GULF OF MEXICO FISHERY MANAGEMENT COUNCIL

SUSTAINABLE FISHERIES COMMITTEE

Courtyard Marriott Gulfport, Mississippi

April 5, 2023

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The Sustainable Fisheries Committee of the Gulf of Mexico Fishery Management Council convened at the Courtyard Marriott, Gulfport, Mississippi on Wednesday morning, April 5, 2023, and was called to order by Chairman C.J. Sweetman.

ADOPTION OF AGENDA
APPROVAL OF MINUTES
ACTION GUIDE AND NEXT STEPS

CHAIRMAN C.J. SWEETMAN: I will call the Sustainable Fisheries Committee to order here. The members of the committee are myself, Mr. Diaz is Vice Chair, Ms. Boggs, Mr. Anson, Mr. Broussard, Mr. Dugas, Dr. Frazer, Mr. Gill, Mr. McDermott, General Spraggins, and Mr. Strelcheck.

Okay, and so the first item on the agenda is Adoption of the Agenda, Tab E, Number 1. Are there any changes to the agenda? Okay. Seeing none, we'll assume the agenda approved. All right. The next item is Approval of the January 2023 minutes, Tab E, Number 2. Are there any changes to the minutes, as written? Seeing none, we will approve the January 2023 minutes. All right. The next item is the Action Guide and Next Steps, Tab E, Number 3, and I will pass that over to Dr. Diagne.

DR. ASSANE DIAGNE: Thank you, Mr. Chair. Good morning, and I assume that we will go over these one-by-one, and I will just do the first one and stop there.

CHAIRMAN SWEETMAN: Thank you.

A BRIEF INTRODUCTION ON HOW MANAGEMENT STRATEGY EVALUATION CAN ADDRESS SOME KEY CHALLENGES BEFORE THE COUNCIL

DR. DIAGNE: For the first item today, it is a brief introduction on how management strategy evaluations can address key challenges before the council. The presentation will be given by Dr. John Walter, of the Southeast Fisheries Science Center, and he will provide an introduction to management strategy evaluations and discuss how they could help in addressing key challenges that the council deals with.

The overview includes examples from the recent ICCAT bluefin tuna MSE as well as ongoing efforts across the Southeast. The council, or the committee, should review the material and ask questions and provide feedback for consideration of potential next steps for using MSEs in the Gulf. Two meetings of note that are coming up, and the first one is the May SSC meeting, during which a whole day will be devoted to MSE discussions, and

the second one will be the Ecosystem Technical Committee, which is going to meet later this month, April 19 and 20, to discuss fisheries economic, or ecosystem, issues. Economics does follow.

For both of those meetings, during this presentation, the council would have an opportunity to highlight issues that they would like to be considered and further discussed during those meetings. I will stop here. Thank you.

CHAIRMAN SWEETMAN: Okay. Thank you, Dr. Diagne. All right, and so up now is the presentation from Dr. Walter, a brief introduction on how management strategy evaluation can address some key challenges for the council, and the presentation is Tab E, Number 4(a), and there's a couple of background documents in there for everyone to review. Dr. Walter.

DR. JOHN WALTER: Thank you, Mr. Chair. Good morning, everyone, and I'm happy to be here. I am the Deputy Director for Science and Council Services at the Southeast Fisheries Science Center, and I also wear a different hat as the western bluefin tuna rapporteur, or coordinator, at ICCAT's Standing Committee for Research and Statistics.

That's a slightly different role, in that, in that role, I'm actually serving as an officer of ICCAT's SCRS, and, in that role, we work to get the commission to adopt a management procedure that I will discuss.

As you may have known, from some of my other interventions during the course of the week, I like props, and so I brought one today, and you may think that some of the things that I'm going to talk about here are new, but, in fact, a lot of these were really covered in the use of management strategy evaluations to inform management decision-making by the regional fishery management councils, which was a workshop in 2018, and so, in fact, many of the council has already heard a lot of this, and I think it's probably time when we can start to say how can we use some of these things to address many of the key challenges.

The key challenges are ones that we've been talking about pretty much all week, as well as probably ones that we're going to continue to face, and so I hope this will be useful for people to get an idea of how we can apply this tool to address those challenges.

Unfortunately, there's a couple of key definitions here, and I

would be remiss, as a fisheries scientist and government employee, without throwing a couple of definitions up, and I'm afraid that it's going to be necessary to get to understand some of these things, and hopefully an understanding of it, and some fluency in it, will allow us to say, okay, let's use this to get this to achieve this, which is really what management strategy evaluation is. It's a simulation-based analytical framework to develop a robust consensus-driven and realistic management procedure.

The management procedure is the pre-agreed framework for setting the catch limits designed to achieve specific management objectives. Essentially, it's the fully-specified recipe for defining the annual catch limit and then all of the other actions that will go into that.

The management objectives are the formally-adopted goals for the fishery, and they're essentially what do we want out of the fishery, and I think that's something that we've been asking numerous times, about many of the actions that we take, and MSE is a formal process to get those operational management objectives on the table, write them down, and then evaluate how well does our management procedure achieve them, and, ultimately, then it will be a decision before this body, in terms of which management procedures to adopt and they're going to have ranges of performance across those objectives.

Then interim assessment, which is something we've also talked about an applied to some of our stocks, and people probably wonder where does that fit in, and, well, that's an intermediate approach which modifies the stock assessment advice, based on the value of an index, which is really a step towards the fully-specified management procedure.

The outline is I'll talk about some of the key challenges in the Southeast. I'll discuss management strategy evaluation, what it is, and I'll motivate that with an example of Atlantic bluefin tuna, and then I'll talk about how does that fit into our Magnuson-Stevens Act framework for providing management advice, and I think that's a key question that many people have, and I will try to give at least my view of how it could be fit in. I will introduce our MSE strategic plan, which is one of the background documents, and then some of the steps forward that I think we can take.

I will put the take-home message upfront, in case people want to tune-out for the rest of it, and I think that is, in these management procedures developed through MSE, the process to

develop the management procedure, it allows the council to test the management they want to put in place before they put it into place, and I think, as a decision-maker, you would to know if this is going to be robust to the uncertainties that we have, is this tested, and you wouldn't get into your car without thinking that it's going to have to be tested, and crash tested, to meet certain performance standards, and I think we would like that certainty for our fisheries management.

Why management procedures? Why might we want to think about them? Well, there's a lot of things that are happening in the environment, particularly the environmental changes and non-stationarity, but the things that we assumed are constant are likely to not be in the future, and how do we develop robust management that can account for the changes that may be rapid, and may come, and then we have -- Many people are desiring a more explicit incorporation of diverse management objectives, rather than simply just yield, and we're hearing that there's a lot of other things that stakeholders want, and then what I want -- The main message for people to say is, well, this is great. At the end of it, you may say the MSE sounds great, and it's wonderful, and this would be a great thing to apply.

Well, the bluefin MSE took eight years to get adopted, and so I would say that the caveat is that you want to have a clear objective for what you're going to want to achieve, match the resources to the scope of the problem, and MSE is neither cheap nor easy, and then reserve the full power of stakeholder-inclusive MSE for the highest profile problems, and we don't want to bring all the stakeholders in for things that could be done simply by an analyst on the desk. I can stop here, but I will keep going.

I think we've talked about this thing called optimum yield, and you can read the definition from the National Standard Guidelines. It's somewhat vague, in terms of what the relevant economic, social, and ecological factors are. It doesn't define those. Those need to be defined as part of the process for management. Why do we want, economically, socially, ecologically, and then how do find that compromise position of what optimal yield is?

My gut feeling is that we're not going to solve for optimal yield out of our models, partly because we don't have the data, but partly because things like social factors, and ecological factors, are extremely hard to quantify, and so we're going to compromise an optimal yield while we're accounting for those other factors.

Non-stationarity, and I think something that is just -- Non-stationarity is somewhat of a scientific jargon for things are going to change in the future, and maybe the past has not been constant, and I think we've seen many examples of that, and one of the probably most pertinent examples is a paper that was recently published by a lead author from Mississippi State University that says the Gulf of Mexico is warming at twice the rate of the sea around it.

I think that people who are on the water know, and intimately know, that non-stationarity exists, that the environment changes, and those that environmental changes can be rapid, but they pose a substantial challenge to our management, because our management isn't always as rapid and adaptive as it might need to be to account for that.

Then ecosystem-based fisheries management is something that we talk about a lot, but we rarely have the structure for incorporating it into our management. MSE allows that potential.

Then a lot of things that we want to test that are tactical management actions, like bag limits, size limits, allocations, how you achieve that annul catch limit. We often want to know if this is going to work, and those can sometimes be addressed simply with projections, or the decision support tool, but sometimes you want to test them in a full feedback loop simulation process.

MSE is a simulation-based framework, in that there is simulations that allow us to test different management procedures, and there is a feedback loop where your management procedure operates on the simulated populations, and it takes the catch out, and it feeds it back in, and then you get a response, and that response provides you maybe your indices that you might be using for the management procedure.

There's a number of other things that are involved in it, but one of the central things is a catch control rule, or the rule that defines how the catch is going to be derived, and then that's fed back into our operating models, and a key thing about the operating models, and this is another jargon, and sorry, but, really, that's something that came through what we use for stock assessment models, but, instead of there being one, there are many of them that account for many of the uncertainties that we might have, and so we often, when we do stock assessments, incorporate uncertainties with sensitivity runs, and, here, your

sensitivity runs would be included in those operating models, to span a wide range of uncertainty. I will go into how that was done for bluefin tuna in the next couple of slides.

The analogy that I like to use about what we're trying to do is an air conditioner, and I think, in fisheries management, we, as biologists, are exceedingly good at complicating the crap out of things, but, really, what we're trying to do is relatively simple. We are trying to derive a catch limit and manage our fisheries through a fairly blunt-force instrument of a catch limit, and we have a lot of things that are added on to that tactically, but it's similar to an air conditioner thermostat, where we're trying to keep the temperature of our house at a certain desired temperature.

You want the simplest thermostat possible, and you want the one that has the least amount of feedback needed to get the job done, and, in that situation, I think we're not always looking at our management as could we derive the most simplest tool, and I think, if an alien came down to Earth and said, how, in the past, have we managed this fishery, they would say, okay, what's the minimal amount of information that I need to achieve the desired objective, but the problem is that they would be dealing with humans, and we have an innate capacity for complexity.

The air conditioner thermostat is the operating model, and, if you want to simulation test it, you would create an environment, including your house, and the management procedure would be the thermostat, and then the operational management objective would be the temperature you set the thermostat at, and, conceptually, we want it to be comfortable. Operationally, we want it to be at a certain temperature all the time, which defines how often your air conditioner turns itself on or off.

There's a compromise there, because it's going to cost you more to do that, and, at least in my household -- My wife is from New England, and she wants the temperature at seventy, and I'm from warmer climates, and I would want it at eighty, and, through extensive compromise, we land on seventy-two. However, there are other competing operational management objectives that go into that decision-making, as there always are.

Conceptually, what is the desired goal of the fishery? Operationally, that's turning those into specific codified and measurable objectives, with a timeline and minimum required probabilities. The reason that you need to get down to those details is because we need to simulation test whether you're meeting them, and here is some text on the operational

objectives, and I won't read that, but they account for some of the other things that you would have to consider, in terms of the temperature setting for your house.

The key thing here is that there is a tradeoff, in this case between our house temperature. The colder you set it, the more often your AC cycles on, and the higher your cost, and you've got to find that tradeoff space between the temperature and cost, what you can live with and what you can afford, and it's the same for fisheries.

I will go into the bluefin tuna management strategy setting evaluation, and, if you paid attention to bluefin, it's one of the most contentious fisheries in the world, and it's also one of the most valuable fisheries in the world. We think there is two, or more, stocks that mix in the Atlantic, and the image is blue are satellite-tagged fish that have been tagged and moved into the Mediterranean, where we think there is a spawning population, and then red are fish that have moved into the Gulf of Mexico, where we think there's another spawning population. There may be other spawning populations, but you can see that there is fairly extensive mixing between the red and the blue. The red population is about ten-times the size of the blue population, based on landings alone.

You've got this complicated mixing, where there's a mixed-stock fishery, and you've got other issues of time-varying productivity, where we think there's been a regime shift, which is one of the hypotheses, and then there's a number of other biological uncertainties, and those were all put into the operating models, and so those were accounted for, and one of the key things was non-stationarity and the explicit consideration that the environment may change in the future, and how do we develop a management procedure that account for that.

The stock assessments, unfortunately, having done stock assessments for the past consecutive three years, they were deemed unreliably for management advice. They were deemed unreliable for biomass-based management advice and then, recently, unreliable for management advice, because they did not explicitly account for stock mixing, and so we were left with a rather challenging conundrum, in order to give management advice.

These are the catches, and you can see that the red is the western population, which is much smaller than the eastern population, if you base it on landings alone. The Mediterranean population, for ten years, during the 1990s and early 2000s, was

experiencing extremely high overfishing and catches on the order of 50,000 metric tons. Many of those were unreported and illegal catches that were well beyond the TAC, and so you had a major crisis at about 2010, where bluefin was petitioned for a CITES listing.

I think one of the key biological issues is that what happens in the east affects the west, because the western fishery is about half eastern fish, and we know this because of genetics, which tell us that the pies are eastern, western, and then unidentified population, and you can see the western fisheries have a substantial component of orange, which is fish that were born in the Mediterranean and caught in the west, and so, if the Mediterranean population is heavily overfished, then that reduces the supply of fish to the western fisheries.

First, we had to develop what were the conceptual and the operational management objectives, and, conceptually, there were -- I will go into, on the next slide, what they are, and so we just illustrate one management objective, which would be stability, and, conceptually, the fishery wanted stability in the TAC, so that they could know what the TAC was going to be for several years, and they could then say I know we're going to be able to catch this, and I know we can take that to the bank to get loans, and that's one thing that has been used for the goals for that stability, and, also, it allows you to build your market and say you can deliver this to market.

Operationally, what does that mean? It means that the TAC varies by no less than a certain fraction, like 20 percent in each year.

There were four operational management objectives for bluefin tuna, and so all of the wants and needs were condensed down into four: safety, status, stability, and yield. Safety and status are the biological must-pays. Magnuson says that you can't overfish and that you must rebuild fisheries, and safety is that you stay away from a very low biomass point, and so that's standard biological must-pays for most fisheries.

Turning those into operational required putting probabilities on that and then defining those limits, such as the biomass into reference points, and getting those definitions of probabilities took a long time. Filling those numbers in was quite challenging to get to what was, and, fortunately, we were able to get those defined, which allows us to measure where our management procedures are relative to that.

The next ones were stakeholder-desired objectives of stability, and I mentioned that, and then yield. Obviously, there is a strong desire to get yield, both in the short-term as well as in the long-term.

The types of management procedures that I will go into right now, mainly because the models were not working particularly well, and particularly were challenged by a number of the biology and non-stationarity, and we were looking at empirical proxies, which are basically index-based management procedures. When the index goes up, the catch goes up. When the index goes down, the catch goes down.

One of the values, and benefits, of empirical management procedures is they're relatively simple. Anyone can look at the indices and say whether they've gone up or down, and it also means that the only absolute you're using is you're modifying the existing TAC, or catch, and so it grounds you into what was removed last year, or the catch on the books is what gets removed, and it plays to a lot of the strengths of our indices, that they track change over time, but that our models are often not so good at getting absolutes.

We're, right now, relying on our stock assessment models to tell us exactly how many fish are out there, when we know they're much better at trends and relative status, and so empirical management procedures have some real value in those situations where it's hard to get absolutes, but where we think that the trends are reliable. Then model-based management procedures, which we use our existing stock assessment models and derive our advice in the exact same way that the stock assessment does.

Originally, there were nine management procedures tested, and there was only one adopted, and this was an evolutionary process, where success mattered, and it was really the performance of those management procedures is what determined whether they stayed in, and ones that failed to meet those management objectives dropped out, and then the ones that met them the best were the ones that remained at the end.

The management procedure that was adopted was Butterworth Rademeyer, and it's one management procedure that applies to two stocks, in that it is a package deal. When you apply that, then it does half for both the east and the west area. It sets the TAC for three years, based on ten indices, and so it takes an average of ten different fishery-independent and fishery dependent indices, and it has a lot of built-in stability provisions, because the fishery is really concerned about

jumping off a ledge to something new, and that's one of the things that MSE can account for, is, well, what are the objectives, and, if the objectives meet the biological must-pays, then it's a perfectly reasonable management procedure.

What that means is they wanted stability so that they weren't changing the TAC dramatically in the first couple of years of implementation, because they knew we're going to something new, and there is always this concern that something new is going to bring in some sort of surprise, and we wanted to reduce the surprises, and you don't want surprises.

As long as you're rebuilding, and meeting those must-pays, biologically, then, sure, we could build in a lot of stability, and that's what happens, is the TAC is substantially constrained from moving a lot in the first couple of years, and, again, it meets many of those multiple competing management objectives, and managers can say, okay, this is going to -- It's likely to work, even if the future is highly uncertain, and I think having that certainty is a comforting thing for having to give management advice when there are so many unknowns, and yet management advice must proceed, with whatever is available.

Again, these are the indices, and I won't go into them too much more, and I can talk about them more, but I will just skip that over right now.

Then one of the key other elements, from the standpoint of the decision-maker, was to define what the process moving forward was, how does this fit in, when are the checks and balances, when can we get out of it, if it's not working, and so there's something called exceptional circumstances provisions, and those are the get-out-of-your-management procedure clause, and those are when things that are outside of what was tested in the MSE occur, such as when your indices are well above, or well below, values that have ever been seen, or some new scientific information tells you something you had no understanding of when you tested this.

Those are situations where you can set aside the management procedure and then develop advice in some other way. Those are tested for every year, and then, if that occurs, then the management procedure may be set aside. There is also -- People ask when are stock assessments going to occur, and what is the role of the stock assessment, and, in this case, they're going to be much less frequent.

They are specified when it's going to occur, and the role of

that is actually quite critical, in that management procedure doesn't necessarily tell you whether it's working, and whether you're achieving your goals, and that's where the stock assessment fits in. It can tell you, are we achieving our goals, and is there something you need to account for that you aren't in the next round of management procedure we commission, and so it's not something you set in motion for thirty years and forget about.

There is a reconsideration as to is there new information we need to include, can we tune the management procedure to be better, and is there new science that needs to get incorporated.

Fitting MSE into MSA, how does this fit into our existing structure, and I will just caveat this that this is according to me, and there is a lot of discussion that needs to take place, in terms of how this would work, but management procedures haven't been used substantially across the United States, but we're beginning to work on them, and so we're going to have to figure out how to fit this in, and so there are specific roles that each group plays in the process of developing our current advice, and I think they could play the same similar roles for MSE, in terms of stakeholders playing a key role, the fishing community, the environmental community, people who have a stake in the fishery, which is all of us, have a role in advising the operating model structure and the key uncertainties.

They know what's going on, and they need to be able to say, hey, you need to incorporate this into your operating model, and we already do this in the SEDAR process. Then stakeholders have a key role in the management objectives, and defining them, because it is their management objectives, and the council is implementing the objectives of all of us, and then advising the management procedures, because, quite often, stakeholders know what might work and what would not work, particularly in the face of things like non-stationarity, where they have had to deal with climate change, and how do you manage the fishery when the populations of a fish change?

There is a key role for what is called a modeling team, which is the core group of quantitative folks who really shepherd the process through and do the modeling. There needs to be a team who is doing that. They construct the operating models, like the stock assessment scientists, they quantify the management objectives, and then they test and refine the management procedures.

I think there's a key role for the SSC. The SSC should, I

think, be involved in adopting the operating models, because that's fundamentally a science role, advise on the management objectives, to ensure that they're going to meet the biological must-pays, which are within the SSC purview, and they advise on whether the management procedures are going to actually achieve that.

The council has the critical final role in this, in that they're going to advise on operating models, but that's a science decision, and that should be the SSC, and they would adopt the management objectives, because, fundamentally, that is a council prerogative, and then eventually adopt the management procedure, as we adopt framework amendments, where there is the no action alternative, which would be status quo, and then Options 1, 2, 3, or 4, which would be Management Procedure 1, 2, 3, or 4, and then, out of the performance, you would get all of the performance, according to the operational management objectives, which would feed into, I think, a lot of the documentation that needs to go into rulemaking.

Is it meeting ecological, or is it meeting biological, or social, and those could be outputs of the MSE, which would really, I think, streamline the development of that document and all for the consideration of the alternatives that we already normally have to do.

I have talked about optimal yield as the tradeoff space between different competing objectives, and, in this case, for bluefin tuna, there was a tradeoff between the eastern yield and the western stock status, and that tradeoff plays out to what I noted what happens in the east affects the west, because, if you take all the fish in the east, there is fewer that swim over to the west, which means you're fishing harder on a purely western population, and so there was a fundamental tradeoff that had to occur there, which was a pretty substantial and potential battle, and we wound up finding a compromise space there, where the management objective achieved what was acceptable to multiple different stakeholders, and finding that compromise space was one of the key challenges of actually adopting a management procedure.

I think that where we fit MSE into MSA is we do have this mandate to do EBFM, and we also are going to be challenged by non-stationarity, and so empirical management procedures may be our way to develop climate-ready management that allows us to deal with the non-stationary environment.

Again, we also talk about the delay between when management

advice goes on the books and the terminal year of a stock assessment, and I think it always frustrates many of us, and, for many of our stocks that are really short-lived, none of them are left by the time management goes into place, or very few of them.

Empirical management procedures, and I think in the presentation that the executive chair will give about how we can streamline some of the process, might allow for more rapid and responsive management to hit the books, and then I think that we're going to get science that's going to give us a lot of different novel management procedures that could be based on exploitation rate, where you simply modify the ABC based on what your exploitation rate proxy is, and I think we should pay attention to what's going on in the South Atlantic, with gene tagging and genetic-close-kin-mark-recapture for red snapper in the South Atlantic, as potentially setting the stage for that to become a reality.

One of the background documents is the MSE strategic plan, which was presented by Cassidy Peterson, our MSE expert at the Southeast Center, and she presented this to the South Atlantic SSC, and she'll be talking a lot about this at the upcoming Gulf SSC, and we have three flagship MSEs that we're embarking upon.

One is on dolphinfish, to derive an empirical management procedure for dolphinfish. There's been extensive stakeholder outreach and participatory modeling to define the conceptual and then the operational management objectives for the dolphinfish fishery. We will use those in the MSE and then evaluate whether an empirical management procedure meets those objectives. The reason that's a flagship one is because adopting an empirical management procedure that's for a stock, and then not even doing a stock assessment, would really change the paradigm, and, for dolphinfish, a full stock assessment would probably be overkill, and, again, by the time you projected it forward, those fish would no longer be with us.

There's also the issue that a lot of the dynamics for something like dolphinfish happen outside of the control of the South Atlantic Council, and so, really, it's about developing a management procedure that controls what nature and other fisheries give us and then equitably share that and find a way to spread that around to multiple different stakeholders.

We're also embarking upon a management procedure for Kemp's ridley, to evaluate conservation procedures, and then one for shrimp, and the reason there is because we wanted to develop another empirical management procedure which is index-based, as

well as evaluate what are conceptual and operational management objectives for that fishery.

The steps forward, and I think this is the guidance that we would provide to a decision-making body, is how we're going to allocate resources to MSE, and I think the process would be through the fishery ecosystem initiative, where high-priority items come up, and then those could be allocated towards this gets this an MSE, and different priorities of MSE, and I would say high-priority situations, for the full power of stakeholder MSEs, are for adoption of binding management advice, and, in this case, I would say don't embark upon it unless you think it's going to count. Don't do it just for scoping or for evaluation, but make it count. Make it become the actual rules.

The reason for this is that tough decisions don't get made unless they have to get made. We all put the hard decision off unless we have to make it. When there is challenging compromise that has to be made, you've got to make that decision count.

The second is when there's a really difficult policy decision, where you need to find that compromise space, and there are no good answers, but there's one that we can live with.

When there's heretofore intractable stakeholder conflicts, and you've got to find some way to reconcile those, one of the key ways you can reconcile that is to write down what different groups need and then find out are you coming close to achieving that. Zero-sum games get us nowhere, but, once you can see that there is some space that groups can live with, you might be able to break those intractable conflicts.

When there are disenfranchised stakeholders, and, in that case, when there are stakeholders that haven't been brought to the table, such that their operational management objectives are not explicitly considered, they need to be brought to the table, the ecosystem being one of them, and then in situations where the scientific uncertainty threatens the integrity of the current management approach, or the status quo management is clearly failing, and one could say that that was the situation with bluefin tuna, in which case we knew it was not working, and it's a known unknown.

Then, when there's conditions where the future projections are really unclear, the unknown unknowns about what the future environment might bring, how do we manage through that, and I think the climate scenarios might be one of the ways.

Then other situations where we recommend simpler approaches, like a desk MSE done by an analyst, when an empirical management procedure might just improve upon the status quo management, and the objectives are already clear, but just find a management procedure that works better, and that can be done on the desk, and then to modify a catch control rule, and we often see that management strategy evaluation is recommended to derive a catch or harvest control rule, but, in situations where you already know your objectives, it doesn't usually require the full stakeholder investment.

For situations where stakeholders want information for an external purpose, and, in that case, there is often situations where there are marked incentives for a management procedure derived through MSE, and particularly the Marine Stewardship Council often provides incentives for management procedures, and fisheries can get that certification much easier if there is an adopted harvest control rule through MSE, and, in that case, those stakeholders can help support and co-fund that, and that would be the recommendation there. Then, a lot of times, there is research and scientific questions that could be answered through a much different route.

Here are the different flavors. If you were going to say, well, how do we apply what degree of resources to what tool, or what job, and, well, the full stakeholder MSE is the full Monty. That is a lot of stakeholder involvement, a lot of meetings, and it's expensive and time-consuming.

Intermediate MSE is something in the middle, and a desk MSE is done by an analyst over a computer, and usually it doesn't require stakeholder input, and then not MSE, and there's a vast number of things that are just simulation exercises, that don't have the closed loop simulation, risk analyses, sensitivity runs, and those things can be done much easier, and often don't require full stakeholder support either, and so the key thing is matching the problem to the tool.

Just a couple of other examples where this is being applied, often, at the tuna RFMOs, they are seeking management procedures, and ICCAT has a number of them ongoing. There's dolphinfish, as I noted, and South Atlantic reef fish has an MSE that is ongoing for its reef fish complex, and Gulf shrimp is something we are working on, as well as Kemps sea turtles, and then the interim assessments that we've been exploring and will continue to refine the interim assessment approach.

Here is my take-home message, and I won't read it, and that is

already evident, and so I will acknowledge many of my ICCAT colleagues, who helped shepherd us through this process and explaining this to their many stakeholders, and the NMFS MSE working group, and then my NMFS colleagues and academic partners, who are actually taking on many of the MSEs that I referred to. With that, I am happy to take questions, and thank you for the opportunity to present this. I hope you see it as something that has a lot of power, but use it wisely. Thank you.

CHAIRMAN SWEETMAN: Thank you for the presentation, Dr. Walter, and there's certainly a lot to digest in there, but, yes, I certainly view this as a very powerful tool, and my brain is already churning for potential ways that the council can potentially try to bring this forward in certain circumstances, but does anyone on the committee have questions or comments for Dr. Walter? Mr. Gill.

MR. BOB GILL: Thank you, Mr. Chairman, and thank you, John, for an excellent presentation. It certainly brings, at least to me, a lot of clarity, in terms of what's going on in that world, and so, if you look at the first take-home message, that implies, to me, that you've got at least two aspects to it, and one is the biological aspect, and the other is the human aspect and the behavioral reaction to whatever changes are taking place, but the behavioral aspect is an area, in my view, that we have virtually no information, and very little work has been done, and more is ongoing, but integrating that into testing it out and seeing what the results are -- That seems, to me, to be a major hole, and how do you see that part fitting into test running and saying, okay, we've got some results here that should reflect what we expect to happen, and the behavioral reaction to whatever changes we propose?

DR. WALTER: So MSE really -- A lot of the seminal work on MSE was done by an economist, Dan Holland, who actually presented at the workshop in San Diego, but we've not been as explicit with bringing our social scientists back into the process, in terms of trying to get at that implementation uncertainty.

You can set a catch quota, but then how humans actually -- What they do is rolled into implementation uncertainty, and there's a lot in that, and I think that's something that we are bringing to a number of developments, the SEASAW workshop, and then further add-ons to that, and then bringing our social scientists into identifying what are humans likely to do, and knowing that there's a certain like standard motivations for humans, and I think understanding that, and saying, well, if you set this,

there's likely to be this behavior, so that, when we model it, we have a reasonable range of uncertainties as to what would happen.

I think that's a key missing link, and there's another missing link in terms of incorporating economics into the operational management objectives, and you will see that ICCAT did not have any economics explicitly incorporated. They specifically requested us not to do that, but, at the backend, many of the decisions that were made were implicitly economic-based decisions, and I think that's a missing link, because I think, ultimately, it's going to come down to economics, but maybe it's fine to leave implicit, and people can do that math in their heads, and I think I would prefer for us to be as explicit as possible on that, but that requires quantifying those objectives in economic terms. Thanks.

CHAIRMAN SWEETMAN: Dr. Frazer.

DR. TOM FRAZER: I'm glad I had a cup of coffee this morning, John. That was a great talk, and, you know, I'm thinking a little bit about how reliant this management evaluation strategy is on these empirical models, which are essentially proxy methods, and the rationale for that is that you don't have all the resources to conduct, you know, an expensive assessment frequently, right, and so what it does mean is that you have to identify what are the appropriate proxies, and you have to make an investment in data collection efforts, right, that allow you to capture data rapidly, so you could respond quickly, and that's the thought process, and that, to me, sounds a lot like what we've attempted to do here with our interim analysis, to some degree, right, and so one of the things that we've found is that, although they're very well intentioned, the turn-around time on those empirical observations, or those proxies, isn't as fast as perhaps we would like it to be, and so we don't -- We're not able to respond quickly.

I'm wondering, from your team's perspective, as you move forward in your thinking of, okay, are we going to invest more money in data collection efforts that allow us to have more effective proxies, and reduce the amount of time and effort that we put into assessments, right, and so, right now, it takes about five years, or more, to get a new assessment, and so I'm just trying to figure out, in your mind, how you allocate those limited resources, moving forward, and whether in fact you see fewer stock assessments, right, and a greater investment in these kind of other types of data collection efforts.

DR. WALTER: I will put my Deputy Director hat back on, in terms of -- Because this is something we've been talking about, is how we manage resources, and we proposed what we call a portfolio approach with the SEDAR Steering Committee, where you apply the right tool for the job, and, in some cases, we think that the gold standard for a stock is a full stock assessment, but there's a lot of cases where -- Even the gold standard for bluefin was no longer gold, and I think it fell out of even bronze, and so it may not always be the right tool, and it may be that you can get the annual catch limit advice more frequently, and more rapidly, with some kind of a management procedure and then do stock assessments every six years, rather than try to do it every three years.

For other species, an empirical management procedure might be the best tool, say for shrimp or dolphinfish, and so, in that portfolio, you have a range of things to apply, and it's not always the gold standard benchmark assessment, and it's the right tool for the job, and the competing factor is resources that we can't apply the gold standard to every stock, and so we've got to scale back on some things, and I think we have to understand that it isn't always that full stock assessment that's the best thing always.

It might be quite good addressing some of the key science issues, and it might be very good at giving us stock status, but it may not be the best tool for giving us annual catch limits, because it requires, for instance, projections, or assumption, of the stock-recruitment relationships, to project forward, and that projection might be three, four, five years in the future, where -- By the time it hits the books, and so I think what we see as the future is that there's going to be this portfolio of approaches to getting the management advice and that we allocate those resources across that portfolio.

It's going to mean fewer full stock assessments, just because we can't just give every stock that type of pace and cadence that is necessary.

DR. FRAZER: I appreciate that answer. Thank you.

CHAIRMAN SWEETMAN: Dr. Stunz.

DR. GREG STUNZ: Thank you, John. I think you hit on some answers to the questions that I had, just in that answer to Tom's question, but, one, you know, I think certainly the council would be looking for simplicity or ways to improve the management, and so I really have two questions for you on that,

and, obviously, in the design of the simplest thermostat, and you've got that, and I see that you selected some species, like sea turtles and shrimp and such, that may be a good place to start, but then, on the end of the simple thermometer, you've got the red snapper stock assessment, which is anything but simple, and so what I'm wondering -- My question centered around two things, John.

One, does the Science Center -- You know, do you all have the time, in light of, you know, us needing to manage fisheries around this table, and expertise to do that, obviously, and it sounds like you do, and so that would be one of my questions, and then the next one would be how do we really incorporate it, and I think you kind of touched on it right there, and the process is driven by FMPs and catch streams and how we allocate, and how do these really factor into the decisions that we have to make around this table?

DR. WALTER: How it fits in, in this case, the way I would see it is the framework amendment would specify the recipe, and it would say that the recipe, for instance, is it takes this index and modifies the catch, through this TAC, or ABC, based on the values of this index, and then allocates it according to X, Y, and Z. It fully specifies the recipe for how that gets done.

Then it would be applied, either once every two years or three years, to set the ABC, and that would go through -- The SSC would say, okay, the recipe was applied according to the specifications in the framework, and it meets the biological must-pays, and everything checks out, and there's nothing exceptional. It goes before the council, and the council says that it looks great, and done.

How it gets incorporated a little more rapidly into the management advice is I think through some of the discussions that we're going to have about streamlining that, and I think there's an example of how the Regional Administrator can apply the output of -- You know, once it's been specified, you can, Andy, have some leeway to simply apply it, and maybe you can comment on how like a management procedure could more rapidly get on the books, and I think there is a procedure for it, but it's a little bit outside of my expertise, but I think it could be done.

MR. ANDY STRELCHECK: I think Carrie will talk some about some efficiencies that we're jointly looking at, right, but the -- Kind of taking a step back, one of the challenges with stock assessments has been throughput, right, and the amount of time

and effort and energy that has to go into pulling all that data together and running a stock assessment, and so we are certainly interested, as an agency, in looking at approaches that hopefully can provide equally good results, but being more reactive and responsive, obviously, to the needs of the fishery and fisherman.

You know, there are annual specification processes and other mechanisms where, you know, based on essentially kind of a delegation authority of the Regional Administrator, kind of like accountability measures and other things, you could specify changes to the catch limits, or other management measures, in a much more timely fashion than having to go through a full-blown council amendment and framework action, and so certainly we're interested in exploring those, where that delegation could be appropriate.

While I have the mic, I did want to, I guess, ask John, and, thinking through the examples, and so we've spent a lot of time, on the South Atlantic Council, talking about South Atlantic reef fish, or snapper grouper, and that MSE is kind of just getting underway. In thinking for the Gulf Council, kind of putting your Gulf Council hat on, do you see opportunity for MSE related to anything from kind of the reef fish multispecies challenges we're facing to shedding light on kind of how we can improve the IFQ program, or even the recreational fisheries initiative that's been proposed, and is there aspects to any one of those that you see, you know, more value, or less value, in an MSE, from the standpoint of the council?

DR. WALTER: From what I've heard, I think the first step to talk about IFQs is identifying what the conceptual and operational management objectives are. If you can't write them down and define them, you can't simulation test anything, and so we get those first, the process of doing that, and then talk about doing an MSE on it.

On the recreational fishing, or reef fish fishery, I think paying close attention to the South Atlantic process, that they're trying to embark on that to derive -- I think, right now, it's initially trying to derive potential options for managing a multispecies reef fish complex, and I don't know if they will, right now, take it fully to a management procedure, but I certainly see the value in at least having that multispecies framework, so that you can test things across multiple species, because a unit of effort applied to reef fish is going to touch multiple species, and we don't, right now, have a good structure for testing like does this -- Does

something that was put in place for red snapper affect red grouper, even though you know that it does, and we don't explicitly test that, and I think that's what that structure is designed to do, and I think there's going to be a presentation at the SSC on a spatial model for reef fish by Dave Chagaris that will probably inform whether that's going to be useful to the MSE, but, again, we've got to get those conceptual and operational management objectives, and then what was the third one?

MR. STRELCHECK: The rec fisheries initiative.

DR. WALTER: The rec fisheries initiative, and probably, from the standpoint of working on chasing optimal yield, or defining optimal yield, because I think that's what we're touching upon, when we talk about how do we achieve the objectives of the recreational fishery, while meeting the objectives of the commercial fishery, and other stakeholders, but we have not really defined that, or begin to explore that space well, and so I think, in that case, that would be where I would say that would be quite useful to embark upon, and maybe one of those fishery ecosystem initiatives is trying to chase down optimal yield. Thank you.

CHAIRMAN SWEETMAN: A follow-up, Dr. Stunz?

DR. STUNZ: Yes, and, Dr. Walter, one just brief follow-up to the second, or the first, part of that question, about the expertise and time you have in your shop to dedicate to this, given all the other things that we put on your --

DR. WALTER: Well, I'm glad we're on the acknowledgement slide, because these take a large group of people, and many external partners. Cassidy is one person, and her role is not to do these, and her role is to catalyze these and to hope that she can help set these things in motion, and other partners to take on different aspects, and there's no way -- If you read our strategic plan, it's exceedingly ambitious, and there's no way we'll get it all done, but we're going to need partners from numerous areas to do these things, and NC State University is a strong partner on the dolphinfish one, for instance, and so we don't have the resources to do them.

One of the things you'll hear from our staff is that they want time for research, and I think that that's often seen as, well, why do they need time for research, but, really, what we're saying is they need time to develop the methodologies to improve how we give advice.

They all know that there are so many things that they would like to improve upon their assessments that they do, and it's that time to be able to fix the problems they know, and that's why, when we saw we want time for research, it's really for that, and, in this case, the research to test the management procedure is one of the things that staff have asked for time for. Thanks.

CHAIRMAN SWEETMAN: Okay. I've got Ms. Boggs and Mr. Anson.

MS. SUSAN BOGGS: Just a quick question. Thank you for the presentation. I really enjoyed it, but is MSE something -- You touched on it with the bluefin, that we're seeing some issues with -- I saw we're seeing issues, and we really don't know what we're seeing with king mackerel and cobia and the likes of those fish, something that might have to deal with climate change, and is this something that we could look at for those types of species, that we're uncertain of?

DR. WALTER: Right, and that's the unknown unknowns, what is the future going to hold, and our stock assessments assume that the future is going to be like the past, and, if it turns out that it's going to change, then presumably our benchmarks are going to change, and we might need to consider are we managed to something that is different than the past, and, in those cases, where you've got a rapid change, the one thing that we can control, as humans, is the amount of fishing mortality that we exert, and we can't control, necessarily, the past, and we may not control the changes in the future, and so that -- That was one of the things in bluefin, was we want to be able to test whether it happens or not, and there was a tremendous debate about whether these regime shifts were going to occur.

What we were trying to say is we're not saying that the regime shifts are going to occur, but it's that we've got a management procedure that can manage if they occur, which is the key thing that getting over that hurdle of people saying this is going to occur, that the productivity is going to get cut in half, and you guys are crazy, and that's not going to happen, and, no, that's not the point at all.

It's that you want to know if the management that you put into place is going to be able to handle that, and so, in that case, we think there's likely to be changes in the productivity of these species, and we want to test is management going to handle that, and, yes, that would be a role for that.

CHAIRMAN SWEETMAN: Mr. Anson.

MR. KEVIN ANSON: Thank you, Dr. Walter, for the presentation, and thank you to you and your staff and others that put thought into this, in trying to address the challenges that you all face, that we face here at the council, with trying to deal with lots of data in a rapidly-changing environment. I just want to, I guess, echo a couple of the other comments, or at least discussion, that was had in the question-and-answer, is that, you know, I'm a little concerned, I guess, to the workload issue still, and this is still -- Although you might be dropping some assessments, or the schedule of assessments, this is still a data-intensive, and resource-intensive, process, and I would just, you know, be curious, maybe, if the next presentation will shed some light in that, but that's just a concern I have.

Relative to what Mr. Gill had brought up, in your discussion regarding optimum yield, you know, I think that is something that there's some opportunity there that an MSE would be very applicable, in relation to Andy's question just now to you regarding reef fish, you know, particularly in the recreational sector, and so I just -- That, I don't think we're quite there to help us, or have that data populated to fully assess those needs, or wants, from the recreational sector, and so I just -- You know, in my mind, I think we'll need additional data, on the socioeconomic aspect, in order for us to really fully benefit from an MSE-type analysis, as we go forward, and it's just a general comment, but thank you.

CHAIRMAN SWEETMAN: Okay. We've had a fair amount of discussion on this, and I think this was a very nice presentation, Dr. Walter, and I appreciate it. There's a lot for us to chew on, certainly, but maybe I will try to move ourselves on to the next agenda item, unless there is any additional comments here for Dr. Walter. General Spraggins, go ahead.

GENERAL JOE SPRAGGINS: I would just like to say that, Dr. Walter, I heard the briefing out in San Diego, and it got my attention then, and it's getting my attention still, and there is something going on, and, you know, when they talked about in San Diego, they talked about also the idea of the lobster moving south from Maine, and there's some reason for it, and there's some reason, and it may even be -- A statement was made that Virginia may be the lobster capital of the world soon, if we don't watch out what's going on, but there's some things going on out there, and it's just like what we see every day with the Mississippi River and everything else, and there's something happening, and we need to put a lot of attention to it, and I

appreciate your efforts.

CHAIRMAN SWEETMAN: Okay. I am going to move us on to the next item here, and this is Tab E, Number 5, Overview of Potential Options for Regulatory Streamlining, and I will hand it over to you, Dr. Simmons.

OVERVIEW OF POTENTIAL OPTIONS FOR REGULATORY STREAMLINING

DR. DIAGNE: For this item here, council staff, in this case Dr. Simmons, will present a paper, a draft paper, on potential options for regulatory streamlining. Amongst the things that will be discussed is this document will provide examples of framework actions developed by the Gulf Council that may be utilized in the future for automating catch advice from stock assessments, or interim analyses, approved by the council's SSC. The committee should ask questions and provide feedback for future development, as warranted. Dr. Simmons.

EXECUTIVE DIRECTOR CARRIE SIMMONS: All right. Thank you, Mr. Chair. Good morning, everyone. This is a draft white paper, and it was put together by a small group of staff at our office, and at the Regional Office, and so it is in quite draft form right now, and I apologize, and I didn't get a presentation together, and so I'm going to walk through the document.

I just want to highlight some stuff here, and there are various factors and, you know, statutory requirements that must be considered by our council, and all the regional management councils, as well as the National Marine Fisheries Service, when determining the type of fishery management plan, or amendment to those plans, that has to be necessary for the development and recommendation of those regulatory changes.

Many councils, including the Gulf Council, have established frameworks within our various fishery management plans, Reef Fish, Coastal Migratory Pelagics, the Shrimp FMP, to more quickly enact identified regulatory changes, and these are often called open, or standard, framework processes, and some councils have also established an abbreviated procedure for identifying regulatory changes that are considered routine, or insignificant, and those are often called the closed framework process, and there's a little figure in there, a diagram, that we put together some years ago that you can take a look at.

Everyone knows this, but I will go ahead and state the obvious. The council process is an open and transparent process. However, we always have tradeoffs between transparency,

efficiency, and throughput that we have to consider at this table, and there are especially true as managers search for tools and processes that can be used to integrate new science for management decisions, and these are important considerations when evaluating the regulatory efficiencies that you may want to consider moving forward.

The first thing we did is we said, hey, we need to see where we are now, and how long are things taking right now, and so what we did is we took a history of recent regulatory actions that were completed in the last five years, and we used 2017 to 2021 to identify and evaluate potential regulatory efficiencies, and so we only used the actions that were initiated by the Gulf Council, and I think some of these are joint, to the time the rules became effective for consideration, and we needed to look at if there were trends in the timing of those, based on the type, based on the Magnuson and the National Environmental Policy Act requirements, those two main laws.

I think everyone has seen this Figure 1, and this kind of shows an oversimplified process of the frameworks versus our traditional management process, and then, more recently, we've had emergency and interim rules that we've utilized.

Figure 2 shows the five years of the recent regulatory history for the Gulf Council actions, and I apologize, and it's a little bit busy, but hopefully you can blow that up on your screen, and that was the best way we knew how to provide that in an infographic at this time, but, during that time, during those five years, the following type and number of documents were developed and implemented by the council and NMFS.

We did three full plan amendments that required an environmental impact statement, thirteen plan amendments that required an environmental assessment, fourteen framework actions that required an environmental assessment, and two abbreviated framework actions that were supported by what we're calling categorical exclusions, and, again, the council timing was defined as the first day of initiation, via a motion at the council table, until the document was transmitted to NMFS, and so that ended the council's time, and then when the Southeast Regional Office received that to the time that it became effective, the rules became effective, and so that's how that was defined there. The council is the darker color, and the agency, NMFS, is the lighter blue.

Currently, the framework actions with environmental assessments, the standard open frameworks, take the least number of days.

That's to be expected. Plan amendments, both the environmental assessments and the environmental impact statements, take the longest for the Gulf Council and the agency, and that is to be expected, because those documents typically analyze more difficult and more controversial actions, such as sector allocations, permits, reporting requirements, ending overfishing, and establishing or modifying rebuilding plans.

Let's go down to the need, on page 4, and so managers need additional tools to rapidly respond to changing environmental factors, and we've already talked about this this morning, and fishing behavior, social and economic interactions, and indicators, and the Science Center recently provided a new tool, which I don't know if it's really new anymore, but we've operationalized a couple of the interim analyses from different stocks, through the SSC process and council process, to make changes to catch advice, and also health checks.

During that process, it was determined that the council can't do these every year. We can't make management changes every year. It takes us too long, and so how can we best utilize this tool that we have, to react in between full-blown stock assessments, using this tool, potentially?

During the August council meeting, we provided a brief presentation, and then you asked me, via a motion, to follow-up with this, and staff, and so the aim of this document is to consider developing an automated process that would reduce the time between the SSC providing catch level recommendations, and updated via regulatory document, while minimizing any losses in transparency and opportunity for stakeholder input during that process.

What we did is we looked at -- We got a document from Headquarters, from Kelly Denit, that looked at what the other regional councils were doing, and it was interesting, because some of the things they were doing were kind of just named differently, but they weren't really all that different, and so we had to first work through that, and I think Mara and Peter helped me get straight on that, but that was interesting, and so what we tried to identify were the framework types, and the three that we identified were the annual, or multi-annual, specifications or other procedures, and there's an example in there of where we have applied that, and it was developed in a full Reef FMP that required an environmental impact statement, and that was done in Amendment 50, and that process, once it was implemented, allowed the states to request a closure of areas in federal waters, and so that's one example where we've applied

that particular framework process in the Gulf.

I think you also asked us to try to look at the anticipated amount of time it might take to develop and complete the framework process and then what the savings would be once that's implemented on the automated side of it, and so these are estimates, and I certainly think they probably need some refinement, but the anticipated amount of time it takes to develop and complete a framework process is anticipated to be ten to twenty-four months to develop the full plan amendment, without associated EIS or EA, and then, after the amendment is implemented, the time savings could be as quick as sixty to ninety days, or up to ninety days or more, if there's more involvement at the council level.

After implementation, this time savings could be as quick as sixty days, and, again, these are estimates, and so, if you look at the second process, the non-discretionary or automatic management responses to specified triggers and fishery re-openings, there's another example in the Gulf Reef Fish FMP where we have established a framework that allows the Regional Administrator to conduct the following actions, and that's closing or adjusting harvest for any sector, reopening a sector, and implementing accountability measures.

That process, to get through it, it was still the same to develop an EA or EIS, and it's probably ten to twenty-four months, depending on the scope, but then the efficiency, we thought here, could be much greater, after that's implemented, if new information fell within -- If it was consistent with what had been analyzed in that full plan amendment, or amendment, to the fishery management plan, or amendment to that plan. The estimated time to implement these types of actions was one to ten days, after it was fully effective.

The next steps, to think about this a little further, would be to potentially develop a Reef Fish FMP that would include a framework for establishing catch advice, for a limited number of species that we have successfully demonstrated interim analysis with, with proposed catch advice that's vetted by the Science Center and reviewed and approved by the Gulf Council's SSC, and, for example, I think we've had this for red grouper, gray triggerfish, and red snapper was a little additional, but also an interim approach, and potentially gag, here in the near future. It's also possible that this may be accomplished for vermilion snapper, and potentially king mackerel in the future, but that's -- I think some more work has to be done there.

The document, and this is the tricky part, would need to analyze a range of catches, with most likely the same sector allocations that are on the books for each of those species, and we would have to work hand-in-hand with the Science Center, and our staff and the Regional Office, to make sure that the range could be -- The foresight to know that the range that would need to be analyzed for those species would be scientifically robust and within what may be an output from the interim assessment, and so we would have to work in close coordination with them to fully develop and operationalize that effort.

For simplicity, it's probably best that we don't consider changes in stock status and sector allocations, and so Figure 4 outlines an anticipated proposed process, if the council moves forward with this effort, and the italicized text is a potential example of how the current Reef Fish FMP and framework procedure could be modified to implement such a closed framework process, and that's there in the italicized text, and then the potential -- There's an infographic with the potential steps, if this were to be fully operationalized.

Again, this is in quite draft form, and I did want to get something down on paper for us to consider, moving us forward, and I think it is important, and I think there are some species that we could potentially do this for, and, in the future, if you look at the most recent interim analysis that we received on red grouper, I think, you know, if we had this process in place, we could easily have changed that catch advice, perhaps, 500,000, or 600,000, pounds up, potentially, if this was on the books, if the SSC and council felt that was appropriate. I will stop there, and that's currently where we are.

CHAIRMAN SWEETMAN: Thank you for the presentation, Dr. Simmons, and to all the staff that put that together. This was informative to me. Any questions or comments for Dr. Simmons? Mara and then Andy.

MS. MARA LEVY: Not really a question, but just so I don't know -- I just want to clarify the maybe possible timelines for this, and so the one to ten days, in terms of implementing something, the reason that that works, and that that happens, is because those things are temporary rules, right, and so there's no public comment period, and they don't change the Code of Federal Regulations. We're adjusting a catch limit for a very short period of time, like a payback, or we're closing for a particular fishing year, and so that's why that one to ten days is there.

The way that the council's catch limits are structured is that they're codified, and so we have numbers in the Code of Federal Regulations that say what the catch limits are. We could not change those through a temporary rule, right, and so we would have to do proposed and final rulemaking to do that, and so this type of thing is never going to happen in one to ten days, unless we change the whole structure of the regulatory scheme that this council is operating under.

It would be more likely kind of like the flow in this diagram, a little bit different, and you could streamline the council process, right, and so you could streamline new scientific information goes to the SSC, the SSC comes up with a recommendation within the scope of what we've analyzed, the council takes a look at it, yes we agree, and letter to the agency, and then the agency evaluates it, and, if it's covered under the analysis and all of that, does the rulemaking, but the rulemaking would still have to happen, and so I guess I just wanted to make that clear, that the rulemaking on the backside is what would probably take the time, but you wouldn't have to go through that multiple-council-meeting process and that sort of thing.

CHAIRMAN SWEETMAN: Andy.

MR. STRELCHECK: First, thank you, Carrie, for your leadership and the work of my team and your team to put this together. I think anything we can do to increase efficiency, reduce process, will be beneficial. A couple of comments though. In terms of the graphics, they're really enlightening, and I really appreciate you kind of looking at all of the actions that have gone through the council process over the last number of years.

You know, one of the conversations that Carrie and I have been having is about timing of some of our rulemaking, and the agency, once we receive an action from the council, we have to make some decisions about how we prioritize the work that's coming into us, and, ultimately, at the end of the day, we're trying to prioritize things that have specific mandates, and, obviously, lower on the priority list are things that we can take a little more time with, because they're less urgent, but Carrie and I have kind of agreed that we need to have just a more regular conversation, because there might be things higher on the council's priority list than we're deeming them, and we need to identify that.

I just wanted to make note of that, and the other comment I would made is I'm certainly supportive of moving forward with an

FMP to incorporate this proposal. I think it could even be broadened, right, and so I kind of think about what we've done with state delegation for red snapper management, in terms of size limits and bag limits and other management options, right, and so the question really would become as to what range of management measures, alternatives, would you want to consider at that point, beyond just annual catch limit specifications, if any, and what would that process look like, in terms of council involvement, ultimately then moving that forward to the agency.

I do want to kind of keep it open-ended that, if we proceed forward with a management plan modification, that we think even more broadly than just some annual catch limit specifications.

CHAIRMAN SWEETMAN: Dr. Frazer.

DR. FRAZER: Thank you, Mr. Chair. I just wanted to circle back on the comments that Mara made with regard to the one to ten days. Yesterday, when we were having the discussion in the Reef Fish Committee about how long it might take to, you know, implement a closure, for example, for gag, and Andy indicated that it would probably take ten days, I guess I'm trying to figure out what's -- What type of things you can do in one day, as opposed to -- Why ten days, right, and do you know what I'm saying? That's why I was asking, and it's very misleading to me, I'm just saying.

MS. LEVY: I mean, there are certainly things that, if needed, I think the agency could push, I mean, to get through the process, but you still have the process, right, and it's got to go through the agency's clearance process, and it's got to get to the Federal Register, you know, and it has to be accepted by the Federal Register, and so anything happening in one day -- I mean, I don't know. I have seen things happen fairly quickly, in a couple of days, but Andy could probably speak more to that.

MR. STRELCHECK: Well, what immediately comes to mind is following the Deepwater Horizon oil spill, right, and we were essentially modifying the closures on a daily basis, in terms of where the oil was moving to, right, and so I don't recall exactly what that process entailed, but, ultimately, that was probably the most responsive that we could be, and I would say seven to ten days is probably more realistic, for most of the actions we're talking about here.

CHAIRMAN SWEETMAN: Okay. Any other questions or comments? Dr. Simmons, are you looking for specific direction here to move this forward?

EXECUTIVE DIRECTOR SIMMONS: No, and I just -- I think the plan would be for us to start an amendment to look at this, unless the council tells us otherwise, because we're going to have to start involving a lot more staff.

CHAIRMAN SWEETMAN: What says the committee? Okay. Yes, I certainly -- Andy, go ahead.

MR. STRELCHECK: So is that direction to staff then to start an amendment to -- We don't need a motion, or do you want a motion, Carrie?

EXECUTIVE DIRECTOR SIMMONS: I guess a motion would be the best. I was looking back at what we had before, and I apologize.

CHAIRMAN SWEETMAN: All right. Anyone on the committee willing to offer up a motion to move this forward or anything? Mr. Anson.

MR. ANSON: I guess I will take a stab at it. **To direct staff to begin development of a plan amendment to -- In the Reef Fish FMP to investigate regulatory streamlining procedures.**

CHAIRMAN SWEETMAN: Okay. We've got a motion on the table.

GENERAL SPRAGGINS: Second.

CHAIRMAN SWEETMAN: And a second. It's seconded by General Spraggins. Okay, and so I will read this into the record. **To direct staff to begin development of a plan amendment within the Reef Fish FMP to investigate regulatory streamlining procedures.** Susan.

MS. BOGGS: "Investigate" doesn't really -- I mean, that's like we're exploring what we're going to do, and so I think -- I mean, if I may, to direct staff to begin developing a Reef Fish FMP plan amendment. I mean, take it out of the proposed next steps that Carrie has written here, that first sentence, and would that help, Carrie? Developing a Reef Fish FMP plan amendment that includes a framework for establishing catch advice for a limited number of species that have a successful IA with proposed catch advice vetted by the Southeast Fisheries Science Center and reviewed and approved by the Gulf Council's SSC.

CHAIRMAN SWEETMAN: So I will --

MS. BOGGS: It's the first sentence of the proposed next steps, and I think that gives you clear direction, Carrie.

EXECUTIVE DIRECTOR SIMMONS: Yes, and I don't think it necessarily has to be that long, and I think we should start with Reef Fish, and, if we think it's possible for CMP, we could -- Then we can bring that back, if we have that flexibility, but I would like us to try to focus a little bit, as we work through this and try to get that fleshed out some more. Direct staff to begin development on a plan amendment --

CHAIRMAN SWEETMAN: While staff is getting that up there, I think that Dr. Frazer has a question for Andy.

DR. FRAZER: Andy, in the comments that you made earlier, you thought that there was an opportunity, or a potential, moving forward, to broaden this out a little bit and give perhaps some broader utility, and is this going to limit that, the way that this is written?

MR. STRELCHECK: That's my concern, and why we were just having a discussion here, and, obviously, with my suggestion, we have to have a lot of specificity, in terms of what the triggers are and what the range of alternatives would be that would be provided, and so I would rather keep it more generalized, recognizing that we kind of already worked out at least a path for modifying catch limits, and see what other options could be on the table for other management measures, and, if that doesn't work, well, we just don't include it at that point.

CHAIRMAN SWEETMAN: Okay. Go ahead, Mr. Anson.

MR. ANSON: I was just going to suggest that, to try to keep it as simple as possible, similar to what Andy was saying, but just that's my motion.

CHAIRMAN SWEETMAN: Okay, and so we've got a motion on the table, and the seconder is okay? Thank you, General Spraggins. Okay, and so we'll do hands raised here. **All those in favor of the motion to direct staff to begin development on a plan amendment within the Reef Fish FMP to streamline regulatory procedures.** Okay. **The motion passes.**

MR. GILL: Hold on. You didn't get --

CHAIRMAN SWEETMAN: Sorry. **Any opposed.** Okay. **The motion carries unanimously.** Okay. Good, Carrie?

EXECUTIVE DIRECTOR SIMMONS: Yes. Thank you, Mr. Chair.

CHAIRMAN SWEETMAN: Okay. I think we can move on to the next agenda item, and I will pass it over to Dr. Diagne again.

FACTORS TO CONSIDER FOR THE INCLUSION OF SPECIES IN FEDERAL MANAGEMENT

DR. DIAGNE: For our next item, staff will give a presentation on factors to consider for including species in federal management, and, during the discussion, tripletail and African pompano are going to be used as examples to support the committee's discussion, and, finally, the presentation will include potential steps that could be considered while evaluating whether a species could be, or should be, included in federal management or not. The committee should review the information presented and, as needed, recommend the next steps at the end of this. In terms of council staff to give the presentation, I guess that would be me, and so I will just wait for Bernie to put the presentation up. All right. Thank you.

As we know, the MSA requires that a council prepare an FMP for each fishery under its authority and in need of conservation and management. What we are talking about today, mostly, is, if we look at the National Standard Guidelines, they advise that stocks that are predominantly harvested in federal waters, and that are overfished or subject to overfishing, or likely to become overfished or subject to overfishing, those stocks would require conservation and management, but, in addition, councils may determine that other stocks require conservation and management.

What follows is a list of essentially ten criteria that are highlighted and that could be considered while making that decision or evaluating whether federal management is needed or not, and those factors are listed here, some of them as questions, and the first one would be is the species an important component of the marine environment or whether the species is caught, actually, or is a target of a particular fishery. Another question would be whether an FMP would improve, or maintain, the condition of the species in question.

The next factor, listed here, looks at the importance of the species to a user group, the commercial, recreational, or subsistence users. The importance of the species to the nation, or to a regional economy, is also a factor for consideration.

Another factor to consider would be whether an FMP would further

conflict resolution amongst user groups or competing interests, and, also, would an FMP promote an efficient utilization of the resource? The next factor, listed here, is would an FMP address the needs of a developing fishery and promote an orderly growth of that fishery.

The last point, listed here, is the extent to which a fishery is already properly, or adequately, managed by states, or by joint state and federal programs, or by federal regulations, pursuant to other FMPs or international commissions or by industry self-regulations, consistent with the requirements of the MSA and other applicable law. These are the list of factors to be considered.

The council should also consider the specific circumstances of the fishery in question and base its evaluation on the best scientific information available to determine whether there are biological, economic, social, and/or operational concerns that can, or should, be addressed by federal management.

One or more of the factors that we briefly discussed, and any other additional considerations that may be relevant to a particular species, may provide the basis for determining that a stock requires conservation and management.

Now that we briefly have looked at the factors to consider, we are going to start with the tripletail regulations, and then quickly review the landings, and then we'll do the same for African pompano, before finishing with some steps that could be considered.

For tripletail, we started with Florida regulations, and the size limit is eighteen inches, and then you have the bag limits, two fish per person, and I will also highlight here the commercial bag limit, which is ten tripletail per day. For the remaining Gulf states, in terms of size limits, all the other states do have an eighteen-inch minimum size limit, and Texas has a seventeen-inch size limit. In terms of possession limits, it would be three per person for Alabama, Mississippi, and Texas, and, in Louisiana, the possession limit is five fish per person.

Looking at the landings, essentially, tripletail landings are predominantly recreational, and the recreational sector accounts, on average, for more than 97 percent of the landings. If we look at the distribution of landings between state and federal waters, and concentrating on the recreational landings, a small portion of the landings would be in federal waters, and,

looking at the data series here between 2000 and 2021, and that's the data series that we have, on average, landings in federal waters account for about 18 percent of the total.

The distribution of landings by state, as expected here, most of the landings come from the State of Florida, west Florida, and we do have, for the time series that we have here, 60 percent of the landings in west Florida, and the second is Alabama, about 20 percent, and Mississippi and Louisiana account roughly for 10 percent. I mean, the landings in Texas are less than a percent, and so, depending on how we round this, we go with 10 percent in Mississippi and Louisiana.

In terms of the landings by mode in the recreational sector, private anglers harvest 91 percent, roughly, let's say more than 90 percent, of tripletail, and so that's it for tripletail, in terms of the landings that we have, and now we'll switch to African pompano.

As far as the regulations are concerned, in the State of Florida, the minimum size limit is twenty-four inches fork length. The bag limit is two per harvester, and there is also a vessel limit of two per vessel.

In terms of the landings by sector, the recreational sector accounts for about 94 percent, on average, for the time series that we looked at of the landings, and, here, I would point out that there is this huge spike, I guess, in 2007, and, I mean, that's probably an anomaly of some sort, but we are going to figure it out, if we were to continue working on this.

In terms of landings between state and federal waters, for African pompano, most of the landings would come from federal waters. For the time series that we looked at, about let's say 55 percent of the landings, and landed in state waters would be 45 percent. In terms of landings by state, the State of Florida accounts for most of the landings, about 58 percent, for the time series that we looked at. Next is the State of Alabama, with about 35, or 36, percent, and then third would be Mississippi, with 5 percent.

Looking at the landings by mode, the private anglers would land most of the African pompano, and, for this time series, it's about -- It's close to 60 percent, 58 percent or so, and the remainder is between the charter and the shore mode.

This is the last slide on the presentation, and it just begins to, perhaps, suggest some of the steps to be considered during

this process. The first point that I would like to make is that we haven't found any formal process for other regional fisheries management councils when it comes to evaluating whether a species should or shouldn't be included in federal management, and so, essentially, these decisions are made following the regular deliberative council process, if you would.

In our process here, essentially the council typically approves a motion to initiate the discussion/evaluation of issues like this, or other issues, for that matter, and some of the steps include issues that we need to consider, or could be considered rather, and one would be to gather and synthesize data from the Gulf states and look at where the majority of landings comes from and, also, look at which states do manage the species in question.

The next point here would be to pay special attention to the coordination with states where most of the landings occurs. For example, in the two species that we looked at, the majority of landings would come from the State of Florida, and so the coordination with that state would be then, I guess, a key step here in the process.

During this evaluation, it would be, I guess, useful to ask the states about stock status and any other relevant information they may have relative to the species under consideration, and, should there be any recommendations available from SERO, or the Science Center, those also would need to be evaluated and contribute to the process.

The final point here of this slide, and of the presentation, would ask the question of whether or not there is actually a need to create a formal process to consider the inclusion of species in federal management, and that is, I guess, an open question for the committee, and later on the council, and I believe this is my last slide, and I will stop here and try to answer questions, if there are any. Thank you.

CHAIRMAN SWEETMAN: Thank you, Dr. Diagne. Any questions from the committee? Ms. Boggs.

MS. BOGGS: I have lots of questions, and so this brings us back to a couple of meetings ago, with tripletail and African pompano, and I am going to start with your last slide, Dr. Diagne. Not being a formal process, which that's kind of, I think, where this discussion has stemmed from, then your very last thing is do we need to create a formal process, but, to me, your middle section there, about the council passing the motion

to discuss and evaluate, I think that's ultimately where it starts.

Now, there may be a different process to determine if it needs to become a federal management plan, but that comes back to the discussion with the African pompano. When I brought it up, all I was asking is can we take a look at it, and I got shot down, and we had a petition, and I didn't know, at the time, that the petition had over, I think, 500 or 600 signatures on it, and that's what I was told, is the reason that I didn't get support is because I couldn't tell you how many signatures were on the petition, but then you --

I'm sorry that Dr. Shipp is not here to defend himself, but Dr. Shipp, a single individual, says we need to look at tripletail, and the council passes it, and so I don't know if this is the right place to do this or not, but, if we need to start a process, and I'm looking to staff, and make a motion to formalize this, I will be happy to try to craft that motion, or, if we can just back up, based on this council passage of a motion to initiate the discussion, that I would come back and talk about probably making a motion to take tripletail off the table, because it's obvious that it's a state fishery, and I would make another motion to look at African pompano, because it's obvious it's a federally-mostly-caught species, but I don't know what to do here.

I don't know what direction you want, because there's a lot of things going on in this document, and I will be happy to start wherever you want, and I will be happy to put, tomorrow, or this afternoon, when we go to Full Council, put it at the Other Business, but I am looking to the chair of this committee, and the chair of the council, and what should I do here, because there's a lot going on in this document.

CHAIRMAN SWEETMAN: Thank you, Ms. Boggs. I will first ask Dr. Diagne exactly what he's looking for here, and so there are a couple of things in here. You know, the council passes a motion, as Susan said, and I think that is a decent first step there, but is that consistent with developing a formal process, or policy, to consider inclusion within this?

DR. DIAGNE: Yes, I believe that would be consistent with, I guess, the last bullet, or the last question, but, yes, I mean, at the core, this could be simply limited to what you just mentioned, essentially, the council approves a motion to initiate discussion, or evaluation, and, following that motion, whatever outcome, you know, we get from the council's

discussions would essentially tell us how we should proceed, and meaning that this could be handled, really, within your usual deliberative process.

CHAIRMAN SWEETMAN: Thank you, Dr. Diagne, and so that kind of seems like the process that we currently have right now, which is why I think this discussion of developing a formal process here was brought up in the first place, and so I'm not sure how that changes it from where we're currently at. Ms. Boggs.

MS. BOGGS: It may not. I mean, it changes it in the fact that can we, as a council, take this information with tripletail, now that we have it, and move forward with actions on tripletail, and, okay, pompano, African pompano, yes, that motion failed, and so I can't proceed with that, unless I can find someone to bring it back up, and I get that, if I'm correct, but is this the appropriate place to have a discussion about now tripletail, or are we developing a paper, because, I mean, you've given us information here about the tripletail, and so where are we now, and I guess I should ask the question, but where are we now on tripletail?

CHAIRMAN SWEETMAN: Dr. Diagne.

DR. DIAGNE: Yes, actually, and, I mean, I guess, today, we would consider this as, if you would, a first step, and we used those two species, the landings, et cetera, regulations, as examples to support the discussion, but, to the extent that, let's say, for example, hypothetically, the council wanted to say that we don't want to manage tripletail, and we would like to consider, for example, managing African pompano, then perhaps we could go back to that motion, and that motion could say to ask us to please evaluate whether tripletail would be a suitable, quote, unquote, candidate for federal management or not, separate, and the same question for African pompano, so that, at the next meeting, we are going to, quote, unquote, formally tell you that, well, based on these ten criteria, we have this, this, and this, and this, and that will essentially help the council, and the committee, build the record, so that you will be able to say that we decided not to do it because we have this and this and this, even though I guess some of the decisions may or may not be obvious to some, based on the landings that we looked at, but at least --

I mean, if you have the time now to have the discussion, and establish your rationale, by all means go ahead and go to the conclusion, but it seems to me that maybe the time would be short, and so then, next time, we'll go through this, and then,

given that landings are mostly in let's say federal waters, given that we don't have information on the status of the stock and this and this and that, and, as a council, you recommend it this way or that way. That would seem, I guess, a course of action, if that is something that the committee would like to consider.

CHAIRMAN SWEETMAN: Okay. Mr. Anson.

MR. ANSON: That's what -- Dr. Diagne said basically what I was going to say, is that, I mean, we can address the two example species, if you will, that are used in this presentation, as kind of a test case and go through the process of -- Look at the factors to consider, yes and no, you know, line all that up, and does it meet kind of the threshold that we determine would be a requirement to go forward with some sort of plan amendment for that Species A or Species B, in this case tripletail or African pompano.

That's how I see that we would proceed, not only with those two, but other species as well, and so I don't know if we have a time, or a desire, I guess, to go through that process for those two species, or bring it back at a future meeting, but that's how I would see it, is, you know, look at the factors to consider, and then do those, you know -- Do you get more yes than no, and, again, what's the overall magnitude of the fishery, and I think, to some extent, even though Magnuson certainly would, you know, want the councils to defer towards conservation, but does the magnitude of the fishery, and its potential for being in jeopardy of, you know, being overfished -- You know, does that kind of balance into the overall goals in our resources for managing other species of fish too, and so I think that's kind of where I sit right now.

CHAIRMAN SWEETMAN: Mr. Gill.

MR. GILL: Thank you, Mr. Chairman. First, a comment, and, Susan, when you indicated that, when we previously visited African pompano, that motion failed, and that doesn't mean that you can't make a motion now and bring it up, and it's not a reconsideration then, because that reconsideration is only for that meeting, and so we're starting off fresh, and, if you want to bring it up again, that's certainly within the purview.

It seems, to me, the question here, given where we are, is whether we think there is sufficient reason to begin work on either species, and that's the real question, is should we enter into an effort to look, in more detail, at either one of these

species, and it's not clear, to me, that we've reached that level, on both, and maybe one, but part of the question, for me to answer that, is the question of whether the states have, for either species, a total allowable catch, and, if so, has there been issues with controlling that, and my guess is, no, there are no TACs on these species, in any of the states, and that's not been an issue, but that hasn't been discussed, and so I would like to clarify, in my own mind at least, that that's not part of the issue.

CHAIRMAN SWEETMAN: Mr. Diaz.

MR. DIAZ: Thank you, Mr. Chair. I mean, I'm just thinking about this, and Dr. Diagne gave us some information about these two species, and it just -- To me, I agree with Susan, and tripletail looks like the states are actively managing tripletail, and they've got pretty good regulations in every state, and I know that Dr. Shipp is not here, but it looks to me like tripletail -- That the states are doing -- They're pretty actively managing these fisheries, and I don't know that there's a need for us to go down that road with that.

I did want to point out, in the presentation, one of the staff had sent me a text, and, on the slide where it shows the African pompano landed by state, it's showing that, in 2016, about 25,000 pounds or so was landed in Mississippi, and that was one African pompano was picked up by a dockside surveyor, and that was the result of one fish.

I have not seen a lot of African pompano in Mississippi, and they are occasionally landed. Mike fishes offshore a good bit, and he says they're occasionally landed, but it's not a common fish that's landed in Mississippi, and so it's not a -- It's just not something that occurs regularly in Mississippi, and it's more of a rare thing, in my opinion, from what I've seen through my time, and so, anyway, that's all I have for now. Thank you, Mr. Chair.

CHAIRMAN SWEETMAN: Thank you, Mr. Diaz. Yes, I would probably consider both of these species to be more or less rare-event species, and so -- Yes, General Spraggins.

GENERAL SPRAGGINS: I just wanted to know, and was that a state record? 25,000 pounds is a pretty good-sized fish.

CHAIRMAN SWEETMAN: Okay. What is the will of the committee here? We certainly have some questions that are posed to us, and there are different processes here, and do we want to

develop a formal process for this? It sounds more along the lines that we're considering a case-by-case basis, with motions, and so I would offer that up to the committee, if we would like to move forward, one way or the other, with either of these species here. I am looking at you, Ms. Boggs.

MS. BOGGS: Well, I'm not going to speak to tripletail, because Dr. Shipp is not here, and so I'm going to let that kind of pass. Being the fact that I have this information in front of me now, and it may be kind of along what Dale is saying, and it's one or two fish that are driving these numbers, but African pompano -- I am sitting here looking, and, in the last five years, three of those years it was -- One year was all -- Two years was all federal waters, with no state, and so it makes me come back to take heed to what Captain Eric Schmidt brought to us.

I want to say over a year ago was that petition from the Florida anglers, saying, hey, we're catching more and more of these in federal waters, and this slide is showing me this, and so I would like to make a motion to direct staff to initiate an evaluation on a federal -- On managing African pompano. Is that appropriate, Dr. Diagne?

DR. DIAGNE: It sounds like it to me.

CHAIRMAN SWEETMAN: Okay. We've got a motion on the table. Do we have a second? It's seconded by Mr. Strelcheck. Okay. Any discussion? Susan, do you need to provide any -- Mr. Anson.

MR. ANSON: Susan, "an evaluation on managing", and so what additional information would you be anticipating be brought forward, I guess, than what's already been provided?

CHAIRMAN SWEETMAN: Ms. Boggs.

MS. BOGGS: Well, to ask the states about stock status and other available relevant information, and I don't know if they've done with you, other than gather the landings, and to evaluate with SERO and the Southeast Fisheries Science Center with a recommendation, as stated in this document that Dr. Diagne presented to us.

CHAIRMAN SWEETMAN: Mr. Strelcheck.

MR. STRELCHECK: First, Susan, I would agree, and I would recommend that we change it to "initiate an evaluation on whether African pompano is in need of federal conservation and

management", or, sorry, "in need of conservation and management". No "federal".

MS. BOGGS: I am certainly fine with that edit.

MR. STRELCHECK: Then I guess the struggle I'm having is, you know, we brought forward tripletail, and it was a council recommendation from Dr. Shipp, and I don't see, really, a strong need to evaluate that, given just the data we've been presented this morning.

With African pompano, you know, we're talking about a very small amount of landings, 30,000 or 40,000 or 50,000 pounds, and there is management that extends into federal waters, but this is more like what we've seen with Florida pompano, in terms of fishermen petitioning, you know, us to at least evaluate it, and so I seconded the motion, primarily just to have conversation around this, and I've been struggling to really kind of see the broader need for conservation and management.

CHAIRMAN SWEETMAN: Thanks, Andy. Mr. Gill.

MR. GILL: Thank you, Mr. Chairman, and so I'm along the lines of Andy, but I would like to hear from -- Since this is primarily an Alabama and Florida fishery, I would like to hear from those states, in terms of their views on their management of African pompano, so that we can incorporate that in our thinking on whether we ought to be considering for federal management.

CHAIRMAN SWEETMAN: Ms. Boggs.

MS. BOGGS: Well, is that not just a part of what we discussed, that it would be -- Part of this management, for this motion, is to ask the states about stock status, and are we going to do it right here, and just bypass this motion?

MR. GILL: No, Susan, that's not what I was getting to, and I'm talking about the more general aspect of how they see their management of this species, whether they see considerations that are either plus or minus, and I don't know what their perspective is, but they're the ones that have got all the landings, and Eric has brought up an issue, in terms of the landings on the FLorida side, but, if the landings are in those states, that broad overview of where they're at, and how they see it, I think is part of that discussion.

CHAIRMAN SWEETMAN: Mr. Anson, do you want to take a stab at

this, and then I will go?

MR. ANSON: Sure, Mr. Chair. So not formally speaking for the state, but informally speaking for the state, we don't have a lot of information, nor collect a lot of information, outside of the information that was provided here in the presentation. As Dr. Diagne alluded to, based on the landings, it is primarily a federally-located species, if you will, for at least off of Alabama, and so we just don't -- You know, we have not had a desire, or a need, I guess, based on the location of the fish being in federal waters.

CHAIRMAN SWEETMAN: From a Florida perspective, we obviously don't have a specific stock status, because it's not something that is assessed at a statewide level. We do have fairly conservation-oriented regulations, I would say, and kind of the way that the fishery operates in both state and federal waters is a little bit different, and we do allow for spearing in federal waters, and, you know, I think that's been some of the concerns there, is relative to the bag and trip limits that we have in Florida, and that has been some of the concern on the stakeholder side of things there, that maybe it's a little bit too restrictive along those lines, but we do that for an intentional reason, and that's -- There is evidence of spawning aggregations out in federal waters, and so that is why we try to limit the amount of harvest in that way, by constraining it to those bag limits.

CHAIRMAN SWEETMAN: Mr. Diaz.

MR. DIAZ: I am struggling on what to do with this motion, and I appreciate the fact that we've got a lot of people that signed the petition, and I think that we should always take that seriously, but, like a couple of folks have said, I just don't know what we could do federally with this. I am thinking of wenchman, and, you know, we just didn't have any information on wenchman, and we really can't do anything with wenchman, and I feel like that's where we're going to be with African pompano, and, for that reason, I'm worried that this is going to be something that's going to take a lot of council time, and we've got so many issues that we have to address, and that's my concern.

I'm still not sure exactly how I'm going to vote on this, but I just don't think that we're going to have enough information, at the end of the day, to do anything with this, and I will be shocked if we do, and so, anyway, I'm sitting here stewing on what to do with it, but I don't like the fact that a lot of

people signed a petition that's asking us to do something, but I just don't think there's anything that we will be able to do.

CHAIRMAN SWEETMAN: Okay. We've had a fair amount of discussion on this. Any more comments? Okay. We've got a motion on the table by Ms. Boggs, and seconded by Andy, to direct staff to initiate an evaluation on whether African pompano needs conservation and management. **I think this is probably a hand vote here, and so all those in favor, please raise your hand; all those opposed.** Okay. **The motion fails one to eight.**

MR. PHIL DYSKOW: I voted, and I'm not on your committee. Sorry.

CHAIRMAN SWEETMAN: Okay, and so -- Ms. Boggs.

MS. BOGGS: I don't know how the appropriate motion would be, and I'm just going to go ahead and do it. **I would like to make a motion to remove tripletail from consideration for conservation and management.**

CHAIRMAN SWEETMAN: Okay. Mr. Gill.

MR. GILL: I guess I'm a little confused. It's not under consideration, and so how are we going to remove it?

CHAIRMAN SWEETMAN: Ms. Boggs.

MS. BOGGS: We made a motion. Dr. Shipp made a motion, at the last meeting, after I made a motion on African pompano, and my motion failed, and his motion passed.

DR. DIAGNE: That is my recollection.

CHAIRMAN SWEETMAN: So I guess the question is, and I'm looking at staff here, is do we need a motion to remove this from consideration, or, if we just don't pass a motion to include it for consideration, does that effectively do the same thing?

EXECUTIVE DIRECTOR SIMMONS: Yes, I think that would be the same thing. You would not have a motion to move forward with considering those ten factors that are in the National Standard Guidelines that we did for Florida pompano, but I am looking down at Mara, to see if she agrees.

MS. LEVY: I don't remember what the exact motion was that passed, and so I was trying to look that up.

CHAIRMAN SWEETMAN: Ms. Boggs.

MS. BOGGS: There was a motion, and so if we could find that motion, and it was either the last meeting or the meeting prior, but there was a motion that was passed, at Full Council, to consider tripletail for federal management, and Dr. Shipp made that motion, and it passed.

EXECUTIVE DIRECTOR SIMMONS: It was from the October 2022 council meeting, I believe.

CHAIRMAN SWEETMAN: Okay. While staff is looking that up, Mr. Anson.

MR. ANSON: I'm sure they're looking it up, but it was from October, to direct staff to evaluate factors in determining whether tripletail is in need of federal management, and that carried nine to six with two abstentions.

CHAIRMAN SWEETMAN: Mr. Gill.

MR. GILL: So that's what we just did, and that's different than having it up for consideration for federal conservation and management, and so I think we've achieved what that motion was, based on that reading by Mr. Anson.

CHAIRMAN SWEETMAN: Go ahead, Ms. Boggs.

MS. BOGGS: So this was a presentation that Dr. Diagne has given, and it gave us several factors to look at, but it wasn't a formal presentation, and now I've lost it, and I don't know that this presentation -- Okay. Let me back up.

So the factors are gather and synthesize data, coordinate with states, ask the states about stock status and other available relevant information, and evaluate SERO and Southeast Fisheries Science Center recommendations, if any, and so I don't know if we have done all of those things, and I am just trying to make it very clear that we are through with tripletail.

CHAIRMAN SWEETMAN: Okay. I think that's fair. It's straightforward, and it's essentially doing the same thing, and so why don't we just move forward with this motion that's on the table here? We have the motion from Ms. Boggs, and it's seconded by Mr. Broussard, to remove tripletail from consideration for conservation and management. Ms. Boggs.

MS. BOGGS: I apologize, and would it help to use the words "to

remove tripletail from further consideration for conservation and management"?

CHAIRMAN SWEETMAN: Mr. Broussard, are you okay with that? Okay. **So the updated motion is to remove tripletail from further consideration for conservation and management.** Okay. **Is there anyone opposed to this motion? Seeing none, the motion carries.** Okay. Dr. Diagne, are we good with this agenda item?

DR. DIAGNE: Yes, Mr. Chair. Thank you.

CHAIRMAN SWEETMAN: Thank you, sir. I appreciate it. Okay, and so that will move us on to the next agenda item, and I will pass it right back over to you, Dr. Diagne, for working through the action guide.

SSC REPORT ON ALLOCATION APPROACHES PRESENTATION

DR. DIAGNE: Thank you again, Mr. Chair. For this item on our agenda, it is going to be the SSC report on an allocation approach presentation. Dr. Jim Nance will review the SSC's comments and recommendations provided in response to a presentation given by Dr. John Ward on an allocation approach, based on a simulation model, that could include economic, biological, social, and ecological factors.

The committee should discuss the information presented, ask questions, and could consider the method presented and comments provided during future discussions on allocations. Thank you.

DR. JIM NANCE: Thank you, Mr. Chair. As was mentioned, Dr. John Ward gave a presentation on an alternative allocation approach, based on a theoretical model that could integrate economic, social, biological, and ecological variables. He reviewed the assumptions and the steps to consider in the proposed modeling approach, including a surplus production model and derived biomass and effort levels. He discussed the interaction between ecological and human dimensions and considered the effects of interactions on markets. He also looked at various scenarios, including open access and fisheries managed with ACLs and IFQ programs.

After his presentation, the SSC asked whether each approach proposed could be used to assist in allocating resources between the recreational and commercial sectors. Dr. Ward indicated that it would depend on the manner in which the different user groups were specified in the function for maximization. It was noted that the bioeconomic simulation that he presented could

help determine the optimal allocations in fishery resources. The SSC, during this deliberation, thought that more information was needed to develop a clear understanding of the approach presented, including model documentation. With that, Mr. Chair, that ends that presentation.

CHAIRMAN SWEETMAN: Okay. Thank you, as always, Dr. Nance. Are there any questions for Dr. Nance on the allocation approaches here? Yes, sir, Mr. Gill.

MR. GILL: Thank you, Mr. Chairman, and thank you, Dr. Nance, and not a question, or, well, maybe it is a question, and so the purpose of this presentation to the SSC was to demonstrate a method that could ostensibly incorporate economic data into a biological model to be helpful in determining allocation as an alternative way to the historical landings approach that is currently used.

My conclusion, from looking at this, is that, yes, it needs further development, but, yes, there is a reasonable possibility that that's what can be done, and it just needs to be further explored, and is that a fair conclusion from the SSC, based on your presentation?

DR. NANCE: I think so, in the fact that what Dr. Ward presented was a theoretical model that had those three aspects developed, biological, economic, and social, within a model. Those are certainly models that could be developed and looked at. Dr. Wade Griffin, at Texas A&M, had a shrimp model that had biological and the economic applications that we used successfully to look at different things, and so those types of models have been, and could be, developed, and so it would take time to be able to look at what you needed in a model like this, what was its purpose, and be able to put the data into it to be able to get the information out that you wanted.

CHAIRMAN SWEETMAN: Mr. Anson.

MR. ANSON: Thank you, Dr. Nance, and so what is the path forward, I guess? Is there a lack of funding in order to do that, or did the SSC discuss, as far as future work?

DR. NANCE: We certainly wanted to see if there is, you know, any documentation on a model like this, and, once we were able to see that documentation, to future evaluate it, to be able to, I think, give a better evaluation of the steps forward in the future, not necessarily with this particular model, but with models like it. I mean, there is certainly individuals out

there that have possibly similar models, and this was a theoretical model that John presented, and it's not that he has it developed, but it's theoretical, and to be able to pass forward from that.

CHAIRMAN SWEETMAN: Dr. Walter.

DR. WALTER: Thank you, Chair, and thank you, Jim, for presenting this. There is a number of questions that some of our staff had, particularly our economists, in moving this from the theoretical to the practical and to -- Because that's really where the rubber is going to meet the road, is when you parameterize these models with data and then make real-life allocation decisions.

I think one of the concerns was that they're going to be solely dependent on the data that's put in and that maybe we don't have the data for that, so that we might -- If we don't have the data, or if the data is in conflict with -- I mean, we may have two sets of values for the same species, and then which one do you put in, and then embarking upon it may not give a clear-cut decision process for the council on allocations, because it's not always clear-cut, and I am just wondering what the SSC's thought on what -- On how we're going to get that hard data to be able to use it, and whether that's something that is possible in the near-term.

DR. NANCE: John, I appreciate that, and I know the economists there, from the Center and the Region, were looking at the data that would need to go into there, and so I think what we need to look at is look at a theoretical model, and do we have data that can be used to parameterize that, and I think, if we do, then we can move forward on some of those things, but it's going to take looking at what we need and if that data is available and not just theory data, but actual hard data that we can be able to use to be able to incorporate it in a model like that.

CHAIRMAN SWEETMAN: Mr. Gill.

MR. GILL: Thank you, Mr. Chairman, and thank you, John, for that comment, and so part of the purpose of Dr. Ward's presentation was to demonstrate the process, because his contention is that existing data is sufficient to provide information to help in that process. Will it be black-and-white definitive, that this is the way you ought to go? No, and we're not that good, and so his next steps, as Kevin asked, is he used a hypothetical fish, real data and a hypothetical fish, to demonstrate the process.

The next step that he's going to work on is to pick a particular species in the Gulf, take the existing data for that, rerun the model to demonstrate the potential for use, relative to that species, which gets to the real-life aspects of consideration, and so that's the next step, and, yes, is it all going to work together, we don't know, but the contention, from the Center, is we don't have the data, and his contention is the opposite, that, yes, there is data, yes, we can do something, and, yes, it will be useful, and that's what the process is trying to demonstrate, and, if it's successful, then that's great, and, if it's not, well, that one didn't work, but, at this point, he's doing it on his own, and the more power to him, and I hope he's successful.

CHAIRMAN SWEETMAN: Okay. Any other discussion or questions or comments for Dr. Nance? Okay. Thank you, Dr. Nance. We appreciate it.

DR. NANCE: Thank you. I appreciate that.

CHAIRMAN SWEETMAN: Okay, and so I had no other business. I'm going to look around the table. We're a little bit ahead of schedule here, and so all right. I am not hearing any, and so I will turn it back over to you, Mr. Chair.

(Whereupon, the meeting adjourned on April 5, 2023.)

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