

1 GULF OF MEXICO FISHERY MANAGEMENT COUNCIL
2 AND
3 SOUTH ATLANTIC FISHERY MANAGEMENT COUNCIL
4

5 JOINT WORKGROUP FOR SECTION 102 OF THE MODERNIZING RECREATIONAL
6 FISHERIES MANAGEMENT ACT OF 2018
7

8 Gulf Council Office Tampa, Florida
9

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13 Tom Frazer.....GMFMC
14 Chris Schieble.....GMFMC
15 Troy Williamson.....GMFMC
16 Mel Bell.....SAFMC
17 Chester Brewer.....SAFMC
18 Kristen Foss.....SAFMC
19 Spud Woodward.....SAFMC
20

21 **COUNCIL STAFF**

22 Myra Brouwer.....SAFMC
23 John Carmichael.....SAFMC
24 Chip Collier.....SAFMC
25 John Froeschke.....GMFMC
26 Ryan Rindone.....GMFMC
27 Carrie Simmons.....GMFMC
28

29 **OTHER PARTICIPANTS**

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31 Jason Delacruz.....FL
32 Russ Dunn.....NMFS
33 Buddy Guindon.....Galveston, TX
34 Martha Guyas.....ASA, FL
35 Chris Horton.....Congressional Sportsmen's Foundation
36 Jon Reynolds.....
37 Ed Maccini.....SOFA
38 John Sanchez.....FL
39 Eric Schmidt.....Fort Myers, FL
40 Andy Strelcheck.....NMFS
41 Bob Zales.....Panama City, FL
42

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2
3 [PAGE 105](#): : Motion that the Joint Section 102 Workgroup
4 recommends that the Gulf Council consider a federal recreational
5 permit concurrently with ongoing efforts with the Gulf states to
6 define the universe of recreational anglers. Consider whether
7 this permit should be for all offshore species or focus on reef
8 fish species. [The motion carried on page 109.](#)
9

10 [PAGE 109](#): Motion that the Joint Section 102 Workgroup
11 recommends the councils consider how to achieve optimum yield
12 for the recreational fleets by species or complex. [The motion](#)
13 [carried on page 112.](#)
14

15 [PAGE 114](#): Motion that the Joint Section 102 Workgroup
16 recommends the councils look at adaptive management measures in
17 response to stock condition. [The motion carried on page 115.](#)
18

19 [PAGE 116](#): Motion that the Joint Section 102 Workgroup
20 recommends the councils request the agency review and consider
21 revisiting the National Standard 1 Guidelines to better align
22 them to address contemporary management needs for all sectors.
23 Additional technical assistance guidance and/or identification
24 of other tools and applicable data for use of annual criteria
25 for achieving long-term yields for MSY and OY, as required in
26 MSA, are requested. [The motion carried on page 118.](#)
27

28 - - -
29

1 The Joint Workgroup for Section 102 of the Modernizing
2 Recreational Fisheries Management Act of 2018 of the Gulf of
3 Mexico Fishery Management Council and the South Atlantic Fishery
4 Management Council convened on Thursday, October 12, 2021, and
5 was called to order by Mr. Kevin Anson.
6

7 **INTRODUCTIONS AND ADOPTION OF AGENDA**
8 **APPROVAL OF THE MINUTES: SEPTEMBER 10, 2020 WEBINAR**
9

10 **CHAIRMAN KEVIN ANSON:** Good morning. My name is Kevin Anson,
11 Chair of the Joint Workgroup of the Gulf Council and South
12 Atlantic Council. We appreciate everyone's attendance on this
13 webinar and input at this meeting.
14

15 Notice of this meeting was provided to the Federal Register and
16 sent via email to subscribers of the councils' press release
17 email lists, and it was posted on the council's website.
18 Today's meeting will include the following topics: Adoption of
19 the Agenda and Approval of the Minutes from the June 3, 2021
20 Meeting; Scope of Work; Future Vision for Federal Managed
21 Recreational Fisheries; South Atlantic Fishery Management
22 Council Workgroup Summary for Federal Reef Fish Permit; Review
23 of National Saltwater Recreational Fisheries Policy; Review of
24 the March 2022 Recreational Fisheries Summit; Review of
25 Workgroup Goals: How are the councils doing; Recommendations to
26 the Councils for Alternative Recreational Fisheries Management
27 Strategies; a public comment session; and Other Business.
28

29 This meeting is open to the public, and it is being streamed
30 live and recorded. A summary and verbatim minutes of the
31 meeting will be produced and made available via the Gulf
32 Council's website. For the purpose of voice identification,
33 please identify yourself when stating your full name when your
34 name is called for attendance. Also, when speaking throughout
35 the meeting, please remember to identify yourself before
36 speaking. Thank you, and Bernie will take attendance.
37

38 **MS. BERNADINE ROY:** Mr. Kevin Anson.
39

40 **CHAIRMAN ANSON:** Here.
41

42 **MS. ROY:** Susan Boggs.
43

44 **MS. SUSAN BOGGS:** Here.
45

46 **MS. ROY:** Tom Frazer.
47

48 **DR. TOM FRAZER:** Here.

1
2 **MS. ROY:** Michael McDermott.
3
4 **MR. MICHAEL MCDERMOTT:** Here.
5
6 **MS. ROY:** Chris Schieble.
7
8 **MR. CHRIS SCHIEBLE:** Here.
9
10 **MS. ROY:** Troy Williamson. Mel Bell.
11
12 **MR. MEL BELL:** I'm here and sorry that I'm not there with you.
13
14 **MS. ROY:** Thank you. Chester Brewer.
15
16 **MR. CHESTER BREWER:** Present.
17
18 **MS. ROY:** Thank you. Kristen Foss.
19
20 **MS. KRISTEN FOSS:** Here.
21
22 **MS. ROY:** Thank you. Spud Woodward.
23
24 **MR. SPUD WOODWARD:** I'm here.
25
26 **MS. ROY:** Thank you. Myra Brouwer.
27
28 **MR. JOHN CARMICHAEL:** Hi. This is John. Myra is not going to
29 be on.
30
31 **MS. ROY:** Okay. Thank you. John Carmichael.
32
33 **MR. CARMICHAEL:** I'm here.
34
35 **MS. ROY:** Okay. I don't think I need to go through -- Chip
36 Collier. John Froeschke.
37
38 **DR. JOHN FROESCHKE:** Here.
39
40 **MS. ROY:** Ryan Rindone.
41
42 **MR. RYAN RINDONE:** Here.
43
44 **MS. ROY:** Carrie Simmons.
45
46 **DR. CARRIE SIMMONS:** Good morning. Carrie Simmons.
47
48 **MS. ROY:** All right. I will turn it back over to you, Kevin.

1
2 **CHAIRMAN ANSON:** Thank you, Bernie. That will take us to the
3 first item on the agenda, and that's the Adoption of the Agenda.
4 Are there any edits or changes to the agenda needed or
5 suggested? Seeing none, is there any opposition? Chester.

6
7 **MR. BREWER:** Kevin, as we were discussing earlier, before the
8 meeting started, I think the last agenda item may prove to be
9 one of the most important that's on the agenda, and I'm not
10 suggesting that it be moved, but just that we make sure that we
11 get to it.

12
13 **CHAIRMAN ANSON:** Thank you. We'll certainly try to do that,
14 make sure that we have enough time to discuss that item. Is
15 there any opposition to accepting the agenda as written? Seeing
16 none and hearing none, the agenda is adopted as written.

17
18 Next on the agenda is Item Number II, Approval of the Minutes
19 from June 3, 2021. Are there any edits or changes to the
20 minutes? I have two. On page 14, line 41, I believe it believe
21 it should be changed from "head" to "heard", and, on page 30,
22 line 19, change "thinks" to "things". Any other edits or
23 changes to the minutes? Is there any opposition to accepting
24 the minutes with the recommended changes? Seeing none, the
25 minutes are approved. Item Number III on the agenda is Scope of
26 Work. Ryan.

27
28 **SCOPE OF WORK**

29
30 **MR. RINDONE:** I can go through this all now, or I can go through
31 this ahead of each item, and what's your preference?

32
33 **CHAIRMAN ANSON:** Let's do it before each item.

34
35 **MR. RINDONE:** Okay, and so first up then will be a presentation
36 by Mr. Andy Strelcheck from the Southeast Regional Office, and
37 he will talk about federal fisheries management successes and
38 challenges and how management has traditionally responded to
39 address fishery problems and the need to expand the use of new
40 and innovative management approaches to successfully achieve
41 future management goals and objectives, and so Bernie will bring
42 that presentation up, and, Andy, the floor is yours.

43
44 **FUTURE VISION FOR FEDERAL MANAGED RECREATIONAL FISHERIES**

45
46 **MR. ANDY STRELCHECK:** While I'm waiting for the clicker, I want
47 to thank the group for the opportunity to speak on this. This
48 is an adaption of a presentation that I gave to the Southern

1 Division American Fisheries Society back in January or February
2 of this year.

3
4 He agenda talks about a future vision for recreational
5 fisheries, and I don't want to be so presumptive to lay out a
6 future vision for recreational fisheries, and I think this is an
7 effort that has to be done collectively, not only with my
8 thoughts in mind, but also the council, with stakeholders in
9 mind, and so what I have focused on today, and hope will set up
10 the conversation for the meeting, is kind of where the current
11 state of fisheries management is at with recreational fisheries,
12 why I think the toolbox needs to be expanded, and we need to be
13 thinking more creatively and innovatively about how we manage
14 recreational fisheries at the federal level.

15
16 Ultimately, at the end of the presentation, I've set aside five
17 or six questions, and I'll say as kind of teaser questions,
18 really to be thinking about, because I think it's really
19 important that we start looking at these questions in-depth.

20
21 The presentation itself, I will admit, is not earth shattering,
22 and I think there's really no big, major surprises in this, but
23 it will, I think, walk you through and tell you the story with
24 regard to kind of how we've gotten to where we're at today and
25 some of the ongoing challenges that we're going to be wrestling
26 with for some time to come and why.

27
28 I will talk about and give a little bit of background and talk
29 about those ongoing challenges and talk about some of the
30 differing sector objectives and why that's important under the
31 MSA construct, and I think it's important that we talk about the
32 changing baseline conditions with regard to managing fisheries,
33 and we're not remaining static, in terms of how we can manage
34 fisheries, and so that changing baseline I think is really
35 important.

36
37 We'll talk about how data can help us and what's being done, but
38 that it's not the end-all-be-all, in terms of the solution, and
39 then also how we build that bigger toolbox, ultimately, to get
40 to the paradigm shift that I've noted in the title of my
41 presentation.

42
43 I don't think that I need to tell this group and go into any
44 great detail with regard to the Magnuson Act, and I think you'll
45 well-versed in the Magnuson Act, but, with the National
46 Standards, they lay out, obviously, the principles for federal
47 management.

48

1 Preventing overfishing is right at the top of the list,
2 rebuilding overfished stocks, and you can read it for
3 yourselves, and so this, obviously, right now is the current
4 construct in which we are working with, in terms of federal
5 fisheries management. What I am talking about today really kind
6 of focuses within that construct and how it then also relates to
7 the Modern Fisheries Act and your Section 102 conversations.

8
9 Since reauthorization back in 2007, in the Southeast, we have
10 had some success. We've had stocks where -- We've reduced the
11 number of stocks that are undergoing overfishing, and we've had
12 at least some limited success in terms of the number of stocks
13 overfished, and so that's a good thing, right, and that was the
14 goal set out by MSA. Obviously, we would love to have no stocks
15 showing up on this list, but we have made some progress along
16 the way, and so that's a good sign that some of the actions that
17 we've taken over time are working.

18
19 You know, I am interested to see what this trend looks like
20 continuing, because we seem to be encountering some stocks that
21 are undergoing overfishing and becoming overfished in more
22 recent years, and so I am not sure this trend is going to
23 continue on the decline, but it's something that we need to
24 monitor carefully as we evaluate success in our federal
25 management.

26
27 Rebuilding stocks, although it's been highly controversial, red
28 snapper, in the Gulf, has been a success story, in terms of the
29 actual rebuilding progress that's been made, from a biological
30 standpoint, and we jumpstarted that back in the 2006-2007
31 timeframe, with lower quotas, with changes to the catch levels,
32 as well as the IFQ program, and we saw a massive rebound in
33 spawning potential, but I think, with that said, that's also
34 brought some challenges along with that, because some of the
35 goals under Magnuson aren't necessarily well-aligned with
36 recreational fishery goals and objectives.

37
38 Things have been controversial, and, as we all recognize,
39 there's a lot of dissatisfaction with the regulations, and that
40 comes with shorter seasons and low limits, and there's a lot of
41 scrutiny of the science. We've gotten into a lot of contentious
42 allocation decisions, more recently, and regulatory discards
43 have become more and more of a component of our overall fishing
44 mortality, which is making it then harder to address how we
45 achieve reductions in fishing mortality to end overfishing.

46
47 I note -- These are two Gulf stocks, and I could have put two
48 South Atlantic stocks on this, but, you know, not all stocks,

1 like I showed earlier, have been a success, and we've had some
2 stocks that have just remained in poor shape for extended
3 periods of time, and the council, councils, have struggled to
4 rebuild those stock, for a variety of reasons, some within their
5 control and some maybe without their control, and so not
6 everything is working under the current Magnuson construct, and
7 there is certainly maybe challenges ahead that aren't related to
8 the regulatory environment that are affecting the overall health
9 and status of some of our populations.

10
11 This is a slide that I gave at the last South Atlantic Council
12 meeting, and I could give it for a number of species, but we're
13 trading off a lot of landed catch now for discards, and so we've
14 turned our fisheries really into some fairly inefficient
15 fisheries that are wasteful, and the fish aren't being,
16 obviously, brought back and landed, and so those discard
17 mortality rates are driving a lot of what we're able to do and
18 manage and ultimate work under with the Magnuson Act to prevent
19 overfishing and rebuild overfished stocks, and, proportionally,
20 discards are just becoming more and more a greater component of
21 the catch for many of our federally-managed species, and it
22 presents, to me, one of the biggest challenges that we need to
23 address in the near-term.

24
25 Shifting gears, to me, it's really important to make some
26 distinctions in terms of the sector objectives, and, with the
27 commercial sector, you know, when you think about maximum
28 sustainable yield, every pound the quota goes up, and the
29 allocation of that quota to the commercial sector goes up, it
30 means more money in the pockets of commercial fishermen, and so
31 they value, obviously, having quotas that are high, that are
32 able to be harvested efficiently, and, ultimately, make
33 profitable business decisions.

34
35 On the recreational side, it's not all about access, but I
36 certainly hear access as being kind of the driving factor for a
37 lot of recreational fisheries management and the opportunity to
38 go fishing, the opportunity to go out and catch fish, whether or
39 not the fishery is open, and we do have year-round fisheries in
40 the Southeast. We don't have year-round harvest, but we have
41 year-round fisheries in the Southeast, and I think that is the
42 kind of added challenge with regard to then this access, is that
43 there is a desire to have as much access as possible, which
44 doesn't necessarily align with maximum sustainable yield
45 objectives.

46
47 Just to kind of graphically depict this in a somewhat
48 complicated manner, but you have the normal MSY yield curve,

1 that dashed-blue line, with MSY at the center in the top. For
2 the commercial sector, the way I've always kind of envisioned
3 this, as an OY concept, or a maximum economic yield concept, is
4 you're going to be just to the left of that MSY, and you're
5 going to fish at a slightly lower fishing mortality rate, to
6 ensure that maximum sustainable yield is sustained over the
7 long-term, and so, by keeping the maximum sustainable yield at
8 those high levels, you're maintaining that stability, that
9 consistency, in terms of harvest levels, in order to harvest
10 fish.

11
12 On the recreational side, and I refer to this as maximum
13 sustainable access, and we don't have a concept like this in
14 Magnuson, but, essentially, you're on the right side of that
15 yield curve, where MSY really isn't necessarily the driving
16 goal, and that potentially allowing higher fishing mortality
17 would allow for greater access, even if the maximum sustainable
18 yield declined based on that access, and so, under Magnuson, I
19 want to be very clear this is not something that conceptually is
20 allowed, or even in reality is allowed, but it is something that
21 I feel like is a disconnect between how the Magnuson Act is
22 structured and how recreational fisheries ultimately are managed
23 and the kind of goals and objectives of recreational fisheries.

24
25 I think you could also draw a yield curve for the recreational
26 fishery on the left-side of this graphic for species like king
27 mackerel, which are maybe more of a catch-and-release fish, or
28 something that is less targeted, where you want to maintain a
29 high standing stock biomass, but ultimately aren't harvesting as
30 many fish from the population, but this is, to me, kind of the
31 current challenge with regard to ultimately how we achieve our
32 objectives under management and the MSA and what we can do
33 versus what maybe is desired from the recreational sector.

34
35 Then I went back to my presentation files a while back and found
36 this from a meeting that was held back in 2014 or 2015, and, you
37 know, one of the other challenges, to me, is there is varying
38 objectives within the recreational sector, and I think each one
39 of us could go through this list and maybe make a different
40 determination with regard to what we most value and desire, with
41 regard to fisheries that we harvest, and it won't necessarily be
42 the same around this room, and so some of these align more with
43 the MSA MSY concepts, and others do not, right, but I think it's
44 really important that we look at this from the standpoint of
45 kind of the broader goals and objectives of what we're trying to
46 achieve with recreational fishing and ultimately what management
47 approaches may be available to achieve this within our
48 regulatory constructs.

1
2 I mentioned earlier about the changing baseline, and that middle
3 quote is, you know, just me kind of recalling, over and over,
4 something that's been told to me as a fisheries manager for the
5 last twenty years, that we implement more and more restrictive
6 measures, but we rarely make regulations less restrictive, and I
7 think that's fair, and that's true, and, for the most part,
8 people are spot-on.

9
10 I've given a lot of thought to that, and the reality is that
11 there's this changing baseline, and, if we had the same
12 conditions we had twenty or thirty or forty years ago, less
13 effort, less powerful motors and boats, less powerful electronic
14 equipment, less artificial reefs and structures, then maybe we
15 could be giving back more, and we would be less restrictive,
16 based on the regulations we've implemented, but, because the
17 baseline is changing, and it's not static, the argument I make
18 to you is that it's very hard, in most instances, to make those
19 less-restrictive regulations, just simply because the baseline
20 has shifted over time, and it will continue to shift over time.

21
22 I just pulled data for the Southeast, and Florida population
23 growth, but you can see -- I mean, obviously, not all of these
24 people are going to become recreational anglers, but we've
25 doubled the population, or tripled the population, essentially,
26 in seventy years in the Southeast, and we're on this substantial
27 upward trajectory, and, even if a small fraction of these people
28 want to go recreational fishing in state or federal waters, that
29 just ramps up the additional fishing pressure we have on the
30 resources that we're trying to manage.

31
32 I will put the caveat here, and, you know, I think there's also
33 this changing baseline in terms of expectations, and the
34 photographs that I'm going to show do not show the same vessels
35 or areas of fishing, and so that's the caveat here, that I wish
36 had a time synopsis over a period of time with the same vessel,
37 but what I see happening is, based on individual experiences --
38 You know, my fishing experience is from the 1990s until now,
39 right, but, if you were in the 1970s fishing, or the 1960s
40 fishing, your baseline is different than mine, and so, you know,
41 what you saw in 1954, versus what maybe you saw in 1973, versus
42 what you see today, is kind of the expectations in target
43 species and what we're harvesting is very different, and so your
44 baseline, in terms of what you think is a healthy stock, or
45 overall population, can be very different, depending on where
46 your baseline starts.

47
48 I think this is also something to kind of keep in mind, because

1 we hear this often, that the populations are the best we've ever
2 seen, and I think that's true, in a lot of cases, and the
3 reality is because, during that person's lifetime, or my
4 lifetime, they've seen this resurgence of a population that
5 maybe was at very depleted levels. They might also see the
6 opposite, where the population has become depleted and it's the
7 worst they've ever seen it in their lifetime.

8
9 Just to note, obviously, and there's a lot of other factors, and
10 I took out some slides with regard to, you know, the multiuse
11 nature of the marine environment, with like aquaculture and wind
12 energy and oil and gas, but we have climate as a driving factor
13 now, with red tide events more prevalent, with warming
14 temperatures that are affecting the distribution of our species,
15 the changes in habitat over time that are ultimately being
16 affected by sea-level rise, and so all of this plays in then to
17 the productivity and health of a stock as well as where that
18 stock is harvested and targeted.

19
20 Shifting gears, in my view, old tools are being less effective,
21 and we have really relied, historically, on seasons and bag
22 limits and size limits, and we are kind of at this crossroads
23 where, in my view, the status quo just isn't going to be
24 sufficient for most of the species we manage, and we need to
25 have this paradigm shift and move into different tools or
26 management measures, but, before getting to that, a lot of the
27 outcry is, well, just fix the data, and everything will be fine.

28
29 I put here that data is wrong, and we hear this a lot, and I
30 don't necessarily disagree that we shouldn't be fixing and
31 improving the data, and I think there's a lot of improvements
32 that still need to be made, but I also don't view the data as
33 that panacea that's going to solve all of our problems, and
34 we've seen this, for example, more recently with gag grouper, in
35 that we wanted to use the State Reef Fish Survey in the stock
36 assessment, and the outcomes of that assessment were nearly
37 identical whether you used the State Reef Fish Survey or MRIP.

38
39 Now, what SRFS might help us with is more real-time in-season
40 management, going forward, and so that is an improvement, but,
41 ultimately, at the end of the day, there's a lot of other
42 driving factors that are going to affect the health and status
43 of these populations, and just simply correcting, or improving,
44 the data doesn't necessarily mean that that's going to fix some
45 of our fisheries management problems.

46
47 Just to highlight that, and, I mean, I view that we are in an
48 environment where there is a lot of change, and there's a lot of

1 improvements that are maybe slower than wanted, but are being
2 made, from Great Red Snapper Counts and studies that are ongoing
3 to the specialized surveys to National Academy review and our
4 for-hire electronic reporting program.

5
6 All of this can, obviously, benefit and contribute to improved
7 knowledge and science that can help them to better manage our
8 fisheries going forward, and I think we need to continue down
9 this path, recognizing that it is a resource-limited
10 environment, and, in my view, we spend far too little on
11 recreational fisheries surveys and management than what we
12 should be, relative to the overall economic value of
13 recreational fisheries.

14
15 Just a few more slides, and so, in talking to my team, one of
16 the suggestions was not even -- To put, on the right-hand side
17 of this graphic, the tools that we're not using, or are seldomly
18 using, and I think it was important to just kind of lay those
19 out, but you can see, on the left side, the frequently-used
20 tools. On the right side, to me, are things that aren't novel,
21 and they're not unique. They are outlined in a number of
22 working group reports and studies and meetings that have been
23 commissioned by recreational organizations, and so, really, the
24 question, to me, is not, you know, whether or not to use these
25 or not, but it's which ones are kind of the most palatable and
26 most, you know, desirable to even begin exploring.

27
28 I put, down at the bottom, the pilot studies and exempted
29 fishing permits, and I think we've had a successful track
30 record, especially in the Gulf of Mexico, with using EFPs to
31 test some pretty unique and novel management strategies for
32 recreational fisheries, and that led to state regional
33 management, and we've tested, with Susan and her group, a
34 headboat collaborative, and, although that didn't lead to new
35 management approaches at that point in time, it did show a
36 resounding success in terms of ways we could manage that sector
37 differently.

38
39 To me, the questions that I've lined up at the end of this
40 really kind of hone-in on getting input from this group and
41 broader organizations on where we want to go from here, and what
42 can we use, beyond the traditional toolbox, in order to expand
43 out our management approaches.

44
45 Before getting to those questions, I recognize that, obviously,
46 change is going to not be easy, and I can easily talk about it
47 here, but it's going to take a collaborative effort with all of
48 our stakeholders. One of the things that I have mentioned, to

1 many people, is just a common understanding of the problem, and
2 I'm not sure if we are, as managers, as the council, with the
3 industry sectors, are in full agreement in terms of what people
4 view as the problems within our fisheries. I am saying
5 "fisheries" more broadly than just the recreational sector, and
6 so just that common understanding.

7
8 There has to be, obviously, that willingness to move beyond
9 traditional management, and then resources, right, because I
10 think that's one of the harder challenges, is that we are
11 becoming -- We have a more complex science environment, and we
12 have a more complex management environment, and, if the
13 resources and science can't keep up with those management
14 strategies to support them, then it really taxes and challenges
15 the system we're working in, and, ultimately, it may lead to
16 less successful support for management.

17
18 This is the last slide in the presentation, and I will just
19 leave it up, but, to me, it's really important that we talk
20 about the additional challenges, and are there things that I
21 didn't highlight that you would add to that list? What is your
22 top concern, and how would you address it, from
23 management/science perspective? Is there any alignment there
24 that we would hear in this working group? Are there additional
25 tools that I didn't list? I took a broad brush, but I would
26 love to, obviously, have a comprehensive list of tools and
27 explore each and every one of them.

28
29 Any suggested next steps, issues, or challenges, and I feel like
30 there's a wealth of information that's been out there for quite
31 some time, but we really haven't acted on it in any sweeping
32 fashion, and I think it's really important to think about that,
33 in terms of how we could get this moving and off the ground
34 more.

35
36 Are there other viable tools and approaches that you would
37 recommend, and then, I think, most importantly, how do we
38 collaborate and work on this together, and so, with that, I will
39 stop and take questions, and I look forward to the discussion.

40
41 **CHAIRMAN ANSON:** Thank you, Andy, for the presentation. Anybody
42 have any initial thoughts or comments? Chester.

43
44 **MR. BREWER:** Thank you, Andy. That was really good. You've
45 got, in your management things, you've got a lot of stuff that I
46 think is almost sort of on the backend, and, in other words,
47 setting bag limits and this sort of thing, and I will digress
48 for a moment, and I went to a workshop that was put on by NOAA

1 last week, I think it was, and it may have been the week before.
2
3 It was dealing with dolphin, and three folks came down from
4 Silver Spring, and they were discussing about management
5 alternatives for dolphin, and the thing that I found to be the
6 most interesting is they recognized that, with regard to
7 dolphin, you really can't do an assessment, because the fish are
8 so short-lived, and the assessment process takes so long that
9 the fish that you're assessing in the assessment are going to be
10 long-gone dead by the time the assessment comes out, and so
11 you're not going to be dealing with really accurate information.
12
13 It was really interesting, in that they were suggesting that an
14 alternative might be to take a look, on a yearly basis, of the
15 CPUE for dolphin, to start with a -- They actually asked us, and
16 they said, well, what do you think a reasonable bag limit should
17 be, a reasonable season, and a reasonable season for dolphin is
18 year-round, but, you know, and they got into this whole thing
19 about, well, should it be five fish per person, or ten fish,
20 that we struggle with somewhat on the South Atlantic, but I
21 raised my hand, I said, you know, we've been talking about doing
22 that, and, you know, managing by something other than --
23 Essentially, they were saying managing by something other than
24 assessments and ACLs.
25
26 I said, well, you're not going to be allowed to do that, and
27 they said, well, yes, we think we can, and we think there's
28 enough flexibility within Magnuson to do that management -- Use
29 that kind of management technique, and, the first time this
30 group met, we were told, in no uncertain terms that we had to
31 manage to an ACL, period, end of story, and do it on a yearly
32 basis, and now I'm hearing folks from NOAA saying, well, maybe
33 not, but I think that that is an avenue that, you know --
34
35 Dolphin are kind of unique, in that you really can't do an
36 assessment on them, but, with regard to some of the data-poor
37 species, that might be a pretty good viable alternative,
38 because, right now, every once in a while, we'll get -- You
39 know, somebody will bring in six hogfish down in the Keys on one
40 boat, and, all of a sudden, by god, we have gone over the quota
41 by 500 percent, and we've got to shut this fishery down, rather
42 than taking a longer-term view to see what the trends are with
43 regard to those fish.
44
45 To me, that's something that might be, you know, worth
46 evaluating, when we're talking about different tools in the
47 toolbox, because the species that we've got -- I mean, you're
48 really going to probably -- Right now, we're trying to do it

1 all, and, by god, there's one way to do it, and there's only way
2 that you're going to be able to set these bag limits, or set
3 ACLs, and this is it, and you've got really no flexibility, and
4 I think that's the wrong way to look at it. Maybe that's one of
5 the things that you might want to put up here, and, with that, I
6 will be quiet.

7

8 **CHAIRMAN ANSON:** Andy.

9

10 **MR. STRELCHECK:** Thanks for that, Chester. A couple of things
11 to unpack there, and I think you're exactly right, and I think
12 our agency is kind of evolving over time and learning,
13 obviously, from ACL management. We do have some new guidance
14 emerging with regard to how we could manage for data-poor
15 species, and dolphin would fall into that. Even though it's a
16 pretty abundant species, it's data-poor relative to a lot of
17 species we manage.

18

19 Clay, John Walter, the Science Center, I've had a lot of
20 conversations with them about just overall reinventing the stock
21 assessment enterprise, right, and so there's been a lot of
22 criticism and critique of the assessment enterprise, and it's
23 too slow, and it doesn't have enough assessments. As Clay often
24 mentions, it's a patchwork now of all of these different data
25 sources, which take a lot of time to weave together.

26

27 We have tried to start moving toward like interim analyses,
28 which what you're suggesting are essentially CPUE indices to
29 adjust catch limits up or down in between stock assessments,
30 right, and so I think there's opportunities there that will help
31 us be more nimble with regard to the science that then supports
32 the management.

33

34 Ultimately, at the end of the day, I think the still added
35 challenge that we face, and I talked about early in my
36 presentation, is maximizing sustainable yield and how can, you
37 know, monitoring catch per unit effort indices align with that,
38 right, and, ultimately, legally meet the requirements of
39 preventing overfishing.

40

41 **CHAIRMAN ANSON:** Dr. Frazer.

42

43 **DR. FRAZER:** I guess -- It was a really nice talk, Andy, and I
44 just -- There's always one slide that kind of gets me a little
45 bit, you know, and the one that you had that says just fix the
46 data, or the data is wrong, right, and I think we need to flip
47 that narrative, or change it a bit, right, and data are data,
48 and I think, when we allow that narrative to kind of continue,

1 or to persist in the discussion, it creates a lack of confidence
2 in the science surrounding that data.

3
4 I don't think it's the data, right, and I think that we're
5 limited in the amount of data that we have to address various
6 issues, right, and in the application of that data, and so I
7 think there's some education that needs to take place on that
8 front, and, to Chester's point, I think, and your point as well,
9 we see continued increases in effort, number of anglers, et
10 cetera, et cetera, and presumably that equates to an increase in
11 some type of benefit, right, whether it's economic or societal,
12 but I haven't seen a concomitant increase in the investment in
13 the data collection programs, and I think that's a reality that
14 we need to look at as well.

15
16 I thought the presentation was great, but I don't want to
17 perpetuate the fact that, you know, we leave people saying the
18 data is bad, right, because data are data, and we just don't
19 have enough of it, and I would argue that our assessment
20 scientists and SSCs have done a pretty incredible job with that
21 patchwork of data, to try to make the most of it, and so it's
22 just a difficult task.

23
24 **CHAIRMAN ANSON:** I appreciate your comment, Dr. Frazer, and I
25 tend to agree somewhat that we shouldn't necessarily, you know,
26 focus too much on the data, but, as Andy pointed out during the
27 presentation, it's often what drives a lot of the conversations
28 amongst our stakeholders, and then on the political side as
29 well, to drive certain mandates or legislative agendas and
30 such,, and so, you know, it's something that I have noticed
31 here, in my sideline role, at least in federal fisheries
32 management, is that, you know, the budgets may not be there, in
33 coming years, to address a very dynamic situation that we have
34 in fisheries, with evolving technologies and ever-increasing
35 populations and such.

36
37 There's just more and more demand on the resource, but yet the
38 dollars necessarily aren't following that in the same level, and
39 so I think we need to be cognizant of the fact that, you know,
40 we need to conduct data, or collect data, in a very sound and
41 scientific manner that provides us the information that we do
42 need, and then, within that, as to how much data that we're
43 collecting, how complex it is, whether it's from various
44 different sources or it's just the timing of that data and how
45 it's collected and how long it takes to process the data and
46 such, but having that data on a very timely manner.

47
48 You know, these are issues that are just coming to fore, and,

1 you know, as Andy also mentioned, relative to the baseline of
2 people's perceptions -- You know, if you're just talking about
3 the angler, an angler that may have been in the fishery for a
4 long time, their baseline is of a different state than it is
5 today and what a baseline perception of the fishery would be for
6 a younger angler.

7
8 You know, we have to kind of take into account that, outside of
9 that, in today's world, with the availability of information and
10 data and being able to process it in other aspects of people's
11 lives, that there are things that happen very quickly. You
12 know, you can get a mortgage these days without even stepping
13 foot in the bank and talking with somebody, and so things
14 evolve, and so I think we also need to be kind of preparing for
15 that, to the extent we can, to try to work within a system, or
16 even possibly change the system, so that we can be a little bit
17 more reactive and be better able to track the changes in the
18 fishery and those types of things, and so that's just my two-
19 cents.

20
21 Again, there's a note on the sidebar there, for those that are
22 online, for those members on the workgroup, to please raise your
23 hand if you have an interest in providing a comment. Is there
24 any other discussion on this? Susan.

25
26 **MS. BOGGS:** To Dr. Frazer's comment, and yours, Kevin, about the
27 data, and I agree with a lot of what Kevin says, but I don't
28 necessarily think all the data is wrong, and I will put that
29 caveat there of "all". I mean, there are some questions about
30 the new FES surveys, and a lot of people are apprehensive about
31 that, but I do agree with what Kevin is saying.

32
33 The data may not be wrong two years ago, but now we're using
34 that two-year-old data to make decisions today. Yesterday,
35 listening the amberjack conversation, the data in that document
36 starts with the 2022 fishing season, and, well, we're already
37 there, and so now we're looking down the road for future years,
38 and so I don't necessarily think that all the data is wrong, but
39 it's just like Kevin said, and it's the timeliness of getting
40 that data, because we hear it all the time at the council
41 meetings.

42
43 What we're sitting there at the council debating is not what the
44 fishermen are seeing, and it might have been three years ago,
45 but that's not it today. It's just like with grouper, and we're
46 trying to make all these decisions about grouper, and you hear
47 the fishermen, and they're like, well, the fishery is coming
48 back, and so I think we need, as a council, to become more

1 efficient in how we process or review the status of a fishery,
2 and I don't know exactly how to say that, but the data has got
3 to kind of keep up, and the council has got to move a little
4 faster.

5
6 I don't know how we do that, but I think that -- Because I think
7 the fishermen lose faith in what we're trying to do because
8 we're not being efficient in our jobs, and so I don't think the
9 data is wrong, but I just think it's not -- It's just like your
10 photo said, and what was then is not what is now. Thank you.

11
12 **CHAIRMAN ANSON:** Andy.

13
14 **MR. STRELCHECK:** Thanks for that comment, Susan, and, I guess,
15 in response, a couple of things. One is I think we run into a
16 number of situations with regard to interpretation of data, and
17 so you talked a lot more about stock assessments, right, and the
18 lag between an assessment and management action, and things can
19 change pretty rapidly.

20
21 We have had stock assessments, red snapper for the Gulf or South
22 Atlantic being prime examples, where people are telling us that
23 your science is wrong, but yet it was telling us the same thing
24 they're telling us, which is the fish are getting larger, and
25 they're becoming more prevalent and abundant, and what they were
26 reacting to is then the regulatory restrictions to constrain
27 harvest to a catch level, right?

28
29 I think that is a communication challenge, and it's a
30 disconnect, in terms of interpretation and understanding of the
31 data, and, ultimately, conveying outcomes of the data, but I
32 agree with you, and Carrie gave a nice presentation, at the last
33 Gulf Council meeting, about ways we could potentially speed up
34 the annual specifications process for catch limits, and we've
35 been internally trying to discuss ways that we could speed that
36 up and become more efficient, and so I think there's a number of
37 positive steps that could be taken, and then the interim
38 analyses, which we've talked about, I think are another avenue,
39 and Dr. Frazer's motion at the last Gulf Council meeting, with
40 regard to kind of metrics for evaluating stock health and status
41 without an assessment, I think are really important.

42
43 Years ago, and, I mean, Luiz Barbieri could probably talk about
44 it, I know, working for the State of Florida, they would
45 generate CPUE indices every year, or every other year, for all
46 of their stocks, right, and, if trending down or upward, it
47 would kind of be a metric for the State of Florida then to take
48 some sort of action, but it was a health check, and, to me,

1 those are just some things that, if you can actively keep an eye
2 on things, it can be really important, in terms of being more
3 responsive and nimble on the management side.

4

5 **CHAIRMAN ANSON:** I see a couple of folks who are online that
6 wish to speak. I see Kristen, and then, John, you'll be up
7 next.

8

9 **MS. FOSS:** Thanks, Kevin. I appreciate your presentation, Andy,
10 and, just kind of building off everyone's comments, I think
11 moving forward with our management, and especially trying to
12 consider these outside-of-the-box tools, I think it's really
13 important and valuable to kind of work to regain and build the
14 trust of our recreational anglers and community, whether that is
15 the importance of some sort of new dedicated regional outreach
16 program to establish, as you said, a common understanding of the
17 problem, or maybe it's better collaboration between the councils
18 and states and our partners.

19

20 I understand that this requires, you know, various time and
21 resources, but, moving forward, I think it's important to kind
22 of help build this trust, and I think we need to kind of keep
23 that at the forefront. Thanks.

24

25 **CHAIRMAN ANSON:** Thank you. John Carmichael.

26

27 **MR. CARMICHAEL:** Thanks. Thank you, Andy, for that. I think
28 your idea about pointing out the maximum economic yield and the
29 challenges that puts us into fits in well with some of the
30 things that Ryan and I are going to talk about at the end, and
31 so I look forward to, as Chester suggested, making sure we have
32 time to talk about that, because, you know, recreational
33 fisheries are about a lot more than just the economic yield, and
34 I think there's been too much focus on the idea of yield and MSY
35 and a little less in just making sure that we achieve
36 sustainability in managing stocks and have more flexibility as
37 to what yield means, which, Chester, I recall, very well, your
38 early discussions at the first meeting of this group about what
39 is yield.

40

41 I think that's emerged as kind of a fundamental challenge that
42 we're facing, and certainly a concern of those in these groups.
43 You know, unlike the dolphin situation, one thing I would point
44 out is that you can assess a short-lived stock, and, in fact,
45 you may really want to do so, to establish the validity of
46 something like a survey that you might want to guide management,
47 but what we know is, with the timing of management and the
48 timing of the science process, we can't deal with short-lived

1 stocks very well on a timely enough basis.

2
3 I think, you know, Susan put it pretty well there that the data
4 needs to keep up, but so does the council system. You know,
5 both need to be responsive on the scales that things are
6 happening in the fishery, and I feel that -- You know, it seems
7 that a lot of these stocks are changing, and their abundance is
8 changing, and their availability to recreational fisheries is
9 changing on a pace that maybe wasn't really anticipated to
10 happen, but it certainly is, and that is affecting our fishermen
11 a lot, and our fisheries, particularly in these multispecies
12 situations that we're facing with things like reef and snapper
13 grouper.

14
15 I think a top concern, certainly, Andy, and what you mentioned
16 here on this list is -- You kind of alluded to it, but it's just
17 NMFS not being able to monitor the stocks here in our region
18 adequately. We have a lot of stocks, and there's a lot of
19 variability in them, and they're tough to monitor, and we're
20 just not getting there, and that seems to be the core problem of
21 so many of the issues that we, as managers, face when dealing
22 with the constituents, and so I think that's just a huge
23 challenge, and thanks, Kevin.

24
25 **CHAIRMAN ANSON:** Thank you, John. Susan.

26
27 **MS. BOGGS:** On another note, talking about the baseline, and I'm
28 looking back at Andy's Slide Number 12, and the council, the
29 data -- We can't keep up with technology. I mean, the
30 technology is ever-changing, and you don't have to be a good
31 fisherman anymore to go fish, because the technology is there to
32 just go out there and hit your i-Pilot, and you sit there and
33 you fish, and so that's a challenge that this working group I
34 don't think can overcome, because we can't, you know, stop that,
35 but there are more challenges than we've ever had that are out
36 of our hands.

37
38 You know, I look at the artificial reef system, and there's pros
39 and cons about that, I know, and I'm not going to go into that,
40 but the electronics, and so, with all of this technology, and
41 then tying it back into the data, we should be able to be more
42 efficient with our data collection.

43
44 We're seeing it with the commercial fisheries. I mean, they've
45 done well. The charter/for-hire, which I know is under scrutiny
46 right now, but with the electronic logbooks, and that's a step
47 in the right direction. Of course, the headboats have been
48 doing it for years prior to that, which is what allowed us to

1 get the Headboat Collaborative program, is because we have the
2 data. Unfortunately, it didn't proceed and go further to a full
3 management plan.

4
5 Since this -- But with regard to the private rec sector, we get
6 this pushback, and nobody likes, or, again, is confident in the
7 new FES surveys, and so -- I'm going to get dinged for this,
8 things thrown at me, I'm sure, but the recreational fishermen
9 need to step up and help with this data collection system. They
10 need to be willing, if it's just a pilot program, for some
11 volunteers to step up, so that we can start getting this data
12 that we so truly need to help with these management decisions,
13 and it's going to be ever-changing, with technology and climate
14 change.

15
16 I agree that's happening. Red tide and hurricanes, and we have
17 a lot of things that we can't control but I think, with regard
18 to the data, the one piece that we're really missing is the buy-
19 in from the recreational fishermen, and I'm not sure how we do
20 that. Thank you.

21
22 **CHAIRMAN ANSON:** Thank you, Susan. Mel.

23
24 **MR. BELL:** Thanks. Andy, I really appreciate the presentation.
25 I think it's very thorough, and great job with that. One of the
26 challenges, and you touched on it a little bit, and others have
27 as well, I think is our process is so dependent on stock
28 assessments, and stock assessments are dependent upon models. I
29 am not a stock assessment scientist or a modeler, but one of the
30 challenges that -- One of the things that always just kind of
31 made me think a little bit is that, you know, perhaps we're
32 following the process in our assessments where we kind of assume
33 some static nature to things, and maybe we're a little more
34 sensitive to this on the -- You know, on our coast over here,
35 where we have a larger latitudinal expanse.

36
37 Then, when I put my commission hat on, my expanse goes all the
38 way to Maine, but I think, obviously, things are changing, and
39 things are changing, perhaps, a little more rapidly than we
40 might have anticipated, in terms of species potentially
41 expanding. Ranges are shifting, and so I guess the challenge
42 I'm worrying about is how do we follow the assessment process,
43 and how do the models, perhaps, compensate for the fact that
44 what was, perhaps, the realities, when we started, or maybe the
45 last assessment, moving into this assessment, and things have
46 changed, but we're trying to build something back to a level
47 that's maybe not obtainable, or maybe we actually have more
48 potential.

1
2 I don't know how you compensate for that, or how you sort of
3 conduct the assessment process, in multiple assessments, in that
4 sort of dynamic environment, but that just seems, to me, to be a
5 bit of a challenge, and it's sort of like if the assessment is
6 following a particular methodology and assumptions in models,
7 and it's kind of like a recipe. You plug in the data, and you
8 follow the recipe, and the outcome is the product.

9
10 Well, you know, we might have been used to following the recipe
11 when the recipe worked well at sea level, but now we find
12 ourselves at 10,000 feet trying to bake a cake, you know at
13 10,000 feet, and the recipe is not going to quite work the same,
14 just because of the changing environment that we're in.

15
16 I just see that as a challenge that we all face, and
17 particularly maybe if you're dealing with a greater latitudinal
18 expanse, and where you may see some of these things that we've
19 seen, I know, on the Atlantic side a little bit more, and that's
20 just, to me, a big challenge, and, again, that's probably for
21 the modelers, for the assessment scientists, how you factor that
22 in. That's it. Thank you.

23
24 **CHAIRMAN ANSON:** Thank you Mel. Andy.

25
26 **MR. STRELCHECK:** I mean, great comment, Mel. I would answer, I
27 think, in two ways. So, you know, not assuming any sort of
28 shifting in the species distribution based on climate, the
29 current challenge we have is we assess all of these species
30 individually, single-stock assessments, but we don't truly
31 understand the effects, impacts, of the ecosystem as a whole and
32 how rebuilding certain stocks, at the individual level, will
33 affect the size abundance and status of other populations.

34
35 You then add, obviously, the overlay of climate change and the
36 shifting of species, potentially, northward, and you're well
37 aware of conversations happening with CCC and NOAA Fisheries
38 about governance structure, but, on the science side of the
39 house, I think, ideally, the way we're going to have to hand
40 that is reinventing, or expanding, our surveys in a way that is
41 able to capture that shift in distribution over time up the east
42 coast.

43
44 We don't necessarily have, you know, surveys that were talking
45 to one another, in years past, and we haven't necessarily dealt
46 with this well up to this point, but there's recognition,
47 obviously, that there needs to be this expansion of surveys
48 northward, in order to ensure we know when those shifts are

1 occurring and where those fish are moving and that it's not
2 simply just related to mortality reductions or increases, but
3 actual shifts in the species abundance.

4
5 Once again, it gets back to resources, and that's going to be a
6 huge challenge, because it's not going to be cheap, in order to
7 expand the survey enterprise to do that, but, if we can do that
8 successfully to capture that, I think that helps at least us
9 better understand those dynamic shifts that are occurring with
10 our assessments.

11
12 **CHAIRMAN ANSON:** Susan.

13
14 **MS. BOGGS:** I am trying to go back to the slide, and so two
15 things. On Slide 8, with your discards, and you don't have to
16 answer this now, and this is just to kind of get to the point
17 where I'm going, but we realize that discards is a problem, with
18 just about every species, and the question I have, and I could
19 probably go look, but just a yes or no would be fine at this
20 time, but, for the general recreational, that includes the
21 charter/for-hire sector, and I'm not throwing stones, but I'm
22 trying to get a better understanding.

23
24 Is somewhere in SEDAR 73 -- Has it been broken out recreational
25 versus charter/for-hire, and, if you don't know the answer, you
26 can tell me later, but then I go back down to, and there's a
27 point to this, your toolbox, and your bigger toolbox, and I
28 think I said this year ago, before I was ever on the council,
29 and I was having a conversation, and we hear about the red
30 snapper getting bigger, and so are they eating the baby
31 triggerfish, and are they doing this, or are they doing that,
32 and you're right, Andy, that I think we need to look at an
33 ecosystem-based management plan.

34
35 I see here that you have the bottom fish season, because I have
36 been thinking, in my own mind, what if we just open the Gulf to
37 bottom fishing and see what happens, and do we see a rebound,
38 and, you know, does that help with the discards, because
39 discards are a big issue, and the reason I ask about is it
40 broken out is there you may have another EFP, and do we try
41 this, and, I mean, we really have already -- I know you're going
42 to hear me harp on it, but it worked with the Headboat
43 Collaborative. We had red snapper, and we had gag grouper, and
44 our discards were just null, almost.

45
46 So maybe we need to look at something like that, because, if you
47 go out, and you're bottom fishing, and I know they're talking
48 about it in the South Atlantic now. If red snapper is closed,

1 and triggerfish is open, you're probably going to encounter red
2 snapper, and so you've got to discard, and that is something
3 that I've actually been thinking about, and so I'm glad to see
4 that, and it would have to be structured in a way -- Of course,
5 I know this is a council decision, but it would have to be
6 structured in a way where it's maybe spread out through the
7 year, so you have something to catch in the spring, and you have
8 a -- You know, I hate to go back to a derby-fishery-type
9 fishery, but it may be something that we have to try, to see if
10 the ecosystem as a whole responds, instead of these discards.

11
12 I think we joked about, at one time, you have a five-gallon
13 bucket, and whatever you catch and fits in that bucket, and
14 you're done fishing, and maybe that's an approach, but I agree
15 that we need to do something, but the discards is something we
16 really need to address, and some of these tools may help with
17 that. Thank you.

18
19 **CHAIRMAN ANSON:** Andy.

20
21 **MR. STRELCHECK:** I mean, I can't answer your question about
22 SEDAR 73. Even if it's not broken out in SEDAR 73, we,
23 obviously, collect the data for for-hire separate from private,
24 and so those estimates can be generated. I think what you're
25 getting at, Susan, is kind of the challenge, from where I see
26 it, which is you point toward, okay, the benefits of a bottom
27 fishing season would be to reduce the discards when that season
28 is closed, right, but you still want access then to other
29 fisheries outside of that bottom fish season, and so how do we
30 make that work? What does that look like?

31
32 It does get back to access, and that first idea on the list,
33 about multispecies area management, and there was ideas proposed
34 in the South Atlantic one time, and I've seen this show up in
35 some of the recreational constituent working group reports, but
36 could we allow for fishing out to a certain depth, and that
37 might not be very good fishing in that area, but there would be
38 much more access, throughout the year, for the potential to
39 catch fish in that area, but you're then leaving enough of the
40 stock protected outside of that area to maintain a healthy stock
41 and achieve your MSA goals.

42
43 It's these tradeoff decisions, and I think we have to kind of
44 get a handle on it, from a management standpoint, of what is
45 most important and valuable to the council, to the recreational
46 sector, to all of our sectors, and I really liked Kristen's
47 comment earlier about outreach and communication, because, to
48 me, in order for this to be successful, that's where we have to

1 start. Let's start there and have a common understanding of the
2 problem and then work our way into those solutions as we have
3 those conversations.

4

5 **CHAIRMAN ANSON:** Thank you, Andy. Susan.

6

7 **MS. BOGGS:** Just one short comment. The only thing that I would
8 say about anything that goes forward from here, and even at the
9 council level, is enforcement, and that's another piece of this
10 tool that we're missing, is we can make these decisions, and we
11 can set these rules and regulations, but, if there's no
12 enforcement there, then I think we're unsuccessful.

13

14 **CHAIRMAN ANSON:** We are approaching the one hour that we have
15 dedicated to this topic, and there was already a comment earlier
16 about making sure we had enough time at the end of the meeting
17 to really talk about why we're here and try to come to some
18 finalization, and are there any other comments related to this
19 topic? Anybody online? Okay. No hands.

20

21 All right, and so that will move us to our next agenda item, but
22 we do have a fifteen-minute break scheduled, and so are people
23 ready for a break, or do we want to continue? No comments?
24 Then let's continue. Okay. Hopefully the folks online can
25 continue.

26

27 That will move us into Item Number V on the agenda, the South
28 Atlantic Fishery Management Council Workgroup Summary on Federal
29 Reef Fish Permit. Mr. Rindone.

30

31 **SOUTH ATLANTIC FISHERY MANAGEMENT COUNCIL WORKGROUP SUMMARY:**
32 **FEDERAL REEF FISH PERMIT**

33

34 **MR. RINDONE:** Thank you, and so Mr. John Carmichael, the South
35 Atlantic Council's Executive Director, is on, and he's going to
36 summarize recommendations from their working group on private
37 recreational reporting for the snapper grouper fishery. Their
38 council convened, and this is the South Atlantic Council,
39 convened this working group to explore permitting and reporting
40 to improve data collection.

41

42 This group met several times between February of last year and
43 February of this year and provided a final report to the South
44 Atlantic Council in March of this year, and, in response to
45 those recommendations, the South Atlantic Council started, or
46 restarted, an amendment to address permitting and reporting for
47 private recreational snapper grouper anglers and created a
48 technical advisory panel to help provide some additional input,

1 and so, John, are you there?
2

3 **MR. CARMICHAEL:** I'm here. Thank you for that intro, Ryan. If
4 you want to pull up just that attachment, I'll highlight a few
5 points on it.
6

7 **MR. RINDONE:** Bernie, it's the PDF, I believe.
8

9 **MR. CARMICHAEL:** While they're getting that up, just to say this
10 was sort of born of some discussions that have been going on at
11 the South Atlantic about the issues with MRIP estimation, for
12 the private recreational fishery in particular, in our snapper
13 grouper fishery. It was recognized, back in say 2015, that
14 these were really -- The majority of these stocks really are
15 classified as rare-event species in the MRIP language.
16

17 You know, they're just not as commonly encountered as the things
18 that are closer to shore, and even the species that are fairly
19 common, such as your black sea bass or your red snapper, in some
20 areas, seldom have, you know, PSEs that consistently approach
21 the level that is really desirable to make you think you have
22 good, reliable estimates.
23

24 Just dealing with how we get better estimates for these stocks
25 has been, as I said, seven years now and counting in looking
26 into this, and the SSC was thinking about setting up a workshop
27 to try and build on some ways of improving the estimation for
28 these rare-event species, in response to a presentation that
29 they received from John Foster of MRIP on some alternatives.
30

31 That led to NMFS setting up this rare-event species working
32 group, which has been in process for quite a while, and one
33 paper was presented by the group of consultants that talked
34 about multiyear averaging, which has made some progress, but
35 other topics have not been addressed, and COVID kind of set that
36 back, and so the council decided to dust this issue off a bit
37 and set up this group to say, you know, let's start looking at
38 this now again, and let's look at what's going on, and what can
39 we do, as a council, within our private recreational fishery, to
40 get better estimates to optimize the resources that are
41 available for MRIP and really, essentially, to identify the
42 anglers better, because that's one of the ways it's been
43 highlighted as improving the estimates, is if we had a better
44 universe of anglers.
45

46 That's where permitting comes in, and then reporting comes in,
47 because, obviously, if you require people to report, you're
48 going to drastically improve your estimates, and so the council

1 set up this working group with a combination of council members,
2 some agency folks, and then representatives from each state with
3 experience in this and set out on a plan to look at a lot of
4 things that have been going on.

5
6 What this document is, it's just a summary of the whole overall
7 process, and we talk about the things that were discussed at
8 each meeting, you know, such as the Florida Reef Fish Survey,
9 the MRIP rare-event working groups, and sessions were devoted to
10 folks in the South Atlantic learning more about what has gone on
11 in the Gulf, with your state-by-state reporting, and the Mid-
12 Atlantic Council, during this time, put in a recreational
13 tilefish reporting program, and we looked into that, and then we
14 also compared it to the HMS options, where you have the large
15 pelagic survey, and you have the HMS permits, and the HMS is
16 interesting, because they use a wide variety of reporting
17 approaches and permitting approaches to get at this data issue
18 and to optimize what they get from MRIP.

19
20 They have species that have mandatory reporting, and they have
21 species that are covered by the large pelagic survey, and they
22 have different types of permits, and permits are readily
23 accessible to everybody, and they even have some training things
24 tied to those permits, such as dealing with species ID, and so
25 that's a pretty good model, and certainly it's done in HMS, and
26 so it shows that it's something that can be done, you know,
27 within the federal system.

28
29 The group looked at that quite a bit and then looked at state
30 permits, to get an idea of what's the difference between state
31 permits and federal permits and how do the processes work, and
32 how does the HMS permit get issued, and really the logistical
33 details there in our Meeting 3 in December of 2021.

34
35 That led us up into our last meeting, we kind of rehashed
36 everything and looked back at what had been learned and what had
37 been studied to come up with some specific recommendations.
38 Now, these went to the council in our March 2022 meeting, and
39 the top recommendation was really to develop a federal permit
40 for the snapper grouper recreational fishery.

41
42 The gist of what was feeling that a federal permit brought
43 consistency, and it dealt with some of the states where there
44 may not be a willingness to put the resources into a federal
45 permit for snapper grouper in general. You know, one of the
46 things we like to point out, because, often, we'll hear
47 fishermen come to us and say, well, you know, you need to do
48 like the Gulf, and you need to do these state-by-state programs,

1 and particularly for red snapper, but the reality is that, for
2 many species, the stocks are not as abundant in the Atlantic as
3 they are in the Gulf.

4
5 I think the entire red snapper fishery in the South Atlantic is
6 about equal to the allocation that Louisiana gets, and so the
7 other states -- You know, Florida gets a pretty good share, and
8 Florida is heavily invested in this, with their reef fish
9 program that they're already doing, but it can be kind of hard
10 to tell, you know, a state like maybe Georgia, with a short
11 shoreline and not a lot of snapper grouper fishing effort going
12 on, that, you know, you're going to devote state resources to a
13 permit for this fish, and even, you know, a permitting program,
14 anything on the scale of what you see in Georgia.

15
16 That was kind of the justification, really, for looking at a
17 federal permit, and then the other recommendations got into
18 things like looking at the data collection needs that are
19 necessary, really wanting to make sure that whatever is done is
20 cohesive and consistent along the Atlantic coast and can work
21 within MRIP to improve those estimates and are not necessarily,
22 in all cases, a total replacement for MRIP, but something that
23 can optimize the resources that MRIP has, which was how this all
24 started in the first place, back in 2015.

25
26 Then to also work with the things that states are doing, such as
27 FWC with their reef fish program, and so we didn't want to end
28 up with something that put any particular state in a strong bind
29 or negated what things they had been working on for a long time.

30
31 Then that led to recommending, and I think it's the third one,
32 and what we have since done is create a technical advisory
33 panel. The council agreed that they want to look at
34 recreational permitting and reporting in the private snapper
35 grouper fishery, starting an amendment to look into that, and
36 one of the first steps was to create a regular AP, in the sense
37 that we know them, tied to our fishery management plans, without
38 council members and such on it, and so we created a technical
39 AP, which has representatives primarily from the state agencies,
40 from our SSC, who are involved in permitting and have experience
41 in this permitting, and they are providing technical guidance on
42 basically the logistics and the science behind the permitting
43 programs and reporting programs that will really operate as a
44 companion to our existing Snapper Grouper FMP, which is our
45 equivalent to you all's reef fish, our Snapper Grouper FMP
46 fishery advisory panel.

47
48 This isn't a replacement for them, and there aren't fishermen on

1 it, because this group focuses on the technical issues, and they
2 will work in concert with those, and this group has met once,
3 and they'll be meeting again in about a month, and they're
4 looking at the technical details of permitting, federal versus
5 state, how data could be collected, what are the things that
6 council is going to need to address in an amendment, and stuff
7 of that nature.

8
9 It's a very technically-oriented group, but we've got some folks
10 on there that have a lot of experience and can help the council
11 wade through those issues and hopefully come up with a program
12 that can be written up through the amendment process that would
13 start to improve the estimation and the estimates of harvest and
14 effort from the private snapper grouper fishery.

15
16 Then the last few recommendations were just kind of global
17 things to give the council some broad feedback on what needs to
18 be done, and really some of the pitfalls, and some of the big
19 things that came were such as right there at the bottom, and
20 establishing realistic expectations is critical, and outreach
21 and education is critical. You know, that was a strong lesson
22 learned from other permitting programs.

23
24 You know, you can't just do outreach from the start, and you've
25 got to be on it the whole time, and you've got to -- I view this
26 as a bit of a snowball, and it's going to start rolling
27 downhill, and, as people get on it, it gets bigger and bigger,
28 but you've got to always be there pushing at that thing, through
29 outreach and education, to get people onboard, and that's just
30 really a strong, strong lesson.

31
32 That, along with just the state and the federal coordination and
33 cooperation, that we're all on the same page and working for the
34 same goal, and to hopefully get some estimates that are
35 comparable across all the different states.

36
37 Just to sort of wrap up where this stands now, as I said, this
38 working group, technical working group, is having some meetings,
39 and our Snapper Grouper AP will be talking about this some at
40 their next meeting coming up soon, and we're reporting to the
41 council regularly, and the council is starting to think about
42 how it may craft actions and alternatives in an actual amendment
43 that will address permitting and reporting in our snapper
44 grouper fishery.

45
46 Then lots of research recommendations, as always is the case,
47 comes out of this, that we see as making our way into things
48 like our regular research plan that goes to the agency under the

1 Magnuson Act requirements and just informs what we're looking at
2 doing, in terms of supporting research and better science on
3 this issue.

4
5 That's a quick rundown of what this group has all been about,
6 and it kind of took some of the general discussions that were
7 done though this joint working group and really just zoomed-in
8 on the private snapper grouper recreational component in the
9 South Atlantic, and so I will be glad to take any questions or
10 further discussion, Kevin.

11
12 **CHAIRMAN ANSON:** Thank you, John. Does anyone have any
13 questions? Russ.

14
15 **MR. RUSS DUNN:** Hi, John. A question for you. Was there any
16 discussion, or what was the discussion, about a permit being
17 more broadly applicable than simply snapper grouper, and what I
18 mean is more of an offshore permit, more holistically, because
19 one of the things I worry about is the potential for
20 proliferation of multiple sort of one-off permits, tilefish in
21 the Mid, snapper grouper in the South Atlantic, and then there's
22 a need for something else, and, unless those are closely
23 coordinated, again, you end up with a mismatch, and you end up
24 with an increased burden, both on the agency, or agencies,
25 implementing, as well as anglers, and so was there any
26 discussion of that, any interest in that, at all?

27
28 **MR. CARMICHAEL:** This was really focused on snapper grouper, and
29 so a lot of the discussion has been with the expectation that
30 this would apply to all fifty-five species in the complex, but
31 it would not necessarily apply to something like dolphin wahoo
32 or king and Spanish, which are our other two big finfish FMPs,
33 and so, in theory, it would apply to everything in snapper
34 grouper, and so, you know, black sea bass to golden tilefish,
35 and there's been some discussion, I guess coming from kind of a
36 practical, logistical sense, of the scale of a permitting
37 program like this, about potentially looking at, you know,
38 deepwater species, some of the ones that have particularly low
39 PSEs from MRIP, and so extremely rare and very low catch levels
40 to begin with, and so there's not --

41
42 You know, you're just not expecting to encounter a lot of them,
43 but, you know, I think -- I agree with what you say about not
44 having a proliferation of lots of individual permits and that an
45 overall permit is a better way to go, and I hope that's the
46 direction the council is going to take, and I think there's
47 ability, again following the HMS model, to tailor, potentially,
48 your reporting components of the permit back to the more rare

1 species, and that's where your flexibility, and perhaps your
2 focus, could come in.

3
4 Our belief, and what we've been told from MRIP, is that simply
5 identifying the universe of anglers who go snapper grouper
6 fishing allows them to do some of the post-stratification steps
7 that would give them a more precise estimate, and so we wouldn't
8 just be lumping everybody that fished in a private boat from
9 three to 200 miles during May and June together as one, you
10 know, basic effort measure.

11
12 We're hoping that that would happen, and then, if you get some
13 stocks like snowy grouper or tilefish, that are very rare and
14 have low limits, then maybe we do move into mandatory reporting
15 of stocks like that.

16
17 **CHAIRMAN ANSON:** Susan.

18
19 **MS. BOGGS:** So I know several of the states in the Gulf --
20 Alabama has their reef fish endorsement, and I believe Louisiana
21 has something, and somebody from Florida can maybe answer about
22 Florida, and, the way I understand it, in Alabama, that's reef
23 fish, and I was curious about Louisiana and Florida, just to
24 kind of get to Russ's point, because, I mean, it sounds like
25 we're on a good track here, and, before you all answer the
26 question, I would like to make this comment.

27
28 If it's something that's already in place within the state,
29 since the federal government -- If NMFS created a permit, it
30 really does you no good, because I understand that money goes
31 into a general fund, and so it doesn't help you with research,
32 and so could you, you the agency, piggyback on what -- Which I
33 think we're already doing, with the collaboration with red
34 snapper, that data, so we're not reinventing the wheel of those
35 things that are already there, but bring -- Well, there's one
36 state that probably wouldn't come along, but maybe Mississippi
37 could tag along and come up with some type of an endorsement.

38
39 I guess my point is, to what John Carmichael just said, is
40 they're kind of looking at what we're already doing here in the
41 Gulf, and my purpose for my questions is to maybe help their
42 group move forward. Thank you.

43
44 **CHAIRMAN ANSON:** Andy.

45
46 **MR. STRELCHECK:** You hit a lot of good points here, Susan, in
47 terms of questions and things that we've been discussing, and,
48 you know, there is economies of scale here, right, and let's not

1 reinvent the wheel if there's a structure in place, and,
2 obviously, each of the states has their own type of reef fish
3 permit that applies to certain species of reef fish, or maybe
4 all of the reef fish, we manage.

5
6 The key, in my view, and what Russ was just mentioning, is how
7 do we standardize that the best way possible, and, you know, can
8 we use those existing systems that are in place as the
9 infrastructure and operations, more so than creating a new
10 system, right, and, if Magnuson is changed, and, you know, there
11 is a federal permit system or something that funding could be
12 directed toward recreational landings statistics -- I mean that,
13 to me, is a win-win ideal situation going forward, but that
14 would require an act of Congress.

15
16 I think the key to all of this is for a permit, especially when
17 we're trying to collect kind of the overall effort data, seems
18 to be -- It would make a lot of sense to be as consistent and
19 standardized as possible.

20
21 **CHAIRMAN ANSON:** Chris.

22
23 **MR. SCHIEBLE:** To answer Susan's question, first of all, the
24 recreational offshore landing permit is what Louisiana has, and
25 that's what we call it, and it monitors ten species, and so it's
26 got snapper, grouper, tuna, all the way through triggerfish, and
27 I think that's the key to it, is that you can't just have a
28 snapper-specific landing permit, and it's covering all of those,
29 because, you know, those seasons overlap, many times, and
30 amberjack, of course, is in there as well.

31
32 I'm not sure exactly the course of direction we're supposed to
33 go here, but I'm going to advocate for, obviously, a landing
34 permit, because we have one, and it makes sense that, if the
35 states already have one, it would be duplicative if we had a
36 Gulf-wide on top of a state landings permit, and that doesn't
37 make much sense, but, if the state permits could supply the data
38 that they need, it would make sense to just utilize those that
39 are already in place.

40
41 I advocate for it, of course, because it defines a user group
42 better than just taking an entire saltwater license frame and
43 using that to define the effort, and that's the whole point of
44 why we developed it in the first place. I would speculate that,
45 if we used our entire saltwater license frame in Louisiana, our
46 snapper season would probably be a week long, because it would
47 overemphasize the effort, which isn't real. The landings permit
48 defines the user group that's out there actually fishing, and it

1 also can't be tied to your license frame. It has to be a
2 separate permit, if you're going to do this, and that's just my
3 opinion.

4
5 I also think that, you know, when that data comes back in,
6 you're able to get your effort in basically a bi-weekly landing
7 format, to have in-season management at a more rapid pace, and
8 that's part of the trick to it as well, and I think, you know,
9 we haven't really talked about that yet this morning, but in-
10 season management is the goal of what we're trying to do here,
11 to be able to define our seasons and the landings at a faster
12 pace, in order to have these seasons that may be longer, instead
13 of waiting for a wave, or landings data, to come in, and we can
14 --

15
16 Like we did, for example, and we reopened snapper in Louisiana,
17 and it's currently open right now, through Friday, and then it
18 will close again, and we'll reexamine our landings two weeks
19 later, and, if there's still some remainder, we may even have a
20 longer season, but, without that landing permit, we probably
21 wouldn't be able to do it, because we wouldn't truly have our
22 effort where it's at.

23
24 As far as vessel or individual reporting, I would say that,
25 obviously, ours is individual reporting. Individuals go out,
26 and they get a fishing license, and then they also have to get
27 the free required landing permit, and that's the other trick to
28 it, and I don't really know if it makes a difference if it's
29 free or you have to pay for it, but it's required, and so the
30 enforcement part, that you mentioned, is there.

31
32 If enforcement comes up on a vessel, and they don't have a
33 landing permit, they're cited, and it's that simple, and so it
34 makes people go get it, but it's not just checking a box. It's
35 going to apply for it at a separate location online than the
36 license.

37
38 Then, if you have vessel reporting, I think you would tend to
39 possibly either over or underestimate your effort, because you
40 would have a vessel representing however many people were on
41 there, instead of getting that user-defined framework of
42 individual landing permits that you put back out for your effort
43 calls later in the week, and I'm not sure it would give you the
44 same results, and so I would advocate for the individual and not
45 the vessel.

46
47 **CHAIRMAN ANSON:** Kristen.

48

1 **MS. FOSS:** Thanks. Just to provide a little input on Florida's
2 program, so we have the State Reef Fish Survey, and it's for
3 thirteen specific reef fish species, and it's not all reef fish,
4 and it's a no-cost annual designation for individuals, and so,
5 you know, this was initially in the Gulf, but we received
6 funding, through our legislature, to expand it to the Atlantic
7 in 2020.

8
9 You know, we're working closely with the South Atlantic Council,
10 and we've got our scientists and folks who helped create SRFS on
11 the permit technical AP, to kind of hopefully make sure that
12 SRFS can kind of work with this permit and potential
13 recreational reporting, and, just kind of moving forward with
14 this idea the council is working on, I think it's important for
15 there to be coordination amongst different surveys like SRFS,
16 for data collection purposes, and this is an opportunity for us
17 to learn from what has worked, or could be improved upon, based
18 on what has already occurred in the Gulf, with all their
19 different surveys.

20
21 **CHAIRMAN ANSON:** Thank you. Dr. Frazer.

22
23 **DR. FRAZER:** I'm just curious, and this goes back to Chris, and
24 I'm thinking about the landing permit, right, and so do you --
25 It's a separate -- If you go get a fishing license in Louisiana,
26 right, and, at that time, do you just opt-in for that, or it's a
27 completely separate process? Is it free, or do you have to pay
28 for it? Like, in Florida, when you get a license, you just
29 check a box.

30
31 **MR. SCHIEBLE:** It's free.

32
33 **DR. FRAZER:** It's free, and so I'm trying to better understand,
34 and so it's simply the incentive to -- It's a time issue, when
35 you think of people that aren't going to fish offshore, right,
36 and just aren't going to -- Have you ever validated how many
37 people actually apply for that offshore permit, but never really
38 use it?

39
40 **MR. SCHIEBLE:** We do compliance, and so I know the enforcement
41 compliance is there on the receiving end of it, but I'm not sure
42 how many folks actually get it, but they never end up on the
43 water. I don't know the answer to that, but I know it's,
44 obviously, a portion of the saltwater license frame, and so it's
45 lower, and it's not like everybody that has a saltwater license
46 is getting an ROLP permit as well.

47
48 **DR. FRAZER:** Yes, and I get that. I just am trying to figure

1 out how much improvement, with regard to certainty in your
2 universe, you actually get, and so, just based on the number of
3 people that have licenses in Louisiana, and those that have the
4 offshore landing permit, is it 70 percent of that, the overall
5 population of the offshore permit?
6

7 **MR. SCHIEBLE:** So the ROLPs are validated during the dockside
8 intercepts, and so when we do LA Creel, and let's say you go
9 fishing, and you come in, and one of my staff interviews you for
10 an LA Creel intercept, and you're asked if you have a
11 recreational offshore landing permit, and so it's tied that way,
12 and we get a pretty good validation, and a baseline, I think,
13 through that.
14

15 **CHAIRMAN ANSON:** Going back earlier to John Carmichael's
16 comments, during his presentation, relative to, for instance,
17 Georgia and their willingness to be able to implement, through a
18 state process, a permit, and they may not have the desire,
19 because they have maybe a relatively small portion of their
20 anglers are prosecuting the snapper grouper fishery, and so I
21 will just be frank.
22

23 I don't know, John, and it might have come up in your
24 discussions, but, you know, we've already gone down this road
25 already with the National Saltwater Angler permit, and, you
26 know, there was incentive, if you will, for states to implement,
27 you know, a saltwater fishing license, if you will, and this is
28 maybe pretty much all implemented, but, you know, to -- There
29 was an option for states, if they could provide, you know, their
30 frame of saltwater anglers, through a license sale, or license
31 purchase, that list, and, effectively, that license then would
32 serve as the national permit.
33

34 I'm just wondering -- I mean, that's -- It's not the most
35 palatable option for the states, or the agency, but I'm just
36 saying there is precedent with establishing something like that,
37 and so, anyway, it's just a general comment. Chester.
38

39 **MR. BREWER:** We talked at-length about this, and the problem,
40 with I'm pretty sure North Carolina, and I'm pretty sure
41 Georgia, is they don't have, right now, this type of license,
42 and their fear, or their reluctance, is because, to put one in
43 place and have any funding to do it, they've got to go to the
44 legislature and get it passed.
45

46 It was thought that that's going to look, to the general
47 populous, a lot like another tax, and they didn't want any part
48 of it, and so your comment though about -- Remembering now about

1 the National Saltwater Fishing license, you know, we -- There
2 has been a real question, and Susan brought it up, about, well,
3 if the feds do it, where's the funding coming from to do it, and
4 maybe some variant on that program, which was very, very
5 effective, by the way, whereby the National Marine Fisheries
6 Service, or somebody else within NOAA, comes up with a model, or
7 specifications, for a license to accomplish these ends and then
8 says to the states, hey, you know, we're going to have to charge
9 for this, but, if you put it in place, you can charge whatever
10 you want, but, you know, you can probably do it for less cost.

11
12 Additionally, we've had a lot of discussions, but there's --
13 Certainly the folks that are on this working group, or whatever,
14 saw great value in having a license like this, or stamp, or some
15 variant, because, right now, we really, and you will see the
16 word came up, and it came up, I believe, in John's presentation,
17 but we don't know what the universe is.

18
19 We don't know how many people are doing this, and so you're
20 having to extract it and extrapolate -- So you're having to
21 extrapolate what the effort is, and people felt like we needed a
22 little bit more accurate information than that. Thank you.

23
24 **CHAIRMAN ANSON:** Thanks for that, Chester. I didn't want to get
25 into too much of some of the, you know, mechanics of how that
26 went down, the National Angler Permit, but, you know, certainly
27 Alabama was not one of those, and we already had a saltwater
28 license, and we may have had to modify some of those variables
29 that they wanted, or standardize variables of information that
30 was to be collected on the federal permit, but certainly with
31 the option of having, you know, the states being able to collect
32 it, be able to charge a fee, rather than going to the federal
33 government for that same license, and it was a selling point, at
34 least, if you will, and it maybe helped politically as well for
35 certain states to make any legislative changes, you know, to
36 implement or, you know, institute such a license. Susan.

37
38 **MS. BOGGS:** Well, since there's no allocation involved, maybe
39 the states and NMFS can work together to come out with the
40 criteria for this type of license.

41
42 **CHAIRMAN ANSON:** I have Michael.

43
44 **MR. MCDERMOTT:** I just wanted to comment on Tom's question about
45 the recreational offshore landing permit, and I've got one of
46 those for Louisiana, even though I'm a Mississippi resident, and
47 I fish over in Louisiana a good bit, and, of course, we've got
48 the enforcement side, you know, where they're checking to make

1 sure you have the permit, but Louisiana calls, on a regular
2 basis, and asks if I have fished in the previous week, and, if
3 you answer no, that's the extent of the survey. If you answer
4 yes, they go on and get the information about what species you
5 were pursuing and what your landings were.

6
7 I would assume that, if I'm getting regular calls like that,
8 then other people in the program are, and they do a good job of
9 getting the data that's necessary to determine who the active
10 participants are, and so there's more to it than just the
11 enforcement side.

12

13 **CHAIRMAN ANSON:** Thank you for that. Chris.

14

15 **MR. SCHIEBLE:** Thank you, Michael. One thing I would just like
16 is to make a quick point. As we go down the road of this, I
17 think we have to be careful not to be duplicative in what we do,
18 as far as either surveys or landing permits or whatever, if
19 we're going to have a federal and a state, because what I'm
20 starting to see, at least in Louisiana, is some level of survey
21 fatigue may be taking place with our anglers, as the SEFHIER
22 dockside validation is taking place, and the federal for-hire
23 fleet, on top of LA Creel dockside intercepts, are going on,
24 also.

25

26 I don't know what the exact numbers are, and I will by the end
27 of the year, but I'm hearing it from some of our staff, that,
28 you know, some of the federal for-hire fleet is starting to get
29 a little tired of both going on at the same time, and so we
30 can't have that going all the time. We can't have two separate
31 surveys, or two separate landing permits, or anything like that,
32 and I think we need to condense it into one efficient set of
33 work.

34

35 **CHAIRMAN ANSON:** Thank you. Any other comments? I guess, going
36 back to a couple of points that have been made, relative to the
37 angler versus the vessel, you know, Susan, you asked about, or
38 brought up the point, about the free status, and, you know,
39 whether or that can influence your universe, you know
40 artificially inflate it and those types of things, and so we do
41 have -- For the reef fish endorsement in Alabama, we do charge
42 ten-dollars, which, you know, isn't a lot.

43

44 Depending upon how you set up your license packages, and, if you
45 include that in the license package, I think we have probably a
46 little bit overinflated number of folks that just check the box,
47 because it's right there, and they want to be covered, if you
48 will, for any situation.

1
2 You know, we include species of fish in our reef fish
3 endorsement, or requirements for reef fish endorsement, that can
4 be caught from shore, and gray snapper is one of them, and so,
5 you know, that is just something to be aware of, that I think
6 some fee would need to be charged, or at least a different, you
7 know, stage, or different process, for you to go and acquire
8 that, so that it would make it a little bit more difficult and
9 have people think about, you know, having to go through that
10 purchase or get that permit.

11
12 You know, the vessel is easier, I think, for, you know, making
13 it more efficient, if you're going to be doing some validation
14 at the dockside, to try to determine the proportion of folks
15 that aren't -- That don't have their license, so that you can
16 make some adjustments to effort and such, but it might be a
17 little bit easier to do that via dockside with just the vessel
18 registration number and carrying that to that database, and so,
19 anyway, just some additional comments I have and such, but,
20 Susan.

21
22 **MS. BOGGS:** So, to Chris's comment about being duplicate, and
23 you talk about the fee, Kevin, and I say this because, if this
24 is a path of the councils, or whoever chooses to go down, there
25 is a lot of duplication. I know, in the State of Alabama, this
26 year, we don't have to report -- If you're a charter boat or
27 headboat, you don't have to report to Snapper Check as well as
28 either VESL or eTRIPS, and so that's been nice, but we do have
29 to buy a reef fish endorsement, but we have federal fishing
30 permits, and they're not ten-dollars, okay?

31
32 We also have to have a state fishing license, but, again, that's
33 a little bit of a rub, because now we're having to buy these
34 additional permits, and so I agree, whether it's recreational,
35 charter/for-hire, commercial, whatever, somehow, whatever comes
36 out of this, we need to streamline it, and, if it's -- I don't
37 know how you do it, but I know, the permits that we have to
38 carry, it seems like we're duplicating to have a reef fish
39 endorsement as well as federal reef fish permits, and so I do
40 agree with what you're saying, Chris.

41
42 Back to your comment about the vessel, and I can see both sides
43 of it. You prefer not to do vessel, but I think it is important
44 to capture the vessel, because, obviously, they are going to
45 fish, but you also need to capture the people that are on that
46 vessel, and I think one of the things that needs to happen, if
47 these endorsements are required, is there needs to be some kind
48 of, again, enforcement.

1
2 You know, these slaps on the hand -- You can only do that so
3 many times, and then there's got to be some impact. If you
4 don't have it, and it's your third time, it's a hundred-dollar
5 fine, and, I mean, whatever, but people have to understand how
6 important this is, and there needs to be some enforcement that
7 goes along with it than, hey, make sure you have it next time,
8 because, the next time, it's going to be the next time. Thank
9 you.

10
11 **CHAIRMAN ANSON:** Thank you. Ryan.

12
13 **MR. RINDONE:** Thanks, and I just -- We've had a conversation
14 about this in Alabama, or at least Jessica McCawley and I did a
15 little bit, and so I fish here in Florida mostly, and I'm a
16 lifetime license holder, and, every year, I have to get the Gulf
17 reef fish angler endorsement on my license, and, admittedly,
18 sometimes I don't remember until I'm on the way out on that
19 trip, and, oh, I wonder if mine is still current, and so I will
20 go on, before we lose cell service, and go and make sure that
21 I've got that appended to my license.

22
23 We had some conversations about that at the council level, and
24 one of the things that came up out of that was choice
25 architecture, in terms of where you put your defaults for when
26 people are signing-up for these additional permits, and like it
27 is an automatic renewal, or is there some kind of a reminder, or
28 do they have to remember themselves to go and sign back up for
29 it, because, whether it's a state-specific permit or it's a
30 region-wide or a national permit for all reef fish and/or
31 snapper grouper species, whatever it might be, the renewal
32 process is important, because people fish, and people hunt, and
33 people have permits for who knows how many different things,
34 and, you know, it can all get lost in the sauce, so to speak.

35
36 Something like an email reminder saying, hey, Chris, your ROLF
37 is coming up for renewal, and are you going to continue to fish
38 for reef fish in Louisiana, and click here for yes, and, all
39 right, you're signed back up, and click here for no, and, all
40 right, you're not, or something like that.

41
42 Like when this is being thought about, I think that's an
43 important thing, to make sure that the universe, the accounting
44 of that universe of effort, that each state, or each region, is
45 trying to accomplish is kept as accurate in time as possible.

46
47 **CHAIRMAN ANSON:** Just a little side comment, because this has
48 come up internally for Alabama, is retention, if you will, for

1 those resales is important for us, and so we're trying to
2 reevaluate how we do that with our previous license holders, to
3 remind them that, hey, your license is coming up, and it's due,
4 but then it's also the process of, you know, those data elements
5 that would be critical for the survey, whether it's some sort of
6 contact information, like an address, phone number, email, if
7 that were to be selected as a potential way to contact them, and
8 so just to be mindful of giving them the opportunity to update
9 it and not just have it, you know, automatically update, or make
10 it a little bit more difficult for them not to just go click
11 everything is the same, and, yet, they have moved, you know,
12 since last time they bought the license, and so that's just
13 something -- Some of the details going forward, but, Susan.

14
15 **MS. BOGGS:** To your point, Ryan, I do hold a hunting license in
16 the State of Alabama, and they all renew at the same time each
17 year, and we do get email reminders, and each of my family
18 members gets an email reminder that, hey, it's time. We don't
19 get it on the commercial side, and so I have to remember that,
20 on September 30, my commercial license expires, and go to
21 repurchase it, but they do have that in the State of Alabama,
22 and, because all the licenses renew at the same time each year,
23 it would be for any license that you hold, but you are correct
24 that a reminder would be helpful.

25
26 **CHAIRMAN ANSON:** Dr. Simmons.

27
28 **DR. SIMMONS:** Thank you, Mr. Chair. I think I have a question
29 either for John and the working group or maybe for Andy and his
30 team, and do you guys have any ballpark estimates on what it
31 would cost either the Atlantic States or the individual states
32 to administer this type of program, and then what type of
33 resources has the group discussed that it would take for like
34 QA/QC and compliance and being able to use this information for
35 monitoring landings and discards? Thanks.

36
37 **MR. CARMICHAEL:** Carrie, I'll take a stab at that. Basically,
38 we haven't gotten to the level yet of talking about things like
39 QA and QC and detail and how it would be done, but just a
40 recognition that that, along with the validation and all the
41 things that have come up under SEFHIER are all going to be
42 necessary to actually use the data, and then we really haven't
43 talked about the realities of cost either, when you get into it,
44 and so I really don't know the answers to those things just yet.

45
46 **DR. SIMMONS:** Thank you.

47
48 **CHAIRMAN ANSON:** All right, and so any other questions or John,

1 or comments about what John presented? All right, and so let's
2 -- It's 11:15. We skipped the first break, and so let's go
3 ahead and have a small break now, and then the food is not here,
4 but we can come back after, and we can probably get started,
5 Russ, with your presentation after the break, and so let's take
6 a ten-minute break.

7
8 (Whereupon, a brief recess was taken.)
9

10 **CHAIRMAN ANSON:** All right, workgroup members. Let's make our
11 way back to the table. We'll reconvene here. Mr. Rindone.

12
13 **REVIEW: NATIONAL SALTWATER RECREATIONAL FISHERIES POLICY**
14

15 **MR. RINDONE:** All right, and so Mr. Russ Dunn is with us today,
16 and he's going to provide a review of the NMFS National
17 Saltwater Recreational Fisheries Policy, and this policy has
18 been undergoing revisions, and public comment is currently being
19 accepted, and the purpose of the policy is to provide guidance
20 to NMFS in its deliberations pertaining to the development and
21 maintenance of enduring and sustainable high-quality saltwater
22 recreational fisheries.

23
24 It identifies goals and guiding principles to be integrated into
25 NMFS' planning, budgeting, decision-making, and activities, and
26 it includes examples of implementation concepts and strategies
27 supported by NMFS. Consistent with the purposes of the Magnuson
28 Act and other applicable federal statutes, the goals are to
29 support and maintain sustainable saltwater recreational
30 fisheries resources, including healthy marine and estuarine
31 habitats, promote saltwater recreational fishing for the social,
32 cultural, and economic benefit of the nation, and to enable
33 enduring participation in and enjoyment of saltwater
34 recreational fisheries through science-based conservation and
35 management.

36
37 The policy pertains to non-commercial fishing activities that
38 are set out in the Magnuson definition of recreational fishing,
39 whether retaining or releasing their catches, as well as
40 businesses and industries that are associated with recreational
41 fisheries, and so you guys should consider the information
42 presented and the proposed revisions and provide any
43 recommendations to the councils, as appropriate.
44

45 **MR. DUNN:** All right. I appreciate it, and, again, this is Russ
46 Dunn with NOAA Fisheries. I appreciate the introduction. I
47 don't really even need to cover it now, because you pretty much
48 covered the whole thing there, but let's see.

1
2 All right, and so a little bit of background, for those of you
3 who may not already know this, and so, back in February of 2014,
4 the Morris-Deal Commission released a report on recreational
5 fisheries management and recommended, among other actions, the
6 development of a saltwater rec fish policy by the agency.

7
8 A month later, the agency, in partnership with the Atlantic
9 States Marine Fisheries Commission, co-hosted the 2014 rec fish
10 summit, and a number of participants there expressed substantial
11 interest in trying to move forward with a policy, and we were
12 able to commit to doing so, and so, after numerous public
13 discussions, we released a final policy in February of 2015,
14 down at the Miami Boat Show, with the National Marine
15 Manufacturers Association.

16
17 Fast-forward to today, and why are we here? Well, as some of
18 you know, because a number of you were there, we hosted, or co-
19 hosted, again, the 2022 Recreational Fisheries Summit, at the
20 end of March, with the Atlantic States Commission. It was a
21 good event, a two-day event, and we were pleased, frankly, that
22 we were the first large public event that NOAA gave permission
23 to hold, coming out of COVID, and so that added some challenges,
24 but we covered a number of topics, like climate-resilient
25 fisheries, balancing ocean uses, which was code for aquaculture
26 and wind, if you were there, data collection and use, and then
27 management.

28
29 During the summit, what we recognized was that a number of the
30 issues covered at the summit were not addressed in the policy in
31 any way, particularly climate and emerging uses such as
32 aquaculture and wind, and that what we needed to do was update
33 the policy in order to maintain relevance, and so that brings us
34 to today.

35
36 What we have here are just a couple of general discussion
37 questions for consideration now or as the working group thinks
38 about inputs and comments on the existing policy that you would
39 potentially submit to us, and so I'll come back to these later,
40 but just something to keep in mind as we move forward.

41
42 As was mentioned, the policy has a pretty straightforward
43 purpose, and, in short, the purpose of the document is it serves
44 as guidance. It is a tool that helps shape the agency's
45 approach to recreational fisheries by articulating our basic
46 stance, or goals, guiding principles, and so it serves as an
47 internal touchstone, but I think, just as importantly, for the
48 members of the public who find it, it serves as a tool to help

1 understand how the agency approaches rec fisheries.

2
3 What is the actual policy statement? Well, it essentially sets
4 forth our commitment to accessible and diverse recreational
5 fisheries for the benefit of the nation. It's nothing too
6 complex, but I think it generally still holds up.

7
8 The scope of the policy -- You know, for any policy, or similar
9 document, it's essentially to know to whom does it pertain,
10 right, and this was actually a challenging issue the first go-
11 round, and is, at this point, defining exactly those boundaries,
12 and it's one of the issues that we hear quite a bit about,
13 particularly from Hawaii, Alaska, West Coast, in terms of who
14 should this pertain to, and should it incorporate subsistence
15 fishing, or how about shoreside anglers who are not generally
16 fishing on federal resources, but may encounter them, and so how
17 broadly should the scope of the policy be, how broad should it
18 be? This is a question that it would be great if the two
19 councils would weigh-in on with specifics.

20
21 Policy goals, and so you can see here the goals of the policy.
22 In short, it is support and maintain the resources on which
23 recreational fisheries depend, right, and no fish, no fisheries.
24 Promoting rec fishing for the benefit of the nation, that's
25 pretty much straight out of the Magnuson-Stevens Act purposes,
26 and then enable enduring participation through science-based
27 conservation and management. Obviously, all of us in this room
28 want robust fisheries not only now, but for future generations,
29 and doing it through science-based conservation and management
30 decisions is obviously sort of a core tenet for NOAA and the
31 councils.

32
33 We thought it was important to identify not only the goals and
34 objectives of the policy, but also the approaches, or the
35 principles, through which the policy should be implemented, and
36 that is how the guiding principles were born, and I'm going to
37 touch on these in a little bit more detail here in just a
38 second.

39
40 Supporting ecosystem conservation and management, obviously,
41 this is an issue, or an approach, which is fundamental to NOAA
42 Fisheries, and it is something that we have actively pursued,
43 and it's one of the first goals of maintaining the resources on
44 which fisheries depend. We have pursued this through projects
45 such as the habitat conservation projects that we've funded,
46 which directly engage anglers, through funding of various
47 descending device projects, and trying to reduce post-release
48 mortality, and so there were a number of different approaches

1 that the agency has taken to advance this guiding principle.

2
3 Public access to quality recreational fisheries, obviously, you
4 cannot have good, robust fisheries in which the public is
5 participating if they don't know about those opportunities, and
6 the agency has done quite a bit of work to publicize and promote
7 recreational fishing, for example through our partnerships with
8 Bonnier, which is *Saltwater Sportsman*, *Sportfishing Magazine*,
9 *Marlin*, all those groups, to host two national saltwater
10 recreational fishing photo contests, through our work with the
11 MOA, through a number of the national organizations, to promote
12 National Fishing and Boating Week and a number of other
13 activities.

14
15 Coordinating with state and federal management agencies, and,
16 obviously, it's a little bit cliché, but we are all in this
17 together, and an obvious example of where we are working hand-
18 in-hand with other federal agencies and states is through the
19 summit, for example, and we co-hosted that with Atlantic States,
20 and the Gulf States Commission was on the steering committee for
21 the Pacific States Commission, and served as a moderator for one
22 of those, one of the sessions, and so there is quite a bit of
23 coordination that goes on, in addition to things like the
24 regional coordination teams under MRIP and other entities, and,
25 obviously, the councils were all represented at the summit as
26 well, in some cases up on state and in other cases in some of
27 the breakout sessions.

28
29 Advancing innovative solutions is something that the agency
30 recognizes is critical, not just to help identify them, but also
31 to implement them, and, within the recreational fisheries arena,
32 an obvious one for me to point to is the work that was done on
33 descending devices and release mortality, where we've teamed up
34 you know, to host a series of workshops in the past, and,
35 through those workshops, there were a number of constituents who
36 came, including the folks who ended up developing the
37 SeaQualizer.

38
39 They walked out of the workshops recognizing that there was a
40 need and potential market, and they developed that, and so we
41 were really pleased that sort of the work spurred private sector
42 innovation on that. The centers are working with councils and
43 states to now do things such as bycatch hotspot mapping and
44 other solutions to challenges such as discards and bycatch.

45
46 Providing sound, trusted ecological information, I think what we
47 recognized most here, coming out of the summit, is that
48 collaboration is the key to gaining both additional data as well

1 as earning trust in those data. We came out of the summit
2 recognizing this interest, and this approach, and, for example,
3 we were able to quickly fund a couple of different projects
4 around the country, one here in the Gulf with water quality
5 monitoring.

6
7 There was interest in identifying, or collecting, more water
8 quality data, and so my team was able to partner up with our
9 Southeast Fisheries Science Center and some fishermen, both
10 commercial and for-hire, on the west coast of Florida to install
11 some water quality monitors on their vessels, and so that data
12 is being provided and helping with HABs, which are harmful algal
13 blooms, which are increasing in frequency with climate change.

14
15 We were able to also provide some funding, in partnership with
16 our Southwest Fisheries Science Center, to help fill some data
17 gaps for Pacific rockfish, which were sort of a weak point in
18 one of the assessments, and so we were able to quickly turn to
19 that and work on collecting that, in collaboration with the
20 fishing community, and hopefully there will be additional
21 confidence in those data.

22
23 Communicating and engaging with the public, this is, again, an
24 area where we recognize that the federal government generally is
25 not strong in this area, but we have spent a significant amount
26 of effort, my team has, in trying to improve those efforts. We
27 have hosted the summits, roundtables around the country, and our
28 regional coordinator here in the Southeast Region is a man named
29 Sean Meehan, and he is about to host a workshop on habitat
30 restoration that directly anglers, in November, and it was
31 actually scheduled for the day the hurricane hit, and so it's
32 been rescheduled.

33
34 It extends to production of videos and reaching out through the
35 web, which was a big shift for us once COVID hit, and it also
36 extends out to programs like the Marine Resource Education
37 Program, which really serves to educate and engage commercial
38 and fishermen, bringing everyone to the table.

39
40 What have we heard to-date, as we've gone around, about people's
41 interest in updating or amending the existing policy? We've
42 heard strong interest about climate across-the-board, and it
43 isn't clear yet. There is no real strong consensus about
44 whether the whole policy should be viewed through the climate
45 change lens, or should it be a specific sort of guiding
46 principle.

47
48 Education comments have focused both on educating -- Reaching

1 out and educating anglers about not only regs, but also to the
2 process of fisheries management and trying to bring anglers into
3 the process in a way that is efficient and effective, and we've
4 heard interest on improving access, in terms of equity and
5 environmental justice.

6
7 As I mentioned, one big debate is how do we better address those
8 folks who say fish from shore on federal resources, where they
9 may be shut out of, for example, if a minimum size is increased
10 and then that minimum size doesn't make it all the way to shore,
11 and those folks have just lost access to the fishery, and so how
12 do we ensure that access, which brings us to access.

13
14 Access has meant different things to different people. In some
15 cases, it is simply the opportunity to get on the water, and, in
16 other cases, it is more focused on seasons. In some cases, it's
17 physical infrastructure. Given say, for example, in the Gulf,
18 with the increasing storms, and severity of storms, with climate
19 change, and how do we ensure that there is adequate access,
20 physical access, out on the water?

21
22 Agency accountability has been mentioned, primarily in terms of
23 the follow-through, once the policy is revised and an
24 implementation plan is put together, making sure that the agency
25 follows through. Discards have been an enormous issue
26 everywhere around the country, and, obviously, this group is
27 well-versed in discard issues.

28
29 The EEZ permit, which we were just discussing, and that's just
30 sort of a lay way to describe it, offshore EEZ whatever you want
31 to call it, and data reporting. Data reporting and collection
32 is clearly something that we hear about everywhere we go, and
33 there is just focused interest on improving that, in part
34 through citizen science and collaborative research.

35
36 Depredation is something we hear about both from marine mammal
37 and other fish species, and sharks, obviously, are the big one,
38 and, depending on where you go in the country, other places in
39 the country, it's either whales and/or seals, or sea lions.

40
41 Enforcement, which I've heard mentioned here a little bit today,
42 has been raised as an issue everywhere we've gone, that there is
43 not adequate enforcement of the regs, and so people do not feel
44 that there is a real risk if they are not in line with
45 regulation, and then transparency, wanting to know more of what
46 the results, and you're asking for data from us, and how are
47 they used, what do they say, and then, secondarily, or in
48 addition, how is the agency making decisions on various -- On a

1 whole range of topics.

2
3 This is probably dated a little bit, the third bullet, but just
4 to go over the basics, again. The comment period opened on
5 August 1, and I think this is the twelfth or thirteenth
6 discussion that we've done, and we've got at least six or seven
7 more lined up.

8
9 We have done both in-person and virtual sessions, and we've done
10 a number, and we've got a few more upcoming public webinars out
11 there, and you can see, on November 16, we have one scheduled.
12 Let's see. We've got the Gulf States Commission next week, and
13 we'll be out talking to all the coastal state directors on
14 November 2.

15
16 We are hoping to have the new policy updated and ready for
17 public consumption in time for National Fishing and Boating Week
18 in 2023. On those QR codes, you can get more info on the
19 existing policy. There's a specific comment policy portal
20 there, all the way to the right, where it reflects those same
21 questions that I put up, and will put up again in a second, or
22 there is the general email, recreational.fisheries@noaa.gov,
23 where you can submit a little bit more of a freeform comment,
24 and, for example, if the councils wanted to send a specific
25 letter, as opposed to going through the forum, the
26 recreational.fisheries would be the best avenue to do that. With
27 that, we'll open it up for these or any other questions that the
28 committee, or the participants, may have.

29
30 **CHAIRMAN ANSON:** Thank you, Russ.

31
32 **MR. DUNN:** Sure.

33
34 **CHAIRMAN ANSON:** We have a question from Susan.

35
36 **MS. BOGGS:** I don't expect that anyone can answer this, and it
37 just occurred to me as we were discussing his points on Slide
38 15, is the data reporting and collection and -- Excuse me. The
39 EEZ recreational permit, and something that just occurred to me
40 is, if it's a collaboration with the states, if the councils
41 dictate that this is what has to be done -- I mean, does that
42 get complicated? Do you understand what I'm asking?

43
44 If the council says we have to create a permit, and the states
45 already have it in conjunction, the council can't direct the
46 states, correct, and so that's just something that came to mind,
47 is -- I'm hung on this permit thing.

48

1 **MR. DUNN:** Yes, that would get very complicated. I can see
2 potential mechanisms, but I certainly don't want to try and
3 speak for Andy and his region about how that would occur. I
4 would hope that, if that were the case, that we could work in a
5 collaborative way between the council, NOAA, and the states to
6 develop a coherent path forward, but, yes, that could get
7 quickly complicated.

8
9 **MS. BOGGS:** Is that something that could maybe be coordinated
10 through the commissions? I mean, I'm guess I'm just trying to
11 figure out -- Of course, you know, I was thinking how simple
12 this might be, at the first conversation we had today, but, the
13 more I sit here and think about it, nothing these councils do is
14 simple, and so -- But it seems like this is kind of the path
15 we're going down, and that's why I bring up the question, is
16 because we don't want to have the state permit, the ROLP permit,
17 the federal permit, and it's just something for this group to
18 think about. If we suggest this to the councils, then that's
19 something that's going to have to be worked through, and maybe
20 it's not as easy as it sounds.

21
22 **CHAIRMAN ANSON:** I think that goes to one of the points that
23 Andy had in his presentation, is, you know, there's lots of
24 stakeholders, and, at least from a regulatory side of things,
25 you know, it's -- On the federal state and the state side, and
26 then trying to make sure that, you know, everyone is on the same
27 bus, so to speak, and going to the same location.

28
29 Certainly you want to have as many of the players, you know, at
30 the table, and in discussions, to try to make sure everybody is
31 on the same page and works out a lot of the details that must be
32 worked out in order for it to have a -- You know, have a good
33 program, when it's all said and done, but, you know, at least
34 outside of the federal process -- You know, I guess to answer
35 your question, is it more than likely would probably kind of,
36 you know, go through the commission, I guess, would be the most
37 appropriate organization that would kind of get at least the
38 states on the same page.

39
40 They have, through the RecFIN, or it used to be the RecFIN, but
41 their FIN committee, within the commission, would, you know,
42 kind of set an objective, or a goal, relative to trying to
43 create a new program, and then, within the committee structure
44 on the commission, they would, you know, populate it with
45 various state folks, and certainly federal agency folks would be
46 available to join in the discussions as well, but, you know,
47 there would have to be some interest at the state level, through
48 the directors, to, you know, instruct staff from each of the

1 states to participate though, and so, you know, it would have to
2 at least be at that level, and so each individual state would
3 have to probably agree to try to do something.

4
5 **MS. BOGGS:** So, to follow-up on that, and I know we can't
6 resolve it today, but the question that I would pose at this
7 point is, if this working group says this is a recommendation,
8 would it then have to come from the councils, as a letter to the
9 commission, requesting -- Because, again, we can't dictate to
10 the commissions what to do or not to do, and possibly start
11 there, and then work our way to how does that play in on the
12 federal management level, because I can see now that something
13 that seems pretty simple could get pretty complicated very
14 quickly, but I guess it would start with a recommendation from
15 the councils to the commissions to work with their states.

16
17 **CHAIRMAN ANSON:** As I understand it, and, of course, Carrie can
18 chime in, but, you know, our charge here for the workgroup is to
19 make recommendations for each of the respective councils then to
20 then consider and deliberate, discuss, and then, from there, if
21 there was a federal, you know, kind of outcome, that the
22 councils then would make the direct recommendations to NOAA, but
23 there's nothing that precludes the councils from writing a
24 similar letter specific to the commissions to do such thing,
25 but, again, I think, relative to aligning with what the mission
26 and the goals of the federal agency would be, relative to the
27 objectives of MSA and to fitting within the current structure
28 for how the science is collected and how it's then deliberated
29 and how it's implemented into the federal assessment process, I
30 certainly would like the agency, probably, to be, you know, as
31 much involved in that as possible.

32
33 **MS. BOGGS:** I don't disagree with that, and, since this working
34 group is -- The goal is to give the recommendations, and that's
35 kind of why I bring it up now, is, if we make this
36 recommendation, I would hate to -- I am not saying that we will
37 be successful one way or the other, but you would hope that any
38 recommendation that is made is something that can be successful,
39 because we know, going in, we have all these hurdles, and is
40 that a recommendation that we want to make, but I think this is
41 the -- Somehow, we need to get to this point, and so that's why
42 I bring it up, so that this working group can maybe flesh -- Not
43 flesh it all out, but just is this an accomplishable -- Is this
44 a deliverable that can be made good on.

45
46 **CHAIRMAN ANSON:** Prior this meeting, in light of the previous
47 meetings that we've had and the discussion that we've had at
48 that point, and then looking at our charge, I've had, you know,

1 kind of a similar question to myself, Susan, as you just posed
2 to the group, is, you know, how do we proceed with whatever
3 recommendations that we do, and so, you know, one side of me
4 wants to try to throw something to the wall and see if sticks
5 type of thing, and kind of let the councils then hash it out,
6 but, you know, I also -- On the other side of me, I'm cognizant
7 of the fact that you can't just throw anything and everything
8 out, because there are some of those issues that you have to
9 consider, you know, or at least the next set of deliberations
10 would have to consider whether or not it's something that's
11 viable, realistic, you know, meeting within the overall charge
12 and need, those types of things.

13
14 I think we should -- If you have some, you know, things that
15 have not yet been discussed, or things that need to be discussed
16 further, I think that's something that's appropriate for us to
17 do today, to try to then hone-in on something that we think, you
18 know, would be -- Would meet our charge and something that would
19 be valuable to the councils.

20
21 **MS. BOGGS:** Well, I don't really have any suggestions, because
22 that just all kind of came to light to me, that there's more
23 complexity to this than just the council saying this is what we
24 want the states to do, because we can't do that, and I will kind
25 of elaborate on a few more things.

26
27 Climate change, at least the Gulf Council, we're looking at a
28 policy, or that's a lot of our discussions, is climate change,
29 and the education and outreach, I think, whatever we do, off of
30 this list or Andy's list, is always going to be very important.
31 I mean, those are some things that are easy to do.

32
33 The access, I understand what Russ is saying, and there's
34 different interpretations of access, and that's something I
35 guess I hadn't really thought about, but you're right. There
36 are different definitions of that.

37
38 You know, discards I think is something that -- I don't know
39 that this group can necessarily specifically address, but we
40 obviously know, in the Gulf, that that is a huge issue, and how
41 do we resolve that. The data reporting and collection, I think
42 we're really on the right track with that. Again, it's just
43 getting the buy-in of the recreational anglers to want to move a
44 little more forward with that, with the electronic reporting,
45 such as the commercial fishermen and the charter/for-hire
46 headboats.

47
48 The citizen science and collaborating goes back to what I said

1 earlier about we hear the comments from the constituents that
2 we're so far behind, and we're still working in 2005, and what
3 they're seeing in 2020, and so I think we already have somewhat
4 of that collaboration, but it's just we're in sync.

5
6 Depredation, it's like HMS says to change the way you fish.
7 Well, I don't know how you do that, you know, and I think that's
8 just another part of the ecosystem conversation that we had
9 earlier, you know, and it's the circle of life, if you will, and
10 that's why I did like the idea of, you know, a bottom fishing
11 season, and maybe that kind of rights some of that.

12
13 Enforcement, I've already touched on enforcement, and I don't
14 know how we fix that. The funding is not there, and the
15 universe is so big, and the Gulf is large, and then
16 transparency, and I really think we do a good job of that.
17 People may not understand what we're talking or seeking to do,
18 but we have the open meetings, and we have public comments, and
19 so I'm sorry I took the time just to kind of go through that
20 list, but there's some things we're doing, and there's some
21 things we can improve upon, and there's some things that I just
22 don't know how we get there, and that's the recreational permit,
23 but I really think that's a lot of conversation on the South
24 Atlantic, and you hear it in the Gulf, and I think that's
25 somewhere we need to get, and the discards I think is something
26 that we could really try to do something with, and so thank you
27 for indulging me.

28
29 **CHAIRMAN ANSON:** Thank you for your comments. One thing that
30 you -- Or a few things that you talked about, and it's in Russ's
31 presentation, and a couple of the things that Andy has brought
32 up, relative to some of these policy goals and objectives, is
33 citizen science.

34
35 I know, in the South Atlantic, Chester, you've had some forays
36 into citizen science and such, and, you know, I look at it as an
37 opportunity, certainly, to try to get at some of the
38 information. As you said, we're hearing, at least at the
39 council level, the comments from the stakeholders that, hey, I'm
40 seeing this, or I'm seeing that, but, Chester, I mean, relative
41 to the citizen science and the South Atlantic's perceived use of
42 that, in big-picture management, is that moving along as the
43 council had hoped, or are there some challenges in there that
44 maybe you realized that prevent you from using that information
45 as you saw fit?

46
47 **MR. BREWER:** As you might imagine, it's going slower than we
48 would have hoped, but it is going forward, and I perceive that

1 it will, in the future, be of great value. Right now, we're
2 doing more pilot programs and this sort of thing, but I see
3 great potential there, I really do, in the future, but, like I
4 said, it's slow. We've got somebody who is -- We have a staff
5 member now who is actually her dedicated job is citizen science
6 and going forward with that program, and so we're serious about
7 it.

8
9 **CHAIRMAN ANSON:** It's slow then on the nuts-and-bolts side of
10 things and getting like the program developed and then
11 communicating that out to the public, or is it slow on the
12 backend, for getting the information, once the program has been
13 developed? Can you provide more detail?

14
15 **MR. BREWER:** Right now, there are different things that are
16 going on, and we did have one pilot program, which I believe is
17 completed now, and I'm not sure what was done with that data,
18 because I'm not an assessment person, but --

19
20 **MR. CARMICHAEL:** I can probably add some to that, if you would
21 like.

22
23 **MR. BREWER:** Yes, John. Why don't you help me out here?

24
25 **MR. CARMICHAEL:** I would say, yes, it's gone slower than we
26 naively expected, back in about 2018, when we started this.
27 There was very much an attitude that, you know, people were
28 excited, and fishermen wanted to provide data. If you gave the
29 tools, then it would happen, and the reality is you're finding
30 out that it's a lot harder than that, and it takes a lot to get
31 people to go from talking at a meeting that they would be glad
32 to do this to actually downloading an app and committing to
33 providing the information.

34
35 That's just one of the things that's made it slow. In talking
36 to other people, you know like Brett Fitzgerald, who has done
37 Angler Action stuff, and the MyFishCount thing that we had,
38 Snook and Gamefish, one of the things that he told us, after we
39 had been at this a while, is, you know, it basically takes three
40 contacts with someone to get them to actually do say reporting
41 through an app, and that's kind of what ours is built around, is
42 a lot of reporting through apps.

43
44 You've got to tell them about it, and then you've got to
45 encourage them to sign it up, and then you've got to actually
46 get them a third time, to get them to start doing it, and so
47 what that means is it's slow to get people involved, and it's
48 another thing that's just got to snowball over time, and we are

1 seeing that. You know, we are definitely seeing a regular
2 increase, and we're getting more attention about it.

3
4 The one project that we have completed a pilot on was looking at
5 historical fish pictures, called FISHstory, and one of the
6 pictures that Andy had there, with Captain Stone from Daytona
7 Beach, is from a bunch that we got from Rusty Hudson's family,
8 and we're trying to recreate just some picture of the fishery
9 back in the 1950s, before data collection started.

10
11 That was, you know, kind of different than using an app to get
12 fishermen's on-the-water reporting data, and that was going
13 pretty good, and we're also looking at expanding that. We would
14 like to see that take off and get pictures from a broader range,
15 and more years, and we're looking at some funding, potentially,
16 through ACCSP to do that over the next year.

17
18 The other part is, you know, our goal for Citizen Science,
19 because that was part of the question, has never been to lead to
20 catch estimates and to compete in any way with MRIP or any of
21 the other existing data collection programs that are out there.
22 It's been pretty strongly focused on filling the holes that
23 can't be collected by the traditional ways we collect data right
24 now, and the biggest hole that we face, going back to what Andy
25 showed, is the fact that we all know that the discards in the
26 recreational fishery have been increasing and increasing over
27 the years, and no one sees a discarded fish.

28
29 Commercial is self-reported, and recreational is self-reported.
30 Nobody gets to sample those fish for ages, and nobody gets to
31 sample those fish for lengths. We have extremely limited
32 observer coverage, even in the commercial and for-hire sectors,
33 in the South Atlantic, and so we have very little there, and we
34 have none in the private recreational, which is a huge sector,
35 and so we just have no way of getting any information on
36 discarded fish, and MRIP will never be able to do that in a
37 private fishery, and so that's one of the reasons that has been
38 a big focus for us, is going after those low-hanging fruit and
39 those data holes that can't be collected any other way and
40 aren't going to compete with existing information, and that's a
41 point that I would like to stress, because people often get
42 confused, when you start talking about citizen science.

43
44 It can be often seen as a threat, that it's somehow going to
45 come in and compete with MRIP, replace MRIP, and we're trying to
46 get catch estimates, and the truth is that has never been our
47 goal, and it's that we're trying to go after these enormous gaps
48 that are really critical to assessments.

1
2 You know, our red snapper stock, 90 percent of the fish that are
3 killed are killed from dead discards, and none of those fish are
4 looked at by anybody, and so stock assessments require catch,
5 and stock assessments require information on the age of that
6 catch, and, when you never see any of your fish, you've got a
7 huge uncertainty on the age of your catch, and that's the kind
8 of things that we're trying to go after in citizen science.

9
10 We're hoping that, you know, if we did have more resources, we
11 could get more people, and that's really what it comes down to,
12 and you've got to get out there with people one-on-one and sell
13 them on the app and convince them and be available to them and
14 get them to actually start doing it, and that just takes people,
15 and that takes human resources.

16
17 You know, there's only so much you can do with social media and
18 emails and advertising and talking. You just can't beat that
19 boots-on-the-ground, and the council has supported a full-time
20 staffer since 2018 doing this, and we've recently added an
21 additional project staffer, just focused on, you know, doing
22 that, getting out and boots-on-the-dock and talking to people,
23 using various grants that we're eligible for as a council, a lot
24 coming through ACCSP, and some came from the Fishery Information
25 Network early on.

26
27 As you guys on the council know, there's not a lot of things
28 that we can necessarily apply for, in terms of funding, and so
29 that's been a major impediment. If we had more resources, if
30 there was more staff to go around, then I feel like we could get
31 this snowball moving faster, but, overall, we're encouraged by
32 it, and I can't say enough about the support of the council for
33 this, to stick with this, despite it being, as Chester said well
34 -- It's just gone slower than expected, and so the patience of
35 the council has really been commendable.

36
37 **CHAIRMAN ANSON:** Thank you for that information, John, and so
38 we're into our lunchbreak, and so I don't want to necessarily
39 shut down comments, but we will have to kind of wrap things up
40 here pretty quickly, but I do have, on the board, Spud, and then
41 followed by Dr. Frazer.

42
43 **MR. WOODWARD:** Thanks, Kevin. John covered a lot of what I was
44 going to say, but I will add to it that we've had sort of a
45 first-level evaluation conducted by an independent expert on
46 citizen science projects, Rick Bonney, and he interviewed some
47 scientists, managers, and then fishermen, asking a variety of
48 questions about their perspectives on citizen science, and I

1 think it's pretty illuminating that what you have as a sense of
2 optimism in the management community about the value of citizen
3 science is bracketed by skepticism from the fishermen and the
4 scientists.

5
6 The skepticism comes in two different varieties. From the
7 science community, it's, well, citizen science isn't done with
8 the scientific rigor that's necessary for us to use it in the
9 manner that we use other data and quantitative analysis, and, on
10 the fishermen's side, the skepticism is, well, nobody listens to
11 what we say anyway, and so why in the world would it ever be any
12 different with citizen science, and so I think that's, again, a
13 lot of what we deal with, is managing expectations, and I think
14 setting your citizen science project goals at something that
15 have realistic expectations, and then showing the participants
16 that their efforts are actually producing beneficial changes, is
17 the critical link in the whole thing.

18
19 It will be interesting to see how this evolves. I think there
20 is a lot of unrealistic expectations of citizen science
21 especially. As John mentioned, people think they can report
22 their catches and it's going to, you know, overrule the other
23 catch effort estimators out there, and so I just wanted to make
24 that comment.

25
26 **CHAIRMAN ANSON:** Thank you. Tom.

27
28 **DR. FRAZER:** This is a question for Russ, and, again, I'm just
29 trying to focus on this policy, right, and give you some
30 feedback, and I'm thinking about it, and I want to say it in as
31 constructive a way as I possibly can, all right, and, I mean, so
32 one of the goals, for example, is to promote saltwater
33 recreational fishing for the social and cultural benefit of the
34 nation.

35
36 You know, I would ask if there is any support, or a follow-up
37 document, or an accessory document, that identifies what a
38 cultural benefit looks like, how we would quantify that, what's
39 an appropriate metric, because, at the end of the day, the way
40 that the policy is written, it's like a vision statement, right,
41 and it's optimistic and forward-looking, but it seems to me like
42 people haven't really ever worked backwards from this and said,
43 well, how would I get here, right, and, as a consequence of
44 that, you push the policy directive down to the council, right,
45 and they have to entertain it, recognize that it exists, but it
46 has to be coupled with, for example, a policy guidance, or a
47 policy directive, as it relates to allocation.

48

1 That's also a very vague document, right, and so it alludes to
2 these kind of subjective measures, and so the real hard work,
3 you know, and the stress, comes at the council level, because
4 they don't have a way to proceed, right, because you have to
5 weight these different things, and it's not unique to the
6 recreational side of things, right, and I would have the same
7 questions on the commercial side of things, but, until I can
8 identify what those cultural benefits are, or what the agency
9 thinks there are, I don't even know how to weight them, even if
10 they're subjective, and does that make any sense?

11
12 **MR. DUNN:** It does, and there's a couple of things sort of
13 within that statement, but I would say, yes, and so metrics are
14 something that we recognize are not in the current policy
15 document, and folks have to remember that this is sort of the
16 large nationwide sort of guidance document, right, and so
17 there's only so much you can put in this, but then what we
18 currently envision is then taking this and having subsequent
19 implementation plans on a regional basis, and so our centers and
20 regional offices would work together to frame those out.

21
22 Then, you know, within those commitments that are developed, or
23 to develop those commitments, work with councils and commissions
24 and the states in their geographic regions, if you will.

25
26 In terms of defining cultural benefits, again, that is something
27 I think -- I mean, if the policy were to try to do that, it
28 would, again, have to be at the thirty-thousand-foot level,
29 which may not be particularly valuable, and I think those
30 definitions are probably better identified and moved toward
31 through the regional plans.

32
33 So, I mean, we'll absolutely look at is there a way to define,
34 or frame, cultural benefit in a way that then the implementation
35 plans can meaningfully implement, but in ways that work best in
36 their particular region, because you're going to have different
37 issues in the western Pacific than you are in Maine, for
38 example, and so I hope that is helpful.

39
40 **DR. FRAZER:** No, and I get all of that, and I understand where
41 you're at in the process, but I just -- You know, ultimately,
42 you're going to have to make some decisions, right, and, if
43 you're going to use this type of language in the policy
44 documents, at some point, you have to make the effort to provide
45 enough guidance that you can kind of put some numbers to them,
46 even at a regional level, right, and I don't want to -- It's too
47 burdensome, I think, if you just leave it, at the very end, to
48 the council, right, and they don't have, necessarily, the

1 background to help formulate an objective kind of decision-
2 making process.

3
4 **MR. DUNN:** Just for clarity, so this is not a policy that is
5 sort of going to be pushed onto the councils. This is sort of
6 an internal NOAA Fisheries guidance document to which, of
7 course, we would look to the councils, to a degree, to help
8 advance and achieve the goals of, but, you know, the follow-
9 through implementation plans will be projects and actions that
10 the Regional Offices and centers and NOAA can take, many of
11 which will probably be in partnership with the councils, but not
12 necessarily.

13
14 If there's things that we can do that the council can't, or
15 isn't appropriate for the council to do, that the agency wants
16 to do, it will go that way, and so I just want folks to know
17 that this isn't something that we're going to finish and say,
18 here, council, go implement. It's something we're going to go
19 to our regional office and say, here, regional office, go
20 implement.

21
22 **CHAIRMAN ANSON:** All right. Thank you for the discussion. So
23 we're fifteen minutes behind schedule, or actually a little bit
24 more, and so, in order to try to maintain the schedule, we'll
25 still reconvene at 1:00, and so we have a little less than
26 forty-five minutes to have lunch. For workgroup members, there
27 are lunches in the back there provided, and so you can go ahead
28 and grab those and have your forty-three, or forty-four, minutes
29 to eat. Thank you.

30
31 (Whereupon, the meeting recessed for lunch on October 12, 2022.)

32
33 - - -

34
35 October 12, 2022

36
37 THURSDAY AFTERNOON SESSION

38
39 - - -

40
41 The Joint Workgroup for Section 102 of the Modernizing
42 Recreational Fisheries Management Act of 2018 of the Gulf of
43 Mexico Fishery Management Council and the South Atlantic Fishery
44 Management Council reconvened on Thursday afternoon, October 12,
45 2021, and was called to order by Mr. Kevin Anson.

46
47 **CHAIRMAN ANSON:** We'll have the workgroup convene, so that we
48 can complete the remainder of the agenda items. I believe we

1 pretty much wrapped up conversation for the last agenda item
2 that was completed before lunch, and that was Agenda Item VI,
3 and so I will just briefly ask if any of the workgroup members
4 had any other thoughts on that topic, and it's all kind of
5 wrapped into one, and so, if you have something, you can always
6 bring it up later. All right. Not seeing any, that will take
7 us to Agenda Item VII, March 2022 Recreational Fisheries Summit
8 Recap. Ryan, do you want to --

9
10 **REVIEW: MARCH 2022 RECREATIONAL FISHERIES SUMMIT RECAP**

11
12 **MR. RINDONE:** Sure, and so we'll have an encore from Dunn. He's
13 going to summarize the proceedings from the March 2022
14 Recreational Fisheries Summit, which was convened in late March
15 of this year, in Arlington, and the summit was organized by NMFS
16 and the Atlantic States Marine Fisheries Commission, in
17 collaboration with a steering committee of marine recreational
18 fishery representatives from throughout the coastal U.S.

19
20 The theme was recreational fisheries in a time of change, and
21 discussions included considerations of the effects of
22 contemporary influences on recreational fishermen, like climate
23 change, novel uses of ocean space, new technologies, and more.
24 These influences offer challenges and opportunities for
25 collaboration to safeguard recreational fisheries by enhancing
26 sustainability and access, and the recreational fishing
27 community, managers, and scientists were encouraged to work
28 together to understand and adapt to these changes.

29
30 The joint workgroup should consider all the information that Mr.
31 Dunn puts out there and make recommendations to the councils, as
32 appropriate, and they may also choose to make recommendations on
33 the next steps for certain outcomes from the summit, such as
34 moving proceedings forward for consideration in future
35 management deliberations. Mr. Dunn, we'll get your presentation
36 up, and the floor is yours again.

37
38 **MR. DUNN:** All right. Thanks. I just remembered why you don't
39 drink soda right before a presentation. Again, thanks for the
40 opportunity. I guess, just to touch back to the last discussion
41 briefly, I would encourage both councils to submit comments on
42 the rec policy, ultimately before the December 31 deadline.

43
44 Moving to the summit, perhaps we should have done these in
45 reverse order, because the summit output sort of drove
46 consideration, or the action, to revisit the policy, but, be
47 that as it may, we'll jump in here.

1 I won't reiterate this slide, other than to say that, you know,
2 we hosted the summit, as you well know, and it was successful
3 and another good collaborative effort between the agency and the
4 commissions and the councils and the fishing public.
5

6 What did we hear there? What actually occurred there at the
7 summit? Well, with climate, we had a panel of NMFS staff,
8 anglers, and council members. What we saw was a session which
9 provided an overview of the state of ocean climate science, if
10 you will, impacts that we're seeing on the water, and we heard
11 from anglers about their observations on the water and their
12 perspectives and concerns about climate change.
13

14 We heard about the importance of habitat to climate-resilient
15 fisheries and climate scenario planning efforts that are
16 occurring by the councils and commissions and NOAA, and so what
17 did we hear from anglers?
18

19 Well, we heard that changes on the water are becoming obvious
20 and hard to ignore, that there are climate winners and losers,
21 and, in other words, some areas, like the Northeast and Mid-
22 Atlantic, are, in some cases, gaining new species and new
23 opportunities. Others, such as the Gulf, are struggling more,
24 without new species moving in and with increasing, for example,
25 potential for harmful algal blooms and more severe storms
26 impacting infrastructure and whatnot.
27

28 Participants told us that they are concerned about adverse
29 impacts on the health and availability of species, lack of
30 scientific baseline to understand climate-driven changes, and to
31 monitor changes. Concerns, of course, came to access, and it
32 was -- Again, access took on multiple facets, from access to the
33 resource themselves, and they're gone, they have changed their
34 migratory patterns, or there's damaged infrastructure and we
35 literally can't get out to access them and that the pace of
36 change is exceeding that of the management and scientific
37 processes.
38

39 We heard that there was interest in NOAA sort of taking the lead
40 on inter-council governance issues, and, basically, this was
41 code for allocation issues between different councils as species
42 are changing their distribution. We heard a need, over and
43 over, for both regulatory and scientific nimbleness, and so
44 "nimble" became, I think, the catch word of the day, and I think
45 Susan was talking about that earlier, that we've got to have
46 more and faster access to the data and application of the data.
47

48 Then there was a lot of interest in knowing more about climate

1 change, and I don't mean just data collection, but the public
2 wants to know what's going to happen, what is happening, and
3 what can be done not to necessarily stop it, but in order to
4 mitigate or to deal with it.

5
6 Ocean uses, and so, as I said, ocean uses was sort of code for
7 wind energy and marine aquaculture, and so we had a couple of
8 panels here. We had panels with BOEM, who is really the lead
9 federal agency on wind, and we had industry there, and we had
10 NMFS and anglers on our panels, and what we heard was about
11 ongoing and planned industry and government activities, lease
12 sales, comment periods, permitting, et cetera, initiation of
13 construction or a construction periods, and we heard, again,
14 from anglers about their experiences both on the water and
15 within the process, if you will, within the permitting process
16 and the design process, for offshore wind infrastructure. The
17 same with aquaculture, and this was all with an eye toward
18 helping the fishing public have a voice in the process.

19
20 The primary concerns we heard were impacts to target species and
21 forage fish, habitat, et cetera, from construction and
22 operations, both in the short and the long-term, and we heard
23 about concerns, again, just as with climate, and the lack of
24 comprehensive baseline and the ability to monitor long-term, and
25 there was a real concern about the lack of recreational data
26 being needed to help plan these projects in ways that can
27 minimize disruption to the fisheries, and what that really came
28 down to was location data for the non-for-hire component of the
29 fishery.

30
31 The for-hire fleet, there is location data with the electronic
32 reporting, where they are, where they have been, and that's easy
33 enough to furnish. For the folks developing the infrastructure
34 for the private sector, it's a much harder lift, and there's no
35 mechanism to collect that, there's no requirement to collect it,
36 and there is no way to provide it to the developers.

37
38 We heard interest in, of course, monitoring both short and long-
39 term impacts, and there was a very strong interest in
40 stakeholder engagement and involvement in every stage of wind
41 and aquaculture development, from siting to development, and
42 there was some interest in attempting to identify secondary or
43 downstream benefits.

44
45 If these facilities are going to be in the water, what other
46 benefits can be derived from them, and then, for those who are
47 comfortable with infrastructure in the water, meaning primarily
48 folks from the Gulf who are used to the oil and gas

1 infrastructure, interest in maintaining the structures long-term
2 to continue to be able to fish on them.

3
4 Rec data, and so rec data was really a cross-cutting -- It
5 touched on every aspect, every discussion, in the summit, not
6 surprisingly, and there was a clear say lack of confidence in
7 aspects of the federal data, particularly more the estimates,
8 and I often here -- This is a bit of an aside, but I often hear
9 concern about the data, but what I think people really mean is
10 concern about the estimates derived from those data, as opposed
11 to the data themselves.

12
13 This skepticism, I think, reinforced the need for the data
14 session, which really was seeking a common understanding of the
15 recreational data collections, how the data are used in
16 monitoring assessments, and including the role that uncertainty
17 plays in the whole process, and what we're trying to do is
18 develop sort of a baseline understanding and then try to figure
19 out how can public confidence in the data be improved, and so
20 what did we hear about primary concerns?

21
22 Data are being used beyond its capabilities, and that means,
23 generally, for MRIP, which it won't be a surprise, is that MRIP
24 was primarily designed as a regional program to provide annual
25 region-wide estimates for use in assessments, and it is now
26 being used in cases for in-season management in much smaller
27 areas, and so it is being used beyond its capacity.

28
29 There was interest in more fishery-independent data, and there
30 were concerns, frankly, that some of the infrastructure that's
31 going in place is causing difficulties for pre-existing, or
32 existing, independent data collection schemes. For example, the
33 wind infrastructure in the Mid-Atlantic and Northeast is going
34 to interfere with some of the historical surveys up there, and
35 so how do we deal with that.

36
37 As was discussed a little bit here earlier, there was real
38 interest in citizen science and providing that data, but not
39 just doing that, but how they can ensure that, if they go do
40 this, how will that data be incorporated into the system, and
41 what needs to be done in order to ensure the data are, quote,
42 unquote, up to snuff, in order to be integrated into the system,
43 and, as everyone knows, there is great frustration when data is
44 collected and provided and then people say, no thank you, we're
45 not going to use that. There was interest in trying to have
46 NOAA and our partners better collaborate on both data collection
47 and application and, ultimately, dissemination of the results
48 there.

1
2 Management flexibility and reform, what we heard about was
3 ongoing activity to implement management flexibility, and we
4 heard from a number of the councils, the South Atlantic, the
5 Mid-Atlantic, and the Pacific, and we heard about the
6 recreational quota entity up in Alaska, and the RQE is a
7 mechanism to facilitate intersector transfer from willing seller
8 to willing buyer.

9
10 We also had a second session on optimum yield, and that was
11 really a conversation to help try and better understand the
12 potential for OY as a tool to guide management. What became
13 obvious, very quickly, is that management flexibility is a
14 highly variable concept.

15
16 One of my favorite quotes from the summit is that we were being
17 quite flexible with our definition of "flexibility", and what it
18 -- In some instances, alternative management meant how do we
19 deal with data issues and management uncertainty, while
20 maintaining fishing opportunities, and, in others, it was a way
21 to -- In my own words, sort of how can we circumvent ACLs and
22 avoid using MRIP data, and so it was across-the-board with
23 different meanings.

24
25 There was both interest in pursuing management flexibility and
26 doing so quickly, but there was sort of a counter-weight in the
27 room with concerns over moving too quickly and making sure that
28 the risks associated with management flexibility were fully
29 understood before moving forward.

30
31 There was, again, sort of the nimbleness issue of move more
32 quickly, be more responsive, but, then again, as with the
33 previous bullet, incorporate backstops, and make sure we somehow
34 mitigate that risk, and, really, a lot of the discussion, I
35 felt, came down to that last bullet there of flexibility versus
36 stability, and that, again, you could sort of drill in a little
37 bit deeper, and what that really was -- What I personally felt
38 was it was sort of a debate between the private sector more
39 interested in flexibility and speed and the for-hire sector more
40 interested in stability, for business planning purposes, and so
41 that was really, I felt, what drove a lot of the conversation
42 there under that topic.

43
44 With OY, again, it was a highly-variable concept, and, I mean,
45 what is optimum, and, if you ask fishermen in different
46 fisheries, not only across the country, but within a given
47 region, or even within a fishery, you're going to get different
48 answers.

1
2 What there was sort of common agreement on was that we need to
3 better account for human dimensions. If we're going to use OY
4 as a tool, that we need to better understand those motivations
5 of anglers, and there needs to be a much better effort to
6 quantify socioeconomic impacts, including those of fish left in
7 the water. I think everyone here understands that there is
8 concerns, within the rec community, that fish left in the water
9 are not appropriately valued, and those fish are sometimes in
10 jeopardy, if you will, of being transferred from a rec ACL to a
11 commercial ACL.

12
13 What have we done since the summit? We had a number of
14 conversations within the agency to gather up thoughts across
15 offices, and we spoke with the commissions, and we visited with
16 a number of the councils to discuss the outputs of the summit.

17
18 The summit report was completed in mid-July, and we identified
19 and published a number of actions, and so responsive actions, to
20 the summit outputs, and that ultimately led to us reinitiating,
21 or initiating, review of the policy, which we have already
22 talked about, and, ultimately, that will then lead to a set of
23 implementation plans and following through on both summit issues
24 and sort of issues identified through the policy update process,
25 and I think that's it.

26
27 **CHAIRMAN ANSON:** Thank you, Russ.

28
29 **MR. DUNN:** All right, and so I'm happy to take any and all
30 comments or questions.

31
32 **CHAIRMAN ANSON:** Thank you. Any comments or questions? Susan.

33
34 **MS. BOGGS:** I have a couple, and I'm going to touch on this one,
35 because it's fresh in my mind. Talking about the value of fish
36 left in the water, I can tell you, from the northern Gulf,
37 specifically out of Orange Beach, that -- I'm hearing this from
38 the recreational anglers as well as the charter/for-hire and
39 headboat captains, is we have localized depletion, and so I've
40 had a lot of the captains ask me, are we going to have a fall
41 red snapper season for the charter fleet, and I said, well, I
42 don't know, and, again, it's not that, yes, we didn't catch our
43 quota, but, if the fish were there, we would have caught them.

44
45 That's kind of a double-edged sword, and so are the fish there,
46 and we're just leaving them in the water, or are the fish not
47 there, because we've got enough anglers off of Orange Beach
48 that, if the fish are there, they're going to be caught, and, I

1 mean, our season for the state is still open, and so I think we
2 need to be careful how we look at that.

3
4 I do, as I recall, and I may be wrong, and so I apologize if I'm
5 misspeaking, but, several years ago, I believe some of the fish
6 from the commercial fishermen reallocated to the rec fishermen,
7 because they couldn't -- They didn't catch all their quota, and
8 so they're very sure to bump up to that quota, because they want
9 to make sure they don't lose those fish, but, again, I think
10 even the commercial sector right now -- I haven't looked at the
11 numbers as of late, but is it because the fish aren't there, or
12 we're just not, you know, fishing for them, and I think it's the
13 first, is that I don't think the fish are there, and so that's
14 my comment on that.

15
16 Then I will preface this, as I almost do, is I am no scientist,
17 but don't we have a baseline for climate change, and the reason
18 I ask that question is we have a history of water temperatures,
19 tropical activity, algae blooms, red tide events, as well as
20 rainfall and tide levels, and, I mean, we may have to go back
21 and create it, because it's something we didn't think about, but
22 climate change is a fact of life.

23
24 I mean, we've had all these -- Now I have to pull back to my
25 history and science, and I can't do it right now, but it's ever-
26 involving, and so to say we don't have a baseline -- Maybe we
27 haven't tracked it, but I think we have the information there to
28 go back and look, to see the activity and the trends in the
29 fisheries, based on the information, historical information.
30 Thank you.

31
32 **MR. DUNN:** Thanks. I mean, certainly there are data that look
33 back to certain periods on certain variables, if you will, and
34 there's no question, but I think what the folks at the council
35 were saying was it isn't complete, and it isn't complete enough
36 to give them confidence that, looking forward, we'll really be
37 able to manage, or understand, the changes that are taking place
38 and what is happening with productivity.

39
40 You know, we certainly have productivity for some species, but
41 not for all species, and do you literally need everything?
42 Probably not, but that was certainly the underlying concern, is,
43 yes, we have some data, but it isn't adequate, and we need to
44 get out there and understand what's going to happen.

45
46 For example, not just climate change, but, with the
47 infrastructure going in place, do we know what is there now,
48 before the windfarm goes into place, how it contributes to X, Y,

1 or Z, before it goes in place and something changes?

2
3 **MS. BOGGS:** Well, and, too, and I -- Thank you for that example,
4 and I agree, but that's something that we know is coming, and so
5 we can prepare for it, but I made a note here about the council
6 reacting to climate uncertainty, and, well, I don't know how
7 anybody can do that, I mean, because we don't know. They can
8 forecast this will be the worst hurricane season of all, and we
9 can look at that, but we never have a hurricane, and so that one
10 I don't know how we -- I can't give you a deliverable on that
11 one.

12
13 **MR. DUNN:** Or, on the other side of the coin, there may only be
14 one hurricane all year, and it can hit your house, and it's a
15 bad hurricane season, right?

16
17 **CHAIRMAN ANSON:** John.

18
19 **DR. JOHN FROESCHKE:** Just one thought, when I went to that same
20 conference, and the part that I always find interesting is that
21 we have all this talk about OY, and it can kind of be whatever
22 people want, and there's even incentive for management to say,
23 well, of course, we're achieving OY, because, if we weren't,
24 that would be problematic, but, on the other hand, our
25 operational day-to-day, or year-to-year, activities are governed
26 by the annual catch limits, and there's never been a way to
27 reconcile those, and we've talked about this, at least in the
28 South Atlantic, the way they define their OYs and ACLs, and we
29 don't do that here, but if you're routinely -- You're trying to
30 catch the annual catch limit, but, if you're routinely doing
31 that, and that's not equal to the OY, then that seems odd, that
32 you would be trying to catch something that's not the optimum
33 yield.

34
35 The reason that I can see that is that the OY is a long-term
36 value, and, if your stock condition is not in such a place that
37 you can support that OY, then you're probably not there, but, to
38 me, that would be an indication that you're not -- That your
39 stock isn't at an OY place. In a perfect world, your annual
40 catch limits would be stable, and they would be equal to the OY,
41 but there doesn't ever seem to be a discussion about, if that's
42 the case or it isn't, and that, perhaps, is a metric to get
43 there.

44
45 It's just always interesting, to me, that you talk about OY, but
46 then everybody goes home and deals with ACLs, and I'm not sure
47 if there's a way to bring that discussion forward at some point.

1 **CHAIRMAN ANSON:** The slide in here that talks about optimum
2 yield for recreational fisheries, and the last bullet is
3 concerns that people had, as far as leaving fish in the water,
4 is seen as failing to achieve MSY. Certainly, as it was
5 discussed earlier, with your presentation earlier, Russ, and I
6 think Andy mentioned it too, is that MSA requires MSY, and so,
7 in my mind, optimum yield, particular as it relates to red
8 snapper, optimum yield is below MSY, and so, you know, what data
9 do we need that would help, you know, I guess quantify that, or
10 be able to at least, in terms of ACLs, be able to set that limit
11 that would provide more satisfaction, at least in the
12 recreational sector, and so I agree that there needs to be some
13 more discussion.

14
15 I think the SSC brought it up, a year or so or two ago, and, Dr.
16 Barbieri, maybe you can comment, but, you know, that there was
17 still a lot of questions left to be had as to, you know, what is
18 it that anglers want, and there isn't enough socioeconomic data
19 to kind of fill in that piece of the puzzle, which would drive,
20 I think, determining what OY would be, but it's something less
21 than the ACLs, as we currently have established, and I agree
22 with you, Susan.

23
24 There was a lot of dissatisfaction among anglers off of Alabama
25 relative to red snapper, and, you know, I think we're in a
26 position now, at least locally, you know, that fishermen can
27 kind of get a really good sense as to what one management style,
28 or option, provides, as far as having a lot of fish, but not a
29 lot of access, and then, potentially, on this other that we've
30 gone through, with state management, providing more access, but
31 maybe it doesn't get you what you really want, which is to have,
32 you know, a two-fish limit, and nice big fish, and those types
33 of things, and so we're trying to find that sweet spot, moving
34 forward, relative to what we have to work with with MSA, and
35 that will be a challenge, but I think that's where we need to be
36 heading towards.

37
38 As John mentioned earlier, if the stock isn't healthy enough to
39 provide for OY, then you probably can't do OY, in terms of MSY,
40 and so -- But I think, with red snapper, we're possibly in that
41 position where we can try to do that, but we just don't have the
42 data. We don't have the data to allow the SSC to evaluate it,
43 you know, towards a number, in my opinion, and so -- Anyway,
44 does anyone else have any comments? I don't see any hands from
45 online members, and I certainly would like any discussion from
46 them. Anyone else?

47
48 **MR. DUNN:** Just one comment on that OY and MSY, and I was just

1 trying to refresh my memory on OY, and it is -- It's MSY as
2 reduced by various other factors, including -- So it's
3 necessarily going to be lower, and the challenge becomes MSY is
4 more of a technical --

5
6 It's a data-driven issue, or a benchmark, whereas, with OY, you
7 have these ecological and social and economic factors to factor
8 in, and so how you quantify those issues, and that becomes
9 tricky, which is why it has the potential to be a management
10 tool, but you have to agree on the value of what the ESEs, if
11 you will, are, and so it's a tricky issue, and it was a
12 difficult one at the summit, because it's both big-picture and
13 very weedy all at the same time, and so it's a tricky
14 conversation.

15
16 **CHAIRMAN ANSON:** Yes, and it's even more trickier when you have,
17 you know, sector allocations and such, and, if you're going to
18 try to manage one sector towards and OY for that sector, there
19 is, you know, competing interests, or, you know, other benefits,
20 if you will, from leaving those fish in the water that's
21 provided to the other sector, and so anyway. Susan, did you
22 have your hand up? Any other discussion? All right. So we'll
23 move on them to Agenda Number VIII, Review of Workgroup Goals:
24 How are the councils doing? Ryan.

25
26 **REVIEW OF WORKGROUP GOALS: HOW ARE THE COUNCILS DOING?**

27
28 **MR. RINDONE:** All right. John Carmichael and I are going to
29 regale you with the sorts of measure already discussed by the
30 joint workgroup that are currently being used by the councils,
31 due in large part to their respective and considerable
32 recreational angling communities.

33
34 Both of these councils already use a number of creative measures
35 to provide flexibility in recreational fisheries management, and
36 we're going to detail some of these examples to you and comment
37 on things that have not been adopted, for some regionally-
38 specific reasons, and also some things that you guys might
39 consider for the future. Consider the information we blab to
40 you about and provide recommendations to the councils, as
41 appropriate.

42
43 The councils are responsible for managing what's tantamount to
44 the largest recreational fishing fleets in the country, and
45 possibly anywhere, and have explored, and continue to explore,
46 many different alternatives for recreational management, catered
47 to the species they manage and their respective stakeholder
48 groups.

1
2 Needs in the southeastern U.S. are pretty dynamic. We have
3 shifting stakeholder needs and variable market conditions that
4 can affect stakeholder engagement in the resource, climate
5 concerns, and that's just to name a few, and so Mr. Dunn's
6 presentation certainly detailed more of the concerns that NMFS
7 has seen anglers voice to them about the policy.

8
9 The Modern Fish Act was created to increase flexibility in
10 recreational management under the Magnuson Act, and so, with
11 respect to flexibility in recreational management, how are the
12 councils doing?

13
14 We'll start with the Gulf. One example here we have is regional
15 management in the Gulf, and so, for these examples, I will
16 detail the good -- You know, some good points and some bad
17 points, and so good and bad being perhaps subjective to the
18 person, but the good side of regional management is we have red
19 snapper for private anglers and state for-hire vessels, and it's
20 managed by each Gulf state, which allows a little bit more
21 reactive adjustments to the fishing seasons and catering to the
22 specific needs of those individual fishing communities in those
23 states and allows for the states to set specific minimum size
24 and daily bag limits that best cater to that state's anglers and
25 the biomass that they have available to them.

26
27 Some of the drawbacks are we currently have incomparable state
28 data currencies that require calibration, which is four-letter
29 word to some of the discussions that we've had at the council
30 level, and the state-specific allocation process can be
31 contentious, as some of the workgroup members that represent
32 their states can tell you. You know, that process was not
33 solved in one afternoon.

34
35 We have a flexible approach to the fishing seasons that we're
36 able to apply, and the Gulf Council, specifically, has been
37 pretty quick to react to changing fishing seasons, as necessary,
38 to accommodate changes in stock condition and to adapt to angler
39 requests for different setups for when they catch certain
40 species, and this allows the council to be considerate of these
41 changing stakeholder paradigms and tailor management to suit
42 rebuilding objectives and to suit those anglers needs.

43
44 The drawback to that is that it can sometimes result in complex
45 stratification of the landings data for assessments, and an
46 example of that that we've seen most recently is in greater
47 amberjack, and it can also alienate regional interests in favor
48 of those from adjacent areas, and so communication is certainly

1 key, to try to make sure that as many people that are at the
2 table leave satisfied with the end result.

3
4 Reporting through mobile applications is something that has
5 become increasingly adopted for both councils, and, specific to
6 the Gulf, it's something that's been used for, most
7 specifically, for red snapper. The good side of the mobile apps
8 is that they're easy to adopt, because just about everybody has
9 a cellphone in their pocket, and they can allow for near-real-
10 time data collection, such as landings and discards, and,
11 depending on the information requested by a mobile app, like
12 length composition, spatial effort estimation, things like that.

13
14 Again, these apps can be tailored to suit specific management or
15 rebuilding objectives, and, because of the amount of information
16 that can be collected pretty quickly, we can get -- We can be
17 very responsive, I think, in the future, as these apps become a
18 little bit more widespread and a little bit more broadly
19 adopted.

20
21 The bad side is that, if use isn't mandatory, then you have gaps
22 in the data that could be collected, and so that complicates the
23 kinds of analyses that you can do, and enforcement is needed to
24 ensure compliance and reduce uncertainty, if you're trying to
25 use those apps to monitor landings, or estimate landings.

26
27 We have fleet-specific catch allocations in the Gulf, and the
28 good side of that is that it fosters increased stewardship by
29 fleet for their allocated quota and can optimize fishing
30 opportunities for that fleet, and it can allow for more adaptive
31 management to be tailored to changes in the fleet dynamics and
32 the stock's biological needs.

33
34 One example, for red snapper in the Gulf, is the for-hire
35 fleet's ACL and when we were looking at changes to their ACT
36 respective to their ACL, and the effort was consistent, and it
37 was pretty reliably predicted on a daily rate, and so the
38 council was able to reduce the difference between the ACT and
39 the ACT for that fleet from 20 percent to 9 percent and to make
40 that permanent.

41
42 Again, it gets back to this better tailoring of regulations to
43 achieve management objectives, like trying to achieve maximum
44 sustainable yield, but also being considerate of things like
45 fleet selectivity or the age and size of fish that are selected
46 by a fishery, retention, and so the fish that are actually kept,
47 and then discards, and you guys have talked a lot today about
48 discards too, and they talked a lot about it yesterday at the

1 Reef Fish AP meeting.

2
3 The downside, sometimes, to the fleet-specific allocation
4 approach is that it can stratify available catch within a
5 sector, which can modify historical fishing opportunities, and
6 it could decrease fishing opportunities for a fleet, and it
7 could also result in increased administrative burden of quota
8 monitoring, because now there is multiple different fleets that
9 have to be examined independently, and it could result in
10 increased fleet-specific landings uncertainty.

11
12 Increased reporting for the for-hire folks, the SEFHIER, the
13 good side of that is that it could allow for more precise data
14 collection from the federal for-hire fleet and allow management
15 to better adapt to changes in the fisheries, or in fleet
16 dynamics, and hopefully it results in a decreased uncertainty in
17 the landings and observed age and length compositions, discards,
18 and spatial distributions of effort, and all these things are
19 key to improving inputs into the stock assessment process.

20
21 The downside, thus far, based on feedback from the for-hire
22 captains that would have to use this program anyway, is that
23 they foresee a substantial increase in stakeholder burden to
24 comply with the reporting requirements, and, perhaps, from the
25 agency standpoint, substantial, and possibly unsustainable,
26 financial resources needed for administration of the program.
27 You know, to set this thing up and run the program and process
28 all the data -- It's not free, and there has to be funds
29 allocated to be able to do that and manage all of that
30 information.

31
32 A tool that we've adopted, more so in the Gulf, and that the
33 South Atlantic is currently considering, is that of interim
34 analyses, which can be done in between stock assessments, but it
35 requires like an approved -- Like an SSC peer-reviewed stock
36 assessment in order to do an interim analysis for a species, and
37 the good side is that we can use these to look at an index of
38 relative abundance and examine general stock health relative to
39 the landings, and we can drum one of these up in under a year,
40 usually, with the Science Center.

41
42 They can serve as a check on stock health for a targeted stock,
43 allowing for more responsive management, and, if you have some
44 concerns that you're getting from stakeholders that say, you
45 know, this species is, you know, going gangbusters out there,
46 and there's more of them than we've ever seen, or the inverse of
47 that, that we're just not seeing them anymore, and we're really
48 concerned, and doing an interim analysis in between scheduled

1 assessments is a much more nimble way to get a quick glimpse of
2 what might be going on with that stock, and so it can allow for
3 greater temporal responsiveness to catch limit changes. The
4 Gulf Council has used this a couple of times to try to get ahead
5 of what anglers were telling it was a problem for certain
6 species.

7
8 The downside to the interim analyses is that they don't inform
9 stock status determination criteria, and so it won't tell us,
10 you know, if we've gotten out of an overfished or an overfishing
11 condition or if we're in one, and it just tells us where we are
12 relative to that representative index of abundance, and it
13 ignores possible changes in things like selectivity and
14 retention that could have come about from management changes,
15 so, if there had been changes to minimum size limits or bag
16 limits or trip limits or something like that, that wouldn't
17 necessarily be captured by that analysis.

18
19 It assumes that the stock-recruit relationship remains unchanged
20 from the last assessment, and so, if there's been changes to
21 recruitment, then we would miss that with the interim analysis.

22
23 From a citizen-science-esque approach, the Gulf Council has used
24 its Something's Fishy and now new-paint-new-shrubs into
25 Fishermen Feedback, which is our angler data collection tool,
26 and we deploy this on a species-specific basis ahead of stock
27 assessments and use it collect stakeholder feedback on that
28 particular species, and this can be used as a check against
29 survey-observed estimates of abundance and distribution.

30
31 If a particular survey is showing a decline, for a particular
32 species, sometimes the feedback that we get from this tool can
33 elaborate as to why, or it might show that the anglers simply
34 aren't seeing that, and sometimes that's been useful, because
35 it's helped us, you know, take a deeper look into what's going
36 on with a particular index, and sometimes there is otherwise
37 unforeseen reasons why we might want to do something different
38 with how that index is treated within an assessment. It can
39 help explain those variations in data that are otherwise not
40 explained by empirical surveys or management biases that we've
41 identified in our management history.

42
43 The bad side is that it's currently hamstrung by the Paperwork
44 Reduction Act. You know, we're not allowed to necessarily ask a
45 list of very specific questions, and we would have to go through
46 an approval process for being able to do that, and so it
47 prevents this tool from being used in a more nimble way, but
48 we're hopefully for some improvements for that somewhere in the

1 future, and it's limited to those who provide feedback when the
2 tool is available.

3
4 We've got a great partnership with MREP, with the Marine
5 Recreational Education Program, with getting some of the past
6 participants of that program to really hawk this thing and get
7 it out there. We have good participation from the states, when
8 we push it to the state agencies to get this thing circulated on
9 their social media, and so circulation is getting better, but,
10 again, it's still limited to those who reply. It's not
11 required.

12
13 It requires large sample sizes for effective model learning of
14 the responses, and so we presently still have to go through both
15 an automated and a manual response review process.

16
17 Some future considerations that the councils might consider,
18 and, you know, one that you guys have discussed, on and off, has
19 been fish tags, which is likely too burdensome for species with
20 substantially large catch limits, like say -- I am just throwing
21 these out there, but red snapper, king mackerel, and vermilion
22 snapper, all of which have, you know, pretty large catch limits
23 compared to some other species, but it may be worth considering
24 for other species of concern, like those that are depleted or in
25 a rebuilding plan that perhaps have smaller catch limits, and
26 examples might be cobia and amberjack, and I'm not saying use it
27 for that or don't, but, when we're talking about a smaller
28 number of fish, then the ability to count those fish might be a
29 little bit more administratively reasonable than say having to
30 issue hundreds of thousands of tags for another species.

31
32 It would require some kind of centralized system for tag
33 allotment and monitoring, and, again, that's not going to be
34 free, and so there's going to have to be funding allocated, in
35 some way or another, if this is something that the council ever
36 wants to consider.

37
38 This is one that I think both councils could certainly take
39 another look at, which would be conditional accountability
40 measures, and these can be designed to modify harvest controls,
41 like size and bag limits, seasons, spatial closures, or other
42 measures, depending on the stock condition.

43
44 Usually, when we think of accountability measures, we think, all
45 right, so, when this bad thing happens, then this thing comes
46 into place to try to fix the bad thing, but it doesn't just have
47 to be, when the bad thing happens, we do this to fix it. It
48 could be, when the good thing happens that we're observing, we

1 do this to loosen things up, and so I will make something up
2 here.

3
4 You know, if it comes to pass that, you know, we don't catch the
5 bag limit for the Frazer fish for three years running, then we
6 increase the bag limit automatically from four fish to five
7 fish, or something like that, and so those sorts of things could
8 be things that are considered to increase access if there is a
9 lot of yield that's being leftover and the fishermen are
10 expressing a desire for the ability to try to go out and get it.

11
12 For other species, like kingfish, we've seen some -- We've seen
13 responses from the recreational anglers that they want to leave
14 those fish in the water, for the chance to catch more larger
15 fish, as opposed to just more fish in general, and so, again,
16 angler feedback on this would certainly be beneficial to the
17 councils in determining how to structure these sorts of things.

18
19 Another thing that the SSC will be considering for the Gulf, as
20 it works on its ABC Control Rule, and that the South Atlantic
21 SSC is considering with theirs, is incorporation of carryover
22 and phase-in strategies, which can be used to carry over unused
23 catch from one year to the next without harming the stock, and,
24 on the other side of that, to phase-in reductions in catch over
25 a short period of years, according to the NOAA guidance not to
26 exceed three years, to alleviate shock to user groups. Instead
27 of just going ahead and knife-edging down to whatever the next
28 catch limit is supposed to be, you kind of gently slope into it.
29 Like I said, the Gulf SSC is going to evaluate this as part of
30 changes to its ABC Control Rule, and they will talk about that
31 next in January of 2023. John, are you ready for yours?

32
33 **MR. CARMICHAEL:** I am.

34
35 **MR. RINDONE:** All right. The show is yours.

36
37 **MR. CARMICHAEL:** All right. Thank you, and thanks, Ryan. Ryan
38 did a great job of hitting the pros and cons of a lot of things
39 that very common across our two regions, and so, rather than
40 rehash all of that with a lot of duplication, I'm just going to
41 hit on some of the things that are similar, with just a little
42 bit of focus on how they've been addressed here in the South
43 Atlantic.

44
45 One of the things the group talked about was state data
46 collection, and there's two main programs that go on in the
47 South Atlantic, and have been for some time, for recreational
48 data. The South Carolina Department of Natural Resources has

1 had charter reporting since 1993, and so it's basically very
2 similar to SEFHIER, and it's been underway for a long time.

3
4 Then, as mentioned earlier, the Florida reef fish expansion to
5 the Atlantic was in 2020, and so Florida, as we all know, has a
6 pretty thorough program for getting good information on a number
7 of species in the snapper grouper reef complexes.

8
9 Regional data collection efforts, the citizen science program
10 that we talked about earlier, and it says here that it's really
11 about filling holes and not competing. There is SEFHIER, which
12 most of us all pretty well know about, the for-hire reporting
13 program, and the South Atlantic is a little bit different.

14
15 We don't have sector separation, and we have open access. We
16 don't have the VMS. We have an extended reporting window, and a
17 number of those things have been cited, recently, as posing
18 challenges to the use of this data in the future, and then
19 funding was directed by the agency, by Congress, to support the
20 reporting in the Gulf, but not in the Atlantic, and so we're in
21 a little bit of a different situation, with regard to SEFHIER,
22 than even you guys in the Gulf.

23
24 The South Atlantic is considering private recreational
25 permitting and reporting, as we discussed earlier, and then we
26 did a pilot of an all-purpose reporting app called MyFishCount,
27 a number of years ago, and the idea was just to put a tool out
28 there that fishermen could voluntarily provide information on
29 what they're catching and what they're doing, to see how that
30 works, and the pros and cons of that are very much, as Ryan
31 highlighted, in dealing with apps.

32
33 It's really hard to get what anyone thinks of as truly
34 representative. We were able to use information from this, one
35 time, to get a couple of extra days on red snapper, because the
36 weather was bad throughout the region, and a number of people
37 recorded, on this app, that they intended to go fishing, but
38 couldn't.

39
40 Now it's just sort of out there as a voluntary thing, and we're
41 not really sure of its status, as we look into things like the
42 permitting and reporting programs and where those will go, but
43 it was an effort that we put out there just to see how much
44 interest there was, and, as I said before, a lot of times --
45 There's a lot of talk about it in meetings when it doesn't
46 exist, but, just because you build it, it doesn't mean they're
47 going to use it.

48

1 We've looked at a number of similar things, over the years, as
2 in the Gulf. Creel cards and tags were talked about, and creel
3 cards are really tough to do, and they're cost-prohibitive.
4 They may work with small fisheries, and they're used out west
5 for things like salmon, and states like Alaska and Washington
6 use them.

7
8 They can work pretty well if you're doing something like a limit
9 on the total number of fish that can be caught of a particular
10 species, and think something like big game, deer tags or turkey
11 tags or something like that, and that's really what they're most
12 analogous to.

13
14 It seems that, in the fisheries world, we're really seeing
15 electronic reporting programs take over, in lieu of something
16 like this, and then our problem, in the South Atlantic, as Andy
17 led off today with, is discards in the snapper grouper fishery.
18 It's a multispecies fishery. A lot of times, you don't really
19 know for sure what's going to bite when you drop your hook down
20 in a hundred feet of water, and so something like creel cards
21 just can't address the discard problem, and tags are the same
22 way.

23
24 We've talked about tags for some of our low-ACL stocks like
25 snowy grouper and red snapper. For us, that's kind of a low-ACL
26 stock, and I know it seems a bit surprising, but, again, they
27 don't address the discards, because, as long as people can still
28 go fish for other stuff, even if they fill their tags for these
29 low species, or they don't even have a tag, then you're not
30 really doing anything for that bigger-picture problem of the
31 discards.

32
33 The big difference in tags being issued under Magnuson, as
34 opposed to something like say big game tags for wildlife
35 management, is -- When we talked about this before, it was
36 talked about that the number of tags issued cannot exceed the
37 ACL, and that would be kind of like, you know, the state game
38 agency saying, well, we're only going to issue so many deer
39 tags, and, in some cases, they do that. Some big game, you know
40 if you're familiar with things like moose or elk in some of the
41 other states, where there is a very strict limit on the harvest,
42 they have lotteries and stuff to deal with that, and so that's
43 the kind of thing we would probably end up with, because I
44 expect, for most stocks where we would do this, the demand is
45 greater than what the supply would be.

46
47 Then tags don't really address MRIP. Unless you find out what
48 happened to each tag, you make people either have to keep the

1 tags, or report the tags they didn't use, and it gets really
2 complicated if you start thinking that something like tagging is
3 going to replace a survey like MRIP, and there's a lot of cost,
4 and so there's just a lot of challenges with these two things
5 when you apply them to multispecies marine fisheries management.

6
7 Interim assessments is not something we've had in the South
8 Atlantic yet. I was actually off a year on vermilion snapper,
9 and we're supposed to receive that later in October of 2023, and
10 I guess I was overly optimistic that we might actually get one
11 sooner, but we haven't yet, and one of the challenges is getting
12 the representative, robust surveys that are considered to track
13 the population well enough that the council and the SSC would
14 have confidence in using the ups and downs of that survey to
15 dictate the ups and downs of a potential catch level, and that's
16 always a problem with this kind of information.

17
18 When people feel optimistic about it, and they think that, yes,
19 the survey is about you getting more fish, you know, these
20 things are very appealing. When you start thinking about the
21 flip side, it's like, well, you're going to have to catch less
22 fish if the survey goes down, is when then you start hearing
23 reasons why, well, the survey going down -- Maybe it isn't
24 really representing the population going down, and there's
25 really a hesitancy to want to give up the harvest just because a
26 survey is going down.

27
28 You know, how many years does it need to go down? What if it's
29 just a blip, and so this becomes -- You know, it's really
30 appealing in some ways, but it can be very challenging, and, if
31 you go down this route, you're going to have to commit to taking
32 the good with the bad, and probably sometimes the ugly.

33
34 We've tried -- We've got a number of things underway to try to
35 better inform the council about what's going on with the
36 fishery. Much like the Gulf, you know, we deal with these data
37 lags, and we deal with this overall data inadequacy in our
38 region, and so we're grasping at anything we can too as well to
39 better inform the council of what's going on in the fishery.

40
41 We have done a number of Shiny apps, which is just a way of
42 presenting data using a web interface, to try and present
43 information on the fishery, on the stocks, and we're using them
44 for fishery overviews. When we're getting ready to do a stock
45 assessment, or we've just received a stock assessment, we, can
46 show the council like landings information and effort
47 information in a lot more detail, and it allows the users to go
48 in and look at it by state, or by sector, et cetera, for

1 different years, and so it's just a real flexible way of
2 presenting a lot of information with some ability for the user
3 to hone-in on what they want to see.

4
5 We do something called fishery performance reports with our APs.
6 We normally do these in advance of an assessment, and so it's a
7 little bit like the way Something's Fishy started with you guys,
8 where we meet with our AP, ask them a series of questions, and
9 try to get their perceptions of what's going on in the fishery
10 real time. What are they seeing? If landings are going down,
11 maybe they have some insights of why and that sort of stuff.

12
13 We've been working, recently, on an online SAFE report to take
14 all the information that's supposed to be in SAFE reports and,
15 again, and it's sort of like the Shiny apps with our fishery
16 overviews, making that information available to the councils and
17 the advisors and others, so they can just have greater access to
18 the condition of their fishery and what we know, as far as data.

19
20 Then another thing that's also similar to where your Something's
21 Fishy is heading, with your fishery information, is what we're
22 calling the Public Information Tool, to be an online portal for
23 just gathering a wide range of info on fishery topics, social
24 and economic markets, trends, really anything that fishermen
25 want to share.

26
27 As Ryan said, the Paperwork Reduction Act is a huge, huge
28 problem when it comes to this kind of information, and it's also
29 been an issue with our citizen science, because, even to let
30 fishermen voluntarily submit information over an app, we have to
31 go through the Paperwork Reduction Act, and so we are embarking
32 upon that journey right now for this tool as well as our citizen
33 science efforts, and we've got our fingers crossed that we're
34 going to get through this and actually be able to, you know,
35 accept information that fishermen are willing to give us.

36
37 Maybe someday that will change, and the Paperwork Reduction Act
38 will be modernized and reflect what's going on in this world of
39 electronic apps and people voluntarily giving information, but
40 that hasn't happened yet, and so we're forging ahead on PRA, to
41 find out what it all means to get approval.

42
43 We too are working on carryover and phase-in, to incorporate
44 that flexibility given to us in the Magnuson Act. We're getting
45 pretty close to approving an ABC Control Rule amendment that's
46 going to put those things in, and one other thing that we talked
47 about in this group earlier was spatial management, and so one
48 example we have is the use of zones for mackerel. Our Spanish

1 mackerel has northern and southern zones, and we have various
2 zones for the king mackerel, as you guys do.

3
4 It's just a way to try and deal with regional fisheries
5 differences and to give some flexibility to the fishermen to
6 pursue things in their area and account for how fish actually
7 move.

8
9 We also have a number of area-based strategies in place for
10 dealing with -- We have spawning areas closed off, in some
11 cases, and we have things like the Oculina Bank for protecting
12 corals, and so we've tried to do some flexible area management
13 to protect specific areas, and we're really trying to focus in
14 on them in small areas, because, really, that's about all that
15 folks will tolerate, in most cases, is a pretty small closure.

16
17 Then we're forced into some area-based strategies and dealing
18 with a shared blueline tilefish stock with the Mid-Atlantic, and
19 so that stock extends from Florida up into the Mid-Atlantic
20 region, off of Virginia and Maryland. It's considered to be one
21 stock, and so we've had to come up with some way of sharing the
22 overall yield from that population, particularly on the north of
23 Hatteras section, which, to make things even more challenging,
24 is a very data-limited portion of that stock, and so, you know,
25 we've had to basically apply an area-based management between
26 our two council jurisdictions, to make sure that the Mid-
27 Atlantic Council, and the Mid-Atlantic fishermen, do have some
28 voice in the management of the resource in that area.

29
30 That created a lot of challenges, in terms of dealing with the
31 assessment and the stock ID, and it took a couple of stabs at it
32 to actually get an assessment that we could use, that was
33 acceptable to both councils, and, you know, a big lesson there
34 about really understanding when stock ID starts changing, as may
35 happen under climate change, and extending into other
36 jurisdictions. If you're not ready to deal with that, and not
37 giving those folks a voice in the decisions, it can blow up
38 pretty quickly.

39
40 One of our biggest issues that we're facing right now is this
41 issue of discards that's been talked about a lot, and it was
42 brought to a head by red snapper. We've been having a really
43 good recruitment for ten years, and it turns out that 25 percent
44 of our recruitment that we've been enjoying is coming over from
45 the Gulf stocks, and so, as your stock has done well, so has our
46 stock, but the reality of that is, as we all know only too well,
47 an increased number of fish out there, when you're trying to
48 hold a fairly low fishing morality rate, and trying to rebuild a

1 stock, in a mixed-species fishery, results in an awful lot of
2 encounters of that stock that's doing really well.

3
4 That results in discards, regulatory discards specifically.
5 People would love to keep these fish, but, due to the
6 regulations, they have to throw them back, and, while we talk
7 about a season, a two or three-day season, for red snapper, the
8 reality is that that's the only season that they can harvest
9 them.

10
11 They go out and catch them 365 days a year, but we only let
12 fishermen bring them in for a couple of days a year, and so
13 there's an awful lot of fish that are thrown back dead, and
14 we've got to deal with that, as a council, to end overfishing of
15 red snapper, and so the easiest, simplest approach is just
16 eliminate some effort somewhere, either over time or over space,
17 and impose some very large closures on the entire snapper
18 grouper complex.

19
20 Well, that raises a lot of problems with fairness and equity and
21 access, and it raises problems with achieving optimum yield for
22 the other fifty-four stocks in the complex, and it's just a very
23 challenging thing to do, and no one in the recreational sector
24 likes to hear things being said like take hooks out of the
25 water. That's a sure way to get a fight and get everyone to
26 shut down and not give you any positive feedback.

27
28 One of the things the council is looking at right now is are
29 there ways that we can reduce, somewhat, the efficiency of the
30 effort, so that, if we can't hold off a closure entirely, can we
31 at least limit the magnitude of any time or space closures, and
32 so we're looking at gear changes, such as single-hook instead of
33 multiple-hook reels, and a potential prohibition of electric
34 reels, because, you know, the thought being that it's the
35 recreational fishery, and, if it takes you a little more time to
36 bring fish up, then that shouldn't necessarily be a bad thing.

37
38 Also, we've been working, for a number of years, on best
39 practices, and so descending devices come to mind, you know
40 venting and that sort of thing, but it's actually more than
41 that. You know, it's how you handle your fish, and it's
42 limiting your time fishing in deeper water, if you're catching
43 predominantly red snapper.

44
45 It's making people more aware, and it's encouraging people to
46 avoid big aggregations of fish, which, you know, in certain
47 areas, in north Florida, increasingly, it may be virtually
48 impossible to avoid aggregations of red snapper, but, in a lot

1 of our region, it is possible, at some time and places, to avoid
2 them, and reducing that deepwater effort.

3
4 Again, it's an ongoing thing, and we're working with Sea Grant.
5 We have a staffer in our office, cooperatively, and, really, the
6 most effective thing is just getting out there on docks and
7 going to tackle shops and talking to people, encouraging them,
8 and that's really what seems to work the best.

9
10 Another thing that we may have to look at, in terms of heading
11 off this season and big closures, is potentially aggregate
12 limits, and so we have that, to some extent, now. We have a
13 limit on the other species in snapper grouper, but this could be
14 used to say -- You know, to tell folks that you can have ten or
15 fifteen or something snapper grouper per person across the
16 entire complex on a given trip.

17
18 That would be a way that, perhaps, when they get the ten-fish,
19 or the thirty or forty, however many is on the boat, you know
20 three or four folks, that they go ahead and stop fishing, at
21 least for bottom fish, and, you know, maybe they go ahead and
22 troll, and maybe they move inshore and fish for other things,
23 that sort of thing, and so, you know, these are just ways the
24 council is trying to head off what is viewed, by many, as the
25 nuclear option.

26
27 We haven't fully fleshed out all of these quantitatively, and
28 we're hoping to have some more information on that at our
29 December meeting, and so, at this point, there's a lot of
30 optimism, on behalf of the council, as to what these will do,
31 and they're certainly very creative, in the sense of what this
32 group was talking about, but we just don't know how well they're
33 going to work and if they're going to give us the reductions
34 that we need.

35
36 Then the other thing that we also talk about is, similar to you
37 guys, is OY flexibility and alternatives. You know, the idea,
38 from the first meeting of this group, and Chester mentioned it
39 earlier, is defining yield in terms other than harvest.

40
41 Recreational fisheries can provide a lot. They can yield a lot
42 of things, and harvest isn't always the most important thing,
43 and that's something that we'll talk about a little bit here
44 near the end. Now we'll go back to Ryan.

45
46 **MR. RINDONE:** Optimum yield, like John was getting in there, and
47 we've had some conversations about it so far today, and so you
48 guys are required to manage to it, per MSA, and optimum yield

1 and MSY are commonly defined, in terms of pounds, and so, you
2 know, when we think of when the Magnuson Act was written, it was
3 written in 1976, when the marine landscape was mostly dominated
4 by commercial fishing, and so it's not all that surprising that,
5 within the Act, and within most conversations up until --
6 Really, in the last fifteen years or so, but most conversations
7 about yield are talked about in terms of pounds.

8
9 The commercial fishing fleets that -- The harvest of the marine
10 resources at the time was dominated by, you know, their yield,
11 their version of optimum yield, is most closely correlated to
12 pounds, because pounds landed equals revenue for that particular
13 industry.

14
15 The recreational definition of optimum yield may vary by fleet
16 and species though, but time to fish always seems to be one of
17 the things that comes up, that that matters, and so not
18 necessarily the first thing on the list being, you know, I want
19 to take home as many fish as possible, or necessarily the
20 biggest fish, or, you know, a certain number even, but it's just
21 time and opportunity to get out there and partake in it and
22 enjoy the resource, and so time equals the opportunity to
23 participate in fishing.

24
25 That translates, for both components of the recreational
26 industry, or the recreational sector, and so you have the for-
27 hire industry, for whom more time means more opportunity to sell
28 trips, regardless of what the vessel limit might be or the per-
29 person retention limits, and then, for the private anglers, more
30 time means more days to get out on the water.

31
32 Typically, private fishermen, private anglers, have something
33 else to do during the day, and they can be waylaid by things
34 like weather or job or family, what have you, and so it's not a
35 profit-making endeavor for a private angler to go fishing, and
36 so having more time, more opportunities, over a longer period of
37 time is important, because you may not get to go this weekend,
38 and you may have to wait until next weekend.

39
40 Something for the councils to do is to consider how to maximize
41 time and/or opportunity with the allocated catch that's
42 available, and so we still have to manage to ACLs, and that's
43 not something that the Modern Fish Act allowed us to get away
44 from, and so we still have a set number of pounds for the
45 commercial sector and for the recreational sector, and, in some
46 instances, for components within the sector or zones within a
47 sector, like we do for kingfish.

48

1 The councils should possibly consider, you know, setting a
2 target for a desired time or opportunity for the recreational
3 fleets, and so how many days, weeks, months, whatever, and how
4 much opportunity is the target, and how long does the council
5 want a particular season to be open? Okay. Now that you know
6 that, and you know that you have this many pounds, what do you
7 need to do to get that opportunity and time out of those pounds,
8 and so what sorts of options might you consider to be able to
9 achieve that?

10
11 Instead of starting with the pounds, and then working back from
12 there, start with what you're really focused on, which is being
13 able to get out on the water and fish, and then adjust those
14 management measures, as needed, to achieve a desired OY target,
15 and, if you're not achieving that target, then consider,
16 perhaps, the different approach to accountability measures, and
17 so having automatic triggers in place for doing different things
18 with seasons, or with retention limits, or what have you, in
19 order to try to increase opportunity and increase that yield of
20 time.

21
22 Discussions by the councils about OY, by fleet though, will be
23 necessary to better understand these fleet-specific needs and to
24 effect the best possible management strategies.

25
26 South Atlantic Council staff have had discussions on flexibility
27 and what is maximum versus optimized yield, and so MSY and OY
28 are defined as fish removals from the stock, but recreational
29 fisheries, like I said, may place a higher value on other
30 things, like access, you know, time to get out there and
31 experiences, and so, you know, for kingfish in the Gulf, they
32 recreational anglers told us that they want bigger fish, and
33 they want a higher probability of being able to encounter those
34 larger kings, and they told us it's fun to catch those kingfish,
35 and they try and release those kingfish, but most anglers, as
36 we've seen from our bag limit analyses, aren't keeping the three
37 kingfish per angler that they're allowed to keep.

38
39 On average, we're seeing fewer than one kingfish per angler,
40 regardless of how many are actually caught on a trip, and so it
41 kind of all adds to the challenge of OY, because OY, you know,
42 perhaps could demand a reduction in fishing effort, and so the
43 OY of a stock may be greater than the MSY. The fishing
44 mortality at OY may be less than the fishing mortality at MSY,
45 and the effort at optimum yield may be much lower than the
46 effort at maximum sustainable yield, which would yield a bigger
47 stock, but with a lower fishing mortality.

48

1 Effort though, for the recreational fishery, is tantamount to
2 access, and a bigger stock is going to mean more discards,
3 unless there is, you know, more controls on effort, but those
4 effort controls can also translate into more time. John, do you
5 want to take this part of it?

6
7 **MR. CARMICHAEL:** Yes, I will. Thanks, Ryan. When I saw what
8 Ryan had on there that started with OY, it really got me
9 thinking about OY has carried through some much of these
10 discussions, and it's part of our discussions at the South
11 Atlantic, in terms of flexibility, and how do you figure out
12 what's optimum, and what is yield, which seems like such a
13 simple question, but, you know, really, what is yield?

14
15 All of this sort of came together, and I had a bit of an ah-ha
16 moment, I guess, in the letter that came to you guys from
17 Secretary Raimundo back in July with a number of Southeast
18 congressmembers that had signed onto it, and I thought this
19 quote was very telling. You know, he says that the Magnuson
20 Act's first National Standard requires you to allow the optimum,
21 or maximum, sustainable yield from a fishery. We all know that,
22 and we've had this discussion, and we were told, at the very
23 first meeting, that yield is pounds.

24
25 Yield is fish, and yield is pounds, and yield is removal of fish
26 from a resource, but then the congressmen even went on and said,
27 but, simply, this means to allow for as much fishing as is
28 sustainable for the population. Well, you know, that
29 immediately was like, well, wow, here's a number of people from
30 Congress saying that there's more to maximizing sustainable
31 yield than just the number of fish you remove, and they said as
32 much as fishing

33
34 I had kind of a little informal conversation over email with
35 Clay about that, and he pointed out, during that, that, you
36 know, mathematically, and he raised this again at the council
37 meeting, when we had some more discussions about that, but,
38 basically, you know, we were discussing attempting to optimize
39 effort, you know, and allow for as much fishing as possible, and
40 so exactly what the Congress folks were saying there in the
41 letter.

42
43 You know, and Clay pointed out that that's the mathematical
44 equivalent of achieving the minimum sustained yield, and so not
45 the maximum sustained yield, but the minimum sustained yield,
46 but what really struck me in that was that, okay, as long as
47 it's sustained, maybe that is where, as managers, we need some
48 flexibility, and so, like Ryan says, you know, the MSY is very

1 much a commercial construct.

2
3 The idea is, you know, take the most you can from the stock, and
4 then optimum yield brings in the idea of the economic component
5 of it, as Andy led off the day with, saying, well, we would back
6 off from that, and I get more fish in the population, and
7 they're easier to catch, because they're more available, and I
8 don't need as much effort to catch nearly as many fish as I
9 catch at MSY, and that's great if efficiency, economic
10 efficiency, is your goal.

11
12 If access to the resource, particularly a multispecies resource,
13 is your goal, well, that great big abundance of fish is not
14 good, because you're telling people that there's a lot out
15 there, and you don't have to fish very hard to catch them,
16 because there's a lot out there, and then, when you catch all
17 that you can keep of a particular thing, you're going to have
18 discarding, and so it's really kind of double whammy for the
19 recreational fishery, and it always reminded me of talking with
20 Bob Zales when king mackerel first started to rebuild.

21
22 He saw what it was going to mean for regulations in those early
23 years, and he was like, wow, in some ways, a guy like me was
24 better off when they were a little more scarce. People had to
25 work to catch them, and I could take more trips and go out there
26 and catch the limit. When there's a whole lot of them, anybody
27 can catch them, and it's a whole different thing for say a for-
28 hire fishery, or even a recreational fishery, that wants to get
29 out there and spend some time catching fish.

30
31 It just really occurred to me that part of the problem seems to
32 be tied to, you know, this MSY definition, this classical
33 fisheries science, and yield is removal of fish, and that is a
34 significant challenge, I think, in dealing with this, if we're
35 really going to get the flexibility that this group set out to
36 talk about and to try and find within that, you know, and
37 managers somewhere need the ability to choose whether it's best,
38 in a given sector, to optimize yield or effort.

39
40 As Ryan mentioned with OY, it may vary, and we may have a
41 particular stock that has, you know, one goal on their
42 recreational component and another goal on the commercial
43 component and have to find a way to navigate through that, but
44 it's always seemed, to me, that the real important thing of MSY
45 it should be sustainable, and, as long as the catch is
46 sustainable, managers should have a big more flexibility, in
47 terms of what they choose to extract for the greater good of the
48 nation from a particular resource.

1
2 I think that may be the last slide, and so, you know, that's
3 just -- I short of had an ah-ha moment with that letter, and
4 I've been talking this around with other people, and we haven't
5 talked about it with the council specifically, but, when I saw
6 what Ryan had in there for optimum yield, and we started
7 thinking about it, I said that I think this idea fits pretty
8 well for this group, and, you know, Chester, I think, hearing
9 what you were saying, I think it kind of fits in line with where
10 you were earlier.

11
12 **CHAIRMAN ANSON:** All right. Thank you, John, and thank you,
13 Ryan, for the presentation and outlining a lot of what the
14 councils have been doing relative to trying to provide the
15 maximum access, to this point, but, obviously, identifying, here
16 at the end, some of the challenge to the current problem we
17 have. That wraps up the formal items, correct, and the rest is
18 just a discussion point.

19
20 **MR. RINDONE:** Yes, and the next part is kind of the lead-in to
21 the questions part for this, and John and I's hope was this
22 would poke everybody's brain pans a little bit and spur some
23 discussion, but that does kind of parlay right into the next
24 section.

25
26 **CHAIRMAN ANSON:** All right. Well, if you want to go ahead.

27
28 **MR. RINDONE:** Sure. Poke, poke, Tom.

29
30 **CHAIRMAN ANSON:** Tom.

31
32 **DR. FRAZER:** I just want to ask John Carmichael a question on
33 the last slide, and so I think I understand what Clay said,
34 that, you know, if you're going to optimize effort, you're going
35 to essentially, you know, achieve minimum sustainable yield,
36 but, I mean, essentially, I just want to clarify, so that I know
37 what's going on here. In this particular second bullet point,
38 that means that the yield, in this case, accounts for -- Or
39 includes dead discards, right? Is that the math involved there?

40
41 **MR. CARMICHAEL:** Yes, that really is, and this is referring to
42 yield collectively, the entire amount of fish that the
43 population can produce, and, you know, whether those -- What
44 that yield is taken home and eaten and used, or whether it's
45 thrown back dead and eaten by shark, you know, it kind of is the
46 result of the management schemes that are in place, but, yes, it
47 refers to the entirety.

48

1 **DR. FRAZER:** Yes, and, again, I think that's just an important
2 distinction, because sometimes people think of yield as only
3 those fish that are harvested, right, and I think we just have
4 to strive for some consistency in that definition and make it
5 explicit, when we're talking about that, because, I mean, it's -
6 - Well, I will wait until this discussion evolves.

7
8 **MR. RINDONE:** Are there any other questions on the presentation
9 specifically? John.

10
11 **DR. FROESCHKE:** I'm just thinking through this a little bit, in
12 terms of the ACLs, and, again, this sort of highlights the
13 quandary, as I see it and so, for example, I will use the
14 example of the gray snapper assessment that we had four or five
15 years ago, and, if you recall the results, the stock -- It said
16 that we had been overfishing this stock for a long period of
17 time, yet it wasn't overfished, and it wasn't likely to approach
18 an overfished condition, and Dr. Barbieri -- I think he's not
19 here anymore, but he termed it sustainably overfished, or
20 overfishing, was his term, but it kind of sounds like what we're
21 doing.

22
23 In fact, if you think about the way that gray snapper is
24 prosecuted, it almost seems like this, and, you know, you can
25 target the crap out of the little ones in the bays and things
26 like that, but, when you do assessments, it's going to generate
27 -- It's going to try to put that stock back to MSY, and the
28 annual catch limits and the yield streams that result will
29 ultimately -- It will keep going back to that. It just seems
30 like you would be yo-yoing between this, so long as you're doing
31 assessments that are still tied to the MSY paradigm and the
32 ACLs.

33
34 **CHAIRMAN ANSON:** I think that kind of relates to what I
35 mentioned earlier about, you know, that there is -- There is no
36 mechanism by which you can quantify, or put a number, to that,
37 and so, if you're always going to be gravitating, or always
38 using MSY as ultimately your benchmark, you're right, and I
39 think you will be yo-yoing, or waffling, to some degree, but, if
40 you have another number below that that is quantitative, or can
41 be calculated quantitatively, then you may not.

42
43 **MR. CARMICHAEL:** I think of it as a lot of stability points, and
44 there's a lot of equilibriums that could be achieved for a stock
45 that provides you different things, you know, and there is some
46 worst-case scenario. You know, you always want to stay above
47 whatever would cause recruitment overfishing, where you're
48 seeing the declines in the stocks, and you don't have enough

1 fish to replace it, and that's certainly not sustainable.

2
3 Then, when you get to MSY, and you get above that, and you're
4 starting to also bring in considerations for say growth
5 overfishing, and, in a lot of these mixed-species fisheries, the
6 managers may be willing, and the fishermen may be willing, to
7 tolerate some degree of growth overfishing that maybe results in
8 a slightly lower yield if it means that they can have greater
9 access to, you know, a broader resource.

10
11 They may tolerate some of that, and maybe some reduced yield in
12 one species, if you can have access to the other fifty-four, in
13 our case, the rest of the year, and that's sort of what it comes
14 into, you know, and you're trying to really deal with a
15 multispecies situation, and you need that flexibility, with
16 individual stocks, to say, well, there's different points that a
17 stock can reach equilibrium that are going to provide me
18 different yields, and, as long as I'm staying above recruitment
19 overfishing, and I have a sustainable yield, is it the end of
20 the world if we're not getting, you know, every last poundage,
21 or every last fish, removed out of that population as I could?

22
23 I think that's the concept, and so you would -- You know, you
24 may target a different F, a different F for your stock over
25 time, and not the FMSY, but maybe the F that optimizes effort,
26 or access, or time to fish sort of thing, those considerations,
27 and you can solve a model for any F you want and see where it
28 goes.

29
30 **CHAIRMAN ANSON:** Good way to summarize that, John. Thank you.
31 Chester.

32
33 **MR. BREWER:** Kevin, I may be getting ahead of things, and, like
34 the good Dr. Frazer, keep my mouth shut until we get to the
35 later discussions, but one of the things that strikes me is -- I
36 don't know how many years ago it was, but we actually -- Gregg
37 Waugh was working along these lines, and we were having some of
38 these discussions, and we were having them because the -- With
39 regard to dolphin, you know, the recreational sector was not
40 getting anywhere near to catching its quota, whereas the
41 commercial side was bumping up against it.

42
43 The point from the commercial guys is, hey, you know, we're not
44 getting anywhere close to an overall MSY, because we're leaving
45 all these fish in the water, and, if you leave a fish in the
46 water, that's a wasted fish, and so, as we begin to discuss
47 this, and we would be saying to the recreational folks that,
48 essentially, hey, if you want more time on the water, if you

1 want more people having longer access to these fisheries, we may
2 have to manage you down. In other words, down from what is the
3 traditional MSY.

4
5 That way, we can have a situation where you're going to get
6 close to what we envision as OY, where you're getting the
7 maximum satisfaction out of the fishery, and that's what we were
8 working on, really, or what Gregg Waugh was working on, was to
9 say, hey, guys, you know, you're using the strict MSY
10 definition, and leaving some fish in the water is a good thing,
11 and so maybe we need to take a look at redefining, or at least,
12 for the recreational sector, redefining what OY is.

13
14 The fear that I have, unless it's constrained, would be that, if
15 we do that, and now we have more fish in the water, and the
16 recreational folks are not catching what their, quote, MSY is,
17 we're going to be facing the headwinds of the commercial guys
18 saying, hey, you all are wasting a bunch of fish, and we need
19 you to reallocate this, and so, for this particular fishery, and
20 so, for it to be acceptable to recreational fishermen, they need
21 to be reassured that, if they are keeping more fish in the
22 water, so that there is more access, more time on the water,
23 that that's not going to just be a reason to reallocate and to
24 take those fish and put them over into the commercial quota.
25 Thank you.

26
27 **CHAIRMAN ANSON:** Thank you. Susan.

28
29 **MS. BOGGS:** That works both ways.

30
31 **CHAIRMAN ANSON:** Chris.

32
33 **MR. SCHIEBLE:** I agree with what Chester is saying in some
34 respects here, and, since we're airing out dirty laundry here, I
35 guess in one way or another, one of the major considerations
36 that goes into, at least in Louisiana, extending our snapper
37 season is the full utilization of the fishery, right, to make
38 the optimal yield for the recreational sector, but it doesn't
39 necessarily need to go that way, but it comes back to the
40 council level.

41
42 If you look at how the councils handle reallocation among the
43 states, correct, and one of those factors is that poundage
44 utilization over time. I mean, we used Amendment 40
45 calculations for Louisiana to handle our portion of it, and
46 other states used other calculations, but, if we consistently
47 underfish, there's the potential that that gets shifted from one
48 state to another, in the end, whereas the alternative to that

1 would be using biomass as the allocation factor coming from the
2 Great Red Snapper Count, the Louisiana Snapper Count, for
3 example. Until some of those things are resolved, I think at
4 the council levels, it may be more difficult to leave some of
5 those fish in the water, as you're describing.

6

7 **CHAIRMAN ANSON:** Susan.

8

9 **MS. BOGGS:** I hear what you're saying, Chris, and I agree, but,
10 again, a lot of discussion about climate change, and the biomass
11 seems to be shifting down to south Florida, and, of course,
12 Hurricane Ian could push them back up to the northern Gulf, and
13 so your fish -- You know, we have highly migratory species, but
14 a fish is a fish, and it's going to travel. It's migratory, and
15 I don't care what anybody says, and it's migratory.

16

17 You can't keep them in this one area all the time. Scientists
18 will argue that with me, and I'm using common sense, and I
19 understand what you're saying, and I used this example at the
20 last council meeting and the western delta block.

21

22 I looked at Patrick, and I said, you know why you have all those
23 fish there, and it's because everybody brings their boat to
24 Orange Beach and fishes out of Orange Beach. Let me send
25 everybody from Orange Beach to Louisiana, and you'll probably be
26 looking at the same problem we're having, is regionalized
27 depletion, and these boats travel.

28

29 I have a boat that comes to my marina every year, and he just
30 left last weekend. He brings his boat in, and he snapper
31 fishes, and he loads them in a cooler, and he goes back wherever
32 he's from. They travel, but, all that being said, I question
33 the scientists, the council, the fishermen.

34

35 If all these fish are still in the water, why? Is it because
36 we're not giving ample time to catch them, or is it because the
37 fish are not there, because red snapper season is still open in
38 Alabama for the state, and everybody comes to complain. The
39 gentleman that I just referred to that brought his boat to fish
40 this weekend, and loaded his fish, they didn't fish for red
41 snapper, because they weren't there, and they fished for other
42 species.

43

44 Leaving the season open -- I mean, I'm fine with that, because,
45 if you're not catching them, you're not going to do them any
46 harm, but I think we have to get to the crux of the problem, is
47 where are the fish, and why aren't they there?

48

1 **CHAIRMAN ANSON:** All right. Ryan, you wanted to lead us into or
2 have an idea for moving forward on the next agenda item?

3
4 **RECOMMENDATIONS TO THE COUNCILS FOR ALTERNATIVE RECREATIONAL**
5 **FISHERIES MANAGEMENT STRATEGIES**
6

7 **MR. RINDONE:** Yes, and we're kind of folding into it, and so we
8 can just go into it at this point, and so if you want to bring
9 up the scope of work, Bernie. There is not a presentation or
10 anything like that for this, and it's -- We're just going to try
11 to guide you guys through making some formalized recommendations
12 to your councils with regard to any approaches that you think
13 are worth considering.

14
15 At this point, I think, if it's available to be talked about,
16 we've talked about it, and so now is the time to make those
17 recommendations and perhaps provide some directed examples of
18 ways in which any of these measures might be further developed
19 into policy decisions by a council, and these recommendations
20 will ultimately be presented to the respective councils at
21 upcoming council meetings.

22
23 We have focused a lot on -- Bernie, you can just leave this up,
24 and that's fine, but we've focused a lot on OY, and it seems
25 pretty clear that having discussions here, obviously, but also,
26 most importantly, at the council level about what does OY
27 actually mean are definitely going to be beneficial.

28
29 I can just, off the top of my head, I can almost guarantee that
30 whatever is defined as OY for the Gulf Council for recreational
31 red snapper is going to be different than the OY for the Gulf
32 Council for recreational king mackerel, but acknowledging that,
33 and knowing that they're different, and putting a definition on
34 it, or at least some conceptual idea of why they might be
35 different, would be important for the council to do, and that
36 will help the council considerably in moving forward with
37 management decisions, because you bring yourself back to, all
38 right, what do we want, and, number one, what's the main thing
39 that we want to get out of this fishery for this fleet, or for
40 this sector, and what's the most important thing, and, okay,
41 let's start with that.

42
43 How do we achieve that with the rest of the stuff that we have?
44 Then you start moving things around and looking at your
45 different harvest controls, and looking at your management
46 strategies and try to figure out how to maximize that optimum
47 yield, or maximize the probability of achieving that optimum
48 yield and not what I said the other way. I don't want to talk

1 about maximum sustainable yield.
2
3 You know, both of these targets can be kind of superfluous and
4 vague, but, if we can put more of a definition of what optimum
5 yield actually means for a fleet, for a species, for a fishery,
6 then management, by no other choice, is going to become more
7 precise. It's going to become more adaptive, because now you
8 know what you're shooting for, and it's not just more pounds,
9 more pounds, because it's not necessarily more pounds, and so it
10 might be more time.

11
12 It might be an increased probability of landing larger fish, you
13 know in the case of kingfish, and so just to kind of like, you
14 know, throw some gasoline on that fire a little bit and see who
15 is warmed and inspired by it.

16
17 **CHAIRMAN ANSON:** Thank you for trying to light the fire, Ryan,
18 and so do we have anybody -- We have Spud.

19
20 **MR. WOODWARD:** Thanks, Kevin. We've been doing a lot more
21 listening than talking, and, you know, there's some very
22 interesting ideas, and, you know, John Carmichael and I have
23 talked for a while about this optimum yield conundrum and, you
24 know, how do we reconcile that against the traditional
25 management approaches under Magnuson.

26
27 I have also had a lot of interest in maybe over-optimism about
28 the ability of the interim analyses to help us fine-tune annual
29 catch limits, pursuant to maybe achieving optimum yield, but,
30 you know, we don't have much experience with interim analysis in
31 the South Atlantic, as John pointed out, and, I mean, we're
32 waiting on our first one, and so I've got a question that maybe
33 would help me understand.

34
35 If you get interim analyses with some sort of frequency, what
36 does it really mean in terms of being able to modify access to
37 the fishery if we can't change the ACL, because the ABC is not
38 being changed by an interim analysis, and then what value do
39 those interim analyses have in terms of us achieving either MSY
40 or optimum yield?

41
42 **MR. RINDONE:** Kevin, if you don't mind -- In the Gulf, we have
43 been able to change that, and it's unfortunate that we don't
44 have someone from the Science Center here, but we do have an
45 unknowing sucker in the back named Dr. Luiz Barbieri, who is on
46 our SSC, who might be able to talk a little bit about the Gulf
47 Council's experiences specifically with the interim analyses, if
48 you would like, but, generally speaking, we've been able to

1 revisit those catch limits and be able to revise those, but it
2 doesn't mean that the SSC has to.

3
4 The prerogative for changing the OFL, or the ABC, does lie with
5 the SSC, and, in the case of the Gulf SSC, and I will use red
6 grouper as the guinea pig here, the SSC has seen a few
7 iterations now of that interim analysis, and the Science Center
8 has done a good job with just about fully automating the whole
9 thing, but they haven't -- They see these interim analyses
10 annually, Spud, and they don't necessarily change the catch
11 limits every year.

12
13 It's been about every-other year that they have recommended some
14 change in the catch limit, and, in the interim years, they use
15 it kind of as a health check, just to see where things are
16 going. If things are trending in the right direction, and then
17 they get the next one, then they know that, okay, it's -- If
18 it's still going in the same direction, then, okay, we can
19 probably do a catch limit change here, and it looks like the
20 stock is improving, and the stock is getting more healthy, and
21 things are looking like they're going in the right direction.

22
23 If it was going in the opposite direction, then they could
24 recommend that the council keep their eye on this, and, if the
25 council was so inclined, the council could take proactive
26 measures to reduce a commercial trip limits and, concurrently,
27 reduce a recreational retention limit in some manner or another,
28 to make sure that the stock wasn't overharvested, if that
29 representative index looked like, you know, it was trending in
30 the wrong direction.

31
32 If it turns out that decision was something that maybe was a
33 little premature, or maybe it went a little bit too far, it's
34 always the council's prerogative to walk that back, and the
35 interval with which you get those interim analyses largely
36 dictates the resolution of your information available for making
37 those decisions, right, and so, if you're getting them annually,
38 that's pretty good.

39
40 In some cases, you will be able to use the data from the
41 previous year, and, you know, we hear a lot from the fishermen
42 about trying to close the gap between the science and the
43 management. You know, usually the science coming out of the
44 stock assessment would say the terminal year is 2020, and we
45 don't get management implemented until 2023, or something like
46 that, and, well, now the science is three years old.

47
48 In the case of the interims, you know, the science could be from

1 2021, and we get something transmitted to NMFS in 2022, and it's
2 implemented in say late 2022, or early 2023, somewhere in there,
3 and, you know, now we've closed that gap a little bit, and so it
4 does -- It is an improvement, and so I'm interested to see how
5 you all's experience with vermilion goes.

6
7 Dr. Barbieri would probably agree that our experience in the
8 Gulf with the interim analyses has generally been positive, and
9 it's gotten better as the process has been ironed-out a little
10 bit better. You know, we don't have them for all species, but
11 we're getting them for more, and there are some that -- You
12 know, like for species like cobia, where we only have fishery-
13 dependent indices, we don't really expect to be able to do an
14 interim there for some of those, because there's just not enough
15 data available.

16
17 Even if we were to use a CPUE index, it probably wouldn't be
18 very reliable, and so -- But, for the ones we can use it for,
19 we'll absolutely try to look at them, and he's nodding his head
20 in the back.

21
22 **MR. WOODWARD:** Thanks. That's helpful.

23
24 **CHAIRMAN ANSON:** Okay, folks. We've got -- It's 2:40, and we're
25 scheduled to end at 4:00, and that doesn't mean we have to, but
26 in light of -- If we are interested in trying to finish up by
27 4:00, and we do have a public comment period yet, and no other
28 business was mentioned, but I always bring that up. Is there
29 anybody that wants to talk about the ideas, or topics, that the
30 workgroup would like to take forward to their respective
31 councils? Chester.

32
33 **MR. BREWER:** As we've gone through this process, I thought the
34 one thing that we were going to be saying to the councils was
35 let's go forward with some sort of permit or whatnot for
36 deepwater species, and I don't know how valuable that is, and
37 not that that information wouldn't be valuable, but I don't know
38 how valuable the suggestion is, because, at least in South
39 Atlantic, we're already doing that.

40
41 I think that some of the ideas here are somewhat outside of --
42 Perhaps outside of our charge, and I'm not sure, because we
43 limited ourselves, early on, to the Modernizing Fish Act, and
44 some of the things that we're talking about here are -- Well,
45 let me try to approach it from a little bit different angle.

46
47 I thought that -- When I knew that the Modernizing Fishing Act
48 was going to be coming out, I heard little bits and pieces about

1 what was supposed to be in it, and what it was supposed to
2 accomplish, and, when it did finally get passed, and I looked at
3 it, it didn't accomplish what I think a lot of people thought
4 that it was going to accomplish.

5

6 I think the intent was there to deal with some of the subjects
7 that we're talking about here, but it just didn't do it very
8 well, and it got too wrapped up in bureaucratic and legislative
9 or whatever, but it didn't really get there, but I think maybe
10 we could take the position, or go forward with the idea, that
11 these are things that were perhaps mentioned within the Act, and
12 the Act is going to have to be polished up a little bit, or
13 looked at a little bit harder by the councils, and these are the
14 areas that we think need to be looked at and go forward in that
15 way.

16

17 Certainly, the whole thing about optimum yield has been a
18 bugaboo for quite a while, and, you know, increased access, and
19 we hear that over and over and over again, and so maybe our
20 report to them, or our suggestion to them, could be -- In
21 looking at the Act, and I'm repeating myself, but, in looking at
22 the Act, we think that these are the things that there was an
23 attempt to correct, but it didn't quite get there, and we think
24 the councils -- Our recommendation to the council is that there
25 be some time spent taking a look at these particular issues.
26 Thank you.

27

28 **CHAIRMAN ANSON:** All right. Thank you, Chester. Kristen.

29

30 **MS. FOSS:** Thanks, Kevin. A couple of comments, or maybe
31 suggestions, and so I believe, at the first meeting, the
32 workgroup kind of came up with this list of seven goals, and so
33 it could be beneficial for us to kind of revisit those and maybe
34 come up with alternative management examples underneath, so we
35 could provide some context for when the council maybe has used
36 these examples, what they plan to use.

37

38 Then, also, moving forward, I think we like the idea of
39 continuing to share these ideas beyond this meeting here, and I
40 think there's a lot of utility in this, and I think we just need
41 a mechanism to be able to share these different management
42 approaches, ask questions between each council, and learn from
43 each other, and there really isn't a mechanism currently in
44 place for council members to meet and share those ideas, other
45 than like a joint amendment, and so I think there could be
46 utility in continuing to have these workgroup meetings, and we
47 could revisit the goals, and see how each council is using these
48 adaptive management suggestions, and kind of share pros and

1 cons and learn from each other. Thanks.

2

3 **CHAIRMAN ANSON:** Thank you. Tom.

4

5 **DR. FRAZER:** Just maybe -- I'm going to direct this to you
6 again, Russ, and I'm sorry that I didn't have the benefit of
7 attending the recreational fish summit, and Chester said, you
8 know, there's been a lot of discussion, you know, continued talk
9 about increased access, right, and that's a goal.

10

11 Then I look back at Andy's original slide, right, and the
12 reality is that, you know, over the last fifty years, we've
13 tripled the number of anglers in the Southeast Region, and the
14 fish stocks, certainly, with a rare exception, aren't increasing
15 at that pace, right, and so I'm really struggling here, and I
16 just want to be honest with ourselves, and we have to constrain
17 effort, right, and, I mean, I think people have to realize that.

18

19 I am trying to figure out how to do it in a way that is
20 responsible and equitable, right, because, in the commercial
21 fishery, we recognized that there was an overcapitalization
22 issue, right, and that led to IFQ programs. We have the same
23 problem in the recreational fishery, right, but with no appetite
24 at all to go to a limited-access fishery, right, and so, you
25 know, even in an extreme case, if you were to say, okay, we want
26 to optimize access, and that means it's -- Let's just say it's a
27 catch-and-release fishery, right, and I'll use red snapper as an
28 example.

29

30 You know, then you have an even bigger problem, right, and,
31 because it's catch-and-release, you don't even have fisheries-
32 dependent data, right, to tell you what your discard mortality
33 looks like, and so any optimization would require some harvest,
34 and some true recognition of the discards, and I guess that's
35 what you want to optimize.

36

37 I guess, at the end the day, I get frustrated, when I know that
38 people don't want to talk about a lot of these things, and we're
39 going to have to provide some recommendations, and it's not
40 really providing much value, because, again, it's pretty vague,
41 and I guess what I would like to ask, in the recommendations to
42 the councils, is what are the realistic ways that you can
43 responsibly constrain the effort while providing, or promoting,
44 those benefits to the recreational sector, and society more
45 broadly?

46

47 You know, how do you put a value on the experience, right, and
48 it's really hard to that until we actually have those numbers.

1 You know, if I can encounter three kingfish, is that ten-times
2 more valuable than capturing one? I don't know, but, until we
3 have that information, I don't think we're going to be able to
4 optimize things, and so, I guess, my recommendation is how do we
5 get that social -- That's where it is, and so that -- It's a
6 springboard, I guess, from the original question that I asked,
7 and that's how important that information is. Otherwise, it's
8 just arm-waving.

9
10 **MR. DUNN:** I guess two quick responses, and one is that we
11 certainly share the concerns over just a blanket increase in
12 access, or opportunity, and the agency is supportive of, you
13 know, promoting sustainable access, right, and so, in some
14 cases, maybe we're there. Maybe we're beyond that.

15
16 In other cases, maybe there's room to grow, right, in
17 underutilized fisheries, but, in terms of how do we obtain those
18 associated values, I think that is, in large part, resource
19 dependent, and, as I think we've seen -- At the summit, there
20 was a lot of discussion about the underfunding in the agency of
21 data collection at-large, whether it was catch and effort
22 fishery-dependent, fishery-independent, or the socioeconomic end
23 of things, and so, in order to get that, the agency would need
24 to dedicate additional funds to those projects.

25
26 I mean, there are some underway, and, like right now, we've got
27 the angler expenditure survey data collection underway through
28 the end of the year, and that's every -- I believe it's every
29 five years now, but there are many other surveys that would need
30 to occur in order to get those specific values to apply, to
31 define what OY is. Again, optimum, as you pointed out, varies
32 in every fishery, and, depending on how optimum is defined for a
33 council for a given fishery, the answer is going to vary.

34
35 **CHAIRMAN ANSON:** I guess, carrying that forward, then, similar
36 to what Chester was getting at, is, you know, there are some
37 things that this workgroup may be able to put in the report not
38 as a recommendation, but as something that, you know, was
39 identified as an issue, as we try to grapple with the issue of
40 providing, you know, more access, as you pointed out, Tom, and
41 you need to have this basic data.

42
43 You need to have more information, and, to even have that
44 information and work that within the way Magnuson is structured,
45 you know, it's a little bit a challenge too to thread the
46 needle, and some significant changes would have to occur with
47 the Act, and so that might be just something that we do as like
48 a little addendum, a side note, to say, hey, this is an issue

1 outside of identifying the actual recommendations, but, really,
2 the councils, to the extent that they can, to the extent that
3 the agency provides resources to investigate this, is to really
4 look at how we can, you know, get at information that would help
5 us identify what is optimum yield, because then all that ties
6 into all these other things that we would do and help us to try
7 to get there.

8
9 Let me ask this question, as our time is getting near the end.
10 Dr. Simmons, what was your expectation, or your and the South
11 Atlantic Council's expectations, for wrapping this up? Do you
12 have staff time, funding, to do one more -- Like a half a
13 meeting, if we were to come up with, you know, some preliminary
14 recommendations, I guess, and then that gets looked at by
15 staffs, to come back with some further documentation, and that
16 we have just like a webinar, a half-day webinar, or something
17 like that, to kind of button-up things, and is that possible?

18
19 **DR. SIMMONS:** Thank you, Mr. Chair. No, I think we certainly
20 have the funding. I mean, the staff time and priorities -- We
21 certainly need to work with the South Atlantic Council, and we
22 have a lot of things going on right now, and, to me, it's not
23 just a matter of having a webinar.

24
25 I think we need to be clear on what our goal is, if we convene
26 this group again, and what information do we need? Do we need
27 the Science Center staff to join us? Do we need other staff
28 expertise, and so what would be the goal, if we should have
29 another meeting?

30
31 **CHAIRMAN ANSON:** Ryan.

32
33 **MR. RINDONE:** I was going to say -- I mean, I've heard two
34 things that you guys could recommend to the councils already,
35 and so one is to have dedicated discussions about OY, and I
36 think, you know -- I mean, I see some head-nodding here, for
37 those that are online, and so that's something that this body
38 could recommend.

39
40 It could recommend that the councils dedicate time at future
41 council meetings to have discussions about OY, and it won't be a
42 single council committee meeting that you'll get through it all,
43 and, I mean, it will be something that you'll probably keep on
44 the docket for a while, and you just chip away at. Maybe you're
45 not able to define OY down to any single thing for every
46 species, but maybe you're able to check some larger boxes there.

47
48 The other one is -- Another one that the councils haven't done a

1 lot with, but certainly could, would be, you know, the idea of
2 more nimble accountability measures and thinking about the
3 inverse of how we've currently treated accountability measures
4 and so to perhaps explore that and see if there are any
5 opportunities for employing those sorts of triggered responses
6 to whether or not ACLs are met or examinations of age or length
7 compositions for species that are in rebuilding to maybe have an
8 adaptive approach to minimum size limits or something like that,
9 and like there's just multiple opportunities there that you guys
10 could look at.

11
12 There's a couple of -- There was another one that I had at the
13 tip of my tongue, and now I can't remember it, and so I will
14 interrupt later, when that one comes back to me, but, I mean,
15 those are a couple of ideas of things that you guys could
16 recommend.

17
18 It doesn't have to necessarily be, you know, the council -- You
19 know, the South Atlantic Council should do X with Y species, and
20 try to implement it by this year, but starting some of these
21 discussions and recommending that the council start having these
22 discussions and dedicate some committee time, in your
23 appropriate committees, to start talking about things like OY,
24 to start talking about things like harvest control rules and
25 adaptive accountability measures and things like that.

26
27 That is the sort of thing that you could recommend, and it
28 doesn't obligate any council to do anything specifically except
29 start talking about it, and so --

30
31 **CHAIRMAN ANSON:** Carrie.

32
33 **DR. SIMMONS:** Thank you, Mr. Chair, and I guess it's my turn to
34 put somebody else on the hot seat, Russ, and I guess, regarding
35 the OY discussion, I think, if the councils want to move forward
36 with that, that's great, but I think that's a national issue,
37 and I think it's going to have to be something maybe that even
38 goes up to the CCC.

39
40 I guess my question to you is, after your summit, was there any
41 discussion regarding looking at modifications to the National
42 Standard Guidelines and thinking about how those could be
43 tweaked to better meet the needs of Magnuson for these different
44 fisheries, because I feel like that perhaps is where this needs
45 to begin.

46
47 I mean, we should certainly get our SSCs involved with this,
48 but, I mean, it's clear to me that the councils are interested

1 in this already, and I'm not sure it's something we need to come
2 back and say, but maybe I'm not capturing everybody's intent
3 that is on the council, but, to me, this is a national issue.
4 Thanks.

5

6 **MR. DUNN:** I don't recall a specific conversation about amending
7 the guidelines for OY specifically. However, that doesn't mean
8 that it's something that is not potentially doable.

9

10 **DR. SIMMONS:** I guess what I'm trying to say is taking another
11 look at that and saying what needs to be tweaked to make those
12 guidelines meet Magnuson, as the councils are currently
13 constrained to.

14

15 **MR. DUNN:** I mean, that is something that it seems like would be
16 a good message to incorporate in your documents, findings,
17 outputs here for the agency to see, but I know that one reaction
18 of the agency will be that we can tweak it, say in the
19 guidelines. However, obviously, it's going to be up to each
20 individual council to define OY for any given fishery and to
21 actually apply it on the ground, but certainly I think
22 recommending to the agency to examine it and see how it might be
23 able to be tweaked, to better facilitate its use as a tool, is
24 something that would be valuable to hear.

25

26 **CHAIRMAN ANSON:** John.

27

28 **DR. FROESCHKE:** I guess one thing that I haven't fully
29 understood, in regard to the goal of a particular recreational
30 fishery -- I've heard like both maximizing catch rate and then
31 but also maximizing effort, which is the inverse of that, and
32 so, when translated to OY, maximizing the catch rate would be
33 more akin to what we're traditionally doing, where OY, in terms
34 of biomass, is above MSY, right, but, if you're doing the
35 inverse of that, and say I want to maximize the effort, your OY
36 is actually going to be higher, in terms of a yield, than the
37 MSY, which is not consistent with Magnuson now.

38

39 I don't even know which way -- If there's a preference, and it
40 might be, for some species, like king mackerel, you want the OY
41 to be in terms of biomass, and you want more fish in the water
42 than MSY, but, in red snapper, you just want a really long
43 season, but, at some point, it almost seems like you need to
44 have a discussion on, if there is a consensus on that, for one
45 or more fisheries, then it would guide you on what you would
46 recommend for OY.

47

48 **CHAIRMAN ANSON:** Yes, and I think that's where comments have

1 been made relative to the data and trying to get that actually
2 engaged to stakeholders, to find that information out, rather
3 than just having discussions at the council level, and it may
4 not -- You know, what applies in one fishery won't necessarily
5 apply in the other, not only just for the human side of it and
6 use and need, but also the biological capacity of that fish too,
7 and so, you know, it may not be the same type of result, I
8 guess. Dr. Froeschke.

9
10 **DR. FROESCHKE:** Just on that thread, like with the artificial
11 reefs, it almost seems like you could set up sort of experiment
12 where you had reefs that were open all year, and then you had
13 reefs that were open for different seasons or something, and
14 like a spatial management, and then you could do some sort of
15 survey of angler satisfaction or something, where they would
16 either have access to which one of the three kinds of reefs or
17 something.

18
19 **CHAIRMAN ANSON:** Yes, and Susan would probably agree with this
20 comment, is I think we're there. We have spatial management in
21 the context of most people, who go twenty-five miles off the
22 shore and less, and so we do have kind of this localized
23 depletion, because there's a lot of effort concentrated within
24 twenty-five miles from shore, because that's where most people
25 either have the comfort, the size boat, the desire, whatever,
26 you know, the money in their pocket to afford the gas, you know,
27 whatever the case may be, but we already have, you know, kind of
28 an area that has a lot of concentrated effort, and so we have,
29 we believe, from our fishery-independent sampling, that there is
30 a fairly defined area where there is lots of harvest going on
31 for red snapper within twenty-five miles. Then, outside of
32 that, it's significantly less, and so there is kind of this
33 dichotomy of the fishery there.

34
35 **MS. BOGGS:** And enforcement.

36
37 **CHAIRMAN ANSON:** Okay. Ryan, you started to jump off, and Russ
38 touched upon a couple of the things, and so we can probably
39 weave into the -- By the way, I asked Dr. Simmons if there was
40 the desire and the ability to host another meeting, only to see
41 if it was possible, and I certainly don't want to delay, if
42 we're able to wrap this up in twenty-five minutes, or thirty or
43 forty minutes, again allowing time for public comment, and that
44 would be great, and so you're going to include the discussion
45 and the recommendation that the councils talk about OY.

46
47 You're going to talk about, as far as the recommendations, the
48 vessel permit strategy for identifying the universe, and then

1 the additional AMs that, to some degree or another, the councils
2 are currently doing, but maybe there might be some additional
3 AMs that currently have not been explored relative to kind of a
4 depth zone type of thing that Andy had talked about earlier.
5 I'm wondering, maybe from the South --

6
7 **MR. RINDONE:** That sounded like a motion.

8
9 **CHAIRMAN ANSON:** Well, I'm just kind of throwing it out there,
10 and so -- We will need a motion, right, in order to get
11 something approved out of the workgroup and forwarded on.
12 Susan.

13
14 **MS. BOGGS:** Well, so I think this working group could go on to
15 infinity and beyond, because -- Well, the fisheries are so ever-
16 evolving, and I think what Ryan has mentioned here is a good
17 start. I don't really know -- I am not saying no, but I don't
18 know exactly what another meeting, especially if it's a half-day
19 meeting, what we're going to get out of that.

20
21 I think this is a good starting point, and maybe the two
22 different councils, the Executive Director, or whoever that
23 might be, or Ryan and John Carmichael, look at this in a year
24 and say, okay, they've met these objectives, and they've done
25 something with this, or, by that time, we'll probably be on to
26 something else, and this will be forgotten, and I don't know,
27 but I do think, and I've said this a couple of times today, that
28 we need to have some kind of deliverables.

29
30 Do we take these three things, because we can make a list as
31 long as our arm, but the problem that -- I'm not going to speak
32 for the South Atlantic Council, but the Gulf Council is -- We
33 take so long to make decisions, and we get wrapped around the
34 wheel, and there is some other issues that I won't go into right
35 now, but I think these three objectives here are a pretty good
36 start.

37
38 If we get more than this, I don't think we're going to
39 accomplish anything, but I think, if you start with this, it
40 will evolve into more within both councils' scopes of what fits
41 for that council and for their region.

42
43 **CHAIRMAN ANSON:** Thank you for the comment, and certainly, you
44 know, having more may not be better, you know, as you mentioned,
45 with the workloads of the councils and staff, but, you know, if
46 it something that the workgroup -- Because we've had, you know,
47 a significant amount of time devoted to discussing these
48 specific ideas, at this point, or options, and some have been

1 used in practice, and some are more theoretical in nature, but,
2 you know, if there is something that, you know, has not been
3 looked at close enough, or shows some potential, and you think
4 it should be something that the councils -- That it should be
5 brought to their attention, then we ought to do that here,
6 because that's, again, the purpose of the workgroup, is to try
7 to identify some of those things that could be, you know, novel
8 or applicable, going forward.

9
10 You've mentioned the short list, if you will, and, if that's
11 what the group wants to do, then that's great, but certainly, if
12 there's other folks in the workgroup that have another item that
13 they want to throw in there, then it ought to be discussed.
14 Ryan.

15
16 **MR. RINDONE:** So Kristen had mentioned the seven things, and
17 that was actually from our May 18, 2020 meeting, and, Bernie, I
18 had sent you the summary for that, and that's Item 9 IX, and so
19 some of the things that we wanted were greater access, or
20 greater accessibility, for recreational fishermen in the red
21 snapper fishery, which I think both councils have an interest in
22 stability and management annually.

23
24 Then avoidance of in-season closures, when possible, accounting
25 for uncertainty in MRIP, flexibility in management techniques,
26 improving data collection on harvest and discards, and managing
27 public expectations and striving for high levels of public buy-
28 in, and so, as far as access, you know, greater accessibility
29 for recreational fishermen in the red snapper fishery, and
30 speaking only for the Gulf Council, the states have certainly
31 strived to accomplish exactly that and have been able to
32 generate longer fishing seasons than the federal season was
33 producing prior to the implementation of Amendment 50.

34
35 For most of the states, it has resulted in stable, longer
36 fishing seasons, and the Gulf Council gets a lot of feedback
37 from its APs about stability and management and being able to
38 have some kind of an idea of what's coming up and not having a
39 lot of management changes, and we've heard a lot more from the
40 Reef Fish AP about that recently for greater amberjack.

41
42 Avoiding in-season closures, when possible, and so, you know,
43 that more adaptive approach to accountability measures might be
44 applicable there, and accounting for uncertainty in MRIP -- You
45 know, both councils, and more so the South Atlantic Council,
46 have been looking into larger-scale applications of using mobile
47 applications to help with that, and that's certainly something
48 that the Gulf could look more into as well. Some of the states

1 already use mobile apps for things like red snapper.

2
3 Flexibility in management techniques, I think both councils are
4 trying to apply this to the greatest degree that Magnuson will
5 allow them to, and I think we tried to demonstrate that in that
6 presentation that -- I mean, shy of our rebuilding requirements
7 and the requirements to manage to an ACL, you guys have shown a
8 lot of innovation over the last fifteen years, especially with
9 respect to recreational fisheries management.

10
11 Improving data collection on harvest and discards, it seems
12 that, you know, mobile apps and the South Atlantic's PIT tool
13 and the Gulf Council's Fishermen Feedback tool certainly might
14 prove useful there.

15
16 Then, for managing public expectations and striving for high
17 levels of public buy-in, both councils have strived to create
18 larger social media presences to be able to better come in
19 contact with anglers, and the MRIP program has grown in
20 popularity with time, and certainly has resulted in a lot more
21 education there, and buy-in into the process, and I know both
22 councils try to involve new anglers, whenever they can, in the
23 SEDAR process, so that folks get more exposure to how the stock
24 assessments work and things like that.

25
26 I think that there's a lot that you guys have accomplished here,
27 and there's still, obviously, room for growth and room for
28 improvement, and things like defining OY, consideration of those
29 conditional accountability measures, and the reef fish permit,
30 the snapper grouper permit, the federal permit, and there are
31 certainly other things that could be explored.

32
33 It's important to note that, you know, whatever you guys
34 recommend here is meant to be high-level. It's not meant to be
35 super prescriptive, because each council is going to have to go
36 back and have its own discussions and make its independent
37 decisions about what is best for the stakeholders within its
38 region, and so a one-size-fits-all approach I think could
39 probably be agreed upon as not being the best way to move
40 forward, and so to allow -- You know, this group could make a
41 large -- You know, a broad recommendation to allow the councils
42 to work on their explicit needs in their own time and pace.

43
44 **CHAIRMAN ANSON:** Susan.

45
46 **MS. BOGGS:** So I would like to add to that list, Ryan, at least
47 from the Gulf Council's perspective, because, I mean, the South
48 Atlantic is already ahead of us, is to send a letter to the

1 agency to explore federal permits, and, you know, working with
2 the states to either use what is existing in some of the states,
3 and add with the other states, or -- But I think we need to
4 explore that, because that was a lot of the discussion today,
5 and so we come back to the next, if we have a next, meeting, and
6 we get new information, and that's what I'm saying, Kevin.

7
8 It's just going to go on and on and on, and I think, like I said
9 a minute ago, is we take these ideas back to the each of the
10 councils, and then that council either says, no, we're not doing
11 that, or we continue to look at it, or maybe we come back and we
12 have more questions, but there's no reason, and I'm directing
13 this to I guess Carrie and Ryan, that, if we hit a stumbling
14 block with this, that we can't come back to the agency and say,
15 hey, can you help us with this, and we're trying to work on it.

16
17 Not that we come back as a working group, or maybe we share it
18 with the South Atlantic, but I think it's just going to be an
19 ongoing process, and I just don't know that it would ever end,
20 and it just is going to be ever-evolving, and I think it's up to
21 the councils, at this point, to take these ideas and run with
22 them.

23
24 **CHAIRMAN ANSON:** So I'm told, by Ryan, that staff would like a
25 motion, or motions, in order to develop the document that's
26 going to go to the councils, and so could you offer a motion
27 that kind of summarizes what you just said?

28
29 **MS. BOGGS:** Sure. Ryan is going to help me with it, I know. Go
30 ahead, Carrie. **That's my motion.**

31
32 **MR. RINDONE:** I can probably ramble one out too, but what has
33 Carrie got?

34
35 **CHAIRMAN ANSON:** The motion coming from Carrie is recommend the
36 Gulf Council, and it could be councils -- No. The Gulf Council
37 consider a federal recreational permit, versus ongoing efforts
38 to --

39
40 **DR. SIMMONS:** In coordination with.

41
42 **CHAIRMAN ANSON:** A federal recreational permit, in coordination
43 with the five Gulf states.

44
45 **DR. SIMMONS:** To define a universe of recreational anglers
46 targeting a select group of offshore reef species, and that can
47 be -- It's too long, probably.

48

1 **MR. RINDONE:** Kevin, I might be able to -- This isn't nearly as
2 bad as John's, and John's is borderline illegible, and so --
3 Bernie, the joint workgroup recommends that the Gulf Council
4 consider a federal recreational reef fish permit, because that's
5 the universe of effort that we're trying to define here,
6 correct, or is this just a recreational permit in general?
7

8 **MS. BOGGS:** Well, you know, I think you kind of leave it open-
9 ended at this point.
10

11 **MR. RINDONE:** Okay, and so federal recreational permit, versus
12 ongoing efforts by the five Gulf states --
13

14 **DR. SIMMONS:** I don't know if it's "versus" or "in
15 coordination", but I kind of saw it as either the agency or the
16 states doing this, and so that's why it's drafted that way, but
17 it's up for discussion.
18

19 **MR. RINDONE:** We could say, "concurrently with ongoing efforts
20 with the five Gulf states", and, at the end, "to define the
21 universe of recreational anglers. Consider whether this permit
22 should be for all offshore species or focus on reef fish
23 species." Chris.
24

25 **MR. SCHIEBLE:** So I will second Susan's motion.
26

27 **MS. BOGGS:** But we need to take out "reef fish permit".
28

29 **MR. SCHIEBLE:** Yes, that's exactly what I was going to say, is I
30 think we should take out "reef fish" there and put the word
31 "landing".
32

33 **MR. RINDONE:** Recreational landing permit?
34

35 **MR. SCHIEBLE:** Yes, because we don't know if you're going to
36 include --
37

38 **MR. RINDONE:** CMP or not. Yes.
39

40 **MR. SCHIEBLE:** Other species going down the line here.
41

42 **MR. RINDONE:** Okay, and so the joint workgroup recommends that
43 the Gulf Council consider a federal recreational landing permit
44 concurrently with ongoing efforts from the five Gulf states to
45 define the universe of recreational anglers. Consider whether
46 this permit should be for all offshore species or focus on reef
47 fish species. It's a great motion, Susan. Good job.
48

1 **MS. BOGGS:** Thank you.
2
3 **DR. FROESCHKE:** Do you need that last part about the reef fish,
4 if you took it out above?
5
6 **MR. RINDONE:** No, and so that's part of the purpose. Like is it
7 going to be just reef fish, or is it going to be reef fish, CMP,
8 et al.
9
10 **CHAIRMAN ANSON:** Chris.
11
12 **MR. SCHIEBLE:** I will second it.
13
14 **CHAIRMAN ANSON:** All right. Thank you. All right, and so we
15 have a motion on the board. Is there any discussion on the
16 workgroup motion? John Carmichael.
17
18 **MR. CARMICHAEL:** Actually, I had my hand raised up before the
19 motion, and so I'll let you guys dispense with that and then
20 come back to me.
21
22 **CHAIRMAN ANSON:** All right. We will. Michael.
23
24 **MR. MCDERMOTT:** I am just trying to get an idea of what the
25 motion is really saying. Are we making a motion to create
26 another landing permit, or are we making a motion for the states
27 to increase the species that their landing permits are already
28 covering?
29
30 **CHAIRMAN ANSON:** I think all we're trying to do is to, as a
31 workgroup, recommend that the Gulf Council consider a federal
32 recreational landing permit, and that would be considering the
33 other Gulf states' efforts in that regard, and so just trying to
34 get to a point where there's more of a uniform permit, I think
35 is what it's trying to do. Chris, do you want to add to that?
36
37 **MR. SCHIEBLE:** I would just add that not all five Gulf states
38 currently have a landing permit.
39
40 **MR. MCDERMOTT:** Well, I mean, you're right about that, but I
41 think of a lot of these things, you know like Snapper Check and
42 Tails 'n Scales -- I mean, which states -- Is it Texas and
43 Florida that don't have a -- I mean, I thought all states have
44 some kind of additional license or permit. Am I wrong on that?
45
46 **CHAIRMAN ANSON:** It's Texas does not, and then Mississippi
47 doesn't have a permit. **They have the Tails 'n Scales**
48 **requirement, and they log-in, but it's not a license, and so it**

1 would be two other Gulf states, and so, yes, maybe we ought to
2 certainly remove the "five" and just say, "with ongoing efforts
3 of the Gulf states", and leave it at that, maybe, if, Susan,
4 you're amenable to that.
5

6 **MS. BOGGS:** That's fine by me, as long as Chris is okay with it.
7

8 **MR. SCHIEBLE:** I concur.
9

10 **CHAIRMAN ANSON:** All right. Great.
11

12 **DR. FROESCHKE:** Would you consider Florida's permit to be
13 consistent with what you're envisioning, because it's not really
14 a landings permit.
15

16 **MS. BOGGS:** Well, I think that's -- Without getting into the
17 weeds here, that's the conversation that the council is going to
18 have to have, the Gulf Council, is, you know, do we want a
19 landing permit, or do we want a federal reef fish permit, or do
20 we want -- What do we, the council, want to call it, and what do
21 we want it to encompass, and so, I mean -- Because we could pick
22 at Louisiana's or Alabama's permit at this point, and so I think
23 this is kind of a broad -- We need to look at some way to
24 define, further define, this universe of anglers that we keep
25 trying to determine.
26

27 **CHAIRMAN ANSON:** Chris.
28

29 **MR. SCHIEBLE:** Those are all nuts-and-bolts we would have to go
30 down at the council level, and it would also be would it a
31 vessel permit or an individual permit, the stuff we talked about
32 earlier too, but that's not for here, I don't think.
33

34 **MR. RINDONE:** Mr. Chair.
35

36 **CHAIRMAN ANSON:** Ryan.
37

38 **MR. RINDONE:** This is high-level, and this isn't meant to be
39 prescriptive at this point, but this is just saying, hey, the
40 council should probably talk about this, and the council could
41 decide not to do anything, or it could decide to do a great many
42 things, but this is just kind of a nudge to, hey, you guys
43 should talk about this.
44

45 **CHAIRMAN ANSON:** Any other discussion on the motion? Russ.
46

47 **MR. DUNN:** Recognizing I'm not part of the committee, but just a
48 question, going to what Ryan just said about trying to not be

1 prescriptive, and, again, going back to the landing permit
2 question, if you made it "fishing", as opposed to "landing"
3 specifically, that would be more broad, and then the council
4 would have more discretion in should it be a, quote, unquote,
5 landings permit, because like the HMS permit is whether you're
6 fishing for, catching, or retaining, as opposed to just landing.

7
8 That, in my mind, would go specifically to only cover if you
9 were going out with the intent to land fish and bring it in,
10 and, granted, most people are in that situation, but it wouldn't
11 cover if you just said I'm not landing, and I'm just fishing,
12 and so that's just for consideration.

13
14 **CHAIRMAN ANSON:** Susan.

15
16 **MS. BOGGS:** So why don't we just take out "landing" and say,
17 "consider a federal recreational permit", and that way, Chris,
18 at the council level, we can get more in-depth in what do we
19 want that -- I mean, I was okay with it, but I understand what
20 Russ is saying.

21
22 **MR. SCHIEBLE:** Yes, and I agree. I have no problem with that.

23
24 **CHAIRMAN ANSON:** Okay, and so the motion is the Joint Section
25 102 workgroup recommends that the Gulf Council consider a
26 federal recreational permit concurrently with ongoing efforts
27 with the Gulf states to define the universe of recreational
28 anglers. Consider whether this permit should be for all
29 offshore species or focus on reef fish species. Is there any
30 other discussion on the motion? Is there any opposition to the
31 motion? Hearing none, the motion carries. All right. Is there
32 any other items that we want to be included into the report?
33 Susan.

34
35 **MS. BOGGS:** Well, does Ryan need a motion for those items that
36 he listed? Are you shaking your head at that?

37
38 **MR. RINDONE:** That would be swell, if that's what you guys want
39 to do. You know, like the OY discussion and the conditional
40 accountability measures, and I think that's something that
41 perhaps could apply to both councils, and, again, that's just
42 having the discussions, and it's not saying that anything has to
43 be done, and it would be up to the councils to determine what is
44 best for their individual situations.

45
46 **MS. BOGGS:** Well, so I don't know if Chester wants to make that
47 motion for the South Atlantic, but I would certainly -- I'm not
48 going to get it right, because some of this is over my head,

1 but, I mean, I can try to get a motion started, if that helps.
2
3 **CHAIRMAN ANSON:** It would help.
4
5 **MS. BOGGS:** Okay. I would like to make a motion the workgroup
6 recommends to the Gulf Council -- Can I say to have a discussion
7 about OY? I mean, how do you word that? That's so --
8
9 **MR. RINDONE:** Consider evaluating definitions of optimum yield
10 for the recreational fleets by species.
11
12 **MS. BOGGS:** So do we need a separate motion for each of the
13 items?
14
15 **MR. RINDONE:** No, and that one actually could apply to both. I
16 mean, it could be broadened, and so, if the South Atlantic
17 Council members that are on the workgroup agree, you can delete
18 "Gulf" off of there and just put "councils". It doesn't require
19 the councils to define anything in any such way, but it's just
20 have a conversation.
21
22 **MS. BOGGS:** That's what I'm saying, and I'm not going to speak
23 for Chester, but I would make -- So, I mean, if Chester concurs,
24 or anyone else on the call, we can just change it to "councils".
25
26 **MR. RINDONE:** It sounds like Chester is your second if you
27 change it to "councils".
28
29 **MS. BOGGS:** All right. Remove "Gulf" and just make "councils",
30 plural.
31
32 **CHAIRMAN ANSON:** All right, and so we have a motion on the
33 board, and it's seconded by Chester, that the Joint Section 102
34 Workgroup recommends the councils consider evaluating
35 definitions of optimum yield for the recreational fleets by
36 species.
37
38 John, I apologize, and I forgot you, and you're still on. Do
39 you have a comment related to the motion? I will certainly pick
40 you up, if not, right after the motion is dispensed.
41
42 **MR. CARMICHAEL:** No, this is fine, and I'm still standing by.
43 Thank you.
44
45 **CHAIRMAN ANSON:** Thank you. Kristen.
46
47 **MS. FOSS:** That was just going to be my recommendation, to
48 remove "Gulf" and make it also just apply to both councils.

1
2 **CHAIRMAN ANSON:** Thank you. Tom.
3
4 **DR. FRAZER:** I was just looking at the National Standards,
5 right, and so I think there's a definition of OY. I mean, this
6 is -- I think this is not necessarily the intent of the motion,
7 right, and the intent here is to try to operationalize what OY
8 is for these individual species, and so I think you might want
9 to reword that motion.
10
11 **CHAIRMAN ANSON:** Yes, and so then you're right, Tom. Consider
12 how optimum yield can be utilized in recreational fleets, or
13 better describe --
14
15 **MR. RINDONE:** Recommends the councils consider how to achieve
16 optimum yield. I would leave that part open-ended, because I
17 think we've had discussions about the fact that MSY and OY are
18 both long-term goals, and annual catch limits and long-term
19 targets aren't exactly things that work together well, and so --
20 **Anyway, the Joint Section 102 Workgroup recommends the councils**
21 **consider how to achieve optimum yield for the recreational**
22 **fleets by species.**
23
24 That, in itself, based on this discussion, would encourage the
25 councils to talk about like what is the thing that you're trying
26 to optimize, and are you trying to optimize pounds, a certain
27 size of fish, access in the form of time, or access from a
28 regional perspective, and, you know, what's your target?
29 Chester, do you still like that?
30
31 **CHAIRMAN ANSON:** Chester, you do? Okay. Susan, you're good?
32 Okay. **All right, and so the Joint Section 102 Workgroup**
33 **recommends the councils consider how to achieve optimum yield**
34 **for the recreational fleets by species.** Any other discussion on
35 the motion? Russ, go ahead.
36
37 **MR. DUNN:** Just, if I may, again, the species -- Are you sure
38 that's how you want to define it? I mean, is it species? In
39 some cases, you're managing a complex, and, in other cases, it's
40 a management unit, and I don't know the right word, but that
41 would ostensibly lock you into a species-by-species OY.
42
43 **MR. RINDONE:** Well, "species" could be plural.
44
45 **MR. DUNN:** That's true.
46
47 **MR. RINDONE:** We could say, "species or complex".
48

1 **MR. DUNN:** It's just for consideration.
2

3 **MR. RINDONE:** Species or complex, Bernie. We need another -- We
4 need a species or complex workgroup. All right, Mr. Chair.
5

6 **CHAIRMAN ANSON:** All right, and so it was modified. Susan and
7 Chester, still good on this?
8

9 **MS. BOGGS:** Yes.
10

11 **MR. BREWER:** Yes.
12

13 **CHAIRMAN ANSON:** Thank you. All right. It's getting late in
14 the day. Any other discussion on this motion? **Any opposition**
15 **to the motion? Hearing none, the motion carries.** Mr.
16 Carmichael. Thank you for patiently waiting.
17

18 **MR. CARMICHAEL:** Thank you very much, and so I had raised my
19 hand back before the motions, when you had those seven bullet
20 points, and I was going to say I think that's something that,
21 even if not as a motion, something that could come forward to
22 the councils as, you know, goals to consider in dealing with
23 recreational fisheries, and I think one thing that has changed,
24 in the several years since this group was created, is, you know,
25 the idea of greater accessibility for recreational fishermen in
26 the red snapper fishery.
27

28 It's certainly some where the council was back in 2020, but,
29 today, with the developments in that fishery, as mentioned
30 earlier, we're really kind of at the point of just trying to
31 maintain equitable access to recreational fishermen in the
32 snapper grouper fishery overall, and so, just with that
33 clarification of sort of where -- How the tides have turned in
34 the South Atlantic, and I think, in general, these are good,
35 broad points that can help us as we try to craft things for
36 dealing with recreational fisheries management.
37

38 I think, as far as this group, it would be nice, from the South
39 Atlantic perspective, to try and wrap it up to, as a group that
40 was created to deal with this Modern Fish Act, and has been
41 around for a while, and has experienced a lot of turnover in
42 leadership, and membership, due to council member changes, and I
43 think it's probably important to try and wrap it up here today,
44 if we can.
45

46 Then, if there's interest in the councils, and the council
47 members, of getting together in this way and sharing notes a bit
48 more informally, without the charge of a particular act, or

1 problem, you know, that could be something that I think council
2 leadership maybe talks about together, is how to make that
3 happen, and so thank you, Kevin.

4
5 **CHAIRMAN ANSON:** Thank you, and again, I apologize for not
6 recognizing you earlier. Chester.

7
8 **MR. BREWER:** We had some pretty good discussions with regard to
9 interim -- I think it was referred to as interim management
10 techniques, but I think, for the part of the South Atlantic,
11 we've got one, and I'm not sure what to do with that. I mean,
12 we've got, potentially, one coming up, and, how it it's going to
13 relate though to ACLs, I don't know.

14
15 I have no idea, but Ryan had stated, with regard to the Gulf
16 Council, that you all have been able to get a few good things
17 done, and he pointed back there to the good Dr. Barbieri, and so
18 that's something that I would be very interested in the South
19 Atlantic exploring as well, and I don't know whether that's just
20 something that I ought to bring up at the South Atlantic Council
21 or whether it would be a good idea to make it in the form of a
22 motion coming out of this group, and so I will put that out to
23 the group, with apparently not much response. Let me just --
24 John, could you give us your thoughts, or advice, with regard to
25 that suggestion?

26
27 **MR. CARMICHAEL:** I think we should consider that, and I just saw
28 that Spud's hand went up, and so it would probably be good to
29 hear from him, too.

30
31 **CHAIRMAN ANSON:** Go ahead, Spud.

32
33 **MR. WOODWARD:** Thanks, Kevin. Yes, I had the same thought,
34 Chester, and, you know, I don't know -- Is there value in having
35 a motion from this workgroup that interim analyses should be
36 fully utilized, when feasible, to allow for more management
37 flexibility, pursuant to optimum yield, or is that just stating
38 the obvious? You know, I'm not sure. I mean, I'm certainly
39 willing to make a motion, if it's needed, but I certainly don't
40 want to waste words to state the obvious.

41
42 **CHAIRMAN ANSON:** Ryan.

43
44 **MR. RINDONE:** Thanks. Just to offer some advice, I think, from
45 the perspective of the position that, you know, we've seen these
46 things in use, you know, they're not always going to tell you
47 what you want to hear, for one, and sometimes it's good news,
48 and sometimes it's bad news, but you have one coming up here in

1 a month, it sounds like, with vermilion, and you had sort of an
2 interim analysis, and it was a little bit more detailed than
3 that, that you guys saw for yellowtail in August that we'll be
4 working on, or using the data from, for Snapper Grouper 44 and
5 Reef Fish Amendment 55.

6
7 I think you'll have the opportunity to at least see it in
8 practice, at first. In this particular case, it might be
9 something that doesn't necessarily need to be before this group,
10 because you kind of seem like you're already started down that
11 path, and you're already going to have the opportunity to
12 consider one, and that's just a thought.

13
14 **MR. BREWER:** I don't have a motion at this time, Mr. Chair.

15
16 **CHAIRMAN ANSON:** All right, and so that will just leave me to
17 bring up the accountability measures, if someone wants to make a
18 motion relative to that.

19
20 **MS. BOGGS:** Sure. I thought Tom might jump in there, but -- **The**
21 **Joint Section 102 Workgroup recommends the, and, again, I don't**
22 **want to speak for Chester, but councils, and we can amend that**
23 **if necessary, look at adaptive accountability measures.** Is that
24 sufficient, Ryan?

25
26 **MR. RINDONE:** We might just call it "harvest controls", because
27 that's essentially what it's tantamount to, and so "adaptive
28 harvest controls".

29
30 **MS. BOGGS:** I want to be careful with that.

31
32 **MR. RINDONE:** Well, I mean, the common perception of
33 accountability measures is that they're used in response to
34 something bad that happened, but they're still, in effect, a
35 form of harvest control, and so, you know, if you overharvest,
36 to a certain degree, than that harvest is docked in the previous
37 year, or there's some other measure that takes place, but it's
38 still, at its basal definition, it's still a harvest control,
39 and so it may be better, just for the sake of not confusing
40 anyone about what's meant here, that we just call it harvest
41 controls, because those controls could allow more or less
42 harvest, depending on whatever the circumstances are, and, you
43 know, for the sake of a record anyway, I think my blabbering on
44 that is probably enough to define what is meant.

45
46 It doesn't explicitly include carryover and phase-in, but those
47 are both being considered by the South Atlantic in their
48 amendment to redo their ABC Control Rule, and the Gulf will be

1 considering it in January, and so I don't know that we
2 necessarily need to note carryover and phase-in here, because
3 those are both already being taken up by both councils, through
4 separate actions.

5
6 To look at adaptive harvest controls -- You can just leave it
7 there, and this could apply to more than just -- I know this is
8 a recreational workgroup, but this could apply to anything, and
9 so -- I don't know that you need more information.

10
11 **CHAIRMAN ANSON:** All right, and so we have a motion, and it's
12 seconded by -- I don't think it was seconded by anyone.

13
14 **MS. BOGGS:** Well, and I understand what you're saying about
15 harvest controls, but I'm not sure that I like that terminology,
16 but we don't have a second, and so --

17
18 **MR. RINDONE:** You could say adaptive management measures in
19 response to stock condition.

20
21 **MS. BOGGS:** I might prefer that better.

22
23 **MR. RINDONE:** Okay. **Adaptive management measures in response to**
24 **stock condition.** Chester and Spud, that might lean a little bit
25 towards, you know, some of our previous discussions about the
26 interim analyses and how sometimes they can just be used as a
27 health check, and, if the SSC thinks that it's appropriate to do
28 so, they can recommend revised catch limits in response to
29 whatever they see in that interim analysis, but, even if they
30 don't recommend a change in the catch limits, the council might
31 still be encouraged to take action, in some way or another, to
32 modify existing management measures in response to whatever was
33 observed in that interim analysis, and so you kind of touch on
34 the other thing there.

35
36 **CHAIRMAN ANSON:** Susan, do you like -- Is that your motion?

37
38 **MS. BOGGS:** Yes, I'm okay with that wording.

39
40 **CHAIRMAN ANSON:** Okay, and so we have a motion on the board. Is
41 there a second to the motion? Tom seconds. Thank you, Tom.
42 Any discussion on the motion? **Is there any opposition to the**
43 **motion? Hearing none and seeing none, the motion carries.** Is
44 there any other recommendations from the workgroup? Susan.

45
46 **MS. BOGGS:** Well, I don't know that we need to do anything with
47 this, but it came up, or at least I brought it up several times
48 today, is the issue with discards, but I think we're already

1 discussing that, at least at the Gulf Council level, and so I
2 don't really know that there's a motion that needs to be had,
3 other than it's recognized that discards are an issue, but, like
4 I said, we discuss it with just about everything we do, and so
5 I'm just putting it on the record though.

6
7 **CHAIRMAN ANSON:** Tom.

8
9 **DR. FRAZER:** I was thinking, and I'm deciding whether I want to
10 wait until the council meeting to do it or not, but I will give
11 it a whirl here. **The motion would be to request the agency
12 review and consider revisiting the National Standard 1
13 Guidelines to better align them to address contemporary
14 management needs for all sectors, and then there's a second
15 part. Additional technical guidance memos and/or, I guess,
16 identification of other tools and applicable data for use of
17 annual criteria for achieving long-term yields for MSY and OY,
18 as required in MSA.** I think that gets to the flexibility,
19 Chester, that you were talking about and a lot of people have
20 been discussing for a long time.

21
22 **CHAIRMAN ANSON:** All right, and so we have a motion on the
23 board. Is there a second to the motion? It's seconded by
24 Chester. All right. Any discussion on the motion? Ryan.

25
26 **MR. RINDONE:** We might add "are requested" at the end of the
27 second sentence, and so additional technical assistance memos
28 and/or identification of other tools and applicable data for use
29 of annual criteria for achieving long-term yields for MSY and
30 OY, as required in the MSA, are requested.

31
32 **DR. FRAZER:** Thanks, Ryan. I think that's exactly right.

33
34 **CHAIRMAN ANSON:** I guess just a procedural, or technical,
35 question. Is this -- As I read it, this is coming straight from
36 the workgroup, I guess, and is that a high enough level
37 committee to request the agency of this big of a lift, I guess,
38 or should this go as a recommendations to the councils?

39
40 **DR. FRAZER:** So then you would say to request --

41
42 **CHAIRMAN ANSON:** Or to recommend.

43
44 **MS. BOGGS:** Why don't we start it like all the others, with the
45 joint working group?

46
47 **DR. FRAZER:** Thanks, Susan. You should have done this.

48

1 **MS. BOGGS:** No.
2
3 **CHAIRMAN ANSON:** Chester, do you agree with that? Do you
4 concur?
5
6 **MR. BREWER:** (Mr. Brewer's comment is not audible on the
7 recording.)
8
9 **CHAIRMAN ANSON:** Okay. Great. All right, and so the motion --
10 I will just read it, in case the people listening in can't see
11 the screen. **The Joint Section 102 Workgroup recommends the**
12 **councils request the agency review and consider revisiting the**
13 **National Standard 1 Guidelines to better align them to address**
14 **contemporary management needs for all sectors. Additional**
15 **technical assistance memos and/or identification of other tools**
16 **and applicable data for use of annual criteria for achieving**
17 **long-term yields for MSY and OY, as required in MSA, are**
18 **requested.** Spud.
19
20 **MR. WOODWARD:** Thanks. Just a question. Okay, and we're
21 recommending the councils do this, are requested, and do we want
22 to put some sort of date, or deadline, or is it just an open-
23 ended request without any expectation of when we would actually
24 get a response to it?
25
26 **CHAIRMAN ANSON:** Tom.
27
28 **DR. FRAZER:** I don't want to impose a data here, and I will let
29 the council rack this around a little bit.
30
31 **CHAIRMAN ANSON:** Spud, does that answer your question? Are you
32 good?
33
34 **MR. WOODWARD:** Yes, that answer my question. Thank you.
35
36 **CHAIRMAN ANSON:** Thank you. Anyone else? Russ.
37
38 **MR. DUNN:** Just some wordsmithing in agency parlance, and
39 additional technical -- I would either say "guidance or
40 assistance", but without the "memo", because we put out
41 technical guidance memorandum, or technical -- Yes, technical
42 memorandum, and so, if you leave it just at "memo", that kind of
43 limits them from coming and working in-person, as opposed to
44 "additional technical guidance or assistance", whichever you
45 prefer, and it leaves it more broad. Then they could come sit
46 down and chat, or they could write a technical memo, et cetera.
47
48 **DR. FRAZER:** I appreciate that. **We can replace just "assistance**

1 and memos", right, and just insert "guidance" there, and that
2 would work, right? Okay. Thanks. I'm good with that.

3
4 **CHAIRMAN ANSON:** Thank you. All right. Any other discussion on
5 the motion? **Is there any opposition to the motion? Seeing**
6 **none, the motion carries.** Any other items that the workgroup
7 wants to recommend to the council, or councils? I am not seeing
8 any hands, and I am not hearing any comments.

9
10 All right, so that will then take us to Item Number X on the
11 agenda, and that is Public Comment. Bernie, did we have anybody
12 sign-up here in the audience? We have one? Raise your hand.
13 Okay. All right. If you can come up, and we had a hand raised
14 in the back, if you can come up, sir, and say your name, please.

15
16 **PUBLIC COMMENT**

17
18 **MR. ERIC SCHMIDT:** Good afternoon. This is Captain Eric
19 Schmidt, from Fort Myers, Florida, a charter boat and headboat
20 operator. I appreciate the discussion this afternoon, and I
21 appreciate Ms. Boggs making the recommendation and the motion to
22 start the Gulf Council process down the road of requiring
23 recreational fishermen to have a permit to fish in the EEZ.
24 Several representatives from the charter and commercial industry
25 have desired this for a long time.

26
27 The recreational sector, in the State of Florida, is growing
28 without any limitations, and they're growing exponentially.
29 Earlier this year, we topped one-million boat registrations in
30 the State of Florida alone. Now, not all those boats fish in
31 the EEZ, but a fair number of them do.

32
33 Several in the industry have the desire, and I'm sure that this
34 discussion is going to go a lot further down the road, and so
35 we'll have this discussion again, but we have a threefold idea
36 as to how the permit would work. If you fish in the EEZ, you
37 will be required to have a permit. You will also, when you get
38 issued your permit, you will get a sticker, just like the
39 charter boats get, so it's easier for law enforcement to
40 identify whether or not that vessel that is fishing thirty miles
41 offshore has their legal permit. The third part of it is, in a
42 perfect world, we would like to have mandatory reporting, so we
43 can find out exactly how many fish these people are catching and
44 discards.

45
46 **CHAIRMAN ANSON:** Thank you, Captain Schmidt. All right. Eric,
47 do want to come up?
48

1 **MR. ERIC BRAZER:** Great. Thank you, Mr. Chair. I'm Eric
2 Brazer, Deputy Director of the Gulf of Mexico Reef Fish
3 Shareholders Alliance. It's good to see you guys. First of
4 all, I want to echo everything the previous Eric just said, and
5 so please put that in the record on my behalf.

6
7 Because we live in a world of analogies, I want to start with
8 one. Look. At the end of the day, we're all drawing off of the
9 same bank account, and, no matter whether you use that money --
10 What you use it for, or how you convert it, it's coming out of
11 the account in dollars, or at least that's the way it is today,
12 right, and, until Magnuson is changed, that's the currency we
13 have to work in.

14
15 We are here, as the commercial industry, and you'll probably
16 hear from a few more guys, because we want to support you guys
17 in your work, to try and make sure that we're all accountable
18 for the money that's coming out of this account, whether the
19 fish are taken out of the water and sold, whether they're taken
20 out and eaten or discarded and released and don't survive.

21
22 We all have to be accountable for it, and we continue to think
23 that this discard mortality issue is -- It could be the Achilles
24 heel. It could be the thing that undoes all the work that's
25 been done to-date and all the work that you guys are putting in
26 your time to make sure happens now, and so we really can't
27 stress enough that we have to get a handle on discards and
28 discard mortality and come to some sort of agreement that, if
29 you catch it, and you kill it, whether or not you keep it,
30 you're responsible for it.

31
32 With that, you know, I just want to say that you guys made some
33 progress today, and I appreciate that, and that should be
34 acknowledged, and I hope that you, Mr. Chair, and the other Gulf
35 Council members, which there appears to just be Gulf Council
36 members now, and I hope that you guys take this back to Full
37 Council in Biloxi and really stress the need and the importance
38 to prioritize this. There's a lot on your work plates, and the
39 meetings are long, but this should be a priority, and we want to
40 do what we can to help, and so thank you.

41
42 **CHAIRMAN ANSON:** All right. We'll go online next. Bob Zales.

43
44 **MR. BOB ZALES, II:** Thank you. Bob Zales, representing the
45 National Association of Charter Boat Operators and also Southern
46 Offshore Fishing Association. I appreciate both Erics'
47 comments, and, on the permit, by now, all of you either have
48 seen or heard about, I'm fairly certain, the request that I sent

1 to the Gulf Council, several months ago, requesting that they
2 initiate the process to require federal permits, federal fishing
3 permits, for private recreational vessels for when they're
4 fishing in federal waters.

5
6 Along with that request was to initiate a trip reporting system,
7 very similar to what the trip reporting system that I am doing
8 now in my charter boat, and also requiring a vessel decal for
9 identification, to help law enforcement be able to identify who
10 should and who shouldn't be in federal waters fishing.

11
12 The private recreational vessels are the only vessels in the
13 Southeast, that I'm aware of, that do not have to have a permit
14 to fish in federal waters, and every other commercial, shrimp,
15 charter, and all of us have to have permits. If you fish HMS,
16 even the private recreational anglers have to have an HMS
17 permit, and the time has come for that.

18
19 Earlier, on this call today, I heard someone talk about that a
20 vessel permit wouldn't -- A private recreational vessel permit
21 wouldn't allow you to identify the amount of effort by the
22 number of anglers, and I take exception to that, because it
23 clearly will. In a trip reporting system for that vessel, the
24 owner, or the captain, would be required, just like me -- When
25 he leaves to go offshore to go fishing, he logs-in, and he
26 provides all the information that the Fisheries Service requires
27 from him, and it takes me about two minutes to do that.

28
29 Then, when he comes back and gets into the area, because all of
30 this is done on a smartphone, and it's all done by cell service,
31 and, when he gets back in, he logs-in what he's caught, what he
32 has discarded, all the other information that the Fisheries
33 Service requires, and the number of people fishing on that
34 vessel.

35
36 That will not give you a total exact number, because there's no
37 such way to get exact on any of us, but it will give you a far
38 better data system for the private recreational fleet than what
39 you have now, and we hear about all this, and we're all
40 concerned about these high discards, and discard mortality on
41 all these species by the private recreational fleet, and, in all
42 reality, this kind of reporting system may prove that the
43 private recreational fishery isn't discarding what everybody
44 says they are, and they may not be doing all the damage that's
45 being done to our fisheries.

46
47 It will benefit everybody by doing this, and I appreciate Susan
48 making that motion. The only difference is I would suggest that

1 they do it for the vessel, because you've got too many anglers
2 out there by themselves, and you'll not be able to do it, and
3 you've got far fewer vessels, and you can account for all that
4 effort by the trip reporting process.

5
6 If you've got any questions, I will be glad to try to answer
7 them for you, and, John Carmichael, I think that was king
8 mackerel that you were talking about, and I've got to back up
9 some now, because, over the past two to three years, we haven't
10 seen any kingfish in the Panhandle, and this year was the worst
11 year that I've ever seen, in the whole time we've been fishing
12 them, since 1965, and so we've had a few trips, but you've got
13 to be able to catch some, but, right now, there is none of them
14 out there for us to catch. Thank you, all.

15
16 **CHAIRMAN ANSON:** Thank you, Bob. I will look to the members of
17 the audience. Jason, do you want to come up? Thank you.

18
19 **MR. JASON DELACRUZ:** Thank you very much, Kevin, and I, first,
20 will apologize for being preachy, as I like to be lately, and
21 I'm a little flabbergasted by this concept of changing what OY
22 is. All the species that we're talking about are standing on
23 the edge of a cliff, and we are falling off this cliff regularly
24 now, and now we're going to take the edge of the cliff and just
25 move it a little bit further down, so that, when we fall, it's
26 even worse.

27
28 I'm kind of blown-away by that, and I can't -- Imagine that
29 we're still fishing on the fish, whether you're commercial or
30 whether you're recreational, and Eric was right, and both Erics
31 were right, and I get the concept of changing that. I remember
32 talking to Roy about this, when that concept first came up, but
33 it's not like we have all these fisheries that are in really
34 stellar shape.

35
36 The ones that we're talking about all the time are already in
37 bad positions. You know, the discards that you hear everybody
38 talk about, and that I've been harping on, is our real problem,
39 but now we're going to take that and just kind of push the
40 problem over a little bit, and that doesn't make any sense to
41 me, and it's kind of immoral, in my eyes, to think about OY as
42 acceptable as a discard, and so we're going to kill something
43 that's alive, that should be eaten, and throw it back in the
44 water and that be an okay concept?

45
46 I mean, I pretty much lose my mind if a fish gets killed and it
47 doesn't get eaten, and that's just not an acceptable thing.
48 Again, I apologize for being preachy, but I just had to get that

1 out. Thank you.

2
3 **CHAIRMAN ANSON:** Jason, just to clarify, as I understand it,
4 when we had that discussion here today, you know, it was a
5 recommendation, and the councils will deliberate and talk about
6 it, but I think it was in the context of a species-by-species,
7 and OY would be kind of, you know, determined within each
8 species, and some species may be eligible for discussing OY,
9 because they are not at the edge of the cliff, and others may
10 be, and so that's -- I think that will be part of the discussion
11 that we have at the council, and so, Tom, do you want to add to
12 that?

13
14 **DR. FRAZER:** Yes, and I would agree. I don't think the intent,
15 Jason, at least from my point of view, right, was to drive OY
16 past MSY, right, and that was never the intent, right, and we
17 just want to be able to better understand what goes into a
18 determination of OY, and we have a definition, and I don't know
19 necessarily what that means, but I would agree with you
20 wholeheartedly, and what I was trying to say earlier, right, is,
21 when we talk about the word "yield", right, yield is everything,
22 everything that comes up out of the water and everything that
23 stays in the water, and so I hear you, and so I just don't want
24 you to misconstrue where we're going with the OY stuff.

25
26 **MR. DELACRUZ:** Thank you, Kevin, and I hope that's the case. I
27 fear that, and, I mean, it's -- This room is supposed to be
28 about the fish, most importantly.

29
30 **CHAIRMAN ANSON:** Thank you. Next, we'll go to online. Jon
31 Reynolds.

32
33 **MR. JON REYNOLDS:** Thank you. My name is Jon Reynolds, and I'm
34 on the Dolphin Wahoo AP for the South Atlantic Fishery
35 Management Council. I'm the vice chair, and I'm also on the
36 Citizen Science, and I'm also a lifetime charter boat and hook-
37 and-line commercial fisherman, and I am the President of South
38 Atlantic Fishing Environmentalists.

39
40 These are very good discussions, and I encourage the councils to
41 continue them. With my understanding of how this is being
42 interpreted for optimum yield, it makes a lot of sense. If you
43 guys can understand the interactions that you might have with
44 recreational anglers or charter boat anglers, and we're having
45 these discussions on a daily basis on our boats.

46
47 We are getting the goals and the ideas that our customers want
48 to catch on a daily basis and what their goals are of a fishery

1 and what they would like, and a lot more information and
2 feedback about what they're happy with, or unhappy with, as
3 management tools.

4
5 All that being said, defining optimum yield, as it relates also
6 to ecosystem management, and leaving more fish in the water,
7 and, if we're talking about doing that, it's going to help
8 habitat, and it's going to help ecosystems, and it's going to
9 provide a lot more with certain individual species, where it's
10 very important for recreational opportunity, and so I think
11 those discussions are extremely important.

12
13 For data collection, you know, on the same note, remember that
14 we're having these discussions with our people on a regular
15 basis, and we do have dockside surveys, but it might be a useful
16 tool, or a consideration, to think that, you know, our customers
17 have some downtime on the way out, and while we're cleaning
18 fish, and they have time, you know, and technology is so
19 advanced now.

20
21 If we could come up with some sort of survey, to even put
22 possibly on our charter/for-hire reporting app, or a separate
23 survey that we could have an app for, we could have our
24 customers giving you input directly, electronically, and you
25 would get a lot of input very fast, you know, on a daily basis,
26 and it would be a very easy, streamlined thing for a lot of
27 charter boat operators to do and to ask their customers to
28 participate in. Thank you for all your time, and thank you for
29 the opportunity to speak.

30
31 **CHAIRMAN ANSON:** Thank you, Mr. Reynolds, and just stay tuned to
32 the council deliberations on this topic. Thank you for your
33 comments. I will look out in the audience again. Yes, sir. Do
34 you want to come up and speak?

35
36 **MR. ED MACCINI:** Ed Maccini, President of the Southern Offshore
37 Fishing Association. I agree with what everyone has just said,
38 and we all know that we need some kind of accountability with
39 the recreational sector, and so I'm not going to beat that dead
40 horse.

41
42 I have one question, and, until we do get accountability, I was
43 just curious about, when you do the mail-out survey, is there a
44 question on there concerning the size of the boat, the power of
45 the boat, the capacity, et cetera? I have never seen the
46 survey, and I was just wondering, and is there -- Is that -- So
47 there is no question?

48

1 So my problem with that is the fellow who has the \$300,000 boat
2 that has a larger vested interest is probably going to be more
3 apt to answer the survey question, rather than the fellow that
4 has a little eighteen-foot boat, and that was kind of my issue,
5 is that who is actually responding to these questions, and my
6 guess is the high end is -- You're going to get a lot more
7 response from the high end than you are from the middle-of-the-
8 road, and that was the only question I really had. Thank you
9 very much.

10
11 **CHAIRMAN ANSON:** Thank you, sir. Next, we have John Sanchez.
12 John, go ahead.

13
14 **MR. JOHN SANCHEZ:** Kevin, how are you?

15
16 **CHAIRMAN ANSON:** I am well. Thank you. It's good to hear your
17 voice.

18
19 **MR. SANCHEZ:** It's good to hear yours, too. I wanted to say
20 today that I appreciate this congressional directive to improve
21 the accuracy of our recreational effort surveys, which, to a
22 great extent, made this workshop a reality. I hope this is the
23 beginning of a sincere attempt to getting all the sectors to
24 comparable levels of accountability, so we can more sustainably
25 manage our fish.

26
27 Having comparable levels of accountability will greatly address,
28 if not remove, some of the ongoing biases that exist in
29 fisheries management today. By biases, and some of you have
30 heard me talk about it before, the difficulty experienced in
31 generating MRIP-FES-equivalent historical ABCs, which are really
32 needed if you're going to consider foregone commercial
33 opportunity in all these ongoing allocation deliberations.

34
35 Foregone opportunity, I mean, it's just not being considered in
36 these MRIP-FES allocation decisions, and the fully-accountable
37 commercial and charter sectors -- Their reporting platforms
38 differ greatly, in terms of accountability, from the ones that
39 currently exist in our recreational effort surveys. Better data
40 will lead to better management.

41
42 Another point that I see as a bias is we're kind of hung-up on
43 MRIP-FES and best available science available, and, in my
44 opinion, experience has taught me that best scientific
45 information available is not necessarily one-size-fits-all, and
46 I was very encouraged by some of the SRFs discussions, which may
47 feel the same way, in terms of comparing it to MRIP-FES, for
48 certain species anyway.

1
2 The bottom line is, without vastly improved accountable
3 recreational effort surveys, we have to ask ourselves what is
4 the endgame in what we've been doing lately, and, by that, I
5 mean this rob-Peter-to-pay-Paul mentality, where, let's face it,
6 with a limited universe of participants in commercial and
7 charter/for-hire, you can rob Peter until he has nothing, and
8 give it all to Paul, and then you might find out that it's still
9 not enough. Our resources deserve better, and I think what we
10 need to do is have comparable levels of accountability between
11 the sectors.

12
13 Now, that's easier said than done, and I hate to point out
14 things, I guess, that we're all thinking on, and seem somewhat
15 obvious, without attempting to offer some solutions.

16
17 A possible solution would be, hey, let's go back and actually
18 generate some MRIP-FES-equivalent ABCs and consider foregone
19 commercial opportunity. Now, that seems to have been a daunting
20 task, and so perhaps a better direction would be let's go ahead
21 with the sentiment that's being discussed, and I'm encouraged by
22 the South Atlantic's approach at looking at this and considering
23 it and kicking it around, to move forward with a requirement of
24 a federal recreational fishing permit, and possibly have
25 similar, you know, meaningful reporting requirement in our state
26 systems, and not that we don't already, but kind of get them
27 parallel, so the data gets improved, and I really think that,
28 with this improved accuracy in recreational fishing, and some
29 effort that is incumbent on us to release these fish with the
30 greatest chance of survivability, learning proper release
31 techniques, between all sectors, we're going to be better off in
32 all of our fisheries for it.

33
34 I am not so naïve that this will be the end-all to the spirited
35 allocations we have as managers, but with a balanced composition
36 of voting members on the council and comparable levels of
37 accountability between the sectors, the real winner will be the
38 fish. There may just be enough fish left for us to fight over.
39 Thank you very much.

40
41 **CHAIRMAN ANSON:** Thank you, John. Take care.

42
43 **MR. SANCHEZ:** You too. Be well, everybody.

44
45 **CHAIRMAN ANSON:** All right. Thanks. Anyone else in the
46 audience? Buddy.

47
48 **MR. BUDDY GUINDON:** I want to thank all of you for coming and

1 spending your time working on this, and it's long overdue, and I
2 appreciate everyone that took the time to join this committee
3 and get some things done. I support everything that John and
4 both Erics said, and I won't bother you anymore. Thanks.

5
6 **CHAIRMAN ANSON:** Thank you. Chris.

7
8 **MR. CHRIS HORTON:** Thank you, Mr. Chairman, and I'm Chris Horton
9 with the Congressional Sportsmen's Foundation, a recreational
10 angler, primarily out of Alabama, but I do fish out of Louisiana
11 quite a bit, but I appreciate the work of this joint workgroup
12 here, and I know it's been a bit of a challenge, and one of the
13 motions that I saw today that I really appreciated was the
14 opportunity to -- Encouraging NOAA to review National Standard 1
15 again, because I think, from the very first meeting here, as
16 Chester alluded to earlier today, that they were told that we
17 can only manage in pounds, yet we're talking about the dolphin
18 fishery now, and we might be able to manage in CPUE.

19
20 Well, I do want to point out that Magnuson -- Nowhere in
21 Magnuson does it say that ACLs have to be in pounds, and it's NS
22 1, in NOAA's administrative rule that interprets the intention
23 of MSA, that it has to be in pounds, and that's actually what
24 the Modern Fish Act was trying to clarify, is that you can
25 manage by harvest rates and harvest targets, and you still have
26 to abide by the premise of the National Standards, but, in order
27 to eventually get there, where we could actually manage to an
28 exploitation rate, we're going to have to modify what's in the
29 National Standards.

30
31 I also pretty much -- I very much appreciate the conversations
32 on OY, because I think that is -- That is important to
33 understand that there is a difference in OY between the
34 commercial and the recreational side.

35
36 The kingfish discussion that's going on at the Gulf Council
37 right now is a good example of that, and leaving fish in the
38 water -- There is a value there, but what is that socioeconomic
39 and cultural value, and we do need that information. To be able
40 to set an OY for the recreational sector, we really do need that
41 information, and so I really appreciate that, and thanks for all
42 your work.

43
44 **CHAIRMAN ANSON:** Thank you. Anyone else in the audience?
45 Martha.

46
47 **MS. MARTHA GUYAS:** Hi, everybody. Martha Guyas, American
48 Sportfishing Association, and, just to follow-up on some of the

1 things that Chris said, I also appreciate that OY motion, and
2 I'm going back to something that Carrie said, and so a little
3 bit of the history of this group.

4
5 This group was born from a CCC meeting, and not everybody
6 probably realizes that, to try to think through some alternative
7 recreational fishing strategies, since really the Southeast is
8 where the recreational fishery in this country is centered, and
9 so, you know, you all have identified some things that the
10 councils can chew on, but I think it is fair to recognize that
11 there are things, and considerations, that probably need to
12 happen at a national level, including reconsideration of
13 National Standard 1.

14
15 Andy mentioned, in his discussion this morning, you know, are we
16 allocating resources the way that we need to be, to really be
17 addressing recreational fisheries, and so I just want to
18 highlight that, and I don't think it's out-of-bounds for this
19 group to, you know, come to that conclusion, or for the councils
20 to kind of chew on that and, you know, it would be up to NMFS,
21 or potentially Congress, or whoever, to make some of those
22 bigger changes, but I think it's fair to identify them at least
23 in the report. I think it was a good discussion today, and it's
24 been a while, and I'm sorry to abandon you all, and thanks,
25 Kevin, for stepping up as the chair.

26
27 **CHAIRMAN ANSON:** Thank you, Martha. Anyone else in the
28 audience? Anyone else online? Bernie, we have no one else in
29 the queue online? All right, and so, Jon Reynolds, are you on
30 the phone? Would you like to speak again?

31
32 **MR. REYNOLDS:** Out of respect for all the other speakers, I
33 usually just try to stick to the topic for my first comment, and
34 you will find me raising my hand again for commenting after it
35 seems like everyone is done, for an additional comment.

36
37 I would just like to say, since everyone is here, that we would
38 like to urge the Gulf Council to please consider taking dolphin
39 management, dolphin management measures, under a lot of
40 consideration for the future. This has to be a collaborative
41 effort, if we're going to do something about the dolphin
42 fishery.

43
44 We are the only region in the Southeast with a size limit, and
45 it's helping other regions that we have that, and it's a really
46 big deal, and that we have a very small, very small, low-impact
47 commercial fishery for dolphin in the lower Southeast region,
48 and south Florida especially is what I'm referring to, but this

1 matters, for fairness and equitability and what stocks are
2 arriving in different regions, and so I just wanted to say that,
3 while everyone is here together, that I -- You know, we as a
4 group, our anglers, our customers, all the charter fishermen,
5 from the Keys and from southeastern Florida, would really like
6 to encourage the Gulf to join, and possibly work together with
7 the South Atlantic Council and the Caribbean Council in a joint
8 amendment, or a joint effort, to do something good for dolphin
9 management. Thank you.

10
11 **CHAIRMAN ANSON:** All right. Thank you, Jon, and I appreciate
12 your comments, and I appreciate you holding off until a second
13 try, but I certainly encourage you to reach out to each of the
14 respective councils, and, if it's just the Gulf Council that is
15 your intended audience, then please register and provide comment
16 at the next meeting relative to that issue. I see another
17 person on the list, and, Bob, if you can do it -- If you can
18 just wrap your comments up, I will defer, and you will be the
19 last person that will speak. Bob Zales.

20
21 **MR. ZALES:** I appreciate. Earlier in the conversation, someone
22 was talking about the lack of fish that we're seeing and
23 whatnot, and I just wanted to address that. With the amberjack,
24 amberjack has failed to respond to any kind of management since
25 1990, and we have suggested -- There's been a lot of changes
26 made, and amberjack has still gone downhill from that whole
27 process, and so I don't know what's going on with that fishery.

28
29 Red snapper, the council, in Corpus, heard, from pretty much
30 everybody that really seriously fishes for red snapper, about
31 the decline in the red snapper population. We appreciate the
32 almost three weeks of extra time that we got in the charter/for-
33 hire side in this thing, but the three weeks in August that we
34 fished for red snapper was probably the worst red snapper
35 fishing we've seen in a long time. I don't know what the issue
36 is there, but the red snapper fishery, currently, is not
37 healthy, in a lot of our opinions.

38
39 Gag grouper is another one, and king mackerel -- You all have
40 heard me, for three years now, on king mackerel, and so we've
41 got some issues with these fish. We're getting stock
42 assessments that are saying these things are in great shape,
43 and, from the fishermen's point of view, they're not in great
44 shape, and we've been telling you all, and so hopefully
45 something will happen where we can get out of managing a virtual
46 fish into managing a real fish, and so thank you all very much
47 for taking me again, and I hope you all have a good day. Thank
48 you.

1
2 **CHAIRMAN ANSON:** All right. Thank you, Bob. All right, and so
3 I don't see any other names on the board, and no one else who
4 hasn't spoken here in the audience is raising their hands, and
5 so, with that, we'll go ahead and adjourn the workgroup meeting.
6 Thank you, everyone, for coming, and thank you for those online,
7 the workgroup members. Thank you for your work. Goodbye.

8
9 (Whereupon, the meeting adjourned on October 12, 2022.)

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