some information to this discussion.

28

29 The utilization rate, the ACL or quota utilization rate, would
30 have to also be considered, and this would essentially tell us,
31 or tell the council, whether or not a particular user group, or
32 sector, is fully utilizing its allocation, and trends would also
33 have to be evaluated, looking at utilization rates.

34

35 Allocation reviews would also consider participation and effort
36 measures, and so this item would provide available data, in
37 terms of the numbers of participants, and that could be measured
38 in different ways, including permits, licenses, vessels, and
39 anglers, where available. Effort measures, such as number of
40 trips, would also be included under this item.

41

42 The next criterion listed here would deal with discards and
43 discard mortality rates, and, here, the comparisons between user
44 groups, or sectors, would also add to the discussion. Next, the
45 review could look at protected species bycatch, numbers, and
46 rates, and, finally, on this slide, habitat impacts would also
47 be considered and discussed, and, under this item, relevant
48 environmental events would be considered. For example, spatial

1 considerations in allocation between Gulf states, when we have
2 red tide events, or oil spills, or other let's say disasters,
3 would be considered.

4
5 In terms of economic factors that could be considered during an
6 allocation review, we have listed several here, and they would
7 essentially include measures of commercial surplus across the
8 sectors, measures of producer surplus, allocation transfer
9 prices, and this would be applicable for our IFQ programs, and,
10 finally, economic impacts by sector, and these are the elements
11 that would be considered, or could be considered, based on data
12 availability.

13
14 In terms of the social factors, some of the criteria here would
15 include demographic information, regional and local quotients,
16 community engagement and reliance indicators, and, finally,
17 social vulnerability indices.

18
19 In terms of the review stages, an allocation review would be
20 conducted in three stages, and the first stage would essentially
21 be the data collection stage, and the second would be the core
22 of the review, and I guess then there's a typo there on the
23 slide, and the third one would be the report itself, and, at the
24 third stage, a preliminary, or a draft, report would be
25 prepared.

26
27 That draft report will be reviewed by our relevant APs. For
28 example, the Reef Fish AP would review and make recommendations,
29 and our SSCs, the Standing as well as Socioeconomic and relevant
30 SSCs, and let's say for example Reef Fish, would review the
31 draft report. In addition to that, stakeholders would have an
32 opportunity to provide comments during public testimony, as well
33 as submit comments electronically through our website. The
34 SSCs' and APs' reviews and recommendations, as well as a summary
35 of public comments received, will be presented to the council
36 along with the draft report.

37
38 Then, with that information, the council would decide, if you
39 would. The review panel would present a draft report to the
40 council, and, at that time, the council may request revisions or
41 additions to the report. An SSC representative would present
42 the SSC's review and recommendations, and, with input from the
43 AP chair typically, the council staff will summarize the AP
44 recommendations, and we will also provide a summary of public
45 comments received.

46
47 Following its consideration of this information, the council
48 would then formally approve the report, if it meets essentially

1 the comments that the council initially provided, in terms of
2 revisions and so forth, and then the council can formally
3 approve the report and decide on the next course of action, and
4 this can be in one of two ways.

5
6 The council could either direct staff to start an amendment to
7 the relevant FMP to consider alternative reallocations or the
8 council can decide to conclude the review without considering
9 revising the allocation, and, essentially, it can decide that,
10 based on the review, an amendment is not warranted at that time.

11
12 There is a final slide here that would look at resetting the
13 review clock, and, depending on the council's decision, the
14 review clock would be reset at the end of the review, and that
15 would be if the council decides that an FMP amendment is not
16 warranted to revise allocations, but, if the council initiates
17 an FMP amendment, then the clock would reset at the
18 implementation date of the amendment.

19
20 I believe this is the last slide, or actually no. The next
21 slide just is a reminder, to show our timeline, when it comes to
22 the starting dates for the initial allocation review, and that
23 would be it. Thank you, and I will try to answer questions, if
24 you have any.

25
26 **CHAIRMAN STUNZ:** I will open it up now for discussion, but, just
27 while we're waiting to raise your hands, if we like this,
28 obviously, a motion to move this forward would be necessary, or
29 maybe not, depending on where the discussion goes, and, Assane,
30 this might also set the stage for some of our discussion.

31
32 In my mind, I sort of consider this -- This is a guideline sort
33 of policy document, that I guess could be really changed at any
34 time, at the council's will, if we get to review these and
35 decide there's something needing modification to these
36 guidelines, is that correct? So that is not a set-in-stone kind
37 of document?

38
39 **DR. DIAGNE:** Yes, Dr. Stunz. Absolutely, and, as drafted, the
40 guidelines are fairly flexible to accommodate the regulatory
41 environment that we have here in the Gulf, but, yes, in the
42 future, if changes are needed, absolutely, the council can do
43 that.

44
45 **CHAIRMAN STUNZ:** Okay. Thank you, Dr. Diagne. With that, does
46 the committee have any comments, questions, or suggestions
47 regarding this policy document? Mr. Williamson.

48

1 **MR. TROY WILLIAMSON:** Mine is more of a clarification. On Slide
2 10, under social factors, Dr. Diagne, can you -- Demographics is
3 -- I think we all understand that, but can you give us some
4 examples of the other three criteria? I'm not sure that I
5 understand what they are. Thank you.

6
7 **DR. DIAGNE:** Yes, and some of these are, I guess, human
8 dimension data collected, and, I mean, regional and local
9 quotient, engagement and reliance, and social vulnerability
10 indices, to make sure I don't make a mistake, I would -- If Dr.
11 Lasseter is in the room, I would ask her if she could speak to
12 that, and she would be better.

13
14 **CHAIRMAN STUNZ:** Ava, go ahead.

15
16 **DR. AVA LASSETER:** Thank you. Okay. There is further
17 information about each of these on page 6 of the document, the
18 allocation review guidelines document, and so, briefly, your
19 community, your regional and local quotient, are looking at the
20 importance, the relative importance, of a particular stock,
21 using landings, to a community and looking at the importance for
22 harvest of that stock amongst all communities in a region. We
23 only have those data for the commercial sector.

24
25 The engagement and reliance are also measures of fishing
26 activity, specific to a particular stock, and we have that for
27 the commercial sector. For recreational, we could talk about
28 that, in terms of fishing in general, and then the community and
29 social vulnerability indicators are also not specific to
30 fishing, and it uses census data and looks at measures of
31 vulnerability more broadly in coastal communities and counties.

32
33 **CHAIRMAN STUNZ:** Okay. Thank you, Ava. Is there other
34 questions or comments regarding this document? Dr. Frazer.

35
36 **DR. FRAZER:** I appreciate Dr. Diagne for walking us through the
37 presentation, and I just am trying to think about Greg's
38 comments and whether or not this is kind of a policy document or
39 not, right, and, when I think about it, it seems to be largely
40 procedural, right, because, although all of these things need to
41 be considered, that the panel might consider the economics and
42 other factors, I don't see any guiding principles in the
43 document that would allow them to kind of weigh those various
44 factors, and that's the problem, right, and so, at some point, I
45 think we have to craft some principles that allow us to make
46 decisions about what we value, right, and so that's one quick
47 comment.

48

1 The other one has to do with the way that the panel might work,
2 and so, if they make recommendations, I'm going to assume that
3 they're making recommendations that will lend themselves to a
4 suite of alternatives that then the council would weigh-in on,
5 and I just want to make sure that that's correct, and so I will
6 stop for a minute.

7
8 **CHAIRMAN STUNZ:** Well, Dr. Frazer, we have the final say,
9 obviously, at the council level, but are you recommending that
10 some of those are in this document before we move it forward, or
11 that's something that would occur down the line?

12
13 **DR. FRAZER:** Well, I think it would be helpful, and it's just a
14 suggestion, right, and it's in everybody's best interest if the
15 document procedures could be guided by a set of principles,
16 right, that are helping to then inform the recommendations.

17
18 I think in the absence of that, right, I think what happens is
19 you're forced to reflect on a set of existing data, right, and,
20 by default, you will try to put everything in economics terms,
21 and so it becomes difficult to capture some of the more
22 subjective things that you might want to be thinking about,
23 right, and it also makes it very reactive, right, and it doesn't
24 allow you to think about where you want those fisheries to go
25 and where they might be headed. I don't know what those guiding
26 principles look like, but I think it would be a good idea to try
27 to craft some.

28
29 **CHAIRMAN STUNZ:** Okay. Thank you, Dr. Frazer. Andy, go ahead.

30
31 **MR. STRELCHECK:** I just wanted to follow-up on Tom's comments.
32 I really appreciate those comments. In the South Atlantic, they
33 have developed the allocation decision tool, but, much like
34 Tom's comments there, the challenge before them is that it
35 produces a variety of just kind of different statements and
36 outcomes that the council could consider, but it doesn't weight,
37 obviously, those to determine whether or not an allocation
38 should move in one direction versus another.

39
40 I think the key to all of this, and one of the things that we,
41 as a council, need to get better at is clearly looking through
42 the FMP objectives and evaluating those consistent, obviously,
43 with any allocation decisions, and, obviously, that is a part of
44 these review guidelines that I think could help shape and inform
45 the principles that Tom is also talking about, as we consider
46 allocation decisions going forward. Thanks.

47
48 **CHAIRMAN STUNZ:** Okay. Thank you, Andy. Assane, go ahead.

1
2 **DR. DIAGNE:** Thank you. To Dr. Frazer's point, let's say we
3 also have an allocation policy, which essentially lists some of
4 the principles, as well as some of the possible methods for
5 allocation, if you would, but the review guidelines are not
6 meant to essentially put forward what it is that you value, as a
7 council, and, essentially, to the extent that the council could
8 articulate, when it comes to allocations, what it is that they
9 value, then that would be perhaps included in the allocation
10 policy, but I suspect that, depending on the species, depending
11 on the user groups, or the different segments that the
12 allocation would concern, then what is valued may change, and
13 that is also, I guess, something that changes depending on the
14 makeup of the council as we move forward.

15
16 The allocation review guidelines is essentially laying out, as
17 Dr. Frazer mentioned, the procedures, and with an emphasis on
18 the criteria that need to be looked at, which are mentioned in
19 NMFS' allocation policy, but, at the end of the day, at the end
20 of an allocation review, it is for the council to make the final
21 determination. Do we have enough information, or enough grounds
22 here, to proceed, or do we, at this moment, decide to wait until
23 the next allocation review? Thank you.

24
25 **CHAIRMAN STUNZ:** Okay. Thank you, Assane, and so, to be clear,
26 and maybe a comment, or a question, and so this guideline
27 document -- The principles you were referring to in the other
28 policy document, is that something we could incorporate into
29 this, or maybe give Dr. Frazer some guidance, since he brought
30 that up, to move forward, and is that something that would be
31 appropriate?

32
33 **DR. DIAGNE:** Yes, Dr. Stunz. I mean, the allocation policy is
34 available on our website, and it has been since the council
35 adopted the policy, and it's been several years, and maybe it's
36 time to take a second look, perhaps, and refresh those, but
37 that's at the council's, I guess, discretion, but, for these
38 guidelines, they would stand alone, and, essentially, we would
39 use them as a roadmap, if you would, to conduct the allocation
40 review.

41
42 **CHAIRMAN STUNZ:** Okay. Thank you, Assane, and, just to be
43 clear, this document is something that doesn't -- It lives on
44 the council website, for the public-facing information, but it's
45 at the council level, and is that correct?

46
47 **DR. DIAGNE:** Yes, and it's at the council level, yes.
48

1 **CHAIRMAN STUNZ:** Okay. I am wondering -- Is your suggestion to
2 take some of those principles that we developed, and it's a
3 policy document, and maybe reincorporate them here in some way,
4 or I'm not -- I am trying to figure out what the best way is to
5 proceed.

6
7 **DR. DIAGNE:** Yes, and maybe I was not clear, and I apologize.
8 No, and my suggestion is, to the extent that -- If you have
9 revisions that you would want to suggest, if you would send us
10 those now, and we can discuss those. If not, you could
11 recommend that the council approve these guidelines, and then we
12 would use them to conduct our allocation review.

13
14 It is possible that, after the first review, the council decides
15 to amend these guidelines and then, in addition to the -- They
16 would be forwarded, and we would amend them, but, for the time
17 being, it seems to me that we have outlined the different steps
18 and the content when it comes to the criteria that need to be
19 considered within an allocation review, and so we could get
20 started with this.

21
22 **CHAIRMAN STUNZ:** Okay. Thank you. Tom, did you want to comment
23 on that?

24
25 **DR. FRAZER:** I don't have any real problems with the procedural
26 part of this, right, and, I mean, I think we could, you know,
27 say that we're fine with that and then move forward. In the
28 absence though of making what I consider is a relatively vague
29 policy document, at this point, and making it be useful, I don't
30 think we have that, and so I think this will be really hard for
31 this group, moving forward, to make recommendations, because
32 they don't have the specificity that they need, right, to weigh
33 the different factors.

34
35 At some point, I would like to see those guiding principles
36 refined and more clearly articulated, at least as kind of a
37 complementary companion document to this more procedural
38 document, right, and so NOAA has a policy document, right, and a
39 procedural document, and they've been around for several years
40 now, but, again, they're so vague, right, as to not be super
41 helpful for any individual council, including this one.

42
43 **CHAIRMAN STUNZ:** Dr. Simmons.

44
45 **EXECUTIVE DIRECTOR CARRIE SIMMONS:** Thank you, Mr. Chair. I
46 don't know if it would be helpful for us to pull up what the
47 council currently has on the books regarding the fishery
48 allocation policy. It is on our website, and Bernie could bring

1 that up. It does have those principles and guidelines I think
2 that Dr. Frazer is getting at, or driving at, but, like Dr.
3 Diagne said, I think it probably does need to be updated, and
4 so, if you would like, we could call that up now.

5
6 **CHAIRMAN STUNZ:** I think that would be a good idea. We have a
7 little time, if you want to pull that up, just to refresh
8 everyone, because I don't recall. While she's doing that, I
9 kind of see this like the FEPs that we were discussing earlier
10 in the week, and it may take time to get through these and to
11 really realize what we really need and develop it as we go,
12 because the first ones through are going to be the most
13 difficult, probably, but, while we're waiting on that, Mr.
14 Anson.

15
16 **MR. ANSON:** I think I understand what Dr. Frazer is saying, but
17 I -- It might be by design, I guess, that it is a little vague,
18 in that, A, there's not much experience, I think as Dr. Stunz
19 just alluded to, and we don't know what we don't know, in the
20 sense of, you know, what information, or data, we have available
21 and the quality of the data, you know temporal scales and such,
22 and so I guess I would be a little hesitant on trying to really
23 dial into some sort of principles or things that are more on the
24 quantitative side of things.

25
26 I might be reading in too far to what you're describing, but I
27 just would be a little hesitant at this point, and, as Dr. Stunz
28 maybe suggested, kind of set up the framework, and Dr. Diagne
29 says that this is something that at least staff can kind of run
30 with, if you will.

31
32 Maybe, to some degree, the TORs will help kind of shape, maybe,
33 some of at least the information, and we can kind of weed
34 through some of the data-quality-type issues through TORs, but I
35 just -- Not having any other examples to go by, just trying to
36 go and define and kind of cubbyhole some values or some scale or
37 some metric system, would be difficult.

38
39 I guess, for the future at least, and maybe not for this
40 meeting, because we still want to try to get a document, I
41 think, up on the website, but, as we get closer to going through
42 our first review, certainly that decision tool that the South
43 Atlantic has come up with might be something that we look at
44 sooner than later, to kind of help us get prepared for going
45 through our first review.

46
47 **DR. FRAZER:** I mean, I'm fine with all of that, and I just -- I
48 think we may in fact have to work through this process, right,

1 to expose the types of information that we don't have, or what
2 the needs are, and so, you know, I don't want to be critical of
3 what has happened so far, and, in fact, I think I'm encouraged
4 by it quite a bit, but I just want to make sure that we
5 ultimately get to a process, right, whether it's some type of a
6 decision tool that we use, that helps guide our decisions,
7 moving forward, as opposed to just simply being reactive and
8 trying to allocate things in the way that it used to be some
9 time ago or something like that. The world changes, right, and
10 I think we need to be much more adaptive and forward-thinking in
11 how we allocate our resources.

12

13 **CHAIRMAN STUNZ:** Okay. Thank you, Tom. Assane, go ahead.

14

15 **DR. DIAGNE:** Thank you. Just a couple of points. Perhaps here
16 I would like to point to the distinction between an allocation
17 review and an allocation amendment. It seems to me that, in the
18 conversation at times, we put the two together. The allocation
19 review is the preliminary step that would allow us, the council,
20 to decide whether or not they want to proceed with an FMP
21 amendment.

22

23 The FMP amendment, in the alternative reallocations under
24 consideration, would essentially reflect what it is that the
25 council values when it comes to allocating its resources, and so
26 it seems to me that a lot of that would have to essentially show
27 up there at that level.

28

29 Just to touch on the approach that was taken by the South
30 Atlantic, meaning having a decision tool, I am pretty sure that,
31 given their specificities, a tool would work for them, and that
32 is the approach that they chose, but, for a variety of factors,
33 and I am going to list some, that is not the best approach for
34 us as the Gulf.

35

36 I will start with our regulatory environment being very
37 different. To I guess my knowledge, and everyone's, in the
38 South Atlantic, you have one IFQ program with a very limited
39 number of users, perhaps twelve or so, and we have a significant
40 component of our fishery managed by IFQs, and the South Atlantic
41 Council does not have sector separation, meaning allocations
42 between for-hire and private anglers, and, finally, in the South
43 Atlantic, they do not have state management, meaning splitting
44 the red snapper quota for the five states.

45

46 If you were to think about going the way of a decision tool
47 here, then you would have to account for all of the different
48 specifics, and that's one of the reasons why that approach is

1 not practicable for us.

2

3 A second reason, and Mr. Strelcheck touched upon that, is, if
4 you have three separate decision tools, one to deal with the
5 biological, one to deal with the social, and one to deal with
6 the economic factors, at the end of the day, you still need some
7 weighting factors to decide which one of those set of criteria
8 would take precedence over the others, and that is going to be a
9 discussion that we can have here by presenting the criteria of
10 social, economic, biological, and ecological, rather than having
11 that discussion and say, well, then we are going to pick this
12 side of the decision tool.

13

14 We are familiar with the approach that they have taken, and,
15 undoubtedly, it is the best approach for them, but, for us here
16 in the Gulf, given essentially our regulatory landscape, if I
17 can call it that way, that would not be the best approach.
18 Thank you.

19

20 **CHAIRMAN STUNZ:** Thank you for those points, Dr. Diagne, and I
21 will recognize Mara. She had her hand up, and then, after that,
22 Jessica you can weigh-in on that as well, but then, right after
23 that, maybe we can quickly scroll through these principles, and
24 so that will help inform our discussions here. Mara, you're
25 okay? Then, Jessica, I assume you want to comment on the South
26 Atlantic?

27

28 **MS. JESSICA MCCAWLEY:** Yes, and, just to talk a little bit about
29 the South Atlantic process, and Andy mentioned it, and, yes, we
30 are using a decision tool process, and this is partly because we
31 want to make sure we're bringing in additional information
32 that's not just fisheries landings information, and I want to
33 look at other data sources, and I want to look at qualitative
34 information, and I want to try to gather public input in a more
35 deliberative way, throughout the allocation process, and so we
36 are using these decision tools.

37

38 I don't know if I agree with Assane that it won't work for the
39 Gulf Council, but I do agree that the decision tool isn't going
40 to make the decision for the council. It's just a tool to bring
41 in these other data sources and look at that information, maybe
42 in a different way, so that everybody is not just thinking about
43 the historical landings for a particular fishery.

44

45 Also, it looks at each species separately, and so there might be
46 different decision points for the different species, which I
47 think the same thing would be happening here on the Gulf, and
48 then, also, as Andy mentioned, we're going to be bringing the

1 FMP objectives to every single council meeting, so that we can
2 go back and look at them side-by-side every time we have an
3 allocation decision, and so I do think -- I agree with Dr.
4 Frazer that there's more -- We need some more meat on the bones
5 over here, on the Gulf side, even if you bring in other sources
6 of information, and the data itself isn't going to make the
7 decision, and you're still going to have a hard allocation
8 decision, at the end of the day, but I do like how, on the South
9 Atlantic, we're really bringing in all these other pieces of
10 information at the same time to help us make that decision.

11
12 I too, like Dr. Frazer, would maybe like to have a more robust
13 discussion about this at a future meeting, but, also, I don't
14 know what the Gulf Council's timeline is for getting something
15 like this in place and then how allocation decisions would be
16 made, leading up to whenever these principles, or guidelines,
17 are finalized.

18
19 **CHAIRMAN STUNZ:** Okay. Thank you, Jessica. Mara, do you have
20 your hand up now?

21
22 **MS. LEVY:** Just to kind of reiterate Assane's point, the
23 difference between the review, and this is the guidelines for
24 the review, and the review is supposed to inform you and help
25 you decide whether to proceed with alternatives, right, or
26 options. I think -- I don't know much about the South Atlantic,
27 but, from what you said, Jessica, it seems like that decision
28 tool informs you about the different options and basis for -- I
29 mean, I don't know. Do you use it in your review, or it's after
30 you've decided that you need to look at potential options for
31 allocation?

32
33 I guess I just -- I understand the need for more guidance on how
34 you're going to look at allocation options and how you're going
35 to make those decisions, but I just kind of am thinking keeping
36 that separate from what you want in the review, to inform
37 whether you actually want to proceed with looking at options,
38 right, and this review is helping you decide whether to proceed
39 to look at options.

40
41 **CHAIRMAN STUNZ:** Thank you, Mara. I think that's very
42 important, and both you and Assane have highlighted that, that
43 this is just getting us down the road to the FMP, which is
44 important. Tom, real quick, and then we'll go through these
45 principles real quick, but go ahead, if it's related to that.

46
47 **DR. FRAZER:** I mean, so that's why I made an earlier comment,
48 Mara, about, at the end of the day, the panel has to provide a

1 recommendation or, in my mind, maybe recommendations, that help
2 guide the formation of alternatives in an amendment, should you
3 want to go that way, right?

4
5 **MS. LEVY:** I mean, I don't know if that's true. I mean, you can
6 look at the scope of information you have and decide whether the
7 allocation that you currently have seems to be reasonable, or
8 are there factors that you think would need to know and you need
9 to relook at this. Are there social factors? Are there
10 economic things happening, or biological things happening, that
11 would warrant opening this up to look at different alternatives,
12 and then you've got to decide what those alternatives might be,
13 right, and so I think the review informs you as to the
14 information you have and whether there's a need to kind of move
15 further, but I don't know -- I mean, maybe it will, and maybe it
16 won't, but I don't know that it will actually inform the actual
17 alternatives.

18
19 **CHAIRMAN STUNZ:** Okay. Well, briefly, Assane, and I hate to put
20 you on the spot, but would you mind -- Up on the screen, we have
21 the fishery allocation policy that lists the principles, and
22 would you mind maybe just briefly talking us through those? I
23 mean, we can go into detail if we want, but just maybe kind of a
24 snapshot, to see if this is capturing what Dr. Frazer was
25 saying, and I don't know if we have two companion documents and
26 perhaps, maybe in this document, we refer back to these
27 principles, or integrate them into this current document, and I
28 don't know, but we can have that discussion, and maybe we can
29 just briefly remind ourselves what those principles are.

30
31 **DR. DIAGNE:** Yes, Dr. Stunz, and I will begin by saying that a
32 lot of the principles here in the council's allocation policy
33 were copied from the Magnuson Act, and so you are familiar with
34 the text, and you would recognize some of the wording here, and
35 so, essentially --

36
37 **CHAIRMAN STUNZ:** Assane, just briefly -- I mean, we can -- If we
38 decide to go into these in a little more detail, that's great,
39 but just if we can just kind of maybe get through them, so we
40 see what they are, and then I don't want to spend a whole lot of
41 time on this, if it's not necessary, but I think it's important
42 that we're just generally reminded what those are.

43
44 **DR. DIAGNE:** Yes, Dr. Stunz, and so you would just want for
45 let's say staff to scroll down as the committee members
46 reacquaint themselves with the principles here, and, if there
47 are questions, we will answer those?

48

1 **CHAIRMAN STUNZ:** Yes, please.
2
3 **DR. DIAGNE:** All right. Thank you. Bernie, if you could just
4 scroll down.
5
6 **CHAIRMAN STUNZ:** Okay. That's probably good, if we want to
7 scroll a little further. Okay. After briefly looking at those,
8 Tom, is that what you're envisioning, or you're looking for a
9 different set of principles?
10
11 **DR. FRAZER:** I think we're good, and I think this is going to be
12 a complicated process, moving forward, right, and so I
13 appreciate the document that we had before us, right, and why it
14 would be useful, and I understand Mara's point. After those
15 recommendations, we might need some type of a decision tool,
16 right, that are based on these principles that allows you to
17 develop alternatives that might be considered in a plan
18 amendment that involves an allocation decision to be made, and
19 so I just wanted to make sure that, at some point in our
20 collective process, that we get some specificity here.
21 Otherwise, it's too subjective, and it makes our decisions very,
22 very difficult to make.
23
24 **CHAIRMAN STUNZ:** Ms. Bosarge.
25
26 **MS. BOSARGE:** I was wondering if we could go back to the other
27 document that we started off talking about, that Tab E, Number
28 5(b), if Tom is done.
29
30 **CHAIRMAN STUNZ:** Sure.
31
32 **MS. BOSARGE:** Okay. That's our allocation review guidelines,
33 and so it goes into the actual review process, and I was
34 wondering, first, is this our first shot at this? Is this the
35 first time we've seen this draft? I can't remember, and when
36 did we first see it?
37
38 **CHAIRMAN STUNZ:** Assane, would you remind us of that?
39
40 **DR. DIAGNE:** Yes, and this is not the first time you have seen
41 this, and we talked about this, I believe, two meetings ago, and
42 we took your comments and suggestions and convened a meeting of
43 the allocation review workgroup and looked at the criteria in
44 more detail to be discussed here, and that's the reason why
45 today I spent most of the time listing the economic, social,
46 biological, and ecological criteria.
47
48 **MS. BOSARGE:** Okay, and so I guess October of last year would

1 have been the first time we saw it, Assane?

2
3 **DR. DIAGNE:** I think October of last year, and I don't recall,
4 but I know that we discussed this with the SSC, and so brought
5 their comments at the time.

6
7 **MS. BOSARGE:** All right. Well, I really like it. I really wish
8 that we had gone through this for the last allocation decision
9 that we made, which would have been for red grouper, because, if
10 you scroll to page 5, I think it's going to be very beneficial,
11 going forward, to have a formal group that analyzes this.

12
13 Like, on page 5, if you go down to this -- When you look at
14 accountability measures, this PDF page 5, I was trying to do
15 that on my own, and season closures and quota paybacks, or how
16 about even having a quota, period, and then comparison across
17 user groups.

18
19 When were in red grouper, that was one thing that I thought was
20 very hard to try and pull out. I actually had to go back into
21 all the old amendments and try and find these items and really
22 try and compare those, and so, if there was actually a group
23 that could do this for me, and, as individual council members,
24 we're not trying to pull all that out and make those comparisons
25 on our own, that would be really, really useful, and so I feel
26 like, if this was really in progress at that point, we probably
27 should have used red grouper, if nothing else, as a test case, a
28 trial run, on this policy, and then we would probably be able to
29 give a lot better feedback right now, and we may have made --
30 You know, we would have had a more informed decision and
31 conversation on red grouper, rather than Leann trying to pull
32 those out on our her own and present it on the fly.

33
34 **CHAIRMAN STUNZ:** Thank you, Leann. Dr. Diagne, go ahead.

35
36 **DR. DIAGNE:** If I may, I appreciate the point that Ms. Bosarge
37 made, but I would like to point out that, essentially, the red
38 grouper was an amendment, and that's an allocation amendment, an
39 allocation decision, and what we are talking about here is an
40 allocation review, and, essentially, for the red grouper
41 amendment, you can consider that the review and the amendment
42 were included, if you would, bundled in one step, and so, as we
43 talk about this, I guess we want to separate the review from the
44 amendment process.

45
46 **CHAIRMAN STUNZ:** Ms. Bosarge, go ahead.

47
48 **MS. BOSARGE:** Well, I guess that comes down to how we're going

1 to proceed with this, and so I think that this should be
2 happening in tandem with any allocation of amendment that we
3 have going on, and like this review should be happening with the
4 IPT, or whatever group that you all set up that you decide is
5 appropriate, and that gets presented to us at some point during
6 our discussions in that amendment, and I was trying to find it
7 on your slides here, and I will find it, but that's how I read
8 your slides as this would be carried out, and is that not the
9 case?

10

11 **DR. DIAGNE:** Yes, and that is not exactly the case. This review
12 is the first step. At the end of this review, as a council, you
13 are going to decide whether you have enough, I guess, grounds to
14 initiate an FMP amendment or whether you are satisfied with the
15 current allocation on the books and wait until the next review,
16 and so, essentially, this would proceed the development of an
17 FMP, based on your decision.

18

19 **CHAIRMAN STUNZ:** Okay. There are several hands up. Kevin was
20 next, and maybe I will address the other two quickly, and then
21 maybe we can pause for a minute and sort of figure out what we
22 want to do here today, and then we can move forward, but, real
23 quick, since you guys had your hands up, and that would be
24 Kevin, Ms. Boggs, and Mara.

25

26 **MR. ANSON:** In regard to what we do next is kind of what my
27 question is about, and so, in Assane's presentation, the last
28 slide, he provided -- In the slide before the thank-you slide,
29 he has the expected start dates of initial allocation reviews,
30 and the first one up is recreational red snapper ACL between the
31 private and federal for-hire components, and that first review
32 is expected to start in April of 2023.

33

34 If that's the timeline, in fact, that the council is working
35 towards, as Assane explained in his presentation today, we've
36 got a little bit of work to do prior to the start of the review,
37 inasmuch as identifying a working group and who those members
38 will be, and I'm sure advertising, and then you've got to put
39 out the federal notice, and so there's a timeline there. If
40 we've got back out of that, how does this decision impact that
41 process, if in fact we want to maintain that timeframe, I guess
42 is what I'm --

43

44 **CHAIRMAN STUNZ:** Thank you, Kevin, and I noticed those timelines
45 as well, and so Ms. Boggs. I thought you had your hand up. Did
46 you?

47

48 **MS. BOGGS:** I did, but I thought that Assane was about to say

1 something, and so I paused.

2

3 **CHAIRMAN STUNZ:** Okay. Dr. Diagne, go ahead.

4

5 **DR. DIAGNE:** Thank you, and thank you, Ms. Boggs. To Mr.
6 Anson's point, our first review is scheduled to start in April
7 of 2023, and so, essentially, what we had in mind is, once the
8 council approves these guidelines, and we put them on the
9 website, as soon as the October meeting of this year, we would
10 bring draft terms of reference, to say that, okay, for this
11 particular allocation, which is sector separation, these are the
12 elements that we think need to be looked at, and then also ask
13 you for who would you want to conduct this review, and, if we
14 need to advertise, we will do it at that time. That is
15 potentially the plan to get moving and to complete the work
16 before the review.

17

18 A lot of the specificity, perhaps, that we are discussing, that
19 may or may not be here, would be revealed as we draft the terms
20 of reference, because the council could say that, well, this and
21 this and this is important to me, when it comes to sector
22 separation, and would like to see those elements in the review.

23

24 Given the diversity of allocation that we have, diversity of
25 user groups, et cetera, it seems to me that we could take these
26 one-by-one, on a case-by-case basis, and be as specific as we
27 want for each one of the cases. Thank you.

28

29 **CHAIRMAN STUNZ:** Okay. Ms. Boggs.

30

31 **MS. BOGGS:** So kind of a follow-up on Leann's points, and I'm
32 thinking about what we're getting ready to do with amberjack and
33 gag, I think, and, I mean, we're being pushed into allocation
34 reviews, because of the FES data that we're getting now, and my
35 question would be -- So like, for greater amberjack, if we go
36 through this document and we make -- Then you're pushed up
37 against an allocation review almost immediately after you get
38 through doing it, because you're forced to do it, because of the
39 FES data that we have, and I like the idea of what Leann said.

40

41 A lot of this information triggered by these allocation reviews
42 would be helpful when we make these decisions, and so I just --
43 It seems like we have a lot, as we keep saying this week, of
44 moving parts to these things, with things we're being forced to
45 do, because of new data collection, and now we're looking at
46 this, and it just seems like we're getting ready to -- I don't
47 know, but we're snowballing and rolling downhill with it.

48

1 **CHAIRMAN STUNZ:** Yes, and, just a comment to that, again, is
2 there are guidelines and just some discussions early on, when we
3 were initially beginning these discussions, was, as a council,
4 we do have a trump card at any point in time, and we could
5 request the allocation even outside of this, I guess if that's
6 the will of the council, and it moves forward, and so, you know,
7 these were just as sort of our guidelines, I guess, but I don't
8 know, Susan, and I don't disagree at all with what you're
9 saying. Mara and then Leann next.

10
11 **MS. LEVY:** Well, just to that point, I mean, I think the council
12 can ask for whatever data or information they feel is important
13 in the process of doing an amendment that looks at allocation.
14 I mean, this review happens because you've set a schedule,
15 right, of triggers, and so, come April of 2023, even though
16 there's no like push to do an allocation document, right, or
17 reconsider, and you're supposed to review it, to see if, at this
18 time, it's appropriate to do that.

19
20 You do have a lot of other things going on which are kind of
21 forcing you to look at allocations, in terms of this FES data
22 conversion, but there's nothing prohibiting you from having the
23 data or information that you want included in that document or
24 before you really make those decisions, and so, if there's
25 something in the allocation review policy related to certain
26 aspects or data, then it should be there if you want it, right,
27 and you can ask that it be included, and you can ask for the
28 information, but I just didn't want to make it seem like,
29 because the amendment is kind of combining the review and the
30 consideration of options, that you are somehow precluded from
31 having the information that you think is important for your
32 decision.

33
34 **CHAIRMAN STUNZ:** Okay. Thank you. Ms. Bosarge.

35
36 **MS. BOSARGE:** So this may be the hard schedule that we put down
37 on paper, but that was if nothing came up before that. If we
38 don't do anything with allocation, then we'll look at it at this
39 point in time, and so, in my mind, we better go ahead and start
40 updating this schedule, because we have gag that we're about to
41 look at, and we have amberjack that we're about to have a
42 document on and look at, and we have king mackerel that we're
43 about to have a document and look at, and it seems fairly
44 arbitrary to me that the council would be presented with all
45 this wonderful, you know, detailed information only for
46 allocation decisions that were on this hard schedule that, if we
47 don't ever look at it until then, we'll give you that info then,
48 but, when it's coming up before then, we're not giving that

1 information, and so I think that review should happen for all of
2 the allocation decisions that are in an amendment that we're
3 going to look at, regardless of whether it's on that timeframe
4 right there or not.

5
6 I'm okay if that's not presented to the council before we start
7 the amendment, but it should be presented to the council during
8 that amendment process for our evaluation and information.

9
10 **CHAIRMAN STUNZ:** Thank you, Leann, and I certainly think it
11 would have to be, and then, also, just to keep in mind, if we
12 were on this schedule, I guess we could always decide that,
13 well, no, we want to -- There's a lot of moving parts happening,
14 and we want to delay that or something, and we would have that
15 flexibility, but, Dr. Simmons, I think you --

16
17 **EXECUTIVE DIRECTOR SIMMONS:** Thank you, Mr. Chair, and so I
18 think Dr. Diagne and Ms. Levy have stated this, and we are under
19 a tight timeline with the amendments, and we're incorporating
20 the allocation review kind of rolled up in those amendments, and
21 so I think my concern about what Ms. Bosarge is suggesting is
22 that we're going to back off on that and put those on hold and
23 try to do this review and then make decisions that would go into
24 the FMP, and I don't know that we have the time and flexibility
25 to do that for greater amberjack or gag, and so perhaps, as a
26 compromise, we could see what is in this process that we may be
27 able to bring to the council via presentations and you decide
28 how it may or may not get integrated into the FMP, and I don't
29 even know if we have time for that, and so I will throw that
30 out.

31
32 My other concern is the first review we're conducting, right out
33 of the gate, and it being in April, with that timeline, and the
34 red snapper data workshop and assessment schedule, and, I mean,
35 we won't have the results of that assessment at that time, and
36 I'm not sure when we're going to get this updated recommended
37 use for recreational surveys, but I think we have a lot of
38 things up in the air, and so I don't know if we want to start
39 with that particular one if we want to start with this and see
40 if we're ready or not, and so I will put that out there, but I
41 do have some concerns about that April timeline.

42
43 **CHAIRMAN STUNZ:** Thank you, Dr. Simmons. Go ahead, Dr. Diagne.

44
45 **DR. DIAGNE:** Thank you, Dr. Stunz. Just two points. First, to
46 Ms. Bosarge's point, that is absolutely correct, and we have to
47 revise the schedule. For example, red grouper has already had a
48 change in allocation recently, and greater amberjack will have

1 one, and probably gag, and so the timeline will be adjusted to
2 reflect that the council too action for some of these species.

3
4 As far as one of the points that Dr. Simmons just made, in terms
5 of this April start, this is just an expected start date, and
6 so, the extent that the council has initiated the review, be it
7 by selecting the members of the panel and reviewing the draft
8 terms of reference, et cetera, if there is information that we
9 are waiting on, then we can wait for that, because there is no
10 closing date, if I can put it that way, ending date, once the
11 review has started, and we have that flexibility to start and
12 then see what develops and collect additional data.

13
14 **CHAIRMAN STUNZ:** Okay. I will recognize Mr. Anson, and then I
15 kind of want to just get a feel for the room, where we want to
16 go with that, and I don't want to stifle the discussion by any
17 means, but then we can continue after that, so we can move this
18 along or figure out what we want to do, but, Kevin, go ahead.

19
20 **MR. ANSON:** I don't want to belabor the point too much, and
21 Assane brought it up during his presentation, and Mara brought
22 it up in one of her comments, recent comments, regarding what
23 the council chooses to do or not, but, you know, just for
24 transparency, I think the issue related to allocation decisions,
25 related to stock assessment, i.e., data streams and the impact
26 that the data streams have on the stock assessments, it is
27 mentioned that the council may not choose to go through the
28 formal guideline process that's described in the document, and
29 it just may decide to choose the process that we have used thus
30 far, recently, to deal with FES.

31
32 I think that was just included because it's something that's
33 needed to occur on a relatively quick timeline, at least from
34 the agency's perspective, and it's a relatively simple process
35 to do, relative to all this other data that you would have to
36 look at in a guideline or a process that's described here, and
37 so I'm just mentioning that, that we do have cover, if you will,
38 if you want to look at it that way, to explain why we would not
39 use the guidelines for trying to address those types of
40 situations to date, and that's all.

41
42 **CHAIRMAN STUNZ:** Very good points, Kevin, and we can open it
43 back up for discussion, but we do have, just as a timeline, a
44 little over fifteen more minutes, but we kind of need to decide
45 what we want to do with the document, and one option, of course,
46 is the guideline document, and we can move forward and have it
47 on our webpage as this guideline that we can follow or choose
48 not to, if we decide that something needs to happen quicker

1 outside of that, and that's one option.

2
3 The other option that I think kin of Tom has recommended is to
4 flesh this document out a little bit more, by adding in some
5 principles, or at least referring back to and then revisit that
6 again at another time, and that's a very brief summary of kind
7 of I think where we are, but I would like to get the feel of the
8 committee.

9
10 Do we want to move forward with this and move this out of
11 committee to Full Council for later this week, or do we want to
12 revisit this at another meeting, once we've had time to mull
13 this over some? I don't know, and I would look for some input
14 to that, so we can determine how we want to efficiently utilize
15 our last fifteen minutes here. Mr. Williamson.

16
17 **MR. WILLIAMSON:** Thank you. I would be inclined to go with
18 Tom's recommendation to flesh this out. I don't think we have
19 enough information to move forward.

20
21 **CHAIRMAN STUNZ:** Thank you, Mr. Williamson. Tom, I assume
22 that's your feeling, but I see Ms. Bosarge.

23
24 **MS. BOSARGE:** I would recommend that we start using gag as a
25 test case. That's before us now, and this is good information,
26 and all these things are going to be good information for the
27 council to have at their fingertips as we start to evaluate that
28 gag allocation and look at what we need to do with it.

29
30 If you really want good feedback from the council on what's
31 working with this potential policy and what's not, let's give it
32 a test run, and so see if we can't get a group together and
33 start gathering that information and that data for gag, because,
34 as Carrie said, next January, I think they hope to bring us a
35 rebuilding plan document that will have these decision points in
36 it, and they're hoping that, by next June, we could make a
37 decision on that.

38
39 Well, this is all information that we'll need presented to us at
40 our fingertips. We have to start getting deeper than just our
41 landings history. We have to start looking at uncertainties. I
42 mean, we talked about it yesterday. Well, we're going to try
43 and set a season, and there's a lot of uncertainty around that,
44 and do we think that we'll actually be able to constrain that
45 catch to that quota, and we've got to start talking about these
46 things in our allocation decisions, and it's not being presented
47 in our documents as we go through them.

48

1 The actual uncertainties around the different data collection
2 programs, we're not getting into those sorts of hard
3 discussions, and so I would like to see this done for gag, and
4 then we can probably revise this policy and fine-tune it.

5

6 **CHAIRMAN STUNZ:** Thank you, Ms. Bosarge. Mara.

7

8 **MS. LEVY:** Well, I guess -- I mean, it's just not clear to me
9 what you want done for gag, meaning the review policy is about
10 conducting the review to decide whether you're going to move
11 forward with allocation options, right, but the assessments and
12 changing to FES necessitate at least some type of discussion of
13 options, in terms of do you want to keep the status quo, what
14 are the implications of that, what are other reasonable
15 alternatives, and so what is the review, which is supposed to
16 include and make your decision about whether to have options,
17 going to get you?

18

19 I totally understand wanting the information, the information
20 that you're talking about and asking for that information, but I
21 don't understand what the group that you're going to try to
22 convene and the terms of reference and all of that that you're
23 going to try to go through are going to yield in a situation
24 where you really need to look at the allocation and alternatives
25 based on the change in data collection.

26

27 **CHAIRMAN STUNZ:** Okay. Thank you, Mara. Kevin.

28

29 **MR. ANSON:** Then, I guess, relative to Leann's point and what
30 she was suggesting with this review, relative to the amendment
31 and the timeline you provided, it didn't sound like there would
32 be enough time for us to have a review process, at least in the
33 context of this, where it would be a year long, I envision,
34 relative to trying to get something done within our rebuilding
35 or trying to address the overfishing status, and so I'm just a
36 little concerned, I guess.

37

38 Maybe perhaps, if the council agrees that, you know, let's
39 reorder the schedule, we can do that, but, if gag is an easy
40 species to look at, if you will, for us to kind of get used to
41 this, is maybe we make that determination here, through a motion
42 perhaps, and then have -- If it's the will of the council then
43 to kind of look at some of these principles that Tom was
44 alluding to earlier, is to come back at the next meeting, but
45 also then to ask staff to kind of come up with some ideas
46 relative to viable terms of reference that could be applied to
47 gag, if that's in fact what is decided to do.

48

1 Then we could start thinking about those things and get a better
2 understanding as to the data and some of the issues related to
3 that, and that maybe might be a path forward, so that we can try
4 to maintain a schedule, at least on schedule with starting
5 allocation reviews in April of next year.

6
7 **CHAIRMAN STUNZ:** Thank you, Kevin, and just like a comment I
8 think I'm going to make coming up here soon regarding the FEPs,
9 I think, in the spirit of what Leann is saying, outside of
10 whether we can do this with gag or not, based on all those
11 nuance and timelines, running one through these policies would
12 be important, and it's going to identify where our weak areas
13 are and all that kind of thing, and help us improve, and so I
14 think that is important, because the first ones are probably
15 going to be ugly, and it's always that way on the first ones,
16 and then you learn, and you refine it, and so on.

17
18 I think that that's good, and I guess I definitely don't want to
19 get bogged down in the timeline in this particular slide that
20 we're looking at here, because, you know, we can't do anything
21 with this until we actually approve it, the guideline, and I
22 guess that's the first step, and so I'm not being a very
23 effective chair here, and we have twelve minutes left, and so we
24 either need to make some motions, or come to a consensus, or
25 whatever we want to do here, and I will help that along in a
26 minute, if necessary, so we can move this forward or not. Tom,
27 go ahead.

28
29 **DR. FRAZER:** Sorry for opening up a can of worms, but I think,
30 you know, that I'm okay with this document, right, and, I mean,
31 it's a good starting point, and, to Leann's points, and others'
32 points, we can use it to help us identify what type of
33 information that we need to make some decisions now. I mean, it
34 doesn't matter what they are, gag, amberjack, or mackerel, down
35 in a very short, foreseeable timeframe, and so I am happy to
36 approve this document.

37
38 It's going to be a living document, right, and my only point
39 here is that, at the end of the day, when it gets down to when
40 we have to make a decision, I'm trying to figure out -- I wanted
41 to figure out, from this material that was presented, whether or
42 not the recommendations would be meaningful enough to help
43 inform a reasonable set of alternatives in a plan amendment
44 somewhere, right?

45
46 Aside from all of that, you still need to think about what are
47 the criteria, or what type of a decision tool, or what's going
48 to drive the values decisions that you make, and so we have a

1 lot of work to do, and that's all I'm saying, Greg, and I
2 appreciate the discussion around the table. I have no reason
3 not to move this forward, as a start, because we can ask for the
4 information that is indicated in this now, and so my
5 recommendation would be to move it forward, actually.

6
7 **CHAIRMAN STUNZ:** Any other -- I'm not seeing a lot of hands at
8 this point, and we probably need a motion to do that. If we do
9 have a motion to do that, Tom, I would highly recommend that we
10 build into that motion something to the effect that this is the
11 starting point, and we have to develop this better as we move
12 through some of these or as we begin to really consider it for
13 real, you know, outside of just where we are today, or, if not,
14 we can just flesh out in the --

15
16 **DR. FRAZER:** Yes, and, I mean, the record will kind of indicate
17 that I think it's a living document, right, but I'm happy to
18 make a motion that we approve this document as an allocation
19 guide, I guess, right, or a review guide, excuse me.

20
21 **CHAIRMAN STUNZ:** Okay. If we want to -- Tom, there's the basics
22 of what you just said, if you want to modify that any.

23
24 **DR. FRAZER:** I guess the motion to approve the allocation review
25 guidelines document. I am good with that.

26
27 **CHAIRMAN STUNZ:** That's clean. Is there a second for that
28 motion? Ms. Bosarge. Any discussion regarding the motion?
29 Seeing no discussion, we'll vote. I am not trying to -- This
30 one, I can't read the room, and so let me first try this the
31 easy route. **Is there any opposition to this motion?** All right.
32 **Seeing none, the motion carries.** That was surprising, but we'll
33 go with it. Ms. Bosarge.

34
35 **MS. BOSARGE:** Then can we go ahead and use this document and
36 start on our trial run for gag, and let's see how it's going to
37 work and maybe what changes we need to make as a living
38 document?

39
40 **CHAIRMAN STUNZ:** Well, I think so. I don't know if that comes
41 out of this committee or if would come out of the Reef Fish
42 Committee. I'm not sure what the timelines are and where we are
43 in that process. I thought I understood that we were past this
44 process, in a way, for gag, but we still could use the intent of
45 that document to inform the full -- I don't know, and that's
46 something that I think we probably need to get clarity on, and
47 I'm not opposed to that by any means.

48

1 **MS. BOSARGE:** Well, I think, in the way that it has been
2 described to us, we probably are past the point where we would
3 have liked to have used it. However, if we're going to do a
4 test run on this document and plug a species in and try and do
5 this, it seems like it would be very beneficial to do it for
6 gag, since we are going to be, over the next year-and-a-half,
7 looking at gag allocations, and it seems like that would be the
8 most efficient species to plug in there.

9
10 **CHAIRMAN STUNZ:** Dr. Simmons.

11
12 **EXECUTIVE DIRECTOR SIMMONS:** Thank you, Mr. Chair. I think
13 we're -- I think it would be confusing, because we would have to
14 develop a terms of reference to do a review, but work on a
15 rebuilding plan that the council has already decided to consider
16 reallocation, and so I'm not 100 percent sure that gag would be
17 the best place to start.

18
19 I do agree that we could work towards, and probably a motion
20 would be good, at Full Council, in Reef Fish or here, for us to
21 consider these criteria and bring back to the council what we
22 think we could use or would be considering anyway in the
23 rebuilding plan. I mean, I think we can do that. I'm a little
24 concerned with going down the review process for gag, if that
25 makes sense, because you've already made a decision,
26 essentially, to consider reallocating gag in a rebuilding plan,
27 if that makes sense, and so I guess that would be the --

28
29 **CHAIRMAN STUNZ:** Well, Leann, maybe we can think about that
30 between now and Full Council. If I'm understanding it, it's
31 that that situation has already passed, but that doesn't
32 preclude us from having a motion or something that says, now
33 that this document has passed, could we please consider these
34 within that document, or does that not capture what your intent
35 is?

36
37 **MS. BOSARGE:** I don't know. Let me talk to Carrie before Full
38 Council, because I didn't follow exactly what she was saying,
39 and I'll be honest, and so let me get with her offline, and I
40 will try and come up with a motion at Full Council.

41
42 **CHAIRMAN STUNZ:** Okay. Okay. Well then that brings us to Other
43 Business in the agenda. Is there any other business that needs
44 to come before this committee? Seeing none, then we will
45 adjourn the Sustainable Fisheries Committee. Mr. Chairman,
46 we'll turn it back over to you.

47
48 **MR. DIAZ:** Thank you, Dr. Stunz. There was a lot of good

1 discussion. I did find a comment that I would make that Dr.
2 Assane made one typo, and it was "chore" instead of "core".
3 Allocations are certainly a chore, and I think you did that on
4 purpose.

5
6 **DR. DIAGNE:** That was a slip.

7
8 **MR. DIAZ:** He makes very few typos.

9
10 (Whereupon, the meeting adjourned on April 6, 2022.)

11
12 - - -